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PROCEEDINGS AND DEBATES

OF THE

SECOND SESSION OF THE SIXTY-SIXTH CONGRESS

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PROCEEDINGS AND DEBATES OF THE SIXTY-SIXTH CONGRESS SECOND SESSION.

SENATE.

TUESDAY, *May 25, 1920.*

(Legislative day of Monday, May 24, 1920.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

ARMY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13587) making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ashurst	Jones, Wash.	Nelson	Smith, Md.
Ball	Kendrick	New	Smoot
Calder	Knox	Norris	Spencer
Capper	Lodge	Nugent	Swanson
Chamberlain	McCormick	Overman	Thomas
Comer	McCumber	Page	Underwood
Curtis	McLean	Pomerene	Wadsworth
Fernald	McNary	Ransdell	
Gay	Moses	Sheppard	

Mr. CURTIS. The Senator from New Hampshire [Mr. KEYES], the Senator from Maine [Mr. HALE], and the Senator from Florida [Mr. TRAMMELL] are absent on official business.

Mr. SPENCER. I announce that the junior Senator from Iowa [Mr. KENYON], the junior Senator from New Jersey [Mr. EDGE], and the senior Senator from Missouri [Mr. REED] are engaged in a committee hearing.

The VICE PRESIDENT. Thirty-four Senators have answered to the roll call. There is not a quorum present. The roll of absentees will be called.

The Reading Clerk called the names of the absent Senators, and Mr. FRELINGHUYSEN, Mr. JONES of New Mexico, Mr. MCKELLAR, Mr. SMITH of South Carolina, Mr. STERLING, Mr. TOWNSEND, and Mr. WALSH of Montana answered to their names when called.

Mr. ROBINSON, Mr. FALL, Mr. WARREN, and Mr. HENDERSON entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-five Senators have answered to the roll call. There is not a quorum present.

Mr. MCKELLAR. The Senator from Georgia [Mr. HARRIS], the Senator from Kentucky [Mr. BECKHAM], the Senator from North Carolina [Mr. SIMMONS], the Senator from Utah [Mr. KING], the Senator from California [Mr. PHELAN], the Senator from Florida [Mr. TRAMMELL], and the Senator from Massachusetts [Mr. WALSH] are absent on official business.

Mr. CURTIS. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the order of the Senate.

Mr. WATSON, Mr. LENROOT, Mr. HARRISON, Mr. GLASS, Mr. KELLOGG, Mr. SHERMAN, Mr. DIAL, Mr. CULBERSON, Mr. HARDING, and Mr. SMITH of Arizona entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present.

Mr. WADSWORTH. When the Senate took a recess yesterday we had under consideration the amendment on page 44, beginning with line 13, the item relative to Leon Springs Military Reservation in Texas.

Mr. OVERMAN. Will the Senator from New York yield to me, that I may withdraw a motion to reconsider?

Mr. WADSWORTH. Certainly.

PUBLIC BUILDING AT GASTONIA, N. C.

Mr. OVERMAN. A few days ago I entered a motion to reconsider the vote by which the bill (S. 4332) to exchange the present Federal building and site at Gastonia, N. C., for a new site and building passed the Senate, and I asked that the bill be recalled from the House of Representatives. I now ask leave to withdraw the motion to reconsider, so that the bill may go forward to the House of Representatives.

The VICE PRESIDENT. Is there objection? The Chair hears none.

FINANCIAL POLICY.

The VICE PRESIDENT laid before the Senate a communication from the governor of the Federal Reserve Board, transmitting, in response to a resolution of the 17th instant, information relative to what steps the Federal Reserve Board purposes to take or to recommend to the member banks of the Federal Reserve System to meet the existing inflation of currency and credits and consequent high prices, etc., which was referred to the Committee on Banking and Currency and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 4163) to incorporate the Roosevelt Memorial Association.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 5416. An act to authorize corporations organized in the District of Columbia to change their names;

H. R. 8067. An act to establish standard weights and measures for the District of Columbia, to define the duties of the superintendent of weights, measures, and markets of the District of Columbia, and for other purposes;

H. R. 8535. An act to provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia in cases of subdivision or sales of land therein;

H. R. 9036. An act to repeal and annul certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Company," approved May 20, 1870;

H. R. 10004. An act to authorize the widening of Georgia Avenue between Fairmont Street and Gresham Place NW.;

H. R. 11329. An act to provide for the sale by the Commissioners of the District of Columbia of certain land in the District of Columbia acquired for a school site, and for other purposes; and

H. R. 12887. An act establishing the liability of hotel proprietors and innkeepers in the District of Columbia.

PETITIONS AND MEMORIALS.

Mr. LODGE presented resolutions of the Near East Relief Philadelphia Committee, of Pennsylvania, in favor of the United States taking a mandate for Armenia, which were referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a petition of the city council and Chamber of Commerce of Sheboygan, Mich., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

REPORTS OF COMMITTEES.

Mr. McLEAN, from the Committee on Banking and Currency, to which was referred the bill (S. 4436) to amend the act approved December 23, 1913, known as the Federal reserve act, reported it without amendment and submitted a report (No. 632) thereon.

Mr. TRAMMELL, from the Committee on Claims, to which was referred the bill (H. R. 11030) for the relief of the Woodford Bank & Trust Co., of Versailles, Ky., reported it without amendment and submitted a report (No. 633) thereon.

Mr. THOMAS, from the Committee on Military Affairs, to which was referred the bill (S. 4324) for the relief of William C. Brown, reported it without amendment.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH of Montana:

A bill (S. 4440) providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes; to the Committee on Indian Affairs.

By Mr. CALDER:

A bill (S. 4441) to authorize the purchase of site, preparation of plans and specifications, and construction of building for use as a foreign branch station for the post office at New York, N. Y.; to the Committee on Public Buildings and Grounds.

A bill (S. 4442) for the relief of Perley Morse & Co.; to the Committee on Claims.

By Mr. TOWNSEND:

A bill (S. 4443) for the relief of Morgan Miller; to the Committee on Claims.

By Mr. WADSWORTH:

A bill (S. 4444) for the relief of Claude L. Seiler; to the Committee on Claims.

By Mr. LODGE:

A bill (S. 4445) to provide for the transfer of the steamship *Martha Washington* to Cosulich Societa Triestina di Navigazione, an Italian corporation of Trieste, and directing the United States Shipping Board to make delivery of the said steamship and to determine, award, and pay just compensation for use of the said steamship; to the Committee on Foreign Relations.

By Mr. WALSH of Montana:

A joint resolution (S. J. Res. 204) to appropriate out of the funds of the Flathead Tribe of Indians the sum of $10,000, or so much thereof as may be necessary to bring test suits in the United States court, district of Montana, to determine the right of the Government to issue patents in fee to members of the Flathead Tribe, and for other purposes; and

A joint resolution (S. J. Res. 205) to appropriate out of the funds of the Blackfeet Tribe of Indians the sum of $10,000, or so much thereof as may be necessary to bring test suits in the United States court, district of Montana, to determine the right of the Government to issue patents in fee to members of the Blackfeet Tribe, and for other purposes; to the Committee on Indian Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. WARREN (for Mr. PHIPPS) submitted an amendment proposing to appropriate $2,500 for the purchase, maintenance, operation, and repair of a motor-driven passenger-carrying vehicle for use of the superintendent and employees in connection with the general park work at the Rocky Mountain National Park, Colo., etc., intended to be proposed to the sundry civil appropriation bill, which was ordered to lie on the table and be printed.

He also (for Mr. PHIPPS) submitted an amendment proposing to appropriate $1,000 for the purchase, maintenance, operation, and repair of motor cycles for use of the superintendent and employees in connection with general park work at the Rocky Mountain National Park, Colo., intended to be proposed to the sundry civil appropriation bill, which was ordered to lie on the table and be printed.

Mr. STERLING submitted an amendment proposing to appropriate $487,500 for foremen draftsmen, architectural draftsmen, and apprentice draftsmen, etc., in the Supervising Architect's Office, Treasury Department, etc., intended to be proposed by him to the sundry civil appropriation bill, which was ordered to lie on the table and be printed.

Mr. McCUMBER submitted an amendment proposing to appropriate $1,200 to pay Dennis M. Kerr for extra and expert services rendered the Committee on Pensions during the first and second sessions of the Sixty-sixth Congress, and $1,200 to pay Robert W. Farrar for indexing and extra services as clerk to the Committee on Pensions, intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Pensions and ordered to be printed.

COMPENSATION OF EMPLOYEES.

Mr. DIAL. I wish to enter a motion to reconsider the vote by which the bill (H. R. 5726) to fix the compensation of certain employees of the United States was ordered to a third reading and passed.

The VICE PRESIDENT. The motion to reconsider will be entered.

DIPLOMATIC AND CONSULAR APPROPRIATIONS—CONFERENCE REPORT.

Mr. LODGE. I submit the conference report on House bill 11960, the Diplomatic and Consular appropriation bill. It has been formerly before the Senate, and, as the Senate is aware, one amendment the House voted down. It has now been adjusted so as to meet the objection of the House, and it is a unanimous report adopted by the conferees.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11960) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 10, and 13.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 7, 8, 9, 11, 12, and 14, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$480,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$900,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"For the purchase of an embassy building and grounds at Santiago, Chile, and for making necessary minor repairs and alterations in the building to put it into proper condition, $130,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "The unexpended balance of the appropriation for the fiscal year ending June 30, 1920, is hereby made available for the fiscal year ending June 30, 1921, and for the objects and purposes designated by said act of appropriation"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"FEES FOR PASSPORTS AND VISÉS.

"SECTION 1. From and after the 1st day of July, 1920, there shall be collected and paid into the Treasury of the United States quarterly a fee of $1 for executing each application for a passport and $9 for each passport issued to a citizen or person owing allegiance to or entitled to the protection of the United States: *Provided*, That nothing herein contained shall be construed to limit the right of the Secretary of State by regulation to authorize the retention by State officials of the fee of $1 for executing an application for a passport: *And provided further*, That no fee shall be collected for passports issued to officers or employees of the United States proceeding abroad in the discharge of their official duties, or to members of their immediate families, or to seamen, or to widows, children, parents, brothers, and sisters of American soldiers, sailors, or marines, buried abroad whose journey is undertaken for the purpose and with the intent of visiting the graves of such soldiers, sailors, or marines, which facts shall be made a part of the application for the passport.

"SEC. 2. From and after the 1st day of July, 1920, there shall be collected and paid into the Treasury of the United States quarterly a fee of $1 for executing each application of an alien for a visé and $9 for each visé of the passport of an alien: *Provided*, That no fee shall be collected from any officer of any foreign Government or members of his immediate family, its armed forces, or of any State, district, or municipality thereof, traveling to or through the United States, or of any soldiers coming within the terms of the public resolution approved October 19, 1918 (40 Stat. L., pt. 1, p. 1014).

"SEC. 3. The validity of a passport or visé shall be limited to two years, unless the Secretary of State shall by regulation limit the validity of such passport or visé to a shorter period.

"SEC. 4. Whenever the appropriate officer within the United States of any foreign country refuses to visé a passport issued by the United States, the Department of State is hereby author-

ized upon request in writing and the return of the unused passport within six months from the date of issue to refund to the person to whom the passport was issued the fees which have been paid to Federal officials, and the money for that purpose is hereby appropriated and directed to be paid upon the order of the Secretary of State.

"SEC. 5. Section 1 of the act approved March 2, 1907, entitled 'An act in reference to the expatriation of citizens and their protection abroad' (34 Stat. L., pt. 1, p. 1228), authorizing the Secretary of State to issue passports to certain persons not citizens of the United States is hereby repealed."

And the Senate agree to the same.

H. C. LODGE,
W. E. BORAH,
ATLEE POMERENE,
Managers on the part of the Senate.

STEPHEN G. PORTER,
JOHN JACOB ROGERS,
H. D. FLOOD,
Managers on the part of the House.

Mr. KING. I should like to ask the chairman of the committee what disposition was made of the amendment in disagreement involving, as I understand, the payment of a certain amount for the issuing of passports.

Mr. LODGE. Nothing was done to change the fees. The fees remain the same. There was objection in the House. The objection was to the clause giving a consul the right to refuse a visé if on observation he thought the applicants were obnoxious to our immigration laws. The House objected to that provision. There was one other small point, the filing of a certificate as well as a visé. It is now a unanimous report. What the House objected to has been eliminated.

The report was agreed to.

GIFT OF J. PIERPONT MORGAN (H. DOC. NO. 793).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, was referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate and House of Representatives:

I transmit for your consideration a report from the Secretary of State announcing that Mr. J. Pierpont Morgan, of New York City, offers to the Government of the United States, as a gift to the Nation for use by the Ambassador of the United States in London as an official residence, the house property situated in that city known as Nos. 13 and 14 Prince's Gate, Hyde Park.

The attention of the Congress is invited to Mr. Morgan's statement that the house is now vacant and that consequently he would be glad to learn as soon as possible whether the Government of the United States will be disposed to accept his offer.

WOODROW WILSON.

(Inclosure: Report of the Secretary of State.)

THE WHITE HOUSE,
May 25, 1920.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on the District of Columbia:

H. R. 8067. An act to establish standard weights and measures for the District of Columbia, to define the duties of the superintendent of weights, measures, and markets of the District of Columbia, and for other purposes;

H. R. 8535. An act to provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia in cases of subdivision or sales of land thereon;

H. R. 10004. An act to authorize the widening of Georgia Avenue between Fairmont Street and Gresham Place NW.;

H. R. 11329. An act to provide for the sale by the Commissioners of the District of Columbia of certain land in the District of Columbia acquired for a school site, and for other purposes; and

H. R. 12887. An act establishing the liability of hotel proprietors and innkeepers in the District of Columbia.

The following bills were each read twice by their titles and referred to the Committee on Corporations Organized in the District of Columbia:

H. R. 5416. An act to authorize corporations organized in the District of Columbia to change their names; and

H. R. 9036. An act to repeal and annul certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Company," approved May 20, 1870.

ARMY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13587) making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes.

The VICE PRESIDENT. The pending amendment will be stated.

The ASSISTANT SECRETARY. The next amendment passed over is on page 44, where the committee report to strike out the proviso beginning after the numerals "$50,000," in line 13, in the following words:

Provided, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $88,880 for the acquisition of land as an addition to the Leon Springs Military Reservation in Texas, heretofore authorized, and now in use as a target range for Camp Travis, Tex.

Mr. WADSWORTH. Mr. President, when the Senate had this amendment and somewhat similar amendments under consideration yesterday there were very few Senators present. So, perhaps, I am justified in very briefly describing the motives of the Committee on Military Affairs in striking out this language as it appears in the House bill and in taking the action which it has in respect to the other similar items in the bill.

Prior to the recent war it was not considered the proper function of the Committee on Military Affairs to handle appropriations looking toward permanent investments in land for the Government, whether that land was going to be used by the War Department or by some other department. Appropriations looking toward the purchase of land for the War Department and for all other departments were always handled by the Committee on Appropriations.

During the war, in the confusion and hurry, when a great mass of military legislation had to be put through with little delay and with still less consideration, the War Department, of course, was compelled to ask the Military Affairs Committee to combine all kinds of items together in one bill. So we found ourselves handling appropriations for the purchase of land for the War Department. That has also been going on since the war, incident to the great effort to straighten out the tangles in connection with land matters, for, of course, the war left us in a state of chaos with respect to these questions. The Military Affairs Committee during the last year, or certainly since the armistice, has endeavored to help out along this line; but the confusion caused by such a practice here in the Senate and in the Congress at large is most regrettable, for, while the Military Affairs Committee is handling appropriations for the purchase of land for the War Department the Appropriations Committee is doing the same thing, and is also handling appropriations for the purchase of land or the perfection of title to land for other departments. The result is that neither committee knows what the other is doing.

There has been grave complaint not only of the duplication of effort but of the confused condition which has resulted. As we stand here to-day there is no committee whose chairman or members can tell their colleagues in the Senate just what the proper program for the retention of these lands should be, how much should be purchased in the future, and how much that we now have on hand should be sold. So in the consideration of the pending bill the Senate Military Affairs Committee decided that we would do our best to have the old practice restored, namely, that only the Committee on Appropriations should handle items of this sort. We are convinced that unless we go back to that very healthy custom we shall never get the land question straightened out.

The Government is interested, Mr. President, in literally scores of pieces of land all over the country which it had acquired or had partly acquired during the war.

The Military Affairs Committee feels that it has gone as far as it should, and that in the interest of simplicity and a proper understanding by the Senate and the House of Representatives these problems should be handled by the committee that always did handle them before the war. So the Military Affairs Committee, believing that to be the proper practice, struck out of the House bill the land-purchase appropriations which had been adopted by the House, and in doing so urged Senators and Members of the House who were interested in them to take the particular items up with the Appropriations Committee and ascertain if that committee would be willing to consider them in connection with the sundry civil appropriation bill, where they belong.

Some of these projects are desirable; it may be said that one or two of them, perhaps, constitute emergencies, in that if the Government should act quickly it may save money. The great majority of them, in my humble judgment, may be postponed indefinitely for further consideration until we determine just how much of an establishment of a military character or a

naval character, or in connection with any other Governmental activity, we are going to have. None of the projects which the Military Affairs Committee struck out of the pending bill was deemed by a majority of the committee to be of such an emergent character as to warrant the committee in forcing them upon the attention of the Senate from our committee. We believe that the particular items which we struck out should go to the Appropriations Committee, and that if that committee did not immediately act upon them, either in the affirmative or in the negative, the Government in the meantime would, at least, be able to get along, and that incidentally the taxpayer would have a chance to catch his breath.

The Senate late upon yesterday afternoon, with only a few Senators present, overturned the judgment of the committee with respect to the purchase of Selfridge Field. That is a close question; many people think that item should be retained; others think it is not an emergency matter or, at least, not a matter of immediate emergency. Of course, the Senate is master of the situation, and can at any time refuse to follow the lead of the committee.

The question now before the Senate is the purchase of land at Leon Springs, in Texas, to complete a project which the War Department has had in mind. I think some options are involved. It may be wise to make the purchase now or it may be perfectly possible to postpone it for a while, but the hope of the Military Affairs Committee is that all these matters may be considered together. They can not all be considered together and as part of one great program unless they are all considered by one committee; and the one committee to do it is the Appropriations Committee.

That is the whole situation. If the Senate does not desire to go back to its old custom, which has prevailed with such advantage to the country, of course, it need not do so.

Mr. SHEPPARD. Mr. President, I agree thoroughly with what the Senator from New York has said, but I wish to call attention to the fact that unless the Government acts in this particular matter, and unless we embody in the pending bill a provision for the purchase of the additional land at the Leon Springs Military Reservation, the Government will be involved in a large financial loss.

A target range has been constructed and completed at a cost of $70,000 on the land which it is proposed to buy. Unless this land is purchased by June 30 the option will expire and the land can not be purchased at all at the present price. A target range is a fundamental military necessity in the vicinity of Fort Sam Houston, which is one of the largest military posts in the country, and its position with reference to the Mexican border gives it added importance.

Furthermore, the Government will be under obligations to put the land in the shape in which it was when it was taken over, and this will cost as much as the present price of the land. So the Government will lose not only what it will cost to construct another target range—the War Department having stated that it will now cost $120,000 to construct a similar range in some other locality near San Antonio and near Fort Sam Houston—but it will lose the amount that it will expend in restoring the land to the condition in which it was when it was taken over.

In addition to that, when it takes up the proposition of buying other lands for a target range, the Government will have to pay a larger price than that for which it can secure the land on which the range is now located. Failure to complete the purchase of the land on which this target range is now situated, therefore, will involve the Government in a loss of from $130,000 to $150,000.

It is only for such reasons that I have insisted that an exception be made in this instance to the committee's policy and that the action of the House in providing for this purchase in the Army appropriation bill be concurred in.

Therefore, with all due respect to the committee, of which I am a member, I trust that the Senate will disagree to the amendment reported by the committee.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

Mr. SHERMAN. Mr. President, nothing illustrates better the evil of a number of different agencies of this body recommending the appropriation of money than the instance cited by the Senator from New York. We find numerous committees of this body all of which assume to exercise and do exercise powers of recommending appropriations, and thus to a very large degree controlling public expenditures. It is a waste of breath and print paper to talk about a budget system when the spirit in this body is such that it will not rebuke on every opportune occasion the practice of making appropriations in this way. It certainly is as good an illustration of an unwise method of appropriating money as could be cited. These different items which ought not to be permitted in this bill can at the appropriate time go to the Committee on Appropriations; that committee can consider, in connection with other items of like character, the propriety or impropriety of making such appropriations; but at this time to incorporate them in a general bill making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes, is a departure from sound business principles, whatever may have been the practice prevailing in this body in the past.

It is just such procedure as this, Mr. President, that has brought congressional methods of doing business into disrepute; it is such methods that have caused the very healthy demand for a reform in the method of appropriating money and have led to the urgent desire for a budget system under which estimates shall be submitted by the responsible heads of the departments or by the head of some one department acting for all of the executive departments; but it is the duty of this body, as well as of the other House, by parliamentary methods to limit the powers of their committees to make appropriations. When that is done it will be impossible for such slipshod methods to prevail as now obtain and for such improper items to creep into a bill as are now opposed by the Senator from New York.

Mr. President, if these items are permitted to remain with the same propriety, we could insist on the bonus bill being incorporated in this appropriation bill for the Military Establishment. Any Senator could, under the present practice, unless restrained by a sense of propriety, rise in his place here and annex the whole of that bill by way of amendment to this bill, and, if a majority of the Senators so voted, we would be helpless to prevent it.

In that connection, what the Senator from Colorado [Mr. THOMAS] said yesterday morning in regard to the bonus is very pertinent. In addition to his remarks, I wish to insert in the CONGRESSIONAL RECORD a telegram received by me, together with some comments, to illustrate the impropriety of and the bad business methods involved in inserting such appropriations as that.

The telegram is dated Chicago, May 20, 1920, and is addressed to me. It reads as follows:

LaGrange, Ill., Post 41, American Legion, demands your support to pass bonus bill recommended by our national headquarters. Particularly favor Morgan bill. Reply advising your stand on bill. Your attitude closely watched in this district.

I will now proceed to reply to LaGrange Post.

Mr. President, if the risk undertaken by any service man beyond seas under fire is to be compensated by money, there is not enough minted gold in the treasuries of the civilized Governments of the world to meet it. For one of my family, I would not for all the treasure that could be reached by the appropriations by Congress and the parliaments of the world put them out under the risks involved, if that were the basis on which compensation should be made. If, in a great emergency, my country requires the service of my family, myself, my neighbors, and my constituents, I will vote to the uttermost limit every life required for the service and defense of our country. That is patriotism; and in behalf of both the enlisted men and the drafted one who went into the service prompted by motives of that kind, solely to defend their country as patriots, I protest against the spirit of this telegram and the spirit of the bonus bill in its entirety as a mercenary degradation of an unsullied patriotism.

I reply to this post, therefore, that I am opposed to the bonus bill as a disgraceful deterioration of the patriotism of a great country, and of the thousands and hundreds of thousands of men who went into the service with no such motive.

The men whose good judgment I trust, in whose sincerity I believe, and whose support, either as a private citizen or elsewhere, I value, are those who oppose such a mercenary view of the patriotic sons of this Republic; and therefore I say, with all due respect to the gentlemen sending this telegram to me, that I will not support the bonus, and they can watch my conduct so long and as they see fit.

If the American Legion is inspired by no greater purpose than to loot the American Treasury it is an unworthy organization, and I could wish it were never created. I have met the perverted power of as great an organization as this in my own State and elsewhere. For 20 years I have refused to let the mere officials of the American Federation of Labor dictate to me my course upon public questions, and I will not permit the officers of the American Legion to do so. In the present crisis I will, according to the lights I have, protect the Treasury of my country, the taxpayers thereof, and the public welfare

as well. I trust these gentlemen will be satisfied with my explanation. If not, they can adopt such course as they see proper.

In that connection, Mr. President, before I conclude, I have in my hand two pictures taken from the Washington Star of Sunday, May 23, 1920. One is of a young gentleman in coat of fancy cut, with hair approved by the best barbers of the country. He wears riding boots, and below is this inscription:

Edsal Ford at Hot Springs, Va., for the spring months.

He is not a member of the American Legion, honorary or otherwise. He does not possess the qualifications making him eligible thereto.

On the other side is a new photograph of Sergt. Alvin York, from the hill country of Tennessee, a stalwart-looking American. Most of us saw him when he was in Washington, when he returned from the service. He has red blood. He offered his service in a great emergency. I have not heard his voice raised for any bonus. He is not at Hot Springs, Va., clothed in the latest style of wearing apparel, wearing riding boots, but he has citizens' clothes that anyone might wear in the commoner walks of life; and instead of enjoying a vacation during the spring months at Hot Springs, Va., he is now engaged in raising funds for religious work.

Here are two Americans, not of a kind. Look upon this picture—if I may paraphrase a well-known saying—and then upon this, and which one would the prophet say we ought to follow?

Of course I shall be immediately charged with having malevolent designs upon the Ford family. I only use him as a horrible example of what not to be; the other as an example of a 100 per cent American, in peace and in war, with the old-fashioned conscience which discriminates between right and wrong, between duty and neglect.

Therefore, Mr. President, in such matters as these that refer to the Military Establishment, this certainly is a good time to begin to cut off these items and send them where they belong, because eventually they relate to all these and a thousand and one other subjects that I shall comment on, I trust, in due time.

Mr. THOMAS. Mr. President, the response which the Senator from Illinois made to the telegram just read into the RECORD surprises no one who has watched his course as a Member of this body. The moral courage and fearlessness which has always characterized the Senator here, although frequently misdirected in my judgment, has been a great encouragement to me; and I am delighted that he occupies the same attitude regarding the proposed bonus raid upon the Treasury that I do. The fact stimulates me to a renewed opposition to that and similar measures designed in this time of stress and trial to secure revenues from an exhausted Public Treasury.

Of course, the Senator has received, as I have, a vast number of communications from members of the American Legion and from ex-service men, bitterly protesting against the consideration of the bonus. I quite agree that if the purpose of the legion is to loot the Treasury it would have been better for the soldiers and for the country if it had never been organized; but I indulge the hope that the outlines of its purpose as given to the public when it was organized were sincerely announced and will be religiously observed.

One of the most encouraging evidences supporting my confidence in the ultimate prevalence of this splendid program is a contribution by Richard H. Waldo, president of the City Club of New York Post of the American Legion, American Expeditionary Forces, and business manager of the Stars and Stripes, to the New York Times of last Sunday, whose argument is preceded by the assertion that most of the 5,000,000 ex-service people disapprove of the bonus. I ask permission to have this letter inserted in the RECORD as apropos of the telegram which the Senator has just read.

The VICE PRESIDENT. Without objection it is so ordered.

The matter referred to is as follows:

BADNESS OF THE BONUS—AMERICAN LEGION OFFICER'S ARGUMENT THAT MOST OF FIVE MILLION EX-SERVICE PEOPLE DISAPPROVE.

(By Richard H. Waldo, president of the City Club of New York Post of the American Legion, A. E. F., business manager of the Stars and Stripes.)

One of the most amazing things about the American Legion is the position in which its 550,000 members find themselves placed with regard to the bonus. I am constantly meeting friends who say:

"This bonus plan is bad. It will saddle the country with an enormous debt, create an army of pensioners, and do vastly more harm than good. But, of course, you are a legion man and can't see it that way."

The trouble is I am a legion man and can see it that way. And there are thousands of others who feel exactly as I do about it.

The legion is divided; it is not united on the bonus question. The public is just beginning to realize that. For weeks it has been obliged to listen to the appeals of the probonus element until the impression has quite naturally gone forth that the ex-service men, as a body and to a man, are for this $500 or $600 "hand-out" which it is now proposed Congress should vote to every man and woman who served during the war. Nothing could be further from the truth.

THE FIVE MILLION.

There are a whole lot of officers and men in the legion who don't want the bonus—don't want it for themselves and don't believe it is the thing that the majority of ex-service men would want if it were put up to them in the right light. Rabbi Wise has described the bonus legislation as a "disgrace" and an "insult to the youth of America." It would be if the youth of America, the men who did the fighting in the war, were asking for it. But no such thing has happened. The 5,000,000 men and women in whose name certain American Legion leaders are demanding passage of the bonus bill have never been consulted, never been given an opportunity to vote yes or no on the proposition. What the sentiments of these five millions are, therefore, is purely a matter of guesswork.

We do know that a considerable number are dead set against the bonus. In some cases they have gone so far as to register their disapproval, in defiance of the legion's national commander. Right here in New York 41 posts of the legion have voted an emphatic "no" on the bonus plan, while only the other day, when a movement was begun within the legion to get the views of members throughout the country, there was instant response from more than 500 cities to which telegrams were sent.

The legion is facing a crisis and its leaders know it. It has progressed thus far on the theory that it is a military organization in which obedience to officers' commands is placed above all other considerations. But the present seems to be as good an occasion as any to point out that such a system has its drawbacks, and to those of us who believe democracy should be the controlling spirit of the legion and that even a minority deserves a hearing, the time has come to speak out.

SOME INSIDE HISTORY.

A little of the inside history of the American Legion may be worth recalling. Outsiders may not be aware that from the very beginning it was the purpose and desire of the founders of the legion to steer clear of the very thing they now find themselves entangled with. Bonuses and pensions were to be tabooed. I was in France when the preliminary organization meetings were held, and I know whereof I speak. The policy of the legion was to be "hands off," so far as that supposedly bottomless pit, the United States Treasury, was concerned.

This same spirit survived the trip homeward and this same spirit prevailed later at the meetings in St. Louis and Minneapolis, when the legion formally came into being. There was talk of a bonus, but with a clear-cut declaration that no pressure would be used on Congress to have one given. Publicly many of the legion leaders preserved a discreet silence on the bonus subject. Privately they almost unanimously condemned it.

But the legion was young and needed members. There were membership campaigns, and presently it was found that something more attractive than the mere honor of wearing a legion button and paying dues would have to be offered to get the men to come in. There was another organization of veterans in the field, and its glowing promises to secure extra money from the Government were threatening to cut into the legion membership. Faced by this situation and desiring above all things to swell the numbers, the legion leaders gradually weakened. Before long "Join the legion and get a bonus" was being used as a convenient slogan to attract new members into the organization.

That was all there was to it in the beginning. Armed with the "Join the legion and get a bonus" slogan, the recruiting sergeants found it easy to reach a great majority of those who were desirous of getting the extra money. The membership rolls increased. Nevertheless, the total paid-up membership of the legion to-day is less than 12 per cent of the total number of ex-service men and women and considerably less than the total number discharged for disability, notwithstanding that a large part of these have been recruited into the organization.

THE LEADERS' IDEA.

It was a deliberate play for the probonus element among the ex-service men, and it succeeded in getting a considerable slice of them. All the time the leaders who had been elected by the no-bonus element, but who had found it expedient to face about, were letting it be known among their friends that they hoped, as one of them put it, "to kiss the bonus movement to death." It was a case of the end justifying the means, of doing evil that good might come.

Meanwhile antibonus recruiting for membership steadily dropped off, and has now entirely ceased. Many antibonus members will no longer attend meetings, and in more than one post the question has seriously been considered of withdrawing entirely from the organization.

This, briefly, is the process by which members of the American Legion—and, by inference, all ex-service men—have been swung into line behind the bonus agitation. There never has been a referendum on the bonus within the legion, much less among the vast majority of ex-service men and women outside of the legion. Some of us know that a strong sentiment does exist within the legion against the bonus. We believe, further, that there is antibonus sentiment just as strong, if not stronger, among the nearly 4,500,000 ex-service people who thus far have shown no desire to affiliate with the legion.

Why not take a referendum? Why not call a halt on further bonus activities in Congress and see, first of all, just where the 5,000,000 men and women chiefly concerned stand on the question? For some reason the leaders of the legion have never taken kindly to the referendum idea.

LEGION NEEDS MONEY.

It is perhaps not generally known that the finances of the legion are not in the best of shape. There is between $500,000 and $600,000 owing by national headquarters. The bulk of this is owed to the individual leaders and their friends. At the time when the legion was forming, money, of course, was needed, and those who could do so and were sufficiently interested came forward with what was required. This money has yet to be paid back. There have been heavy expenses. The dues of the organization are $2 a year, $1 of which goes to national headquarters. But of this $1, 75 cents goes to defray the cost of publishing the Weekly, the legion's official organ, which is sent to every member. So that national headquarters has the use of only 25 cents per member to meet running expenses and old debts.

Under these conditions prospects for paying back the $500,000 or $600,000 loan are not of the brightest. But they would be considerably improved if the bonus legislation were to go through. Knowing that the antibonus feeling is strong, certain of the legion leaders make no secret of the fact that they expect many members will not touch a penny of their extra pay, but will willingly assign their claims over to

national headquarters. One member of the finance committee figures that as much as 5 per cent—approximately $60,000,000—of the total bonus money can be counted upon from these assignments, and the legion permanently financed from the income.

So much for the interest of national headquarters in the pending legislation. Now, as to the ex-soldier. I believe it may safely be said that the chief concern of all healthy ex-service men—and they constitute by far the large majority of veterans—is to see that the wounded and disabled and the dependents of those who were killed in the war get what is coming to them in the way of fair treatment at the hands of Congress and the country generally.

With the ex-service man these people come first. He wants to see that they get a square deal. Everybody knows it is going to be a tremendous job. We are only just beginning to get the machinery running properly. Yet it is now proposed to set up on top of this still other machinery which, as many of us see it, would inevitably come into conflict and cause interference with the work for the wounded. Disorganization would be bound to result all along the line, and the wounded and disabled and dependent of the war would in the end be made to suffer for the benefit of those who had the good fortune to come through unscratched. That is something no healthy ex-service man wants to see happen.

THE 642,000 DISABILITY LIST.

Take the case of the men discharged for disability. There are 642,000 of these—a far greater number than it was ever thought this country was going to have—and to date they can not be said to have received more than a part of that generous treatment which it is the people's intention that all disabled men shall have. Add to these the uncounted number of dependents of the dead who are obliged to live, at the very most, on a pittance of $57.50 a month—with the dollar worth about one-half what it was when that allowance was made.

It should not be forgotten that we have 76,000 mental disability cases, many of them due to shell shock. Of these only a small number are receiving anything like adequate treatment. At the present time 2,000 of them are confined among the criminally insane, there being no other place to put them.

The cost of caring for these people is going to be enormous—far greater than any one dreamed of in the beginning. First estimates placed the figures at $60,000,000. Yet this year we have spent $264,000,000, and for the coming year we are preparing to spend $450,000,000. It is a safe prediction that by the year after next the sum will have jumped to $750,000,000, and that three years hence it will be a round billion dollars. That is what we have got to be prepared for for the next generation. It is worth remembering that this year's bill for pensions prior to the great war is nearly $300,000,000.

TEN BILLION IN TEN YEARS.

It is going to take $10,000,000,000 at the very least in the next 10 years to take care of the wounded, the disabled, and the dependents of the dead.

But—join the legion and get a bonus. The slogan, having reached Washington, has blossomed out in a bill which, if enacted, will add anywhere from $1,200,000,000 to $4,000,000,000 to the already heavy burden. If the pending legislation goes through, it will mean that beginning April 1, 1921, every man or woman who served overseas during the war will receive $1.25 a day, and every man or woman who served on this side will receive $1 a day as extra compensation for his or her services. The maximum which any one can receive for overseas service is $625 and the maximum for home service $500. Payments are to be made quarterly over a period of three years.

It is a monumental scheme proposed by a handful of legion officials who have never taken the trouble to find out whether the majority of the ex-service men whom they profess to represent really favor it. It is nothing more nor less than a service pension—variously styled bonus, adjusted compensation, and beneficial legislation—but a pension nevertheless, the very thing the country thought it had done away with by setting up machinery for war-risk insurance, rehabilitation, and vocational training. Under the proposed bonus law there will be set up additional tax-eating machinery that will be good for three years, and probably more, as the history of such things goes. It will be a vast organization reaching out into every corner of the country and providing the politicians with ideal accommodations for reaching the "soldier vote." The political party that captures it first is not going to surrender the advantage without a struggle.

The political possibilities of the thing are unlimited. Few people realize what the soldier vote means to many an otherwise independent officeholder. A Congressman from the Middle West told me the other day that he was strongly opposed to the bonus bill.

"But," he added almost apologetically, "I was elected last time by only 1,100 plurality and there are 6,000 soldier votes in my district."

There are exceptions, as in the case of Congressman HERBERT PELL, of New York, who frankly admits that when he votes against the bonus bill he will "commit political suicide," but these are few and far between. Unfortunately, the bonus bill—like a good deal of other legislation—is being considered less on its merits than on its vote-getting possibilities.

CASE OF WALTER REED HOSPITAL.

In this connection, the experience of the Walter Reed Hospital might be cited. It is the experience of this institution and others in a similar position to know that a very large percentage of the men who have back pay or bonus money paid to them will not work while that money lasts. The proposal to pay quarterly for three years sums of $500 and $625 to ex-service men certainly will not lessen the condition of money expectation. On the contrary, it is quite certain to prove an unsettling force with thousands of recipients.

To make matters worse there is apparently no provision to prevent claims from being turned into cash in advance. Ex-service men who really do not need the money, but who may be counted on to take it if they can get it, will be doing wonders if they miss the opportunity to assign their claims to their "uncle" for a discount. Another gentleman of unsavory memory may be expected to do thriving business. He is the fifty-fifty pension attorney. Driven out of business under the war-risk insurance act, which put a 10 per cent limit on attorney fees, the fifty-fifty claim adjuster is sure to enjoy a new lease of life if the bonus bill becomes law.

Apparently, also, little consideration is being given to the fact that of the 5,000,000 ex-service men the vast majority were benefited both mentally and economically by their experience. They have come home to find their old jobs—or in many cases better ones—waiting for them, while Congress, by continuing for two years the wartime immigration laws, has helped them still further toward getting adjusted. That they have been benefited in other ways is shown by life insurance figures which give the average healthy ex-service man an added expectation of life of five years.

All this, it might be added, is wholly aside from the fundamental principle involved in the bonus fight—the principle of demanding pay for that which was patriotically given—which to many ex-service men is the first and last reason for declaring against the bonus.

Mr. THOMAS. Apropos of Mr. Waldo's communication, I will read a brief clipping from one of the recent issues of Life, suggesting suitable mottoes for those posts of the legion which are urging the bonus:

Patrick Henry said: "Give me liberty or give me death, with compensation for death and a bonus for liberty."

Nathan Hale said: "I only regret that I have but one life to give to my country, for had I nine lives to give, my widow would receive nine pensions."

Stephen Decatur said: "My country, may she ever be right! But right or wrong, my country, and my bonus."

Abraham Lincoln said: "The last full measure of devotion, at $50 per month."

RATES OF INTEREST.

Mr. McLEAN. Mr. President, I have in my hand a communication from the Federal Reserve Board in reply to a letter addressed to the board by the Senator from Oklahoma [Mr. OWEN] on the 14th instant. As that letter was printed in the RECORD, I think Gov. Harding's reply should receive similar consideration. I therefore ask unanimous consent that it may be printed in the RECORD.

Mr. SMITH of South Carolina. Mr. President, may I ask the Senator if I understood him to say that the letter of the Senator from Oklahoma had been printed in the RECORD?

Mr. McLEAN. Yes.

Mr. SMITH of South Carolina. And the Senator now asks that the reply of Gov. Harding be incorporated in the RECORD?

Mr. McLEAN. The Senator is correct.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 24, 1920.

MY DEAR SENATOR: Your letter of the 14th instant was duly received, but unusual pressure of routine business has prevented an earlier reply.

I notice that you renew the suggestion made in your letter of April 27 that the Federal Reserve Board lower the discount rates of Federal reserve banks as a means of helping to restore Liberty bonds to par, and that you take the view that as the Federal reserve banks pay no interest on deposits and that as they made very large earnings last year on a 4 per cent rate that 3 per cent is a rate high enough to enable them to make all the money they are entitled to make out of the public, and you say that "the Federal reserve banks should not be put in the attitude of profiteering or of setting the example of profiteering to member banks."

Your suggestion that the discount rates of the Federal reserve banks be fixed with reference to their dividend requirements is certainly a novel one, but before entering into a discussion of the propriety of fixing rates from this point of view I wish to say something regarding your intimation that the Federal reserve banks are putting themselves in the attitude of profiteering.

Section 7 of the Federal reserve act provides that "after all necessary expenses of a Federal reserve bank have been paid or provided for, the stockholders shall be entitled to receive an annual dividend of 6 per cent on the paid-in capital stock, which dividend shall be cumulative." As originally enacted this section provided further that after dividend claims had been fully met "all the net earnings shall be paid to the United States as a franchise tax, except that one-half of such net earnings shall be paid into a surplus fund until it shall amount to 40 per cent of the paid-in capital stock of such bank." The act of March 3, 1919, which passed the Senate only as a result of your watchful care throughout an all-night session near the end of the Sixty-fifth Congress, amended section 7 by providing that "after the aforesaid dividend claims have been fully met, the net earnings shall be paid to the United States as a franchise tax except that the whole of such net earnings, including those for the year ending December 31, 1918, shall be paid into a surplus fund until it shall amount to 100 per cent of the subscribed capital stock of such bank, and that thereafter 10 per cent of such net earnings shall be paid into the surplus."

Section 7 also provides that in case a Federal reserve bank should be "dissolved or go into liquidation any surplus remaining after the payment of all debts, dividend requirements as hereinbefore provided, and the par value of the stock shall be paid to and become the property of the United States." On May 21, 1920, the paid-in capital stock of all the 12 Federal reserve banks aggregated $93,786,000. On this basis of capitalization for the year the member banks can receive dividends

at the rate of 6 per cent, amounting to $5,627,160; the remainder of the net earnings, however great, will be paid in larger part directly to the Government as a franchise tax, the balance being carried to the surplus funds of the Federal reserve banks with ultimate reversion to the Government. On May 21, 1920, the consolidated statement of the 12 Federal reserve banks shows bills discounted secured by Government war obligations, $1,446,723,000; all other rediscounts for member banks, $1,053,663,000; bills bought in the open market, $417,368,000; making a total of notes and bills rediscounted of $2,917,754,000. At the same time the reserve deposits of member banks were $1,833,665,000, total reserves held were $2,079,538,000, and Federal reserve notes in actual circulation amounted to $3,085,202,000.

The ability of the Federal reserve banks to extend so large a volume of discount accommodations is due to the use of Federal reserve notes, and this fact ought not to be overlooked. It follows, therefore, that the earnings of the Federal reserve banks are derived in larger part from the circulation of Federal reserve notes, which are obligations of the Government. The Federal Reserve Board is authorized in section 16 of the Federal reserve act to require the Federal reserve banks to pay such rate of interest as the board may establish on the amount of Federal reserve notes outstanding, less the amount of gold or gold certificates held by the Federal reserve agents as collateral security. On May 21, after setting aside the reserve of 35 per cent against net deposit liabilities, the combined statement of the Federal reserve banks shows a reserve against Federal reserve notes outstanding of 47.1 per cent. Even though all excess gold were deposited with the Federal reserve agents, there would be 52.9 per cent of the outstanding note issue, or $1,632,071,858, subject to an interest charge, the imposition of which would very materially reduce the apparent earnings of the Federal reserve banks. The act gives the board discretion in the matter, however, and no charge has been imposed, for the reason that the excess earnings of the Federal reserve banks go to the Government in any event.

It seems to me, Senator, that you are disposed in all your discussions of the money and credit situation to ignore the fundamental law of supply and demand. Let me point out a few statements in your last letter which appear to be inconsistent. You state that you are "certainly opposed to inflation," but you are "strongly in favor of the extension of business, increasing production, and improving distribution by extending credits on a stable low-interest rate." And you say, "The expansion of credit for such purposes is justified, but, of course, the expansion of credit beyond the available resources, even for the most important of purposes, is not justified." You say further that "credits ought to be extended at a low rate to the extent of the capacity of the reserve banks for productive purposes," and you intimate that, as the Federal reserve banks pay no interest on deposits, a 3 per cent rate is high enough. While you do not say in direct terms that Federal reserve banks should stand ready to make loans on Liberty bonds and Victory notes at a 3 per cent rate, your letter admits of this construction, although you do say that you do not advocate the reserve banks "lending beyond their resources at any rates or on any securities." You say, "Assuredly, raising the rates of interest will deflate credits, even the credits of the United States, of which I complain; but I am anxious the Federal Reserve Board shall only deflate those credits that require deflation, and not deflate credits of the Government and of legitimate productive business which ought not to be deflated." You say that "The only deflation of credit justified is the deflation of credits employed in speculative loans on investment securities, on real estate, and on commodities for hoarding by profiteers."

From all this I understand your view to be that the Federal reserve banks should lend at a low stable rate on Government securities and on other eligible paper, barring only "speculative loans on investment securities, on real estate, and on commodities for hoarding by profiteers," and that in your judgment this stable low rate ought to be 3 per cent.

You admit the correctness of the observation made in my letter of the 3rd instant that "there is a world-wide demand for capital, and the demand for bank credit in this country for agricultural, commercial, and industrial purposes is heavier than has ever been known before; investment demands for new construction, for the maintenance and equipment of railroads, and for the financing of our foreign trade are very great." You ask: "Are these just demands to be met by denying the credits, or are they to be repressed by raising the rates?" I can not escape the conclusion, Senator, that were the Federal reserve banks to establish the stable low rate proposed by you they would soon reach the limit of their available resources, beyond which point, you state, the expansion of credit, "even for the most important of purposes, is not justified." It seems to me that the adoption of the policy proposed by you would result in a wild scramble for discount accommodations at the Federal reserve banks with an enforced denial of all credit after the first few days.

The board is insisting that all banks use a discriminating judgment in making loans, giving preference to those which are necessary for the production and distribution of the basic necessities of life, such as clothing, food, and fuel, but in the exercise of this discretion it is necessary to have the restraining influence of a rate. It is idle to preach against excessive borrowings and then to invite borrowings by an artificially low rate less than half the current open-market rate.

You have had a good deal to say about the low rates which prevailed in bygone years in England, France, and Belgium, and I might call your attention also to the low rates which prevailed at the Federal reserve banks during the year 1915 when there was no demand for loans. But we are dealing with the pressing problems of the present; changing conditions must be recognized and dealt with as occasion demands. You no doubt know, although you have never called attention to the fact, that official discount rates are high everywhere, even in countries where inflation has been carried to extremes and which are no longer on a gold basis. The official rate in Italy is 5½ per cent, that of the Bank of France is 6 per cent, and that of the Bank of England is 7 per cent, having recently been raised from 6 per cent.

The Federal Reserve Board does not take the view that discount rates should be arbitrarily fixed by it; it recognizes the fact that there are certain basic conditions which affect the demand for and the supply of credit throughout this country and throughout the world, and that the formal establishment of a discount rate is merely an interpretation of these conditions. You call attention to the fact that the open market rate in London during the war was 3½ per cent. It is now 6¾ to 6⅞ per cent against an official bank rate of 7 per cent. You do not question the wisdom of the management of the Bank of England, which you say is conducted by the wisest merchants in the world, although I have always had an idea that many of these merchants are credit merchants or private bankers, as they would be called in this country. The advances in rates in London are evidently due to natural causes, and there has been no attempt to maintain artificially the low rates to which you refer. Why, then, is it not just as reasonable to concede to the directors of the Federal reserve banks and to the Federal Reserve Board some degree of honesty of purpose and intelligence in making the advances in rates of which you complain so vigorously?

From your own figures, Senator, it is clearly impossible for the Federal reserve banks to carry at any rate which may be fixed the entire volume of the Government war obligations, and if a stable low rate of 3 per cent were to be established no very great volume of additional loans could be made, and instead of there being a stabilization of the bond market there would be chaotic conditions instead.

The obligations of the Government of the United States offer the best opportunity for investment in the world to-day. They are being sold now on a most attractive investment basis, and as speculative tendencies are curbed, as the gains of the profiteers are reduced, as commodity prices decline, and as the business and industry of this country settle down to a more normal peace basis, the market value of these securities will rise very rapidly. This conclusion is justified by the experience of the past. The 6 per cent 20-year bonds of the Government during the Civil War sold at a heavy discount (I think they were down at one time to about 80), but two years from the time of their greatest depression they reached par and were selling at a premium of about 25 per cent in 1869, only 12 years before their maturity. I am satisfied that we will have a similar experience with Liberty bonds, provided there are rigid economies in governmental expenditures from this time forth and inflationary tendencies generally are held in check.

I do not know of anything further that I can say regarding the call money rates in New York. You continue to insist that the powers of the Government should be exercised through the offices of the Federal Reserve Board, the Federal reserve banks, and the Comptroller of the Currency to remove the causes which lead to fluctuating rates there, and I have already pointed out to you that the interest rates in New York City are regulated by the laws of the State of New York, and that there is nothing that can be done by the Federal Reserve Board or by the Federal reserve bank of New York, except, perhaps, to decline to make loans on Government bonds to banks which in turn lend on stock-exchange collateral. This would result in even higher rates.

It is interesting to note, however, that the high rates of which you complain reached their peak in November, 1919, before the discount rates of the Federal reserve banks had been advanced, and that since the rates were advanced to their present level on January 23 last call-money rates have ruled, with the exception of one or two temporary flurries, quite steadily around their present level of from 6 to 7 per cent.

Very truly, yours,

W. P. G. HARDING, *Governor.*

Hon. ROBERT L. OWEN,
United States Senate.

Mr. SMITH of South Carolina. Mr. President, while I shall not take up the time allotted to the consideration of this bill this morning, I should like to say in this connection that I have asked the Comptroller of the Currency to furnish me with a statement of the rates of interest that are being charged in the different States for the rediscount of the different kinds of paper offered as collateral, also the gold reserve that we have to take care of our outstanding circulation; and as soon as I receive that data I want to call the attention of the Senate to the fact that we must discriminate at this time in the affairs of our country between the credits that are extended to the productive activities of our country and those that do not add to its productiveness. I think the figures will disclose the fact that the very thing I called the attention of the Senate to when a certain amendment was pending here is now transpiring, and I do not think it will be for the good of this country to allow it to continue if the Senate has the power to correct it.

ARMY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13587) making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

Mr. JONES of New Mexico. Mr. President, I would really like to understand something more about this amendment or see whether there is any different information regarding it. The statement made by the Senator from Texas [Mr. SHEPPARD], it seems to me, presents a situation which ought to challenge the careful attention of the chairman of the Committee on Military Affairs and of the Senate. I am not a member of that committee and I have not given any special consideration to these matters. I concur generally in the views of the chairman of the committee that one appropriations committee should handle these items; but may I inquire of the chairman of the committee whether it is probable that if this provision is stricken out the Appropriations Committee will handle it at this session of Congress?

Mr. WADSWORTH. It is entirely within the power of the Appropriations Committee to do it. The sundry civil appropriation bill has not passed the Senate. It has been in the Committee on Appropriations for many days, and at any time this matter can be taken up by that committee.

Mr. TOWNSEND. But is it not true that at this time any one of these provisions presented to the Senate as an amendment would be objected to, and the point of order would be made against it, and it could not possibly be considered?

Mr. WADSWORTH. On what ground could a point of order be made?

Mr. TOWNSEND. That the amendment had not been presented to the committee.

Mr. WADSWORTH. Does that constitute ground for a point of order?

Mr. TOWNSEND. It does, unless the department recommends it.

Mr. WADSWORTH. The department has recommended it.

Mr. TOWNSEND. If the appropriation has been recommended by the department——

Mr. WADSWORTH. It has been estimated for. There is no question about that. The department estimates for literally scores of appropriations. If we granted all the estimates, we would appropriate just $1,000,000,000 in this bill instead of $440,000,000.

Mr. JONES of New Mexico. It seems to me, Mr. President, that there can be no question about the advisability of this legislation, from the information presented thus far to the Senate. An option has been obtained on this land, and there has been no word from any source that it is not advisable for the Government to carry out the transaction. As I understand it, the sundry civil appropriation bill is in such a stage now that it is hardly reasonable to suppose that the Appropriations Committee want to take up this question and go into it. While I think the chairman of the committee is quite right as a general proposition, yet we have not entirely reached the point to which the Senator has referred, and until we do it seems to me that we ought to take care of the clear necessities of the Government, even though we might be guilty of some infraction of a good idea.

Unless there is some contention that this transaction ought not to be consummated, it does seem to me that we ought to consummate it at this time, inasmuch as the House has put this provision in the bill, and in order to consummate it it is only necessary for the Senate to agree to the action already taken by the House. To strike it out now would make it necessary to go through the circumlocution of referring it back to another committee, and to a committee which, I understand, has practically, if not completely, concluded its labor, and at a time when it is expected that Congress at this session will not be dealing with these matters much longer. I should like to appeal to the Senator who has charge of the bill to withdraw his objections to the House provision and let us not concur in the committee amendment. If there were any argument or dispute regarding the item, I think I should feel differently about it.

Mr. WADSWORTH. Mr. President, I think there is an argument regarding the item. The Senate probably realizes by this time, from the experience we have had with the mass of papers coming out of the war, that the War Department has indulged in the habit, during the war and immediately after the armistice, of creating the necessity for additional appropriations.

Mr. SHEPPARD. If the Senator will pardon me, that statement does not apply to this particular item, because this land was authorized by a bill introduced in Congress and passed through Congress.

Mr. WADSWORTH. For the purchase of this land?

Mr. SHEPPARD. Yes, sir; and the chairman of the committee received a letter from the War Department calling his attention to the matter some weeks ago. In the multitude of items under his consideration it probably has escaped his recollection.

Mr. WADSWORTH. No; I recollect the incident.

Mr. SHEPPARD. The acquisition of this land was authorized pursuant to a bill introduced by me. It is not one of those cases where the War Department utilized its general war authority and the war emergency to commit the Government to the purchase of land.

Mr. WADSWORTH. No, Mr. President, I did not mean that exactly. I meant that the War Department, before it acquires land, proceeds to spend a lot of money on the land, and then comes to Congress and says it must buy the land. It does that repeatedly. The Senator from Texas remarked that there is a target range standing on some of this land.

Mr. SHEPPARD. The land necessary for the target range is all that is contemplated in the provision which the committee reports to strike out.

Mr. WADSWORTH. But the Senator sees that all these plans were made before the land was owned. That has happened in dozens of instances.

Mr. SHEPPARD. If the Senator will permit me, I will state that the War Department was negotiating with the different owners, and there was considerable delay on account of defects of title, and so forth. It was doing what it could to perfect the title when the act of July 11, 1919, which really was not aimed at specific purchases of this kind, passed; but the Comptroller of the Treasury held that this purchase was included in the terms of the act of July 11, 1919.

Mr. WADSWORTH. In any event, Mr. President, it has been the practice of the department not to wait until the negotiations for the purchase of the land are complete, but they go right ahead and put expensive construction upon the land. The Senator from Texas states that it will cost $120,000 to build this target range elsewhere. I can not conceive why $120,000 is necessary to build a target range.

Mr. WARREN. That amount is not necessary, of course.

Mr. WADSWORTH. I have seen some target ranges, and I have seen some when they were being constructed.

There is nothing very elaborate about a target range. You dig a row of butts on which you arrange to erect the cloth or paper targets, which can be lifted or lowered down into a trench. At certain intervals these targets are lifted and lowered. The men take shelter behind the trench, lower the targets, mark the shots, raise the targets again, and telephone to the officers who are in charge of the firing, 200, 300, 600, or a thousand yards away. Why $120,000 is necessary for a target range I can not understand. It may be that the situation there is not in perfect condition, but this is only one of dozens where the Government goes ahead and starts a great big program of expenditure in construction on land it does not own, and then comes to Congress and says, "If you do not appropriate the money to com-

plete the purchase of the land, the Government is going to lose all its investment in the construction." It does that over and over again.

During the war there were some instances of that kind which were unavoidable, but here we are nearly two years after the war, and we can not get these things straightened up. Our plea has been to let one committee straighten them out, because we can not tell where we are traveling with this thing. If we pursue this policy, it will never end. If the Congress does not adopt this policy now, it will have just as much trouble doing it next year, because some other case will come up, and it will be put on some other appropriation bill, the emergency will be pleaded, the War Department will send estimates, the General Staff will have elaborate recommendations, and they will say, "The Government has spent so much money on this property, and you must not lose that money; for Heaven's sake appropriate some money and buy the land that lies underneath the buildings." In that way we will never get it straightened out.

Mr. FRELINGHUYSEN. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from New Jersey?

Mr. WADSWORTH. I yield the floor.

Mr. FRELINGHUYSEN. I simply wished to point out to the chairman of the committee that there was available for the use of the War Department, at one of the rifle ranges used in the northern part of New Jersey, about 3,000 acres, where the Navy Department has expended considerable money in building a rifle range, one of the most available in the country, within half an hour of the Navy establishment at Brooklyn, and available for the troops in New York, New Jersey, and all that section. The lease was offered to the War Department for $5,000 a year. The butts are all built, the buildings conveniently arranged, built at considerable expense by the Navy Department, and the Secretary of War ordered the camp abolished and the buildings demolished. If there is a necessity for rifle practice for the Army, the permanent organization, it would seem as if it would be cheaper for the War Department to continue this rifle range and lease it at that much lower cost.

Mr. SHEPPARD. Mr. President, I want to call the attention of the Senate to the fact that in addition to the expense of dismantling this range the War Department states that the expense of restoring the land to the original condition will be equal to or exceed the present purchase price. If I felt we had ample opportunity to present this matter to the Appropriations Committee, I would not insist on it here, but conditions are such that there will not be an opportunity to present it to the Appropriations Committee at this session of Congress. Adjournment is too near. Now, I want to call the attention of the Senate briefly to three facts involved in this proposition which makes it poor business judgment not to buy the land at the present figure. I want to quote again what the department said:

> There has already been constructed on the land in question, at a cost of $70,000, a target range which has been in use by the troops stationed in the vicinity of Fort Sam Houston, Tex. A target range in this vicinity is a vital necessity for the proper training of the troops. The land on which this target range is already erected is held on options which expire on June 30, 1920, and at prices ranging from one-half to one-third the prices now asked for ground in this vicinity. The target range already built on this land could not be rebuilt at the present time for less than $120,000. In addition, if the land is returned to its owners it will be necessary to restore it to its original condition or pay damage claims. It is estimated that this will be equal to or in excess of the present option prices to purchase.

The three facts to which I refer are, first, the increased cost of a new target range; second, the cost of restoring the land to its original state; third, the increased cost of land in that vicinity over the present option price.

In view of these facts, Mr. President, I believe it would be the part of economy, the part of good business judgment, to purchase the land at the price at which it can now be had.

Mr. WARREN. Mr. President, does it not strike the Senator, in his practical ideas of business, that whoever made that estimate of the cost of reconstruction must have been dreaming? The Senator knows, as I do, about target ranges, and to talk about costing that much to restore the land to its original condition, of course, is preposterous.

Mr. SHEPPARD. Aside from that, conceding that what the Senator says as to the target range is true, when we consider the other elements in this proposition, the fact that the expense of restoration will equal the present price, and the fact that when other land is acquired for a target range, which is a military necessity, it will cost more than the price at which the land can now be had, there would seem to be ample justification for the present purchase.

Mr. WADSWORTH. Can the Senator say how much land the Government owns at Leon Springs just now?

Mr. SHEPPARD. I can not recall at present.

Mr. WADSWORTH. Does it not own quite a tract?

Mr. SHEPPARD. It owns a tract of land some 20 miles from San Antonio, but that is a separate proposition from this. The target range has been constructed on this particular land which the department was authorized to buy in a bill introduced by myself, to which I referred a few moments ago.

Mr. WADSWORTH. I recollect that the Government owns quite a piece of land about 20 or 25 miles out of San Antonio. Is not that at Leon Springs?

Mr. SHEPPARD. That is near Leon Springs, but this tract of land is not over 8 or 10 miles from Fort Sam Houston, if I recall the matter correctly.

Mr. WADSWORTH. The other tract is several thousand acres, is it not?

Mr. SHEPPARD. I think so; but it was not suitable for this purpose, as I recall. It was used for some other purpose.

Mr. WADSWORTH. It is used for maneuver purposes for troops from San Antonio to Leon Springs in troop maneuvers. I know it is large enough to pasture a large number of Army horses and mules sent out there. It is out in the big country. Of course, they will always say this is fit for a target range, because they have this one already there.

Mr. SHEPPARD. This range has been constructed and is already under operation.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

On a division, the amendment was rejected.

Mr. SMITH of South Carolina. Mr. President, I should like to ask the chairman of the committee with reference to an amendment that has been called to my attention in a letter from a constituent of mine. It seems there are certain explosives stored in Charleston, and he says with reference to it:

> I understand in the next appropriation bill, which is coming up within the next few days, a sufficient amount is provided to take care of the removal of these explosives—

Speaking of the explosives stored near warehouses and factories owned by citizens there—

> but it seems that there is some likelihood of the full appropriation not going through, and I am therefore writing to ask that you please do all you can to see that this appropriation is passed.

I ask the chairman of the committee what provision, if any, there is in the bill for taking care of the conditions described? It seems that these explosives were stored during the period of the war at a certain place near the terminals owned by the Government and near factories and warehouses, and it is the desire to have them removed so as not to jeopardize the terminals owned by the Government, as well as the property of these private concerns.

Mr. WADSWORTH. That is a question which has never been brought to the Committee on Military Affairs. My understanding is that the Committee on Appropriations has included in one of the standard appropriation bills a provision for the purchase of a site at Ogden, Utah, for the erection of a large storage plant for the purpose of storing high explosives left over from the war.

Mr. SMITH of South Carolina. As this is a matter of very great importance, may I inquire if there is any member of the Appropriations Committee who can give me information with regard to the matter?

Mr. WARREN. There was a bill passed providing that there should be three depots built for the storage of combustible ordnance matériel; one of them at Ogden, Utah, and one of the other was sought to be erected at Sparta, Wis., but on the floor of the Senate it was decided otherwise. The third one is to be, I understand, at Fort Wingate, N. Mex. The proposition of the legislation was to get these storehouses inland, away from the seacoast; and, furthermore, to get them where, if there should be an explosion, we would not be called upon to answer for it, as we had to do at a certain New Jersey point, where lives were lost and millions of dollars' worth of property was destroyed, for which the Government has had to pay. That is all provided for, and the appropriations are made accordingly.

Mr. SMITH of South Carolina. Then, the matter complained of by my constituent is provided for in a pending appropriation bill?

Mr. WARREN. It is authorized by a special law and provided for in an appropriation bill.

Mr. SMITH of South Carolina. So the explosives that have been stored at these different points will be concentrated at the three points named by the Senator?

Mr. WARREN. Yes; as soon as buildings can be constructed to receive them.

Mr. FRELINGHUYSEN. Mr. President, I might suggest to the Senator from South Carolina that if there is any point in his State where property is endangered by reason of the storage

of explosives, he should apply to the Ordnance Department and request their removal. We had that problem in New Jersey, and there were thirty-five or forty million tons of T. N. T., ammonium nitrate, and other high explosives taken out of the State and removed to places that had been provided at Fort Wingate and other points. It is largely a matter of administration. If the Senator feels that any property is being menaced by the storage of explosives and will take it up with the Ordnance Department, undoubtedly they can facilitate its removal as they did in New Jersey.

Mr. SMITH of South Carolina. I thank the Senator for that suggestion. According to the contents of this letter not only is there endangered a lot of quite valuable property owned by individuals, but it is in juxtaposition to the Government property as well, which also jeopardizes that property. I shall take it up with the Ordnance Department and see if it can not be expedited pending the completion of the legislation now contemplated.

The READING CLERK. The next committee amendment passed over is on page 61, to insert, lines 1 to 12, inclusive, as follows:

That the Secretary of War is hereby authorized to dispose, by sale, of the cannon-finishing plant known as the Erie Howitzer Plant, at Erie, Pa., and to use not to exceed $950,000 of the proceeds of the sale of said plant for the erection, at Watervliet Arsenal, Watervliet, N. Y., on Government-owned land, of a plant for machining and assembling medium caliber types of field cannon and to remove to Watervliet Arsenal the machinery and equipment now installed or stored at the Erie Howitzer Plant; and that all the proceeds of sale of the Erie Howitzer Plant in excess of $950,000 shall be deposited in the Treasury of the United States to the credit of "Miscellaneous receipts."

Mr. LENROOT. Mr. President, I wish the chairman of the committee would make a statement regarding this paragraph of the bill.

Mr. WADSWORTH. On page 61 of the bill will be found two amendments offered by the committee, after a good deal of discussion, and on the theory that they should be laid before the Senate for its consideration.

The first one provides for the sale of the howitzer plant at Erie, Pa., and the use of the proceeds of that sale up to the amount of $950,000 for the erection of a building at the Watervliet Arsenal upon land owned by the Government, which will be designed to house the very expensive machinery which the Government now owns and which is now situated in the Erie plant.

Here was the situation as presented to the committee: During the war the Government built, at its own expense, upon land acquired by it, a very modern and up-to-date factory building at Erie, Pa., devoted to the manufacture of howitzers. The machinery put in that building was of the most up-to-date and modern kind, and the whole plant was made most complete. It cost $4,197,000 complete. It started operations as soon as they could finish it, and at the time of the armistice, if my recollection is correct, it had reached its capacity in the way of production. I think that was something like 300 howitzers per month.

The Government does not need that plant to-day. It does not want to maintain a cannon or howitzer factory at Erie, Pa. It does, however, desire to keep the machinery, which is most expensive and very difficult to duplicate in the rush and turmoil of war. In fact, it was the production of the machinery which delayed the production of guns and other munitions more than any other element during our participation in the war. So the War Department now propose that that machinery which stands in the Erie plant shall be transferred to Watervliet, which is the great cannon factory of the Army, and placed in a building there to be erected upon land which the Government already owns. If we do not provide some suitable building in which to place that machinery, it must be left in the Erie plant.

The machinery, as Senators will realize, is exceedingly heavy as well as expensive and valuable. It involves great turning lathes that will handle 6-inch howitzers and do the machining upon that kind of work.

Mr. LENROOT. Will the Senator yield at that point?

Mr. WADSWORTH. Certainly.

Mr. LENROOT. The amendment provides for the sale of this plant and the use of the proceeds to the extent of $950,000 for the building of another plant. What will be done with the machinery in the plant between the time of the sale and the completion of the building?

Mr. WADSWORTH. Our information is that it can be sent to Watervliet and temporarily stored in such way as not to deteriorate while this new building is being erected. But the erection of the new building will not take long and the machinery will be promptly installed in it and there it will remain permanently.

Mr. LENROOT. Has the Senator any information as to when the building will be completed, if the provision remains in the bill?

Mr. WADSWORTH. I think in about a year. The building itself is not so difficult to erect, as I understand it. Factory buildings of concrete and steel can be put up rather rapidly. It is a question of moving the machinery and storing it for the moment and getting it into the building for good.

Mr. LENROOT. I will say to the Senator that the Chief of Ordnance told me yesterday that they would not even have the plans prepared until next spring if this provision was adopted.

Mr. WADSWORTH. They need not sell the Erie plant until next spring. They can sell the Erie plant upon certain terms, possession to be given to the purchaser on a certain date, which would permit the Government to move the machinery out and to have the building at Watervliet well on toward completion.

Mr. LENROOT. If there is temporary storage that can be provided, why should we expend $950,000 now for a permanent building? We have no use for the machinery so far as the present manufacture of additional guns is concerned.

Mr. WADSWORTH. Probably only a little of it would be used in peace time, but I doubt if we have temporary storage which is competent to take care of the machinery indefinitely.

Mr. LENROOT. No; but it would take care of it for another year or two.

Mr. WADSWORTH. Then comes the question, Can we sell it to advantage at Erie two or three years from now as well as we can now?

Mr. LENROOT. No; my suggestion is that it be sold now, and we can store the machinery, without appropriating $950,000 for a building that is not necessary at this time. That is my point.

Mr. WADSWORTH. I wish to complete the statement as to what was placed before the committee.

The building at Erie cost $4,197,000. It costs now, to maintain it idle, $21,500 a year. The estimates of the selling price of the plant based on a bid which has been received—that is, just of the building itself and not the machinery—are $1,250,000, and the estimated cost of transferring the machinery from Erie to the Government arsenal is $100,000.

The items which compose the $4,197,000 invested at Erie are as follows: For the purchase of land and buildings at the time of the purchase of the plant, $500,000; for additional buildings, $500,000; for the machinery and the mechanical equipment, $3,197,000.

It is found, therefore, that the machinery is by far the largest element in this cost, and it is up to us to see that the $3,197,000 worth of very valuable and important machinery shall be housed at a Government arsenal and kept ready for use rather than leave it in temporary storage, or at Erie in a plant which must be idle and from which the Government can get no return. That is the purpose of the item. The committee thought it was one short step in getting rid of these war-time plants. We shall have to dispose of them some day, and if we can dispose of them at a time when selling prices are very good and keep the machinery in them that we want to keep and put that machinery at an arsenal which the Government already operates and owns, the committee thought it was a good business proposition.

Mr. LENROOT. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. Amend the committee amendment on page 61 by striking out all of line 3 after the word "Pennsylvania" and all of lines 4 to 12, inclusive, and insert "and the proceeds of such sale shall be deposited in the Treasury to the credit of miscellaneous receipts," so that the paragraph would read:

That the Secretary of War is hereby authorized to dispose, by sale, of the cannon-finishing plant known as the Erie Howitzer Plant, at Erie, Pa., and the proceeds of such sale shall be deposited in the Treasury to the credit of miscellaneous receipts.

Also strike out lines 13 to 25——

Mr. LENROOT. That is another amendment. This amendment provides for the expenditure of $6,400,000.

Mr. WADSWORTH. Does the Senator want to discuss the other one? There are two amendments.

Mr. LENROOT. The first amendment of the committee provides for the expenditure of $950,000. I will discuss them together, because both involve exactly the same principle and the same question.

The amendment which I have proposed authorizes the sale of the howitzer plant at Erie, Pa., and, instead of the proceeds being used to the extent of $950,000 for the erection of additional buildings at Watervliet Arsenal, it will put the money into the Treasury of the United States. The Senator from New

York [Mr. WADSWORTH] has stated, and the Chief of Ordnance has stated to me personally, that there is no difficulty about securing temporary storage for the machines now in that plant which the Government desires to retain. They already have the facilities and it will cost practically nothing to store them. The chairman of the committee has stated that there is no expectation of using these machines to any extent for the manufacture of cannon.

Mr. WADSWORTH. Hardly that.

Mr. LENROOT. If the Senator will look at the RECORD, I think he will see that that is what he stated.

Mr. WADSWORTH. I said that in large part they would not be used; but some cannon are manufactured in peace times. I do not wish to be misunderstood.

Mr. LENROOT. For the next two or three years the Senator will admit that there will be a very small number of these guns manufactured, for we have a very large quantity now on hand, have we not?

Mr. WADSWORTH. I think so.

Mr. LENROOT. Now, when one considers the present state of the Treasury, what reason can there be for expending $950,000 for the erection of a building when temporary storage can be provided, and when we know that in the next paragraph the same question is involved, except that instead of expending $950,000 it is proposed to expend $5,500,000 out of the proceeds of the sale of the plants designated therein?

Mr. President, the War Department seems to be of the opinion that the property which was erected for the purpose of carrying on the war belongs to the War Department and not to the Nation; they seem to be of the opinion that if any of these plants are sold the proceeds must be used by the War Department for some purpose. There is no consideration whatever given to the condition of the Treasury; there is very little consideration given to the necessity in the near future of the buildings that are proposed to be erected. The War Department seems to proceed upon the theory that we will not sell these plants, for which we no longer have any use, "unless we, the War Department, can get the proceeds for our own purposes and uses." The Treasury of the United States is not at this time in a condition that will permit the expenditure of a single dollar that is not necessary to be expended.

Mr. President, I want to ask the chairman of the committee this question: If the machines which the Government desires to retain were now held in temporary storage, and the proposed sales had been made, would the chairman be willing to favor an appropriation out of the Treasury of the United States for $6,400,000 for the erection of these buildings?

Mr. WADSWORTH. Mr. President, I should like first to know how much it is going to cost every year to hold them in temporary storage. I know that our committee is staggered at the cost of temporary storage; it is terrific. We are tired of this temporary storage business. We would rather get rid of these goods than to keep them indefinitely in temporary storage. The fire hazard is tremendous; the cost of guarding and keeping the material in condition is tremendous; and the appropriations, as the Senator from Wisconsin knows, that are asked for storage and other items in which the construction division is interested surpass the extent of our imagination. I do not want to see the Government required to provide any more temporary storage. Let us get rid of the material or put it where we shall keep it cheaply.

Mr. LENROOT. If the Senator from New York is going to proceed upon that theory, and will apply it to everything that is being held in temporary storage, because of the expectation that the Government will house these articles in permanent buildings in the future, instead of this being a $6,000,000 appropriation for that purpose, it would have to be nearer $60,000,000.

Temporary storage does cost money, Mr. President, but what is 5 per cent, which is the rate the Government has to pay for money, on $6,000,000? Does the Senator say that it would cost $300,000 a year to store the machines that are in these plants? It is perfectly absurd and ridiculous to so contend. There can be no economy in providing permanent buildings to the extent of $6,000,000 for the purpose of saving some storage charges.

I do not for a moment insist that these buildings ought not to be erected when the Treasury of the United States is in a condition that will permit their erection; but it seems to me that Senators ought to stop and think about the condition of the Treasury. When no immediate need is to be subserved by the erection of buildings at the very high cost now prevailing, and when it is admitted that storage facilities now exist for the storing of these machines, how can an appropriation of this kind for this purpose possibly be defended?

Mr. KING. Mr. President, will the Senator permit an inquiry?

Mr. LENROOT. I yield.

Mr. KING. I should like to inquire of the Senator whether or not the machinery is of such character as that it would deteriorate by being kept for any length of time or would become obsolescent; secondly, whether or not the Government needs the machinery in the immediate future; and, thirdly, could the Government make a disposition of the machinery at any reasonable price to private persons?

Mr. LENROOT. My information is that it is expected that a very considerable portion of the machinery in these plants will be sold with the plants; but there are certain machines which the Government can utilize, consisting of machines which have cost the Government a great deal of money, and which the Government does desire to retain; but there is no immediate use for these machines, to any considerable extent, because we already have, in very large surplus quantities, the guns and cannon which these machines are designed to produce.

So far as the machines becoming obsolescent is concerned, of course, as time goes on and improvements are made in ordnance, the machines will become obsolescent; but, as they do become obsolescent, it would cost the Government very much less, if changes were necessary, if the machines were in temporary storage rather than if they were permanently set up in buildings.

There is another phase of the matter, Mr. President, aside from the condition of the Treasury. We are confronted with a great shortage of production and a great shortage of labor in this country. Six million dollars is not a very large amount, but in this crisis of the country we ought not to appropriate any money that will take labor out of production and put it into nonproductive fields, where that is not absolutely necessary. We can not hope for a return to a normal basis in this country until production and consumption are equally balanced with each other; we can not hope to assist in obtaining that balance if we appropriate millions of dollars for the establishment of nonproductive enterprises which are not necessary for the Government's use. So from both standpoints, the standpoint of the condition of the Treasury and the standpoint of construction requiring labor that is not necessary and that will be taken from necessary production, it seems to me very clear that the amendment which I have proposed ought to be adopted.

Mr. KING. Mr. President, may I inquire of the Senator if he has made any investigation as to the need for another arsenal, to be known as the Aberdeen Ammunition Arsenal? My understanding is that the Government has a number of arsenals. Why should we erect, particularly at this time, in view of the condition of the Treasury, another arsenal? It seems to me if we require more ammunition, that economy would prompt the enlargement of some of the arsenals which the Government now owns.

Furthermore, if the Senator will pardon me, my recollection is that in the discussion of the last Army appropriation bill facts were called to the attention of the Senate showing that a large number of employees in some of the arsenals of the Government were about to be discharged because of the slowing down of the business; and strenuous appeals were made by the Senator from Pennsylvania [Mr. KNOX] and others, as I recall, that we should not discharge those employees; that we ought to give them work merely for the purpose of keeping them in those arsenals. Now, this amendment proposes to build another arsenal. Why should we do that when some of the Senators were pleading a while ago for the dismissal of many employees because the Government did not need their services, while other Senators were insisting that they be kept in their positions because they had been there for many years?

Mr. LENROOT. Mr. President, I am not prepared to say that we do not need another arsenal or, at least, that present arsenals should not be enlarged in the near future. I do believe that if we are to have such a state of preparedness as we ought to have, we should have buildings and machinery equipped and run, perhaps, at a very low rate of production in time of peace, but installed, ready to secure a very largely increased production in time of emergency; but that situation does not confront us now, and it will not confront us this year or next year or the year after. We can well afford to wait for these expenditures until the condition of the Treasury and the condition of the country will warrant our engaging in these nonproductive things that may be necessary, and in my judgment will be necessary in the future, but are not necessary now under present conditions.

Mr. PHELAN. Mr. President, the Senator from Wisconsin [Mr. LENROOT] has proposed an amendment which will cover into the Treasury the proceeds of the sale of war-time arsenals which are recommended to be abandoned by the department, but the committee has reported in favor of taking these proceeds and increasing the facilities of the plant now conducted by the Government known as the Watervliet Arsenal and of creating

elsewhere a new plant to be known as the Aberdeen Ammunition Arsenal. These items aggregate over $6,500,000.

The Senator from Wisconsin makes the point that there is no immediate necessity for providing for these increased facilities because we are now in a time of peace, and yet he does not deny that in time of peace we should prepare for war. I believe that in the old arsenal at Venice there is the inscription:

Happy is the city that thinks of war in time of peace.

So we have to be thinking of war in the time of peace. There are those who dispute the fact that we are now at peace. So far as I am aware, no treaty of peace has been ratified by the Senate, and I hear that there are dozens of small wars being waged throughout the world. A traveler from Russia informed me but yesterday that the United States will inevitably be drawn into the Russian or Siberian field, on account of the extraordinary conditions which exist there, unless we surrender our position in the Orient to another power. There is much disquiet in the Pacific, and there is no reason for us to believe that at any time there may not be an outbreak of hostilities, because, as was evidenced in the late war, the United States will not submit to repeated insults, indignities, and trespass upon well-established rights. So I do not agree with the Senator from Wisconsin when he says that we should not at this time consider as the principal question not the economy but the necessity of having provision made that in case of unexpected or expected hostilities we would be fully prepared to meet them.

Since the Pacific Ocean has loomed so large in Congress—and that is only in the last few years—which dictated the national policy of providing for keeping half the fleet in the Pacific for reasons which I may not go into at this time, I do not feel that I am speaking for a section when I advocate public improvements in the western part of this great country. I attended the meeting of the Military Affairs Committee recently to hear a discussion on this very question of arsenals, and there I learned, just as the Senator has learned, that the officials of the department are eager to employ the proceeds of the sale of dismantled plants for the establishment of new plants, and at the same time they tell you that there is no necessity for making these additions at the present time; in other words, that there are more arsenals in the country to-day than are required by our war necessities, they claim, either now or presently. But the fact developed—and it may give an idea to the Senator from Wisconsin—that there is no Federal industrial arsenal west of the Rocky Mountains; and in view of that fact, I prepared an amendment appropriating a certain sum of money for increasing the facilities of the Benicia Arsenal in California.

The Benicia Arsenal is located on the Bay of San Francisco, on land owned by the Government, 360 acres, most eligibly located at the confluence of two rivers and on the main railroad lines. The establishment has been there since 1860. It is located within 6 miles of the Mare Island Navy Yard, and that navy yard and the Military Establishment of the Pacific coast depend upon these eastern arsenals for their supply of artillery guns, howitzers, projectiles, and of munitions of all kinds. In the event of war on the Pacific, it will at once appear to the Senator that the Military and Naval Establishments will have to call upon the eastern arsenals for their supplies, for the repair of their guns, and for the relining of their cannon.

Col. King, of the Ordnance Department, was present at the hearing before the Military Affairs Committee and I asked him a question in these words, speaking of the conditions in Europe, where it had just been testified that $20,000,000 had been spent upon one arsenal in the heart of France:

Of course, we were in great danger then. The armistice brought our peril to a close, and I suppose it was necessary to spend money with a lavish hand, but do you consider that there is also a menace on the Pacific coast, Col. King? Do you share the fear of the Navy in that respect, and if that is your belief should not there be an expenditure of Government money to prepare?

Col. KING. Well, it is a question. Of course, there is a menace. But it is a question of the advisability of building a large plant there—

That is, at Benicia—

when we have sufficient plants already to cover the needs.

Senator PHELAN. Well, suppose the enemy should by a very simple process cut off all access from the East by the bridges and the tunnels of the various railway lines, and probably by the obstruction of the Panama Canal by putting a pound of dynamite in the Culebra Cut, it would be very desirable then to have large storage facilities somewhere on the Pacific coast, and also repair plants and relining plants?

Col. RICE. Yes, sir; but if they cut us away from the east we would probably have to give up the Pacific coast.

Senator PHELAN. You would have to surrender?

Col. RICE. We would have to surrender.

The department admits that in case the vigilant enemy should destroy the mountain passes, bridges, and tunnels, which is a matter of no difficulty whatever, and should disable the Panama Canal, the United States would have to surrender the Pacific coast.

In view of that fact it seems to me perfectly apparent that if we are to expend any of the proceeds of the sale of the dismantled and needless war-time plants now in the East, as a matter of national policy some expenditure should be made in providing facilities on the Pacific coast, and this is not because the Pacific coast asks this as a matter of geographical consideration. We ask in legislation that there be distributed in the appointment of public officers among the various sections members of boards and commissions. We do not ask that in any sense of patronage but as a matter of national policy. An arsenal on the Pacific coast is a matter of national defense.

Therefore I am disposed to agree with the Senator from Wisconsin [Mr. LENROOT] that this money should not be used for increasing the facilities in the East, because admittedly there are facilities sufficient; but I differ with him in this, that the money should be covered into the Treasury for safe-keeping, but that appropriation should be made for giving some facilities to the Military Establishment and to the Naval Establishment upon the Pacific coast, in view of the fact that supplies from the East may be cut off in an emergency, which would render our Army and our Navy helpless in defense of the common country.

I have prepared an amendment, therefore, and my remarks are merely preliminary to its introduction, that one and a half million dollars may be appropriated for the maintenance, support, and development of the manufacturing industries and facilities of the Benicia Arsenal, California.

I say there is no manufacturing or industrial arsenal west of the Rocky Mountains. The Benicia Arsenal, or barracks, so called, now used for storage in a small way of military property and a small repair plant for small arms, is there, an established Government institution, without adequate funds for necessary expansion. I think $50,000 a year has been the whole extent of the Government's interest in it in the past, where the Government owns 360 acres of the best located land on the Bay of San Francisco, and it seems to me the door is now open to the department and to Congress to take advantage of the situation, which will greatly strengthen our military arm and our fleet now in the Pacific, seeking these facilities. I submit to the Senator from Wisconsin the wisdom, therefore, not of covering all of this money into the Treasury, the proceeds of the sale of old and dismantled plants, but reserving some of it, as by my amendment, for the establishment of a much-needed arsenal on the Pacific coast.

Mr. LENROOT. Will the Senator yield for a question?

Mr. PHELAN. Certainly.

Mr. LENROOT. Why does the Senator think that because we sell Government property we should take the proceeds of the sale necessarily and use them for some other purpose? If an addition to the facilities at the arsenal that the Senator speaks of is necessary, why should we not appropriate for it outright, as we ought to do if it is necessary?

Mr. PHELAN. The Senator may have observed that I have not suggested in my amendment that this particular money be appropriated; therefore I will support his amendment, that the proceeds of the sale of these dismantled plants be covered into the Treasury, and I will let my amendment stand on its own merit.

Mr. WADSWORTH. Mr. President, I ask the Senator from Wisconsin if, as a matter of fact, his amendment, in merely authorizing the Secretary of War to sell these plants, does not leave in the bill the authority which the Secretary of War has now?

Mr. LENROOT. The only reason, I will say in reply, is that I assume that the committee, in making this authorization in the first amendment, had some purpose in making it, because such authorization is not contained in the second amendment.

Mr. WADSWORTH. The authorization is linked with and in the same sentence with the authorization to use some of the proceeds.

Mr. LENROOT. And the same is true of the second amendment. Why were different modes of treatment used with reference to the two amendments?

Mr. WADSWORTH. The second I have not discussed. I have been trying to confine the discussion to the first one, because the second has some elements in it which are quite different. The second one reads:

That the Secretary of War is hereby authorized to establish an arsenal to be known as the Aberdeen ammunition arsenal on land owned by the United States, situate in the county of Harford, State of Maryland, and within the tract now designated as the Aberdeen Proving Ground Reservation.

The language was drafted, as the Senator knows, in the War Department, and that was to be the establishment of a new institution. I suppose they thought it best to introduce the

subject by such an authorization for the establishment of an institution. Then it goes on to describe where it is to be situated, what it is to consist of, and then to fix the total cost, exclusive of material and machinery now owned by the Government, not to exceed five and a half millions, to be paid from the net proceeds derived from the disposition, by sale or otherwise, of these other war-time powder plants. So the effect is the same in both amendments.

Mr. LENROOT. That may be true, if there is no question about the authorization in the first instance. But I assumed the committee had some purpose in making the authorization.

Mr. WADSWORTH. No; the authorization is repeated, as it were, in order to link it with the authorization for the use of the proceeds.

Mr. LENROOT. I have retained the authorization, and I think if that is adopted it would tend to hasten the sale, I am very frank to say to the Senator, rather than if the entire amendment were eliminated.

Mr. WADSWORTH. If the Senator's amendment is agreed to, it merely authorizes the Secretary of War to do a thing which he has the right to do anyway. Of course, the real object, it seems to me, that the Senator should seek is to strike out the whole paragraph, for that is what we are really voting on.

Mr. LENROOT. I am in thorough sympathy with the sale of these plants which are not necessary, but I do not think the Secretary of War, in the exercise of an alleged discretion on his part, where he admits that the plants are not necessary, should say, "I will not sell these plants unless I can get the proceeds for my department." That is the effect of the position taken by the War Department, as the Senator well knows, and Congress ought to prevent any such action upon the part of any department of the Government. They admit these plants are not necessary, and they admit they ought to be sold, but they say, "We will not sell them unless we can have the money." Whether they get the money or not should be for Congress to say in specific appropriations, and not for the War Department.

Mr. WADSWORTH. There are a good many things the War Department has done of which I do not approve. I think, however, the Senator rather stretches his description in this particular case. The department has been quite frank with us in this matter. I ask the attention of the Senator from Utah [Mr. KING], who asked some question of the Senator from Wisconsin, as I want to read into the RECORD the statement which was presented to the committee by the officer authorized to make it on behalf of the Ordnance Department and with the approval of the Secretary of War:

> The provision which we are asking for, Mr. Chairman, is for authority to dispose by sale of the cannon finishing plant, known as the Erie howitzer plant, at Erie, Pa., and to use not to exceed $950,000 of the proceeds of the sale of this plant to erect at Watervliet Arsenal, Watervliet, N. Y., on Government-owned land, a plant for machining and assembling medium-caliber types of field cannon, and to move the machinery and equipment now installed or stored at the Erie howitzer plant to Watervliet Arsenal.
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> During the war it was necessary to construct plants for the manufacture of 155-millimeter howitzers, and upon an analysis of the facilities after the armistice it was found necessary to retain some facilities to protect the interests of the Government in case of future necessity. The retention of the Erie plant was approved by the Secretary of War on April 8, 1918. It has a capacity of 200 howitzers per month, and we have since transferred to that plant the machinery for the manufacture of 4.7-inch guns from Madison, Wis.
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> It has been the policy of the Ordnance Department to concentrate its facilities so far as possible in the arsenals. There is no floor space at the present time available for this machinery and equipment which the department has decided it is necessary to retain. Up to this time there has not been sufficient land at Watervliet Arsenal upon which to erect a building for this equipment, but with the procurement of additional land under a recent appropriation bill it is now possible to erect such a building.
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> The department has had several offers for the Erie howitzer plant, and it received one for a million dollars. I think that the plant itself is worth probably a million and a quarter. In case this building is put up at Watervliet Arsenal and the equipment moved to Watervliet Arsenal, it is estimated that from $150,000 to $300,000 would revert to the Treasury from the proceeds of the sale, and it is estimated that the cost of maintaining, guarding, and protecting the plant at Watervliet Arsenal would be $14,450 less per annum than the cost of similar work at Erie.

Then, in another place he states that the offer of a million dollars for the Erie howitzer plant was accompanied by a certified check for $50,000. The department did not accept that offer, I may say to the Senator from Wisconsin. They were actually negotiating for the sale of this plant. They were not trying to hold it. They thought they could get more than a million. They thought they could get a million two hundred and fifty thousand. The department has not taken the attitude that "we will not sell this plant unless you permit us to use the money elsewhere." The department negotiated for the sale of this plant before they ever made this proposition to the Congress at all. Since they started the negotiations for the sale of the plant Congress has extended the area of the Watervliet Arsenal.

Now, the Ordnance Department and the War Department say to the Congress, "Why not sell this plant and use the proceeds for taking care of this machinery, installing it, keeping it ready for use, and, if necessary, using a little of it from time to time for peace-time production at Watervliet, where we already have an organization, no new overhead of any kind, a great arsenal going there for many, many years?"

Mr. OVERMAN. Is this a proposal to permit some officer of the Government to use the proceeds of the sale of Government property without an appropriation?

Mr. WADSWORTH. It is a proposal to use the proceeds of the sale to build another Government building, to sell one Government building and erect another.

Mr. OVERMAN. By whom?

Mr. WADSWORTH. By the Government.

Mr. OVERMAN. By what officers of the Government?

Mr. WADSWORTH. The War Department.

Mr. OVERMAN. Is it not against the policy of the Government to allow some officer to handle the proceeds derived from some sale instead of turning it back into the Treasury and having Congress appropriate it? That is against the whole policy of the Government. Here is a sale involving a million dollars. Where does the money go? Into the hands of the Secretary of War? If so, does he give a bond? The policy of the Government is to put the money into the Treasury and then have the Appropriations Committee, or some other committee, provide how the money shall be spent, and to appropriate the money out of the Treasury for some particular purpose. This is against the whole policy of the Government.

Mr. CHAMBERLAIN. Has not the Senator forgotten the Overman Act? Could they not do it under the authority of that act?

Mr. OVERMAN. No; they could not take any money that was not appropriated. They can not take a cent of money that is not appropriated by direct apppropriation from the Treasury.

Mr. WADSWORTH. Yes; but they could transfer money appropriated for one purpose to another to a limited extent.

Mr. OVERMAN. But this does not propose to appropriate the money out of the Treasury. It proposes to transfer the money from the sale of property to some other officer of the Government, who has not given bond and who knows nothing about the keeping of accounts of the Government. Who is going to keep the accounts? It ought to be done directly by the Treasury Department. That has been the policy of the Government for a hundred years.

Mr. WADSWORTH. I do not think the Senator would contend that the Secretary of War or his authorized assistants are irresponsible. The Senator asked if he had given a bond.

Mr. OVERMAN. No; I am not saying that they are irresponsible. There is a business way of appropriating money and spending it. The Constitution provides how money shall be spent. It shall be spent through appropriations out of the Treasury, and the officials of the Treasury keep in touch with appropriations all the time. That, I say, has always been the policy of the Government.

Mr. WADSWORTH. I am perfectly well aware that that has been the general policy, and I think a healthy one, as a general rule. This is a proposal that a certain portion, a limited amount, of this money shall be used in a certain way, and under this amendment Congress provides what it shall be for, where the property shall be situated, and how much it shall cost. So it is a complete authorization by the Congress, made with eyes wide open.

Mr. LENROOT. Mr. President, I would like to have the Senator explain what reason there is for doing it in this way. If the committee thought $950,000 was necessary, why was not the sale authorized and the money allowed to go into the Treasury, and then an appropriation made in the bill in the usual way?

Mr. WADSWORTH. Mr. President, the situation was this, as I tried to explain at the beginning: The War Department felt that were that property to be sold before some definite, assured disposition of the machinery could be made in advance, there might be a fall-down between those two transactions which would leave the department in an embarrassed position, unable, perhaps, if the Congress refused to make the appropriation later on because of some change in the situation, to take care of this situation in an economical way.

Mr. LENROOT. But, if the Senator will yield——

Mr. WADSWORTH. Certainly.

Mr. LENROOT. Just a few moments ago did not the chairman of the committee say in reply to me that I was mistaken

in making that very assertion, that the War Department were negotiating for the sale of this property, and the Senator denied my statement that they were refusing to let go of the property unless they had the money for their own use?

Mr. WADSWORTH. If the Senator is going to quote me, he must do it accurately.

Mr. LENROOT. I did so.

Mr. WADSWORTH. He did not. I said that the War Department made this proposal to us after it found that it was possible to take care of the machinery as a result of the enlargement of the Watervliet area.

Mr. LENROOT. But did not the Senator say that I was mistaken in the statement that they were refusing to sell the property unless they could have the proceeds for their own use?

Mr. WADSWORTH. As a general statement I think that is inaccurate. They have not adopted the policy of refusing to sell Government property unless they could have the proceeds. I cited the instance of their attempt at negotiations to sell the property before they ever asked permission to have the proceeds. They did not ask permission to have the proceeds until after they saw that they could use the proceeds in their judgment to the advantage of the Government.

Mr. LENROOT. But now the Senator admits that unless they can do this they are not willing to go on with the sale.

Mr. WADSWORTH. I do not.

Mr. LENROOT. That is the inference.

Mr. WADSWORTH. I have never said any such thing. They make this proposal to us. Not a word has come to us in any way to the effect that they do not want to sell it unless it can be done in this way. They merely make this proposal, which they regard as a business proposal in the interest of the Government. I give them credit for being perfectly sincere about it. Apparently the Senator from Wisconsin does not.

It is for the Senate to decide whether it thinks this is a good business proposal for the Government; but I do say, and I am not called upon to defend the Secretary of War or the War Department, that so far as the Erie plant is concerned, they have never taken the attitude that they would not sell it unless they could use the proceeds. I think it is unfair for the Senator from Wisconsin to attribute that motive to them in view of the history of the transaction.

Mr. LENROOT. But the Senator stated just a moment ago that they did not want to let go of this very plant unless the other one was provided. I certainly am not misquoting the Senator on that.

Mr. WADSWORTH. I have made that just as clear as I can. I am not going to discuss it further.

Mr. KING. May I inquire of the Senator——

Mr. WADSWORTH. I intended to explain to the Senate the next amendment, which is a quite different proposition.

Mr. KING. I shall be very glad to wait, then.

Mr. WADSWORTH. During the war the War Department built three large powder plants, one near Nashville, Tenn., called the Old Hickory plant, one at Tullytown, Pa., and one at Amatol, N. J. They were enormous undertakings. Much of the construction is temporary. I think they had scarcely reached any large production by the time of the armistice. They cost a very large sum of money. They can not be used to any advantage by the Government from now on. Mind you, these are the inheritance of the war and no one need blame the chairman of the Military Affairs Committee or the Committee on Military Affairs itself for any of these things.

The plant at Nashville, Tenn., a smokeless-powder plant, cost $90,000,000. The plant at Tullytown, Pa., cost $7,000,000. The plant at Amatol, N. J., cost $17,000,000. Something ought to be done with them. There is some little equipment and machinery at them which is of a modern and permanent character and which could be used, but the buildings are of the usual frame construction, covering acres and acres of ground, an enormous undertaking run up, as it were, with matches and glue, pure war-time construction. There is something like $120,000,000 in these three plants. They have to be gotten rid of.

Mr. KING. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Utah.

Mr. KING. Does the Government own any land upon which these flimsy structures were erected, or is it leased?

Mr. WADSWORTH. It owns nearly all the land under them; in fact, I think it owns it all. If it will interest the Senator from Utah and the other Senators present, I just wish to read something about this which has been submitted to us.

The Old Hickory plant, with the exception of a limited storage area and the land, the department thinks can be salvaged for $9,120,000. It costs to-day $400,000 a year just to keep it there idle, doing nothing, to guard it and protect it and take care of it.

The Tullytown Arsenal they estimate can be salvaged for $556,000. It costs $45,000 a year to take care of that in its idle condition. The longer we keep them, of course, the more they cost to keep. The estimated salvage value of the Amatol Arsenal is $1,320,000, and it costs $75,000 a year to take care of that. These are great big ghostly cities of the dead. They are pathetic and ghastly to look at.

The Senator from New Jersey [Mr. FRELINGHUYSEN] reminds me that they served their purpose, but it might be well to amend that remark by saying that they would have served their purpose had the war gone on for another six months.

Mr. FRELINGHUYSEN. Mr. President, I think, in view of the fact that we made such tremendous preparations, it had its effect on the final result of the war. I know that these activities in my State near Amatol produced a high explosive consisting of T. N. T. and nitrate of soda, I think. They melted a high explosive the formula of which was procured from the Austrians by the English, who loaned the formula to us, and over 1,000,000 shells, I understand, were shipped from the arsenals at Amatol and Morgan in one month. Undoubtedly that had some influence on the final result.

Mr. WADSWORTH. It is proposed to sell these plants. Of course, as the Senator from Wisconsin [Mr. LENROOT] will admit with me, the Secretary of War has the right to sell them now; at least, I understand he has. There is some material in them, however, that is pretty valuable that the Government wants to keep—some of this powder-making machinery. They estimate that that can be sold to the net advantage of the Government for $11,006,000. They urge that it be done mighty quickly, because it will deteriorate in value inevitably; and in addition to that it is not at all sure that prices for the kind of material of which they are composed will stay at their present level, and even if they did not deteriorate materially, the value of the salvage itself would go down.

The proposal is to take of that $11,006,000 $500,000 and put up a powder arsenal, an arsenal which will also machine the medium and light caliber shells, at Aberdeen, at which place the Government already owns complete and well-equipped ordnance proving grounds and near which place, just a short distance away, the Government already owns complete and permanet gas-shell building plant. The proposal is to use that new arsenal to manufacture powders on the restricted scale—and I may say that a $5,500,000 arsenal would not be able to meet war-time demands by any means; it is merely peace-time demands—to use it for experimental and research purposes in connection with the manufacture of these powders, and also to manufacture and experiment with gas shells and other kinds of artillery projectiles of smaller caliber.

If that is done, the Picatinny Powder Arsenal, in New Jersey, which the Government owns and has operated for several years, will no longer be used as a powder-manufacturing arsenal and it will be reverted to an ordnance storage depot, which it used to be several years ago, before it was transformed into a powder factory.

The storage space at Picatinny is worth $550,000, and the annual estimated maintenance saving will, according to the department, be $520,000. They say:

> If the proposed legislation is enacted, the War Department proposes to salvage the manufacturing areas and the major portion of the housing and service areas immediately and later, when the present need has passed, to salvage the storage areas of the three plants.
>
> If the proposed legislation is not approved, it will be necessary to retain Amatol Arsenal in serviceable condition, to retain a considerable portion of Tullytown Arsenal in serviceable condition, or establish such facilities at Picatinny, and either to retain at least one smokeless powder line at Old Hickory in serviceable condition or to renovate the smokeless powder plant at Picatinny Arsenal. One powder line at Old Hickory is so large (100,000 pounds of powder per day) as to render its operation very expensive except at full capacity. The smokeless powder line at Picatinny is considerably out of repair and of very old design and antiquated equipment, and would require considerable expenditure to make it efficient.
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> The proposed ammunition arsenal will be located on the Aberdeen proving grounds reservation, adjacent to the Edgewood Arsenal on Gun Powder Neck. The acquisition of additional land will not be required unless in a small way in connection with the water supply, as sufficient land is now available on the reservation for the existing establishments and for the proposed ammunition arsenal.
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> The Ordnance Department has at present no establishment which can be termed an ammunition arsenal. Frankford Arsenal has a small capacity for shell and fuses, Picatinny Arsenal a small capacity for powder, explosives, and shell loading, and Chicago Arsenal space where shell-making machinery is stored but not installed. Picatinny Arsenal has fundamental deficiencies which militate against its use as an ammunition arsenal.

We lay this before the Senate merely as a business proposition. Apparently it is the purpose of the War Department, especially the Ordnance Department, to concentrate these things into a few places, to get rid of the scattered institutions which

are exceedingly hard to get rid of unless at the same time you have a program laid down which will enable you to take care of some of the facilities and machinery at these great war-time plants which the Government ought to keep and wants to keep.

So the Senate committee decided to lay the matter before the Senate, just as the Erie howitzer plant matter was laid before the Senate. If we do not sell these plants pretty soon, we will not get 2 cents on the dollar for them. If we sell them promptly and lay down a program for taking care of the things in these plants that we do not want to sell, that we want to move somewhere else and concentrate, we can get something like 10 cents on the dollar.

Mr. KING. Will the Senator permit a question?

Mr. WADSWORTH. Certainly.

Mr. KING. Did the investigations before the committee establish the fact that the plant in Pennsylvania and the one in New Jersey, to which the Senator has just referred, would not be available for the performance of the work which was to be accomplished by the new plant to be established at Aberdeen? In other words, why could not the Government utilize one of the existing powder factories instead of constructing another at the Aberdeen grounds?

Mr. WADSWORTH. Mr. President, the Picatinny Powder Plant is a comparatively small concern which is equipped merely to make smokeless powder. According to the department, it is not feasible to enlarge it. There are questions of water supply and other considerations which make it difficult to do so on an economical basis. The department wants to take the powder-making function away from Picatinny, combine it with the shell-making function, carry on two functions at one place, on land already owned by the Government, and use Picatinny as an ordnance storage depot, as it was used four years ago, and save thereby $520,000 a year.

Mr. FRELINGHUYSEN. Mr. President, the proposition seems to me to be a practical business one. We find the Ordnance Department maintaining three large, temporary, expensive manufacturing plants, great balloon structures that have to be guarded and repaired, the roofs of which have to be taken care of, because there is stored under them extensive machinery that otherwise will rust. The question is, Shall we continue to appropriate money to care for the maintenance of three useless plants? That is the proposition, and there should be no argument on that. They should be abandoned; the buildings should be demolished; the machinery should be salvaged; and if we do not give authority to do it this year, it means that we shall carry the matter over to next year and the same appropriation will come up.

The question of using a part of the proceeds from the result of salvaging in erecting a necessary shell-casing manufacturing plant is also one of policy. We have got to keep up the preparedness program to a certain extent; but if we can recover $11,000,000 or $12,000,000, it seems to me to be a wise business proposition to get rid of the expensive maintenance costs of these useless plants.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. FRELINGHUYSEN. I yield.

Mr. KING. The explanation which the Senator from New Jersey makes, supplementing the statement made by the Senator from New York [Mr. WADSWORTH], would seem to justify the recommendations of the committee that these three plants be disposed of. I am not yet satisfied, however, from the explanations that I have heard, that there is any necessity for the construction of another plant at Aberdeen. My information is that we had so many plants constructed during the war, and some before the war, for the manufacture of powder and ordnance and all forms of war equipment that there is no necessity now for constructing any additional plants; but the plan suggested by the committee now contemplates the demolition of three plants and the construction of another plant, with the utilization of a portion of the machinery in the three in the construction of the fourth.

I certainly am in favor, with the explanation which I have heard, of a peremptory order for the sale of the three plants; but I have some doubt as to whether we should permit the War Department to make the sale. I have not any particular confidence in the business ability of the War Department to handle these matters. They have not exhibited any very great sagacity or business ability or that common sense that ought to characterize organizations in the handling of the funds which are wrung from the people by taxation.

Mr. FRELINGHUYSEN. If I may ask the Senator a question, who would he have salvage these buildings?

Mr. KING. I am not so sure as to whether we are justified in creating a new organization for the purpose, because the more organizations we have apparently the greater difficulties we encounter and the more lost motion and the more waste and extravagance. I frankly repeat that the conduct and record of the War Department, in the disposal of the hundreds of millions of dollars of property that were on hand at the close of the war, have not been such as to warrant any particular encomium. It has been slow and tardy and wasteful in its handling of the vast amount of war material which was on hand at the close of the war.

It seems to me, however, that these buildings ought to be disposed of, unless it is the one in New Jersey. Perhaps that ought to be retained for the purpose of manufacturing powder, although the explanation made by the Senator from New York is not convincing that we need another powder factory.

Mr. FRELINGHUYSEN. I think, so far as the condemnation of the administration which has been made by the Senator from Utah is concerned, I shall not disagree with him. He may qualify as an expert as to that.

However, to get down to the practical side of this question, unless we let the War Department do the work, what agency of the Government is going to do it? The question is right up to this Congress, What are we going to do with these great, useless plants? The only people who know how to salvage the machinery are the Ordnance Department; and I must say that, so far as the Ordnance Department is concerned, I think they are efficient, and that they will do the work efficiently and less expensively probably than would any other agency of the Government.

Now, as to the question of another plant to manufacture cartridge casings or for loading cartridges and making ammunition, it is necessary that the Aberdeen Proving Grounds test the guns which are produced, and it is necessary to prove the ammunition. Therefore, in the effort to concentrate in one central place, it would seem practicable that they utilize this machinery for that purpose.

So far as Picatinny is concerned, Picatinny, I understand, is a smokeless-powder arsenal. It has been a permanent establishment for many years, but I do not think it is equipped for making ammunition. I think it is simply a smokeless-powder manufacturing arsenal. In their effort to concentrate at Aberdeen, the Ordnance Department have asked that a part of the proceeds derived from the sale of certain plants and material may be made available in order that they may use this machinery for the necessary purposes of the Army.

Mr. KING. Mr. President, will the Senator permit another inquiry?

Mr. FRELINGHUYSEN. I yield.

Mr. KING. The Senator appreciates that any construction of plants now, in view of the shortage of labor and the high prices of all commodities, will involve a very great expense upon the Government. I should like to inquire of the Senator whether or not the exigencies of the situation require the construction of a new plant at this time? Why may not these three plants be salvaged, the Government deriving the very best price possible from them, and then when the necessity arises for the construction of another plant let the department appeal to Congress to secure the appropriation?

I agree entirely with the Senator from North Carolina [Mr. OVERMAN]. I believe that it is a very unwise policy to permit executive agencies to make disposition of property, whether real or personal, and then turn around and, without an appropriation by Congress or without making an accounting to Congress of the funds derived, expend them for some other purpose. That policy I believe makes for extravagance and waste. I think that when property belonging to the Government is sold the proceeds ought to be covered into the Treasury of the United States; there ought to be a full accounting made to the Government, and then if the same department must have funds for some legitimate purpose let them make the proper representations to the legislative branch of the Government and obtain the needed appropriation therefor.

Mr. LENROOT. Will the Senator yield?

Mr. KING. I am very glad to yield.

Mr. LENROOT. The Senator will remember that the definite policy fixed by Congress before the war and carried out in every instance, according to my recollection, was that in no case should any department of the Government be permitted to use funds which came from the sale of property or other income, but in every case such money was required to be deposited in the Treasury and appropriations regularly made in order to permit its use.

Mr. KING. I recall that, Mr. President, and it would seem that if there could be any justification for a departure from that policy the justification might arise during the exigency of

war. If during war times and in hours of supreme crises that policy was adhered to, there can be no reason for a departure from that policy in the halcyon days of peace.

I think that the committee amendment in its present form is unwise; I am not satisfied with it. I agree with the Senator from New York and the Senator from New Jersey that we ought to dispose of those three plants, from the statements which they have made, and if the department will not do that I think a mandatory direction should emanate from Congress that will secure prompt action.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). The question is on the amendment of the Senator from Wisconsin to the amendment reported by the committee. Without objection, the amendment to the amendment is agreed to.

Mr. WADSWORTH. No, Mr. President; there is objection.

The PRESIDING OFFICER. Without objection, the question will be reconsidered. The Chair will put the question again. [Putting the question.] The ayes appear to have it.

Mr. WADSWORTH and Mr. FRELINGHUYSEN called for a division.

The PRESIDING OFFICER. A division is called for.

Mr. WADSWORTH. Mr. President, is it possible for me to make a parliamentary inquiry at this point in the midst of a vote?

The PRESIDING OFFICER. The Chair presumes so; the Chair thinks the rule applies only while a roll call is proceeding.

Mr. WADSWORTH. I happened to overhear the Senator from Wisconsin make a remark which would indicate that he thinks we are voting to strike out the whole amendment except the first four lines.

Mr. LENROOT. I understand the question.

Mr. WADSWORTH. I thought I heard the Senator say that the amendment, if agreed to, would strike out the whole item of $6,000,000.

Mr. LENROOT. The pending question relates only to the item of $950,000; the other item will come next.

Mr. WADSWORTH. I should like to have the vote on that separate. I ask that the amendment be stated.

The PRESIDING OFFICER. The Secretary will state the amendment offered by the Senator from Wisconsin to the amendment reported by the committee.

The READING CLERK. In the committee amendment on page 61 it is proposed to strike out, after the word "Pennsylvania," down to and including line 12 and insert "and the proceeds of such sale shall be deposited in the Treasury of the United States to the credit of 'Miscellaneous receipts.'"

Mr. KING. Mr. President, a parliamentary inquiry. Have we proceeded so far in voting upon this matter that an inquiry of the Senator from Wisconsin or the Senator from New York would be improper? I wish to make an inquiry, because that will guide me in my vote.

The PRESIDING OFFICER. The Senator may make his inquiry.

Mr. KING. Mr. President, I should like to ask the Senator from Wisconsin whether, in his opinion, this amendment is mandatory and requires the sale of the property, or whether, if his amendment prevails, discretion may be exercised by the department, so that it might refuse to sell the property?

Mr. LENROOT. Discretion would still be left with the department, but, inasmuch as the chairman of the committee states that the Secretary now has this authority, I think the Secretary in all fairness would regard it as a direction upon his part to sell.

Mr. WADSWORTH. I suggest the absence of a quorum, if that is to be the question.

The PRESIDING OFFICER. The Senator from New York suggests the absence of a quorum. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Harding	McKellar	Smith, Md.
Borah	Henderson	New	Smith, S. C.
Brandegee	Hitchcock	Norris	Smoot
Calder	Jones, N. Mex.	Nugent	Spencer
Chamberlain	Jones, Wash.	Page	Stanley
Comer	Kellogg	Phelan	Sterling
Dial	Kendrick	Pittman	Thomas
Edge	Kenyon	Poindexter	Townsend
Fall	Keyes	Pomerene	Trammell
Fernald	King	Ransdell	Wadsworth
France	Lenroot	Sheppard	Walsh, Mass.
Frelinghuysen	Lodge	Simmons	Warren
Gay	McCumber	Smith, Ariz.	Watson

Mr. SMOOT. I wish to announce the absence of the Senator from Kansas [Mr. CURTIS] on official business.

Mr. McKELLAR. The junior Senator from Virginia [Mr. GLASS], the Senator from Mississippi [Mr. HARRISON], the Senator from Alabama [Mr. UNDERWOOD], the Senator from North Carolina [Mr. OVERMAN], the senior Senator from Virginia [Mr. SWANSON], the Senator from Montana [Mr. WALSH], the Senator from Arkansas [Mr. ROBINSON], and the Senator from Georgia [Mr. HARRIS] are absent on official business.

The PRESIDING OFFICER. Fifty-two Senators having answered to their names, there is a quorum present. The question is on the amendment of the Senator from Wisconsin [Mr. LENROOT].

Mr. WADSWORTH. Mr. President, my view of this situation has been stated at some length, and I do not intend to repeat it.

If the amendment of the Senator from Wisconsin is adopted it will merely result in leaving language in the bill which will authorize the Secretary of War to sell the Erie howitzer plant. As the Senator from Wisconsin says, and I think he says correctly, if that language is left in this bill and nothing else, the Secretary of War may regard it as a direction on the part of the Congress. He may regard himself as in duty bound to sell that plant. Now, are we ready to direct him to do it? Does the Senator from Utah or the Senator from Wisconsin or any other Senator believe that he knows enough about that situation—the disposal of the machinery, the storage of it somewhere else, the moving it about with no program in advance, the prices that can be obtained, and so forth—to direct, in effect, the Secretary of War to sell it, as the Senator from Wisconsin says?

I would prefer, if the Senate does not like this proposal which comes from the War Department and which the committee has laid before the Senate, to strike out the whole thing rather than to adopt the amendment of the Senator from Wisconsin.

Mr. LENROOT. Mr. President, is the Senator willing to accept an amendment striking out the whole thing?

Mr. WADSWORTH. No; the Senator knows I am not.

Mr. KING. Mr. President, will the Senator permit an inquiry?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Utah?

Mr. WADSWORTH. I do.

Mr. KING. Suppose the entire provision is stricken out. Will the Senator indulge in prophecy and advise the Senate what he thinks the War Department would do with respect to those other three plants—the powder plants—the one which cost $70,000,000, the one costing $17,000,000, and the one costing $7,000,000? Would the Secretary continue to keep them, at the expense to which the Senator has referred, or would he make disposition of them?

Mr. WADSWORTH. The Senator is referring to the powder plants?

Mr. KING. Those three, yes; the one in Pennsylvania, the one in New Jersey, and the one in Tennessee.

Mr. WADSWORTH. This is what they say will be necessary if the legislation is not adopted which would give them a chance to put some of this machinery at Aberdeen:

> It will be necessary to retain Amatol Arsenal in serviceable condition, to retain a considerable portion of Tullytown Arsenal in serviceable condition, or establish such facilities at Picatinny, and either to retain at least one smokeless-powder line at Old Hickory in serviceable condition, or to renovate the smokeless-powder plant at Picatinny Arsenal.

That is what they say. That means that they will retain a portion of those great war-time arsenals in serviceable condition, and will try to do what they can with the rest. We propose that they get rid of the whole of them and move the machinery to a central point and put it under one overhead; so I think we are going pretty far when we in effect direct them to sell the whole thing, because, frankly, neither the Senator from Utah nor myself knows enough about it.

Mr. LENROOT. But if the Senator will yield, if my amendment is adopted the only inferential direction would be as to the howitzer plant at Erie. My amendment was to strike out the whole of the section.

Mr. WADSWORTH. Yes; I referred to that a moment ago, and I do not think we know enough about that situation to direct, by inference or otherwise, the sale of the Erie howitzer plant. If we had all visited it, gone over it, and gotten some idea about it, it would be different.

Mr. KING. Mr. President, as I understand the memorandum which the Senator from New York has read—and I presume it is a memorandum furnished by the War Department—and the statement made by the Senator and the testimony given before the Committee on Military Affairs, the War Department takes the position that it is those three powder factories, one of which

cost $70,000,000, another one of which cost $17,000,000, and another one of which cost $7,000,000, which they think they can sell for about $10,000,000. They do not need them. The cost of maintaining them is enormous, perhaps five or six or seven hundred thousand dollars a year; but unless we will permit them to construct another plant at Aberdeen, they will probably keep those plants, because they need some of the machinery which is in each of them, and therefore they will renovate them—to use the expression in the letter—and maintain the three plants, instead of salvaging them and housing such machinery as may be retained.

It seems to me that the record which the War Department itself has presented shows that all of these plants ought to be salvaged; that it is the duty of the War Department to salvage them, regardless of any authorization for the construction of another plant, and that if the War Department does not salvage them it ought to be directed to proceed and make disposition of them at the earliest possible moment, and then Congress may determine whether or not another plant is necessary.

Mr. THOMAS. Mr. President, does the Senator think that the War Department has power to salvage these plants without some authorization of Congress?

Mr. KING. I express no opinion upon that subject; but I have understood from the debate, from the statements made by the Senator from New York, and from the questions if not the reply of the Senator from Wisconsin, that existing law authorizes the disposition of these properties.

Mr. THOMAS. I am not prepared to challenge the accuracy of that statement—it may be so—but the Senator knows that local interests are always aroused when any attempt is made by the Government or any Government agency to salvage or remove or destroy or in any wise interfere with a Government institution. Therefore, without some positive authorization, I think the department would rather shrink from the ordeal of voluntarily doing so because of the storm of local protest and resentment that would be aroused.

There is the difficulty. These plants are scattered over the country in time of war, and when the necessity for economy arises after peace is established each locality possessing some Government agency insists upon retaining it, and, while quite willing to see others dismantled, is clamorous for the retention of its own. It is that conflict of interest, thus aroused, that will embarrass the department and make it, I think, impotent to accomplish anything in the absence of a specific congressional direction, and that is what is designed to be accomplished by this amendment.

On the other hand, the capacity of the plant at Aberdeen needs reinforcement, and the reinforcement can come from the machinery and the appliances which are now in these other places, and which must be maintained, in the sense that they must be taken care of, at a continuing cost of from four to five hundred thousand dollars a year.

Mr. LENROOT. Mr. President, the chairman of the committee intimated that he did not think either the Senate or the committee had sufficient information to pass upon the question whether the howitzer plant at Erie should be sold at all unless a new building is provided at Watervliet Arsenal. If it be true that neither the committee nor the Senate has sufficient information to pass upon the question at this time, the entire provision should be eliminated. If the committee has not sufficient information to know whether the plant at Erie, Pa., should be sold at all in the interest of the Government, it has not sufficient information to say that a new plant should be constructed at Watervliet, N. Y.

The fact is—and it is no reflection upon the committee in saying it—that the reason why it is attempted to be secured in this way is because there seems to be a theory upon the part of somebody that if they use the proceeds of the sale of Government property it is not the people's money. Why are they not willing to come to Congress and ask for an appropriation in the usual way for a building at Watervliet, and ask for an appropriation out of the Treasury in the usual way for a new arsenal at the Aberdeen Proving Ground? It evidently is because, if this money is to be considered as money belonging to the people in the Treasury of the United States, they fear they would not get the appropriation, but if they can get the Senate and the committee to treat the money as something belonging not to the Government but to the War Department, then the appropriation ought to come very much easier.

Mr. President, I regret that the Committee on Military Affairs takes any such attitude with reference to these appropriations. The Committee on Military Affairs ought to be willing to have every dollar of the proceeds of these sales go into the Treasury and the committee then pass independently upon what new construction is needed and appropriate for it. That is the business-like way of doing it. That is the way it ought to be done. But I am afraid that if that were done the committee itself would not recommend the expenditure of this $6,000,000. I am afraid that it is recommended upon the theory that this is no expense to the people, because it is the proceeds of the sale of Government property.

Mr. President, this is not the way to handle the finances of the Government. Government property should be considered just as much the interest of Congress and the proceeds of the sale of Government property should be considered just as carefully and economically as money raised by taxes, because it all amounts to the same thing in the end, anyway.

Everyone admits that this property ought to be sold and everyone admits that there is no immediate necessity for the use of any of the machines, at least to any considerable extent. It is admitted that the machines can be stored in storage facilities until Congress can have an opportunity, when the condition of the Treasury will warrant it, of passing upon the merits of these two propositions, as to whether this addition should be made at Watervliet Arsenal and as to whether a new arsenal should be constructed at the Aberdeen Proving Ground.

Why not, in view of the present condition of the Treasury and in view of the labor shortage in the country, sell the things which all admit the Government does not longer need, and then leave it to the committee and to Congress at the next session to make such appropriations as the merits of the case will warrant?

Mr. FRELINGHUYSEN. Mr. President, I think the inference the Senator from Wisconsin has drawn against the committee is entirely unjust. It is quite true that the committee have neither the time nor the ability, I will say, to look into all of these technical propositions. The Senator has said "sell this machinery." Where will you find a market for gun-making machinery?

Mr. LENROOT. Will the Senator yield?

Mr. FRELINGHUYSEN. I yield.

Mr. LENROOT. I am only proposing the sale of that which the department says can be sold and which it will sell provided they can use the proceeds, that is all.

Mr. FRELINGHUYSEN. This is the problem. Possibly the committee is not as fully informed as they should be——

Mr. LENROOT. I am not reflecting on the committee.

Mr. FRELINGHUYSEN. Possibly we have neglected our duty——

Mr. LENROOT. Not at all.

Mr. FRELINGHUYSEN. But we have done our best——

Mr. LENROOT. I agree.

Mr. FRELINGHUYSEN (continuing). In the hearings to gain all the information that was procurable from the War Department and everywhere else. What is the simple proposition we have to face? We have these great plants manufacturing war materials, with expensive machinery, with expensive electric plants, with expensive fire protection, engines, boilers, machinery.

That property is valuable. It is Government property. The Senator suggests that it be sold or otherwise disposed of, or that the buildings be demolished, and then that they come to Congress for an appropriation to build new buildings and utilize this machinery. Suppose they demolish these buildings or sell part of the machinery, and then they come to Congress, and they have no appropriation, and they have the machinery on their hands. They would have to pay for the storage, which would amount to almost as much, possibly, as the expense of building a new plant. Consequently they try to complete it in one transaction, following the policy of the War Department, building the new building, utilizing it for the needs of the Army, and using the old machinery and salvaging it. It is a perfectly reasonable proposition and perfectly practicable, and I, for one, have some confidence in the Ordnance Department and in their ability. They accomplished great wonders during the war, and if they come to us with a statement and a plan of this kind we believe them, and we have some confidence and faith in them. Possibly it may be unwise, but to draw the inference that the committee have not done their duty and are not doing their duty in entertaining a proposition of this kind, which is a common-sense, practical, business proposition, I think is unfair and unjust to the committee.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Wisconsin?

Mr. FRELINGHUYSEN. I yield.

Mr. LENROOT. I do not wish to make any reflection upon the members of the committee. I do not believe there is a committee of harder working Members in the Senate, and that is

especially true of the chairman of the committee and the Senator from New Jersey. They are not only giving all their time to the question, but also their great ability. The remark I did make was that the chairman of the committee stated that the committee did not have sufficient information as to whether this property should be sold or not independently of this new construction, and I stated then that if that was so, the committee did not have sufficient information as to whether anything of this kind should be done.

Mr. WADSWORTH. May the Senator from New York qualify what he is supposed to have said? The committee felt that it was authorized in directing the sale of this property in the event that the machinery now housed in it would be taken care of elsewhere. The War Department assures us that this machinery is of value, that it ought to be taken care of, that it is now scattered in several different places, and that they want to concentrate it in one or two places.

We said, "All right; we will authorize you to sell these great powder plants, for example, and put the machinery that you want to save out of them in one place." We do not feel well enough informed in regard to it to direct them to sell all these great properties without some assurance that the machinery will eventually be taken care of on an economical basis.

Mr. LENROOT. There is just the difficulty——

Mr. WADSWORTH. I have no faith in this temporary storage business. I have seen it going on long enough.

Mr. LENROOT. The Senator does well to inject that remark, but the Senator must be aware and the Senate must be aware that there must be temporary storage for every pound of this machinery if this amendment is adopted. They have to store it temporarily in any event, because they get no money to put up any of these buildings except the proceeds of the sale of these plants, and between the time of their securing the proceeds of the sale of these plants and the construction of these buildings this machinery must be stored temporarily somewhere, and if it must be stored temporarily somewhere for one year it can be temporarily stored for two years.

Mr. WADSWORTH. Yes; and 10.

Mr. LENROOT. And 10; and the Government can save, in view of the present condition of the Treasury, that amount of money, and keep the machinery in temporary storage, if need be, as long as it has to go there anyway, until we can afford to make the necessary appropriations for these buildings.

Mr. WADSWORTH. Mr. President, the longer you keep a thing in temporary storage the more expensive it becomes.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Wisconsin [Mr. LENROOT] to the amendment of the committee.

Mr. LENROOT. I ask for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. DIAL (when his name was called). I have a pair with the junior Senator from Colorado [Mr. PHIPPS], which I transfer to the senior Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL]. In his absence, I withhold my vote.

Mr. SMITH of Maryland (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. In his absence I withhold my vote.

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING]. I do not now see him in the Chamber. I will vote and in case he does not come in I shall withdraw my vote, unless I am able to obtain a transfer. I vote "nay."

Mr. TRAMMELL (when his name was called). I have a general pair with the Senator from Rhode Island [Mr. COLT]. In his absence, being unable to obtain a transfer, I withhold my vote.

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. WOLCOTT]. I transfer that pair to the senior Senator from Minnesota [Mr. NELSON] and vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is unfortunately very ill and therefore absent, to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

The roll call was concluded.

Mr. BALL. I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. I am informed that if he were present he would vote as I am about to vote, and I therefore am at liberty to vote. I vote "nay."

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON], which I transfer to the senior Senator from Kansas [Mr. CURTIS] and vote "nay."

Mr. EDGE. Has the junior Senator from Oklahoma [Mr. OWEN] voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. EDGE. I have a general pair with the junior Senator from Oklahoma, and in his absence I withhold my vote.

Mr. BECKHAM. I have a general pair with the senior Senator from West Virginia [Mr. SUTHERLAND]. In his absence I withhold my vote.

Mr. TRAMMELL. I transfer my pair with the Senator from Rhode Island [Mr. COLT] to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. SMITH of Maryland. I transfer my pair with the Senator from Vermont [Mr. DILLINGHAM] to the Senator from Florida [Mr. FLETCHER] and vote "nay."

Mr. SMITH of South Carolina (after having voted in the negative). I transfer my pair with the Senator from South Dakota [Mr. STERLING] to the Senator from Rhode Island [Mr. GERRY] and allow my vote to stand.

Mr. NELSON. In my absence the Senator from Indiana [Mr. WATSON] transferred his pair with the Senator from Delaware [Mr. WOLCOTT] to me. I transfer that pair to the Senator from Iowa [Mr. CUMMINS] and vote "yea."

Mr. SHERMAN (after having voted in the negative). Has the junior Senator from Virginia [Mr. GLASS] voted?

The PRESIDING OFFICER. He has not.

Mr. SHERMAN. I am paired with that Senator and therefore withdraw my vote.

Mr. SMOOT. I wish to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is paired with the Senator from Arkansas [Mr. KIRBY]. I wish also to announce that the Senator from Kansas [Mr. CURTIS] is absent on official business.

Mr. McLEAN. I have a pair with the Senator from Montana [Mr. MYERS], which I transfer to the Senator from West Virginia [Mr. ELKINS] and vote "yea."

The result was announced—yeas 27, nays 31, as follows:

YEAS—27.

Borah	Kellogg	McKellar	Phelan
Capper	Kenyon	McLean	Pomerene
Dial	Keyes	McNary	Sheppard
France	King	Moses	Smoot
Gay	Lenroot	Nelson	Townsend
Harrison	McCormick	Norris	Walsh, Mass.
Jones, N. Mex.	McCumber	Nugent	

NAYS—31.

Ashurst	Harding	Simmons	Trammell
Ball	Henderson	Smith, Ariz.	Underwood
Brandegee	Jones, Wash.	Smith, Md.	Wadsworth
Chamberlain	Knox	Smith, S. C.	Walsh, Mont.
Comer	Lodge	Spencer	Warren
Fernald	New	Stanley	Watson
Frelinghuysen	Page	Swanson	Williams
Hale	Poindexter	Thomas	

NOT VOTING—38.

Beckham	Fletcher	Kirby	Reed
Calder	Gerry	La Follette	Robinson
Colt	Glass	Myers	Sherman
Culberson	Gore	Newberry	Shields
Cummins	Gronna	Overman	Smith, Ga.
Curtis	Harris	Owen	Sterling
Dillingham	Hitchcock	Penrose	Sutherland
Edge	Johnson, Calif.	Phipps	Wolcott
Elkins	Johnson, S. Dak.	Pittman	
Fall	Kendrick	Ransdell	

So Mr. LENROOT's amendment to the committee amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment proposed by the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment passed over will be stated.

The ASSISTANT SECRETARY. The next amendment passed over will be found on page 61, to insert, beginning with line 13, the following:

That the Secretary of War is hereby authorized to establish an arsenal, to be known as the Aberdeen ammunition arsenal, on land owned by the United States, situate in the county of Harford, State of Maryland, and within the tract now designated as the Aberdeen Proving Ground Reservation; to erect such permanent buildings as may be required for the establishment of that arsenal; to acquire by purchase or condemnation such additional lands or interests therein, including riparian rights, easements, and rights of way and other rights as may be necessary to provide an adequate water supply for said arsenal; all at a total cost, exclusive of material and machinery now owned by the Government, of not to exceed $5,500,000, to be paid from the net proceeds derived from the disposition by sale or otherwise of such parts of the Government plants, surplus supplies, and equipment, except land at Tullytown, Pa., Amatol, N. J., and Jacksonville, Tenn., as are not required; the money thus obtained to be immediately available and to continue available until expended.

The PRESIDING OFFICER. Without objection, the amendment will be agreed to.

Mr. LENROOT. I do not ask for a roll call, but I should not like to have the RECORD show that the amendment was agreed to without objection.

Mr. PHELAN. I call for a division.

Mr. KING. The amendment we are voting on is with respect to the establishment of the Aberdeen arsenal?

The PRESIDING OFFICER. That is the amendment now pending.

Mr. KING. I thought that was involved in the former amendment. I understand the proposition is now to determine whether we shall authorize the expenditure of approximately $5,500,000 for the construction of a new plant.

Mr. WADSWORTH. Out of the proceeds of the old plant.

Mr. PHELAN. Mr. President, I understand that in voting "yea" upon the question we support the committee and in voting "nay" we support the contention of the Senator from Wisconsin [Mr. LENROOT], eliminating the discretion given to the Secretary of War and not expending the proceeds of the sale of the old site on a new plant. Am I correct in that?

The PRESIDING OFFICER. Those voting "yea" will vote to sustain the committee. Those voting "nay" will vote against the committee amendment which has just been read.

Mr. LENROOT. A vote "nay" will mean that if these plants are sold the money must be covered into the Treasury and a new appropriation made for the disposition of the proceeds.

On a division, the amendment was rejected.

Mr. WADSWORTH. I shall ask for a vote in the Senate upon the amendment.

The PRESIDING OFFICER. The next amendment passed over will be stated.

The READING CLERK. On page 7, line 14, after the word "records," the committee report to insert, "and for the employment of clerical help required to furnish to the adjutants general of the several States statements of service of all persons from those States who entered the military service during the war with Germany, is hereby reappropriated and made available for the fiscal year 1921, for all expenses, including the employment of clerical and other help in the office of The Adjutant General of the Army, necessary for the completion and preservation of the selective-service records and the completion of the work of furnishing statements of service to adjutants general of States: *Provided*, That this appropriation shall be disbursed by such officer as may be designated by the Secretary of War for the purpose," so as to make the paragraph read:

The unexpended balance of the $3,500,000, reappropriated in the Army appropriation act for the fiscal year 1920, approved July 11, 1919, for the completion, preservation, and transportation of the records pertaining to the draft under the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, including the employment of the necessary clerical and other help for duty in the office of The Adjutant General of the Army in connection with the arrangement, operation, and maintenance of the files of those records, and for the employment of clerical help required to furnish to the adjutants general of the several States statements of service of all persons from those States who entered the military service during the war with Germany, is hereby reappropriated and made available for the fiscal year 1921, for all expenses, including the employment of clerical and other help in the office of The Adjutant General of the Army, necessary for the completion and preservation of the selective-service records and the completion of the work of furnishing statements of service to adjutants general of States: *Provided*, That this appropriation shall be disbursed by such officer as may be designated by the Secretary of War for the purpose.

The PRESIDING OFFICER. This amendment was passed over at the suggestion of the senior Senator from Utah [Mr. SMOOT].

Mr. SMOOT. Mr. President, when this amendment was passed over at my request I made the statement that this very item had been considered by the Appropriations Committee and was provided for, if not in whole, at any rate in part, in the legislative, executive, and judicial appropriation bill. I did not have the testimony before me at that time, but I immediately looked up the hearings which were held before the subcommittee of the Committee on Appropriations, and the testimony of Maj. Gen. Peter C. Harris, The Adjutant General, will be found on page 166. Before reading his testimony I desire to give a brief history of what was done by the Appropriations Committee in this regard.

For temporary employees in the War Department the House made an appropriation of $2,500,000. Of that amount $1,850,000 was to be expended in The Adjutant General's office, among other things, for the purpose named in this amendment. The Secretary of War appeared before the subcommittee.

Mr. KING. When was that?

Mr. SMOOT. In March last. The Secretary asked that the amount that was allowed by the House of Representatives, namely, $2,500,000, be increased. The Adjutant General appeared before the committee and stated that of the $2,500,000 the amount of $1,850,000 was absolutely necessary for the work that he would be called upon to perform, and that left only $650,000 for temporary employees in all of the other branches of the War Department. The Senate committee in its report to the Senate recommended an increase to $4,000,000, and also increased the amount to be expended by The Adjutant General's office to $2,000,000. The matter went into conference in that way, having been agreed to by the Senate. In the conference the question was discussed and a compromise was reached by increasing the House appropriation from $2,500,000 to $3,000,000. The reason assigned for that increase, and the only reason why the House yielded to the compromise, was because it was necessary to give The Adjutant General the full amount allowed by the House with a view of caring for the purpose provided for in the pending amendment.

Now, Mr. President, I want to read the testimony of The Adjutant General before the Appropriations Committee:

Gen. HARRIS. In the hearing before the House Appropriations Committee I read a statement as to the needs of The Adjutant General's Office.

The CHAIRMAN. We have that.

Gen. HARRIS. I understand you have that here, and I will not reread it. You will find it in volume 2, page 1750, of the House hearings. That statement was prepared with the greatest of care, and the estimate is based on the experience of the last few months. I have been hoping each month that the work of The Adjutant General's Office would be reduced, but I regret to say that it is not reduced. The volume of work is about the same as it was six months ago. Possibly the number of cases coming in may be a little fewer, but the cases seem more difficult, and within the last week I have had to ask for volunteers in one of my divisions to keep the work current, and several hundred clerks have volunteered to work at night for that purpose. The work in The Adjutant General's Office is current, except the records of the demobilized army. I have an accumulation of about four days' work in that division, or we are four days behind in that particular division.

Senator SMOOT. General, how much money have you to spend for the present fiscal year?

STATEMENTS OF SERVICE TO ADJUTANTS GENERAL OF STATES.

Gen. HARRIS. During the present fiscal year, aside from the special appropriations for the draft record, and for furnishing statements of service to the adjutants general of the States—

That is what the item in this bill is for; and I wish now to call attention to the statement The Adjutant General made:

I have $3,302,811. That is from three different appropriations.

Senator SMOOT. Are you going to spend all that amount?

Gen. HARRIS. Yes; every nickel of it.

Senator SMOOT. You will not have any surplus?

Gen. HARRIS. There will not be any surplus from that appropriation. There will be an unexpended balance from appropriations for furnishing statements of service to the adjutants general of the States.

Senator SMOOT. How much is that balance?

Gen. HARRIS. It will depend on the number of clerks that I take on from now until the end of the fiscal year.

Senator SMOOT. What is your estimate?

Gen. HARRIS. I estimate that there will probably be a balance of $700,000 or $800,000.

Senator SMOOT. That is, on July 1?

Gen. HARRIS. On July 1, but it will not be an available balance. It will be a balance that would have to be reappropriated to complete the statement of services for the adjutants general of the States.

At a hearing before the House committee in January I explained to them that it would be necessary to employ 1,100 clerks, in addition to those I have, to complete the statements of service for adjutants general of the States during this fiscal year.

Senator OVERMAN. To complete what?

Gen. HARRIS. Statements of service for the adjutant general of the States. Under a special appropriation of Congress I am preparing a statement of the service of each officer and enlisted man who served during the World War, and that is to be furnished to the adjutants general of the States.

The CHAIRMAN. We have required the department to do what was done years after the Civil War, furnish a complete record to the States.

Gen. HARRIS. I explained to the committee that in order to complete the work it would be necessary to employ 1,100 additional clerks. The chairman of the committee (Mr. GOOD) called attention to the objection to employing these clerks, stating that there were not that number available in the city of Washington, and that it would be necessary to call upon the Civil Service Commission and bring them into the city from outside. Mr. GOOD, the chairman of the House Committee on Appropriations, said it would be very much better for me not to attempt to complete that work during this fiscal year, but to do what I could with the clerks that I now have and that could be obtained from other departments, and to depend upon Congress to reappropriate the unexpended balance. It will require substantially all of the unexpended balance to complete that work, and the work can be done within the appropriation.

I am not going to read any more of the testimony, but it is all along the same line.

What I was complaining of the other day was that this very subject matter was before the Committees on Appropriations of the two Houses. The House only appropriated $2,500,000, and the conference report provided for an appropriation of $3,000,000 for the purpose, amongst others, of doing the very work which is involved in the amendment now before the Senate. I did say that I deprecated the practice prevalent in many of the departments of the Government of going to one committee having a subject matter in charge, and if they found they could not secure the inclusion of the item which they desired in the bill in charge of that committee, then going to some other committee

having to do with other appropriations and undertaking to have such item inserted in another bill.

The Senator from New York says that he has received word from Gen. Harris that he did not ask for this appropriation of the Appropriations Committee. That is as I understood him, and I will ask him if that is correct?

Mr. WADSWORTH. No; I have not made such an assertion. I do not know whether Gen. Harris asked the Appropriations Committee for this reappropriation or not; I merely know that the Appropriations Committee did not make it.

Mr. SMOOT. I know that we gave $500,000 more than the House provided, and that the additional amount was based on the necessity, as shown by the testimony of Gen. Harris, for carrying on the very work provided for in the pending amendment. I also know that the subject matter was considered by the Appropriations Committee and that the House reluctantly yielded to the Senate contention that the appropriation should be more than $2,500,000. The Appropriations Committee of the Senate decided that it was well enough to go on with that work within reason, although the House committee, as Gen. Harris states in his testimony, refused to have the work proceed, because it would require the bringing into the District of Columbia at once of 1,100 additional clerks. Gen. Harris testified that Representative GOOD, the chairman of the Appropriations Committee of the House, had this very matter under consideration, and the House decided that nothing should be appropriated for the purpose indicated, but the Senate appropriations Committee decided to make at least a partial appropriation so that the work could proceed. So the item was increased by the Senate and came out of conference with $500,000 more than the House had provided.

Mr. KING. Mr. President, will my colleague yield?

The PRESIDING OFFICER. Does the senior Senator from Utah yield to his colleague?

Mr. SMOOT. Yes.

Mr. KING. As I understand the Senator, the Appropriations Committee had made a full examination of this subject, and upon representations made by Gen. Harris, they added an additional amount to the House appropriation. It went into conference, and there emerged from conference a provision which gave a large addition to the amount which originally had been appropriated by the House. Now, he comes before another committee and seeks an additional appropriation covering the same item which had received the attention of the Appropriations Committee.

Mr. SMOOT. Yes; and if the Senator will examine the bill he will find on page 7 that the House adopted a provision stopping at the word "records," in line 14. The remainder of the original provision went out on a point of order in the House, although it had been reported to that body from the Military Appropriation Committee of the House. It was intended to be complete, but a portion of the provision, as I have said, went out on a point of order, as I understand. I have not looked the matter up in detail, but I am quite sure that that is how it happened.

All the Senate have got to decide is, Do they want to give The Adjutant General from $700,000 to $800,000 more money to perform the work for which the Appropriations Committees of the House and the Senate agreed they should have, which amount was appropriated?

Mr. President, if the Senate desire to go further in this matter than agreed upon at that time, then they will agree to the amendment reported by the Committee on Military Affairs of the Senate. That is all there is to it.

Mr. KING. Mr. President, may I inquire of my colleague as to the number of employees in The Adjutant General's office now, and whether or not there has been any perceptible diminution? I made some investigation several months ago, and representations were made to me that the number of employees there was grossly excessive; that recommendations had been made to The Adjutant General by which he could reduce the number of employees several hundred and save more than a million dollars for clerk hire alone; that he desired to take such action, but was overruled by some of his superior officers, and it was determined to perpetuate in position and in place hundreds of unnecessary employees.

Mr. SMOOT. I referred to that matter in my remarks here at the time I was discussing the number of employees in the District of Columbia, and my information is exactly the same as that of my colleague in that regard. I wish, however, to exonerate The Adjutant General of any effort on his part to retain the extra number of employees.

In the testimony before the committee, however, The Adjutant General makes this statement:

I have been hoping each month that the work of The Adjutant General's Office would be reduced, but I regret to say that it is not reduced. The volume of work is about the same as it was six months ago. Possibly the number of cases coming in may be a little fewer, but the cases seem more difficult, and within the last week I have had to ask for volunteers in one of my divisions to keep the work current, and several hundred clerks have volunteered to work at night for that purpose.

Mr. President, if we appropriate this money, we will not only appropriate the unexpended balance of between seven hundred and eight hundred thousand dollars but we will give them the five hundred thousand dollars, or a portion of it, and they want more employees in the District of Columbia. In my opinion it is far better not to have any more employees come into the District of Columbia. In the sundry civil bill the committee agreed to an amendment that I offered in the Appropriations Committee paying the transportation of the employees that are to be separated from the service between now and July 1 of this year for the very purpose of taking care of the thousands of employees in the District of Columbia to-day that ought not to be here. There is no work here for them to do, and they ought to go home. I know that they have not saved sufficient money to pay their way home, because, as a general thing, they live up to every dollar received, no matter whether it is fourteen hundred or sixteen hundred or two thousand dollars per year. Many do not save a single cent, and I want the Government now to pay their transportation home, so that it can not be claimed that employees have been thrown out on the street with no chance whatever of getting home. I believe that the Senate will agree to that amendment, and I have not any doubt but that the House will agree to it, from all that I have heard from the House Members; and just as soon as July 1 passes no employee of this Government can claim that the Government of the United States has undertaken to drive out upon the street employees that have no work to do in the departments. We want to pay all unnecessary employees their transportation home, and I want to say that it will be better for them to go now; it will be better for the Government; and it will be better for all concerned.

Only this morning there came into my office an employee of one of the branches of the War Department, telling me of a division there that has over 30 employees where an average of a hundred letters a week is not received. I have referred to another division, in another department of the Government, in which conditions are worse than that.

Before the war we had between thirty and forty thousand employees in the District of Columbia.

We have been fighting for a decrease ever since the armistice was signed, and we have gotten down now to about 100,000. Now, we are asked here to authorize the appointment of 1,100 more employees in The Adjutant General's office.

Mr. WADSWORTH. Does the Senator mean 1,100 more than The Adjutant General has to-day?

Mr. SMOOT. I do; from the testimony given by The Adjutant General.

Mr. WADSWORTH. Will the Senator point out that testimony?

Mr. SMOOT. Certainly.

At a hearing before the House committee in January I explained to them that it would be necessary to employ 1,100 clerks in addition to those I have.

That is what The Adjutant General said.

Mr. WADSWORTH. May I have the rest of the context?

Mr. SMOOT. Certainly. I will read the whole of it again:

Gen. HARRIS. I estimate that there will probably be a balance of $700,000 or $800,000.

That amount is what the Military Affairs Committee now is trying to make available.

Senator SMOOT. That is, on July 1?

Gen. HARRIS. On July 1, but it will not be an available balance. It will be a balance that would have to be reappropriated to complete the statement of services for the adjutants general of the States.

At a hearing before the House committee in January I explained to them that it would be necessary to employ 1,100 clerks, in addition to those I have, to complete the statements of service for adjutants general of the States during this fiscal year.

That is what Gen. Harris said.

Mr. WADSWORTH. Does the Senator understand that it would be necessary for him to employ 1,100 clerks in addition to those that he now has working on the draft records?

Mr. SMOOT. That is what the general says.

Mr. WADSWORTH. Is there not a time limitation placed upon it? Will the Senator read it again?

Mr. SMOOT. During this fiscal year.

Mr. WADSWORTH. If it was to be completed during this fiscal year.

Mr. SMOOT. Well, that is in part what we are making the appropriation for.

Mr. WADSWORTH. No; we are appropriating for the next fiscal year.

Mr. SMOOT. That is true, so far as this amendment is concerned, but——

Mr. WADSWORTH. That is what he states. In other words, if the Senator will allow me, The Adjutant General said: "If I am expected to finish the work on the selective-draft records this fiscal year"—and he said this in last January, did he not?

Mr. SMOOT. No; in March.

Mr. WADSWORTH. In March—"I will have to put 1,100 more employees to work."

Mr. SMOOT. His testimony was given in March.

Mr. WADSWORTH. Yes; and he stated that that would be necessary if he was to finish this work this year.

Mr. TOWNSEND. Did he complete it?

Mr. WADSWORTH. He did not. He did not put the 1,100 more clerks at work. He explained that, I think, to Mr. Good, and he was advised by Mr. Good not to do that, and so the work is not completed; but it does not mean that he is going now, under this appropriation which we propose, to increase his force by 1,100. He is going on with his present force, and he is going to finish the work in the next fiscal year.

Mr. SMOOT. Let me tell the Senator what will happen. If this amendment is agreed to, there will be made available for the next fiscal year—not this fiscal year, but the next fiscal year—$800,000 for the coming fiscal year, and that will lapse and go back into the Treasury on the 30th day of June of this year. That is $800,000. Then there is, say, $500,000 more that the Appropriations Committee provided, making $1,300,000. I want to say that that is nearly enough to take care of 1,100 employees, though not quite, for a full year, and I will say that if the money is appropriated every cent of it will be spent. I can not recall to mind any case where there has been an appropriation for temporary employees in the District of Columbia but that it has been spent. No balance is allowed to go back into the Treasury of the United States. We have appropriated money here, and the temporary employees have been carried upon the rolls from month to month with nothing to do, and they will not be separated from the employment of the Government until June 30 of this year, and then if appropriated for in the legislative appropriation bill every one of them will be carried right on.

What a splendid thing it would be if we had some agency under the direct charge of Congress that we could send into every department and find out whether the employees are doing work or whether they are loafing. Then we could pay the men and the women that do the work as good wages as ever were paid outside of the Government service by any employer in the world, and as far as I am personally concerned I want to care for the employees that do the work, and I want to pay them well. If we will only make a house cleaning, and take out of the departments the thousands of employees that are not necessary, every one of the employees of the Government that remains in the service can be paid better wages, and we will have better work than we are getting to-day.

I do not want to say anything more on this matter. If the Senate wants to appropriate this money, and wants to expend an additional $700,000 or $800,000 during the coming year for the purpose named, it will vote for the amendment. If it does not want to do it, it will vote against it.

Mr. McCUMBER. Mr. President, I do not think any other Senator has been as earnest and zealous as the Senator from Utah [Mr. Smoot] in pointing out to us the inefficiency in these departments, in showing the amount of work that is accomplished, and the number of clerks that are employed for that purpose, and in calling our attention again and again to the fact that we have divisions or bureaus down here that are spending millions every year, and in some places where there are only two or three letters written in a month.

The Senator is a member of the Commitee on Appropriations, and through that committee go most of the appropriation bills that are to pay for this extra labor, for people that are doing absolutely nothing. I can not understand why the Appropriations Committee does not limit the amount to be expended and the number of clerks that may be employed, and, where it finds a bureau that is doing no work, and is keeping from 50 to 75 persons month after month absolutely idle, why the committee does not find some way to get rid of them.

Mr. SMOOT. Mr. President, I am glad the Senator has brought that matter to the attention of the Senate, and I think I shall take the time right now to answer him in part.

The legislative, executive, and judicial appropriation bill, appropriating the money for the employees of the different departments of our Government for the fiscal year ending June 30, 1921, has become a law, and other appropriation bills where lump sums are appropriated, outside of the great sundry civil bill, which will be before the Senate in a very little while, have become law.

The Appropriations Committee, in appropriating direct for the class and number of clerks, can keep some track of them; but the curse of wholesale extravagance comes through lump-sum appropriations. I want to say to the Senator now that the estimates that have been made for running the Government for the next fiscal year amounted to about $5,200,000,000, and the Appropriation Committees of the House and the Senate have cut those estimates down at least $1,500,000,000. Why, if the heads of the departments had all that they ask for, they would bankrupt this Government, and there is not a Government on earth wealthy enough to give them what they would ask.

I want to be perfectly frank, and say that it is a physical impossibility for members of the Appropriations Committee to make an investigation of every estimate; but if Congress had an agency of some kind so that when the Book of Estimates first came to Congress an investigation would be made immediately of all estimates for appropriations outside of those that are provided by statutory roll, it would save the Government of the United States hundreds of millions of dollars.

I have not any doubt, Mr. President, but that a budget bill will be passed at this session of Congress, and under that system I think there will be a partial relief. Perhaps I should not say partial, but a great relief, and yet I have not any doubt but that when that budget system is in full force, two or three years from now, when we see the advantages which come from it, and through the organization created by it, which will give the authority to investigate these different departments, and the estimates made by the President, we will also create some agency, under the direct control of Congress, to make further investigations of any report which may be made asking for money out of the Treasury of the United States.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from North Dakota?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. McCUMBER. I do not think the Senator has given me the information that I want. The Senator now says that the trouble lies in the fact——

Mr. SMOOT. If the Senator will wait; I am not through yet.

Mr. McCUMBER. Let me get to this one point. The Senator says the trouble lies in the fact that we are making lump-sum appropriations, but it is in the power of the Committee on Appropriations to report against any and all of these lump-sum appropriations, and also to provide how many clerks may be had in any single bureau, and what I am trying to find out is why the committee does not do that.

Mr. SMOOT. That was just what I was coming to in further answer to the Senator.

Mr. President, when the responsibility falls upon a Senator to decide as to whether he is going to give a certain appropriation or not, particularly after the heads of all of the divisions of the department come before the committee and state positively that unless the appropriation asked for is given they can not function, and that they can not do the work required of them, I want to say to you it is quite a responsibility for a man to take the view that it shall not be given, without a further chance of an investigation, so if a mistake is made it is generally on the side of safety.

Yet that is what we have done this year more than any other year since I have been on the Appropriations Committee. I do not know how far to cut. I am fearful, Mr. President, that we have not cut all that we ought to, and perhaps there are some instances in which we have cut a little too much. But if we only had the physical strength or if we only had the time to investigate every request for an appropriation, the very thing to which the Senator refers could be obviated. But we have not that time.

Mr. McCUMBER. Mr. President, if the Senator will excuse me again, I think the Senator instanced a case in one of the departments in which there were 30 or 40——

Mr. SMOOT. Thirty-one employees.

Mr. McCUMBER. Thirty-one employees who had written three letters a week, I think, averaged that.

Mr. SMOOT. The whole of them averaged three letters a day.

Mr. McCUMBER. The Senator knows of that fact; and has that been taken care of by the Committee on Appropriations by a refusal to allow any further appropriations for that particular bureau?

Mr. SMOOT. Mr. President, that bureau was appropriated for. The House cut the estimates over a million dollars, and when the bill came over to the Senate the Senate made a further cut of $500,000; and I am in hopes they will get along with less than the amount finally granted.

I will say to the Senator that when I started to call the attention of the Senate to the number of employees in the War Risk Bureau they had about 15,000 employees, and when I made the statement on this floor that the bureau could do better work with 10,000 than they were doing with 15,000 some Senators thought I was exaggerating. I am going to make another statement to-day: I say to-day that I could take 5,000 first-class employees, and, if they would do the work which every employee of the Government ought to do, the work in that bureau would be done better than it is being done with the present 9,900 employees.

Mr. President, I do not know that it is worth while to take any more time on this bill.

Mr. McCUMBER. May I ask the Senator another question? If the Senator could take 5,000 men in the War Risk Bureau and do the work, the Senator being a member of the Committee on Appropriations, and a very influential member, why is it that there is no provision in the appropriation bill reducing it, declaring that the number of employees shall not exceed 5,000? I had information only as late as yesterday that that whole bureau is a hive of idleness, and all the information I have agrees entirely with what the Senator states. I can not imagine, then, what our Committee on Appropriations are doing in voting in and bringing before the Senate appropriations to carry upon the rolls the thousands and thousands who are practically idle all the time.

Mr. SMOOT. Mr. President, I am quite sure that bureau, with the appropriation it has, can not carry all of these divisions which are in idleness. When June 30 comes there is going to be quite a change; there is not any doubt about that.

We have a statute now, Mr. President, designed to prevent the departments from making deficiencies, but it is perfectly useless. It never will be enforced unless Congress takes some further action. But if we had a real, live antideficiency law, with penalties attached for any officer of the Government creating a deficiency, that would save the Government of the United States untold hundreds of thousands of dollars.

I want to say that the chairman of the Appropriations Committee has warned the heads of these departments time and time again this year that we did not want any deficiency hereafter. We will have them, however. There is no doubt in my mind about that.

With the appropriations which have been made for the next fiscal year I am quite sure that there will not be as many employees in the District of Columbia as we have now. I do not know that we will ever get back to normal conditions. I doubt whether it is possible to do so. I want to see the day come when there will be a feeling of rest and a feeling of contentment from one end of this country to the other, as used to be the case, but I assure the Senate of this one thing, that there is not going to be very much contentment among the taxpayers of this country until they are convinced that Congress will pay some attention to how the money which is collected by taxes is to be spent, and when that time comes, Mr. President, I think it will be better for us all.

Mr. WADSWORTH. Mr. President, I do not intend to discuss, in reply to the Senator from Utah, those matters which he covered in his general observations about the condition of the civil service of the Government, but I do intend to confine my discussion entirely to the amendment which is before the Senate, and to refute, if I can, the assertion of the Senator from Utah that the legislative, executive, and judicial appropriation bill takes care of this matter of the selective-draft records, for I am positive that it does not, and I think I can demonstrate my proposition.

In the office of The Adjutant General, exclusive of this selective-draft record work, a considerable number of civilian employees are employed. The Adjutant General rendered an estimate, through the appropriate authorities, to the Appropriations Committee, which ordinarily takes care of the appropriations to pay for the civilian employees of the War Department and all other departments. That estimate was for $2,094,970. It did not include an estimate for the clerk hire in connection with the selective-draft records, and so forth.

The Adjutant General, in discussing with the officials of the War Department the question of whether or not he should estimate for the selective-draft record clerks, was reminded that there was an unexpended balance of the appropriation under which that selective-draft record work was done, amounting to between seven and eight hundred thousand dollars, and it was assumed, in the making up of The Adjutant General's estimate, that that seven or eight hundred thousand dollars remaining unexpended from the appropriation of last year for the specific purpose of taking care of the draft records would be reappropriated by the Committee on Military Affairs, presumably. So there was not included in the estimate of The Adjutant General's office a provision for payment for these civilian employees.

Mr. SMOOT. Will the Senator state why it should have been made available by the Military Affairs Committee?

Mr. WADSWORTH. Because this appropriation came from the Military Affairs Committee last year. That may be right or wrong as a matter of policy, but I am describing what has actually occurred. The question of the Senator from Utah does not go to the facts in this case; it only goes to certain theories. The fact is they did not estimate for the selective-draft clerks. That is the fact. They may have been mistaken in assuming that the selective-draft clerks should be paid out of the appropriation carried in the Army appropriation bill, as they were paid last year. I think myself that their appropriation should be carried in the legislative, executive, and judicial appropriation bill, but they are not carried in that appropriation bill, and I will demonstrate that in a moment.

Mr. SMOOT. Does the Senator say that the matter was not considered by the Appropriations Committee?

Mr. WADSWORTH. It was; and it was completely misunderstood by the Appropriations Committee, because the Appropriations Committee believed that the two-million-dollar estimate included the pay of the selective-draft clerks, and it did not.

Mr. SMOOT. Has the Senator the estimates there?

Mr. WADSWORTH. Yes; I have them right before me.

Mr. SMOOT. I mean our estimates.

Mr. WADSWORTH. Just a moment, Mr. President, and I think I can demonstrate that the Senator is laboring under a misapprehension.

Mr. SMOOT. I know——

Mr. WADSWORTH. The Senator has occupied about three-quarters of an hour of the time of the Senate, and I think I can occupy about 10 minutes in trying to demonstrate this.

It is perfectly true that the Senate conferees persuaded the House conferees to increase by $500,000 the amount of money to pay for temporary employees in the departments. That item will be found on page 78 of the printed bill as it was reported from the Committee on Appropriations. The House committee appropriated $2,500,000 for temporary employees. The Senate committee proposed to raise that amount to $4,000,000. That amount was again reduced to $3,000,000 in conference, making an increase of $500,000 over the House appropriation. The Senator from Utah says that the extra $500,000 would take care of The Adjutant General, but he forgets that there is a proviso printed on the following page, which states:

Provided further, That $1,850,000 of the foregoing sum of $3,000,000 shall be allotted to the office of The Adjutant General.

The $1,850,000 is less than the estimate of The Adjutant General, which did not include the selective-draft clerks in any way. So that he will actually need the $1,850,000, which is less than he estimated for his clerks other than the selective-draft records. The legislative appropriation bill failed to reappropriate $700,000 or $800,000 remaining in the selective-draft appropriation. So he is held out entirely unless the Army appropriation bill reappropriates that sum.

Mr. SMOOT. I have the estimate here.

Mr. WADSWORTH. His estimate is $2,094,000, but it does not include selective-draft clerks. As contrasted with the estimate of $2,094,000, which he wants for other purposes of his office, the Appropriations Committee gave him $1,850,000, $250,000 less than he wanted for that work, but did not give him anything for the selective-draft clerks, and they were not included in the estimate of $2,094,000 because he assumed that the Committee on Appropriations understood that he was asking for a reappropriation out of the unexpended balance of this year to take care of his selective-draft clerks. That is the situation, and I have a letter——

Mr. SMOOT. Well, Mr. President——

Mr. WADSWORTH. Just a moment. I have a letter from The Adjutant General, dated May 24, only yesterday, and I am going to read it to demonstrate now whether he is right or wrong:

My Dear Senator—

It is addressed to myself——

Mr. SMOOT. I wish to say to the Senator that he is wrong when he thinks the Senate Appropriations Committee did not know anything about the $800,000 that he wanted to be made

available. He called the attention of the committee to that item, as I have already stated.

Mr. WADSWORTH. Of course, the Senate Committee on Appropriations remembered his discussion of that item, and, according to the Senator from Utah, it added $500,000 to the appropriation made for all civilian temporary clerks.

Mr. SMOOT. The Senator ought to be perfectly fair and state that out of the $2,500,000 appropriated for the War Department for all of these purposes, there was assigned in the House $1,850,000.

Mr. WADSWORTH. To The Adjutant General?

Mr. SMOOT. Yes.

Mr. WADSWORTH. And that is all he gets.

Mr. SMOOT. Certainly. But the question arose as to why The Adjutant General's office should, out of the whole appropriation of $2,500,000, receive all but $650,000, and the Senate committee, as well as the House, decided that that would be sufficient to do all the work required. They knew about this $700,000 or $800,000, as testified to by The Adjutant General, and that legislation would be necessary to make that available for the coming fiscal year. I have already said that, but the committee decided they would not make it available for 1921, and that they felt that $1,850,000 is all that The Adjutant General ought to spend for temporary employees for the coming fiscal year.

Mr. WADSWORTH. I will read his letter——

Mr. SMOOT. I know what the committee did.

Mr. WADSWORTH. I made reference to what the committee did because the Senator from Utah himself earlier in the afternoon stated that the $500,000 was added to the total appropriation for temporary employees to take care of The Adjutant General.

Mr. SMOOT. If it had not been added a part of it would have been taken off of the $1,850,000 appropriated for The Adjutant General's office.

Mr. WADSWORTH. But it was not added to what should go to The Adjutant General's office. The bill specifically goes on and says The Adjutant General shall have $1,850,000. That is what he has.

Mr. SMOOT. I know the Senator does not want to misstate what we did.

Mr. WADSWORTH. I had hoped to be able to make a continuous statement. I did not interrupt the Senator. He is succeeding in hashing my statement up into little bits.

Mr. SMOOT. I will not interrupt the Senator further.

Mr. WADSWORTH. I do not mean to be discourteous, but the thing should be explained with some degree of continuity. I want to read the letter of The Adjutant General. The Adjutant General has not tried to deceive anyone. He has been perfectly frank about it. He had this same discussion with Mr. KAHN in the House, chairman of the House Committee on Military Affairs. The House Committee on Military Affairs went into the whole thing. They saw also, just as the Military Affairs Committee of the Senate saw, that if this appropriation was not made the work of the selective-draft records would stop.

This letter is dated May 24, addressed to myself, and reads:

MY DEAR SENATOR: Referring to your telephonic request for information concerning the alleged duplication of appropriations for the clerical employees of this office if the unexpended balance of the $3,500,000 appropriation is reappropriated, I beg leave to invite your attention to a letter on the subject addressed to Mr. KAHN by me on the 21st of April, and printed in the CONGRESSIONAL RECORD of the 22d of April (pp. 5990–5991). The statements contained in that letter were in answer to allegations made on the floor of the House similar to those made on the floor of the Senate on Saturday. This subject is so intricate that I do not think any explanation would be complete if the letter were condensed. Consequently I respectfully refer you to the entire letter.

The letter is here before me, and before I finish I will refer to certain portions of it.

In addition to the statements contained in the letter referred to permit me to invite your attention to the following extract from a letter from the Secretary of War to you on this subject, dated April 26, 1920, and quoted by me in the hearing before your committee on May 7:

"There seems to be an impression in some quarters that the estimates for employees made by The Adjutant General for the Committee on Appropriations included the force necessary for the work. In this connection permit me to invite your attention to the letter of The Adjutant General to Hon. JULIUS KAHN, and published in the CONGRESSIONAL RECORD of the 22d of April (pp. 5990–5991) on the subject" (p. 242).

I also quote for your ready reference statements made by me at the hearing mentioned showing that I had previously explained to Mr. KAHN that the appropriation asked for in the Army appropriation bill was not a duplication of any appropriation carried in the legislative, executive, and judicial bill:

"Gen. HARRIS. * * * In a letter to which the Secretary referred I endeavored to explain to Mr. KAHN that this money, if it were reappropriated, would not be a duplication" (p. 242 of the hearings).

* * * * * * *

"Having so many different appropriations, apparently the members of the Appropriations Committee of the House misunderstood me and thought that the appropriation they had provided covered this case; but it did not, and I shall need every dollar of this amount in order to complete the statements of service."

He refers, then, to the reappropriated amount.

"The money appropriated by Congress was about $245,000 less than my estimate, and I shall require all of that.

That is, for purposes other than the selective draft.

The money appropriated by Congress was about $245,000 less than my estimate, and I shall require all of that. I mean the amount appropriated under the legislative, executive, and judicial appropriation bill was $245,000 less than my estimate, and I shall need all of that for work other than the preparation of statements of service for the adjutants general of the States" (p. 243).

In my hearings before the Senate subcommittee on the legislative, executive, and judicial appropriation bill, page 166 of the hearings, the following statements were made, reference being had to the unexpended balance of the $3,500,000 appropriation:

"Gen. HARRIS. I estimate that there will probably be a balance of $700,000 or $800,000.

"Mr. SMOOT. That is, on July 1?

"Gen. HARRIS. On July 1; but it will not be an available balance. It will be a balance that would have to be reappropriated to complete the statement of services for the adjutants general of the States."

This balance is not reappropriated in the legislative, executive, and judicial bill for the fiscal year 1921. As stated in my letter to Mr. KAHN, it will be impossible to complete the work of furnishing the statements of service for the adjutants general of the States unless the unexpended balance of the $3,500,000 is reappropriated, because the $1,850,000 carried in the legislative, executive, and judicial bill is less than the sum necessary to conduct the current business of the office, and, of course, none of the last-mentioned sum would be available for any other purpose, such as furnishing statements of service to adjutants general of the States.

Very truly, yours,

P. C. HARRIS,
The Adjutant General.

Now, referring for a moment to the letter which The Adjutant General addressed to Mr. KAHN, in which he goes into great detail, explaining how this misunderstanding arose, and how these funds are administered, and how it is necessary for him to have this $700,000 or $800,000 reappropriated or else the selective-draft work will stop, I find that——

Mr. WARREN. I do not wish to interrupt the continuity of the Senator's remarks——

Mr. WADSWORTH. I yield to the Senator from Wyoming.

Mr. WARREN. But possibly I can shed some light on that, as I understand the Senator is now going back to the misunderstanding on the desire to reappropriate money.

Mr. WADSWORTH. Yes.

Mr. WARREN. I regret that a colloquy should come up on this matter since I happen to be interested in the subject matter in both committees. The Senator from Utah [Mr. SMOOT] is absolutely right in his claim that appropriations of this kind ought to go in the legislative appropriation bill.

Mr. WADSWORTH. I agree with that, too; but they are not there.

Mr. WARREN. He is absolutely right that the chairman of the Appropriations Committee, and the Senator from Utah himself, in particular, have striven to cut these amounts down from time to time, and with such success that in the legislative bill the Senate added, I think, something less than 2 per cent—certainly it was not as much as 2 per cent of increase—and in a bill that I hope to get up very soon we have added in committee less than 3 per cent to the amount fixed by the House. The House itself has exercised great care to cut down to the lowest limit. In this particular matter I am giving my remembrance and the two Senators can see from their different standpoints just what we should do with it.

In a deficiency bill this matter came before a subcommittee of which the Senator from Utah was not a member. Preceding that, both the Secretary of War and The Adjutant General of the Army had been before the subcommittee to explain that unless there should be some agreement to reappropriate some of this money which was appropriated for these records they would have to employ a thousand or more extra clerks in order to get the work done before the end of the present fiscal year.

Mr. WADSWORTH. That is right.

Mr. WARREN. The Secretary of War was anxious that they should not increase the number, and The Adjutant General felt the same, and they told me that they thought they had an arrangement with the chairman of the House Committee on Appropriations, Mr. GOOD, that if they would undertake to carry it along without hiring more clerks there would be incorporated in the next deficiency bill a provision to reappropriate this money, so that the work might be continued and probably finished during the fiscal year 1921. When the item came up again it was not put in on the House side. If the Senate the deficiency bill did include that amount and reappropriated it. It was one of the things in conference that constituted almost the last difference to be composed. It was composed not by a reappropriation of the full amount but by a reappropriation

of, I think, $600,000, though it may have been $400,000, and also by the appropriation of $170,000 direct, so that they could carry on the work in the way they were doing and it might be continued until the end of the year and until the matter might be taken up in later bills.

When The Adjutant General came before the committee which was considering the legislative, executive, and judicial appropriation bill, he evidently must have been relying upon this amount being carried on some other bill, for he did not, in his evidence before the committee, represent—as he should have done, I think—the exact situation. It is true that that amount of money was appropriated for a certain line of work, and I presume it is true—it ought to be true—that so much of it as is not reappropriated goes back into the Treasury on the 1st of July. There was that understanding with another subcommittee relating to the reappropriation or the probable reappropriation of the sum referred to. Therefore The Adjutant Geneal did not put on the extra clerks, and hence the call for a reappropriation.

Mr. WADSWORTH. I think the recollection of the Senator from Wyoming is correct.

Mr. WARREN. I thought the Senator ought to have that explanation before going into the matter any further.

Mr. WADSWORTH. I am very glad the Senator from Wyoming interrupted me to make the explanation.

I shall not read all of the letter which The Adjutant General addressed to Mr. KAHN; but merely to bring the discussion to a conclusion, so far as I am concerned, I will say that the letter sets forth the estimate which The Adjutant General submitted. The estimate is for $2,094,970. It is divided into three items:

Class A. Existing Military Establishment, 417 clerks, $444,100.

That is for the temporary clerks.

Class B. Demobilized Army—work connected with furnishing reports to the War Risk Bureau, Auditor for the War Department, Director of Finance, and other current work connected with the demobilized Army, 1,290 clerks, $1,572,000.

That has nothing to do with selective-draft work at all.

The next item is for 119 subclerical employees, at $78,870—those are laborers of one kind or another, I assume—the total being $2,094,970.

After stating that estimate, The Adjutant General continues his letter:

This shows clearly that my estimate of $2,094,970 did not include funds for work connected with the selective-service records and the furnishing of statements of service to the adjutants general of the several States.

With reference to the preparation of statements of service for the adjutants general of States, I stated (p. 1752):

"* * * In order to complete this work before July 1, 1920, it will be necessary to increase our force by about 1,100 clerks."

That is the incident to which the Senator from Utah [Mr. SMOOT] referred awhile ago. He never increased them, because he was told that that would not be advisable; that the work could continue through the next fiscal year; that it was inadvisable to bring new clerks to Washington when he could get them out of the departments here.

He continues:

The chairman of your committee suggested at a hearing on January 2 that it would be far more economical and better in every way for Congress to make the unexpended balance of that appropriation available during the next fiscal year. I informed the Secretary of War of the suggestion and he heartily agreed with the chairman of the committee, and the Secretary directed me to confine my efforts in the future to increasing my force by the employment of only such clerks as may be released from other bureaus of the War Department or other departments in this city.

Having discontinued my efforts to complete the work during the fiscal year at the suggestion of the chairman of the Appropriation Committee, it did not occur to me that that committee would offer any objection to the reappropriation of the unexpended balance of the $3,500,000 appropriated for this specific work and the work connected with the draft records. As to whether this reappropriation should be made by the Committee on Appropriations or the Committee on Military Affairs, it would be presumptuous on the part of a layman to express an opinion. The original appropriation was carried in the Army appropriation act, and for that reason I made my request for the reappropriation of this money to the Committee on Military Affairs.

In the discussions on the floor of the House a member of the Appropriations Committee quoted the following from my statement before the subcommittee on the legislative, executive, and judicial bill:

"The estimates for the office—

This is rather important, and I ask the attention of the Senator from Utah and the Senator from Wyoming to it—

were revised by a War Department board convened for the purpose of considering the financial needs of the various bureaus of the department. That board allotted to this office $1,345,000 for the additional roll on the assumption that $750,000 of the $3,500,000 appropriated for the care and custody of the selective-service records and for the furnishing of statements of service to the adjutants general of States would be made available for the payment of salaries of the additional roll during the fiscal year ending June 30, 1921. This sum will not be available for that purpose. But for this erroneous assumption it is presumed that the $2,094,970 needed by the office would have been approved by the board, as the sum of $1,345,000 tentatively allotted and the $750,000 before referred to is $2,094,970—

The exact amount—

the amount necessary to properly conduct the business of the office."

The purpose of that statement of mine was to show the committee why the estimate of the Secretary of War as to the needs of The Adjutant General's office for the next fiscal year was less than my own estimate. The War Department board referred to called upon me for a statement showing the amount that I would spend for the employment of clerks from the special appropriation, $3,500,000. From my reply that I would require $2,750,000 for that purpose the board erroneously assumed that there would be an unexpended balance of this appropriation of $750,000. This $750,000 was required for the payment of delayed claims from draft boards; employment of mechanics and laborers in the unpacking and setting up the filing cases; for the purchase of new filing cases and equipment; for the employment of engineers, firemen, watchmen, messengers, and other nonclerical help; and for repairs and alterations to the building containing the selective-service records.

The experience of the preceding year, and particularly the last three months, convinces me that the $1,850,000 carried in the legislative, executive, and judicial appropriation bill for the use of this office will be insufficient to properly conduct the work connected with the existing Military Establishment (previously designated class A work) and the work of reporting from the records of the demobilized Army (designated class B); and consequently there will be no money from this appropriation available for the care and custody of the selective-service records and the furnishing of statements of service to the adjutants general (designated class C work). Unless the unexpended balance of the $3,500,000 is reappropriated and made available it will be impossible to complete the work last mentioned.

Trusting that this explanation will convince you that I did not deceive intentionally or unintentionally either the Committee on Military Affairs or the Committee on Appropriations, I am,

Very truly, yours,

P. C. HARRIS,
The Adjutant General.

Mr. SMOOT. Mr. President, all that The Adjutant General has said in that letter is true from his viewpoint, but he has yet to realize that the Appropriations Committees of the House and the Senate decided that the departments of the Government are not going to be given every cent for which they ask. Of course, that is not as yet fully realized by The Adjutant General.

I know that the estimate was for $2,094,970. I have the Book of Estimates; I can name every item for which estimated, and I know that that estimate did not include the $700,000 to which he referred in his testimony which he wanted made available for the coming fiscal year. Not only that, but the Committee on Appropriations of the House also understood his wishes in this regard. Now, he says that because the Appropriations Committees only gave $1,850,000 he can not run the ordinary affairs of his office without considering the draft service. I wish to say to The Adjutant General now that if he can not run the affairs of his office with $1,850,000 for next year he will not receive that much for the following year.

The Adjutant General's office was cut below their estimates, I believe, less than any other department of the Government. The two committees decided that The Adjutant General's office should have $1,850,000 to do the work required of it for the coming fiscal year, including the draft-service work. According to its provisions as the House passed the appropriation, as I have heretofore said, The Adjutant General's office took the whole of the appropriation with the exception of $650,000. In other words, all the other branches of the War Department for temporary employees were to receive $650,000, and the remainder, amounting to $1,850,000, was to be given to The Adjutant General's office.

The conferees on the legislative, executive, and judicial appropriation bill did not reduce the amount which the House gave The Adjutant General of $1,850,000; they said, "We will let you have that full amount of money to do the work that is required of your department for the fiscal year ending June 30, 1921." We gave, however, an increase to the other branches of the department amounting to $500,000. If the increase of $500,000 had been divided as suggested by the Senator from New York, the amount for The Adjutant General's office would have been less than $1,850,000.

That is the situation as it was, and there is no misunderstanding at all on the part of the House and Senate conferees on the legislative, executive, and judicial appropriation bill. We gave them every dollar that we intended to give them.

The Senator from North Dakota has asked the question, Why do we not get rid of these extra employees? We can not get rid of them now if we are going to give $750,000 more than was put in the legislative, executive, and judicial appropriation bill to pay temporary employees.

I am not finding fault because the original appropriation was recommended by the Military Affairs Committee, for during the war we did anything which seemed necessary and it did not make a particle of difference what bill happened to be under consideration, if an item were necessary, we made the appropriation on the bill which chanced to be the most convenient; but I wish to say that this year the war is not on, and all of the temporary employees ought to have been taken care of in the legislative, executive, and judicial appropriation bill. That is what the Appropriations Committees of the two Houses ex-

pected to do. They expected the War Department to be operated with the amount which we appropriated, namely, $3,000,000.

Mr. President, there is no need of my taking any more of the time of the Senate. I have explained the situation as it is.

Mr. WADSWORTH. Mr. President, there may be some Senators who are confused as to what the issue is. I will say that we are about to vote on the committee amendment, and I hope the committee amendment will be approved.

The VICE PRESIDENT. The question is on the amendment reported by the committee. [Putting the question.] By the sound the noes seem to have it.

Mr. WADSWORTH. I ask for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. BECKHAM (when his name was called). I am paired with the senior Senator from West Virginia [Mr. SUTHERLAND]. In his absence I withhold my vote.

Mr. DIAL (when his name was called). I am paired with the Senator from Colorado [Mr. PHIPPS]. I transfer that pair to the Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. TRAMMELL (when his name was called). I transfer my pair with the Senator from Rhode Island [Mr. COLT] to the Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. WOLCOTT]. In his absence I transfer that pair to the Senator from Kansas [Mr. CURTIS] and vote "yea."

Mr. WILLIAMS (when his name was called). Transferring my pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is absent because of illness, to the Senator from Tennessee [Mr. SHIELDS], I vote "yea."

The roll call was concluded.

Mr. JONES of Washington. Has the senior Senator from Virginia [Mr. SWANSON] voted?

The VICE PRESIDENT. He has not.

Mr. JONES of Washington. I have agreed to pair with that Senator during his absence for the afternoon, and I therefore withhold my vote.

Mr. BECKHAM. I understand that my pair, if present, would vote "yea." With that understanding, I feel at liberty to vote. I vote "yea."

Mr. BALL. I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. I understand that if present he would vote as I am about to vote. I therefore vote "yea."

Mr. CALDER. I am paired with the junior Senator from Georgia [Mr. HARRIS]. I transfer that pair to the junior Senator from West Virginia [Mr. ELKINS] and vote "yea."

Mr. SMOOT. I wish to announce the absence of the Senator from Kansas [Mr. CURTIS] on official business.

I wish also to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY];

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Minnesota [Mr. KELLOGG] with the Senator from North Carolina [Mr. SIMMONS].

The result was announced—yeas 43, nays 12, as follows:

YEAS—43.

Ball	Harding	Moses	Spencer
Beckham	Harrison	New	Sterling
Brandegee	Henderson	Nugent	Thomas
Calder	Kendrick	Page	Townsend
Capper	Keyes	Phelan	Trammell
Chamberlain	Knox	Poindexter	Underwood
France	Lenroot	Ransdell	Wadsworth
Frelinghuysen	Lodge	Robinson	Walsh, Mass.
Gay	McCormick	Sheppard	Watson
Glass	McLean	Sherman	Williams
Hale	McNary	Smith, S. C.	

NAYS—12.

Ashurst	Dial	Myers	Smith, Ariz.
Borah	King	Nelson	Smoot
Comer	McCumber	Overman	Walsh, Mont.

NOT VOTING—41.

Colt	Gore	La Follette	Simmons
Culberson	Gronna	McKellar	Smith, Ga.
Cummins	Harris	Newberry	Smith, Md.
Curtis	Hitchcock	Norris	Stanley
Dillingham	Johnson, Calif.	Owen	Sutherland
Edge	Johnson, S. Dak.	Penrose	Swanson
Elkins	Jones, N. Mex.	Phipps	Warren
Fall	Jones, Wash.	Pittman	Wolcott
Fernald	Kellogg	Pomerene	
Fletcher	Kenyon	Reed	
Gerry	Kirby	Shields	

So the amendment of the committee was agreed to.

Mr. WADSWORTH. Mr. President, I desire to give notice that I shall request a vote in the Senate on the committee amendment on the lower half of page 61, which was rejected this afternoon on a division.

Now, Mr. President, not as a committee amendment, but as one which emanates from the department, although not in the form desired by the department, I offer the amendment which I send to the desk, and shall ask an opportunity to explain its necessity.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 75, after line 8, it is proposed to insert the following:

EMERGENCY COMMISSIONED PERSONNEL.

That the President is authorized to retain temporarily in service, under their present commissions, or to discharge and recommission temporarily in lower grades, such emergency officers as he may deem necessary; but the total number of officers on active duty, exclusive of retired officers and disabled emergency officers undergoing treatment for physical reconstruction, shall at no time exceed 17,000. Any emergency officer may be discharged when his services are no longer required, and all such officers shall be discharged not later than December 31, 1920. All officers of the Regular Army holding commissions granted for the period of the existing emergency, in whatever grade, shall be discharged therefrom not later than June 30, 1920.

Mr. WADSWORTH. Mr. President, the Senate will doubtless remember that about last August the Congress enacted the so-called 18,000-officer bill. That bill authorized the Secretary of War to retain in the military service emergency and Regular officers whose aggregate number should not exceed 18,000, exclusive of emergency officers who had been wounded or disabled during the war and were undergoing physical reconstruction in the hospitals. That bill also provided that the Secretary of War could retain those officers of the Regular Army in advanced rank whenever he saw fit to do so in the interest of proper administration of the service. That bill provided that this authorization should terminate on July 1, 1920.

When July 1, 1920, comes, if no other action is taken by the Congress, the emergency officers, exclusive of those wounded emergency officers now in the hospitals, must all be discharged, and all the Regular officers who still retain advanced rank—and their number is about 20 per cent of the total of the Regular officers in the Army—will be reduced to their regular rank.

The Senate and the House have each passd an Army reorganization bill. The House bill provides that the Regular Army may have 17,800 officers, and the Senate bill provides that the Regular Army may have 16,993 officers. Both bills provide that the new Regular Army officers who must be taken into the Regular Army, and who will be very largely taken from these emergency officers, shall have their commissions dated from July 1, 1920.

But, Mr. President, between the time of the passage of the Army reorganization bill and July 1—and there is now high hope of its passage before June 5—it is going to be absolutely impossible for the War Department to reorganize the Regular Army in the revolutionary manner provided for in this bill which is now in conference, to get all these officers examined by a board of general officers, who must comb them through and decide how many of them are fit to come into the Regular service, how many in each grade, and where they are going to be assigned. It is going to be utterly impossible to do that.

Mr. OVERMAN. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from North Carolina?

Mr. WADSWORTH. Let me finish my sentence. It is going to be utterly impossible to do that by July 1 next. It will take several months to do it. I yield to the Senator.

Mr. OVERMAN. Does that include officers who have already been discharged? Will a colonel who came from France be eligible for reinstatement in his old grade under the amendment?

Mr. WADSWORTH. Under the reorganization bill pending, of course. This has nothing to do with that. But it is going to take at least six months, the conferees believe, for the Army to get reconstituted under the new law, to get all these men commissioned after they have been examined by the examining boards.

This amendment I offer is for the purpose of permitting the Secretary of War to continue to retain the emergency officers now being retained for six months, up to December 31, 1920, but not to retain the Regular officers in the higher ranks. On July 1 next they must go back to their regular rank. If this is not done, or if something like it is not done, there will be a hopeless hiatus between July 1 next and the final completion of the reorganization of the Army under the new reorganization act.

This request emanated from the Secretary of War. The War Department requested that the Regular officers who now hold

advanced temporary rank may be retained in that advanced temporary rank.

I had to pass on this question myself, Mr. President. It is not a committee amendment. It has come to me very suddenly. I suggest, however, in this amendment that the Regular officers now holding advanced temporary rank be not permitted to continue to hold those ranks. It is a practice which has injured the morale of the Regular service very severely. It has caused ill feeling and discontent, which every Senator has heard about. They have been expected to surrender their advanced temporary rank on July 1, and they had better do it.

Mr. TOWNSEND. May I ask the Senator a question?

Mr. WADSWORTH. Certainly.

Mr. TOWNSEND. I did not follow the amendment very carefully. Do I understand that this provision for retaining these emergency temporary officers shall be only until the reorganization of the Army is effected?

Mr. WADSWORTH. Only until the reorganization is effected, and in no case later than December 31, 1920. That is the effect of it. I regret very much to have to offer an amendment of this sort, because I know it is puzzling to the Senate. It is legislation on an appropriation bill; but this bill is the only one to which it can be attached as a legislative rider, and if it is not done we will have an utterly impossible situation immediately following July 1 next.

Mr. LENROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Wisconsin?

Mr. WADSWORTH. I yield.

Mr. LENROOT. Under this amendment, to what extent would emergency officers outrank Regular officers and really take their places during this temporary period?

Mr. WADSWORTH. In a very few instances. There are no emergency brigadier generals, of course, and no emergency major generals. There are a few emergency colonels in the Ordnance Department, I think. There are some, as the Senator knows, in the Judge Advocate General's Department, and there are some in the General Staff, if I recollect correctly. I discussed that with Regular officers, who say, "You will do more good to the Regulars if you get rid of this advanced temporary rank for all of us than anything you can do. We do not mind for a few weeks or a few months being nominally outranked by an emergency officer." They have said to me, "We are men enough to stand a little thing like that for a little while"; and it will save money to the Government, incidentally, as the Senator knows.

The VICE PRESIDENT. The question is on the amendment of the Senator from New York [Mr. WADSWORTH].

The amendment was agreed to.

Mr. WADSWORTH. Mr. President, I have just one more amendment. It is contained in a letter addressed to me by the Secretary of War, which I ask that the Secretary may read to the Senate. It gives the whole reason for the proposed amendment and contains the amendment.

The VICE PRESIDENT. The Secretary will read.

The Reading Clerk read as follows:

WAR DEPARTMENT,
Washington, May 22, 1920.

MY DEAR SENATOR WADSWORTH: Because of the unique and tragic position of the city of Verdun in the World War and the imperishable glory won by the great army which successfully defended it to the last, several of the European Governments are conferring upon the city valor medals and distinguished service emblems of one sort and another. It has been suggested that the French people would regard it as a graceful and generous tribute from America if the congressional medal of honor might be so conferred. Of course, our statutes do not authorize that use of the congressional medal of honor, but I venture to suggest the inclusion of a line in the Army appropriation bill, now under consideration, which will give the President this authority. For your consideration I suggest the following language:

"That the President be, and he is hereby, authorized, in the name of the Congress and people of the United States, to present to the city of Verdun, France, the congressional medal of honor as a mark of America's appreciation of the valor of its defenders."

I am writing Mr. KAHN that I have made this suggestion and bespeaking his sympathy for the provision should the Senate incorporate it and return it for consideration as an amendment to the House of Representatives.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

Hon. JAMES W. WADSWORTH, Jr.,
United States Senate.

Mr. WADSWORTH. Mr. President, I offer the amendment which is contained in the Secretary's letter. The letter describes very adequately the reasons for this request.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. Add after the amendment just agreed to, on page 75:

That the President be, and he is hereby, authorized, in the name of the Congress and people of the United States, to present to the city of Verdun, France, the congressional medal of honor as a mark of America's appreciation of the valor of its defenders.

Mr. WARREN. Mr. President, I want to ask the chairman if it would not be more distinctive and carry more honor if it were a special medal of honor, rather than to have it awarded as one among many medals of honor which, by the law, are restricted to certain people, officers and men, and for certain services? I think it ought to mean even more than what is proposed. The congressional medal of honor, as the Senator knows, can be bestowed only upon enlisted men and officers who are recommended sufficiently for extraordinary gallantry in action. Undoubtedly the people of Verdun, and the people of all France, have exhibited all kinds of gallantry; but this particular medal, which is for particular services, I think is rather insufficient. I am not going to object, of course, if the Senator sees fit to offer it in that shape. I think, however, that it ought to be a specially designed medal of honor given to that city as a distinctive medal from the Congress of the United States.

Mr. WADSWORTH. This is in line with the custom pursued in several foreign countries. It seems to be the practice there, and in some instances I think it is a very handsome practice, to confer a soldier's medal upon a community. In the French Army the flag of a regiment is very often decorated, just as an individual soldier would be decorated, with an individual medal, and the whole regiment is the proud possessor of that decoration. The croix de guerre can be given to a town. Several of the foreign Governments pursue that practice, and according to information coming from the Secretary of War several of the allied countries are conferring some of their decorations on the city of Verdun, and they are the same decorations which they confer upon individuals. It is suggested, and I have no doubt that the American ambassador to France forwarded the suggestion to this country, that we authorize the President to confer the congressional medal of honor upon the city of Verdun.

Mr. WARREN. Of course, those medals to which the Senator refers are of a different nature. Whatever the Congress may determine is all right, and I do not propose to object to this if the Senator thinks it can not be bettered, but it is a very extraordinary thing, and no medals of just that kind have been distributed by any country to my knowledge.

Mr. WADSWORTH. I think it is a very handsome thing to do, and I think the simpler these things are the better.

The amendment was agreed to.

Mr. SMITH of Arizona. Mr. President, I offer the following amendment.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 39, after line 24, insert:

That the Secretary of War be, and he is hereby, authorized and directed to transfer to the Secretary of the Treasury, for the use of the Public Health Service, the military reservation of Whipple Barracks, Ariz., now occupied by said service for hospital purposes.

The amendment was agreed to.

Mr. FRELINGHUYSEN. Mr. President, I offer the following amendment.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 11, line 5, after the word "required," strike out the comma and the figures "$4,000,000" and insert a semicolon and the following:

For beginning the construction of buildings for the Signal Corps at Camp Alfred Vail, N. J., to be immediately available and remain available until expended, $5,500,000: *Provided*, That section 1136, Revised Statutes, and the provisions contained in the sundry civil appropriation act of June 25, 1910, and the Army appropriation act of May 12, 1917, prescribing limitations as to the cost of certain structures, shall not apply to structures to be constructed under this appropriation.

Mr. FRELINGHUYSEN. Mr. President, this provides for a building plan of permanent construction for the Signal Corps of a research laboratory and school for enlisted specialists at Camp Vail, Little Silver, N. J. This was brought to the attention of the committee by the Signal Corps during the hearings, but owing to the fact that the Secretary of War had not approved of it and it had not been estimated for and had not been approved by the General Staff, the committee passed the amendment over.

Since that time the approval of the Secretary of War and the approval of the General Staff have been secured, and the estimate of $1,500,000, which this amendment carries, has been estimated for by the Treasury Department.

Camp Alfred Vail is the base station of the Signal Corps. Everyone knows the service which was rendered by that branch of the Army during the war. At the present time there are over 1,000 enlisted men there and 40 officers, and the camp is unfit, practically, for the purposes for which it has been created. The Government owns 450 acres in fee simple, for which they paid $125,000. They have expended in temporary buildings $1,000,000. There are four wooden hangars with concrete floors; there are numerous wooden buildings used for radio laboratory

work, but there are no facilities for heat, no water, and no gas. The officers' families have to board in the adjacent towns. The enlisted men are in these temporary shacks without heat or light, there being only one small stove at the end of these dormitories.

This school is already overburdened, but they have driven out of Leavenworth the tactical school for signal officers, and they have to care at this station for an increased number of officers and men by reason of the transfer of that school from Leavenworth to Camp Vail. They have a plan for permanent construction, the cuartel plan, providing for the establishment of permanent buildings and permanent quarters for officers, and this appropriation is to take care of enlisted men.

I am just as much in favor of economy as anyone else in the Senate, but this is one of the most important branches of the service and it has been the most neglected.

Mr. SHEPPARD. May I ask the Senator if it is not a fact that this is the only place now left where this instruction will be given?

Mr. FRELINGHUYSEN. It is the only place. I consider the research laboratory in this school for enlisted specialists, where a man who graduates from it is immediately taken by any telegraph or telephone company as an expert, as the most important one of our vocational schools in any of the branches of the Army. When we realize that it was this corps that devised the multiple system, I think it is called multiple-X, where 6 messages are sent on one wire in opposite directions, 12 messages at one time, we realize the commercial value of its scientific achievement. It was here that Gen. Squiers developed his wired wireless and carried on his experiments for that purpose, where insulated conductors were proven unnecessary for telephone and telegraph submarine cables.

Of course we all realize that the bill carries a very large appropriation, but I feel that this corps is so important that I have urged the War Department to present this estimate in order that it might go on the bill. The Signal Corps is one of the most important branches of the Army. They are carrying on research work that will undoubtedly produce inventions which will revolutionize the transmission of cable messages. I feel that, so far as this branch of the Army is concerned, we should be in advance and not behind other Governments in our experiments.

When we consider what we have done through this Signal Corps, I feel that the necessary appropriations should be made for a permanent laboratory and the permanent housing of these men at this important Army base. That is the reason why, after the committee has reported the bill, I have felt it my duty, an important duty, to present the amendment. I hope that the Senate will approve of it.

Mr. WADSWORTH. Mr. President, it is with the greatest regret and hesitation that I feel impelled to oppose the adoption of the amendment, knowing, as I do, the interest, and legitimate interest, which the Senator from New Jersey takes in it.

The Senate may be interested to know something of this situation. At Fort Leavenworth the War Department for some time has been carrying on a Signal Corps tactical training school. At Camp Alfred Vail, in New Jersey, which, as I recollect it, is a war-time camp, built during the war, they are conducting in a small way a training school for the men and doing some research work, but at Leavenworth the tactical use of the Signal Corps troops and the functioning of the Signal Corps organizations is taught in what might be termed the higher school.

The War Department issued an order transferring the Signal Corps school of Leavenworth to Camp Alfred Vail, N. J., and notified the personnel, naturally, that they would have to move soon. It then turned out that there are not enough accommodations at Camp Alfred Vail, it being a temporary camp, composed very largely of shacks.

Mr. FRELINGHUYSEN. May I interrupt the Senator?

Mr. WADSWORTH. Certainly.

Mr. FRELINGHUYSEN. I will say that they have been carrying on this research work in these enlisted schools during the entire war and the accommodations have never been satisfactory, and that last winter the enlisted men nearly froze, notwithstanding the fact that they are now overburdening that place with additional troops from Leavenworth.

Mr. WADSWORTH. That is true, and now they order more men there. When the Signal Corps officers came before the Committee on Military Affairs they described this situation rather briefly, but enough to call our attention to it. We asked if there was any estimate from the War Department regarding the project for the permanent building of a Signal Corps school or post at Camp Alfred Vail. It turned out at that time that there was no estimate, or if there was it was not ready to be presented to Congress. In fact, the reply came back from the War Department that the estimate was not ready. The committee went ahead and finished the bill and reported it to the Senate. Yesterday or last Saturday the estimate arrived from the Secretary of War.

Mr. SHEPPARD. May I suggest that it was no fault of the Signal Corps? The Signal Corps sent it to the General Staff some weeks ago and the delay was on the part of the General Staff.

Mr. WADSWORTH. I am not blaming the Signal Corps in the slightest degree. They are the victims of an impossible situation. But only yesterday or two days ago this estimate arrived, after the committee had finished its work and reported the bill after lengthy hearings and after the Senate has had the bill under consideration a day or two.

This estimate carries an appropriation of $1,500,000. It is for permanent construction—officers' quarters, administration buildings, I assume, and other things. It is to be the beginning of the building up of a permanent Army post. Not a member of the committee or a Member of the Senate has the slightest information from the War Department as to how large this post is going to be eventually, what plan is to be adhered to, what plan we are going to build to, how many men are going to be quartered there in time of peace, and the general nature of the institution which it is proposed to build has never been explained to the committee in any way whatsoever.

Mr. FRELINGHUYSEN. Mr. President——

Mr. WADSWORTH. I yield to the Senator.

Mr. FRELINGHUYSEN. I think the testimony explains to a certain degree the plan that the Signal Corps have in mind. It was stated that plans could not be prepared until legislation was enacted for the purpose. I read from the hearings:

> Capt. ALBRO. The Signal Corps desires to submit, and will submit, to the Secretary of War, as its idea of this plant for Camp Vail, the cuartel style of construction, a quadrangle, 500 feet on the side on the inside. This construction at Camp Vail, when completed, will represent, heating plant and all, an outlay of approximately $6,000,000.

Mr. WADSWORTH. This is just the beginning. I do not object to $6,000,000 eventually, but I should like to see the plan sketched and laid before a committee of the Senate so that we can tell what this institution is to be. This business of sending to the Senate an estimate on a thing like this, involving permanent construction of a new Army post, after the committee has finished its work, is absolutely indefensible. It is not fair. The Senator from New Jersey is not to blame, nor is the Signal Corps.

Mr. FRELINGHUYSEN. I am perfectly willing to withdraw the amendment if the chairman of the committee feels that as a matter of policy it is not necessary for the Signal Corps to have a permanent establishment, that it is not necessary for the Government to carry on research radio work, this very important work, that it is not necessary for officers who are carrying on that work as a branch of the Government to be housed as comfortably as those at Leavenworth and West Point and elsewhere.

It is not a question as to what the procedure has been or what the ethics have been. The question is whether as a war policy it is wise to have the Signal Corps properly housed and properly equipped. If the Senator feels that it is not important, I am perfectly willing to withdraw the amendment.

Mr. WADSWORTH. I did not say that I do not think it is important, but if we are going to let things be done in this way for Camp Alfred Vail, why not put $3,000,000 in the bill in the same way for Camp Bennings? There a new Army post is authorized, owned, and operated, and is going to be maintained. They are living in temporary buildings down there. There is another one at Camp Knox. There is another one at Camp Humphreys down the river. There is another one at Camp Bragg, and there is another at Camp Eustis, and so it goes all around the country. Those have been designated by order of the Secretary of War as permanent posts.

Some day, of course, temporary construction will have to be supplanted by more permanent construction, and the estimates for all that permanent construction should be submitted to the appropriate committees of Congress to give them opportunity to see what these plants are, what we are going to build to, and what the reasons are.

I say it is unfair to the Senate at large and to the Committee on Military Affairs to send an estimate here for $1,500,000 for permanent construction at a camp that no member of the committee has seen, about whose size for the future we have no idea, about the nature of the construction at which we have no idea and have no information. It is unfair to send estimates here and ask that millions be voted from the Treasury on such a request as that. So I am compelled to oppose the request of the Senator from New Jersey.

Mr. FRELINGHUYSEN. Possibly there has been some error in the method in which this amendment has been presented, but I feel that it is so important that this research work, this radio and telegraphic work, should go on, that I have offered the amendment. That is the important question, whether the Army is going to continue instruction work, whether they are going to give Gen. Squiers, who has already contributed to scientific invention of immense value of millions and millions of dollars beyond this appropriation, incomplete equipment, and make these officers suffer during another winter which may be as inclement as the last one, or whether we are going to do for them what we do for other officers at other posts.

As I understand it, we can not have the plans drawn until we have the legislation. This limits the appropriation to $1,500,000. Possibly if the committee has time, and I think we ought to take the time, they should go to these various posts and to these various war plants and investigate them. Possibly the committee could have made investigations and could have gone further, but I feel, and I am sincere in this, that we are making a grave mistake unless we give the Signal Corps enough money to provide the proper facilities and the proper housing for the men.

I ask for a vote on the amendment.

On a division, the amendment was rejected.

Mr. NEW. Mr. President, I offer the following amendment, notice of which was duly given.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 75, after line 12, insert the following section:

SEC. 2. (a) That when used in this section—

(1) The term "person" includes an individual, partnership, corporation, and association;

(2) The term "aeroplane" includes aeroplanes, aeroplane motors, and accessories and parts thereof; and

(3) The term "purchase price" means the price or amount paid or to be paid for an aeroplane as packed for shipment to the United States, or in the case of an aeroplane imported for sale after entry, means the amount declared by the importer to be the price for which he intends to offer such aeroplane for sale.

(b) For the period of three years from the date of the passage of this act, any aeroplane imported into any State, Territory, District, or possession of the United States, shall be appraised at the port of entry to determine whether the purchase price thereof is less than the cost of production, as prescribed in paragraph L of section 3 of an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913.

(c) If such purchase price is found to be less than such cost of production there shall be levied, collected, and paid, in addition to the duties, if any, otherwise provided by law on such imported aeroplanes, a special or dumping duty in the amount of the difference between the purchase price and such cost of production.

(d) If any person selling, shipping, consigning, or manufacturing aeroplanes exported to the United States fails or refuses to submit to the inspection of a duly accredited investigating officer of the United States, when so requested to do, any or all of his books, records, or accounts pertaining to the value or classification of such aeroplanes, then the Secretary of the Treasury is hereby empowered and directed, while such failure or refusal continues, to refuse entry into the United States of any aeroplane sold, shipped, consigned, or manufactured by such person.

(e) The Secretary of the Treasury is authorized to make rules and regulations for the determination of the purchase price of aeroplanes imported into the United States and such other rules and regulations as may be necessary for carrying out the provisions of this section.

(f) Any person who violates any provision of this section or of the rules or regulations made in pursuance thereof, or who by false declaration or otherwise directly or indirectly misrepresents to any officer or employee of the United States the purchase price of any aeroplane imported or to be imported into the United States, or who having imported an aeroplane for sale after entry sells or offers for sale such aeroplane at a price less than that declared by such person at the time of importation to be the price for which he intended to offer such aeroplane for sale, or any person who, being the purchaser, importer, or consignee of any aeroplane imported into the United States fails or refuses to submit to the inspection by a duly accredited investigating officer of the United States of any or all of his books, records, or accounts pertaining to such imported aeroplanes, shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine not exceeding $5,000 or by imprisonment for not exceeding two years, or by both.

Mr. NEW. Mr. President, I do not care to make any statement concerning the purpose of the amendment unless there is occasion for my doing so.

Mr. KING. Mr. President, will the Senator from Indiana yield to me?

Mr. NEW. Certainly.

Mr. KING. I was about to raise a point of order against the proposed amendment that it is new legislation upon an appropriation bill, but I will reserve the point of order until the Senator makes an explanation, if he cares to do so.

Mr. NEW. Then, Mr. President, if the Senator will withhold his point of order, I will make a statement to the Senate giving the reasons for the amendment.

I believe that this is a very vital matter. If I did not so believe I certainly should not present the amendment at this time and to this bill. The pending measure, however, furnishes the only occasion that can be taken advantage of by Congress for the adoption of this very necessary provision. I believe if Senators will listen to my statement they will be interested in the situation that is presented here for their consideration. The facts are these: Some time ago there was formed in England a commercial company which is known as the Aircraft Disposal Co., the president of which is Mr. F. Handley-Page, who is himself an engineer and inventor of one of the best known British machines. That company made a contract with the British Government, under the terms of which they took over all the surplus aircraft, including motors and their parts which were owned by the British Government, consisting of machines of all types. It cost the British Government to make these machines more than £100,000,000 and some estimates place the amount as nearer £200,000,000. We know, however, that their cost exceeded £100,000,000. The Aircraft Disposal Co. paid for those surplus machines £1,000,000 or 1 cent on the dollar.

Mr. President, there was a further provision in the contract to the effect that the Aircraft Disposal Co. was to give to the British Government 50 per cent of whatever profits accrued from the sale of the machines. If that is commercial competition, I am a poor judge of what constitutes commercial competition. The company was to sell those machines not in England but wherever they could elsewhere in the markets of the world. Arrangements have been made to sell those machines in this country, and numbers of them are at this moment on their way to the United States.

I have here a consular report furnished by the State Department, and in proof of what I say I should like to read a paragraph or two from the report, and then, with the permission of the Senate, I should like to put the report in the RECORD as a part of my remarks.

The VICE PRESIDENT. Without objection, permission to do so is granted.

Mr. NEW. I now read from the report of Alfred Nutting, clerk of the American consul general at London, England, which states:

With reference to the writer's report, under above title, dated March 17, 1920, and also the department's cable of March 25, 1920, it may be of interest to report that the London Daily Express of April 14 states that:

"Many important sales of aircraft to foreign countries have already been made by the syndicate which recently acquired the British Government's surplus war stock of airplanes, engines, and stores.

"Mr. F. Handley-Page, head of the disposal company, has just returned from America, and is already busy with plans for the sale of thousands of machines.

Then follows a statement from Mr. Page:

"'Nobody actually knows yet how many airplanes we have acquired from the Government,' said Mr. Page to a Daily Express representative yesterday. 'It is the largest deal of its kind ever completed, and is much greater than Slough and the stock of army motor cars.

I may say that Mr. Handley-Page refers to a sale by Great Britain of army motor transports, and the aircraft sale is said to be very much greater than was that.

"'We have taken so far more than six depots of airplanes and stores. There are still innumerable machines to be handed over to us.

Proceeding further, he says:

"'We have achieved unification of sales by acquiring all the Government stocks and are in a position to deal much more advantageously than if there were a number of selling agencies—

They have a monopoly—

"'The Government will make a great deal of money out of their deal, and so, incidentally, shall we.'

"The sum of £1,000,000 was the price paid by Mr. Handley Page's syndicate to the Government for the surplus stocks of aircraft, with an undertaking to hand over 50 per cent of the profits made on reselling. Estimates put the total amount likely to be received from resales at £100,000,000."

Or $500,000,000.

Mr. President, it is the purpose to sell all of that surplus stock of aircraft in this country which our market will absorb. As I have said, I know, and the Consular Bureau of the State Department will so inform any Senator upon inquiry, that many of these planes are at present on the sea on their way to the United States.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

Mr. NEW. Certainly.

Mr. CHAMBERLAIN. I should like to ask the Senator if it is not a fact that those machines which are being shipped over here now are practically obsolescent for the uses of the British Government?

Mr. NEW. Certainly.

Mr. CHAMBERLAIN. And that as they sell these machines they are building more modern types and improving those which they used during the war?

Mr. NEW. Mr. President, the hour is late, and I am not going to quote all of the authority I have here for the statement that I shall make as briefly as I can, but this whole

transaction is a part of the British plan to make Great Britain as much mistress of the air as she has been and proposes to continue to be mistress of the sea. She is manufacturing aircraft right along at a very rapid rate, while we here in the United States, having invented the airplane, have passed into a condition of absolute quiet, at least, and nonproductivity.

Mr. President, there has been formed an American company for the purpose of transporting mails, light freight, and so forth. With that company I have no quarrel, and I am not proposing to criticize them at all. I am willing that that company or any number of companies shall be formed here for the transportation of mail, freight, and even passengers, for that matter, for I believe that such development will surely come, but the particular company of which I speak is to buy the British planes to which I have referred, at what figure nobody knows. Whatever they pay for them, one-half of it goes to the British Government, our competitor—not a commercial concern. It is the British Government, and we might just as well realize it here in the Senate; and if the United States allows this thing to go through we are not only building up Great Britain's industry but we are absolutely putting a block in the path not merely of the progress but of the very existence of our own industry.

I have talked with Mr. Handley-Page himself before he returned to England; I have talked with various representatives of this transportation company of which I speak; I have talked with officials of the War Department and the State Department. I have innumerable authorities here, excerpts from British newspapers, and all, which prove absolutely the correctness of what I am saying. I do not care to occupy the attention of the Senate by presenting them in detail.

Mr. FRELINGHUYSEN. Mr. President, may I ask the Senator a question?

Mr. NEW. Certainly.

Mr. FRELINGHUYSEN. Will not this competition destroy facilities that the Government ought to rely on as a preparedness policy?

Mr. NEW. Mr. President, I was coming to that. Here is the further situation which the Senate must consider:

We all know what the experience of this country was in making airplanes when we got into this war. We had practically no facilities for making them. At the end of 18 months we had spent very much more than a billion dollars in making airplanes, and we had succeeded in establishing an industry which at that time was able to meet our needs. When the armistice was signed, however, all the Government's war orders, of course, were withdrawn at once. I say "of course," although I do not know exactly why they should have been, because they were not withdrawn in France, they were not withdrawn in Great Britain, and they have not been withdrawn or suspended in Germany by any manner of means. Great Britain and France both continued their orders to the companies manufacturing planes in those countries in order that they might continue in existence, and they tolled them along and eased them off until they could get some commercial demand on which to exist; but in this country we withdrew every bit of the Government's support.

Now, I am not criticizing that. That may have been sound policy. Whether it was or not, I am not going to stop here to say; but it was done just the same, and our industry was left to depend upon a commercial demand which did not exist and which has not yet come into existence to any very considerable extent. The result is that the industry has simply drifted along and drifted along until there is only about 5 per cent of it left; 95 per cent of it has been liquidated. If we had to send airplanes across the border to-day, we would have to rely upon foreign Governments to supply those machines. Except for five planes that have been made in Dayton in the last few months, we have few planes in this country except of the D–H type and a few planes that were made here for war purposes, and that are now obsolescent.

That is true of what we are getting from Great Britain. They are not modern machines. They are machines that were made for military purposes. They are fairly adaptable to a certain degree for commercial purposes, and they will be brought over here in very large numbers and disposed of to whoever will buy them at any price that they can obtain for them, and one-half of the purchase money will be paid to the British Government. That is what becomes of it under that contract.

Mr. President, as I have tried to point out, this is the very last and only place where the Government of the United States can interpose to avoid the destruction of the aircraft industry in this country at this time.

Mr. KING. Mr. President, will the Senator yield?

Mr. NEW. Certainly.

Mr. KING. I should like to ask the Senator, first, the number of planes that the Government of the United States and private builders had at the close of war, and, secondly, what has become of those planes?

The Senator has just stated that there are no planes in the United States; that if we were called into war we would have no planes even to cross the boundary of Mexico; that we would have to rely upon other nations. My understanding was that the Liberty motor, of which we heard so much, was a great success, and that around it had been constructed almost the finest airplanes in the world. What has become of that great number of planes built by the Government at an expense of more than a billion dollars in the factories of private individuals?

Mr. NEW. If I said there were no planes, I did not mean that strictly. I do mean that there are no up-to-date machines. There are left in this country the undestroyed part, the residuum of what we made and had not shipped abroad prior to the armistice of November 11, 1918, mostly of the De Haviland 4 type. They are not combat planes; that is, they are not pursuit planes or anything of that kind. They are light bombers. They are suitable for the transportation of mail, and for the carrying of a passenger or two. Members of the Senate have flown in them. I have personally flown to New York in them a number of times, and made various flights around. For that sort of purpose they are all right; but they are not high-class pursuit planes or combat planes, as you understand the term "combat," and we have not anything of that kind in this country, except, as I said, and as was pointed out by the Senator from New York here a day or two ago, a few—less than half a dozen—that have been made under the auspices and direction of the Army engineering force at Dayton within the last year or so.

I am talking here, not to protect anybody's business, not from the commercial standpoint at all, but from the standpoint of the national defense; and I do not want to see a condition created in this country which is going to compel the little that there is left of the aircraft manufacturing industry to withdraw absolutely because there is no demand for it to supply. That is the situation, and that is the reason why at this time and in this connection I have presented the amendment that is before the Senate for its consideration.

APPENDIX.

The State Department has transmitted two consular reports from London, as follows:

SUPPEMENTAL REPORTS—AIRPLANES FOR PURCHASE.

[From Alfred Nutting, clerk in the American consulate general, London, England, Apr. 14, 1920. Approved, W. Stanley Hollis, American consul general in charge.]

With reference to the writer's report under above title, dated March 17, 1920, and also the department's cable of March 25, 1920, it may be of interest to report that the London Daily Express of April 14 states that:

"Many important sales of aircraft to foreign countries have already been made by the syndicate which recently acquired the British Government's surplus war stock of aeroplanes, engines, and stores.

"Mr. F. Handley-Page, head of the disposal company, has just returned from America, and is already busy with plans for the sale of thousands of machines.

"'Nobody actually knows yet how many aeroplanes we have acquired from the Government,' said Mr. Page to a Daily Express representative yesterday. 'It is the largest deal of its kind ever completed, and is much greater than Slough and the stock of army motor cars. We have taken so far more than six depots of aeroplanes and stores. There are still innumerable machines to be handed over to us.

"'We have achieved unification of sales by acquiring all the Government stocks and are in a position to deal much more advantageously than if there were a number of selling agencies. Machines are being sold to practically every country in the world and many deliveries have been made. Each machine sold takes with it a Government certificate of airworthiness. We do not adapt machines of other builders before selling them. The other firms do that for us.

"'The Government will make a great deal of money out of their deal, and so, incidentally, shall we.'

"The sum of £1,000,000 was the price paid by Mr. Handley-Page's syndicate to the Government for the surplus stocks of aircraft, with an undertaking to hand over 50 per cent of the profits made on reselling. Estimates put the total amount likely to be received from resales at £100,000,000."

ALFRED NUTTING.

AIRCRAFT FOR PURCHASE.

[From Alfred Nutting, clerk in the American consulate general, London, England. Mar. 17, 1920. Approved, Robert P. Skinner, American consul general.]

Within the past few days announcements have appeared in the press respecting the sale by the Government aircraft disposal board of all the stock of surplus aircraft, engines, etc., to a syndicate. The amount stated to have been paid is £1,000,000, while the value of stock taken over is estimated at £100,000,000, but the terms are that one-half of profits realized shall go to the Government.

In the first instance the purchase was made by a financial group, but it now appears, according to an official statement issued by Handley-Page (Ltd.), that such financial group was acting on behalf of the Aircraft Disposal Co., of which Handley-Page (Ltd.) are members.

The statement issued is as follows:

"With reference to the announcement which appeared in the press regarding the large transaction in British aircraft, the syndicate interested in the Aircraft Disposal Co. (Ltd.), by whom the following announcement has been made:

"'The sale by the Government of all its surplus aircraft material, engines, spares, and accessories was completed at the end of last week. We did not purchase direct from the Government, but we have now taken over the whole of the benefits and liabilities of the purchasers. The company, which comprises widespread British interests, has been specially formed to carry on the whole of the work previously undertaken by the ministry of munitions in disposing of the surplus stocks of heavier-than-air machines and equipment. Offices have been taken in Kings Way and as rapidly as possible the organization will remove there from the present disposal board offices. The whole of the storage organization and the management of the large aircraft depots all over the country will pass into our control.'

"The disposal board since the armistice have sold large numbers of machines, but their potential sales have been very much handicapped by their limitation to selling machines as they stand. Many of the machines for disposal are quite new, but in order to insure that every machine, engine, accessory, and spare is in perfect condition detailed inspection will take place before delivery and certificates of airworthiness will be given for all machines sold.

"Handley-Page (Ltd.), the well-known aircraft manufacturers, are members of the syndicate, and we shall have the full advantage of their experience in aircraft matters, as they will act as our technical advisers and be our sole agents for the disposal of the material."

ALFRED NUTTING.

Mr. WADSWORTH. Mr. President, may I supplement by just a word what the Senator from Indiana has said?

Mr. NEW. Certainly.

Mr. WADSWORTH. This thing is a real situation. The Aerial Age Weekly, which I think is the name of one of the leading papers in this country treating with aeronautical subjects, is carrying to-day full-page advertisements, with photographs of these machines, offering them to any person in America who wants to buy them at stated prices. I recollect that the famous Martinsyde machine is advertised for sale, with its picture and its record; how fast it has traveled; how much weight it can carry; and its reputation during the war. These machines have been put into first-class condition for everything except the most advanced war work, where special qualifications are necessary. They are as good as anything in the world to-day for ordinary light commercial purposes, and the prices at which they are advertised are at a level approximating 25 to 30 per cent of what it would cost to build them in this country in our own factories. It is a hopeless competition. It will destroy us for at least two or three years.

Mr. NORRIS. Mr. President, may I ask the Senator a question?

Mr. WADSWORTH. Yes.

Mr. NORRIS. I have been very much interested in what the Senator from Indiana has said, but this idea occurred to me: He has demonstrated by what he has said that there is practically no such industry now in the United States. We are out of the business. Now, here are a lot of planes coming over here that the Senator from New York says are as good as any in the world, and they are going to be put on the market, did the Senator say, at 25 per cent of what it would cost to make them here?

Mr. WADSWORTH. The average is somewhere between 25 and 40 per cent of what it would cost to make them here.

Mr. NORRIS. That will be, in the eyes of the purchaser at least, a very good thing, because he will get them cheaply. Now, if we have lost all interest in this industry in this country, and there is no business here in the airplane line, and these good planes could come over here and be sold at a price at which the ordinary person could buy them, as seems to be the fact, would it not create a great sentiment all over the country in the airplane line? Would it not stimulate the use of the airplane? The persons who buy them will be smashing them up and breaking them. Would it not develop a lot of manufacturing and repairing? Would not the ingenuity of the American Yankee improve them, so that in the end it would be a good thing, and develop better airplanes here than though we did not get them and let the whole thing die out and forget all about airplanes?

Mr. WADSWORTH. Of course, that brings up the whole question of the protection of an industry. This is a competition which our people can not possibly stand, because it is not really commercial or industrial competition. British factories could not make those machines to-day and send them to this country, and sell them at any such low prices. This is the British Government unloading, and they are unloading for from 10 to 30 cents on the dollar.

Now, if the British types of machines, with all their selling agencies, are established in this country, and our people are made familiar with the British type and the British industry, and the spare parts must be purchased from British agents in this country, and those spare parts in the greater extent will be made in England and sent over here, and they will have their supply houses here, their distributing points—they have already arranged their selling agencies; my information is that they are going to have traveling agents to demonstrate these planes with flyers going around with them and setting them up at any place where they want to stop off and demonstrate these planes—when they get the custom of the people of the United States it will take years and years to pry the people of the United States away from the habit of buying the British machines.

The man who gets the market first has a tremendous advantage. He gets accustomed to dealing with this selling agent and that supply house. That is a well-known thing in industry. The British industry will have the good will of the American customers, because there will not be any American industry to compete with the American customer for his good will.

We will recover from it some day in the natural evolution of events. This stock will be exhausted. We understand there are 10,000 of these machines. Think of it; 10,000 of them! But for the next three or four years the Government will not have an American factory to which it can appeal to turn out airplanes for its own use in any number. In the meantime, as I said, the American market will have been captured by our British cousins, and I think we have a right to say that they shall not be sold in this country for less than it costs to build them abroad.

Mr. NEW. Mr. President, if the Senator from New York will permit me, by way of a further answer to the question of the Senator from Nebraska [Mr. NORRIS], I will say that the price itself at which the Aircraft Disposal Co. gets the British service is proof conclusive, I take it, that what we are doing in this instance is merely helping the British Government to get what it can out of a surplus which it made for its own purpose, 1 per cent on the dollar. That is the amount of money paid by the Aircraft Disposal Co., £1,000,000 for more than £100,000,000 worth of airplanes. They are to be sold here, not at a fixed price, but at whatever those people can get. I do not undertake to say that they will be put up at auction, or anything of that kind. The American purchasers will come in and say, "Yes; we are buying them at a fixed price." Of course, they are selling for that, and whatever it is, that stands as the fixed price. But there is no price agreed on between the Aircraft Disposal Co. and the British Government. The British Government merely says, "take these planes and sell them for what you can get, and where you can sell them, and give us, in addition to the £1,000,000 you are paying, 50 per cent of the profit you make on the planes," and the profit they make on them is the measure of difference between the million pounds invested and the transportation to this country, with a little overhead; that is all.

In the meantime the British Government is going ahead with its manufacture, experimenting, building up an industry, devising new types, in order, as I said, and as they frankly say, that Great Britain may become the mistress of the air just as she is now mistress of the sea, and as these planes become obsolescent, the Aircraft Disposal Co., or some other kind of angel, takes them off their hands, and they are brought to the United States, forsooth, and sold to our people, and the British Government gets one-half of what we pay.

Mr. THOMAS. Mr. President, this measure is designed to meet a situation which is sui generis. It has been well described by the Senator from Indiana [Mr. NEW]. The airplane industry in the United States, which had a brief activity during the war, has since the armistice become practically nothing. Our own Government has been strangely indifferent to the importance of aviation in military affairs. That indifference is accentuated by the interest which has been displayed since the armistice by both France and Great Britain, Italy being a fairly good third. They realize, perhaps more vividly than we because they were engaged in the war much longer than the United States, that the progress made in the development of aircraft during that struggle justifies the conviction that wars of the future will be decided from the air. I have not a particle of doubt that if this war had continued for 6 or 8 or 10 months longer, the accomplishments of our aviation fleets would have greatly overshadowed those of our armies and of our naval fleets. I have not a particle of doubt that before midsummer Berlin and many of the other great German cities would have been laid in ashes by the allied aircraft. That nation, in my judgment, is wise, which, having taken to heart these tremendous lessons, is seeing to it that due provision shall be made against a recurrence of the World War. We alone are indifferent.

Aircraft is a new art in the world, and it is one which thus far has made but very slight invasions in commercial life. That it will become a great element of transportation in time,

I have no doubt, but until greater activity is manifested in that direction there is little opportunity for encouragement to aircraft building in this country outside of the military needs. Hence the importance of the Government's encouraging to an extreme, if need be, the establishment and continuation in America of some manufactories of aircraft, which may respond to our needs in the event of trouble in the future. The demand now for aircraft in this country is, perhaps, entirely commercial in its character, and being small, the two or three surviving institutions are having a hard time to live.

The machines which are to be brought over here, which are on the way here, are of a type which permits their use in the transportation of both passengers and goods. They are larger machines than we have ever manufactured in this country. They are capable of carrying something like a thousand pounds in weight in excess of the capacity of the ordinary machine.

Great Britain has seen an opportunity—and, true to her custom, she has been swift to take advantage of it—to get some return for her enormous expenditure in military aircraft and at the same time rid herself of an obsolescent supply and obtain good American money, to be used in the manufacture of up-to-date equipment. We, on the other hand, content ourselves with this invasion and patronize it because it will become the only source of supply.

That being the case, Mr. President, the country is face to face with an unbearable and unbelievable competition with the Government of Great Britain, for the substitution of a private corporation holding a contract with the Government is nothing but an agency to carry out that purpose. It is incredible that the British Government would make such a contract, whereby the nominal price paid for these machines is 1 per cent of their cost, reserving to herself the right to receive 50 per cent of all the profits and at the same time occupy the position that she is a disinterested party. The facts are inconsistent with that conclusion.

Given a restricted area of customers, and this enormous supply coming from abroad, and which can be sold at any price, exceeding 1 per cent of the cost plus transportation, to make a profit, and the result to the American manufacturer seems to be obvious. This is not such a case as was presented in the dyestuffs bill, where there is a probability of establishing an industry, self-supporting and capable of competing with the world. It is not the case of a general dumping bill designed to apply to all articles of merchandise anywhere which, if brought to this country, would only serve to reduce prices, but it is a case of an industry which has never yet been established, an industry which received great encouragement during the war only because it was during the war, an industry the nature of which has been demonstrated to be of supreme and overshadowing importance in times of war, an industry representing the newest development of military science, and perhaps the overshadowing one—I believe it is—which is bound to disappear under those circumstances, and what shall we do? The only thing which can be done at present, because the emergency is right here, is the enactment of a rider to this bill, limited in time, if you please, which will prevent the carrying out of this threatened program.

Mr. President, I do not believe in dumping systems. I do not believe in a high protective tariff. I have been opposed all my life to the theory of Government partnership with business. Yet I recognize that there are exceptions to certain rules, perhaps to all rules, and this appears to me as a supreme exception to every rule, for we can not afford to be dependent upon any country in the world in the event of a sudden emergency for the obtaining of a character of weapon for offense and defense so dominant of all other weapons as aircraft has become.

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from Utah?

Mr. THOMAS. I yield.

Mr. KING. I propounded a question to the Senator from Indiana, and if he answered it I was inattentive and did not get his reply.

Mr. THOMAS. If he did not answer it, I am afraid that I can not, if it relates to aircraft.

Mr. KING. I invited his attention to the fact that we had constructed a large number of machines. My information is that those machines have been disposed of to one or two corporations of the United States, but are still in the hands of the Government. If they have been disposed of to a private corporation, is not this provision primarily for the purpose of protecting that corporation against any competition? That is one question.

Mr. THOMAS. I think not. I think it is secondarily designed to protect that corporation from competition, but not primarily. If I thought that, I would make a point of order against it myself.

Mr. KING. The Senator knows more about this matter than I do, but my information is that that corporation—the Curtiss plant—as I recall it, acquired from the Government of the United States a large number of machines.

Mr. THOMAS. That is true.

Mr. KING. And got those machines for an insignificant price.

Mr. THOMAS. A small price compared to the cost.

Mr. KING. It has those machines on hand. It wants to dispose of those which it has not already disposed of.

Mr. THOMAS. It has some of them. I suppose it has not disposed of all of them, though I know nothing about it.

Mr. KING. Of course, it is interested in preventing any competition.

Mr. THOMAS. Certainly; there is no doubt about that.

Mr. KING. It seeks a market and a monopoly in the United States as long as it has those machines and any others which it may construct.

Mr. THOMAS. It is certainly interested, selfishly interested, in this matter.

Mr. KING. Then this measure is in the interest of this corporation that acquired from the Government these machines.

Mr. THOMAS. Its effect will be to protect that corporation, of course, but its larger purpose is to serve the interest and welfare of the United States.

Mr. KING. Will the Senator pardon another question? As I understand the Senator, the aircraft situation is such in the United States that we need not expect any very great investment by private corporations in the development of aircraft.

Mr. THOMAS. Not at present.

Mr. KING. Primarily the Government would have to be the investor for the purpose of developing aircraft. Assuming that proposition to be true, how would the Government be disadvantaged by permitting aircraft to come in, because it would not be in competition with the Government? If the Government has to develop the enterprise, it would not suffer by reason of having new planes brought into the United States.

Mr. POINDEXTER. Mr. President——

Mr. THOMAS. I will yield in a moment. The Government is disadvantaged in this way: In the event of another emergency it would be compelled to reconstruct its aircraft program, beginning at the ground, and with the establishment of manufactories for the production of aircraft for its use. That, of course, would occupy God alone knows how long a time between the time of the beginning of our trouble and the time of its ending. We might lose out entirely because of the lack of appropriate aircraft both for offense and defense.

I now yield to the Senator from Washington.

Mr. POINDEXTER. In further answer to the question of the Senator from Utah [Mr. KING], I should like to suggest to him that the form of war airplane that this British corporation has arranged to sell in the United States is not to be sold to the Government. They are to be sold to private parties.

Mr. KING. I understand that.

Mr. POINDEXTER. So the Senator is to some degree mistaken in his assumption that only the Government affords a market for airplanes. There is being developed a very considerable market in this country for airplanes for business and pleasure purposes. The result, however, of taking away that private market from the American manufacturers will be just what the Senator from Colorado [Mr. THOMAS] has described. When the emergency arises and when the Government does desire to buy airplanes, when it will need mechanics and engineers and promoters and business organizations to produce those great machines, it will not have them, probably will not have in the country the men who will have the time and the technical skill required to supply the Government with its wants, and it will be taking away the private market from the people instead of the Government.

Mr. THOMAS. There is no question but that the bill will benefit local American manufacturers, of whom the Curtiss plant is but one. There are three or four other concerns struggling to get a footing, and all of them entitled, I think, to governmental consideration.

Mr. LODGE. Mr. President, I wish to ask the Senator if it is not true that if we are prevented from putting the amendment on the bill the effect will be to benefit the British manufacturer and the British Government?

Mr. THOMAS. Certainly. As the Senator from Indiana [Mr. NEW] said, shipments of these machines are now on the

seas and in all probability will be delivered here in the next few days. There is a considerable demand for this size of airships, I am informed. I do not say that they can be produced here at present. I doubt if they could be, but they never will be unless we can get some foothold here of a permanent character, which can be utilized in the event of need for utilization should arise.

The Senator from New Jersey [Mr. FRELINGHUYSEN] some time ago introduced an amendment, which was not accepted, which nevertheless refers to a vastly important element of our military service of our martial development as a result of our entry into the war, and that is the Signal Service.

There are three features characterizing the conduct of the last war which, in my judgment, will characterize, if not overshadow, all other features of future wars. One is the Signal Service. That development during the war virtually astounded in its character and in its extent.

It has been carried to a point where there is no such thing as secrecy as regards our campaigns, for our military purposes camps in the country of the enemy are nothing but whispering galleries. The science is, of course, incomplete; it is a constantly developing one; and one of the ways in which to make future wars impossible is to encourage the development in every respect of our Signal Service. Still another is the arm of Military Intelligence, which depends upon the Signal Service for instruments that are needed for very valuable work. The other is aviation.

We are getting away very rapidly from what in times past have been regarded as the indispensable elements of military defense or military offense; and while these older methods are of extreme value, while they never will become obsolete, the scientific advancements made in every direction during this war multiplied and complicated the established conclusion that the wars of the future will depend more upon these things than upon the methods which characterized the earlier stages of this and all the stages of previous wars.

Mr. HITCHCOCK. Mr. President, it seems to me that this subject is entirely too important to be treated in this summary way upon an appropriation bill, and I trust that the Senator from Utah [Mr. KING] will adhere to his purpose to interpose a point of order against it. There may be merit in the argument that is made; but if there be, the subject is one which is important enough to be taken up as a separate matter and treated in accordance with its very large importance.

As far as I am concerned, I think we are going entirely too far in attempting to protect the American people from cheap goods. What the American people are complaining about is the expense of living, the high prices of things, but this session has been signalized by placing upon the calendar a number of bills designed to add to the cost of the articles when they are placed upon the market. There is the dyestuffs bill, which the Senator from Colorado [Mr. THOMAS] himself so ably opposed, the pearl-button protection, the chemical glassware protection, the chemical porcelain protection, the protection against surgical instruments, the protection against cheap magnesite from Europe, and tungsten; and now we are to be protected against cheap aeroplanes.

I do not think that the American people are interested in these measures to increase the cost of things that they may be compelled to buy or desire to buy. But if it is true, if there is merit in the issue, it ought to be brought up on a separate bill and sufficient time given for a study of the matter.

Let us look at the history of our aeroplane experience a little. What was the fundamental reason which caused the failure of our aeroplane service during the war? It was due to fact that the aeroplane management drifted into the hands of men who were determined to build up the industry in the United States as a separate proposition, not only the manufacture of aeroplane engines but aeroplane parts and aeroplanes themselves. They endangered the success of the war by refusing to avail themselves of European prices and European experiences and induced the Government to expend hundreds of millions of dollars during the dreadful years of the war in building up, as they claimed, an American industry, instead of taking advantage of what Europe had already done in the way of aeroplane construction.

We had one investigation after another in the Senate, and we discovered that literally millions upon millions of dollars were expended in the United States toward the development of an aeroplane industry, and now we are told that there is no American aeroplane industry.

I do not think that at this stage of the game and upon this bill we ought to undertake to develop an American aeroplane industry by prohibiting practically the importation of aeroplanes that are already in existence in Europe and are offered for sale. I can see quite a possibility that if aeroplanes were dumped upon this country by the hundreds and by the thousands, and should come into use among the people and in commercial use, there might be a more rapid development of aeroplane service than to bar them out and say, "You can have no aeroplanes unless you buy them at the present expensive cost of manufacture." I, for one, think it would be a mistake to put this practical prohibition upon this bill.

Mr. WADSWORTH. Will the Senator yield to me for just a moment?

The PRESIDING OFFICER (Mr. FRELINGHUYSEN in the chair). Does the Senator from Nebraska yield to the Senator from New York?

Mr. HITCHCOCK. I yield.

Mr. WADSWORTH. I do not think the Senator from Nebraska will find by an examination of the proposed amendment that it proposes a prohibitive rate. As I recollect—the Senator from Indiana, of course, will correct me if I am wrong—the amendment does not propose to establish a tariff duty.

Mr. HITCHCOCK. I have the amendment here. It is, in effect, an antidumping proposition. A commission is to be established to appraise all airplanes which are brought to this country and practically to prohibit their sale at a cost which may be less than the cost of their manufacture.

Mr. WADSWORTH. Less than their cost of manufacture in the foreign country?

Mr. HITCHCOCK. Yes.

Mr. WADSWORTH. England and other countries will manufacture airplanes more cheaply than we can manufacture them for some time. This amendment can not be said to be prohibitive; it merely makes competition a little less hopeless for our people.

Mr. HITCHCOCK. Mr. President, we have in this country a few airplane factories, and in them have been sunk tens of millions of dollars of money which was appropriated by Congress. If after the expenditure of those many millions of dollars for airplanes those factories are not now able to manufacture airplanes in competition with airplane manufacturers of other countries and interest our people in them, I am in favor of allowing airplanes to come into the United States from other countries; and I am not alarmed over airplanes being sold to the people of the United States at cheap prices.

Mr. NEW. Will the Senator from Nebraska permit a question?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Indiana?

Mr. HITCHCOCK. Yes; I yield.

Mr. NEW. The Senator from Nebraska says that he is in favor of airplanes being manufactured in other countries and being brought to this country under given circumstances, which he has just stated. Suppose the United States were to get into difficulty with Great Britain, how many airplanes does the Senator suppose Great Britain would then sell to the United States? If the United States were compelled to confront such an emergency, and Great Britain were manufacturing airplanes, and we had no airplane industry in this country, how many airplanes does the Senator from Nebraska think Great Britain would supply the United States?

Mr. HITCHCOCK. I think the proposition which the Senator states is one of those practically impossible ones which need not disturb us as practical men. We know that during the recent war hundreds of millions of dollars belonging to the people were squandered in an attempt to build up the airplane industry in the United States, and that the only benefit which accrued from that expenditure was the equipment of a number of vast factories. We know that after the war closed and the Government had no further use for airplanes in large quantities, all the vast amount of Government material and half-manufactured airplanes and completely manufactured airplanes were turned back to those factories at a very small cost upon the dollar. If those factories at the present time are not now in shape to put airplanes upon the market, I think the United States Government need not disturb itself very much more about their condition.

We have sacrificed enough for them; we have given them enough protection; we have put enough of the people's money into their treasuries. My judgment is that this is only one of a number of measures that will be attempted for the purpose of promoting and building up industries here at the expense of the consumer.

I know, as a matter of fact, and the Senator from Indiana knows, that the state of our trade now is such and the state of exchange is such that it is becoming more than ever difficult for the United States to export its natural products to Europe.

If we begin erecting barriers against Europe to prevent Europe from sending us the goods manufactured there, the state of exchange will get worse; it will become more difficult to export our cotton and more difficult to export our corn, our wheat, our mining products, and other natural products of this country, because Europe will find difficulty in paying for them. We can not continue to erect such barriers against European commerce and expect at the same time to sell our goods to Europe.

Mr. President, I have said about all I wish to say. I am not making any charge; I have not any means of knowing what interests are behind a movement of this sort. I know that Senators on the other side of the aisle have a perfectly legitimate reason for supporting every proposition which smacks of protection or provides for protection, but I am not a protection Senator. I do not believe in taxing the consumer for the purpose of building up the industries in this country; and I can not support a measure of this character, which belongs to the class of protective measures in the strongest degree. When such a proposition is introduced, it seems to me it ought to be introduced and considered on its merits; we ought to have the figures; we ought to know what airplane industries we have in this country; we ought to know something about the comparative cost of airplane manufacture in this country. I think it is a great mistake upon an appropriation bill of this character to propose such an amendment, which is far-reaching in its effect and which is certainly not in accordance with my views of legislation. In order to cut the matter short and to save time, I make the point of order against the amendment.

Mr. NEW. Mr. President, I desire to say merely a few words in conclusion. I want the Senator from Nebraska and the Senate generally to know, inasmuch as the contract between the Curtiss Co. and the United States Government has been referred to, that the Curtiss Co. some time ago informed the Secretary of War that it desired to be relieved from that contract. This amendment has no possible reference to that matter, and under the circumstances would have no bearing upon it.

I do not know that there is anything which can be added to what I have already stated with reference to the amendment. I think the Senate understands the question. I wish to say for myself that the amendment is not introduced as a tariff measure or to protect anybody's commercial interest. It is intended for the protection of the United States, and in that sense I am doubly a protectionist. If the amendment is to be rejected, I consider that I shall have done my duty in having presented it, and the responsibility for its rejection must rest upon the proper shoulders.

The PRESIDING OFFICER. Will the Senator from Nebraska state the grounds upon which he makes the point of order?

Mr. HITCHCOCK. I make the point of order that the amendment proposes general legislation upon an appropriation bill.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. MOSES. Mr. President, I offer the amendment which I send to the desk. I trust the Senator in charge of the bill will have no objection to the amendment, for it is a meritorious one.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. At the end of the bill it is proposed to add as a new section the following:

That the Secretary of War be, and he hereby is, authorized and directed to convey to the State of New Hampshire the title which the Federal Government now holds in the "Gun House Property," so called, in the city of Portsmouth, N. H.

Mr. WADSWORTH. As far as I am able to do so, I accept the amendment, although I can not do so on behalf of the committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire.

The amendment was agreed to.

Mr. CAPPER. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 73, after line 20, it is proposed to insert the following:

That the widow of an officer or enlisted man of the Army, Navy, or Marine Corps, while she remains unmarried, shall be permitted, under regulations to be prescribed by the Secretary of War and the Secretary of the Navy, respectively, to purchase for cash for her personal use Government subsistence stores at the price charged officers and enlisted men of said services. The privilege herein granted shall also be enjoyed by any minor child of such officer or enlisted man whose mother is not living or who has abandoned him.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kansas.

Mr. KING. I raise the point of order against the amendment that it is general legislation.

The PRESIDING OFFICER. What is the ground of the point of order?

Mr. KING. That it proposes general legislation upon an appropriation bill.

The PRESIDING OFFICER. The point of order is sustained.

Mr. PHELAN. I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 75, after line 8, it is proposed to insert the following:

SEC. —. That whenever under the laws of the United States or under any rules and regulations of the War or Navy Departments made in conformity therewith any decoration, cross, medal, clasp, button, badge, ribbon, star, or other emblem, device, or insignia has been, or shall hereafter be, awarded to any person by reason of any act, deed, conduct, or service in, or in connection with, any war, campaign, or expedition in which the United States has engaged or shall hereafter engage, and such person shall have died prior to receiving the same, said decoration, device, or insignia shall be delivered to such of the next of kin of the deceased person or to his widow, as the President may prescribe, and upon such terms and conditions as the President may prescribe, and if such person has died or shall hereafter die prior to the award to which he would otherwise have been entitled such award may be posthumously made, in the discretion of the President, and such decoration, device, or insignia delivered to such next of kin, or to his widow, upon such terms and conditions as the President may prescribe.

That honorable separation from the service of the United States of persons who would otherwise be entitled to receive them shall not prohibit or preclude the issuance to such persons of such decorations, devices, emblems, or insignia as may have been or as may hereafter be authorized, allowed, or ordered to be awarded, issued, or bestowed upon persons in the service of the United States; and the Secretary of War and the Secretary of the Navy are authorized, after the proper award thereof is made, to issue such decoration, device, emblem, or insignia to the former personnel of their respective departments so entitled thereto, regardless of their previous separation from the service of the United States: *Provided*, That such decorations, emblems, devices, or insignia will hereafter be issued without charge to officers, warrant officers, and enlisted men entitled thereto.

That it shall be unlawful for any person to wear or to display upon his or her person within the United States or any other place subject to its jurisdiction with intent to deceive or mislead any decoration, cross, medal, bar, clasp, button, star, ribbon, badge, stripe, or other emblem, insignia, or device heretofore or hereafter authorized conferred, issued, or authorized to be worn under the laws of the United States, or under any rules and regulations of the War or Navy Departments made in conformity with the laws of the United States, by reason of, or to indicate heroic, distinguished, or meritorious acts, deeds, or conduct in the service of the United States, or honorable participation in the service of the United States in any war, campaign, or expedition in which the United States has been, or is, or shall be, a party, except the person upon account of whose acts, deeds, conduct, participation in, or connection with, such war, such emblem, insignia, or device was awarded, bestowed, or issued, or such other person as may be authorized by law or the order pursuant to which the same was awarded, bestowed, or issued to wear the same. Any person violating the provisions of this section shall, upon conviction, be punished by a fine not exceeding $300 or imprisonment for not exceeding 90 days, or by both such fine and imprisonment.

That no print, cut, or pictorial representation of any medal, cross, clasp, button, badge, ribbon, emblem, or other decoration or award to any person by reason of any act, deed, conduct, or service in or in connection with any war in which the United States has participated or may hereafter participate shall be used, published, printed, or exhibited on, or in connection with, an advertisement by any firm, company, or corporation for any purpose other than such as may be authorized by the Secretary of War or Secretary of the Navy. Any person violating the provisions of this section shall, upon conviction thereof, be punished by a fine not exceeding $1,000 or imprisonment not exceeding one year, or by both such fine and imprisonment.

Mr. WADSWORTH. Mr. President, I think I shall have to make a point of order against the amendment.

Mr. PHELAN. Mr. President, in reference to the amendment, I desire to say that I have consulted the chairman of the Committee on Military Affairs, in charge of the pending bill. He was amazed at the information which I conveyed to him and stated that he would accept the amendment in order that it might go to conference. I should like to inform the Senate that there is now no law preventing the unauthorized use of victory buttons or other decorations. The Secretary of War in a letter to Representative KAHN said:

Last July Congress passed an act to prevent the unauthorized wearing of foreign decorations in the United States, but, remarkable as it seems, it is nevertheless a fact that there is no law on the statute books to-day which gives protection to the decorations of our own country. Obviously this condition should be remedied.

I may say that the department prepared the amendment presented by me.

The American Legion of Los Angeles called my attention to the matter in the following telegram, under date of May 18:

Victory buttons being sold in Los Angeles by local dealers and military shops without presentation of discharge or, in fact, any credentials which show service. Understand dies have been turned over to Bailey, Banks & Biddle, of Philadelphia, and are being farmed out to manufacturers. If anything remains sacred to the veteran of the World War, it is the victory button. Immediate drastic action is necessary to prevent a Nation-wide distribution of this emblem to slackers. Please spare no effort for immediate results.

I should think the chairman of the committee would accept the amendment in view of its importance.

Mr. WADSWORTH. Mr. President, the amendment goes further than merely imposing a penalty.

Mr. PHELAN. It also provides that the next of kin may receive the decorations of dead soldiers.

Mr. WADSWORTH. I know; but, Mr. President, while it may be all right, here is a bill which is quite different from what I understood the Senator was going to introduce. It is four pages long. I imagine there is not a Senator here except the Senator from California who has read it.

Mr. PHELAN. Mr. President, I only desire to get it before the conference committee in order that it may take action on the subject.

Mr. WADSWORTH. In other words, that is to say, the conference shall do the legislating for the Congress. The purpose of the rule is to give the Members of the Senate a chance to look into these matters. This includes the posthumous decoration. I do not know anything about it, and I am compelled to raise the point of order.

The PRESIDING OFFICER. The point of order is sustained.

Mr. NEW. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 17, after line 10, it is proposed to insert the following proviso:

Provided, That hereafter officers on the retired list shall be allowed 75 per cent of the rate prescribed by law as representing the money equivalent of the authorized allowance for quarters for officers of their rank: *Provided further*, That nothing contained in this section shall operate to reduce the allowances of retired officers when assigned to active duty.

Mr. NEW. Mr. President, the object of this amendment is to extend to retired Army officers the privileges of the commutation-of-quarters provision made for the active officers.

The situation with reference to the matter is this: It was the evident purpose of Congress, when the provision for the pay of retired officers was made, that they should have three-quarters of the pay and allowances of officers on the active list. The commutation-of-quarters act had not then been passed, and when it was passed by some omission it was not made to apply to retired officers. We have here the spectacle of retired officers, most of them men who have been retired for age, 64 and over, who, by reason of the fact that they are not getting the allowances of quarters, are getting not three-fourths of what the active officer is getting, but about 58 per cent of it; and here are these old men, those who are retired for age and those who are retired for disability, who are deprived of what I think they are justly entitled to, and what Congress meant that they should have. They suffer from the deprivation more than the younger man, more than the man who, by reason of age and physical condition, is much better able to contend with the high cost of living and other disabilities than the old fellow and the disabled man who come under the operation of this provision.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Wyoming?

Mr. NEW. Certainly.

Mr. WARREN. I do not ask the Senator to yield. I make the point of order against the amendment. The matter might be taken up in legislation, but it is in no part of the law at present. It has not been considered, to my knowledge, by the committee. We have submitted this afternoon to about four hours of our time being taken on amendments offered to this bill, some good and some bad and some indifferent, perhaps, that are out of order and should not go on this appropriation bill.

While I appreciate what the Senator desires to do for these deserving officers, and might very likely vote for it if it came up in committee as legislation, I certainly must now make the point of order against the inclusion of the amendment in an appropriation bill.

The PRESIDING OFFICER. The point of order is sustained.

Mr. MYERS. Mr. President, I offer an amendment to be added at the end of the bill. It does not carry any appropriation, and does not in any way involve money matters.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to add, at the end of the bill, the following proviso:

Provided, That the President is hereby authorized, in his discretion, to promote Capt. Hollis C. Clark, retired, recently on active duty as lieutenant colonel in the Air Service, to the grade of colonel on the retired list of the Army.

Mr. MYERS. Mr. President, I sincerely hope no point of order will be raised against this amendment and that it may be adopted. Capt. Clark is a Montana man with whom I am well acquainted. He is an excellent gentleman, worthy and deserving, and he is a very meritorious and efficient officer. I see that at the bottom of page 75 there is in the bill a similar provision for Col. William C. Brown.

Mr. WADSWORTH. That was stricken out on a point of order. I intend to raise the same point of order in this case when the Senator is through.

Mr. MYERS. If that was stricken out on a point of order I hope this may not be.

Mr. WADSWORTH. It was stricken out.

Mr. MYERS. This may be different.

The PRESIDING OFFICER. Does the Senator from New York make the point of order?

Mr. WADSWORTH. When I can get the floor I will.

Mr. MYERS. I will take just a few minutes to speak of this exceptionally meritorious case. I am deeply interested in it. I know the facts. The Congress has repeatedly been so generous as to pass bills authorizing the President to restore to their ranks in the Army men who were convicted by court-martial of various offenses and put out of the Army; but that is not the case with Capt. Clark. There is not a thing against his record. It is without a flaw or blemish. Capt. Clark has rendered splendid service to his country. He did so both before and during the war with Germany.

He has been a very faithful and meritorious officer. He was retired a few years ago on account of ill health, but he regained his health, and became perfectly capable in a physical sense, in every sense, of resuming active service in the Army, and he did resume active service, and during the war with Germany served in the Aviation Corps. He attained during the war the rank of major, I think probably colonel, also. However, after hostilities ended, like many other temporary officers who saw active service, he was reduced to his former rank, captain. He is now, I understand, at the age where he can not be retired as a colonel, although if he had remained continuously in the Army, if it had not been for a hiatus on account of poor health, when he was out for a few years, he would now be eligible to be retired as a colonel. Having been reinstated and having served ably during the war, it is hard for him now on account of former ill health to be retired as captain.

This amendment simply leaves it in the discretion of the President to say whether or not Capt. Clark may be retired as colonel. It does not compel the President to retire Capt. Clark as colonel. It is to be simply left to his discretion; and I had hoped that there would be no objection to the amendment. I hope now there will be no point of order raised against it. Let us be fair to this gallant officer; give him a show.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Montana.

Mr. WADSWORTH. I raise the point of order.

The PRESIDING OFFICER. The point of order is sustained.

Mr. PHELAN. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 62, line 6, it is proposed to insert:

For the maintenance, support, and development of the manufacturing industries and increased storage facilities of the Benicia Arsenal, Calif., $1,500,000.

Mr. PHELAN. Mr. President——

Mr. WADSWORTH. Mr. President, this item has not been estimated for. I raise the point of order against it.

The PRESIDING OFFICER. The point of order is sustained.

Mr. WALSH of Massachusetts. Mr. President, on page 59, line 18, I move that the figures "$700,000" be stricken from the bill and the figures "$1,000,000" substituted therefor.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 59, line 18, under the heading of "Manufacture of arms," it is proposed to strike out "$700,000" and in lieu thereof to insert "$1,000,000."

Mr. WALSH of Massachusetts. Mr. President, this amendment is for the purpose of giving to the War Department the amount of money which they have asked for the manufacture of rifles.

The rifle in use in this country is known as the 1903 model. It is the best rifle in the world. It is made only at the Government arsenals. The War Department asked for a $1,000,000 appropriation, which the House cut to $700,000, and to which the Senate committee agreed. The appropriation made in this bill provides for the manufacture of 70 small arms per day. The appropriation asked for by the War Department would give a production of 125 small arms per day. If we are going to restrict our appropriations and economize, let us not begin with the rifles that are necessary for the training and equipment of our soldiers; and I think Congress ought to be very careful

about making it possible for any official of the War Department in the future, in case of an emergency, to point to the fact that we had cut down our appropriations to such an extent that we had prevented the manufacture of the necessary number of rifles to be used by our troops.

The change in this appropriation takes 50 rifles a day for 300 days in one year out of the supply for our Army, reducing the number 15,000, and in 10 years 150,000, if the same situation is permitted to continue. In the face of a statement which I shall read from an official of the War Department, how can we justify any action of ours that prevents our Army from being supplied with the necessary number of rifles to replace those in use each year?

To be sure, we have on hand a very large supply of rifles, but not of the 1903 model, which is the only one in use, and which, as I have said before, is the very best in the world.

I want to call attention now to the statement of Col. Rice at the hearing before the Committee on Military Affairs of the United States Senate:

We are running the plant at Springfield—

The plant where these rifles are made—

to manufacture the 1903 rifle, and this rate of 125 a day—

Which is the rate that will be provided for if the appropriation of $1,000,000 is made—

will not be all that will be required for the annual replacements of the 1903 in service.

In other words, if we made this appropriation $1,000,000, we would not even then be making the necessary number—namely, 15,000 more—that would be required to replace the rifles in service; yet we have reduced the appropriation from $1,000,000 to $700,000, and it can not be justified except upon the ground of economy. If we are going to justify it on that ground, we have got to admit that we do not propose to keep the employees or keep our armories in such shape as to be equipped to provide the necessary number of rifles to replace those in use each year.

These are the reasons. I am sure the chairman of the committee and the Committee on Military Affairs of the Senate would not have made any change in the appropriation if the House had made the amount $1,000,000, but I think they felt inclined and disposed to follow the amount set by the House. That, it seems to me, does not justify our taking that action.

I hope the Senate will change this amount to $1,000,000, and then at least we will be in the position of saying: "We gave to the War Department for the manufacture of rifles"—the first thing essential in any program of preparedness; what is the good of having men if we have not got rifles for them?—"all that the department asked for."

This is a great reduction over what has been asked for in previous years. Therefore, Mr. President, I hope the amendment will be adopted.

Mr. WADSWORTH. Mr. President, the facts are these: With a million dollars, which was denied by the House and also denied by the Senate committee, there would be a capacity of 125 rifles a day at that arsenal; with $700,000, 85 could be made per day. I understood the Senator from Massachusetts [Mr. WALSH] to say 75, but the figures given to us by the Ordnance Office are 85. We have 2,000,000 rifles on hand today of the 1917 model, which was the British model modified to fit American ammunition, and I may say a most excellent rifle, though not quite as good as the Springfield. Of the Springfield rifle we have 800,000 on hand. The question is whether the Senate desires to keep more men at work making 125 rifles a day, or a few less making 85 rifles a day, of the Springfield model.

Mr. LODGE. Mr. President, I think I am not wrong in saying that the full capacity of the Springfield Arsenal is 500 rifles a day. I think it is 250 a day at the Rock Island Arsenal. This seems to be cutting it very low, indeed. For reasons never quite clear to me we took up the Enfield and shaped it for our ammunition, instead of making it so that it would fit English ammunition also. We have a large supply of those rifles, but the manufacture of the Springfield new model, which I think it is admitted is a better rifle, ought to be kept up. I naturally take an interest in it because of the great arsenal in my State, and I do not want any unreasonable cutting down in the manufacture of that rifle. I know perfectly well there has to be a reduction, but it seems to me it has been carried perhaps rather far, and that it is better economy to keep the arsenal working a little more nearly to its capacity, and that we ought to strenghen our supply of the Springfield new models, which is the best gun.

Mr. HITCHCOCK. Do I understand that we have on hand 800,000 rifles of the model of 1903?

Mr. LODGE. The chairman states that we have on hand 800,000.

Mr. HITCHCOCK. And something like 2,000,000 of the rifles made in 1917?

Mr. LODGE. Yes; those are the Enfield.

Mr. HITCHCOCK. Practically the same as we were told during the war?

Mr. LODGE. They are not practically the same. We arranged them to use our cartridges. They have a different mechanism.

Mr. HITCHCOCK. That matter was pretty well thrashed out.

Mr. LODGE. Eight hundred thousand Springfield rifles, on the basis of five guns to a man in active service, is not a very large supply; in fact, it is rather under, unless you are going to arm your young men with the new model.

Mr. HITCHCOCK. Of course, we have not anything like 800,000 men. We are providing for only about 150,000.

Mr. LODGE. The Senator must know that the tactics are somewhat different now. Generally three or four, and even five, rifles to a man are required in active service.

Mr. HITCHCOCK. I realize that as a war proposition, but we are now provided with 2,000,000 rifles of a type considered good enough for this last war, and 800,000 of this type. As I understand the Senator, the amendment is chiefly for the purpose of keeping the arsenal running. I am in sympathy with that idea. I think the arsenal should be kept running, but is it not sufficient to keep it running at 85 a day, which will give 25,000 rifles a year?

Mr. LODGE. That is a very small allowance for an arsenal with a capacity of 500 rifles a day. There is something in the plant, in the organization, that is worth preserving.

Mr. HITCHCOCK. I agree with the Senator's position on that point, and I shall be willing to go some distance in keeping the arsenal in operation, keeping the plant there; but it seems to me when we already have 800,000 of these very rifles, and 2,000,000 additional rifles that were considered amply good, which are practically the same, we ought to go a little slow about adding to the provision as made in the House.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Massachusetts [Mr. WALSH].

On a division, the amendment was rejected.

The bill was reported to the Senate as amended.

Mr. WADSWORTH. There was one amendment reserved. The paragraph beginning at line 13, page 61, which was stricken out in Committee of the Whole, I shall reoffer in the Senate.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole, with the exception of the one indicated by the Senator from New York.

The amendments were concurred in.

Mr. WADSWORTH. I reoffer the amendment on page 61.

The ASSISTANT SECRETARY. The Senator from New York [Mr. WADSWORTH] moves to insert the paragraph beginning at line 13 on page 61, the item relative to the Aberdeen Ammunition Arsenal, Md.

Mr. WADSWORTH. The Secretary need not read it. It is the Aberdeen Arsenal amendment, which is well understood by Senators. I do not intend to discuss it, as I think most of the Senators here now heard all the discussion upon it. I will be satisfied with a division.

On a division, the amendment was agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

Mr. WADSWORTH. I move that the Senate request a conference with the House on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. WADSWORTH, Mr. FRELINGHUYSEN, Mr. NEW, Mr. CHAMBERLAIN, and Mr. THOMAS conferees on the part of the Senate.

DISTRICT SCHOOL SYSTEM—EVENING SESSION TO-MORROW.

Mr. CURTIS. I ask unanimous consent that to-morrow, at not later than 5 o'clock p. m., the Senate take a recess until half past 7, and that at the evening session the report of the special committee on the public-school system in the District of Columbia be taken up for discussion only, and that no other business shall be transacted.

Mr. JONES of Washington. I object.

Mr. THOMAS. Does the Senator request that it be taken up for discussion only or for discussion and action?

Mr. CURTIS. Merely for discussion, not for action.

The PRESIDING OFFICER. Is there objection?

Mr. JONES of Washington. Has the report been submitted?

Mr. CURTIS. It will be submitted to-morrow morning.

Mr. JONES of Washington. I object until the report has been submitted and printed, so that we may know something as to what it contains.

The PRESIDING OFFICER. Objection is made.

Mr. HARRISON. Mr. President, if the Senator will withhold his objection for a moment, the request was made in order to save the time of the Senate. There is going to be some discussion on the report relative to the school situation. I expect to say something about it; but I did not want to occupy the time of the Senate to-day, because I do not desire to delay the passage of the appropriation bills. But if objection is made to the request and we can not discuss the report at an evening session, I shall proceed to discuss it during the day.

Mr. JONES of Washington. I will withdraw the objection.

The PRESIDING OFFICER. The Senator from Washington withdraws his objection. Is there objection to the request for unanimous consent? The Chair hears none, and unanimous consent is granted.

The unanimous-consent agreement was reduced to writing, as follows:

It is agreed by unanimous consent that at not later than 5 o'clock p. m. on the calendar day of Wednesday, May 26, 1920, the Senate will take a recess until 7.30 o'clock p. m. on said day, the evening session to be devoted exclusively to the consideration of the report of the special committee appointed to investigate the public school system in the District of Columbia.

PENSION APPROPRIATIONS.

Mr. SMOOT. Mr. President, I ask unanimous consent that the Senate take up the bill H. R. 13416, the pension appropriation bill.

The PRESIDING OFFICER. Is there objection?

Mr. UNDERWOOD. I would like to have the bill reported.

Mr. SMOOT. It is the pension appropriation bill and carries just what the statutes call for. If there is any discussion or any objection, I will withdraw the request.

The PRESIDING OFFICER. The Senator from Utah asks unanimous consent to take up House bill 13416, the pension appropriation bill. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13416) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, and for other purposes, which had been reported from the Committee on Pensions with amendments.

The amendments were, on page 1, line 11, after the word "Congress," to strike out "$214,000,000" and insert "$279,000,000"; and on page 2, line 8, after "1921," strike out "$20,000" and to insert "$150,000," so as to make the bill read:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1921, and for other purposes, namely:

Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, $279,000,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year 1921, $150,000.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

WATER-POWER DEVELOPMENT—CONFERENCE REPORT.

Mr. JONES of Washington. I move that the Senate proceed to the consideration of the conference report on the bill (H. R. 3184) known as the water-power bill.

I make this motion with the understanding that if the Senator from Wyoming [Mr. WARREN] should desire to call up the sundry civil bill, the water-power bill may be temporarily laid aside.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

There being no objection, the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3184) to create a Federal power commission and to define its powers and duties, to provide for the improvement of navigation, for the development of water power, for the use of lands of the United States in relation thereto, to repeal section 18 of "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved August 8, 1917, and for other purposes.

Mr. WARREN. I wish to call up the sundry civil appropriation bill.

Mr. JONES of Washington. I ask unanimous consent that the conference report on the water-power bill may be temporarily laid aside.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

SUNDRY CIVIL APPROPRIATIONS.

Mr. WARREN. I ask unanimous consent that the Senate proceed to the consideration of the bill H. R. 13870, the sundry civil appropriation bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13870) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes.

RECESS.

Mr. LODGE. I move that the Senate take a recess until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 55 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, May 26, 1920, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *May 25, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Good Lord deliver us, we pray Thee, from that class of people passing up and down through the land seeking whom they may devour, who delight in calling themselves free thinkers, who think little and read less from wholesome literature, but who spend their time in sowing the seeds of discord, hate, and revenge, ever preaching free speech, free press, free assembly where they can carry on their propaganda among the credulous. They are here to destroy and eat the bread of idleness. Have mercy upon them and create in their minds a desire to promote peace and happiness in every home under the best Government under the sun. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

REREFERENCE OF A BILL.

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent that the Committee on the Public Lands be discharged from the further consideration of the bill S. 3995, and that the same be referred to the Committee on Public Buildings and Grounds. I may say that this action is at the request of the Committee on the Public Lands and that the minority leader has been consulted.

The SPEAKER. The gentleman from Kentucky asks unanimous consent for the rereference of a bill.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman from Kentucky if this is the same bill that he was talking to me about?

Mr. LANGLEY. It is.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

S. 3995. An act providing for the relinquishment of certain described property by the United States to the city and county of San Francisco, State of California.

The SPEAKER. Is there objection to the rereference?

There was no objection.

RURAL CREDIT.

Mr. RANDALL of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill H. R. 12678, the rural credit bill.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD on the rural credit bill. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

REHABILITATION OF PERSONS DISABLED IN INDUSTRY.

Mr. FESS. Mr. Speaker, I offer a privileged resolution from the Committee on Rules.

Mr. BLANTON. Mr. Speaker, I think we ought to have a quorum before that matter is taken up, and I make the point that no quorum is present.

The SPEAKER. The gentleman from Texas makes the point that no quorum is present. The Chair will count. One hundred and three Members present, not a quorum.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed, and the Sergeant at Arms was directed to bring in absentees.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Donovan	Hulings	Padgett
Bacharach	Dooling	Hull, Iowa	Paige
Baer	Drane	Ireland	Parker
Benson	Drewry	Johnson, S. Dak.	Reed, N. Y.
Booher	Dunbar	Johnston, N. Y.	Reed, W. Va.
Bowers	Eagan	Jones, Pa.	Rhodes
Brinson	Eagle	Keller	Riddick
Britten	Echols	Kelley, Mich.	Riordan
Brooks, Pa.	Ellsworth	Kennedy, Iowa	Rowan
Burke	Elston	Kennedy, R. I.	Rucker
Butler	Esch	Kettner	Sanders, N. Y.
Caldwell	Evans, Nev.	Kiess	Scully
Cantrill	Ferris	Kitchin	Sears
Carew	Gallagher	Kreider	Shreve
Carter	Ganly	Lankford	Sinclair
Clark, Fla.	Godwin, N. C.	Larsen	Small
Cole	Goodykoontz	McCulloch	Smith, Ill.
Copley	Gould	McKinley	Smith, N. Y.
Costello	Hamill	McPherson	Smithwick
Crago	Harrison	Maher	Snyder
Cullen	Hastings	Merritt	Stoll
Curry, Calif.	Hayden	Morin	Sullivan
Dale	Hays	Neely	Tillman
Davey	Hernandez	Nicholls	Winslow
Dempsey	Hickey	O'Connor	Young, N. Dak.

The SPEAKER. Three hundred and twenty-seven Members have answered to their names. A quorum is present.

Mr. FESS. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

The SPEAKER. The gentleman from Ohio presents a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 556.

Resolved, That immediately upon the adoption of this resolution the Committee on Education be, and the same is hereby, discharged from the further consideration of the bill (H. R. 4438) to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment, with the Senate amendment thereto, and it shall be in order to consider the same in the House as in the Committee of the Whole.

Mr. FESS. Mr. Speaker, the House resolution when it reached the Senate was taken up for consideration. The Senate offered but one amendment by striking out all of the House resolution after the enacting clause and inserting the Senate bill, which virtually is the same as the House bill, differing only in some minor details. When it came over to the House the Senate asked for a conference. The conference was objected to here, and so it went to the Committee on Education. In order to bring the bill before the House for immediate consideration without further delay, the Rules Committee has reported this rule to discharge the Committee on Education and to bring the bill before the House to be considered in the House as in Committee of the Whole. I propose to make a motion to concur in the Senate amendment. I have understood that there is no desire on the part of the minority members on the Rules Committee for time, and I therefore move the previous question.

Mr. CANNON. Let me understand. Does the gentleman propose to move to concur in the Senate amendment without debate?

Mr. FESS. No; it will be debated in the House.

Mr. CANNON. Under the five-minute rule?

Mr. FESS. Yes.

The SPEAKER. The question is on the motion of the gentleman from Ohio for the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. WALSH) there were 137 ayes and 53 noes.

So the resolution was agreed to.

Mr. FESS. Mr. Speaker, I call up the bill H. R. 4438, to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment, and ask that the Clerk report the same, together with the Senate amendment thereto.

The Clerk read as follows:

Be it enacted, etc., That in order to provide for the promotion of vocational rehabilitation of persons disabled in industrial pursuits, including agriculture, trade, commerce, manufacturing, mining, transportation, and all the mechanic arts, and who are without sufficient means to provide for their own rehabilitation and their return to civil employment, and, in the opinion of the State board, are unable to carry on a gainful occupation, to resume their former occupations, or to enter upon some other occupation, or having resumed or entered upon such occupation are unable to continue at the same successfully, there is hereby authorized to be appropriated for the use of the States, subject to the provisions of this act, for the purpose of cooperating with them in the maintenance of vocational rehabilitation of such disabled persons, and in returning vocationally rehabilitated persons to civil employment for the fiscal year ending June 30, 1920, the sum of $500,000; for the fiscal year ending June 30, 1921, the sum of $750,000; for the fiscal year ending June 30, 1922, and annually thereafter, the sum of $1,000,000. Said sum shall be allotted to the States in the proportion which their population bears to the total population in the United States, not including Territories, outlying possessions, and the District of Columbia, according to the last preceding United States census: *Provided*, That the allotment of funds to any State shall not be less than a minimum of $5,000 for any fiscal year. And there is hereby authorized to be appropriated the following sums, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotment to the States provided for in this section, for the fiscal year ending June 30, 1920, the sum of $66,000; for the fiscal year ending June 30, 1921, the sum of $46,000; for the fiscal year ending June 30, 1922, and annually thereafter, the sum of $34,000.

All moneys expended under the provisions of this act from appropriations authorized by section 1 shall be upon condition (1) that for each dollar of Federal money expended there shall be expended in the State under the supervision and control of the State board at least an equal amount for the same purpose: *Provided*, That no portion of the appropriation authorized by this act shall be used by any institution for handicapped persons except for the special training of such individuals entitled to the benefits of this act as shall by a general plan of supervision be determined by the Federal board; (2) that the State board shall annually submit to the Federal board for approval plans showing (a) the kinds of vocational rehabilitation and schemes of placement for which it is proposed the appropriation shall be used; (b) the plan of administration and supervision; (c) courses of study; (d) methods of instruction; (e) qualification of teachers, supervisors, directors, and other necessary administrative officers or employees; (f) plans for the training of teachers, supervisors, and directors; (3) that the State board shall make an annual report to the Federal board on or before September 1 of each year on the work done in the State and on the receipts and expenditures of money under the provisions of this act; (4) that no portion of any moneys from appropriations authorized by this act for the benefit of the States shall be applied, directly or indirectly, to the purchase, preservation, erection, or repair of any building or buildings or equipment, or for the purchase or rental of any lands; (5) that all courses for vocational rehabilitation given under the supervision and control of the State board and all courses for vocational rehabilitation maintained shall be available, under such rules and regulations as the Federal board shall prescribe, to any civil employee of the United States disabled while in the performance of his duty.

SEC. 2. That in order to secure the benefits of the appropriations authorized by section 1 any State shall, through the legislative authority thereof, (1) accept the provisions of this act; (2) empower and direct the board designated or created as the State board for vocational education to cooperate in the administration of the provisions of the vocational education act, approved February 23, 1917, to cooperate as herein provided with the Federal Board for Vocational Education in the administration of the provisions of this act; (3) in those States where a State workmen's compensation board, or other State board, department, or agency exists, charged with the administration of the State workmen's compensation or liability laws, the legislature shall provide that a plan of cooperation be formulated between such State board, department, or agency, and the State board charged with the administration of this act, such plan to be effective when approved by the governor of the State; (4) provide for the supervision and support of the course of vocational rehabilitation to be provided by the State board in carrying out the provisions of this act; (5) appoint as custodian for said appropriations its State treasurer, who shall receive and provide for the proper custody and disbursement of all money paid to the State from said appropriations. In any State the legislature of which does not meet in 1920 or 1921 if the governor of that State shall accept the provision of this act, such State shall be entitled to the benefits of this act until the legislature of such State meets in due course and has been in session 60 days.

SEC. 3. That the Federal Board for Vocational Education shall have power to cooperate with State boards in carrying out the purposes and provisions of this act, and is hereby authorized to make and establish such rules and regulations as may be necessary or appropriate to carry into effect the provisions of this act; to provide for the vocational rehabilitation of disabled persons and their return to civil employment and to cooperate, for the purpose of carrying out the provisions of this act, with such public and private agencies as it may deem advisable. It shall be the duty of said board (1) to examine plans submitted by the State boards and approve the same if believed to be feasible and found to be in conformity with the provisions and purposes of this act; (2) to ascertain annually whether the several States are using or are prepared to use the money received by them in accordance with the provisions of this act; (3) to certify on or before the 1st day of January of each year to the Secretary of the Treasury each State which has accepted the provisions of this act and complied therewith, together with the amount, which each State is entitled to receive under the provisions of this act; (4) to deduct from the next succeeding allotment to any State whenever any portion of the fund annually allotted has not been expended for the purpose provided for in this act a sum equal to such unexpended portion: *Provided*, That no deduction from the allotment to any State shall be made until one year after the legislature of said State shall first meet after the passage hereof; (5) to withhold the allotment of moneys to any State whenever it shall be determined that moneys allotted are not being expended for the purposes and conditions of this act; (6) to require the replacement by withholding subsequent allotments of any portion of the moneys received by the custodian of any State under this act that by any action or contingency is diminished or lost: *Provided*, That if any allotment is withheld from any State for a period of three years after the appropriation is made, it shall be covered into the Treasury.

SEC. 4. That the Secretary of the Treasury, upon the certification of the Federal board, as provided in this act, shall pay quarterly to the treasurer of each State the moneys to which it is entitled under the provisions of this act. The money so received by the treasurer of any State shall be paid out on the requisition of the State board as reimbursement for services already rendered or expenditures already incurred and approved by said State board. The Federal Board for Vocational Education shall make an annual report to the Congress on or before December 1 on the administration of this act, and shall include in such report the reports made by the State boards on the administration of this act by each State and the expenditure of the money allotted to each State.

SEC. 5. That there is hereby authorized to be appropriated to the Federal Board for Vocational Education the sum of $50,000 for the fiscal year ending June 30, 1920, and annually thereafter for the period of four years, $75,000 for the administrative expenses of said board incident to performing the duties imposed by this act, including salaries of such assistants, experts, clerks, and other employees, in the District of Columbia or elsewhere as the board may deem necessary, actual traveling and other necessary expenses incurred by the members of the board and by its employees, under its orders, rent and equipment of offices in the District of Columbia, stationery, typewriters and exchange thereof, miscellaneous supplies, postage on foreign mail, printing and binding to be done at the Government Printing Office, and all other necessary expenses.

A full report of all expenses under this section, including names of all employees and salaries paid them, traveling expenses and other expenses incurred by each and every employee and by members of the board, shall be submitted annually to Congress by the board.

No salaries shall be paid out of the fund provided in this section in excess of the following amounts: At the rate of $4,000 per annum, to not more than one person; at the rate of $3,600 per annum each, to not more than four persons; at the rate of $3,500 per annum each, to not more than five persons; and no other employee shall receive compensation at a rate in excess of $2,500 per annum: *Provided*, That no person receiving compensation at less than $3,500 per annum shall receive in excess of the amount of compensation paid in the regular departments of the Government for like or similar services: *Provided*, That no part of the moneys herein authorized shall be expended for the publication, printing, or preparation of any magazine, newspapers, or periodicals unless authorized by the Joint Committee on Printing.

SEC. 6. That the Federal Board for Vocational Education is hereby authorized and empowered to receive such gifts and donations from either public or private sources as may be offered unconditionally. All moneys received as gifts or donations shall be paid into the Treasury of the United States, and shall constitute a permanent fund, to be called the "Special fund for vocational rehabilitation of disabled persons," to be used under the direction of the said board to defray the expenses of providing and maintaining courses of vocational rehabilitation in special cases, including the payment of necessary expenses of persons undergoing training. A full report of all gifts and donations offered and accepted, together with the names of the donors and the respective amounts contributed by each, and all disbursements therefrom shall be submitted annually to Congress by said board.

With the following Senate amendment:

That in order to provide for the promotion of vocational rehabilitation of persons disabled in industry or in any legitimate occupation and their return to civil employment there is hereby appropriated for the use of the States, subject to the provisions of this act, for the purpose of cooperating with them in the maintenance of vocational rehabilitation of such disabled persons, and in returning vocationally rehabilitated persons to civil employment for the fiscal year ending June 30, 1921, the sum of $750,000; for the fiscal year ending June 30, 1922, and thereafter for a period of two years, the sum of $1,000,000 annually. Said sums shall be allotted to the States in the proportion which their population bears to the total population in the United States, not including Territories, outlying possessions, and the District of Columbia, according to the last preceding United States census: *Provided*, That the allotment of funds to any State shall not be less than a minimum of $5,000 for any fiscal year. And there is hereby appropriated the following sums, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotment to the States provided for in this section, for the fiscal year ending June 30, 1921, the sum of $46,000; for the fiscal year ending June 30, 1922, and annually thereafter, the sum of $34,000.

All moneys expended under the provisions of this act from appropriations provided by section 1 shall be upon the condition (1) that for each dollar of Federal money expended there shall be expended in the State under the supervision and control of the State board at least an equal amount for the same purpose: *Provided*, That no portion of the appropriation made by this act shall be used by any institution for handicapped persons except for the special training of such individuals entitled to the benefits of this act as shall be determined by the Federal board; (2) that the State board shall annually submit to the Federal board for approval plans showing (a) the kinds of vocational rehabilitation and schemes of placement for which it is proposed the appropriation shall be used; (b) the plan of administration and supervision; (c) courses of study; (d) methods of instruction; (e) qualification of teachers, supervisors, directors, and other necessary administrative officers or employees; (f) plans for the training of teachers, supervisors, and directors; (3) that the State board shall make an annual report to the Federal board on or before September 1 of each year on the work done in the State and on the receipts and expenditures of money under the provisions of this act; (4) that no portion of any moneys appropriated by this act for the benefit of the States shall be applied, directly or indirectly, to the purchase, preservation, erection, or repair of any building or buildings or equipment, or for the purchase or rental of any lands; (5) that all courses for vocational rehabilitation given under the supervision and control of the State board and all courses for vocational rehabilitation maintained shall be available, under such rules and regulations as the Federal board shall prescribe, to any civil employee of the United States disabled while in the performance of his duty.

SEC. 2. That for the purpose of this act the term "persons disabled" shall be construed to mean any person who, by reason of a physical defect or infirmity, whether congenital or acquired by accident, injury, or disease, is, or may be expected to be, totally or partially incapacitated for remunerative occupation; the term "rehabilitation" shall be construed to mean the rendering of a person disabled fit to engage in a remunerative occupation.

SEC. 3. That in order to secure the benefits of the appropriations provided by section 1 any State shall, through the legislative authority thereof, (1) accept the provisions of this act; (2) empower and direct the board designated or created as the State board for vocational education to cooperate in the administration of the provisions of the vocational education act, approved February 23, 1917, to cooperate as herein provided with the Federal Board for Vocational Education in the administration of the provisions of this act; (3) in those States where a State workmen's compensation board, or other State board, department, or agency exists, charged with the administration of the State workmen's compensation or liability laws, the legislature shall provide that a plan of cooperation be formulated between such State board, department, or agency and the State board charged with the administration of this act, such plan to be effective when approved by the governor of the State; (4) provide for the supervision and support of the courses of vocational rehabilitation to be provided by the State board in carrying out the provisions of this act; (5) appoint as custodian for said appropriations its State treasurer, who shall receive and provide for the proper custody and disbursement of all money paid to the State from said appropriations. In any State the legislature of which does not meet in regular session between the date of the passage of this act and December 31, 1920, if the governor of that State shall accept the provisions of this act, such State shall be entitled to the benefits of this act until the legislature of such State meets in due course and has been in session 60 days.

SEC. 4. That the Federal Board for Vocational Education shall have power to cooperate with State boards in carrying out the purposes and provisions of this act, and is hereby authorized to make and establish such rules and regulations as may be necessary or appropriate to carry into effect the provisions of this act; to provide for the vocational rehabilitation of disabled persons and their return to civil employment and to cooperate, for the purpose of carrying out the provisions of this act, with such public and private agencies as it may deem advisable. It shall be the duty of said board (1) to examine plans submitted by the State boards and approve the same if believed to be feasible and found to be in conformity with the provisions and purposes of this act; (2) to ascertain annually whether the several States are using or are prepared to use the money received by them in accordance with the provisions of this act; (3) to certify on or before the 1st day of January of each year to the Secretary of the Treasury each State which has accepted the provisions of this act and complied therewith, together with the amount which each State is entitled to receive under the provisions of this act; (4) to deduct from the next succeeding allotment to any State whenever any portion of the fund annually allotted has not been expended for the purpose provided for in this act a sum equal to such unexpended portion; (5) to withhold the allotment of moneys to any State whenever it shall be determined that moneys allotted are not being expended for the purposes and conditions of this act; (6) to require the replacement by withholding subsequent allotments of any portion of the moneys received by the custodian of any State under this act that by any action or contingency is diminished or lost: *Provided*, That if any allotment is withheld from any State, the State board of such State may appeal to the Congress of the United States, and if the Congress shall not, within one year from the time of said appeal, direct such sum to be paid, it shall be covered into the Treasury.

SEC. 5. That the Secretary of the Treasury, upon the certification of the Federal board as provided in this act, shall pay quarterly to the custodian of each State appointed as herein provided the moneys to which it is entitled under the provisions of this act. The money so received by the custodian for any State shall be paid out on the requisition of the State board as reimbursement for services already rendered or expenditures already incurred and approved by said State board. The Federal Board for Vocational Education shall make an annual report to the Congress on or before December 1 on the administration of this act and shall include in such report the reports made by the State boards on the administration of this act by each State and the expenditure of the money allotted to each State.

SEC. 6. That there is hereby appropriated to the Federal Board for Vocational Education the sum of $75,000 annually for a period of four years for the purpose of making studies, investigations, and reports regarding the vocational rehabilitation of disabled persons and their placements in suitable or gainful occupations, and for the administrative expenses of said board incident to performing the duties imposed by this act, including salaries of such assistants, experts, clerks, and other employees, in the District of Columbia or elsewhere, as the board may deem necessary, actual traveling and other necessary expenses incurred by the members of the board and by its employees, under its orders, including attendance at meetings of educational associations and other organizations, rent and equipment of offices in the District of Columbia and elsewhere, purchase of books of reference, law books, and periodicals, stationery, typewriters and exchange thereof, miscellaneous supplies, postage on foreign mail, printing and binding to be done at the Government Printing Office, and all other necessary expenses.

A full report of all expenses under this section, including names of all employees and salaries paid them, traveling expenses and other expenses incurred by each and every employee and by members of the board, shall be submitted annually to Congress by the board.

No salaries shall be paid out of the fund provided in this section in excess of the following amounts: At the rate of $5,000 per annum, to not more than one person; at the rate of $4,000 per annum each, to not more than four persons; at the rate of $3,500 per annum each, to not more than five persons; and no other employee shall receive compensation at a rate in excess of $2,500 per annum: *Provided*, That no person receiving compensation at less than $3,500 per annum shall receive in excess of the amount of compensation paid in the regular departments of the Government for like or similar services.

SEC. 7. That the Federal Board for Vocational Education is hereby authorized and empowered to receive such gifts and donations from either public or private sources as may be offered unconditionally. All moneys received as gifts or donations shall be paid into the Treasury of the United States and shall constitute a permanent fund, to be called the "Special fund for vocational rehabilitation of disabled persons," to be used under the direction of the said board to defray the expenses of providing and maintaining courses of vocational rehabilitation in special cases, including the payment of necessary expenses of persons undergoing training. A full report of all gifts and donations offered and accepted, together with the names of the donors and the respective amounts contributed by each, and all disbursements therefrom shall be submitted annually to Congress by said board: *Provided*, That no discrimination shall be made or permitted for or against any person or persons who are entitled to the benefits of this act because of membership or nonmembership in any industrial, fraternal, or private organizations of any kind under a penalty of $200 for every violation thereof.

Mr. FESS. Mr. Speaker, I move to concur in the Senate amendment. I am going to state to the membership of the House the points of difference between the House bill and the Senate amendment. The Senate struck out all of the House bill after the enacting clause and inserted as an amendment the Senate bill. It is virtually the same as the House bill, with some minor changes, and I shall point out those changes. On page 10, lines 1 to 4, it will be noticed that the Senate amendment limits the appropriation so that no appropriation will take effect this year, but the first year it will take effect is in the fiscal year 1921–22. The amount of $750,000 and then for two years afterward $1,000,000 each year is appropriated. The House bill was indefinite, to the effect of a million dollars a year indefinitely, and the Senate amendment limits it to 1924, inclusive. That is the first change.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. FESS. I yield.

Mr. GARD. I note on line 15, page 10, the words "and annually thereafter, the sum of $34,000." Is that intended to come within the four-year limitation of which the gentleman speaks?

Mr. FESS. That would be limited, I should say, to the four years, because the Federal Government would not be cooperating after 1924.

Mr. GARD. Is the appropriation of $34,000 "annually thereafter" limited to the four years?

Mr. FESS. I understand that it is. That is to make up the minimum, so that no State will fall below $5,000 a year.

Section 2, at the bottom of page 11, is new. It defines the term "persons disabled." It was thought better to have the limitation in rather than to leave it indefinitely.

The House bill simply authorized appropriations, while the Senate amendment makes the actual appropriation. That is another change. The House bill also limited the rehabilitation to persons who were unable to pay their own expenses. The Senate amendment strikes out that limitation upon the basis that puts it rather on the ground of charity. The Senate amendment puts no limitation upon the ability of the injured man to pay for it himself, and makes it general.

The Senate amendment, on page 13, also adds, in lines 6 and 7—

in regular session between the date of the passage of this act and December 31, 1920.

That is done to avoid the possibility of this bill not being operative in case a legislature was not in session at the time.

The SPEAKER pro tempore (Mr. MADDEN). The time of the gentleman from Ohio has expired.

Mr. FESS. Mr. Speaker, I ask unanimous consent to proceed for five minutes more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. FESS. The Senate amendment also makes a radical change on page 15, section 6. It limits the amount to be used for studies to $75,000 a year, and limits the time to a period of four years, while the House bill made that $150,000 and the time was unlimited.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. BLACK. Members of the House frequently receive pamphlets from the Vocational Board of studies they have made. I have read some of those, and they are highly technical. I want to know if the board tries to use the highly technical books in instructing these men. If they do, I think it would be absolutely impossible for the ordinary man to get any intelligent grasp of the highly technical books they are issuing from time to time, giving the result of the studies they are making. What use is made of them?

Mr. FESS. I have not gone into that sufficiently to answer my friend from Texas. In the investigation that matter was criticized some. It was claimed that some of the bulletins were not entirely practical.

Mr. BLACK. If there is any faculty that I have at all, it is just plain common sense. I have read some of those pamphlets and I know that the average young man absolutely could not grasp them at all. They are too highly technical and they are worthless as a practical proposition.

Mr. FESS. I think the gentleman's objection is patent. That is something very likely to occur in many of the utterances of commissions. However, that is for the commission to correct. The last section on page 17 of the Senate amendment has also a provision that was not in the House bill.

The Senate amendment is similar to the House bill except in the details that I have here mentioned. I would prefer to have had the matter go to conference. I made the request to send it to conference in order that the differences might be worked out. Objection was made to sending it to conference and the committee felt that the quickest way would be to bring it before the House at once and concur in the Senate amendment, and in that way make it a law. For that reason we have thought it best to agree to the Senate amendment rather than to prolong the discussion.

Mr. HUMPHREYS. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. HUMPHREYS. Does the gentleman mean on the proviso?

Mr. FESS. Yes; the latter proviso.

Mr. HUMPHREYS. What are they referring to there? What did they have in mind?

Mr. FESS. There has been a lot of contention in the investigation as to just whether there has been any discrimination at all because of fraternal relationships.

Mr. HUMPHREYS. What does the gentleman mean by fraternal relationship?

Mr. FESS. It might be that fraternal orders supply the funds for their own maintenance or their own reeducation, and in case that is true this bill is not going to discriminate against them.

Mr. HUMPHREYS. The gentleman means Masons, Odd Fellows, and that sort of organizations?

Mr. FESS. I understand that was put in so there will be no discrimination, however.

Mr. HUMPHREYS. Does that mean labor unions?

Mr. FESS. Yes; all such organizations. There is no discrimination because of any membership of anybody in any fraternal organization.

Mr. CANNON. If the gentleman will allow me, I have just hop skipped and jumped over this matter, and as I understand it from a very hasty hop-skipping of it a man worth a million dollars or any other sum can be relieved from any payment under this bill?

Mr. FESS. The gentleman's understanding is correct.

Now, Mr. Speaker, I wish to express the hope that the House will accept the Senate amendment, which will at once send the bill to the President for his signature, which will make it a law. It will, in my judgment, be regarded as one of the most humanitarian as well as the most economic and constructive pieces of legislation during the decade.

One of the most distinctive results of the war is the emphasis placed upon functional reeducation, or the rehabilitation of disabled men.

Europe's part in this work has been more voluntary than official. Canada had taken the most advanced step and served as an inspiration for this country. Up to date we have progressed along the lines of governmental rather than voluntary rehabilitation.

Status of cases April 15, 1920.

Registered	200,000
Approved, section 2	58,000
Not yet accepted	22,128
Entered	35,872
Discontinued	3,314
Completed	407
Now in training	32,151
Approved, section 3	36,000
Not yet accepted	34,024
In training	1,976
Closed	51,000
Pending determination as to eligibility	55,000

This work gave a new stimulus to those who have persistently advocated such legislation as compensation laws, which have become an established policy in at least half the States of the Union.

The next and legitimate step is rehabilitation of the cripple in industry. Compensation alone is likely to lead to human deterioration. Functional reeducation is designed to go beyond mere governmental support, which operates as does a pension, by placing in the hands of the unfortunate the instruments of self-help to insure a personal independence and avoid the state of charity.

Studies have been made on this subject both in Europe and America, the results of which justify legislation to carry forward the work to include industrial cripples. One of the most recent reports came from a survey made in Cleveland, Ohio. Of the 1,738 men between 15 and 60 years of age, 32 per cent were classed as not seriously handicapped, 48 per cent able to work at selected trades, and 20 per cent disabled for work with normal persons. Upon this report recommendation was made for an adequate system of vocational training to remove the handicap. This training was declared to be the basis of future ability in economic life.

Massachusetts, as usual in remedial legislation, has taken the lead in this work. Two laws have recently been enacted—one for the benefit of industrial cripples to aid them "in ob-

taining such education, training, and employment as will tend to restore their capacity to earn a livelihood." This division may "cooperate with the United States Government and in cooperation with the board of education may establish or maintain, or assist in establishing or maintaining, such courses as it may deem expedient, and otherwise may act in such manner as it may deem necessary to accomplish the purpose of this act."

New York, anticipating the enactment of this proposed Federal rehabilitation act, unanimously provided for the cooperation with the Government before the recent legislature adjourned.

Eight States have already taken the necessary steps in anticipation of this legislation.

I have urged the passage of this Federal proposal upon the basis of facts submitted from extended studies.

(1) Those who may be regarded as having made a satisfactory adjustment, whose situation was as good or better than before the injury, 57 per cent.

(2) Those who, although in a less favorable economic situation than before, have made a partial adjustment, 16 per cent.

(3) Those cases in which the outcome is not apparent, 9 per cent.

(4) Those who are unsuccessful in their attempts at adjustment, 18 per cent.

These facts eminently justify the position of those who advocate this Federal cooperation in the work of rehabilitation.

Mr. WALSH. Mr. Speaker, I offer an amendment to the Senate amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Amend the Senate amendment, page 12, line 3, by striking out "or may be expected to be."

Mr. WALSH. Mr. Speaker, this bill is one which was pretty thoroughly considered by the House. I think the Senate amendment ought to be amended, but I do not imagine it will be, because I think we are in the advanced stage of legislative disability or infirmity in this House, and this Congress will probably go out of session in a blaze of complete legislative paralysis.

Mr. MOORE of Virginia. Does the gentleman think we will ever recover?

Mr. WALSH. This language in the bill leads me to think that some of us in the future may very well ask to come under the provisions of this bill, because a person disabled is anybody "who by reason of a physical defect or infirmity, whether congenital, or acquired by accident, injury, or disease, is, or may be expected to be, totally or partially incapacitated for remunerative occupation." I would like to ask where you can draw the line under such a definition as that in the administration of this bill?

Mr. PLATT. Will the gentleman yield?

Mr. WALSH. I will.

Mr. PLATT. Does not the gentleman think the words "whether congenital or" ought to come out? This bill originally rehabilitates a person injured by accident, and the Senate has thrown it wide open.

Mr. WALSH. If the gentleman will recall when it was before the House we were swept off our feet by the argument that we had appropriated money for hog cholera, and therefore we must open wide the gates to the Treasury for legislation of this sort, and they saw how easily it went through the House at that stage, and the Senate without five minutes' consideration of this measure when it was over there slipped this bill through, not only opening wide the gates but they have taken down the gates, the fence, and the gate posts, so as to open up the whole business for a raid upon the Treasury for such a purpose as this. My firm belief is that the support of the House of Representatives of such paternalistic legislation as this gives more support and encouragement to the people throughout this country who have no respect for our institutions and form of government. [Applause.] We are going to embark upon this program, Mr. Speaker, and we will never be able, under ordinary means which we have used, to produce and raise revenue to keep up with this procession and keep the tax burdens off the people of this country. [Applause.] I submit we might well refuse here and now to act further upon this legislation and let it wait until we get back to thinking normally, until we get our feet back upon the earth. [Applause.] But where are we going to draw the line? You say that people who may be rehabilitated are those who are or who may expect to be disabled or partially incapacitated for remunerative occupation or employment. "The term 'rehabilitation' shall be construed to mean the rendering of a person disabled unfit to engage in a remunerative occupation." Now, Mr. Speaker, I think we might well adopt this amendment to the Senate amendment and put at least some little restriction upon this definition that has been incorporated in this bill by the coordinate branch.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WALSH. I will ask for three additional minutes.

Mr. MONTAGUE. Will not the gentleman take five minutes and allow me to ask him a question?

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. WALSH. I yield to the gentleman from Virginia.

Mr. MONTAGUE. May I ask the gentleman, for whose opinion I have great respect, wherein do we find in the instrument sometimes known as the American Constitution any authority for this legislation?

Mr. WALSH. Well, Mr. Speaker, I do not know of a line in the American Constitution [applause] that supports this policy upon which we are embarking, and this is simply enlarging and carrying forward this rehabilitation, I say, that has been put into practice by the Federal Board of Vocational Education, and it has carried it far beyond the borders which were originally intended when we established that branch of the Government, and it is entering upon a field with which the Federal Government, I submit, has nothing whatever to do, and there is no authority by law or in the Constitution for our undertaking to step within the boundaries of a State, either by cooperating or under the original law, and undertaking to mend and rehabilitate those who are crippled and maimed in industry.

Mr. MONTAGUE. Will the gentleman yield further?

Mr. WALSH. Certainly.

Mr. MONTAGUE. The bill to which the gentleman alluded is the vocational education act. Did not that relate to the soldiers mainly?

Mr. WALSH. It got its start in that way.

Mr. MONTAGUE. And this bill has no relation to injured soldiers?

Mr. WALSH. No, sir; none whatever.

Mr. MONTAGUE. But to any industry?

Mr. WALSH. The original Federal Board for Vocational Education operated under the law that was passed before the rehabilitation act became a law, and it applied solely to those crippled in the military or naval services.

Mr. MONTAGUE. But did not such injured or crippled people bear some relation to interstate commerce or to some other Federal power?

Mr. WALSH. The vocational education act did not apply solely to injured persons; it was to persons who desired to pursue education along vocational lines, and we formed that board, and this is the outcome of it.

Mr. MONTAGUE. Did not the vocational laws of necessity relate themselves in some way to interstate commerce or some other Federal power?

Mr. WALSH. Not as I read that act.

Mr. MONTAGUE. I thank the gentleman for permitting me to interrogate him, because he can perceive from my questions that my state of mind inclined me to vote against this bill on its former passage.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. TOWNER. Mr. Speaker, regarding the merits of the motion to strike out, I think the gentleman from Massachusetts [Mr. WALSH] exaggerates, and I think tries to put a meaning into the words which is not warranted. In the first place, a man must be disabled. Then the language is used:

Is, or may be expected to be, totally or partially incapacitated.

There is no unreasonableness in the use of that language. A man might have incipient tuberculosis or be slightly injured, in which case it would be impossible to determine whether or not he would be partially or wholly incapacitated.

Mr. GRIFFIN. Will the gentleman yield for a question there?

Mr. TOWNER. Yes.

Mr. GRIFFIN. In that connection I want to ask the gentleman whether there are any agencies for the treatment of tuberculosis other than the Vocational Board?

Mr. TOWNER. Indeed, there are.

Mr. GRIFFIN. Are they not adequate?

Mr. TOWNER. Not for the purpose of industrially treating these people or industrially educating them. We have a provision for that.

Mr. BEE. Will the gentleman yield?

Mr. TOWNER. I beg the gentleman's pardon, but I shall have to decline to yield, because I want to make my statement. We have this condition to meet by this bill: On every hand throughout the United States of America are men and women in industry who are being crippled and incapacitated from carrying on their work. Very often a man may be injured in one vocation,

have a leg taken off, for instance, and be engaged in some active outdoor work, and yet, being industrially educated for some other vocation, he may be placed in a self-sustaining position by the industrial education which will make him capable of maintaining himself, and sometimes a family as well, by an occupation in something that does not require the use of a leg. And so on in hundreds of cases that might be illustrated.

This is only carrying out the purpose which is certainly justifiable, when the Nation is immediately affected by the health and the ability to sustain themselves and their citizens, to assist the States in the rehabilitation of those injured, and place these men on their feet again, so that they may be self-supporting American citizens.

Now, I will yield to the gentleman from Texas [Mr. BEE].

Mr. BEE. I want to ask the gentleman from Iowa if the result of this bill is going to lead in this way, that in a corporation suit for damages or injuries committed upon men working for them, they will plead against the suit the fact in mitigation of the damages that this man is to be rehabilitated by the act.

Mr. TOWNER. How can they do so?

Mr. BEE. Why not?

Mr. TOWNER. Because every man takes advantage of the law. You might argue that as a matter of fact before a jury, but I guess your argument would not go very far.

Mr. BEE. Why should a corporation be relieved of the absolute responsibility?

Mr. TOWNER. A corporation is not relieved in any sense; neither are the States relieved by the rehabilitation work. But the Government assists in this work. It tries to get these men into self-supporting positions. It tries to make them good American citizens as well as citizens of the State of Texas.

Mr. HUSTED. Will the gentleman yield?

Mr. TOWNER. I will yield to the gentleman from New York.

Mr. HUSTED. I notice in section 1 that it recites that the bill is for the purpose of providing for the rehabilitation of persons injured in industry, and it seems to be confined to them.

Mr. DEMPSEY. Or in any legitimate occupation.

Mr. HUSTED. Or in any legitimate occupation. Now, in section 2 it sets forth:

That for the purpose of this act——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HUSTED. Mr. Speaker, I ask unanimous consent that the gentleman may have five additional minutes.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. HUSTED. In section 2 it provides that the term "persons disabled" shall be construed to mean any person who by reason of a physical defect or infirmity, whether congenital or acquired by accident, injury, or disease, is included within the beneficial provisions of the act. Now, is it the intention of the act to confine this rehabilitation education to persons disabled in industry or in some legitimate, useful occupation, or is it also to treat cases of congenital deformity, who are not in industry or engaged in any legitimate occupation?

Mr. TOWNER. I presume these men would probably be engaged in industry, but of course the definition here of the words "persons disabled" would control. The larger view of the case, if they came in contradiction with each other, would be the statement here that is made that if it was acquired, whether congenital or otherwise, by accident, injury, or disease, it would include them.

Mr. HUSTED. But by your interpretation it would cover any case of physical disability, whether congenital or otherwise?

Mr. TOWNER. I am inclined to think it would be limited to those who are engaged in industry, but if they had any congenital disease, or anything of the kind, which incapacitated them from their work, they would get the benefit of it.

Mr. HUSTED. But it would not be limited, as I understand your statement, to those engaged in industry.

Mr. TOWNER. To an accident actually occurring in industry, I think not. But if a person was engaged in industry and should become incapacitated by reason of incipient tuberculosis developing I think he would be entitled to the benefit.

Mr. HUSTED. And it would apply to all such cases, entirely irrespective of their financial ability to pay for rehabilitation?

Mr. TOWNER. Certainly.

Mr. HUSTED. Whether a man was rich or poor, or whatever his financial condition might be?

Mr. TOWNER. If he was working in industry, I do not think he would be very rich.

Mr. HUSTED. It says any legitimate occupation.

Mr. PLATT. It would apply to Members of Congress.

Mr. HUSTED. It would apply to a Member of Congress, or to a physician, or lawyer, or anybody.

Mr. TOWNER. I presume that might be considered as being a large interpretation.

Mr. Speaker, I want to use some time——

Mr. WHEELER. Will the gentleman yield?

Mr. TOWNER. I will yield to the gentleman from Illinois.

Mr. WHEELER. I would like to inquire if any of the States have appropriated for this?

Mr. TOWNER. Oh, yes; many of the States have done so, some in anticipation of this act.

Mr. FESS. I would like to state to my friend from New York that Illinois, without a dissenting vote in either house, has already provided for it.

The State of Massachusetts has appropriated $10,000 for the work.

Mr. GARLAND. And Pennsylvania.

Mr. FESS. Eight of the States have done it.

Mr. WALSH. The gentleman knows that we have probably got more college professors in the State of Massachusetts than in any other State in the Union, and that fact is showing its effects in legislation of this kind.

Mr. FESS. Yes; and it is showing more and more leadership along this line in spite of the efforts of the gentleman from Massachusetts to obstruct it.

Mr. McDUFFIE. Would it apply to men injured in the ordinary pursuits of agriculture, following a plow or driving a team?

Mr. TOWNER. It would if he had a physical infirmity.

Mr. LAYTON. Mr. Speaker, will the gentleman yield?

Mr. TOWNER. Yes; I yield to the gentleman from Delaware.

The SPEAKER pro tempore. The time of the gentleman from Iowa has expired.

Mr. TOWNER. I ask unanimous consent to proceed for one minute more.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

Mr. LAYTON. This is a proposition, as I understand it, that covers any form of incapacity, whether congenital or otherwise, in any pursuit or occupation throughout the country?

Mr. TOWNER. I am not absolutely certain of that.

Mr. LAYTON. That is about it?

Mr. FESS. I think that is true.

Mr. TOWNER. Now, Mr. Speaker, I want to speak for a moment about the extreme statement that was made by my friend from Massachusetts [Mr. WALSH] regarding all of this form of legislation. I regret exceedingly that the gentleman takes that kind of a position. I regret exceedingly that we are to see now manifested the same opposition to all forms of beneficial legislation by the General Government that has been exhibited so often on the floor of this House. There is not a particle of question, Mr. Speaker, but what with the advancing civilization of this and other civilized countries the Governments can and will continue to do many things for citizens which they have not done before. In fact throughout every year of our history in this country we have been doing that very thing, and will doubtless continue so to do. If government were so rigid that the only thing that could be done was the thing that had been done there could be no progress, no adjustment to new conditions as they arose. Governmental activities will doubtless increase to meet new conditions and new demands, and that is as it should be.

The SPEAKER pro tempore. The time of the gentleman from Iowa has again expired.

Mr. BANKHEAD. Mr. Speaker, it is not my purpose to enter into a general discussion of the provisions of this bill, but I do desire to take advantage of this privilege by recalling briefly the history of this legislation at this session of Congress. When we met in May of last year this bill was introduced both in the House and in the Senate. Last summer or last fall it passed the Senate of the United States. On October 17, 1919, it passed this House by a vote of 196 to 105 in substantially the same form that it is now presented to this House for final action. We had a very thorough and exhaustive debate pro and con on the merits and demerits of that bill at that time, extending over several days of our deliberations.

Now, the proposition is presented here for the Members of this House who are in favor of this bill to finally enact it into legislation. I think it would be extremely unfortunate if any delay should occur by virtue of the adoption of such an amendment as that proposed by the gentleman from Massachusetts [Mr. WALSH].

If we undertake to analyze the purpose of the language here that he objects to it will be very readily observed that the language was put in there for a purpose. It was not surplus language. It was not put in there for the purpose of throwing the field wide open to a person who was in an uninjured condition, who might possibly be expected to become injured or incapacitated; but if the Members will refer to the language they will see that it says "persons disabled" shall be construed to mean any person who, by reason of a physical defect or infirmity, whether congenital or acquired by accident, injury, or disease, is, "or may be expected to be, totally or partially incapacitated for remunerative occupation." Of course, that means to take the case of an individual who is suffering from some temporary injury or disease, the result of which will reasonably eventuate in his permanent disability—not to go into the field of speculation and throw the gate wide open for a person who might contract a disease or infirmity. That is the reason for the language which, on reflection, I hope, will readily appeal to the gentleman from Massachusetts.

Mr. WALSH. It will not.

Mr. BANKHEAD. The gentleman from Massachusetts, as we all know, is opposed to this kind of legislation, and of course it becomes the part of the gentleman from Massachusetts to throw every obstacle possible in the way of its passage, and if he can secure the passage of any immaterial amendment to this bill he will by that much accomplish the delay of the measure.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. I yield.

Mr. WALSH. On whose expectation is this to be based—on the expectation of the man who thinks he is going to become incapacitated, or the expectation of some official?

Mr. BANKHEAD. In the bill?

Mr. WALSH. Yes.

Mr. BANKHEAD. Does the gentleman mean how is this fund to be administered under the bill?

Mr. WALSH. I am asking the gentleman as to the definition.

Mr. BANKHEAD. My answer is pertinent to the gentleman's question. This fund is to be administered under the provisions and regulations of the State board of education.

Mr. WALSH. If the gentleman states that, I do not think he could have read the bill. I do not think it contains any such provision as that.

Mr. BANKHEAD. If the gentleman will refer to section 1 of the bill, on page 10, he will find that it provides that it shall be expended in the States under the supervision and control of the State board, and they will establish rules and regulations for its administration.

Mr. WALSH. Has the gentleman read section 4?

Mr. BANKHEAD. Of course the Federal board reserves the right to lay down the general regulations as to what character of persons shall be eligible for this retraining, just as it does under the provisions of the Smith-Hughes vocational bill for the training of normal pupils in our public-school system. In that connection the gentleman from Virginia [Mr. MONTAGUE] asked the gentleman from Iowa [Mr. TOWNER] what warrant there was in the Constitution for the passage of legislation of this character. That question, I imagine, was not raised in connection with that bill, which was passed by a Democratic Congress——

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired.

Mr. BANKHEAD. I ask unanimous consent, Mr. Speaker, to proceed for five minutes more.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

Mr. BANKHEAD. There was a bill passed, as I say, by both the Democrats and Republicans when we were in control here, authorizing the expenditure of $3,000,000 a year. It was to be divided among the States to be spent on the public-school systems of the different States for the vocational training of normal-school pupils in the public and high schools.

Mr. FESS. Seven million dollars.

Mr. BANKHEAD. Seven million dollars, as I am informed by the gentleman from Ohio. I do not imagine, even if there was not any constitutional warrant for the passage of a bill of that character, that an objection on constitutional grounds would be raised to a bill of this character, which certainly appeals more strongly to our sympathy and more strongly to our economic judgment than the education of absolutely normal people under the supervision of the board.

Mr. LAYTON. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. LAYTON. As a matter of fact, there are many progressive diseases which the physician knows are going from bad to worse.

Mr. BANKHEAD. Do not take too much of my time.

Mr. LAYTON. It is to provide for them, in anticipation of the worst, so that they can have rehabilitation to fit them for activity when that time comes.

Mr. BANKHEAD. Exactly. I think that is the purpose of the language.

Mr. BEE. I will be perfectly frank with the gentleman from Alabama, and will state that outside of other objections running to this measure I can not help thinking that the corporations which have men employed in industry will find it of great advantage to them in the trial of their cases before juries to plead in mitigation of damages the fact that these men will be rehabilitated.

Mr. BANKHEAD. My friend is a good lawyer, and I am rather surprised to hear that he would inject that character of argument as an objection in this debate, because the gentleman well knows that a plea of that sort, if it were offered to a complaint alleging damages for physical injury caused by the negligence of a corporation, would be absolutely subject to demurrer, and would not be a germane plea to interpose in any court in this country that I know of.

Mr. BEE. The gentleman from Iowa thinks it would be useful as an argument to suggest such a thing to the jury.

Mr. BANKHEAD. But not as a matter of pleading.

Mr. BEE. No; an argument in mitigation of damages to the unfortunate man whose legs have been cut off.

Mr. TOWNER. Just exactly the same objection that the gentleman from Texas urges to this bill was made, I presume, in every State in the Union with regard to the employers' liability act, and yet every State in the Union has an employers' liability act.

Mr. BEE. Yes; but the employers are the ones who are required to pay in that case, and here the Government of the United States is called on to pay it.

Mr. TOWNER. Oh, no.

Mr. BANKHEAD. No; the Government of the United States, under this bill, makes only an appropriation of $1,000,000, after 1922, to be divided among the States; not that the burden is thereby imposed upon the Government to retrain these unfortunate people, because $1,000,000 would not go any where along that line; but the purpose is only the stimulation of the leadership of the Federal Government to get this system inaugurated if the States of the Union see fit to take it up, and to make appropriations necessary for that purpose, to retrain and reeducate their own unfortunate citizens. That is the principle that runs through this bill.

Mr. HUSTED. Does the gentleman think persons should be included who are financially able to effect their own rehabilitation; and if he does think so, why was not that provision made in the House bill? As I understand it, the House bill did not include those persons.

Mr. BANKHEAD. I am not in a position to advise the gentleman as to the arguments affecting that situation, but I imagine that in the rules and regulations that will be provided for. In the first place, there would be no inducement to a rich person to take training of this character, and that regulation would be put into effect by the Federal and State boards, which would limit it within reasonable terms to those who actually needed training of this character.

Mr. LAYTON They would not have that right, would they?

Mr. CARAWAY. I want to ask the gentleman from Alabama, How could it become an issue in the trial of a case in a State court, whether the Government rehabilitated the injured person or not?

Mr. BANKHEARD. It could not be.

Mr. CARAWAY. It could not be proved, and it could not be argued.

Mr. BANKHEAD. Absolutely not.

Mr. CARAWAY. There is no way to suggest it to the jury.

Mr. BANKHEAD. I agree with my friend from Arkansas on the legal argument involved.

All I have to say, in conclusion, is that I trust those who favor this legislation upon its merits will vote down the amendment proposed by the gentleman from Massachusetts [Mr. WALSH].

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FESS. Mr. Speaker, I ask unanimous consent that the debate on this amendment be closed in 10 minutes.

Mr. MOORE of Virginia. I think we ought to have a little more time to consider a matter as important as this.

Mr. FESS. Does the gentleman want it on this amendment? There are other amendments. I do not refer to the Senate amendment but to the amendment of the gentleman from Massachusetts [Mr. WALSH]. There will be other opportunities.

Mr. MOORE of Virginia. That is all right.

Mr. FESS. I ask unanimous consent that debate on this amendment be closed in 15 minutes.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that all debate on the pending amendment offered by the gentleman from Massachusetts [Mr. WALSH] be closed in 15 minutes. Is there objection?

There was no objection.

Mr. GARD. Mr. Speaker, I think we may as well recognize, in view of the language inserted by the body at the opposite end of this building, that this bill in its present form provides the entering wedge for a vast machinery under the guise of taking care of cripples in industry, to provide a vast governmental machine to extend far beyond that. Just why in section 2, which is a new section, they left out the word "mental" after the word "physical" I do not know, because they might just as well have included that and made the United States a partner in the care of all those who unfortunately have become insane in the several States. They did not do that, but they put in everything else. Therefore, I rise to support the amendment offered by the gentleman from Massachusetts [Mr. WALSH], and I would support an amendment striking out section 2, for it seems to me in all good faith that under the language of section 2 as it now stands, without any limitations at all, we are simply having here an exhibition of the desire of the State and those who represent the State to be relieved from responsibility. I am not discussing State rights, but I do call attention to some State responsibilities and duties. Here is a case where a man is not injured in industry. I am decidedly in favor of workmen's compensation laws, and I believe that the industry in which a man is injured should pay for his injury and for his rehabilitation; but this bill in its extent will make the United States a partner with the States in every sort of rehabilitation, and it is only the entering wedge allowing this great Federal machinery to be builded up, and it will be said, "Well, after all, they are citizens of the United States, and the United States under its vast machinery can do it better. Let us relieve the States from any responsibility. Let us have it all in the Federal Government." Anyone who votes for this bill as it now is must realize that that is exactly what is meant here, the ever-increasing readiness of States to get away from their responsibilities, their ever-increasing readiness to accept, nay, to demand from the Federal Treasury appropriations to carry out functions which are properly and almost exclusively State functions. That is what this bill means.

However, I am opposed to everything in section 2, and especially am I in favor of the amendment of the gentleman from Massachusetts. I am opposed to section 2 in its entirety.

Mr. BANKHEAD. Will the gentleman yield?

Mr. GARD. Surely.

Mr. BANKHEAD. Did the gentleman vote for the Smith-Hughes vocational act in 1916?

Mr. GARD. I presume I did.

Mr. BANKHEAD. How does the gentleman differentiate this from that act?

Mr. GARD. It is different absolutely in principle. That was a form of education.

Mr. BANKHEAD. But the gentleman is arguing that the Government should not go into partnership with the States. That was a partnership with the State.

Mr. GARD. Yes; to a limited extent, and to that extent I am subject to the criticism of the gentleman if I did vote for it, and I presume I did. But this goes far beyond the system of the Government assisting the State in the education; this goes so far as to establish a system which unhindered will absolutely control or seek to take control of those injured not alone in industry but injured in any way, and therefore I oppose the bill as it stands.

Mr. GRIFFIN. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from New York makes the point of no quorum. The Chair will count. There evidently is no quorum present.

Mr. WALSH. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Doorkeeper was ordered to close the doors, and the Sergeant at Arms to notify the absentees.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Burke	Costello	Drane
Bacharach	Caldwell	Crago	Drewry
Baer	Candler	Cullen	Dunbar
Blackmon	Cantrill	Curry, Calif.	Echols
Booher	Carew	Dale	Edmonds
Bowers	Carter	Davey	Ellsworth
Brinson	Clark, Fla.	Dent	Elston
Brooks, Pa.	Cole	Donovan	Evans, Nev.
Brumbaugh	Copley	Dooling	Ferris
Garland	Keller	O'Connor	Smith, Ill.
Godwin, N. C.	Kelley, Mich.	Overstreet	Smith, N. Y.
Goodykoontz	Kennedy, Iowa	Paige	Smithwick
Gould	Kennedy, R. I.	Pou	Snyder
Greene, Vt.	Kettner	Reber	Steele
Hamill	Kiess	Reed, N. Y.	Stephens, Miss.
Harrison	Kitchin	Reed, W. Va.	Stoll
Hastings	Kreider	Rhodes	Sullivan
Haugen	Lankford	Riordan	Swope
Hayden	Larsen	Rowan	Thomas
Hernandez	McCulloch	Rucker	Tillman
Hersey	McPherson	Sanders, N. Y.	Upshaw
Hill	Maher	Sanford	Venable
Huddleston	Mays	Scully	Winslow
Hullings	Merritt	Sears	Wood, Ind.
Ireland	Morin	Shreve	Yates
Johnston, N. Y.	Neely	Small	Young, N. Dak.
Jones, Pa.	Nicholls	Smith, Idaho	Zihlman

The SPEAKER. On this call 318 Members have answered to their names. A quorum is present.

Mr. FESS. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. GRIFFIN. Mr. Speaker and gentlemen of the House, this measure that is before us is one of those insidious and attractive propositions which dazzle the eye by appearing in a pleasant guise. Ostensibly for a good and noble purpose, it carries within it a menace to our institutions and to our system of government. [Applause.]

We are likely to ignore the danger, because, forsooth, it comes before us apparently as a unanimous report of a committee. The opposition has no friends, no spokesmen except those that may on the spur of the moment get up here and attempt to point out the dangers. Vocational rehabilitation! Splendid proposition and a good thing. But because the thing is good, gentlemen, are we bound to pass every vicious bit of legislation that comes across the bar? Vocational rehabilitation is a good thing, but because a thing may be inherently good, is it the duty of the Federal Government to go into the various States and meddle with functions that belong to those States? That is the basis of my opposition to this proposed measure. I have no objection to vocational rehabilitation. It ought to be done. It is a proper governmental function, but it belongs to the States and not to the Federal Government.

We have no right to go any deeper into the Treasury of our Government on these paternalistic propositions. We have gone far enough. One million dollars a year for vocational rehabilitation! It seems small, but under the limitations of this act it provides that not a cent of that may be used for buildings or repairs. It is simply the opening wedge to justify appeals to Congress later on for buildings for vocational education, for plants, and incidental expenditures to carry it out. What are you doing? You are not doing anything novel. You are simply "carrying coals to Newcastle."

You are not doing anything that the States have not already done, or most of them. Whether I be heard or not, I want to sound the warning that by this measure you are going to uproot and damage all of the workmen's compensation acts in every State in the Union. It has always been held a fundamental principle that the industries involved should pay the damages to the person who is injured. That is the basis of the workmen's compensation acts. We hold industry responsible, and under the present laws, where they are in force, industries are expected to pay for rehabilitation. That is an element of damage which is usually and properly considered. The gentleman from Alabama [Mr. BANKHEAD] undertook to answer the suggestion of the gentleman from Texas [Mr. BEE] that the fact that the Federal Government was undertaking Federal rehabilitation might be urged and considered in the courts in mitigation of damages. The gentleman from Alabama thinks there is no danger, but I want to warn him that there is danger. For legal propositions commonly grow into our law out of every new condition. After you once get your Federal vocational rehabilitation system in operation it will not be long before the courts will take judicial notice of the fact that the Government is providing for vocational rehabilitation, and then what will happen to your workmen's compensation laws? The burden will be then shifted from the industry at fault to the Nation at large. Therefore I say that this legislation is simply an entering wedge destined to uproot and destroy the workmen's compensation acts of our various States.

It is an assault upon the principle that States should attend to their own concerns. The lame, the halt, the blind are all worthy of our consideration, but in the past communities have been in the habit of looking after them. There is no reason shown why they should not continue. It is not right to expect the great Federal Government to undertake or assume that duty and responsibility. [Applause.]

Mr. FESS. Mr. Speaker, I would like to have the attention of the gentleman from New York [Mr. GRIFFIN], who claims that this is a State matter and ought not to be entered upon by the Federal Government, simply to remind him that the Smith-Hughes Act, of which this will be a part—while it is not an amendment it operates in a degree as an amendment to that act, to be administered by the same board—was passed through this House with scarcely any opposition at all, and that every State in the Union has taken advantage of it, and no State with greater enthusiasm than the State of New York. I want to also state to my friend that the Legislature of the State of New York this session anticipated this measure by passing a provision to put the State in a position to accept this cooperation, without a single dissenting voice, either in the senate or house—Democrat, Socialist, or Republican. There was not a single vote against it. The State of Massachusetts has already made provision for the acceptance of it, and six other States have done the same thing. If it is unconstitutional, that fact would have been discovered long ago, because we have been doing this sort of work. If it is wrong in that the Federal Government ought not to do it, then we have been wrong in the land-grant colleges and in the extension of stimuli on educational matters in the Smith-Lever Act and in the Smith-Hughes Act and also in this act.

And I want also to say to my friend from Massachusetts [Mr. WALSH], who has been opposed to this legislation——

Mr. GRIFFIN. Mr. Speaker, will the gentleman allow me two minutes in which to reply to him?

Mr. FESS. Debate has been fixed. Mr. Speaker, I would not have any great opposition to the amendment that is proposed if it were not for the fact that I believe opposition to the bill at this time is for the purposes of delay. When this Senate amendment came over from the Senate I asked unanimous consent that the bill be sent to conference. That is a very common request; but a very unusual thing happened: It was denied, even though the conference was asked by the Senate. The author of the denial to that request offered this amendment, and, fine though he is, as much as I love him, I know that the purpose of the amendment is to delay and to defeat this legislation at this session. So far as I am concerned, we do not propose to have it defeated. I call for a vote on the amendment.

Mr. GRIFFIN. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

Mr. WALSH. Mr. Speaker, all debate has expired.

The SPEAKER. By unanimous consent of the House debate was limited, and that time has now expired. The question is on agreeing to the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. WALSH) there were—ayes 33, noes 41.

So the amendment was rejected.

Mr. GOOD. Mr. Speaker, I offer to amend, on page 9, line 20, by inserting after the word "hereby" the words "authorized to be," and on page 10, line 10, after the word "hereby," insert the same words.

The SPEAKER. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GOOD: Page 9, line 20, after the word "hereby," insert the words "authorized to be," and on page 10, line 10, after the word "hereby," insert the words "authorized to be."

Mr. GOOD. Mr. Speaker, the amendment which I have offered changes the bill from a direct appropriation for four years to an authorization for an appropriation for four years. The amendment which I have offered will leave the language in that respect in the same form as it was when the bill passed the House. It authorizes the exact appropriation that was made in the bill that was passed by the Senate. In support of that amendment I want to offer a few observations.

Everyone knows that revenue measures and appropriation bills originate in the House of Representatives. With matters in relation to Foreign Affairs, the making of treaties and things of that kind, we have nothing to do. Their ratification is solely with the Senate. We pay no attention to that sort of thing. The Senate attends to that, and in turn leaves matters of appropriation in a large measure with the House. I want to show you what the Senate has been doing in the way of putting permanent appropriations on the statute books of the United States, and we have been agreeing to it. This year the total estimates submitted by the Secretary of the Treasury, as found in the Book of Estimates, amounted to $4,865,000,000. How much of that do you think was permanent appropriation, the appropriation over which we exercise no control at all? If you will turn to the Book of Estimates, commencing on page 989, and continue for 16 pages to page 1005, you will find the total of permanent appropriations over which this Congress exercises little or no control amounts to $1,425,000,000. Those things have largely been put on by Senate amendments, and that is what we are doing here to-day. By a Senate amendment we are seeking to appropriate money, not for this year, not for next year alone. We are appropriating $750,000 for next year, a million dollars for the next year, a million dollars for the next year, and a million dollars for the next year, when the House simply carried the authorization for an appropriation.

Why, take this very subject. If you will turn to page 993 of the Book of Estimates you will find what we have put on in permanent legislation for the Vocational Board, and no committee of Congress or Congress itself exercises any control over it. We had already on the statute books the following for the board: Cooperative vocational education in agriculture, a permanent appropriation of $1,268,000; cooperative education in trades and industries, permanent appropriation of $1,278,000; cooperative education of teachers, $1,090,000; salaries and expenses of the Board for Vocational Education, $200,000; and a committee of the Congress has been busy for at least a month or six weeks, if the dope that comes to my table is to be relied upon. Doing what? Investigating the Federal Board for Vocational Education, and now, when we ought to be holding tight on the purse strings in regard to appropriation for that organization, we say by this Senate amendment, "Turn them loose, give them a million dollars a year, and let them spend it at will." [Applause.]

Adopt the amendment which I have offered and then these gentlemen will have to come before the Congress, just like every department comes and ought to come to Congress, and when they make a showing under the law the Congress gives them every dollar that they can expend under the law. That is the duty of Congress. It has been the duty of appropriating committees to consider and report out appropriations when money is needed. It has been my duty at times to assist in reporting items on appropriation bills that I did not believe in at all, that I did not believe the money ought to be expended for, but when the Congress had spoken and said this work should be done I was willing to do the bidding of Congress.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOOD. I ask for two minutes more.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent to proceed for two minutes.

Mr. BLANTON. I ask that the gentleman be given five minutes more.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Chair had already put the request for two minutes.

Mr. GOOD. When Congress has said to the Committee on Appropriations that so much money shall be expended and so much work shall be done, as far as that committee is concerned that settles it. We have sometimes cut deeply requests for appropriations because we believed that by wise administration a department could not expend more than the sum carried in the bill under the law, and then they have come back, just as the Federal board has come back, and they have had the money. They have had all the money they could expend, more than they should have expended, and I beseech you to put a stop to the plan of accepting Senate amendments that take from the House one of its great prerogatives, that of initiating appropriation bills. [Applause.] Let us stand here to put a curb on this extravagance and not appropriate in a legislative bill money for four years. If future Congresses want this work continued, any Committee on Appropriations would take the instructions of such Congress and would report out a bill to do the work. At the same time Congress can exercise a very wholesome influence and see to it that salaries are cut down to where they should be, and see to it that money is expended exactly as the law provides. Pass this bill as it is and you exercise no control. Let us investigate and pass upon all estimates. Of the $1,425,000,000 carried for the next year as permanent appropriations there has been no investigation at all. A permanent appropriation precludes investigation by Congress, spells extravagance, and that is what the Senate wants and just what the House proposes to agree to.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. BLANTON. I ask that the gentleman's time be extended for three minutes.

Mr. GOOD. Mr. Speaker, I have concluded. [Applause.]

Mr. GRIFFIN. Mr. Speaker, replying to the remarks of the gentleman from Ohio, my very good friend, Mr. FESS, in which he pointed out the similarity in principle of this bill to the

Smith-Hughes bill and indicated that because we took a certain step then that we ought to follow it now, I would only say that "it is never too late to mend." It is certainly very charming and beautiful to hear him approve any measure which was passed during a period when the Democratic Party was in control of both Houses. I doubt whether he would laud that measure now except as an excuse for passing this particular measure before us. It would seem to me that if we committed an error in principle then, in all good conscience we ought to turn about now and undo it. As to what New York State has done I can only justify that by this statement of facts: It was natural for the Legislature of New York State to take cognizance of the final passage of this vocational rehabilitation bill by the Congress. Our legislature met in January. This bill was passed by the House prior to that time, and there was a clear intimation that Congress was about to open up the Treasury and allow all the States to line up and put in their hands. Of course, I would much rather have seen the Empire State stand back and put up its hands and say, "No; we will not touch it," but you can not blame any State legislature if it says, in effect, "Well, if the Federal Government is going to contribute 50 per cent for vocational rehabilitation, we will take our share of it." In my estimation, however, the Legislature of New York State, like a great many other legislatures, is unduly influenced by a lot of women who go up there under the color of working for some very worthy purpose and zealously advocate some new-fangled fad, some uplift proposition. They seem to be deeply solicitous about the halt, the lame, and the blind. They want the Government to open up the doors of the Treasury and spend money for the alleviation of human distress. All right. I do not oppose that, but I do insist it ought to be done under proper restraint and under proper limitation. While it may be all right for the State to do it, it does not necessarily follow that it is right for the Federal Government to do it. We ought not to extend our jurisdiction so as to meddle with the functions of the various communities. If we go this far, I think perhaps you will probably have in due course a bill presented here and urged by the unanimous report of a committee to establish Federal poorhouses. There ought to be some end to this legislation. There ought to be some limit put upon the efforts of men to get at the Federal Treasury and build up an elaborate organization with its employees, professors, and its committees to visit other States, preparation of reports, and printing, and all that. And then the idea of enlarging the scope of the Vocational Board, a board that is now under fire. Has it demonstrated that it has functioned so well, to such a very startling degree, that it is justifiable for us to-day to extend its functions and give it further authority? Mr. Speaker and gentlemen, I venture to suggest that this bureau has enough to do to attend to the vocational rehabilitation of the soldiers. Let it stick to that and not ask for further jurisdiction.

The SPEAKER. The time of the gentleman has expired.

Mr. MOORE of Virginia. Mr. Speaker——

The SPEAKER. The gentleman from Virginia is recognized.

Mr. MOORE of Virginia. I shall, of course, support the amendment offered by the chairman of the Committee on Appropriations. Frankly, however, I am against the bill. I think if there ever was a time in the history of the country when we ought to refrain from initiating new legislation calling for appropriations, the time has now arrived. [Applause.] There never was a more serious situation than that now confronting the country, and I respectfully submit that the bill ought to be laid aside; that it ought not to be forced to passage now.

We acted on this bill in the House on the 17th of October. I did not believe that there was any crying demand for it then, and so far as I know there has not been any evidence of a demand for it since. I can say as one Representative that I have not had any indication from my district or from the State of Virginia of any interest being manifested in this legislation. But, Mr. Speaker, even if there were such a demand, this is no time to respond to it.

Gentlemen argue that because the House approved the bill last October it should again approve it. But the conditions have materially changed since that date. Since then we have not been able to remit a single dollar of taxes, not one single cent. We talk about reduction of appropriations. The people are not particularly interested in reducing appropriations unless you reduce the taxes. To continue taxes, even though there is a reduction at the same time of appropriations, is equivalent, so far as the taxpayers are concerned, to providing the proverbial Spanish feast, a great display of table linen and silver, but with a very small supply of meat.

Since the House acted in October not only have we not been able to lighten the tax burdens, but outside of the field of taxation the people have been and are about to be subjected to heavy additional burdens. It has developed since that date that the people are called on for at least $1,000,000,000 more for the purchase of sugar this year than they spent last year. The Interstate Commerce Commission now is considering the transportation problem, with a certainty that the people in the near future are going to be subjected to increased freight rates which will amount to more than $1,000,000,000 per annum. In that situation ought we to think of embarking upon new legislation that is going to call for large appropriations now and increased appropriations in the future? That is a policy which ought to be checked now and here. It may prove a fatal policy. [Applause.] We ought to turn our faces against it.

I am not speaking as a party man. I discard, in respect to this matter and many other matters, party considerations as unworthy to be thought of at this time.

The SPEAKER. The time of the gentleman has expired.

Mr. MOORE of Virginia. Mr. Speaker, I ask unanimous consent for two minutes more.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Virginia. Now, as we find ourselves in the midst of what amounts to a revolution—and some writer has said that the greatest revolutions are those unnoticed while in progress—as we stand in the midst of a revolution that involves political, social, economic, and even religious conditions, we should surely hesitate before adopting legislation of this or any similar character that will serve to make against reduction of taxation and economy in expenditures.

The people are clamoring for relief, and we will deny relief by passing bills of this character.

In the days gone by, in a time of agitation and controversy, one of the political battle cries was, "A union of the Whigs for the sake of the Union." We might well now take as our political battle cry, "A union of all patriotic and earnest Americans for the sake of the Republic." [Applause.]

Mr. FESS. Mr. Speaker, the gentleman from Virginia [Mr. MOORE] has expressed in very forcible language the opposition to this bill which goes to the character of legislation. He has had the courage to come out and oppose the legislation because he does not believe in it.

Mr. MOORE of Virginia. If my friend will allow me to interrupt him, I would prefer he should state that I take this position, namely, that I defer any final opinion relative to the merits of the legislation, and that I do not believe we should legislate in this direction or in any similar direction while the present great emergency exists. [Applause.]

Mr. FESS. Well, Mr. Speaker, I meant to offer a compliment to the gentleman from Virginia, believing that he was opposing the legislation because he did not like the character of it.

Now I find that it is mere expediency in his opposition, that it is not the time to do it, but later on we might take up such legislation. I regret that I must put that application upon his utterance.

The gentleman from Iowa [Mr. GOOD] opposes the legislation upon the basis that it is a direct appropriation, but you will recall that the opposition from the gentleman from Iowa was even more vigorous when it was in the House before, when it was simply an authorization of the appropriation instead of a direct appropriation. The opposition of the gentleman from Iowa is to this sort of legislation now and placed upon the basis that it is a direct appropriation.

Gentlemen of the House, I believe in this character of legislation [applause], and I think that this is no time, when the war has brought to us the problem that we have been solving and when this rehabilitation work has swept the world and our country is in the advance guard of that sort of work, to oppose it. We promised when that legislation came on that in due time we would extend this remedial, rebuilding, functional rehabilitation to the cripple in industry, so that he might not be a charitable subject, begging on the streets, but that he might be a self-supporting individual who can produce instead of beg. And I want to say that the time is here now for us to leave it without ambiguity, whether we are in favor of this sort of legislation or not. The amendment that I ask this House to vote down is the amendment offered by the gentleman from Iowa [Mr. GOOD], which is not in antagonism to the appropriation, but in antagonism to the legislation.

Mr. GOOD. Mr. Speaker, will the gentleman yield?

Mr. FESS. And every friend of this measure ought to realize what the purpose back of the vote is.

Mr. GOOD. Mr. Speaker, will the gentleman yield?

Mr. FESS. I yield to my friend.

Mr. GOOD. The gentleman wants to be fair.

Mr. FESS. I am fair.

Mr. GOOD. The amendment I have offered will leave the bill just as the gentleman left it, just as the House left it when it passed before, and it does not change the bill in any other particular.

Mr. FESS. The gentleman will understand that if it had been sent to conference we would have been able to bring it back here as the gentleman wanted it, but we were denied the right to send it to conference, and this is the only way to prevent this delay, which is a part of the program in reference to this legislation.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. WALSH. The gentleman spoke of a promise that we would take care of the crippled in industry.

Mr. FESS. Yes.

Mr. WALSH. By whom was that promise made?

Mr. FESS. That promise was made by the two committees of the Senate and House at the hearings on the bill.

Mr. WALSH. What authority had they to bind a future Congress?

Mr. FESS. Oh, the gentleman is tweedledee and tweedledum. They had no authority further than they can embody the authority in the vote of this House.

Mr. WALSH. Then that promise is the excuse and not the reason for this legislation?

Mr. FESS. Oh, no; excuse or reason may have a difference in the gentleman's mind, but I see no particular difference.

Mr. Speaker, I move the previous question on the Senate amendment and all amendments thereto.

Mr. WALSH. I make a preferential motion, Mr. Speaker. I move that this bill be laid upon the table.

The SPEAKER. The gentleman from Ohio moves the previous question, and the gentleman from Massachusetts makes the preferential motion that the bill lie upon the table. That motion comes first. The question is on agreeing to the motion of the gentleman from Massachusetts to lay the bill on the table.

The question was taken, and the Speaker announced that he was in doubt.

The SPEAKER. Those in favor of the motion will rise.

Mr. FESS. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Ohio makes the point that there is no quorum present. [After counting.] One hundred and forty-seven Members are present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. As many as are in favor of the motion of the gentleman from Massachusetts to lay the bill on the table will, when their names are called, answer "yea," those opposed will answer "nay."

The question was taken; and there were—yeas 106, nays 209, not voting 112, as follows:

YEAS—106.

Ackerman	Evans, Nebr.	Lee, Ga.	Sherwood
Aswell	Fisher	Lesher	Sisson
Ayres	Flood	Luce	Snell
Bee	Freeman	McDuffie	Steagall
Bell	Fuller, Mass.	McFadden	Stedman
Benson	Gard	McLaughlin, Mich.	Stephens, Miss.
Blackmon	Garner	Madden	Strong, Kans.
Bland, Va.	Garrett	Mann, Ill.	Taylor, Ark.
Blanton	Good	Mann, S. C.	Thomas
Box	Graham, Pa.	Mansfield	Tilson
Brand	Greene, Mass.	Martin	Tincher
Buchanan	Griffin	Montague	Treadway
Byrnes, S. C.	Hardy, Tex.	Moon	Venable
Byrns, Tenn.	Hoch	Moore, Va.	Vinson
Cannon	Hoey	Moores, Ind.	Walsh
Clark, Mo.	Holland	Oliver	Watkins
Collier	Hudspeth	Olney	Watson
Connally	Hull, Tenn.	Overstreet	Whaley
Cramton	Humphreys	Park	White, Kans.
Crisp	Hutchinson	Peters	Wilson, La.
Davis, Tenn.	Jacoway	Quin	Winslow
Dempsey	Jefferis	Rainey, H. T.	Wise
Dominick	Johnson, S. Dak.	Rayburn	Woods, Va.
Doughton	Jones, Tex.	Robinson, N. C.	Wright
Dunn	Kennedy, Iowa	Rogers	Young, Tex.
Eagle	Kincheloe	Rouse	
Edmonds	Lanham	Rowe	

NAYS—209.

Almon	Black	Campbell, Pa.	Dallinger
Anderson	Bland, Ind.	Caraway	Darrow
Andrews, Nebr.	Bland, Mo.	Carss	Davis, Minn.
Ashbrook	Boies	Casey	Denison
Babka	Briggs	Chindblom	Dewalt
Bacharach	Brooks, Ill.	Christopherson	Dickinson, Mo.
Baer	Browne	Classon	Dickinson, Iowa
Bankhead	Brumbaugh	Cleary	Doremus
Barbour	Burdick	Coady	Dowell
Barkley	Burroughs	Cooper	Dupré
Begg	Butler	Crowther	Dyer
Benham	Campbell, Kans.	Currie, Mich.	Eagan
Elliott	Kearns	Mondell	Siegel
Emerson	Keller	Mooney	Sims
Esch	Kelly, Pa.	Moore, Ohio	Sinclair
Evans, Mont.	Kendall	Morgan	Sinnott
Fairfield	King	Mott	Slemp
Ferris	Kinkaid	Murphy	Smith, Idaho
Fess	Kleczka	Nelson, Mo.	Smith, Mich.
Focht	Knutson	Nelson, Wis.	Stephens, Ohio
Fordney	Kraus	Newton, Minn.	Stiness
Foster	Lampert	Newton, Mo.	Strong, Pa.
Frear	Layton	Nolan	Summers, Wash.
French	Lazaro	O'Connor	Sweet
Fuller, Ill.	Lea, Calif.	Ogden	Swope
Gallagher	Lehlbach	Oldfield	Tague
Gallivan	Linthicum	Osborne	Taylor, Colo.
Gandy	Little	Parrish	Taylor, Tenn.
Ganly	Lonergan	Pell	Temple
Glynn	Longworth	Phelan	Thompson
Goldfogle	Lufkin	Pou	Timberlake
Goodwin, Ark.	Luhring	Purnell	Tinkham
Graham, Ill.	McAndrews	Radcliffe	Towner
Green, Iowa	McArthur	Rainey, Ala.	Valle
Griest	McClintic	Rainey, J. W.	Vare
Hadley	McGlennon	Ramsey	Vestal
Hamilton	McKeown	Ramseyer	Voigt
Hardy, Colo.	McKiniry	Randall, Calif.	Volstead
Hawley	McKinley	Randall, Wis.	Walters
Hersman	McLane	Reavis	Ward
Hickey	McLaughlin, Nebr.	Ricketts	Wason
Hicks	MacCrate	Riddick	Weaver
Hill	MacGregor	Robsion, Ky.	Webster
Houghton	Magee	Rodenberg	Welling
Howard	Major	Romjue	Welty
Huddleston	Mapes	Rose	Wheeler
Hull, Iowa	Mason	Rubey	Williams
Husted	Mead	Sabath	Wilson, Ill.
James	Michener	Sanders, Ind.	Wilson, Pa.
Johnson, Ky.	Miller	Sanders, La.	Wingo
Johnson, Miss.	Milligan	Schall	
Johnson, Wash.	Minahan, N. J.	Scott	
Juul	Monahan, Wis.	Sells	

NOT VOTING—112.

Andrews, Md.	Echols	Kennedy, R. I.	Rhodes
Anthony	Ellsworth	Kettner	Riordan
Booher	Elston	Kiess	Rowan
Bowers	Evans, Nev.	Kitchin	Rucker
Brinson	Fields	Kreider	Sanders, N. Y.
Britten	Garland	Langley	Sanford
Brooks, Pa.	Godwin, N. C.	Lankford	Scully
Burke	Goodall	Larsen	Sears
Caldwell	Goodykoontz	McCulloch	Shreve
Candler	Gould	McKenzie	Small
Cantrill	Greene, Vt.	McPherson	Smith, Ill.
Carew	Hamill	Maher	Smith, N. Y.
Carter	Harreld	Mays	Smithwick
Clark, Fla.	Harrison	Merritt	Snyder
Cole	Hastings	Morin	Steele
Copley	Haugen	Mudd	Steenerson
Costello	Hayden	Neely	Stevenson
Crago	Hays	Nicholls	Stoll
Cullen	Heflin	O'Connell	Sullivan
Curry, Calif.	Hernandez	Padgett	Sumners, Tex.
Dale	Hersey	Paige	Tillman
Davey	Hulings	Parker	Upshaw
Dent	Igoe	Platt	White, Me.
Donovan	Ireland	Porter	Wood, Ind.
Dooling	Johnston, N. Y.	Raker	Woodyard
Drane	Jones, Pa.	Reber	Yates
Drewry	Kahn	Reed, N. Y.	Young, N. Dak.
Dunbar	Kelley, Mich.	Reed, W. Va.	Zihlman

So the motion of Mr. WALSH to lay the bill on the table was rejected.

The Clerk announced the following additional pairs:

On this vote:

Mr. STEVENSON (for) with Mr. CURRY of California (against).

Until further notice:

Mr. SNYDER with Mr. CARTER.

Mr. COLE with Mr. HAYDEN.

Mr. ELSTON with Mr. DRANE.

Mr. RHODES with Mr. TILLMAN.

Mr. HERNANDEZ with Mr. HASTINGS.

Mr. ECHOLS with Mr. EVANS of Nevada.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. KAHN with Mr. DENT.

Mr. GREENE of Vermont with Mr. HEFLIN.

Mr. HARRELD with Mr. IGOE.

Mr. HAUGEN with Mr. O'CONNELL.

Mr. ZIHLMAN with Mr. CULLEN.

Mr. ANTHONY with Mr. FIELDS.

Mr. REED of West Virginia with Mr. DAVEY.

Mr. MUDD with Mr. SEARS.

Mr. HERSEY with Mr. DONOVAN.

Mr. YOUNG of North Dakota with Mr. KETTNER.

Mr. MORIN with Mr. CANDLER.

Mr. ANDREWS of Maryland with Mr. UPSHAW.

Mr. SHREVE with Mr. CANTRILL.

Mr. SANDERS of New York with Mr. DOOLING.

Mr. KIESS with Mr. STEELE.

Mr. PORTER with Mr. SUMNERS of Texas.

Mr. GOULD with Mr. STOLL.

Mr. WOODYARD with Mr. LARSEN.

Mr. GOODALL with Mr. ROWAN.
Mr. MCPHERSON with Mr. GODWIN of North Carolina.
Mr. GARLAND with Mr. SCULLY.
Mr. BOWERS with Mr. MAYS.
Mr. WOOD of Indiana with Mr. RAKER.
Mr. MCKENZIE with Mr. DREWRY.
Mr. WHITE of Maine with Mr. SMITHWICK.
Mr. ELLSWORTH with Mr. SULLIVAN.
Mr. BROOKS of Pennsylvania with Mr. RUCKER.
Mr. REBER with Mr. BOOHER.
Mr. BURKE with Mr. NICHOLLS.
Mr. PAIGE with Mr. SMALL.
Mr. MCCULLOCH with Mr. SMITH of New York.
Mr. DALE with Mr. BRINSON.
Mr. IRELAND with Mr. PADGETT.
Mr. PLATT with Mr. HAMILL.
Mr. KREIDER with Mr. CALDWELL.
Mr. JONES of Pennsylvania with Mr. MAHER.
Mr. MERRITT with Mr. RIORDAN.
Mr. KENNEDY of Rhode Island with Mr. CAREW.
Mr. KELLEY of Michigan with Mr. NEELY.
Mr. STEENERSON with Mr. LANKFORD.
Mr. YATES with Mr. HARRISON.
Mr. HAYS with Mr. JOHNSTON of New York.
Mr. CRAGO with Mr. KITCHIN.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors. The question is on the motion of the gentleman from Ohio [Mr. FESS] for the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment of the gentleman from Iowa [Mr. GOOD].

Mr. JOHNSON of Mississippi. May we have the amendment reported?

The SPEAKER. Without objection, it will be reported.

The Clerk read as follows:

Amendment by Mr. GOOD: Page 9, line 20, after the word "hereby," insert the words "authorized to be." Page 10, line 10, after the word "hereby," insert the words "authorized to be."

Mr. WALSH. Mr. Speaker, may we have the language read as it would be if amended?

The SPEAKER. The Clerk will report the language.

The Clerk read as follows:

So that as amended it will read:
"That in order to provide for the promotion of vocational rehabilitation of persons disabled in industry or in any legitimate occupation and their return to civil employment there is hereby authorized to be appropriated for the use of the States, subject to the provisions of this act."
Page 10, line 10: "And there is hereby authorized to be appropriated the following sums."

The SPEAKER. The question is on agreeing to the amendment.

The question being taken, on a division (demanded by Mr. WALSH) there were—ayes 98, noes 93.

Mr. FESS. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 144, nays 171, not voting 112, as follows:

YEAS—144.

Ackerman	Dunn	Johnson, S. Dak.	Olney
Aswell	Eagan	Johnson, Wash.	Overstreet
Ayres	Eagle	Jones, Tex.	Park
Babka	Edmonds	Kennedy, Iowa	Parker
Bacharach	Evans, Nebr.	Kincheloe	Peters
Bee	Fisher	Kraus	Quin
Black	Flood	Lanham	Radcliffe
Blackmon	Freeman	Layton	Rainey, H. T.
Bland, Va.	French	Lea, Calif.	Rayburn
Blanton	Fuller, Mass.	Lee, Ga.	Robinson, N. C.
Boies	Gard	Lehlbach	Rogers
Box	Garner	Lesher	Rouse
Brand	Garrett	Luce	Rowe
Buchanan	Good	Lufkin	Sherwood
Byrnes, S. C.	Goodwin, Ark.	McArthur	Sisson
Byrns, Tenn.	Graham, Ill.	McClintic	Slemp
Cannon	Graham, Pa.	McDuffie	Snell
Cantrill	Green, Iowa	McFadden	Steagall
Chindblom	Greene, Mass.	McKinley	Stedman
Clark, Mo.	Griest	McLaughlin, Mich.	Steenerson
Collier	Griffin	Madden	Stevenson
Connally	Hardy, Tex.	Magee	Strong, Kans.
Cramton	Hicks	Mann, Ill.	Sumners, Tex.
Crisp	Hoch	Mann, S. C.	Taylor, Ark.
Currie, Mich.	Hoey	Mansfield	Taylor, Colo.
Darrow	Holland	Martin	Thomas
Davis, Tenn.	Houghton	Mason	Tilson
Dempsey	Hudspeth	Montague	Tincher
Dewalt	Humphreys	Moon	Treadway
Dickinson, Mo.	Husted	Moore, Va.	Vare
Dominick	Hutchinson	Moores, Ind.	Venable
Doremus	Jefferis	Oldfield	Vinson
Doughton	Johnson, Ky.	Oliver	Walsh
Ward	Whaley	Wingo	Woods, Va.
Wason	White, Kans.	Winslow	Wright
Watkins	Wilson, La.	Wise	Young, Tex.

NAYS—171.

Almon	Fess	McAndrews	Riddick
Anderson	Focht	McGlennon	Robsion, Ky.
Andrews, Nebr.	Fordney	McKeown	Romjue
Ashbrook	Foster	McKinlry	Rose
Baer	Frear	McLane	Rubey
Bankhead	Fuller, Ill.	McLaughlin, Nebr.	Sabath
Barbour	Gallagher	MacCrate	Sanders, Ind.
Barkley	Gallivan	MacGregor	Sanders, La.
Begg	Gandy	Major	Schall
Bell	Ganly	Mapes	Scott
Benham	Garland	Mead	Sells
Bland, Ind.	Glynn	Michener	Siegel
Bland, Mo.	Goldfogle	Miller	Sims
Briggs	Hadley	Milligan	Sinclair
Brooks, Ill.	Hamilton	Minahan, N. J.	Sinnott
Browne	Hardy, Colo.	Monahan, Wis.	Smith, Idaho
Brumbaugh	Hawley	Mondell	Smith, Mich.
Burdick	Hays	Mooney	Stephens, Ohio
Burroughs	Hersman	Moore, Ohio	Stiness
Campbell, Kans.	Hickey	Morgan	Strong, Pa.
Campbell, Pa.	Hill	Mott	Summers, Wash.
Caraway	Howard	Murphy	Sweet
Carss	Huddleston	Nelson, Mo.	Swope
Casey	Hull, Iowa	Nelson, Wis.	Tague
Christopherson	Jacoway	Newton, Minn.	Temple
Classon	James	Newton, Mo.	Thompson
Cleary	Johnson, Miss.	O'Connor	Timberlake
Coady	Juul	Ogden	Tinkham
Cooper	Kearns	Osborne	Towner
Crowther	Keller	Parrish	Vaile
Dallinger	Kelly, Pa.	Pell	Vestal
Davis, Minn.	Kendall	Phelan	Voigt
Denison	King	Porter	Volstead
Dickinson, Iowa	Kinkaid	Purnell	Walters
Dowell	Kleczka	Rainey, Ala.	Watson
Dupré	Knutson	Rainey, J. W.	Weaver
Dyer	Lampert	Raker	Webster
Elliott	Lazaro	Ramsey	Welty
Emerson	Linthicum	Ramseyer	Wheeler
Esch	Little	Randall, Calif.	Williams
Evans, Mont.	Lonergan	Randall, Wis.	Wilson, Ill.
Fairfield	Longworth	Reavis	Wilson, Pa.
Ferris	Luhring	Ricketts	

NOT VOTING—112.

Andrews, Md.	Dunbar	Kennedy, R. I.	Riordan
Anthony	Echols	Kettner	Rodenberg
Benson	Ellsworth	Kiess	Rowan
Booher	Elston	Kitchin	Rucker
Bowers	Evans, Nev.	Kreider	Sanders, N. Y.
Brinson	Fields	Langley	Sanford
Britten	Godwin, N. C.	Lankford	Scully
Brooks, Pa.	Goodall	Larsen	Sears
Burke	Goodykoontz	McCulloch	Shreve
Butler	Gould	McKenzie	Small
Caldwell	Greene, Vt.	McPherson	Smith, Ill.
Candler	Hamill	Maher	Smith, N. Y.
Carew	Harreld	Mays	Smithwick
Carter	Harrison	Merritt	Snyder
Clark, Fla.	Hastings	Morin	Steele
Cole	Haugen	Mudd	Stephens, Miss.
Copley	Hayden	Neely	Stoll
Costello	Heflin	Nicholls	Sullivan
Crago	Hernandez	Nolan	Taylor, Tenn.
Cullen	Hersey	O'Connell	Tillman
Curry, Calif.	Hulings	Padgett	Upshaw
Dale	Hull, Tenn.	Paige	Welling
Davey	Igoe	Platt	White, Me.
Dent	Ireland	Pou	Wood, Ind.
Donovan	Johnston, N. Y.	Reber	Woodyard
Dooling	Jones, Pa.	Reed, N. Y.	Yates
Drane	Kahn	Reed, W. Va.	Young, N. Dak.
Drewry	Kelley, Mich.	Rhodes	Zihlman

So the amendment was rejected.

The following additional pairs were announced:

Until further notice:

Mr. BUTLER with Mr. POU.
Mr. WOOD of Indiana with Mr. BENSON.
Mr. RODENBERG with Mr. WELLING.
Mr. SANFORD with Mr. HULL of Tennessee.
Mr. CURRY of California with Mr. STEPHENS of Mississippi.
Mr. REED of New York with Mr. SCULLY.
Mr. TAYLOR of Tennessee with Mr. LANKFORD.
Mr. COPLEY with Mr. JOHNSTON of New York.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the Senate amendment.

The question was taken; and on a division (demanded by Mr. WALSH) there were—ayes 102, noes 76.

So the amendment was agreed to.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed joint resolution of the following title:

On May 25, 1920:

H. J. Res. 354. Joint resolution authorizing the Secretary of War to loan to Paul E. Slocumb Post, No. 85, Grand Army of the Republic, Bloomington, Ind., necessary tents and cots for use at the State encampment to be held at said city May 25, 26, and 27, 1920.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. PORTER. Mr. Speaker, I present a conference report on the Diplomatic and Consular appropriation bill for printing under the rule.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

H. R. 11960, making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921.

The conference report and statement are as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11960) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 10, and 13.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 7, 8, 9, 11, 12, and 14, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$480,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$900,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"For the purchase of an embassy building and grounds at Santiago, Chile, and for making necessary minor repairs and alterations in the building to put it into proper condition, $130,000."

And the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"The unexpended balance of the appropriation for the fiscal year ending June 30, 1920, is hereby made available for the fiscal year ending June 30, 1921, and for the objects and purposes designated by said act of appropriation."

And the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"FEES FOR PASSPORTS AND VISÉS.

"SECTION 1. From and after the 1st day of July, 1920, there shall be collected and paid into the Treasury of the United States quarterly a fee of $1 for executing each application for a passport and $9 for each passport issued to a citizen or person owing allegiance to or entitled to the protection of the United States: *Provided*, That nothing herein contained shall be construed to limit the right of the Secretary of State by regulation to authorize the retention by State officials of the fee of $1 for executing an application for a passport: *And provided further*, That no fee shall be collected for passports issued to officers or employees of the United States proceeding abroad in the discharge of their official duties, or to members of their immediate families, or to seamen, or to widows, children, parents, brothers, and sisters of American soldiers, sailors, or marines, buried abroad whose journey is undertaken for the purpose and with the intent of visiting the graves of such soldiers, sailors, or marines, which facts shall be made a part of the application for the passport.

"SEC. 2. From and after the 1st day of July, 1920, there shall be collected and paid into the Treasury of the United States quarterly a fee of $1 for executing each application of an alien for a visé and $9 for each visé of the passport of an alien: *Provided*, That no fee shall be collected from any officer of any foreign Government or members of his immediate family, its armed forces, or of any State, district, or municipality thereof, traveling to or through the United States, or of any soldiers coming within the terms of the public resolution approved October 19, 1918 (40 Stat. L., pt. 1, p. 1014).

"SEC. 3. The validity of a passport or visé shall be limited to two years, unless the Secretary of State shall by regulation limit the validity of such passport or visé to a shorter period.

"SEC. 4. Whenever the appropriate officer within the United States of any foreign country refuses to visé a passport issued by the United States, the Department of State is hereby authorized upon request in writing and the return of the unused passport within six months from the date of issue to refund to the person to whom the passport was issued the fees which have been paid to Federal officials, and the money for that purpose is hereby appropriated and directed to be paid upon the order of the Secretary of State.

"SEC. 5. Section 1 of the act approved March 2, 1907, entitled "An act in reference to the expatriation of citizens and their protection abroad" (34 Stat. L., pt. 1, p. 1228), authorizing the Secretary of State to issue passports to certain persons not citizens of the United States is hereby repealed."

And the Senate agree to the same.

STEPHEN G. PORTER,
JOHN JACOB ROGERS,
H. D. FLOOD,
Managers on the part of the House.

H. C. LODGE,
WM. E. BORAH,
ATLEE POMERENE,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreement of the House to the amendments of the Senate on H. R. 11960, entitled "An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921," submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of the said amendments:

The Senate recedes from its amendments Nos. 4, 10, and 13.

Amendment No. 4, appropriating funds for emergencies arising in the Diplomatic and Consular Service, increases the appropriation from $400,000 to $500,000.

Amendment No. 10, providing for the expenses of the International High Commission, struck out the word "State" and inserted the words "the Treasury."

Amendment No. 13, under post allowances to consular and diplomatic officers, added a proviso limiting the expenditure of the appropriation.

Senate amendments Nos. 5, 6, 7, 8, 9, 11, 12, and 14 were agreed to by the managers on the part of the House.

Amendment No. 5 inserts a new paragraph appropriating $4,500 for the relief of Mrs. Winifred T. Magelssen.

Amendment No. 6 adds a new paragraph making the unexpended balance of the appropriation for the fiscal year ending June 30, 1920, available for the fiscal year ending June 30, 1921, for the objects and purposes designated by said act of appropriation.

Amendment No. 7 inserts a new paragraph appropriating $9,000 for expenses in connection with the Pan-Pacific Union.

Amendments Nos. 8 and 9 changes the word "International" to "Inter-American."

Amendment No. 11 changes the appropriation for the International Joint Commission on Waterways Treaty, United States and Great Britain, from $25,000 to $40,000.

Amendment No. 12 struck out the last proviso limiting the expenditure of the appropriation.

Amendment No. 14 changes the appropriation for contingent expenses for the United States consulates from $900,000 to $1,000,000.

Amendment No. 1 fixes the amount for clerks at embassies and legations at $480,000 instead of $688,000 as proposed by the Senate amendment.

Amendment No. 2 increases the appropriation for contingent expenses, foreign missions, to $900,000 instead of $1,000,000, as proposed by the Senate amendment.

Amendment No. 3 providing for the purchase of embassy building and grounds at Santiago, Chile, changes the language but leaves the appropriation of $130,000 the same.

Amendment No. 15 increases the fees for passports and visés to $10 and limits their validity to two years.

STEPHEN G. PORTER,
JOHN JACOB ROGERS,
H. D. FLOOD,
Managers on the part of the House.

SIMPLIFICATION OF THE REVENUE ACT OF 1918.

Mr. GREEN of Iowa. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14198, to amend and simplify the revenue act of 1918, and pending that motion I would like to see if we can not come to some agreement as to the time for general debate.

Mr. MANN of Illinois. Mr. Speaker, I ask for the regular order, and I make the point of order that the gentleman's motion is not in order.

The SPEAKER. The gentleman will state his point of order.

Mr. MANN of Illinois. I think it is not a bill to raise revenue. I will ask the gentleman from Iowa in what way does it raise revenue?

Mr. GREEN of Iowa. It establishes certain rules——

Mr. MANN of Illinois. Establishing rules is not a bill for raising revenue. It has been repeatedly held that a bill from the Committee on Ways and Means in reference to procedure, or anything of that sort, fixing regulations for the collection of revenue, is not a bill raising revenue and is not privileged under the rule.

Mr. GREEN of Iowa. This bill would increase the revenue; no question about that.

Mr. MANN of Illinois. A bill increasing revenue by establishing economies would not have the privilege of a bill raising revenue. Will the gentleman say how the bill will raise revenue?

Mr. GREEN of Iowa. Section 3, page 2, will make property conveyed by gift subject to a tax if the party to whom the gift is made sells it and realizes a profit on it. At present no tax will apply to it. That is one way the bill would raise revenue.

Mr. MANN of Illinois. Mr. Speaker, the rulings have been numerous that a bill dealing with the administration of the revenue law is not a bill raising revenue.

Mr. GREEN of Iowa. This is not simply a matter of administration in that respect. It would enable more taxes to be collected where the tax does not now apply in the revenue law of 1918. I have referred to one way in which it would raise revenue in subdivision 3, page 2, which makes property conveyed by gift subject to a tax if sold and a profit is reaped over the cost to the original donee. This matter is highly technical, and if the gentleman's contention is correct, you would have to make over the whole revenue law.

Mr. MANN of Illinois. Mr. Speaker, I will withdraw the point of order.

Mr. GREEN of Iowa. How much time do gentlemen on that side want?

Mr. HENRY T. RAINEY. I have some demands for time, and we would like to have an hour and a quarter on this side.

Mr. GREEN of Iowa. We could not possibly get through with the bill to-day with that time. The utmost I should want to agree to would be half an hour on a side, and I will try and get along with considerably less on this side.

Mr. HENRY T. RAINEY. Does the gentleman intend to finish the bill to-day?

Mr. GREEN of Iowa. It is highly important that this bill should be passed soon, and I hope gentlemen on the other side will defer their speeches until later. Mr. Speaker, I will ask unanimous consent that general debate be limited to one hour, one half to be controlled by the gentleman from Illinois [Mr. HENRY T. RAINEY] and the other half by myself.

Mr. LONGWORTH. May I call attention to the fact that to-morrow is Calendar Wednesday?

Mr. GREEN of Iowa. And I will make the same request for general debate on the next bill.

Mr. HENRY T. RAINEY. The next bill may not be privileged.

Mr. GREEN of Iowa. Mr. Speaker, I will modify my request, that there be one hour of general debate, the gentleman from Illinois [Mr. HENRY T. RAINEY] to have three-quarters of an hour and I be allowed 15 minutes.

Mr. HENRY T. RAINEY. All right.

The SPEAKER. The gentleman from Iowa asks unanimous consent, pending his motion, that general debate be limited to one hour, three-quarters to be controlled by the gentleman from Illinois [Mr. HENRY T. RAINEY] and one-quarter of an hour by himself. Is there objection?

There was no objection.

The SPEAKER. The question now is on the motion of the gentleman from Iowa to go into Committee of the Whole House on the state of the Union.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. REAVIS in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 14198) to amend and simplify the revenue act of 1918.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

Mr. CANNON. I think it had better be read.

Mr. GREEN of Iowa. It will all be read for amendment, and I will explain sections as we go along.

Mr. CANNON. I never heard of the bill before, and I do not believe there are 10 men in the House outside of the committee that know anything about it.

Mr. BLANTON. Mr. Chairman, I object. I think we ought to find out what it is.

The Clerk read the bill, as follows:

Be it enacted, etc.,

BASIS FOR DETERMINING GAIN OR LOSS.

That subdivision (a) of section 202 of the revenue act of 1918 is amended to read as follows:

"(a) That for the purpose of ascertaining the gain derived or loss sustained from the sale or other disposition of property, real, personal, or mixed, the basis shall be—

"(1) In the case of property acquired before March 1, 1913, the fair market price or value of such property, as of that date;

"(2) In the case of property acquired (except by gift, bequest, devise, or descent) on or after that date, the cost thereof; or the inventory value, if the inventory is made in accordance with section 203;

"(3) In the case of property acquired by gift since February 28, 1913, the same basis that it would have in the hands of the donor or the last preceding owner, by whom it was not acquired by gift;

"(4) In the case of the sale or exchange of property acquired by gift, the entire amount received therefor shall be included in the gross income of the donee, unless the donee submits with his return evidence satisfactory to the commissioner showing the basis to the last preceding owner who acquired the property other than by gift; and

"(5) In the case of property acquired by bequest, devise, or descent, the fair market price or value of such property on the date of acquisition."

SEC. 2. That section 202 of such act is amended by adding at the end thereof a new subdivision to read as follows:

"(c) In the case of stock dividends paid after February 28, 1913, the cost to the taxpayer of each share of old and new stock shall be the cost of the old shares of stock (or the market price or value thereof as of Mar. 1, 1913, if acquired prior thereto) divided by the total number of old and new shares of stock: *Provided*, That in cases in which the old and new shares of stock differ materially in character or preference, the cost of the old shares of stock (or the market price or value thereof as of Mar. 1, 1913, if acquired prior thereto) shall be apportioned between the old and new shares of stock as may be in proportion to the respective values of each at the time the new shares of stock were acquired."

SEC. 3. That Title II of such act is amended by adding at the end of part I thereof the following new section:

EXTRAORDINARY NET INCOME.

"SEC. 207. (a) That compensation received in any taxable year beginning after December 31, 1919, for personal service rendered by the taxpayer during a period of more than three years, and gain derived in any such year from the sale of capital assets acquired more than three years prior to the date of such sale, shall be deemed to be extraordinary income; and such income, less losses of the same class or description and the expenses or other deductions properly chargeable thereto, shall be deemed to be extarordinary net income.

"(b) The term 'capital assets' as used in this section includes (but is not limited to) property held by the taxpayer for consumption or use; but does not include any property, whether real, personal, or mixed, held by a dealer for sale or included in the inventory of the taxpayer taken at the close of the preceding taxable year. The terms 'compensation received' and 'gain derived' mean compensation or gain accrued in the case of taxpayers who make returns upon the so-called accrual basis; but the provisions of this section shall not apply in the case of sales upon the installment plan when the income or gain is accounted for in installments as the payments are received.

"(c) If the extraordinary income of a taxpayer amounts to more than 20 per cent of his entire gross income for the taxable year, the extraordinary net income for such year may at his option be apportioned ratably to the years or parts thereof during which such service was rendered or such assets held (or to the years or parts thereof between February 28, 1913, and the date of sale, if such assets were acquired prior to March 1, 1913); and the amount thus ratably apportioned to any year shall be added to the other income of the taxpayer for such year and the tax redetermined upon the corrected amount at the rates applicable to such year, notwithstanding the provisions of section 206 or any other provision of this act. A return or returns of such extraordinary income shall be made at the time prescribed in subdivision (a) of section 227 in such manner and with such information as the commissioner, with the approval of the Secretary, may by regulations prescribe; and if the additional taxes found upon such redetermination to be due for prior years are paid in the same proportionate amounts and at the same installment dates fixed for the payment of taxes due upon income for the year in which such extraordinary income was received, no penalty or interest shall be added with respect to the time which has elapsed between such prior years and the date or dates of payment."

ASSESSMENT AND COLLECTION OF TAXES.

SEC. 4. That subdivision (d) of section 250 of such act is amended to read as follows:

"(d) The amount of tax due under any return made under this or prior acts shall be determined and assessed by the commissioner within five years after the return was made, except (1) in the case of false or fraudulent returns with intent to evade the tax, or (2) with the consent of both the commissioner and the taxpayer, or (3) as otherwise provided in section 207, or in paragraph (9) of subdivision (a) of section 214, or in paragraph (8) of section 234, or (4) in the final settlement of losses and other deductions tentatively allowed by the

commissioner pending a determination of the exact amount deductible; and no suit or proceeding for the collection of any tax shall be begun after the expiration of five years after the date when the return was made. In the case of such false or fraudulent returns, the amount of the tax due may be determined at any time after the return is filed, and the tax may be collected at any time after it becomes due."

SEC. 5. That Title XIII of such act is amended by adding at the end thereof two new sections to read as follows:

"SEC. 1321. That if after a determination and assessment in any case the taxpayer has without protest paid in whole any tax or penalty, or accepted any abatement, credit, or refund based on such determination and assessment, and an agreement is made in writing between the taxpayer and the commissioner, with the approval of the Secretary, that such determination and assessment shall be final and conclusive, then (except upon a showing of fraud or malfeasance or misrepresentation of fact materially affecting the determination or assessment thus made) (1) the case shall not be reopened or the determination and assessment modified by any officer, employee, or agent of the United States, and (2) no suit, action, or proceeding to annul, modify, or set aside such determination or assessment shall be entertained by any court of the United States.

"SEC. 1322. That in case a regulation or Treasury decision made by the commissioner or the Secretary, or by the commissioner with the approval of the Secretary, is reversed by a subsequent regulation or Treasury decision, and such reversal is not immediately occasioned or required by an opinion of the Attorney General or a decision of a court of competent jurisdiction, such subsequent regulation or Treasury decision may, in the discretion of the commissioner, with the approval of the Secretary, be applied without retroactive effect."

LIBERTY BOND EXEMPTIONS.

SEC. 6. The various acts authorizing the issues of Liberty bonds are amended and supplemented as follows:

"(a) On and after January 1, 1920, 4 per cent and 4¼ per cent Liberty bonds shall be exempt from graduated additional income taxes, commonly known as surtaxes, and excess-profits and war-profits taxes, now or hereafter imposed by the United States upon the income or profits of individuals, partnerships, corporations, or associations, in repect to the interest on aggregate principal amounts thereof as follows:

"Until the expiration of two years after the date of the termination of the war between the United States and the German Government as fixed by proclamation of the President, on $125,000 aggregate principal amount; and for three years more on $50,000 aggregate principal amount.

"(b) The exemptions provided in subdivision (a) shall be in addition to the exemptions provided in section 7 of the second Liberty bond act, and in addition to the exemption provided in subdivision (3) of section 1 of the supplement to the second Liberty bond act in respect to bonds issued upon conversion of 3½ per cent bonds, but shall be in lieu of the exemptions provided and free from the conditions and limitations imposed in subdivisions (1) and (2) of section 1 of the supplement to second Liberty bond act and in section 2 of the Victory Liberty loan act."

Mr. GREEN of Iowa. Mr. Chairman, I have so little time that I shall ask the gentleman from Illinois [Mr. HENRY T. RAINEY] to use his time before I consume mine.

Mr. HENRY T. RAINEY. Mr. Chairman, I yield to the gentleman from Ohio [Mr. SHERWOOD].

Mr. SHERWOOD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD upon the subject of Civil War pensions.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HENRY T. RAINEY. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. CRISP]. [Applause.]

Mr. CRISP. Mr. Chairman, the annual supply bills have all passed the House, and we are now considering insignificant, immaterial measures, for a decree has gone forth from the Republican leaders that nothing else shall be done at this session. According to the press and cloakroom gossip, we are to adjourn early in June. I am making these remarks to call the attention of those charged with responsibility for legislation to a bill I introduced on October 24, 1919—H. R. 10155—entitled—

A bill to deport from the United States certain aliens who withdrew their declaration of intention to become citizens to evade military service, and to suspend all immigration to the United States until January 1, 1930.

I am profoundly convinced that the welfare and best interests of the United States demand that this or some other bill of the same tenor and effect be enacted into law before we adjourn. In my judgment, the immigration question is one of the most important problems that confront us to-day, and upon its correct solution largely depends the perpetuity of our sacred institutions and our American form of government. In our early history some of the older States opposed admitting our western Territories into the sisterhood of States, fearing these new States would exercise undue influence in shaping national affairs. Mr. Chairman, how can those States rest complacent to-day and see aliens admitted to our shores by the millions? Each year the immigrants admitted into the United States are more than the combined population of three of four of our western Commonwealths. To-day a majority of the population of some of our largest States are of alien origin. New York, Illinois, Massachusetts, Wisconsin, New Jersey, Rhode Island, Connecticut, Minnesota, Michigan, Montana, Utah, and the Dakotas are largely populated by people of foreign birth, more than 50 per cent of the inhabitants being immigrants. The same is true of a number of our large cities. The last official statistics on population is from the census of 1910. According to it New York had a population of 4,766,888, only 19.3 per cent being native-born whites; Chicago had 2,185,284, only 20 per cent of them native born; Pittsburgh had 533,905, with 33 per cent natives; Milwaukee had 373,867, with 21.1 per cent natives; Boston had 670,585, with 23 per cent natives; and Fall River had 119,295, with only 13.3 per cent natives. While these cities have greatly increased in population during the last 10 years, I am confident the percentage of native and alien population is approximately the same.

From 1904 to 1914 nearly 10,000,000 immigrants came to the United States, averaging approximately 1,000,000 a year. Immigration from 1914 until now has been limited, because during the war passenger service on the seas was entirely suspended, and is now more or less limited, but it is rapidly becoming normal. Before the war many manufacturers, grown rich by special privileges granted them under protective-tariff laws, while advocating a high protective tariff on the merchandise they manufactured for sale, urged free trade in labor, and were large employers of immigrant cheap labor. In the years gone by these manufacturers and certain steamship companies had agents abroad to work up immigrants to the United States, both being inspired by selfish motives. The manufacturer desired cheap labor, so as to increase his own profits; the steamship companies desired to make money by collecting passage fare from the immigrants.

History usually repeats itself, so we have every reason to fear these two powerful agencies will act in the future just as they have in the past, doing all in their power to induce immigration from Europe. Conditions to-day in the Old World are uncertain and unsatisfactory. Families have been separated and scattered, homes, business houses, and farms destroyed, taxes are very burdensome and high, governments uncertain, lawlessness and anarchy prevalent everywhere. The people are not anchored by the ties that formerly held them, so little urging will be necessary to induce them to come to America. In last Sunday's New York Times, May 23, 1920, appeared an article under large headlines:

Immigration rush overtaxes force. Nearly 9,000 aliens landed on Ellis Island in week.

In the article the superintendent of the immigration station, Mr. P. A. Baker, is quoted as follows:

Immigrants are coming to this country as fast as the limited transportation facilities can bring them. There is every evidence that even with postwar passport restrictions, there would be the greatest rush of people to this country ever known in the history of immigration if there were only ships to bring them.

This is only one of the many immigration ports in the United States. No doubt similar conditions obtain at all our other ports. I think we already have sufficient aliens within our borders, and that it is time for the Government to suspend all further immigration.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. CRISP. I yield.

Mr. JOHNSON of Washington. In connection with the gentleman's interesting and timely speech, let me call attention to the fact that the United States has been able to deport during the past 10 years ended April 30, 1910, only 27,350 aliens for all causes. In 10 years 8,800 have gone back as likely to become public charges, 1,100 as diseased, 4,200 as insane, 4,200 as immoral, 1,200 as criminals, and only about 300 as anarchist and dangerous, and 241 of these went on the *Buford* last December.

Mr. CRISP. I thank the chairman of the Immigration Committee. I assume that his figures are the latest obtainable.

In many parts of our country, if you will look around you, reading business signs and names and listening to the language of the street, you would think you were in some foreign land instead of America. When Columbus discovered America it was inhabited by Indians. European immigration changed the whole civilization of America, and the Americans of to-day are totally different from the original American—the Indian. English immigration to Australia has changed the civilization of that country, and it is to-day English in thought. European immigration to India is rapidly changing the national spirit and customs of that Empire. Japanese immigration has changed laws and life in China and Korea, and history teaches that where peoples of different nationalities, religions, customs, and civilization emigrate in large numbers to any land there is always a bitter conflict between the different races; if the immigrants become greatly superior in numbers in a republican form of government, inevitably the political ideas, customs, manner of living, and idiosyncrasies of the immigrants become dominant, control legislation, and ultimately shape the destiny of the nation. According to testimony adduced before the Immigration Committee of the

House, we have to-day 11,000,000 aliens in the United States, only 2,000,000 of whom have filed their declaration of intention to become citizens. In my opinion it is suicidal to the best interest of America to continue to permit further immigration until the millions of aliens now within our borders are Americanized by being required to learn to read, write, and speak our language, to familiarize themselves with American ideas and our American form of government, and to become American citizens.

In most of our industrial centers we have Little Bohemia, Little Italy, Little Russia, Little Germany, Little Poland, Chinatown, and so forth, which centers are the breeding grounds for un-American thought and deeds, and it is in such places that Emma Goldmans, Alexander Berkmans, Haywoods, and the Fosters find their greatest number of converts and followers. Our country is filled with industrial unrest and discontent, strikes are common, anarchists, reds, communists, and I. W. W. agitators walk boldly and defiantly through our land, preaching their nefarious doctrine, urging that our Government be overthrown and a Bolshevist government established. These despicable creatures have no weight or influence with the brave, industrious, patriotic, American workingman, but they unduly sway the ignorant immigrants. Statistics show that in the basic industries of the United States foreigners constitute over 50 per cent of the laborers, as will be seen by a perusal of tables given below, prepared by Mr. Box from the reports of the Immigration Industrial Commission:

	Foreigners.
Iron and steel	57. 7
Slaughtering and meat products	60. 7
Bituminous coal	61. 9
Woolen and worsted manufacturing	61
Cotton goods	67. 7
Clothing manufacturing	72. 2
Furniture manufacturing	59. 1
Leather, curing and finishing	67
Oil refining	66
Sugar refining	85

From April 6, 1917, to November, 1918, the heartbreaking period, when our brave boys were in Europe or on the high seas braving the dangers of the German submarine, risking their all for you, for me, and for their beloved country, every impulse of love for them and appreciation of their sacrifice and every patriotic emotion and instinct dictated that every liberty-loving person employed in industries at home essential to supplying our heroes with food, clothing, and munitions of war should exert themselves to the utmost to reach the maximum of production to insure their success against the Germans.

But, notwithstanding this solemn, sacred duty, according to the Department of Labor, during this critical period of our national life, there were 6,000 strikes, the average duration of which approximated 17 or 18 days, in the industries of the United States. In this connection I can not refrain from expressing my sincere admiration for the patriotic conduct and marvelous achievements of the farmers of our country during the progress of the World War. [Applause.] The slogan "Food will win the war" became familiar to all. Notwithstanding tens of thousands of farmers and their sons and hired helpers were inducted into our military service, these splendid citizens, by working from daylight to dark, in sunshine and in rain, in the cold of winter and heat of summer, produced more crops than ever before in all our history. They fed and clothed our Army and the armies of our allies as well as the civil population of the Allies, and never for one moment did they consider striking. [Applause.]

The 6,000 strikes referred to were largely brought about by the influence of American walking delegates and foreign-labor agitators upon alien immigrants, who constitute the greater part of the employees in our essential industries. Such conditions will continue to exist as long as we permit immigrants from southern Europe and other objectionable parts of the world to enter the United States by the millions, with no intention of becoming American citizens, but who come solely to be employed in our industrial life, because they can get higher wages than they earn in their native country. In my judgment, the greatest service this Congress can render our country is to suspend all immigration for a period of 10 years or longer; to deport these red anarchistic labor agitators, and all other undesirable aliens, and to require all aliens within the United States within a specified time to learn to read, write, and speak the English language, to become Americanized and become citizens of the United States and real Americans in fact and not in name only. [Applause.]

I have no sympathy or patience with hyphenated Americans, whether they call themselves English-Americans, Hungarian-Americans, Scotch-Americans, French-Americans, Italian-Americans, Russian-Americans, Polish-Americans, or German-Americans. [Applause.] To me there is but one kind of American worthy of the name, and it is he who tolerates no prefix to "American"; one whose every thought, heartbeat, and emotion places America first before all other nations on earth; one who, in his heart of hearts, acknowledges allegiance to no country but America, and no flag but the Stars and Stripes. [Applause.] All aliens who are not willing and anxious to measure up to this standard should be deported from our land. [Applause.]

The bill I have introduced is intended to accomplish this purpose. Mr. Speaker, I have no pride of authorship in my bill, but I am profoundly interested in having legislation along the line suggested in it enacted into law. I earnestly appeal to you, my colleagues, to wake up to the grave situation that confronts us, and urge the Committee on Immigration to report out some bill restricting immigration, and when so reported to insist that the Republican steering committee, who directs the policy of this House, have the bill considered and enacted into law before Congress adjourns. I am alarmed for our country. One of the vital questions of the hour is whether our pure Americanism shall be preserved unpolluted to continue to enlighten, encourage, develop, and bless mankind, or whether it is to be polluted and destroyed; whether the people, culture, and spirit of our Nation shall be oriental, European, or continue American in character. The answer to this most important question largely depends upon what immigration laws we enact. Our forbears, with the great price of untold hardships and sacrifices, and, yea, with sacred, precious blood, established this, our ideal, Government in the wilderness of the New World for themselves and their posterity. We owe it to them, to our children, and descendants, and to ourselves, to see that America remains American, and that our priceless heritage shall in no way be impaired; continued immigration threatens it. Shall we continue to slumber when the country and form of government we love is endangered? I pray you, sirs, that your answer will be "No." [Applause.]

Mr. HENRY T. RAINEY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MASON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD upon the subject of a mandate for Armenia.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. EMERSON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

Mr. HICKS. Mr. Chairman, reserving the right to object, upon what subject?

Mr. EMERSON. Upon the duties of a Congressman and what we have done and are doing as a Congress.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. EMERSON. Mr. Chairman, the following letter explains itself:

COMMITTEE ON RIVERS AND HARBORS,
HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
Washington, D. C., May 22, 1920.

Hon. H. I. EMERSON,
Congressman, Twenty-second District of Ohio,
Cleveland, Ohio.

DEAR MR. EMERSON: I desire to congratulate you upon the fact that in the next Congress you will be the second man on the Rivers and Harbors Committee, as this will place you on the conference committee and give you much prestige.

You have advanced rapidly on this committee, due largely to your hard work.

With kindest regards, I am,
Yours, sincerely,
C. A. KENNEDY,
Chairman Committee on Rivers and Harbors.

Mr. Chairman, the service rendered by a Member of Congress is oftentimes misunderstood by his friends and oftentimes misrepresented by his enemies.

Members are oftentimes asked these questions: What have you done? What bills have you had passed?

I find upon investigation that over 20,000 bills are introduced by Members each term of Congress, and of this number about 200 become laws, or about 1 per cent.

Of these 200 bills and resolutions that are passed about 190, or 95 per cent, bore the names of the chairman of the committee that reported the bill.

Members who have been the most efficient here and have served in this House for over 25 years tell me they have secured the passage of not over 5 or 10 bills which bore their names during all the time they have served here.

All Members get pension bills through, but these bills are all placed together in one bill and bear the name of the chairman of the committee who reports the legislation.

A Congressman's service can not be measured by the number of bills or resolutions that are passed which bear his name.

A Congressman renders his greatest service by his votes for or against important legislation that comes before Congress.

He renders a great service when he assists the ex-service men back home in getting their insurance straightened out and in other ways.

He renders a great service when he attends properly to his correspondence and looks up the matters he is asked to look up, such as passports, securing copies of bills, publications, and reports.

Seniority prevails in the House, and a Member's influence increases with his years of service, and finally reaches its climax when he becomes chairman of some important committee.

Members are criticized for missing roll calls, which is oftentimes very unjust. Members should not miss a roll call upon a very important measure unless they have some very good reason, but the ordinary no-quorum roll call is made oftentimes solely to filibuster and delay important legislation, and, besides, Members are called away because of sickness and death, and some of the most efficient Members here miss roll calls when they are in the Capitol because they are attending important committee meetings or are in conference with the officials of some department.

About one-third of the roll calls are unnecessary and uncalled for.

It takes at least a half of the day for a Member to answer his mail, and oftentimes all day.

I find that all Members of Congress are quite busy all the time, and are doing their best for their constituency as they see it.

Mr. FESS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD upon the rehabilitation bill.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. OLDFIELD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HULL of Tennessee. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SABATH. Mr. Chairman, I make the same request.

Mr. KING. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the requests of the gentlemen from Illinois [Mr. SABATH and Mr. KING]?

There was no objection.

Mr. CANNON. Mr. Chairman, would it be in order for me to ask unanimous consent that every Member have leave to extend his remarks in the RECORD?

The CHAIRMAN. The Chair would submit the request.

Mr. GARRETT. Mr. Chairman, it would not be in order if objection was made.

Mr. HICKS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HICKS. As a matter of fact is it in order at any time in committee for gentlemen to ask unanimous consent to extend their remarks in the RECORD on a subject other than that under consideration?

The CHAIRMAN. It is not.

Mr. HENRY T. RAINEY. Mr. Chairman, I yield to the gentleman from Missouri [Mr. DICKINSON].

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. TILSON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 1223. An act for the relief of the owner of the steamer *Mayflower* and for the relief of passengers on board said steamer;

S. 3763. An act regulating the disposition of lands formerly embraced in the grants to the Oregon & California Railroad Co. and Coos Bay Wagon Road Co.;

S. 3461. An act to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii; and

S. 4332. An act to exchange the present Federal building and site at Gastonia, N. C., for a new site and building.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11960) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the joint resolution (S. J. Res. 179) authorizing use of Army transports by teams, individuals, and their equipment representing the United States in Olympic games and international competitions.

The message also announced that in accordance with House joint resolution No. 302 the Vice President had appointed as members of the United States Pilgrim Tercentenary Commission Mr. LODGE, Mr. WALSH of Massachusetts, Mr. HARDING, and Mr. UNDERWOOD.

SIMPLIFICATION OF THE REVENUE ACT OF 1918.

The committee resumed its session.

Mr. DICKINSON of Missouri. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HENRY T. RAINEY. Mr. Chairman, I yield the remainder of my time to the gentleman from Tennessee [Mr. HULL].

Mr. HULL of Tennessee. Mr. Chairman, the majority party in control of Congress proposes to enter upon either the recess or the adjournment stage around June 1, presumably with the view of abandoning all further legislation until the regular session convenes in December next. The Republican caucus of the House of Representatives, which was held on May 17, 1919, just prior to the beginning of the extra session of Congress, adopted a legislative program in which they declared it to be their purpose to proceed in the consideration of a "constructive program of legislation," which, among many other important legislative items set out, included the following:

Reduction in domestic taxation; simplification of laws relating thereto; and immediate repeal of obnoxious consumption taxes.

This promise was also made to the people during the campaign of 1918. These and a number of other solemn pledges embraced in this pretended caucus program of legislation have so far been studiously ignored and deliberately broken. It would be worse than bad faith for the Republican Congress now to plead that it abandoned its plain duty and its unequivocal promise to simplify and make more equitable the war-tax system during the two sessions of Congress extending over the past 12 months through fear of presidential vetoes, because both the President and the Secretary of the Treasury have earnestly and repeatedly urged just such legislative action. If the Republican Congress were going to invoke this false plea in defense of its gross negligence, failure, or incapacity, such plea, if carried to its logical conclusion, means that the Republican House caucus, which convened on May 17, 1919, should have resolved that the President would veto any measure passed by the Republican Congress, and therefore no legislation, not even on a so-called peace resolution, could be considered until after March 4, 1921, under a new administration. The unvarnished truth is that the Republican leadership in this Congress early decided that instead of proceeding promptly to simplify and make more equitable the war-tax system, it would be better politics to allow the taxpayers to suffer and complain for one or two years and until after the presidential election, and that they might perchance visit their wrath upon the Democratic administration and overlook this duplicity and this deliberate failure of the Republican Congress to perform its plain duty to them. Again we thus see politics placed above duty and patriotism at the expense of all those taxpayers who are suffering from such inequities as changed conditions have created and as crept into the war-tax system incident to the necessary haste in which it was framed. Republican leaders have by this general policy been strenuously endeavoring to convert a nation of patriots into a nation of partisans. They have applied a political test to almost every legislative proposal.

Mr. Chairman, I desire to discuss the present and prospective state of our Federal taxation, and incidentally to offer some comment on our finances, economy in expenditures, and the present economic situation. In considering these problems we must bear in mind the new and, in many respects, wholly different conditions in our industrial, financial, and commercial affairs which have arisen as a result of the World War. The present artificial conditions of credit, money, trade, and prices but illustrate the truism that the problems of technical peace or peace during the reconstruction period are more difficult than those of war. The popular notion that a nation in arms can overnight be transformed into a nation at peace with peace or normal conditions has already been exploded. There still exists an enormous inflation of prices, credit, and currency extending throughout the world and embracing in similar degree both the nations which participated and those which did not participate in the war. We find just as high, and in most cases

higher, prices in Spain, Scandinavia, Japan, the Orient, and nations farthest removed from the war as exist in this country to-day. The destruction of $40,000,000,000 of property, the loss of 9,000,000 men, and a total war cost of over $200,000,000,000 have undermined the very foundation of European industry and commerce and badly dislocated our own economic situation. During the more than four years of war the world consumed and destroyed far more than it produced and saved.

In many most important respects we are still dealing with war conditions, and to do so successfully requires exhibitions of patriotism, patience, and toleration, such as the American people offered in the most wonderful way during the fighting period of the war. The lesson taught by every important war of the past, which we are too prone to forget, has been that almost a complete dislocation of social, political, and economic affairs, calling for gradual, radical, and painful readjustment, occurs, with the inevitable result that a wave of social unrest always appears, including strikes, controversy, discontent, wholesale complaints, and wholesale remedies, both real and imaginary. Some of these postwar evils can be remedied and some lessened by legislation, while others must run their logical course and disappear gradually. The greatest consolation which the American citizen can claim is the outstanding fact that the serious postwar difficulties, dangers, trials, and burdens which the entire world is at present undergoing, affect the people of this country far less injuriously in every important respect than the people of any other country participating in the war, and of almost every country not participating.

Both Government and individual financing have an important bearing on the restoration of normal economic conditions. During this trying period both the Government and the citizen should exercise sane and rigid economy in expenditure, and both should cooperate in the work of catching up with all kinds of essential production. Only increased production and economy will bring down prices and taxes.

Mr. Chairman, just now there is much timely discussion of the questions of Federal revenue, expenditures, and economy. The American people are rightfully demanding of Congress the wisest and soundest action in dealing with each of these problems. It has been correctly stated that during this presidential year the people will be interested in political parties more on account of what they will accomplish in the future than what they have achieved in the past. The past record of a political party on a given subject, however, affords the best possible assurance of what it will or will not do in the future. Since certain Republican leaders, by every kind of false and misleading statements, charges, and innuendos, have sought to minimize the record of the Democratic administration, as it relates to taxation, expenditures, and economy, I shall direct attention to a few high points in the records of the two leading parties on these three subjects, both as a means of showing the utter falsity of their present attacks and as an augury of what can reasonably be expected of each party if intrusted with power in November.

The Democratic Party administered the affairs of the General Government during the chief portion of the first 70 years of its history. Its cardinal policies were equitable taxation with the lowest levy that would meet the necessities of the Government, administered with economy and efficiency in all its departments. Under these wise and beneficent policies, which the opposition, even, had ceased to question for many years prior to the Civil War, the annual expenditures of the Federal Government only rose to $63,000,000 from 1789 to 1860. During this period a number of wars were fought and most of the great public domain west of the Mississippi was annexed. The average annual increase of expenditures covering more than one-half the Nation's history was less than $800,000. For the first full year after the Civil War the Republican Congress only reduced expenditures from the highest war peak a little over one-half. As late as 1868, more than three full years after the war, the level of ordinary expenditures still stood at $207,000,000, or more than three times the prewar level, excluding new pensions and interest on the new war debt, whereas the Treasury officials estimated that a fair normal annual increase from 1861 should have placed the expenditures for 1869 at $100,000,000. The Harrison administration increased the average of annual expenditures over the first Cleveland administration $95,000,000, while the second Cleveland administration conducted the Government at a cost of $6,559,000 less than the preceding Harrison administration.

The McKinley administration increased the average annual expenditures $45,000,000 over those of the last Cleveland administration, or a total for the four years of $180,000,000, excluding the entire expenses of the Spanish-American War. The last four years of the Roosevelt administration piled up expenditures of $1,696,000,000 in excess of the last four years of Cleveland's administration, or an average annual increase of $424,000,000. The Taft administration pursued the settled Republican peace and war policy of waste and extravagance. [Applause on the Democratic side.]

Blaine, in his "Twenty Years in Congress," referring to previous Democratic administrations, says:

> During the long period of their domination they guarded the Treasury against every form of corruption and every attempt at extravagance.

Mr. Chairman, the Democratic Party is traditionally the party of economy in Federal expenditures; the Republican Party is traditionally the party of extravagance. I can emphasize the wide contrast between the honesty, efficiency, and economy of the Democratic administrations and the policy of waste, corruption, and indifference to the taxpayers by Republican administrations no more accurately than by offering two citations. The indictment of the first 16 years of Republican rule by Samuel J. Tilden in the Democratic national platform of 1876 reads as follows:

> The annals of this Republic show the disgrace and censure of a Vice President; a late Speaker of the House of Representatives marketing his rulings as a presiding officer; three Senators profiting secretly by their votes as lawmakers; five chairmen of the leading committees of the late House of Representatives exposed in jobbery; a late Secretary of the Treasury forcing balances in the public accounts; a late Attorney General misappropriating public funds; a Secretary of the Navy enriched or enriching friends by percentages levied off the profits of contractors with his department; an ambassador to England censured in a dishonorable speculation; the President's private secretary barely escaping conviction upon trial for guilty complicity in frauds upon the revenue; a Secretary of War impeached for high crimes and misdemeanors.

Verily, there were itching palms and nimble fingers in high official life in those days. On these awful charges the American electorate returned a verdict of "guilty without mitigating circumstances." I challenge comparison of this hideous record of almost one continuous official debauch with that of every important Democratic Federal official during the past seven years or any other period. Fourteen years later, when the Republican administration amazed the country with a billion-dollar Congress, and then, 20 years thereafter, a billion-dollar single session of Congress, the cool and contemptuous reply to the outraged taxpayers was "this is a billion-dollar country." I deny the right of any Republican whose party record is reeking with official waste, corruption, and debauchery to slander the present Democratic administration in similar terms by imputations and innuendos and without any concrete facts. I deny the right of any Republican whose party, during all the years it was in power, kept one hand in the Treasury and the other in the pockets of the people to upbraid a Democratic administration for either extravagance or unfair taxation. We find in almost every single Democratic platform of the past hundred years a strong plank pledging rigid economy, honest and fair taxation, and efficiency in the administration of Government affairs, while Republican platforms, with rare exceptions, have been completely silent on these vital policies. "By their fruits ye shall know them."

Mr. Chairman, let us now carry this contrast further into the present Democratic administration, covering the past seven years and including the financing of the Nation's part in the World War. When this administration assumed control of the Government in 1913 it found a patchwork, panic-breeding currency system and a system of lopsided customhouse taxation, which consistently exploited the consumers and carefully protected the principal owners of the wealth of the country from nearly all taxation. The great Federal reserve law was speedily enacted. A broad and equitable system of income taxation was passed and put in permanent effect for the first time. This system was based on the principle of ability to pay instead of on the necessities of the taxpayer. The income tax and the Federal reserve act gave the United States a fiscal system everywhere conceded to be far superior to that of any other nation. Save for these two great engines of fiscal power the successful financing of the Great War which soon followed their enactment would have been utterly impossible. They came in the very nick of time and they only came with the advent of this Democratic administration. Prior to the war this administration exerted itself to effect plans for economies, which included a budget system. The normal expenditures for 1916, $1,072,000,000, were held down $5,000,000 below those for the previous year. Then we were drawn into the war.

It is a matter of extreme gratification that the ablest statesmen, financiers, and economists the world over agree that our Government financed its part of the war on lines far sounder and wiser than any other nation. When the United States entered the war on April 6, 1917, Congress proceeded with the work of formulating a suitable war-revenue policy. After a

careful consideration of the fundamental principles of taxation, the consensus of opinion was that an equitable and comprehensive war tax should be laid principally upon wealth, luxury, pleasure, and seminecessities. With a basis of taxation thus established on lines broad and sound at the beginning of the war, the tax could be increased and extended as the war progressed and our revenue needs increased, and after business had adjusted itself to such new system of taxation, without disturbance of our economic conditions and without the necessity later of readjusting or patching up our tax structure. In adopting this view Congress was actuated by the three controlling considerations of adequate revenue, equity in the tax levy, and ability to pay. This general policy was written into the war-revenue act of 1917 and was further conspicuously reflected in the war-revenue act of 1918. The taxation embraced in these two measures—though all war taxation must be more or less inequitable—is recognized by economists and financiers everywhere as more nearly meeting all the requirements of general soundness as to its scope, nature, and extent than the war-revenue system of any other nation.

Congress was guided by the further principle of wise war finance, nowhere controverted, that during the war the Government should levy the largest amount of taxes that could be imposed without materially injuring business or seriously handicapping the normal course and development of any essential industry. Excluding normal expenditures, postal receipts, and the principal of the public debt, the war cost from April 6, 1917, to October 31, 1919, was $32,330,000,000, the total war and normal cost being $35,413,000,000. During this period the revenue receipts other than borrowed money aggregated $11,280,000,000, or 32 per cent of the total expenditures; or, if we deduct the amount of loans made during this period to foreign Governments in direct aid of the prosecution of the war, aggregating nearly $9,406,000,000, leaving the disbursements of the American Government $26,007,000,000, the proportion of the cost met out of revenues was over 43 per cent. I have not deducted several large special and temporary items expended for stock of War Finance Corporation, ships, railroads, Federal land banks, and so forth. This ratio of receipts from taxation to expenditures was 24.7 per cent in England, 15 per cent in France, 14.7 per cent in Italy, and less than 11 per cent in Germany. Ours was a much better showing than that of any other important Government. This wise policy of taxation kept down inflation of credit and prices, maintained our Government credit, and permitted a corresponding payment of war costs with the same inflated values in which they were contracted, and to that extent saved the taxpayers a double burden in the future. I append to my remarks tables giving itemized statement of receipts and disbursements from April 6, 1917, to April 30, 1920.

Mr. Chairman, it is easy, now that the war is won, to offer ignorant, captious, and political criticism of the amount of the war expenditures. The complete answer to such unpatriotic efforts to minimize our war achievements is to say that during a period of 19 months the combined financial and industrial efforts of the United States were feverishly exerted to throw its maximum resources, including man power and supplies, into the war. The inevitable result was that huge plans were perfected, thousands of contracts entered into, colossal programs framed, enormous military and industrial structures built up upon what the allied generals agreed was the true assumption that the war would continue far into the year 1919, and in contemplation of sending nearly 5,000,000 soldiers, with ample equipment and supplies, to France. On this unprecedentedly broad basis the United States was going full tilt when suddenly, and to the surprise of the allied military authorities, the armistice came about and the fighting part of the war ended. Carping political critics of expenditures now say in effect that the Government should have ignored this best human foresight and restricted its war activities to the narrow scope that would contemplate the sudden ending of the war in November, 1918.

Let us try to imagine how the political hyenas now offering this criticism would have yelped and thundered against the Government had it failed to prosecute the war on the great scale it did, and the war as a result had continued into the spring and summer of 1919, as it doubtless would have done, involving fabulous expenditures of men and money in excess of what were actually incurred. Speed, necessarily resulting in what would ordinarily be considered extravagant expenditures, is the one prime, paramount factor in the successful prosecution of any war. The expenditures, though ever so high, arising where a vigorously prosecuted war is brought to a quick conclusion, are far less in the aggregate than a lower level of expenditures involved in a slowly conducted and consequent long-drawn-out war, to say nothing of the increased loss of life. Compared with the English war debt, ours would be over $70,000,000,000, and still greater when compared with those of most other nations participating in the war.

While the entire world applauds the Nation's unparalleled war record of 19 months, only certain ignorant or hypocritical critics at home seek to dim the glory of our achievements. Some Republican leaders vociferously demand more than their party's share of credit for the prosecution of the war, and at the same time claim exemption from any share of responsibility or criticism.

Republican leaders strive to create the impression that the Treasury is in a distressful and serious condition. I agree that in normal times this would be true, but it is outrageously unfair and unjustifiable to apply this test now. The truth is that our Treasury condition is immeasurably better than that of any other important Government, and is as satisfactory as could possibly be expected in the circumstances. The deficit in current receipts and expenditures for the first nine months of this fiscal year was $214,000,000, and it will only be later increased to the extent of the much larger withdrawals under recent railroad appropriations than were expected. At the same time our floating debt, most all of which came over into this fiscal year in the form of outstanding certificates of indebtedness, will be reduced, counting certain reductions in the general fund in the transaction, near $600,000,000, and will on June 30 be considerably less than $3,155,000,000, which is the amount of the deficit produced by the current annual expenditures and the amount of floating war debt combined, as estimated in the last annual report of the Secretary of the Treasury. The entire amount of these outstanding certificates has been extended, so they will mature in the fiscal year 1921, except $716,630,000, which are covered by the income and profits taxes payable on June 15, 1920. The much-talked-of "deficit" arrived at by counting our floating war debt is thus practically provided for. Exclusive of public-debt transactions, the latest estimated receipts for this fiscal year ending June 30 next are $6,521,000,000, while the estimated expenditures are nearly $7,000,000,000. The extreme delay of Congress in returning the railroads, with the resulting new expenditure of $1,000,000,000, together with its failure to adopt any definite shipping policy, so the Treasury could derive receipts instead of suffer further expenditures from this source, afford the main reason for the failure of current receipts to balance current expenditures during this fiscal year. The chief portion of $5,000,000,000 has gone to the railroads and ships since the armistice.

Mr. Chairman, no other important Government has so nearly balanced current receipts and expenditures at this early stage after the war, notwithstanding each has added taxes to its war-tax system, while a Democratic Congress reduced our war taxes about $2,000,000,000. England suffered a deficit of $1,630,000,000 at the end of her recent fiscal year, without including her floating debt of more than $6,000,000,000, while France fell several billions behind, and Italy and other countries fared in like proportion. Even Japan expects to borrow $170,000,000 during her new fiscal year. Republican administrations suffered five annual deficits in the ordinary receipts and expenditures of the Government, ranging as high as $89,000,000, from 1897 to 1910; and it ill becomes a partisan Republican to pretend to censure the Democratic administration for failure to show a surplus instead of a practical balance at the end of only the first full fiscal year after the war.

With our present volume of taxation continued through next year and with rigid economy—far more rigid than the feeble and utterly ineffective sort which this Republican Congress has so far practiced—the Treasury should be able to reduce the amount of our floating debt considerably more than one-half by June 30, 1921. Instead of outlining a broad-gauged, constructive program of strict economy and legislating accordingly, the Republican majority in Congress, signally failing in this course, as the actual appropriations will later show, has engaged in mere haphazard methods, and to offer the appearance of real retrenchment to the country they have adopted the transparent and fraudulent device of proclaiming the amount of the reduction in the departmental estimates made by the House appropriation bills as the true standard of legislative economy. The only accurate standard consists in the reduction of the present below the past regular expenditures of similar character for similar purposes and under similar conditions, without impairing the efficiency of the public service. New items of expenditure not due to absolute emergency should be included in such computations. According to the present Republican fake rule of calculating savings, Democratic Congresses during the past

seven years have saved $9,275,000,000, one "saving" alone amounting to $5,554,000,000 for the fiscal year 1918. Everybody knows that the estimates of the departments have always embraced higher figures than either the appropriations or the expenditures would later involve. Republican leaders have not only worked this system of false propaganda overtime, but as war expenditures have disappeared, as temporary war bureaus and divisions have automatically gone out of existence, and expenditures have correspondingly declined, they have attempted to capitalize these natural reductions by pretending that they were only achieved by so-called Republican economy. Another similar scheme is to reduce appropriations for next year lower than the necessary amount, with a view to making up the proper amounts in the succession of deficiency bills expected to follow the November election. In fact, many of these deficiencies are in part met through special bills bearing some other title which are dropped through the House on the various Calendar Wednesdays.

This Congress, in pursuit of the same subtle and false policy, is concealing several hundred million dollars of appropriations by merely authorizing departments to expend unexpended balances in the Treasury and given amounts on hand or later to accrue from their operations, without requiring the latter to be paid into the Treasury and appropriations then made in a business way. One item of over $200,000,000 is thus concealed in connection with the operation of the shipping organization. To add absurdity to false pretense, the endeavor is constantly made to convince the public that the deficit in current receipts and expenditures at the end of this fiscal year is near $3,000,000,000 instead of the small figures I have already set out. This pretended conclusion is reached by improperly including the total amount of the floating war debt as a current expenditure, which is strictly a war hang over. The only wonder is that these lightning political calculators did not include the entire funded debt. It would be almost as deceptive as the floating debt in this connection.

Mr. Chairman, the total annual expenditures should during the next two or three years be kept down around $3,500,000,000, but a Republican Congress will never do it, because a stream can not rise higher than its source. [Applause on the Democratic side.] This would include interest on the public debt and sinking fund requirements of $1,250,000,000. Insurance, compensation, pensions, and other aid to all ex-service men will probably reach an average level of $700,000,000 per annum for the period of the next 25 years. Unless the annual expenditures under the regular appropriations, not embracing any part of the items just recited, are held down far more rigorously than during the present session, they will be found to aggregate from $1,800,000,000 to $2,000,000,000 both during the next fiscal year and some years to follow. This amount is in striking contrast with the 1916 expenditure standard. Budget legislation has been so delayed that it will afford but slight aid in fixing the amount of the appropriations for the fiscal year ending June 30, 1922.

Mr. Chairman, the American people met the large war-tax levies with admirable spirit and patience, but many imagined that as soon as the fighting part of the war ended war conditions and war taxes would likewise end. They overlooked the dreaded and trying period of reconstruction which follows in the wake of every war, and also the considerable amount of expenditures arising directly from the war that would confront the Treasury for a year or two thereafter. We must not forget that war taxes are still utilized to meet war obligations. When paying taxes a citizen would also do well to stop and recall a few of the many inestimable benefits and advantages he derives from the Federal, State, and local governments in return. Police and peace officers protect the safety of the taxpayer, his family, and his property by day and by night; he and his family have the benefits of public highways, streets, and sidewalks, constructed and maintained by governmental agencies; efficient free schools beckon on every hand to the children of the taxpayer; courts of justice are open to the taxpayer at governmental expense for the redress of any injury, actual or threatened, against his person or property—these and manifold other privileges, rights, and liberties, priceless in their nature, are derived from taxes paid. Think how much smaller and fewer would be these wonderful benefits and blessings and how much greater the expense should organized society be dissolved and each individual, without cooperation with others, undertake to care for his own welfare.

We, nevertheless, hear many complaints against the existing war-tax system and a demand for a readjustment of the tax burdens. It is undoubtedly true, as was inevitable, that numerous hardships and injustices have resulted to certain taxpayers from a number of inequitable features in the present system in its application to existing postwar conditions. The taxpayer in his present situation, however, should realize two important facts: One is that much louder complaints against much more inequitable war-tax systems are being made by the taxpayers of the other nations participating in the war, and the other is that many, or most, of the injustices complained of could and should have been eliminated by Congress in extra session during the year 1919. The trouble is not so much in high taxation as in its present inequitable effects. Let me say, in the first place, that Congress exerted its fullest possible efforts to enact equitable war taxation. Senator PENROSE filed a report expressing the views of most of the minority on the revenue act of 1918, when it was reported to the Senate, and in that report he said:

> With respect to those provisions of the bill as amended by the committee, which it is estimated will produce $6,000,000,000 revenue for a full 12-months period, we are generally in accord. These provisions are the result of months of painstaking deliberation and are based upon as accurate and reliable expert information as it was possible to obtain through every agency, official and other. They reflect actual business, industrial, and economic conditions now believed to exist, taking into consideration the rapid transition during the year from the maximum war-needs production to the sudden cessation of hostilities and the arrest of war industry.

Both political parties in Congress were equally responsible for these war-tax statutes, because both shared alike in framing them; no substitute plans or methods were offered by the minority; both parties approved each measure as being the best that could be drafted amid war conditions, the House was equally divided politically, each bill was reported out of the House and Senate committees with practical unanimity, and the entire membership of each party, with scattering exceptions, voted for their final passage.

Mr. Chairman, had the Democratic Party retained control of Congress it would have proceeded during the year 1919 to simplify and in many ways readjust the existing tax system; to substitute more equitable items for harsher ones repealed, so as to afford relief in many cases and classes of cases where serious discrimination or hardship existed; to raise some rates and lower others; and at the same time safeguarding the present volume of revenue. Other nations have already taken just such action.

Any important war makes imperatively necessary three stages of revenue legislation: War taxes framed amidst abnormal conditions and calculated to raise the largest possible amount of revenue within the shortest possible time; a readjustment of the war taxes following the termination of the war with a view to simplification and to removing inequities discovered and better to adjust the tax burdens in the light of reconstruction or post-war conditions; and finally the working out and perfecting of a permanent revenue system applicable to normal conditions. Our Republican friends in control of Congress have purposely denied the American taxpayers the much-needed relief which this second stage most strongly calls for, although the fullest cooperation has been constantly tendered by the President and the Democratic membership of both Houses of Congress.

In his first message to the extra session on May 20, 1919, the President devoted nearly two pages to urgent recommendations of just such tax readjustments as I have outlined. In his message to the present session at its opening on December 2, 1919, he again devoted about two pages to the same subject in the most earnest language, prefacing his recommendations in the following words:

> I trust that the Congress will give its immediate consideration to the problem of future taxation. Simplification of the income and profits taxes has become an immediate necessity.

The Secretary of the Treasury, in his annual report of December, 1919, made strenuous recommendations to the same effect, in the course of which he said:

> I believe it to be the duty of the Congress to give its closest attention to the study of the incidence of taxation with a view to the revision of the revenue act on lines which will produce the necessary revenue with the minimum of inconvenience and injustice.

He earnestly plead the urgent necessity of revision of the revenue law by Congress. As late as March 17, 1920, the Secretary of the Treasury addressed a strong letter to the chairman of the Ways and Means Committee of the House, outlining a plan to simplify the income and profits taxes, to simplify Liberty bond exemptions, and specifying a number of other harsh features of the present tax system and its administration, together with suggested remedies. The Secretary said in part:

> Public opinion has not yet awakened to the gravity of the consequences which are likely to follow a failure to simplify the tax laws at this legislative session.

He then stated that postponement now meant no tax relief until the autumn or winter of 1921, and then added, "I can not contemplate such delay without the gravest apprehension." He concludes his forcible and very earnest recommendation as follows:

I shall be glad upon request to submit draft of amendments embodying the suggestions here presented, and to place at your disposal for the work of tax revision all of the personnel and facilities of the Treasury Department.

Democratic members of the Ways and Means Committee of the House have introduced many remedial tax measures, and have during the entire past 12 months constantly urged on the Republican majority of the committee prompt and effective tax legislation.

Mr. Chairman, I charge that the action of this Republican Congress in deliberately postponing this character of remedial tax legislation for one and a half years, for purely political reasons, resulting as it must in untold injury to a vast number of taxpayers and many phases of business, is worse than criminal. When the public is later able to appraise the injuries and the wrongs inflicted upon the country by this and similar omissions of this Republican Congress in its political policy of denying a suffering people this and other needed legislation, thereby encouraging and aggravating discontent in order to capitalize it in November, its wrath and contempt will know no bounds. To add insult to injury, Republican leaders endeavor to cover up their pusillanimous record of failure by declaiming daily against various features of the present war-tax laws, just as though their party in control of Congress had been helpless to remedy them since last May. The gentleman from Michigan [Mr. FORDNEY], attempting still further to confuse the public, in a speech before the Republican State convention of Michigan on May 5, 1920, spoke with pretended alarm about the present large volume of imports, although he knew that our exports were increasing in greater proportion, and added that $700,000,000 of revenue could be derived from imports by an adequate protective tariff law. This gentleman either overlooked or ignored the important fact that a smaller quantity of manufactures ready for consumption, from which customs taxes are chiefly derived, are now being imported than came in under the Payne tariff law. With values doubled, and more than doubled, the total annual amount of these imports is less than $700,000,000. The overwhelming portion of present imports comprise crude materials for use in manufacture, foodstuffs, and manufactures for further use in manufacturing. The gentleman from Michigan will never be permitted, and will probably never even attempt, to levy any substantial amount of tariff taxes on these classes of articles should his party perchance control the next Congress. I think every person except the gentleman from Michigan [Mr. FORDNEY] now knows this fact. The greatest amount of customs taxes the Republicans were able to levy under the Dingley and Payne tariff laws averaged less than $275,000,000 from 1897 to 1913. Toward the end of this period they were forced to turn to internal taxes to supplement this amount. No customs yield, unless noncompetitive articles are taxed, can well be made to greatly exceed $400,000,000. The most ignorant person now knows that any political party in charge of the Government hereafter must rely chiefly upon our internal revenue.

What will be our revenue and expenditure situation for the next fiscal year ending June 30, 1921? The Treasury estimates total receipts $5,620,350,000 and total expenditures $3,973,797,000.

It was most vital that Congress during 1919 should have commenced the work of tax readjustment and the gradual development of a permanent peace system framed on the lines of equity, ability to pay, and productiveness of revenue. This policy, which the Democratic Party, being in the minority, could not inaugurate, embraced the one big central plan of formulating such additions to and modifications of our income-tax laws as would subject the profits of individuals, partnerships, and corporations to the same relative proportion of taxes. This course would contemplate the elimination as early as possible of the "capital invested" provisions of the excess-profits tax and the merging into the income-tax law proper of such additional and substitute provisions as would adequately meet this phase of tax requirements, with a view to the development of the broadest and most comprehensive normal peace income-tax system possible to be devised. I shall presently discuss this proposal in some detail. Another policy of close secondary importance would require the concentration of the immense number of miscellaneous taxes, both large and small. It is wiser and better to levy a substantial tax on a limited number of articles than a small tax on nearly all articles. Collections are much easier and cheaper, the difficulties of administration are greatly reduced, and the taxpaying public is saved from an immense amount of trouble and vexation. We have entirely too many kinds of little taxes, and they can be reformed under the rule just stated without loss but with additions to the revenue, if necessary, and with great relief to the general public. Let me say to the captious critic of the present laws, however, that the jumbled, confused mass of Civil War tax laws is universally conceded to have been immeasurably harsher and more burdensome than those now in operation.

Mr. Chairman, in looking for more desirable substitute tax subjects, we readily see the entire feasibility of increasing the yield of the estate tax from $110,000,000 to $300,000,000 per annum. This would be a relatively smaller burden than that imposed in England and some other countries. The stamp taxes, while they remain, could just as easily be greatly augmented. They yielded $112,000,000 in England last year, and they constitute a substantial portion of the peace tax systems of most nations. The automobile taxes could, without undue burden, stand a considerable raise. The 3-cent postage tax additional yield of $70,000,000 could well be restored. The governments of several other nations impose 4 cents and more. Several billions of exempt property should be reached for income taxation. But it is useless in the circumstances to enlarge on these items at this time. The transportation or freight tax in the present abnormal situation materially adds to the cost of living and should at least temporarily be replaced by a less hurtful item of taxation. Some of the retail-sales taxes, which are unproductive and almost unworkable, loudly call for radical modifications or entire substitutes. It is to no purpose, however, to offer further suggestions relative to changes, repeals, and substitutions that are desirable in connection with the miscellaneous taxes, since no legislation is contemplated during the present session.

Let us now turn to the further consideration of the proposed relief measures relating to the income and excess-profits taxes and to the conflicting views now prevalent as to the incidence of the principal taxes. The war and excess profits provisions are based upon the view generally accepted in the 14 countries enacting such laws during the war, that it is entirely justifiable for the Government to take the chief portion of abnormal profits arising under war conditions for the payment of war expenditures. These laws can only be somewhat crude, temporary war measures. Any law applicable to abnormal profits and abnormal conditions such as these will necessarily be lacking in equity and scientific accuracy in many individual cases and in some classes of cases. The controlling feature of equity is that no citizen should be permitted to make and keep abnormal or colossal profits as a result of the war, but should be required to turn the excess over a good normal profit into the Treasury. To say the least, this plan offers the most feasible method of reaching this class of profits. The chief complaint against the law at present is based on two conflicting theories: One that it is severely overtaxing business and handicapping business development, including expansions and the making of future contracts, while the other theory is that these taxes are passed on by business to the consumers, thereby greatly increasing the high cost of living. The biggest factor in creating the present high prices is undoubtedly the scarcity of production; another major factor is the great inflation of credit and fiat paper money in Europe amounting to over $50,000,000,000, and of credit in this country, while taxes offer a third contributing cause. Following the Civil War there was a great clamor for the immediate repeal of war taxes in order to reduce prices, but a full try out of this theory at that time proved that prices were not affected by the removal of the taxes because of the influence of the stronger factor of scarcity of production. The result was that the producers received the same and even higher prices in many cases and transferred the amount of the taxes repealed from the Federal Treasury to their own pockets. We recall that prior to the time of high war taxes a greater rise in prices occurred than afterwards; that prices showed no decline when substantial reductions were made in war-profits taxes for the calendar year 1919 and thereafter; and that prices have risen and remained high in countries like France and even countries not participating in the war, which did not impose high taxes, or much less, at any rate, than England and the United States, countries which imposed high taxes. I repeat that the chief ground of complaint must be based on inequities rather than the amount of the present taxes. I think some taxes do retard production.

The corporate net income of the country remaining after paying all income, excess, and war profits taxes from 1916 to 1920, inclusive, is more than $34,000,000,000, or an average of $7,000,000,000 a year, while the corresponding net income remaining for the years 1912, 1913, and 1914 averaged but slightly over

$4,000,000,000, and these latter were not bad business years. I fully appreciate and sympathize with the condition of those taxpayers suffering from inequities in the law, but I do feel justified in commending to those other taxpayers not so suffering, but complaining nevertheless, the example of financial heroism of similar classes of taxpayers in most other countries, where, with the minimum of complaint, they are grimly and resolutely facing and bearing heavier burdens as only patriots can. Those who remained at home and made immense profits during the war should even welcome the opportunity to turn over to the Treasury most or all of the excess above a good profit. The war was never intended as a money-making institution, and those who have profited abnormally from it will meet with deserved popular condemnation whenever they attempt to shirk their duty to pay taxes accordingly. This class of persons and corporations should be subjected to the maximum of the present war-tax laws and of general peace-tax laws during the coming years.

Mr. Chairman, the claim that existing excess-profits taxes afford an incentive to commit waste by unnecessary advertising and other nonessential expenditures was far more plausible during the calendar year 1918, when the Government was taking 80 per cent of war profits, and hence paid 80 cents on each dollar so wasted, than since that time, because the highest excess-profits tax rates are now 40 per cent, and more than 50 per cent of the corporations fall within the 20 per cent bracket. Our conditions of mixed real and artificial prosperity are conducive of much extravagance, which would occur in any event, but just now the fault of all extravagance is laid on the present taxes. To the other charge, that profits taxes are generally passed on to the consumers, the ablest economists the world over have always agreed that the graduated income tax is far less capable of being passed on than any other tax that has been devised. Under this system of graduation the greater the profits realized by the taxpayer the greater the amount he must turn over to the Treasury, with the result that he must soon tire of the process. The most damaging indictment thus far brought against business concerns which have been realizing abnormal profits is that they are willing to charge the public enough to pay all excess-profits taxes imposed and such additional and extortionate amounts as would enable them to realize substantially the same level of abnormal profits that they would have reached in the absence of such taxes. I can not well conceive of a more utter lack of patriotism than that which would prompt any business concern to practice extortion on so huge a scale. Every spark of business integrity and enlightened self-interest would require this class of taxpayers to be content to charge consumers a just and reasonable margin of profit, and any failure should meet with drastic penalties.

Let me make brief reference to some of the many concrete recommendations of the Treasury suggesting tax modifications: Amendment authorizing the Treasury with the consent of the taxpayer to make final settlements of tax assessments and claims in order that the taxpayer may know that he is through; an amendment providing that when Treasury decisions are reversed the new decision or regulation shall not be retroactive; an amendment limiting suits, assessments, and for the collection of taxes to five years after the date return was due; an amendment simplifying Liberty bond exemptions so that owners would have no difficulty in making tax returns; an amendment providing for the apportionment of taxes on profits derived from the sale of property over the period of years it was held, and a like apportionment of compensation for personal service under contracts extending over a period of years; a new law to tax personal service corporations in lieu of the provisions recently declared invalid by the Supreme Court, so as to prevent several thousands of these corporations from remaining tax free for two or three years, involving several million dollars loss to the Treasury; to readjust the higher individual surtaxes on incomes, up or down, with a view to securing the maximum of taxes from this highest category of income; the enactment of suitable provisions to deal with the stock dividend situation as the recent Supreme Court decision left it, so as to save the Treasury tens of millions of dollars; a new enactment requiring the donee in case of all gifts to pay income tax on the difference between the price at which he sells the property and the cost to the donor, thereby literally saving the Treasury hundreds of millions of dollars; a new law simplifying and radically modifying the excess-profits tax with a view to meeting the Treasury requirements pending its early repeal and the merging of suitable substitute tax provisions into the income tax system proper. This plan would have for its purpose the securing of the fullest measure of taxes from all remaining excess profits, but in a more accurate and equitable manner which would be arrived at by imposing a substantial flat or graduated tax on the undistributed profits of corporations and by the elimination of the "capital invested" provision of the present law. These and scores of other amendments to the present tax system have been urged on the Ways and Means Committee by the Treasury for many months. Many of the proposed changes would simplify existing provisions without the loss of revenue, while others would make the laws much more equitable and at the same time afford an actual increase of revenue. The passage of a few of these tax items through the House as Congress is in the act of adjourning is not even deathbed repentance.

Mr. Chairman, I am amply justified in the light of the record of the present and past Republican Congresses in failing and refusing to adopt honest and fair revenue legislation—legislation based on the ability of the taxpayer to pay—in offering the earnest view that only a Democratic Congress can be expected and relied upon to bring about speedy, comprehensive, and equitable reforms in our present system of war taxation, develop it into a model peace revenue system, and maintain its traditional policy of economy in expenditures. [Applause on the Democratic side.]

TABLE A.—*Classified receipts of the United States Government, exclusive of the principal of the public debt, from Apr. 6, 1917, to Apr. 30, 1920.*

	Customs.	Income and profits tax.	Miscellaneous internal revenue.	Miscellaneous revenue.	Panama Canal.	Total.
Apr. 6, 1917, to June 30, 1917	$65,210,500.96	$326,906,757.77	$142,391,206.47	$31,286,970.82	$1,643,271.07	$567,438,707.09
Fiscal year 1918	179,998,383.49	2,314,006,291.84	872,028,020.27	292,513,814.82	6,036,354.28	3,664,582,864.70
Fiscal year 1919	184,457,867.39	3,018,738,687.29	1,296,501,291.67	646,139,700.05	6,374,590.03	5,152,257,136.43
July 1, 1919, to Apr. 30, 1920	259,471,684.71	3,124,029,503.24	1,223,517,683.95	520,029,968.05	4,178,565.56	5,131,227,405.51
Grand total	689,138,436.55	8,783,726,240.14	3,534,438,202.36	1,489,970,453.74	18,232,780.94	14,515,506,113.73

TABLE B.—*Statement showing classified disbursements of the United States Government, exclusive of the principal of the public debt, by months, from Apr. 6, 1917, to Apr. 30, 1920.*

	Ordinary.	Foreign loans.	Other special.	Total.
Apr. 6, 1917, to June 30, 1917	$317,118,665.99	$885,000,000.00	$13,767,962.56	$1,215,886,628.55
Fiscal year 1918	7,874,386,324.91	4,738,029,750.00	84,286,396.23	12,696,702,471.14
Fiscal year 1919	14,935,848,739.62	3,479,255,285.56	99,775,949.85	18,514,879,955.03
July 1, 1919, to Apr. 30, 1920	5,120,717,593.44	403,337,028.09	9,451,627.01	5,533,506,249.44
Grand total	28,248,071,323.96	9,505,622,043.65	207,281,936.55	37,960,975,304.16

TABLE C.—*Preliminary financial statement of the United States Government for the period from Apr. 6, 1917, to Apr. 30, 1920.*

RECEIPTS AND DISBURSEMENTS.

Net balance in the general fund Apr. 5, 1917	$92,317,710.27	Disbursements, exclusive of principal of public debt, Apr. 6, 1917, to Apr. 30, 1920	$37,960,975,304.16
Receipts exclusive of principal of public debt, Apr. 6, 1917, to Apr. 30, 1920	14,515,506,113.73	Public debt disbursements Apr. 6, 1917, to Apr. 30, 1920	38,683,873,453.48
Public debt receipts Apr. 6, 1917, to Apr. 30, 1920	62,346,582,553.95	Net balance in the general fund Apr. 30, 1920	309,557,620.31
	76,954,406,377.95		76,954,406,377.95

PUBLIC DEBT AND EXPENDITURES.

Total disbursements for war period, exclusive of principal of public debt	$37,960,975,304.16	Total gross debt Apr. 30, 1920	$24,944,677,796.75
Total receipts for war period, exclusive of principal of public debt	14,515,506,113.73	Total gross debt Apr. 5, 1917	1,281,968,696.28
		Gross debt increase for war period	23,662,709,100.47
		Net balance in the general fund, Apr. 30, 1920	$309,557,620.31
		Net balance in the general fund, Apr. 5, 1917	92,317,710.27
		Net increase in balance in general fund	217,239,910.04
Excess of disbursements over receipts for war period	23,445,469,190.43	Net debt increase for war period	23,445,469,190.43

NOTE.—The large amount of the public debt accounts is chiefly due to the frequent issues and redemptions of Treasury certificates.

Mr. SIMS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

Mr. WALSH. Upon what subject?

Mr. SIMS. I desire to print some remarks in the RECORD with reference to economic railroad financing and operation.

Mr. WALSH. And incidentally involving the Plumb plan?

Mr. SIMS. Oh, no; not at all. I never would expect unanimous consent for a thing of that sort.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREEN of Iowa. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. BROWNE].

Mr. BROWNE. Mr. Chairman, the boldest and most flagrant case of profiteering in food products has been in regard to sugar. Sugar is one of the necessities of life. The United States is the largest sugar consumer in the world, the consumption, according to the report of the Committee on Agriculture, amounting for the year 1919 to 92 pounds per individual. Based upon these figures, the amount required for domestic consumption is 4,520,000 long tons. The sugar profiteer has taxed the American public at least 10 cents per pound and, taking 92 pounds per capita, it would be a tax of $9.20 on every man, woman, and child of our 110,000,000 inhabitants, or, in other words, the sugar profiteer has robbed the American people of over one thousand million dollars—$1,012,000,000.

RESPONSIBILITY.

The above facts can not be controverted. The question is, Who is responsible, the Congress of the United States or the Democratic administration in administering the laws that Congress has passed? Both the Congress and the administration are charging each other with this responsibility, and the American people, who are groaning under this tremendous tax, which on one article alone is adding between $40 and $60 tax per year on every American family, are going to ascertain who is responsible and visit just punishment upon the responsible party.

ADEQUATE LAWS PASSED BY CONGRESS.

War was declared April 6, 1917. There was a great shortage of food in Europe. The Allies begged the United States to supply them with sugar, wheat, fats, and so forth. August 10, 1917, Congress passed what is known as the food-control act. Under this act the President had absolute control of the manufacture, sale, distribution, and fixing the price of sugar. Under this act the President was authorized by Congress to—and did—organize under the laws of New Jersey a corporation, the stock of which corporation was subscribed for in the name of the President of the United States, and $5,000,000 was appropriated by Congress and placed in the President's hands as cash capital. The President appointed eight directors of this corporation, called the Sugar Equalization Board. This board had from its appointment the right, and exercised that right, to fix the price of sugar, license sugar dealers, and go into the market and buy sugar. The names of the members of the Sugar Equalization Board appointed by President Wilson are:

Directors: Herbert Hoover, chairman of the board; George A. Zabriskie, president; Clarence M. Wooley; Elias A. De Lima; Theo. F. Whitmarsh, vice president; Edgar Ricard; William A. Glasgow, jr., general counsel; and F. W. Taussig.

In the year 1917 the Sugar Equalization Board, under control of the President, bought the entire Cuban crop of sugar. It had an arrangement with our allies that it would resell one-third of the Cuban crop to them. This agreement was carried out. The Sugar Equalization Board entered the Cuban market and purchased the entire Cuban sugar crop at 5.5 cents a pound for unrefined sugar or $5.50 per hundred pounds.

Agreement was made with the refiners that they should refine sugar at $1.54 per 100 pounds. The duty was $1 per 100 pounds for Cuban sugar. The freight was approximately 38½ cents per 100 pounds. Thirty-eight cents per 100 pounds was retained by the board to defray the cost of administering the law. Agreement was made with the refiners that they would sell the refined granulated sugar at 9 cents per pound. The Sugar Equalization Board allowed the brokers one-fourth of 1 cent per pound for handling the sugar and the retailers 1 cent per pound. This brought the price of the refined sugar to the consumer at practically 10 cents per pound throughout the country. Thus the law passed by Congress worked well, and there was no profiteering in sugar up to November, 1919.

CHANGE IN POLICY.

In January, 1920, for some reason unknown and never yet explained, the Sugar Equalization Board canceled its former order fixing its price of sugar to the consumer at 10 cents per pound.

It removed the charge that the brokers might exact from the retailers and the retailers from the public. The same law under which the Sugar Equalization Board purchased the Cuban sugar crop of 1918 at 5½ cents per pound was still on the statute books. This law has never been repealed. Under the terms of the law the President, as I previously stated, is given authority to license the importation, manufacture, storage, or distribution and fix the price of sugar. This law was to remain in force under its terms until the President himself proclaimed that the existing state of war between the United States and Germany had terminated. The act was continued by this Congress until December 31, 1920, so that if peace was consummated at any time the law would still be in force until the close of the present year 1920.

The Department of Justice, by Attorney General Palmer, has repeatedly made the statement that the laws have not been adequate. Notwithstanding this statement, the existing laws were sufficient for the Sugar Equalization Board to purchase the Cuban sugar crop of 1918 and fix the price of sugar in the United States to the consumer at 10 cents per pound for the years 1918 and part of 1919. Under the existing laws Attorney General Palmer has recently set the margin of profit allowed on sugar sales at 1 cent a pound for the wholesaler and 2 cents a pound for the retailer. How does the Attorney General reconcile this action and the action of the Sugar Equalization Board in purchasing the Cuban sugar crop of 1918 and fixing the price of sugar in the United States with the statement that the laws are not sufficient? At no time has the President or the Department of Justice, officially or otherwise, requested Congress to give them any more powers than the law already gave them, which were ample.

THE ADMINISTRATION AT FAULT.

November 8, 1919, Attorney General Palmer sent the following telegram to Mooney, United States attorney:

MOONEY, NOVEMBER 8, 1919.

United States Attorney, New Orleans, La.:

Your wire of the 8th (Nov., 1919) detailing results of conference. Consider agreed price rather high, but hereby concur in maximum fixed price of 17 cents for Louisiana plantation clarified, 18 cents for Louisiana clear granulated, understanding that all contracts for a higher figure to be abrogated. Further suggest if possible you secure an agreement in writing by authorized committee of Louisiana producers and refiners, to be used as prima facie evidence where prices are charged in excess of agreement. You are hereby instructed to immediately prosecute any violator of this agreed price.

PALMER.

This telegram fixed the price of Louisiana plantation sugar at 17 cents and Louisiana clear granulated at 18 cents per pound, which was an important factor in jumping up sugar all over the United States and also in Cuba. November 8, 1919, when Attorney General Palmer allowed the Louisiana sugar speculators to charge 17 and 18 cents for their sugar at the plantation, sugar was selling in the United States at 11 and 12 cents per pound at retail.

In connection with Attorney General Palmer's telegram fixing the price of sugar at 17 and 18 cents on November 3, 1919, attention is called to the minority report of Senator RANSDELL,

of the State of Louisiana, in which report the Senator opposes the continuation of the Sugar Equalization Board in the following language:

The present sugar scarcity is only temporary; will be relieved as soon as the present longshoremen's strike is settled and the domestic sugar crops reach the market, and I am of the opinion that even without the purchase of the Cuban crop there would not be such a scarcity of sugar in this country as is anticipated by the majority members of this committee. The purchasing power of the European countries is limited and the greater portion of the Cuban crop will be bought and refined in this country through the natural avenues of trade and industry. In support of this view, I beg to annex herewith the memorandum submitted by Dr. Taussig to the President August 14, 1919, in which he dissented from the views of a majority of the United States Sugar Equalization Board.

It is further interesting to read the statement of Prof. Taussig, of Yale University, a Democrat and free trader, to whose opinion President Wilson gave more weight than he did to the other seven members of the sugar equalization board.

I regret not to be able to reach the same conclusion as the other members of the Sugar Equalization Board. I believe that no negotiation should be entered into with the Cuban producers and that the regulation and restriction of sugar prices should cease with the close of the present arrangement, December 31.

It will be noted that Prof. Taussig does not claim that the existing laws are not sufficient.

Sugar at that time was selling in the United States at retail from 10 to 12 cents per pound. The Cuban crop of sugar was offered and could have been purchased by the Sugar Equalization Board for 6½ cents per pound, so that the consumer could have had all the sugar desired at from 10 to 12 cents per pound for the remainder of 1919 and all of 1920. To-day the consumer is paying from 22 to 30 cents per pound, with a possibility of its going higher, and the purchaser only allowed to purchase one pound at a time.

I herewith give the following news item clipped from a Washington paper:

CHICAGO, *May 20, 1920.*

Fifty-one freight cars loaded with 3,060,000 pounds of sugar are being sought in railroad yards here by Federal agents. It is said the sugar has been on side tracks for two weeks. Sugar is being sold at 31 cents a pound retail here.

Prof. Taussig's theory, which was accepted by Prof. Wilson, our President, has cost the people of the United States over one thousand million dollars. This enormous and unearned profit goes into the pockets of a very few speculators who control the sugar market. If this enormous profit was divided equally among 100 of the profiteers, each would make a profit of over $10,000,000.

EFFECT OF PALMER'S ACTION IN FIXING PRICE OF LOUISIANA SUGAR.

George A. Zabriskie, head of the Sugar Equalization Board, stated to the New York Globe December 24, 1919, as follows:

The sugar situation is now hopeless, for the reason that it has gotten into politics, and the sooner it gets out the better. The ridiculous price of 17 cents wholesale for the raw sugar now charged by the Louisiana planters is an outrage. I can not say that Attorney General Palmer fixed the price, but it was known in Louisiana that he would stand for it. It was known furthermore that he approved it. It was this folly that inspired the Cubans to make their gouge. When they saw American sugar planters getting away with 17 cents, they decided it was perfectly legitimate for them to get some of the plunder, and to-day the people are paying the price for the Attorney General's mistake. Had the Sugar Equalization Board been permitted to exercise its own judgment, instead of the country facing a famine, as it now does, we would have had the largest crop of sugar in history at 6½ cents per pound.

COULD HAVE BOUGHT CUBAN SUGAR CROP OF 1919 AT 6½ CENTS A POUND.

July 29, 1919, George A. Zabriskie, president of the Sugar Equalization Board, received the following letter from the accredited representatives of the Cuban sugar growers of Cuba, R. B. Hawley and Manual Rionda:

GEORGE A. ZABRISKIE,
President Equalization Board,
112 Wall Street, New York City.

DEAR SIR: In pursuance of the informal discussions conducted between subscribers, speaking by authority for the Cuban Government, the members of the Equalization Board, as the purchasers and distributors of Cuba's sugar crop for the existing year, we deem it expedient to submit for your information, and, as far as you may determine, for your action in continuing the control and disposition of Cuba's crop of sugar for the ensuing year, 1920.

In presenting our suggestions, while acting directly for the Cuban sugar producer, we accept the grave responsibility of speaking scarcely less for the American consumer and for that vast army of foreign consumers whose needs are of such concern to the American Government.

Fortunately for every interest involved, the great bulk of sugar required by importing countries is provided by the Island of Cuba, but she takes no note of this "coin of vantage"; on the other hand, the Island Republic, its hacendados and farmers and manufacturers of sugar, tender, through its own Government, providing it meets with the consent and cooperation of the American Government, the entire wealth of her production under such terms as may be agreed upon by the contracting parties at a price moderate but compensating to the producer and well within the economic reach of the consumer.

This is the fundamental basis upon which our tender is made. If accepted through the continued life and active participation of your respected board, or similar body, the whole question would be greatly simplified. If, on the contrary, the opportunity to serve not the American people alone but the universal welfare, if for any reason, technical or otherwise, not availed of through one medium or another, there is not a community anywhere in America, Europe, or Asia that will not feel the consequence of our failure to provide a stable price for this most necessary article of human consumption. Cuba approaches this question with full recognition of her relations to the American people and their Government and in the spirit of comity and desire for a complete understanding.

We await with unflagging interest your reply, the subject of which we are assured is to you, as it is to us, the most momentous in the world's economy of to-day.

With assurances of great respect,

Faithfully, yours, MANUEL RIONDA.

LETTER OF CUBAN SUGAR GROWERS SENT TO THE PRESIDENT.

The Sugar Equalization Board on the 14th of August, 1919, transmitted the above letter to the President with a statement that seven out of the eight members of the Sugar Equalization Board advised the President of the propriety and advisability of buying the Cuban sugar crop.

The Cuban sugar crop could have been purchased at that time for 6½ cents per pound. The only member of the Sugar Equalization Board that did not urge the President to again order them to purchase the Cuban sugar crop was Dr. Taussig, professor in Yale University. Not hearing from the President upon this important matter, the President having his mind fully taken up with other matters he thought more important, September 20, 1919, George A. Zabriskie, president of the Sugar Equalization Board, and one of the greatest authorities upon sugar in the United States, again called the attention of the President to the great importance of acting at once in purchasing the Cuban sugar crop. The President of the United States all of this time was the sole stockholder in a corporation and had a $5,000,000 fund appropriated by Congress in his hands, besides a contingent fund of $100,000,000.

SECOND LETTER TO THE PRESIDENT URGING THE PURCHASE OF THE CUBAN SUGAR CROP.

SEPTEMBER 20, 1917.

THE PRESIDENT OF THE UNITED STATES,
Washington, D. C.

MY DEAR MR. PRESIDENT: Referring now to my letter to you of the 14th of August, inclosing the report from the board of directors of the United States Sugar Equalization Board (Inc.), and also referring to you a letter from the representatives of the Cuban Government and producers of sugar. In reference to the Cuban sugar crop of raw sugars for the year 1919 and 1920, I desire to respectfully bring to your attention the fact that the time is fast approaching, if it has not arrived, when we will be unable to control the Cuban crop of sugar for the year 1919 and 1920 unless action is taken at once. I am informed that a considerable tonnage of Cuban sugars of the crop of 1919–20 has already been sold, and it seems entirely probable that the representatives of the Cuban sugar will withdraw their proposition unless some action is taken at once.

May I therefore respectfully ask an early determination of the policy which the United States Sugar Equalization Board (Inc.) is to pursue with reference to the matter referred to in my letter of the 14th day of August? I know the pressure you are under, and nothing but imperative necessity could make me add this matter to your burdens.

Very respectfully, GEORGE A. ZABRISKIE,
President.

This letter was received by the President and acknowledged by his executive secretary, Rudolph Forster, in the following letter:

THE WHITE HOUSE,
Washington, September 22, 1919.

MY DEAR SIR: Allow me to acknowledge receipt of your letter of September 20, and to say that I shall bring it to the attention of the President at the first favorable opportunity.

Sincerely, yours,

RUDOLPH FORSTER,
Executive Secretary.

MR. GEORGE A. ZABRISKIE,
President of Sugar Equalization Board,
112 Wall Street, New York City.

At this time during September when the Sugar Equalization Board were urging the President to purchase the Cuban sugar crop before it was too late and their letters were being acknowledged by the President's executive secretary, President Wilson was going about the country abusing the United States Senate for not ratifying the League of Nations covenant without the dotting of an i and the crossing of a t.

The President, at Billings, Mont., September 11, 1919, and other places in the month of September, referred to the United States Senate as "a little group of men who looked at it with the jaundiced eyes of those who have some private purpose of their own." Fifty-six United States Senators out of the 96, representing 40 sovereign States, were characterized by the President as "contemptible quitters," and they were told to "put up or shut up," because these Senators, under their constitutional prerogatives, insisted upon American rights and that the United States should have equal representation in the League of Nations with Great Britain.

THE PROFITEER BUSY.

The sugar profiteer was busy. While the President was singing the old song of sanctimonious self-righteousness, that "the

League of Nations was the hope of the world—that the league was the dearest desire of little free peoples" and his various platitudes, the sugar profiteers were busy buying up the sugar crop of Cuba at 6½ cents a pound, to later sell to the American people at from 20 to 30 cents per pound, thus reaping a harvest of over $1,000,000,000 in a single year.

TOTAL SUGAR PRODUCTION.

The total sugar production in the world is about 17,000,000 tons. Cuba produces 4,500,000 tons and only consumes one-thirtieth of what she raises. She has four and one-third million tons to sell to other countries.

The United States and her possessions—Porto Rico, Hawaii, and the Philippine Islands—produce nearly 2,000,000 tons, leaving about 3,000,000 tons for the United States to buy outside of her own possessions.

RESPONSIBILITY OF HIGH COST OF SUGAR.

The President of the United States should have purchased the Cuban sugar crop for the year 1919 at 6½ cents per pound. Cuba had four and one-third million pounds of sugar to sell. Those who had authority to sell the Cuban sugar crop repeatedly notified the Sugar Equalization Board, who, under direction of President Wilson, had bought their crop in 1918, and urged them to buy it, and waited for their acceptance for several months. When Attorney General Palmer fixed the price of sugar at 17 and 18 cents per pound to the Louisiana sugar growers, November 8, 1919, they could not hold open the offer longer. The President of the United States was duly informed of Cuba's offer by his appointees—the president of the Sugar Equalization Board, Mr. Zabriskie, and Herbert Hoover, authorities on the subject of sugar—and was duly advised by seven out of eight members of the Sugar Equalization Board to purchase the crop at 6½ cents per pound. Cuba is only 80 miles from the United States. If the President had taken the advice of the Sugar Equalization Board, who wrote him two letters upon the subject, it would have saved the American consumer over $1,000,000,000 for the year 1920 in the cost of living.

Another factor in the high price of sugar, as shown by undisputed proof, is the fixing of the Louisiana sugar at 17 and 18 cents per pound by Attorney General Palmer, as shown by Palmer's dispatch to United States Attorney Mooney at New Orleans, La., November 8, 1919, which I have set out in full. The responsibility, therefore, of the American people being gouged by the profiteer out of over one thousand million dollars in a single year rests upon the President of the United States and the Department of Justice. A dozen or so men in the United States, by reason of President Wilson's failure to act and Attorney General Palmer's unlawfully fixing the price of Louisiana sugar at 17 and 18 cents per pound, have made in unlawful profits over one thousand million dollars, or close to $100,000,000 apiece.

If the Government of the United States, in its need for revenue to maintain itself and meet the extravagant expenditure of the war, had dared to put a consumption tax of 2 cents per pound on a recognized necessity like sugar, it would have been condemned and the administration perpetrating the outrage would have been defeated at the first election. President Wilson has made it possible for the black-flag sugar profiteers to levy a tax, not of 2 cents, but of over 10 cents, on each pound of sugar consumed, a tax in the aggregate amounting to over $1,000,000,000 on the people of the United States. Those who can will shift this burden on the man on the round of the ladder below. The salaried man and the toiling masses will be obliged to carry many times their proportionate share of this unjust, unnecessary, and outrageous burden.

BEET SUGAR INDUSTRY SHOULD BE ENCOURAGED.

The present sugar situation in the United States illustrates most forcibly the importance of the United States producing its own sugar. The Agricultural Department informs us that the sugar-beet industry is exceptionally profitable in at least eight States.

If the sugar-beet industry was encouraged and a fairly large acreage of sugar beets grown in these eight States, together with our cane-sugar industry, the United States could produce within its limits a sufficient quantity of sugar to meet the requirements of its own people and also export sugar. Under the encouragement of protection of the beet-sugar industry sugar was being produced in large quantities throughout the United States.

In 1912 and until the passage of the Underwood bill we had five large sugar-beet factories in Wisconsin and the building of many more contemplated in the very near future. When the tariff was removed from sugar by the Underwood tariff bill, passed by a Democratic Congress, four out of five of the beet-sugar factories in Wisconsin closed down and did not open until the war which made a sugar scarcity limiting the importation of sugar to the United States.

Napoleon encouraged the beet-sugar industry in France by protecting that industry, and thus made France not only independent of other countries in regard to the production of sugar but she also became an exporter of sugar.

Bismarck, another wise statesman, stated that no country was independent until it produced all the great necessaries of life that its people required; that sugar was one of the great necessaries, and the sugar industry should be encouraged. He therefore encouraged the raising of sugar beets and the production of sugar beets by a policy of protective tariff and subsidy until Germany produced all the sugar required by her people, and in addition became an exporter of sugar. If Germany had not produced its own sugar, it could not have maintained the war six months.

If the next national administration is Republican, the way I believe it will be, sugar will be protected. The great sugar-beet industry will be encouraged and the United States will soon be independent of the rest of the world for its supply of that great staple and necessity—sugar.

PROFITEERING IN WASHINGTON.

The Corby Baking Co., of the city of Washington, in the year 1919 made profits amounting to $191,392 on bread, as compared with $180,049.58 in 1918.

Notwithstanding the increase in profits, Mr. Corby and the other baking companies have increased the price of bread. They justified this increase by stating that the fair-price committee, appointed by Mr. Howard Figg, of the Department of Justice, authorized the increase in the price of bread. It is easy to understand why this committee allowed the increase when we learn the names of the persons who compose this fair-price committee of the District of of Columbia. The persons who compose the fair-price committee of the District of Columbia are: Leon Ulman, connected with Holmes & Sons, bakers; Joseph Berberich, a shoe dealer; R. P. Andrews, a paper dealer; W. G. Carter, of Golden & Co., commission merchants; Philip King, department store; John F. Wilkins, wholesale grocer; Mr. Nordlinger, ladies' furnishings; and Mr. Leese, an optician.

We find the names of no distinterested persons who compose the fair-price committee of the District of Columbia, unless it is the optician, but men interested in the baking business, retail shoe business, paper business, commission and wholesale grocery business, and department store.

These men were appointed by the Department of Justice, and by the same Mr. Figg of the Department of Justice who has been prosecuting the sugar profiteers so hard that sugar is now selling at 30 cents a pound.

The city of Washington has been a rich field for the profiteer. There has been no closed season, no one to protect the soldier boy, the Army nurse, and young girl war workers even during the war. The hunting season was open 12 months in the year and 24 hours in the day, with no restrictions.

No city in the United States afforded such opportunities for profiteering as the city of Washington, whose profiteers made the most of their opportunities. This saturnalia of profiteering took place within the shadow of the White House and the Department of Justice and in plain view of the fair-price committee appointed by the Department of Justice. The 100,000 employees of the Government who were called to work here during the war have left most of their earnings with the Washington merchants, room renters, and other profiteers. The laws on the statute books have been sufficient to protect the war workers from such outrageous exploitation. It was the imperative duty of the officials in authority to have seen that the public, especially the Government employees, were not fleeced of their earnings. From the facts revealed in the Senate examination of the bakery companies and the personnel of the fair-price committee we cease to wonder. In a letter to me from the fair-price committee E. D. Atkinson, executive secretary, dated December 20, 1919, writing from the Department of Justice, Washington, D. C., states the object of the creation of the fair-price committee as follows:

> This committee, as well as similar committees throughout the country, has been organized under the Department of Justice as a means of carrying out the provisions of the amendment to the Lever Act. Its function is to establish fair prices of foodstuffs and wearing apparel in the District of Columbia, and to take such further action as may be necessary to prevent hoarding, waste, manipulation, and profiteering in commodities coming within the classes indicated.

The record I have given shows how far the fair-price committee has fallen short of fulfilling the duties for which it was created.

OTHER PROFITEERS—WAR PROFITS EQUAL TO CAPITAL STOCK.

Senator CAPPER, of Kansas, in his speech before the Senate, startled the people by making the statement that during the war the American people paid for the coal mines, steel mills, textile factories, and so forth, by paying these concerns in excessive profits more than their entire net worth. The Senator in this same speech also said that those in authority, meaning the Department of Justice, should either prosecute these profiteers and make them disgorge their unlawful profits or resign; that they should not be allowed to prey upon the public any longer. From many sources came the reply that the statement was only a general one and that these concerns were not guilty of profiteering.

The report of the Treasury Department, Senate Document No. 259, shows that the statement of Senator CAPPER is literally true. The first 360 pages of the Treasury report deals with small corporations; from page 361 to page 388 you will find the desired information.

COAL.

Coal is a basic necessity. When the price of coal is raised everybody pays not only the price but in the process of shifting it five or six times the amount of the raise.

Secretary McAdoo's statement during the coal strike, that the profits of the coal operators ranged as high as 2,000 per cent, and that profits as high as 100 per cent on capital stock were not uncommon, is borne out by this report. The Treasury Department report shows that 185 out of the 404 coal companies reported upon earned profits on their capital stock of from 100 per cent to 7,856 per cent for the year 1917. In other words, nearly one-half of the coal mines paid profits equal to their entire capital stock and one of the mines paid profits equal to seventy-eight times its capitalization. It should also be noted that practically all of the coal mines were very much overcapitalized, as will be observed by the market value on their capital stock before this time.

APPLY THIS TO THE FARMER.

If a farmer's net yearly profits amounted to as much as the value of his farm and in some cases his yearly profits were so high that he could buy 78 farms like the one he owned, he would be on the same footing as the coal operator mentioned above.

STEEL.

The United States Steel Corporation, with a capital stock of $868,583,600, in the year 1917 received a net income of $478,204,342. These figures are taken from their own report.

PACKERS.

The Treasury Department report shows that out of 122 meat packers, 30, or one out of every four, made more than 100 per cent profit on their capital stock.

WOOLEN AND WORSTED MILLS.

The Treasury reports show that out of 45 woolen and worsted mills 1 earned 1,770 per cent on its capital stock. In other words, a person having $100 worth of stock was able to draw $1,770 profit in a single year. Out of the returns of 45 woolen and worsted mills 17 reported profits of more than 100 per cent on their capital stock. Does not one wonder in the face of these figures why woolen clothing has become such a luxury that only wealthy people can afford to wear woolen clothing.

COST OF BUILDING.

We have heard a great deal about the high cost of building. The large contractors and builders have attributed this cost of building to the high cost of wages paid labor. The Treasury report shows that out of 809 large contracting and construction companies, 154, or more than 15 per cent, earned profits of over 100 per cent on their capital stock, and one earned nearly fourteen times its total capital in a single year.

FLOUR MILLS.

The Treasury report shows that out of 506 flour mills 84 report net profits of over 100 per cent on their capital stock.

BAKERY COMPANIES.

The bread and bakery companies, out of 217, made reports that 34, or one-seventh, made more than 100 per cent on their capital stock, and two-thirds made more than a profit of 20 per cent on their invested capital. Notwithstanding this unconscionable profiteering on the necessaries of life, the evidence of such profiteering within hands distance of the Department of Justice, none of these large profiteers has been prosecuted.

The Lever Act, drafted by the Department of Justice itself, as a war measure to check profiteering, was passed by Congress and approved by the President August 10, 1917, and has been on our statute books during this saturnalia of profiteering.

The President under this law has had the power at all times to encourge production, conserve the supply, and control the distribution of food products and fuel, to license dealers and fix the price of all products and materials. The President exercised that right in regard to the farmers' wheat and also in regard to the farmers' wool. The President failed to fix the price in regard to cotton, steel, and other necessities. The laws passed by Congress were ample in every way. They are on our statute books to-day. It is therefore clear that Congress has done all within its power to curb profiteering. The only reason that profiteering has gone on and the cost of living has increased to such a degree that it has almost produced a panic in the United States is that the laws on our statute books have not been enforced. The Executive department of our Government, whose duty it is to enforce the law, and the Department of Justice, always at the command of the Executive department, with its thousands of assistants, have utterly failed in their duty in prosecuting those who are most responsible for the high cost of living.

Mr. GREEN of Iowa. Mr. Chairman, I yield now to my colleague, Mr. GOOD.

Mr. GOOD. Mr. Chairman, the Bureau of Efficiency has prepared for me a statement giving a summary of the acts of Congress making provisions with regard to soldiers of the late war. That statement is very illuminating and instructive, dealing, as it does, with several bills, and I ask unanimous consent to extend my remarks in the record by inserting it in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

The matter referred to is as follows:

APPROPRIATIONS AND OTHER RELIEF MEASURES PROVIDED BY CONGRESS FOR THE MILITARY AND NAVAL FORCES ENGAGED IN THE WORLD WAR.

WAR-RISK INSURANCE.

This act, approved October 6, 1917, as amended, provided three classes of relief for the military and naval forces.

1. Military and naval family allowances.

A sum not to exceed $50 a month was made payable and apportioned to members of families or other dependents of enlisted men conditioned on the compulsory monthly allotment of $15 of the enlisted man's pay for members of his immediate family and the voluntary monthly allotment of a certain portion of his pay in cases of other dependents. This allowance was payable from the date of enlistment, but not before November 1, 1917, until death in, or one month after honorable discharge from, the service but not for more than four months after the close of the war.

Total appropriations, including 1921 estimates, for this purpose are $298,615,000.

2. Compensation.

Compensation for death or disability was provided for commissioned officers, enlisted men, and members of the Army and Navy Nurse Corps (female), as follows:

(a) In case of death resulting from injury or disease, a monthly compensation of not to exceed $75 was granted and apportioned to members of the immediate family of the deceased, including dependent father and mother.

(b) Compensation in case of death resulting from injury is payable to widow until she remarries; to children until they reach the age of 18 years, or marry, unless they are incapable because of idiocy, insanity, or otherwise helpless, in which case compensation is payable during such incapacity; to dependent father or mother during dependency.

(c) A sum of not to exced $100 was provided for burial expenses and return of body to his home where death occurred subsequent to April 6, 1917, and before resignation or discharge from the service.

(d) In case of total, temporary disability, resulting from injury, a monthly compensation of not to exceed $80 was granted to the injured person, if single, or of not to exceed $100 if he has a family, except that a man with no wife but one child was allowed $5 additional for each child after the first, regardless of the number, and if there is a dependent father or mother, or both, an additional sum of $10 for each was granted. The award for a person with a family is dependent on number of persons in the family.

(e) While disability is partial and temporary, monthly compensation is to be a percentage of that payable for total, temporary disability equal to the degree of reduction in earning capacity, providing such reduction is not less than 10 per cent.

(f) While disability is total and permanent (this group to include persons who have lost both feet or both hands, or the sight of both eyes, or one foot and one hand, or one foot and the sight of one eye, or one hand and the sight of one eye, or who have become helpless and permanently bedridten) the monthly compensation of $100.

(g) For double, total, permanent disability, the monthly compensation is $200.

(h) While the disability is rated as partial and permanent the monthly compensation is a percentage of that payable for total and permanent disability, equal to the degree of reduction in earning capacity, providing such reduction is not less than 10 per cent.

(i) A schedule of ratings of reductions in earning capacity from specific injuries of a permanent nature is to be applied by the bureau. Ratings may be as high as 100 per cent, and are based upon the average impairment of earning capacity resulting from such injuries in civil occupations and not upon impairment in individual cases, so that there shall be no reduction in the rate of compensation for individual success in overcoming the handicap of a permanent injury.

(j) If injured person is so disabled as to require a nurse or attendant, an additional sum of not to exceed $20 a month was allowed.

(k) In addition to the above compensation, the injured person may receive reasonable governmental medical, surgical, and hospital services, and such supplies and appliances as wheeled chairs, artificial limbs, etc., as are determined to be useful and necessary.

(l) Injured persons may also be allowed reasonable traveling and other expenses when submitting to required medical examinations.

Total appropriations for compensation, including estimates for 1921, are $345,015,000.

3. Insurance.

Additional protection for commissioned officers, enlisted men, and members of the Army and Navy Nurse Corps (female) was provided in the form of insurance to be granted, upon proper application, in case of death or total permanent disability.

(a) Insurance to be granted in multiples of $500 for an amount not less than $1,000 or more than $10,000 upon payment of premiums prescribed.

(b) Insurance to be term insurance for successive terms of one year each during the period of the war.

(c) Provisions for maturity at certain ages, continuous installments during life of the insured or beneficiaries, or both, for cash loan, paid-up and extended values, dividends for gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as might be found reasonable and practical were authorized. All calculations to be based upon the American Experience Table of Mortality, with interest at 3½ per cent per annum.

(d) At any time within five years after the close of the war insurance may be converted into ordinary life, 20-payment endowment maturing at the age of 62, or other usual forms of insurance.

(e) Yearly renewable term insurance is payable in 240 equal monthly installments. Where the insured has applied for converted insurance, the Bureau of War Risk Insurance is authorized to make provision for optional settlements, the option to be elected by the insured, whereby such converted insurance may be paid either in one sum or in monthly installments covering a period of three years or more. If the insured under converted insurance has failed to select a form of optional settlement, the bureau is authorized to provide for an election by the beneficiary to receive payment of the insurance in monthly installments covering a period of three years or more. Even though the insured has exercised the right of election of the form of settlement of converted insurance, the bureau is authorized to provide that the beneficiary may elect to receive the insurance in installments spread over a greater period of time than that selected by the insured.

(f) Automatic insurance is provided in cases where a person in the active service on or after the 6th day of April, 1917, and before the 11th day of November, 1918, and while in such service and before the expiration of the time during which he could make an application for insurance has become totally and permanently disabled or has died without having applied for insurance, and also in cases where a person was inducted into the service by a local draft board after the 6th day of April, 1917, and before the 11th day of November, 1918, who while in such service and before being accepted and enrolled for active service has become totally and permanently disabled or has died without having applied for insurance. In these cases the person is deemed to have applied for and to have been granted insurance payable to himself during his life in monthly installments of $25 each, or in case of his death to his widow, child or children, mother, or father, in the order named, if and while they survive him.

(g) The United States to bear the expense of administration and the excess mortality and disability cost resulting from the hazards of war.

(h) The premium rates are net rates based upon the American Experience Tables of Mortality and interest at 3½ per cent per annum.

(i) Payments of premiums in advance are not required for periods of more than one month each, and may be deducted from pay or deposit of insured, or otherwise made as insured may elect.

Total appropriation for the above purpose was $23,000,000.

[NOTE.—A regulation has recently been promulgated by the Secretary of the Treasury, whereby any insurance policy which has lapsed may be reinstated before July 1, 1920, upon the payment of only two monthly premiums.]

4. Miscellaneous provisions.

(a) Benefits provided under this act are not assignable except within the specified class of beneficiaries in cases of converted insurance, are not subject to claims of creditors, and are exempt from taxation.

(b) In case of suits brought in United States district courts by claimants under the act, the amount of the attorney's fees are restricted to not more than 5 per cent of the amount recovered, and the method of payment is prescribed so as not to work a hardship on the beneficiary.

5. Appropriations for expenses of the bureau, including estimates for 1921 are $40,525,106, making the total amount necessary to carry out the provisions of this act $707,155,706.

[NOTE.—There is now pending before Congress a measure which provides for the establishment of 14 regional offices and such suboffices as are deemed necessary for the purpose of bringing all matters pertaining to allowances and allotments, compensation, and war-risk insurance to the attention of service men, and also provides for advertising in newspapers, magazines, and periodicals such information about the work of the War Risk Insurance Bureau as will be of interest to service men. The intention is to acquaint them with the benefits and privileges in connection with war-risk insurance. For the above purpose an appropriation of $1,250,000 is requested, which would bring the total appropriation of the War Risk Insurance Bureau to $708,405,706.]

VOCATIONAL REHABILITATION.

The vocational rehabilitation act approved June 27, 1918, as amended, charged the Federal Board for Vocational Education with the duty of furnishing without charge instruction to all disabled persons in the military and naval forces engaged in the war with Germany who had resigned or been honorably discharged. For this purpose the existing educational facilities of the country were utilized by the board.

Training under this act is separated into two classes:

1. Every person who served in the military and naval forces and who had resigned or been honorably discharged since April 7, 1917, having a disability incurred, increased, or aggravated while a member of such forces, or who later developed a disability traceable to service therein, may receive vocational training provided it is found to be necessary to overcome the handicap of his disability.

(a) This provision was intended to include those persons who were suffering from disabilities which had resulted in vocational handicaps, and is designed to fit the disabled person for new employment, his disability having prevented him from returning to his former occupation.

(b) During such period of training he shall receive support of not to exceed $80 a month, if single and without dependents, or of not to exceed $100 a month if he has dependents. This amount to be plus the several sums provided as family allowances for enlisted men, under article 2 of the war-risk insurance act, and is in lieu of any compensation to which he may be entitled under article 3 of the same act, unless the compensation to which he is entitled under article 3 is in excess of the amount paid by the board for support, in which event the Bureau of War Risk Insurance shall pay monthly the additional amount necessary to equal the total compensation due under article 3. (A bill is now pending in Congress to increase this monthly support from $80 to $100 to $100 and $120, respectively.)

2. Courses of free vocational training are made available for all other members of the military and naval forces who have resigned or been honorably discharged, and who are not included in the first group, but who are entitled to compensation under article 3 of the war-risk insurance act.

(a) This provision was intended to furnish training in the nature of job-improvement instruction, and is designed for men of minor disabilities who are not prevented by their injuries from returning to gainful occupations.

(b) Such persons are not entitled to support other than the compensation above referred to, but may be furnished tuition, books, and supplies free of charge.

3. In addition to the above provisions for training the duties of the board extend to placing rehabilitated persons in suitable and gainful occupations and the services of all national and State placement agencies are utilized for that purpose.

4. Persons who have taken courses in vocational training may also be granted:

(a) Such supplies, equipment, and clothing as are required for their employment when ready for employment; and

(b) Traveling expenses to places of employment.

5. The board also acts in an advisory capacity to the War and Navy Department wherever training during convalescence is undertaken as a therapeutic measure and similarly the War and Navy Departments act in an advisory capacity to the board in the care of the health of the soldier or sailor after his discharge.

Total appropriations, including estimates for 1921, for vocational rehabilitation are $165,000,000.

PUBLIC HEALTH SERVICE.

The act approved March 3, 1919, directed the Secretary of the Treasury to provide additional hospital and sanatorium facilities for the care of discharged sick and disabled soldiers, sailors, and marines, and Army and Navy nurses. For this purpose he was authorized:

1. To transfer to the Treasury Department for the use of the Public Health Service certain hospitals and their equipment which had previously been under the supervision of the War Department.

2. To take over supplies from other Government departments where necessary.

3. To contract with any existing hospital or sanatorium for services.

4. To purchase or build such hospitals and sanatoriums as were necessary.

The total appropriations required to carry out the provisions of this act, including estimates for 1921, are (from statement of Representative GOOD, p. 5905, CONGRESSIONAL RECORD, Apr. 20, 1920):

Hospital construction	$93,950,000
Care and maintenance of patients	57,166,187
Total	151,116,187

BONUS.

The act approved February 24, 1919, granted a bonus of $60 to all persons in the military and naval forces who had since April 6, 1917, or before termination of term of service or enlistment, resigned or been honorably discharged or placed on inactive duty. The amount necessary to meet this expenditure is estimated at $250,000,000.

Total appropriations for all of the foregoing services are $1,274,521,893.

The following relief measures have thus far required no appropriations:

SOLDIERS' AND SAILORS' CIVIL RELIEF ACT.

This act, approved March 8, 1918, provided for the temporary suspension of legal proceedings and transactions which might prejudice the civil rights of persons in the military and naval service during the continuation of the war.

1. In any action of proceeding commenced in any court against persons in the military service who were unable because of such service to appear, or whose rights would be affected by such service, the court was authorized to—

(a) Stay execution of any judgment or order in the case.

(b) Vacate any attachment or garnishment of property, money, or debts in the hands of another.

(c) Stay any proceedings for a period of three months where an order had been entered for eviction from property occupied by families of persons in the military service for nonpayment of rent, if such rent was not more than $50 a month. The Secretary of War and the Secretary of the Navy were authorized to make an allotment of pay for payment of rent of quarters occupied as dwellings by dependents of persons in the service where necessary.

(d) Stay proceedings where forfeiture of property purchased under installment contracts is threatened because of failure to pay such installments falling due while in the service; or the court may order the repayment of prior installments as a condition to termination of the contract.

(e) Stay proceedings commenced for foreclosure of mortgages, trust deeds, etc., executed upon real and personal property as security for obligations in case of failure to make payments falling due while in the service.

2. Insurance.

Provided against the lapse of any kind of insurance policy or policies having a total face value of not to exceed $5,000 held by persons in the military or naval forces because of nonpayment of premiums during their period of service by authorizing the Secretary of the Treasury to deposit monthly with the insurer United States bonds in proper amounts as security for such defaulted premiums with interest until paid by the insured or until such times as other prescribed settlements were made. This authorization was conditioned on a proper application of the members of the military and naval forces holding such policies and upon the receipt of prescribed monthly data from the insurer.

However, the foregoing provision did not apply to any policy on which premiums were due and unpaid for a period of more than one year at the time of application or on which there is outstanding indebtedness equal to or greater than 50 per cent of the cash surrender value.

3. Taxes and public lands.

Provided:

(a) Against sale by tax collector of real estate owned and occupied for dwelling or business purposes by a member of the military or naval forces, or his dependents, because of nonpayment of taxes or assessments falling due during the period of service, except by order of the court. In case such sale was ordered, such person had the right to redeem the property at any time within six months after the termination of his service, but not more than six months after the close of the war.

(b) That no rights to public lands initiated or acquired under any of the land laws of the United States prior to entering military service were to be forfeited by reason of absence from such lands or other failure to meet the requirements prescribed by law.

PREFERENCE IN CIVIL-SERVICE APPOINTMENTS.

1. The act approved March 3, 1919, provided that preference in making appointments to clerical and other positions in the executive branch of the Government in the District of Columbia and elsewhere shall be given to honorably discharged soldiers, sailors, and marines, or widows of such, and to wives of injured soldiers, sailors, and marines who themselves are not qualified but whose wives are qualified to hold such positions.

2. The act approved March 1, 1919, provides that the period of time during which soldiers, sailors, and marines who had a civil-service status prior to entering the service, or whose names appear on eligible lists, were in the service shall not be counted in determining their eligibility for reinstatement or appointment.

[NOTE.—A bill is now pending before Congress which extends the preference to be granted in civil-service appointments considerably and also charges the Board for Vocational Education with the duty of providing special training for disabled members of the military and naval forces for positions in the civil service.]

PREFERENCE IN PUBLIC-LAND ENTRIES.

1. This act, approved September 29, 1919, provides that every person who, after discharge from the military or naval service, is furnished a course of vocational rehabilitation, and who before entering upon such course has made entry upon or application for public lands of the United States under the homestead laws, shall be entitled to leave of absence for the time necessary to pursue such course of training, and such absence shall be regarded as constructive residence; providing, however, that he must reside on the homestead claim not less than one year before patent may issue for it.

2. The act approved February 14, 1920, provided that for a period of two years all public lands which are to be opened for entry shall be open to members of the military and naval forces who served in the war with Germany and who have resigned or been honorably discharged 60 days prior to the time fixed for general opening to the public.

LABOR FOR CONSTRUCTION OF RURAL POST ROADS.

The act to provide aid to the States in the construction of rural post roads was amended February 28, 1919, to provide that preference be given to honorably discharged soldiers, sailors, and marines in the employment of labor for road building.

Statement showing appropriations made for allowances and benefits to soldiers and sailors who participated in the World War, including appropriations in pending bills and pending estimates.

	Fiscal year 1918.	Fiscal year 1919.	Fiscal year 1920.	Fiscal year 1921.	Total.
Bureau of War Risk Insurance:					
Military and naval family allowances	$141,000,000	$70,000,000	$87,615,000	.....	$298,615,000
Compensation for death and disability	12,150,000	.....	135,000,000	$197,865,600	345,015,600
Insurance	23,000,000	.....	.....	.....	23,000,000
Regional offices	.....	.....	.....	1,250,000	1,250,000
Administration expenses of bureau	100,000	12,808,800	17,292,306	10,324,000	40,525,106
Total, Bureau of War Risk Insurance	176,250,000	82,808,800	239,907,306	209,439,600	708,405,706
Federal Board for Vocational Education:					
Vocational rehabilitation	.....	2,000,000	38,000,000	125,000,000	165,000,000
Total Federal Board for Vocational Rehabilitation	.....	2,000,000	38,000,000	125,000,000	165,000,000
Public Health Service:					
Hospital construction	.....	.....	9,950,000	84,000,000	93,950,000
Care of patients	.....	.....	17,166,187	40,000,000	57,166,187
Total, Public Health Service	.....	.....	27,116,187	124,000,000	151,116,187
Total	176,250,000	84,808,800	305,023,493	458,439,600	1,024,521,893
Bonus allowance, act approved Feb. 4, 1919 (estimated)					250,000,000
Grand total					1,274,521,893

NOTE.—The following additional benefits have been provided:
(a) Preference in civil service appointments. (Acts approved Mar. 1, 1919, and Mar. 3, 1919.)
(b) Preference in public land entries. (Acts approved Sept. 29, 1919, and Feb. 14, 1920.)
(c) Preference in employment of labor for construction of rural post roads. (Act approved Feb. 28, 1919.)
(d) Suspension during the World War of legal proceedings involving (act approved Mar. 8, 1918):
1. Execution of any judgment, or order, attachment or garnishment of property, money, or debts.
2. Eviction from property for nonpayment of rent.
3. Forfeiture of property purchased under installment contracts.
4. Foreclosure of mortgages, trust deeds, etc., for failure to make required payments.
5. Lapse of insurance policies because of nonpayment of premiums.
6. Sale of property for nonpayment of taxes.
7. Forfeiture of public lands because of absence or other failure to meet the requirements.

Mr. CANNON. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. CANNON. As time seems to be precious, I want to ask unanimous consent to print remarks in the RECORD on the state of the Union.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD on the state of the Union. Is there objection? [After a pause.] The Chair hears none.

Mr. GREEN of Iowa. Mr. Chairman, I have only five minutes remaining, and in that time I will not undertake to explain all the provisions of the bill. I hope to do this as each paragraph is reached. I will at this time undertake merely to point out what changes have been made, without in all cases undertaking to show just how those changes would affect the law. This bill is to amend and simplify the revenue act of 1918. A large number of amendments have been proposed to the revenue act of 1918, some of them far-reaching in importance, but in this bill the committee has presented only those matters which they thought would meet with no objection and which would be useful in simplifying the law and would aid the Government in obtaining more revenue. Having limited the bill in this manner, it has received the unanimous approval of all the members of the Committee on Ways and Means. The first section of the bill relates to the basis for determining gain or loss. Now, the only change that is made by that section is in reference to cases where a gift has been received, which has subsequently been sold, and I will explain the effect of that as this provision is reached. The second section merely incorporates a Treasury regulation for the purpose of determining the basis of computing the net income in the cases of sales of stock on which there have been stock dividends. And I want all Members present to understand that it has no reference to the much-disputed question with reference to the taxation of stock dividends. This only applies in cases after a man has received a stock dividend and he sells either some of the stock dividend which he has received or some part of the original stock which he has held.

Mr. CANNON. Suppose he gives it away? Suppose the donee sells?

Mr. GREEN of Iowa. Unless the donee sells there will be no tax imposed. In case the donee sells, if there is a profit an income tax will be paid.

Mr. GRAHAM of Pennsylvania. On what?

Mr. GREEN of Iowa. On the profits.

Mr. GRAHAM of Pennsylvania. If it were a gift how would you measure the profits?

Mr. GREEN of Iowa. I will explain that very fully when that section is read; my time is precious, as I have only five minutes. Section 3 is a provision in reference to extraordinary net income. There has been a great deal of dispute as to the manner of applying the income tax in case a man re-

ceives an extraordinary amount of income in one year—for example, where a lawyer receives a fee in a case he has been working on for several years, or a man sold some property which has been gradually mounting in price during a number of years. This section applies to cases of that kind. Section 4 is so slight an amendment I will not stop on that, my time being so limited. Section 5 is a very important provision in reference to the final determination of tax claims and assessments, and it is deemed by the Treasurer to be of utmost importance. I may say that all the provisions of the bill are approved by the Treasury, and the Treasury is very desirous that they should be speedily enacted into law. This provision authorizes the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury and the consent of the taxpayer, to make final determination and accept payment on any tax claim or——

The CHAIRMAN. The time of the gentleman has expired, all time has expired, and the Clerk will read.

The Clerk read as follows:

Be it enacted, etc.,

BASIS FOR DETERMINING GAIN OR LOSS.

That subdivision (a) of section 202 of the revenue act of 1918 is amended to read as follows:

"(a) That for the purpose of ascertaining the gain derived or loss sustained from the sale or other disposition of property, real, personal, or mixed, the basis shall be—

Mr. GARRETT. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I listened with a great deal of interest a few moments ago to the remarks of the gentleman from Wisconsin [Mr. BROWNE], in which he entered upon a criticism of the President of the United States for not exercising an authority conferred on him by a war act in the matter of the purchase of the Cuban crop of sugar, and unavoidably my mind went back to the discussion upon the floor of the House just a few days ago when two gentlemen from Ohio urged upon the House that the real reason for the Congress interfering in the matter of undertaking to make peace was that they might repeal the war-time power acts.

Mr. GREEN of Iowa. Will the gentleman yield for me to make a statement?

Mr. GARRETT. Yes.

Mr. GREEN of Iowa. I shall not object to the line of argument in which the gentleman from Tennessee is proceeding, although it has nothing to do with the bill, but if we are to get through with this bill this evening I shall have to object to anything further at the conclusion of his remarks.

Mr. GARRETT. I am not proceeding in order, and I thank the gentleman for his courtesy in not making the point of order. It seems to me that gentlemen upon that side of the House place themselves in a very remarkable situation when continuously and repeatedly, as has been done here for months, leading gentlemen arise and criticize the President of the United States for not exercising the power which was conferred by this war act, conferred to be exercised in his discretion, and then leaders upon that side declare that the real purpose of interfering in the matter of peace is to repeal every act that conferred any sort of power upon the President of the United States. That much for that proposition.

One other thing the gentleman from Wisconsin referred to, and that is he repeated what has been stated on this floor again and again, what has been disproved again and again upon the floor and before the Judiciary Committee, namely, that the Attorney General of the United States fixed the price of Louisiana sugar. He did nothing of the sort; never undertook to do anything of the kind; never had any power to do such a thing. And the gentleman might profit by going to his own colleague on the Judiciary Committee, who have investigated this question, and find out what exactly was the Attorney General's power to act and what the Attorney General actually did.

Mr. BROWNE. Will the gentleman yield for a question? I would like to read the telegram that Attorney General Palmer sent to his assistant in Louisiana.

Mr. GARRETT. I am perfectly familiar with the telegram, and know exactly what it means. The meaning of that telegram was that under the facts the Department of Justice did not believe if the Louisiana sugar producers charged 17 cents a pound they would be subject to prosecution under the Lever Act.

Mr. MONDELL. Did not that fix the price?

Mr. GARRETT. Why, of course not.

Mr. MONDELL. Then why did the price advance to that figure?

Mr. GARRETT. The price went down. The gentleman from Wyoming is a good lawyer. Will the gentleman say that that fixed the price or that that was an effort by the Department of Justice to fix the price?

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. GARRETT] has expired.

Mr. MONDELL. Mr. Chairman, if the gentleman from Iowa [Mr. GREEN] will withhold his objection to speaking out of order for just a moment, I do not want to delay the passage of his bill, but I think one or two of the observations made by my friend the gentleman from Tennessee are entitled to attention.

The gentleman refers to Congress having interfered with the making of peace. I do not know just what the gentleman means. Under the Constitution the Senate is charged with equal responsibility with the President in the matter of making treaties. Do I understand the gentleman from Tennessee [Mr. GARRETT], good Democrat that he is, to take the position that the President alone has the authority to negotiate treaties and settle the terms of peace and that the Senate of the United States has no responsibility or authority in the matter? I am sure he would not say that. The language of the Constitution is clear, definite, explicit, and no Democrat as good a Democrat as the gentleman from Tennessee is will deny the mandates of the Constitution, I am sure.

The President insisted on being the "whole thing." He ignored the Senate absolutely in the first instance and then endeavored to coerce the Senate in the consideration of the treaty, with the result that we were compelled to take the rather unusual course of passing a resolution officially establishing a condition of peace. So much for that.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. LONGWORTH. What power may now prevent this country being at peace? Will it be congressional or Executive power?

Mr. MONDELL. Only Executive power can now stand in the way of the establishment of a condition of peace.

Mr. BLACK. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BLACK. The gentleman says the Executive is responsible for us not making peace. Has the Senate ever ratified any treaty and put it up to the President?

Mr. MONDELL. Has the Senate ratified the treaty?

Mr. BLACK. Yes. Have they ever ratified any treaty with Germany?

Mr. MONDELL. The President, to take the word of a Senator of the Democratic faith in that regard, has prevented the Senate from ratifying the treaty.

Mr. BLACK. Will the gentleman answer another question?

Mr. MONDELL. If I may quote a statement made in the Senate and still be in order, a very distinguished Democrat stated on the floor of the Senate that if the President would allow them to do so they would ratify the treaty with the Lodge reservations. The President declared the treaty must be ratified as he wrote it or not at all.

Mr. BLACK. Now will the gentleman permit a question?

Mr. MONDELL. Yes.

Mr. BLACK. Is it not a fact that, with the Republican Members of the Senate who voted against ratification and voted an affirmative vote on the ratification with the Lodge reservations, that vote, coupled with the Democrats and Republicans that did vote for it, would have ratified the treaty?

Mr. MONDELL. Everybody knows what the facts are. No amount of quibbling will obscure the issue in the long run. Everybody knows that if the Senate, unmindful of its duties to the American people, had been willing to do exactly what the Executive demanded of it, the Executive might have succeeded in being the autocrat he desired to be—might have successfully been an autocrat—to the infinite harm of the American people and contrary to the provisions of the Constitution of the United States. But the Senate assumed the duty the Constitution laid upon it and insisted upon having something to say with regard to the form of the treaty. The President said that unless the treaty could be ratified just as he wrote it it must not be ratified at all, and, a considerable part of the Senators of his party following him, the treaty was not ratified. And it became necessary for us, in that situation, to pass a resolution establishing peace.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. Let him get a little sugar into it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREEN of Iowa. Mr. Chairman, the numbering of this section has been inadvertently omitted. I ask unanimous consent to amend line 4, page 1, by inserting before the word "that" the usual abbreviation for the word "section" and the figure "1," making it read, "Sec. 1. That subdivision (a)," and so forth.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to amend in the manner indicated. The Clerk will report the amendment.

The Clerk read as follows:

In line 4, page 1, before the word "that," insert the abbreviation for the word "section" and the figure "1."

Mr. WALSH. Mr. Chairman, we never put in section 1.

Mr. GREEN of Iowa. Then I will withdraw my amendment.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

(1) In the case of property acquired before March 1, 1913, the fair market price or value of such property, as of that date.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. GREEN of Iowa. I do that simply for the purpose of saying that these two paragraphs at the end of page 1 are exactly the same as the present law. There is no change.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

(2) In the case of property acquired (except by gift, bequest, devise, or descent) on or after that date, the cost thereof; or the inventory value, if the inventory is made in accordance with section 203.

Mr. GREEN of Iowa. Mr. Chairman, the only change made in this subdivision 2 is that the words in parentheses, "except by gift, bequest, devise, or descent," are inserted. Those are made necessary by the new provisions of sections 3, 4, and 5, which I will explain when we reach them.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

(3) In the case of property acquired by gift since February 28, 1913, the same basis that it would have in the hands of the donor or the last preceding owner, by whom it was not acquired by gift.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. GREEN of Iowa. This entire subdivision 3 is new. It is made necessary by an oversight in the revenue law of 1918. Property received as a gift is not classed as income. We made that provision in the law of 1918 and overlooked the fact that——

Mr. TINCHER. Mr. Chairman, I make the point of order that the gentleman from Iowa is not discussing his amendment. His amendment was to strike out the last word. [Laughter.]

The CHAIRMAN. The gentleman from Iowa will proceed in order. [Laughter.]

Mr. GREEN of Iowa. Let me inquire of my friend if he is serious about that. I think my friend will withdraw his point of order.

Mr. TINCHER. I will withdraw it.

Mr. GREEN of Iowa. We overlooked the fact that this provision exempting gifts from income tax without any further provision might lead to evasions and fraud upon the Government in this way: A man has a piece of property which has greatly enhanced in value. Now, if he sells that he will himself, of course, have to pay a tax on the profit that he has gained, but under the present law if he gives it to his wife she could sell the property without paying any income tax, and this provision is inserted for the purpose of preventing that method of evading the law. The Treasury officials inform the committee that it has become quite common where a large profit has been derived upon a block of stock for the person who has derived that profit, instead of selling the stock himself, in which case he would be obliged to pay an income tax on the profit, to turn it over to his wife or a relative, and when the donee sells it, then, under the present law, no tax is derived.

Mr. CANNON. But they pay it just as the donor would if he had sold it.

Mr. GREEN of Iowa. They stand in the donor's shoes; that is all. There must be a sale before there can be any tax on the profit.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

(4) In the case of the sale or exchange of property acquired by gift, the entire amount received therefor shall be included in the gross income of the donee, unless the donee submits with his return evidence satisfactory to the commissioner showing the basis to the last preceding owner who acquired the property other than by gift.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. I would like to ask the gentleman from Iowa if he will explain what the language means in lines 12, 13, and 14, "evidence satisfactory to the commissioner showing the basis to the last preceding owner who acquired the property other than by gift." The basis of what?

Mr. GREEN of Iowa. The basis for ascertaining the gain or loss. In other words, that would mean, in connection with the other provisions of the law, the original cost of the property in the hands of the donor.

Mr. WALSH. The language says "showing the basis to the last preceding owner."

Mr. GREEN of Iowa. The word "basis" has a definite meaning in the law. It is used, as the gentleman from Massachusetts will observe, in subdivision (3) and also in the very first paragraph.

Mr. WALSH. Yes; I appreciate that, but I am not familiar with this law, and I am unable to make any sense out of this subparagraph. It says:

(4) In the case of the sale or exchange of property acquired by gift, the entire amount received therefor shall be included in the gross income of the donee, unless the donee submits with his return evidence satisfactory to the commissioner showing the basis to the last preceding owner who acquired the property other than by gift.

I do not think "evidence satisfactory to the commissioner showing the basis to the last preceding owner" makes any sense, and I should like to have the gentleman explain it.

Mr. LONGWORTH. The gentleman will observe that in the paragraph preceding that the word "basis" is used in the same sense.

Mr. WALSH. Yes; I notice that, but this says:

Showing the basis to the last preceding owner.

Now, there was not any basis to the last preceding owner.

Mr. GREEN of Iowa. I do not understand the difficulty in which my friend from Massachusetts finds himself. The word "basis" means the test for profit or loss, as the case may be.

Mr. LONGWORTH. For ascertainment.

Mr. GREEN of Iowa. And it is used in this bill and used all through the law in that sense.

Mr. GRAHAM of Pennsylvania. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. GRAHAM of Pennsylvania. Along the line of the criticism, would it not help the paragraph if the word "basis" were omitted and the words "market or actual value to the last preceding owner" were substituted?

Mr. GREEN of Iowa. No. That would entirely change the effect of the section. It is not necessarily even the original cost, although in most cases it would be the original cost. It is the original cost to the donor if acquired since March 1, 1913. Otherwise it is the value of the property March 1, 1913.

Mr. GRAHAM of Pennsylvania. Let me ask another question, if the gentleman will permit: Do you mean to tax the total amount of the property as income that is acquired by gift, devise, or descent?

Mr. GREEN of Iowa. No; this provision will only tax the difference between its original cost to the donor and the selling price if the donee sells it.

Mr. GRAHAM of Pennsylvania. But ought not that to be limited to its value at the time the devise, gift, and so forth, took effect?

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. I ask for three minutes additional.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for three additional minutes. Is there objection?

There was no objection.

Mr. WALSH. I yield to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. If my friend from Pennsylvania [Mr. GRAHAM] will reflect for a moment, he will see that if it was made the value at the time the donee got it, we would simply come right back to the situation that we are in under the present law, and no profit would be taxed.

Mr. GRAHAM of Pennsylvania. If you will pardon me, not exactly in the same situation. If you relate to the cost to the original party, the dead man, why it may have been say $5,000, but during the years that he held it it may have grown in value until it was worth $10,000, and at the time of the devolution of the estate to the recipient, you are going to tax what? He makes a sale. Are you going to tax the difference between $5,000 and the price he got for it, or $10,000 and the price he got for it? That is the difficulty in my mind.

Mr. GREEN of Iowa. In the case of property acquired by gift, we are going to put the donee in the shoes of the donor. In the case of property acquired by bequest or descent, we do not change the present law.

Mr. SNELL. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. SNELL. I will ask the gentleman if he expects to pass this bill to-night?

Mr. GREEN of Iowa. That is my great desire.

Mr. SNELL. If not, it seems to me it is time to adjourn.

Mr. WALSH. Will the gentleman from Iowa permit a suggestion? Would it not clear up that language, and would it affect it at all seriously, if instead of the word "to" after the word "basis" you substituted the words "in the hands of," so that it would read:

Showing the basis in the hands of the last preceding owner.

Would not that clarify that language?

Mr. GREEN of Iowa. I do not see any harm in that, if the gentleman wants to make that change.

Mr. WALSH. I think that would clarify it—

Showing the basis in the hands of the last preceding owner.

Mr. GREEN of Iowa. Mr. Chairman, I have no objection to that.

Mr. WALSH. Then I offer an amendment in line 13, page 2, to strike out the word "to," after the word "basis," and to insert the words "in the hands of."

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 2, line 13, after the word "basis," strike out the word "to" and insert in lieu thereof the words "in the hands of."

Mr. WALSH. That would make the reading as follows:

Showing the basis in the hands of the last preceding owner who acquired the property other than by gift.

Mr. GREEN of Iowa. Mr. Chairman, I have no objection, and I think the committee has no objection.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk proceeded with the reading of the bill.

Mr. GRAHAM of Pennsylvania (interrupting the reading). Mr. Chairman, I was on the floor and addressed the Chair with reference to subparagraph (4), as to which I desire to make a motion.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, I move to strike out paragraph (4), in order that I may have a chance to gain an understanding of the language, for certainly to my mind it is not quite clear. It does not carry with it an expression which indicates what the intention of the law is. The word "basis," that has been criticized by the gentleman from Massachusetts [Mr. WALSH] is ambiguous in itself. What does it mean? What basis? The gentleman from Iowa, in arguing the matter, said we want to get the cost in the hands of the original owner. Are you going to tax the difference between the cost to the testator whose will is being executed and the amount that the devisee gets for it when he sells it? If that is so, it is not fair nor right. The difference between what the value of the property was at the time the devise takes effect and the price for which it is sold might be taxable as income received by the heir, and any other disposition or attempt, no matter whether it is called income or not, would in my judgment be unconstitutional, because the only power given to this Congress to tax directly is to tax income, and you can not make fictitious income in that way. That was no income to this devisee. You may tax the income between that property in the hands of the testator when it is devised and the price at which it is sold by the devisee.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM of Pennsylvania. Yes.

Mr. GREEN of Iowa. The gentleman is usually so careful and accurate that I am surprised at the statement that he is making. We could tax this whole gift, every cent of it, as income if we desired to, yet the gentleman tells us that we can not take part of it.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, I have ventured to express an opinion, to which I adhere. I question your right to tax a gift as income under the amendment to the Constitution by which alone you are permitted as a National Government to tax income. I withdraw the pro forma amendment.

Mr. GREEN of Iowa. Mr. Chairman, the trouble with my friend—and it is not at all surprising—is that this matter is extremely technical, and one needs to be quite familiar with the revenue law. As Members of the House will observe, we started out in this bill with a heading, "Basis for determining gain or loss." Then we define what that basis shall be, and fix the meaning of the word. After that we continue to use the term "basis," having reference to the meaning prescribed in the previous paragraphs. Obviously, the term "basis" would not be definite by itself. For its meaning we must go back to the definition that we have given it in the beginning of the bill.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. GRAHAM of Pennsylvania. I want to know what the intention of the law is?

The CHAIRMAN. The Chair would suggest that the amendment of the gentleman from Pennsylvania was withdrawn.

Mr. GREEN of Iowa. Then I move to strike out the last word, for the purpose of answering the gentleman.

Mr. GRAHAM of Pennsylvania. We are proceeding rather informally anyway.

Mr. GREEN of Iowa. I beg the gentleman's pardon. He asked a question that I failed to answer. The purpose of the bill is to take the profits which are made when the gifts are sold just the same as we take the profits if the donee had kept the property and sold it.

Mr. SABATH. Is not that due to the fact that the gifts are fictitious?

Mr. GRAHAM of Pennsylvania. What is to be the thing subtracted from the price that the man receives? This thing called the basis, is it to be the value of the property at the time the bequest was made to this person, or is it the difference between the selling price and the cost to the testator?

Mr. GREEN of Iowa. I hope my friend will not keep mixing gifts with bequests, because there is no tax in case of bequests. The basis for gifts will be as stated on page 1, in case the property was acquired before March 1, 1913—the appraised value of that property in the hands of the donor.

Mr. PARRISH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. There is an amendment on the desk offered by the gentleman from Iowa, which the Clerk will report.

The Clerk read as follows:

Page 2, line 15, after the word "acquired," insert "after February 28, 1913."

Mr. GREEN of Iowa. That is simply for the purpose of making the language a little more clear.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

Mr. PARRISH. Mr. Chairman, I was on my feet asking for recognition at the time the committee was considering paragraph 4 of the bill, and I want to ask the gentleman in charge of the bill concerning paragraph 4. I am not quite satisfied with that provision.

The CHAIRMAN. Does the gentleman from Texas rise in opposition to the amendment of the gentleman from Iowa?

Mr. PARRISH. Yes; in order that I may ask a question about the preceding paragraph. If I understand the provisions of paragraph 4, if A buys a piece of land to-day at $10 an acre, and in six months from that time its value has increased to $100 an acre, and he then gives it to his son, and the son sells it shortly thereafter, the son has got to account as income for the difference between the price the parent paid for it and what the son sold it for; in other words, $90 an acre.

Mr. GREEN of Iowa. Yes; and we think that is absolutely fair; otherwise it would be easy for the income-tax provision to be evaded. The gentleman is correct.

Mr. PARRISH. Does not the gentleman think that that provision should be changed as far as the sale of real estate is concerned; and does he not think we should permit the department to determine the good faith of the gift instead of passing legislation which even if we have the right to pass it will prevent a man giving property to his children in good faith?

Mr. GREEN of Iowa. This is a question of profit on gifts, and the information of the committee is that the transfer is often made, not in good faith, but to evade the income tax. If the donor kept the property and sold it himself and then turned the cash over to his son he would have to pay the income tax upon it.

Mr. PARRISH. That is true, but we are undertaking to pass legislation so that the man can only give cash and could not give land.

Mr. GREEN of Iowa. We are undertaking to say that a man shall not use the liberal provisions in the income tax law

which places no tax upon a gift for the purpose of evading his income tax.

Mr. PARRISH. But the Ways and Means Committee still intend that a bona fide gift is not taxable.

Mr. FORDNEY. Let me say to the gentleman, suppose the father gave to his son a piece of property; the son is placed in his father's shoes as far as the profits in that property is concerned. Suppose I want to give my son a piece of property which I may have purchased in times past. If I sold the property I would have to pay the income tax. We felt that it was fair that the son should pay the same tax that the father would have paid if he had sold it and not given the property to his son.

Mr. PARRISH. That is simply saying that the father can not give the son a gift of land.

Mr. FORDNEY. Not at all; he could give the land to the son, but whatever profit there may have been in that for the father over and above the price he paid for it, the son must pay the tax that the father would have had to pay. By giving it to the son we thought it only fair that the son should be placed in the father's shoes when he came to dispose of it. Suppose I bought a piece of property for $10,000 and gave it to my son to-day and it is sold for $15,000. The difference between the cost price and the selling price is profit. If I retained it I would pay a tax on the $5,000, and if my son sells it at the same price he ought to pay the same tax on it that I would have paid.

Mr. PARRISH. I see the point of the committee, but I am taking issue, as far as I am concerned, with the justice of this provision so far as it relates to a gift. I believe if A gives B, his son, a piece of land, and if B holds it for five years and sells it, if it is a gift to his son the son ought to get it as of value of the date he received it. If he sold it the next day it is no matter, there is no income; but if he sold it in five years and there was an income or an increase of value that he ought to pay on that income.

Mr. FORDNEY. Right there, if the gentleman pleases.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FORDNEY. I ask that the gentleman have one minute more.

The CHAIRMAN. The gentleman from Michigan asks that the gentleman from Texas have an additional minute. Is there objection? [After a pause.] The Chair hears none.

Mr. FORDNEY. Under existing law property acquired prior to March 1, 1913, can be valued as of March 1, 1913. Now, if it is sold at any date subsequent to that date the difference between the value of March 1, 1913, and the value of the property obtained would be profit, and so if the father conveyed to his son a piece of property he must then obtain the value of that property at the date it was given to him or the date of March 1, 1913. It does not change existing law and it does not make the son pay any tax on profits the father would not have paid had he retained and sold the property the same as the son. It does not change existing law at all.

Mr. PARRISH. No; I see it does not change existing law, but it looks to me as if it denies the father the right to give to the son land free as of date of the gift.

Mr. FORDNEY. Well, it does, except that whatever profit there is pays a tax.

The CHAIRMAN. The time of the gentleman has expired. The question is upon the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

(c) In the case of stock dividends paid after February 28, 1913, the cost to the taxpayer of each share of old and new stock shall be the cost of the old shares of stock (or the market price or value thereof as of March 1, 1913, if acquired prior thereto) divided by the total number of old and new shares of stock: *Provided*, That in cases in which the old and new shares of stock differ materially in character or preference, the cost of the old shares of stock (or the market price or value thereof as of March 1, 1913, if acquired prior thereto) shall be apportioned between the old and new shares of stock as nearly as may be in proportion to the respective values of each at the time the new shares of stock were acquired.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. Can the gentleman from Iowa just give a simple explanation of how this is going to work? Is this made necessary by the decision of the Supreme Court?

Mr. GREEN of Iowa. No; this has no reference whatever to that matter. This is simply a Treasury regulation that has been in force for some time, and it was thought it better be made a matter of law. I can perhaps explain that by a simple illustration: Suppose a person had 10 shares of stock in a certain company that cost him a thousand dollars. The company issues a stock dividend of 10 more shares, so he has 20 shares. Then of those 20 shares he sells 5 shares. The tax does not apply until some of this stock is sold. Now, the question for the Treasury is to determine what would be the basis for that 5 shares. He now has 20 shares that cost him $1,000 to begin with, so we apply this provision you see beginning at the bottom of page 2, which reads, "the cost of the old shares of stock divided by the total number of old and new shares of stock" to ascertain the cost per share. Dividing $1,000 by 20, we find the cost of the stock would be estimated at $50 a share. Then, if he sold those 5 shares for $75 a share, he would be taxed on $25 profit per share.

Mr. CRAMTON. Mr. Chairman, I think it is manifest that the gentleman can not complete his bill to-night with so extensive a discussion——

Mr. GREEN of Iowa. I am trying to get along as fast as I can. I hope my friend will let us work for some time.

Mr. CRAMTON. But the gentleman can not possibly complete his bill.

Mr. GREEN of Iowa. I have got as many people here as I could, get to stay and listen to anything so technical as this matter is——

Mr. WALSH. And the gentleman deferred his explanation of these paragraphs until under the five-minute rule.

Mr. GREEN of Iowa. I did so because I was obliged to do so, as I did not give any time to this side.

Mr. BLACK. Mr. Chairman——

Mr. CRAMTON. Mr. Chairman, I make the point of order that there is no quorum present.

Mr. GREEN of Iowa. I hope my friend will not do that. Let us proceed until 6 o'clock, and if the gentleman wants to get away by the 5th of June I think——

The CHAIRMAN. The gentleman from Michigan makes the point of order that there is no quorum present. The Chair will count. [After counting.] Thirty-six gentlemen are present, not a quorum.

Mr. GREEN of Iowa. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. REAVIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 14198, had come to no resolution thereon.

OFFICIAL RESIDENCE FOR AMBASSADOR IN LONDON (H. DOC. NO. 793).

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Senate and House of Representatives:

I transmit, for your consideration, a report from the Secretary of State announcing that Mr. J. Pierpont Morgan, of New York City, offers to the Government of the United States, as a gift to the Nation for use by the ambassador of the United States in London as an official residence, the house property situated in that city known as Nos. 13 and 14 Prince's Gate, Hyde Park.

The attention of the Congress is invited to Mr. Morgan's statement that the house is now vacant and that consequently he would be glad to learn, as soon as possible, whether the Government of the United States will be disposed to accept his offer.

WOODROW WILSON.

THE WHITE HOUSE,
25 May, 1920.

LEAVE OF ABSENCE.

Mr. MANSFIELD, by unanimous consent, was granted leave of absence, indefinitely, on account of illness.

EXTENSION OF REMARKS.

Mr. MACGREGOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on postal salaries.

The SPEAKER. Is there objection?

Mr. BLACK. Mr. Speaker, reserving the right to object, are these the gentleman's own remarks?

Mr. MACGREGOR. They are, absolutely.

The SPEAKER. The Chair hears no objection.

HOUR OF MEETING TO-MORROW.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns this evening it adjourn to meet at 11 o'clock to-morrow. I make this request because of the fact that the Committee on the Merchant Marine and Fisheries, which has business before the House to-morrow, has a number of rather important bills that it is anxious to dispose of, and which I think could be disposed of to-morrow if we could meet early and the legislation proceeded with without much interruption.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. MONDELL. If the gentleman will allow me just a word further I will.

Mr. Speaker, on to-morrow, unless in the meantime there shall seem to be a good deal of opposition to it, I shall submit a unanimous-consent request that the House meet at 11 o'clock from now on.

Mr. CLARK of Missouri. Now, I am not going to raise any fuss about meeting at 11 o'clock from now on——

Mr. MONDELL. I shall not submit that request now.

Mr. CLARK of Missouri (continuing). If the gentleman will give some assurance or statement as to when the House is going to adjourn or take a recess.

Mr. MONDELL. I have said repeatedly that I hoped the House would adjourn on the 5th of June. I am still of the opinion that Congress should adjourn, and I am still hopeful that the Congress will adjourn, on the 5th of June.

Mr. CLARK of Missouri. To-morrow is Calendar Wednesday. Are these bills to be disposed of on Calendar Wednesday?

Mr. MONDELL. They are.

Mr. SABATH. That committee is going to be reached?

Mr. MONDELL. Yes.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. WALSH. Reserving the right to object, is it the gentleman's expectation that the Committee on the Merchant Marine and Fisheries will be able to pass more than one of its bills to-morrow?

Mr. MONDELL. I hope so.

Mr. WALSH. Does the gentleman know that one of the bills that it is proposed to take up is one in reference to the claims of the wood-ship builders?

Mr. MONDELL. Yes; I think the committee intends to bring that bill up; that it is the first bill they intend to present. Of course, it may take the entire day.

Mr. WALSH. I have no objection.

Mr. GOOD. Will the gentleman yield for a question?

Mr. WALSH. I have no objection to the request.

Mr. GOOD. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. GOOD. The conference committee on the budget have agreed unanimously. The report will be taken up in the Senate first, and probably to-morrow.

Mr. MONDELL. If the gentleman will yield a moment. Did the Chair submit my request?

The SPEAKER. Not yet.

Mr. GOOD. Just wait. There is a resolution pending to change the rules of the House, and I am very anxious to have that matter considered, and I wanted to ask the gentleman whether or not we might not take up that resolution on Thursday morning—and by that time I think the conference report will be back to the House—and take the day with that program. We have now a deficiency bill, and that will have to go to conference, and the sundry civil bill will have to go to conference. I am anxious to be in as many places at the same time as possible, but I can not very well be in more than one at a time.

Mr. MONDELL. I am sure we would all like to accommodate the gentleman from Iowa, but it does not seem to me entirely logical we should take up the resolution to which he refers until we have adopted the budget, and, of course, we shall not have adopted the budget until we have agreed to the conference report.

Mr. GOOD. I think we will be able to act upon that on Thursday, and I know that some of the Members who are opposed to that ought to know when it is coming up.

Mr. MONDELL. I think everyone should realize that the budget report will be taken up as soon as possible after it is agreed to and filed.

Mr. GOOD. Will the gentleman have any objection to an arrangement whereby the resolution that is pending, changing the rules of the House, may be taken up for consideration immediately following the consideration of the conference report on the budget?

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman a question. What changes do you propose in the rules?

Mr. GOOD. The Select Committee on the Budget has reported a resolution changing the rules of the House by providing for one Committee on Appropriations of 35 members and providing that other committees that now have authority to report out appropriation bills shall not have such authority.

Mr. CLARK of Missouri. About how long does the gentleman think it will take to pass that change of the rules?

Mr. GOOD. It ought not to take long. The Democratic national convention unanimously placed that in their platform.

Mr. CLARK of Missouri. It does not make any difference what the Democratic national convention placed in the platform. Seven times 21 is 147. You have got that many to fight to start on. How many they will pick up in the scrimmage I do not know.

Mr. GOOD. I do not think they are going to pick up very many. I think the gentleman's side of the House is practically a unit for this change in the rules.

Mr. MONDELL. Mr. Speaker, I do not believe I am justified at this time in giving any assurance in regard to so important a matter. We want to dispose of the budget conference report as soon as it is in, and then we will have to consider these other important matters. There are quite a number of them.

Mr. SABATH. For instance, the bonus bill.

Mr. CLARK of Missouri. Do not mention that.

Mr. McARTHUR. Have a heart. [Laughter.]

Mr. MONDELL. Will the Chair please submit my unanimous-consent request?

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-day it adjourn until 11 o'clock to-morrow morning. Is there objection?

There was no objection.

ORDER OF BUSINESS.

Mr. CLARK of Missouri. Mr. Speaker, if the House will permit me for about a minute and a half, this extreme change that the gentleman from Iowa [Mr. GOOD] is talking about in the rules of the House ought not to be passed here in jig time.

Mr. GOOD. I agree with the gentleman. That is why I——

Mr. CLARK of Missouri. It is a revolutionary proposition. I do not say whether I am for or against it.

Mr. GOOD. I do not think it is a revolutionary proposition, but I do think, with the gentleman from Missouri, that Members of the House ought to have a little notice of it in time to be here when the matter comes up. We can just as well agree as to when that matter shall come up. I am ready to bring it up at any time if I can get an agreement to bring it up.

I ask unanimous consent, Mr. Speaker, that that resolution may be in order on Thursday.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the resolution referred to be in order on Thursday. Is there objection?

Mr. CLARK of Missouri. Unless the gentleman gives assurance that there will be reasonable time for discussion of it I shall object. If he will give that assurance, I will not object.

Mr. GOOD. I will say to the gentleman that I think that one day should be given to that matter and free opportunity given to discuss and amend it.

Mr. McARTHUR. Reserving the right to object, Mr. Speaker, does the gentleman propose to call this resolution up before he calls up the conference report on the budget?

Mr. GOOD. The conference report on the budget has been unanimously agreed to. I think it will meet with the unanimous approval of the House, and I hope to call it up at that time.

Mr. McARTHUR. Is it the intention to call up the conference report on the budget before the gentleman calls up the resolution?

Mr. GOOD. Yes.

Mr. GARRETT. Mr. Speaker, if I may, I would like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT. Is not that privileged?

Mr. GOOD. I think not.

The SPEAKER. The Chair has not considered that question, and would not like to rule on it without considering it.

Mr. GARRETT. Of course, there was a question about the jurisdiction. I think it was very properly referred to the gentleman's committee. I have no objection to that. If it would come from the Committee on Rules, of course, it would be privileged, and the wonder in my mind was whether, having been referred to the Committee on the Budget, that reference carried with it the privileged atmosphere that it would have if it had been referred to the Committee on Rules.

The SPEAKER. The Chair would say offhand that it was not privileged, but the Chair would not wish to be bound by that.

Mr. MONDELL. Mr. Speaker, the matter referred to is so important that it does not seem to me that we would be justified, with so few Members present, in agreeing to the gentleman's request. I think it would be hardly fair, in view of the importance of the matter presented, to allow a request of that kind to be granted.

Mr. GOOD. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. GOOD. I think the gentleman will consider the position that I have been placed in in the matter, with so many things crowding when we are trying to complete the work and realize the necessity of having some arrangement as to how some of these things are to be disposed of in some order. I must have a little time in which to arrange these bills that I must present, and if Thursday is not agreeable, or if the gentleman then has anything else on hand, I ask that he suggest Friday or Saturday, so that the day may be fixed definitely.

I do not care to take advantage of anyone with regard to this measure. It is a measure that every Member of the House is interested in. I think the country is interested in it, and I do not want to call up this resolution and have some one come on the floor and say that we have taken snap judgment on him; because it is of such vital importance, as the gentleman from Missouri [Mr. CLARK] has well expressed it, that we ought to have every opportunity to discuss it, and I think we ought to have an opportunity to know a little while in advance when the matter is going to be brought up.

Mr. CLARK of Missouri. I think that is all right, but I want to ask the gentleman if he is not getting the cart before the horse in undertaking to pass this resolution changing the rules, which goes to the subject of the budget, before he gets the budget? I have no doubt he will get it.

Mr. GOOD. No; it would apply with equal force if we had no budget at all. The resolution changes the rules, and would be applicable under the present plan of appropriations.

Mr. CLARK of Missouri. You could not get it through the House to save your life unless this budget business was intended.

Mr. GOOD. I think the budget bill will be passed by that time.

Mr. MONDELL. Mr. Speaker, this is a matter of very great importance, and I have never assumed the responsibility of fixing the order of procedure in the House without consulting the Members of the House quite generally.

Mr. GOOD. Oh, I have never been consulted about any of these arrangements, as far as that is concerned.

Mr. MONDELL. The gentleman from Iowa has been very frequently consulted, as he knows, and very great pains have been taken to give him the right of way, as he was entitled to it when his bills were ready.

Mr. GOOD. Will the gentleman then agree to Friday or Saturday?

Mr. MONDELL. I do not feel at this time, without having the matter considered at all by the Members who are interested, that I would be justified in fixing any time.

Mr. RANDALL of California. Regular order!

The SPEAKER. The regular order is, Is there objection to the request of the gentleman from Iowa?

Mr. MONDELL. I am compelled to object.

Mr. GOOD. I then make the same request that Friday be set aside as the day for consideration of that resolution.

The SPEAKER. The gentleman asks unanimous consent that Friday be set aside.

Mr. MONDELL. Mr. Speaker, for the present I shall have to object to any such request.

Mr. GOOD. Then I ask that Saturday be set aside.

Mr. MONDELL. I shall object, Mr. Speaker, to the fixing of any date at this time.

Mr. PARRISH. Was the request agreed to that the House meet at 11 o'clock to-morrow?

The SPEAKER. Yes; that was agreed to.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 1223. An act for the relief of the owner of the steamer *Mayflower* and for the relief of passengers on board said steamer; to the Committee on Claims.

S. 3461. An act to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii; to the Committee on Territories.

S. 4332. An act to exchange the present Federal building and site at Gastonia, N. C., for a new site and building; to the Committee on Public Buildings and Grounds.

S. 3763. An act regulating the disposition of lands formerly embraced in the grants to the Oregon & California Railroad Co. and Coos Bay Wagon Road Co.; to the Committee on the Public Lands.

ADJOURNMENT.

Mr. MONDELL. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 56 minutes p. m.) the House adjourned until Wednesday, May 26, 1920, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury transmitting an estimate of appropriation required by the War Department during the fiscal year 1921, "Modification and readjustment of contracts, rivers and harbors improvement" (H. Doc. No. 792), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. DENISON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14150) to authorize the construction of a bridge across the Rock River, in Lee County, State of Illinois, at or near the city of Dixon, in said county, reported the same without amendment, accompanied by a report (No. 1036), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on the Public Lands was discharged from the consideration of the bill (S. 3995) providing for the relinquishment of certain described property by the United States to the city and county of San Francisco, State of California, and the same was referred to the Committee on Public Buildings and Grounds.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

Mr. SMITH of Idaho: A bill (H. R. 14222) to authorize the addition of certain lands to the Cache National Forest; to the Committee on the Public Lands.

By Mr. MONAHAN of Wisconsin: A bill (H. R. 14223) to revise and amend section 853 of the Revised Statutes of the United States of 1878; to the Committee on the Judiciary.

By Mr. SINNOTT: A bill (H. R. 14224) to add certain lands to the Whitman National Forest in the State of Oregon; to the Committee on the Public Lands.

By Mr. BAER: A bill (H. R. 14225) granting the consent of Congress to the counties of Pembina, N. Dak., and Kittson, Minn., to construct a bridge across the Red River of the North at or near the city of Pembina, N. Dak.; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE of Kansas: A bill (H. R. 14226) authorizing and directing the Secretary of War to donate to the city of Ellis, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GRIFFIN: Joint resolution (H. J. Res. 362) authorizing the Postmaster General to allow and pay to the employees of the Postal Service a flat increase of 25 per cent on all salaries, pending report of Joint Congressional Post Office Salaries Reclassification Commission and legislation carrying same into effect; to the Committee on the Post Office and Post Roads.

By Mr. RAKER: Memorial of the Legislature of the State of New Jersey in furtherance of the development of good roads throughout the United States; to the Committee on Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEGG: A bill (H. R. 14227) granting an increase of pension to David B. Cox; to the Committee on Pensions.

By Mr. CROWTHER: A bill (H. R. 14228) for the relief of Ada P. Sack; to the Committee on Claims.

Also, a bill (H. R. 14229) granting an increase of pension to Alfred Ashton; to the Committee on Pensions.

By Mr. HUSTED: A bill (H. R. 14230) granting a pension to Eleanor W. Massey; to the Committee on Pensions.

By Mr. KAHN: A bill (H. R. 14231) granting an increase of pension to Eliza Hilbpisch; to the Committee on Pensions.

By Mr. McKENZIE: A bill (H. R. 14232) granting a pension to Florence J. Atchison; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 14233) granting a pension to Laura E. Gardner; to the Committee on Pensions.

By Mr. MURPHY: A bill (H. R. 14234) for the relief of Rudolph W. Archer; to the Committee on Claims.

By Mr. OLNEY: A bill (H. R. 14235) granting a pension to Helen M. Gross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14236) granting an increase of pension to Nicholas Brady; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 14237) granting a pension to Ella M. Fall; to the Committee on Invalid Pensions.

By Mr. STEPHENS of Ohio: A bill (H. R. 14238) for the relief of Alexander J. Mitchell; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3872. By the SPEAKER (by request): Petition of Kiwanis Club, of Washington, favoring the granting to teachers in the District of Columbia of a bonus of at least $500 for the year ending June 30, 1920; to the Committee on the District of Columbia.

3873. By Mr. CROWTHER: Petition of numerous residents of Delanson, N. Y., urging immediate enactment of House bill 262; to the Committee on Interstate and Foreign Commerce.

3874. Also, petition of board of directors of the Schenectady (N. Y.) Board of Trade, urging the repeal of the excess profits and certain other taxes imposed under the revenue act of 1918; to the Committee on Ways and Means.

3875. By Mr. DYER: Petition of E. Lowitz & Co., of St. Louis, Mo., protesting against proposed tax on stock transactions; to the Committee on Ways and Means.

3876. Also, petition of Central Coal & Coke Co., of Kansas City, Mo., opposing passage of Senate bill 4278; to the Committee on Interstate and Foreign Commerce.

3877. Also, petition of Ashgrove Lime & Portland Cement Co., of Kansas City, Mo., favoring legislation prohibiting interference with interstate commerce; to the Committee on the Judiciary.

3878. Also, petition of Ben Franklin Club, of St. Louis, Mo., protesting against proposed tax on advertising; to the Committee on Ways and Means.

3879. Also, petition of Future City Lodge, No. 1, and the United Garment Makers' Union of America, favoring amnesty to political prisoners; to the Committee on the Judiciary.

3880. By Mr. EDMONDS: Petition of the Philadelphia Real Estate Board, protesting against the passage of House bill 12397; to the Committee on Ways and Means.

3881. By Mr. FULLER of Illinois: Petition of E. A. Clarke, of Rockford, Ill., protesting against the provision of the soldiers' bonus bill imposing a tax on sales of stocks, bonds, and other investment securities, and Holcomb Dutton Lumber Co., of Sycamore, Ill., and others opposing the tax on sales; to the Committee on Ways and Means.

3882. Also, petition of National Implement and Vehicle Association, of Chicago, Ill., concerning House bill 3223; to the Committee on Patents.

3883. Also, petition of the smaller packers of the United States, concerning legislation for Government control of the packing industry; to the Committee on Interstate and Foreign Commerce.

3884. By Mr. GALLIVAN: Petition of National Federation of Employees, of Springfield, Mass., favoring continuation of work of reclassifying salaries of Government employees; to the Committee on Appropriations.

3885. Also, petition of Roxbury Post and Boston Fire Department Post, American Legion, favoring bonus legislation; to the Committee on Ways and Means.

3886. Also, four petitions of citizens of Boston, Mass., favoring increase of salaries for postal employees; to the Committee on the Post Office and Post Roads.

3887. By Mr. HUDSPETH: Petition of Commodore John Barry Branch, Friends of Irish Freedom, of El Paso, Tex., favoring the passage of House bill 3404; to the Committee on Foreign Affairs.

3888. By Mr. McDUFFIE: Petition of Dixie Fruit Products Corporation, of Mobile, Ala., urging relief for the perishable food industries of the South by supplying freight cars immediately; to the Committee on Interstate and Foreign Commerce.

3889. By Mr. O'CONNELL: Petition of Architectural and Ornamental Iron and Bronze Workers' Union of New York City, favoring amnesty for political prisoners; to the Committee on the Judiciary.

3890. By Mr. RAKER: Petition of Aaron Sapiro, of San Francisco, Calif., counsel for the California Prune and Apricot Growers' Association, urging support of the Volstead-Capper bill; to the Committee on the Judiciary.

3891. Also, petition of Los Angeles Lodge, No. 311, International Association of Machinists, urging support of Senate joint resolution 171 and Senate bill 1233; to the Committee on the Judiciary.

3892. Also, petition of United National Association, Branch 214, National Association, and Local No. 2, National Federation of Post Office Clerks and Letter Carriers of San Francisco, Calif., urging early and favorable action by Congress on relief for postal employees; to the Committee on the Post Office and Post Roads.

3893. By Mr. SANDERS of New York: Petition of Mrs. S. T. Lyke and 120 other residents of Arcade, N. Y., urging the passage of House bill 10925, offering the aid of the National Government to any State that will join in maternal and infant welfare work; to the Committee on Interstate and Foreign Commerce.

3894. By Mr. VARE: Petition of Philadelphia Board of Trade, demanding divorcement of Department of Labor from the handling of cases pertaining to undesirable aliens; to the Committee on Immigration and Naturalization.

3895. By Mr. WILSON of Pennsylvania: Petition of ex-service men of Pennsylvania, favoring $500 cash bonus; to the Committee on Ways and Means.

SENATE.

WEDNESDAY, *May 26, 1920.*

(Legislative day of Monday, May 24, 1920.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

SUNDRY CIVIL APPROPRIATIONS.

Mr. WARREN. I ask unanimous consent that the unfinished business, so recorded on the calendar, the conference report on House bill 3184, the water power bill, be laid aside, that we may proceed with the sundry civil appropriation bill.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. WARREN. I ask that the Senate proceed to the consideration of House bill 13870, the sundry civil appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13870) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. WARREN. I ask unanimous consent that the formal reading of the bill be dispensed with, and that the bill be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Reading Clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "Treasury Department," subhead "Quarantine stations," on page 5, line 5, after the word "station," to insert "and all other maritime quarantine stations," so as to make the clause read:

> The schedule of fees and rates of charges in effect at the New York quarantine station at the time of the transfer of the title thereto to the United States shall be adopted and promulgated by the Secretary of the Treasury as the schedule of fees and rates of charges for the operation of the said station and all other maritime quarantine stations under the jurisdiction of the United States.

Mr. GAY. I wish to make a point of order against that amendment. This is general legislation; it is new. I will state that it is the same amendment that was offered in the House, and a point of order was made against it there.

The VICE PRESIDENT. The House rule and the Senate rule are different.

Mr. GAY. The point of order was sustained by the Chair in the House. The effect of this amendment would be to make all quarantine stations in the country charge the same rates that are charged in New York, where, I understand, the present rates are higher than they are at some other points. I think it would be discriminatory, and I therefore make the point of order against it.

The VICE PRESIDENT. The rule of the Senate and the rule of the House are different. The rule of the House is that no new legislation may be added to an appropriation bill. The rule of the Senate is that no general legislation may be added to an appropriation bill.

Mr. GAY. This is general legislation.

The VICE PRESIDENT. Is there a statute on the subject of fees?

Mr. GAY. There is.

The VICE PRESIDENT. Is it admitted by the chairman of the committee that there is a statute fixing the fees?

Mr. WARREN. The matter, I think, does not transgress the rule, but if the Senator from Louisiana wishes to have it stricken out, I shall not contend against it.

The VICE PRESIDENT. Then, of course, the Chair will sustain the point of order and let it go at that.

The next amendment was, under the subhead "Public buildings, repairs, equipment, and general expenses," on page 8, line 20, after the word "for," to insert "additional salary of $1,000 for the Supervising Architect of the Treasury for the fiscal year 1921," so as to read:

General expenses: To enable the Secretary of the Treasury to execute and give effect to the provisions of section 6 of the act of May 30, 1908 (35 Stats., p. 537): For additional salary of $1,000 for the Supervising Architect of the Treasury for the fiscal year 1921; foremen draftsmen, architectural draftsmen, and apprentice draftsmen, at rates of pay from $840 to $2,500 per annum; structural engineers and draftsmen, at rates of pay from $840 to $2,500 per annum.

The amendment was agreed to.

The next amendment was, under the subhead "Coast Guard," on page 15, line 15, after "$5,776,000," to insert ": *Provided*, That not more than 10 enlisted men at one time may be detailed to duty in the District of Columbia," so as to make the clause read:

For pay and allowances prescribed by law for commissioned officers, cadets and cadet engineers, warrant officers, petty officers, and other enlisted men, active and retired, temporary cooks and surfmen, substitute surfmen, and one civilian instructor, $5,776,000: *Provided*, That not more than 10 enlisted men at one time may be detailed to duty in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 15, after line 17, to insert:

Titles of commissioned officers of the Coast Guard are hereby changed as follows: Senior captain to commander, captain to lieutenant commander, first lieutenant to lieutenant, second lieutenant to lieutenant, junior grade, third lieutenant to ensign, captain of engineers to lieutenant commander (engineering), first lieutenant of engineers to lieutenant (engineering), second lieutenant of engineers to lieutenant, junior grade (engineering), and third lieutenant of engineers to ensign (engineering): *Provided*, That all laws applicable to the titles hereby abolished in the Coast Guard shall apply to the titles hereby established.

The amendment was agreed to.

The next amendment was, on page 17, after line 9, to insert:

For expenses incident to establishing and maintaining buoys to mark anchorage grounds in the harbors of New York and Hampton Roads, $31,150.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of War Risk Insurance," on page 21, line 1, after the words "by the," to strike out "Bureau of War Risk Insurance" and insert "Secretary of the Treasury"; in line 4, after the word "Service," to strike out "and"; and in line 6, after the word "Soldiers," to insert "and the War and Navy Departments," so as to make the clause read:

Medical and hospital services: For medical, surgical, and hospital services, medical examinations, funeral expenses, traveling expenses, and supplies, for beneficiaries of the Bureau of War Risk Insurance, including court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane, $46,000,000. This appropriation shall be disbursed by the Secretary of the Treasury and such portion thereof as may be necessary shall be allotted from time to time to the Public Health Service, the Board of Managers of the National Home for Disabled Volunteer Soldiers, and the War and Navy Departments and transferred to their credit for disbursement by them for the purposes set forth in this paragraph. The allotments to the said board of managers shall also include such sums as may be necessary to alter or improve existing facilities in the several branches under its jurisdiction so as to provide adequate accommodations for such beneficiaries of the Bureau of War Risk Insurance as may be committed to its care.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous objects, Treasury Department," on page 24, line 15, after the words "United States," to strike out "$375,000" and insert "$400,000," so as to read:

Suppressing counterfeiting and other crimes: For expenses incurred under the authority or with the approval of the Secretary of the Treasury in detecting, arresting, and delivering into the custody of the United States marshal having jurisdiction dealers and pretended dealers in counterfeit money and persons engaged in counterfeiting Treasury notes, bonds, national-bank notes, and other securities of the United States and of foreign Governments, as well as the coins of the United States and of foreign Governments, and other felonies committed against the laws of the United States relating to the pay and bounty laws, and for the enforcement of section 18 of the War Finance Corporation act; hire and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary; per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and for no other purpose whatever, except in the protection of the person of the President and the members of his immediate family and of the person chosen to be President of the United States, $400,000.

The amendment was agreed to.

The next amendment was, under the subhead "Customs Service," on page 25, line 16, after the word "revenue," to strike out "$10,300,000" and insert "$12,300,000"; and in line 18, after the word "appropriation," to strike out "*Provided further*, That the Secretary of the Treasury, in the expenditure of this sum, shall allot to the customs districts of the United States on the Mexican border such amounts as will enable those districts to perform adequately the duties authorized and required by law," so as to make the clause read:

For collecting the revenue from customs, including not exceeding $200,000 for the detection and prevention of frauds upon the customs revenue, $12,300,000: *Provided*, That not more than one appraiser for the port of Baltimore shall be paid from this appropriation.

The amendment was agreed to.

The next amendment was, on page 26, after line 6, to insert:

BUREAU OF INTERNAL REVENUE.

Enforcement of the national prohibition act: For the employment of additional officers, traveling and other necessary miscellaneous expenses to guard intoxicating liquors in bonded and other warehouses, and prevent violations of the national prohibition act, $1,500,000.

The amendment was agreed to.

The next amendment was, under the subhead "Public Health Service," on page 28, line 11, after the word "vehicles," to insert "court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane," so as to make the clause read:

For medical, surgical, and hospital services and supplies for beneficiaries (other than war-risk insurance patients) of the Public Health Service, including necessary personnel, regular and reserve commissioned officers of the Public Health Service, clerical help in the District of Columbia and elsewhere, maintenance, equipment, leases, fuel, lights, water, printing, freight, transportation and travel, maintenance and operation of passenger motor vehicles, court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane, and reasonable burial expenses (not exceeding $100 for any patient dying in hospital), $4,000,000.

The amendment was agreed to.

Mr. WARREN. In line 17, on page 28, I move to strike out "Bureau of War Risk Insurance" and insert in lieu thereof "Secretary of the Treasury."

The amendment was agreed to.

The next amendment was, on page 31, line 11, after the word "pellagra," to strike out "$32,500" and insert "$16,250: *Provided*, That no part of this sum shall be available for expenditure after December 31, 1920," so as to make the clause read:

Pellagra: For rental, equipment, and maintenance of a temporary field hospital and laboratory, including pay of personnel, for special studies of pellagra, $16,250: *Provided*, That no part of this sum shall be available for expenditure after December 31, 1920.

The amendment was agreed to.

The next amendment was, on page 31, line 17, after the word "service," to strike out "$35,000" and insert "$50,000," so as to make the clause read:

Biologic products: To regulate the propagation and sale of viruses, serums, toxins, and analogous products, and for the preparation of curative and diagnostic biologic products, including personal service, $50,000.

The amendment was agreed to.

The reading was continued to page 34, line 4.

Mr. WARREN. After the words "per annum," line 4, page 34, I move to insert the following proviso:

Provided further, That the unexpended balance of the $32,000 heretofore appropriated for liquidating the affairs of the Committee on Public Information is hereby reappropriated.

The amendment was agreed to.

The next amendment was, under the head of "Interdepartmental Social Hygiene Board," on page 37, after line 3, to insert:

The duties and powers conferred upon the Interdepartmental Social Hygiene Board by chapter 15 of the Army appropriation act approved July 9, 1918, with respect to the expenditure of the appropriations made therein are extended and made applicable to the appropriations for similar purposes made in this act.

The amendment was agreed to.

The next amendment was, on page 37, after line 22, to insert:

For allotment to the various States for the prevention, treatment, and control of venereal diseases, $450,000; and the unexpended balance on June 30, 1920 (approximately $300,000), of the appropriation heretofore made for this purpose is continued and made available during the fiscal year 1921: *Provided*, That no part of this sum shall be allotted to any State unless such State, in a manner satisfactory to the board, shall have complied with, and shall have given assurance of continued compliance with, the conditions and regulations governing such allotments and the expenditures that may be made therefrom.

The amendment was agreed to.

The next amendment was, on page 38, after line 9, to insert:

For payment to universities, colleges, and other suitable institutions, for scientific research for the purpose of discovering more effective medical measures in the prevention and treatment of venereal diseases, $85,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 13, to insert:

For payment to universities, colleges, and other suitable institutions and organizations for the purpose of discovering and developing more effective educational measures in the prevention of venereal diseases, $250,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 17, to insert:

No part of the respective sums contained in the two preceding paragraphs shall be paid to any university, college, institution, or organization which does not set aside an additional sum for the same purpose at least equal to the amount to be received from the United States.

The amendment was agreed to.

The next amendment was, on page 38, line 23, after the word "Board," to strike out "$230,000," and insert "$1,015,000," so as to make the clause read:

In all, Interdepartmental Social Hygiene Board, $1,015,000.

The amendment was agreed to.

The next amendment was, on page 42, after line 12, to insert:

RAILROAD LABOR BOARD.

For nine members of the board, at $10,000 each; secretary, $5,000; in all, $95,000.

The amendment was agreed to.

The next amendment was, on page 42, after line 15, to insert:

For all other authorized expenditures of the Railroad Labor Board in performing the duties imposed by law, including personal and other services in the District of Columbia and elsewhere, supplies and equipment, law books and books of reference, periodicals, printing and binding, traveling expenses, per diem in lieu of subsistence not to exceed $7, rent of quarters in the District of Columbia if space is not provided by the Public Buildings Commission, rent of quarters outside the District of Columbia, witness fees, and mileage, $355,000, of which sum $50,000 shall be available for the fiscal year 1920.

The amendment was agreed to.

The next amendment was under the subhead "Emergency shipping fund," on page 45, line 25, after the words "Fleet Corporation," to insert "but nothing in this proviso shall affect, modify, or repeal any provision of the 'shipping act, 1920,'" so as to make the clause read:

The expenses of the United States Shipping Board Emergency Fleet Corporation during the fiscal year ending June 30, 1921, for administrative purposes, the payment of claims arising from the cancellation of contracts, damage charges, and miscellaneous adjustments, maintenance and operation of vessels, and the completion of vessels now under construction shall be paid from the following sources: (a) The amount on hand July 1, 1920; (b) the amount received during the fiscal year 1921 from the operation of ships; (c) not to exceed $15,000,000 from deferred payments on ships sold prior to the approval of this act; (d) not to exceed $25,000,000 from plant and material sold during the fiscal year 1921; and (e) not to exceed $30,000,000 from ships sold during the fiscal year 1921: *Provided*, That after the approval of this act no contract shall be entered into or work undertaken for the construction of any additional vessels for the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation, but nothing in this proviso shall affect, modify, or repeal any provisions of the "shipping act, 1920."

Mr. WARREN. I move to amend the amendment of the committee on page 46, line 2, by striking out the word "shipping" and inserting in lieu thereof "merchant marine."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, under the head of "Smithsonian Institution," on page 48, after line 9, to insert:

National Gallery of Art: For the administration of the National Gallery of Art by the Smithsonian Institution, including compensation of necessary employees and necessary incidental expenses, $15,000.

The amendment was agreed to.

The next amendment was, at the top of page 49, to insert:

For the purchase, by condemnation or otherwise, of all of the following lots, pieces, or parcels of land lying between the present western boundary of the National Zoological Park and Connecticut Avenue, now known or described on the records of the surveyor of the District of Columbia as parcels Nos. 54 over 5, 54 over 6, 55 over 60, 55 over 61, the portion of parcel known as No. 54 over 4 that lies between the south line of Jewett Street and a line parallel to and 300 feet distant south from said south line of Jewett Street, and the portion of parcel No. 55 over 58 that lies between the north line of Jewett Street and a line drawn parallel to and 300 feet distant north from said north line of Jewett Street, $80,000, or such portion thereof as may be necessary, to be available till the termination of the proceedings herein authorized. The Secretary of the Treasury is hereby authorized and directed to purchase any of said land that he can obtain by agreement with the owners thereof at prices not in excess of the valuation placed on said land by the jury and approved by the court in the condemnation proceedings had under authority of the provisions of the sundry civil act approved June 23, 1913: *Provided*, That the price of the portion of a parcel of land shall be pro rata of the valuation of the entire parcel, based on area, except that the price of the portions hereinbefore described of parcel No. 55 over 58 shall be pro rata of the valuation of parcel No. 54 over 4; and the Secretary of the Treasury is further authorized and directed to institute proceedings (under provisions of sundry civil act approved June 23, 1913) for the condemnation of any of the land hereinbefore described that he may be unable to purchase by agreement with the owner or owners thereof. The land acquired under the provisions of this act, together with the included highways (Jewett Street from the National Zoological Park to Connecticut Avenue, and the new highway connection therewith established under the provisions of public act No. 203, approved April 28, 1904, for a distance of 250 feet north from Jewett Street and 250 feet south from Jewett Street), shall be added to and become a part of the National Zoological Park: *Provided*, That such portion of said land as may be necessary may be used for a highway not more than 50 feet wide adjacent to the north line of the land taken from parcel No. 55 over 58 and a highway not more than 50 feet wide adjacent to the south line of the land taken from parcel No. 54 over 4, said highways to extend from Connecticut Avenue to the new highway hereinabove mentioned, and to be under the jurisdiction of the Commissioners of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 51, after line 7, to insert:

UNITED STATES PILGRIM TERCENTENARY COMMISSION.

For the participation of the United States in the observance of the three hundredth anniversary of the landing of the Pilgrims at Provincetown and Plymouth, Mass., in accordance with the provisions of public resolution No. 42 (Sixty-sixth Congress), approved May 13, 1920, $400,000.

The amendment was agreed to.

The next amendment was, under the head of "War Department," on page 51, after line 16, to insert:

Temporary employees: For personal services in the Office of the Director of Finance, War Department, $283,000, which may be expended notwithstanding the third proviso of the paragraph entitled "Temporary employees, War Department," contained in the legislative, executive, and judicial appropriation act for the fiscal year 1921.

The amendment was agreed to.

The next amendment was, under the subhead "Armories and arsenals," on page 53, line 9, after the word "airship," to strike out "$125,000" and insert "$160,000," so as to make the clause read:

Aberdeen Proving Ground, Md.: For the construction of a steel hangar to accommodate one United States Navy type "C-2" airship, $160,000.

The amendment was agreed to.

The next amendment was, on page 53, after line 9, to insert:

Storage facilities for ammunition, Ogden, Utah: Section 355 of the Revised Statutes of the United States shall not apply to the expenditure of appropriations for the Ordnance Department of the Army provided for in the second deficiency appropriation act for the fiscal year 1920 for the purchase of land near Ogden, Utah, and for improvements upon such land.

The amendment was agreed to.

The next amendment was, under the subhead "Quartermaster Corps," on page 58, line 9, after the word "exceeding," to strike out "$100,000" and insert "$500,000," so as to read:

That there may be expended from and after the approval of this act and until June 30, 1921, from this appropriation and the appropriation for this purpose for the fiscal year 1920, a total amount not exceeding $500,000 for personal services in the Cemeterial Division, Office of the Quartermaster General, War Department, for compiling, recording, preparing, and transmitting data incident to the disposition of the remains referred to herein; this sum may be expended notwithstanding the third proviso of the paragraph entitled "Temporary employees, War Department," contained in the legislative, executive, and judicial appropriation act for the fiscal year 1921.

The amendment was agreed to.

The next amendment was, at the top of page 60, to insert:

Rostrum for Battle Ground National Cemetery, District of Columbia: For the construction of a rostrum at the Battle Ground (District of Columbia) National Cemetery, including necessary material and labor, in order to provide suitable place for holding memorial exercises, etc., $2,500.

The amendment was agreed to.

The next amendment was, under the subhead "Engineer Department," on page 66, after line 15, to insert:

For construction of road surrounding the Lincoln Memorial and roads leading thereto from existing improved roads, $100,000.

The amendment was agreed to.

The next amendment was, on page 70, after line 21, to insert:

Relocation of military road between Aqueduct Bridge and Fort Myer, Va.: For the purpose of eliminating dangerous curves in the military road between the Aqueduct Bridge over the Potomac River and Fort Myer, Va., and on the condition that such right, title, and interest in the real estate necessary or desirable for the purpose aforesaid can be acquired without cost to the Government other than the exchange or surrender therefor of that portion of the existing road for which the relocated portion would be substituted, the Secretary of War is authorized to relocate a portion of said road over a distance of about 1,200 linear feet, extending from the vicinity of Greenlees Street in the town of Rosslyn, Va., to an intersection with the said road as now located; to exchange or surrender for, or in lieu of, the real estate, or interest therein, included in such new route, the right, title, and interest of the Government in that portion of the present existing road cut off by said relocation; and to construct a new roadway over said new route; and for the purpose of meeting the expenditures necessary for carrying out the aforesaid project, $20,000.

The amendment was agreed to.

The next amendment was, on page 73, after line 3, to strike out:

For pay of inspectors, deputy inspectors, and office forces and expenses of office, $14,260.

For pay of crews and maintenance of patrol fleet, six steam tugs and one launch, $95,000.

In all, $109,260.

And insert:

For pay of inspectors, deputy inspectors, crews, and office force, and for maintenance of patrol fleet and expenses of office, $122,985.

The amendment was agreed to.

The next amendment was, under the subhead "Medical Department," on page 73, line 22, after the words "prior to," to strike out "October" and insert "April," so as to make the clause read:

Appliances for disabled soldiers: For furnishing surgical appliances to persons disabled in the military or naval service of the United States, prior to April 6, 1917, and not entitled to artificial limbs or trusses for the same disabilities, $500.

The amendment was agreed to.

The next amendment was, on page 74, after line 4, to insert:

Medical and surgical history of the German War: For the purpose of preparing for publication under the direction of the Secretary of War, including the hire of temporary additional employees in the Office of the Surgeon General, if necessary, and of printing and binding at the Government Printing Office, a medical and surgical history of the war with Germany, including the necessary engravings and illustrations, $75,000.

The amendment was agreed to.

The next amendment was, under the subhead "National Home for Disabled Volunteer Soldiers," on page 78, line 12, after "$23,000," to insert "together with the unexpended balance of this appropriation, for this purpose, for the fiscal year 1920," so as to make the clause read:

For repairs, including the same objects specified under this head for the Central Branch, $23,000, together with the unexpended balance of this appropriation, for this purpose, for the fiscal year 1920.

The amendment was agreed to.

The next amendment was, on page 85, line 15, after the words "by the," to strike out "Bureau of War Risk Insurance" and insert "Secretary of the Treasury," and in line 18, after the words "beneficiaries of," to strike out "that bureau" and insert "the Bureau of War Risk Insurance," so as to make the clause read:

The allotments made by the Secretary of the Treasury to the Board of Managers of the National Home for Disabled Volunteer Soldiers for the care of beneficiaries of the Bureau of War Risk Insurance by the said board shall also be available for expenditure by the board on that account at such of the homes and for such of the objects of expenditure at such homes as are hereinbefore enumerated, including the sums allotted for alteration and improvement of existing facilities so as to provide adequate accommodations for the beneficiaries of the Bureau of War Risk Insurance.

The amendment was agreed to.

The next amendment was, on page 87, after line 2, to insert:

TRANSPORTATION FACILITIES ON INLAND AND COASTWISE WATERWAYS.

For additional expense incurred in the operation of boats, barges, tugs, and other transportation facilities on the inland, canal, and coastwise waterways acquired by the United States in pursuance of the fourth paragraph of section 6 of the Federal control act of March 21, 1918: *Provided*, That not to exceed $17,680 of this appropriation may be used for the payment of experts, clerks, and other employees in the War Department in accordance with the provisions of section 201 (e) of the transportation act, 1920, approved February 28, 1920, $4,436,297.60.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," subhead "Public buildings," on page 88, line 16, after the word "house," to insert "Senate and House stables," so as to make the clause read:

For repairs and improvements to steam fire-engine house, Senate and House stables, and Maltby Building, including personal services, $1,000; this and the three foregoing sums may, in the discretion of the Secretary of the Interior, be expended for purchases of articles without reference to section 4 of the act approved June 17, 1910, concerning purchases for executive departments.

The amendment was agreed to.

The next amendment was, under the subhead "Public lands service," on page 89, line 22, after the word "reservations," to insert "and of clerks transferred or detailed from one district land office to another"; on page 90, line 6, after the words "General Land Office," to strike out "$350,000" and insert "$375,000: *Provided further*, That the clerks employed hereunder in Alaska may be paid a compensation not to exceed $2,220 per annum," so as to make the clause read:

Contingent expenses of land offices: For clerk hire, rent, and other incidental expenses of the district land offices, including the expenses of depositing public money; per diem, in lieu of subsistence, of clerks detailed to examine the books and management of district land offices and to assist in the operation of said offices, and in the opening of new land offices and reservations, and of clerks transferred or detailed from one district land office to another, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and for actual necessary traveling expenses of said clerks, including necessary sleeping-car fares: *Provided*, That no expenses chargeable to the Government shall be incurred by registers and receivers in the conduct of local land offices except upon previous specific authorization by the Commissioner of the General Land Office, $375,000: *Provided further*, That the clerks employed hereunder in Alaska may be paid a compensation not to exceed $2,220 per annum.

The amendment was agreed to.

The next amendment was, on page 90, line 18, after the word "exceeding," to strike out "$20,000" and insert "$25,000," so as to read:

Depredations on public timber, protecting public lands, and settlement of claims for swamp land and swamp-land indemnity: For protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; of protecting public lands from illegal and fraudulent entry or appropriation, and of adjusting claims for swamp lands, and indemnity for swamp lands, including not exceeding $15,000 for clerical services in bringing up and making current the work of the General Land Office, $500,000, including not exceeding $25,000 for the purchase of motor-propelled passenger-carrying vehicles for the use of agents and others employed in the field service and for operation, maintenance, and exchange of same, and for operation and maintenance of a motor boat.

The amendment was agreed to.

The next amendment was, on page 92, line 14, after the words "surveyors general," to strike out "$5,000" and insert "$6,000," so as to make the clause read:

Reproducing plats of surveys: To enable the Commissioner of the General Land Office to continue to reproduce worn and defaced official plats of surveys on file, and other plats constituting a part of the records of said office, to furnish local land offices with the same, and for reproducing by photolithography original plats of surveys prepared in the offices of surveyors general, $6,000: *Provided*, That hereafter photolithographic copies of township plats shall be sold to the public at 50 cents each.

The amendment was agreed to.

Mr. WARREN. I offer the amendment which I send to the desk to come in on page 95, after line 16.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 95, after line 16, it is proposed to insert the following:

BUREAU OF PENSIONS.

For expenses of administration of the act of Congress approved May 22, 1920, providing for retirement of employees in the classified civil service, as indicated in section 15 thereof, as follows: For personal and other services, $49,280; for medical and other examinations, including traveling expenses, $8,000; stationery, $5,000; office equipment, $2,680; printing, $2,000; contingent expenses, $200; books of reference, $200; in all, $67,360.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "United States Geological Survey," on page 96, line 13, after the words "national forests," to strike out "$330,000" and insert "$370,000," so as to make the clause read:

For topographic surveys in various portions of the United States, including lands in national forests, $370,000.

The amendment was agreed to.

The next amendment was, on page 97, line 16, after the word "laws," to insert "to be immediately available," so as to make the clause read:

For the examination and classification of lands requisite to the determination of their suitability for enlarged homesteads, stock-raising homesteads, public watering places, and stock driveways, or other uses, as required by the public-land laws, to be immediately available, $300,000.

The amendment was agreed to.

The next amendment was, on page 98, line 6, after the words "Geological Survey," to strike out "$1,655,700" and insert "$1,695,700," so as to make the clause read:

In all, United States Geological Survey, $1,695,700.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Mines," on page 100, line 22, after "1915," to strike out "$175,000" and insert "$250,000," so as to make the clause read:

For the employment of personal services and all other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, authorized by the act approved March 3, 1915, $250,000.

The amendment was agreed to.

The next amendment was, on page 102, after line 4, to insert:

Authority is granted the Secretary of the Interior to sell at public auction lots 1, 2, and 3, block 120, with any improvements thereon, of the original town site of Billings, Mont., which were used as a United States mine rescue station; the proceeds of said sale to be deposited and covered into the Treasury as miscellaneous receipts.

The amendment was agreed to.

The next amendment was, on page 104, line 26, after the words "Bureau of Mines," to strike out "$1,277,642" and insert "$1,352,642," so as to make the clause read:

In all, Bureau of Mines, $1,352,642.

The amendment was agreed to.

The next amendment was, under the subhead "Reclamation Service," on page 107, line 14, after "$317,000," to insert "together with the unexpended balance of the appropriation for

this project for the fiscal year 1920," so as to make the clause read:

Minidoka project, Idaho: For operation and maintenance, continuation of construction, and incidental operations, $317,000, together with the unexpended balance of the appropriation for this project for the fiscal year 1920.

The amendment was agreed to.

The next amendment was, on page 108, line 15, after "$1,000,000," to insert "together with the unexpended balance of the appropriation for this project for the fiscal year 1920," so as to make the clause read:

Rio Grande project, New Mexico-Texas: For operation and maintenance, continuation of construction, and incidental operations, $1,000,000, together with the unexpended balance of the appropriation for this project for the fiscal year 1920.

The amendment was agreed to.

The next amendment was, on page 108, line 24, after "$289,000," to insert "together with the unexpended balance of the appropriation for this project for the fiscal year 1920," so as to make the clause read:

Klamath project, Oregon-California: For operation and maintenance, continuation of construction, and incidental operations, $289,000, together with the unexpended balance of the appropriation for this project for the fiscal year 1920.

The amendment was agreed to.

The next amendment was, on page 109, line 3, after "$120,000," to insert "together with the unexpended balance of the appropriation for this project for the fiscal year 1920," so as to make the clause read:

Belle Fourche project, South Dakota: For operation and maintenance, continuation of construction, and incidental operations, $120,000, together with the unexpended balance of the appropriation for this project for the fiscal year 1920.

The amendment was agreed to.

The next amendment was, on page 109, line 24, after "$459,000," to insert "together with the unexpended balance of the appropriation for this project for the fiscal year 1920," so as to make the clause read:

Shoshone project, Wyoming: For operation and maintenance, continuation of construction, and incidental operations, $459,000, together with the unexpended balance of the appropriation for this project for the fiscal year 1920.

The amendment was agreed to.

The next amendment was, on page 110, line 5, after the word "operations," to strike out "$25,000" and insert "$100,000," so as to read:

Riverton project, Wyoming: For the reclamation of lands within and in the vicinity of the ceded portion of the Wind River or Shoshone Reservation, including operation and maintenance, continuation of construction, and incidental operations, $100,000.

The amendment was agreed to.

The next amendment was, on page 111, line 10, after the words "Reclamation Service," to strike out "$8,368,000" and insert "$8,443,000," so as to make the clause read:

In all, for the Reclamation Service, $8,443,000.

The amendment was agreed to.

The next amendment was, under the subhead "Territory of Alaska," on page 112, line 8, after the word "Alaska," to strike out "and including a plant for cleaning coal," so as to make the clause read:

Alaskan Engineering Commission: For carrying out the provisions of the act entitled "An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," approved March 12, 1914, as amended, including expenses incident to conducting hearings and examining estimates for appropriations in Alaska, $7,000,000, to continue available until expended.

The amendment was agreed to.

The next amendment was, on page 113, line 6, after the word "expenses," to strike out "$115,000" and insert "$120,630," and in line 9, after the word "exceed," to strike out "$520" and insert "$540," so as to make the clause read:

Insane of Alaska: For care and custody of persons legally adjudged insane in Alaska, including transportation and other expenses, $120,630: *Provided*, That authority is granted to the Secretary of the Interior to pay from this appropriation to the Sanitarium Co. of Portland, Oreg., not to exceed $540 per capita per annum for the care and maintenance of Alaskan insane patients during the fiscal year 1921.

The amendment was agreed to.

The next amendment was, on page 115, after line 22, to insert:

Exportation of birch timber: Hereafter birch timber may be exported from Alaska.

The amendment was agreed to.

The next amendment was, under the subhead "National parks," on page 116, line 4, after "$1,800," to strike out "junior draftsman, $1,440"; in line 5, after the word "clerks," to strike out "three" and insert "two of class 4, two"; in the same line, after the word "three," to strike out "two" and insert "one"; and in line 7, after the words "District of Columbia," to strike out "$28,260" and insert "$27,420," so as to make the clause read:

National Park Service: Director, $4,500; assistant director, $2,500; chief clerk, $2,000; editor, $2,000; draftsman, $1,800; accountant, $1,800; clerks—two of class 4, two of class 3, one of class 2, one of class 1, one $1,020, two at $900 each; messenger, $600; in all, for park service in the District of Columbia, $27,420.

The amendment was agreed to.

The next amendment was, on page 116, after line 8, to insert:

For fighting forest fires in the national parks and national monuments, $50,000.

The amendment was agreed to.

The next amendment was, on page 118, line 19, after the words "shall be," to strike out "used in the protection and improvement of the said reservation" and insert "covered into the Treasury as miscellaneous receipts," so as to make the clause read:

The Secretary of the Interior is hereby authorized to assess and collect from physicians who desire to prescribe the hot waters from the Hot Springs Reservation reasonable charges for the exercise of such privilege, including fees for examination and registration; and he is also authorized to assess and collect from bath attendants and masseurs operating in all bathhouses receiving hot water from the reservation reasonable charges for the exercise of such privileges. The moneys received from the exercise of this authority shall be covered into the Treasury as miscellaneous receipts.

The amendment was agreed to.

The next amendment was, on page 119, line 15, after "$40,000," to insert "of which sum $1,500 shall be immediately available for the installation and repair of telephone lines," so as to make the clause read:

Mount Rainier National Park, Wash.: For administration, protection, maintenance, and improvement, including not exceeding $800 for the maintenance, operation, and repair of a motor-driven passenger-carrying vehicle for use of the superintendent and park employees in connection with general park work, $40,000, of which sum $1,500 shall be immediately available for the installation and repair of telephone lines.

The amendment was agreed to.

The next amendment was, on page 120, line 4, after the word "improvement," to strike out "$20,000" and insert "$40,000," so as to make the clause read:

Rocky Mountain National Park, Colo.: For administration, protection, maintenance, and improvement, $40,000.

The amendment was agreed to.

The next amendment was, on page 120, line 25, after the word "keepers," to strike out "$260,000" and insert "$380,000," so as to make the clause read:

Yellowstone National Park, Wyo.: For administration, protection, maintenance, and improvement, including not to exceed $8,400 for maintenance of the road in the forest reserve leading out of the park from the east boundary, not to exceed $7,500 for maintenance of the road in the forest reserve leading out of the park from the south boundary, not to exceed $7,600 for the purchase, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles, and including feed for buffalo and other animals and salaries of buffalo keepers, $380,000, to be expended by and under the direction of the Secretary of the Interior: *Provided*, That not exceeding $2,000 may be expended for the removal of snow from any of the roads for the purpose of opening them in advance of the tourist season.

The amendment was agreed to.

The next amendment was, on page 121, line 10, after the word "work," to strike out "$275,000" and insert "$318,000," so as to make the clause read:

Yosemite National Park, Calif.: For administration, protection, maintenance, and improvement, including not exceeding $1,800 for purchase, maintenance, operation, and repair of horse-drawn and motor-driven passenger-carrying vehicles for use of the superintendent and employees in connection with general park work, $318,000.

The amendment was agreed to.

The next amendment was, on page 121, line 12, after the word "improvement," to strike out "$2,500" and insert "$7,300," so as to make the clause read:

Zion National Park, Utah: For administration, protection, maintenance, and improvement, $7,300.

The amendment was agreed to.

The next amendment was, under the subhead "Howard University," on page 123, after line 20, to insert:

For home economics building, to include dining hall and kitchen, $85,000.

The amendment was agreed to.

The next amendment was, on page 124, line 7, after the words "In all," to strike out "$158,000" and insert "$243,000," so as to make the clause read:

In all, $243,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of Justice," subhead "Miscellaneous objects, Department of Justice," on page 127, line 10, after the word "notwithstanding," to insert "*Provided further*, That for the purpose of executing the duties for which provision is made by this appropriation, the Attorney General is authorized to appoint officials who shall be designated 'special agents of the Department of Justice,' and

who shall be vested with the authority necessary for the execution of such duties," so as to make the clause read:

Detection and prosecution of crimes: For the detection and prosecution of crimes against the United States; the investigation of the official acts, records, and accounts of marshals, attorneys, clerks, referees, and trustees of the United States courts and the Territorial courts, and United States commissioners, for which purpose all the official papers, records, and dockets of said officers, without exception, shall be examined by the agents of the Attorney General at any time; for the protection of the person of the President of the United States; for such other investigations regarding official matters under the control of the Department of Justice or the Department of State as may be directed by the Attorney General; hire of motor-propelled or horse-drawn passenger-carrying vehicles when necessary; per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, including not to exceed $200,000 for necessary employees at the seat of government, and including a director of the bureau of investigation at not exceeding $7,500 per annum, to be expended under the direction of the Attorney General, $2,000,000: *Provided*, That this appropriation shall be available for advances to be made by the disbursing clerk of the Department of Justice when authorized and approved by the Attorney General, the provisions of section 3648 of the Revised Statutes to the contrary notwithstanding: *Provided further*, That for the purpose of executing the duties for which provision is made by this appropriation, the Attorney General is authorized to appoint officials who shall be designated "special agents of the Department of Justice," and who shall be vested with the authority necessary for the execution of such duties.

The amendment was agreed to.

The next amendment was, on page 127, after line 16, to insert:

Enforcement of national prohibition act: For the enforcement of the provisions of the national prohibition act of October 28, 1919, including the employment, as authorized by said act, of such assistants, experts, clerks, and other employees in the District of Columbia or elsewhere and the purchase of such supplies and equipment as may be deemed necessary by the Attorney General, including also the expense of necessary printing and binding, $300,000.

The amendment was agreed to.

The next amendment was, under the head of "United States courts," on page 131, line 5, after the words "District of Columbia," to strike out "$2,061,000" and insert "$2,286,000," so as to read:

For salaries, fees, and expenses of United States marshals and their deputies, including the office expenses of United States marshals in the district of Alaska, services rendered in behalf of the United States or otherwise, services in Alaska and Oklahoma in collecting evidence for the United States when so specially directed by the Attorney General, and maintenance, alteration, repair, and operation of horse-drawn and motor-driven passenger-carrying vehicles used in connection with the transaction of the official business of the office of United States marshal for the District of Columbia, $2,286,000.

The amendment was agreed to.

The next amendment was, on page 133, line 3, after "1919," to strike out "$990,000" and insert "$1,040,000"; and, in the same line, after "$1,040,000," to strike out "*Provided*, That the provisions of the act entitled 'An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes,' approved February 26, 1919, shall be applicable on and after July 1, 1920, to the clerk of the Supreme Court of the District of Columbia, excepting that said clerk shall be appointed as heretofore by the chief justice of said court," so as to read:

For salaries of clerks of United States district courts, their deputies, and other assistants, expenses of travel and subsistence, and other expenses of conducting their respective offices, in accordance with the provisions of the act approved February 26, 1919, $1,040,000.

The amendment was agreed to.

The next amendment was, on page 133, line 11, after the word "clerk," to strike out "$6,000" and insert "$18,000," so as to read:

For fees of clerks, $18,000.

The amendment was agreed to.

The next amendment was, under the subhead "Coast and Geodetic Survey," on page 147, after line 6, to strike out:

Salaries: Director, $6,000: *Provided*, That the title of "superintendent" of the United States Coast and Geodetic Survey is hereby changed to "director," but this change shall not affect the status of the present incumbent or require his reappointment; hydrographic and geodetic engineers, junior hydrographic and geodetic engineers, and aids, to be employed in the field or office, as the director may order, one of whom may be designated by the Secretary of Commerce to act as assistant director; hydrographic and geodetic engineers—1, $4,500; 1, $4,000; 1, $3,500; 2 at $3,200 each; 4 at $3,000 each; 4 at $2,800 each; 5 at $2,500 each; 12 at $2,400 each; 12 at $2,200 each; 14 at $2,000 each; junior hydrographic and geodetic engineers—16 at $1,800 each, 14 at $1,600 each, 12 at $1,400 each, 13 at $1,200 each; aids—10 at $1,100 each, 19 at $1,000 each; in all, $256,900.

The amendment was agreed to.

The next amendment was, on page 147, after line 22, to insert:

Pay, commissioned officers: For pay and allowances prescribed by law for commissioned officers on sea duty and other duty, holding relative rank with officers of the Navy, including 1 director with rank of captain, 2 hydrographic and geodetic engineers with relative rank of captain, 7 hydrographic and geodetic engineers with relative rank of commander, 9 hydrographic and geodetic engineers with relative rank of lieutenant commander, 38 hydrographic and geodetic engineers with relative rank of lieutenant, 55 junior hydrographic and geodetic engineers with relative rank of lieutenant (junior grade), 29 aids with relative rank of ensign, and including officers retired in accordance with existing law, $525,326: *Provided*, That the title of "superintendent" of the United States Coast and Geodetic Survey is hereby changed to "director," but this change shall not affect the status of the present incumbent or require his reappointment: *Provided further*, That the Secretary of Commerce may designate one of the hydrographic and geodetic engineers to act as assistant director.

The amendment was agreed to.

The next amendment was, on page 148, line 17, after the word "agent," to strike out "$2,500" and insert "$3,300; chief clerk, $2,000," so as to read:

Office force: Disbursing agent, $3,300; chief clerk, $2,000; chief of section of library and archives, $1,800; clerk to director, $1,800; chief of printing and sales, $2,000; clerks—3 at $1,800 each, 3 at $1,650 each, 4 at $1,400 each, 11 at $1,200 each, 15 at $1,000 each, 6 at $900 each.

The amendment was agreed to.

The next amendment was, on page 150, line 4, after the words "office force," to strike out "$307,770" and insert "$310,570," so as to read:

In all, pay of office force, $310,570.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Standards," on page 164, after line 10, to insert:

The Bureau of Standards is hereby authorized and directed to make an investigation as to the comparative cost and quality of gas furnished the Government and private consumers in the District of Columbia and report the result of said investigation to Congress on or before the first Monday in December, 1920.

The amendment was agreed to.

The next amendment was, under the head of "Department of Labor," subhead "Immigration stations," on page 165, after line 6, to insert:

Philadelphia, Pa.: The unexpended balance in the appropriation for the construction of an immigration station for the port of Philadelphia, Pa., is hereby made available for the remodeling of the detention house and administration building at said station, under the direction of the Secretary of Labor.

The amendment was agreed to.

The next amendment was, under the subhead "Immigration Service," on page 167, after line 3, to insert:

Nothing in the proviso contained in the legislative, executive, and judicial appropriation act of March 3, 1917, relative to augmenting salaries of Government officials from outside sources shall prevent receiving reimbursements for services of immigration officials incident to the inspection of aliens in foreign contiguous territory, and such reimbursement shall be credited to the appropriation, "Expenses of regulating immigration."

The amendment was agreed to.

The next amendment was, on page 167, after line 11, to insert:

The limitation specified in the act approved August 1, 1914 (38 Stat., p. 666), upon the compensation of the Commissioner of Immigration at the port of New Orleans, La., is hereby removed.

The amendment was agreed to.

The next amendment was, under the subhead "United States Housing Corporation," on page 170, line 17, after the word "others," to strike out "$50,000" and insert "$89,425," so as to read:

Salaries: For officers, clerks, and other employees in the District of Columbia necessary to collect and account for the receipts from the sale of properties of the United States Housing Corporation, the Bureau of Industrial Housing and Transportation, property commandeered by the United States through the Department of Labor, and to collect the amounts advanced to transportation facilities and others, $89,425: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $5,000 per annum and only one person may be employed at that rate.

The amendment was agreed to.

The next amendment was, on page 171, line 5, after the word "facilities," to strike out "$10,000" and insert "$15,000," so as to read:

Appraisal: For the cost of appraisal under contract loans made to expedite transportation facilities, $15,000.

The amendment was agreed to.

The next amendment was, on page 171, line 9, after "1919," to strike out "$25,000" and insert "$59,100," so as to read:

Collections: For the collection of money due from the sale of real estate under the provision of the act approved July 19, 1919, $59,100.

The amendment was agreed to.

The next amendment was, on page 171, after line 9, to insert:

For rent of office quarters in the District of Columbia, $9,000.

The amendment was agreed to.

The next amendment was, on page 171, line 23, after the words "In all," to strike out "$1,065,000" and insert "$1,152,525," so as to read:

In all, $1,152,525: *Provided*, That no part of the appropriations heretofore made and available for expenditure by the United States Housing Corporation shall be expended for the purposes for which appropriations are made herein.

The amendment was agreed to.

The next amendment was, on page 172, after line 2, to insert:

WOMEN IN INDUSTRY.

To enable the Secretary of Labor to continue the investigation touching women in industry, including personal services in the District of Columbia and in the field, $75,000.

The amendment was agreed to.

The next amendment was, on page 172, after line 6, to insert:

EMPLOYMENT SERVICE.

To perfect an organization that can adequately mobilize and direct the workers required to harvest the wheat crop in Oklahoma, Nebraska, Kansas, and the Dakotas, $15,000.

Mr. ROBINSON. Mr. President, I desire to offer an amendment in the nature of a substitute for the committee amendment. On page 172, in lieu of the committee amendment in lines 7 to 10, inclusive, I move to insert the following:

To enable the Secretary of Labor to foster, promote, to develop the welfare of the wage earners of the United States, to improve their working conditions, to advance their opportunities for profitable employment by maintaining a national system of employment offices in the several States and political subdivisions thereof, and to coordinate the public employment offices throughout the country by furnishing and publishing information as to opportunities for employment and by maintaining a system for clearing labor between the several States, including personal services in the District of Columbia and elsewhere, and for their actual necessary traveling expenses while absent from their official station together with their per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, supplies and equipment, telegraph and telephone service, and printing and binding, $400,000: *Provided*, That the sum of $15,000, or so much thereof as may be necessary, shall be expended to perfect an organization that can adequately mobilize and direct the workers required to harvest the wheat crop in Oklahoma, Nebraska, Kansas, and the Dakotas.

Mr. President, the Committee on Appropriations has made no provision in this bill for the Employment Service except that embraced in the amendment for which my amendment is offered as a substitute. The provision reported by the committee creates a fund of $15,000, and limits its application to the organization and mobilization of a force to harvest the wheat crop in five States.

I believe that conditions throughout the country respecting employment, production, and manufacture justify and make necessary some provision for the Employment Service. A large number of Senators are interested in this provision, and have asked me to notify them in the event the controversy should be reached. Unless the chairman of the committee feels justified in accepting the amendment, I shall suggest the absence of a quorum in order to give those Senators the opportunity to be present during the discussion before presenting fully my views regarding the amendment.

This whole matter was very fully discussed more than once last year. The Senate at that time indicated its opposition to the abolishment of the Employment Service by an overwhelming vote, practically a unanimous vote. Unless, therefore, the Senator feels himself in a position to indicate his acquiescence in this amendment, in order that Senators who have expressed a desire to be present and participate in the discussion may have an opportunity, I shall be compelled to suggest the absence of a quorum; and I will do that before continuing my remarks on the amendment, in order that Senators who may come in hereafter may have an opportunity of hearing the discussion.

Mr. CURTIS. Mr. President——

Mr. ROBINSON. I yield to the Senator from Kansas.

Mr. CURTIS. I hope the Senator will not insist on offering the amendment as a substitute for the amendment referred to, because that amendment was offered at the request of the department, and was requested as an addition to the amount recommended by the House committee.

I think I may say, without any breach of the rules, that in the committee I urged the inclusion in the bill of the amendment which I suppose the Senator has offered. I have been out on a conference committee, and do not know just what has been offered.

Mr. WARREN. Mr. President, may I interrupt the Senator? The Senator was in favor of an amendment on the subject, as was the chairman of the committee, but not as presented.

Mr. CURTIS. I do not know what the Senator has presented, but I was in favor of a provision in the bill to maintain this farm labor organization; but the amendment I offered was offered in addition to the general one in order to help in the five States referred to, the conditions there being such that the department said this separate amount would be required and sent up an estimate for it.

Mr. ROBINSON. Mr. President, the amendment which I have offered does not prejudice the proposition of the Senator from Kansas; for, in fact, it embraces the amendment of the Senator from Kansas. My amendment goes much further and is much more comprehensive than the provision which the Senator from Kansas, I understand, is responsible for, and which is the provision for which I have offered my amendment as a substitute.

Mr. CURTIS. May I ask the Senator the amount carried in his amendment?

Mr. ROBINSON. The amount carried in my amendment is $400,000, the amount which was appropriated last year.

Mr. WARREN. Mr. President, will the Senator yield to me for a moment?

Mr. ROBINSON. I yield.

Mr. WARREN. The Senator suggests the acceptance of the amendment. Of course the chairman of the committee has not the slightest objection to having the roll called and having a full attendance of the Senate, but I think it would be well if the Senator would let us pass over that amendment and take it up when we finish the reading of the bill.

Mr. ROBINSON. I have no objection to doing that. I think that would be a very good course to pursue.

Mr. WARREN. In the meantime perhaps I shall have an opportunity to discuss the matter with the Senator. I do not believe the committee has a disposition to oppress unduly any branch of the Government; but, of course, conditions change a little from year to year. I think, whatever is done in this respect, we ought to give it a little consideration.

Mr. ROBINSON. In view of the suggestion of the Senator from Wyoming and the possibility that an informal agreement may be reached which will hasten the conclusion of the consideration of this bill and the disposition of this matter, I have no objection whatever to passing over this amendment to a future time.

Mr. CURTIS. Mr. President, I have no objection to passing it over, but I wanted to make this statement, because I shall probably be absent on a conference and shall not be able to attend the session this afternoon.

Personally, I hope the chairman of the committee and the Senator from Arkansas may reach an agreement, and if they can not, I am in favor of the amendment offered by the Senator from Arkansas. I want to make that statement for fear I shall not be here when the vote is taken.

The VICE PRESIDENT. The amendment will be passed over. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 172, after line 10, to insert:

Department of State: Not exceeding $50,000 of the unexpended balance of the appropriation for the War Trade Board for the fiscal year 1920 is made available for the fiscal year 1921 for expenditure under the direction of the Secretary of State.

The amendment was agreed to.

The next amendment was, under the head of "Legislative," on page 173, after line 2, to insert:

Capitol police: For purchasing and supplying uniforms to Capitol police, $8,000, one-half to be disbursed by the Secretary of the Senate, and one-half by the Clerk of the House of Representatives.

The amendment was agreed to.

The next amendment was, on page 173, after line 18, to insert:

Senate, contingent expenses: For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate, under the supervision of the Committee on Rules, United States Senate, $41,000.

The amendment was agreed to.

The next amendment was, at the top of page 174, to insert:

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding $1.25 per printed page, $100,000.

The amendment was agreed to.

The next amendment was, on page 174, after line 5, to insert:

For the Capitol: For continuing the work of restoring the decoration on the walls of the first-floor corridors in the Senate wing of the Capitol, to be expended under the direction of the Superintendent of the Capitol Building and Grounds, $5,000.

The amendment was agreed to.

The next amendment was, on page 174, after line 10, to insert:

Senate Office Building: For maintenance, miscellaneous items, and supplies, and for all necessary personal and other services for the care and operation of the Senate Office Building, under the direction and supervision of the Senate Committee on Rules, $65,000.

The amendment was agreed to.

The next amendment was, on page 174, after line 15, to insert:

For furniture for the Senate Office Building and for labor and material incident thereto and repairs thereof, window shades, awnings, carpets, glass for windows and bookcases, desk lamps, window ventilators, name plates for doors and committee tables, electric fans, and so forth, $7,500.

The amendment was agreed to.

The next amendment was, in section 3, on page 191, line 5, after the word "buildings," to insert "in the District of Columbia," so as to make the section read:

SEC. 3. That hereafter it shall be the duty of the head of each department and independent establishment of the Government to submit to Congress annually in the Book of Estimates, a statement giving for each of the Government-owned buildings in the District of Columbia under their respective jurisdiction the following information for the preceding fiscal year: The location and valuation of each building, the purpose or purposes for which used, and the cost of care, maintenance, upkeep, and operation thereof per square foot of floor space.

The amendment was agreed to.

The next amendment was, on page 191, after line 10, to insert:

SEC. 4. Any journal, magazine, periodical, or similar publication which is now being issued by a department or establishment of the Government may, in the discretion of the head thereof, be continued, within the limitation of available appropriations or other Government funds, until June 30, 1921, when, if it shall not have been specifically authorized by Congress before that date, such journal, magazine, periodical, or similar publication shall be discontinued; hereafter no other journal, magazine, periodical, or similar publication shall be issued in any form by any department or establishment of the Government without specific authority therefor from Congress; all such journals, magazines, periodicals, and similar publications shall be devoted exclusively to the work which the department or establishment issuing the same is required by law to do and shall not contain any commercial advertisements.

The amendment was agreed to.

The next amendment was, on page 192, after line 2, to insert:

SEC. 5. Paragraphs (a), (b), and (c) of section 210 of the transportation act of 1920 approved February 28, 1920, are hereby amended so as to read as follows:

"SEC. 210. (a) For the purpose of enabling carriers by railroad subject to the interstate-commerce act properly to serve the public during the transition period immediately following the termination of Federal control, any such carrier may, at any time after the passage of this act, and before the expiration of two years after the termination of Federal control make application to the commission for a loan from the United States to meet its maturing indebtedness, or to provide itself with equipment or other additions and betterments, setting forth the amount of the loan; the term for which it is desired; the purpose of the loan and the use to which it will be applied; the present and prospective ability of the applicant to repay the loan and meet the requirements of its obligations in that regard; the character and value of the security offered; and the extent to which the public convenience and necessity will be served. The application shall be accompanied by statements showing such facts in detail as the commission may require with respect to the physical situation, ownership, capitalization, indebtedness, contract obligations, operation, and earning power of the applicant, together with such other facts relating to the propriety and expediency of granting the loan applied for, and the ability of the applicant to make good the obligation as the commission may deem pertinent to the inquiry.

"(b) If the commission, after such hearing and investigation, with or without notice, as it may direct, finds that the making, in whole or in part, of the proposed loan by the United States, for one or more of the aforesaid purposes, is necessary to enable the applicant properly to meet the transportation needs of the public, and that the prospective earning power of the applicant and the character and value of the security offered are such as to furnish reasonable assurance of the applicant's ability to repay the loan within the time fixed therefor, and to meet its other obligations in connection with such loan the commission shall certify to the Secretary of the Treasury its findings of such facts; also the amount of the loan which is to be made; the time, not exceeding 15 years from the making thereof, within which it is to be repaid; the terms and conditions of the loan, including the security to be given for repayment; that the prospective earning power of the applicant, together with the character and value of the security offered, furnish, in the opinion of the commission, reasonable assurance of the applicant's ability to repay the loan within the time fixed therefor and reasonable protection to the United States; and that the applicant, in the opinion of the commission, is unable to provide itself with the funds necessary for the aforesaid purposes from other sources.

"(c) Upon receipt of such certificate from the commission the Secretary of the Treasury shall immediately, or as soon as practicable, make a loan of the amount recommended in such certificate out of any funds in the revolving fund provided for in this section and accept the security prescribed therefor by the commission. All such loans shall bear interest at the rate of 6 per cent per annum, payable semiannually, to the Secretary of the Treasury, and to be placed to the credit of said revolving fund. The form of obligation to be entered into shall be prescribed by the Secretary of the Treasury, but the time, not exceeding 15 years from the making thereof, within which such loan is to be repaid, the security which is to be taken therefor, and the terms and the conditions of the loan shall be in accordance with the findings and the certificate of the commission."

Mr. LENROOT. I would like to make an inquiry concerning this section, as to whether there is any change in existing law other than extending the time from 5 years to 15 years for the repayment of these loans?

Mr. SMOOT. I will say to the Senator that it is an exact copy of the bill which was reported from the Committee on Commerce by the Senator from Minnesota [Mr. NELSON] in behalf of the Senator from Iowa [Mr. CUMMINS], and I understand that it changes existing law by extending the time from 5 years to 15 years.

Mr. LENROOT. But the Senator understands there is no other change?

Mr. SMOOT. That is all, I understand.

Mr. LENROOT. I ask that it be passed over until I can have an opportunity to look it up.

Mr. WARREN. I think that is all it amounts to. I understand it was passed on by the committees both of the House and the Senate, and we only propose to carry out what is the desire and what seemed to us to be right.

Mr. LENROOT. I have no question about it, but I would like to have a chance to look it over.

Mr. WARREN. Very well.

The VICE PRESIDENT. The amendment will be passed over.

The next amendment was, on page 194, after line 19, to insert:

SEC. 6. The heads of the several executive departments and other governmental establishments in the District of Columbia are hereby authorized and directed to furnish to such civilian employees under their respective jurisdiction as have come to the District of Columbia since April 6, 1917, whose services are no longer required and whose employment may be terminated by the Government without delinquency or misconduct on their part, or who may resign from their positions, from the day of the passage of this act to July 1, 1920, inclusive, a railroad ticket only from the District of Columbia to the place from which they accepted employment or to their legal residence, as the employee may elect. Such transportation must be applied for within 10 days after the termination of service and shall be used within 5 days after issuance unless an extension of time on account of illness be granted by the proper authority. Any person who shall sell, exchange, or transfer such transportation for the use of another, or any person who shall unlawfully receive or accept such transportation, shall be punished by a fine of not more than $100. The expenses authorized by this act shall be paid from the appropriations for the support of the services in which such persons are employed.

The amendment was agreed to.

The next amendment was, on page 195, after line 17, to insert:

SEC. 7. Hereafter no department or other Government establishment shall dispose of any typewriting machines by sale, exchange, or as part payment for another typewriter that has been used less than three years.

The amendment was agreed to.

The next amendment was, on page 195, after line 21, to strike out:

NATIONAL BUDGET SYSTEM.

SEC. 4. PAR. 1. That (a) there is created in the office of the President a bureau of the budget. There shall be in the bureau a director and an assistant director, who shall be appointed by the President and receive salaries of $10,000 and $7,500 a year, respectively. The assistant director shall perform such duties as the director may designate, and during the absence or incapacity of the director or during a vacancy in the office of director he shall act as director.

(b) The director, with the approval of the President, shall appoint and fix the compensation of such employees and make such expenditures for rent, printing, telegrams, telephone, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, and necessary expenses of the office as may from time to time be provided for by Congress. All employees in the bureau whose compensation is less than $5,000 a year shall be appointed from lists of eligibles furnished by the Civil Service Commission and in accordance with the civil-service laws and regulations: *Provided, however*, That honorably discharged soldiers, sailors, and marines shall be given a preference in the making of appointments.

(c) No person appointed by the director shall be paid a salary in excess of $5,000 a year, and not more than three persons appointed by him shall be paid a salary at that rate.

PAR. 2. (A) The bureau of the budget shall assist the President in the performance of the powers conferred upon him by this act. The bureau shall also make a careful investigation of all provisions of law dealing in any way with the preparation and transmission to Congress of estimates, and the preparation and submission to Congress of financial data of any character, in order to determine what changes should be made in such provisions of law to the end that all requirements in respect to the reporting to Congress of financial data and estimates shall be brought together in one place, coordinated, revised, and brought into harmony with the alternative budget which the President is by paragraph 6 required to submit to Congress. The results of such investigation shall be embodied in a report or reports to the President, who may transmit to Congress such report or reports, or any part thereof, with such recommendations regarding the action which in his opinion should be taken upon the matters covered by such reports.

(b) All departments, bureaus, boards, commissions, offices, agencies, or other establishments of the Government, except the legislative branch and the Supreme Court, shall furnish to the President such information regarding the powers, duties, activities, organizations, financial transactions, and methods of business of their respective offices as he may from time to time require of them, and the director of the bureau of the budget, or any of his assistants or employees, when duly authorized by the President, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department, bureau, board, commission, office, agency, or other establishment.

PAR. 3. On a date to be fixed by the President the heads of the several executive departments and all other officers, now or hereafter required or authorized to make estimates for the public service, shall annually submit their estimates to the President instead of to the Secretary of the Treasury, and at the same time the Secretary of the Treasury shall submit to the President his estimates of the needs of his department, and for the permanent appropriations not otherwise estimated for, and such estimates of the public revenues and the condition of the Treasury as the President may direct.

PAR. 4. The President shall transmit to Congress on the first day of each regular session a document to be known as the budget, which document shall contain balanced statements of the revenues and expenditures of the Government for the preceding fiscal year and of the resources and liabilities of the Treasury at the close of the year, his estimates of the revenues and expenditures of the Government for the current fiscal year and of the resources and liabilities of the Treasury at the close of the year, his estimates of the revenue and expenditure needs of the Government for the ensuing fiscal year, and how, in his opinion, these needs should be met. The estimates of expenditures for the legislative branch of the Government and the Supreme Court shall

be those submitted to the President. The President shall transmit with such budget such further data regarding the financial affairs of the Government and such recommendations in relation thereto as he deems proper.

PAR. 5. Except as otherwise provided in this act, the statutes governing the contents, order, and arrangement of the estimates of appropriations and receipts, and the notes and other data submitted therewith, shall apply to the estimates submitted to the President under paragraph 3, and to the estimates for the expenditure needs of the Government when transmitted by the President under paragraph 4.

PAR. 6. The President, in addition to the budget herein required to be transmitted, shall transmit at the same time and for the service of the fiscal year ending June 30, 1922, only, an alternative budget prepared in such form and according to such system of classification and itemization as is, in his opinion, most appropriate, with such explanatory notes and tables as may be necessary to show where, in such budget, the various items embraced in the budget provided for in paragraph 4 are contained. The alternative budget shall also make known the essential facts regarding the condition of the Treasury, revenues, and expenditures, appropriations, and what, in the opinion of the President, are the revenue and expenditure needs of the Government for the ensuing fiscal year, and how these needs should be met.

PAR. 7. After June 30, 1920, no estimate or request for any appropriation, and no recommendation as to how the revenue needs of the Government should be met, shall be submitted to Congress by any officer of the executive branch of the Government except the President, unless at the request of either House of Congress.

PAR. 8. After June 30, 1920, special and additional estimates may be transmitted by the President to provide (a) for expenditures under any laws passed since the transmission of the regular estimates contained in the budget and (b) for appropriations which, in his judgment, are necessary for the public service, and he shall accompany such estimates with a statement of the reasons therefor.

PAR. 9. There is created a department to be known as the accounting department, which shall be an establishment of the Government independent of the executive departments and under the control and direction of the comptroller general of the United States. The offices of Comptroller of the Treasury and Assistant Comptroller of the Treasury are abolished, to take effect July 1, 1920. All other officers and employees of the office of the Comptroller of the Treasury shall become officers and employees in the accounting department at their grades and salaries on July 1, 1920, and all books, records, documents, papers, furniture, office equipment, and other property of the office of the Comptroller of the Treasury shall become the property of the accounting department.

There shall be in the accounting department a comptroller general of the United States and an assistant comptroller general of the United States, who shall be appointed by the President, with the advice and consent of the Senate, and shall receive salaries of $10,000 and $7,500 a year, respectively. The assistant comptroller general shall perform such duties as may be assigned to him by the comptroller general, and during the absence or incapacity of the comptroller general, or during a vacancy in that office, shall act as comptroller general. The comptroller general and the assistant comptroller general shall hold office during good behavior, but may be removed at any time by concurrent resolution of Congress after notice and hearing, when, in their judgment, the comptroller general or assistant comptroller general has been inefficient, or guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment.

Any comptroller general or assistant comptroller general removed in the manner herein provided shall be ineligible for reappointment to that office.

When a Comptroller General or Assistant Comptroller General attains the age of 70 years, he shall be retired from his office.

The provisions of this act relating to the Accounting Department shall be effective on July 1, 1920.

PAR. 10. All powers and duties now conferred or imposed by law upon the Comptroller of the Treasury or upon the Auditor for the Treasury Department, the Auditor for the War Department, the Auditor for the Interior Department, the Auditor for the Navy Department, the Auditor for the State and Other Departments, or the Auditor for the Post Office Department shall, so far as not inconsistent with this act, be vested in and imposed upon the Accounting Department and be exercised without direction from any other officer, and the balances certified by the Comptroller General shall be final and conclusive upon the executive branch of the Government. The revision by the Comptroller General of settlements made by the six auditors referred to in this paragraph shall be discontinued, except as to settlements made before July 1, 1920.

Section 236 of the Revised Statutes is hereby amended to read as follows:

"SEC. 236. All claims and demands whatever by the United States or against them, and all accounts whatever in which the United States are concerned, either as debtors or creditors, shall be settled and adjusted in the Accounting Department."

PAR. 11. The offices of the six auditors enumerated in paragraph 10 shall be abolished, to take effect July 1, 1920, but the then incumbents of those offices shall be transferred, at their present salaries, to become officers of the Accounting Department. All other officers and employees of these offices shall become officers and employees in the Accounting Department at their grades and salaries on July 1, 1920. All books, records, documents, papers, furniture, office equipment, and other property of these offices shall become the property of the Accounting Department. The Accounting Department shall occupy the rooms now occuped by the Office of the Comptroller of the Treasury and the six auditors referred to in paragraph 10 until otherwise provided.

PAR. 12. The Comptroller General shall appoint, remove, and fix the compensation of such officers and employees in the department as may from time to time be provided for by Congress, and perform all other duties of a head of an independent Government establishment. All such appointments, except to positions carrying a salary of $5,000 a year, shall be made from lists of eligibles furnished by the Civil Service Commission, and in accordance with the civil service laws and regulations: *Provided, however*, That honorably discharged soldiers, sailors, and marines shall be given a preference in the making of appointments. No person appointed by the Comptroller General shall be paid a salary in excess of $5,000 a year, and not more than three persons appointed by him shall be paid a salary at that rate. Until March 5, 1921, no person who at the time of the passage of this act holds office as one of the six auditors referred to in paragraph 10, and who in pursuance of paragraph 11 is transferred to the Accounting Department, shall be removed from office or have his compensation reduced, except for cause. All officers and employees of the department, whether transferred to the department in pursuance of paragraph 11 or appointed by the Comptroller General, shall perform such duties as may be assigned to them by the Comptroller General. The Comptroller General shall make such rules and regulations as may be necessary for carrying on the work of the department.

PAR. 13. The Comptroller General shall investigate, at the seat of government or elsewhere, all matters relating to the receipts and disbursement of public funds, and shall make to Congress, at the beginning of each regular session, a report in writing of the work of the Accounting Department, containing recommendations concerning the legislation he may deem necessary to facilitate the prompt and accurate rendition and settlement of accounts and concerning such other matters relating to the receipt and disbursement of public funds as he may think advisable. In such regular report, or in special reports at any time when Congress is in session, he shall make recommendations looking to greater economy or efficiency in public expenditures. He shall make such investigations and reports as shall be ordered by either House of Congress or by any committee of either House having jurisdiction over revenue, appropriations, or expenditures. The Comptroller General shall also, at the request of any such committee, direct assistants from his office to furnish the committee such aid and information as the committee may request. The Comptroller General shall specially report to the Congress every expenditure or contract made by any head of a department in any year in excess of the appropriation to such department and in violation of law.

All departments, bureaus, boards, commissions, offices, agencies, or other establishments of the Government, except the legislative branch and the Supreme Court, shall furnish to the Comptroller General such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the Comptroller General, or any of his assistants or employees when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department, bureau, board, commission, office, agency, or other establishment. The authority contained in this paragraph shall not be applicable to expenditures made under the provisions of section 291 of the Revised Statutes of the United States.

PAR. 14. The Civil Service Commission shall establish an eligible register for accountants for the Accounting Department, and the examinations of applicants for entrance upon such register shall be based upon questions approved by the Comptroller General.

The amendment was agreed to.

The VICE PRESIDENT. The reading of the bill has been completed. Are there any further committee amendments?

Mr. WARREN. The committee has one or two amendments. On page 120, line 4, I move to insert the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 120, line 4, after the word "improvement," insert the following:

Including not exceeding $2,500 for the purchase, maintenance, operation, and repair of a motor-driven passenger-carrying vehicle for the use of the superintendent and employees in connection with general park work.

So as to make the paragraph read:

Rocky Mountain National Park, Colo.: For administration, protection, maintenance, and improvement, including not exceeding $2,500 for the purchase, maintenance, operation, and repair of a motor-driven passenger-carrying vehicle for use of the superintendent and employees in connection with general park work, $40,000.

The amendment was agreed to.

Mr. ROBINSON. There was one amendment laid over in order that the chairman of the committee and I might have an opportunity of conferring regarding it. We have not had that opportunity yet, and there are some amendments which I desire to offer to the bill relative to other subjects. I suppose we might proceed now to the consideration of other amendments, leaving that committee amendment for future consideration.

Mr. WARREN. Possibly some of those amendments might affect those laid over.

Mr. ROBINSON. The amendments I desire to offer relate to the appropriation respecting the Panama Canal, and I do not think any matter has been laid over concerning that subject.

Mr. WARREN. No.

Mr. ROBINSON. On page 188, line 5, I move to strike out "$7,531,851" and to insert in lieu thereof "$9,094,141."

Mr. President, this amendment relates to the provisions in the bill for the maintenance and operation of the Panama Canal. The estimate submitted was for $15,601,407, and it embraced a large number of new projects, which the governor of the Canal Zone and others charged with responsibility in connection with the maintenance and operation of the canal thought were essential for the proper conduct of the affairs of the canal.

The amendment which I offer eliminates all new projects except two. The first of those projects is a filtration plant at Gatun, and the second is for the construction of an oil crib and lines. The first new project, the filtration plant, it is estimated, will cost $1,074,290. The second project, it is estimated, will cost $488,000, making a total of $1,562,290, which my amendment, if agreed to, would add to the item for maintenance and operation of the canal.

It is to be observed that this eliminates items for new projects estimated for aggregating approximately six and a half million dollars.

Mr. WARREN. Mr. President, let me say to the Senator that the matter he speaks of was considered by the committee, and I understand perfectly what the Senator alludes to. The House thought that possibly it could go over for a year; in fact, they insisted on putting in the smaller figures. The Senate committee felt justified in accepting the figures from the House for the present year; but if the Senator from Arkansas thinks the amendment should go in, I shall not object to it. I am willing that it shall go in, and we shall do the best we can with it in conference.

Mr. ROBINSON. I thank the Senator. I feel sure that it should go in. In view of the statement of the Senator from Wyoming, I do not want to take the further time of the Senate in discussing this item, except to say that the existing filtration plant there is totally inadequate to meet the requirements of a military post and other public uses which have been laid upon the plant, and that, in my judgment, it is indispensable to the proper operation of the canal. I thank the Senator.

The amendment was agreed to.

Mr. ROBINSON. Mr. President, another amendment which I desire to suggest is in respect to sanitation. The appropriation carried in the bill for sanitation is $850,000. The estimate was $1,265,406. I desire to offer an amendment increasing the amount available for sanitation from $850,000 to $1,000,000, an increase of $150,000.

I think the Senator from Wyoming is familiar with the facts which were fully set forth in the hearings respecting this amendment, and I hope that he will pursue the same course regarding it that he did with the amendment last agreed to.

Mr. SMOOT. I will say to the Senator from Arkansas that in the hearings upon this item of sanitation, quarantine, hospitals, and medical aid and support of the insane and of lepers, it was clearly developed that the estimate of $1,265,406 was not necessary, and the department itself said they could get along with a million dollars.

Mr. ROBINSON. Yes.

Mr. SMOOT. But even in the statements made that there should be an increase from $850,000 to $1,000,000 it did not appear to the committee that it was a real necessity. It was for that reason that the committee agreed to the amount of $850,000, as provided by the House.

If the Senator has any additional evidence that was not before the committee it would be well to present it; but it did not seem to me that the case was an urgent one, and as long as we were trying to keep appropriations down as much as possible the committee decided that $850,000 was ample for the coming fiscal year.

Mr. ROBINSON. In addition to the testimony that was submitted to the committee, with which the Senator from Utah and the Sentaor from Wyoming are, of course, familiar, I wish to call attention to the statement made by the governor of the Canal Zone, who, in expressing the opinion that a million dollars will be adequate or scarcely adequate for the purpose, makes this statement:

> The proposed appropriation of $850,000 for sanitation gives nothing to cover increased cost of both subsistence and medical supplies or to cover increased salaries which have been essential to keep doctors and nurses at the Isthmus. Minimum amount with which the sanitation department can furnish hospital, medical, sanitary, and quarantine service is $1,150,000, of which $1,000,000 should be appropriated this year, and $150,000 will be obtained through payment of its bills by the Republic of Panama.

In view of that statement, considered in connection with the evidence which was before the committee, I think that the amendment ought to be agreed to. It is not a very large item, speaking comparably, and it is for the maintenance of a service there that is not only indispensable but is remarkably efficient. I think that the sanitation service on the Canal Zone, and particularly that which relates to the hospital service, is the equal of any that is maintained anywhere in the world, if it is not the very best in the world. It has done a great deal toward bringing about satisfactory living conditions among the people who reside there and who are employed by the Government in the conduct of Government operations.

I hope the Senator from Utah will not oppose this small amendment.

Mr. SMOOT. All that the Senator says about the sanitation and the hospital regulations on the Panama Canal Zone is known by everyone who has visited the canal. Not only that, but I think it is acknowledged by every country in the world that it has been a remarkable accomplishment.

Another reason why the committee did not increase the amount from $850,000 to a million dollars was that $850,000 was the amount that was appropriated for the present fiscal year. The work has been carried on under the increased cost of everything for this year with the $850,000. The time has arrived when we must not increase appropriations. The House thought, and also the Appropriations Committee of the Senate thought, that it was treating the government of the Panama Canal Zone just as well as it was possible to do to give them the same appropriation they had last year.

I acknowledge that they have done a wonderful work and the results have been remarkable, but it has been done on a less appropriation than $850,000. Last year we did raise it to $850,000 on account of the additional cost and expense that not only falls upon the Panama Canal but upon all the other agencies of the Government.

Really, I hope the Senator from Arkansas will not press this matter. I feel that if I were going to be favorable to increase of appropriations at all, it would be on just such items as this, and particularly upon the Panama Canal Zone; but I have been convinced beyond question of doubt that they can get along with $850,000, and if they can do so we should not increase the amount.

Mr. ROBINSON. While the conclusion of the Senator from Utah differs from my own conclusion, the facts stated in his argument for the amendment, when analyzed, are even more persuasive than my own. The sole argument that he makes in justification of opposition to this increase is that the amount appropriated last year was $850,000, and that he does not want to increase the appropriation.

If it had been the policy of the committee to limit all appropriations this year to the amount appropriated last year in making provision for the various departments of the Government, there would be force in his suggestion; but to pick out the most meritorious service and penalize it and make it sustain the increased cost of subsistence and materials while increasing appropriations for other less beneficial purposes, it seems to me is questionable, if not objectionable, policy.

Mr. WARREN. Mr. President——

Mr. ROBINSON. I yield to the Senator from Wyoming.

Mr. WARREN. We have in a great many cases cut amounts to less than last year, and our endeavor has been absolutely to cripple no industry, but to cut down to actual necessities in the most economical way in carrying on these various projects.

If the Senator thinks that a million dollars is necessary for this, and we are able in conference to convince the House that the amount should be made a million dollars, I have not the slightest objection to accepting it, so far as I am concerned. I do not wish the Senator to be cut off in his statement, because we may have to turn to the RECORD to the Senator's remarks; so if he has anything further to say on this subject, I do not wish to cut him off.

Mr. ROBINSON. I think I have stated fairly clearly the substance of the argument in favor of the amendment and I am ready for a vote upon it.

Mr. WARREN. I will accept the amendment on the part of the committee.

Mr. ROBINSON. I thank the chairman of the committee.

The amendment was agreed to.

Mr. ROBINSON. There are two other amendments that I wish to suggest to the chairman of the committee. I am sure he is familiar with the appropriation respecting the civil government of the Canal Zone. The estimate for that was $1,265,406. The appropriation carried is $900,000. The authorities responsible for the conduct of affairs of the civil government in the Canal Zone say that they need at least $1,045,000, which is an increase of $145,000 over the amount carried in the bill.

The governor of the Canal Zone, after being informed that the committee had retained the House item, makes this declaration respecting the amendment:

> If reasonably satisfactory service is to be rendered, it is essential that the appropriation for civil government be increased to $1,045,000 and appropriations for sanitation to $1,000,000. The additional $145,000 for civil government will permit the retention of present police force at salaries now received, based on pay of Washington police force; permit establishment of double-platoon system for firemen, as found necessary in Washington, and just as essential here, with compensation of force based on Washington compensation as authorized by Panama Canal act; permit increase in number of school-teachers, required for additional pupils next year, with increased pay following increases included in District bill. This amount, however, will require cutting out of all equipment and reducing to minimum all incidental expense items.

That is the only additional information I have with respect to that item, save what was submitted to the committee.

Mr. WARREN. I do not feel that I can accept that on the part of the committee.

Mr. ROBINSON. In view of the statement of the chairman of the committee and other statements by Senators about me, I withdraw the amendment.

I have one further amendment to offer. On page 188, after line 19, I move to strike out the period and insert a comma and the words "to be available until expended."

Mr. WARREN. Does the Senator wish to have that available until expended, or does he wish to have it immediately available?

Mr. ROBINSON. To be available until expended. This is an important amendment. The Senator from Wyoming well understands its effect.

Mr. WARREN. I have no objection to it.

The amendment was agreed to.

Mr. STERLING. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from South Dakota will be stated.

The READING CLERK. Beginning with line 22, page 8, it is proposed to strike out down to and including line 9 on page 9, and to insert the following:

Foremen draftsmen, architectural draftsmen, and apprentice draftsmen, structural engineers and draftsmen; mechanical, sanitary, electrical, heating and ventilating, and illuminating engineers and draftsmen; computers and estimators, supervising superintendents, superintendents and junior superintendents of construction, and inspectors, not to exceed the sum of $487,500; and the Secretary of the Treasury is hereby authorized to fix the compensation of the foregoing classes of employees at rates not in excess of the maximum rates paid in other executive departments or independent establishments of the Government for the same or similar character of service.

Mr. STERLING. Mr. President——

Mr. WARREN. Mr. President, I shall have to make a point of order against that amendment. It has not been estimated for. The matter which is involved has been very carefully considered by the committee.

Mr. STERLING. I do not believe the amendment is subject to the point of order.

Mr. WARREN. Certainly it is. It is a proposition to add an appropriation of a certain amount of money to the bill, for which there is no estimate. No committee has reported in favor of the amendment, and the amendment has not been introduced and sent to the committee a day previously to its introduction. The amendment is undoubtedly subject to a point of order on any one of several grounds.

Mr. STERLING. I will ask the Senator from Wyoming if he will not withhold the point of order until I may make a statement in order to explain the situation?

Mr. WARREN. Certainly; I will withhold the point of order in order to enable the Senator from South Dakota to make his explanation.

Mr. STERLING. Mr. President, it seems to me that this amendment is most just and is applicable to the bill. A reading of the bill will show that on its face the increase in the salaries of this particular class of employees should be greater than can be paid under the terms of the bill. As I read the first part of the bill pertaining to this class of employees it reminds me of the old-time salaries, in antebellum days, before increase of salaries had been granted to different classes of employees. The language in question, found in the bill, reads as follows:

Foremen draftsmen, architectural draftsmen, and apprentice draftsmen, at rates of pay from $840 to $2,500 per annum; structural engineers and draftsmen, at rates of pay from $840 to $2,500 per annum.

Men of that class, who it is required shall have the attainments which are necessary in order to do that kind of work, are put upon salaries ranging from $840 to $2,500 per annum. In view of the increase of salaries and compensation all along the line, it seems to me that these employees are unjustly treated by the terms of the pending bill.

Mr. President, I want to call attention to the result of the action of the committee in appropriating for salaries as provided in the bill. I read from a statement from the Office of the Supervising Architect:

First. The present technical force of the Supervising Architect's Office is composed of two sections or portions, namely: The regular force, known as the Office of the Supervising Architect, and a separate force, known as the hospital section.

The regular force, or Office of the Supervising Architect, technical men prepare plans, specifications, etc., for the usual run of Federal buildings, such as post offices, courthouses, etc., and are paid from appropriations covered by the sundry civil bill, which limits the salary of these technical men to a maximum of $2,500 per annum.

In addition to this class of employees or this particular force there is what is known as "the hospital section."

The hospital section consists of technical men who specialize on preparing plans, specifications, etc., for hospitals or sanatoria for the United States Public Health Service, to accommodate the soldiers, sailors, marines, etc. This technical force is paid from moneys appropriated for the Public Health Service, and there is no such limitation as required in the Office of the Supervising Architect, nor is this force subject to civil-service requirements.

Here we have two offices under the same department, and practically in the same room, with two conditions governing the salaries, and yet the men do similar work.

The result, as a whole, is that—

Owing to the difficulty in obtaining technical men unless they are paid a salary equal to that paid outside the Government service, the hospital section, since legislation permits it, will be forced to pay the prevailing outside salaries for its men. Up to the time that the technical men in the Office of the Supervising Architect began to resign they were transferred from one section to the other as was necessary to expedite the more important projects; but the situation is fast drawing to a point where this will no longer be possible, and as a result the Office of the Supervising Architect will practically be deserted, and justly so, thus destroying an organization it has taken years to perfect.

The regular force of the Office of the Supervising Architect has some of its technical men in the field, and in that capacity these men are classed as superintendents. The Congress, as expressed in the sundry civil bill, has considered it necessary and wise to increase the limit of compensation for this class of technical men, and justly so.

And they have increased that limit, Mr. President, by the terms of this bill, for it is provided that the supervising superintendents and junior superintendents of construction and inspectors shall receive rates of pay not from $840 to $2,500 per annum but from $2,000 to $3,500 per annum; these men who are designated as superintendents and who are in the field are to get these rates of pay, and yet we have this impossible condition: Many of the men who are in the field and who are classed as superintendents, junior superintendents, and so forth, are the men who have received their training and experience right here in Washington in the Office of the Supervising Architect; they are still a part of the technical force of that office; and yet Congress increases the limit of their compensation but fails to increase or to remove the limitations as to compensation now prevailing for the remainder of the same force in the same office.

Mr. President, the object of the amendment is simply to allow latitude to the Secretary of the Treasury to increase the pay of and to give just compensation to the men who are yet in the the Office of the Supervising Architect—that is its entire purpose—and to put them on an equality with the superintendents and the junior superintendents who are in the field and who go from the office to the field. Their work is interchangeable, as it were, a part of it being in the office and a part of it being in the field. They come back here and are in the office, and while in the office it is apparent that their pay is to be from $840 to $2,500 per annum, while as superintendents or junior superintendents in the field they receive from $2,000 to $3,500 per annum. They are allowed that under the terms of the pending bill.

I think the inequality is one which ought to be adjusted. In doing so, we shall simply be doing what we should do in order to retain these competent men, these technical men, in their places. Otherwise the office will be demoralized and will be without a sufficient force.

Mr. WARREN. Mr. President, I am compelled to make the point of order against the amendment. It affects the subject of salaries and provides for a lump-sum appropriation for the entire department. It is not estimated for by the department, according to the estimates received by the committee. It changes existing law, and embraces the whole paragraph. In fact, it is subject to practically all the points of order. Therefore I make the point of order against the amendment.

Mr. STERLING. Mr. President, I should merely like to say that the question which the Senator from Wyoming has raised as to the appropriation affected being a lump-sum appropriation should be of no avail now. I have before me the lump-sum appropriations provided for the War Department and the Navy Department, which are as follows:

WAR DEPARTMENT.

Page 56, office of the Coast Guard	$8,000
Page 83, office of the Chief of Ordnance	400,000
Page 83, office of the Chief of Engineers	50,400

NAVY DEPARTMENT.

Page 101, Bureau of Steam Engineering	184,000
Page 102, Bureau of Construction and Repair	275,000
Page 103, Bureau of Ordnance	70,000
Page 105, Bureau of Yards and Docks	200,000

And so forth.

Mr. WARREN. I make the point of order against the amendment, Mr. President, and I should like to have a ruling on it.

The VICE PRESIDENT. The Chair thinks the point of order must be sustained.

Mr. BORAH. Mr. President, on page 106 I move to strike out the proviso beginning in line 20. I have spoken to the chairman of the committee about the amendment and explained

it. I do not wish to take the time of the Senate further than to say that the reason I ask that the proviso be stricken out is that in effect it amounts to passing judgment upon a matter which is in controversy in the courts. The water users feel very earnestly that they should be heard before they are in effect judged. I do not wish to discuss the matter, however, if the amendment is not to be opposed. My motion is to strike out the words:

Provided, That no part of this appropriation shall be expended for drainage except in irrigation districts formed under State laws and upon the execution of agreements for the repayment to the United States of the costs thereof.

Mr. WARREN. Mr. President, the matter is an Idaho proposition, and the chairman of the committee will accept the amendment on the part of the committee.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. McNARY. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 34, after line 14, it is proposed to insert the following:

Freedman's Savings & Trust Co.: To enable the commissioner of the Freedman's Savings & Trust Co., who is hereby authorized and directed, under such regulations as such commissioner, with the approval of the Secretary of the Treasury may prescribe, to pay, notwithstanding the limitation provided by law for the presentation of claims and payment of dividends to each depositor in the Freedman's Savings & Trust Co. whose accounts have been examined and audited in accordance with existing law, or to the heirs or legal representatives of such depositors, a sum equal to the amount by which (1) the amount found to be due such depositor at the time such company became insolvent, exceeds (2) the amount which has been paid as dividends to such depositor or for or on his behalf on account of such depositors, $1,291,744.50, or so much thereof as may be necessary: *Provided*, That no money shall be paid hereunder (1) for or on account of any claim or account which has been sold, transferred, or assigned by such depositor or his heirs or legal representative or, (2) except as may be provided by such commissioner, any compensation for services rendered in connection with the collection or payment of any sums claimed by or due to such depositor or his heirs or personal representative.

Mr. WARREN. Mr. President, the amendment which has just been offered by the Senator from Oregon of course can not under the rules go on this bill. It is a claim, and of course has not been estimated for. It is one of those matters which the oldest of us, perhaps, may remember as children. It has been considered in former times, and has once or twice passed one body, but never has become a law. It should be considered upon its merits alone. I shall have to make the point of order against the amendment, although I do not wish to take the Senator from Oregon off the floor if he desires to explain it.

Mr. McNARY. Mr. President, I assume that the parliamentary situation referred to by the Senator from Wyoming obtains. However, I may say briefly that amendments similar to the one now offered by me have twice passed the Senate, although I think have failed in the House for various reasons. If I recall correctly the history of this proposed legislation, a similar amendment has been attached to the sundry civil bill heretofore, but the subject matter has never been embraced in a separate measure and formally introduced here. It does not matter how ancient it is; it is still full of merit; and the colored people who deposited their money in these institutions should be paid. I do not think the chairman will deny the justice of the claim presented by the amendment.

Mr. WARREN. It does not rest with me to pass upon the claim. Of course I looked up the matter when I was chairman for six years of the Committee on Claims. Sometimes, in the last moments of the consideration of the sundry civil bill, my predecessors may have let things go in which transgressed the rule and which lived until they got to conference, and then, of course, they went out; but if we should open these regular supply bills to claims that are made we never would get anywhere with them. It has been tried in former years. I have seen appropriation bills sent back here vetoed by the President because there were claims in them. Hence the rule of this body is very specific that claims can not go on the appropriation bills.

I shall be compelled to make the point of order.

Mr. McNARY. I submit to the ruling of the Chair.

The VICE PRESIDENT. The point of order is well taken.

Mr. HITCHCOCK. Mr. President, on page 89 of the bill, line 15, after the paragraph providing for the pay of registers and receivers, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 89, at the end of line 15, it is proposed to insert the following:

Provided, That the President is authorized to consolidate the offices of register and receiver at Broken Bow, Nebr., and to appoint, by and with the advice and consent of the Senate, a register for said office. All the powers, duties, obligations, and penalties imposed by law upon both the register and receiver of said office shall be exercised by and imposed upon the register, whose compensation shall be a salary of $500 per annum, together with the fees and commissions otherwise allowable to both register and receiver, but the salary, fees, and commissions of such register shall not exceed $3,000 per annum.

Mr. SMOOT. Mr. President, I will say to the Senator that I have no objection to this amendment, as I understand that the Interior Department would approve of the consolidation in this case. I introduced a general bill on this subject, consolidating the registers and receivers in all land offices, and I thought it would save considerable money to the Government. That bill was referred to the Interior Department, and Secretary Lane made an adverse report on it; but in that report he called attention to certain land offices in the United States where perhaps it would be wise to make the consolidation, and, as I remember, this was one of them. I am quite sure the Senator knows the land-office business of his State well enough to say whether or not this can be done by consolidation, and I think myself it can.

Mr. HITCHCOCK. Yes, Mr. President; that is the situation there. The business has fallen off so much that it does not provide fees for two men, or really work for two men; and the consolidation at Broken Bow is, therefore, a very desirable thing from the standpoint of the Government.

I will say that the amendment which I have sent to the desk is one suggested by the Secretary of the Interior, before whom I laid the matter yesterday. It is in slightly different form from what I had in mind, and it is different from what was incorporated in the bill last year in regard to an Alaska land office, but he states that this is in better form and will accomplish the purpose.

Mr. JONES of Washington. Mr. President, I desire to say that I should like to see this made general, so as to give the Secretary of the Interior authority to consolidate offices wherever he deems it wise to do so. At the suggestion of the present Secretary of the Interior, I introduced a bill along those lines two or three weeks ago. I shall not, however, interfere with the Senator's amendment, because I think it is a step in the right direction. I should like to see general legislation on the subject.

Mr. HITCHCOCK. My judgment is that it might be done in a general way, but I will say to the Senator that there are some land offices concerned which Senators will object to having consolidated, and therefore I made this apply only to this particular situation.

Mr. JONES of Washington. Yes; that is the trouble. I think the discretion ought to be placed in the hands of the Secretary of the Interior, who is acquainted with all the facts with reference to the various offices, and whenever he thinks it is to the public interest to consolidate the offices he ought to have authority to do it.

Mr. HITCHCOCK. I am disposed to agree with the Senator.

Mr. JONES of Washington. As I say, I shall not interfere with the Senator's amendment, but I wanted to express the hope that we would have general legislation along those lines.

Mr. NORRIS. Mr. President, I should like to suggest to the Senator from Washington that he offer the bill he has introduced as a substitute for the pending motion to amend and make it general.

Mr. JONES of Washington. I have not any doubt that there would be objection if that were done, and it would be clearly subject to a point of order.

Mr. NORRIS. Well, suppose there were objection? If the Senator expects to get anywhere with his bill, here is a good opportunity.

Mr. JONES of Washington. It would be clearly subject to a point of order.

Mr. SMITH of Arizona. Mr. President, I will state that I should make the point of order if nobody else did.

Mr. NORRIS. The other amendment is subject to a point of order to the same extent.

Mr. JONES of Washington. I had this bill referred to the Public Lands Committee in the hope that the committee would give the matter careful consideration and early consideration.

Mr. SMOOT. Mr. President, I will say to the Senator that personally I am in favor of the bill. The bill to which I had reference, which I introduced about a year or two ago, I forget which, provided directly that the consolidation should take place in all of the land offices; but, as I understand, the bill that has been introduced by the Senator from Washington gives the Secretary of the Interior authority to consolidate them.

Mr. JONES of Washington. Yes.

Mr. SMOOT. I am in favor of that bill.

Mr. NORRIS. Mr. President, I should just like to say, upon the information I have from my experience with these land offices, that the authority ought to be general, regardless of the

amount of business that is done at any place. There are at present two heads at every land office. They are equal in authority. There ought to be only one. In case of a contest, if they disagree, there is no decision.

The matter has to go on up, the same as an appeal would have to go up. I would favor, in preference to either one of these propositions, the bill of the Senator from Utah.

Mr. BORAH. Mr. President, could not the President do that under the Overman bill?

Mr. NORRIS. I presume he could, probably; but there are some of us, at least, who hope that within a reasonable length of time that power may be taken away. This ought to be done as a general proposition.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

Mr. PHELAN. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 95, after line 15, it is proposed to insert the following:

Imperial Valley irrigation investigation: For investigation and surveys of irrigation possibilities, Imperal Valley, Calif., including personal services in the District of Columbia and elsewhere, and for all other expenses authorized by the act of May 18, 1920 (Public, No. —), there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $20,000.

Mr. WARREN. Mr. President, I do not object to the appropriation of the $20,000, because the law has just passed Congress and was approved on the 18th of this month; but there is too much language there. It takes too much with it, and, if the Senator will permit me, I shall offer an amendment in place of it on the part of the committee that will cover the appropriation.

Mr. PHELAN. That is quite agreeable to me. This is in compliance with the law passed by Congress.

Mr. WARREN. If the Senator will agree to the amendment which I now send to the desk in place of what he sent up, the committee will accept the amendment. I think, however, the Senator has not indicated a good place for it. I think page 110, after line 14, would be a better place.

Mr. PHELAN. I accept the suggestion.

The VICE PRESIDENT. The amendment offered by the Senator from Wyoming will be stated.

The ASSISTANT SECRETARY. On page 110, after line 14, it is proposed to insert:

Imperial Valley irrigation investigation: For investigation and surveys of irrigation possibilities, Imperial Valley, Calif., including personal services in the District of Columbia and elsewhere, and for all other expenses authorized by the act of May 18, 1920, $20,000.

Mr. WARREN. That exactly carries out the law.

Mr. PHELAN. There is no importance in leaving out the words "there is hereby appropriated, out of any money in the Treasury not otherwise appropriated"?

Mr. WARREN. No; the whole bill appropriates money in the Treasury not otherwise appropriated.

The VICE PRESIDENT. If there are no moneys there, the Senator will not get this amount. The question is on the amendment offered by the Senator from Wyoming.

The amendment was agreed to.

Mr. WARREN. Mr. President, I suggest that we may expect the clerks to take care of the totals.

The VICE PRESIDENT. Without objection, the clerks will be authorized to correct the totals.

Mr. SMOOT. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 185, after line 3, it is proposed to insert, as a new paragraph, the following:

The illustrations to accompany bound copies of memorial addresses delivered in Congress shall be made at the Bureau of Engraving and Printing and paid for out of the appropriation for that bureau, or, in the discretion of the Joint Committee on Printing, shall hereafter be obtained elsewhere by the Public Printer and charged to the allotment for printing and binding for Congress.

Mr. SMOOT. Mr. President, just a word of explanation. The only change in existing law is that the law to-day requires a steel engraving to accompany the bound copies of memorial addresses delivered in Congress. The family of Vice President Sherman brought the committee's attention to the fact that they would very much prefer a photogravure than a steel engraving, and ever since a photogravure of the Vice President has been printed with the memorial addresses provided by law; the families of deceased Representatives and Senators have asked that the same class of illustration be included, rather than these small steel engravings. The steel engravings cost about $500 now, and the photogravure, which is very much better, does not cost one-quarter of that amount. The only way we could have the photogravure of Vice President Sherman used was by a special resolution, and that we passed. This amendment simply provides that instead of a steel engraving an illustration can be made and the family can take their choice.

The amendment was agreed to.

Mr. SMITH of Arizona. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 106, at the end of line 8, insert as a separate paragraph:

For completing the investigation of Boulder Canyon Reservoir site on the Colorado River in Arizona, $50,000, to be immediately available.

Mr. SMITH of Arizona. In connection with this amendment I ask to have read at the desk a telegram in explanation of it.

The VICE PRESIDENT. The Secretary will read.

The Assistant Secretary read as follows:

PHOENIX, ARIZ., *May 18, 1920.*

Hon. MARCUS A. SMITH,
United States Senate, Washington, D. C.:

Appropriation of $50,000 for further investigation of Boulder Canyon dam site imperatively necessary to success of Colorado River Basin reclamation project, in which I am interested not only as governor of Arizona but as president of League of the Southwest, which organization will present matter to Congress, demonstrate its feasibility, and conclusively show how productive wealth of Nation can be enormously increased. May I not urge that you use your very best efforts to secure the passage of this appropriation, particularly in view of its nation-wide importance and tremendous possibilities involved in comparison with the sum asked.

THOMAS E. CAMPBELL,
Governor, and President League of Southwest.

Mr. SMITH of Arizona. Mr. President——

Mr. WARREN. I will say to the Senator that I probably shall have to make a point of order against the amendment, but I do not want to take the Senator off the floor.

Mr. SMITH of Arizona. The Senator takes me off the floor if I know a point of order is going to be made, for I have not yet fallen into the senatorial habit of talking for the purpose of getting what I say into the RECORD. I want to save myself the humiliation of talking after I know the Senator's determination to make the talk absolutely unavailing, no matter how strong I might have been able to make it. Therefore I will not ask to be heard, further than to request that the Secretary read from where I have marked down to the bottom of the page in the resolutions adopted by the convention of the League of the Southwest at Los Angeles, on April 1, 2, and 3.

The VICE PRESIDENT. The Secretary will read.

The Assistant Secretary read as follows:

Whereas it has been shown by the investigations of the Government that a great dam may be constructed at or near Boulder Canyon on the Colorado River, as proposed by ex-Secretary Lane, adequate to control the destructive floods of the Colorado River and of sufficient capacity to supply water for the irrigation of 1,500,000 acres of land in addition to that now under irrigation, with a productive capacity of $150,000,000 in wealth annually, with a livelihood for over 1,000,000 of our population; and

Whereas the power available from this reservoir will be sufficient to supply the necessary electrical energy for large portions of the States of California, Utah, Nevada, Colorado, and Arizona; and

Whereas the storage of water at this site will not in any way interfere with the future development of the river in the upper portions of its drainage basin: Now, therefore, be it

Resolved, That the United States Reclamation Service be requested and urged to proceed with diligence with its investigations of this site with a view to its very prompt construction.

Resolved, That Congress is hereby requested to appropriate the sum of $50,000 for the use of the Reclamation Service in completing the investigation of Boulder Canyon Reservoir site, and that such appropriation be made available at once.

Mr. SMITH of Arizona. Mr. President, just one word before the point of order is made. I would like to ask the chairman of the committee, after congratulating my friend from California [Mr. PHELAN] in getting a similar provision on the bill, whether that amendment was subject to a point of order?

Mr. WARREN. That was to carry out a law already enacted, and it had been estimated for by the department specifically.

Mr. SMITH of Arizona. I wanted to get what I expected to be the fact so as to show in the RECORD that the committee was showing no preference.

Mr. WARREN. I thank the Senator. Now, Mr. President, I think I ought to make a few remarks right here. The files of the committee, as well as the files of individual Senators, are full of documents similar to this telegram and the resolutions offered by the Senator from Arizona [Mr. SMITH] from the different projects throughout the United States. These are provided for in a special way, from what you might call a special fund.

When these reclamation projects were first inaugurated there was a sort of helter-skelter method of trimming in and out, perhaps, on the floor of Congress, in one House or the other, so a law was passed which provided, instead of the department taking funds needed out of a lump sum, as was done

before that time, and distributing without some more definite estimates, that they should be estimated for and go before the House, be considered there by the Committee on Appropriations, and divided and apportioned among these various projects in such a way as not to exceed the income received, and that income is obtained from the sale of public lands, the wild lands which may be taken up in various ways, and also from the payments upon the land and water in these irrigated regions.

For instance, this year our projects are seeking for more money; they all need it, without a doubt; but here is what confines the appropriations:

Under the provisions of this act no greater sum shall be expended, nor shall the United States be obligated to expend, during the fiscal year 1921, on any reclamation project appropriated for herein an amount in excess of the sum herein appropriated therefor, nor shall the whole expenditures or obligations incurred for all of such projects for the fiscal year 1921 exceed the whole amount in the "reclamation fund" for that fiscal year.

A similar provision has been in preceding bills.

Mr. SMITH of Arizona. That would have been true under a strict construction of the law governing the Treasury Department whether that was in this appropriation bill or not, and I would like to suggest that, as far as I am concerned, I thought then and still think that the Reclamation Service was very badly crippled by the new provision to which the chairman of the committee has alluded, to make the possibility of making homes for a million people depend on the mere question of having had an examination and an estimate of the cost of it made without expense to anybody. It is not always possible to get that estimate, and therefore the projects are never started until the matter is brought to Congress to get an estimate. The result is you have crippled the Reclamation Service and made a dollar of it go about half as far as a dollar used to go, by transferring it to the Appropriations Committees of the two Houses. I want to give notice now, for whatever such notice is worth, that at the first opportunity I shall try to see if I can not get that provision amended so as to let the irrigation business go on with some sort of order. There was not a complaint of the expenditure of money foolishly under the old régime.

Mr. WARREN. Mr. President, I make the point of order, as the matter is not estimated for.

The VICE PRESIDENT. The point of order is sustained.

Mr. PITTMAN. Mr. President, I offer the following amendment on page 108.

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 108, line 7, after the word "operation," insert the word "drainage," so that it will read:

Newlands project, Nevada: For operation, drainage, and maintenance, continuation of construction, and incidental operations, $664,000.

Mr. WARREN. The committee will accept that amendment.

The amendment was agreed to.

Mr. PITTMAN. I offer another amendment on the same page.

The VICE PRESIDENT. The Secretary will report the amendment.

The ASSISTANT SECRETARY. On page 108, line 9, to strike out "$664,000" and in lieu insert "$974,000."

Mr. WARREN. Mr. President, the committee can not consent to that amendment, nor should I think the Senator would ask it, under the legislation which strictly forbids it, because all the funds have been allotted, and if we should put that in and pass it, it would not avail a penny for the purpose for which the Senator desires it.

Furthermore, if this were put into the bill, it might cause the Senator, or perhaps others, to understand that we have preferred it to all of the other projects duly certified up here and estimated for, as that one has been, which, under the original estimates of this year, might perhaps be considered to be in order. If the Senator will bear with me, I will say that by the passage of the oil-land leasing bill we provided that certain sums now impounded in banks to the order of the Treasurer of the United States would eventually go part to the States and part to the Reclamation Service. The Director of the Reclamation Service, desiring, as we all do who are interested in these projects, to push them along as fast as possible, entertained an idea at the time he made these estimates that that oil money would be almost immediately available, and therefore he proceeded to distribute it with the other in his original estimates. But a certain suit at law is before the court respecting many of those oil claims, and the companies have secured injunctions stopping the payment of that money, and it can not be paid out for many months yet; so the only way left, if we want any effective legislation to increase these appropriations, would be to provide by law that the Government should loan, say, $5,000,000 to the reclamation fund, on the promise that it would be refunded later out of the oil money.

That was the idea which came to the Director of the Reclamation Service at the time he submitted his estimates, but he now says that with the conditions that prevail it is simply without force to give effect to his larger estimates as he sent them in. He has stated that the bill now before us covering these projects and the various funds will be all that can be appropriated and used under the law.

Mr. PITTMAN. Mr. President, I realize the situation as stated by the Senator from Wyoming, and I have observed in looking over the appropriations for reclamation projects that there has been no increases over the House provisions. Mr. Davis, Director of the Reclamation Service, before the committee of the House stated the objects of these allotments. He asked in that estimate for $974,000, and the committee gave him $664,000; in other words, they gave him an insufficient amount to carry out the work which should be carried out.

In my opinion, the chief reason for the partial failure of irrigation projects is by virtue of the fact that they never are given enough money to handle them on a business basis. They give them enough money on one occasion to put water on the land, but no money to take it off; to drain it. They give them money enough to induce the settler to go there, because they bring a ditch to his land, and then the land is often so located that it is impossible of drainage. In other words, committees of Congress in recommending the appropriation apparently pay no attention to the reasons given by the experts in their demands for money. They treat it very much like a jury does a damage suit. They do not know what the damage is, but they cut it in two several times, depending upon the appearance of the witnesses.

In the estimate of $974,000 there is $300,000 for drainage. In testifying before the committee Mr. Davis said that the project was retarded, its progress was obstructed, the costs of it were increased, the time of the return of the money to the Treasury under the revolving system was long delayed, and there was an inadequate drainage system because the water level was rising; that they were putting water on the land and it was settling there and gradually building up higher until it was making ponds all over that country; that the land was souring and vegetation was being swamped.

He said before the committee in that very hearing that it is practically impossible, by reason of the situation, for the settlers to conduct their drainage. Of course it is, because here is one settler and a mile away will be another settler, and the land between the two will be Government land. If one settler attempts to level his land he gets too much fall to it and makes a pond at the head of the other man's land below. That system of drainage has been attempted by settlers and has been found impracticable.

We often hear that these projects are not successful. Of course they are not. They are not successful because Congress has failed to support the experts who could have made them successful.

The Senator says that the whole fund is allotted and that if we add any more to this proposition some allotment will have to be neglected. That may be true, but possibly there may be some project that does not deserve the consideration that this does. There may be some project that can be skimped without destruction of the project. It seems to me that we might agree to the estimates made by the Reclamation Service, and then, if the Reclamation Service finds it has not the money in the fund, it will be time enough to question the expenditure.

I simply offer the amendment.

Mr. WARREN. Mr. President, the Senator from Nevada, I hope, understood what I said about the estimates. These were the early estimates, and the testimony which the Senator has referred to is that given by the director away back there; but when the injunctions were served the director had stated to us directly that we could not fill them to any effect unless we made a direct loan from the Government, which we did once, as the Senator remembers, of $20,000,000.

Of course, I think the Senator would hardly wish to put himself and the State of Nevada in the position of wanting to take away from others in order to build up his own just at this moment, especially when the experts of whom he speaks and the director have acceded to this allotment as being fully liberal to the project which the Senator has in mind.

Now, the consequence would be this. I, of course, have no personal interest except that expressed by the Senator. I wish we had twice as much as even he asks for, for this and for all other projects, but we have got to cut the garment according

to the cloth. We can not raise those amounts here unless we simply give it all up and raise them all, and then where are we? They are of no avail whatever under the law until the time comes when the fund can be turned over to the Reclamation Service and be allotted.

Mr. PITTMAN. Mr. President, I realize, if the total appropriation is larger than the total fund, some one is going to be reduced. But unless we authorize the expenditure of the full amount of the estimate, it can not be expended. If we do authorize the full amount of the estimate, it may or may not be expended. It will not be expended if there are no funds available for it. I would rather be on the safe side and have it authorized in the event at the time of expenditure there were funds available.

The lawsuits that are now tying up the funds which they expected to get might be settled to-morrow, and if they were settled to-morrow the extra $310,000 would be available for that project. I realize that we can not get any more money than we have had in the past, but I would rather be in the safe position of having the full amount of the estimate in the event we get the fund.

Mr. SMOOT. If the Senator's amendment were adopted, then if the funds were received none of the other projects mentioned in the bill would get any more than they are estimated for now.

Mr. PITTMAN. That is true.

Mr. SMOOT. If we are going to do anything at all, they all ought to be increased pro rata, so that if there was any more money received they would all get their share. For instance, take the Strawberry Valley project in Utah. All they have given for that great project is $86,000 this year. I am not objecting, but if we are going to increase the other projects, then I want this increased in the same proportion that any other project named in the bill is increased. That would be the only fair way to do. Therefore, it seems to me we can not pick out one here and increase it unless we increase them all.

Mr. PITTMAN. Of course, I do not know anything about the other projects; that is, I do not know whether they have received the amount estimated for them or not.

Mr. SMOOT. I will say to the Senator that there is none of them that will receive the estimate that was made in the hearings before the House committee at the time we thought we were going to get $7,000,000 to $8,000,000 of oil money. I say we can not make the appropriation, because we do not know when that money is going to be received, but we do know that it will be months before the suit will be settled.

Mr. PITTMAN. For instance, the small amount the Senator is getting for the Utah project will not accomplish any good at all?

Mr. SMOOT. I virtually agree with the Senator. Really, it will simply pay maintenance charges and probably keep up some small repairs.

Mr. PITTMAN. Then they might as well take that and turn it over to the Nevada project.

Mr. SMOOT. Oh, no; we have to maintain it, we have to make repairs upon it, and have men there to look after it. I do not think we will spend a cent of this money on the high-line canal. The project is mapped out and recommended by the department to carry stored water into Goshen Valley, but not a cent has been provided for it, and knowing the conditions as I do, I am not going to ask it unless there are other projects that are increased.

Mr. PITTMAN. I assume that the chairman of the committee and the Senator from Utah, both members of the Committee on Appropriations, would have granted the request and the estimate of the director had it not been for the fact that here were not sufficient funds.

Mr. SMITH of Arizona. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Arizona?

Mr. PITTMAN. Certainly.

Mr. SMITH of Arizona. I am not going to occupy the floor for more than a minute. I merely wish in this connection to suggest again what I suggested before, and ask those Senators experienced in the irrigation business whether it is not a fatal mistake, as the Senator's case demonstrates, to have thrown into the vast House and Senate the decision of the questions as to what should and should not receive a certain amount of money instead of leaving it, as it was left for many years, in the hands of the Secretary of the Interior, without any complaint in the world of any shortage or graft or misuse of funds. Thrown in here to be guided by the two committees of the two Houses, it results in nothing being done, as it seems is the case with everything else that Congress takes hold of. There has been less done in two years since they turned it in here than had been accomplished in any one year preceding that. So I would suggest to those who claim to know something about it the propriety of seeing if by and by we can not have one head of the Reclamation Service, so as to make an equitable and fair distribution of these funds instead of having to go through the performance we are going through this morning.

Mr. PITTMAN. I thoroughly agree with the Senator from Arizona. I know we have changed from a scientific system to a kind of hodge-podge system. I remember the time when we were held up by the other branch of Congress and forced into the position we are now in. I am in hopes that some day we may get back where we were.

Mr. HENDERSON. Mr. President, last December when I was in Nevada I visited the Newlands project and I found a very acute situation had arisen in regard to the drainage of that district. At the time the project was put in no drainage facilities were provided. Upon my return last winter I introduced a bill making an appropriation for the construction of drainage facilities in connection with the Newlands reclamation project in the State of Nevada. The bill carried an appropriation of $300,000.

A proviso in that bill read as follows:

Provided, That if and to the extent that other funds become available for such purpose prior to January 1, 1921, through payments into the reclamation fund established under such act of June 17, 1902, or otherwise, the unexpended balance of the appropriation provided for in this act shall cease to be available for such purpose.

Mr. President, it is absolutely necessary to have drainage facilities in the Newlands project in Nevada in order that the farmers may maintain their production. I have here an interesting map, which was furnished me by the project manager, showing that there were over 43,000 acres under cultivation, of which about 31,014 acres had crops in full production. Out of the 43,000 acres about 2,179 acres at the present time have water from 0 to 2 feet from the surface, and about 30,000 acres have water from 2 to 6 feet beneath the surface.

The bill which I introduced last winter was sent to the Secretary of the Interior, and I send to the desk a letter from him approving the bill with one amendment, changing the date from 1921 to 1922. I ask that the letter from the Secretary of the Interior be read.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The letter was read, as follows:

DEPARTMENT OF THE INTERIOR,
Washington, January 16, 1920.

MY DEAR SENATOR: I have your letter of January 7, 1920, inclosing two bills with request for report, one of them being S. 3641, entitled "A bill making an appropriation for the construction of drainage facilities in connection with the Newlands reclamation project in the State of Nevada."

The bill proposes an appropriation of $300,000 for the purpose specified in the title.

The drainage conditions on this project require early attention, and no funds are available at this time for the purpose. An irrigation district has been organized on the project, which would be in position to make an appropriate contract with the Government to insure repayment of the expenditures.

The bill makes the money available immediately and until January 1, 1921. It also provides in the last clause that in case other funds become available before January 1, 1921, the unexpended balance of the appropriation shall cease to be available.

The usefulness of the bill would be improved if the availability of the funds were extended through the year 1921 to provide for unavoidable delays.

I therefore suggest that in both places 1921 be changed to 1922, namely, in line 5, page 1, and line 5, page 2.

In view of the circumstances detailed, I suggest favorable action upon this bill.

Cordially yours, FRANKLIN K. LANE,
Secretary.

Hon. CHAS. L. MCNARY,
Chairman Committee on Irrigation and Reclamation of Arid Lands, United States Senate.

Mr. HENDERSON. Mr. President, in view of the apparently unavoidable delay in getting action upon that bill, on May 24 I offered as a proposed amendment to the pending bill the bill to which the Secretary of the Interior refers, with the changes as suggested by him; in other words, changing the date from January 1, 1921, to January 1, 1922. As we all know, we expected to receive from the funds that were then held under the oil-leasing proposal a great deal of money for the reclamation projects. Up to date, however, we have been unable to get any of that money. The proviso which I have just read would make it impossible for the Reclamation Service to get a cent of the $300,000, provided there is any other money available. It is absolutely necessary that something be done in connection with this project at this time. If the work is not started the 694 farms on this project at this time will suffer because of the lack of drainage. It is necessary for the Director of the Reclamation Service to know whether or not he can go ahead and begin preparations to put in at the lower end of the project

the canal for draining the lands. The water is gradually rising to such a height that it is water-logging that section of the project.

If my colleague will consent, I should like to have my amendment substituted in place of the amendment he has offered. It would meet the object raised and accomplish the same result.

Mr. PITTMAN. I accept the amendment of my colleague.

Mr. HENDERSON. I send to the desk the substitute which I propose for the amendment of my colleague.

The VICE PRESIDENT. The question is on the amendment proposed by the junior Senator from Nevada.

Mr. SMOOT. Mr. President——

Mr. WARREN. Mr. President, let us first ascertain what the amendment is.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. In lieu of the amendment offered by the senior Senator from Nevada [Mr. PITTMAN] it is proposed to insert the following:

That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $300,000, available immediately and until January 1, 1922, to enable the Secretary of the Interior, acting through the United States Reclamation Service, to construct suitable drainage facilities in connection with the Newlands reclamation project, in the State of Nevada, and for operations incidental thereto, to be expended in conformity with the provisions of the act entitled "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands," approved June 17, 1902, and of all acts amendatory thereof and supplemental thereto: *Provided*, That if and to the extent that other funds become available for such purpose prior to January 1, 1922, through payments into the reclamation fund established under such act of June 17, 1902, or otherwise, the unexpended balance of the appropriation provided for in this act shall cease to be available for such purpose.

Mr. HENDERSON. I have here a letter which I received a few months ago from Director Davis, of the Reclamation Service, in which he says:

DEPARTMENT OF THE INTERIOR,
UNITED STATES RECLAMATION SERVICE,
Washington, D. C., December 15, 1919.

Hon. CHARLES B. HENDERSON,
United States Senate.

MY DEAR SENATOR: Responding to the inquiry you made when you called at my office this morning, I have to say that the need for drainage at the present time on the Newlands project is acute. Some of the lands are already water-logged and there is a slow and gradual rise of ground water under other lands which threatens further damage. This condition has been progressing for years and becomes all the time more acute. In view of the conditions, efforts have been made to secure local support for drainage work in order that the return of the money thus expended may be assured as required by law.

It was necessary to change the State laws to make this possible, and the changes were made. It then was necessary to organize a district of the lands affected and secure a contract which would cover the ground and assure the return of the money.

After long efforts the district has been organized and negotiations are under way to secure the proper form of contract so that under the provisions of the law this work could be undertaken. Anticipating a successful issue of these negotiations and the approval and execution of proper contracts, the estimates of appropriation for expenditures from the reclamation fund for the fiscal year in 1921 have included an item of $250,000 for expenditure for drainage on the Newlands project.

This is published in the Book of Estimates of appropriations for the fiscal year 1921, recently issued by the Treasury Department, and it is probable that with proper support this appropriation will be made at the present session of Congress, becoming available next July. It depends, however, upon the availability of money in the reclamation fund for this purpose, and in case the full amount estimated does not accrue to the said fund the various estimates will have to be pruned down accordingly. The passage of the coal and oil leasing bill as it recently passed the House of Representatives would insure ample funds for this purpose in the reclamation fund and provide funds sufficient to dig about 45 miles of canal.

This is about one-fourth of the total amount required for the solution of the drainage problems on the Newlands project, and it would be very desirable to have this amount increased if possible.

The supplemental estimates for reclamation work as published in the Book of Estimates, page 642, provide additional amounts for various projects where needed, and if this legislation could be passed as estimated it would permit the progress of this work at an economical rate. Legislation covering this matter is included in the bill introduced by Senator MCNARY, chairman of the Senate Committee on Irrigation, S. 3357.

Very truly, yours,

A. P. DAVIS, *Director.*

Mr. President, in view of the facts and the conditions as they now exist on this project, it seems to me that, in order to save to the settlers in that district the cultivated lands on which they are now growing their crops, the amendment should be adopted.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Nevada.

Mr. WARREN. I understand the Senator from Nevada offers his proposal as an amendment to another amendment.

Mr. HENDERSON. It is offered as a substitute for the amendment offered by my colleague [Mr. PITTMAN].

Mr. WARREN. Mr. President, of course the amendment proposed is legislation; it has not been estimated for, and, while it might be the proper subject of a bill to be considered by the appropriate committee, it, of course, proposes new legislation and, in a way, general legislation. I shall have to make the point of order against it.

Mr. HENDERSON. Mr. President, I think there is a question as to whether the amendment proposes general legislation. The Senator says it is general legislation, which I question, and that it has not been estimated for; but I contend that it has been estimated for.

The VICE PRESIDENT. The Chair does not think it is general legislation.

Mr. WARREN. It has not been estimated for.

The VICE PRESIDENT. That is a horse of another color.

Mr. WARREN. And has not been reported by a standing committee, nor has it had consideration at the hands of a committee. I differ, of course, as to its being legislation——

The VICE PRESIDENT. It is legislation for a particular project, but it is not general legislation. Inasmuch, however, as it has not been estimated for nor referred to a committee, the Chair will sustain the point of order.

Mr. HENDERSON. I understand that it has been estimated for in the Book of Estimates, for the letter from which I just read stated that the Reclamation Service, through the Secretary of the Interior, had estimated for this expenditure.

The VICE PRESIDENT. It has been estimated for out of the reclamation fund but not out of the General Treasury. The Chair sustains the point of order.

Mr. FERNALD. Mr. President, I offer an amendment to be inserted on page 3, after line 18.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 3, after line 18, it is proposed to insert the following proviso:

Provided, That the aforesaid act of August 25, 1919, shall be held to include all contracts for the construction, improvement, special repair, equipment, and furnishing of post offices and other public buildings specified in said act the bids for which were advertised for prior to April 6, 1917, but the contracts for which were not awarded until after that date, and as to such contracts claims for reimbursement may be filed within three months after the passage of this act.

Mr. WARREN. Mr. President, I shall probably have to make a point of order against the amendment; but I desire to have the Senate understand something about the situation. In the regular way we enacted a law to consider certain contracts for public buildings. The law provided that between certain dates where contractors made a plain case of proof showing that they had lost money, and the amount claimed was accepted by the Treasury and certified accordingly, an appropriation would be made to meet those sums.

As in the case of all legislation that fixes dates, some one is bound to be just below or just above the specified date. The amendment relates to contracts entirely outside the dates provided by the law.

The Senator from Maine, who is chairman of the Committee on Public Buildings and Grounds—and a very efficient chairman—has this project much at heart, and has ascertained, I hope, the amount that might be required to be met by legislation which will probably follow, but which, of course, can not be provided for on the pending appropriation bill.

The VICE PRESIDENT. Does the Senator raise a point of order against the amendment?

Mr. WARREN. I withhold the point of order in order that the Senator from Maine may offer an explanation of the amendment.

Mr. FERNALD. Mr. President, the amendment which I have offered is designed to make provision for the contractors whose bids were submitted to the Treasury Department prior to April 6, 1917, but were not accepted until subsequent to that date.

Provision has already been made for all contractors whose bids were accepted on or before April 6, 1917.

The amendment proposes no new project nor does it call for any extra appropriation. I believe that, in a spirit of fairness, this Government ought to pay all of its just bills, and pay them promptly; it ought to be the best paying institution in the country. Every business man who has just bills to be paid will keep his reputation good by paying them promptly.

The whole number of claims which would come under this provision is 49, and according to the estimate of the Treasury Department, on the basis of the claims already settled, the amendment would involve an expenditure of between two hundred and three hundred thousand dollars. It would clean the entire slate, so far as the Treasury Department is concerned, and would give every contractor who submitted bids prior to the date named and whose bids were not accepted until after that date an opportunity to file his claim before the Treasury Department for adjustment.

There are 49 claims, and the contracts amount to $1,017,000, but probably not one-quarter of that amount would be extra expense. You know we were a going concern prior to the outbreak of the war. We were constructing public buildings all over the country in nearly every State. These contractors were building all over the country, and they come from 21 different States. On the outbreak of the war, when they were undertaking to complete these buildings, the different departments of the Government stepped in and took their labor—which they had arranged for at $2 and $3 and $4 a day—and paid $10 and sometimes $15 a day for it. They took their materials—the cement and the brick and the mortar and the wood and the steel and everything.

If a private individual were to file a claim against another individual of whom he had taken a contract, there is no question about his standing before the courts. He can collect the damages. In this case I believe the Government wants to pay those contractors and get this slate clean. As I say, it is a matter of probably not exceeding $300,000, probably less than $200,000.

I have here a letter addressed to the chairman of the Appropriations Committee. I wish to say that he has been exceedingly courteous and fair in this matter, and I hope he will not insist upon making a point of order. The letter is dated May 21, and is addressed to the chairman of the Appropriations Committee by the Secretary of the Treasury. In it he says:

> Reference is made to your request of blank date for immediate report in connection with the proposed amendment to House bill 13870 by the insertion of a provision that the act of August 25, 1919, shall be held to include the contracts for the construction, etc., of post offices and other public buildings, bids for which were advertised prior to April 6, 1917, but contracts not awarded until after that date. As appears from the context the purpose of this legislation is to provide relief for losses claimed to be due to war conditions to contractors who submitted bids for work advertised prior to the entry of the United States into the war upon which, however, contracts were not awarded until after that time.

Several of these contracts were awarded the next day after the outbreak of the war, on April 7, and all of them before July 1 following.

> From information on file in the department it is probable that there are claims of this character which are meritorious but which, under the provisions of existing law, can not receive favorable consideration. It is believed, therefore, that the legislation is justifiable. The department has no knowledge as to the number or amount of claims which might be filed under the provisions of this legislation. Their favorable consideration might necessitate an additional appropriation at some future time, but it is not probable that they would involve any additional appropriation prior to the time for submitting new estimates.

All I claim in the world is that these contractors whose bids were accepted subsequently to April 6, 1917, ought to have the same standing and status before the Treasury Department, and have the same opportunity to submit their claims for adjustment, as those whose bids were accepted on or before April 6, 1917.

The Supervising Architect has this to say:

> Previous legislation fixed a limit of time in which the contractors should file claims. This legislation will extend that time. A number of contractors did not avail themselves before, and the new legislation covers them again, because their bids were advertised before April 6 and contracts granted after. Treasury Department considers several claims filed too late as meritorious.
>
> Taking all contractors into consideration that could possibly come under this legislation—50. Total amount of contracts, $1,017,190.

That is a little less than I estimated. It seems to me that in a spirit of fairness the Senate and the Government ought to be willing to pay the Government's just bills. I am not asking for any new project or any new appropriation, but simply that these men who put their money and time into constructing public buildings shall have the same treatment from the Government that they would have had if they had entered into contracts with individuals, companies, or corporations; and I hope the Senator will not raise the point of order against this particular amendment.

Mr. WARREN. Mr. President, I shall have to make the point of order.

The VICE PRESIDENT. It will have to be sustained.

Mr. CALDER. Mr. President, I offer the amendment, which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 25, after line 23, it is proposed to insert:

> *Provided further,* That the general appraisers of merchandise shall each be allowed and paid the same necessary expenses of travel and reasonable expenses actually incurred for maintenance consequent upon transacting official business in pursuance of law at any place outside of New York City as is at present provided by law for judges of the district courts of the United States when transacting official business at any place other than that of their official place of residence.

Mr. WARREN. Mr. President, may I ask the Senator a question? As I understand, this amendment provides for the payment of the same expenses in the case of these appraisers that are already allowed for the judges?

Mr. CALDER. This amendment simply provides that the members of the Board of General Appraisers of New York—which is purely a judicial body—may, when they sit in Boston or Philadelphia or Washington or St. Louis or Chicago or San Francisco, be allowed the same per diem for actual expenses as is allowed judges of the district courts—for instance, the judge of the district court of Virginia when he sits in New York or Chicago or Boston or any other part of the country. They are now allowed $4 per diem.

Mr. WARREN. Mr. President, the matter is one that ought not to come up on an appropriation bill at the last moment; and, on the other hand, there may be justice in it. I am willing to let it go in, if it is not objected to by other Senators, and see what we can do with it in conference.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New York.

The amendment was agreed to.

Mr. KENDRICK. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The READING CERK. On page 110, after line 14, it is proposed to insert:

> Green River watershed projects, Wyoming: For the investigation and survey of an irrigation system in the Green River watershed, Wyoming, including the Bonneville, Sedskadee, Big Piney-La Barge, Opal, Church Butte projects, $25,000: *Provided,* That no expenditure shall be made from this appropriation except from receipts accruing to the reclamation fund from royalties under the terms of the act approved February 25, 1920.
>
> Wiley project, Wyoming: For the investigation and survey of the Wiley project, Wyoming, $10,000: *Provided,* That no expenditure shall be made from this appropriation except from receipts accruing to the reclamation fund from royalties under the terms of the act approved February 25, 1920.

Mr. KENDRICK. Mr. President, a few moments ago the Senator from California [Mr. PHELAN] presented and the Senate adopted an amendment providing for the investigation of the irrigation possibilities of the lower Colorado River. The first item in the amendment which I have offered appropriates $25,000 for the investigation of five reclamation projects in what is known as the Green River watershed, which is also a part of the drainage basin of the Colorado River. Necessarily this investigation involves the right to the use of the waters of that stream. It had its principal sources in the State of Wyoming, and no investigation of the irrigation possibilities of this river can be complete, and no adjustment of any system of irrigation based upon it should be made, that does not provide for the development of the irrigable lands in its basin which lie within the State of Wyoming.

The land included in the so-called Green River projects composes one of the largest irrigable tracts of land in the United States. It covers an entire area of approximately 1,025,000 acres. An investigation was made of these projects in 1915 by the Reclamation Service, acting in cooperation with the State of Wyoming, and the formal report which was made in February, 1916, by the engineers pronounced the project feasible. It was estimated at that time that seven reservoirs to store sufficient water to irrigate all the land under this system could be built for approximately $1,560,000. In 1918 the Reclamation Service made some additional investigations of these projects, but the work was naturally of only a preliminary nature. It is intended by the proposed amendment to enable the Reclamation Service to proceed to a more detailed study of the possibilities of this system.

The normal flow of the Green River does not furnish sufficient water for the use of the settlers who have already taken up land in this area. During the past year the farmers of this

valley suffered heavy losses in their agricultural and stock-raising enterprises by reason of the fact that the normal flow has been overappropriated. It is only by the development of the surveyed reclamation projects that the difficulty may be solved, and it is, of course, highly important that the work be initiated at the earliest possible moment. I trust, therefore, that the Senate will see its way clear to adopt the amendment which I have presented.

The second item in the amendment provides for an investigation of what is known as the Wiley project in Wyoming. This includes approximately 90,000 acres of land and it is in a sense an extension of the Shoshone project. The reservoir, which has already been constructed at a cost of more than $1,600,000, stores sufficient water at the present time, I am advised, to irrigate this land and the problem is to provide for its distribution over the area included in the so-called Wiley projects.

As an indication of the great demand there is for irrigable land in this section, I may state that last year when the seventh unit of the Shoshone project was opened, although the Reclamation Service had only 56 farms to offer, 397 applications were presented for them. During the past year, at the opening of another unit of the same project, the excess of applications over available farms was very much greater. Hundreds of former service men from all parts of the country sought the few farm units that were open to entry.

There can be no doubt that if this land were reclaimed it would be put to immediate use. The appropriation for which I am asking will enable the Reclamation Service to make substantial progress with the preliminary surveys, and I hope my colleagues will find it possible to accept the amendment.

Mr. WARREN. Mr. President, nothing would give me greater pleasure than to oblige my distinguished colleague, nor, next to that, would anything give me greater pleasure than in some way to forward the matter that he has brought before the Senate; but the Senator, of course, must remember that the Senator charged with the responsibility of all of the projects must follow law and equity as nearly as he can. Therefore I shall have to make the point of order against the amendment, because it has not been estimated for, and provides for some special legislation and the expenditure of money, which, of course, changes existing law.

Mr. KENDRICK. Mr. President, will my colleague yield?

Mr. WARREN. Certainly.

Mr. KENDRICK. I call the attention of my colleague to the fact that this amendment was introduced and referred to his committee several days ago. Do I understand his point of order to be that it was not presented to the committee?

Mr. WARREN. I did not raise the point the Senator speaks of. The amendment was submitted, but I spoke of an estimate, and there is no estimate from the Treasury or the department for it, and it has not been reported favorably by a standing committee. It changes the law. I do not claim that the amendment has not been introduced in Congress and sent to the Appropriations Committee, but I do claim that it was there turned down by the committee, with other amendments of like character.

I beg the Senator to allow me to suggest this: I believe he is a member of the Committee on Public Lands. I shall be very glad to assist him in any way, although I am not a member of the committee, to procure the passage of the legislation he is asking for, and then, if appropriations are estimated for under it, to assist in securing those appropriations.

So I make the point of order on the ground that it has not been estimated for.

The VICE PRESIDENT. The Chair is not ready to rule on that for a moment.

Mr. WARREN. Perhaps the Vice President did not get the ground upon which I base the point of order.

The VICE PRESIDENT. The Chair understood that the point of order was made on the ground that it was a new item of appropriation, not moved by the direction of a standing committee, or proposed in pursuance of an estimate from the head of some one of the departments.

Mr. WARREN. It is not estimated for by the head of any department; it is not introduced here by the act of any standing committee; and it does increase the appropriation. The Vice President will observe, in looking over the rule respecting appropriations, that that enters into it as part of the consideration.

The VICE PRESIDENT. Would it change the existing law with reference to the irrigation system?

Mr. WARREN. I might say that it is entirely in the nature of new law, or a proposition which comes in which is new legislation. There is no doubt about that.

The VICE PRESIDENT. What is this royalty, under the terms of the act approved February 25, 1920?

Mr. WARREN. Perhaps the Vice President did not notice what I said about the oil and phosphate leasing bill. That bill provides, in regard to certain money now impounded in the Government's hands because of pending suits, that when the suits are decided, if anything is left over for the United States, a certain percentage—I think 20 per cent—shall go to the State and a larger percentage to the reclamation fund, or the amounts may differ, and I may not be right about the 20 per cent. But the whole amount is to be divided. First, the Government takes a certain small amount as royalty, and then it goes to the States, part of it, and part to the Reclamation Service. That is legislated for, so far as it goes, but before it can be utilized there must be a dissolution of the injunction against the distribution of this money, and a settlement of the cases in court, before it in any wise can benefit either State or reclamation fund.

Mr. KENDRICK. Mr. President, as having some bearing on the point of order, I think it might be important to inform the Chair that the Reclamation Service has already expended several thousand dollars in this investigation, during 1915, I think it was, under an appropriation made in the sundry civil bill passed the previous year.

The VICE PRESIDENT. The Chair will sustain the point of order.

Mr. POMERENE. Mr. President, I am obliged to be in a committee meeting at 2.30, and I want to offer this amendment: On page 48, at the conclusion of the page, I move to insert the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 48, after line 25, insert:

For the purpose of increasing the pay of 10 National Zoological Park policemen, at the rate of $400 each, over and above their present pay, $4,000.

Mr. POMERENE. Mr. President, I want to be perfectly frank about this amendment. There are 10 National Zoological Park policemen who are paid out of a lump sum which is appropriated for the Smithsonian Institution. These park policemen are getting the munificent sum of $960 a year, with the privilege of paying for their own uniforms, shoes, and so forth. To that is added the $240 bonus. The other park policemen were taken care of when we provided for the increase in the pay of the policemen, so that their basic salary is $1,360, while the National Zoological Park policemen are getting only $960.

Mr. WARREN. Do they get the bonus?

Mr. POMERENE. Yes; they get the bonus.

Mr. WARREN. In addition to that salary.

Mr. POMERENE. In addition to $960; but all park policemen get the bonus. I learned on yesterday that this bill was likely to be made the unfinished business upon yesterday. I took the matter up with the Smithsonian Institution, so that they might make an estimate, and they said they would do so. I immediately wrote to the Secretary to the President, as well as to the Secretary of the Treasury, asking them to have the estimate here. Word was left at my office that it would be prepared and sent promptly. It has not as yet arrived, but I think a sense of justice would suggest that while all of the other policemen are getting this increased pay these 10 policemen, who are out there doing a real public service, ought likewise to have this increased pay, and I hope that no point of order will be made against it.

I have seen several of these men and have talked with them. Their uniforms are threadbare. They are not able to buy additional uniforms and support their families on this meager pay, and I confess I do not like to see the great National Government and the District government keeping these men out there doing this real service on this meager pay.

For that reason I submit the amendment.

Mr. WARREN. Mr. President, the men to whom the Senator alludes are paid by the Smithsonian Institution managers, and paid from lump sums which are appropriated from time to time. It is a matter for them to make the salaries rather than for the Congress. On the other hand, no estimate is here, and yet we had the Director of the Smithsonian Institution before the committee; we asked him to make known his wants. It has not been estimated for.

Mr. POMERENE. Will the Senator yield for a question?

Mr. WARREN. If the Senator will allow me, I will finish my statement.

Mr. POMERENE. I am glad the Senator has made that suggestion. I talked on yesterday with the Secretary of the Smithsonian Institution——

Mr. WARREN. I am not making any suggestion; I am simply telling the truth.

Mr. POMERENE. I suspect the Senator is telling the truth, but he is not telling the full truth about it, and I propose to give him the full truth about it.

Mr. WARREN. It may be the Senator will wait until I finish my statement.

Mr. POMERENE. This is pertinent to what the Senator is saying now. I am not questioning the veracity of the Senator; but the Secretary of the Smithsonian Institution said that the reason why no increase was called for was that the Appropriations Committee asked them not to call for any increases.

Mr. WARREN. The Committee on Appropriations of the Senate did not make such a request, as I remember it.

Mr. POMERENE. Some committee did. At any rate, while there is a difference of opinion here, and it is intended to raise the objection that there has not been an estimate, I can estimate how much ten times four hundred is. I think we all know what that means. The Senator, who has so ably presided over this great committee for so many years, does not always insist upon the letter of the law when it comes to these estimates. I do not think anybody is going to complain if meager justice can be meted out to these 10 men at this time.

I am not a member of the Appropriations Committee; I am not particularly charged with the duty of looking after these men; but as one of the 96 Senators I feel that there is an obligation on the part of this Government to take care of these men, and I sincerely hope that the chairman of the committee, out of the kindness of heart which I know he possesses, will allow the amendment to pass. In any event, let it go into the bill and take care of it in conference if the estimate does not come. I beg he will do it.

Mr. WARREN. Mr. President, thanking the Senator for his gracious remarks, the Senator is to be congratulated that he is not on the Appropriations Committee in this year of our Lord 1920, to provide for 1921, for, if he knows of any bureau or any department of the Government or any group of operatives under the pay of the Government who have not asked this committee for raises in salaries, he will name some one the existence of which I do not know. The book is full of estimates where they have attempted to raise salaries. The whole subject of salaries has been considered by the Reclassification Commission, the report of which we presume the House will take up almost immediately, and which we are only anxious to follow; and these matters will all be taken care of in due season.

While we have this able committee to do this laborious work and spend its time, the trouble originally was because Senators would rise in their seats, one Senator imbued with the wants of one class of operatives and move to increase the salaries, depending, as the Senator does, upon the goodness of heart of the chairman of the committee, who has no interest at all except to treat all of them alike, until we have a condition of higgledy-piggledy all through such bills as to salaries. They have been in some degree equalized, it is true, but we must wait until this classification work goes on. So I shall be compelled to make a point of order.

Mr. POMERENE. Allow me to suggest that these policemen can not feed their babies on promises of future legislation, and if the Senator can justify himself in raising a point of order when all the other policemen in the District have received their increases——

Mr. WARREN. Oh, no; Mr. President, the policemen of the District and the watchmen of the Zoological Park are doing entirely different service. These are simply the watchmen in the park, and we by law provided that they might have police powers in order to assist in the performance of their duties.

Mr. POMERENE. But it is not a different duty. They are clothed with police powers. On Sundays there are at times 30,000 or 40,000 or 50,000 visitors at the Zoological Park. They have to look after those people and see that no depredations are committed, and so forth, and now, while all the other policemen get their increase, to say to these 10 men that, because the department has neglected to make an estimate and ask for the increase, you are going to invoke the letter of the rule against them, is not fair, is not just, and there is no justification that can be made for it.

Mr. WARREN. I make the point of order.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER (Mr. JONES of New Mexico in the chair). Does the Senator yield the floor or does he yield to the Senator from South Dakota?

Mr. WARREN. I desire a ruling of the Chair on the point of order.

Mr. STERLING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STERLING. The parliamentary inquiry is this: What constitutes an estimate of a department? What form, if any particular form, must the estimate take? Must the estimate be found in the Book of Estimates or may it be made through a letter addressed to the committee having the particular appropriation bill in charge, in which is stated what is needed and in detail what is required for the particular department or bureau or branch of the department?

I am impelled to ask the question because of the frequent reference by the chairman of the committee to the fact that an appropriation asked for by way of amendment has not been estimated for. Since I offered an amendment this morning increasing an appropriation I have been handed a copy of a letter written on the 12th day of May to the Committee on Appropriations, in which the exact amount asked for by the amendment proposed by me is estimated for by the Secretary of the Treasury.

Mr. WARREN. It is the law. An estimate is an official document signed and forwarded here by the Secretary of the Treasury to the Vice President and to the Speaker of the House. There are regular forms for estimates and a regular way for them to come here, and the committee is bound under the law to consider them as estimates. We can not extend the line to letters of various men in this department or the other because various employees are continually writing to the committee, and we can not obey the law and our rules and entertain all of those things.

This matter of salary is, of course, one that is very wrong. No one knows it better than the distinguished Senator who now occupies the chair. But if the attempt is made now, in view of this, to pick up, as each Senator thinks best, some particular number of employees and increase their salaries while the balance are left uncovered and uncared for, and if we are going to proceed in that line, what is the use of having any reclassification, and what is the use of expecting anything from that? How can we expect Congress to undertake, immediately after the fading away of this rush of business, to get into the reclassification work if we have been forestalled already by legislation on appropriation bills and otherwise?

Mr. STERLING. Permit me to submit this question to the Senator.

Mr. WARREN. Mr. President, I make the point of order.

The PRESIDING OFFICER. The point of order is made and the present occupant of the chair believes it is quite clear that the point of order should be sustained.

Mr. STERLING. I have not proposed anything to which a point of order might be made. I made this parliamentary inquiry. If the Chair desires to rule on the point of order made against the amendment offered by the Senator from Ohio [Mr. POMERENE], I have no objection, but I should like to say a word further in regard to the question I have propounded.

The PRESIDING OFFICER. The Chair will state that the ruling, of course, applied only to the amendment proposed by the Senator from Ohio, but if the Senator from South Dakota desires an expression from the present occupant of the chair as to what is an estimate, the Chair has no hesitancy in stating his opinion about it.

The Chair understands that an estimate as contemplated by the rules is an estimate which comes to the Congress officially through the Secretary of the Treasury. The understanding of the Chair also is that it is addressed to the Presiding Officer of the Senate, in the event it comes to this body, and is handed down and referred to the appropriate committee.

Mr. STERLING. May I make this suggestion? It just occurred to me in connection with the remarks of the Chair. Suppose there has been an error in the original estimate handed down in the method suggested by the Chair. Can not a new estimate be made and submitted to the committee?

The PRESIDING OFFICER. Unquestionably there could be a new estimate or a modification of an estimate. The Chair is advised that that occurred only a few days ago.

Mr. STERLING. I have a case of that kind in hand.

Mr. MYERS. Mr. President, has the matter been disposed of?

Mr. BORAH. Will the Senator allow me to say just a word before the matter is passed?

Mr. MYERS. Certainly; I yield.

Mr. BORAH. I wish to ask the chairman of the Committee on Appropriations if there is another appropriation bill coming along?

Mr. WARREN. I am informed that the House is working on another appropriation bill, which is probably 100 to 200 pages in length, and which, I presume, will be reported to the House to-morrow or the next day. It may come to the Senate Satur-

day of this week or the first of next week. It is the general deficiency bill.

Mr. BORAH. I understand this estimate may be on the way, and I take it that if the estimate comes here it could be properly attached to that appropriation bill.

Mr. WARREN. It properly belongs, of course, to the legislative appropriation bill, and so long as it did not get on the legislative bill, it does not matter so much to what bill, if any, it might be attached.

Mr. BORAH. It can go on any bill if we have votes enough to get it on and if we get by a point of order. I only wish to say in passing that I made the inquiry concerning this disparagement with reference to the park men while the legislative appropriation bill was pending. As I understood it at that time, it was to go on this bill, although I do not say that the chairman of the committee misled me, or anything of that kind, but it was my ignorance upon the subject. However, I understood it was to go on this bill.

Mr. WARREN. If the Senator will allow me, I will explain that.

Mr. BORAH. Certainly.

Mr. WARREN. We assumed that whatever was done would, of course, be taken up by the Smithsonian Institution and that they would ask for the funds and carry it out accordingly. We still must calculate that they are going to pay these men, if we provide for it, out of the lump sum given that institution. As the Senator says, it can better be provided for in the next bill than in this bill.

Mr. BORAH. Very well. I only wish to say that of course these men ought to be taken care of the same as the other men have been taken care of. I have no doubt the Senator from Ohio [Mr. POMERENE] will have the estimate by that time, and I think we will be able to get by the point of order.

Mr. WARREN. I hope neither Senator thinks it is anything personal on my part.

Mr. BORAH. Oh, certainly not.

Mr. FRANCE. Mr. President, I desire to offer an amendment.

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Maryland?

Mr. MYERS. Certainly.

The PRESIDING OFFICER. The amendment will be stated.

Mr. FRANCE. I shall not discuss it at this time, as it speaks for itself.

The PRESIDING OFFICER. The amendment will be read.

The READING CLERK. Add at the proper place in the bill as a new section the following:

SEC. —. As used in this section the term "place of public accommodation" includes any hotel, apartment hotel, railroad terminal, restaurant, theater, or other place of public amusement in the District.

No person who maintains a place of public accommodation shall in any manner, directly or indirectly, authorize any common or private motor-vehicle carrier of passengers for hire to use any portion of the public highway fronting the premises of such place of public accommodation or to gain access either upon the public highway or private property to the entrances or exits of such place of public accommodation in such manner as will prevent any other such carrier from having an equal and reasonable opportunity to offer and afford his services as a carrier to the patrons of such place of public accommodation, nor shall any such carrier make use of the public highway or any private property in any such manner. Any person who maintains a place of public accommodation or any carrier who violates any provision of this section or any regulation issued thereunder shall be liable to a fine of $100 a day for each vehicle in respect to which such violation occurs, and each day or fraction thereof during which such offense continues shall constitute a separate violation in respect to such vehicle.

There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000 to enforce the regulation by the police department of the District of Columbia.

Mr. WARREN. Mr. President, the matter just read is legislation pure and simple. It was introduced and sent to the Committee on Appropriations some weeks ago, and that committee reported it back and asked to be discharged from further consideration of it and suggested that it be sent to the Committee on the District of Columbia. Of course, I shall make the point of order on it here. It has no place on an appropriation bill. It is legislation.

The PRESIDING OFFICER. The point of order is sustained.

Mr. MYERS. Mr. President, I offer an amendment to be added to the bill as a new section. This amendment, as a bill, has passed the Senate at this session of Congress, and I believe that makes it eligible to go on this bill as an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. Add as a new section to the bill the following:

SEC. —. That there is hereby appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, the sum of $9,819 to and for Katherine Macdonald, of Butte, Mont., for and on account of unpaid claims held by her on account of work and services performed on or supplies furnished for the construction of the Corbett Tunnel, a part of the Shoshone reclamation project in the State of Wyoming.

Mr. WARREN. The rule is so insistent that the chairman of the Committee on Appropriations is compelled and is in duty bound, in observance of the rules and the law, to reject claims on an appropriation bill. I have voted for the measure otherwise. I would do so again, but I must make a point of order against it now, that it is a claim and must be excluded from general appropriation bills.

Mr. MYERS. What is the ground of the point of order? What is the basis of it? I did not hear distinctly.

The PRESIDING OFFICER. The point of order is that it is a private claim on a general appropriation bill.

Mr. MYERS. I wish to be heard on that.

The PRESIDING OFFICER. The Chair will be glad to hear from the Senator.

Mr. MYERS. Of course, I realize the point of order is made under subdivision 4 of Rule XVI of the standing rules of the Senate, which says:

No amendment, the object of which is to provide for a private claim, shall be received to any general appropriation bill, unless it be to carry out the provisions of an existing law or a treaty stipulation, which shall be cited on the face of the amendment.

I contend that this is not a claim against the Government. What is a private claim? A claim is something upon which an action at law might be founded between private individuals. It is a contention or demand of a right, capable of supporting an action at law for its enforcement, as between individuals.

If it is against the Government, however, the claimant is debarred from suing the Government and has to go to Congress and ask for an appropriation. There may be a claim against the Government, but the Government can not be sued without its consent.

If John Jones owes me $100 on an obligation, that is a claim, and I can go into a court of law and bring an action against John Jones and recover. If I am wrongfully assaulted by a party and injured, I have a claim against that party which I can enforce at law. If I am working for an employer and am injured through the negligence of that employer, I have a claim against him for which I may sue and recover. Therefore, if any of those conditions should arise in behalf of an individual and against the Government, the individual would have a claim against the Government—that is what I would call a claim against the Government—but the individual could not go into court and enforce that claim without the consent of Congress, because one can not sue the Government without the consent of the Government. Congress must either authorize an action to be brought before the Court of Claims or some other court of competent jurisdiction or Congress must make an appropriation outright.

If a man has a contract with the Government, and performs his part of the contract, and the contract price is not paid in full by the Government, then such an individual has a claim against the Government; and to get what is due him he must have a bill introduced in his behalf in Congress, and the bill must go to the Committee on Claims; it can not be put on an appropriation bill. If an individual is in the employ of the Government and is injured through the negligence of the Government or its agents, he has a claim against the Government, upon which he may recover by having a bill introduced in Congress and having it referred to the Committee on Claims. That is a claim. It is a claim against the Government because it would be a claim capable of enforcement at law if due from another individual or a corporation.

This, however, is not a claim. The history of the bills to reimburse Mrs. Macdonald, which have many times passed the Senate, even as late as the present session of Congress, shows that this is not a claim. None of those bills ever went to the Senate Committee on Claims. They were sent to the Committee on Public Lands or the Committee on Irrigation and Reclamation of Arid Lands. The reports of the committees that have acted on the bills show that this is not a claim; the reports of the Secretary of the Interior made on the various bills show that this is not a claim. It has never been considered as a claim. The last report of the Secretary of the Interior made on the last bill to reimburse Mrs. Macdonald, when it had been introduced and referred to the Senate Committee on Public Lands and by that committee referred to the Secretary of the Interior, shows that the bill is not a claim.

I have not that report with me, but it was read to the committee. I can get it and read it if any Senator desires to hear it. The Secretary of the Interior in that report, in effect, says that Mrs. Macdonald has no claim against the Government for any money, but that if appropriated it will be only

a gratuity, the discharge of a moral obligation which Congress may pay if Congress sees fit. He makes it plain that Mrs. Macdonald has no claim on the Government, but that if Congress wants to be generous and vote Mrs. Macdonald a gratuity he has no objection to Congress doing so. He puts it clearly in the light that Mrs. Macdonald has no claim against the Government for any sum of money; but, in effect, says as to Congress being generous and voting as a gratuity to Mrs. Macdonald the sum of money asked for, he leaves that to the wisdom of Congress.

There is a precedent for making by amendment to a general appropriation bill such an appropriation as I am seeking to make by this amendment. In the act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1917, and prior years, and for other purposes—a general deficiency bill which passed Congress and became a law, the law print of which I hold in my hand—at the top of page 20 is this item:

For an amount supplemental and additional to the amount heretofore appropriated to pay the certified claims on account of labor, supplies, material furnished and used in the construction of the Corbett Tunnel and spillway, $3,556.96.

That item was offered as an amendment to that appropriation bill on the floor of the House of Representatives. I have taken the pains to look into the history of it. It was not reported out of the Appropriations Committee of the House, but was offered as an amendment at the last minute, when the bill was under consideration, by Mr. MONDELL, of Wyoming, on the floor of the House, and was adopted by the House.

Of course, I do not know whether or not a point of order was made against it in the House, but it came to the Senate, was concurred in by the Senate, and the money was appropriated under a provision which started as an amendment on the floor of the House to an appropriation bill. I think, the sum of $3,556.96 having been appropriated to other parties on account of the same transaction and having gone through on an appropriation bill, that we should examine very closely the amendment I have proposed to ascertain whether it ought to be ruled out on a point of order. I repeat, my contention is that it is not a claim. The amendment simply calls for a gratuitous appropriation which could not be enforced if the transaction were between individuals.

Furthermore, under subdivision 1 of Rule XVI, it is provided:

And no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session.

That is, no amendment may be received to an appropriation bill increasing the amount appropriated for any purpose or adding a new item, unless it be made to carry out the provisions of some existing law or treaty or of an act or resolution previously passed by the Senate during that session. That provision is in the disjunctive; and an exception may be made in any one of those cases. The amendment I have offered comes under one of those exceptions, for the same subject matter has been previously passed by the Senate at this session in the form of a bill. A bill in the exact language of this amendment was introduced in this Congress by me, and it unanimously passed the Senate, heretofore, at this session. Clearly that makes it proper to put it on an appropriation bill as an amendment.

I hold that the two subdivisions of Rule XVI to which I have referred must be considered in pari materia; they must be considered together. If my amendment is permissible under either, it is not subject to a point of order.

The PRESIDING OFFICER. Does the Chair understand the Senator from Montana to maintain that the amendment has heretofore been passed by the Senate as a separate measure at this session of Congress?

Mr. MYERS. It has. It passed as a separate bill at this session of this Congress and is now in the House awaiting action, but, owing to the difficulty of securing the consideration of bills there, I fear it will never pass the House. It has passed the Senate several times heretofore, but has never passed the House. Its only chance, I think, is as an amendment such as I now offer.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

Mr. MYERS. I yield with pleasure.

Mr. CHAMBERLAIN. I will ask the Senator if the money proposed to be appropriated by his bill and likewise by the amendment he now offers was earned by work on a reclamation project near Billings, Mont.?

Mr. MYERS. Yes; the project is in the State of Wyoming, near Billings, Mont.

Mr. CHAMBERLAIN. It seems to me that a bill in reference to the matter has been before committees of the Senate for the last six or eight years, and every committee has reported upon it favorably, and it has passed the Senate two or three times.

Mr. MYERS. That is true.

Mr. CHAMBERLAIN. The woman ought to be paid. I do not know whether the pending bill is the proper place to attach the amendment, but the amount ought to be paid.

My experience, I will say to the Senator, is that whenever there is presented here a bill against the Government which ought to be paid and an amendment is offered to provide for its payment to some bill pending, the proponent of the amendment is always referred to another bill, but when that other bill comes up that also is the wrong bill, with the result that the Government does not pay its debts. I was a member of the committee when this matter was considered and investigated a number of times, and the failure on the part of the Government to pay the bill, as I understand, has practically broken up this poor woman.

Mr. MYERS. That is true.

Mr. CHAMBERLAIN. She has been here session after session, and there ought to be some way to secure provision for her payment on this bill, if there is no other place to provide for it.

Mr. MYERS. Mr. President, I am satisfied there is no other place or way; that is, now or never. I realize, of course, that it is the right of the chairman of the committee and perhaps even his duty to make points of order against proposed amendments; but I am discussing this matter purely as a legal proposition, as a matter of parliamentary law, and I contend that the point of order is not well taken. I think clearly it should be overruled.

I will ask Col. Halsey or some of the employees of the Secretary's office to go to the Secretary's office and procure for me a copy of the bill for the relief of Mrs. Macdonald which passed the Senate at this session, together with the report of the Secretary of the Interior on that bill, directed to the chairman of the Senate Committee on Public Lands, for I should like to read that report to the Chair. Clearly, to my mind, the Secretary of the Interior in that report takes the ground that this is not a claim against the Government; that Mrs. Macdonald has no claim against the Government, and is not entitled to any money by right of any claim; but that, if Congress wants to be generous and appropriate money as a gratuity to Mrs. Macdonald, he has no objection.

That is the light in which the bill has always been before the Senate, has always been reported out from the committee, and has always been reported upon by the Secretary of the Interior. I contend that this amendment does not call for payment of a claim, but that it merely seeks to make an appropriation as a gratuity in order that the ends of justice may be subserved.

Reverting to what I said a while ago, I believe that a claim must involve some contention of right which, if it existed between two individuals, could be enforced in a court of law, such as a claim for the payment of money on a contract, for the payment of money for services, for the payment of money due on a promissory note, for damages growing out of personal injuries. Demands for such payments are claims. A claim is a right which may be maintained in a court of law between individuals, but which can not be maintained against the Government, because the Government can not be sued. A claim is a demand for something due and unpaid, whether owing by the Government or an individual or corporation.

If this were such a case, if Mrs. Macdonald had a contract with the Government and had performed her part of the contract, and the Government had failed to pay her and still owed her $9,000 on the contract, the point of order made by the chairman of the committee would be well taken and should be sustained; or if Mrs. Macdonald had been an employee of the Government and had been injured through the negligence of the Government, and if she were making a demand for compensation for personal injuries, then the point of order made by the chairman of the committee would be well taken. Those would be claims, but this is not such a case. Nobody claims there is anything due Mrs. Macdonald from the Government. This amendment only provides for a voluntary appropriation of money to Mrs. Macdonald as a simple act of justice—not money due her. She has no claim against the Government.

I now have the letter of the Secretary of the Interior written in regard to the bill which passed the Senate at this session for the relief of Mrs. Macdonald, kindly handed me by Col.

Halsey. The letter, signed by the Hon. F. K. Lane, Secretary of the Interior, and addressed to Hon. REED SMOOT, chairman of the Committee on Public Lands, United States Senate, is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, October 24, 1919.

MY DEAR SENATOR: By reference of your committee, dated October 8, 1919, receipt is acknowledged of copy of S. 3102, Sixty-fifth Congress, first session, for the relief of Katherine Macdonald. Your committee asks for such suggestions as this department may see fit to offer.

Under Public Resolution No. 56, approved August 24, 1912, the sum of $42,000 was appropriated for payment to those persons who have and hold, and who have presented or may present, claims remaining unpaid on account of labor, supplies, materials, or cash furnished to the contractor or the subcontractor and used in the construction of the Corbett Tunnel, as a part of the Shoshone irrigation project, in the State of Wyoming. Under the express authority contained in Public Resolution No. 56, this office made a careful investigation to determine all valid outstanding claims against the contractor or subcontractor, and in the course of such efforts resorted to the fullest possible publicity in securing direct evidence and testimony from the holders of all such claims. It is noted that the bill now pending contains provision for the appropriation of the sum of $9,819 for and on account of unpaid claims held by Mrs. Katherine Macdonald, of Butte, Mont., on account of work and services performed on or supplies furnished for the construction of the Corbett Tunnel, a part of the Shoshone reclamation project in the State of Wyoming.

During the negotiations looking toward settlement of claims under Public Resolution No. 56 of August 24, 1912, Mrs. Macdonald appeared at frequent intervals and was kept fully advised of the progress of settlement under the claims in question. She held power of attorney from a number of the claimants and held assignments for collection from a number of others. Certain rights and interests owned by Mrs. Macdonald in connection with certain of these claims were submitted to the department, and after careful investigation were by this department certified with the other claims to the Secretary of the Treasury and were paid from the fund provided by said resolution.

The present bill proposes to appropriate, from any moneys in the Treasury not otherwise appropriated, the sum mentioned for Mrs. Macdonald. Inasmuch as this department has completed the settlement of claims under the appropriation made by Public Resolution No. 56, and as the present bill makes no appropriation out of the reclamation fund chargeable to the water users, but, as indicated, proposes an appropriation out of general funds in the Treasury, I do not feel that this department should express an opinion as to whether or not payment should be made, the matter being one wholly for the consideration and determination of Congress.

This letter uses the word "claims" all the way through, and so does this amendment use the word "claims"; but those claims were claims of individuals against the contractor who took a contract from the Government to construct the Corbett Tunnel. They were claims against the contractor and in no sense could they be construed as claims against the Government. They had no legal or equitable ground upon which to stand as claims against the United States—not a shadow of ground. They were claims against a contractor who failed and did not pay his debts, and Congress, only out of its generosity and a sense of justice, appropriated money to pay a part of these claims—not claims against the Government but claims against the contractor. They were claims against him and not against the Government in any sense.

The Secretary of the Interior refers to paying claims under prior appropriations authorized by Congress. They were claims against this contractor, who defaulted and failed because he took the contract too cheaply, leaving his workmen unpaid. They were not claims against the Government at all, but they were claims against this contractor, which Congress, by act of Congress, directed the Secretary of the Interior to approve and have paid by the Treasurer of the United States.

So I claim that this is not a private claim against the Government at all. It is simply a question of fairness and generosity on the part of the Government as to whether or not it wants to appropriate this money to Mrs. Macdonald. She has no claim upon the Government in the sense of a claim at all; and considering this amendment in conjunction with subdivision 1 of Rule XVI, which says that an amendment may be added to an appropriation bill if it has been passed as an act or resolution by the Senate previously during the same session, which is true of this amendment, I claim that clearly within lines of reasonable construction this is not a claim against the Government and should not be so considered. No bill embodying the same proposed appropriation has ever gone to the Committee on Claims, and I think undoubtedly the point of order made by the chairman of the committee should be overruled.

The PRESIDING OFFICER (Mr. JONES of New Mexico in the chair). The Chair is unable to conceive of a case where the Congress of the United States would make an appropriation to any individual unless that individual had some claim against the Government, either legal or equitable. It is true that the Senator from Montana has clearly drawn the distinction between a claim in one sense of the word and a claim in another; but it certainly would seem that this rule was prepared to embrace all claims, whether legal or equitable—anything for which an appropriation of money is to be made in pursuance of the bounty of the Government for any supposed claim upon it, or any matter growing out of equitable consideration of a situation which may exist.

Mr. MYERS. Mr. President, may I make a remark at that juncture?

The PRESIDING OFFICER. The Chair will be very glad to hear the Senator.

Mr. MYERS. Suppose that a former President of the United States should die, and Congress should vote a pension to the widow of that former President, as it has done a number of times, would that be done in pursuance of a claim against the Government of the United States, or would it be a gratuity, an act of generosity, on the part of the Government? And if it is a claim, what is it a claim for? Will the Chair tell me that?

The PRESIDING OFFICER. The Chair would feel that a case of that sort would present a very strong claim against the Government—not any legal, binding obligation, but in the same way we appropriate something to the widows of Senators who die.

Mr. MYERS. That is not a claim. May I ask whether that is any claim against the Government?

The PRESIDING OFFICER. It is a claim at least upon the generosity of the Government.

Mr. MYERS. Suppose the widow never asks for it, never asks for the introduction of any bill, or some Senator introduces a bill voluntarily without consulting the widow?

The PRESIDING OFFICER. The Chair does not believe that in any of those cases a bill ever is introduced for such a claim.

Mr. MYERS. I think the bill to pay the widow of a Senator one year's salary is put in every time without consulting the widow. I think it is done just as a matter of courtesy, as a matter of course, as a matter of fact. I do not think any claim is ever made for it.

The PRESIDING OFFICER. The Chair fully appreciates the point of view of the Senator; but if it is not classified as a claim, the Chair is unable to understand upon what principle the appropriation should be made at all. The Chair may say that he is in thorough sympathy with this payment. He happens to recall something about the merits of the case, and believes that this claimant has a very strong claim upon the generosity and the equitable treatment of this Government; but he does believe that the matter is a claim in the sense that that word is used in this rule

That, however, does not dispose of the amendment offered by the Senator; and the Chair was going to refer to the other point made by the Senator.

Even though this be a claim, yet under the latter part of paragraph 1 of Rule XVI there are exceptions made; and the exceptions are—

> Unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless—

And so forth. Now, the Chair would like to hear the Senator from Wyoming on the point that has been suggested, namely, even though it be conceded that this is a claim within the provisions of section 4 of that rule, whether or not the exception under section 1 would take it without the rule, and make the proposed amendment in order.

The Chair is unable to find any precedent upon the point; and it would seem that the course of business in the Senate has been against the contention that it would be admissible under this part of the rule, because there are a number of claims which have been passed at this session of Congress, and if the Chair were to hold that they are in order by virtue of this provision of the rule it would undoubtedly result in putting upon this bill a very large number of claims which usually come from the Committee on Claims.

The Chair would like to hear from the Senator from Wyoming on the point of order.

Mr. WARREN. Mr. President, I have no object at all in this matter except to do my duty, and if the Chair thinks this rule does not apply that is for him to decide. I should hate to see a precedent made by deciding that a claim that has passed the Senate could be put on an appropriation bill, because there are now probably hundreds—I do not like to say thousands, but certainly hundreds—that have passed the Senate that have not passed the House, and of course when the next appropriation bill came up they naturally would be offered, and it would be rather difficult to get around the ruling of the Chair.

The PRESIDING OFFICER. The Chair would like to inquire if any Senator happens to recall any precedent upon this question?

Mr. ROBINSON. Mr. President, I have not devoted especial study to the subject, but I think paragraph 4 of the rule is applicable. While I should like very much to see the claim pre-

sented by the Senator from Montana paid—and I think the Chair is correct in ruling that it is a claim—I think paragraph 4 governs the matter, and that in the case of a private claim presented as an amendment to a general appropriation bill the claim must have passed both Houses of Congress rather than one House of Congress; and I think there is a good reason for the rule, although I regret to see it invoked in this particular case.

Mr. MYERS. Mr. President, I must take issue with the observation of the Senator from Arkansas to the effect that the rule requires that the claim must have passed both Houses of Congress. If it had passed both Houses of Congress, it would only need the President's signature to become a law. That would make it a law.

Mr. ROBINSON. If the Senator will yield to me, I can make my position in the matter very clear in a few more words.

Paragraph 4 of Rule XVI, the rule admittedly applicable to this case, is as follows:

No amendment, the object of which is to provide for a private claim, shall be received to any general appropriation bill, unless it be to carry out the provisions of an existing law or a treaty stipulation, which shall be cited on the face of the amendment.

If the Chair's ruling is correct that this is a private claim—and I am bound to say that I concur in the conclusion which the Chair has announced respecting that feature of the controversy—then clause 4 governs the matter and not clause 1, because clause 4 expressly provides that an amendment which is designed to provide for a private claim shall not be received to a general appropriation bill unless it is justified by existing law. Clause 1 relates to amendments generally, and is as follows:

No amendment shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session.

Clause 4 governs the amendment, when it presents a private claim, and the sole question, in my judgment, is whether the amendment offered by the Senator from Montana is a private claim, and I have said that I think the Chair has ruled correctly on that.

Mr. MYERS. Mr. President, I will close with this observation, that the two subdivisions of the rule are seemingly contradictory. There is no doubt about that. They are apparently, at least, in conflict, and the latter subdivision, No. 4, is a general provision, while subdivision 1 treats of exceptions to the general rule; and as this is a statute, so far as this body is concerned, governing its proceedings, I believe the rule in construing statutes would apply here. It is an accepted rule of law that where a general rule is laid down and exceptions are made in the same statute the exceptions must govern in matters to which they may apply. I believe that is a generally accepted canon of construction of statutory law, adopted and upheld by the courts of the land, and if that is the case, then I believe the exception of subdivision 1 should prevail over the general rule laid down in subdivision 4. The latter subdivision says an amendment for a private claim shall never go on an appropriation bill—it is general—but subdivision 1 says in certain exceptional cases it may. This is one of them.

Mr. ROBINSON. Mr. President, I do not want to prolong the controversy unduly, but as long as the Chair has invited the expression of opinion——

The PRESIDING OFFICER. The Chair is very glad to hear the opinions of Senators.

Mr. ROBINSON. I want to say that I think the reverse is the case, that the general rule is laid down in section 1, and it is as follows:

No amendments shall be received to any general appropriation bill—

That includes all amendments—

the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation.

This would come under that, if it were not for the specific exception relating to private claims contained in section 4, so that the very rule of construction which the Senator from Montana [Mr. MYERS] has invoked, in my judgment, governs the case against him. In other words, it is equivalent to saying that no amendment which constitutes a new item of appropriation shall be received to a general appropriation bill unless "to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session"; and as to a certain class of amendments, namely, the specific class of private claims, that class of amendments shall not be received unless it is to carry out existing law.

Mr. MYERS. I submit the matter to the Chair by saying that it occurs to me that it is a sweeping provision in subdivision 4 that no private claim at all shall be adopted as an amendment to an appropriation bill. On the other hand, in subdivision 1 there are ways of getting any amendment on an appropriation bill, be it for a claim or anything else, and if this amendment comes under one of those ways I believe that it would be proper to adopt it. I believe it does come under one of the exceptions. As to the objection that this would set a precedent and that all bills for claims, if this be a claim, which pass the Senate at a given session would be put on appropriation bills, what if they should be? They have passed the Senate once. Why not again? This appropriation has passed the Senate once this session as a bill. Why not again? What would the harm be? I submit the point of order should be overruled.

The PRESIDING OFFICER. The Chair feels that the provision in section 1 of the rule is general and would include, except for something else, all amendments designed to carry out the legislation of the Senate during the session at which the amendment was offered. If there were no other provision in this rule, then unquestionably this amendment would be in order. But it would seem that section 4 of the rule was passed for the specific purpose of taking care of all claims and preventing individual claims which might be presented by numerous Senators from going on a general appropriation bill, for it is not presumed that the general Appropriations Committee would have the proper opportunity to give consideration to these various claims on their merits. The Chair therefore will rule that the amendment is not in order.

Mr. MYERS. Mr. President, with due respect to the Chair, I appeal from the ruling of the Chair and ask that it be submitted to the Senate.

The PRESIDING OFFICER. The Senator from Montana appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate? I am very glad the Senator has appealed, the Chair will state, so that we may get the judgment of the Senate on the point. [Putting the question.] The ayes have it, and the decision of the Chair is sustained.

Mr. CALDER. Mr. President——

Mr. WARREN. We passed over section 5, and I wish to dispose of that now, if there is no objection to it.

Mr. CALDER. I will yield to the Senator from Wyoming.

Mr. WARREN. I ask unanimous consent that the Senate take up the consideration of section 5, on page 192.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Secretary will state the amendment.

The ASSISTANT SECRETARY. Page 192, insert section 5, which was passed over, having been read.

The PRESIDING OFFICER. The question is on the committee amendment.

Mr. KING. Let it be reported.

Mr. WARREN. It has been read, I will say to the Senator; unless he wishes it read again. It is the railroad provision, which provides, although there is considerable language, simply that the time may be extended from 5 to 15 years, at 6 per cent interest, those amounts to be paid in installments, and this is for the purpose of aiding those roads to do as all, or nearly all, great corporations in building railroads have done, to order needed equipment, to pay some cash for it, to put a mortgage deed on it, deed it to some trustee, and of course each car is placarded with a label showing that that particular property is subject to the mortgage, to the trust.

Mr. KING. Will the Senator yield?

Mr. WARREN. The Senator from Utah has undoubtedly seen those placards on the engines and cars of the Pacific roads, in the early days, when they were building.

Mr. KING. I was not here when this matter was taken up by the Senate and am not familiar with the terms of this amendment. Wherein does it differ from the existing law?

Mr. WARREN. Practically only in what I have stated. Of course, if the Senator wishes it read——

Mr. KING. I will not ask for that.

Mr. WARREN. I will say to the Senator that the matter has had very careful consideration by both committees having it under consideration, and their members decided unanimously on it, as I understand, and have asked the Appropriations Committee to include it in this bill. This is to enable the roads to take care of the transportation of the country, which is now tremendously congested, as the Senator knows, and it seems to be a measure which is absolutely necessary if we wish to do what we have agreed to do in former legislation.

Mr. KING. What I am trying to get at is whether it diminishes the value of any of the securities which the Government now holds, or increases any obligation of the Government.

Mr. WARREN. Not at all.

Mr. ROBINSON. Mr. President, if the Senator will permit me, while I was not a member of the subcommittee which prepared this provision, and have not had an opportunity of familiarizing myself definitely with its details, the amendment is quite important and is believed to be indispensable to the successful operation of the railroads in the early future, and I think that it does change the transportation act of 1920 in respect to securities for loans.

The Senator from Wyoming [Mr. WARREN] is correct in saying that the time for paying certain obligations due the Government from the railroads is extended from 5 to 15 years, and about that provision I think there could be no dispute.

There is another feature of it, however, which relates indirectly to the question asked by the Senator from Utah [Mr. KING]. The transportation act of 1920 carried an appropriation of $300,000,000 to be used as a revolving fund, and a part of this fund might be used in new loans to railroads.

The transportation act of 1920, however, required that adequate security should be taken by the Government authorities before making a loan, and that requirement nullified the beneficial provisions, in large part, of the revolving fund, in so far as it related to loans, for the simple reason that the roads which need the loans most are unable to secure first-class security. So that this provision modifies that, and allows reasonable discretion in the Government authorities making the loan, where the loan is indispensable to the continuance of the operation of the railroad. I think it is a very wise and necessary provision, although it does relax the rule prescribed in the transportation act relating to securities in cases of these loans.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Minnesota?

Mr. ROBINSON. I yield to the Senator.

Mr. KELLOGG. The provision which the committee recommended as to changing the funding act was dropped out, and was not placed in the bill. The only change in this bill is as to section 210 of the railroad act, which made an appropriation of $300,000,000 to be loaned to railroads.

Mr. ROBINSON. Will the Senator yield to me just a moment to make a statement?

Mr. KELLOGG. Certainly.

Mr. ROBINSON. I assumed that the provision in the bill was a provision recommended by the Interstate Commerce Committee. The Senator from Minnesota has called my attention to the fact that that feature of the provision recommended by the Interstate Commerce Committee extending the time for refunding from 5 to 15 years in certain cases was not incorporated in this provision by the Appropriations Committee, and I thank him for the suggestion. This provision, in so far as it relates to an extension of time, applies only to new loans and not to refunding old loans.

Mr. KELLOGG. There were two changes recommended by the Committee on Interstate Commerce. One was as to the funding plan, and the other was as to the loan plan; and the Senator is correct in saying that the funding plan was dropped out of this bill entirely. The loan plan it was found was impracticable, and the only change made is to extend the time of the loans from 5 to 15 years. It was found impossible to make equipment trusts for 5 years, because the roads are required to pay an equal part not only of the principal but the interest in each year, and on the loan provision we recommended unanimously that the time of the loan be authorized to be extended from 5 to 15 years.

There was one other change which the Senator from Arkansas has mentioned, and that was that we provided in this bill that the loans were only to be made to railroads unable to provide themselves with the funds necessary for the aforesaid purposes. Instead of allowing the fund to be used to all railroads, it was only to those roads which could not otherwise secure money.

Those are the principal changes. There is one change, that the recommendations and orders of the Interstate Commerce Commission shall control, and there will not be divided authority between the Treasury Department and the Interstate Commerce Commission. Those are the only important changes in the law. It was unanimously recommended by the Interstate Commerce Committee, after a long hearing of committees from all over the United States, farmers, shippers, and chambers of commerce, urging that not only these changes be made but that additional appropriations be made. We declined to recommend an additional appropriation.

The PRESIDING OFFICER. The question is on the committee amendment.

The amendment was agreed to.

Mr. CALDER. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 3, after line 11, add the following:

The Postmaster General is hereby authorized to acquire by purchase, condemnation, or otherwise a site with railroad trackage in the city of New York, N. Y., and have prepared plans and specifications for the erection thereon under a contract or contracts of a reinforced concrete and glass commercial type fireproof building, together with driveways and approaches, to contain approximately 350,000 square feet of floor space, for use as a foreign branch station and other postal purposes; and for the purchase of site, preparation of plans and specifications and construction of building, including necessary furniture, equipment, and mail-handling apparatus, the sum of $6,000,000 is hereby appropriated and so much as may be necessary is hereby made immediately available.

Mr. WARREN. Mr. President——

Mr. CALDER. I desire to explain the amendment, if the Senator will yield.

Mr. WARREN. I will yield for that purpose, though I shall have to make a point of order against the amendment.

Mr. CALDER. Mr. President, this amendment, if agreed to, will appropriate $6,000,000 for the construction of a foreign branch station at the post office in New York City.

Senators may perhaps believe this is something for New York. It is for the Nation. New York City is the clearing house for practically all foreign mail going to and from this country. Ninety per cent of the foreign mail leaving this country passes through the New York post office. During the past year the post-office business of New York City has increased 37 per cent. Foreign post-office business passing through New York City has increased from 76,357,083 packages in 1901 to 272,859,244 packages in 1919, an increase in 18 years of 257 per cent.

Mr. President, unless some additional facilities are provided for the handling of our foreign mail the whole foreign post-office business of the Nation will break down. Recently in conversation with the Postmaster General he informed me that unless this money was appropriated he would have to go out and rent a building in the city of New York, which would cost him not less than $500,000 annually. So unless favorable action on this amendment is taken, unusual as this is, we must make a lease that will cost the Government a sum equal to 4 per cent on an investment of $12,500,000.

In connection with this matter I ask unanimous consent to print in the RECORD the letter addressed to me by the Postmaster General concerning this subject. While I know the amendment is subject to a point of order, I am hopeful that Senators will understand the Nation-wide importance of it and that no point of order will be made and the Senate given the opportunity of voting for the project. If the vote is permitted, I am sure it will be agreed to.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 12, 1920.

Hon. WILLIAM M. CALDER,
United States Senate.

MY DEAR SENATOR CALDER: Practically every postal station of the New York office occupying quarters leased prior to January 1, 1916, is in urgent need of additional space, and in some cases it is only with the greatest difficulty that business is being transacted in the accommodations available. This is especially true of the foreign-branch station, where the lease on the quarters will expire October 8, 1920.

The general post-office quarters in the building adjoining the Pennsylvania Railroad Station, on Eighth Avenue between Thirty-third and Thirty-fourth Streets, are very much overcrowded. It is the desire of the department to secure, if possible, a building that will provide for the foreign-branch station and at the same time relieve the general post office by transfer of certain work now being done there.

Statistics show there has been a steady increase in the growth of the Postal Service in New York City during the past decade, but the increase in volume of business during the first 10 months of the fiscal year 1920 has been phenomenal. The receipts by fiscal years at New York from 1910 to 1919, both years inclusive, together with the percentage of increase, are as follows:

Year.	Receipts.	Per cent increase over previous year.
1910	$22,339,621.23	12.0
1911	23,907,406.10	7.0
1912	24,756,107.41	3.5
1913	27,712,278.01	12.0
1914	30,464,065.12	10.0
1915	28,841,001.09	[1] 5.3
1916	32,169,390.75	11.5
1917	34,738,913.92	8.0
1918 [2]	39,287,900.66	13.0
1919 [2]	43,830,592.90	11.5

[1] Decrease.
[2] Includes 1 cent additional postage on each piece of first-class mail as war revenue.

The following table shows the receipts at New York for the first 10 months of the fiscal year 1920, compared with the same period of the preceding fiscal year:

Month.	1918-19 receipts.	1919-20 receipts.
July	$2,996,016	$3,313,697
August	3,136,954	3,202,763
September	3,373,639	3,891,061
October	3,597,320	4,351,867
November	3,324,963	3,434,277
December	4,024,452	4,550,822
January	3,804,874	4,067,871
February	3,508,363	3,890,931
March	4,096,836	5,272,561
April	4,046,350	5,087,141
	35,909,767	
Less war-revenue postage (estimated 17 per cent)	6,104,660	
Total	29,805,107	41,062,991

Increase, 37.7 per cent.

The greater portion of the foreign mail of the entire country passes through the foreign branch station, and, although the matter of securing quarters has been under investigation since January 1, 1918, only one tentative proposal has been received for space that is fairly satisfactory as to location. This proposal is for the erection of a building according to plans approved by the department, and, while the location is such that it could be used for the foreign branch station and for the relief of the general post office, the rental quoted aggregates more than one-half million dollars annually for the building without furniture or heat and light.

The department recently entered into contract for the rental of a building containing about 71,000 square feet of floor space, to be erected at 122 to 126 East Twenty-third Street, in the down-town section of New York, which will take the place of the present Madison Square Station located in the Metropolitan Life Insurance Building, as well as provide limited relief for certain other stations in that yicinity. The rental is at the rate of approximately $2 per square foot without heat or light, for a 20-year lease. In view of the department's experience in this and other cases during the past two years it will be extremely difficult to secure a building in New York under a rental basis on anything like reasonable terms. Even if store, office, or loft space were suitable for postal purposes, practically none is vacant.

The quarters occupied at present by the foreign branch station are totally inadequate for the needs of the service. The space consists of two old buildings constructed on different grades and providing approximately 66,000 square feet of floor space. The number of pieces of mail matter handled for foreign countries in 1901 was 76,357,083, and in 1919 there was a total of 272,859,244 pieces handled, or an increase in business in 18 years of 257 per cent. The records show that the total parcel-post mail dispatched to foreign countries in 1909 was 246,545 pieces, while in 1919 the total was 1,636,707, or an increase of 563 per cent.

An unprecedented and abnormal increase of mail to all foreign countries, particularly parcel post, both ordinary and registered, is anticipated within the next few years. A great drive is being made in business circles throughout the United States for increased trade with South America and other foreign countries. Before the war there were only 47 countries and colonies reached by our parcel-post service, whereas 177 countries are now reached by parcel post from the United States. Parcel-post service only recently having been extended to many of these countries, the mails for such countries have not reached the volume which can be expected later.

The increasing of the weight limit on international parcel post from 11 to 22 pounds is being arranged as rapidly as possible. Agreements have been made with 17 countries to accept 20 or 22 pound parcels. This increase in weight limit will be of great advantage to exporters in the United States as delivery charges, storage fees, etc., in foreign countries are based on the individual parcel regardless of weight. An effort is also being made to eliminate the various restrictions, charges, etc., to which parcels from the United States are subjected to in South America.

If the rate of increase that obtained during the past 20 years is maintained but not exceeded during the next 20 years, at least 190,000 square feet of floor space will be needed for the foreign branch station.

In addition to the necessity of providing adequately for the foreign branch station additional space must be provided for the relief of the general post office. The average number of cancellations of letters in the general post office during the first four days of December, 1919, was approximately 1,244,000 per day. The general post office is at present being operated at its capacity. Based upon a reasonable average increase of 10 per cent per annum, a fair estimate of the future requirements in the mailing division of the general post office may be considered as 3,228,000 cancellations daily in 1929.

The delivery section is crowded, the basement and platform are badly congested, and the express strikes during the past year and the recent railroad strike have shown that it is imperative and highly important that open and mobile space for the handling and distribution of incoming and outgoing parcel-post mails be provided. During the recent railroad strike the post office was the only public transportation utility which operated continuously and efficiently, but this service was maintained at great disadvantage and at maximum cost, owing to lack of space and proper facilities with which to handle, dispatch, and deliver the immense volume of parcel post, which at times was 500 per cent above normal in quantity.

The registry section, on the second floor of the general post office, is badly congested, and the corridors are used for storage. The platform upon which public vehicles must unload is wholly inadequate, it being necessary frequently for vehicles to remain in line for several hours at times awaiting their turn to reach the platform for the purpose of unloading mail matter.

The following table shows the number of full storage cars loaded with mail matter in New York during the months indicated:

Month:	Number of cars.
October, 1918	1,252
April, 1919	1,328
October, 1919	2,006
January, 1920	1,521
February, 1920	1,550
March, 1920	1,822
April, 1920	2,295

The postal station at the Grand Central Depot is being operated to capacity; in fact, it was necessary in November, 1919, to relieve that station by transferring to Madison Square and City Hall Stations the cancellation and distribution of about 250,000 letters between 4.40 p. m. and midnight, the heaviest hours of the day. With this relief the cancellations of first-class mail at this station approximate 914,000 daily. Sufficient additional space is needed so as to eliminate the necessity of a mailing division at Madison Square Station. The proposal for the rental of the space now occupied by the Grand Central Station was accepted April 5, 1908, with the understanding that an additional area of 44,000 square feet would be available for the use of the department about the year 1912, but as yet construction of the addition to the present building in which the space was to be provided has not commenced. An effort is being made to induce the New York Central Railroad Co. to complete its contract requirements.

The city of New York can be divided into four sections for the distribution and dispatch of collections to the best advantage, to wit:

Hudson Terminal or City Hall Station (old post-office building), with closing dispatches to the South and West via the Hudson and Manhattan tubes to Manhattan Transfer, Pennsylvania Railroad.

Madison Square (122–126 East Twenty-third Street), with complete distribution and direct dispatches to Pennsylvania and Grand Central Depots.

General post office (Pennsylvania Railroad Station).

Grand Central Station (New York Central Station).

Based upon a reasonable average increase of 10 per cent per annum in collections and drops a fair estimate of present and future conditions would appear as follows:

Total cancellations per day	4,057,000
Expansion:	
Five years	6,491,200
Ten years	10,142,500
Per cent—	
Five years	60
Ten years	150

The above tabulation, with estimated expansion in 10 years, taken with the increase in receipts, indicates conclusively and emphatically the necessity for securing additional space and facilities at the earliest practicable date.

From present indications the minimum requirements for space in which to accommodate the foreign branch station and relieve the general post office are 325,000 square feet of floor space.

I earnestly recommend that an appropriation of $6,000,000, to be immediately available, be made in the sundry civil appropriation bill, so as to enable the department to enter into contract for the construction of a building for the foreign branch station and other postal purposes at the earliest possible date. It is suggested that the following item be incorporated in the sundry civil appropriation bill:

The Postmaster General is hereby authorized to acquire, by purchase, condemnation, or otherwise, a site with railroad trackage in the city of New York, N. Y., and have prepared plans and specifications for the erection thereon, under a contract or contracts, of a reinforced-concrete and glass, commercial type, fireproof building, together with driveways and approaches, to contain approximately 350,000 square feet of floor space, for use as a foreign branch station and other postal purposes; and for the purchase of site, preparation of plans and specifications, and construction of building, including necessary furniture, equipment, and mail-handling apparatus, the sum of $6,000,000 is hereby appropriated, and so much as may be necessary is hereby made immediately available.

Very truly, yours, (Signed) A. S. BURLESON,
Postmaster General.

Mr. UNDERWOOD. Mr. President, I wish to say a word before this question is passed on. I have no doubt the case presented by the Senator from New York for a new post-office building in New York City is a very meritorious one. There are a great many other cases that are equally meritorious throughout the United States.

The pressure has been great on the Appropriations Committee of the Senate for years to exceed its jurisdiction and to encroach on the jurisdiction of some other committee, and pass authorizations and appropriations both at the same time for public buildings in the United States. Meritorious as I am satisfied the Senator's amendment is, I know of at least 100 other cases that have been presented to the committee that are of equal merit.

There is just one of two things the Senate must make up its mind to do. It must overthrow its rules and turn over to the Appropriations Committee the authorization and appropriation for public buildings and let us be swamped with them, or, in these meritorious cases, insist that the Committee on Public Buildings and Grounds, the committee which has jurisdiction of the matter, shall report a bill where everyone can have equal and exact justice in reference thereto. If we put one building on this appropriation bill, we can not refuse others without not only working an injustice but embarrassing many other Senators. It is for that reason that the committee has universally refused to act on these matters.

I merely desire the RECORD to show that our reason for keeping these buildings out of this appropriation bill is not on the merits of the case, but because it does not come within the jurisdiction of the Appropriations Committee. If we put in a

building we were merely playing favorites, and every other Senator who has a building that he wants to have built in his State will have his constituents asking why, if one Senator got his building through, he can not get one through for his own State.

Mr. CALDER. Mr. President, before the point of order is made, may I say a word in reply to the Senator from Alabama? This is not a post-office building for the city of New York, or for any particular locality in the country. It is a station for the foreign business of the Nation. Through this office, as I said a moment ago, 90 per cent of the foreign-mail business of the Nation will pass. While I know there are many meritorious cases, this is an unusual one, and it is needed to take care of the Nation's business.

Mr. WARREN. Mr. President, we know that New York is a great city, and we know it probably needs a post office. I hope they will find a place to store their mail at less cost than the figures that have been stated as the possible rental. One post office in my State is doing business on the street almost, another partly in a shed, for lack of appropriations. Two other buildings have not been more than commenced; in fact, all over the United States are buildings that are under construction.

In this case the matter was not estimated for, and of course is not admissible to this bill, and I therefore make the point of order.

The PRESIDING OFFICER (Mr. FERNALD in the chair). The point of order is sustained.

Mr. SMOOT. Mr. President, I gave notice to the members of the Appropriations Committee that I would offer an amendment to the bill providing that an itemized statement should be made by the Secretary of the Treasury each year of all of the permanent appropriations. That information ought to be given in more detail than it is given under the existing law.

But the budget bill no doubt will become a law within a very short time. As one of the conferees on the budget bill, I know that there is a provision in it referring directly to permanent appropriations. I think it would be very much better not to offer the proposed amendment to this bill at this time, but to wait until the budget bill becomes a law and then offer the amendment to cover not only the law which is on the statute books to-day with reference to permanent appropriations but also to cover those that may be found in the budget bill. Therefore I am not going to offer that amendment to-day, but hope to be able to offer it when the deficiency appropriation bill is before the Senate.

Mr. ROBINSON. Mr. President, I suggest now to the chairman of the committee that we recur to the committee amendment on page 172, lines 8, 9, and 10, and the substitute for that amendment which I offered. Some conferences have been held, the matter having been passed over for that purpose, between the chairman of the committee and other members of the committee, myself, and other Senators.

I reluctantly suggest a modification of my amendment, with the understanding that in all probability it will be accepted.

First, on line 4 of the typewritten amendment strike out the words "in the several States and political subdivisions thereof"; second, strike out "$400,000" and insert in lieu thereof "$225,000"; third, with respect to the proviso, which is substantially the amendment in the bill, I have conferred with the Senator from Kansas [Mr. CURTIS], who is the author of the amendment, and I desire to suggest two modifications in that amendment with his concurrence.

The PRESIDING OFFICER. Permit the Chair to suggest to the Senator from Arkansas that he has a perfect right to amend his own amendment in any way he sees fit without permission of the Senate.

Mr. ROBINSON. The Senator from Arkansas understands that fully. I desire to state, however, in making the modification, my reason for doing so.

In view of the fact that the Senator from Kansas [Mr. CURTIS] made the statement on the floor that he desires this proviso retained in the amendment, I would not seek to modify that myself, although I believe it should be modified, except for the fact that the Senator from Kansas concurred in the suggestion.

Strike out $15,000 and insert in lieu thereof $25,000. Strike out the words "in Oklahoma, Nebraska, Kansas, and the Dakotas," so it will leave the provision general and enable the employment service to avail itself of $25,000 for forming an organization and mobilizing a force to harvest the wheat crop.

I suggest the amendment which I have indicated.

Mr. WARREN. Does the Senator wish it read from the desk? It is satisfactory to me. If anyone wishes it read from the desk, that should be done.

Mr. ROBINSON. I suggest that as amended the question is on agreeing to the amendment.

The PRESIDING OFFICER. The Secretary will report the amendment.

Mr. ROBINSON. If it is desired to report it, I will read it myself because I am familiar with the emendations. The proposed amendment is on page 172, in lieu of the committee amendment in lines 8, 9, and 10, to insert the following:

To enable the Secretary of Labor to foster, promote, to develop the welfare of the wage earners of the United States, to improve their working conditions, to advance their opportunities for profitable employment by maintaining a national system of employment offices and to coordinate the public employment offices throughout the country by furnishing and publishing information as to opportunities for employment and by maintaining a system for clearing labor between the several States, including personal services in the District of Columbia and elsewhere, and for their actual necessary traveling expenses while absent from their official station, together with their per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, supplies and equipment, telegraph and telephone service, and printing and binding, $225,000: *Provided*, That the sum of $25,000, or so much thereof as may be necessary, shall be expended to perfect an organization that can adequately mobilize and direct the workers required to harvest the wheat crop.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arkansas to the amendment of the committee.

Mr. McNARY. Mr. President, I have just come on the floor from a committee meeting——

Mr. ROBINSON. I will say to the Senator from Oregon, if he has in mind the change of the proviso which he suggested to me, namely, making it apply generally to the wheat crop throughout the country, that, with the concurrence of the Senator from Kansas, the author of the original provision, I have made the modification, so that as it now reads $25,000 will be available for use generally rather than merely in certain States.

Mr. McNARY. I thank the Senator from Arkansas. That is what I had in mind.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arkansas to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. KENDRICK. I send to the desk two amendments, which I ask to have stated.

The PRESIDING OFFICER. The amendments proposed by the Senator from Wyoming will be stated.

The READING CLERK. On page 91, in lines 7 and 8, it is proposed to strike out the words "at a rate not exceeding $3.50 each."

Mr. KENDRICK. There is another amendment which goes with the one just stated, Mr. President.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. On page 94, line 13, it is proposed to strike out the word "such" and in line 14 to strike out the words "not exceeding $3.50."

Mr. SMOOT. Does the Senator propose, in line 14, to strike out the words "not exceeding $3.50"?

Mr. KENDRICK. My amendment is on page 94, in line 13, to strike out the word "such," and in line 14 to strike out the words "not exceeding $3.50."

Mr. SMOOT. Mr. President, may we have the amendments stated together in order that we may know just what is proposed?

The PRESIDING OFFICER. The Secretary will state the amendments as requested.

The READING CLERK. On page 91, in lines 7 and 8, it is proposed to strike out the words "at a rate not exceeding $3.50 each"; on page 94, in line 13, to strike out the word "such"; and in line 14 to strike out the words "not exceeding $3.50."

Mr. WARREN. Mr. President, I have seen those amendments and unless they have been changed I misread them. I understood the proposition was to change the per diem from $3 to $3.50. I shall have to object to the amendments as they now stand, because they would give these employees a preference over other employees in other departments of the Government in, perhaps, 50 different positions.

Mr. KENDRICK. Mr. President, as it has been reported to me, there is at the present time a discrimination in regard to this particular class of Government employees. There is a statute now in existence which was passed in 1914 allowing a per diem in lieu of subsistence of $4, but the employees of the Government to whom the provision under consideration relates are prohibited by express limitation from receiving a per diem in excess of $3.50.

Mr. WARREN. Perhaps the Senator from Wyoming does not realize that his amendment, if adopted, might increase their per diem allowance to $25 a day. It simply proposes to take the limit off altogether.

Mr. KENDRICK. No.

Mr. WARREN. Of course we could not allow that to be done.

Mr. KENDRICK. I ask my colleague if it is not true that under existing law a per diem allowance of $4 a day is granted?

Mr. WARREN. A per diem of $4 is allowed in some instances; but the Senator does not provide that the per diem may be increased from three dollars and a half a day to four dollars; his amendment takes off the limit entirely.

Mr. KENDRICK. I hold in my hand a copy of the law to which I refer, and I will read it.

Mr. SMOOT. From what is the Senator intending to read?

Mr. KENDRICK. From the sundry civil act, approved August 1, 1914. That act provides:

SEC. 13. That the heads of executive departments and other Government establishments are authorized to prescribe per diem rates of allowance not exceeding $4 in lieu of subsistence to persons engaged in field work or traveling on official business outside of the District of Columbia and away from their designated posts of duty when not otherwise fixed by law. For the fiscal year 1916 and annually thereafter estimates of appropriations from which per diem allowances are to be paid shall specifically state the rates of such allowances.

Mr. SMOOT. Mr. President, the amendment offered by the Senator would entirely change that law. In no department of the Government is there provision for paying such a per diem as would be allowable if the Senator's amendment were agreed to. In fact, as the senior Senator from Wyoming [Mr. WARREN] has stated, the Senator's amendment removes all limitations and under it any amount of money might be expended that might be desired by the department. That, of course, can not be permitted. I thought the junior Senator from Wyoming had in mind to strike out "$3.50" and insert "$4."

Mr. KENDRICK. That is exactly the purpose which I wish to accomplish.

Mr. SMOOT. But the Senator's amendment will not do that. If the Senator wishes, on page 91, line 8, to strike out "$3.50" and insert "$4," and then, on page 94, in line 14, to make the same amendment, it would conform to the law which he has read.

Mr. KENDRICK. I accept that suggestion, Mr. President.

The PRESIDING OFFICER. The Secretary will state the amendment of the junior Senator from Wyoming as now proposed.

The READING CLERK. On page 91, line 8, it is proposed to strike out the figures "$3.50" and insert "$4."

Mr. WARREN. Let me say to the Senator that as the law now stands these men can get $4 if they actually expend it, if they bring in their expense accounts showing the expenditure of that sum; but the Senator proposes to raise the minimum from $3.50 to $4?

Mr. KENDRICK. Yes.

Mr. WARREN. What he wishes to do is to raise the minimum from $3.50 to $4, is it?

Mr. KENDRICK. Yes; that is my desire.

Mr. WARREN. I wish to know where the amendment is proposed to be made.

The PRESIDING OFFICER. The Secretary will state the amendment proposed by the junior Senator from Wyoming.

The READING CLERK. On page 91, on line 8, it is proposed to strike out "$3.50" and to insert "$4," so that it will read:

At a rate not exceeding $4 each and actual necessary expenses for transportation.

Mr. WARREN. I accept that amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to. The Secretary will state the next amendment proposed by the junior Senator from Wyoming.

The READING CLERK. On page 94, line 14, it is proposed to strike out "$3.50" and insert "$4."

Mr. WARREN. So far as I am concerned, I accept the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. KENDRICK. I offer a further amendment, which I desire may be stated.

The PRESIDING OFFICER. The amendment proposed by the junior Senator from Wyoming will be stated.

The READING CLERK. On page 91, line 1, it is proposed to strike out the figures "$2,700" and to insert in lieu thereof the figures "$3,000."

Mr. WARREN. I make the point of order against the last amendment proposed by the junior Senator from Wyoming.

The PRESIDING OFFICER. Will the Senator from Wyoming state the ground of his point of order?

Mr. WARREN. The amendment proposes a boosting of salaries that has not been authorized or recommended by any committee of the Senate, and proposes to increase the amount carried in the appropriation bill.

The PRESIDING OFFICER. The point of order is sustained.

Mr. PITTMAN. Mr. President, an hour or so ago I offered an amendment on line 9, page 108, to strike out "$664,000" provided for the Newlands project in Nevada and substituting "$974,000." My colleague [Mr. HENDERSON] offered an amendment to the amendment offered by me which I accepted. The Chair then stated that the amendment offered by me, as amended by my colleague, was subject to a point of order which had been raised, and the amendment was ruled out. I therefore now offer an amendment to strike out "$664,000" on line 9, page 108, and insert "$974,00."

I have no desire to make any statement on the matter except simply this——

Mr. WARREN. Mr. President, the Senator from Nevada made a very frank statement about the matter, but the amendment, if agreed to, will take advantage of a mistake in the estimate that was made. The official who made the estimate has since stated that appropriations in accordance therewith would be ineffective if passed. If the Senator's amendment should be adopted, the result will be that the Reclamation Service will reach over and take the money from other equally deserving reclamation projects to build up this particular one. I trust the motion will not prevail.

Mr. PITTMAN. Mr. President, the Senator from Nevada is not relying on any mistaken estimate. The statement of the Senator from Wyoming is inaccurate.

Mr. WARREN. In what respect?

Mr. PITTMAN. The estimate is as follows——

Mr. WARREN. The Senator is alluding to the testimony before the House committee a long time ago, but we have later evidence from the same source which the Senator quotes.

Mr. PITTMAN. I intend to answer the Senator. I say that his statement is inaccurate. I read now from the hearings before the Committee on Appropriations of the House of Representatives, this matter being under discussion, and Mr. Davis, the Director of the Reclamation Service, testifying. He says:

The CHAIRMAN. How much do you estimate next year for drainage?
Mr. DAVIS. The drainage estimate for next year is $300,000. That is on the supposition that the settlers will form a drainage district. They will soon vote on the question of a drainage district, and we believe that it will carry.

I will interpolate that it has carried.

Mr. WARREN. If the Senator will permit me, what has carried?

Mr. PITTMAN. Mr. Davis in his testimony made reference to the establishment of a drainage district, and I say that district has been established.

The CHAIRMAN. What are the other allotments?
Mr. DAVIS. We propose to extend the storage works. That is largely to purchase rights around Lake Tahoe. That amount is $405,000. The allotment to the canal system is $35,000; to laterals, $45,000; drainage, $300,000; survey of farm units, $3,000; telephone line, $2,000; operation and maintenance, $110,000; and $70,000 approximately for reimbursable amounts and indirect charges.

That is the estimate of the money required. If Mr. Davis has told the committee anything since that time, he has not told them the money was not needed, and he has not told them the estimate was a mistake, but he has told them there is not sufficient money in the fund.

Mr. WARREN. Mr. President, the Senator must not allude to me as saying that I claim that the money is not necessary. I think it is necessary, as I think additional money is necessary in the case of the other projects, and I am very sorry that we are not in a position to appropriate the amount which should be appropriated.

Mr. PITTMAN. The Senator erroneously stated that the Senator from Nevada was relying upon an estimate which had been changed.

Mr. WARREN. No; I said upon a mistaken estimate, which I tried to explain some time ago was based upon there being in the reclamation fund $5,000,000 more than is applicable to this work. At the time I thought I stated plainly that the estimate was based upon the supposed early receipt of money from oil leases, and that source failing, that there might be some legislation providing that $5,000,000 might be borrowed from the Government, which would then make good the estimates quoted by the Senator. And he will also notice that all of the others were estimated for at very much larger amounts than those at which they were placed in the bill.

Mr. PITTMAN. I still think my statement is correct and that the estimate is correct. It was based, of course, on the theory that they would have money in the fund to carry out the estimate. Later on the director informed the committee I

understand, that by reason of certain conditions they would not have that much money in the fund, and that it would be necessary, therefore, to cut down each one of these estimates. That is all true enough.

Mr. WARREN. Mr. President, the Senator knows that I did not make any point of order against his amendment.

Mr. PITTMAN. Oh, no.

Mr. WARREN. I simply asked that it might not be agreed to. It is true that there has been more money estimated for. I admitted that when we went over it in the first place. More was estimated for in the original estimates, and the Senator is right in claiming that it was in the estimates; and that also applied to all the others.

Mr. PITTMAN. I was just thinking that possibly the Senator's remarks might lead some one to the conclusion that there was a reflection upon the method by which I had presented it.

Mr. WARREN. Oh, no, no; on the contrary, the Senator from Nevada has every sympathy on the part of the chairman of the committee, and he can not possibly regret any more than I regret the fact that we are put in this position. In other words, we are promised a little bag of candy that has not yet been purchased. We have an estimate on money that may come in in a year and may come in in a year and a half, but it is bound to come at some time, let us hope.

Mr. PITTMAN. Of course, I know that this appropriation is necessary for the protection of the interests of the Government just as well as for the protection of the interests of these settlers, and therefore I am urging it. There are some other projects that may not be of such importance, and I really would not regret it if we should take some of that money and use it for this purpose that is necessary.

Mr. SMOOT. Mr. President, I want to say that if we are going to increase any of these appropriations I think we ought to increase them all and then let every project take its chance as to whether or not it will get the money. I want to say that they will not get it for the coming year, however, because the Government has not got the money; but if we are going to do it I want to be perfectly fair to every project and treat them all alike.

I only wish that we had the money and could go on with all of them. I recognize that the building of these projects is something like the projects established in connection with the rivers and harbors of our country. Every year we have a river and harbor bill, and the most of the money is spent for digging out roots and scraping out sand that has accumulated there during the previous year, and the project itself is put ahead very little, indeed. If we had the necessary amount of money, what we ought to do would be to appropriate the money to finish every one of these projects before ever there was another one started. That would be the businesslike way and the economical way of completing them; but we are not in that position.

Mr. HENDERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nevada?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. HENDERSON. Does the Senator know whether the other projects need the money now as much as this Newlands project needs it?

Mr. SMOOT. Yes, Mr. President; I know that a great many of them need it just as much.

Mr. HENDERSON. Are they suffering for lack of drainage, as is the Newlands project to-day?

Mr. SMOOT. The drainage proposition is another question entirely. I wish I had some of the water that the Senator is trying to drain off, in order to put it upon some of the barren lands that are waiting to get water, under this very appropriation made here, on the Strawberry project. We have not got the water to soak the land so that it will need any draining. The reclamation project was to take care of arid and semiarid lands, with no idea that part of the money would be expended for drainage purposes; but even though it was not, I am perfectly frank to say to the Senator that under the project he has in Nevada, if it has developed that the use of water upon those lands has finally waterlogged the land so that it needs drainage, I am not going to object to it; but I want that project to take its chances with every other project, and when we get enough money to finish them, why let us finish them. Inasmuch as we have not the amount of money necessary to finish them all, let us all take our chances equally, and let us as soon as possible get to the point where they can be completed.

I do not think the Senator from Nevada wants to stand upon the floor of the Senate and say that his project ought to be ahead of all other projects. I would not do it for my State, and I do not believe the Senator from Nevada wants to do it for his State. That is the position that the committee has taken. We refused to appropriate one dollar more than was finally decided upon by the Reclamation Service, based upon the amount of money that the service know they will have. That is the situation, and I can not see how it is possible for the Senate to accept the amendment offered by the Senator from Nevada.

Mr. HENDERSON. Mr. President, just one word in that connection.

Here are two projects started, say, at about the same time. One project is more fortunately located, and there is no need for drainage. The other project, however, must have drainage in order to keep the soil in a productive state. Now, before going on with the first project, which does not need drainage, it seems to me that it is highly advisable that sufficient money be appropriated to see that drainage is provided on the project that does need drainage, especially when productive lands are threatened and a loss of production will result from a failure to provide drainage. We have this situation: When the Newlands project was started, no drainage facilities were provided because it was supposed that it was not necessary. We find now that the water has come almost to the surface, from no feet to two feet. There are over 2,100 acres which are threatened with a great loss of production.

It seems to me that instead of taking all of this money, and saying that this project and that project shall have each its proportionate share, you should look to the needs of each individual project, and where you can save production, sufficient appropriation should be made to take care of that project.

That is the only reason why my colleague and I are asking for this appropriation, because it will save to the State of Nevada and to the Government a great deal that will have to be expended in the future if this work is not done now. We will lose in production, we will lose in settlement upon the property, and the returns that will come to the Government from that settlement.

Mr. SMOOT. Mr. President, in answer to the Senator I wish to say that I have listened to statements made before the committee time and time again by Members of the House and members of the committee portraying a condition just about the same as the Senator has portrayed. In connection with what I have already said, I wish to say that it would hardly be fair to penalize these other projects if they have been successfully located, and do not need drainage, because one of the projects needed it, and was perhaps unfortunately located.

Mr. HENDERSON. I do not want the Senator to misunderstand me. I am not asking that any other project be penalized; but if those other projects do not need the money, as the Newlands project does, then why not take care of that project and save it? The others will go along just the same, perhaps, with a less expenditure of money this year than the Newlands project.

Mr. SMOOT. But they are penalized, because if we give $310,000 more to this project after the House has given $664,000, the other projects will have to be penalized to that amount, because of the fact that otherwise they would receive their proportion of that amount of money.

Mr. HENDERSON. I should like to ask the Senator if it is not better to take care of a project that is producing than to use money to put new lands in for future production? Is it not better to save the production that you now have in hand than to look to future production?

Mr. SMOOT. I will say to the Senator that there is hardly a project here that is not producing to a limited extent, and all of them expect to increase their production when the projects are completed. You can take any project that is mentioned in this bill, and none of them are completed, and all of them are waiting for appropriations to be completed.

Mr. HENDERSON. That is true; but are any of them in the position that the Newlands project is in now, suffering from lack of drainage?

Mr. SMOOT. Oh, yes, Mr. President. I need not go through them here, but there are projects whose representatives have come before the committee and stated that unless they got an appropriation of two or three times the amount we have given in this bill the whole fruit crop will be materially decreased this year.

Mr. HENDERSON. The only project I know of is the project in New Mexico, but that has gone for such a length of time that the soil, I understand, has soured and will not produce.

Mr. SMOOT. I will state to the Senator that that is not the only project.

Mr. HENDERSON. That is the only one that has come to my attention.

Mr. SMOOT. I know the Senator from Nevada well enough to know that he does not want to be unfair to any other State or any other project.

Mr. HENDERSON. That is true; I do not.

Mr. SMOOT. And I want to say frankly and freely that if we put this amendment in here it will be unfair to the other States and the other projects; and it is for that reason, and that only, that I oppose the amendment. I wish it were possible that we could do it and be fair to all the other projects, but we can not do it. We have not got the money, and if it is taken from this project the other projects will have to lose that amount of money. That is all there is to it.

Mr. HENDERSON. It is not economy in any sense of the word to neglect at this time such an important matter as this. It is vital to the Government, as well as to the settlers on this project, that the work on this drainage system be started this year.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Nevada.

Mr. WARREN. I trust that the amendment will not be agreed to.

On a division, the amendment was agreed to.

Mr. SMOOT. Then, Mr. President, I want to offer a number of amendments.

Mr. NUGENT. Mr. President, will the Senator yield to me?

Mr. SMOOT. Yes; I will yield now, and prepare the other amendments.

Mr. NUGENT. I merely desire to give notice that I shall reserve a separate vote in the Senate on the committee amendment known as section 5, commencing on page 192.

Mr. WARREN. Mr. President, I send to the desk a committee amendment which I ask to have stated.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 21, line 13, after the word "care," it is proposed to insert the following:

The allotments made to the War and Navy Departments shall also be available for expenditure under the various headings of appropriations made to said departments as may be necessary.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Wyoming on behalf of the committee.

The amendment was agreed to.

Mr. WARREN. Mr. President, because of late legislation which was not passed when the House considered this bill, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 33, after line 10, insert the following:

CIVIL SERVICE COMMISSION.

For carrying out the provisions of section 13 of an act entitled "An act for the retirement of employees of the classified civil service, and for other purposes," approved May 22, 1920, as follows: Two clerks at $2,000 each, 5 clerks at $1,800 each, 5 clerks at $1,600 each, 15 clerks at $1,400 each, 8 clerks at $1,200 each, $51,600; for salaries and other purposes for the remainder of the fiscal year ending June 30, 1920, to be immediately available, $4,300; and for stationery, printing, purchase of books, office equipment, and other supplies, $5,000; in all, $60,900.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I thought of offering amendments to make the other irrigation projects equal to the one the Senate has already decided to increase. But I do not believe I will do that, Mr. President. I will let this go to conference, and then we can see what the conferees will do.

Mr. STERLING. Mr. President, this morning I offered an amendment relating to appropriations for the employees in the Office of the Supervising Architect. Objection was made to that amendment, and the point of order was made against it that it had not been estimated for, an additional appropriation being provided for by the amendment, and the Chair sustained the point of order.

Since that time, however, there has been put into my hands a letter from the Secretary of the Treasury, addressed to the chairman of the Committee on Appropriations, a letter the existence of which I did not know of at the time I presented the amendment this morning and at the time the point of order was sustained. In view of the letter, I want to renew my offer of this amendment, and base it upon the letter of the Secretary of the Treasury. I desire to know whether or not this is not an estimate.

Mr. SMOOT. May I ask the Senator to whom the letter is addressed.

Mr. STERLING. The letter is addressed to the chairman of the Committee on Appropriations, United States Senate, dated May 12, signed by the Secretary of the Treasury.

Mr. SMOOT. Is an estimate made for it?

Mr. STERLING. An estimate is made for it. I will have the letter read, and it can be decided then as to whether an estimate is made. I ask that the letter from the Secretary of the Treasury may be read in connection with the offer of this amendment.

The VICE PRESIDENT. To whom was this letter sent?

Mr. STERLING. It was sent to the chairman of the Committee on Appropriations.

Mr. WARREN. Mr. President, I have a letter directed to me by the Secretary of the Treasury, I assume the one the Senator has a copy of. It is not an estimate under our rules and regulations. I do not see the Senator from Virginia [Mr. GLASS] in his place, but he came to me yesterday and asked if I had considered this matter of the architect's office, because the Secretary of the Treasury stated that the committee had raised the salaries of part of the force, those outside of the office, and wanted the others raised accordingly. I showed the bill as it was to the Senator from Virginia, and he stated that, of course, there was a mistake about it. As to what an estimate shall be, I presume, Mr. President, that you have the rule before you.

The VICE PRESIDENT. So that we may get to this matter, I have ruled on this question once before. I have ruled that a Senator can not get a letter or an estimate and introduce it on the floor of the Senate. It must be sent to the Presiding Officer of the Senate and by him referred to the Committee on Appropriations.

Mr. WARREN. Exactly.

The VICE PRESIDENT. I have decided that way once, and I am going to stick to it.

Mr. WARREN. I make the point of order against this proposition.

Mr. STERLING. May I ask this question in this connection, as to whether, if the amount proposed by the amendment is less than the original estimate, that rule applies?

The VICE PRESIDENT. There can not be an estimate unless it comes to the Presiding Officer of the Senate and is handed by him down to the Senate and referred to the Committee on Appropriations. The Secretary of the Treasury has no more right to direct his communication to the chairman of the Committee on Appropriations than he has to direct it to the King of Great Britain.

Mr. WARREN. I wish to say that the Secretary sent it to me by a messenger, and, of course, it could as well have been sent as the Presiding Officer states. The rule is as old as the Senate itself, that matters of that kind must pass across the desk to the committees for their consideration.

The VICE PRESIDENT. I have so ruled, and I am going to stick to it.

Mr. KING. I offer the following amendment, Mr. President.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 110, line 12, insert the following:

For the survey of the Green River and its tributaries and the Price River, in Duchesne, Uinta, Carbon, Emery, and Grand Counties of Utah, to discover suitable reservoir sites, to ascertain the possibility of storing the flood waters of said rivers, and to determine the area of the public lands which may be irrigated by such stored waters, there is appropriated, out of any money in the Treasury not otherwise appropriated, $50,000.

Mr. WARREN. Mr. President, that is a suggestion to raise the amount of money and to introduce a new subject which has not been estimated for, and has not been recommended to the Committee on Appropriations by any standing committee. I make a point of order against the amendment.

The VICE PRESIDENT. The point of order is sustained.

Mr. CHAMBERLAIN. Mr. President, I desire to offer the following amendment.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 36, strike out lines 11, 12, 13, and 14 and in lieu thereof insert the following:

That no person be paid by said board out of the appropriation contained in this act at a rate of compensation exceeding $2,500 per annum and rates above that sum, except not to exceed the following: One at $7,500; 2 at $6,000; 4 at $5,000; 30 at not to exceed $4,000; 40 at not to exceed $3,500; 20 at not to exceed $3,250; 80 at not to exceed $3,000; 80 at not to exceed $2,750; 100 at not to exceed $2,500.

Mr. CHAMBERLAIN. Mr. President, the appropriation in the bill to which this amendment refers is an appropriation of $90,000,000 for the vocational rehabilitation of the young men of the Army and Navy who were disabled during their service in the war. That portion of the section which my amendment attacks is the one limiting the salaries which can be paid by the Vocational Educational Board to the teachers and instructors who are engaged in the work of rehabilitation.

The amendment which I have proposed was offered by Mr. FESS, of the House, who is chairman of the Committee on Education, and it was defeated in the House by a vote of 31 to 22. That was the vote of all who were present at the time the amendment was offered in the House.

I am going to take but a few moments of the Senate's time to call attention to the fact that the board is unable to employ the right kind of instructors and teachers for the rehabilitation of these young men.

From my viewpoint, we ought not to be niggardly about the proper training of these young fellows. Many of them are blinded; many of them are severely crippled and in such condition that they are not able to make a living in the struggle which must be made nowadays to live, and there is a chance, if they are properly cared for and properly educated and properly trained, for them, if not to make money, if not to make a living entirely, at least to give them employment and make them forget the suffering they are compelled to bear through life.

There was a limitation placed upon the amount which could be paid by this board to teachers under the act approved July 19, 1919, making appropriations for sundry civil expenses of the Government for the year ending June 30, 1920. The purpose of the amendment is to remove that limitation measurably, at least to a certain extent, so that men and women who can properly instruct these young men may be employed.

A letter from the chief of the division of rehabilitation, Mr. James B. Monroe, vice chairman of the Federal Board for Vocational Education, testifies to the fact that in the district offices they lost 148 of their staff by resignation since July last, and that is due to the limitation placed upon the board in reference to the salaries of the employees. There were 148 who then went out of the employ of the board.

The purpose of the amendment is to enable the board, within certain limitations, because salaries of a certain number of employees, not all, are fixed by the act itself, to fix amounts which will insure the retention of capable men and women in the service. I have been a little bit surprised at the condition of the board with reference to the young men who are now in training.

I call attention to the statement of Mr. FESS, than whom I suppose there is no one in the House of Representatives who knows more about the condition of these young men, because his committee has been investigating the whole subject of vocational rehabilitation. He says, in speaking to his amendment in the House:

Up to date—

That was on the 6th day of May, 1920—

Up to date there are registrations in this work of 206,666 soldiers. Contract has been made with 174,197. Surveys have been made of 141,953.

He goes on and discusses the subject at some length, and shows that other Governments, particularly Canada, have gone a long way in undertaking to rehabilitate these young men and fit them for the duties of life. I say that we ought not to take any chances on the discharge of the teachers who are engaged in this magnificent work. America ought not to be behind Canada, it ought not to be behind any country, in undertaking to restore these young men to citizenship and to useful life.

I hope the limitation will be removed by the amendments which are proposed, so that the proper men and women may be employed in the work of rehabilitation.

Mr. WARREN. Mr. President——

Mr. CHAMBERLAIN. I yield to the Senator from Wyoming.

Mr. WARREN. I have great interest in the matter the Senator has brought up. It is a matter I have dwelt with, I will not say night and day, but almost so since this bill came over from the House. I wish to make a statement, so the Senate may know exactly the situation.

When we started under this rehabilitation plan—that is, vocational rehabilitation—we found that no salaries had been established except what were paid out of lump sums. We found one man receiving two salaries that amounted to $10,000 a year, and others which seemed to both the House and Senate unreasonable. So there was a perfect understanding here, not only with the Committee on Appropriations, but with the Committee on Education and Labor, that we provide a list of employees and salaries allowed, and at the end the inhibition which renders it impossible to pay larger salaries. I shall read the list of the men and their salaries as they stand now. Then I shall give the list of those asked for, and then, I will say to the Senate, I have prepared an amendment which, I believe, will provide everything necessary; in fact, I do not know but that I am going too far on the liberal side in what I shall ask the Senator to accept in place of his amendment, because, as the Senator says, the Member of Congress, Mr. FESS, brought the matter up in the House and it was defeated. While the vote was small, the percentage, as the Senator knows, was rather large against it.

My investigation has convinced me that a proposition containing as much as that could neither pass the House nor resist the attacks in conference, and the able Senator from Oregon knows what it is to be in conference and to struggle over various matters.

As the salaries stand now there is 1 at $6,000, 2 at $5,000, 28 not exceeding $4,000, 27 not exceeding $3,500, 70 not exceeding $3,000, 60 not exceeding $2,750, and 100 at $2,500 each, amounting to 288 men and a total of $847,500 in salaries. We had before us an officer of this board who had matters in charge, and he said it was not so much a matter of having too few men as it was a matter of the salaries being too small, as the Senator has so well stated, and because they were leaving and going to other employment.

That matter comes up—allow me to digress for a moment—in all of these various boards and bureaus and departments. All alike say they are losing men. Ordinarily I think that the loss of a few, allowing them to go out into the world and tell them what they have learned in Washington, and letting in a little new blood, is to the interest of the Government. But this is a case where this work has to be done, the larger portion of it, if I understand it correctly—and I submit that to the Senator—in the next year; that is, the present year and the next year.

Mr. CHAMBERLAIN. It is necessarily an urgency appropriation.

Mr. WARREN. But raising the limit means that again we have a lump sum that we have fought so long and have been compelled to decline many times. So I have thought we would furnish the following, if it may meet the approval of the Senator, and I think this can be maintained. My suggestion would be to add to the list I have stated 1 man at $6,500; add 1 more to the list of $5,000 men, 2 more at $4,000, 10 at $3,500, 10 at $3,250, 10 at $3,000; or 34 men altogether. Of course, they ask to commence at $7,500 for 1, 2 at $6,000, 4 at $4,000, and so on down.

The differences are in the two or three matters at the top and not so much in the lower part. They estimated here by not cuting off any of those whom they say they can not obtain for the money, and consequently the places are vacant. One hundred of those are counted in to make up the number, but the real difference in my judgment is in that they need, even from their own statement, the 34 men that I have stated.

If the Senator will permit me, I shall send this amendment to the desk and have it read and the Senator may offer it as his.

Mr. CHAMBERLAIN. Before the Senator gives that up, I should like to ask him a question about it.

The Senator has read the salaries now paid by the board to its employees. The amendment which I proposed fixes the salary of 1 at $7,500, 2 at $6,000, 4 at $5,000, 30 at not to exceed $4,000, 40 at not to exceed $3,500, 20 at not to exceed $3,250, 80 at not to exceed $3,000, 80 at not to exceed $2,750, and 1 at not to exceed $2,500.

Mr. WARREN. That is exactly the list we have here, and is exactly the Fess amendment, which the House would not entertain. I submit to the Senator if it is not better to undertake what we believe is necessary, rather than to leave it entirely to the judgment of one man, whose opinion was not sustained by the vote of the House of which he is a Member.

Mr. CHAMBERLAIN. Because the proposed amendment which the Senator offers relieves the situation somewhat, whether they can be retained——

Mr. WARREN. We can at least make the trial. Every appropriation bill that we have passed lately of a general nature—that is, such as deficiencies—has contained a large amount for this very board, and there is now before the House a bill where they have put in several millions more; so that if there still remains a deficiency it can come up later and be taken care of.

Mr. CHAMBERLAIN. May I ask if the amendment which the Senator proposes takes the present list of employees with the amounts paid to each and adds to the list now employed the number of men that are proposed in his amendment?

Mr. WARREN. Exactly.

Mr. CHAMBERLAIN. I believe I am willing to accept that as an amendment to the proposition I have offered, because I know, feeling as the Senator does and as I know some of the members of his committee feel, that he would have a hard time to sustain larger amounts in conference. Feeling that that will relieve the situation, I am glad to accept that amendment.

The VICE PRESIDENT. Does the Senator from Oregon withdraw his amendment and introduce this?

Mr. CHAMBERLAIN. I do.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 36, line 14, after the word "made" insert the following:

except that there may be employed during the fiscal year 1921 in addition to this limitation employees at annual rates of compensation as follows: One at $6,500, 1 at $5,000, 2 at $4,000 each, 10 at $3,500 each, 10 at $3,250 each, and 10 at $3,000 each.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Oregon.

The amendment was agreed to.

The VICE PRESIDENT. Are there any further amendments?

Mr. WARREN. The committee has no further amendments.

Mr. NUGENT. I direct the attention of the chairman of the committee to the committee amendment on page 192, section 5. I desire to make a point of order against that amendment on the ground that it is general legislation on an appropriation bill. It is a provision extending the time within which the railroads must repay loans.

Mr. WARREN. I desire to say that the amendment has been agreed to and it is too late to make a point of order against it.

Mr. NUGENT. I submit the matter for the decision of the Chair.

Mr. WARREN. There will have to be a reconsideration of the vote by which it was agreed to before the point of order can be entertained.

Mr. ROBINSON. Mr. President, I do not care to discuss the point of order at this time, but the merits of the proposition. I think if the point of order had been submitted in time it would undoubtedly have been applicable, as the provision constitutes general legislation. The matter was discussed at some length this afternoon, and I am not sure whether the Senator from Idaho was present.

Mr. NUGENT. I will say to the Senator that I was not here.

Mr. ROBINSON. The Senator might make his point of order later when the parliamentary situation is different from that which exists now. I am morally sure the point of order does not apply now, the provision having been agreed to in Committee of the Whole and the bill still being in Committee of the Whole. But, with the indulgence of the Senate, I wish to ask the Senator from Idaho to refrain from making the point of order, as I believe the legislation is wise and almost, if not quite, indispensable to the working out of the transportation condition as it now exists.

The Senate Committee on Interstate Commerce, which has jurisdiction of this legislation, has reported this provision with additional provisions which the Committee on Appropriations did not incorporate in this bill. While I have not had an opportunity of carefully analyzing the language in the bill that relates to this subject, in my judgment it is very important and very necessary legislation, and I hope the Senator will not make the point of order at any subsequent time.

There is great necessity for an increase in railroad equipment in the nature of locomotives and cars, both freight and passenger.

The transportation condition now existing, which is due in part to the lack of these necessary facilities, is quite appalling. The commerce of the country is threatened with a tie-up of the most disastrous character. The Interstate Commerce Commission is now attempting to work out the situation under the provisions of the transportation act. The principal features of the provision in the bill now under consideration which have been mentioned by the Senator from Idaho [Mr. NUGENT], in my judgment, meet with almost universal approval upon the part of those who have carefully studied the subject. The Committee on Appropriations, if I am correctly informed, eliminated from the provision, unanimously reported by the Interstate Commerce Committee, the paragraph or paragraphs authorizing the extension of the time for which certain debts due from the railroads to the Government may be funded from 5 to 15 years, and that provision is not in the bill. The two principal features of this bill as it relates to the transportation question, as I understand, are as follows:

First, in the transportation act of 1920 a revolving fund of $300,000,000 was created, and that fund may be used in part for new loans to railroads. The transportation act contains a provision that requires the authorities making the loan to exact adequate security, and that provision nullified the purpose of authorizing the loan. It is desirable that the loans be made to the roads that can not operate successfully and effectively without such loans, and those roads, for the most part, are unable to furnish first-class security. So the transportation act, as respects such loans, is to be relaxed by the provision so as to authorize the commission to make the loan if it is necessary to enable the railroad properly to meet the transportation needs of the country, if the commission is satisfied that, considering the condition of the railroad, its "indebtedness, contract obligations, operation, and earning power, * * * together with such other facts relating to the propriety and expediency of granting the loan applied for," the applicant will be able to make good the obligation. That provision undoubtedly is in the public interest, and is necessary to relieve the existing transportation situation. I think the provision also contemplates the organization of a car trust and the issuance of certificates in connection therewith.

Considered from the standpoint of the condition of the transportation interest of the country, I believe that this legislation ought to be enacted, and that it ought to be enacted speedily. So I repeat the hope that when the bill goes into the Senate neither the Senator from Idaho nor any other Senator will find it advisable to make a point of order against it.

Mr. SMITH of South Carolina. Mr. President, if the Senator will allow me, I wish to call his attention to the fact that the representatives of all the railroads, the strong as well as the weak, who appeared before the Interstate Commerce Committee made it very clear that in the transition period from Government ownership back to private ownership it was practically impossible, not for the weak roads alone but even for the strong roads, to meet their obligations within five years; that the credit of the roads and their ability to meet their interest charges and other obligations which had been incurred were such that their obligations under the revolving fund would have to be extended over a period of 15 years in order for the $300,000,000 to be adequate to meet the requirements of the roads; that within five years from the time they assumed control of their property they could not make sufficient money to meet the obligations which had been incurred under the use of the revolving fund.

Mr. NUGENT. May I ask the Senator when that fact developed?

Mr. SMITH of South Carolina. It developed merely from their experience in connection with previous borrowings before they went under Government ownership. They found when they had floated certain securities and that within a period of five years it was practically impossible to meet the expenses and overhead charges of the roads, and also to discharge their maturing obligations.

Mr. NUGENT. Then, Mr. President, the railroad executives were familiar with the fact at the time they appeared before the Senate Committee on Interstate Commerce, of which my friend from South Carolina is a member; and, if I remember correctly, so far as the transportation bill is concerned, as that bill was reported by the committee to the Senate, it provided that the loan of $300,000,000 under the revolving fund should be paid to the Government within a period of five years.

Mr. SMITH of South Carolina. Yes; but I should like to remind the Senator of certain conditions of which, I think, he as well as myself and everyone else who has had to do with any of these matters is cognizant. There are certain financial conditions now existing which differ radically from those antedating the recent war, and it was made apparent that certain institutions, certain sources from which loans could formerly be secured, were not able to furnish them. The rate of interest also and other complications made it practically impossible for the railroads to meet existing conditions.

Mr. ROBINSON. If the Senator will yield to me for a moment in that connection, so far as that is concerned, the railway executives insisted all the time that more liberal provision should be written into the statutes not only regarding the time for the reimbursement of the loans to be made but regarding, as I have already stated, the time in which existing indebtedness should be repaid to the United States.

Mr. SMITH of South Carolina. Yes.

Mr. ROBINSON. They insisted all the while that the railroad finances were in such condition that the circumstances not only justified but required liberality with regard to the time of repayment of both classes of obligations.

Mr. SMITH of South Carolina. That is true. It was also made manifest that the weaker roads, in order to enjoy any benefits that might accrue from the $300,000,000 revolving fund, must have some provision made by which they could come into possession of some of the money other than by putting up certain forms of collateral. It was the weaker roads in which we were interested more than the stronger. The car-trust certificates, which contemplate, practically, a mortgage on the entire property, would be the only way by which they could come into possession of any of the $300,000,000, and I see by a casual glance that this proposed legislation is to meet that very emergency.

I wish to say to the Senator from Idaho that the committee went into this matter very thoroughly, and, as the Senator

from Arkansas will bear me out, we went into every angle of this matter so far as the public interest is concerned.

Mr. ROBINSON. Mr. President, if the Senator will indulge me, upon reflection I do not believe that the amendment is subject to a point of order even if the point of order were made in apt time, for the reason that it has been reported by a standing committee of the Senate having jurisdiction of the subject matter, and under the rules of the Senate that plainly makes it admissible in spite of the rule against legislation.

It is true, as I have already stated, that this amendment does not embrace all that the Senate Committee on Interstate Commerce have recommended be enacted, but there is nothing in the amendment which has not been favorably reported, and unanimously reported, from the Committee on Interstate Commerce. In view of that fact, anticipating the announcement made some time ago, that a point of order would hereafter be made against the provision, I merely wish to say that I do not think it is subject to a point of order at any time, or that it would have been subject to a point of order if made when the provision was reached in consideration of the bill as in Committee of the Whole.

Mr. WARREN. Mr. President, I agree entirely with the Senator from Arkansas that if we should apply the rule as it is applied in the House the amendment would not be subject to the point of order.

Mr. ROBINSON. I am not able to catch the Senator's statement.

Mr. WARREN. I say I do not think the point of order should be made now, as in Committee of the Whole, after we passed on the question, and I do not think, in view of what the Senator has stated, that it is subject to the point of order. It is a matter of legislation; it has already been provided for, in a way, and been reported from a committee. The fact that it has been reported unanimously may not make any difference, but it has been reported unanimously also from the Committee on Appropriations.

Mr. SMITH of South Carolina. Mr. President, if the chairman of the committee having this bill in charge will allow me, there is already a law pertaining to the subject matter.

Mr. WARREN. Certainly.

Mr. SMITH of South Carolina. And there have been recommended certain modifications, of which this amendment takes cognizance, from a standing committee, as the Senator from Arkansas intimates.

To sum up the whole matter, Mr. President, I think the committee was unanimous in its recommendation to the Senate that the legislation embodied in a bill which has been presented is absolutely essential to meet the conditions which now confront us, and this provision in the bill is in pursuance of that recommendation. So even though a point of order might lie against it, I hope it will not be made.

Mr. KELLOGG. Mr. President, I hope the Senator from Idaho will not insist upon the point of order. I wish to state how this amendment came to be recommended by the committee. Committees of shippers from various sections of the country, all the way from the Pacific coast to the Atlantic, came here. From 50 to 75 men appeared here representing leading industries. They included committees of farmers, of grain men, of lumbermen, and shippers in all branches of business and commerce.

Mr. SMITH of South Carolina. And cattle raisers.

Mr. KELLOGG. And cattle raisers, and all branches of business in the country. They came before the committee and presented arguments which have been printed and are now before the Senate.

It appeared, as we already knew, that during the two years and two months of the Government administration of the railroads only about 100,000 cars and a few engines had been bought—I do not remember the exact number—but ordinarily it takes 100,000 cars a year to keep the equipment of the roads up to standard, without any increase at all; in other words, about 100,000 cars, 2,000 locomotives, and three or four thousand specialty cars are destroyed each year and go out of business. So it was estimated that we are to-day short 226,000 cars, without any increase of business, 3,100 locomotives, and about 4,000 specialty cars.

The committees to which I have referred urged us strongly to increase this appropriation to $600,000,000. The railroads did not suggest this provision in the first instance. They urged that this $300,000,000 that has been appropriated was not available under the terms of the original act, because they could not buy cars and make car equipments for five years, and only the roads best able to provide themselves with equipment could, therefore, take advantage of the loan in order to buy equipment. Now, those roads which could borrow money did not need the $300,000,000; and the result, if we had left the law unchanged, is that only the best roads could have taken the loan. They recommended very strongly that we change the terms of the loan and extend it to 15 years, so that they could have car equipment, and we added a provision that only roads which could not otherwise procure money should have the advantage of the loan.

The Pennsylvania Railroad, it appears, is borrowing money. It has already sold its notes at 7½ per cent. The same is true of the Louisville & Nashville, the Atlantic Coast Line, the New York Central, and some of the other lines; but there are many lines in the country that have not yet settled with the Government, and the condition of the money market has become such in the last three months that it is impossible for them to use the loan for five years unless they can put it into car equipment.

In the old years car equipments used to be made for 10 years, but those were days when you could buy a steel-frame car for $1,000 or $900; some of them for less than that. To-day it costs $3,500 to buy a steel-frame car. An engine that cost $15,000 15 years ago costs to-day $65,000 to $70,000; and the result is that the roads must pay down at least 30 per cent upon the equipment, and make an equipment trust extending over 15 years.

After we had taken the testimony of all the shippers, we did not recommend all they asked. We recommended extending no further loan than that provided in the original act, because we felt as though those lines which had credit ought to be required to go in the market and get the money there, and this amendment requires them to do it; but we did feel as though we ought to make this loan available. After that, we called on the Interstate Commerce Commission, and consultations were held with them and with the Railroad Administration, and every one of them urgently recommended the extension of the time of this loan so that the money could be loaned to companies on car equipment, and that they could use this money to get equipment.

I wish to say to the Senator that the shortage of equipment to-day is nothing to what it will be next year unless the most strenuous efforts are made to relieve it, and every car shop in the country must be kept busy. Even then, it is admitted that not over 100,000 cars, 2,000 engines, and perhaps 4,000 passenger cars can be obtained within the next year. They will cost something over $600,000,000. The cattle shippers and the grain shippers of this country are suffering to-day as never before for want of prompt transportation. It appeared in testimony before the committee that stock shippers, where the cattle were fat and ready to be shipped to market, were being kept out every day because the equipment could not be obtained; and that is the trouble with the coal shipments in the country. This condition grew out of the war, to be sure; but we ought to make every effort to-day to make available this loan, so that it may be used to relieve the congested condition in this country, and even then we are not going to have the equipment necessary to move the crops.

I hope the Senator will not urge this point of order. We did not go as far as the shippers wished us to go. We declined to recommend any new loans or further appropriations; but we did recommend unanimously, after consultation with the House Appropriations Committee and consultation with the House Interstate Commerce Committee, that section 210 be amended as it is in this bill.

Mr. NUGENT. Mr. President, I am well aware of the fact that considerable difficulty has recently been experienced in the matter of transportation. I also appreciate the fact that it was due in large measure to efforts on the part of certain transportation companies to send all the freight shipped to the Atlantic coast to New York and New England points, with the result that, according to advices contained in the newspapers, it was a difficult matter to get loaded cars into those sections and to get empties out because of the unprecedented congestion.

If I remember correctly, the Senate Committee on Interstate Commerce spent weeks and months of time investigating transportation matters generally prior to the time the so-called transportation act was favorably reported to the Senate. I necessarily assume that the examination conducted by the committee was exhaustive. The transportation act as finally enacted into law provided for a guaranteed return to the railroads of not less than 5½ per cent on the aggregate value of all the railroad property in the country; also for an additional one-half per cent, the money derived therefrom to be loaned to railway companies for the purpose of purchasing equipment, and so forth. The railway companies, according to the public prints, have recently made application to the Interstate Commerce Commission for an increase in freight rates over those now existing of approximately 30 per cent, which means that the people of the

country will be obliged to pay more than $1,000,000,000 annually in order to pay to the railroad companies the 5½ per cent guaranteed net return. The transportation act also provided for a revolving fund in the sum of $300,000,000 to be loaned to the railway companies and to be paid by them within five years.

I also assume that if proper representations had been made to the Committee on Interstate Commerce that committee would have included in the bill reported to the Senate a provision for loaning that money for 15 years instead of 5; but the bill reported was enacted, and now, within a period of a few months thereafter, the railroad companies are desirous of receiving further aid at the hands of the Government and are asking that the moneys loaned to them out of the revolving fund need not be paid by them for 15 years. I object to extending the time for payment.

The statement has been made by a number of Senators that it is absolutely necessary that this amendment to the pending bill be agreed to, in order that certain railway equipment may be purchased, because of the alleged fact the railway systems of the country are in dire need of additional equipment. According to statements made by the Director General of Railroads, during the period of Federal control 100,000 cars and more than 1,900 engines were placed in operation on the railroads in addition to more than 2,000 locomotives and 69,000 cars that had been ordered by the railroad executives prior to the taking over of the roads by the Government; and I will venture the assertion that from the standpoint of equipment the roads were never so well supplied as they were when the Government surrendered possession of them to their owners.

I desire to again go on record as opposed to taxing the people of the country through increased freight rates, to the extent of more than a billion dollars per annum, to pay the railroads a net return of not less than 5½ per cent on the value of all their property, and as opposed to taxing the people to the extent of hundreds of millions of dollars to be loaned to the railroads and not to be paid for 15 years.

So far as the point of order is concerned, permit me to say, that if the section to which I have made it is, under the rules, open to the point of order, it appears to me that it is immaterial whether the question is raised now or at some other time. It seems to me that if it is subject to a point of order, it can be made at any time prior to the time the bill is actually agreed to by the Senate.

Mr. UNDERWOOD. Mr. President, I want to say just one word in reference to the point of order.

The rule of the Senate is that legislation on an appropriation bill is not in order unless that legislation has been reported to the Senate and is on the calendar coming from one of the standing committees of the Senate. Before the pending sundry civil bill was reported to the Senate the Committee on Interstate Commerce—the Senator from Iowa [Mr. CUMMINS] making the report—reported to the Senate Senate bill 4373. That bill amends two sections of the transportation act of 1920, known as the Cummins bill. Those sections are 207 and 210, entirely separate in their identity, and in no way connected with each other, except that they are both in the same transportation act. In other words, the one section does not relate to the other section or affect its meaning.

The first section would have made the authorization of a loan of something like $351,000,000 to the railroads. The second section has to do with money already provided for in the transportation act, and to a large extent the amendment relates to the extension of a loan and the discretion of the commission in distributing money already in their hands to the various railroads according to their needs.

Mr. President, I take it that the precedents in the Senate are not controverted, that if this bill, taken by its four corners, having been reported from a committee of the Senate to the Senate, had been offered by the Appropriations Committee as an amendment to the pending bill, it would not be subject to a point of order. However, the committee does not offer the first section, but offers word for word the identical language in the second section.

I make the point, although, as far as I know, there is no precedent for the position. The Senate can now make its own precedent, as there is no precedent heretofore established. The reason of the law is the life of the law, and the reason of the rule is the life of the rule. The reason for not allowing legislation on appropriation bills is to assure the enactment of permanent legislation which has been carefully considered by standing committees of the Senate, in order that the legislation might be properly perfected. I know of no other reason why the rule should exist as it does. The rule in the House of Representatives prohibits any legislation being attached to an appropriation bill. The rule in the Senate admits legislation on appropriation bills which has been viséd.

The VICE PRESIDENT. Will the Senator from Alabama point out to the Chair a rule which permits the Committee on Appropriations to introduce general legislation on an appropriation bill?

Mr. ROBINSON. The last clause in the first paragraph of Rule XVI, which is as follows:

> Or unless the same be moved by direction of a standing or select committee of the Senate—

And so forth.

Mr. SMOOT. That only has reference, however, to an increase of an appropriation already in the bill.

The VICE PRESIDENT. Certainly. The third section says:

> No amendment which proposes general legislation shall be received to any general appropriation bill.

Mr. UNDERWOOD. The Chair may be right, but there is a semicolon there, which I see no reason for inserting in the language of the rule if the Chair is right. It says:

> Or unless the same be moved by direction of a standing or select committee of the Senate.

So far as I can see, in this rule that has no connection with the previous sentence, that it is in aid of an appropriation. I will not read the whole rule, but let me read the last part of Rule XVI:

> No amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session.

There the connection with the appropriation ceases. It continues:

> Or unless the same——

The VICE PRESIDENT. That is the appropriation.

Mr. UNDERWOOD (reading):

> Or unless the same be moved by direction of a standing or select committee of the Senate.

That is my construction of the rule, Mr. President, and I think it is the logic of the rule.

As far as the precedents are concerned, the Chair may be sustained by the precedents, but, with that viewpoint, it seems to me that there would be no distinction between admitting a section of the bill which is entirely independent of the other sections and admitting the whole bill.

The VICE PRESIDENT. The Chair is not so much in doubt about what the rule is with reference to the appropriations in the bill and the amendments that are to be made thereto as it is upon the question of when the point of order must be made.

This last clause of the first section of the rule reads:

> No amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session, or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the departments.

That certainly must refer to an appropriation. It can not refer to anything else. Subdivision 3 reads:

> No amendment which proposes general legislation shall be received to any general appropriation bill.

That is as far as it is necessary to read.

If the contention of the Senator from Alabama and the Senator from Arkansas and the Senator from Wyoming is true, the Senate would find itself in this very anomalous position, that the Committee on Appropriations could stick on to a bill any sort of general legislation it pleased and prevent a Senator from raising a point of order to it, whereas if a Senator wanted to put it on a member of the Committee on Appropriations could prevent it from being done.

The Chair does not believe that. The Chair has ruled with remarkable justice on this point, because it has ruled on both sides. The Chair has held once, basing the ruling upon a ruling by former President pro tempore Ferry, that it was too late to raise a point of order after a vote had been had in Committee of the Whole. The Chair reversed itself, not with dignity but with ease, and announced that the rule of the Senate was that a question of order may be raised at any stage of the proceedings; that it was the right of a Senator to raise it at any time.

On the present question the Chair is going to adopt a middle course, namely, that there must be an end some time to the right of a Senator to raise a point of order. A strict construction of the rule would mean that it might be raised even after the vote by which the bill was passed that some Senator could then get up and raise a point of order. Under the strict terms of the rule it may be raised at any stage of the proceedings; it may be raised after a conference report comes back. The Chair does not believe that. The Chair thinks that under the rule a

Senator must seasonably raise his point of order. It is the opinion of the Chair that after an amendment has been agreed to in Committee of the Whole a point of order can not be raised against it in Committee of the Whole.

If there be no further amendments in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The VICE PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole, except the amendment on page 192 inserting section 5, on which a separate vote in the Senate was reserved by the Senator from Idaho [Mr. NUGENT].

The amendments were concurred in.

The VICE PRESIDENT. The question is on concurring in the amendment on page 192 inserting section 5, a separate vote on which was reserved by the Senator from Idaho [Mr. NUGENT].

Mr. NUGENT. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). On this question I have a pair with the Senator from Tennessee [Mr. MCKELLAR] and withhold my vote.

Mr. FERNALD (when his name was called). I transfer my pair with the Senator from South Dakota [Mr. JOHNSON] to the Senator from West Virginia [Mr. ELKINS] and vote "yea."

Mr. KING (when his name was called). On this vote I am paired with the Senator from Oklahoma [Mr. GORE]. Not knowing how he would vote, I withhold my vote.

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING]. I transfer that pair to the Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. In his absence, I withhold my vote.

The roll call was concluded.

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. I observe that he is not in the Chamber, and therefore I withhold my vote.

Mr. TRAMMELL. I have a general pair with the Senator from Rhode Island [Mr. COLT]. In his absence I transfer my pair to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. BECKHAM. Has the Senator from West Virginia [Mr. SUTHERLAND] voted?

The VICE PRESIDENT. He has not.

Mr. BECKHAM. I have a pair with that Senator and in his absence I withhold my vote.

Mr. CALDER. I have a pair with the junior Senator from Georgia [Mr. HARRIS]. I transfer that pair to the senior Senator from Iowa [Mr. CUMMINS] and vote "yea."

Mr. EDGE. I transfer my pair with the junior Senator from Oklahoma [Mr. OWEN] to the junior Senator from California [Mr. JOHNSON] and vote "yea."

Mr. BALL. I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. I transfer that pair to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. JONES of Washington (after having voted in the affirmative). Has the senior Senator from Virginia [Mr. SWANSON] voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. JONES of Washington. The senior Senator from Virginia is necessarily absent on account of business of the Senate and I have agreed to take care of him with a pair during that absence. I find that I can transfer my pair to the Senator from Michigan [Mr. TOWNSEND], which I do, and allow my vote to stand.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Colorado [Mr. PHIPPS] with the Senator from South Carolina [Mr. DIAL];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Wisconsin [Mr. LAFOLLETTE] with the Senator from Arkansas [Mr. KIRBY];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS]; and

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT].

The roll call resulted—yeas 42, nays 6, as follows:

YEAS—42.

Ball	Capper	Edge	Gay
Brandegee	Chamberlain	Fernald	Gerry
Calder	Comer	Frelinghuysen	Hale
Harding	Lodge	Overman	Smoot
Henderson	McCormick	Page	Spencer
Jones, Wash.	McLean	Phelan	Underwood
Kellogg	McNary	Pittman	Wadsworth
Kendrick	Moses	Poindexter	Walsh, Mont.
Keyes	Myers	Ransdell	Warren
Knox	Nelson	Robinson	
Lenroot	New	Smith, S. C.	

NAYS—6.

Borah	Nugent	Trammell	Walsh, Mass.
Norris	Sheppard		

NOT VOTING—48.

Ashurst	Glass	La Follette	Smith, Ariz.
Beckham	Gore	McCumber	Smith, Ga.
Colt	Gronna	McKellar	Smith, Md.
Culberson	Harris	Newberry	Stanley
Cummins	Harrison	Owen	Sterling
Curtis	Hitchcock	Penrose	Sutherland
Dial	Johnson, Calif.	Phipps	Swanson
Dillingham	Johnson, S. Dak.	Pomerene	Thomas
Elkins	Jones, N. Mex.	Reed	Townsend
Fall	Kenyon	Sherman	Watson
Fletcher	King	Shields	Williams
France	Kirby	Simmons	Wolcott

The VICE PRESIDENT. On this question the yeas are 42, the nays are 6, and Senators CURTIS, KING, GLASS, and BECKHAM are in the Chamber and not voting. So there is a quorum present, and the amendment made as in Committee of the Whole is concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PETITIONS AND MEMORIALS.

Mr. KNOX presented a petition of sundry citizens of Scranton, Pa., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the board of trade, of Philadelphia, Pa., praying that generous treatment be given all of the armed forces who are disabled or sick in consequence of their services in the World War, and also to the dependents of those who lost their lives, and remonstrating against the granting of a general bonus without discrimination, which was referred to the Committee on Finance.

He also presented a memorial of the board of trade, of Philadelphia, Pa., remonstrating against the enactment of legislation providing for the raising of public revenues by a tax upon the privileges of the use and enjoyment of lands of large value, which was referred to the Committee on Finance.

He also presented a petition of the board of trade, of Philadelphia, Pa., praying that authority be taken from the Department of Justice and turned over to the Department of Labor in the settlement of the deportation of undesirable aliens into this country, which was referred to the Committee on Immigration.

Mr. CAPPER presented a petition of the Rotary Club, of Augusta, Kans., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted at the annual convention of the Wheat Growers' Association of the United States, held at Hutchinson, Kans., favoring the enactment of legislation granting to farmers the right of collective bargaining, which was referred to the Committee on the Judiciary.

Mr. TOWNSEND presented a memorial of sundry Albanians, residents of the city of Pontiac, Mich., remonstrating against the enactment of legislation awarding to Greece the two southern Albanian Provinces, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. FERNALD, from the Committee on Claims, to which was referred the bill (H. R. 1309) for the relief of Perry L. Haynes, reported it with an amendment and submitted a report (No. 634) thereon.

Mr. MCCUMBER, from the Committee on Pensions, to which was referred the amendment submitted by himself on the 25th instant proposing to appropriate $1,200 to pay Dennis M. Kerr for extra clerical services to the Committee on Pensions and $1,200 to pay Robert W. Farrar for indexing and clerical services, and so forth, intended to be proposed to the general deficiency appropriation bill, reported favorably thereon and moved that it be referred to the Committee on Appropriations and printed, which was agreed to.

DISTRICT PUBLIC SCHOOL SYSTEM.

Mr. HARRISON. I submit the report of the select committee appointed pursuant to the resolution adopted February 24, 1920, providing for an investigation of the public school system in the District of Columbia. I ask that the report may be printed and that it also may be printed in the RECORD.

The report is as follows:

[Senate Report No. 635, Sixty-sixth Congress, second session.]

The select committee appointed pursuant to the provisions of the resolution of the Senate of February 24, 1920, to investigate the public-school system in the District of Columbia submits the following as its report:

A crisis has been reached in the school system of Washington. The education of more than 60,000 children is involved. Conditions are disclosed on the hearings before your committee which can be remedied only by radical changes in the authority governing the administration of the school system.

One of the unfortunate differences now found to exist on the board of education and between it and a considerable portion of the population of the District was the consideration of a bill presented to Congress as far back as 1916, which sought to place the control of the District schools in the commissioners. A controversy immediately arose which ended in the defeat of the bill. Following this, the members of the board of education, as then constituted, who opposed the transfer of the control of the schools to the District commissioners, gradually became eliminated from the board. Whether this was in pursuance of a common purpose by those who promoted the attempted legislation, your committee does not find it necessary to decide. It does, however, find that at different intervals such members failed of appointment and disappeared from the board following that controversy. Other differences resulting from an element which desired to retire the present superintendent of schools and which it may be admitted in good faith believed such a retirement to be for the welfare of the schools, contributed to the present situation.

About the same time the members of the board of education divided in a factional controversy which has continued to the present day. It is difficult to resist the conclusion therefore upon all the facts disclosed in the hearings that one of the causes was the defeat of the legislation sought by which the control of the schools would have been absorbed by the District commissioners. Notwithstanding this rejection there is some ground for inferring that the elements supporting it undertook to do indirectly what they failed to accomplish directly by legislation in Congress. The results have been most unfortunate for the District schools. So long as this spirit is found in the board, concord can not be had, and the harmony so indispensable to the successful control of the schools will be conspicuously absent.

The officials of the educational system are apparently impotent to correct manifest evils which, if not arrested, will bring the schools of Washington to a deplorable level of deterioration. Instead of giving to our country an example to emulate, the schools of the Nation's Capital have shown a tendency to decline under the destructive friction between members of the board of education, between the board and the superintendent of schools, and between the superintendent and other school officials. The board and other school officials have exhibited in the meanwhile the humiliating spectacle of often devoting themselves to petty squabbles and personal controversies instead of applying themselves earnestly to meeting the requirements of the public schools.

The members composing the dominant faction of the board are proceeding to make such changes in the management of the schools in the near future as inevitably will fail to remedy the present regrettable condition. If this should occur, it makes much more difficult and costly the removal of a variety of undesirable conditions and the application of an effective remedy to rehabilitate the schools and make them adequate to present needs. Your committee reports that the execution of the plans by the majority of the board touching a change in the management of the schools would add greatly to the friction now existing and vitally affect the welfare of the District school system.

Your committee does not believe it can recommend full remedial legislation until a complete survey of the schools has been made by competent authority showing what new buildings, grounds, physical equipments, including playgrounds, are essential, the changes in educational methods, administrative affairs, and other essential details shall be found by such survey to serve as a sound basis for legislation. Your committee therefore recommends that authority be given to procure such survey, which can be completed, it is believed, upon the convening of Congress in December, 1920. Your committee further reports that it deems it inadvisable for the foregoing reasons for the present board of education to proceed upon their plans referred to in the hearings relating to a change in the superintendent of the District schools, because his successor, named by the present dominant faction, will inevitably inherit the same divided counsels and obstacles resulting from present conditions, and that it is less harmful to maintain the existing status of affairs than aggravate the present unfortunate situation by further friction. Your committee believes that upon the making of the survey herein recommended legislation can be enacted and a complete remedy had more expeditiously and with less expense and delay than if the majority of the board of education should carry into effect their avowed purposes.

Your committee has arrived at the unanimous conclusion that the present board of education, created under the act of 1906, ought to be abolished and a board of education consisting of six members be created. The present method of appointing the board of education by the Supreme Court of the District ought to be changed and the power of appointment vested in the President of the United States subject to confirmation by the Senate.

The compensation of both the teachers, the janitors, and other service ought in justice to the welfare of the schools be increased. The present rate of pay can not reasonably be expected to attract and keep competent persons in the service. We believe the report of the Joint Reclassification Commission recently made contains proper recommendations in this behalf. The superintendent of schools ought to be given power to suspend or dismiss, subject to the approval of the board of education, any persons for the good of the service.

The business details incident to the school system of the District are now so burdensome that in the opinion of the committee a new office of business manager should be created and we believe the survey herein referred to when made will recognize the necessity of such relief from the duties now incumbent upon the superintendent. Such manager ought to be given a force sufficiently large and qualified to enable him to dispatch business matters adequately and rapidly. Direct responsibility should be imposed upon him for all matters committed to his care.

The use of school property as community centers for entertainments, meetings, and educational movements is approved. Your committee believes, however, that the use of such property ought to be under strict supervision both as to the care for the same and the character of the entertainments or proceedings conducted therein. Unless great care is exercised some entertainments subject to criticism are apt to find their way into the school buildings. This is a matter for the good judgment of the board of education, but the committee believes it ought to point out specifically the necessity for constant vigilance. We especially mention here the fact that school buildings and their appurtenances and grounds are primarily designed in original construction in heating, lighting, and ventilation for educational purposes, and any departure from such intended use must be under such limitation and wise restraints as not to do violence to the spirit of the public-school system. The committee found that many of the school buildings were being used for community activities, many of which were highly educational and recreational. The community center has been the means in many instances of furnishing education, recreation, and pleasure to the adults and children in these communities, but the committee found that there have been instances where dances held in those buildings were not properly conducted or adequately chaperoned. The committee is of the opinion that there should be the closest cooperation upon the part of the community center authorities and the patrons of the various community centers in following their wishes as to the character of the entertainments, and that, in all instances, the very strictest supervision and regulation should be observed.

Congress, in the House of Representatives, where money bills originate, is providing liberaly in the appropriations for this year for buildings and equipment. The increase of population in the District, carrying with it the natural addition to the children of school age, makes it indispensable that new buildings, adequate playgrounds, and other physical improvements be had proportionate to the increase. The necessity for playground room at the Dunbar High and the Park View Schools and in other localities is most urgent, and your committee recommends immediate action by the board and Congress. It is not anticipated any difficulty will be found in all proper additions and improvements in school facilities when the foregoing survey recommended shall have shown the basis upon which it and other legislation can intelligently be enacted.

Your committee wishes it to be thoroughly understood that nothing in this report is to be construed as condemning or commending the superintendent of schools or his administration of the office which he holds. The committee fully recognizes the right and the duty of the board to exercise its own discretion in passing upon the comparative fitness of candidates for the positions of superintendent and assistant superintendent, and we do not feel ourselves qualified to decide whether the present superintendent is the best man obtainable for the position. We are convinced that he has had a most difficult task to perform in directing the District schools under the exceptionable and trying conditions existing in Washington during and since the World War.

Our conclusions, in view of the unsettled state of public sentiment in regard to school affairs and the decided differences of opinion as to the fitness of the superintendent and the motives which influenced the board in making a change, is that the present superintendent should be retained at least until a survey of the schools has been made and until the new board has assumed control of the school system. In our judgment, to place a new official at the head of the schools while the survey is being made, and while the present controversies are rife, would be likely to lead to a greater injury to the welfare of the schools than could result from leaving the present superintendent in office.

LAWRENCE Y. SHERMAN.
WILLIAM P. DILLINGHAM.
PAT HARRISON.
DAVID I. WALSH.
ARTHUR CAPPER.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES of Washington:

A bill (S. 4446) granting a pension to Alberta O. Mullen (with accompanying papers); to the Committee on Pensions.

By Mr. KNOX (for Mr. PENROSE):

A bill (S. 4447) granting a pension to William R. Potter (with accompanying papers); to the Committee on Pensions.

By Mr. EDGE:

A bill (S. 4448) granting a pension to William H. Van Name; to the Committee on Pensions.

By Mr. KING:

A bill (S. 4449) to provide for the transfer of the Bureau of Fisheries from the Department of Commerce to the Department of Agriculture; to the Committee on Commerce.

NATIONAL BUDGET SYSTEM—CONFERENCE REPORT.

Mr. McCORMICK. I submit the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9783) to provide a national budget system and an independent audit of Government accounts, and for other purposes. I ask that it be printed and lie on the table.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9783) to provide a national budget system and an independent audit of Government accounts, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"TITLE I.—DEFINITIONS.

"SECTION 1. This act may be cited as the 'Budget and accounting act, 1920.'

"SEC. 2. When used in this act—

"The terms 'department and establishment' and 'department or establishment' mean any executive department, independent

commission, board, bureau, office, agency, or other establishment of the Government, including the municipal government of the District of Columbia, but do not include the legislative branch of the Government or the Supreme Court of the United States;

"The term 'the budget' means the budget required by section 201 to be transmitted to Congress;

"The term 'bureau' means the bureau of the budget;

"The term 'director' means the director of the bureau of the budget; and

"The term 'assistant director' means the assistant director of the bureau of the budget.

"TITLE II.—THE BUDGET.

"SEC. 201. The President shall transmit to Congress on the first day of each regular session, the budget, which shall set forth in summary and in detail:

"(a) Estimates of the expenditures and appropriations necessary in his judgment for the support of the Government for the ensuing fiscal year; except that the estimates for such year for the legislative branch of the Government and the Supreme Court of the United States shall be transmitted to the President on or before October 15 of each year, and shall be included by him in the budget without revision;

"(b) His estimates of the receipts of the Government during the ensuing fiscal year, under (1) laws existing at the time the budget is transmitted and also (2) under the revenue proposals, if any, contained in the budget;

"(c) The expenditures and receipts of the Government during the last completed fiscal year;

"(d) Estimates of the expenditures and receipts of the Government during the fiscal year in progress;

"(e) The amount of annual, permanent, or other appropriations, including balances of appropriations for prior fiscal years, available for expenditure during the fiscal year in progress, as of November 1 of such year;

"(f) Balanced statements of (1) the condition of the Treasury at the end of the last completed fiscal year, (2) the estimated condition of the Treasury at the end of the fiscal year in progress, and (3) the estimated condition of the Treasury at the end of the ensuing fiscal year if the financial proposals contained in the budget are adopted;

"(g) All essential facts regarding the bonded and other indebtedness of the Government; and

"(h) Such other financial statements and data as in his opinion are necessary or desirable in order to make known in all practicable detail the financial condition of the Government.

"SEC. 202. (a) If the estimated receipts for the ensuing fiscal year contained in the budget, on the basis of laws existing at the time the budget is transmitted, plus the estimated amounts in the Treasury at the close of the fiscal year in progress, available for expenditure in the ensuing fiscal year, are less than the estimated expenditures for the ensuing fiscal year contained in the budget, the President in the budget shall make recommendations to Congress for new taxes, loans, or other appropriate action to meet the deficiency.

"(b) If the aggregate of such estimated receipts and such estimated amounts in the Treasury is greater than such estimated expenditures for the ensuing fiscal year, he shall make such recommendations as in his opinion the public interests require.

"SEC. 203. (a) The President from time to time may transmit to Congress supplemental or deficiency estimates for such appropriations or expenditures as in his judgment (1) are necessary on account of laws enacted after the transmission of the budget, or (2) are otherwise in the public interest. He shall accompany such estimates with a statement of the reasons therefor, including the reasons for their omission from the budget.

"(b) Whenever they reach an aggregate which, if they had been contained in the budget, would have required the President to make a recommendation under subdivision (a) of section 202, he shall thereupon make such recommendation as he may deem necessary.

"SEC. 204. (a) Except as otherwise provided in this act, the contents, order, and arrangement of the estimates of appropriations and the statements of expenditures and estimated expenditures contained in the budget or transmitted under section 203, and the notes and other data submitted therewith, shall conform to the requirements of existing law.

"(b) Estimates for lump-sum appropriations contained in the budget or transmitted under section 203 shall be accompanied by statements showing, in such detail and form as may be necessary to inform Congress, the manner of expenditure of such appropriations and of the corresponding appropriations for the fiscal year in progress and the last completed fiscal year. Such statements shall be in lieu of statements of like character now required by law.

"SEC. 205. The President, in addition to the budget, shall transmit to Congress on the first Monday in December, 1921, for the service of the fiscal year ending June 30, 1923, only, an alternative budget, which shall be prepared in such form and amounts and according to such system of classification and itemization as is, in his opinion, most appropriate, with such explanatory notes and tables as may be necessary to show where the various items embraced in the budget are contained in such alternative budget.

"SEC. 206. No estimate or request for an appropriation and no request for an increase in an item of any such estimate or request, and no recommendation as to how the revenue needs of the Government should be met, shall be submitted to Congress or any committee thereof by any officer or employee of any department or establishment, unless at the request of either House of Congress.

"SEC. 207. There is created a bureau to be known as the bureau of the budget. There shall be in the bureau a director and an assistant director. The Secretary of the Treasury shall be the director and the assistant director shall be apointed by the President. The assistant director shall receive an annual salary of $10,000 and shall perform such duties as the President may designate. During the absence or incapacity of the director or during a vacancy in the office of director, the President shall designate the Acting Secretary of the Treasury or the assistant director to act as director. The bureau, as may be directed by the President, shall prepare for him the budget, the alternative budget, and any supplemental or deficiency estimates, and to this end shall have authority to assemble, correlate, revise, reduce, or increase the estimates of the several departments or establishments.

"SEC. 208 (a) The director or assistant director, as may be determined by the President, shall appoint and fix the compensation of such attorneys and other employees and make such expenditures for rent in the District of Columbia, printing, binding, telegrams, telephone service, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, and necessary expenses of the office, as Congress may from time to time provide.

"(b) No person appointed by the director or assistant director shall be paid a salary at a rate in excess of $5,000 a year, and not more than four persons so appointed shall be paid a salary at the rate of $5,000 a year.

"(c) All employees in the bureau whose compensation is at a rate less than $5,000 a year shall be appointed in accordance with the civil-service laws and regulations.

"(d) The provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years, shall not apply during the fiscal year ending June 30, 1921, to the transfer of employees to the bureau.

"SEC. 209. The bureau shall make a detailed study of the departments and establishments for the purpose of enabling the president to determine what changes (with a view of securing greater economy and efficiency in the conduct of the public service) should be made in (1) the existing organization, activities, and methods of business of such departments or establishments, (2) the appropriations therefor, (3) the assignment of particular activities to particular services, or (4) the regrouping of services. The results of such study shall be embodied in a report or reports to the President, who may transmit to Congress such report or reports or any part thereof with his recommendations on the matters covered thereby.

"SEC. 210. The bureau shall prepare for the President a codification of all laws or parts of laws relating to the preparation and transmission to Congress of receipts and expenditures of the Government and of estimates of appropriations. The President shall transmit the same to Congress on or before January 1, 1922, with a recommendation as to the changes which, in his opinion, should be made in such laws or parts of laws.

"SEC. 211. The powers and duties relating to the compiling of estimates, now conferred and imposed upon the division of bookkeeping and warrants of the office of the Secretary of the Treasury, are transferred to the bureau. The Secretary of the Treasury may transfer to the bureau, at the rate of compensation received by them when this act takes effect, any officers or employees of such division who, in his opinion, are essential to the work of the bureau. The positions thus vacated shall not be filled and the appropriations therefor for the fiscal year ending June 30, 1921, shall lapse.

"SEC. 212. The bureau shall, at the request of any committee of either House of Congress having jurisdiction over revenue

or appropriations, furnish the committee such aid and information as it may request.

"SEC. 213. Under such regulations as the President may prescribe, (1) every department and establishment shall furnish to the bureau such information as the bureau may from time to time require, and (2) the director and the assistant director, or any employee of the bureau when duly authorized, shall, for the purpose of securing such information, have access to, and the right to examine, any books, documents, papers, or records of any such department or establishment.

"SEC. 214. (a) The head of each department and establishment shall designate an official thereof as budget officer therefor, who, in each year under his direction and on or before a date fixed by him, shall prepare the departmental estimates.

"(b) Such budget officer shall also prepare, under the direction of the head of the department or establishment, such supplemental and deficiency estimates as may be required for its work.

"SEC. 215. The head of each department and establishment shall revise the departmental estimates and submit them to the bureau on or before September 15 of each year. In case of his failure so to do the President shall cause to be prepared such estimates and data as are necessary to enable him to include, in the budget, estimates and statements in respect to the work of such department or establishment.

"SEC. 216. The departmental estimates and any supplemental or deficiency estimates submitted to the bureau by the head of any department or establishment shall be prepared and submitted in such form, manner, and detail as the President may prescribe.

"SEC. 217. For expenses of the establishment and maintenance of the bureau there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $225,000, to continue available during the fiscal year ending June 30, 1921.

"TITLE III.—GENERAL ACCOUNTING OFFICE.

"SEC. 301. There is created an establishment of the Government, to be known as the general accounting office, which shall be independent of the executive departments and under the control and direction of the comptroller general of the United States. The offices of Comptroller of the Treasury and Assistant Comptroller of the Treasury are abolished, to take effect July 1, 1920. All other officers and employees of the office of the Comptroller of the Treasury shall become officers and employees in the general accounting office at their grades and salaries on July 1, 1920, and all books, records, documents, papers, furniture, office equipment, and other property of the office of the Comptroller of the Treasury shall become the property of the general accounting office. The comptroller general is authorized to adopt a seal for the general accounting office.

"SEC. 302. There shall be in the general accounting office a comptroller general of the United States and an assistant comptroller general of the United States, who shall be appointed by the President, with the advice and consent of the Senate, and shall receive salaries of $10,000 and $7,500 a year, respectively. The assistant comptroller general shall perform such duties as may be assigned to him by the comptroller general, and during the absence or incapacity of the comptroller general, or during a vacancy in that office, shall act as comptroller general.

"SEC. 303. The comptroller general and the assistant comptroller general shall hold office during good behavior, but may be removed at any time by concurrent resolution of Congress after notice and hearing when, in their judgment, the comptroller general or assistant comptroller general is incapacitated or inefficient, or has been guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner, except by impeachment. Any comptroller general or assistant comptroller general removed in the manner herein provided shall be ineligible for appointment to either of such offices. When a comptroller general or assistant comptroller general attains the age of 70 years he shall be retired from his office.

"SEC. 304. All powers and duties now conferred or imposed by law upon the Comptroller of the Treasury or the six auditors of the Treasury Department, and the duties of the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury relating to keeping the personal ledger accounts of disbursing and collecting officers, shall, so far as not inconsistent with this act, be vested in and imposed upon the general accounting office, and be exercised without direction from any other officer. The balances certified by the comptroller general shall be final and conclusive upon the executive branch of the Government. The revision by the comptroller general of settlements made by the six auditors shall be discontinued, except as to settlements made before July 1, 1920.

"SEC. 305. Section 236 of the Revised Statutes is amended to read as follows:

"'SEC. 236. All claims and demands whatever by the United States or against them, and all accounts whatever in which the United States are concerned, either as debtors or creditors, shall be settled and adjusted in the general accounting office.'

"SEC. 306. All laws relating generally to the administration of the departments and establishments shall, so far as applicable, govern the general accounting office. Copies of any books, records, papers, or documents, and transcripts from the books and proceedings of the general accounting office, when certified under its seal, shall be admitted as evidence with the same effect as the copies and transcripts referred to in sections 882 and 886 of the Revised Statutes.

"SEC. 307. The comptroller general may provide for the payment of accounts or claims adjusted and settled in the general accounting office, through disbursing officers of the several departments and establishments, instead of by warrant.

"SEC. 308. The duties now appertaining to the Division of Public Moneys of the office of the Secretary of the Treasury so far as they relate to the covering of revenues and repayments into the Treasury, the issue of duplicate checks and warrants, and the certification of outstanding liabilities for payment, shall be performed by the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury.

"SEC. 309. The comptroller general shall prescribe the forms, systems, and procedure for administrative appropriation and fund accounting in the several departments and establishments, and for the administrative examination of fiscal officers' accounts and claims against the United States. He shall submit periodically to Congress reports upon the adequacy and effectiveness of the administrative examination of accounts and claims in the respective departments and establishments and upon the adequacy and effectiveness of departmental inspection of the offices and accounts of fiscal officers.

"SEC. 310. The offices of the six auditors shall be abolished, to take effect July 1, 1920, but the then incumbents of those offices shall be transferred, at their present salaries, to become officers of the general accounting office. All other officers and employees of these offices shall become officers and employees in the general accounting office at their grades and salaries on July 1, 1920. All books, records, documents, papers, furniture, office equipment, and other property of these offices, and of the Division of Bookkeeping and Warrants so far as they relate to the work of such division transferred by section 304, shall become the property of the general accounting office. The general accounting office shall occupy temporarily the rooms now occupied by the office of the Comptroller of the Treasury and the six auditors.

"SEC. 311. (a) The comptroller general shall appoint, remove, and fix the compensation of such attorneys and other employees in the general accounting office as may from time to time be provided for by Congress.

"(b) All such appointments, except to positions carrying a salary at a rate of more than $5,000 a year, shall be made in accordance with the civil-service laws and regulations.

"(c) No person appointed by the comptroller general shall be paid a salary at a rate of more than $6,000 a year, and not more than four persons shall be paid a salary at a rate of more than $5,000 a year.

"(d) Until March 5, 1921, no person who at the time of the passage of this act holds office as one of the six auditors, and who in pursuance of section 310 is transferred to the general accounting office, shall be removed from office or have his compensation reduced, except for cause.

"(e) All officers and employees of the general accounting office, whether transferred thereto or appointed by the comptroller general, shall perform such duties as may be assigned to them by him.

"(f) All official acts performed by such officers or employees specially designated therefor by the comptroller general shall have the same force and effect as though performed by the comptroller general in person.

"(g) The comptroller general shall make such rules and regulations as may be necessary for carrying on the work of the general accounting office, including rules and regulations concerning the admission of attorneys to practice.

"SEC. 312. (a) The comptroller general shall investigate, at the seat of government or elsewhere, all matters relating to the receipt and disbursement of public funds, and shall make to the President when requested by him, and to Congress at the beginning of each regular session, a report in writing of the work of the general accounting office, containing recommendations concerning the legislation he may deem necessary to facilitate the prompt and accurate rendition and settlement of accounts and concerning such other matters relating to the

receipt and disbursement of public funds as he may think advisable. In such regular report, or in special reports at any time when Congress is in session, he shall make recommendations looking to greater economy or efficiency in public expenditures.

"(b) He shall make such investigations and reports as shall be ordered by either House of Congress or by any committee of either House having jurisdiction over revenue, appropriations, or expenditures. The comptroller general shall also, at the request of any such committee, direct assistants from his office to furnish the committee such aid and information as it may request.

"(c) The comptroller general shall specially report to Congress every expenditure or contract made by any department or establishment in any year in violation of law.

"SEC. 313. All departments and establishments shall furnish to the comptroller general such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the comptroller general, or any of his assistants or employees when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department or establishment. The authority contained in this section shall not be applicable to expenditures made under the provisions of section 291 of the Revised Statutes.

"SEC. 314. The Civil Service Commission shall establish an eligible register for accountants for the general accounting office, and the examinations of applicants for entrance upon such register shall be based upon questions approved by the comptroller general.

"SEC. 315. (a) All appropriations for the fiscal year ending June 30, 1921, for the offices of the Comptroller of the Treasury and the six auditors, are transferred to and made available for the general accounting office.

"(b) During such fiscal year the comptroller general, within the limit of the total appropriations available for the general accounting office, may make such changes in the number and compensation of officers and employees appointed by him or transferred to the general accounting office under this act as may be necessary.

"(c) There shall also be transferred to the general accounting office such portions of the appropriations for rent and contingent and miscellaneous expenses, including allotments for printing and binding, made for the Treasury Department for the fiscal year ending June 30, 1921, as are equal to the amounts expended from similar appropriations during the fiscal year ending June 30, 1920, by the Treasury Department for the offices of the Comptroller of the Treasury and the six auditors.

"(d) During the fiscal year ending June 30, 1921, the appropriations and portions of appropriations referred to in this section shall be available for salaries and expenses of the general accounting office, including payment for rent in the District of Columbia, traveling expenses, the purchase and exchange of law books, books of reference, and for all necessary miscellaneous and contingent expenses.

"SEC. 316. The general accounting office shall not be construed to be a bureau or office created since January 1, 1916, so as to deprive employees therein of the additional compensation allowed civilian employees under the provisions of section 6 of the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1921, if otherwise entitled thereto.

"SEC. 317. The provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years, shall not apply during the fiscal year ending June 30, 1921, to the transfer of employees to the general accounting office.

"SEC. 318. This act shall take effect July 1, 1920, but appointments to offices herein created may be made prior to that date, to take effect July 1, 1920."

And the Senate agree to the same.

MEDILL MCCORMICK,
REED SMOOT,
HENRY W. KEYES,
F. M. SIMMONS,
ANDRIEUS A. JONES,
Managers on the part of the Senate.

JAMES W. GOOD,
P. P. CAMPBELL,
MARTIN B. MADDEN,
JOSEPH W. BYRNS,
JNO. N. GARNER,
Managers on the part of the House.

UTAH-IDAHO SUGAR CO.

Mr. SMOOT. Mr. President, I desire to mention a matter of a personal character. On last Monday I called the attention of the Senate to certain telegrams which I have received in respect to the Utah-Idaho Sugar Co. prosecution. Mr. Huston Thompson, acting chairman of the Federal Trade Commission, in answer to the statement which I made on the floor of the Senate, has written me a letter and asked me if I would not have it placed in the RECORD to-day. I am very glad to do so. In passing I wish to say that in this letter I am informed that Mr. Beer, upon the receipt of the telegram from Mr. Sanders that I objected to and read to the Senate last Monday, immediately wired this man Sanders, and his telegram is as follows:

GEORGE E. SANDERS,
103 First Avenue, Salt Lake City, Utah:

Commission not interested in political situation. Must take up Grants Pass matters as soon as I reach there Wednesday or Thursday of next week. Your attendance will be imperative regarding books and other matters relating to that situation.

There is further explanation in the letter of the whole question and I ask that it be inserted in the RECORD without reading.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEDERAL TRADE COMMISSION,
Washington, May 25, 1920.

Hon. REED SMOOT,
United States Senate, Washington, D. C.

MY DEAR SENATOR SMOOT: The attention of the commission has been called to a "personal explanation" by you in respect to the Utah-Idaho Sugar Co., made on the floor of the Senate on Monday, May 24, and set forth on page 7507 of the CONGRESSIONAL RECORD of the same date.

In your statement you say in part:

"When any department of our Government undertakes to secure the defeat or the election of a United States Senator through an investigation of the affairs of a sugar company it is time that such a contemptible practice be called to the attention of the public.

"I am positive the honest people of this country will not approve of any such rotten politics. This very thing is taking place in the State of Utah, and to prove this statement I have but to recite what has in the past and is taking place to-day.

"In the first place, I wish to go back some months when this unthinkable proposition was first brought to my attention by Gen. Richard W. Young during his visit to Washington as the attorney of the Utah-Idaho Sugar Co. He was here to learn, if possible, if there was any truth in the rumor that the Federal Trade Commission was going to make an investigation of the affairs of the Utah-Idaho Sugar Co.; and if so, upon what basis and for what reason. Think of my surprise when he told me that he had no doubt the investigation would be made some time before the next election, and among other causes assigned was the one that it would help to defeat me for reelection."

You then set forth two telegrams, one from Henry Ward Beer, an attorney for the Federal Trade Commission, dated Rigby, May 13, 1920, to one George Sanders (a witness for the commission), and the reply of the said Sanders, and you then say:

"Mr. President, this is the program, and I shall wait and see whether it meets with the approval of the members of the Federal Trade Commission or has received the sanction of the Attorney General. It begins to look to me as if Gen. Richard W. Young knew what he was talking about when shortly before his death he informed me what he heard was to take place in connection with an investigation of the Utah-Idaho Sugar Co. Gen. Young was one of the leading Democrats, if not the leading Democrat, in my State. Shame upon officials of a department of the Government if they have lent themselves to such action! I think I know the people of Utah well enough to know that this sort of politics will never be countenanced, and if the officials of Washington are acting in this matter upon the advice of politicians of the State of Utah, their action will not assist in any way in my defeat or their success."

In response to your statement, I beg leave to say that I have a very clear recollection of the visit of Gen. Richard W. Young, deceased, to Washington as the attorney of the Utah-Idaho Sugar Co., when he called at the commission's offices, in company with Senator KING, of Utah. There were present at the conference Senator KING, Gen. Young, Mr. Porter, chief counsel of the commission, and myself. Gen. Young had in his possession the amended complaint in the case of the Federal Trade Commission against the Utah-Idaho Sugar Co., the Amalgamated Sugar Co., E. R. Wooley, A. P. Cooper, and E. F. Cullen, which had been issued on September 2, 1919, and served on the respondents immediately thereafter, the issuance of which complaint undoubtedly caused the call of Gen. Young. The purpose

of Gen. Young was not to learn whether an investigation was to be made, but was to learn our method of procedure and the manner of conducting the trial, which practice was new to him. We had long since made the investigation, and the commission had issued the complaint, and the only matter before us at this conference was the question of the proceeding with the trial.

Before referring to the telegrams which you read into the RECORD, I wish to say that there has never been any delay on the part of the commission or its attorneys in the trial of this case. The only delays that have been granted thus far have been at the request of counsel for respondents.

The first telegram is as follows:

"RIGBY, *May 13, 1920.*

"GEORGE SANDERS,
"*Care of Dr. Snow, 60 First Avenue,*
"*Salt Lake City, Utah:*

"Expect to close; leaving here Saturday. What do you intend to do regarding Medford and Grants Pass proposed hearing? Wire me collect.

"BEER,
"*Federal Trade Commissioner.*"

This telegram was sent to Mr. Sanders because he was a witness for the commission whose examination in chief had been taken and the telegram referred to his proposed cross-examination, which was not to take place at his residence in Salt Lake City, but was to take place at Grants Pass or Medford, Oreg., because of certain voluminous receivership documents located there, to which it was necessary to have access.

The answer of Mr. Sanders was in the telegraphic form which you read into the RECORD, as follows:

"SALT LAKE CITY, UTAH, *May 13, 1920.*

"HENRY W. BEER,
"*Special Counsel, Federal Trade Commission,*
"*Rigby, Idaho:*

"Do not know what to advise you about proposed hearing at Grants Pass. Think you ought to have about three weeks from now. One of your investigators should be there a week in advance lining up witnesses. Do not be in too big hurry to finish your case, as public sentiment is fast changing and almost entirely for Government prosecution. Sugar magnates anxious for you to get through. Palmer should keep you on job. If you keep a going for two months, it will cost SMOOT his Senate seat. Better kill some time with Washington authority. Ogden to-morrow.

"G. E. SANDERS."

Immediately, and on the same day as the receipt of the telegram from Mr. Sanders, Mr. Beer wired him as follows:

"RIGBY, IDAHO, *May 14, 1920.*

"GEORGE E. SANDERS,
"*103 First Avenue, Salt Lake City, Utah:*

"Commission not interested in political situation. Must take up Grants Pass matters as soon as I reach there Wednesday or Thursday of next week. Your attendance will be imperative regarding books and other matters relating to that situation."

The commission received this morning a telegram from Mr. Beer without having had any communication with him since your statement on the floor of the Senate yesterday. As this telegram is responsive to your inquiry as to the position of the Federal Trade Commission, I take the liberty of quoting it in full:

"MEDFORD, OREG., *May 24, 1920.*

"CLAUDE R. PORTER,
"*Chief Counsel Federal Trade Commission,*
"*Washington, D. C.:*

"Hon. REED SMOOT'S telegram just published in Medford, Oreg., paper. You should know facts. Sanders testified against respondent sugar companies in Salt Lake City. Part of his cross-examination deferred to resume at Grants Pass or Medford, Oreg., because of certain voluminous receivership documents located here. I wired Sanders regarding his presence and sent him subpœna to appear in Medford, Oreg.

"When I received the following message:

"'2 $ CA 109 collect NL.

"'SALT LAKE CITY, UTAH, *May 13, 1920.*

"'HENRY W. BEER,
"'*Special Counsel Federal Trade Commission,*
"'*Rigby, Idaho:*

"'Do not know yet what to advise you about proposed hearing at Grants Pass. Think you ought to have it about three weeks from now. One of your investigators should be there week in advance lining up witnesses. Don't be in too big a hurry to finish your case, as public sentiment is fast changing and almost entirely for Government prosecution. Sugar magnates anxious for you to get through. Palmer should keep you on job. If you keep this a going for two months it will cost SMOOT his Senate seat. Better kill some time with Washington authority. Ogden to-morrow.

"'GEORGE E. SANDERS.

"'905 A. MAY 14, 1920.'

"As soon as I could get to telegraph office I replied:

"'RIGBY, IDAHO, *May 14, 1920.*

"'GEORGE E. SANDERS,
"'*103 First Avenue, Salt Lake City, Utah:*

"'Commission not interested in political situation. Must take up Grants Pass matters as soon as I reach there Wednesday or Thursday of next week. Your attendance will be imperative regarding books and other matters relating to that situation.'

"Telegraph operator informed Beet Growers' Sugar Co., one of complainants against Utah-Idaho Sugar Co., that Government messages were being interfered with and I advised obtaining signed statement from operator Carney, which also follows:

"'May 13, 1920, I received a telegram from Henry Ward Beer, and while I was copying this message I noticed that Joe Jones, special agent for the Oregon Short Line, was standing behind me, I think reading it as I copied it. May 16, 1920, Joe Jones called at the office to look over some papers regarding a rug missing in a shipment. As no one is here during the noon hour on Sunday, Mr. Jones asked me to leave the keys to the station with him. I was about to take the key to the office off of the ring when he told me to let him have all of them, as they wouldn't be so apt to get lost. I handed him all the keys. The agent, cashier, and myself went to dinner. I returned about 15 minutes after and found Mr. Jones looking over the Western Union messages. Soon as he saw me he put them back soon as possibly could. After he got over his nervousness he asked me if I had a copy of the message that was received for Mr. Beer May 14. I had a copy of the message that was received for Mr. Beer May 13. I told him I had a copy of every message received or sent and told him that it was in the messages he was looking at when I came in. He then asked me to make him a copy and I refused to do so, as I didn't think he had a right to have same. After a little arguing he said all right, don't do it.

"'(Signed) THOS. J. CARNEY.'

"Please note the dates. My telegram to Sanders was in the same bunch of messages with the Sanders telegram. Jones, who is not a Western Union employee, has deliberately concealed the facts as far as I am concerned. Trial is being conducted with absolute fairness to both sides, and not a breath of politics has been used directly or indirectly in connection with the hearings. Sanders but 1 of about 75 witnesses called so far for complainant. Senator SMOOT's name not mentioned in testimony or exhibits except in list of stockholders Utah-Idaho Sugar Co.

"HENRY WARD BEER,
"*Special Counsel.*"

In reply to Mr. Beer's telegram, our chief counsel, Mr. Porter, sent immediately the following message this morning:

"FEDERAL TRADE COMMISSION,
"*Washington, May 25, 1920.*

"HENRY WARD BEER,
"*Medford, Oreg.:*

"Telegram received. Proceed with case with reasonable expedition and in usual course.

"PORTER, *Chief Counsel.*"

In closing I wish to assure you, as is evidenced by the telegrams and statements in this letter, that the commission has always rigorously refrained, and has so advised its employees, from taking any part in any matters of a political nature in its investigations and trials of cases or other matters before it.

Cordially, yours,

HUSTON THOMPSON,
Acting Chairman.

PAY OF GOVERNMENT EMPLOYEES.

Mr. THOMAS. Mr. President, I rise to a question of parliamentary procedure. House bill 5726 was passed on Monday last, when the calendar was called. Since then a number of Senators have been informed of the results of the operation of the bill, and if the information is well founded, and I think it is, the Senate should correct its action if possible.

The Senator from South Carolina [Mr. DIAL] for that purpose prepared a motion for a reconsideration of the bill, or gave notice that he would, within the 48 hours prescribed under the rule. My purpose in rising is to inquire if the pendency of the

motion will hold the bill in the Senate until it can be disposed of. There is a ruling to that effect in our procedure, but I am informed that on other occasions, although I can find no record of it, it has been decided that the motion must be both made and considered within the prescribed period. If that is true, it is of the greatest importance that the motion should be disposed of to-day. If it is not true, then, of course, it is not so important.

I was requested to bring the matter to the attention of the Chair before the hour of 5 o'clock, at which time, under the unanimous-consent agreement, the Senate stands in recess.

The VICE PRESIDENT. The Chair thinks that the Senator from Colorado does not accurately state the record.

Mr. THOMAS. I am stating it from hearsay.

The VICE PRESIDENT. The Chair is informed that the Senator from South Carolina did not enter a motion to reconsider. He rose and gave notice that he would enter a motion to reconsider. This is the rule:

When a question has been decided by the Senate, any Senator voting with the prevailing side may, on the same day or on either of the next two days of actual session thereafter, move a reconsideration.

The Chair is of the opinion that if a motion to reconsider be made on the day the action is taken, or within the next two days of actual session, it is not necessary that it be decided at that time, but any Senator can call it up at any proper time and have it decided.

Mr. THOMAS. Then I submit a motion to reconsider. I had been informed that the motion had been made.

The VICE PRESIDENT. The Secretary will state the motion.

The READING CLERK. The Senator from Colorado [Mr. THOMAS] submits a motion to reconsider the vote by which the bill (H. R. 5726) to fix the compensation of certain employees of the United States was passed on Monday, the 24th instant.

The VICE PRESIDENT. The motion to reconsider will be entered.

AMENDMENT OF THE RULES.

Mr. KNOX. I desire to give notice that it is my intention to propose an amendment to the Standing Rules of the Senate, Rule XXV, to the extent and in the manner indicated by the notice. I ask that it be read.

The notice was read, as follows:

1. Beginning with the Sixty-seventh Congress, the following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

Committee on Agriculture and Forestry, to consist of 15 Senators.
Committee on Appropriations, to consist of 15 Senators.
Committee to Audit and Control the Contingent Expenses of the Senate, to consist of five Senators, to which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same.
Committee on Banking and Currency, to consist of 13 Senators.
Committee on Civil Service, to consist of 11 Senators.
Committee on Claims, to consist of 13 Senators.
Committee on Commerce, to consist of 15 Senators.
Committee on the District of Columbia, to consist of 13 Senators.
Committee on Education and Labor, to consist of 11 Senators.
Committee on Engrossed and Enrolled Bills, to consist of 3 Senators, which shall examine all bills, amendments, and joint resolutions before they go out of the possession of the Senate, and which shall have power to act jointly with the same committee of the House of Representatives, and which, or some one of which, shall examine all bills or joint resolutions which shall have passed both Houses, to see that the same are correctly enrolled, and, when signed by the Speaker of the House and President of the Senate, shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States in person, and report the fact and date of such presentation to the Senate.
Committee on Expenditures in the Executive Departments, to consist of 7 Senators.
Committee on Finance, to consist of 15 Senators.
Committee on Foreign Relations, to consist of 15 Senators.
Committee on Immigration, to consist of 11 Senators.
Committee on Indian Affairs, to consist of 11 Senators.
Committee on Interoceanic Canals, to consist of 11 Senators,
Committee on Interstate Commerce, to consist of 15 Senators.
Committee on Irrigation and Reclamation of Arid Lands, to consist of 11 Senators.
Committee on the Judiciary, to consist of 15 Senators.
Committee on the Library, to consist of 7 Senators, which shall have power to act jointly with the same committee of the House of Representatives.
Committee on Manufactures, to consist of 11 Senators.
Committee on Military Affairs, to consist of 15 Senators.
Committee on Mines and Mining, to consist of 9 Senators.
Committee on Naval Affairs, to consist of 15 Senators.
Committee on Patents, to consist of 7 Senators.
Committee on Pensions, to consist of 11 Senators.
Committee on Post Offices and Post Roads, to consist of 15 Senators.
Committee on Printing, to consist of 7 Senators, which shall have power to act jointly with the same committee of the House of Representatives.
Committee on Privileges and Elections, to consist of 13 Senators.
Committee on Public Buildings and Grounds, to consist of 13 Senators, which shall have power to act jointly with the same committee of the House of Representatives.
Committee on Public Lands and Surveys, to consist of 13 Senators.
Committee on Rules, to consist of 12 Senators.
Committee on Territories and Insular Possessions, to consist of 13 Senators.

2. The Committees to Audit and Control the Contingent Expenses of the Senate, on Printing, and on the Library shall continue and have the power to act until their successors are appointed.

RECESS.

The VICE PRESIDENT (at 5 o'clock p. m.). In accordance with the unanimous-consent agreement, the Senate now stands in recess until 7.30 o'clock this evening.

EVENING SESSION.

The Senate reassembled at 7 o'clock and 30 minutes p. m., on the expiration of the recess.

The PRESIDING OFFICER (Mr. CURTIS in the chair). Under the unanimous-consent agreement, entered into yesterday, the session this evening is to be devoted exclusively to the consideration of the report of the special committee appointed to investigate the public-school system in the District of Columbia.

DISTRICT PUBLIC-SCHOOL SYSTEM.

Mr. HARRISON. Mr. President, I desire to address the Senate on the report that was filed this afternoon by the Select Committee on School Investigation. I requested that the Senate convene to-night so that the remarks I might make, and the time of the Senate consumed, would not interfere with the passage of the appropriation bills and delay the adjournment or recess of Congress.

I know that the Senate is so much occupied with general legislation that I, in common with the rest of Congress, do not give to the affairs of the District that degree of consideration that the District sometimes deserves; but the committee that was appointed by the Senate to investigate the school situation had such a large task before it and devoted so much time to its consideration that the committee felt that at least the testimony which came out before the committee should be analyzed in order that the RECORD of Congress might show it. So I approach this subject only with the desire of backing up, so far as my opinion is concerned, the report of the committee, and to lay the cards on the table, so to speak, in a candid and frank statement, to show the reasons for my action.

To-morrow it is to be hoped that the action of the Senate will be taken touching a matter that has been before it for some time, and in which the District of Columbia is vitally interested, namely, either the confirmation or the rejection of one of the commissioners of the District.

In discussing this report, I desire to say that while the committee was unanimous in its findings, there was much that I would have desired to go into the report that did not go into it, and there are some things in the report which, if it had been left to me entirely, would have been written in a different phraseology; but the committee wanted to get together in a unanimous report, and what that report contains is the unanimous judgment of the five Senators who composed the committee.

In the report the committee said that the salaries of the teachers in the District of Columbia were in their opinion inadequate; and while during the war, to meet the abnormal conditions confronting the teaching fraternity in Washington, the Congress had been liberal to a very marked extent in increasing the salaries of the teachers, it had not, in the opinion of the committee, increased the salaries sufficiently to meet the conditions that confront them to-day.

It would seem that in every other trade and calling, in every other line of work, the compensation of persons who labor for wages has been increased very greatly more than in the teaching fraternity, and that applies not only to the District of Columbia but throughout the United States. It is not infrequent that we pick up a paper and read that plumbers are demanding $10 a day, and I read in one paper where in Chicago they were even requiring from those for whom they worked an automobile to carry them to and from work. The wages of employees in households have been increased two and three and four hundred per cent because of war conditions, but the salaries of the teaching fraternity have not been increased proportionately.

It was shown to the committee that while before the war there were about 80 resignations each year in the teaching force in the District, during the war the number of resignations ranged as high as 250 during the year. About the same proportion applied to the janitorial force, to the engineers' force, and other employees of the public-school system. In the case of the janitors, for instance, in 1918, out of 286, 110 resigned; and in 1919, out of 286, 103 resigned. This year already about 50 have resigned, keeping up the proportion of the prior two years.

These people have resigned in the janitorial force and resigned in the teachers' force because of the inadequate pay, and because in other fields of work the opportunities were greater for increased salaries and higher compensation; and so, in the opinion of the committee, it is vitally necessary, if the teaching force of the District is to continue on a high standard and to be kept on a high level, that an adequate increase should be made to meet the present-day conditions.

So they recommended as a basis for increase that the report of the Joint Reclassification Commission, recently made to Congress, should be a basis on which the Congress might proceed. That commission went fully into the question of the salaries of all the District employees, including the janitorial force and the teachers' force, and it would seem that that report, so far as it pertained to the teachers and the janitors, should be adopted and the increase proportionately made by the Congress.

I regretted to-day to see the sundry civil bill pass so rapidly, because I had some hope that perhaps we might get the increases on that bill. I understand, however, that it carries some increase. In the consideration of this question the committee found, too, that in the lower classes the teaching force was not paid in proportion to the teaching force in the higher classes, and that a proportionately greater increase should be made to those teachers teaching the lower classes than to those in the higher classes.

The committee found that the present policy of appointing teachers in the District permanently was not a very good policy; that at times it was found very difficult to rid the system of an undesirable teacher, or one that in the opinion of the school authorities was inefficient. That was very glaringly brought out in a certain case to which I shall allude later on in my remarks; so the committee thought for a while of recommending to Congress an amendment of the law that would provide for the appointment of teachers for only one year, and providing for their reappointment if they proved efficient. We thought that would have a tendency to influence the teachers to do their best work, and would serve notice upon them that if they should fail in the discharge of their duties they would not meet the approval of the superintendent and the board of education during the coming year.

Why, for certain reasons teachers in the schools here can stay away for two years, and then come back into the system and have a prior right to take their old places. The committee did not believe that that was advisable and that that is a good policy, and it is hopeful that the board of education will adopt a policy that will remedy that situation, or, if necessary, that the Congress shall amend the law.

In the report we say that the superintendent and the board of education should have the right to dismiss at any time any teacher for the good of the service.

Sirs, there is one case when the board of education and the superintendent thought advisable to dismiss for the good of the service, or to suspend for a few days, and it aroused the unions, so called, among the teachers. They protested; they went into their pockets; they raised money; they employed an attorney; they enjoined the board; they tried out the case in the courts. While there is nothing in this report touching unionism among the teachers in Washington, I regret that it is not. If I could have had my way I would have written into this report a recommendation that the Congress pass a law that no one teaching in the school system of Washington could belong to any union or society or association that is affiliated with any outside organization which believes in the strike to enforce its demands. But the committee was divided on that question, and so we left it out.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Illinois?

Mr. HARRISON. I yield.

Mr. SHERMAN. Does the Senator think it will violate the proprieties if he states why some of those disputed matters were omitted from the report?

Mr. HARRISON. Before the Senator came in I stated that there were many matters left out which various members of the committee very much desired to have placed in it, but in order for us all to get together unanimously on a report, many of us surrendered our individual convictions touching such matters in this report, in order to present a unanimous report.

Mr. SHERMAN. If the Senator will permit me, I would like further to say that I join with him in the statement he has made referring to affiliation with outside organizations of teachers, and express my conviction that the Senator has taken the only view which ultimately will secure the proper results in this or any other school system. I make this statement in view not only of the hearings but in view of our experiences in other parts of the United States. Wherever that outside affiliation has been permitted, it has resulted in a total destruction of discipline in many of the schools.

Mr. HARRISON. Yes; the Senator took that stand, and he and I agreed on that proposition absolutely, and when I took the position touching unions among the teachers it was quite inconsistent with the position I have taken touching unions generally. I know of no piece of legislation that has come before the American Congress, either while I was a Member of the House or of the Senate, in regard to which I did not stand with them when I felt that their demands were reasonable.

I opposed an amendment offered by the Senator from Montana [Mr. MYERS] which sought to divorce employees in the Government service from the Government service when they belonged to organizations or unions which were affiliated with outside organizations that believed in the strike to enforce their demands. I once made a point of order against such an amendment. I realize that there is a great difference of opinion on that proposition. But I feel kindly to labor; I feel kindly to organized labor; but I believe there is one place in this country where organized labor has no part, and that is in the teaching of the children of the land. I believe that there is such a difference of opinion among the people of the United States touching labor organizations, with disputes constantly arising, that when the teaching force of the land becomes affiliated with those organizations, and disputes and controversies arise, union teachers would be likely to try to influence the minds of the young children to the views that they entertained.

So, as schools are maintained out of the Public Treasury, for the public good, without respect to race, class, or distinction, it would seem to me that every cause should be removed that might lead part of our people to lose confidence in the system to which they are contributing. It is for that reason, and that reason alone, that I oppose teachers belonging to unions which are affiliated with outside organizations that believe in the strike to enforce their demands. There are some parents who have such strong convictions against organized labor that they do not desire their children to go to a public school taught by a teacher who believes in those things and is affiliated with such organizations.

Of course they can organize; of course they may have their unions, they may have their associations, and their fraternities, because I know, and you know, that every class of people have found it necessary to organize in order to protect their own interests. Merchants have their organizations, manufacturers have their associations, farmers have their unions, laborers have, and teachers might. But when teachers form their associations for their own protection and to present their views they should stop there and not go so far as to affiliate themselves with some organization outside which believes in the strike to enforce its demands.

When this particular teacher, Miss Wood, was suspended by the board of education from the public-school system here because she was charged in 12 or 14 counts of believing in or teaching bolshevistic doctrines, and in other things to which I will refer later, the teachers, through their union, wrote this letter to the president of the board of education:

HIGH SCHOOL TEACHERS' UNION,
HEADQUARTERS MCKINLEY HIGH SCHOOL,
Washington, D. C., March 22, 1919.

Mr. GEORGE E. HAMILTON,
President of the Board of Education,
Washington, D. C.

MY DEAR MR. HAMILTON: The executive committees of the High School Teachers' Union and Grade Teachers' Union have asked that we communicate with you in regard to the suspension of Miss Alice Wood.

We are interested both in the manner of her suspension and the grounds upon which it was based. It seems to be a matter of so much concern to all the teachers that we respectfully request to be fully informed on the following points:

1. What was the charge, if any, against Miss Wood?
2. Was Miss Wood informed of the charge and given the opportunity to reply to this charge before the board?
3. If there was a committee report on the matter, what was the action?
4. What was the action of the board?

We feel that it is due the teachers that they receive full information on a matter which so vitally concerns them.

Respectfully, yours,

ALICE DEAL,
President High School Teachers' Union.
CLARA K. STUTZ,
President Grade Teachers' Union.

So when they made that demand and received their reply they went out and employed counsel, put their proceedings in the courts, and fought it out, and brought such pressure on certain members of the board of education that the board failed to appeal the case to a higher court.

That is not all. Mr. Thurston testified, talking about the unions:

Mr. THURSTON. Part of their plan to which I did take exceptions was the selection of principals of buildings by their recommendation of several people from whom the superintendent should select.
Senator HARRISON. You say that Dr. Van Schaick had been in constant communication with the unions?
Mr. THURSTON. Constant touch.
Senator HARRISON. In constant touch with these leaders of the unions?
Mr. THURSTON. Yes.
Senator HARRISON. On what do you base that statement?
Mr. THURSTON. Through these letters he has submitted and showed by me, and constant references by Dr. Van Schaick in meetings and to me personally that Miss Deal wanted so-and-so, or he had been talking with Miss Deal.
Senator HARRISON. She is at the head of one of the unions?
Mr. THURSTON. She is at the head of the High School Teachers' Union.

* * * * * * *

Mr. THURSTON. I flatly disagreed with the union on their plan of selection of principals in grade schools and so on.
Senator WALSH. What was that plan of selection of principals?
Mr. THURSTON. They believed that the teachers in the school building should get together and nominate the principal of the building.
Senator WALSH. Have they actually made that suggestion to you?
Mr. THURSTON. They have not actually made it to me, but that was the suggestion that was included in some of their literature, to either directly select, or select two or three from whom the choice should be made. I claimed the administrative officer has a knowledge of teachers they never can have. A classroom teacher gets certain factors, perhaps, better than an administrative officer, but the administrative officer is bound to know the value of a teacher as an administrative officer or principal better than a lot of teachers could determine it.
Senator HARRISON. Why was it that the leaders of the union did not come to you about these matters, and would go to some one else?
Mr. THURSTON. The leaders of the union had worked steadily with Dr. Van Schaick. They do not approve of the present superintendent of schools.

So it is that they had such influence that they reversed the findings of the board and kept the board of education from appealing the case in which they had employed counsel to fight for one of the teachers belonging to the union, and going further by advocating the right to select the principals in the schools. The only way to stop it, in my opinion, is for the Congress to pass legislation which will prevent any of the teaching force from belonging to these unions which are affiliated with outside organizations. Such activity upon the part of the unions would eventually rob the superintendent and the board of the management of the schools and eventually destroy the system.

The committee, in its report, made certain recommendations touching buildings and playgrounds. We visited many of the schools in the city, and we found that in some instances there are school buildings as beautiful and as modern as can be found in any city of the Nation. The Central High School building is so attractive that, notwithstanding the Capitol and other beautiful and magnificent buildings, the equal of any in the world, this building compares most favorably with them. The Dunbar High School, the Armstrong Manual Training School, and the Miner Normal School are all wonderfully attractive buildings, modern and convenient in every way. But we found that there are many other buildings in the city that are old, antiquated, and incommodious, where the sewerage is not proper, where the lighting is not sufficient, and where the playgrounds are inadequate—where children are stacked in and herded in such numbers that no teacher can possibly teach them properly. We found some classrooms in the city here where as many as 56 children were being taught by one teacher.

At the Dunbar High School and the Armstrong Manual Training School there is no playground at all, although there are thousands of pupils there. There is a plot of ground there that the Government can take over and buy, and the acquisition of which is most urgent and needed, and Congress should have made some arrangement to purchase a sufficient playground at that particular place if it were possible at this time.

The same thing is true of the Park View School. I mention these in particular. There are many other schools in the city where the playgrounds are inadequate and very much needed.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Washington?

Mr. HARRISON. I yield.

Mr. JONES of Washington. I wanted to ask the Senator whether the committee ascertained why estimates were not sent down to Congress, for instance, for the purchase of ample land at the Dunbar School? I know the situation there; I have visited it myself, and some of the members of the Committee on Appropriations have been urging the purchase of additional land for that school. The Senator from Kansas [Mr. CURTIS], who is now presiding, has taken a special interest in the matter, and we had hoped that in the sundry civil appropriation bill, which we passed to-day, we would have been able to have a sufficient appropriation to buy the remainder of the block where that school is located, because we deem it very necessary. We found, when we came to consider the estimates, that estimates of only about half of the amount of money necessary to buy it had been sent down.

The Senator understands the rules under which we work with reference to appropriations. So we felt that rather than appropriate the amount of money which was estimated for it would be better to make no appropriation, in the hope that an estimate will be sent down at the next session of Congress ample to purchase the land which ought to be purchased. I just wondered whether the committee found out a reason why, or who is to blame for not sending down ample estimates.

Mr. HARRISON. No; the committee did not ascertain. We viewed these premises. We found that land was there that we could buy, and that if we did not buy it soon perhaps some one else would buy it, some other person or concern would purchase it. It is needed most urgently. Of course, the Congress can not make the appropriation if the estimate is not here. It is really very regrettable that estimates did not come in, so we could take some immediate steps toward acquiring those playgrounds.

When I first came to Washington, just being a country fellow, I was somewhat prejudiced against playgrounds, but I am now soundly convinced that it is economy in a city such as Washington for the Congress to make liberal appropriations to provide playgrounds, not only around the schools, but in the thickly populated parts of the city. When I was a boy there was no restriction to playgrounds, because there were forests we could roam through as far as we desired; but here in these dingy places, where children are restricted all day, where they are trying to develop their minds, and where, when they get out at recess, there is no place to play except on the streets, where they are threatened by being run over—as one, I believe, was run over at the Dunbar High School by an automobile—it is an outrage, and it is a shortsighted policy for the Congress not to make adequate appropriations for ample playgrounds throughout the city.

The next subject to which I desire to address myself is the friction on the board of education and between the board of education and the superintendent and other employees in the public-school system of the District.

When this resolution was introduced and the investigation was begun, none of us had any idea what was the real condition in the schools here. We knew there was a deplorable situation. We knew there was great criticism—that there was something wrong—but we did not know just what it was. So we went to work impartially, with open minds, to ascertain what was the real cause of the trouble. I think after the six or seven weeks of earnest labor upon the part of the committee there now remains in the minds of the members of the committee no doubt as to what is the real cause of this disturbing, discouraging, terrible condition in the school system.

The present superintendent, Mr. Thurston, was elected in 1913. He was reelected in 1917. Notice has been served on him by the present board of education that he will not be reelected this year. From 1913 to 1917, when he was reelected, harmony, as stated by the committee, prevailed in the public-school system of Washington. There was complete cooperation between the board of education and the superintendent. There were men on the board at that time who were leading citizens of the city, men of large business affairs, of splendid educational qualifications, of high ideals and high standing.

I wish to bring to the attention of the Senate the testimony of some of the men whose names are household words in Washington, who served from 1913 to 1917 with the present superintendent, when there was complete cooperation and harmony in the system. I know of no better way than to take their testimony as to the fitness and qualifications of the superintendent and then to analyze the conditions since 1917, to study and analyze the personnel of the board since the deplorable condition arose, in order that we may form our conclusions therefrom.

Mr. Henry P. Blair was a member of the board prior to 1916, when Dr. Van Schaick, the present president of the board, became a member of the board. Mr. Blair says, at page 819 of the hearings, that Thurston was elected because he was the best qualified man in the system. He had grown up in the system. He had been assistant superintendent in charge of the white schools. Mr. Blair goes on further and says:

About the middle of that renovation, if one may call it that, Dr. Davidson received the Pittsburgh election and determined that he had gone far enough with this problem here so that he could in fair-

ness leave the Washington schools, and yet there was a very considerable amount of work still to be done in connection with the business reorganization. That was successfully accomplished during the earlier years of Mr. Thurston's superintendency. It was problems of that character that had first to be dealt with. It seemed to me and it seemed to the board that he dealt with them efficiently.

After that was done we were feeling that the time had come when we could take up the other side of the work, if I may so call it, and go ahead with that. Mr. Thurston I always found in respect to these matters careful, conscientious, up to date, as far as I could see, examining propositions with caution and care rather than accepting them because somebody suggested they might be a nice thing to have in the Washington schools; good judgment as to what were fads and what were not fads, and as the growth and development, as it seemed to me, of the educational side of the school system was inaugurated and was being successfully carried on, starting with its beginnings about the time that my active service with the board ceased.

I felt that we had taken Mr. Thurston from the position of assistant superintendent, where his duties were confined to those assigned to him by the superintendent; that we had every reason to feel that he was growing and developing splendidly and that he was going to make an efficient and successful superintendent. I feel that he required cooperation. I feel that he required an opportunity to consult in a friendly spirit, not a hostile one, with the members of the board of education, and that he wanted that kind of cooperation, and if he had it that he was destined to grow and develop as I feel that he has, very much, since his original appointment.

I now desire to read to the Senate what Mr. William T. Galliher stated before the committee. He is another man who stands in the forefront among the citizenship of the District. About the only thing I know against him is that he is a Republican. You do not object to that, Senator SHERMAN?

Mr. SHERMAN. No.

Mr. HARRISON. Here is what Mr. Galliher says:

Senator HARRISON. Up until that time, while you were a member of the board, were the schools getting along in a fairly good way?

Mr. GALLIHER. They were.

Senator HARRISON. What was your opinion at that time, from your observation as a member of the board, of Mr. Thurston as superintendent of schools?

Mr. GALLIHER. I have always believed in Mr. Thurston's ability. He was a product of our own schools and had been a teacher for several years, and had been assistant superintendent since 1911, and in all the positions that he had occupied he had proven his ability and efficiency. The matter of the selection of some one within or without the system had been under consideration. The president of the board and the vice president had visited New York and had an interview with one or more persons there, and then returning to Washington and the school board, Mr. Thurston's election was determined on.

Now, I desire to read what Mr. John B. Larner said, another man who served on the board from 1913 to about 1917, who stands high in the city of Washington, and whose estimate of Mr. Thurston deserves consideration by the Senate. I read:

Mr. LARNER. The second reason was that for a long time, for several years, I had felt that I was not in sympathy with the ideas of the board in reference particularly to the school superintendent and to one or two other matters that came up besides that.

Senator DILLINGHAM. Since when have you felt so?

Mr. LARNER. I would say probably up to about the time that Dr. Van Schaick came on the board of education.

Senator DILLINGHAM. Going back at that time, when he came to the board, you had served how many years?

Mr. LARNER. I had served approximately four years beginning in 1912, and I think he came on the board in 1916.

Senator DILLINGHAM. I wish you would tell us in your own way what the conditions were during those four years, what problems the board were attempting to work out, how they were doing it, and generally what the conditions were in the board and in the schools.

Mr. LARNER. Mr. Blair was president of the board of education prior to that time. There is no better man in the city of Washington than Mr. Blair. I do not think there is any one in the city of Washington who understood the school system better than Mr. Blair. He is a perfect gentleman in all his dealings with everybody. His services as president of the board have been highly acceptable; they were to me and I think they were, perhaps, to the majority of the board. I think that everything moved along in the ordinary way. We would have our troubles, a great many complaints about teachers, charges against teachers, and threatened investigations, and all that sort of thing. We have those always and always will have them. But there was no friction so far as I knew in reference to the work of the superintendent. I believe the schools were progressing in a fairly good way. I want to say that I think the schools are coming along very nicely now, so far as the schools themselves are concerned. Considering all that has taken place in the last two or three years, I think it is remarkable that we have been able to keep our school system together as well as we have.

Now, I desire to read what Mr. George E. Hamilton, another business man, a person of high education, testifies. He was a member of the board and testifies as to the qualifications of Mr. Thurston. He went on the board as a friend of Van Schaick. I read:

Senator HARRISON. What was your observation of Mr. Thurston during the time you were a member of the board?

Mr. HAMILTON. My observation of Mr. Thurston was that he was a most excellent man, a man who had grown up in the system and was developing every day. I did not know Mr. Thurston until I met him at the first meeting of the board that I attended in 1917. I knew that Mr. Thurston felt that I had come on the board as a friend of Dr. Van Schaick's and I thought the best thing to do would be to have a frank talk with him, so I sent for him. He came to my office, I think the day or two days after the first meeting. I said you have heard, no doubt, that I am here on the board at the suggestion of Dr. Van Schaick—

"At the suggestion of Dr. Van Schaick." As we go along in the discussion we will see that many of these members who took the places of old members on the board were suggested by Dr. Van Schaick or were indorsed by him to the appointing power.

I said you have heard, no doubt, that I am here on the board at the suggestion of Dr. Van Schaick, and probably because of his desire I was elected vice president, and that I might share the feeling that was attributed to Dr. Van Schaick against you. I said I am entirely without prejudice. If you do your work as it should be done, you will have my cordial support and cooperation. Every superintendent should have the support and cooperation of the board. You are the executive officer in a large measure of this board, and I intend to stand behind you to the extent of my ability as long as matters are conducted as they should be conducted; and we talked very fully and frankly along those lines. My observation of Mr. Thurston was that he was an excellent man as superintendent of the schools, overcrowded with work, and a man who was oppressed by the dual duty of looking not only after the educational system proper but the physical side as well.

Mr. Ernest H. Daniel, who had served on the board from 1913 to 1917, and who was defeated in 1916 for president of the board by Dr. Van Schaick, was not in the city during the hearing and he did not testify before the committee, but the fact is that Mr. Daniel in 1917 voted for the reelection of Mr. Thurston as superintendent, thereby expressing himself that he held him in very high esteem as a superintendent of schools.

It is peculiarly strange that in 1917 those men on the board who voted for the reelection of Mr. Thurston have gradually been eliminated from the board and others have been placed in their stead; it is peculiarly strange also that in 1916, when Dr. Van Schaick was appointed on the board, and immediately sought the presidency of the board, or at least his friends placed his name there as a candidate for the presidency, those members of the board who voted against the election of Dr. Van Schaick as president have been gradually divorced from the system and others have been substituted in their stead. So by the process of elimination, during the past four years, those who did not agree with the policy and insisted on voting against the election of Dr. Van Schaick as president of the board and for the reelection of Thurston as superintendent have been separated from the public school system of Washington. Whether it is because the president of the board, Dr. Van Schaick, was so powerful and influential with the appointing power that his say controlled I can not state, but I will lay before the Senate the facts that appeared before the committee, and that was that the men who were appointed from 1916 until the present time have, in practically every instance, received the indorsement of Van Schaick for appointment, and in most instances the persons who were appointed did not seek the position until it was suggested to them by Dr. Van Schaick himself that they be appointed.

Appointments to the board of education come from the Supreme Court judges of the District, whose place and authority are such that they have no business in the world to mingle in such matters, and I can not believe that the Supreme Court judges desire to assume such a function. What business has the Supreme Court of the District of Columbia naming the board of education for the District of Columbia? Do they associate generally with the people? Do they study local conditions? Are not judges, by virtue of the very position that they hold, removed from the "common touch," dissociated from current events, secluded in the study of great and intricate judicial questions? But that authority was lodged with the Supreme Court judges of the District, and we find that since 1916 Dr. Van Schaick has been most popular and evidently influential with some members of the court.

Mr. HENDERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Nevada?

Mr. HARRISON. I yield.

Mr. HENDERSON. When the Senator refers to appointments having been made by the supreme court judges, he refers to the judges of the Supreme Court of the District of Columbia, does he not?

Mr. HARRISON. Yes. The old members of the board, who served from 1913 to 1917, except two—Mrs. Rhodes and Mrs. Cook—voted for the reelection of Thurston, and I want to discuss Mrs. Rhodes and Mrs. Cook a little later on.

In the election of the president of the board in July, 1916, the old members voted against Van Schaick, with but one exception, and that was Mrs. Rhodes. The only member now on the board who voted for Thurston in 1917 is Mrs. Gerry, and I shall show before I finish that she quickly changed her attitude toward Thurston and became the chief lieutenant of Dr. Van Schaick, the president of the board. [Laughter in the galleries.]

The PRESIDING OFFICER. Let there be order in the galleries. There must be no demonstrations of any kind on the part of occupants of the galleries.

Mr. HARRISON. Without analyzing the attitude of Dr. Simon and Dr. Neill, who became members of the board very

recently, let us discuss the attitude of the members of the board, especially those who opposed the reelection of Mr. Thurston. Let us first take up Mrs. Cook. Anyone who reads the testimony can see a thread running all through it that Dr. Van Schaick absolutely dominated one faction of the board. Van Schaick had but to whistle and—

> Instant from copse and heath arose
> Bonnets and spears and bended bows.

His followers, like those of Roderick Dhu, started up in every direction, ready and eager to perform his bidding. I shall point out from the testimony that that description is not overdrawn.

Mrs. Cook is highly educated, a woman of fine poise, who under the fire of cross-examination took care of herself as well as any witness that I have ever seen on the witness stand, but anyone can see that Mrs. Cook was prejudiced against Thurston because she desired Bruce, the assistant superintendent of colored schools, to have greater authority in the school system. Time after time, instance after instance, in matters that came to their attention she would go over the head of the superintendent and either talk to the president of the board of education or to the assistant superintendent in charge of colored schools about matters which were solely within the jurisdiction of the superintendent himself. It was she who advocated that Bruce, the assistant superintendent of colored schools, should have a seat in the meetings of the board of education, although the law was silent on that point, and although the law had expressly given the right to the superintendent to sit in the meetings of the board of education and discuss with them questions, if need be, denying him only the right to a vote; it said nothing about the assistant superintendent of the white schools or the assistant superintendent of the colored schools being present at the meetings of the board of education. Yet this member of the board and Dr. Van Schaick and other members of the board extended the invitation that the assistant superintendent of the colored schools be admitted to the meetings of the board and there sit by the side of the superintendent, having, as they claimed, just as much right and authority and jurisdiction there as he. Of course, they based their action on the theory that the law says the assistant superintendent of the colored schools shall have sole charge of the colored schools, while the language of the law touching the assistant superintendent of the white schools does not say "sole charge." The law, however, expressly states that the superintendent may be permitted to attend all meetings of the board and denies him only the right of a vote, but it gives no such authority to the assistant superintendent of colored schools.

This member of the board voted against Thurston in 1917 and for Van Schaick against Daniels, although she had served with Daniels previous to 1917. Her whole attitude was in the direction of giving to Bruce greater power. She evidently thought she could carry out her plans through Van Schaick better than through Daniels. One had been tried out; the other had not.

I shall not detain the Senate to read from the hearings how she took matters up directly with Bruce, but when she was pressed for her reasons for her antagonism to Thurston, she cited what she called the Randall case, when the testimony, at page 571 of the hearings, discloses the fact that Bruce himself said in his report on the case, "I do not conceive that Syphax has what partisans are pleased to call a right to this temporary assignment because of his current rating as a principal of Bell and his paper record as a whole. I myself believe this rating question too high," and so forth; and further that when the recommendations of the superintendent, Mr. Thurston, who had indorsed a teacher by the name of Wilson, I believe, instead of Syphax, in the end, with perhaps one or two exceptions, were adopted, Dr. Johnson and Mrs. Cook alone voted against the recommendations, and Bruce, the assistant superintendent, finally recommended the person who was appointed before the board acted. Yet she cites the Randall case as one of the reasons why Thurston should not be reelected superintendent of the schools.

Referring to the Randall case, I quote the following from the hearings before the select committee:

Senator HARRISON. But when it went to the board he did not stand for Miss Wilson?

Referring to Bruce:

Mr. THURSTON. I think he might have felt that I having decided that way, he would not stand in the way. It is so far back that the details are not really clear in my mind.

My reason for standing for Miss Wilson were these: She was a woman who had been in the service for 20 years, a graduate of our own normal school. She had served in every grade from the first to the eighth. From 1906, under the present act, when we formally rated the teachers, she had been rated at the top the entire time without a question. She is a woman who, during her term of service, had worked in Howard University and obtained a degree of bachelor of arts while continuing her school work. She is a woman who had been selected as more or less a leader within her own division of divisional circle meetings where teachers get together for discussion of educational questions. She had been selected once by me, on recommendation from the force somehow, I do not recall how, and once by a former superintendent to serve on course of study committees, once on geography and once on arithmetic. She had to a very unusual degree been able to put her school; the Randall School, during the time she was temporary principal, in very effective touch with her community, and to a most unusual degree she had all the community with her. She knew how to work with them and knew how to interest them in the school. She seemed to me particularly the type of woman to be advanced into a principalship if we were seeking both educational standards, as I was, and the type of person who would connect up the school with the community, things that any worth-while superintendent wants to bring about.

When the question came before the board it took the form that many recommendations take, in my judgment not exactly the right one. It took the form immediately of a contest between Miss Wilson and Mr. Syphax.

Mrs. Cook was for Syphax, and also Dr. Johnson, another member of the board who stood out against Thurston and who was the second lieutenant of Dr. Van Schaick, was standing out for Syphax.

Mr. Thurston continues:

Really the proposition before the board, if I understand the law, is: "Does the board approve or disapprove of Miss Wilson's nomination?" That is the real question before the board. If I may make a very distinguished simile, it is as if the Senate acts on a recommendation coming from the White House.

Those are some of the reasons why she opposed Mr. Thurston. Another reason was a controversy between Dr. Moten, the head of the Miner Normal School, and Charlotte Hunter, a teacher in the school at that time, about whom the newspapers have published articles, about whom witnesses have testified in the courts of the District, about whom much testimony was given before the select committee, a woman who was forced to resign from the schools of the city of Washington because of her association with a man by the name of Moens, an impostor, a degenerate, a man of low character, who claimed to be an anthropologist from Holland or somewhere else.

There was a row on, or a controversy, between Dr. Moten and Miss Charlotte Hunter, who then taught in her school, and this member of the board about whom I am now speaking took the side of Charlotte Hunter; and since that time, as the evidence disclosed, there has been a feeling of antagonism against Dr. Moten. I visited, with the committee, the school over which this woman, Dr. Moten, presides, the Miner Normal School; and I say to you that I have never seen a school that impressed me so greatly as that.

I have never seen a school that I thought was better managed than the Miner Normal School; and as we came out of that building, and down the high steps of that school, another committeeman remarked to me, "Oh, what a pity it is that Dr. Moten is not serving as assistant superintendent over the colored schools in place of Bruce."

Anyone could see at a glance that the woman was of superb qualities when it came to managing a school; and yet one of the reasons why this particular member of the board was against Dr. Thurston was because of that little feeling that had crept into the controversy between Dr. Moten and Charlotte Hunter. Away back in 1914, I believe, Charlotte Hunter had been recommended by Mr. Thurston, then superintendent, to be removed or transferred from the Miner Normal School. It was the wish of Dr. Moten that she should be transferred, but the board even at that time overturned the action of Mr. Thurston. Mrs. Cook as a member assisted in overturning it. She was afterwards, in 1916 or 1917, I believe, transferred to the Dunbar High School, and still later she was fired, or, I should say, allowed to resign.

I want to speak next of another member of the board, a member whom I have known for seven or eight years, a woman of splendid character, and whom I respect very highly—Mrs. Rhodes.

Mrs. Rhodes was ill during the school investigation and was not able to come before the committee and testify. She was there, I think, while we examined Dr. Van Schaick. Unfortunately she was not able to give her testimony; but all the hearings disclosed the fact that Mrs. Rhodes was prejudiced against Dr. Thurston. She voted against his reelection. She voted for the election of Van Schaick no sooner than Van Schaick was placed on the board, although she had served with Daniels prior to Van Schaick's entrance on the board. Daniels was friendly to Thurston's reelection, and Mrs. Rhodes was unsympathetic with Daniels's reelection as president of the board. Let me read you from the mouth of Dr. Van Schaick himself what he says about Mrs. Rhodes, that you may for yourselves consider whether she was prejudiced against Thurston; whether she, as a member of the board, was in a position to give that

high degree of cooperation that the schools of the District deserved if they were to develop and be on as high a standard as they should.

Senator WALSH. I suppose we ought to know who the member of the board is that took the course in that respect that you referred to.

Mr. THURSTON. That was Mrs. Rhodes. I think Mrs. Rhodes and I had a radical difference of opinion as to the functions of a board member and a superintendent; the old difference that has existed in all cities and on all boards, as to whether the superintendent or the board members should settle professional matters, especially with regard to advancement of teachers.

Senator WALSH. Let us see if we have that correctly. Previous to your reelection in 1917 this member of the board repeatedly sought to discuss and talk over with you appointments and transfers and the placing of people in the public service?

Mr. THURSTON. Yes; and to give her opinion of where they should go.

Senator WALSH. Was it more marked during that period of time than any other time of her service on the board?

Mr. THURSTON. She voted against me in 1917, and after that she approached me very little on these matters. That was one point of difference we had.

* * * * * * *

Mr. THURSTON. Whenever any principalship was involved, any officership or important transfer, I should say very frequently. The embarrassment to me was simply the feeling that I had to make up my judgment after a board member had expressed a different opinion on that subject, and I had still to feel that I must make that regardless of that expression of opinion.

Senator WALSH. Do you mean that board member would call you up and say, "I understand there is a vacancy in the principalship of a certain building. Do you not think So-and-so would be a good person to put in there?"

Mr. THURSTON. "No, I think So-and-so should be transferred there."

Quoting from page 599:

Senator WALSH. That was the kind of influence you speak of?

Mr. THURSTON. Yes; and sometimes that was done when my recommendation came in to the board.

Senator WALSH. Did that extend to such a degree as to be annoying to you?

Mr. THURSTON. That was thoroughly and constantly annoying to me, from that one individual, and embarrassing to me. I do not want to reflect too much on Mrs. Rhodes. I think it was a fundamental difference of opinion between us. Mrs. Rhodes is a very capable member, with a keen insight into many things, a woman whose ability I recognized, and recognize to-day.

Senator WALSH. You say it is the old difference that exists everywhere between superintendents and boards?

Mr. THURSTON. You take any book on school administration and you will find it plays it up. It is bound to come on any board at one time or another. Of course, the final difference with Mrs. Rhodes came in connection with another matter that was so affected by other factors at the time that I have not wanted to touch that.

Senator WALSH. You do not make that charge against any other member of the board?

Mr. THURSTON. Not to any extent. Other members of the board have been interested in certain individuals and have frequently presented their claims, which has, of course, embarrassed me.

Senator WALSH. But only to the extent that you would expect weak human nature to exert its influence?

Mr. THURSTON. Well, Senator, I do not believe that certain individuals should be continually raised before the superintendent's mind for place or advancement. That is embarrassing.

Here is a letter that was written on March 30, 1917, that is found in the hearings on page 179, written by Dr. Van Schaick to Mr. Oliver P. Newman, who was then president of the board of commissioners; and there has been no doubt, from the time that Dr. Van Schaick was first considered for a place on the board, that he was close to and influential with the members of the board of commissioners. Here is what he said. This letter is dated March 30, 1917. He had only been on the board a very little while then. He went on, I think, in July, 1916, or about that time; and yet on March 30, 1917, we find him writing this letter to the president of the board of commissioners in Washington.

He says:

DEAR MR. NEWMAN: Referring again to our conversation of this morning, I beg to say that I saw our friend S—— after I left you.

So he had a conversation with Newman that morning, and he writes this letter in the afternoon to Newman, and he says:

Referring again to our conversation of this morning, I beg to say that I saw our friend S—— after I left you.

I asked him, on cross-examination, who this man "S——" was. At first, he said he did not know, but his convenient memory finally, in answer to a question, stated that in all probability it was Mr. Siddons. No one doubts—no one can doubt—and Dr. Van Schaick does not doubt that the party referred to in that letter as Mr. S—— was Siddons.

Siddons was at that time one of the other commissioners in the District, who was afterwards taken from the commissionership and placed on the Supreme Court of the District of Columbia; and through the hearings the fact is disclosed that Van Schaick belonged to the same club in the city of Washington—the Monday Evening Club, or some such club [laughter in the galleries]—to which certain members of the District Supreme Court bench belonged, and to which the commissioners, or most of them, of the District of Columbia belonged.

The PRESIDING OFFICER. Will the Senator suspend for a minute until the occupant of the chair again calls the attention of the occupants of the galleries to the fact that there must be no demonstration whatever? If there are any others, the rules of the Senate will be carried out, and the galleries will be cleared.

Mr. HARRISON. So he said:

I saw our friend S——

And no one can doubt that "S——" was Siddons, the other commissioner—

after I left you.

He says, in his letter, further:

He has no doubt about the wisdom of the action and we agreed to put it upon these grounds.

So they are agreeing upon their action.

1. The retirement of the individual concerned—

He stated that "the individual concerned" was Mrs. Rhodes, the member of the board about whom I am now talking.

The retirement of the individual concerned—

Says Dr. Van Schaick—

would strengthen the commissioners in their relations with the board of education.

This president of the board of education evidently desired to strengthen the commissioners with the board of education, and so he suggested, in this very loving letter—

The retirement of the individual concerned—

That is, Mrs. Rhodes—

would strengthen the commissioners in their relations with the board of education. At one time it was very desirable that they should have some one who was cooperative on the board—

Says the doctor.

This person—

Speaking of Mrs. Rhodes—

was the most practicable one. As it is now, any action which the board takes in close cooperation with the commissioners is discounted by her presence.

And then he further says, in the letter away back on March 30, 1917:

Her lack of proportion—

Speaking of Mrs. Rhodes—

Her lack of proportion and balance in her attitude toward the superintendent, her venom and embitterness, embarrasses the administration of the schools in dealing with this important question of the superintendent.

So we have it from the pen of Dr. Van Schaick himself, in speaking of one of the members of the board who had helped to promote him to the presidency and who had constantly stood with him in his fight against Thurston. He says:

Her lack of proportion and balance in her attitude toward the superintendent, her venom and embitterness, embarrasses the administration of the schools in dealing with this important question of the superintendent.

Need I say more touching this member, when the president of the board himself has such an opinion of her that even he thinks that she could not give justice to Thurston at any stage at any time? "That she embarrasses the administration of the schools in dealing with this important question of the superintendent."

Further, I quote from the testimony of Mr. Thurston, at page 16. He said, speaking of Mrs. Rhodes:

One board member not only constantly sought the nomination of others but personally sought the member's own appointment at my hands to one of our higher-paid positions. So heavily was this member's candidacy pushed that for my protection and the board's a majority of the board members took this action in February [16], 1916.

Here is the action which the board took and spread on the minutes of the board:

A majority of the board as at present constituted are of the opinion that no one of its members should be considered for an appointive office in the school system under the authority of the board.

I think their action was justified and well taken.

So I shall pass from a discussion of this good lady. I regret very much to have to read into the RECORD this estimate of her prejudice and her venom against the superintendent of schools, but my duty must be performed.

Now, let us see about Mrs. Gerry. I read from the hearings, at page 304:

Senator HARRISON. I want you to give the incidents you were talking about now of delayed action which, if the board had not stepped in, would have been disastrous to the school system.

Mrs. GERRY. I will be very glad to. I will call your attention to one incident when Mr. Thurston was first reappointed. I think I stated before that I began my work on the board that year with the most absolute spirit of cooperation. There were various questions of difficulty about textbooks, as I recall it. Some of the recommendations of the superintendent were objected to by other board members.

Senator HARRISON. What other board members?

Mrs. GERRY. Two, I think. In that case, that was a question of the textbook committee. Is it necessary to go over all these details?

Senator HARRISON. Yes; we are going into the textbook matter fully.

Mrs. GERRY. I am delighted. We will furnish the committee with some facts.

Senator HARRISON. And we hope some revelations.

Mrs. GERRY. Revelations?

Senator HARRISON. Just proceed.

Mrs. GERRY. As it happened, I think, in that case it was a question of reading books for the primary department.

Senator HARRISON. You did not tell me the members of the board who objected to the recommendation of the superintendent.

Mrs. GERRY. Mrs. Rhodes, I think, was in opposition to the recommendation. She has a wide knowledge of school matters. It was purely a question of difference of opinion about the advisability of certain reading books—the relative value, I mean. Mr. Larner and I, as I recall, voted for the recommendation which the director of primary instruction had transmitted through the superintendent.

Senator HARRISON. You were placed on the committee for the adoption of textbooks immediately on your election, were you?

Mrs. GERRY. I think that was my first assignment. At that time we had a number of standing committees. Mr. Hamilton dissolved those standing committees, and we have been too busy with other matters since that time to work out what we want to do. However, that is not material at this moment. I absolutely cooperated with the superintendent. I felt during the first year I was on the board that I was not in a position to come to a definite enough conclusion regarding the way in which the system was administered to feel justified in taking a position in opposition to the reappointment of the superintendent. I took a long time to make up my mind regarding that matter, and, as I have stated, I decided to vote for his retention.

The first matter, I think, in which I felt action should be taken was one that I had first-hand knowledge of. I have always attempted to go on the principle that it is utterly impossible for any one board member to be acquainted with all the details of this very complex system.

I would like to state, by the way, that I think if the board of education could be relieved from certain of the rather perfunctory and technical matters over which by law it is given jurisdiction, that would be enormously to the advantage of the school system.

So she voted, when she first went on the board, for the reelection of Mr. Thurston. At the same time she voted to substitute Dr. Van Schaick as president of the board for Mr. Daniel, who had served faithfully on the board before and who was eminently qualified to continue as president of the board.

But she changed so quickly against Thurston after she had voted for him that it was quite amusing in the committee room when Dr. Van Schaick was on the stand and the question was asked him who voted against Mr. Thurston for reelection in 1917. Hers was one of the names which first came into the mind of Dr. Van Schaick, and among the names he mentioned he said, "Mrs. Gerry." Mrs. Gerry promptly rose in the audience and said, "You are mistaken, Doctor; I voted the first time for the reelection of Mr. Thurston."

But the doctor can not be blamed for making that admission. It was perfectly natural that he might have stated to the committee that in his opinion Mrs. Gerry was one of the members who had voted against Thurston—she was one of his mainstays, she was one of his lieutenants, she was one of the members on whom he at all times had counted, as shown by the testimony. That condition had prevailed for a long time. She was one of the members who, after the regular meetings of the board, would quietly retire to some little ante room and, with three or four other members, the dominant faction, there in a secret council, in a star chamber proceeding, would talk over certain matters and adopt certain policies. She never failed to be there in that little clique, unless she was prevented either by sickness or some unexplained circumstances.

So he naturally thought when he was telling who was against Thurston's reappointment in 1917 that Mrs. Gerry was surely one of the parties. She became so enamored of the qaulifications of Van Schaick as the president of the board that in 1918, while Van Schaick was in Europe, and had been for more than a year, and the election of a president of the board came up, and every other member of the board was in favor of electing Mr. Hamilton, she raised her voice in protest, and communicated with Van Schaick in Europe to obtain his views and ascertain the bent of his mind.

Let me read just a little of her testimony to show how she felt certain members stood as between Thurston and Van Schaick or about any matter that might arise:

Mrs. GERRY. He held himself as I held myself, in what I think is entirely a proper attitude in a matter of that kind—if duty is thrust upon him or upon her, you have a moral obligation to accept that duty. He did not say he would accept, nor did he say he would refuse.

Senator HARRISON. Did you ask him to offer himself as a candidate for reelection as president of the board, or to allow his friends on the board to present his name?

Mrs. GERRY. I do not recall, Senator, whether I did that or not.

Senator HARRISON. It is possible that you did, is it not?

Mrs. GERRY. As I recall, the subject matter of my letter was to ask Dr. Van Schaick whether he would return or not, so that we might be informed in what manner to act.

Senator HARRISON. Was it your idea, if he told you he would return and desired to be reelected, to see other members of the board, so that you could get it fixed up for him?

Mrs. GERRY. There was no question of fixing the matter, Senator.

Senator HARRISON. Of course, I do not mean "fixing" in any improper sense.

Mrs. GERRY. There was very little talk, as far as I can recall.

Senator HARRISON. I mean, to confer with other members of the board. Was it your object to confer with some of the friends of Dr. Van Schaick and see if you had enough votes to reelect him?

Mrs. GERRY. I think I knew it without conferring.

Senator HARRISON. You knew who would vote for him and who would vote against him?

Mrs. GERRY. I think I did.

Senator HARRISON. Whom do you suggest was on the board that would vote for him in all circumstances and on all occasions?

Mrs. GERRY. I think it was inevitable that we knew who was for him and who was against him. There was no question of caucusing, no question of influence.

Senator HARRISON. Then it was a fact that the board just naturally divided into two camps, so to speak?

Mrs. GERRY. I think so.

Senator HARRISON. What do you base that on, Mrs. Gerry?

Mrs. GERRY. Well, I think that the board, as every board should be, was composed of a conservative element and an element which desired to progress.

Senator HARRISON. Who was the conservative element on the board?

Mrs. GERRY. I should say the business element, very naturally, would be conservative.

Senator HARRISON. Who was the radical element?

Mrs. GERRY. There was no radical element.

Senator HARRISON. Well, the progressive element?

Mrs. GERRY. Those of us who were interested primarily in educational advancement.

So she at all times knew how the board stood in all these matters, and it was not necessary to fix anything. They were already fixed.

Now, I want to talk about another member of the board, Dr. Johnson. Dr. Johnson knows just about as much about the school system of Washington as he does about the nebular hypothesis. He has conferred so much with Dr. Van Schaick and other members of the board who are opposed to Thurston that when he started to talk he spoke like a parrot and employed practically the same language as had been used by his confederates who had preceded him.

May I quote part of his testimony? He said he went on the board prejudiced against Bruce. Then the following occurred:

Senator HARRISON. Did you vote for or against Dr. Van Schaick for president at that time?

Dr. JOHNSON. I voted for him.

Senator HARRISON. What were your reasons at that time for voting for Dr. Van Schaick?

Dr. JOHNSON. Well, when I went on the board I was very much prejudiced against the assistant superintendent.

Senator HARRISON. Bruce?

Dr. JOHNSON. Yes.

Senator HARRISON. Why were you prejudiced against him?

Dr. JOHNSON. Like most of the other people in the community, I believed that he was wholly responsible for the condition of the colored schools.

Senator HARRISON. The condition was bad at that time, was it?

Dr. JOHNSON. There was a lot of grumbling about transfers and appointments and promotions, and had been all along.

Then he suddenly changed his mind about Bruce, and in a very short while after Johnson became a member of the board he was at all times and under all circumstances a champion of Bruce. It was Dr. Johnson and Mrs. Cook, two colored members of the board, who fought for Bruce to have a place on the board of education when the law did not grant it, going constantly over the head of the superintendent and to the head of the board in order to consult.

I read further from the testimony:

Senator HARRISON. When did you make up your mind as to the superintendent's weaknesses, as you told him that day?

Dr. JOHNSON. All through the year.

Senator HARRISON. You ascertained that after you got on the board?

Dr. JOHNSON. Oh, yes.

Senator HARRISON. What incidents had happened that made you come to that conclusion?

Although Johnson had sat at these hearings for almost three weeks when he testified, had heard the examinations of the witnesses, and knew the character of questioning which we had put to the witnesses, he testified as follows:

Well, out of the mass of detail on the board of education that we had to deal with at every meeting, I could not pick out particular things. Had I known this investigation was coming on I could possibly have noted them down and refreshed my mind.

I shall not go into the Randall case further. That was one of the things, he said, that caused him to change. I have already alluded to that case, a fight between Syphax and Miss Wilson.

This same Dr. Johnson, a colored member of the board, in speaking of his own race in the city of Washington, indorsed language that had been used by Dr. Van Schaick. In speaking of those of his race who comprised the Parents' League, he said that they are more than one-third savage. That was the compliment which was paid by Dr. Van Schaick to the Parents' League, which had been organized by the colored population here, or some of them, in order to rid the public schools of teachers such as Charlotte Hunter, who they thought might have associated with Moens, this degenerate and profligate anthropologist, this vile and low pervert.

Then I read further:

Senator HARRISON. At that time you had received a letter from Dr. Van Schaick, had you not?
Dr. JOHNSON. A similar letter.
Senator HARRISON. Have you got the original?
Dr. JOHNSON. No; I have not. I handed it to the District Committee. It is on page 53.
Senator HARRISON. He had written you a letter that this outfit was one-third child, one-third savage, and one-third shell-game man, had he?
Dr. JOHNSON. He had.
Senator HARRISON. Did you approve of that statement?
Dr. JOHNSON. Every word of it. I modified the proposition, if you will read further.
Senator HARRISON. You thought they were two-thirds child?
Dr. JOHNSON. That is it.
Senator HARRISON. And two-thirds savage?
Dr. JOHNSON. No; with the rest divided up.
Senator HARRISON. You were not going to get too many parts?
Dr. JOHNSON. No.
Senator HARRISON. That is a pretty bad allegation to bring against a part of your own race, is it not?
Dr. JOHNSON. Knowing them as I do, and as you can not know them, I do not think so.

And while he expressed himself as believing these members of his race composing the Parents' League were two-thirds savage and the balance divided as childlike and "shell game," he wrote a letter to these people April 14, 1919, in answer to an invitation to attend one of their mass meetings, in which he said, "While I can not be with you in person, I am with you in spirit," and so forth. "The Parents' League was organized in a good cause, is capable of doing a splendid work for our school system, and, as I told you then, you have my hearty support in your efforts."

The people that he speaks of there organized themselves from amongst the colored population here in order to purify and clarify the atmosphere touching this controversy that had arisen respecting Moens, who, as I will show later, entered the school system here through a letter given by Dr. Van Schaick as president of the board, and took pictures of little school children, took pictures in the nude of women throughout the city, in his studio in Washington, and for which action this man Moens was afterwards indicted and tried and convicted in the courts of the District. When this part of the colored population, desirous of removing the stain from the right living and better element of school-teachers who were trying to do their duty, and upon whom a foul suspicion rested, desirous of ridding the schools of such teachers as Charlotte Hunter, who had associated with Moens for years, then this Dr. Johnson, member of the board, says that they are "one-third savage, one-third child, and one-third shell-game persons." He changed as quickly in his estimate of the Parents' League as he did about Thurston as superintendent.

Believing in the motives that were behind most of the people who were in the Parents' League, many of them must have been from the best people of the colored population of Washington—they were good because preachers were there of every kind and every denomination. I read the speeches at their big meeting at one of the churches here, and every speech was pitched upon a high plane, all advocating the one proposition to clarify the atmosphere and rid the schools of these nefarious influences that were calculated to tear down and destroy the colored schools. I have more respect for them, knowing the motives behind them, than I have for this man who makes the allegation that a part of his people are two-thirds savage and one-third child, when they are embarked upon such a good purpose as they were.

Mr. KING. Mr. President, will it interrupt the Senator if I ask him a question?

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Mississippi yield to the Senator from Utah?

Mr. HARRISON. Certainly.

Mr. KING. Was it not in connection with that episode that Mr. Van Schaick wrote another letter to Prof. Learned, in which he described the colored population who belonged to the Parents' League as one-third child, one-third savage, and one-third shell game; that he also referred to the fact that he had attempted to corrupt the board and to get them in advance to prejudge the guilt or innocence of Mr. Bruce?

Mr. HARRISON. Yes, the Senator is correct; and when I get down to Dr. Van Schaick, which I will do presently, I wish to read that letter and analyze it and elaborate upon it.

Let me read it now:

I have read the testimony in the Bruce hearing. It confirms me in my judgment that he should be retained. Of those against him—Chestnut used to come to see me, and I regarded him as a joke. Montgomery has sat on the Miner board with me for several years, and I have liked him personally, but regarded him as old and past usefulness. Poor Miss —— thrown out for alleged immoral relations with a white man—I believe to be an honest woman and a good woman, but life has been very hard on her. Mrs. Murray, I don't know, but I see she promised to produce a dead man to swear to a petty thing, etc. Now, to the point. You have done a valuable piece of work. I personally am very grateful to you. You handled the thing exactly on the lines you projected. I am sorry that Peyton kicked over the traces. He did a very stupid thing for a shrewd fellow, and he did exactly what he promised he would not do.

You stay up there now and get your rest. Take your time and make your report when you get ready. Tanner's last attack on you convinces me that it is perfectly hopeless to fuss with that Parents' League. In the make-up of a lot of them there is about one-third child, one-third savage, and one-third shell-game man.

Mr. KING. If the Senator will pardon me, any man who has such a misconception of his duty and such a lack of perception of the immorality of the act as to try to debauch men who are called upon to judge under the law of the actions of individuals is wholly unfit to be connected with the school board and certainly is unfit to be a member of the board of commissioners of this District.

Mr. HARRISON. I think the Senator and myself are not far apart.

Dr. Johnson further testified about this little clique that was on the board of education, to which I have referred. At pages 488, 489, 490, 491, and 492 of the hearings, in speaking of the meetings of this clique, he testified:

Dr. JOHNSON. Not in the regular meeting.
Senator HARRISON. But after the meeting adjourned, you all met upstairs in Mr. Hines's office?
Dr. JOHNSON. In Mr. Hines's office.
Senator HARRISON. Who told you to meet upstairs?
Dr. JOHNSON. I think I received my information from Mrs. Rhodes.
Senator HARRISON. During the formal meeting?
Dr. JOHNSON. During the formal meeting.
Senator HARRISON. Did she whisper it to you or speak out in the meeting?
Dr. JOHNSON. After the meeting had adjourned.
Senator HARRISON. What did she say to you?
Dr. JOHNSON. She said, "I want you to go up to Mr. Hines's office. Some of us are going to meet up there." That may not be her exact words.
Senator HARRISON. That is the substance of them?
* * * * * * *
Senator HARRISON. You did not know that Mrs. Cook had been invited to be there, did you?
Dr. JOHNSON. I did not.
Senator HARRISON. You were just assuming she was going to be in that crowd, were you?
Dr. JOHNSON. I was assuming that she ought to be there.
Senator HARRISON. You did not ask Peyton, did you?
Dr. JOHNSON. Peyton had gone.
Senator HARRISON. The rest of you tarried until the others had gone?
Dr. JOHNSON. We did not tarry.
Senator HARRISON. You just stayed there?
Dr. JOHNSON. That is right.
Senator HARRISON. Why did you not meet in the same room?
Dr. JOHNSON. I do not know that, except I suppose they wanted to discuss things that they did not want everybody else to hear about.
Senator HARRISON. Was there a kind of a secret meeting on that proposition?
Dr. JOHNSON. Whatever it was; yes.
Senator HARRISON. You got up there right away and you saw these members there. Who called the meeting to order?
Dr. JOHNSON. Dr. Van Schaick started out.
Senator HARRISON. What did he say?
Dr. JOHNSON. Do you want me to remember everything that he said?
Senator HARRISON. The substance of it.
Dr. JOHNSON. Well, Dr. Learned was preparing to go away, and we discussed at that meeting the advisability of letting Mr. Thurston know that we were not going to vote for him when his reelection came up.
Senator HARRISON. Were you all agreed on that proposition?
Dr. JOHNSON. We were not all agreed on the proposition at that time.
Senator HARRISON. Who disagreed?
Dr. JOHNSON. As to what proposition? As to whether we should notify him or not?
Senator HARRISON. Yes.
Dr. JOHNSON. I think I suggested that we should wait.
Senator HARRISON. You agreed that you were not going to vote for him for reelection, did you not?
Dr. JOHNSON. Oh, yes.
Senator HARRISON. There was no question about how that crowd stood on that proposition, was there?
Dr. JOHNSON. There was no doubt about myself.
Senator HARRISON. There wasn't any question about how all the members present at that informal conference felt toward the reelection of Mr. Thurston, was there?
Dr. JOHNSON. No question about that. No; it was not finally decided at that meeting what we should do.
Senator HARRISON. So the meeting broke up without coming to any conclusion?
Dr. JOHNSON. Any definite conclusion.
Senator HARRISON. When was the next informal conference called by those who agreed on that proposition? Was that at Dr. Van Schaick's house?
Dr. JOHNSON. Just prior to sending the letter.
Senator HARRISON. At Dr. Van Schaick's house?
Dr. JOHNSON. At Dr. Van Schaick's house.
Senator HARRISON. Was the same crowd present?
Dr. JOHNSON. No; Dr. Learned was in California.
Senator HARRISON. The same ones were present with the exception of Dr. Learned?
Dr. JOHNSON. Yes.
Senator HARRISON. If he had been here, he would probably have been present, would he not?
Dr. JOHNSON. I can not answer as to that.
Senator HARRISON. Would he have been invited?
Dr. JOHNSON. There is no doubt about it.
Senator HARRISON. Why?
Dr. JOHNSON. Because I knew his stand on the matter.

Senator HARRISON. Then you did not want anybody at these informal meetings except those whose stand you knew in regard to Thurston? Is that right?
Dr. JOHNSON. That is possible.
Senator HARRISON. That is right, is it not?
Dr. JOHNSON. That is possible; I do not know if it is right.
Senator HARRISON. Well, it is a fact, is it not?
Dr. JOHNSON. It is a fact that it did not happen.
Senator HARRISON. What did not happen?
Dr. JOHNSON. Dr. Learned was not present.
Senator HARRISON. He was in California?
Dr. JOHNSON. He was.
Senator HARRISON. The rest were present?
Dr. JOHNSON. They were.
Senator HARRISON. And you think if he had been in Washington he would have been invited to that meeting, do you?
Dr. JOHNSON. No doubt about it.
Senator HARRISON. Because of his attitude toward Mr. Thurston?
Dr. JOHNSON. Yes.
Senator HARRISON. You took care not to have any of the members of the board present at these informal meetings except those you knew were against Mr. Thurston's reelection, did you not?
Dr. JOHNSON. I think, Senator, it was a matter of having present those who were in agreement with us on that matter.
Senator HARRISON. Absolutely.
Dr. JOHNSON. That is so.
Senator HARRISON. There is no question about that.
Dr. JOHNSON. That is right.

And so throughout the hearings I might read of their secret meetings, not only in Hines's office after the regular meetings of the board, but sometimes they met in Dr. Van Schaick's home and then transacted their business out of an informal gathering there.

I wish next to address myself to another member of the board who opposed Thurston, Dr. Learned, who came all the way from California to testify before the committee. He was one of those who was requested by Dr. Van Schaick to go on the board, taking the place of one who had voted for Thurston's reelection and who had voted against Van Schaick's election as president of the board. Dr. Learned says his first impressions about Mr. Thurston were good, and then:

Senator HARRISON. That was at what time?
Mr. LEARNED. That was in July, 1918. On the whole, it seemed to me that things had run smoothly—

That is, from 1917 to the latter part of 1918, during the war, he says:

On the whole, it seemed to me that things had run smoothly, and that Mr. Thurston had given us, so far as I could judge, a pretty good piece of work as director of the schools, and I let the matter lapse.
Senator HARRISON. During that time Dr. Van Schaick was abroad, or a greater part of the time, was he not?
Mr. LEARNED. During the entire time, sir.
Senator HARRISON. During that time you thought the schools were run pretty well under Supt. Thurston?
Mr. LEARNED. I thought so.
Senator HARRISON. You said the schools got along very well under Mr. Thurston that first year, did you not?
Mr. LEARNED. The first year I thought the schools got along very well, as far as I could observe.

So this man who stood with Van Schaick said that while Van Schaick was away from Washington and abroad "the schools got along very well under Thurston," but as soon as Van Schaick returned we see from the hearings that the controversy started again and the deplorable conditions returned. He said he did not change his opinion until June or July of 1918 or 1919. Well, he changed his opinion when Dr. Van Schaick returned—that is when, and not until then.

At page 653 of the hearings, in answer to the question why he had changed his opinion with reference to Thurston, he said this:

Mr. LEARNED. I would not say "all right," but they were getting along, as far as I could observe. I think they are getting along now, if I may say so, in a way.
Senator HARRISON. Yes; in a way. That is very appropriate.
What was the first thing that came up that caused you to come to the conclusion there was something wrong?
Mr. LEARNED. It is impossible for me to say there was any first thing. It was the result of impressions and sundry matters that probably helped to explain these impressions. I was very much disturbed at the time of the Moens case, and, as you are well aware, I was at that time a special agent of the Department of Justice.
Senator HARRISON. But you had formed your conclusion, as I understand, before the Moens case arose, had you not?
Mr. LEARNED. No.
Senator HARRISON. Was that the first thing that caused you to form that conclusion?
Mr. LEARNED. That was an incident in the situation.
Senator HARRISON. Was that one of the first incidents?
Mr. LEARNED. It was among the earlier incidents.

So he says that while Van Schaick was away the school got along pretty well under Thurston, but he changed his opinion, and one of the first things that caused him to change his opinion was the Moens case. Now, let us analyze the Moens case. What are the facts touching the Moens case? And what was Learned's connection with it?

Dr. Learned was working during the war in the Department of Justice. The Moens case arose. Moens had come to America in 1914 claiming to be an anthropologist, an expert in the study of races. So he came to Dr. Van Schaick in 1916 and presented himself to him, having some kind of a letter from the minister of the Netherlands. He said, "I want entrée to the public schools of Washington. I desire you to give me a letter, Mr. President, so I can go there." So Van Schaick wrote a letter for Moens, about whom he made no investigations and about whom he knew little or nothing, and off Moens goes with that letter to the various schools in Washington and, presenting that letter, had entrée to the schools. He meets Charlotte Hunter, one of the teachers in the schools. He may have met her before. She likes the study of anthropology; she has been interested in anthropology for a long time; and so she takes up with this man Moens; she a colored woman and he a white man.

He rents rooms from her; establishes a studio, where she sometimes goes; and, as the investigation of the Department of Justice reveals, but which she denies, she received pay when she would procure for him certain types of female pupils whom he might photograph, sometimes in the nude. So when his association became too constant with Charlotte Hunter and his operations became so notorious in photographing little children, and nude women in some instances in Washington, and questionable characters in other instances here, there arose a complaint on the part of the parents.

Some little girl who was approached by Moens on one occasion back in 1917 to have her picture taken by him in his studio reported to her parent, and her parent, the good parent that he was, reported the matter to her teacher or principal, Dr. Moten, head of the Miner Normal School, with whom Mrs. Cook could not at all times agree, who reported the matter to the assistant superintendent of colored schools. Then it came to the knowledge of another principal by the name of Newman, and then of Wilkinson in January, 1917. Wilkinson, the good principal that he was, and whose testimony and bearing before the committee impressed it greatly, immediately went to the Smithsonian Institution, where this pupil of his was being threatened to be photographed by Moens, and when Moens attempted to photograph her in secrecy, in some secluded place, and to remove a part of her clothing, he raised his voice in protest and carried the girl back to her parent and the school. These occurrences were constantly happening in Washington.

Mind you, on January 12, 1917, this man Wilkinson immediately reported this matter to Van Schaick, as president of the board, through Bruce, the assistant, and Van Schaick, apparently not satisfied with having already given the proper credentials to Moens to visit the schools, as he had done in his letter of July, 1916, made an investigation of Moens, talked with him, and exonerated him without consultation with Thurston, the superintendent, and in July or October, 1917, wrote another letter to Moens giving him entrée into the schools. Mind you, after the knowledge had come to him which had come to Wilkinson, the principal of the Dunbar High School; after rumors were flying thick and fast around Washington, just before Van Schaick's departure for Europe, he gives a second letter to Moens to visit the schools.

Learned says that it was the Moens case that first caused him to change his opinion in regard to Thurston. Learned knew more about the Moens case than any other member of the board. He knew even more about it than any other man in the United States, save the assistant district attorney, Mr. Arth, and the detectives who had worked on the case, because he was in charge, in the Department of Justice, of the whole Moens file of papers.

Every report came to him; the letter that Wilkinson had written had come to him; all the facts were there; and yet it was not until November, 1918, that Learned approached Thurston and said to him, "Certain information has come to me about Charlotte Hunter being connected with Moens; I wish you to get up all the data that you can and send it to me; but let us not do anything about it yet; I am still investigating." Then in December following, 1918, Learned again went to Thurston and to members of the board, handed them a memorandum that was prepared by employees in the Department of Justice, showing Moens's operations, showing his connection with Charlotte Hunter, one of the teachers of the schools, setting forth the facts as to his being suspected as a German spy, and how he had been employed by some great oil corporation in Oklahoma that was affiliated with some organization made up in part of German capital; and yet in December, 1918, Learned said to Thurston, "We must not fire Charlotte Hunter yet, although she is suspected of being implicated with this man Moens. We want to try him, and if you dismiss her it might affect the trial of the case." He told the same thing to Mr. Hamilton, another member of the board. The testimony of Mr. Thurston and Mr. Bruce and Mr. Hamilton all agree on the proposition that Learned requested them

not to take any steps touching Charlotte Hunter; and in February following, 1919, he even appealed to the board of education not to take any steps to remove Charlotte Hunter for fear that it might affect the trial of Moens that was coming on shortly. Although he, more than any other man connected with the public-school system, was responsible for keeping Charlotte Hunter in the schools of Washington after the fact had been known that she was connected with Moens, he lays it all on Thurston and says that that was one of the first reasons why he formed an opinion against Thurston and thought he should be removed.

Let us go further with Dr. Learned. This same man Learned was placed on the committee to investigate the charges preferred against Bruce. Some of the charges involved his moral character, while others were directed to his efficiency as an administrative officer. Dr. Van Schaick named Dr. Learned as one of the members of the board to investigate the charges.

Now, what happened? You have heard read the letter written by Van Schaick to Learned before the report was made. Did that committee take up and investigate the moral questions involved? Did they go into any of those charges that were filed by Smith in the District as well as by the Parents' League? No. Was it not reasonable to believe and expect that that committee would go into a thorough investigation to ascertain all the facts touching that official of the schools? I think that will be conceded; but they did not do it. What they did was to refer the charges as to immorality to the corporation counsel, and then they went into an investigation of the charges against Bruce as an administrative officer.

And before they made their findings Dr. Learned sought from Dr. Van Schaick his opinion as to the testimony and the report. Van Schaick on that occasion went further than that. He went to Peyton, another member of the committee, who was serving with Learned, so says Peyton, and stated to Peyton that he would get rid of Bruce if he, Peyton, would agree with Learned and the other committee member in their findings about Bruce.

It was the same man who was a member of the committee who investigated Miss Wood, one of the teachers in the District schools. Before I get to that, however, let me inform the Senate that it was the same Dr. Learned who invited this man Moens out to his home, had him to dinner, and, as he said, played on the piano while he, Moens, sang. It was Learned, too, together with Van Schaick, who denied Thurston a copy of the testimony, had it destroyed, and refused him entrée into the meetings of the investigating committee.

He is the same man who made a report on the Wood charges, which alleged that Miss Wood had stated that there was no more reason why dogs should not go to Heaven than human beings; and when I asked Learned if he put the question to Miss Wood as to whether or not she had given utterance to any such expression as that, he said, "It appeared to me as so ridiculous that I did not put that question to her." I asked him if he believed in that utterance, and he said that he did not know; that perhaps they might. I then asked him the question if he thought an atheist should teach in the schools of the city of Washington, and he said he did not know what an atheist was. Yet that is the character of man who was on the board of education, and a part of the dominant faction and clique who met in their secret chambers, in their little off and far-away places, to conjure up their policies and adopt their schemes touching Thurston and the schools.

Now, let me get to the "storm petrel" of this controversy, the man who merely had to crack his whip to have certain other members of the board jump. I refer to Dr. Van Schaick.

Mr. President, we delight to read in history and fiction and see upon the screen those beautiful portrayals of the village parson as he goes about his simple work in a modest way, preaching the word of the lowly Nazarene, trying to remove controversies in the neighborhood, doing everything he can to influence people for good, and to aid in the betterment of society.

That character impresses and inspires us. Such a man in his humble way, serving as the modest violet in the lonely valley, unseen by the haughty eye, shedding the sweetness of its perfume in the peaceful air, is doing a noble work. Dr. Van Schaick, although unlike the modest village parson, did well for a while, as long as he served the church of God, preached from his sacred pulpit, and remained away from the storms of political strife. Before he aroused this controversy that has awakened the city of Washington and became inoculated with the virus of getting into civic affairs he was doing a great work. After serving his congregation well for a number of years, this character leaves his pulpit and seeks a place on the board of education.

He finds that it takes a good deal of his time from religious work, so much that he first goes into his own pocket, as Mrs. Gerry states, and pays money for a substitute to preach for him. But he is not satisfied with that. He hears the cry of politics. He wants to get into the fray. He desires to take a greater part in the affairs of the District of Columbia, and so he refuses longer to pay out of his pocket for a substitute to preach for him. As pastor he quits the church entirely, practically stops preaching, and is nominated as one of the District commissioners.

There is a great deal about Dr. Van Schaick that I admire. I think he is a man of good intentions, of high motives, of splendid intellect. He is a strong character. He can not stand opposition. Why, if he were a member of the Board of District Commissioners, you would never hear of the other two at all. He makes those who are weaker than he but putty in his hands; and so, as soon as he was appointed on the board in 1916, he was not willing to occupy the simpler and unobtrusive place of a mere member of the board. He wanted to sit at the head of the table. He desired to be the whole cheese; and so he gets his crowd around him, and because of feelings upon the part of some, and a desire to punish others, he is smart enough to form a coalition, and so he is elected president of the board of education. Those of us who understand his peculiar characteristics, his dominating disposition, his impulsive temperamentality, and ambitious proclivities, realize now that he would not have been content to have remained a mere member of the board.

Did he seek reelection? Why, of course he did; and he was smart enough, strong enough, dominating enough, to punish everyone who ever opposed him by indorsing some other person for their place, and seeing them go, and others come in.

Why, of course, some of these other members of the board were going to do what Van Schaick told them to do. They had seen Daniel go off the board. They had seen Larner go off the board. They had seen Galliher go, Blair go, and various others go, who had the courage to combat the doctor in what he desired; and so, when their time came to vote, I am inclined to think they took their cue from this fable:

And how did it happen that certain members of the board always kept in with the doctor as they did?

"Why, I'm thinking, Murphy, it was because they had such a bad could, jist!"

"And what had their having a could to do with the matter at all, at all?"

"Why, did you never hear, Murphy, my boy, of the fox that had a could? Then I'll tell ye.

"Once there was a lion that wanted to know how polite all the bastes were. So he made a great smell in his den with brimstone, or something else—I don't mind what jist—but it smelt enough to knock you down intirely; and then he called in the bear, and says he, 'Good morning, Mr. Bear, and what d'ye think of the smell here this morning?' and says the bear, says he, 'Why, it smells bad.' 'What's that you say?' says the lion; 'take that,' says he, ating him up altogether; 'take that, and see if it will tache ye politeness, ye unmannerly son of a cub!'

"Now, when the bear was ate up the lion called in the monkey and asked him the same question precisely. Now, the monkey, seeing the bear that the lion had swallowed lying dead in the corner, says he, 'May it please your majesty,' says he, 'it's jist the most delightful smell I ever smelt in my life at all, at all.' 'So it is,' said the lion patting him on the head, aisy like, so as to bate the breath clan out of his body; 'so it is,' said he, 'and now you'll not tell another lie soon, I'm thinking.'

"Now, when the lion had kil't the bear and the monkey, he called in the fox to him and, says he, looking very savage and ready to ate him up if he should make the laste fox paw at all, 'Good morning, Fox,' says he, 'how does my parlor smell to-day?' And, says the fox, wiping his nose with the brush of his tail and pulling down his eyelid with his paw, as much as to say, 'D'ye see any green there, my honey?' 'Faith,' says he, 'may it please your majesty, I've a very bad could this morning, and it's me that can't smell at all, at all!' So the lion laughed and tould the fox he was a very clever baste and that he might tread in his footsteps if he could straddle wide enough and that all the other bastes should mind him or he would ate them up, as he had done the bear."

So we have these members who had stood with Dr. Van Schaick still on the board and suffering, no doubt, from a very "bad cold."

Now, Mr. President, Dr. Van Schaick says that when he went on the board he went on "with an open mind and a friendly disposition"; and yet the hearing revealed the fact that in February, 1917, he attended a convention in Kansas City of school-teachers, and there tried to interest certain school-teachers to accept the place of superintendent of the Washington schools, without any authority from the board of education. So he began to lay his plans to oust Thurston within six months after he became a member of the board of education.

Here is what Mr. Galliher said about him:

But it caused you to say that you could take care of yourself. How did you happen to say that?

Mr. GALLIHER. Let me go further now, leaving out that one little statement on his part. He said, "This attack of yours, Mr. Galliher, is so violent that I think I will report it to the appointing power."

So close was he to some of the District Supreme Court judges that when a controversy arose in the board he threatened to go

to the judges and tell them about it; he wrote a letter when the reelection of Thurston came up in 1917—and that is according to the testimony of Dr. Van Schaick himself—saying that he told the judges all the facts connected with the reappointment of Thurston—working in connection with them, working in complete harmony with the District Commissioners.

Why, sir, when he left to go abroad in 1917, did he resign? No; but, according to his testimony, he wrote out his resignation, both on the Board of Charities and on the board of education, and he placed it in the hands of one of the commissioners of the District, and told him if he had to resign, then to send it in. Of course the commissioner never did present it and his resignation, so far as the committee knows, has been in his hands from that day up to this.

Mr. Oyster, president of the Board of Trade of Washington, a man who has served on the board of education for years, who stands as high as any citizen in Washington, says this about Dr. Van Schaick:

Senator HARRISON. What were his views three years ago?

Capt. Oyster did not want to state this particularly. We just had to corkscrew it out of him. We had to deal with him quite a while before we could extract an answer from him; but Capt. Oyster said finally:

Three years ago he called at my place, and I think he talked over what might be a change in the board and asked me if I would care to or would be willing to go back on the board.

That was one of his duties—to go around when there was likely to be a vacancy on the board and select whom he wanted, and then he would suggest it to the judges of the Supreme Court of the District of Columbia. That is one of the reasons why the committee that investigated this matter thought it wise that the law should be changed and that this board should be abolished and that in the future the President should name a board, not so large as now composed, to be six in number, and that the Senate should hold the lever and have the power of rejection or confirmation.

Capt. Oyster said:

I told him that I did not care to, that I had given up about as much time to serving on the board of education as I could afford. I asked him what he was going to do with the superintendent and he said he was going to put him out. I said, "Why, he has been on probation but a short time." He said, "He has not handled the situation very satisfactorily but he has improved." I said, "Well, if he has improved and being a local man, a man that the people know, and the people would like to have Mr. Thurston as superintendent of the schools, the public wants him, why don't you think you ought to consider that?" His answer was, to the best of my recollection, "The public be damned."

This man of God, this preacher of Washington, this leader of a congregation, said, according to Mr. Oyster, "The public be damned."

I continue—

"Well," I said, "Doctor, that might sound all right coming from me, but from you, I am a little surprised." He said, "I have the courage of my convictions. I know what I am doing and I propose to exercise that right." I said, "Have you got the votes?" He said that he had. I said, "How many have you?" He said, "I have five."

He knew what he had, and what difference did it make to the people? What did he care for mass meetings petitioning the board to reelect Thurston? What did he care about the wishes of the school-teachers of the city of Washington about Thurston? He was a man of strong convictions. He had five, and he knew what he could do with them. He said, "The people be dammed." A little later, in speaking of the Parents' League, he was equally as emphatic in saying, "I will see them in hell before I accede to their wishes."

I shall not take up the time of the Senate further, because I have talked now longer than I had expected. But I wish I could read to you the testimony of Peyton, how Van Schaick approached him and made certain promises to him. I wish I could read you the testimony of Johnson, how these secret meetings were constantly being held.

On the question of the assumption of authority, I shall briefly state some of the things which he did. Immediately upon his election as president he moved his office and put it in the Franklin Building next to the superintendent's. He advocated Bruce sitting in the regular meetings of the board of education. He advised the committee which went into the investigation of Bruce just what to do. While the members of the board were permitted to attend the meetings of that committee and hear the evidence, Learned and Dr. Van Schaick refused to admit the superintendent of schools. If there was one man who should have been present at the hearing investigating the superintendent of the colored schools, it was the superintendent of schools, because it was he who was to make the recommendation for his removal, and it was his recommendation upon which he was appointed.

When it came time to suggest to the Congress the passage of a law increasing the pay of teachers Van Schaick went over the head of the superintendent and appointed the assistant superintendent of white schools and others to draft the bill for the consideration of Congress.

He constantly showed his partiality toward unions, as disclosed by the hearing. He projected himself into the Wood case, and used the power of his office and his great influence with the members of the board to prevent an appeal from the decision of the court. He projected himself into the Moens proposition by giving letters, without consultation with the superintendent of schools, so that Moens might visit the schools.

Here is what the assistant superintendent of schools said when the Wilkinson and the Newman letters were presented to Van Schaick: That Moens was taking pictures of the little children, telling them of the studio which was being operated by Moens; taking pictures in the nude of lewd and profligate women in the city of Washington. Wilkinson said this in his letter to Bruce of January 12, 1917, or immediately after, mind, you, before Van Schaick had written the second letter to Moens giving him entrée into the schools. Van Schaick got Moens, brought him to Bruce, and Bruce said this:

The president—

Meaning Van Schaick—

questioned Moens closely, had him demonstrate his procedure in inspecting pupils in a classroom at Magruder School, but finally sustained Moens on the grounds that his purposes were purely scientific, and that there was no evidence that he was taking nude pictures of school girls, or was acting without the knowledge and consent of the parents.

Senator HARRISON. How did he question him?

Mr. BRUCE. Dr. Van Schaick brought Mr. Moens to my office and suggested that Mr. Moens go to the nearest school—the Magruder School being the nearest to the Franklin—to demonstrate his method; and, in Dr. Van Schaick's car, Dr. Van Schaick, Mr. Moens, and I went to the Magruder School, where Mr. Moens looked at the hair, the eyes, and the complexions of some of the children.

Senator HARRISON. Was that in a big room where all the children were?

Mr. BRUCE. It was in one of the classrooms.

Senator HARRISON. Did you say Mr. Moens was taking pictures at the Smithsonian Institute?

Mr. BRUCE. Yes. The statement was not that he was taking pictures himself but that he was having pictures taken by a photographer at the Smithsonian Institute.

Senator HARRISON. What all did he do?

Mr. BRUCE. That was about all that I can recall.

Senator HARRISON. What did he say to you or what did you say to him?

Mr. BRUCE. I do not recall, except that we went to the classroom—I think it was Miss Syphax's classroom—and Mr. Moens, in a very respectful manner, looked at some of the children and asked questions. He suggested that this girl was of a German type and this other girl or boy of Indian extraction, and so on. It was harmless so far as it went, of course, in our presence.

Senator HARRISON. Well, let us get that in our minds clear. Dr. Van Schaick sought this interview with Moens, and this examination was held—as a result of the protest?

Mr. BRUCE. Yes.

Senator HARRISON. How long was this after you received the protest?

Mr. BRUCE. I am not sure, but I think perhaps the next day.

Senator HARRISON. And this was after the superintendent, Mr. Thurston, had taken it up with Dr. Van Schaick, informing Dr. Van Schaick about this letter and this protest?

Mr. BRUCE. I presume so.

Senator HARRISON. Did the superintendent know that you and Moens and Dr. Van Schaick had gone down to this school?

Mr. BRUCE. I don't know definitely that he did.

Senator HARRISON. Before you went?

Mr. BRUCE. Not before, because Dr. Van Schaick came to the office with Moens and we went immediately.

Senator HARRISON. You don't know where Moens met Dr. Van Schaick?

Mr. BRUCE. I know nothing about that. I simply know he brought Mr. Moens into my office.

Senator HARRISON. Did Moens tell you that was how he was examining these children?

Mr. BRUCE. That was his statement, I think. He said, as I recall, that he had had photographs taken, but protested vigorously that he had ever had any photograph taken in the nude of a school child. I do not think he denied that for scientific purposes he had nude photographs of other persons.

Senator HARRISON. Did you read to him or to Dr. Van Schaick that letter you had received from Prof. Wilkinson?

Mr. BRUCE. I do not know whether Dr. Van Schaick did or not. I am sure I did not. I believe the letter was in the doctor's possession at the time.

Senator HARRISON. Did you inform him of the contents of that letter?

Mr. BRUCE. Dr. Van Schaick did.

Senator HARRISON. And he denied it?

Mr. BRUCE. He denied that he had ever had photographs taken of nude school girls. He denied it emphatically.

Senator HARRISON. After this visit you and the doctor had a talk about the propriety of allowing him to continue in the schools?

Mr. BRUCE. I think that as we came away Dr. Van Schaick expressed himself as feeling that there was nothing offensive in anything that Dr. Moens had done; and, as far as he could see, there being no protest on the part of any parent, there was no reason why he should not continue to visit the schools.

So it is that it was on the letters of Van Schaick, over the head of the superintendent of schools, that Moens entered the schools and took pictures of the children, and took at least one of the teachers and associated with her.

Yet a great cry goes up from Bruce, the assistant superintendent, and from Dr. Johnson and from Mrs. Cook about the colored people of Washington protesting against the action of the board in continuing to allow Charlotte Hunter to teach in the schools six months after this information had come to the attention of the board of education.

Why, sirs, if one of the white teachers in Washington had been connected and had associated with Moens as the facts reveal the relations between Moens and Charlotte Hunter, and the board had allowed her to continue to teach in the white schools of Washington, there would not only have been a mass meeting in one of the churches of the city, there would not only have been picketing at the school in which she was teaching, but the whole city would have risen and driven her and the board of education from their indefensible position. Ah! They may have gone further than that.

So I must close. I know not, I care not, what the board of education, or certain members of the board of education, think about the finding of the select committee touching the condition of the schools. Personally, I do not believe that the present superintendent ought to be fired. I believe, against the great obstacles that he has had to combat, under most abnormal conditions and circumstances that are inexcusable on the part of the board, or certain members of the board, he has performed his work wonderfully well. He is what we would call a young educator. I think he will develop as the years go on. The people of Washington, in my opinion, want him retained as superintendent. I believe he measures up to the requirements that are called for in the superintendency of the schools of Washington. The board of education, or certain members of it whom I have analyzed in this discussion, will perhaps not approve of the report; they will not applaud my utterances; they will not be appreciative of the consideration the committee has given this subject.

I care not for that. When I introduced this resolution months ago it was because I believed the public schools were in a deplorable condition. Others knew not, nor did I, what that condition was, but we have found the source of the trouble. We have found the true condition, in my opinion. A faction of the board is dominated by Van Schaick—ambitious, seeking political preferment, not satisfied unless he is the storm center of political strife, antagonistic to the superintendent. They embarrassed him, they overlapped his authority, they usurped his functions.

With such a condition as that prevailing there can not be harmony, there must necessarily be lack of cooperation, and the schools must suffer.

So your committee believes that the board should be gotten rid of, that a new mode of appointment should be adopted, and if this board, drunk with power, perhaps, should feel so aggrieved at our action and desire to flaunt back into our faces, and flaunt into the faces of the American Congress, the power which they still hold and which they will hold until Congress passes legislation amending the present law, they can repudiate our report to-morrow by saying, if they desire, "We do not respect their findings. We disregard their investigation, and we are going to fire Thurston out of the schools and elect another."

Then they can go ahead and elect another. But I can not believe that any member of the board could possibly take such a step as that. I can not believe that they would become so audacious that they would pursue such a policy as that. If they did, they would deserve the repudiation of Congress and of the self-respecting manhood and womanhood of the city of Washington. If they do that, I can not believe that the man whom they would elect could show such bad judgment and such little common sense that he would accept the position under the peculiar conditions prevailing here.

I hope that before the end of this session of Congress we can amend the laws so that we can take care of the situation; but if we can not and it must go over until the next session, it is to be hoped, as the committee have expressed in their report, that this board and the superintendent will work together in a spirit of harmony, with one desire and one ambition, and that is to serve the school children of the District and to better the school system of Washington. If that should be their desire and that policy should be pursued, the conditions will be very greatly improved. It is to be hoped that before Congress closes we can obtain an adequate appropriation to provide for a survey such as is desired by disinterested, outside persons, so that they can report back to Congress at the next session with reference to the condition of the schools here, how many buildings, what playgrounds, and other improvements are desired. It is believed we can greatly help in that way.

We provide in this proposed legislation for a business management to remove from the superintendent many of the arduous duties that have been thrust upon him because of the increased population and increasing delicate questions that demand his attention.

Mr. President, I have delayed the Senate much too long, but I have thought it necessary to give my reasons for signing the report. I have felt that we owed it to the people of the city that we should express candidly and fully and courageously what we conceived to be the true condition touching the schools here.

May I say, as I believe, that Dr. Van Schaick has shown by his temperamental moods, by his deportment, by his dominating disposition, that he is unfit to be a member of the board of education of the District, and that the same rule that guides me in that conclusion will guide me in casting my vote whenever we take up for consideration his confirmation as Commissioner of the District of Columbia. I shall vote against him, even though when I began this investigation I believed that I would vote for his confirmation.

Surely the doctor may now well exclaim, like the lone spirit in Manfred:

> I am the rider of the wind,
> The stirrer of the storm,
> The hurricane I left behind
> Is yet with lightning warm.

Mr. HENDERSON. Mr. President, I do not intend to go into a discussion of the report of the select committee appointed by the Senate to investigate the public-school system of the District. I am, however, especially interested in that portion of the report which recommends the approval of the recommendation adopted by the Congressional Joint Reclassification Commission relating to the salaries of the teachers in the District of Columbia. I feel it is due the Senate that some statement be made showing the facts upon which that commission based its recommendations.

There were a number of factors considered by the Reclassification Commission in the adjustment of salaries of teachers and school officials. The chief determining factors were:

1. A comparison of the salaries paid by a number of progressive cities of the eastern and middle western part of the country for the school year 1919–20.

Since the minimum and maximum salary was given the middle figure was taken in every instance in order to arrive at what the commission thought would be a fair salary to be recommended to the Congress.

On this basis the salaries recommended for elementary-school teachers are lower than those of New York City, higher than those of Chicago, Boston, Newark, and East Orange, N. J., and similar to those of Detroit. Similarly the scale recommended for high-school teachers is lower than that of Chicago and Newark, higher than that of Boston and Detroit, and similar to that of New York and East Orange.

For administrative officers the salaries recommended are generally lower than those of the cities under comparison. In view of the fact that salaries of teachers throughout the country are low, and that a general movement is now under way to increase salaries, it is possible that the recommended salaries may not for any considerable length of time attract and hold adequately qualified teachers.

2. A comparison with salaries recommended for other services requiring similar qualifications. On account of the longer vacation allowed the teaching force, the initial salary recommended for the several classes runs proportionately lower. In view of the exacting requirements and the nerve energy expended by conscientious teachers, it is a question whether they should not be entitled to this additional leave without reduction in compensation.

3. The teaching service should offer an opportunity for a career without change in duties. Unlike other services, there are few opportunities for advancement to positions of greater responsibility; that is, there are relatively few administrative positions in the service. Furthermore, it is the belief of the Reclassification Commission that it should not be necessary for a good teacher to accept administrative responsibility in order to obtain a higher salary, for such a practice may often result in the loss of good teachers and the gain of poor administrative officers.

Since it is expected that a teacher shall remain a teacher, and because teachers have common duties, they must be grouped into a general class and be provided with a correspondingly wider range of salaries than is customary in other services. The higher salaries in the range, therefore, should not be compared with those of the lower classes of other professional services,

but with the associate or full professional classes. Such a comparison will indicate that teachers' salaries are relatively lower. Justification for such apparent discrimination, if justification is possible, may be looked for in (1) the salaries received by teachers in other cities and (2) the long summer vacation.

4. The salaries received at the present time in Washington influenced the commission to some extent. Such influence probably resulted in keeping the recommendations down to a level which may be regarded as just compensation for the teachers now in the service.

5. The recommendations of the board of education concerning salaries, and also those of the teachers themselves, exerted a limited influence in the proposed salary scale. An examination of the wage scale adopted by the commission will show that the proposed scale for both elementary and high school teachers is lower than that suggested by either the administration or the teachers.

Inasmuch as the commission was influenced to a considerable extent by the salaries paid in certain selected cities with which Washington might properly be compared, I have prepared a table showing the salaries paid in the key classes in the educational service. The cities selected were New York, Chicago, Boston, Newark, East Orange, and Detroit. For the sake of comparison, I have also listed the recommendations of the commission for the same classes. I ask that this be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Educational service key classes.

Title.	New York.		Chicago.		Boston.		Newark.		East Orange.		Detroit.		Recommendations of the commission.	
	Minimum.	Maximum.	Minimum.	Maximum.	Minimum.	Maximum.	Minimum.	Maximum.	Minimum.	Maximum.	Minimum.	Maximum.	Minimum.	Maximum.
Elementary teacher	$1,005	$2,160	$1,200	$1,975	$1,080	$1,752	$1,300	$1,900	$1,300	$2,100	$920	$1,520	$1,200	$2,100
Senior teacher	1,350	2,800	.....	.....	1,788	1,980	.....	.....	1,400	2,200	1,100	2,200		
High-school teacher	1,350	3,150	1,600	3,400	1,452	2,316	1,400	2,700	1,600	2,800	1,100	2,800	1,500	2,700
Senior teacher	.....	.....	.....	.....	1,812	2,484	1,900	3,200	1,800	3,100	.....	.....	.....	.....
Principal elementary school	3,000	4,000	2,500	4,250	3,060	3,660	1,700	3,500	2,200	4,000	2,000	3,600	2,600	3,320
Principal high school	5,000	5,500	3,760	5,100	3,636	4,500	3,600	4,800	3,500	4,900	5,000	.....	3,600	4,500
Senior director manual training	4,000	5,000	4,000	5,000	3,420	3,780	.....	.....	2,500	3,600	2,500	4,000	2,500	3,220

Mr. HENDERSON. The table comprises only the so-called "key classes" in the teaching service. It was considered that if the salaries for key classes could once be established it would be relatively simple to apply this scale as a standard to other classes. For instance, if the rate for the principal of high schools were determined, the rate for the assistant principal, the heads of departments, and the head teachers would bear a very definite relationship to the salary of the principal. In the same way the determination of the rate for the high-school teacher would serve as a norm for setting up the salary range for the special teachers in the high school, such, for instance, as the teacher of manual training, military instructor, and so forth.

The policy of the commission was, therefore, to determine the key classes by reference to present salaries and to those paid on the outside and then to set up a salary range for other classes which might be referred to them. In this way the commission believed that uniform and equitable salaries might be secured.

Another feature that should be noted is the provision for annual increments from the minimum to the maximum salary. The steps between the minimum and the maximum are in some instances an increase of $100 per annum and in others $150 per annum until the maximum is reached. According to the recommendations of the commission, however, these increases are definitely not to be considered automatic, but, rather, to be determined by an increasing degree of efficiency as shown in the efficiency records of the teacher.

Mr. President, since the select committee has recommended the adoption of the report of the Congressional Joint Commission on Reclassification of Salaries as they relate to the teaching service, the Members of the Senate may be interested to refer to part 2, which contains the classification of positions and the schedules of compensation for the respective classes. On page 581 is found the classification of the educational service in the District of Columbia. I simply wish to call the attention of the Senators to the method defining duties, qualifications, and compensation. On page 597 is an illustration that bears on this discussion, to wit, a teacher in the elementary schools. We give there the specifications of the class, which include the duties under that head, together with the qualifications that an elementary teacher in the school is supposed to possess. Then following the qualifications come the principal lines of promotion and the compensation for the class.

At the bottom of that page it will be found that the annual minimum compensation for this class is $1,200 . Then come the annual increases in salary ranging from $1,200 to $2,100. The object of the series of steps is to hold out an inducement to the teacher to remain in the service. The turnover has been very great of late, and it seemed to our committee that it would be highly desirable to provide an increase of salary covering a number of years—in this case nine—in order that when a competent teacher is once obtained and is becoming trained in the service he may be interested to remain.

Mr. CURTIS obtained the floor.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Kansas yield to the Senator from Illinois?

Mr. CURTIS. Certainly.

NOMINATION OF REV. JOHN VAN SCHAICK, JR.

Mr. SHERMAN. I wish to give notice, on behalf of the Committee on the District of Columbia, that at the earliest practicable moment we shall urge that the Senate go into executive session for the purpose of considering the nomination sent to the Senate of Dr. Van Schaick to be a member of the Board of Commissioners of the District.

RECESS.

Mr. CURTIS. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 10 o'clock and 15 minutes p. m., Wednesday, May 26) the Senate took a recess until to-morrow, Thursday, May 27, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *May 26, 1920.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

With unfeigned love and pure devotion, our Father in heaven, we wait upon Thee for that holy influence ever emanating from Thy heart, to inspire, uphold, and sustain Thy children in every great thought and noble aspiration.

Be with us this day and uphold, sustain, and guide us in all our acts, that we may inherit the well done good and faithful servant. Under the spiritual guidance of the world's Great Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

PAYMENT OF CLAIMS TO THE WOODEN-SHIP BUILDERS.

The SPEAKER. To-day is Calendar Wednesday, and the Clerk will call the roll of committees.

The Clerk called the roll, and when the Committee on Merchant Marine and Fisheries was reached:

Mr. GREENE of Massachusetts. Mr. Speaker, I call up the bill S. 3451, on the Union Calendar.

The SPEAKER. The gentleman from Massachusetts calls up the bill S. 3451, on the Union Calendar. The House automatically resolves itself into Committee on the Whole House on the state of the Union.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. MCARTHUR in the chair.

Mr. GREENE of Massachusetts. Mr. Chairman——

Mr. GARD. I think the bill ought to be read. It is short.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

S. 3451. An act authorizing and directing the United States Shipping Board to adjust and pay the claims of wooden-ship builders arising out of the prosecution of the war, and for other purposes.

Be it enacted, etc., That the United States Shipping Board be, and it is hereby, authorized to adjust, liquidate, and pay the claims of individuals, firms, or corporations who built or contracted to build wooden ships for the United States, the United States Shipping Board, or the United States Shipping Board Emergency Fleet Corporation after April 6, 1917, which can not be paid under the law as it now is, and said board shall adjust and liquidate each claim upon such terms as it shall determine from the facts in the case to be just and equitable, and its decision shall be deemed conclusive and final, except as herein otherwise provided: *Provided*, That no claim shall be liquidated or paid unless it is alleged and found to be based upon a request or demand of the United States Shipping Board, the United States Shipping Board Emergency Fleet Corporation, or any officer or agent acting under the authority, direction, or instruction of said board and corporation, or either of them: *Provided further*, That said board shall consider, approve, and dispose of only such claims as shall be made hereunder and filed with the board within three months from and after the date when this act shall become a law: *Provided further*, That no claims shall be allowed and paid by said board unless it shall appear to its satisfaction that the expenditures made or obligations incurred by the claimant were made in good faith and upon assurances by the United States Shipping Board, the United States Shipping Board Emergency Fleet Corporation, or any officer or agent acting under the authority, direction, or instruction of said board and corporation, or either of them, that reimbursement would be provided for in money or contracts for additional work: *And provided further*, That no claim shall be paid unless it shall appear to the satisfaction of said board that moneys were invested or obligations incurred subsequent to April 6, 1917, and prior to November 12, 1918, in a proper and legitimate attempt to produce ships for the needs of the Nation in connection with the prosecution of the war; and that no profits of any kind shall be included in the allowance of any of said claims, and that no investment for merely speculative purposes shall be recognized in any manner by said board: *And provided also*, That the settlement of any claim arising under the provisions of this section shall not bar the United States Government, through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation to recover any money paid by the Government to any party under and by virtue of the provisions of this section, if the Government has been defrauded; and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns of any party.

SEC. 2. That a report of all operations under this section, including receipts and disbursements, shall be made to Congress on or before the first Monday in December of each year: *Provided*, That in the event any claimant shall be dissatisfied with any allowance or award made by said board pursuant hereto, such claimant may appeal therefrom with respect thereto to the Court of Claims, which is hereby given jurisdiction to make such allowances and awards, in the case of such appeals, as it may deem just and equitable.

SEC. 3. That nothing in this section shall be construed to confer jurisdiction upon any court to entertain a suit against the United States: *Provided*, That in determining the net losses of any claimant the Shipping Board shall, among other things, take into consideration and charge to the claimant the then market value of any such plants or the lumber or materials on hand belonging to the claimant and acquired to be used in the construction of any wooden-ship building plant, and also the salvage or usable value of any machinery or other appliances which may be claimed was purchased to equip any wooden-ship building plant, for the purpose of complying with the request or demand of the agencies of the Government above mentioned in the manner aforesaid: *Provided further*, That nothing in this act shall be held or construed to delay or excuse prompt settlement of any claims that can be settled under existing law.

The following committee amendment was read:

Strike out all after the enacting clause and insert the following:

"That the United States Shipping Board be, and it is hereby, authorized and directed to investigate, adjust, liquidate, and pay the claims of individuals, firms, or corporations who built or contracted to build wooden ships for the United States, the United States Shipping Board, or the United States Shipping Board Emergency Fleet Corporation after April 6, 1917; and said board shall adjust and liquidate each claim upon such terms as it shall determine from the facts in the case to be just and equitable, and may take into consideration, among other things, the conditions under which the contracts were entered into and the conditions under which the work was performed; and its decision shall be deemed conclusive and final, except as herein otherwise provided: *Provided*, That no claim shall be liquidated or paid unless it is alleged and found to be based upon a request or demand of the United States Shipping Board, the United States Shipping Board Emergency Fleet Corporation, or some officer or agent acting under the authority, direction, or instruction of said board or corporation, or either of them: *Provided further*, That no claim shall be liquidated or paid unless it is alleged such claims as shall be made hereunder and filed with the board within three months from and after the date when this act shall become a law; *And provided further*, That no claims shall be allowed and paid by said board unless it shall appear to its satisfaction that the expenditures made or obligations incurred by the claimant were made in good faith and upon assurances by the United States Shipping Board, the United States Shipping Board Emergency Fleet Corporation, or some officer or agent acting under the authority, direction, or instruction of said board or corporation, or either of them, that reimbursement would be provided for in money or contracts for additional work: *And provided further*, That no such claim shall be paid unless it shall appear to the satisfaction of said board that moneys were invested or obligations incurred subsequent to April 6, 1917, in a proper and legitimate attempt to produce ships for the needs of the Nation in connection with the prosecution of the war; and that no profits of any kind shall be included in the allowance of any of such claims, except upon completed ships or on ships partly constructed: *Provided*, That on ships partly constructed only such profits may be allowed on that part of the work of construction actually done at the time of the cancellation of contracts, or on work done thereafter on ships not canceled, as in the judgment of the Shipping Board are warranted by all the facts in the case; and that no investment for merely speculative purposes, or where under the facts it could not have been reasonably expected that ships would be built, shall be recognized in any manner by said board: *And provided further*, That the settlement of any claim arising under the provisions of this section shall not bar the United States Government, through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation to recover any money paid by the Government to any party under and by virtue of the provisions of this section, if such settlement is affected by fraud or mistake of fact; and the right of recovery in all such cases shall extend against the executors, administrators, trustees in bankruptcy, heirs, assigns, and successors, whether by operation of law, consolidation, sale, or otherwise of any claimant or claimants.

"A report of all proceedings under this section, including receipts and disbursements, shall be made to the Congress on the first Monday in December of each year.

"SEC. 2. That whenever the amount found to be due any claimant under the provisions of this act shall be unsatisfactory to the claimant, the claimant, within 90 days after the making of any such allowance or award, shall be entitled to reject such award and sue the United States to recover such sum as may be justly due under the terms and provisions of this act in the manner provided by section 24, paragraph 20, and section 145 of the Judicial Code, and the amount so determined by said court shall be paid by the United States Shipping Board in the same manner as awards made by the said board under section 1 of this act.

"SEC. 3. That in determining the amount due any claimant the Shipping Board shall, among other things, take into consideration and charge to the claimant the then market value of any shipbuilding plant, lumber, or materials on hand belonging to the claimant used in the construction or acquired to be used in the construction of any wooden ship or shipbuilding plant, and also the salvage or usable value of any machinery or other appliances which were purchased to equip any wooden ship or shipbuilding plant."

Mr. GREENE of Massachusetts. Mr. Chairman, this bill which is brought before you to-day for consideration——

Mr. BLANTON. Mr. Chairman, will the gentleman yield? I want to find out about the time.

The CHAIRMAN. There are two hours of debate.

Mr. BLANTON. Who is to control the time?

Mr. GREENE of Massachusetts. The ranking member on the minority side and myself.

Mr. BLANTON. We ought to have some understanding about it.

The CHAIRMAN. Is there any member of the committee opposed to the bill?

Mr. DAVIS of Tennessee. I am opposed to the bill.

The CHAIRMAN. The time will be controlled, then, one half by the gentleman from Massachusetts [Mr. GREENE] and the other half by the gentleman from Tennessee [Mr. DAVIS].

Mr. GREENE of Massachusetts. The senior minority member is the gentleman from Texas, Mr. HARDY. I suppose he will be here. The bill was reported, as I supposed, unanimously.

Mr. DAVIS of Tennessee. The gentleman is in error about that. I opposed the bill, but, of course, if Judge HARDY or any senior member of the minority desires to control the time on this side he will be entitled to it if he is here to claim that right.

Mr. GREENE of Massachusetts. I have no objection to Mr. DAVIS controlling the time in opposition. Mr. Chairman, this bill was made necessary because it was found that the Shipping Board had not sufficient authority to settle the claims of wooden-ship builders, who claimed that they were entitled to remuneration because of their being deprived of the opportunity to complete the contracts that had been awarded to them by the Shipping Board.

Before the war broke out we had no shipbuilders practically in this country and very few private shipyards. The shipping act provided for the construction of vessels, and when the war broke out provision was made to construct these vessels for use during the war and also to use for the purpose of building up a merchant marine.

A large number of wooden-ship yards were created, because it was thought that they could build ships much more readily than to postpone construction, with the delay that might ensue if it became necessary to provide contracts and complete plans for construction of vessels of iron and steel, and it was believed that wooden ships were very much in demand and could be more readily constructed. A great number of shipyards were distributed through the Southern States, where there was an ample amount of timber suitable for the construction of wooden vessels, and a number on the eastern coasts, where was located the former shipbuilding plants, in order that they might rush the work of building these ships for use either in the war or in peace.

It was necessary, of course, to instruct a great many people in the construction of ships.

Mr. MONTAGUE. Will the gentleman yield?

Mr. GREENE of Massachusetts. Certainly.

Mr. MONTAGUE. I understood the gentleman to give only two locations where these shipyards were located—in the South and in the East. Were there not some in the West, in Washington?

Mr. GREENE of Massachusetts. Yes; but there was no great amount of shipbuilding in this country until the war seemed imminent. On the western coast, where there were also an abundance of timber and some experienced shipbuilders, contracts were entered into for the construction of wooden ships. When the armistice was signed work was stopped under orders from the Shipping Board. Men who had contracts were told that they must cease work upon the contracts. Shortly afterwards I understood they were told to go ahead and complete contracts that were incomplete. The contractors went to work again, and after a short time they were suddenly stopped, because they were informed that no more wooden ships would be needed, and then the claims for damages began to arise.

In some cases these claims were settled by the Shipping Board, they supposing that as they had authority to make the contracts they had the authority to adjust the claims. Some 70 claims were adjusted, and then on examination into the matter they found that they had not the authority to settle these cases. Consequently the representatives of the Shipping Board came to the Committee on the Merchant Marine and Fisheries in the House and to the Commerce Committee of the Senate and sought to provide some law by which these cases could be heard or to provide some law by which they would have authority to act in the settlement or adjustment of the pending claims.

Mr. MILLER. Will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. MILLER. In many cases the ships were partially constructed and in a great many other cases timber was ordered and assembled at the plant for the fabrication of the ships according to the type.

Mr. GREENE of Massachusetts. Yes; according to the contracts made by the Shipping Board.

Mr. MILLER. According to the peculiar type of the vessel which the Shipping Board had adopted.

Mr. GREENE of Massachusetts. Yes; and the funds that the Shipping Board had at their control were used in the construction of these ships. Then when they came to adjust the claims for these uncompleted ships and ships that had not been begun, it was found that they did not have authority under the law to adjust these claims.

Mr. CANNON. Will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. CANNON. I have been so busy with other matters that I have not had time to read the bill. I see that it is a Senate bill.

Mr. GREENE of Massachusetts. It is a Senate bill, but we struck out all after the enacting clause and proceeded to construct a bill embodying the views of the committee, presenting the bill which is now under consideration.

Mr. CANNON. There is so much to know about unscrambling eggs to meet our legal obligations that I think no single Member of Congress can get outside of all of it, and frankly I am not outside of this.

I would like to ask the gentleman, did the Shipping Board have statutory authority to build these ships?

Mr. GREENE of Massachusetts. They did.

Mr. CANNON. There is no question raised about that?

Mr. GREENE of Massachusetts. Not at all.

Mr. CANNON. And they made the contracts which were made, hastily, of course——

Mr. GREENE of Massachusetts. Yes.

Mr. CANNON. But legally made?

Mr. GREENE of Massachusetts. Legally made; but they were made hastily, with incomplete plans, and sometimes they changed the plans. They had plans completed and after they made the contract they changed their ideas relative to the construction of the ships. Of course, it was practically beginning a new business when we commenced to do shipbuilding under Government control.

Mr. CANNON. Well, at any time in the execution of these contracts, which the gentleman says were legal, did the Shipping Board exceed their statutory authority?

Mr. GREENE of Massachusetts. Why, I do not think they did, unless they did it in the adjustment of some 70 accounts.

Mr. CANNON. I am not speaking of adjustments. I have just hastily hop-skipped in reading this bill——

Mr. GREENE of Massachusetts. No; there was full authority given them under the bill to construct ships which was enacted into law by the Congress, and the cry was from all over the country, "Build ships! Build ships!" because everybody believed that ships were a necessity.

Mr. CANNON. Have these claims that were adjusted been paid?

Mr. GREENE of Massachusetts. I can not tell the gentleman about that. I presume they were paid. They had the funds and they believed they had the jurisdiction to carry out to completion.

Mr. CANNON. Has the gentleman any information as to the amount they adjusted? Mr. Alexander was the chairman of the committee at that time and I was at that time a minority member of the committee.

Mr. GREENE of Massachusetts. Well, if the gentleman wants the amount covered by this bill——

Mr. CANNON. I see about $15,000,000 is the probable amount that this bill would authorize.

Mr. GREENE of Massachusetts. Yes.

Mr. CANNON. And how much has been paid, if the gentleman knows?

Mr. GREENE of Massachusetts. The money provided for the Shipping Board was provided in bills prepared by the Committee on Appropriations. All contracts were canceled, and work was stopped on the partially completed ships, and the amount claimed to have been saved to the United States by this change in policy was estimated to be between $125,000,000 and $130,000,000.

Mr. CANNON. Yes.

Mr. GREENE of Massachusetts. I do not think any estimate of that expense was given, but the fact was that it was discovered that the Shipping Board has been adjusting some accounts and that they had not authority, and so they came to the committees of the Senate and House for authority to make final adjustments.

Mr. CANNON. An inquiry from the Shipping Board or the Treasury would develop how much has been paid?

Mr. GREENE of Massachusetts. I think so.

Mr. CANNON. Without authority; but they believed they had the authority?

Mr. GREENE of Massachusetts. They believed they had the authority.

Mr. CHINDBLOM. Mr. Chairman, if the gentleman will yield, perhaps I can say to my colleague from Illinois, if I may, that these settlements were made by the Shipping Board until Judge Payne, of Chicago, became the head of the Shipping Board. He viewed the matter from a strictly legal standpoint and made the point that there was some question about the authority of the board to go ahead and make these settlements without specific authority from Congress, and he stated to the committee in the hearings very frankly, as I recall, that he thought it better not to continue to make settlements but to go to Congress for authority rather than to continue making them.

Mr. CANNON. What amount was settled and paid? Has the gentleman any information about that?

Mr. CHINDBLOM. My recollection is 70 claims or thereabouts were adjusted, and none of them for a very large amount.

Mr. CANNON. There are some figures in the report that $15,000,000 would probably——

Mr. GREENE of Massachusetts. That was the estimate of the Shipping Board, as I understand.

Mr. CANNON. That is the estimate of the Shipping Board?

Mr. CAMPBELL of Kansas. If the gentleman will permit—from $15,000,000 to $25,000,000.

Mr. GREENE of Massachusetts. It may run to $25,000,000. I would not be surprised if it should so appear.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. GREENE of Massachusetts. I will.

Mr. DAVIS of Tennessee. Do I understand that is the estimate of the Shipping Board?

Mr. GREENE of Massachusetts. I understood so; yes. That is what they thought would be expended under the bill.

Mr. DAVIS of Tennessee. I understood they declined to make any estimate but thought——

Mr. GREENE of Massachusetts. Not exactly an estimate.

Mr. DAVIS of Tennessee. Mr. Fahey gave that as an estimate but Mr.——

Mr. GREENE of Massachusetts. Mr. Fahey would not be likely to make any larger estimate than he believed necessary to adjust these claims.

Mr. BANKHEAD. If the gentleman will permit, I think the figure of the estimate of Mr. Fahey was $17,000,000.

Mr. MILLER. The money is available. There is no question about the Shipping Board having it available.

Mr. GREENE of Massachusetts. They have the funds on hand.

Mr. MILLER. And the question is the legal authority to use it?

Mr. GREENE of Massachusetts. They have the funds and there will be no money called from the Treasury. There is money in the Treasury to the credit of the Shipping Board that will pay all the bills coming from this bill and there will be no need of an appropriation from the Treasury to meet the probable requirements under the bill.

Mr. BEE. If the gentleman will yield, the effect of this bill will be to confer upon the department the legal authority to settle these just claims wherein they are just, and the money is now available; that is all.

Mr. GREENE of Massachusetts. That is it exactly.

Mr. WALSH. Will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. WALSH. Is it not a fact that the chairman of the Shipping Board, who caused the change of policy with reference to the settlement of these claims, after he had stopped settling upon the basis which had formerly been used, was willing to go ahead and resume settlement provided he could get a resolution from the two committees of the House and Senate?

Mr. GREENE of Massachusetts. Oh, no.

Mr. WALSH. Did not he ask——

Mr. GREENE of Massachusetts. He may have asked them first to pass a resolution, but the committee did not think they should do that.

Mr. WALSH. But if he got a resolution, he intended to resume settlement?

Mr. GREENE of Massachusetts. He might have believed that would throw the responsibility on Congress, but I did not think the committee thought that it would require congressional action. Of course, this matter has been lying quiet awhile, because I have not had the opportunity to call this bill up by reason of delay from time to time. If there are any other questions, I shall be glad to answer them now or at any time. If not, I shall ask the gentleman from Tennessee if he would like to occupy any time now?

Mr. DAVIS of Tennessee. Yes.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. SCOTT having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed with amendments the bill (H. R. 13416) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had requested a conference with the House of Representatives on the amendments of the Senate to the bill (H. R. 13587) making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes, and had appointed Mr. WADSWORTH, Mr. FRELINGHUYSEN, Mr. NEW, Mr. CHAMBERLAIN, and Mr. THOMAS as the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4411. An act granting the consent of Congress to the counties of Pembina, N. Dak., and Kittson, Minn., to construct a bridge across the Red River of the North at or near the city of Pembina, N. Dak.;

S. 4427. An act granting the consent of Congress to the city of Columbus, in the State of Georgia, to construct a bridge across the Chattahoochee River;

S. 4431. An act authorizing the construction of a bridge across the Rock River in Lee County, Ill., at or near the city of Dixon, in said county; and

S. 4402. An act granting the consent of Congress to Troup County, Ga., and Chambers County, Ala., to construct a bridge across the Chattahoochee River on the boundary line between the said States.

PAYMENT OF CLAIMS TO THE WOODEN-SHIP BUILDERS.

The committee resumed its session.

The CHAIRMAN. The gentleman from Tennessee is recognized for one hour.

Mr. GREENE of Massachusetts. I reserve the balance of my time.

The CHAIRMAN. The gentleman from Massachusetts reserves 45 minutes of his time.

Mr. DAVIS of Tennessee. Mr. Chairman and gentlemen of the committee, I regret exceedingly that I am unable to agree with my colleagues on the Committee on Merchant Marine and Fisheries, which reported out this bill. I have the very highest regard and most profound respect for each and every one of them. I accord each and every one of them entire honesty of purpose, and I have worried considerably over this matter in an effort to so become reconciled to the bill that I would not feel impelled to oppose it. But after studying it assiduously, and having read and reread the hearings, and having considered it from every standpoint, I can not do otherwise than to enter my feeble protest against the passage of the bill, especially in its present form, even though in so doing I go counter to the views of all my colleagues on the committee. I do not delude myself into the belief that I will be able to prevent its passage. But I deem it my duty to express my views, feeble though they may be, with regard to this measure.

It is an extraordinary bill in that it provides for the payment of the public money, not in accordance with contracts either express or implied, but it is designed to allow the payment of the public money beyond any contracts or legal obligations. In other words, this bill proposes a payment of a vast sum of money which these contractors could not possibly recover in any court of the land.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. CHINDBLOM. Then the gentleman would take the same view with reference to other bills which have become laws and which have been passed by this and the preceding Congress, where equitable claims which could not be enforced in the courts of the land have been recognized and ordered paid? Is not that so?

Mr. DAVIS of Tennessee. I do not consider that this bill is analogous to the bills the gentleman refers to. For instance, you take the Dent bill, to which I presume you refer, and how does that read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis—

And so forth.

That bill was predicated directly upon an agreement, and it was simply a recognition of what might be proven to have been oral contracts. But the bill now in question goes beyond that. It is admitted that the Shipping Board has been willing, and is now willing, to settle all of those claims according to the legal rights of the parties involved.

Mr. HARDY of Texas. Will the gentleman yield right there?

Mr. DAVIS of Tennessee. I will.

Mr. HARDY of Texas. The language quoted from the bill referred to is "any agreement, express or implied." That certainly implies they were not settling those claims by written agreement, does it not, but they were going outside?

Mr. DAVIS of Tennessee. I say the purpose of the Dent bill was to recognize oral contracts.

Mr. HARDY of Texas. And also agreements expressed or implied. It was to recognize equitable claims, was it not?

Mr. DAVIS of Tennessee. In a sense, when based upon an implied contract, and yet I insist that the bill under consideration goes beyond that.

Mr. BANKHEAD. Will my colleague from Tennessee yield for a brief question in that connection?

Mr. DAVIS of Tennessee. Yes.

Mr. BANKHEAD. I call the gentleman's attention to the following language in the pending bill, in connection with the gentleman's argument:

That the United States Shipping Board be, and it is hereby, authorized and directed to investigate, adjust, liquidate, and pay the claims of individuals, firms, or corporations who built or contracted to build wooden ships for the United States—

And so forth; limiting the adjustment of either to the work that was actually done by these parties or which was contracted to be done under the authority of the Shipping Board.

Mr. DAVIS of Tennessee. I want to ask the gentleman if he does not understand that the primary purpose of this bill is in order that the Government will be authorized to pay these contractors for their shipyards?

Mr. BANKHEAD. I think so, yes; under proper limitations and construction of——

Mr. DAVIS of Tennessee. If the gentleman will permit me, I would like to be permitted to make a statement before I yield further.

Now, on that question, Judge Payne was the chairman of this Shipping Board, and he testified before both the Senate and the House committees in regard to the purposes of the bill, and the controversy between the contractors and the Government through the Shipping Board. I presume that it is conceded that he is good authority, and I do not think his statement will be controverted. Now, here is what he says about it.

Mr. CHINDBLOM. Where is that?

Mr. DAVIS of Tennessee. I read from page 5 of the hearings before the Senate Committee on Commerce.

Mr. BEE. Whose testimony?

Mr. DAVIS of Tennessee. John Barton Payne's. He was chairman of the Shipping Board. He says:

The question, therefore, which presents itself to us as to the payment of damages, or compensation, divides itself into three classes—all of these gentlemen having contracts which fixed a definite contract price—

First is the question of work they have done and the material they have furnished.

Second, the legal damages which result under the contract on account of cancellation of the contract.

As to those two questions, there is no legal difficulty. It is simply a question of agreeing between the shipbuilders and the Shipping Board on the amount to be paid.

The controversial question is the third, and that is the payment to them of a sum of money which would make them whole by the Government's absorbing the cost of their yards. As to that, it has seemed to me that we had no right to deal with it; that was a matter which Congress alone had the power to arrange; that the Shipping Board was limited as a matter of law to the legal damages which grew out of the cancellation of the contracts.

Again, on pages 64 and 65 of the House hearings Judge Payne says:

The principle, I thought, was quite simple, that after paying the man for work under the contract for all work and materials furnished then we got to the question of the damages growing out of the cancellation of the contract. Now, those damages, it seems to me, were to be determined by the rules of law applicable to contracts, and that that did not embrace these general claims which are illustrated by the word "amortization"; in other words, to give to them the cost of their yards. In that is where I think the line must be drawn.

In discussing this question before the Committee on Commerce, as recorded on page 12 of the hearings, Judge Payne again said:

Senator KIRBY. When Judge Payne continues his testimony I would like it to appear whether only such men as those who had contracts or thought they had contracts with some such provision as that in them are making claims against the Government for compensation which this bill is expected to give them a remedy for?

Mr. PAYNE. No, Senator; that is not the question, as I see it, at all. The point made by Mr. Fahey is—well, the point mentioned by him as to the district managers, as I understand it, involves the carrying out of the made contract.

Senator KIRBY. Yes.

Mr. PAYNE. That did not involve original commitments by the Shipping Board to the shipbuilder. The point you are concerned in is that men are to get something to make them whole, which is not covered by any form of contract, written or otherwise, but was due to their enthusiasm in going forward and incurring a larger investment than the contract warranted.

On page 35 of the House hearings Mr. Fahey, who took a more active interest before the committees than any other representative of the contractors, concedes that the Shipping Board was willing to settle with them according to the legal rights of the contractors and of the Government, and, as has already been stated by the chairman of the committee, there have been some 70 contractors, I believe, who have already been settled with.

Mr. BEE. Will the gentleman from Tennessee yield right there?

Mr. DAVIS of Tennessee. For a question.

Mr. BEE. Is it not true that up to the time that Mr. Payne came upon the board the claims were being settled; that the reason for this resolution now is because Mr. Payne thinks Congress ought to give the authority before they go ahead, and not because of any objection on his part?

Mr. DAVIS of Tennessee. It is a fact that there was some controversy between Judge Payne and other members of the board as to whether or not the board should settle according to contract and legal rights or whether they should just go along and settle without regard to contractual and legal rights. I think that all the lawyers on the committee which reported out the pending bill agree that Judge Payne was correct in his construction and contention. Judge Payne is a very able lawyer. Some of the members on the Shipping Board were not lawyers.

Mr. HARDY of Texas. Mr. Chairman, will the gentleman yield right at that point?

Mr. DAVIS of Tennessee. Yes.

Mr. HARDY of Texas. As I understand it, as Judge Payne presented it, it was that under the law as it existed he doubted if the board had authority to deal justly under this third provision. He said the third question was, as read by the gentleman a moment ago, to make them whole by the Government absorbing the cost of their yards: "As to that it has seemed to me that we had no right to deal with it." The chairman of the Shipping Board thought that involved a function and a power that the board was not clothed with, and that that was a matter necessarily for Congress.

Mr. DAVIS of Tennessee. Yes; and he declined to advise the committee as to what action they should take in that regard, as I remember.

Mr. HARDY of Texas. Unquestionably the chairman of the Shipping Board said, "Gentlemen, that is a question of equity that addresses itself to Congress, and as an official of the Shipping Board I do not wish to advise."

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield there?

Mr. HARDY of Texas. Certainly.

Mr. MONTAGUE. The question with Judge Payne, then, was a lack of authority?

Mr. HARDY of Texas. The lack of authority, under the law, to pass upon the question.

Mr. DAVIS of Tennessee. A good deal has been said, and no doubt will be said, about the patriotism of these contractors, that they threw themselves into the breach through patriotic motives, and all that sort of business.

Judge Payne said in his testimony—I can not turn to it right now—that the Shipping Board was besieged with these contractors wanting these contracts, and a controversy arose, as many of you remember, as to whether we should enter upon the wooden-ship building program. As you will remember, there was a very considerable difference of opinion between Gen. Goethals and Mr. Denman. Mr. Payne states, and it is otherwise shown, that during that time these wooden-ship contractors and prospective contractors did a great deal of lobbying in an effort to get this Government to engage in this program which had been proposed, and I have been told by numerous Members of Congress that they were from time to time besieged by these would-be contractors from their districts, who were asking them to get some of these contracts for them. Be that as it may, I believe that we, as representatives of the people, ought to deal with the public money just as we deal with our own money or as if we were an attorney representing a client. I believe that we should be just to the taxpayers before we are generous to these contractors, or any class of citizens, especially when our Government is deeply in debt, is facing a large deficit, and the people are groaning under the burdens of taxation. Are you never going to halt this mad, wild orgy of squandering the people's money? Can not we pause for a moment and think of the folks back home, who pay all these enormous appropriations, and whom we are supposed to represent?

These contractors undoubtedly entered into these contracts with a view to making money, which was all right. I am not criticizing them one particle for that. It is undoubtedly true that many of them came out "in the hole," to use a slang expression, and that was largely due to the fact that the war ended before anybody expected that it would end. That is true. We all concede that.

Now, what is the basis of this bill? What is the gist of the proposition? It is simply this: The Government entered into contracts with these various contractors for a specific number of ships to be constructed, 2 or 4 or 6 or 8 or 10, as the case might be. They never entered into a contract for more than 10 at a time.

Some of the contractors with whom these contracts were made already had their shipyards. Others did not have them, and, of course, had to construct them. These contracts were all written. There were two classes. One class was what was known as the lump-sum contract. That was the first kind, and it soon developed that both the Government and the contractors had underestimated the probable cost, and the Government generously and magnanimously relieved all of them from those contracts who asked to be relieved.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Illinois?

Mr. DAVIS of Tennessee. I yield for a question.

Mr. CHINDBLOM. The gentleman just said that some of the contractors had shipyards and others did not have shipyards.

Mr. DAVIS of Tennessee. Yes.

Mr. CHINDBLOM. The gentleman will recall that in some cases the Government advanced the money for the establishment and building of the shipyards to the contractors, and in other cases the contractors themselves advanced the money?

Mr. DAVIS of Tennessee. That is true.

Mr. CHINDBLOM. Does the gentleman think it is fair that the men who themselves advanced the money for the shipyards should be put in a less advantageous position than those who were forehanded enough to get the money in advance from the Government?

Mr. DAVIS of Tennessee. I do not think any difficulty has resulted from that situation. It is immaterial as to where they got the money, whether they had it or borrowed it from a bank or from the Government.

Mr. CHINDBLOM. The Government is not recovering any of the money advanced for the building of those ways.

Mr. DAVIS of Tennessee. I do not know about that. I think it should, where it is possible to do so.

Mr. CHINDBLOM. It was done under the contract which the Government has made, that the Government would advance the money.

Mr. DAVIS of Tennessee. Certainly; and in that manner the Government not only made a contract under which the contractors expected to make a profit but advanced to them money with which to operate, and I think that was a favor rather than doing them an injury.

There was another class of contracts known as the cost-plus contract, in which it was provided that they were to make $15,000 profit on each ship, and they were settled with on that basis wherever they had completed the ships and where they had partly completed them and were willing to settle on that basis when there had been a cancellation of the contract. In that class of contracts it was expressly provided that a portion of that would be net profit and a portion of it should go into the amortization of the shipways and plants. It was taken into consideration in that way.

Whenever they went along and completed the ships the Government settled with them without question, and they were generally given other contracts where they were able to take care of them. It went on in that way until the war terminated, and then the Government began canceling these contracts.

I heartily approve of the Government settling with all of them according to their legal rights, giving them all the damages to which they would be entitled in any court in case of cancellation of contracts, and, as I have before shown, there is not any difficulty in cases of that kind. They have already been settling them in that way and are still willing to settle them in that way. These contracts, most of them at least, made no provision whatever for the Government paying for these plants in which the ships were to be constructed and were constructed.

These men say they were given assurances by Tom, Dick, and Harry, connected with the Shipping Board, that they would be given more contracts and more contracts and sufficient contracts so that they would come out all right; but the fact remains that the Government cautiously and properly only made contracts for a certain number of ships at a time, and though some of these men constructed enough ships to come out all right, others practically had not constructed any. But the point I am making is that when they had entered into that proposition, when they entered into those contracts, they took their chances. Their case is just like that of any other contractor who contracts to construct a building, or a ship, or anything else. He takes his chances on unforeseen circumstances. These contractors knew just as well as the Government knew as to when this war would terminate. They knew that these wooden ships were being constructed solely because of the emergency and were useful for war purposes only. They did not have any right to depend upon any belief or general vague assurance from anybody that the war would continue, or that the Government would continue to give them contracts.

Mr. BEE. I do not want to interrupt the gentleman from Tennessee unduly, but will the gentleman yield and let me ask him a question to see if I understand this thing?

Mr. DAVIS of Tennessee. I yield to the gentleman from Texas.

Mr. BEE. I understand that 70 contracts had been settled before Judge Payne raised the objection by the Shipping Board. Is that correct?

Mr. DAVIS of Tennessee. No; all of those were not settled before then.

Mr. BEE. I understood the gentleman from Massachusetts [Mr. GREENE] to say that prior to the time Judge Payne raised the question of the legal authority to act about 70 contracts had been settled.

Mr. DAVIS of Tennessee. I understand that some of them have been settled on up until comparatively recently, and I think Judge Payne mentioned the fact that——

Mr. BEE. Will the gentleman yield for another question?

Mr. DAVIS of Tennessee. I will have to decline to yield, because my time is fast flying. On that point, Mr. Stevens, vice chairman of the board, said that there is no record of any authority having been given by the Shipping Board, or of anybody having been authorized to tell these different contractors that they would be given more contracts than were actually given them in writing.

There is one other matter to which I wish to call your attention before I take my seat, and that is the question as to what it will cost the Government if we pass this bill. Our chairman referred to that matter. I think the hearings will show that the members of the board expressly declined to give any opinion, because they said they did not know, and nobody else knows; but here is some testimony on the subject. Mr. Fahey was before the committee, and Mr. EDMONDS, a member of the committee, asked him this question:

> You think that $25,000,000 as an outside would pay for all these plants and pay all we need to pay? Would we be fair to say on the floor that we know it will not exceed between $15,000,000 and $25,000,000—it will not exceed that?

Mr. Fahey—he was one of the contractors—replied:

> If you ask me, I would say "yes." Now, that information is based on what I know of the settlements that have been made, and what the people in Philadelphia say out of their experience.

Then, Mr. E. W. Wright, who was another contractor there before the committee urging the passage of this bill, spoke up and said:

> I do not think $15,000,000 will come anywhere near it. I do not think $15,000,000 will pay the northwest claims.

No man knows what this is going to cost the Government.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman from Illinois.

Mr. CHINDBLOM. Is it not a fact that Mr. Fahey appeared for all of these claims, while Mr. Wright was there only for himself?

Mr. DAVIS of Tennessee. I do not know as to that, but Mr. Wright was from the Northwest, and I presume he would not have made such a statement contrary to his own interest, if there had not been some basis for it.

Mr. MANN of Illinois. Mr. Wright, representing a certain section, thought that $15,000,000 would not cover the claims of that section?

Mr. DAVIS of Tennessee. Yes.

Mr. MANN of Illinois. And that was only a small part of the total claims?

Mr. DAVIS of Tennessee. Yes.

Mr. MANN of Illinois. And the other gentlemen were trying to get a bill passed?

Mr. DAVIS of Tennessee. Yes; and showed very great interest in getting it passed, all the way through.

Now, gentlemen, as I say, I think we are making a mistake, and I hope to have time to discuss some of the features of the bill under the five-minute rule. Even granting that the principle is correct, and that we ought to embark upon this proposition, I do not think that the bill sufficiently protects the interests of the Government, and I shall refer to that possibly and offer some amendments later on. But one thing is certain, that there is not even any provision for the Government to be represented by counsel in these claims, and we may rest assured that the contractors will be well represented in that regard. They are given the right to go into court and sue if they are dissatisfied with the findings of the Shipping Board, and yet this bill refuses to grant any appeal to the Government in the event that it should be dissatisfied with an award made by the board. And there are numerous other features of the bill which I think do not afford sufficient protection to the interests of the Government.

Mr. MANN of Illinois. Will the gentleman yield for one question?

Mr. DAVIS of Tennessee. Yes; I yield.

Mr. MANN of Illinois. The Senate bill, which passed the Senate, seems to have some provisions in it endeavoring to guard the interests of the Government. I notice that the House committee proposes to strike out all of the Senate bill and to insert a House amendment which it seems to me does not have any provisions guarding the interests of the Government. Will the gentleman give his viewpoint as to the difference between the Senate bill and the House bill, very briefly?

Mr. DAVIS of Tennessee. I think the conclusion stated by the gentleman from Illinois is largely correct. In some particulars, I think, the House bill is an improvement on the Senate bill. In other respects I think it is just the reverse, and as stated by the gentleman, I think some provisions that were embodied in the Senate bill have been eliminated from the bill as now reported.

I reserve the remainder of my time.

The CHAIRMAN. The gentleman has consumed 28 minutes and has 32 minutes remaining.

Mr. DAVIS of Tennessee. Mr. Chairman, would the gentleman from Massachusetts like to have me use some more of my time, or would he like to yield some time?

Mr. GREENE of Massachusetts. If the gentleman would like to use some more time now, he can do so.

Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. EDMONDS].

Mr. EDMONDS. Mr. Chairman, in the first place I desire to call the attention of the committee to the amount of money involved in the settlement of these claims.

Mr. CULLEN. Mr. Chairman, will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. CULLEN. Will not the gentleman kindly explain to the House the purpose of the bill? I think if the Members understand thoroughly what the purpose of the bill is they will agree with the proposition in the final analysis.

Mr. EDMONDS. I will do that.

Mr. CULLEN. This bill is simply an honest bill to allow the Shipping Board in their discretion to adjust these claims. I would like to have the gentleman explain that to the House.

Mr. EDMONDS. Mr. Chairman, I want first to call the attention of the committee to the amount of money involved and how it is divided up. As Judge DAVIS has explained, there are two or three different kinds of claims against the Shipping Board. I think he mentioned three of them. Two of them can be settled to-day by the Shipping Board under the present law. The amount involved was stated before the Committee on Appropriations, in the sundry civil appropriation bill for 1920, to be $69,000,000. This undoubtedly included the amount to be paid in reimbursement for building shipyards. The probabilities are that they can settle to-day under this $40,000,000 of these claims, and will have to settle them legally. The only thing in controversy is, are you going to pay the original investment made by these men in shipyards, on account of not giving them the amount of business you originally promised to give them? The amount of money involved in the cancellation of the wooden ships was $193,000,000. It was considered good policy by the Shipping Board to cancel these contracts.

Mr. EVANS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. EDMONDS. Not now. It was considered good policy to cancel these contracts for $193,000,000, even if it did cost $69,000,000 to do so, and I agree with them, because you know and I know that the wooden ships have not been successful. Every ship that we sell to-day we sell at a great loss. Their performance has not been good. You who were here when the war started will remember that we wanted ships, that there was a great controversy between Mr. Denman and Mr. Goethals and a few others in the Shipping Board as to whether they would build wooden ships or steel ships. It was afterwards decided that we needed both kinds, and the Shipping Board went ahead and made contracts for both kinds of ships. They made contracts with such existent wooden yards as there were. They also made contracts with different groups of citizens at advantageous points, where there was lumber or material with which to build the ships.

Mr. CLEARY. Mr. Chairman, will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. CLEARY. And is it not also a fact that in places where there never was a shipyard, where there was no lumber, people did start the building of ships, such as on Long Island and away up the Hudson River?

Mr. EDMONDS. There is no question about that.

Mr. CLEARY. And they went to great expense and accumulated plants that they never could use.

Mr. EDMONDS. There is no question about that. The Shipping Board then sent out representatives to different sections of the country. These men gathered together in the different cities groups of citizens, in a great many cases men who did not know anything about shipbuilding. There may have been a promoter in between, I do not know; there may have been some man who did know how to build ships, who was a ship engineer, or who had some idea of how to build wooden ships, who came down here and said to the Shipping Board, "I will go and get a group of citizens in Richmond, Va.," as was done, or in Seattle, and so forth. Mr. Brent, I think, of the Shipping Board, personally went before the Richmond people and asked them to go ahead and build the ships, stating that it was their patriotic duty to build these ships; that the Government must have them. The result of that operation was that there were 77 wooden shipyards with 336 ways built, or already constructed, and 18 wooden tug yards with 84 ways and 9 wooden barge yards with 22 ways. These men went ahead and built under the promise—under the statement; it was not a promise, because it is not binding—from the Shipping Board that sufficient contracts would be made with them to cover the original investment. It is an implied promise by an official of the Government. It seemed to me that while it might not look advisable at the present time, yet at the same time it is reasonable to suppose that men would act in that manner when they needed ships so badly. These men invested their money. They built the shipyards. They were given a contract, in most cases, for four ships, with a promise that if they were sufficiently expeditious in building those four ships they would get four more, and so on until they got enough ships to make the operation pay. The salaries were all paid by the Government, of course, in most of these yards and all expenses were paid by the Government. It was simply another case of know how, the same as in Hog Island. These men who made the investment did not know how.

Mr. OLIVER. Were these contracts in writing or oral?

Mr. EDMONDS. Most of them were oral contracts.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. BEE. Is not this the situation, that the Shipping Board settled about 70 of these cases until Mr. Payne came upon the board? When Mr. Payne came upon the board he doubted the legal authority of the Shipping Board to proceed, but not the justice of the claims, and he suggested that Congress give them the authority to do with the rest of the contracts as had been done with the other 70.

Mr. EDMONDS. Mr. Hurley originated the plan for settling these shipbuilding contracts, and Mr. Payne continued it until October. In October Mr. Payne doubted his authority to settle these contracts—not the portion of the contract that was legal, which Judge DAVIS called attention to, but the question of the claim that was made by these men for an entire return of the capital invested.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. RAKER. On page 2 of the report it is stated how this matter started with the shipbuilders. Would the gentleman tell the committee whether or not the shipbuilders entered into a written contract with these various boards before they proceeded to build these wooden ships?

Mr. EDMONDS. In some cases the yards were started and were proceeding for some time before the contracts were closed, but eventually they all closed the contracts.

Mr. RAKER. In practically every case?

Mr. EDMONDS. I think in every case. I do not know any that that is not true of. I think there was no yard that did not have a contract.

Mr. SNELL. How many more claims are there against the Government?

Mr. EDMONDS. I think probably there will be 70 or 80 more claims.

Mr. Chairman, I must decline to yield further.

Mr. RAKER. Just one more question of the gentleman. Let me finish this line of inquiry.

Mr. EDMONDS. Go ahead.

Mr. RAKER. These requests or demands suggested in the bill, line 8, page 5, are such that where these various authorities went out to these men and told them they wanted them to go to this work and they did, those are cases in addition to where there was a special contract made which the gentleman intends to cover in this bill?

Mr. EDMONDS. Yes; that is right. Now, in answer to the appeal from the Government there were 12 yards started in the New England district; 14 yards in the northern Atlantic district; 13 yards in the middle Atlantic district, that is, around Chesapeake Bay; 9 yards in the southern district, around Florida; 10 yards in the Gulf district; 7 yards in the western Gulf district; 8 yards in the southern Pacific district; 13 yards in the northern Pacific district; 11 in the Oregon district; and 7 in the Great Lakes district. You see they are distributed over the country and took in probably every point that would be possible to see any advantage to aid building wooden ships.

Now, these men built very few ships in each of these yards, some of them four and some eight. They were supposed to be reimbursed for this building. They were to get $15,000—$8,000 profit and $7,000 toward the ways. It was presumed and stated that shipbuilding would be good for years, and they would be able to continue building these wooden ships, which has not proven true. So therefore they are left in this position, that unless the Government comes to their rescue there is nothing but bankruptcy left for them. Of course, some men may pull through if they have sufficient money, but it will mean a severe loss.

Mr. EVANS of Nebraska. Will the gentleman yield?

Mr. EDMONDS. I will yield to the gentleman.

Mr. EVANS of Nebraska. Referring to section 2, page 5, I note it is assumed there that these persons can sue and recover. If they can sue and recover, why give them the right to settle; why do you fix their rights as you do under section 2?

Mr. EDMONDS. The bill is drawn around this fact, that it is desired to return the original investment to these men; in other words, pay for their plant.

Mr. EVANS of Nebraska. But why give them a profit, why provide for a profit if it is only to return the amount that they have got in these plants?

Mr. EDMONDS. The question of profit is one that can be settled here. It is part of the bill, and the gentleman can move to cut it out if the gentleman does not like it.

Mr. EVANS of Nebraska. Why does the gentleman provide in this bill, page 6, that the claimant may appeal, and you only allow the Government to appeal if there is fraud, and then they must pay the money and sue to recover?

Mr. EDMONDS. If the gentleman will look at line 17, page 6, he will see that "the settlement of any claim arising under the provisions of this section shall not bar the United States Government, through any of its duly authorized agencies, or any committee of Congress hereafter to be appointed, from the right of review of such settlement."

Mr. EVANS of Nebraska. Then, at the bottom of the page, line 25, and line 1, on page 7, you say that it must be based on fraud or mistake of fact that they have the right to sue and recover the money back.

Mr. EDMONDS. No; it is not based on fraud. It is based on cause that might arise. It is not based simply on fraud.

Mr. EVANS of Nebraska. Fraud or mistake of fact.

Mr. EDMONDS. No; there is a comma after the word "settlement" there.

Mr. HARDY of Texas. Let me suggest to the gentleman that we went over this proposition, and as the settlement was to be placed in the first instance in the hands of a Government functionary, a Government official, and having given the whole right to decide these matters to this officer we thought that it was a strange provison to appeal from the Government's own decision to the Government itself.

Mr. EVANS of Nebraska. It has been a very expensive matter when the Government has so settled.

Mr. HARDY of Texas. We have provided that if any mistake or fraud was made by the commission settling these matters that it might be appealed from.

Mr. EDMONDS. Mr. Chairman, that is all that is contained in this bill, merely validating the settlement in the cost of these yards, and it is a question whether the House wants to decide on so doing. Now, I do not think there is very much difference from the settlement of some of the war claims; I do not think there is very much difference from paying the contractors of public building; I do not think it is very much different from what we have done here. The question is, Are these men to have the privilege to collect for the original investment? We thought the bill would properly safeguard the Government in every way, and that the Shipping Board, far from being compelled to make this settlement, could refuse to make the settlement if they had a just cause in the way of fraud or anything like that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EDMONDS. Mr. Chairman, I ask the right to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. DAVIS of Tennessee. Mr. Chairman, I yield four minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Chairman and gentlemen of the committee, in the limited time I have at my disposal I desire to call attention to certain features of the bill such as the committee is advised entails the possibility of an expenditure of $50,000,000. The House amendment, I think, should be limited in its language to claims arising out of contract, and therefore the first suggestion I would make in the bill—and I desire to make pertinent suggestions only—is that the language on page 4, line 21, after the word "claims," there be inserted the words "arising out of contracts, expressed or implied." I think there should be a limitation of that kind. I also call attention to the language on page 5, line 13——

Mr. EDMONDS. Will the gentleman yield there?

Mr. GARD. I have not the time. I can not yield, as I have only four minutes.

Mr. EDMONDS. That is a printer's mistake and will be corrected.

Mr. GARD. As to page 5, line 13, the gentleman states that is a printer's mistake, and so I presume it must be corrected; but there is an error in lines 13 and 14, because as it is now expressed it is meaningless. The other questions that arise in my mind are on page 6, at line 15, in which the House inserted this language:

> Where under the facts it could not have been reasonably expected that ships would be built, shall be recognized in any manner by the board.

Now that is extending a tremendous discretion, if the word may be properly used, to the Shipping Board to take care of all sorts of contracts where men are disappointed in the fact that the war ended when it did and that they did not get the opportunity to continue their existing war contracts. And that is exactly what we may expect to have under this bill when we go so far as to authorize anybody to say that they can adjust claims where the claimant reasonably might expect that his ships would be built and were not built because of the fact of the cessation of the war as announced, at least, by the armistice.

Also, I would call attention to the fact that everything in this bill proper for the administration of justice is contained in section 2, which provides that the courts of the land may be appealed to by the claimant. I call attention also to the fact that in the consideration of the bill there is no language expressed by the House or anyone representing in any legal sense the Shipping Board; no one appearing for the interests of the United States in the matter of these claims arising from contract or without contract, either express or implied; that there is no right of appeal to the courts on the part of the Government; that the interests of the Government are not safeguarded as, in my judgment, they should be.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GREENE of Massachusetts. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. CHINDBLOM].

Mr. CHINDBLOM. Mr. Chairman, some reference has been made to the position on this bill of the chairman of the Shipping Board. Judge Payne was the chairman of the Shipping Board who discontinued making settlements after his predecessors had permitted settlements to be made. I call attention to page 60 of the hearings of January 14 and 15 of this year, where, in response to a question by the gentleman from Texas [Mr. HARDY], Mr. Payne used these words:

> I have felt and expressed it as my opinion, while I do not think we have the right as a matter of law to amortize the cost of those yards, that there was a moral obligation on the part of the country to make the shipbuilders whole and to pay what was just and equitable to that end.

That is directly upon the question, Mr. Chairman, of amortizing the cost of the plants, and that is the only question here involved. You say that it will cost $20,000,000 or $25,000,000 to settle these claims. Only a small part of that sum is for the cost of amortizing the plants. Most of it will be legal claims or claims cognizant at law for which recovery could be made. When the Shipping Board at the beginning of the war went out on the Atlantic and the Pacific coasts, on the Gulf and on the Great Lakes, and urged men to organize corporations for the purpose of building wooden ships in order that we might build ships faster than the Germans could sink them, these men responded to this call. I am not here for the purpose of framing for them a crown of glory on account of their patriotic endeavor, but, on the other hand, now since the war is over and we have come to the sober second thought, let us not forget that during the war everybody was anxious to do his part, and I want to say that many of these shipbuilders did their part from a patriotic impulse, and they did it because they were requested by the representatives of the Government so to do. They established their plants. The armistice came, and they found themselves with a lot of ways for the building of wooden ships for which there was absolutely no use. Wooden ships are a thing of the past. Even the Shipping Board itself, perhaps, made a mistake in advocating the building of the ships during the war, but it was done.

Mr. SABATH. Will the gentleman yield for a question?

Mr. CHINDBLOM. For a short question.

Mr. SABATH. Has the gentleman the names of these patriotic contractors that will be benefited under this bill? If he has, I will appreciate it, and I know the country will appreciate it, if he will insert the names of all of these patriotic contractors that have taken on these contracts in the interest of the United States.

Mr. CHINDBLOM. That is no question. If the gentleman wants to make a speech, let him make it in his own right. I decline to yield to him further. There is no use now in indulging in aspersions upon men who during the war actually sought to do something for the Government. I say they did seek to do something for the Government.

I want to call your attention to some of the safeguards of this bill. We have considered it for a very long time. We

have had very extended hearings. We had Judge Payne before us, and he made a complete statement as to his views on the matter, just as I stated awhile ago. Mr. Payne said, on page 61 of the hearings, to which I have just referred, that he thought Congress should advise the Shipping Board; that we should indicate the lines along which settlements should be made. On page 65 of the hearings you will find this in the statement of Judge Payne:

> You know I went so far as to say to these gentlemen that if the committees of the Senate and the House would go on record as directing us to proceed, I would be willing to take the responsibility. Of course, it is very much better that the Congress should pass this legislation and should define the rules, as far as it reasonably may, which we may follow in awarding compensation.

Mr. WALSH. Will the gentleman yield for a short question?

Mr. CHINDBLOM. For a short question.

Mr. WALSH. What does the present personnel of the Shipping Board say? Judge Payne is no longer a member.

Mr. CHINDBLOM. We have not had any hearings since Admiral Benson became chairman of the board.

I want to call attention now to some safeguards of this bill. In the first place, no claim shall be liquidated or paid unless it is based upon a request or demand of the Shipping Board or somebody representing the Shipping Board or the Government. In the second place, the claims must be filed within three months from and after the passage of this act. Then, too, every claim must be shown to be made in good faith and upon assurance by some one representing the Shipping Board or some one representing the Government that reimbursement would be provided for in money or contracts for additional work. Next it must be shown that the money was invested or obligations incurred in a proper attempt to produce ships for the use of the United States in prosecution of the war. Next it provides that the settlement of any claim under these provisions shall not bar the Government through its authorized agents to proceed to recover any money paid by virtue of this bill under mistake of fact or through fraud.

Gentlemen have said that there should be provided a review of any settlement by the Government. I do not think it matters whether you insert such a provision or not, since the fact is that the Government is itself making these settlements.

The Government, through the Shipping Board and through the legal department of the Shipping Board, will have full authority to make these settlements; but to provide that the party which makes a settlement shall immediately proceed to have a review of its own action is certainly something unusual. However, if it is desired, such a provision can be inserted in the bill. I am sure the committee are perfectly willing that such a provision shall go into this bill.

With reference to section 2, which has been the subject of some criticism, I call your attention to the fact that it is only in the event that the claimant is dissatisfied with the action of the Shipping Board that he may then within 90 days reject the award and sue the United States. But if he does sue the United States he loses many of the advantages under this bill. He would find the presentation of proof much more difficult and technical in the courts than before the Shipping Board. He can go to the Shipping Board now and get a settlement of that which is legally due him. In fact, Mr. Chairman, the Shipping Board has made settlements which provide that, in addition to the amounts which have been allowed upon a legal claim, the claimant can come in hereafter and demand further settlement if this bill should pass.

Mr. OLIVER. Mr. Chairman, will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. OLIVER. If that is already a right, why put it in this bill?

Mr. CHINDBLOM. Because under this provision the claimants would have no further right to submit their claims to the courts.

Mr. MONTAGUE. They can go into the courts now.

Mr. CHINDBLOM. Yes; they can go into the courts now; but having once submitted their claims to the Shipping Board they are placed in the position of having submitted to one tribunal.

Mr. OLIVER. The gentleman can find no authority for the claim that giving them an existing right would constitute any waiver of an existing right.

Mr. CHINDBLOM. This fixes a time within which they must act. They must act within 90 days; otherwise they will not have the right.

Mr. OLIVER. I am not in agreement with the gentleman in the belief that the conferring of jurisdiction on the courts in the case of claims of this kind does not give additional rights to the claimants that they would otherwise not possess.

Mr. CHINDBLOM. But, having submitted his claim to the Shipping Board, if a claimant is dissatisfied with the decision of the Shipping Board and resorts to the court he must take such action within 90 days.

Mr. OLIVER. The gentleman's claim, supplemented by the remark of the gentleman from Virginia [Mr. MONTAGUE], is that it confers no additional rights on the claimant and confers no status on him that he would not otherwise have. If that is true, we should not put that in.

Mr. CHINDBLOM. The gentleman is not asking a question now. The provision contains a limitation of the time within which the claimants may take action in the courts. We want them immediately to determine within 90 days whether they are going to stand upon the decision and action of the Shipping Board or take further action elsewhere.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CHINDBLOM. Mr. Chairman, I ask unanimous consent to extend and revise my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CHINDBLOM. And in so doing I ask leave to insert a letter addressed to the honorable chairman of the committee at the present time from one of the claimants.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The letter in question is as follows:

WASHINGTON, D. C., *February 11, 1920.*

Hon. C. N. MCARTHUR,
House of Representatives, Washington, D. C.

MY DEAR SIR: Referring to that bill which I spoke to you about this morning, there were two classes of yards interested. On the river there were half a dozen yards like our own which had a complete plant and going business at the time the United States entered the war. The other class were new yards which spent considerable money providing plant and equipment, expecting to have a long run which would enable them to amortize their plant and possibly pay them a small profit.

In the case of established yards like ours we were building motor ships and selling them faster than we could build them at a profit of about $50,000 per ship. We were ordered by the Government to discontinue this work and undertake construction of wood ships of a type furnished by them. They left us with material on hand for four of those motor ships, and by putting in effect the Macey scale, an absurd system of classification, so greatly increased the cost of labor that we lost $141,000 on two schooners which we had started to build before the Government virtually took possession of our yard.

Acting under direct instructions from the Emergency Fleet Corporation officials we enlarged the plant and added additional equipment to a total cost of $350,000, an expenditure which was absolutely unnecessary for the highly profitable business we were engaged in when we were switched on to this Government work. At the time we made these improvements we were promised a long run in the yard—Mr. Schwab and Mr. Piez both coming out there and stating we would be kept busy at least into 1920.

We built 10 ships under our first contract and had just started on a second contract for 10 more; 9 of this second 10 were canceled without a moment's notice after we had expended $300,000 in actual construction and had purchased approximately $400,000 worth of material with which to complete the contract.

In attempting to settle our claim we have not asked for anything to cover the enormous losses sustained by having our motor-ship business shot to pieces nor for the general demoralization caused by the infamous Macey scale and classification which practically took the management of our yard out of our hands, neglecting, however, to relieve us of the work of digging up money for the pay roll.

The bill now before Congress provides only for recompensing owners for the actual loss suffered through attempting to build a ship of the Government's own design and under the Government's own rules and classifications and labor regulations. The original design of the ships was changed repeatedly, every builder being obliged to make hundreds of changes. These changes ranged in price from a few dollars up to hundreds and, in some cases, thousands of dollars, making the cost of a completed ship vastly greater than could possibly have been contemplated by the bidders who undertook the work at a figure based on a certain style of construction and a certain classification of labor. We are also asking a small profit on the ships actually built, but this profit added to the cost of the ship does not even approximate the figure which the same type of vessel cost the Government in yards where they provided the plant and equipment and paid all the bills.

The essential point of the whole matter is that the yards were asked, and in some cases forced, to undertake this work at a price fixed by the Government, which at the time was not in a position to know what the work actually was worth. The fact that they bungled the job, both as to type of ship and demoralization of labor, was no fault of the builders, who went ahead with good faith and did the best they could under the circumstances. We are not asking the Government to pay any such elaborate profits as were allowed the cost-plus men who operated the yards where the Government paid all the bills and built the plant. I think you are familiar enough with the other features of the case to do a little explaining on your own account.

Truly, yours,

E. W. WRIGHT.

Mr. GREENE of Massachusetts. Mr. Chairman, how does the time stand?

The CHAIRMAN. The gentleman from Massachusetts [Mr. GREENE] has 20 minutes remaining, and the gentleman from Tennessee [Mr. DAVIS] has 18 minutes.

Mr. DAVIS of Tennessee. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes.

Mr. MANN of Illinois. Mr. Chairman, while I am opposed to this bill generally, there is one provision in it to which I wish to call attention. The first section of the bill provides that various persons, and so forth, may bring claims before the board, and then provides that—

> The board shall adjust and liquidate each claim on such terms as it shall determine from the facts in the case to be just and equitable, and may take into consideration, among other things, the conditions under which the contracts were entered into and the conditions under which the work was performed.

I take it from the reading that the purpose of that language is to permit the Shipping Board, which entered into a contract and which knew the conditions at the time, knew the conditions under which the work was entered and knew the general situation, to apply its personal knowledge in the settlement of each claim upon the respective merits of the particular claim, and it is not required to lay down a general rule and require evidence to be submitted in all cases covering the general rule; but that each case may be decided equitably upon the facts in that case, most of which facts will be under the personal knowledge of the Shipping Board or the officials or employees of the Shipping Board.

If the bill is to be passed at all, that looks like a reasonable proposition. Then I turn over to section 2 of the bill and find that if the claimant is not satisfied with the award made by the board in his case, then the claimant may sue in the Court of Claims, and the Court of Claims shall decide the case under the terms and conditions of this act. How can the Court of Claims have any personal knowledge of the case? How can the Court of Claims have any knowledge of the conditions in a particular case except as it may be offered in evidence?

What does the Court of Claims know about a particular situation of the claimant and of the case? Here is a bill that proposes to provide that the Shipping Board shall have authority to make a settlement, and that the board will make no settlement which is not fair to the Government, because the Shipping Board knows all the circumstances, and then, on the next page, it takes it away from the Shipping Board and turns it over to people who know nothing about it.

Mr. OLIVER. Mr. Chairman, will the gentleman suffer an interruption for a minute?

Mr. MANN of Illinois. Yes.

Mr. OLIVER. Since the purpose of the section to which the gentleman is referring has been stated to be simply to avoid a waiver of one's existing rights under the law, why could not that simply be provided that the party must accept the award within three months after it is made, and the refusal to accept would not be a waiver of any legal rights that the party might have?

Mr. MANN of Illinois. Perhaps that might be done. I am referring to the provision in the bill which either does not mean anything or does not mean what it ought to mean. It ought not to be left to the Court of Claims to imagine what the Shipping Board may know in reference to the situation as to each claim. There may be cases where the Shipping Board, if the bill is to be passed at all, could properly allow a claim, but where the Court of Claims ought not to have authority to determine what the conditions are.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The gentleman from Massachusetts [Mr. GREENE] has 20 minutes remaining and the gentleman from Tennessee [Mr. DAVIS] has 13 minutes.

Mr. GREENE of Massachusetts. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. HARDY].

The CHAIRMAN. The gentleman from Texas is recognized for 10 minutes.

Mr. HARDY of Texas. Mr. Chairman, I hope it will be understood by all the Members of the House that Mr. Payne based his action in refusing to adjust and settle these claims solely upon the legal proposition that as an administrative officer and as a good lawyer he did not believe that the Shipping Board had the right to make any settlements covering anything else except the legal obligations of the Government of the United States; that they had no right to consider the moral and implied obligations, or particularly the moral obligation.

I want to call attention to the fact that Judge Payne is one of the ablest, most cautious, and prudent lawyers who has ever held a public position, and his name and fame for not exceeding the powers justly belonging to him are dear to him; and while prior to his coming in and taking charge and making a full study of the question the Shipping Board had believed, and while some good lawyers still believe, that they did have the right to adjust on the basis of the implied and moral obligations of the Government, when he put his analytical eye upon the statute he said he did not think they had the right and stopped it.

Judge Payne was asked by our committee to state what he thought was the moral obligation of the Government. He endeavored to avoid that, but I felt that his failure to state something on the subject might leave an inference that he believed there was no moral obligation, and so, as read by the gentleman from Illinois [Mr. CHINDBLOM], I continued to ask him that question until he finally answered and said that in good morals the Government did owe them an obligation and ought to settle with them.

I have not time to go into this matter in 10 minutes, except to say to you that I was amply satisfied that under the phraseology used in the paragraph on page 5 they were authorized by this law to settle upon such terms as it—that is, the board—shall determine from the facts in the case to be just and equitable. That language, "just and equitable," was submitted to Judge Payne. He said it was not sufficient to authorize them to settle the moral or implied obligations of the Government, because in legal parlance equity follows the law, and with that paragraph alone, with nothing further added, they might be held to the letter of the law and the legal obligations under the contracts and agreements; that is to say, they might be right where they were before or under the existing law.

Mr. KINCHELOE. Will the gentleman from Texas yield?

Mr. HARDY of Texas. Yes.

Mr. KINCHELOE. Is it not a fact that the differences in opinion of the members of the committee arise not upon the question of reimbursing these gentlemen for the work already done but upon reimbursing them or paying them for the construction of the shipyards?

Mr. HARDY of Texas. That is the only place where the legal and the moral obligations diverge, and that is the question involved. Therefore, in order to enable the Shipping Board to take into consideration the moral obligation arising out of the fact that certain companies and men all over the country were urgently requested by the Shipping Board to do certain things not covered by specific contracts for compensation, in order to authorize settlement for what these men expended at the earnest solicitation of the Shipping Board and representatives of the Government, in order to serve the Government, they ask that this language be put in:

> And may take into consideration, among other things, the conditions under which the contracts were entered into and conditions under which the work was performed.

Now I do not want the House to go off on any wild tangent. If I thought this was a precedent for such an example as stated by my colleague from Texas [Mr. BLANTON], that some man had a ship that he could have sold for $1,000,000 and could not now sell it for more than $500,000 or less would come in and ask to be reimbursed by the Government paying him $500,000, and that this would be thought a precedent for that, I would say do not pass this bill. But the simple question is this: The evidence showed before us that the Shipping Board and the Emergency Fleet Corporation, and Mr. Schwab particularly, went to Richmond, Va., for one place, and said to some patriotic citizens there in a meeting of the chamber of commerce of that city, "Gentlemen, we need ships; we must have ships."

These gentlemen said, "We can get the money. We have no shipping knowledge. We will try to get somebody who has. We will raise the money to build a shipyard and go to work producing wooden ships if you want us to do it," and he assured them that they would be held whole, and on the faith of this assurance they went to work. This assurance is what I want to see made good.

Now, this provision does not apply to anybody except those meeting its requirements:

> That no claims shall be allowed and paid by said board unless it shall appear to its satisfaction that the expenditures made or obligations incurred by the claimant were made in good faith and upon assurances by the United States Shipping Board, the United States Shipping Board Emergency Fleet Corporation, or some officer or agent acting under the authority, direction, or instruction of said board or corporation, or either of them, that reimbursement would be provided for in money or contracts for additional work.

In other words, they said, in effect, to this company of men: "Build your plant. We will give you work from which you can amortize the cost of your plant in the price we will pay for each ship or we will pay you what you expend."

Under that agreement they built the plant, they started to building ships, they got three or four built, and before they had half completed their contract the Government canceled it. There was no provision for the cancellation of the contract, but

the Government, exercising its great power, just canceled it. Those men are left to hold the bag. Having spent their money on the urgent solicitation of the Government, they are now left to go broke, some of them to become penniless. Why, gentlemen, if I as a private individual had induced Mr. MONAHAN here to go out and begin the construction of a ship for my urgent needs, and had told him orally, "I will make you whole," and when he had got the ship half constructed my need for the ship had ceased and I canceled the contract, do you suppose that I would try to shirk my moral obligation to recompense him for what he had lost, or that I would hide behind some technical defense that might prevent my verbal agreement being valid and binding in law?

Mr. CULLEN. Will the gentleman yield for a question?

Mr. HARDY of Texas. Yes.

Mr. CULLEN. The gentleman seems to be familiar with this whole proposition, and also seems to be familiar with the drafting of the bill. There seems to be some question in regard to section 2 as to whether the interests of the United States are safeguarded, and also as to the claim. Will the gentleman explain to the House in his own way how section 2 would operate?

Mr. HARDY of Texas. That is going to take a right smart lot of time, but I will try to do it briefly.

Mr. CULLEN. I will ask that the gentleman's time be extended.

Mr. HARDY of Texas. The committee had under advisement the question whether there should be any appeal from the findings of the board in this matter. It was considered that the board was an arm of the Government, and we did not think there was any necessity for the board to appeal from its own decision, or for somebody for the board to appeal from the action of the board; but it is our understanding that as to nearly every award made by the executive branch of the Government for compensation to citizens for property taken there is a provision in the law that the party receiving the award may reject it and go to the Court of Claims.

Mr. CULLEN. Exactly.

Mr. HARDY of Texas. Let me say further that it was stated by the claimants and by everybody connected with it that owing to the long, slow, tedious delays connected with going to the Court of Claims, it would not be resorted to, that they knew that if they abandoned the award made by the Shipping Board they would have to take years of time waiting, and in the meantime get nothing. While this provision is in the bill, it is not believed it will be resorted to by claimants.

It was a formal recognition of the ordinary and usual right accorded to a claimant against the Government when the Government tribunal for passing on the claims did not decide according to his judgment for him to go into the Court of Claims and present the claim.

As to the Government not appealing, it would seem to be an appeal by the Government from its own decision. But we do provide that if any mistake is made a review may be had on the board's own initiative, or for any fraud that is perpetrated it can go back and uncover it.

The Good Book, in the story of Job, exalts the justice of God. In all his afflictions Job was patient. He knew that God could not be unjust.

I say in paraphrase of that, let private individuals shirk their moral obligations, but let the Government of the United States always do justice. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HARDY of Texas. I wish I had an hour to go into the circumstances that induced these patriotic people to give their services to the Government in the time of its adversity.

Mr. DAVIS of Tennessee. Mr. Chairman, I yield five minutes more to the gentleman from Texas.

Mr. HARDY of Texas. I thank the gentleman from Tennessee. I want to say that, so far as I know, there is not a soul living in my district who has any interest in this bill. There is certainly nobody that I have any interest or relation with that has any interest in it. But, gentlemen, here was our Government in dire distress. I thought in those days that maybe our greatest chance to get our boys and provisions for them across to the other side was to send them in little vessels, too small to be successfully attacked by the German submarines, and that we wanted to fill the seas with numbers of these little ships. We had many men of many minds as to how we were going to proceed to get the supplies across the seas. The truth was that after the President's war message we were intent on using force to the utmost, we were intent on applying all our physical and all of our financial and moral resources toward winning the war. Every instrumentality was appealed to and called into operation. We went to the shipbuilder who owned a little plant where they built the small wooden ships, and we went to people who had never built a ship, and we said the country calls. Many of them answered before they had a written contract; they took the contracts as they were offered. The truth was that it was a great appeal, greatly responded to by the people who to-day are standing and waiting just treatment, for justice, by our Government. [Applause.] That is all there is to it. If it was my individual obligation I would feel morally bound to pay the man whom I had induced to do the work, and every one of these payments must be made only to those who were induced to do the work by the Shipping Board or the Emergency Fleet Corporation, or some one authorized by them to make the request.

Mr. SABATH. Will the gentleman yield?

Mr. HARDY of Texas. Yes.

Mr. SABATH. Is there any way by which the House can secure the names of the corporations and individuals who have filed claims?

Mr. HARDY of Texas. If the gentleman will look through the hearings he will find every one given by the Shipping Board officials and by witnesses who appeared before us, but it is in piecemeal and I can not give them to him.

Mr. SABATH. There is no reason why the information should be withheld from the House.

Mr. HARDY of Texas. Absolutely none.

Mr. EDMONDS. They are here; the names of the shipyards are all in Mr. Pease's report.

Mr. CHINDBLOM. The gentleman will find them in the hearings.

Mr. HARDY of Texas. Mr. Chairman, I will ask unanimous consent to insert in my remarks the list on pages 119, 120, and 121 of the hearings that give the list of the claimants.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The list is as follows:

NEW ENGLAND DISTRICT.

Francis Cobb.
Crosby Navigation Co.
Crowninshield.
Cumberland Shipbuilding Co.
Freeport Shipbuilding Co.
George A. Gilchrest.
R. T. Green.
Kelly-Spear Co.
Machias Ship Construction Co.
Russell Shipbuilding Co.
Sandy Point Shipbuilding Co.
L. H. Shattuck (Inc.).

NORTHERN ATLANTIC DISTRICT.

A. C. Brown & Sons.
Continental Shipbuilding Co.
Foundation Co.
Gas Engine & Power Co.
Gildersleeve Ship Co.
Groton Iron Works.
Housatonic Shipbuilding Co.
Int. S. B. & M. E. (Corp.).
Johnson Shipyard Corporation.
Kingston Shipbuilding Co.
J. H. Mathis Co.
Ship Construction & Trad.
J. W. Sullivan Co.
Traylor Shipbuilding Co.

MIDDLE ATLANTIC DISTRICT.

Chance Marine Construction Co.
Coastwise Shipbuilding Co.
H. E. Crook Co.
M. M. Davis & Son.
Eastern Shore Shipbuilding Co.
Maryland Shipbuilding Co.
Missouri Valley Brass & Iron Co.
North Carolina Shipbuilding Co.
Henry Smith & Sons.
Charles H. Tenney.
Vinyard Shipbuilding Co.
White Haven Shipbuilding Co.
York River Shipbuilding Co.

SOUTHERN DISTRICT (EASTERN).

American Shipbuilding Co.
Gibbs Gas Engine Co.
Morey & Thomas.
J. M. Murdock.
National Shipbuilding & Dry Dock Co.
Southland Steamship Co.
St. Johns River Shipbuilding Co.
Tampa Dock Co.
United States Maritime Corporation.

GULF DISTRICT.

Beaumont Shipbuilding & Dry Dock Co.
Heldenfels Bros.
Lone Star Shipbuilding Co.
McBride & Law.
J. N. McCammon.
Midland Bridge.
National Oil Co.
Southern Dry Dock & Shipbuilding Co.
Union Shipbuilding & Construction Co.
Universal Shipbuilding Co.

SOUTHERN DISTRICT (WESTERN).

Alabama Shipbuilding & Dry Dock Co.
American Lumber Co.
Dantzler Shipbuilding & Dry Dock Co.
Dierks-Blodgett.
Hodge Ship Co.
Jahncke Shipbuilding Co.
Murnan Shipbuilding Co.

SOUTHERN PACIFIC DISTRICT.

Benicia Shipbuilding Co.
R. J. Chandler.
Coos Bay Shipbuilding Co.
Fulton Shipbuilding Co.
Hammond Lumber Co.
Kruse & Banks.
Main Iron Works.
Rolph Shipbuilding Co.

NORTHERN PACIFIC DISTRICT.

Allen Shipbuilding Co.
Babare Bros.
Grant-Smith-Porter.
Grays Harbor Merchant Ship Corporation.
Meacham & Babcock.
Nilson & Kelez.
Pacific American Fisheries.
Puget Sound Bridge & Derrick Co.
Sanderson & Porter.
Seaborn Shipyards.
Sloan Shipyards.
Tacoma Shipbuilding Co.
Wright Shipyards.

OREGON DISTRICT.

Coast Shipbuilding Co.
Feeney & Bremer.
Grant-Smith-Porter.
McEachern Ship Co.
Peninsula Shipbuilding Co.
George F. Rodgers.
Sommarstrom.
G. M. Standifer.
St. Helens Shipbuilding Co.
Supple & Ballin.
Wilson Shipbuilding Co.

GREAT LAKES DISTRICT.

Burger Boat Co.
Dachel-Carter Boat Co.
Lake & Ocean Navigation Co.
Leatham & Smith.
Sydney McLouth.
Northwest Engineering Works.
Universal Shipbuilding Co.

Mr. GOLDFOGLE. Does it give the list of individuals?

Mr. HARDY of Texas. Not an individual list. It does not give the names of the shareholders, but gives the names of the companies. I do not think we ever went into the question as to who the shareholders were.

Now, Mr. Chairman, I wish to say that I have the highest regard for the gentleman from Tennessee, Judge DAVIS. He has examined this law with all the scares about him that some one might be seeking to gouge the Government. I think that so far as the Committee on Merchant Marine is concerned, with the exception of Judge DAVIS, the justice of this matter appeals to us all. I do not recall anybody else who did not think that justice required the passage of such a bill as this. It is very difficult to word it, but we have done the best we could to give these people such justice as I before my Maker would hope at last to receive in the final award. [Applause.]

The CHAIRMAN. The gentleman from Tennessee has 8 minutes remaining, and the gentleman from Massachusetts 10 minutes.

Mr. GREENE of Massachusetts. I have only one speech more.

Mr. DAVIS of Tennessee. Mr. Chairman, I yield four minutes to the gentleman from Ohio [Mr. KEARNS].

Mr. KEARNS. Mr. Chairman and gentlemen, I am opposed to this bill for the reason that there are so many other matters of legislation of so much more importance to millions who rendered greater service to the Government than did these men. There is hardly a claimant who would come in under the provisions of this law but has already made millions of dollars out of their investments.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. KEARNS. No; I can not yield. There are scores of men over this country where the Government took everything they had in the beginning of this war, and they have been knocking at the door of Congress ever since trying to be reimbursed by the Government for the things that were deliberately filched from them, but because they are small men without great funds at their command to institute a powerful propaganda they are unable to get recompense for the property the Government took from them without compensation of any character.

I will cite the instance of the nitrate plant at Anchor, Ohio, near Cincinnati, a part of which lies in my district. There were 1,800 acres of land deliberately taken by the Government at that point, and much of the land was being farmed by tenants. The land was taken in June and July of 1917. Those tenants were made to move off their farms overnight. The land was taken from the owners—valuable land, planted in crops by the tenants, in corn, potatoes, vegetables of every character. These claims range all the way from $1,000 to $20,000. Those tenants were made to move off the farms at a day's notice, and not one of them has ever received a 5-cent piece from this Government, and the only reason they have not been authorized to bring suit, as you propose to authorize these men, is because they are poor men and have not the funds on hand to start a great propaganda. I say that they have knocked at the door of Congress, but they could not knock loud enough. For that reason I am against legislation of this character until the ear of Congress is open to the men who are in need. Many of them have become bankrupt. Some of them have been reduced to a state of pauperism because Congress would not perform its duties.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. KEARNS. Yes.

Mr. CHINDBLOM. Is the gentleman opposed to this bill, which grants relief to some people, because other people who ought to have relief can not get it?

Mr. KEARNS. Mr. Chairman, I am opposed to this bill for the reasons I have assigned and many others that I have not the time to mention.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. DAVIS of Tennessee. Mr. Chairman, I yield the balance of my time to the gentleman from Kansas [Mr. CAMPBELL].

The CHAIRMAN. The gentleman from Kansas is recognized for four minutes.

Mr. CAMPBELL of Kansas. Mr. Chairman, the people of the United States are able to and are willing to pay every obligation growing out of the war, legal, equitable, and moral.

When a state of war was declared with Germany a wave of patriotic fervor, accompanied by a disposition on the part of all our people to make every sacrifice, spread over the country. The man power, the financial strength, and the industrial resources of the Republic were mobilized for war. The country changed from a peace to a war basis. All were willing to adapt themselves to the changed conditions and to make the same sacrifices that the young men who went to the front to fight the battles were called upon to make. Four millions of the boys were mustered in. Two millions of them reached the battle front. War contractors, such as are provided against loss under the provisions of the bill now under consideration, produced but little material that reached the front before the armistice was signed. Let us say they did their best as the boys did their best. The boys offered their lives; the contractors the product of their industries.

But immediately following the armistice and ever since every specie, every variety, and every character of contractor came to Congress with as many varieties of contracts and asked for money to secure them against loss. Some had contracts that were partly completed, some upon which little had been done, some upon which nothing had been done, and many had no contracts at all. These contractors and would-be contractors appealed to Congress to indemnify them not only against loss, but some of them asked for the profits they had expected to make out of the war contracts they had or thought they had.

Let no one lose sight of the fact that the industries of the country, as well as the man power of the country, were all commandeered for war purposes. War contractors and those who controlled the industries of the country were under the same obligation to render patriotic service to the Nation as the young men who offered their lives upon the battle fields. But the men whose property instead of their lives was commandeered have received from the country since the armistice was signed $2,179,272,966 to indemnify them against loss.

When the men who were to furnish their property or the products of their industry for war purposes appealed to Congress, those who to-day protest against legislation to in a small way indemnify the boys who offered their lives in battle against financial loss were the earnest advocates of the war contractors. As to the contractors, they do not complain that it would bankrupt the Treasury; that it would increase the cost of living; that the country could stand no additional taxation. But when it is proposed to indemnify the young men, every one of whom offered his life for his country, in an amount that about equals the amount the Government deducted from their pay during the war, a propaganda is spread over the country protesting against legislation readjusting the pay of these heroic boys.

During the war half of their pay was kept from them and sent to dependent relatives. A quarter of it was retained by the

Government for insurance. They had in the neighborhood of seven dollars and a half a month for their personal use during the war. Out of this pittance they could save nothing. When they were discharged they received $60, which was not enough to buy citizens' clothing, that during their absence had more than doubled in price. They had a year and a half of war—of hell—whether in cantonments, on the sea, or on the battle fields. Their lives were made over. Their nerves were strained to the breaking point. And yet some Members here protest against legislation that will help these boys get on their feet and make their way with those who have made rapid progress in every profession, trade, and industry during their absence in the war.

Mr. Chairman, I serve notice now that until Congress is ready to do something for the men who fought the battles of the war I shall oppose appropriations, or authorizations for appropriations, or authorizations for contractors or would-be contractors to establish their claims against the Government of the United States. You have been told that the boys who fought the battles of the war should not commercialize their patriotism. I say that the contractors of the war should not commercialize their patriotism. [Applause.]

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. BANKHEAD. To what legislation does the gentleman refer which should be enacted before we take up legislation of the character now under consideration?

Mr. CAMPBELL of Kansas. I refer to the bill that has been under consideration, readjusting the pay of the soldiers—indemnifying them to small degree for loss sustained during the war.

Mr. BLANTON. Commonly known as the bonus proposition.

Mr. CAMPBELL of Kansas. Yes; against which 49 Republicans and a solid Democratic vote is pledged.

That bill does not take a dollar out of the Treasury that it does not put into it. Here are the provisions made for raising the money:

1. An additional surtax on individual incomes of 1 per cent of the amount by which the net income exceeds $5,000 and does not exceed $10,000; 2 per cent from $10,000 to $26,000; and 3 per cent of incomes in excess of $26,000. This provision is estimated to yield $108,000,000 per annum.

2. A tax equivalent to one-fifth of 1 per cent on the sale of stocks and bonds. This provision is estimated to yield $190,000,000 per annum.

3. A tax equivalent to one-half of 1 per cent on real estate sales. This provision is estimated to yield $50,000,000 per annum.

4. An increase of approximately 15 per cent in the existing tax on cigars and tobacco and of approximately 25 per cent of the tax on cigarettes. This provision is estimated to yield $55,000,000 per annum.

5. An excise tax on corporations issuing stock dividends subsequent to March 15, 1920, equivalent to 10 per cent of the value of stock so issued. This provision is estimated to yield $45,000,000 on stock dividends already declared and $7,500,000 per annum on future stock dividends.

These taxes will not work a serious hardship on anyone and will not increase the cost of anything. The purpose of the tax is a worthy one. Let it not be said that the country has for the soldiers only cheers for the living, tears for the dead, but indemnity for contractors.

Let me remind you that the boys for whom a readjustment of pay is asked are the same boys that you followed to the station when they were embarking for the cantonments. They are the boys for whom the sweaters were knit and the bandages were made. They are the boys who lay sick in hospitals beside the frozen bodies of dead comrades; the same boys who braved the perils of the sea to reach the enemy on the battle fields of France and Flanders, they are the same boys who lay in the trenches, who went over the top amid the shot and shell and deadly gases of the enemy. They are boys who added glory to the Republic by their patience in the cantonments, by their courage on the sea, by their endurance in the trenches, by their bravery and heroism in going over the top into "no man's land." They are the boys who stirred the heart of the Republic, who cheered England, and France, and Italy, and Belgium; who put new life and courage and new soul into the war. They are the same boys who drove terror into the heart of the Hun, who forced the Kaiser from his throne and drove the German Army back across the Rhine. They are the boys whose comrades sleep beneath the poppies in France and Flanders and in every State of the Union.

Their silent tents are spread
Where glory guards with sacred round
The bivouac of the dead.

A bill for their relief should pass ungrudgingly. It is said that it is intended to buy the votes of these brave boys. Their votes can not be bought. It is said that this legislation is commercializing the patriotism of the boys. It is not said that legislation for contractors is commercializing the patriotism of the contractors.

I appeal to the opposition to the soldiers' pay legislation everywhere to support it with the same patriotic support they gave to the legislation mobilizing the boys for war.

Mr. GREENE of Massachusetts. Mr. Chairman, I yield the remainder of my time to the gentleman from Alabama [Mr. BANKHEAD].

Mr. GOLDFOGLE rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GOLDFOGLE. I simply want to say to the gentleman from Kansas [Mr. CAMPBELL] that no man, and no set of men, has the right to pledge my vote——

The CHAIRMAN. The gentleman is out of order.

Mr. SABATH. Mr. Chairman——

Mr. BANKHEAD. Mr. Chairman, I understand that I have the floor.

Mr. WALSH. Mr. Chairman, I rise to a point of order.

Mr. SABATH. Mr. Chairman, I desire to make a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. SABATH. Whether it is proper for one Member on the floor of the House——

The CHAIRMAN. That is not a point of order.

Mr. SABATH. Then I desire to make a parliamentary inquiry. [Cries of "Regular order!"]

Mr. WALSH. Mr. Chairman, a parliamentary inquiry is not in order unless the gentleman from Alabama yields.

Mr. BLANTON. Mr. Chairman, I desire to make a point of order.

Mr. SABATH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. Mr. Chairman, I make the point of order that it is not in order to make a parliamentary inquiry unless the gentleman from Alabama yields.

Mr. BANKHEAD. And I have not yielded.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. I make the point of order that the gentleman from Kansas [Mr. CAMPBELL] does not have the right to read 49 Republican Members out of the Republican Party.

The CHAIRMAN. That is not a point of order, and the Chair overrules it. The gentleman from Alabama is recognized for 10 minutes.

Mr. BANKHEAD. Mr. Chairman, I desire to say by way of preface in connection with the impassioned objections made by the distinguished gentleman from Kansas [Mr. CAMPBELL] to the consideration and passage of the pending legislation, that the members of the party to which I belong are not responsible for the legislative position of which the gentleman from Kansas complains. His party is in power upon the floor of this House. The gentleman from Kansas himself occupies a place of conspicuous authority and power with his legislative colleagues upon the Republican side of this House. If he is unable with his logic and persuasion to induce a majority of the steering committee of his own associates to bring in the legislation in which he is so much interested, surely that even should not militate against the merits of the bill that we have now under consideration.

Mr. CAMPBELL of Kansas. Now will the gentleman yield?

Mr. BANKHEAD. For a brief question.

Mr. CAMPBELL of Kansas. Will the gentleman and his party vote for the previous question and for a rule that I have in my pocket for the bill I have in mind?

Mr. BANKHEAD. I do not know what bill the gentleman has in his pocket; I do not know what rule the gentleman has in his pocket. [Applause.] I will say to the gentleman, if it measures up to some of the partisan rules that he has brought in on the floor of this House since he has been chairman of the Committee on Rules I would not undertake to pledge the Democrats to its consideration. [Applause.] Now I think I have answered the gentleman's question, and I desire to discuss this bill.

Mr. CAMPBELL of Kansas. May I say it is a bill to make in order the bill providing for a readjustment of the pay of our soldiers.

Mr. BANKHEAD. Mr. Chairman, I decline to yield further. I trust that the judicial attitude of the minds of the members of the committee will not be diverted from the consideration of

the pending measure by this side issue that has been injected into the debate by the gentleman from Kansas.

Mr. EMERSON. No side issue, I will tell the gentleman.

Mr. BANKHEAD. We have before us a bill of great merit. It is a bill that should appeal to the careful and equitable consideration of the judgment of every Member of the House. The situation briefly is this, and I will not have time to discuss fully all of the facts and circumstances leading up to the reporting of this bill by our committee, but I do think it is proper, Mr. Chairman, to review quite briefly the circumstances under which those contracts or quasi contracts or equitable claims, if you choose to call them that, were entered into by the representatives of the Shipping Board or the board itself.

As has been admirably stated by the gentleman from Texas [Mr. HARDY] the time when this shipbuilding program was authorized and entered upon by the Shipping Board was a time of desperate extremity and peril for the people of the United States. You will recall the ravages of the German submarines upon the shipping of the world upon the high seas at the time had reached an appalling state. We did not know to what extent that destruction might ultimately eventuate. We were fearful that it might go to the extent probably of driving all commerce from the seas, which, of course, would have precluded the carrying of our soldiers and of their supplies to the fields of battle in France. And although viewed now in retrospect it has developed that the building of wooden ships was an unfortunate venture upon the part of the Shipping Board, and although it had subsequently developed, as now shown, that they are of small value in the shipping market of the world, yet the circumstances under which they were contracted, viewed in the light of the great national peril that we were involved in at the time upon the high seas, that program was fairly justified by the Shipping Board; and, recognizing that situation, this governmental authority to which was intrusted the duty of getting ships built for the purpose of transporting our troops and supplies, as has been stated, appealed to the business men of the country to engage in the wooden-ship building enterprise, and we made solemn assurances to those gentlemen, backed, of course, as those assurances were, by the faith, credit, and good will of the Government of the United States, to embark upon an extensive program of wooden-ship building enterprise.

Mr. BLACK. Will the gentleman yield?

Mr. BANKHEAD. For a brief question, because I desire to say——

Mr. BLACK. I did not know how much time the gentleman had.

Mr. BANKHEAD. I have very little time, but I will be glad to answer a question.

Mr. BLACK. It is all right; I will not take the time of the gentleman.

Mr. BANKHEAD. Now, this appeal was made to those men. The bill, as has been explained, that is now before the committee arises upon only one phase of that situation. Where contracts were definitely entered into and performed or partly performed in reference to the building and delivery of certain numbers of ships which were built and delivered there is no field for the operation of this bill, but it largely hinges upon the question of amortization of the plants that those gentlemen constructed in order to make them whole upon their investment upon the assurances that were actually given them by the Shipping Board or its representatives as to the quantity of work that they would be intrusted to perform. For instance, if the Shipping Board said to a firm in Richmond, Va., or Bath, Me., or Portland, Oreg., "We will accept your offer if you are able to build for us 12 wooden ships of certain specifications, and we authorize you to go ahead and build a plant with four ways upon which we will guarantee that you will have three turns upon each of those ways, three vessels for each way, and you are expected to complete 12 wooden vessels."

They made their preparations, expended their money, and developed that plant to carry out the assurances and requests of the Shipping Board for the construction of that much wooden tonnage, and then it developed that the armistice came along. These contracts were canceled and wooden-ship building concerns, for instance, which only built three of these ships, actually constructed and delivered, had made their investment of large sums of money upon those plants, and, as I say, the building contract was canceled. In many instances it was only an equitable contract when it comes to its real construction, and, as the gentleman from Texas [Mr. HARDY] has said, in its last analysis possibly only a moral obligation of the Government of the United States, and that is the thing that we are calling upon this House to enact this measure for, to carry out a moral obligation of the Government of the United States.

Mr. HARDY of Texas. Will the gentleman let me read from that obligation?

Mr. BANKHEAD. My friend will pardon me, but I have only two or three minutes. This bill, in fact, confers upon the Shipping Board an equitable jurisdiction to settle and determine these claims under the safeguards and provisos which you will find in the bill. It seems to me, gentlemen, that upon a careful perusal of the bill you will see that the rights of the Government are amply and thoroughly safeguarded, and that it affords no avenue or opportunity for grafters or those who would seek to mulct the Government out of illegitimate profits to operate under the terms of this bill. It bestows upon this board the right to consider each of these claims upon the merits of the proposition, and to take into consideration the facts and circumstances that confronted the contract, or the moral obligation entered into by the Government with these individual citizens, and to adjust and liquidate those claims so that these parties may not suffer loss and may be made whole under the assurances given when the work was entered upon. The bill specifically provides that no profit shall be collected or exacted under the terms of settlement proposed under this bill, and, as has been ably argued by those who preceded me, the whole proposition, gentlemen, simply involves the same thing you have acted upon heretofore in order to provide for a settlement of bills for war claims or contracts with the War Department, the same character of legislation you have——

Mr. MANN of Illinois rose.

Mr. BANKHEAD. I can not yield.

Mr. MANN of Illinois. The gentleman says no profit shall be allowed; that is not in the bill.

Mr. BANKHEAD. I think it is provided in the bill, and if I have time under the five-minute rule I think I can show it is in it. It is the same character of legislation you provided to give those furnishing rare metals and minerals the right to settle their claims in the Interior Department. It is the same character of obligation you authorized to settle many other war activities of the Government of the United States. I see no reason why this particular class of our people who are engaged in the wooden-ship building industry should be discriminated against in favor of the others who have already had authority from Congress to settle their equitable claims against the Government of the United States.

Mr. MADDEN. I think this bill goes a little further than that. It gives them the right to go into court. The other bills did not do that.

Mr. BANKHEAD. Gives whom the right?

Mr. MADDEN. The claimants.

Mr. BANKHEAD. If they are not satisfied with the award they can reject it and remit their claim to the Court of Claims under the provisions of this bill.

Mr. MADDEN. But there is no such right in any other bill we passed.

Mr. BANKHEAD. I do not recollect specifically the terms of the Dent bill. Now, I will be glad to yield to the gentleman from Texas.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the United States Shipping Board be, and it is hereby, authorized to adjust, liquidate, and pay the claims of individuals, firms, or corporations who built or contracted to build wooden ships for the United States, the United States Shipping Board, or the United States Shipping Board Emergency Fleet Corporation after April 6, 1917, which can not be paid under the law as it now is, and said board shall adjust and liquidate each claim upon such terms as it shall determine from the facts in the case to be just and equitable, and its decision shall be deemed conclusive and final, except as herein otherwise provided: *Provided*, That no claim shall be liquidated or paid unless it is alleged and found to be based upon a request or demand of the United States Shipping Board, the United States Shipping Board Emergency Fleet Corporation, or any officer or agent acting under the authority, direction, or instruction of said board and corporation, or either of them: *Provided further*, That said board shall consider, approve, and dispose of only such claims as shall be made hereunder and filed with the board within three months from and after the date when this act shall become a law: *Provided further*, That no claims shall be allowed and paid by said board unless it shall appear to its satisfaction that the expenditures made or obligations incurred by the claimant were made in good faith and upon assurances by the United States Shipping Board, the United States Shipping Board Emergency Fleet Corporation, or any officer or agent acting under the authority, direction, or instruction of said board and corporation, or either of them, that reimbursement would be provided for in money or contracts for additional work: *And provided further*, That no claim shall be paid unless it shall appear to the satisfaction of said board that moneys were invested or obligations incurred subsequent to April 6, 1917, and prior to November 12, 1918, in a proper and legitimate attempt to produce ships for the needs of the Nation in connection with the prosecution of the war; and that no profits of any kind shall be included in the allowance of any of said claims, and that no investment for merely speculative purposes shall be recognized in any manner by said board: *And provided also*, That the settlement of any claim arising under the provisions of this section shall not bar the United States Government, through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation to recover any money paid by the Govern-

ment to any party under and by virtue of the provisions of this section, if the Government has been defrauded; and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns of any party.

Mr. GREENE of Massachusetts. Mr. Speaker, I move to strike out all after the enacting clause and insert the part printed in italics.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out all after the enacting clause in section 1 and insert in lieu thereof all that portion in italics, commencing on page 4, line 19, which the Clerk will report.

Mr. MADDEN. Mr. Chairman, I would like to have a division of that question.

Mr. MANN of Illinois. Mr. Chairman, I make the point of order against the Chair stating the amendment before it is reported by the Clerk.

The CHAIRMAN. The Clerk will report the amendment. The Chair stated that the Clerk would report it.

The Clerk read as follows:

Mr. GREENE of Massachusetts moves to strike out all after the enacting clause and insert the matter in italics, beginning on page 4, line 19.

The CHAIRMAN. The Clerk will read the amendment.

Mr. RAKER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. RAKER. The point of order is that it comes up automatically. When the Senate bill is read the report of the committee on the amendment comes before the House for one vote on the amendment, and it is out of order for a member of the committee or a Member of the House to offer an amendment when the committee's amendment is already pending.

Mr. MADDEN. I make the point of order, Mr. Chairman, it is not in order to entertain any motion for any amendment to the bill until all of the Senate amendment is read. It is one amendment.

Mr. RAKER. My further point is this——

Mr. MADDEN. This is not considered by paragraphs or sections, but it is all one amendment.

Mr. RAKER. Mr. Chairman, the committee has stricken out all after the enacting clause of the Senate bill and offered one amendment as a substitute. Now, when the Senate bill is read the committee amendment is in order and has the precedence.

The CHAIRMAN. The Chair overrules the point of order. The amendment in the nature of a substitute will not be voted on until after the amendment is disposed of. The amendment in the nature of a substitute may be proposed before amendment to the original text has been acted upon. It may not be voted on until after such amendment has been disposed of.

Mr. MANN of Illinois. After the amendment is disposed of? I do not understand what the Chair means. The Chair stated the amendment could be offered, but could not be acted on until the amendment is disposed of. Surely that is not the meaning of the Chair.

The CHAIRMAN. The Chair meant the preferential amendment to perfect the bill.

Mr. MANN of Illinois. The Chair ruled it is not necessary to read the Senate bill?

The CHAIRMAN. The Chair ruled it is necessary to read the Senate bill, and then amend it section by section.

Mr. MANN of Illinois. The amendment by way of a substitute will not be voted upon until the Senate amendment has been read?

The CHAIRMAN. Yes, sir. The motion put by the gentleman from Massachusetts should be to strike out section 1 and insert in lieu thereof the words which the Clerk will report.

Mr. MANN of Illinois. Of course, if the question is presented to the Chair he will have to decide it, but the motion has not been made yet.

Mr. GARD. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. GARD. The point of order is that the motion made by the gentleman from Massachusetts [Mr. GREENE] has not been submitted by the Chair to the committee for its action.

Mr. LONGWORTH. Mr. Chairman, should not the motion of the gentleman from Massachusetts be to strike out section 1 and insert section 1 of the House bill, giving notice at the same time, if that amendment prevails, he will make the similar motion in regard to section 2 and other sections?

The CHAIRMAN. That is the proper procedure for the gentleman from Massachusetts [Mr. GREENE] to follow.

Mr. LONGWORTH. The gentleman should give notice.

The CHAIRMAN. The gentleman should give notice that if it is adopted he will offer a similar motion to strike out and substitute other sections of the Senate bill.

Mr. RAKER. Mr. Chairman, a further point of order.

The CHAIRMAN. The gentleman will state it.

Mr. RAKER. The report on this bill shows that the committee has not offered these amendments as separate amendments, but they strike out all the enacting clause and insert the following in lieu thereof as a substitute.

Mr. GREENE of Massachusetts. That is exactly——

Mr. RAKER. The gentleman's motion put in all the sections without an opportunity to offer an amendment to those sections. Clearly he does not intend that.

Mr. GREENE of Massachusetts. I move to strike out section 1 of the Senate bill and substitute section 1 of this bill.

Mr. LONGWORTH. I make the point of order that that is not in order unless accompanied by notice that he intends to make the same motion as to the other.

The CHAIRMAN. The Chair sustains the point of order.

Mr. GREENE of Massachusetts. I intend to offer a similar amendment to each paragraph of the bill, to substitute the new bill.

The CHAIRMAN. Is there objection to the modification of the amendment?

Mr. BRIGGS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BRIGGS. If the motion should be carried, would that whole section 1 of the amendment be open for amendment in other respects, or would we adopt it as just one amendment without amending it at all?

The CHAIRMAN. It would be open for amendment. The gentleman from Massachusetts [Mr. GREENE] moves to strike out——

Mr. MANN of Illinois. Why not let the Clerk report the amendment, so that we may know what it is?

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GREENE of Massachusetts: Strike out all after the enacting clause of the Senate bill and insert section 1 with a committee amendment, the language beginning on page 4, line 19, and ending on page 7, line 8.

Mr. WALSH. Mr. Chairman, I offer an amendment to the amendment proposed by the gentleman from Massachusetts.

The CHAIRMAN. The gentleman from Massachusetts [Mr. WALSH] offers a preferential amendment to the amendment offered by the gentleman from Massachusetts [Mr. GREENE].

Mr. MANN of Illinois. Mr. Chairman, I make the point of order that the amendment proposed by the gentleman from Massachusetts [Mr. WALSH] is not in order. We might as well have it done properly. This is a committee amendment. It has to be voted upon at some time without being offered from the floor. The committee amendment has to be voted on some time. Now, the proper motion, the proper proceeding, is either to read the Senate bill through and then vote upon the committee substitute as a whole or upon the reading of the first section. The gentleman from Massachusetts [Mr. GREENE] should offer the entire committee amendment, with the announcement that he will move, as the other sections of the bill are read, to strike them out; but the committee amendment has to be disposed of either now or after the reading of the bill.

The CHAIRMAN. The Chair sustains the point of order.

Mr. LONGWORTH. The committee amendment must first be read before the amendment of the gentleman from Massachusetts [Mr. WALSH] is in order. We have not had the committee amendment reported yet.

Mr. MANN of Illinois. No; the committee amendment has not yet been reported.

Mr. WALSH. I was not aware of that, Mr. Chairman, and I ask that my amendment may be withheld until the committee amendment has been read.

The CHAIRMAN. The gentleman from Massachusetts withdraws his amendment for the time being. Does the gentleman from Massachusetts [Mr. GREENE] offer his modified amendment?

Mr. GREENE of Massachusetts. Yes.

Mr. CANNON. If the gentleman will permit, my recollection is that the substitute was read at the beginning.

Mr. MANN of Illinois. Yes; on the first reading.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts [Mr. GREENE].

The Clerk read as follows:

Strike out all after the enacting clause of the Senate bill, embracing all after line 2, page 1, down to and including line 18 of page 4, and insert the rest of the bill, beginning with line 19 on page 4 and ending with line 8 of page 7.

Mr. GREENE of Massachusetts. Mr. Chairman, I ask that it be read.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

That the United States Shipping Board be, and it is hereby, authorized and directed to investigate, adjust, liquidate, and pay the claims of individuals, firms, or corporations who built or contracted to build

wooden ships for the United States, the United States Shipping Board, or the United States Shipping Board Emergency Fleet Corporation after April 6, 1917, and said board shall adjust and liquidate each claim upon such terms as it shall determine from the facts in the case to be just and equitable, and may take into consideration, among other things, the conditions under which the contracts were entered into and the conditions under which the work was performed; and its decision shall be deemed conclusive and final, except as herein otherwise provided: *Provided*, That no claim shall be liquidated or paid unless it is alleged and found to be based upon a request or demand of the United States Shipping Board, the United States Shipping Board Emergency Fleet Corporation, or some officer or agent acting under the authority, direction, or instruction of said board or corporation, or either of them: *Provided further*, That no claim shall be liquidated or paid unless it is alleged such claims as shall be made hereunder and filed with the board within three months from and after the date when this act shall become a law: *And provided further*, That no claims shall be allowed and paid by said board unless it shall appear to its satisfaction that the expenditures made or obligations incurred by the claimant were made in good faith and upon assurances by the United States Shipping Board, the United States Shipping Board Emergency Fleet Corporation, or some officer or agent acting under the authority, direction, or instruction of said board or corporation, or either of them, that reimbursement would be provided for in money or contracts for additional work: *And provided further*, That no such claim shall be paid unless it shall appear to the satisfaction of said board that moneys were invested or obligations incurred subsequent to April 6, 1917, in a proper and legitimate attempt to produce ships for the needs of the Nation in connection with the prosecution of the war; and that no profits of any kind shall be included in the allowance of any of such claims, except upon completed ships or on ships partly constructed: *Provided*, That on ships partly constructed only such profits may be allowed on that part of the work of construction actually done at the time of the cancellation of contracts, or on work done thereafter on ships not canceled, as in the judgment of the Shipping Board are warranted by all the facts in the case; and that no investment for merely speculative purposes, or where under the facts it could not have been reasonably expected that ships would be built, shall be recognized in any manner by said board: *And provided further*, That the settlement of any claim arising under the provisions of this section shall not bar the United States Government, through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation to recover any money paid by the Government to any party under and by virtue of the provisions of this section, if such settlement is affected by fraud or mistake of fact; and the right of recovery in all such cases shall extend against the executors, administrators, trustees in bankruptcy, heirs, assigns, and successors, whether by operation of law, consolidation, sale, or otherwise of any claimant or claimants.

A report of all proceedings under this section, including receipts and disbursements, shall be made to the Congress on the first Monday in December of each year.

The CHAIRMAN. The gentleman from Massachusetts [Mr. WALSH] offers a preferential motion, which the Clerk will report.

Mr. MANN of Illinois. The amendment has not all been read.

The CHAIRMAN. The Clerk will finish the reading of the amendment.

Mr. RAKER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. RAKER. The point of order is that the gentleman can offer but one section at a time, and it should be divisible. You can not offer an entire bill to the first section of the bill that he moves to strike out.

The CHAIRMAN. The Chair overrules the point of order. The Clerk will read.

The Clerk read as follows:

SEC. 2. That whenever the amount found to be due any claimant under the provisions of this act shall be unsatisfactory to the claimant, the claimant, within 90 days after the making of any such allowance or award, shall be entitled to reject such award and sue the United States to recover such sum as may be justly due under the terms and provisions of this act in the manner provided by section 24, paragraph 20, and section 145 of the Judicial Code, and the amount so determined by said court shall be paid by the United States Shipping Board in the same manner as awards made by the said board under section 1 of this act.

SEC. 3. That in determining the amount due any claimant the Shipping Board shall, among other things, take into consideration and charge to the claimant the then market value of any shipbuilding plant, lumber, or materials on hand belonging to the claimant used in the construction or acquired to be used in the construction of any wooden ship or shipbuilding plant, and also the salvage or usable value of any machinery or other appliances which were purchased to equip any wooden ship or shipbuilding plant.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. CHINDBLOM].

The Clerk read as follows:

Amendment offered by Mr. CHINDBLOM: Page 5, line 13, strike out the words "no claim shall be liquidated or paid unless it is alleged" and insert in lieu thereof the following: "Said board shall consider, approve, and dispose of only," so that the proviso involved shall read as follows:

"*Provided further*, That said board shall consider, approve, and dispose of only such claims as shall be made hereunder and filed with the board within three months from and after the date when this act shall become a law."

Mr. CHINDBLOM. Mr. Chairman, this proviso is stated correctly in the report, but for some reason was not stated correctly in the printed bill.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. CHINDBLOM].

The amendment was agreed to.

The CHAIRMAN. Now, the Clerk will report the preferential amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 7, line 5, after the word "claimants" insert "*And provided further*, That no adjustment or settlement shall be made under the provisions of this act with any contractors or claimants who shall have submitted to the United States Shipping Board or to the United States Shipping Board Emergency Fleet Corporation any false or fraudulent claims prior to the passage of this act."

Mr. WALSH. Mr. Chairman, I understand that the gentlemen of the committee have no objection to that amendment. I think that might well be written into the law.

Mr. BANKHEAD. Mr. Chairman, I would like to ask the gentleman from Massachusetts upon what facts that have been disclosed, if any, does the gentleman predicate the offering of this amendment?

Mr. WALSH. Well, I do not care to go into the facts or name any specific instances, except to say that there is information upon file in the Shipping Board of instances where claims have been filed and found to have been false or fraudulent, and that when the claims were returned for adjustment the amount of the claim, in one instance, was not reduced a dollar, but certain items were eliminated and the amount of those items was distributed over other items in the claim, so that the total amount was as at first submitted.

Mr. BANKHEAD. Will the gentleman yield further for another suggestion?

Mr. WALSH. Yes.

Mr. BANKHEAD. It occurs to me that there might be this danger in the gentleman's amendment: The executive officers of a shipbuilding company, for instance, that was composed of a number of stockholders might, as a matter of fact, have presented a false or fraudulent claim for adjustment without the knowledge of the great majority of the innocent stockholders of the company, who as a matter of fact might have really a just claim for the balance against the Shipping Board for adjustment, and if the gentleman's amendment as now offered should be adopted it would absolutely preclude any consideration of the bona fides of any legitimate balance that the stockholders might have.

Mr. WALSH. The gentleman is making a statement that is not justified, and I think he will concede it is not justified. It would not prevent an adjustment of that claim. It would simply take it out of the adjustment under the provisions of this bill. That claim could be adjusted by the Shipping Board under other provisions upon strictly legal grounds.

Mr. BANKHEAD. I was not assuming a hostile attitude to the amendment per se, but it had just occurred to me that that might be an objectionable feature.

Mr. WALSH. I think the gentleman will reflect that the language of my amendment simply precludes adjustment under the provisions of this act.

Mr. LONGWORTH. The gentleman from Massachusetts is chairman of a committee which has investigated this matter?

Mr. WALSH. Investigated the expenditures of the Shipping Board.

Mr. LONGWORTH. And his investigation has brought out facts which in his judgment warrant him in offering this amendment?

Mr. WALSH. I will state that the investigations we have made lead me to believe that we ought not to pass legislation that later can be made the basis of claims that Congress intends to overlook any false or fraudulent claims or attempts to collect money based upon fraud in subsequent legislation. This will not hamper or hinder any claim which has been put forward by any claimant or contractor in good faith and which is based on equity and justice, but simply leaves the contractor who has attempted to collect money by fraud or by false claims to his remedy upon strictly legal grounds and does not permit him to come in on the same basis, upon the same footing, with these others for whose benefit this legislation is intended.

Mr. BENSON. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. BENSON. Does not the gentleman think it would cover his entire proposition if he used the word "fraudulent" and left out "false," because a man might inadvertently put in a false claim, and thereby be precluded from all the benefits of this bill, without any intention of being fraudulent. If you limit your amendment to the word "fraudulent," I shall be inclined to vote for it, but when you say "false claims," then you make it incumbent upon the department to determine that there has been no false claim made anywhere at all, and you practically nullify this entire act by the use of the word

"false," because the department might hold that any claim was a false claim.

Mr. WALSH. I think the gentleman is exaggerating the danger of this amendment.

Mr. EAGLE. I think the gentleman will agree that the expression "false and fraudulent" has a very definite and well-understood meaning, which has been settled and passed upon in judicial decisions.

Mr. RAKER. Will the gentleman yield for a question?

Mr. WALSH. Yes.

Mr. RAKER. Under the proviso these claimants would have three months after the passage of this act within which to file their claims, would they not?

Mr. WALSH. Yes.

Mr. RAKER. Then the gentleman's provision would make it so that those who by mistake had filed a claim that contained any misrepresentations, even not intentional, before the passage of this act, could not have their claims considered, but all those who filed claims since the passage of the act could commit all the frauds and perjuries imaginable, and it would not exclude them under the gentleman's provision.

Mr. WALSH. This very act is passed for the purpose of protecting the Government, as I understand it, against false and fraudulent claims that may be submitted after the act passes.

Mr. RAKER. Why does not the gentleman strike out the words "prior to the passage of this act," so that anybody who presents a false or fraudulent claim will be barred from the benefits of the act?

Mr. WALSH. Because that is in the language of the bill, as I read it. Nobody who after this act passes comes in with a fraudulent claim can get the Shipping Board to settle it.

Mr. RAKER. So the gentleman is desirous of placing those who filed claims prior to the passage of the act in a different position from those who file claims subsequent to the passage of the act?

Mr. WALSH. No; my amendment provides that any contractor who presents a fraudulent and false claim prior to the passage of this act shall not be settled with under the terms of this act but shall be left to his strictly legal grounds.

Mr. MONTAGUE. Will the gentleman from Massachusetts permit me to ask a question?

Mr. WALSH. Certainly.

Mr. MONTAGUE. I did not catch his amendment fully, but did the gentleman consider this aspect of it: Should it not be "knowingly false"? Does the gentleman's amendment contain any qualification of the word "false"? Some men innocently make false claims. The question is, Do they knowingly do it?

Mr. WALSH. I do not think the word "knowingly" is necessary, but I am willing to modify my amendment upon the suggestion of the gentleman from Virginia [Mr. MONTAGUE] and I ask to modify it by inserting the word "knowingly" before the word "false."

Mr. EVANS of Nebraska. Will the gentleman yield?

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to modify his amendment by inserting the word "knowingly" before the word "false." Is there objection?

Mr. EVANS of Nebraska. I object.

The CHAIRMAN. The gentleman from Nebraska objects. An amendment to the amendment can be offered only by unanimous consent.

Mr. LONGWORTH. That is an amendment in the third degree.

Mr. BANKHEAD. What is the Chairman's authority for that sort of a ruling?

The CHAIRMAN. This is an amendment in the third degree. This is an amendment to an amendment which is sought to be amended by the amendment proposed by the gentleman from Massachusetts, which is now pending. That can be amended only by unanimous consent. The question is upon the adoption of the amendment to the amendment proposed by the gentleman from Massachusetts [Mr. WALSH].

The amendment to the amendment was agreed to.

Mr. HARDY of Texas and Mr. BANKHEAD rose.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. HARDY], a member of the committee.

Mr. HARDY of Texas. The gentleman from Alabama [Mr. BANKHEAD] is also a member of the committee.

The CHAIRMAN. The Chair recognized the gentleman from Texas because of his seniority on the committee.

Mr. HARDY of Texas. If it is in order to move to amend the bill in its entirety by inserting before the word "false" the word "knowingly", I offer that amendment.

Mr. MANN of Illinois. I make the point of order that the amendment is not in order.

Mr. HARDY of Texas. As I understand it the amendment just adopted is already a part of the bill.

The CHAIRMAN. It is not in order to amend an amendment that has already been agreed to.

Mr. HARDY of Texas. I offer to amend the bill as it now stands.

Mr. MANN of Illinois. The gentleman can not do that.

Mr. DAVIS of Tennessee. Mr. Chairman, I desire to offer an amendment to the committee amendment.

The CHAIRMAN. The gentleman from Tennessee submits an amendment which the clerk will report.

The clerk read as follows:

Amendment offered by Mr. DAVIS of Tennessee: Page 4, line 20, after the word "authorized" strike out the words "and directed."

Mr. DAVIS of Tennessee. Mr. Chairman and gentlemen of the committee, the committee amendment as reported proceeds upon the very violent assumption that every claim filed by these contractors will be a just claim and should be paid. In other words, it provides "that the United States Shipping Board be, and it is hereby, authorized and directed to investigate, adjust, liquidate, and pay the claims of individuals, firms, or corporations who built or contracted to build wooden ships," and so forth. Now, by striking out the words "and directed" it simply authorizes them to do so, the presumption, of course, being that they will do so when those claims are just and ought to be paid under the provisions of this act, and I do not think that we should go to the extent, and I do not believe that the Congress wants to go to the extent, of specifically directing the payment of every one of these claims that may be filed, no matter how unjust or fraudulent it may be.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. CHINDBLOM. I would like to inquire whether the gentleman has the same recollection that I have, that Judge Payne, chairman of the Shipping Board, preferred to have the word "directed" in the bill, because he said he did not want it to rest entirely on the discretion of the board as to whether they should take up these matters.

Mr. DAVIS of Tennessee. I do not remember that. I remember that the chairman of the Shipping Board stated in general terms that it was a matter for Congress to determine and he trusted that Congress would take some action in order that they might settle claims in some way. But I do not remember that he took any such position as the gentleman states, and I do not think he did take any position to the effect that we should instruct the Shipping Board to pay all the claims.

Mr. CHINDBLOM. I did not say that. What I said was that the Shipping Board would investigate the claims, and they will not pay unless they find something due. The question is whether we shall give them the duty of investigating the claims.

Mr. DAVIS of Tennessee. I have no objection whatever to an instruction to them to investigate, but this amendment goes further, it authorizes and directs them "to investigate, adjust, liquidate, and pay."

Mr. CHINDBLOM. They will not pay unless they find something due.

Mr. BARKLEY. Will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. BARKLEY. What does the gentleman say is the meaning of this language at the bottom of page 4 and the top of page 5: "And said board shall adjust and liquidate these claims upon such terms as it shall determine from the facts in the case to be just and equitable"?

If they find nothing justly due the claimant, nothing will be due and nothing will be paid.

Mr. DAVIS of Tennessee. Well, I have an amendment to offer to that. That proceeds on the theory that every claim is just and that something is to be paid under it, and they are simply to determine the amount due.

Mr. JUUL. Will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. JUUL. Suppose you had inserted in front of the word "claim" the word "valid," so that it would read "adjust and liquidate each valid claim." Would not that be satisfactory to the gentleman?

Mr. DAVIS of Tennessee. Yes; but they could not determine whether it was valid until they had made an investigation.

Mr. BARKLEY. If the gentleman's contention is correct, it seems to me that the words "investigate, adjust, and liquidate" ought to be stricken out because under the gentleman's interpretation all they could do is to pay.

Mr. DAVIS of Tennessee. Statutes are to be literally construed.

Mr. ROWE. Will the gentleman yield?

Mr. DAVIS of Tennessee. I will.

Mr. ROWE. On page 5 the gentleman will find language like this:

That no claim shall be liquidated or paid unless it is alleged and found to be based upon a request or demand of the United States Shipping Board, the United States Shipping Board Emergency Fleet Corporation, or some officer or agent acting under the authority, direction, or instruction of said board or corporation, or either of them.

Then, down in line 16, it reads:

And provided further, That no claims shall be allowed and paid by said board unless it shall appear to its satisfaction that the expenditures made or obligations incurred by the claimant were made in good faith and upon assurances by the United States Shipping Board * * * that reimbursement would be provided for in money or contracts for additional work.

Mr. DAVIS of Tennessee. All of that might be true, and still there might not be anything justly due on the claim.

Mr. ROWE. Does the gentleman think that if they found there was nothing due they would allow something?

Mr. DAVIS of Tennessee. They are instructed to do so under the provisions of the proposed committee amendment.

Mr. BEE. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Tennessee. It occurs to me that the gentleman from Tennessee is too good a lawyer to seriously contend that the word "directed" ought to be stricken out of this amendment.

But, Mr. Chairman, I rose principally to say a word or two as to the general merits of the bill. It has been well said on the floor of the House that when the war came on this Government called for the building of ships through its authorized agents, guaranteeing, as far as men could be guaranteed, that they would be found whole at the end of the transaction. Men all over the country immediately went to work building these ships. The war came to an end and the men found themselves with the investment of a lifetime involved in this question. They found themselves not only with no profits, but found themselves faced with brankruptcy because, relying upon the good faith of the Government, they had gone into the investment for this purpose.

This bill, it occurs to me, carefully safeguards, carefully protects, the interests of the Government if we are going to have any confidence whatever in the integrity of the Government or the members of the Shipping Board. It sets out specifically what claims shall not be allowed and the circumstances under which claims shall be allowed.

Now, I have been very much interested in the discussion and statement of the gentleman from Massachusetts that prior to the time—and I direct the attention of the committee specifically to this statement in behalf of the justness of this measure—that prior to the time Judge Payne came on the Shipping Board, with a legal technical mind, looking to the interests of the Government, and said he believed there was a lack of authority upon the part of the Shipping Board to proceed with the settlement of this case, over 70 claims had been settled for; over 70 claimants had been paid their money. Those claims had been paid up to the time that Judge Payne made that decision, of which I do not complain but indorse, and stopped the payment of further claims.

Now, unless Congress directs the Shipping Board to proceed and investigate the obligations of the Government in this matter, under the power vested in the Shipping Board by Congress, this condition is going to prevail: That men with claims equally as equitable, equally as just, equally as entitled to settlement as those that have been paid, are going to find themselves defeated in the payment of their just claims because of this objection to further payment.

I have considered this bill carefully and I do not believe a man in this House wants the committee to put in any claim not authorized, in good conscience, but I do submit to this House that when these men under the powerful impulse and the persuasive power of the agents of the Government invested their money and built ships to meet the menace of the German submarine and sustain the valor and courage of the American soldier on the firing field that brought this war to an end, that in good conscience these men ought not to be cast into the darkness of bankruptcy because they trusted in the faith of their Government. [Applause.] That is all there is to it. If you have no confidence in the Shipping Board, then that is different.

Mr. HARDY of Texas. Mr. Chairman, it is a little out of order, but I ask unanimous consent to proceed in opposition to the amendment for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HARDY of Texas. Mr. Chairman, the committee felt that it was not only right to authorize an investigation but that it was proper to direct an investigation. Without the word "direct" the Shipping Board would be authorized to make no investigation at all. No man, except through hypercritical nicety of construction, can avoid reaching the conclusion—taking the whole bill together, with the proviso on page 5—that they were directed to make an investigation and were authorized to make an adjustment and payment, and it is provided that they shall pay no claim unless it shall appear to the satisfaction of the board that the expenditures made or obligations incurred by the claimant were made in good faith and upon assurance by the United States Shipping Board, United States Emergency Fleet Corporation, or some other agency or officer, acting under the authority, direction, or instruction of that board or either of them, that reimbursement would be provided for in money or contracts. There could be no reimbursement if there was no just claim. That is the plain meaning.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. HARDY of Texas. Yes.

Mr. JUUL. The gentleman is a member of the committee?

Mr. HARDY of Texas. I am.

Mr. JUUL. Will the gentleman kindly inform me if Judge Payne appeared at any time before the committee and recommended this legislation?

Mr. HARDY of Texas. Oh, more than once. He was before us from the beginning to the end, saying that he would have gone ahead and exercised the authority to adjust and settle these claims, if he had had authority, but that he believed under the law he could not do it; he had no authority to do it.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman from Texas permit me to interrupt there so as to read Judge Payne's statement upon that?

Mr. JUUL. Permit me first to state to the gentleman from Texas [Mr. HARDY] that if Judge Payne was one of the men who recommended the bill, that is satisfactory to me. I wanted to draw that fact out.

Mr. HARDY of Texas. That is true, and the gentleman from Illinois will read his statement.

Mr. CHINDBLOM. Judge Payne said:

I have believed, and express it as my opinion, while I do not think we have a right as a matter of law to amortize the cost of those yards, that there was a moral obligation on the part of the Government to make the shipbuilders whole, and to pay what was just and equitable to that end.

Mr. HARDY of Texas. Let me supplement that by saying that this whole bill came up by reason of the fact that Judge Payne was anxious to have legal authority from Congress to make the settlement. Perhaps I would better express it by saying that Judge Payne was anxious to have Congress by law express its policy as to the payment or settlement of these claims, which he believed constituted a moral obligation, as he stated in that part of his testimony just read by Mr. CHINDBLOM.

Mr. JONES of Texas. Mr. Chairman, I would like to ask the gentleman if he would not clarify the whole situation by changing the language so as to make it read—

directed to investigate and authorized to liquidate.

Mr. HARDY of Texas. Mr. Chairman, I would not have any objection to that change, but I think it is only a hypercritical parsing that would fail to reach the conclusion that nothing was to be paid unless it was authorized.

Mr. JONES of Texas. Mr. Chairman, I offer that as a substitute for the amendment that has been offered by the gentleman from Tennessee.

Mr. HARDY of Texas. I think it would be cumbersome and I think it would be unnecessary, because page 5 clarifies that.

The CHAIRMAN. The motion of the gentleman from Texas is not in order at this time.

Mr. JONES of Texas. Is it not in order to offer a substitute for an amendment that has already been offered?

The CHAIRMAN. The Chair thinks not.

Mr. JONES of Texas. It is not in order to offer an amendment, but it is in order to offer an amendment by way of substitute, even though in the third degree. I am not offering this as a direct amendment.

The CHAIRMAN. The Chair will read from the House Manual and Digest:

An amendment in the third degree is not specified by the rule and is not permissible, even when the third degree is in the nature of a substitute for an amendment to a substitute.

Mr. JONES of Texas. But, Mr. Chairman, I am not offering this as an amendment at all.

The CHAIRMAN. It is a substitute.

Mr. JONES of Texas. I am offering it purely as a substitute for the amendment, and it is always in order, even though an

amendment to an amendment is pending, to offer a complete substitute. This amendment is not offered as a dodge but as a complete substitute for the amendment, because it would change the meaning of the amendment. I offer to strike out on page 4, line 20, the words "authorized and" and insert before the word "adjust," in line 20, the words "and authorized."

The CHAIRMAN. The Chair is of the opinion that the motion of the gentleman from Texas is not in order and so holds.

Mr. JONES of Texas. Mr. Chairman, I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Texas appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand in the judgment of the committee?

The question was taken, and the Chair announced that the committee had determined that the decision of the Chair should stand as the judgment of the committee.

Mr. JONES of Texas. Mr. Chairman, I would like to say a few words before the vote is taken.

The CHAIRMAN. The vote has been taken and the judgment of the Chair has been sustained.

Mr. WINGO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. I would like to know what is before the House? As I understand it, the committee has reported an amendment.

The CHAIRMAN. There is an amendment pending to that offered by the gentleman from Tennessee [Mr. DAVIS]. The question is on the amendment offered by the gentleman from Tennessee.

Mr. WINGO. And the Chair rules that you can not offer a substitute for an amendment to the amendment?

The CHAIRMAN. The Chair has so ruled.

Mr. WINGO. And the committee has sustained the ruling of the Chair on that proposition?

The CHAIRMAN. It has.

Mr. WINGO. I think we ought to have it framed, for that is a unique ruling.

Mr. WILLIAMS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WILLIAMS. When would an amendment be in order to add another section?

The CHAIRMAN. After that part of the bill has been reached. The question is on the amendment offered by the gentleman from Tennessee.

The question was taken; and on a division (demanded by Mr. DAVIS of Tennessee) there were—ayes 15, noes 47.

So the amendment was rejected.

Mr. PARRISH, Mr. JONES of Texas, and Mr. RAKER rose.

Mr. PARRISH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 5, after the word "war," strike out the semicolon and the balance of line 5 and also all of lines 6, 7, 8, 9, 10, 11, 12, and all of line 13 down to and including the word "case."

Mr. PARRISH. Mr. Chairman and gentlemen of the committee, the provision of the bill that I seek to strike out by my amendment is as follows:

And that no profits of any kind shall be included in the allowance of any of such claims, except upon completed ships or on ships partly constructed: *Provided*, That on ships partly constructed only such profits may be allowed on that part of the work of construction actually done at the time of the cancellation of contracts, or on work done thereafter on ships not canceled, as in the judgment of the Shipping Board are warranted by all the facts in the case.

In other words, gentlemen of the committee, by this amendment I move to strike from the bill any provision that would allow a man who had engaged in the building of ships any profits whatever upon his contract as a whole.

I do not believe that a man who comes before the United States Government at this time demanding relief and asking for the payment of money if he has made a profit on part of his contract or profit on some ships that he has constructed and lost on other ships, I do not believe he should be permitted to come before the Government and collect one cent out of the United States Treasury. He should be made to take into consideration his dealings with the Government in this particular, and if he is gainer on the whole, no relief should be granted.

Mr. BARKLEY. Will the gentleman yield?

Mr. PARRISH. I will.

Mr. BARKLEY. This language in the bill seems to be a limitation upon profits. If the gentleman's amendment is carried, will it not leave it open to anybody to get a profit in any amount the board might allow?

Mr. PARRISH. No; I do not understand it to mean that.

Mr. BARKLEY. I am afraid that is what it is.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. PARRISH. I will.

Mr. DAVIS of Tennessee. I want to say to my colleague from Texas that the Senate bill has a provision down to the word "claims," on line 7, and Judge Payne, chairman of the Shipping Board, expressly stated in his opinion that there should be a provision against any profits. Now, I will state I had an amendment prepared to strike out, beginning with the word "except," in line 7, down to the word "case," in line 13, so as to provide specifically that no profit should be allowed, but if the gentleman's amendment goes on it will leave that discretionary with the Shipping Board as to whether they allow a profit.

Mr. PARRISH. Mr. Chairman, in view of the suggestion made by the gentleman I wish to ask unanimous consent to modify my amendment. Beginning on line 7, after the word "claims," strike out the balance of that line and lines 8, 9, 10, 11, 12, and 13, down to the word "case."

The CHAIRMAN. The gentleman asks unanimous consent to modify his amendment. Is there objection?

Mr. BENSON. Mr. Chairman, I object.

Mr. PARRISH. Well, Mr. Chairman, I shall go ahead. Gentlemen of the committee, I am absolutely opposed to giving to any man any profit whatever. There has come before the Committee on Mines and Mining on similar relief bills that have been passed by other Congresses men with this unjust proposition. They say that after war was declared on April 6 and up until September of that year they made a profit, but at that time the Government requested them to enlarge their plants, and they did so and lost from September to the end of the war. They do not want the Government to take into consideration the fact that they made a profit from the beginning of war. My purpose in offering this amendment is to knock out of this bill all semblance of profit. If my amendment does not do that, I want to correct the amendment so it will do that. My view of it is that—the Shipping Board having the welfare of the American people at heart—if we knock out this provision there will be no profits allowed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PARRISH. Mr. Chairman, I ask for five minutes more. I have not taken any time on this bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none.

Mr. PARRISH. If we knock out all suggestion of profits the United States Shipping Board or those who settle this controversy will not allow any, and I do not believe we should allow any. It is not right. I want to say in all seriousness to the committee that prior to the signing of the armistice in 1918 all throughout our country representatives of the Government came before the cattlemen and farmers of our country and they said that it was necessary to have fats in order to win the war, and they urged the cattlemen of the West to go and buy cattle for feeding and fatten them so that the Government might have the fats in order to win the war. That was in September and October before the signing of the armistice in November. They not only said that but they urged the cattlemen and farmers to buy feeders and they did so and they paid high prices for them. The War Finance Corporation loaned the money and aided them in making those purchases. The armistice came on in November just after they had purchased these cattle. They had bought them at high prices. Then all the power of the Government, every possible force of the Government, was used to drive down the price of beef, which was in the interest of a majority of the people. They did drive down the price of beef, and the men who had acted as patriotically as ever a ship building contract man has acted were forced into bankruptcy and lost from $50 to $75 per head upon their cattle. Do you mean to tell them it is fair to settle with a man who made a shipbuilding contract, when the cattlemen and farmers of the western part of the country have done the things the Government asked them to do and because of that fact they have gone into bankruptcy—are you willing to say to them that they shall take out of the meager funds they have left and pay taxes to give these shipbuilding men a profit upon their contracts? I want to say that such a suggestion will not meet with the approval of the American people. [Applause.] It is repugnant to their sense of justice and right, and I hope every semblance of a profit will be stricken out of this bill. I ask for the adoption of my amendment, Mr. Chairman, because I believe that if it is adopted there will not be any profits included in any settlement that is made by the Shipping Board. Let us be fair and just to all the people of the United States. [Applause.]

Mr. JONES of Texas. Mr. Chairman, I desire to offer a substitute.

Mr. RAKER. Mr. Chairman, a parliamentary inquiry?

The CHAIRMAN. Let the substitute of the gentleman from Texas be reported first.

The Clerk read as follows:

Page 6, line 7, after the word "claims" strike out the remaining part of line 7, and lines 8, 9, 10, 11, 12, and all of line 13 down to and including the word "case."

The CHAIRMAN. Under a previous ruling of the Chair it is not in order.

Mr. JONES of Texas. On that I would like to call the Chair's attention to Rule XIX, which specifically, in words, says that it is in order. Under Rule XIX, page 359 of the Manual, it says:

When a motion or proposition is under consideration a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment in the way of a substitute, to which one amendment may be offered—

And so forth.

Mr. RAKER. Will the gentleman yield right there? There is nobody objecting to your amendment.

Mr. JONES of Texas. The Chair ruled it out of order.

Mr. MANN of Illinois. The gentleman slightly confuses that rule. What is under consideration here is the Senate bill, to which there is now pending a committee amendment. A substitute to that amendment would be in order, but this is an amendment to that amendment, and a substitute to the amendment to the amendment is not in order. According to that way you can get to the fourth degree.

Mr. JONES of Texas. This is not the committee amendment that is being considered, but is an amendment by a member of the committee to the amendment of the Senate.

Mr. MANN of Illinois. What is under consideration is a Senate bill, to which a committee amendment has been offered, and to which amendment an amendment is in order. You can not put in a substitute for an amendment to the amendment.

Mr. JONES of Texas. I would like to read to the gentleman further from this same rule. It says:

And it shall be in order to offer a further amendment by way of substitute, to which one amendment may be offered.

If the amendment is in order originally, then the substitute is in order, and one amendment to the substitute.

Mr. MANN of Illinois. I think the gentleman will see in a moment. Here the Senate bill is under consideration. An amendment to that Senate bill is offered and is in order. A substitute to that amendment is in order.

Mr. JONES of Texas. That is what I am offering.

Mr. MANN of Illinois. The gentleman is not. The gentleman is offering a substitute to the amendment to the amendment.

Mr. JONES of Texas. I can see no reason why the substitute should apply necessarily to the original amendment rather than to the amendment to the amendment. Does the gentleman contend that a substitute is not in order to an amendment to the amendment?

Mr. MANN of Illinois. Certainly not, because that would be an amendment in the fourth degree. An amendment to the substitute is then in order.

Mr. JONES of Texas. A substitute simply takes the place of the amendment. If the amendment is in order, the substitute is in order.

Mr. MANN of Illinois. Of course, if a point of order was not made. The amendment to the committee substitute is in order, but not a substitute to that amendment. A substitute to the original amendment is in order.

Mr. JONES of Texas. This language says an amendment is in order, and an amendment to the substitute is in order.

Mr. MANN of Illinois. The gentleman has not offered a substitute to the committee amendment.

Mr. JONES of Texas. I think the gentleman from Tennessee [Mr. DAVIS] first offered, perhaps, his amendment as a substitute, but the point of order was not made as to it.

Mr. MANN of Illinois. He is not required to offer his amendment as a substitute. His amendment is an amendment to the amendment.

The CHAIRMAN. The Chair is ready to rule on this question. The committee amendment is sought to be amended by the amendment offered by the gentleman from Texas [Mr. PARRISH]. The gentleman from Texas [Mr. JONES] does not seek to amend, but sends to the desk something he offers as a substitute. It is not in any sense a substitute. It merely perfects language and makes a certain change in the language of the amendment of the gentleman from Texas [Mr. PARRISH]. It is not a substitute, and the Chair so holds.

Mr. MANN of Illinois. Mr. Chairman, I desire to offer a preferential amendment. I move to amend by striking out, on page 6, lines 7 and 8, the language:

Except upon completed ships or on ships partly constructed.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 6, lines 7 and 8, after the word "claims" in line 7, strike out the words: "except upon completed ships or on ships partly constructed."

Mr. BLACK. A point of order, Mr. Chairman. We have an amendment pending.

Mr. MANN of Illinois. Mr. Chairman, as I understand, the gentleman from Texas has moved to strike out the language on page 6, commencing on line 5:

And that no profits of any kind shall be included in the allowance of any such claims, except upon completed ships or on ships partly constructed.

Now, I have offered a preferential amendment to correct the text before we vote upon the proposition to strike it out.

Mr. BLACK. I think that is all right. I withdraw my point of order.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois [Mr. MANN].

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. BANKHEAD. Division, Mr. Chairman.

The committee divided; and there were—ayes 46, noes 26.

Mr. BENSON. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The question is on the amendment of the gentleman from Texas [Mr. PARRISH].

Mr. DAVIS of Tennessee. Mr. Chairman——

Mr. BENSON. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The gentleman from Maryland makes the point of order that there is no quorum present, and the Chair will count.

The Chair proceeded to count.

Mr. BENSON. Mr. Chairman, I withdraw the point of no quorum.

The CHAIRMAN. The gentleman from Maryland withdraws the point of no quorum.

So the amendment was agreed to.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Texas [Mr. PARRISH].

Mr. DAVIS of Tennessee. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. DAVIS of Tennessee. I understand the question is on the amendment of the gentleman from Texas?

The CHAIRMAN. The question is on the amendment of the gentleman from Texas, as amended by the amendment of the gentleman from Illinois.

Mr. BLACK. That is not the amendment. The gentleman from Illinois did not offer an amendment to the amendment of the gentleman from Texas, because that would be an amendment in the third degree.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. PARRISH].

Mr. MANN of Illinois. Mr. Chairman, as I understand the amendment of the gentleman from Texas, he proposes to strike out the limitation in the bill providing the allowance of profit?

Mr. PARRISH. Mr. Chairman, I withdraw my amendment.

Mr. BENSON. I object, Mr. Chairman.

Mr. BARKLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Maryland objects. The question is on the adoption of the amendment of the gentleman from Texas [Mr. PARRISH].

The question was taken, and the amendment was rejected.

Mr. DAVIS of Tennessee and Mr. JONES of Texas rose.

The CHAIRMAN. The gentleman from Tennessee is recognized.

Mr. BARKLEY. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Kentucky rise?

Mr. BARKLEY. To make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BARKLEY. The amendment of the gentleman from Illinois [Mr. MANN] having been adopted, eliminating profit on completed ships and ships partly constructed, does the situation now still leave in the proviso, beginning on page 8, providing for profits on partially constructed ships? The amendment of the gentleman from Illinois only struck out certain language, beginning with the word "except," on line 7, and ending with the word "constructed," on line 8. The proviso provides how the Shipping Board may allow for the partly constructed ships.

The CHAIRMAN. The Chair has recognized the gentleman from Tennessee [Mr. DAVIS] to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Tennessee: Page 4, line 21, after the word "claims," insert the words "based upon contracts, express or implied."

Mr. DAVIS of Tennessee. Now, Mr. Chairman, it has been argued by those favoring this bill that no more was being sought than that to which the contractors were entitled, at least under an implied contract, and a comparison has been made between the bill under consideration and the Dent bill.

The Dent bill expressly provides that awards shall be based upon agreements, express or implied. I do not think that we should go any further at least than an implied contract. A number of speeches have been made appealing to the membership on the ground that these men who entered into these shipping contracts would be very greatly injured unless this bill were passed and they be given the relief it affords. It would be impossible for us to undertake to place in statu quo every citizen of this Republic who may have been injured, financially or otherwise, because of the war, or because of the unexpected termination thereof. We are not making any provision to pay manufacturers who constructed factories and obtained machinery and entered upon the manufacture of articles which would have been needed if the war had been continued, even though they were intending to sell them to the Government. They can not recover for any of that machinery or any of those buildings, nor even for any of those goods that were left on hand, unless they had an agreement, express or implied, to furnish such goods to the Government, and in that event they do not get any pay for the factories or machinery. It would be just as proper to pass a bill to make whole that large number of citizens who, by reason of the encouragement and importunities of Government officials, entered upon the growing of castor beans with the expectation of making a sale of them in case the war had continued and which they could have done, but which were left on their hands because the war terminated earlier than was expected. There are innumerable other instances where farmers patriotically responded to appeals, redoubled their efforts, and incurred heavy expense in an effort to help win the war, but who sustained heavy losses because of the unexpected termination of the war or because of other occurrences over which they had no control and for which they were in no sense responsible. Why neglect them and yet take care of these large contractors?

Comparison has been made with the Dent bill. You will recall that the statement has been made that there is nothing in this bill that is not in the Dent bill. I want to point out a single instance that occurred in my district, and I am sure that others know of similar instances. In the cases coming under the mineral provisions of the Dent bill men all over the country entered into contracts with the Government to mine needed ores of different kinds. One man in my district made a contract of that kind and spent several hundred dollars in excavating and mining in an effort to obtain a certain character of ore which was known to exist in that community. He was continuing this mining at the time the war terminated, and he was stopped in that work because of the armistice, and he filed his claim for the amount that he had expended under that contract, and the board denied him any award at all upon the ground that he had not been able to market any of the ores "in sufficient quantities to be of commercial importance," as was required under the provisions of the Dent bill itself. In other words, under the Dent bill, unless a man accomplished something, unless the Government was benefited in some material way, he can not recover under the express provisions of that bill. The Dent bill also expressly provides that there shall be no profit of any kind.

This bill goes far beyond the Dent bill in this and in other respects to which I have called attention, and I think it certainly ought to be amended; and if the gentlemen are correct in their statements that no effort is being made to pay out anything except what is based upon contract, either expressed or implied, I do not see how there can be any objection to the amendment which I have offered.

Mr. EDMONDS. Mr. Chairman, should the amendment proposed by the gentleman from Tennessee [Mr. DAVIS] pass, it would simply defeat the purposes of the bill.

The purposes of the bill, as we all understand, are to reimburse these shipbuilders for their capital expenditure. Certainly if they were working under contracts, either expressed or implied, there would be no question raised as to the return of capital expenditure. If this amendment passes you are going to make the bill virtually useless because you let the Shipping Board go on and make the settlements that they can already legally make, so that there will be no reimbursement for the yards whatever, because we all know that when these men went into the business there was no contract, expressed or implied, to build yards.

Mr. HARDY of Texas. Mr. Chairman, as just stated by the gentleman from Pennsylvania [Mr. EDMONDS], the amendment now offered by the gentleman from Tennessee [Mr. DAVIS] is simply destructive of the whole bill. Already and without any legislation any shipbuilder has a perfect right to recover for contract prices, whether the contract be expressed or implied.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. HARDY of Texas. Just wait until I get through with this.

This bill is intended to cover cases which you can hardly call a contract, but which are described in the last part of page 5, where this language is employed:

That no claims shall be allowed and paid by said board unless it shall appear to its satisfaction that the expenditures made or obligations incurred by the claimant were made in good faith and upon assurances by the United States Shipping Board, the United States Shipping Board Emergency Fleet Corporation, or some officer or agent acting under the authority, direction, or instruction of said board or corporation, or either of them, that reimbursement would be provided for in money or contracts for additional work.

That is an arrangement that could hardly be called a contract, and yet it was an assurance held out to these men upon which they went to work, upon which they were urged to go to work. It is because of the vagueness of that assurance, and yet the positive inducement of that assurance, that this bill is rendered just and necessary. If it were a valid and binding contract, there would be no bill needed.

Mr. BLACK. Mr. Chairman, will the gentleman yield there for a moment?

Mr. HARDY of Texas. Yes.

Mr. BLACK. I understand, of course, that the Director of the Shipping Board would have the right to adjust legal contracts. I do not understand that we have got any law that would give him the right to pay and adjust an implied contract.

Mr. HARDY of Texas. Why, the gentleman knows that in law an implied contract is as binding as an expressed contract.

Mr. BLACK. Oh, no; we have no such thing as implied contracts with the Government. You must enter into a written contract with the Government if it is to be legal.

Mr. HARDY of Texas. The object of this bill is to meet conditions similar to those that prevail which have been covered by many other bills where a question might be raised as to the authority of the agent to make a contract binding on the Government. You may be right in saying that the Government is not legally bound by any implied contract. I know it is morally bound. Under the conditions then existing every patriotic impulse was called into effect, and this bill authorizes the payment of nothing unless it was for building ships under assurances by the Shipping Board that the people who incurred the expense would be compensated, yet you could not call it a contract; but common honesty demands that they be paid.

Mr. BENSON. Is it not a fact that the majority of these shipyards are new yards, where people went into these enterprises from patriotic motives, many of them putting all their money into these enterprises, and did it for Government purposes primarily and alone?

Mr. HARDY of Texas. I will say to the gentleman that that is the case with a vast majority of these people. Some of them had never had any shipbuilding experience, and went into it simply upon the urgent insistency of the Government and without contracts, but upon the assurance that they would be cared for—would be treated fairly.

Mr. RAKER. Will the gentleman yield for a question?

Mr. HARDY of Texas. Yes.

Mr. RAKER. With this amendment on the bill this legislation is ineffective?

Mr. HARDY of Texas. With this amendment on the bill it is of absolutely no effect.

Mr. BENSON. It is killed.

Mr. HARDY of Texas. Yes; it is worse than killed; it is made absurd.

Mr. MANN of Illinois. I make the point of order that debate on this amendment is exhausted.

The CHAIRMAN. The point of order is sustained. The question is on the amendment offered by the gentleman from Tennessee.

The question being taken, the amendment was rejected.

Mr. MANN of Illinois. I move to amend page 6, beginning in line 8, by striking out after the word "provided" the language:

That on ships partly constructed, only such profits may be allowed on that part of the work of construction actually done at the time of the cancellation of contracts, or on work done thereafter on ships not canceled, as in the judgment of the Shipping Board are warranted by all the facts in the case.

Mr. HUMPHREYS. Mr. Chairman, I offer a preferential amendment.

The CHAIRMAN. The Clerk will first report the amendment offered by the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 6, line 8, after the word "provided" strike out all down to and including the word "and" in line 13.

Mr. MANN of Illinois. Mr. Chairman, the committee has already agreed to an amendment to strike out the language which would allow profits upon completed ships or on ships partly constructed and leaving in a provision forbidding the payment of any profit, but there was a proviso in the original amendment intended to be a limitation upon profits allowed upon completed ships or partly completed ships, which would allow certain profits. I have offered an amendment to strike that language out of the bill, so that the bill will provide that no profits of any kind shall be included in the allowance of any of the claims filed under this bill. That follows the action that the committee has already taken.

Mr. HARDY of Texas. Mr. Chairman, I wish to be heard in opposition to the amendment.

Mr. BENSON. Mr. Chairman, I want to make a point of order against that amendment. It is the same amendment that was offered by the gentleman from Texas [Mr. PARRISH].

Mr. BARKLEY. The point of order comes too late.

The CHAIRMAN. The point of order comes too late. There has been debate upon the amendment.

Mr. MANN of Illinois. It is not subject to a point of order anyhow.

Mr. HARDY of Texas. Mr. Chairman, I think the members of the committee who reported this bill really slept on their rights while the amendment offered by the gentleman from Illinois [Mr. MANN] was presented. We certainly did not present the views that were presented to the committee in favor of the inclusion of that paragraph in our committee bill. It was stated to us, and it is true, that some of these contractors completed contracts. They built ships and delivered them under contracts with the Government, under which they received, I believe, $15,000 profit. It was not intended that this bill should upset or undo such contracts. They were not only moral obligations but legal obligations, and I do not believe the Congress has the right now to say that the Shipping Board, in settling claims, shall not allow a just and legal claim under a contract.

Mr. BLACK. Will the gentleman yield?

Mr. HARDY of Texas. I have only five minutes. Now, I understand that the object of this amendment is this, that if a man had a contract under which he was to have built 12 ships for the Government, and upon each ship he was to be allowed a profit of $15,000 or $25,000 or $50,000, and in making that arrangement it was understood that $10,000 of that profit was to go to the amortization and settlement of the cost of the plant which he was induced to construct in order to build these ships, and if he built five ships, and has been paid for them according to contract, when the Government cancels the balance of the contract, which was that they would give him enough ships to build so that he could amortize and pay for the building of his plant, then the Government would make him apply all his profits on completed ships instead of part of such profits, as agreed, to the amortization of his plant cost. The Government, because it has the power, says to these men with whom it had contracts, we will cancel your contract and we will not allow you any profit whatever on what you have actually done.

Not only that, but we will take what profits you have received on work done and apply it to your losses on work which you performed under our promise to reimburse you. That may be a favor to the Government, but it is not square with the contractor, and I believe the Government ought to be square with these people and pay them the profits on executed contracts which they are entitled to under the contract and in law, and then reimburse them for expenditures made on other work which was done at the request of the Government and under the Government's assurance of reimbursement.

This bill as drawn is just and fair and would meet every moral obligation that the Government had with these gentlemen, and we ought not to have adopted the amendment of the gentleman from Illinois. I do not know that any argument would have prevented its adoption, and I do not know what our position is now, except to leave it to be settled in conference.

Mr. HUMPHREYS. Mr. Chairman, I move to strike out, in line 9, page 6, the word "only"; in line 11, after the word "thereafter," insert "at the request of the Shipping Board"; and in line 12, after the word "canceled," insert the word "and."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Mississippi.

The Clerk read as follows:

Page 6, line 9, after the word "constructed," strike out the word "only"; in line 11, after the word "thereafter," insert "at the request of the Shipping Board"; and, in line 12, after the word "canceled," insert the word "and."

Mr. HUMPHREYS. Mr. Chairman, the amendment, if adopted, would make the paragraph read as follows:

Provided, That on ships partly constructed such profits may be allowed on that part of the work of construction actually done at the time of the cancellation of contracts, or on work done thereafter at the request of the Shipping Board on ships not canceled and as in the judgment of the Shipping Board are warranted by all the facts in the case.

Now, Mr. Chairman, when the armistice was signed a number of these contracts were immediately canceled. On our entry into the war the Shipping Board and others representing the Government called a meeting of various gentlemen throughout the country, men who were not engaged in the business of building ships, and in answer to a cry that went up from England that the three great needs of the Allies were, first, ships; second, ships; and third, ships. In answer to this we undertook to build ships in order to enable us to win the war. These gentlemen assembled and were urged to embark in that enterprise. They undertook to build them, with the assurance given that they would be given contracts enough, at least, to make them whole. They did not wait to get contracts, either contracts in fact or implied contracts. They went to work to build the ships to supply the need that was foremost. They built the ways on which to construct the ships, and were going forward rapidly in building ships. The armistice came, and the contracts were canceled.

Now, certainly they ought to be permitted to have a reasonable profit on the ships they had actually built. The Shipping Board said we will stop building some ships and let them continue others, according to which is the cheapest for the Government. If it is more than half completed or three-quarters completed, the Government can make more out of it for them to be permitted to complete the building of the ships. But where it would cost more to complete the ships than it was worth they canceled it. They went to the shipbuilders and said, "Here is a ship that is not quite complete, and we want you to go on and finish it," and they did go on and finish it. Why ought not they to be permitted to have a reasonable profit? And their profits were not beyond reasonable. I submit that anything else than that is unfair. The Government does not want to repudiate any of its contracts or any of its indebtedness. These gentlemen were induced by the Government at the earnest solicitation of representatives of the Government to go into the building of ships, men not engaged in that business, but they did it as a patriotic duty.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAVIS of Tennessee. Mr. Chairman, I desire to be recognized in opposition to the amendment. The amendment as proposed by the gentleman from Mississippi would go further than the committee amendment does. I think there is no question but that the amendment offered by the gentleman from Illinois should be adopted; that will leave the bill in this regard in the same condition as it passed the Senate. In that connection I wish further to call attention to the fact, as shown by the hearings, that Chairman Payne of the Shipping Board more than once stated that he did not think any provision should be made to allow these contractors any profit. He said that if the Government was willing to step in and take their ways and yards off their hands and make them whole, they ought to be satisfied. I think that is undoubtedly true. If this bill passes in its present form, men who had not finished a single ship will be paid $200,000 or $300,000 or $400,000 for their shipways. These shipways involved in these amortization propositions, for which they are not entitled to pay under the contracts, as shown by the hearings, cost $100,000, $500,000, $600,000, or $700,000. Some of them that had not earned a profit upon a single ship, who had not completed a ship, and others who had completed one or two or three, will be paid these sums by the Government if this bill becomes a law. Is this Congress going to take that position—that we should go beyond all law and all contracts and pay them for these shipyards, for which they are not entitled to be paid under any existing law or under any contract, written or oral, express or implied, and at the same time pay all the profits to which they would have been entitled under their contracts?

Mr. PARRISH. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. PARRISH. I would ask the gentlemen on the committee if this amendment of the gentleman from Mississippi is adopted would we not thereby overcome the effect of the

amendment just adopted, offered by the gentleman from Illinois [Mr. MANN], and allow profits to be considered?

Mr. DAVIS of Tennessee. Yes. It would go further even than the committee amendment. I have already made that statement.

Mr. PARRISH. Unless we vote down the amendment offered by the gentleman from Mississippi, profits will be included in the bill?

Mr. DAVIS of Tennessee. Absolutely.

Mr. HARDY of Texas. Mr. Chairman, if the gentleman asked that question of members of the committee, I will simply say that the amendment which the gentleman from Mississippi offers is that work done after the armistice, at the instance of the Shipping Board, shall be paid for according to the contract of the Shipping Board, and I think it is eminently right that it should be.

Mr. DAVIS of Tennessee. Mr. Chairman, in response to the statement of the gentleman from Texas [Mr. HARDY], under the existing law these contractors can recover every penny that they are entitled to for the construction of the ships, either in whole or in part, just the same as if they had constructed them for an individual, or just the same as if the contract had been canceled by an individual corporation. There is no controversy about that, and every one of them who was willing to settle according to his contract and according to law has already been paid, to the extent of some 70 in number. It is not a question of cutting out the profits for those who are entitled to them under their contracts, but it is a question of going further than Congress has ever gone and paying out, in my opinion, some $50,000,000 of the people's money when there is no authority either in the contracts or under existing law.

Mr. ROWE. Mr. Chairman, the people who are absolutely opposed to this bill——

Mr. BLACK. Mr. Chairman, I make the point of order that debate has been exhausted upon this amendment.

Mr. ROWE. Mr. Chairman, I hope everybody in favor of this bill will vote for the amendment.

Mr. MANN of Illinois. Everybody in favor of profits will vote for it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi.

The question was taken; and on a division (demanded by Mr. HUMPHREYS) there were—ayes 31, noes 46.

So the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken; and on a division (demanded by Mr. ROWE) there were—ayes 63, noes 24.

So the amendment was agreed to.

Mr. DAVIS of Tennessee. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Tennessee: Page 7, line 8, after the word "year" insert: "The Attorney General of the United States is hereby authorized and directed to assign counsel to represent the Government and protect its interests with regard to claims filed under the provisions of this act."

Mr. BARKLEY. Mr. Chairman, I reserve the point of order.

Mr. BANKHEAD. Mr. Chairman, I reserve the point of order.

Mr. JONES of Texas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JONES of Texas. This seems to be an amendment to the second paragraph of this section.

The CHAIRMAN. The whole committee amendment is open to amendment.

Mr. DAVIS of Tennessee. Mr. Chairman, the reason for offering this amendment——

Mr. BANKHEAD. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The gentleman will state the point of order.

Mr. BANKHEAD. Mr. Chairman, the amendment is not germane to the section or any provision of the bill. This bill has nothing to do with the exercise of any function or authority by the office of the Attorney General of the United States. It is a bill that relates exclusively to the Shipping Board and to the settlement of contracts with the Shipping Board by the contractors. It is an absolutely new thing to propose an exercise of authority by a different executive branch of the Government, requiring the Attorney General, who has no connection as a matter of law with the Shipping Board, to assert jurisdiction over the activities or, at least, a branch of the Shipping Board. It is not germane to this section of the bill.

The CHAIRMAN. The Chair will hear the gentleman from Tennessee.

Mr. DAVIS of Tennessee. Mr. Chairman, this bill provides for the investigation of these claims and their liquidation and payment. The bill has numerous provisions with regard to the manner in which those investigations may be made.

Mr. HARDY of Texas. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. HARDY of Texas. Was it not in testimony before the committee that the Shipping Board itself has its own attorneys for the purpose of advising it with reference to its obligations and duties and assisting it in making investigations and things of that sort; that they had attorneys employed and paid a regular salary for that purpose?

Mr. DAVIS of Tennessee. I do not understand it that way. I understand that they have solicitors and counselors in the department, but I do not know of any evidence to the effect that they conducted these investigations or assembled evidence in behalf of the Government or represented the Government's interests at these hearings. As I understand, they are counselors in an advisory capacity.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. BARKLEY. Under the provisions of the original Shipping Board act authorizing them to employ not only clerical assistance but legal assistance, Judge Payne himself was chief counsel for the United States Shipping Board.

Mr. SABATH. Mr. Chairman, does the gentleman contend that that gives him the right——

Mr. BANKHEAD. Mr. Chairman, let us have this discussion confined to the point of order.

Mr. DAVIS of Tennessee. Mr. Chairman, as I started to say, this bill contains various different provisions as to the manner in which these claims are to be considered and the basis upon which they are to be allowed. It also provides that if these claimants are dissatisfied they may go into court.

Mr. EDMONDS. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. EDMONDS. I would like to ask the gentleman whether he thinks the present Democratic Shipping Board needs watching?

Mr. DAVIS of Tennessee. I do not think it needs watching any more than the interests of the people need watching in every court in the land. The Government, which is representing the people, has counsel in every district court and the various other courts to protect the public interests.

And you may rest assured that these claimants for these millions of dollars will have able counsel to work up their cases and present them before the board, and I think it is a small concession to say that the Government shall likewise have somebody there to represent its interests and to see that no more is allowed than is entitled to be allowed even under this far-reaching and extraordinary bill.

The CHAIRMAN. The Chair is ready to rule. The amendment offered by the gentleman from Tennessee [Mr. DAVIS] seeks to direct the Attorney General to perform certain duties and to do certain things. This act is to liquidate and settle claims of wooden-ship builders against the United States Shipping Board Emergency Fleet Corporation. The amendment of the gentleman from Tennessee seeks to direct another department of the Government to do certain things. It is clearly not within the purview of the legislation, and the point of order of the gentleman from Alabama is sustained.

Mr. BLACK. Mr. Chairman, I have an amendment which I desire to offer.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 5, line 8, after the word "upon" insert "an agreement, expressed or implied."

Mr. BLACK. Now, Mr. Chairman, the amendment I have offered——

Mr. CHINDBLOM. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order of the gentleman comes too late; the gentleman has begun discussion.

Mr. CHINDBLOM. But he has not finished a single sentence.

Mr. BLACK. Mr. Chairman, it would not be subject to the point of order anyhow.

The CHAIRMAN. The Chair thinks the gentleman is entitled to proceed with the discussion.

Mr. BLACK. Mr. Chairman, the gentleman from Tennessee [Mr. DAVIS] offered a very similar amendment; in fact, I think it

his amendment had been adopted that mine would have been unnecessary. The effect of the amendment, if adopted, will be to restrict adjustments under this bill to such claims as are based upon an express or implied agreement. Now, the gentleman from Texas, my honored colleague [Mr. HARDY], stated in the debate on the amendment of the gentleman from Tennessee that if we adopt a provision of this kind it would kill the bill. Well, I undertake to say, Mr. Chairman, that if this bill contemplates the settlement of any other class of claims except those that were authorized either by express or implied agreement, the bill ought to be killed. During the time of the agitation for the building of wooden ships I recall that the secretary of the chamber of commerce of one of the cities in my State came into my office and asked that I accompany a delegation of Texans to the Shipping Board to see if they could not secure some contracts to build wooden ships, and I dare say that if this bill is passed that shipyard will come before the Shipping Board and claim that it was solicited and induced to build ships.

Now, then, Mr. Chairman, when we passed the bill that authorized the Secretary of War to adjust our war contracts we did not say, "Mr. Secretary of War, go out and pay millions of dollars of our money wherever you can find a claim based on a request or a demand of some agency representing the Government." We confined him to the settlement of transactions supported by an express or implied agreement. The word "request" as used in this bill is a mighty broad word. The word has been legally defined to be "asking for anything, the expression of a desire." It has been defined in the case of Kreider's Estate, 61, Atlantic Reporter, to be the expression of a desire. Well, of course, the Government of the United States expressed a desire that we have wooden ships built and steel ships built and every other kind of a ship, but I undertake to say that we ought not to write a bill that will give the Shipping Board the authority to adjust any other kind of transactions except those that are bottomed upon either an expressed or implied agreement.

Mr. RAKER. Will the gentleman yield?

Mr. BLACK. I will.

Mr. RAKER. On page 5, line 8, of this bill it is stated that this shall be done upon request or demand. Now, is it the gentleman's understanding that the legal interpretation as now placed upon those words "request and demand" by the various courts are applicable to this bill?

Mr. BLACK. Why, certainly. There is no peculiar technical use of the word "request" in the language of the bill, and it would be interpreted in the ordinary meaning of the word, and the safe thing for us to do is to write into this bill the same words that we wrote into the bill when we authorized the Secretary of War to adjust the war contracts, and here is what we said in that bill:

That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, expressed or implied.

Now, the gentleman from Texas [Mr. HARDY], in the speech that he made in opposition to a similar amendment, said that under the present law the Shipping Board would have the authority to adjust and pay an implied contract. Well, I would like to know where the gentleman gets authority for that, because the United States statutes provide that the Secretary of War or any other official of the United State Government, in order to bind the Government, must enter into a written contract, and it describes the formality that must be used in entering into these contracts, and it is for the very reason that under the law we now have no right to bind the United States Government except by a written contract that legislation of this kind is necessary. I am willing to vote for a bill which will authorize the Shipping Board to adjust and settle all claims which are based upon an agreement, expressed or implied, entered into with the Shipping Board or its authorized representatives, but I am not willing to go beyond that and for the reason that this bill goes entirely too far, I shall not support it.

Mr. HARDY of Texas. Mr. Chairman, if I understand the amendment——

Mr. WILLIAMS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WILLIAMS. Is this debate limited to the gentlemen from Texas?

Mr. HARDY of Texas. I hope this is not coming out of my time.

Mr. BLANTON. They are handling it very ably.

Mr. WILLIAMS. I know they are; but I only wanted to know.

The CHAIRMAN. The gentleman from Texas is a member of the committee and is entitled to preference. The Chair recognizes the gentleman from Texas.

Mr. HARDY of Texas. Mr. Chairman, it seems to me that the amendment, as I understand it, offered by the gentleman from Texas, is just a confusion of words and an expression of opposition to the bill generally. If a request or demand of the United States Shipping Board is not an agreement, either expressed or implied, to pay a reasonable compensation for the doing of the thing requested, it would certainly imply such; and surely such a request, accompanied by an assurance of compensation, would be an implied agreement to pay. If I asked the gentleman from Texas to do something for me, assuring him that I would reimburse him or that I would compensate him for the doing, that would be an implied agreement. The language in the bill is that the claim must be based upon a request or demand of the United States Shipping Board, and so forth, accompanied by the assurance that they will be reimbursed for the expenses incurred. Now, that may not constitute an implied agreement; it may not constitute an express agreement, in the gentleman's opinion who has just offered this amendment, but in my opinion it does, and the gentleman's amendment simply balls up the well-worded text of the bill and incorporates into it a lot of additional phrases and paragraphs which do not clarify the purpose of the bill, the purpose of the bill being plainly shown by first providing:

That no claim shall be paid unless it is based upon a request or demand of the United States Shipping Board.

And so forth, and—

And provided further, That no claims shall be allowed and paid by said board unless it shall appear to its satisfaction that the expenditures made or obligations incurred by the claimant were made in good faith and upon assurances by the United States Shipping Board, the United States Shipping Board Emergency Fleet Corporation, or some officer or agent acting under the authority, direction, or instruction of said board or corporation, or either of them, that reimbursement would be provided for in money or contracts for additional work.

If that would not be an implied contract, if it would not be an implied agreement, to compensate these men, there is no such thing as an implied agreement. But it does not meet the requirements, perhaps, of a contract with an officer clothed by law with power to make such a contract in the way it was made, and so constitutes perhaps only a moral obligation. And the gentleman wants to wipe out every obligation the Government has assumed by its agents, the Shipping Board and the Emergency Fleet Corporation, is going to the citizens and urging and demanding, and sometimes almost under duress forcing them, to utilize their facilities for shipbuilding unless such obligation is in form and substance a valid, binding contract enforceable at law.

Mr. BLACK. Will the gentleman yield?

Mr. HARDY of Texas. I will yield to the gentleman.

Mr. BLACK. What I wanted to ask the gentleman is this: If the words "agreement, express or implied" mean the same as "request," why does not the gentleman use them?

Mr. HARDY of Texas. They did not call it an agreement. They did not make it in the form of an agreement; they made a request and demand, and gave an assurance, which was an implied agreement, and you might quibble as to whether or not an agreement was made. But the meaning is plain. The Shipping Board went to these men, made their request, and assured them that they would be reimbursed, and I call it an agreement. Our committee endeavored simply to word the bill so as to apply to the actual conditions and be easily understood by everybody.

The CHAIRMAN. The question is on the adoption of the amendment of the gentleman from Texas [Mr. BLACK].

Mr. PARRISH. Let us have it reported again.

The CHAIRMAN. Without objection, the amendment will be again read.

The amendment was again reported.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Texas [Mr. BLACK].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. BLACK. Division, Mr. Chairman.

The committee divided, and there were—ayes 22, noes 81.

So the amendment was rejected.

Mr. DAVIS of Tennessee. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Tennessee: Page 7, line 8, after the word "year," insert: "The Shipping Board is hereby authorized and directed to assign counsel to represent the Government and to protect its interest in the investigation and presentation of claims under the provisions of this act."

Mr. GREENE of Massachusetts. Mr. Chairman, I accept the amendment.

Mr. DAVIS of Tennessee. Do I understand that the committee accepts the amendment?

Mr. HARDY of Texas. We all think that amendment is all right.

The CHAIRMAN. The question is on the amendment of the gentleman from Tennessee [Mr. DAVIS].

The question was taken, and the amendment was agreed to.

Mr. DAVIS of Tennessee. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Tennessee offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Tennessee: Page 7, line 9, after the word "year," strike out all of section 2.

Mr. BANKHEAD. Mr. Chairman, has that section been read?

The CHAIRMAN. It has been read.

Mr. DAVIS of Tennessee. Mr. Chairman, I would like to make a little statement.

Mr. HUMPHREYS. I would like to make this suggestion to the gentleman: You say after the word "year." You put an amendment in just now——

Mr. DAVIS of Tennessee. It is to strike out section 2.

Mr. HUMPHREYS. Do not say after the word "year."

Mr. DAVIS of Tennessee. I just used one of these forms.

Mr. TINCHER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TINCHER. What portion of this bill has been read?

The CHAIRMAN. All of it has been read.

Mr. DAVIS of Tennessee. Mr. Chairman, my amendment as it has been read perhaps is incorrect in that an amendment has been adopted after the word "year." I want to modify my amendment so as to simply provide that it strike out section 2.

Mr. GREENE of Massachusetts. The committee does not object to that.

Mr. RAKER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from California is recognized.

Mr. RAKER. Mr. Chairman, I shall support this bill. The amendment that struck out the section was unfortunate for those who expended the money and should have reasonable compensation.

I call the committee's attention to the fact that when the act of March 2, 1919, was passed it was intended to cover the war contracts and the mineral claimants who expended their money when it was necessary for the Government. The shipbuilding concerns along the eastern, southern, and western coasts are seeking relief by this legislation. I simply want to call your attention to this bill of yours. I believe you ought to have it. I believe these men ought to be compensated, but I want to call your attention to the bill H. R. 13091, reported by Mr. GARLAND from the Committee on Mines and Mining, that provides relief for the mining interests of the United States that expended their money and their time in the same way that these shipping contractors expended theirs; and when you vote for this legislation, which I believe you will, I do not want you to forget that there are other interests in the same position in this country and that require relief and consideration, merely from the fact that they happen to be in the interior and not upon the waterways where the ship industry is located.

And I ask unanimous consent, in this connection, that I may insert in the RECORD a copy of the bill H. R. 13091, which involves the same principle—the general provisions. It simply authorizes these people to go into the Court of Claims, as you are authorizing in this bill, to the end that they may have the right to adjudicate it by the court, and no man can object to a man appearing in our courts to have his case adjudicated.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from California asks unanimous consent to insert certain printed matter in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. The following is the bill to which I have referred:

A bill (H. R. 13091) to provide further for the relief of war minerals producers, and to amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919.

Be it enacted, etc., That the second paragraph of section 5 of the act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919, is hereby amended by striking out the words "that the decision of said Secretary shall be conclusive and final, subject to the limitations hereinafter provided" and the semicolon following such words.

The fourth paragraph of such section is hereby amended by inserting after the words "That nothing in this section shall be construed to confer jurisdiction upon any court to entertain a suit against the United States" a comma, and the following words: "except as provided in section 6."

SEC. 2. That such act of March 2, 1919, is hereby further amended by adding at the end thereof a new section to read as follows:

"SEC. 6. (a) That any claimant who has filed a claim under section 5 within three months after March 2, 1919, whose claim has been rejected, or who is not satisfied with the decision, adjustment, liquidation, or payment of net losses by the Secretary of the Interior under such section, may file a petition in the Court of Claims for the final determination of such losses. If before this section takes effect the Secretary has made a final decision of such claim, the petition must be filed within 90 days after this section takes effect; and in all other cases within 90 days after such final decision is made.

"(b) The Court of Claims is hereby given jurisdiction to hear such claims de novo and to render judgment in accordance with section 5 for such amount as it finds to be justly and equitably due to the claimant in adjustment, liquidation, or payment of such losses.

"(c) Any payments made to the claimant under section 5 shall be certified by the Secretary of the Interior to the Court of Claims, and after judgment has been rendered by the court no further payments shall be made under section 5 unless in conformity with such judgment.

"(d) The receipt of any amount, or the giving of any acquittance or release, by the claimant under section 5 shall not be a bar to the remedy provided for by this section; but if any amount has been awarded and paid under section 5, the petition may not be considered until the petitioner executes a bond in an amount and with sureties satisfactory to the chief clerk of the Court of Claims, conditioned that if the court finds that a less amount is due than has been awarded by the Secretary of the Interior, the claimant will forthwith pay to the United States so much of the amount received under section 5 as is in excess of the amount found due by the court. Any amount thus paid to the United States shall be credited to the funds available for the paying of awards under section 5 and of judgments under this section.

"(e) Upon the filing of a petition in the Court of Claims under this section, the Secretary of the Interior shall forthwith certify to the court all the testimony taken in the case and all documentary evidence introduced or considered by the Secretary or any commission appointed by his authority, and such testimony and evidence shall be used and considered by the court upon the hearing and trial of the claim, and shall be given such weight as the court may determine.

"(f) Each judgment rendered by the Court of Claims under this section shall be certified by the chief clerk of the court to the Secretary of the Treasury, who is hereby authorized and directed to pay to the claimant the amount of such judgment, out of the revolving fund created by section 6 of the act entitled 'An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply,' approved October 5, 1918, which fund shall remain available for such purpose until all such judgments have been paid: *Provided*, That when the amount of such judgments so paid, plus the payments made to claimants and the expenses of administration under section 5 of this act (after allowance for amounts repaid to the United States under subdivision (d) of this section), reach the sum of $8,500,000 no further payments from such revolving fund shall be made by the Secretary of the Treasury under this section, or by the Secretary of the Interior under section 5."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. DAVIS].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. DAVIS of Tennessee. Division, Mr. Chairman.

The committee divided; and there were—ayes 60, noes 5.

So the amendment was agreed to.

Mr. DAVIS of Tennessee. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Tennessee offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Tennessee: Page 4, line 25, after the word "claim," insert "as to which the claimant may be entitled to an award under the provisions of this act."

Mr. DAVIS of Tennessee. Mr. Chairman, I wish to direct the attention of the members of the committee to this: When I offered the first amendment to strike out the words "and directed" other members of this committee referred to this language, which went on later to state "and said board shall adjust and liquidate each claim upon such terms as it shall determine from the facts in the case to be just and equitable." But I wish to call attention to the further fact that this language, beginning in line 25, page 4, states that "said board shall adjust and liquidate each claim."

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. CHINDBLOM. Let us be fair. The bill provides, "Said board shall then liquidate such claim upon such terms as they shall determine." It does not mean that they must liquidate the claims. It must be done on such terms as the board shall determine. Is not that a fair construction?

Mr. DAVIS of Tennessee. I do not think so. That is a difference of opinion between the gentleman from Illinois and myself. I think the language in a statute must be literally construed. It reads "shall * * * liquidate each claim." It means liquidate, if it means what it says.

Mr. CHINDBLOM. Does the gentleman think it fair to take half a dozen words out of a sentence and conclude from those

half a dozen words what the whole thing means, or is it not fair to take the whole language?

Mr. DAVIS of Tennessee. Well, that is a meaningless question. I want to ask the gentleman if he has any objection to its being specifically shown that the intention is as you say it is, which I say is not true? What is the objection? Why can anybody object to this amendment? It will certainly clarify the situation and show that it is not the intention of the Congress to pay a claim unless it is one which should be allowed under the provisions of this act.

Mr. HARDY of Texas. Mr. Chairman, will the gentleman yield for a question right there?

Mr. DAVIS of Tennessee. Yes; I yield.

Mr. HARDY of Texas. Does the gentleman understand that in legal parlance a claim means a contention, or does a claim mean some right? In legal construction the very word "claim" does not mean anything that a man claims, but it means a right, an account, a just claim. When you say they shall settle a claim you do not mean that they are to settle each party's contention. The very language there conveys the idea that a man must have a claim before it is settled, not that a man may make a claim, but that he must have one.

Mr. DAVIS of Tennessee. It does not say, "investigate," but it says "adjust, settle, and liquidate." That assumes that he is entitled to something under his claim, and all that is to be determined by the board is the amount that is due on the claim.

Mr. HARDY of Texas. The amount that the claimant says is due—that would be the claim under your contention.

Mr. DAVIS of Tennessee. Oh, no.

Mr. LEHLBACH. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. LEHLBACH. Does the gentleman from Tennessee contend that the language used in lines 19, 20, and 21 of page 4, "that the United States Shipping Board be, and it is hereby, authorized and directed to investigate, adjust, liquidate, and pay the claims of individuals," and so forth, means that every claim must be paid?

Mr. DAVIS of Tennessee. I think so, as I have previously stated.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee [Mr. DAVIS].

The question was taken, and the amendment was rejected.

Mr. GREENE of Massachusetts. Mr. Chairman, I move that the committee rise and report the bill to the House.

Mr. DAVIS of Tennessee. Mr. Chairman, I have another amendment that I desire to offer.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

Mr. TINCHER. Mr. Chairman, I have an amendment at the desk. Am I recognized?

The CHAIRMAN. The gentleman has not been recognized for the purpose of offering an amendment. The Clerk will report the amendment offered by the gentleman from Tennessee [Mr. DAVIS].

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Tennessee: Page 8, line 3, after the word "plant," strike out the period and insert ", whenever the board shall be of opinion that the claimant is entitled to be compensated in whole or in part for such shipbuilding plant, machinery, appliances, or material."

Mr. DAVIS of Tennessee. Mr. Chairman, the reason for offering this amendment is this: Section 3 as it now reads assumes that every shipbuilding yard and the machinery and buildings and material will be paid for under this act in every instance when claim is made therefor. Now, while it is authorized, I think it will undoubtedly result, as members of the committee will probably concede, that there will probably be some claims in which they are not entitled to recover for those specified items, even under the extraordinary provisions of this bill, and this amendment simply limits the provisions as they now exist so as to apply them whenever the board shall be of the opinion that the claimant is entitled to be compensated, in whole or in part, for such shipbuilding plant, appliances, or material.

Mr. EDMONDS. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. EDMONDS. Does not this section just say that the board shall take into consideration those appliances, not that they shall allow for them positively but that they shall take them into consideration?

Mr. DAVIS of Tennessee. It says that "they shall, among other things, take them into consideration."

Mr. EDMONDS. It is a matter for them to determine what is the right thing to take into consideration and what is not the right thing to take into consideration. They can determine that for themselves.

Mr. DAVIS of Tennessee. Under other circumstances I think the contention of the gentleman from Pennsylvania [Mr. EDMONDS] would be entirely correct, but when it says they shall take it into consideration I think it should be modified by the language that I have offered in my amendment, and it certainly can do no harm.

Mr. LEHLBACH. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from New Jersey?

Mr. DAVIS of Tennessee. Yes.

Mr. LEHLBACH. Is not this a direction that they shall take into consideration and charge a set-off in favor of the Government?

Mr. DAVIS of Tennessee. Yes.

Mr. LEHLBACH. Why should there not be a set-off of the material as against the claim?

Mr. DAVIS of Tennessee. This authorizes the Government to pay, say, $300,000 for an old shipbuilding plant, and they shall give the claimant credit for the actual value of the salvage, which may be $25,000 or $30,000, and I do not think they ought to be specifically instructed to pay for those things under all circumstances, but only in the case indicated in my amendment.

Mr. LEHLBACH. Only when there is an award in favor of the claimant is it directed that any of the material that the claimant has must be set off against the claim and the Government receive credit for it and deduct it from the amount paid to the claimant. Certainly it should be mandatory in order that the Government may be protected and given the full benefit of the set-off that the Government may have.

Mr. DAVIS of Tennessee. I simply propose in my amendment to limit it to cases where they are entitled to be paid for these properties. Of course, the Government should be given credit for the small salvage value of a plant for which it is to pay full value, but what I am objecting to is the assumption that the Government shall be directed to pay for such plants, except in the instances described in my proposed amendment.

Mr. HARDY of Texas. Mr. Chairman, I simply wish to say that the gentleman [Mr. LEHLBACH] who propounded the question a moment ago to the gentleman from Tennessee has presented the real issue, and I think the gentleman from Tennessee [Mr. DAVIS] must be laboring under some erroneous impression, because this section 3 is only a proviso to the effect that where the board is awarding a sum to somebody upon a claim under this bill they shall deduct from any allowances they may make the value of the shipyard that he holds back or has left on hand and also the value of machinery and material on hand as an offset. I can not see how anybody could fail to see that clearly, and I can not see how it could be made more clear than it is made in the bill.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee [Mr. DAVIS].

The question was taken, and the amendment was rejected.

Mr. TINCHER. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. TINCHER: Page 8, line 3, after the word "plant," insert a new section, to be known as section 5:

"That the Secretary of Agriculture be, and he is hereby, authorized and directed to investigate, determine, and pay the amount of the actual loss sustained by any person, firm, association, or corporation that owned actual wheat of the 1917 crop"——

Mr. BANKHEAD. Mr. Chairman, a point of order. The amendment has been read far enough to show that it is patently subject to a point of order.

Mr. TINCHER. I want to have the amendment read.

The CHAIRMAN. Without objection, the amendment will be read.

Mr. GARNER. What is the use of having the amendment read if some gentleman is going to make the point of order against it, and it has already been read sufficiently to show that it is subject to a point of order?

Mr. TINCHER. My idea——

The CHAIRMAN. One moment. Does the gentleman desire to discuss the point of order?

Mr. TINCHER. I do; and I desire to have the amendment read, for fear that if the Chair should make an erroneous ruling on the point of order Members will not know what they are voting on if I should appeal from the decision of the Chair.

The CHAIRMAN. The gentleman asks unanimous consent that his amendment he read. Is there objection?

Several Members objected.

The CHAIRMAN. Objection is made. The gentleman will proceed.

Mr. BLACK. I make the point of order that the gentleman has a right to have his amendment read.

Mr. BLANTON. Of course he has.

The CHAIRMAN. The point of order of the gentleman from Texas is overruled. The gentleman from Kansas [Mr. TINCHER] will proceed to discuss the point of order.

Mr. BLANTON. This is in behalf of the farmers.

Mr. TINCHER. Mr. Chairman, I propose to discuss this point of order. The chairman of the Committee on the Merchant Marine and Fisheries and numerous other members of that committee have explained in this House this afternoon at least half a dozen times that the object of this legislation is to permit the United States Government to settle a moral obligation that it owes to certain contractors and people who built ships, contemplating selling them to the Government, but who did not have any legal right to collect.

Mr. BLANTON. Who had been seduced by the Shipping Board.

Mr. TINCHER. Who, as has been suggested to me, were in a way influenced to build these plants.

Mr. HARDY of Texas. I will say that the committee has never——

Mr. TINCHER. I decline to yield. I have offered an amendment that is germane to a bill of this kind and character, and for the purpose of fully informing the Chair of the contents of the amendment I will read it. It is offered as section 5 of this bill.

Mr. BANKHEAD. Mr. Chairman, I make a point of order.

Mr. TINCHER. I do not yield.

Mr. BANKHEAD. The gentleman does not have to yield. I make a point of order.

The CHAIRMAN. The gentleman from Alabama makes a point of order, which he will state.

Mr. BANKHEAD. The gentleman can not do indirectly what he can not do directly.

The CHAIRMAN. The point of order is sustained. The gentleman will proceed in order.

Mr. TINCHER. As I understand my position in this matter, I have offered an amendment. A point of order has been made to the amendment. The Chair has sustained it, and I can not read my amendment so as to show the Chair wherein he is in error in his ruling. I want to say to the chairman that this bill has for its purpose——

Mr. GARNER. Will the gentleman yield

Mr. TINCHER. This bill has for its purpose the settlement of legitimate moral obligations of the Government.

The CHAIRMAN. Does the gentleman from Kansas yield to the gentleman from Texas?

Mr. TINCHER. No; I decline to yield.

Mr. BLANTON. Will the gentleman yield to me for just a moment?

Mr. TINCHER. I would not want to discriminate between two gentlemen from Texas. I can not yield.

Mr. BLANTON. I have a question that I wish to ask the gentleman.

Mr. TINCHER. I have not yielded.

The CHAIRMAN. The gentleman declines to yield.

Mr. TINCHER. I want to say that the amendment is germane to the bill, in that it proposes to pay to a certain portion of the patriotic population of America 60 cents a bushel on every bushel of wheat which was confiscated by the Government by law, and we are not asking in this amendment to have the Government pay for anything that it did not receive full value for. We are not asking the Government to settle some imaginary claim, but asking it to pay a legitimate charge against the Treasury of this Government.

Mr. BANKHEAD. Mr. Chairman, I make the point of order that the gentleman ought to discuss the point of order, and I think it is the duty of the Chair to see that he does.

Mr. BLANTON. He is discussing it very fluently. [Laughter.]

The CHAIRMAN. The Chair is ready to rule.

Mr. TINCHER. This is my first term in Congress, and I may not be up on the rules as much as the gentleman is.

Mr. GARNER. Will the gentleman yield?

Mr. TINCHER. Yes.

Mr. GARNER. Let me suggest to my friend from Kansas that in order to facilitate——

The CHAIRMAN. The Chair is ready to rule.

Mr. GARNER. Let me suggest to the gentleman from Kansas that in order to facilitate the matter he get unanimous consent to extend his remarks in the RECORD and insert his bill and let us go on with business.

Mr. TINCHER. No; I never have extended my remarks in the RECORD. I have always spoken what was printed in the RECORD as coming from me.

The CHAIRMAN. The Chair is ready to rule. This is a bill authorizing and directing the United States Shipping Board to adjust and pay the claims of wooden-ship builders arising out of the prosecution of the war, and for other purposes.

Mr. TINCHER. I understand that.

The CHAIRMAN. The gentleman from Kansas has offered an amendment providing for the liquidation of the claims of wheat growers. This amendment is not germane to the bill before the committee, and the Chair, therefore, sustains the point of order made by the gentleman from Alabama [Mr. BANKHEAD].

Mr. WILLIAMS. Mr. Chairman, I have an amendment which I have sent to the Clerk's desk.

The CHAIRMAN. The Clerk will report.

The Clerk read as follows:

Page 8, line 4, after section 3, add the following, to be designated as section 4:

"Title 1, general provisions, definitions, section 1. This section may be cited as the World War adjusted compensation act."

Mr. BANKHEAD. Mr. Chairman, I make the point of order that that amendment is not germane.

Mr. BLANTON. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. What is the gentleman's point of order?

Mr. BANKHEAD. I make the point of order that the amendment is not germane to the bill.

Mr. WILLIAMS. Mr. Chairman, it seems to me that there has not been a sufficient portion of the amendment read for the Chair to intelligently pass upon whether it is germane to the legislation or not.

Mr. BLANTON. Will the gentleman yield?

Mr. WILLIAMS. I do not. The amendment I offer is what is known as the Fordney soldiers' bonus bill for adjusted compensation. The bill we are considering here to-day is a bill for adjusted compensation for shipbuilding contractors. The only difference is that by the amendment I offer we are adjusting the compensation of a class of people in this country that the Government of the United States really owes something to, and it will improve the bill. [Applause.] The amendment is germane to the bill; this seems to be elementary. [Laughter.] It seems to me that Congress is ready to go out of its way to hunt up people and inquire if the Government does not owe them something. We are legislating for the payment of all kinds of claims, many of which in my judgment are questionable. We are now told in the closing hours of this session that the solid Democratic minority on that side and 35 or 40 Republicans on this side have joined to defeat all bonus legislation. [Cries of "Rule!" "Rule!"]

The CHAIRMAN. The Chair is ready to rule. It is quite obvious that the amendment offered by the gentleman from Illinois is not in order and the Chair sustains the point of order made by the gentleman from Alabama [Mr. BANKHEAD].

Mr. JONES of Texas. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 5, line 8, after the word "upon" strike out the words "a request or demand," and insert in lieu thereof the following: "an express or implied contract."

Mr. BENSON. I make the point of order on that that we have passed that provision.

The CHAIRMAN. The point of order is overruled because this is being considered as one amendment.

Mr. CHINDBLOM. I make the point of order, Mr. Chairman, that we have voted on the same proposition. This is the third time that it is sought to insert "contracts express or implied."

Mr. JONES of Texas. Mr. Chairman, the provision of the amendment offered by my colleague did not strike out the words request or demand, and therefore left an entirely different meaning to the language. The amendment that my colleague offered said "express or implied," but left in the bill the words request or demand, so that under its terms you could have adjusted compensation not only on an express or implied contract but on a request or demand. Now, I move to strike out the words request or demand and limit it entirely to contracts express or implied.

The CHAIRMAN. The Chair is ready to rule. In reference to the point of order, in order to come within the objection contemplated by the rule that the amendment has been offered heretofore, the amendments must be identical. This is not identical with the former amendment, and therefore the point of order raised by the gentleman from Illinois [Mr. CHINDBLOM] is overruled.

Mr. JONES of Texas. Mr. Chairman, I want to say this: Under the terms of this bill as written, if the Government simply made a request for a wooden ship and a man went ahead

and built the ship, he is entitled to compensation, regardless of whether there was anything in the nature of a contract. I live in a wheat section. There were thousands of bushels of wheat last year that rotted on the ground because there was no way to move the wheat to market. The Government requested the people to plant and grow wheat. They doubled their acreage, and the yield was far beyond the granary facilities. If it is right on a request to build a wooden ship, to compensate the builder in the absence of any contract expressed or implied, it is right for people in my district, where the wheat rotted on the ground, to come in and claim compensation because the Government requested them to plant wheat, which wheat rotted because of lack of a market due to a car shortage.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. CHINDBLOM. Has the gentleman observed that it is not the request or demand of the Government generally?

Mr. JONES of Texas. That is what I am complaining about. You are favoring the ship-building people and are not favoring the man who produced.

Mr. CHINDBLOM. But the gentleman will observe that this demand must be made by the Shipping Board, or some one authorized to speak for the Shipping Board.

Mr. JONES of Texas. Well, high officials fully authorized requested us to plant wheat in this country, and the Congress of the United States passed a law guaranteeing them returns on the wheat, and yet those people could not get the return for their wheat, because there were not transportation facilities to get it to market. They sold wheat in my section for $1.25 per bushel, because there was no market for it. How are you going to justify paying the man because the Shipping Board requested him to build a wooden ship and not compensate the wheat grower when the United States through its officials made the same request on him? I say that the bill should be killed, because if you are going to pay people all over the country because the Government requested them to do a certain thing you should pay them all, and if you did that you would have enough claims to bankrupt this, the richest and finest Government that was ever fashioned by human intelligence. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. JONES].

The question was taken, and the amendment was rejected.

Mr. EVANS of Nebraska. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Strike out section 1 of the committee amendment.

Mr. EVANS of Nebraska. Mr. Chairman and gentlemen of the committee, I am against this bill. [Applause.] I am against it because it is wrong in principle and because it is wrong in form. I wish to call your attention to the fact that you can not by reading this bill tell upon what state of facts any claimant's claim will be based. There is absolutely nothing in the bill that indicates upon what ground any claimant shall recover from the Government.

The only thing which indicates in the bill from beginning to end upon what there is a right to recover is in the last section, which limits somewhat the claim. The next thing that is the matter with it is that the board that shall conduct the operations out of which the alleged claims are to come is the very agency which suggests the preparation and presentation of this bill. The Government has no right of appeal, but they do camouflage the matter, as will be seen if you will turn to page 6 of the bill, line 17, where they pretend to say that they have given the Government a right to appeal from a recovery. Lines 16, 17, 18, 19, 20, and 21, page 6, down to the word "settlement," and including it, permit an investigation, but it is by bodies or agencies which could not possibly secure a return to the Government of anything unlawfully taken. From line 21, including the word "nor" to the word "fact," in line 1, on page 7, you find the opportunity granted to the board, which wishes this act passed, to institute a suit to recover in case of fraud or mistakes, and for no other reason. You have already amended your bill to permit the same board to select the attorney to represent the Government.

Mr. ROWE. Mr. Chairman, in opposition to the amendment I desire to say that if adopted it would destroy the bill. Certainly this House wants to be fair to the men who built the wooden ships. The committee voted 20 to 1 to report this bill in its present form. The gentleman from Nebraska is absolutely against paying these claims. Very many of them were constructed under contract—most of them were. The builders acted in the interest of the Nation. They believed, and the Shipping Board believed, that we must build wooden ships, steel ships, and every kind of ship to carry our goods and soldiers to the other side. I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

The question was taken; and on a division (demanded by Mr. EVANS of Nebraska) there were—ayes 35, noes 66.

So the amendment was rejected.

Mr. BLANTON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 8, line 3, after the word "plant," insert the following proviso, to wit: "*Provided further*, That should the Shipping Board find in the United States anybody else other than farmers and soldiers who want some of the public money, to hand out to them all they want."

Mr. BANKHEAD. Mr. Chairman, I make the point of order that the amendment is not germane.

The CHAIRMAN. The point of order is sustained.

Mr. GREENE of Massachusetts. Mr. Chairman, I move to strike out sections 2 and 3 of the Senate bill.

The CHAIRMAN. The first question is on the adoption of the committee amendment as amended in Committee of the Whole.

The committee amendment was agreed to.

The CHAIRMAN. The question is on the motion of the gentleman from Massachusetts to strike out sections 2 and 3 of the Senate amendment.

Mr. EDMONDS. Mr. Chairman, I ask unanimous consent that the Clerk renumber the sections.

The CHAIRMAN. The Clerk has that right anyway.

Mr. GREENE of Massachusetts. Mr. Chairman, I move that the committee do now rise and report the bill as amended——

The CHAIRMAN. The gentleman asks unanimous consent to strike out sections 2 and 3 of the Senate bill. Is there objection?

Mr. WINGO. Mr. Chairman, reserving the right to object, I thought I heard the Chair just now state that the question was to be taken upon adopting the amendments agreed to in Committee of the Whole House.

The CHAIRMAN. The question was on adopting the committee amendment as amended in Committee of the Whole House.

Mr. WINGO. The amendments of the Committee of the Whole House? What does the Chair mean by that? Of course, the Chair did not intend that.

The CHAIRMAN. The committee amendment had to be agreed to by formal motion inasmuch as the entire bill was stricken out.

Mr. WINGO. Mr. Chairman, is the committee amendment one amendment as reported by the Committee on the Merchant Marine and Fisheries?

The CHAIRMAN. Yes.

Mr. HARDY of Texas. Mr. Chairman, I am not a parliamentarian, but as I understand the status of the matter, in the beginning the gentleman from Massachusetts [Mr. GREENE] made the motion to strike out all of the Senate bill after the enacting clause and substitute the House bill as one amendment. That motion has been pending while we have been perfecting that amendment. The gentleman from Massachusetts now calls up his original motion and it has been put and adopted, as I understand. I think that the motion of the gentleman to rise and report the bill as amended is in order.

Mr. MONTAGUE. Mr. Chairman, may I suggest that the appropriate motion is to report the Senate bill as amended?

Mr. WALSH. But we have not got to the point of reporting it as yet.

Mr. TILSON. Mr. Chairman, to clear this matter up, there is but one amendment pending. That amendment has been amended in a number of places. As it stands now there is but one amendment pending, although it has been patched considerably. That ought to be adopted.

The CHAIRMAN. That has been agreed to.

Mr. TILSON. Then there is nothing left but to strike out the sections which the gentleman from Massachusetts gave notice that he would move to strike out.

Mr. GREENE of Massachusetts. I move to strike out sections 2 and 3 of the Senate bill.

Mr. WALSH. Mr. Chairman, section 2 of the Senate bill ought to be read, and then the motion of the gentleman from Massachusetts to strike out ought to be put and voted on.

Mr. GREENE of Massachusetts. It has been read.

The CHAIRMAN. Is there objection?

Mr. SABATH. What is the request?

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to strike out sections 2 and 3 of the bill as reported from the Senate. Is there objection?

Mr. SABATH. Mr. Chairman, I object.

Mr. WINGO. Mr. Chairman, I make a point of order on that——

Mr. HARDY of Texas. Mr. Chairman, a point of order. I think a recurrence to the Clerk's notes will show that the gentleman from Massachusetts [Mr. GREENE] had moved to amend section 1 of the Senate bill, and later on made the motion in this form, to strike out all after the enacting clause of the Senate bill and insert in lieu thereof the House bill.

Mr. WALSH. If that motion was made it was not in order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That a report of all operations under this section, including receipts and disbursements, shall be made to Congress on or before the first Monday in December of each year: *Provided*, That in the event any claimant shall be dissatisfied with any allowance or award made by said board pursuant hereto, such claimant may appeal therefrom with respect thereto to the Court of Claims, which is hereby given jurisdiction to make such allowances and awards, in the case of such appeals, as it may deem just and equitable.

Mr. GREENE of Massachusetts. Mr. Chairman, I move to strike out the section.

Mr. GARNER. Mr. Chairman, just one word concerning this amendment, or policy, rather, that the House and Senate have gotten into in reference to passing bills of this character. Now, we strike out all after the enacting clause and substitute what is known as the House bill and ask for a conference. Then the gentlemen will come into the House and ask unanimous consent to send this bill to conference, and under the rules governing the House and under the rules governing the Senate we delegate to the conferees the right to make law. They can put anything on earth that is germane to this bill on the conference report and no one can get up on the floor of the House and exercise the right to make a point of order against it, whereas if we had amended the Senate bill as we ought to have done instead of striking out all after the enacting clause, and if we had put in the proper amendments, it could have gone to conference and the conferees would have been limited to the substantial differences between the two Houses. But in going to conference on this bill now under present conditions they will have absolutely plenary power to write the law which we will have to vote up or down, and anything germane to the House bill or Senate bill will be in order. It is a bad way to legislate. The Senate also has gotten into the habit of striking out all after the enacting clause of the House bill and inserting the Senate bill, thereby delegating to the conferees of the two Houses power to make law, which ought not to be done.

Mr. GREENE of Massachusetts. Mr. Chairman, I desire to say, as the chairman of a committee representing the House, I try not to do anything unfair, whether we get any legislation or not.

The CHAIRMAN. The question is on striking out the section.

The question was taken, and the motion was agreed to.

Mr. GREENE of Massachusetts. I ask that section 3 be read.

The Clerk read as follows:

SEC. 3. That nothing in this section shall be construed to confer jurisdiction upon any court to entertain a suit against the United States: *Provided*, That in determining the net losses of any claimant the Shipping Board shall, among other things, take into consideration and charge to the claimant the then market value of any such plants or the lumber or materials on hand belonging to the claimant and acquired to be used in the construction of any wooden-ship building plant, and also the salvage or usable value of any machinery or other appliances which may be claimed was purchased to equip any wooden-ship building plant, for the purpose of complying with the request or demand of the agencies of the Government above mentioned in the manner aforesaid: *Provided further*, That nothing in this act shall be held or construed to delay or excuse prompt settlement of any claims that can be settled under existing law.

Mr. GREENE of Massachusetts. Mr. Chairman, I move to strike out section 3.

Mr. SABATH. Mr. Chairman, I desire to be heard on that motion.

The CHAIRMAN. The Chair will recognize the gentleman from Illinois.

Mr. SABATH. Mr. Chairman, several times this afternoon during debate it has been stated that up to the time the Hon. John Barton Payne was made the head of the United States Shipping Board a large number of these claims had been settled, but upon his request the proposed legislation has been sought because he has refused to sanction the further settlement of the claims submitted on the part of the wooden-ship builders. I have the honor and pleasure of knowing John Barton Payne for upward of 25 years. I know him to be a fair, honest, and liberal man, and I am satisfied that if he has refused to settle these claims he had a good and valid reason for doing so. [Applause.]

Mr. WALSH. Will the gentleman yield?

Mr. SABATH. And it is for that reason I am opposed to this legislation, for I am satisfied that if there had been any merit or justification in making allowance he would have gladly followed the footsteps of his predecessors.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. SABATH. I have not the time; if the gentleman will give me five minutes more time I will yield to all. You gentlemen on this side—the Republican side—have for months been preaching and advocating economy, economy, objecting to needed appropriations that meant the expenditure of only a few thousand dollars, and here, without any justification, you are bringing in a bill which means the expenditure of over $25,000,000.

Mr. BLANTON. Maybe $50,000,000.

Mr. SABATH. Yes; it may be even $50,000,000; the committee has admitted it may reach the sum of $25,000,000, and still I find only one or two Members on the Republican side who are opposed to this measure authorizing an outlay of millions of dollars. True, the gentleman from Kansas [Mr. CAMPBELL] has made a speech against the bill, but the moment he delivered himself of his usual charge he left the floor and is not here now to aid in the defeat of the bill or to make good his statement charging that 49 Republicans and all of the Democrats were responsible for the delay in bringing forth the bonus bill. I do not know whether there are only 49 or 109 Republicans opposed to the bonus bill, but I do know that his statement that all the Democrats are against the bill is untrue, and I venture to say there are as many Republicans opposed to the bill as Democrats. If opportunity is given the membership of this House to vote on the question, I am satisfied it will be clearly shown that the accusation of the gentleman from Kansas [Mr. CAMPBELL] against the Democratic side is unjustifiable, unfair, unwarrantable, and untrue. He is chairman of the Rules Committee, the majority of which are Republicans, and, if not mistaken, he also controls the steering committee of his party. If they are on the square and desirous of enacting bonus legislation, they can do so. They are absolutely in control, constituting a majority of the Rules Committee and having a majority of over 40 in the House membership. Consequently it comes with poor grace to try to befog the real conditions surrounding their so-called sincere consideration of the bonus proposition and their attempt to blame the Democratic side for their own inaction these many months and their failure to report the bill. But let me go back to this contractors' or shipbuilders' $25,000,000 bill.

It is remarkable what strenuous efforts are being made to relieve these 40 or 50 "poor," "unfortunate," and "patriotic" shipbuilding corporations. It is my opinion that if only half as hard an effort had been made for the consideration of the bonus legislation on the part of the Republican leaders, this long-promised and deserved legislation in behalf of the 4,000,000 men who served the country in its hour of need could now be in force. For some reason special industries can at all times secure your ear and your aid, but it is always impossible for you to act on any legislation in the interest of the people.

The baseless insinuation of the gentleman from Kansas [Mr. CAMPBELL] that the Democrats are responsible for the delay in the consideration of the bonus legislation will not fool the 4,000,000 deserving World War veterans. They will know whom to hold accountable if action is not taken. I know a majority of the Democrats are ready and have been waiting many weeks for an opportunity to vote for a war bonus for the soldiers, for a bill that is not a sham, for one that will actually show the Nation's appreciation of their services. During the consideration of this bill I have anxiously waited to note what explanation or what position the Republican leaders, who day in and day out have preached economy, pointing out how many hundreds and thousands of dollars they have saved the Nation, would take on this measure, which means a reward of from $25,000,000 to $50,000,000 to these great "patriotic" wooden-ship building corporations; and, though we are about to take a vote, not a single one of these leaders, with the exception of the gentleman from Kansas [Mr. CAMPBELL], had a word to say in opposition to this uncalled-for and, to my mind, outrageous piece of legislation. Now, I want to know if you are ready to legislate and vote for this bill, when will you be ready to bring in the bonus bill——

Mr. BARKLEY. Mr. Chairman, I desire to say that the gentleman is not discussing the amendment.

Mr. SABATH. I am discussing something in which 4,000,000 of our best and bravest are interested.

The CHAIRMAN. The point of order is sustained. The time of the gentleman has expired.

The question is on the motion of the gentleman from Massachusetts to strike out the section.

The question was taken, and the motion was agreed to.

Mr. GREENE of Massachusetts. Mr. Chairman, I move that the committee do now rise and report the bill with amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MCARTHUR, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill S. 3451 had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. GREENE of Massachusetts. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. RAKER. Mr. Speaker, division.

The SPEAKER. The gentleman from California demands a division.

The House divided; and there were—ayes 87, noes 19.

Mr. RAKER. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. SABATH. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Would the gentleman rather have it on the vote?

Mr. RAKER. I would rather have it on the amendment; and I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from California makes the point of order that there is no quorum present. The Chair will count.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. If the Chair should declare that no quorum is present, will there be an automatic roll call or will it be necessary for a call of the House to be ordered?

The SPEAKER. It will be necessary to move a call of the House.

Mr. RAKER. Mr. Speaker, we have had a division.

Mr. BANKHEAD. We must first dispose of the constitutional provision.

Mr. RAKER. Mr. Speaker, division has been had, and we have had a vote.

The SPEAKER. The Chair did not declare the result.

Mr. RAKER. Mr. Speaker, a point of order.

Mr. WALSH. Mr. Speaker, another point of order is not in order while the Chair is ascertaining the count.

The SPEAKER. If the gentleman from California will withdraw his point of no quorum temporarily, he can make the point of order later.

Mr. RAKER. I withdraw it temporarily. There is a division, and if there is a point that no quorum is present, do we not have automatically a yea-and-nay vote on the amendment?

The SPEAKER. As long as a division is pending. This was made after a division had been announced.

Mr. RAKER. I was on my feet and made the point of no quorum.

The SPEAKER. If the gentleman says he intended to do it——

Mr. RAKER. I was on my feet and was waiting for the purpose of getting a roll call on the amendment.

The SPEAKER. If the gentleman states that, he has the right——

Mr. RAKER. I made the point of no quorum so as to get a roll call on the amendment.

Mr. WALSH. Mr. Speaker, I make the point of order that, the gentleman having withdrawn his point of order of no quorum, even though temporarily, on the suggestion of the Chair, the House is not now dividing and there will not be an automatic roll call. [Applause.]

The SPEAKER. That is rather embarrassing to the Chair. The Chair did not mean to lead the gentleman into that. However, the Chair overrules the point of order of the gentleman from Massachusetts, and holds that there comes an automatic roll call upon the amendment. There is no quorum present. The Doorkeeper will close the doors, and the Sergeant at Arms will notify the absentees. Those who are in favor of the amendment will, as their names are called, answer "yea" and those opposed will answer "nay," and the Clerk will call the roll.

The roll was called; and there were—yeas 140, nays 178, answered "present" 1, not voting 108, as follows:

YEAS—140.

Andrews, Md.	Esch	McArthur	Rayburn
Andrews, Nebr.	Evans, Mont.	McDuffie	Ricketts
Aswell	Fess	McGlennon	Rose
Bacharach	Focht	McKinley	Rouse
Bankhead	Fordney	McLane	Rowe
Barkley	Freeman	McLaughlin, Mich.	Sanders, La.
Bee	Godwin, N. C.	McLaughlin, Nebr.	Siegel
Benson	Goodall	MacCrate	Sinnott
Bland, Ind.	Green, Iowa	Magee	Sisson
Bland, Mo.	Greene, Mass.	Martin	Smith, Idaho
Bland, Va.	Hadley	Mead	Stedman
Box	Hardy, Colo.	Miller	Steele
Briggs	Hardy, Tex.	Minahan, N. J.	Stephens, Miss.
Britten	Harreld	Monahan, Wis.	Stiness
Burdick	Harrison	Mondell	Strong, Kans.
Burroughs	Hawley	Montague	Strong, Pa.
Butler	Hersey	Mooney	Summers, Wash.
Campbell, Pa.	Hill	Moore, Ohio	Taylor, Colo.
Candler	Holland	Moores, Ind.	Tilson
Cantrill	Howard	Morgan	Timberlake
Carss	Hudspeth	Mott	Upshaw
Chindblom	Hull, Iowa	Mudd	Vaile
Classon	Humphreys	Nolan	Vare
Cleary	Hutchinson	O'Connell	Venable
Coady	Johnson, Ky.	O'Connor	Ward
Collier	Johnson, Miss.	Olney	Wason
Cullen	Johnson, Wash.	Osborne	Watkins
Darrow	Juul	Peters	Webster
Dewalt	Kelley, Mich.	Pou	Welling
Doremus	King	Radcliffe	White, Me.
Dupré	Lazaro	Rainey, H. T.	Wilson, La.
Eagan	Lea, Calif.	Raker	Wilson, Pa.
Eagle	Lehlbach	Ramsey	Wright
Edmonds	Lonergan	Randall, Calif.	Young, Tex.
Emerson	Lufkin	Randall, Wis.	Zihlman

NAYS—178.

Ackerman	Dunbar	Knutson	Robinson, N. C.
Almon	Elliott	Kraus	Robsion, Ky.
Anderson	Evans, Nebr.	Lampert	Rogers
Anthony	Fairfield	Lanham	Romjue
Ashbrook	Ferris	Layton	Sabath
Ayres	Fields	Little	Sanders, Ind.
Babka	Fisher	Luce	Schall
Baer	Flood	Luhring	Sells
Barbour	Foster	McAndrews	Sherwood
Begg	Frear	McClintic	Sims
Bell	French	McFadden	Sinclair
Benham	Fuller, Ill.	McKenzie	Smith, Mich.
Black	Gallagher	McKeown	Snell
Blackmon	Gallivan	McKinley	Steagall
Blanton	Gandy	MacGregor	Steenerson
Boies	Ganly	Madden	Stephens, Ohio
Bowers	Garner	Major	Stevenson
Brand	Garrett	Mann, S. C.	Sumners, Tex.
Brooks, Ill.	Glynn	Mapes	Sweet
Browne	Good	Mason	Swope
Buchanan	Goodwin, Ark.	Michener	Tague
Byrnes, S. C.	Graham, Ill.	Moon	Taylor, Ark.
Byrns, Tenn.	Greene, Vt.	Murphy	Taylor, Tenn.
Campbell, Kans.	Hamilton	Nelson, Mo.	Temple
Cannon	Haugen	Nelson, Wis.	Thomas
Caraway	Hays	Newton, Minn.	Thompson
Christopherson	Heflin	Newton, Mo.	Tincher
Clark, Mo.	Hickey	Ogden	Tinkham
Connally	Hicks	Oldfield	Vinson
Cooper	Hoch	Oliver	Voigt
Copley	Houghton	Overstreet	Volstead
Cramton	Huddleston	Padgett	Walsh
Crisp	Hull, Tenn.	Park	Watson
Currie, Mich.	Husted	Parker	Weaver
Dallinger	James	Parrish	Welty
Davis, Minn.	Jefferis	Pell	Whaley
Davis, Tenn.	Johnson, S. Dak.	Phelan	Wheeler
Dempsey	Jones, Tex.	Purnell	White, Kans.
Denison	Kearns	Quin	Williams
Dent	Keller	Rainey, Ala.	Wilson, Ill.
Dickinson, Mo.	Kelly, Pa.	Rainey, J. W.	Wingo
Dickinson, Iowa	Kennedy, Iowa	Ramseyer	Wise
Dominick	Kincheloe	Reed, N. Y.	Wood, Ind.
Doughton	Kinkaid	Reed, W. Va.	
Dowell	Kleczka	Riordan	

ANSWERED "PRESENT"—1.

Langley.

NOT VOTING—108.

Booher	Ellsworth	Kahn	Nicholls
Brinson	Elston	Kendall	Paige
Brooks, Pa.	Evans, Nev.	Kennedy, R. I.	Platt
Brumbaugh	Fuller, Mass.	Kettner	Porter
Burke	Gard	Kiess	Reavis
Caldwell	Garland	Kitchin	Reber
Carew	Goldfogle	Kreider	Rhodes
Carter	Goodykoontz	Lankford	Riddick
Casey	Gould	Larsen	Rodenberg
Clark, Fla.	Graham, Pa.	Lee, Ga.	Rowan
Cole	Griest	Lesher	Rubey
Costello	Griffin	Linthicum	Rucker
Crago	Hamill	Longworth	Sanders, N. Y.
Crowther	Hastings	McCulloch	Sanford
Curry, Calif.	Hayden	McPherson	Scott
Dale	Hernandez	Maher	Scully
Davey	Hersman	Mann, Ill.	Sears
Donovan	Hoey	Mansfield	Shreve
Dooling	Hulings	Mays	Slemp
Drane	Igoe	Merritt	Small
Drewry	Ireland	Milligan	Smith, Ill.
Dunn	Jacoway	Moore, Va.	Smith, N. Y.
Dyer	Johnston, N. Y.	Morin	Smithwick
Echols	Jones, Pa.	Neely	Snyder

Stoll	Towner	Walters	Woodyard
Sullivan	Treadway	Winslow	Yates
Tillman	Vestal	Woods, Va.	Young, N. Dak.

So the amendment was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. TREADWAY (for) with Mr. MANN of Illinois (against).

Mr. CURRY of California (for) with Mr. JACOWAY (against).

Until further notice:

Mr. SNYDER with Mr. CARTER.

Mr. COLE with Mr. HAYDEN.

Mr. ELSTON with Mr. DRANE.

Mr. RHODES with Mr. TILLMAN.

Mr. HERNANDEZ with Mr. HASTINGS.

Mr. ECHOLS with Mr. EVANS of Nevada.

Mr. DALE with Mr. IGOE.

Mr. CROWTHER with Mr. LEE of Georgia.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. ANDERSON with Mr. STOLL.

Mr. JONES of Pennsylvania with Mr. DONOVAN.

Mr. BROOKS of Pennsylvania with Mr. GRIFFIN.

Mr. SLEMP with Mr. WOODS of Virginia.

Mr. YOUNG of North Dakota with Mr. SCULLY.

Mr. MERRITT with Mr. HAMILL.

Mr. CRAGO with Mr. SULLIVAN.

Mr. KENDALL with Mr. CASEY.

Mr. GRAHAM of Pennsylvania with Mr. GARD.

Mr. WOODYARD with Mr. LESHER.

Mr. RODENBERG with Mr. CAREW.

Mr. KENNEDY of Rhode Island with Mr. CALDWELL.

Mr. VESTAL with Mr. HERSMAN.

Mr. YATES with Mr. BOOHER.

Mr. PORTER with Mr. NEELY.

Mr. MCPHERSON with Mr. MILLIGAN.

Mr. MORIN with Mr. DAVEY.

Mr. MCCULLOCH with Mr. DREWRY.

Mr. WINSLOW with Mr. RUBEY.

Mr. REAVIS with Mr. MOORE of Virginia.

Mr. WALTERS with Mr. MAYS.

Mr. BURKE with Mr. MAHER.

Mr. HULINGS with Mr. MANSFIELD.

Mr. PAIGE with Mr. BRINSON.

Mr. IRELAND with Mr. SMALL.

Mr. DUNN with Mr. LARSEN.

Mr. LONGWORTH with Mr. KITCHIN.

Mr. TOWNER with Mr. LINTHICUM.

Mr. KIESS with Mr. SMITHWICK.

Mr. SANDERS of New York with Mr. LANKFORD.

Mr. KREIDER with Mr. BRUMBAUGH.

Mr. DYER with Mr. RUCKER.

Mr. RIDDICK with Mr. SEARS.

Mr. GOULD with Mr. JOHNSTON of New York.

Mr. KAHN with Mr. DOOLING.

Mr. GARLAND with Mr. KETTNER.

Mr. REBER with Mr. NICHOLLS.

Mr. GRIEST with Mr. SMITH of New York.

Mr. ELLSWORTH with Mr. HOEY.

Mr. GOODYKOONTZ with Mr. ROWAN.

Mr. LANGLEY. Mr. Speaker, I am paired with the gentleman from Florida, Mr. CLARK. If I were not paired, I would vote "no." I vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

Mr. DAVIS of Tennessee. Mr. Speaker, I now move to lay the bill on the table.

The SPEAKER. That motion is not in order. It would be in order if the previous question had not been ordered. The previous question has been ordered. So now the question is on the engrossment and third reading of the bill.

Mr. MAPES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MAPES. The usual rule is that when the House refuses to concur in the action of the committee in striking out all after the enacting clause of a bill the bill is referred back to the committee. The ruling in a former Congress was that on Calendar Wednesday when that action was taken the House immediately resolved itself back into Committee of the Whole House on the state of the Union for the further consideration of the bill. In this case the committee struck out all after the enacting clause of the bill and substituted another bill or substituted an amendment. But still the House refuses to concur in the action of the committee in striking out all after the enacting clause. The Committee of the Whole House on the state of the Union has never really considered the Senate bill. It has never had an opportunity to take it up paragraph by paragraph and amend it, and it seems to me that following the principle of the rule to which I have called attention the House should now resolve itself again into Committee of the Whole House on the state of the Union for the purpose of considering the Senate bill the same as though no substitute had been offered for it.

Mr. WALSH. Mr. Speaker, will the Chair permit me to suggest that the question is not upon the engrossment and third reading but upon the third reading?

The SPEAKER. It is upon the third reading.

Mr. WALSH. As to the suggestion of the gentleman from Michigan [Mr. MAPES], I think the gentleman has in mind——

Mr. GARRETT. Did I understand the Chair to say this is not the engrossment and third reading?

The SPEAKER. It is a Senate bill. It does not have to be engrossed.

Mr. WALSH. I think the gentleman from Michigan may have in mind what occurs when the committee strikes out the enacting clause of a bill when it is not concurred in by the House. But when a bill is amended by striking out all after the enacting clause and substituting another bill, and that amendment is disagreed to, it seems to me there is no necessity for the House again to resolve itself into Committee of the Whole House on the state of the Union for the consideration of the language that is still left in the bill. It can be done on a motion to recommit.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Yes.

Mr. MAPES. I do not understand that there is any difference in practical effect between the motion to strike out all after the enacting clause and a motion to strike out the enacting clause. In either event in ordinary practice it means the death of the bill. Under the present situation I submit the Members of the House or the members of the committee should have the right to take up the Senate bill section by section.

Mr. TILSON. Will the Speaker hear me for a moment?

The SPEAKER. The Chair will hear the gentleman.

Mr. TILSON. I wish to call to the attention of the Chair that there were three amendments passed, or at least three separate motions. The first motion was to strike out section 1 and insert the matter of the House bill. That motion was agreed to. The first section was stricken out and the House matter inserted.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. TILSON. In just a moment, if the gentleman please. Later section 2 of the bill was read and stricken out. Finally section 3 was read and stricken out; so that there were three separate amendments acted upon by the Committee of the Whole.

The first amendment, striking out section 1 and inserting the House bill, has been reversed by the House. It would seem that unless a separate vote is had on the other two amendments we are brought back to this situation, that the first section of the Senate bill remains while the other two have been stricken out.

Mr. BLANTON. That is the parliamentary situation.

Mr. TILSON. Yes; or at any rate these were the parliamentary steps leading up to the present situation, Mr. Speaker.

Mr. DAVIS of Tennessee. Mr. Speaker, supplementary to what is stated by the gentleman from Connecticut, the first action was that the chairman of the committee moved to strike out the first section of the Senate bill and insert in lieu of the first section the House committee amendment.

The SPEAKER. Was a separate vote taken on each section of the House amendment?

Mr. WINGO. Yes; I insisted on a separate vote, and there were really three different amendments in the committee.

The SPEAKER. If that is the situation, then there are two amendments still to be acted upon, and what the gentleman from Michigan [Mr. MAPES] says sounds reasonable and logical; but, after all, it is based upon section 7 of Rule XXIII, and that does not apply strictly, the Chair thinks, to the present situation. It does apply in one sense practically, as the gentleman suggests——

Mr. MAPES. I am told by my colleagues here that I misapprehended the situation.

Mr. MONTAGUE. I may be mistaken, but I desire to suggest, subject to correction, that there is only one amendment—that they were not separate amendments.

The SPEAKER. The Chair is told that there were three amendments. The bill was reported to the House as amended with only one amendment.

Mr. JONES of Texas. The Chair stated that there was only one amendment.

Mr. BLANTON. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. There were clearly two amendments passed by the Committee of the Whole House after the action adopting the committee amendment which made the House bill in order. The other two amendments were adopted by that action so taken by the Committee of the Whole.

The SPEAKER. What is the gentleman's point of order?

Mr. BLANTON. The point of order I make is that those two amendments are now before the House for action.

Mr. WALSH. Mr. Speaker, relative to the point of order of the gentleman from Texas, the committee followed the practice that is quite often followed, namely, when the first section of the Senate bill was read the gentleman from Massachusetts [Mr. GREENE], chairman of the Committee on the Merchant Marine and Fisheries, moved to strike out section 1 and to insert the House bill, or rather to insert the amendment which the Committee on the Merchant Marine and Fisheries had reported and which is contained in the italicized portion of the amended bill. That amendment of the Committee on the Merchant Marine and Fisheries was perfected. Finally it was voted in as a substitute for section 1. At the time the gentleman from Massachusetts [Mr. GREENE] made his motion, if I am correctly advised, he gave notice that if his motion prevailed he would then move to strike out——

Mr. BLANTON. The gentleman is in error.

Mr. WALSH. I wish the gentleman would make his statement in his own time, and not inject contradictions here when I am in the midst of an attempt to state the case.

He gave notice, if I am correctly advised, that if his motion prevailed, he would move to strike out sections 2 and 3 as they were read. They were read and he made a motion to strike them out. Now, Mr. Speaker, these motions, while in a sense they were separate amendments, are in the nature of pro forma amendments, action upon which is practically foreclosed when they adopt a substitute for section 1. The chairman of the committee I think was correct in reporting to the House that they had reported back the Senate bill with an amendment; that while it requires two separate votes in committee to eliminate the other sections, they were mere pro forma motions made necessary by the action of the committee, following the statement of the chairman to the effect that if the amendments were agreed to he would move to eliminate the other two sections. So they are not now properly before the House as separate amendments.

The SPEAKER. Is not this discussion academic? The Chair understands that the vote inserting the Senate amendment is practically a vote on the merits of the bill, and undoubtedly those who voted against the amendment voted against the bill. Therefore the Chair would suggest that it is rather a waste of time to discuss this feature of it.

Mr. WALSH. If the Chair will pardon me, I understood the Chair was inclined to hold that now the vote would come on the other two amendments.

The SPEAKER. The Chair was inclined that way, but the chairman of the Committee of the Whole House on the state of the Union reported that there was one amendment. The bill shows substantially one amendment. The Chair is inclined to think that the statement of the gentleman from Massachusetts is a fair statement of the situation, and at any rate the House having expressed emphatically its opinion of the bill, the next vote had best be on the third reading of the bill, which would undoubtedly end the whole matter. The question is on the third reading of the bill.

Mr. GREENE of Massachusetts. Mr. Speaker, I move to recommit the bill.

The SPEAKER. That will not be in order until after the third reading of the bill, and there has been no third reading of the bill.

The question was taken; and on a division (demanded by Mr. MCARTHUR) there were 97 ayes and 69 noes.

The bill was read the third time.

Mr. GREENE of Massachusetts. Mr. Speaker, I move to recommit the bill to the Committee on the Merchant Marine and Fisheries.

Mr. DAVIS of Tennessee. Mr. Speaker, I move to lay that motion on the table.

The SPEAKER. The Chair does not think that motion is in order.

Mr. GARRETT. The gentleman from Massachusetts did not move the previous question on the motion to recommit.

The SPEAKER. But the previous question is pending.

Mr. GARRETT. Not on the motion to recommit.

Mr. LEHLBACH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LEHLBACH. The gentleman from Massachusetts made a motion to recommit. That motion has not been put. Is not the gentleman from Massachusetts entitled to be recognized to move the previous question?

The SPEAKER. The gentleman did not move the previous question.

Mr. LEHLBACH. The motion to recommit had not been stated.

The SPEAKER. The two motions are generally made together. The Chair is disposed to think that the motion of the gentleman from Tennessee is not in order.

Mr. GARRETT. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT. If the motion should be held to be in order and the motion to recommit were laid on the table, would that carry the entire bill with it?

The SPEAKER. It is a novel question to the Chair, but on first blush the Chair would say offhand that it would.

Mr. MAPES. Mr. Speaker, I would like to put this proposition to the Chair. The previous question not having been moved on the motion to recommit, it might be in order to amend the motion to recommit, and I submit that is the only motion that can be made.

The SPEAKER. That is what the Chair stated was his impression. The motion to recommit is for the purpose of preventing an amendment. The Chair would at first blush think that that would rule out the motion to lay on the table.

Mr. GREENE of Massachusetts. Mr. Speaker, I have not surrendered the floor after I made the motion to recommit, and I now move the previous question.

Mr. HICKS. Mr. Speaker, will the Chair hear me?

The SPEAKER. The Chair will hear the gentleman.

Mr. HICKS. As I understand, the question is whether it is proper to have a motion to lay on the table a motion to recommit. It would seem to me, if the motion is in order, it would be depriving the minority of their rights, that the majority could at any time lay a report of the minority on the table, and that does not seem to be in accordance with our rule.

Mr. DAVIS of Tennessee. Mr. Speaker, to obviate any further discussion on this matter, I withdraw my motion to lay on the table.

The SPEAKER. A citation has just been shown to the Chair saying that a motion to lay on the table is not in order. The gentleman from Massachusetts moves to recommit the bill to the Committee on the Merchant Marine and Fisheries, and on that he moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on recommitting the bill to the Committee on the Merchant Marine and Fisheries.

The question was taken; and on a division (demanded by Mr. DAVIS of Tennessee and Mr. BLANTON) there were 164 ayes and 56 noes.

So the bill was recommitted to the Committee on the Merchant Marine and Fisheries.

BUDGET SYSTEM—CONFERENCE REPORT.

Mr. GOOD. Mr. Speaker, I present a conference report upon the bill H. R. 9783, to provide a national budget system and an independent audit of accounts, and so forth, for printing under the rule.

ALLOTMENT OF LANDS FOR CROW TRIBE—CONFERENCE REPORT.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a conference report for printing under the rule upon the bill (S. 2890) to provide for the allotment of lands for the Crow Tribe, for the distribution of tribal funds, and for other purposes.

TO PUNISH THE CRIME OF LYNCHING.

Mr. CARAWAY. Mr. Chairman, I ask unanimous consent to file a minority report upon the bill (H. R. 14097) to assure the persons within the jurisdiction of every State the equal protection of the laws and to punish the crime of lynching.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to file a minority report upon the bill H. R. 14097. Is there objection?

There was no objection.

ORDER OF BUSINESS.

Mr. GREEN of Iowa. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. GREEN of Iowa. Mr. Speaker, as gentlemen of the House are well aware, yesterday I called up two bills for consideration and succeeded in getting at only one of them, and that one I did not succeed in finishing. Both of these bills are

considered of great importance by the Treasury Department. It is believed that if they do not pass at this session a large amount of money will be lost to the Government. I understand that the majority leader, the gentleman from Wyoming [Mr. MONDELL], will ask unanimous consent to meet hereafter at 11 o'clock. I hope no one will object to that, in order that we may get through with this important business that we have before the House, the bills which I have mentioned, as well as other matters.

NAVAL RADIO STATIONS.

Mr. GREENE of Massachusetts. Mr. Speaker, I call up S. J. Res. 170, to authorize and direct the Secretary of the Navy to open certain naval radio stations for the use of the general public.

The SPEAKER. The gentleman from Massachusetts calls up S. J. Res. 170. This resolution is on the Union Calendar. The House will automatically resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the joint resolution, and the gentleman from Ohio [Mr. LONGWORTH] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of S. J. Res. 170, with Mr. LONGWORTH in the chair.

The CHAIRMAN. The Clerk will report the Senate resolution.

The Clerk read as follows:

Resolved, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed, so far as is consistent with the transaction of Government business, to permit the use of the radio stations under the control of the Navy Department for the transmission and reception of commercial messages between ship and shore for the benefit of the general public, under regulations prescribed by him, and he shall fix the rates for such service, subject to control of such rates by the Congress, at a rate not less than the cost of service to the Navy Department; and the receipts for such service shall be turned into the Treasury as miscellaneous receipts.

SEC. 2. That the Secretary of the Navy be, and he is hereby, authorized and directed to permit the use of naval high-power radio stations, under the regulations prescribed in section 1, for the transmission and reception of commercial and press messages between these stations and other stations in the United States or its Territories, and between these stations and stations in foreign countries: *Provided*, That such use of naval high-power radio stations for commercial business, other than press messages, shall cease as and when the Secretary of the Navy is notified by the Secretary of Commerce that an American radio company is prepared to take over this work and establish adequate communication between the points in question: *Provided further*, That a special low charge shall be made for such press service at such rate as shall be fixed by the Secretary of the Navy.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That all land, ship, and airship radio stations, and all apparatus therein owned by the United States may be used by it for receiving and transmitting messages relating to Government business, compass reports, and the safety of ships.

"SEC. 2. That the Secretary of the Navy is hereby authorized, under terms and conditions and at rates prescribed by him, which rates shall be just and reasonable, and which, upon complaint, shall be subject to review and revision by the Interstate Commerce Commission, to use all radio stations and apparatus, wherever located, owned by the United States and under the control of the Navy Department—(a) for the reception and transmission of press messages offered by any newspaper published in the United States, its Territories or possessions, or published by citizens of the United States in foreign countries, or by any press association of the United States, and (b) for the reception and transmission of private commercial messages: *Provided*, That the rates fixed for the reception and transmission of commercial messages, other than press messages, shall not be less than the rates charged by privately owned and operated stations for like messages and service: *Provided further*, That the right to use such stations for any of the purposes named in this section shall terminate and cease as between any countries or localities or between any locality and privately operated ships, whenever privately owned and operated stations are capable of meeting the normal communication requirements between such countries or localities or between any locality and privately operated ships, and the Secretary of Commerce shall have notified the Secretary of the Navy thereof, and all rights conferred by this section shall terminate and cease in any event two years from the date this resolution takes effect.

"SEC. 3. That all stations owned and operated by the Government, except as herein otherwise provided, shall be used and operated in accordance with the provisions of the act of Congress entitled 'An act to regulate radio communication,' approved August 13, 1912."

Mr. GREENE of Massachusetts. Mr. Chairman, I yield to the gentleman from Illinois [Mr. CHINDBLOM].

Mr. CHINDBLOM. Mr. Chairman, this resolution comes with the recommendation for passage by the Committee on the Merchant Marine and Fisheries. I know of no special objection to the bill. Its principal purpose is to make it possible for the Navy Department for two years to come to continue the radio service which it has been giving during the war. No doubt Members of the House will remember that during the war all radio apparatus and all radio stations were taken over by the Government. Quite recently, by Executive order, on February 13 last, the Secretary of the Navy directed that these stations which had been taken over by the Government should be returned to their private owners as of midnight on February 29, 1920. There are sections of the country where it is very necessary that the Federal Government should continue the operation of radio service stations.

The committee recommends an amendment to take the place of the Senate bill. The first section of this committee amendment provides that all land, ship, and airship radio stations, and all apparatus therein owned by the United States, may be used by the United States for receiving and transmitting messages relating to Government business, compass reports, and the safety of ships. For these three purposes the Government may continue using this radio apparatus and radio service without interruption, and until Congress shall otherwise determine.

The second section of the amendment relates to two kinds of radio messages—first, press messages; and, second, commercial messages. A very unusual situation has arisen, particularly on the Pacific coast. There is no radio service on the Pacific coast which is adequate and available for the use of American newspapers and American press associations. As a matter of fact, all press messages sent to the Orient from the United States are subject to review and interruption and coloring by foreign Governments or foreign interests which sometimes show a disposition to interfere with American news and American business.

The Pacific coast situation was the phase which was first called to the attention of the committee and which really was the inception of this legislation. Section 2 further provides for commercial messages which may be sent for a period of two years, at rates to be fixed by the Secretary of the Navy, but subject to review and revision by the Interstate Commerce Commission. These rates for ordinary commercial messages shall not be less than those charged by private companies. With reference to the press messages, however, the bill makes no such provision. It is contemplated and intended by this amendment, as it was by the Senate bill, that these press messages may be sent by the Navy Department at less rates than are charged for ordinary commercial messages. All of this Government operation relating to commercial messages and press messages shall terminate, at all events, under the terms of the bill, within two years, and prior to that time, in case there shall be sufficient private apparatus and private service for handling the business. Mr. Chairman, I do not believe that any further discussion or explanation of this bill is necessary. If there are any questions any gentlemen desire to ask, the members of the committee will be glad to answer them.

Mr. KRAUS. Will the gentleman yield?

Mr. CHINDBLOM. Yes, sir.

Mr. KRAUS. Did the committee hold hearings on this bill?

Mr. CHINDBLOM. They held hearings on this bill.

Mr. KRAUS. Can the gentleman state to the Committee of the Whole House whether this enterprise would be profitable to the General Government?

Mr. CHINDBLOM. The Navy Department has stations, apparatus, and men in its employ for this service, and this apparatus and stations are the property of the Government and the men are being paid by the Government. No additional employees need to be secured; no additional apparatus need be obtained; in fact, it is not contemplated that any shall be obtained under this bill, but we are utilizing apparatus and service which the Navy Department already has and the employees which the Navy Department already has, and whatever money is paid into the Treasury will be a revenue which the Government will obtain without any additional cost.

Mr. KRAUS. Then, if I understand the gentleman—and I only understand by inference because the question has not been answered directly—the carrying on of this activity is not a source of profit to the Government but an expense, and he proposes by this bill to continue this war activity for two years in spite of that fact?

Mr. CHINDBLOM. I do not know that I understand the question of the gentleman quite correctly.

Mr. KRAUS. Well, the gentleman has not answered the question directly, but it is fairly to be inferred from his statement that the maintenance of these radio stations, which were taken on and directed as a war necessity, is an expense to the Government. That is fairly inferable because the gentleman has not answered directly the question which I have propounded as to whether it was a source of expense. In other words, the income at this time does not equal the outlay, and by this law the gentleman would require the Secretary of the Navy to maintain this war organization for a period of two years notwithstanding the fact that the Navy itself might not have occasion to use it?

Mr. CHINDBLOM. This apparatus and these stations are all owned by the Navy now, and if we do not pass this bill the Navy will have the same apparatus, will have the same sta-

tions, and will have the same employees, but no revenue will go to the Government from their use.

Mr. KRAUS. Why not let the Navy Department abandon these stations which are unnecessary for war purposes? If we pass this measure, we still keep them in activity for two years?

Mr. CHINDBLOM. No; the bill provides this activity shall continue only until privately owned stations and privately owned apparatus are sufficient to take care of the service.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. DAVIS of Tennessee. In that connection and in reply to the question of the gentleman, this bill does not require the Government to maintain any stations or apparatus for the purpose of rendering this service?

Mr. CHINDBLOM. No.

Mr. DAVIS of Tennessee. It simply authorizes the Government to render this service with the stations and apparatus which they may have, and those in authority have stated that it would not involve any additional expense; that they have their apparatus; had to maintain it; had the operators; and that to render this other service for the general public when needed would not impose any additional expense at all upon the Government.

Mr. KRAUS. I will say in reply to the gentleman from Tennessee that I will not assume that he is so simple that he would think that if this bill is passed these stations will be maintained less than twice 365 days. The Navy Department will assume that this is directory and compulsory.

Mr. GREENE of Massachusetts. Mr. Chairman, the principal use that will be made of this radio business will be for the protection of merchant ships at sea as well as of naval vessels all around the world, and that was one of the inducements which led the committee to act in this matter and to make the provision contained in the resolution that until private enterprise has provided otherwise this work could be done by the Navy Department, as it has been done, not for the purpose of making any additional expense but only for the general good of every vessel owner and every person in the United States.

Mr. VARE. Will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. VARE. This, however, does continue a war service in time of peace?

Mr. GREENE of Massachusetts. Oh, no. There is no such intention. We have not any service at all except as provided through the Navy, and the Navy can not lawfully collect one single dollar for the service rendered until this resolution is enacted into law.

Mr. VARE. They did not have any service prior to the war?

Mr. GREENE of Massachusetts. No, sir. They can not collect the money for any service they render until this bill is passed and they are authorized to collect.

Mr. MILLER. As I understand, the Navy maintains these radio stations?

Mr. GREENE of Massachusetts. Yes.

Mr. MILLER. Now, this bill authorizes the Navy to utilize them for commercial purposes and get some revenue?

Mr. GREENE of Massachusetts. To receive pay for their services, and not only that, whatever they do for the newspapers they will receive corresponding pay for, and it puts the United States in some reasonable position abroad which it does not possess to-day, but it grants them the temporary authority they ought to have.

Mr. BRIGGS. Is it not a fact that unless this privilege of utilizing the radio for commercial messages is continued under authorization many commercial interests will be denied any radio service whatever?

Mr. GREENE of Massachusetts. Yes, sir; they are proceeding now without authority of law to accommodate the public.

Mr. CHINDBLOM. Let me say, in addition to what the gentleman from Massachusetts says, that on the Great Lakes there is absolutely no radio service whatever at the present time except that which is under the control of the Navy Department.

Mr. BRIGGS. The same is true in my city of Galveston. The Navy took over the wireless apparatus there and are operating it. They have no opportunity at all to use it for private messages.

Mr. CHINDBLOM. May I add that a gentleman who recently made a trip to the Virgin Islands suggests that we have no communication with the islands of the Caribbean Sea or the Virgin Islands except through the Navy radio stations?

Mr. CANNON. Will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. CANNON. Before the war was there any service privately owned?

Mr. GREENE of Massachusetts. There were some private companies that furnished radio communication for compensation.

Mr. CANNON. And did the Government take it over, and is the Government obligated to return it to the private owners?

Mr. GREENE of Massachusetts. Yes; the private stations taken over during the war by the President have been returned by his order. The Navy bought, during the war, certain stations from the Marconi and other wireless organizations, and the Navy have them now in their possession.

Mr. CANNON. Does that cover all the radio service with foreign countries and on sea and land?

Mr. GREENE of Massachusetts. Yes; the shore stations especially, and they had the other stations for their own convenience in keeping in touch with the vessels of the Navy that were at sea, and also for accommodating the merchant marine.

Mr. CANNON. As I understand the gentleman, unless the bill passes there will be no service——

Mr. GREENE of Massachusetts. No service at all.

Mr. CANNON (continuing). For the general public?

Mr. GREENE of Massachusetts. That is it exactly. We make this provision for the temporary term of two years, and if private enterprise is ready to provide the service to meet the needs of business then the Navy Department will withdraw from the commercial radio service.

Mr. CHINDBLOM. And before two years.

Mr. GREENE of Massachusetts. And before that time if they are ready, if certified to that effect by the Department of Commerce.

Mr. Chairman, I ask for the reading of the bill.

The CHAIRMAN. Does any gentleman wish to speak in opposition to the bill? If not, the Clerk will report it.

The Clerk read as follows:

Resolved, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed, so far as is consistent with the transaction of Government business, to permit the use of the radio stations under the control of the Navy Department for the transmission and reception of commercial messages between ship and shore for the benefit of the general public, under regulations prescribed by him, and he shall fix the rates for such service, subject to control of such rates by the Congress, at a rate not less than the cost of service to the Navy Department; and the receipts for such service shall be turned into the Treasury as miscellaneous receipts.

SEC. 2. That the Secretary of the Navy be, and he is hereby, authorized and directed to permit the use of naval high power radio stations, under the regulations prescribed in section 1, for the transmission and reception of commercial and press messages between these stations and other stations in the United States or its Territories, and between these stations and stations in foreign countries: *Provided*, That such use of naval high power radio stations for commercial business, other than press messages, shall cease as and when the Secretary of the Navy is notified by the Secretary of Commerce that an American radio company is prepared to take over this work and establish adequate communication between the points in question: *Provided further*, That a special low charge shall be made for such press service at such rate as shall be fixed by the Secretary of the Navy.

With a committee amendment, as follows:

On page 1, strike out all of lines 3 to 11, inclusive, and on page 2 strike out all of lines 1 to 18, inclusive, and insert in lieu thereof the following:

"That all land, ship, and airship radio stations, and all apparatus therein owned by the United States may be used by it for receiving and transmitting messages relating to Government business, compass reports, and the safety of ships.

"SEC. 2. That the Secretary of the Navy is hereby authorized, under terms and conditions and at rates prescribed by him, which rates shall be just and reasonable, and which, upon complaint, shall be subject to review and revision by the Interstate Commerce Commission, to use all radio stations and apparatus, wherever located, owned by the United States and under the control of the Navy Department—(a) for the reception and transmission of press messages offered by any newspaper published in the United States, its Territories or possessions, or published by citizens of the United States in foreign countries, or by any press association of the United States, and (b) for the reception and transmission of private commercial messages: *Provided*, That the rates fixed for the reception and transmission of commercial messages, other than press messages, shall not be less than the rates charged by privately owned and operated stations for like messages and service: *Provided further*, That the right to use such stations for any of the purposes named in this section shall terminate and cease as between any countries or localities or between any locality and privately operated ships, whenever privately owned and operated stations are capable of meeting the normal communication requirements between such countries or localities or between any locality and privately operated ships, and the Secretary of Commerce shall have notified the Secretary of the Navy thereof, and all rights conferred by this section shall terminate and cease in any event two years from the date this resolution takes effect.

"SEC. 3. That all stations owned and operated by the Government, except as herein otherwise provided, shall be used and operated in accordance with the provisions of the act of Congress entitled 'An act to regulate radio communication,' approved August 13, 1912."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. GREENE of Massachusetts. Mr. Chairman, I move that the committee do now rise and report the bill back to the House

with the amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LONGWORTH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration Senate joint resolution 170, to authorize and direct the Secretary of the Navy to open certain naval radio stations for the use of the general public, had directed him to report the same back to the House with an amendment with the recommendation that the amendment be agreed to and that the resolution as amended do pass.

Mr. GREENE of Massachusetts. Mr. Speaker, I move the previous question on the resolution and the amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

Mr. GREENE of Massachusetts. Mr. Speaker, I move that the title be amended in accordance with the text.

The SPEAKER. The gentleman from Massachusetts moves that the title of the resolution be amended in accordance with the text. The question is on agreeing to that motion.

The motion was agreed to.

On motion of Mr. GREENE of Massachusetts, a motion to reconsider the vote whereby the Senate joint resolution was passed was laid on the table.

ORDER OF BUSINESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. GARRETT. Reserving the right to object, Mr. Speaker, may I ask the gentleman what is in his contemplation to take up to-morrow?

Mr. MONDELL. A bill from the Committee on Ways and Means is unfinished business. It is possible that the Committee on Rules may present a rule, but the unfinished business is a bill from the Committee on Ways and Means. There are several conference reports pending before the House.

Mr. GARRETT. May I inquire as to the nature of the rule that is likely to be presented?

Mr. MONDELL. I presume that the gentleman, who is a member of the Committee on Rules, knows of the rules that have been so far approved by the Committee on Rules.

Mr. GARRETT. Yes; I am familiar with those; I am familiar with them, but I have no information as to which one of the several rules is likely to come up.

Mr. MONDELL. I do not know that I could say.

Mr. GARRETT. I do not wish to interfere, I will say to the gentleman from Wyoming, with the gentleman from Iowa [Mr. GREEN] proceeding with the revenue bill that he has in hand, but I do not feel that I could consent if there is a rule from the Committee on Rules to come up. The Committee on Rules is to meet at 10 o'clock, but I am not advised as to what business will come before it. I do not propose to get in the way of the gentleman from Iowa, but with a statement so general as that made by the gentleman from Wyoming I feel that I shall have to object.

Mr. SABATH. Is it not possible for you gentlemen on that side to agree on something? [Laughter.]

Mr. MONDELL. Mr. Speaker, realizing the position of the gentleman from Tennessee, and having no desire to embarrass him, I will withdraw my request. [Laughter.]

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled bill and joint resolution of the following titles:

S. 3897. An act to amend section 16 of the act of Congress approved July 17, 1916, known as the Federal farm-loan act.

S. J. Res. 179. Joint resolution authorizing use of Army transports by teams, individuals, and their equipment representing the United States in Olympic games and international competitions.

EXTENSION OF REMARKS.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. SABATH. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PARRISH. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Texas makes the same request. Is there objection?

There was no objection.

Mr. PELL. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Speaker, these requests all have reference to the pending bill?

The SPEAKER. It is so understood.

Mr. BLANTON. Mr. Speaker, I think we ought to have a quorum. I make the point of order that there is no quorum present.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 47 minutes p. m.) the House adjourned until to-morrow, Thursday, May 27, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting estimate of appropriation required for the Detroit, Mich., Marine Hospital (H. Doc. No. 794); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting communication from the president of the United States Civil Service Commission submitting an estimate of appropriation required for section 13 of the act for the retirement of employees in the classified civil service (H. Doc. No. 795); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting estimate of appropriation required for administration of the civil-service retirement act, Bureau of Pensions, Department of the Interior (H. Doc. No. 796); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting estimate of appropriation for inclusion in the general deficiency bill for the construction of a penthouse on bridge, New York, N Y. (H. Doc. No. 797); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. PORTER, from the Committee on Foreign Affairs, to which was referred the joint resolution (S. J. Res. 152) authorizing the appointment of a commission to confer with the Dominion Government or the provincial governments of Quebec, Ontario, and New Brunswick as to certain restrictive orders in council of the said Provinces relative to the exportation of pulp wood therefrom to the United States, reported the same with amendments, accompanied by a report (No. 1039); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (H. R. 14101) providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act, reported the same without amendment, accompanied by a report (No. 1040), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GANDY, from the Committee on the Public Lands, to which was referred the bill (H. R. 11118) authorizing the consolidation of lands in national forests in the State of South Dakota, reported the same with amendments, accompanied by a report (No. 1042), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. KELLY of Pennsylvania, from the Committee on Claims, to which was referred the bill (H. R. 10521) for the relief of Ida F. Baum, reported the same without amendment, accompanied by a report (No. 1041), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 14108) granting an increase of pension to William W. Burke, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LANGLEY: A bill (H. R. 14239) fixing the rate of compensation of internal-revenue gaugers, storekeepers, and storekeeper-gaugers, the hours of labor per day, and providing the rate of compensation per hour for extra work, and for other purposes; to the Committee on Expenditures in the Treasury Department.

By Mr. VOLSTEAD: Resolution (H. Res. 569) for the immediate consideration of House joint resolution 339; to the Committee on Rules.

By Mr. MASON: Resolution (H. Res. 570) asking for information as to mandate for Armenia; to the Committee on Foreign Affairs.

By Mr. BLACKMON: Resolution (H. Res. 571) asking for information regarding the use of the House Office Building and the legislative drafting committee; to the Committee on Rules.

By Mr. KNUTSON: Joint resolution (H. J. Res. 363) making an appropriation to discover a suitable substitute for gasoline; to the Committee on Agriculture.

By Mr. BLACKMON: Joint resolution (H. J. Res. 364) for the appointment of a joint commission of three Members of the House and two Members of the Senate to investigate contributions to all candidates for Members of the Sixty-seventh Congress; to the Committee on Appropriations.

By Mr. MASON: Concurrent resolution (H. Con. Res. 57) favoring a government of its own choice for Ireland; to the Committee on Foreign Affairs.

By Mr. BEGG: Concurrent resolution (H. Con. Res. 58) regarding the freedom of Ireland; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BENHAM: A bill (H. R. 14240) granting an increase of pension to John A. Ruddell; to the Committee on Pensions.

By Mr. BLAND of Virginia: A bill (H. R. 14241) granting an increase of pension to Sherwood C. Bownes; to the Committee on Pensions.

By Mr. BROOKS of Illinois: A bill (H. R. 14242) for the relief of John A. Bingham; to the Committee on Claims.

By Mr. GLYNN: A bill (H. R. 14243) granting a pension to Grace A. Kimmer; to the Committee on Pensions.

By Mr. GOLDFOGLE: A bill (H. R. 14244) granting an increase of pension to Jacob Mandelbaum; to the Committee on Pensions.

By Mr. GRAHAM of Illinois: A bill (H. R. 14245) for the relief of H. Bernhard Erikson; to the Committee on Claims.

By Mr. JONES of Pennsylvania: A bill (H. R. 14246) granting a pension to Agnes Fowler; to the Committee on Invalid Pensions.

By Mr. LEE of Georgia: A bill (H. R. 14247) granting an increase of pension to Malissa M. A. Carlson; to the Committee on Pensions.

By Mr. LONERGAN: A bill (H. R. 14248) granting a pension to Annie M. Marsh; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 14249) granting a pension to Frank E. Crowley; to the Committee on Pensions.

By Mr. MEAD: A bill (H. R. 14250) granting an increase of pension to William J. Hines; to the Committee on Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 14251) granting a pension to Annie L. Marksbury; to the Committee on Invalid Pensions.

By Mr. PELL: A bill (H. R. 14252) for the relief of Percy de Marets Betts; to the Committee on Military Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 14253) granting a pension to Luella E. Foote; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 14254) granting a pension to Robert A. Ayers; to the Committee on Invalid Pensions.

By Mr. CANNON: Resolution (H. Res. 572) to pay Arthur Lucas for special janitor services; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3896. By Mr. CROWTHER: Petition of sundry citizens of the city of Schenectady, N. Y., urging the passage of the Mason bill; to the Committee on Foreign Affairs.

3897. By Mr. CULLEN: Two petitions of New York Association of Letter Carriers and Post Office Clerks, favoring increase in postal salaries; to the Committee on the Post Office and Post Roads.

3898. Also, petition of American Medical Society, favoring publication of a medical history of the Great War; to the Committee on Appropriations.

3899. Also, petition of Architectural and Ornamental Iron and Bronze Workers' Union, favoring amnesty for political prisoners; to the Committee on the Judiciary.

3900. Also, petition of New York State Industrial Safety Congress, favoring vocational rehabilitation bill; to the Committee on Education.

3901. By Mr. ESCH: Petition of employees of Fraternal Brotherhood of Los Angeles, Calif., favoring the passage of House bill 10925 and Senate bill 3259; to the Committee on Interstate and Foreign Commerce.

3902. By Mr. FULLER of Illinois: Petition of A. D. Gates Co., of Sycamore, Ill., opposing the McNary bill for stamping the cost price on each pair of shoes; to the Committee on Interstate and Foreign Commerce.

3903. By Mr. GOLDFOGLE: Petition of New York State Federation of Labor of Utica, N. Y., favoring the Fess-Kenyon vocational rehabilitation bill; to the Committee on Education.

3904. Also, petition of Cloak and Suit Tailors' Union, Local No. 9, and Architectural and Ornamental Iron and Bronze Workers' Union of New York, favoring amnesty for political prisoners; to the Committee on the Judiciary.

3905. By Mr. IGOE: Petition of St. Louis Chamber of Commerce, protesting against compulsory adoption of the metric system; to the Committee on Coinage, Weights, and Measures.

3906. Also, petition of former citizens of White Russia, Ukrainia, and Lithuania, asking revocation of Polish mandate; to the Committee on Foreign Affairs.

3907. Also, petition of Advertising Club of St. Louis, protesting against House bill 12976; to the Committee on Ways and Means.

3908. By Mr. JOHNSTON of New York: Petition of Brooklyn Council, No. 72, Royal Arcanum, in connection with increase in postal salaries; to the Committee on the Post Office and Post Roads.

3909. Also, petition of Architectural and Ornamental Iron and Bronze Workers' Union of New York, favoring amnesty for political prisoners; to the Committee on the Judiciary.

3910. Also, petition of New York State Industrial Safety Congress in connection with vocational rehabilitation; to the Committee on Education.

3911. By Mr. LONERGAN: Petition of Connecticut Congress for Mothers, favoring the passage of the Sheppard-Towner bill; to the Committee on Education.

3912. Also, petition of diocese of Connecticut against the Yukon canneries and directing attention to Far East affairs; to the Committee on Foreign Affairs.

3913. By Mr. MEAD: Petition of the board of directors of the Corn Exchange of Buffalo, N. Y., protesting against section 704 of House bill 13874; to the Committee on Ways and Means.

3914. Also, petition of Wolanski Post, No. 707, American Legion plan for bonus; to the Committee on Ways and Means.

3915. By Mr. O'CONNELL: Petition of Butterick Publishing Co. in connection with increased postal salaries; to the Committee on the Post Office and Post Roads.

3916. Also, petition of Air Reduction Co., of New York, in connection with proposed patent legislation; to the Committee on Patents.

3917. Also, petition of New York State Industrial Safety Congress and New York State Federation of Labor in connection with the vocational rehabilitation bill; to the Committee on Education.

3918. Also, petition of Lannin & Kemp and Harvey A. Willis Co., of New York, protesting against soldier bonus legislation; to the Committee on Ways and Means.

3919. By Mr. TAGUE: Petition of New England Section of Society of American Foresters, favoring report of Joint Commission on Reclassification of Salaries; to the Committee on Reform in the Civil Service.

3920. Also, petition of National Association of Cotton Manufacturers opposing immediate passage of pending patent legislation; to the Committee on Patents.

3921. Also, 49 petitions of residents of Boston, Mass., favoring increase in wages for postal employees; to the Committee on the Post Office and Post Roads.

3922. By Mr. TILSON: Petition of Connecticut Congress of Mothers, urging passage of Sheppard-Towner bill; to the Committee on Education.

SENATE.

THURSDAY, *May 27, 1920.*

(Legislative day of Monday, May 24, 1920.)

The Senate reassembled at 12 o'clock m., on the expiration of the recess.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the amendments of the Senate to the bill (H. R. 13416) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, and for other purposes.

The message also announced that the House agrees to the amendment of the Senate to the bill (H. R. 4438) to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13587) making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KAHN, Mr. ANTHONY, and Mr. DENT managers at the conference on the part of the House.

The message also announced that the House had passed the joint resolution (S. J. Res. 170) to authorize and direct the Secretary of the Navy to open certain naval radio stations for the use of the general public with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice President:

S. 3897. An act to amend section 16 of the act of Congress approved July 17, 1916, known as the Federal farm-loan act; and

S. J. Res. 179. Joint resolution authorizing use of Army transports by teams, individuals, and their equipment representing the United States in Olympic games and international competition.

PETITIONS AND MEMORIALS.

Mr. CAPPER presented a memorial of Local Lodge No. 65, Brotherhood of Railway Trainmen, of Osawatomie, Kans., remonstrating against the passage of the Army reorganization bill, which was ordered to lie on the table.

He also presented a petition of the Women's Auxiliary, Benjamin Fuller Post, American Legion, of Pittsburg, Kans., praying for the granting of a bonus to ex-service men, which was referred to the Committee on Finance.

He also presented a memorial of the Lyon County Pomona Grange, Patrons of Husbandry, of Emporia, Kans., remonstrating against the passage of the so-called Nolan tax bill, which was referred to the Committee on Finance.

Mr. McLEAN presented a petition of Local Union No. 22, Journeymen Tailors' Union of America, of New Haven, Conn., praying for the parole of Federal prisoners, which was referred to the Committee on the Judiciary.

He also presented petitions of the Chamber of Commerce of New Britain; of Local Branch No. 175, National Association of Letter Carriers, of Middletown; of the Central Labor Union of Stamford; of Local Council No. 8, Order of United American Mechanics, of New Britain; of the Chamber of Commerce of West Haven; of Court Washington, No. 67, Foresters of America, of Torrington; and of sundry citizens of Bridgeport, all of the State of Connecticut, praying for an increase in the salaries of postal employees, which were referred to the Committee on the Post Office and Post Roads.

He also presented a memorial of the Albanian Society of Goodyear, Conn., remonstrating against the annexation of the southern Provinces of Albania to Greece, which was referred to the Committee on Foreign Relations.

He also presented memorials of the directors of the National Bank of New England, of East Haddam; the Connecticut National Bank, of Bridgeport; the Middletown National Farmers & Mechanics' Savings Bank, of Middletown; the Savings Bank of Middletown; and the Chelsea Savings Bank, of Norwich; the Danbury National Bank, of Danbury; and the Rockville National Bank, of Rockville; and of the East Hampton Bank & Trust Co., of East Hampton, all in the State of Connecticut, remonstrating against the enactment of legislation imposing a Federal tax on the sale of securities, which were referred to the Committee on Finance.

He also presented a petition of the Congress of Mothers for Child Welfare of the State of Connecticut, praying for the enactment of legislation providing for the protection of maternity and infancy, which was referred to the Committee on Public Health and National Quarantine.

Mr. TOWNSEND (for Mr. NEWBERRY) presented a petition of sundry citizens of Ann Arbor, Mich., praying for the enactment of legislation providing for the protection of maternity and infancy, which was referred to the Committee on Public Health and National Quarantine.

He also (for Mr. NEWBERRY) presented memorials of Local Lodge No. 8, Pan-Albanian Mohammedan Religion Society of America, of Detroit; of the Albanian Educational Club of Detroit; of the Albanian Society of Pontiac; and of the Pan-Albanian Federation of America, all in the State of Michigan, remonstrating against the enactment of legislation awarding to Greece by the peace conference of Northern Epirus, including Corytza, the 12 islands of the Ægean and the western coast of Asia Minor, which were referred to the Committee on Foreign Relations.

He also (for Mr. NEWBERRY) presented a memorial of the Civic and Commercial Association of Sault Ste. Marie, Mich., remonstrating against the enactment of legislation recognizing the soviet government of Russia by the United States, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. SHERMAN, from the Committee on the District of Columbia, to which was referred the bill (H. R. 7158) to provide for the expenses of the government of the District of Columbia, reported it with an amendment and submitted a report (No. 636) thereon.

Mr. LODGE, from the Committee on Foreign Relations, reported an amendment proposing to appropriate $2,500 for the expenses of two officers of the Public Health Service to be designated by the President to represent the United States at the Sixth International Sanitary Conference at Montevideo, Uruguay, from December 12 to 20, 1920, etc., intended to be proposed to the general deficiency appropriation bill, and moved that it be referred to the Committee on Appropriations and printed, which was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CALDER:

A bill (S. 4450) for the relief of Lewis W. Flaunlacher; and

A bill (S. 4451) for the relief of the estate of David Clark; to the Committee on Claims.

A bill (S. 4452) providing for the establishment of a probation system in the United States courts, except in the District of Columbia; to the Committee on the Judiciary.

By Mr. BRANDEGEE:

A joint resolution (S. J. Res. 206) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to Jeanne d'Arc; to the Committee on the Library.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. STERLING submitted an amendment authorizing the Secretary of the Senate and Clerk of the House of Representatives to pay to the officers and employees of the Senate and the House borne on the annual and session rolls on the 1st day of May, 1920, for extra services during the first and second sessions of the Sixty-sixth Congress, a sum equal to one month's pay at the compensation allowed them by law, etc., intended to be proposed by him to the general deficiency appropriation bill, which was ordered to be printed, and, with accompanying paper, referred to the Committee on Appropriations.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

Mr. NORRIS. Mr. President, I desire to ask the Senator from Washington [Mr. JONES] if he will not agree to lay aside the unfinished business, the conference report upon House bill 3184, the water-power bill, that I may call up the conference report on the Agricultural appropriation bill.

Mr. JONES of Washington. I ask the Senator how much time he thinks it will take?

Mr. NORRIS. Of course, I am not able to say, as the Senator knows, just how much debate it will require. As far as I know, there will be very little debate. As soon as the report is agreed to there will be a motion made by the Senator from Mississippi [Mr. HARRISON] that the Senate recede from its amendment. There is only one amendment in disagreement. I will wish to make a few remarks to explain the situation and we will have a roll call on the motion of the Senator from Mississippi. If that motion is carried, then, of course, it is ended and the Agricultural appropriation bill will not have to go back to conference but will become a law with the seed provision in it.

If the motion of the Senator from Mississippi is defeated, I intend to offer a motion, that I do not believe will be resisted, for a compromise amendment, and I want to explain that during the pendency of the first motion.

Mr. JONES of Washington. I appreciate the importance of this conference report and recognize the fact that if the motion referred to shall not prevail the bill will have to go back for further conference and a further report here. I understand if the unfinished business is laid aside it can be called up at any time if the debate would seem to be proceeding at an undue length.

I wish to state that I want to have the conference report on the water-power bill disposed of as soon as possible, and I propose to keep it before the Senate until action is taken upon it one way or the other. For matters like this, which will not take much time and but little or no debate, I am willing to lay aside the unfinished business. Upon the statement of the Senator from Nebraska, I ask that the unfinished business be temporarily laid aside.

The VICE PRESIDENT. The Chair hears no objection, and the unfinished business is temporarily laid aside.

The Chair lays before the Senate the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 93 to the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921.

Mr. LODGE. Mr. President——

Mr. NORRIS. I yield to the Senator from Massachusetts.

ARMENIAN MANDATORY.

Mr. LODGE. I wish merely to submit a report. I report from the Committee on Foreign Relations a concurrent resolution, which is very brief. I ask that it may be read and then go to the calendar. I do not propose to take it up this morning.

The VICE PRESIDENT. The concurrent resolution will be read.

The Reading Clerk read the concurrent resolution (S. Con. Res. 27), as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby respectfully declines to grant to the Executive the power to accept a mandate over Armenia, as requested in the message of the President, dated May 24, 1920.

Mr. HITCHCOCK. Will the Senator from Massachusetts indicate when he proposes to call up the resolution for action?

Mr. LODGE. That depends on the state of the business here; I can not say. We want to get the appropriation bills and the conference reports out of the way. I am ready to take it up, as far as I am personally concerned, at any time, but I can not tell exactly when it will be taken up.

Mr. HITCHCOCK. Probably this week?

Mr. LODGE. I really can not say. I do not know how long the conference reports will take. I shall be glad to take it up as soon as the conference reports are disposed of.

The VICE PRESIDENT. The concurrent resolution will be placed on the calendar.

Mr. LODGE. I ask to have printed as a Senate document that portion of the Harbord report relating to the military problem of a mandatory. It is the report made to Gen. Harbord by Brig. Gen. Moseley, and covers the whole question of the military obligations of the mandatory of Armenia.

The VICE PRESIDENT. Without objection, it is so ordered.

NATIONAL BUDGET SYSTEM—CONFERENCE REPORT.

Mr. McCORMICK. Will the Senator from Nebraska yield to me for a moment?

Mr. NORRIS. I yield to the Senator.

Mr. McCORMICK. I wish to ask the indulgence of the Senator from Washington [Mr. JONES] for a moment. I ask him if he will permit me, at the conclusion of the consideration of the conference report on the Agricultural appropriation bill, to ask the Senate to consider the conference report on the bill (H. R. 9783) to provide a national budget system and an independent audit of Government accounts, and for other purposes, provided always, of course, that there be no time-consuming debate. The report, I might add, was unanimous, and it is extremely important, in view of the situation in the House and of the requirement for nominations by the President, that the conference report shall be disposed of without delay.

Mr. JONES of Washington. If it creates no discussion, I shall be glad to yield for that purpose.

MILITARY STATUS OF CERTAIN CIVIL EMPLOYEES.

Mr. STERLING. Mr. President, I have here a letter, addressed to me as chairman of the Committee on Civil Service and Retrenchment, from the president of the Civil Service Commission, which letter relates to the tendency to militarize the civil service under the War Department, and refers to the great number of replacements of men in the civil service by soldiers, who afterwards, while performing civil duties, have a military status. The letter is important, and I ask that it may be printed without reading.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., May 21, 1920.

Hon. THOS. STERLING,
Chairman Committee on Civil Service and Retrenchment,
United States Senate.

DEAR SENATOR STERLING: The civil-service act and rules make this commission in a sense the custodian of the executive civil service of the United States. This office during an experience of nearly 37 years has acquired an unusual knowledge of the trend of affairs in the service.

There appears to be a tendency to militarize the civil service under the War Department. We refer to provisions in appropriation acts replacing civilians with enlisted men, who thereafter perform civil duties with a military status. For example:

The Army appropriation act of August 24, 1912 (37 Stat., 593), provided for the replacement of 4,000 civilians in the Ordnance Corps by enlisted men.

The Army appropriation act of August 29, 1916 (39 Stat., 625), changed the status of headquarters clerks to Army field clerks. The number of positions affected is about 7,000.

The bill introduced in the present Congress to reorganize the Army (S. 3792) seemed to this office to propose replacement of civilians by enlisted men under the War Department to a great extent. Sections 29 to 38 of the bill provided that the permanent personnel of The Adjutant General's service and seven other services named should consist of enlisted men detailed or assigned from the permanent personnel.

Service.	Section.	Number.
Adjutant General's	29	400
Inspector General's	30	100
Judge Advocate General's	31	100
Ordnance	34	6,000
Finance	35	900
Transportation	36	12,500
Construction	37	6,000
Chemical Warfare	38	1,200
		27,200

The proposed distribution of these 27,200 men throughout the several services of the War Department, where no enlisted men were employed before the war, seems to the commission to indicate a tendency to militarize the civil service of the entire department in much the same maner as the militarization of the Quartermaster Corps, which was begun by the Army appropriation act of August 29, 1916, changing 7,000 headquarters clerks to Army field clerks, and would be completed by section 32 of pending act to reorganize the Army, which provides for 9,000 enlisted men in the Quartermaster Service.

Section 12 of the Army reorganization act authorizes the President to maintain a permanent personnel which includes more than 263,200 enlisted men. Section 15 allows 23 per cent of this number, or at least 60,536 enlisted men, to be paid additional for specialized work in the performance of which no military authority is required. This office has been able to find nothing in the bill to prevent superseding employees in the War Department by this class of enlisted men to any extent desired. The proposed basis of pay of enlisted men runs as high as $100

per month, and additional pay for specialized work as high as $30 per month. These plus the usual allowances to enlisted men would seem likely to make this particular kind of service more expensive to the Government than if civilians were employed.

The commission has invited the attention of the Senate and House Committees on Military Affairs to these provisions of the Army reorganization bill, which it regards as objectionable, but in view of their detrimental effect on the civil service, the commission believes the Senate and House Committees on the Civil Service should be similarly advised.

The act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, appropriates for Army field clerks as follows:

Number.	Individual salary.	Amount.
80	$1,800	$144,000
7	2,000	14,000
172	1,600	275,200
11	1,800	19,800
222	1,400	310,800
14	1,600	22,400
526	1,200	631,200
32	1,400	44,800
57	1,200	68,400
49	1,200	58,800
1,170		

The act also provides that Army field clerks shall have the same allowances and benefits as heretofore allowed by law to pay clerks in the Quartermaster Corps, not including retirement, and that the minimum or entrance pay, exclusive of said allowances, shall be $1,200 per annum. The act also authorized the Secretary of War to employ during the present emergency, and not exceeding four months thereafter, not exceeding 4,272 field clerks. The lowest compensated of this large number of clerks receive a minimum salary of $100 per month plus $35 a month allowances. Service in one of these positions of the most temporary character entitles the employees forever after to the same degree of military preference as a soldier who endures the horrors of war on the battle field, and if they attain a rating of 65 per cent in examination they can be appointed ahead of the most highly qualified civilians. The War Department has no discretion in the matter. It can not fill these positions as they become vacant by civilians selected from among those standing highest as the result of open competitive examination. The commission believes this to be a most extravagant method of performing Government work. Passing over the possibility of securing civilians in accordance with civil-service rules to perform this work at a lower salary, it is believed that the present method of taking men on without competitive tests of fitness results in a poorer quality of work and less quantity per capita. It appears to the commission that the tendencies indicated by the facts above set forth are detrimental to the service in general and repugnant to the present form of government.

By direction of the commission:

Very respectfully, MARTIN A. MORRISON,
President.

AMENDMENT OF THE RULES.

Mr. KNOX. Yesterday I gave notice of a proposed amendment to Rule XXV. Pursuant to that notice, I submit a resolution and ask that it be referred to the Committee on Rules.

The resolution (S. Res. 373) proposing to amend Rule XXV of the Standing Rules of the Senate was referred to the Committee on Rules.

Mr. KNOX. I submit a favorable report from the Committee on Rules on the resolution, and I ask unanimous consent of the Senate for its immediate consideration, with the understanding that if it should provoke debate and discussion of any kind I will yield the floor.

Mr. SMOOT. I should want to have the report read first, so that we may know just what changes are proposed to be made in the rule.

Mr. KNOX. That would require either the reading of the report or a short explanation, and a very brief explanation can be made. It merely involves the proposition which I shall state.

The Committee on Rules unanimously, 10 members of the 12 being present, have recommended to the Senate that the number of standing committees shall be reduced about 40, and cut out all the committees that rarely if ever meet. We have likewise reduced the membership of the principal committees of the Senate. Those which are known as the major committees, being 10 of the most important committees, have been reduced to the uniform number of 15, and the less important committees have been reduced proportionately.

Mr. JONES of Washington. Will the Senator permit an interruption? I am heartily in favor of the Senator's proposition. I fought for it through two or three Congresses, and finally got the salaries of the employees of the committees on an equal basis. This, I was sure, would bring about this result. It has done so and I am glad of it. But unless the resolution can be disposed of without discussion, I shall object. If it can be disposed of without discussion, I make no objection.

Mr. KNOX. I anticipated that there might possibly be an objection, and if there is I will withdraw the request for the present consideration of the resolution.

Mr. UNDERWOOD. Without intending to discuss it, I wish to say, as a member of the Committee on Rules, that the report is unanimous, and I think it is very necessary that this reform should be made in the interest of the business of the Senate. I hope the resolution can be passed without discussion at this time.

Mr. KNOX. I might state to the Senate that it is not proposed to go into effect until the beginning of the Sixty-seventh Congress, when the committees will have to be recast under the rules. It makes no change in the committees of the present Congress. I ask for the adoption of the resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. SMOOT. I should like to have the report read, so that we can get some idea of what changes are to be made.

Mr. JONES of Washington. If it is to take time, I shall have to object.

Mr. KNOX. It will take only two or three minutes to read the report. It is a very brief report.

Mr. JONES of Washington. Very well, I will let it be read, but I can not consent to a discussion of it.

The VICE PRESIDENT. The proposed amendment to the rules will be read.

The Assistant Secretary read as follows:

Resolved, That Rule XXV of the Standing Rules of the Senate be amended so as to read:

1. Beginning with the Sixty-seventh Congress, the following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

Committee on Agriculture and Forestry, to consist of 15 Senators.
Committee on Appropriations, to consist of 15 Senators.
Committee to Audit and Control the Contingent Expenses of the Senate, to consist of 5 Senators, to which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same.
Committee on Banking and Currency, to consist of 13 Senators.
Committee on Civil Service, to consist of 11 Senators.
Committee on Claims, to consist of 13 Senators.
Committee on Commerce, to consist of 15 Senators.
Committee on the District of Columbia, to consist of 13 Senators.
Committee on Education and Labor, to consist of 11 Senators.
Committee on Engrossed and Enrolled Bills, to consist of 3 Senators, which shall examine all bills, amendments, and joint resolutions before they go out of the possession of the Senate, and which shall have power to act jointly with the same committee of the House of Representatives, and which, or some one of which, shall examine all bills or joint resolutions which shall have passed both Houses, to see that the same are correctly enrolled, and, when signed by the Speaker of the House and President of the Senate, shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States in person, and report the fact and date of such presentation to the Senate.
Committee on Expenditures in the Executive Departments, to consist of 7 Senators.
Committee on Finance, to consist of 15 Senators.
Committee on Foreign Relations, to consist of 15 Senators.
Committee on Immigration, to consist of 11 Senators.
Committee on Indian Affairs, to consist of 11 Senators.
Committee on Interoceanic Canals, to consist of 11 Senators.
Committee on Interstate Commerce, to consist of 15 Senators.
Committee on Irrigation and Reclamation of Arid Lands, to consist of 11 Senators.
Committee on the Judiciary, to consist of 15 Senators.
Committee on the Library, to consist of 7 Senators, which shall have power to act jointly with the same committee of the House of Representatives.
Committee on Manufactures, to consist of 11 Senators.
Committee on Military Affairs, to consist of 15 Senators.
Committee on Mines and Mining, to consist of 9 Senators.
Committee on Naval Affairs, to consist of 15 Senators.
Committee on Patents, to consist of 7 Senators.
Committee on Pensions, to consist of 11 Senators.
Committee on Post Offices and Post Roads, to consist of 15 Senators.
Committee on Printing, to consist of 7 Senators, which shall have power to act jointly with the same committee of the House of Representatives.
Committee on Privileges and Elections, to consist of 13 Senators.
Committee on Public Buildings and Grounds, to consist of 13 Senators, which shall have the power to act jointly with the same committee of the House of Representatives.
Committee on Public Lands and Surveys, to consist of 13 Senators.
Committee on Rules, to consist of 12 Senators.
Committee on Territories and Insular Possessions, to consist of 13 Senators.

2. The Committees to Audit and Control the Contingent Expenses of the Senate, on Printing, and on the Library shall continue and have the power to act until their successors are appointed.

Mr. ROBINSON. I believe unanimous consent has been given to the consideration of the report. I do not desire to discuss the matter at length, but I should like to ask the Senator from Pennsylvania a question regarding the committees which are provided for in this plan for reorganization. Is the jurisdiction of the present standing committees of the Senate materially affected or changed by this reorganization plan?

Mr. KNOX. Not at all. Under the twenty-fifth rule there is no provision for jurisdiction. For instance, as to the Committee on Foreign Relations there is no provision what its jurisdiction shall be and as to the Committee on the Judiciary there is no provision as to what its jurisdiction shall be.

Mr. ROBINSON. Are the so-called nominal committees, that is, the committees which merely perform any functions, eliminated?

Mr. KNOX. All of them are eliminated. For instance, there are 11 committees on expenditures in the various departments of the Government. Those have been consolidated in one committee, the Committee on Expenditures in the Executive Departments.

Mr. ROBINSON. Is the number of members of standing committees to be reduced?

Mr. KNOX. What we call the 10 major committees are to be reduced in membership to 15. They have varied, some committees consisting of 17 members, some 19, and the Appropriations Committee of 20.

Mr. ROBINSON. If this plan is agreed to, all of the 10 principal standing committees of the Senate will consist of 15 members?

Mr. KNOX. They will consist of 15 members.

Mr. ROBINSON. I merely desire to say that I am heartily in favor of this action and I hope the report will be adopted.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 93 to the bill (H. R. 12272) making appropriation for the Department of Agriculture for the fiscal year ending June 30, 1921.

Mr. NORRIS. Mr. President, the conferees on the Agricultural appropriation bill have made several reports and they have progressed in their various disagreements and agreements. In all instances where an agreement has been reached the action of the conference has been approved by the House and by the Senate; but we have not agreed on amendment numbered 93. That is the provision in the House bill which provides for the distribution of congressional seeds. The conferees have reported a disagreement. I understand that the Senator from Mississippi [Mr. HARRISON] is going to make a motion that the Senate recede from its amendment, and, of course, that is a preferential motion and is entitled to be heard first. When he makes the motion I expect to make a few remarks in order further to explain the situation.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

Mr. HARRISON. I move the Senate recede from its amendment numbered 93.

Mr. NORRIS. Mr. President, I desire to have the attention of the Senate now for a few moments in order to explain the situation in reference to the amendment to the Agricultural appropriation bill which remains in disagreement. I shall ask for a roll call on the motion to recede from the Senate amendment. Of course, if the motion shall carry, the Agricultural bill will have been passed and will go to the President. However, I am opposed to the motion, and the other conferees are opposed to the motion.

The Agricultural bill, as everybody knows, contains a provision for an appropriation of $239,416 for what is known as the congressional free-seed distribution. The Senate Committee on Agriculture proposed an amendment eliminating that provision, and the Senate approved their action, so that the appropriation was rejected and the language providing for the method by which Members of the other House and Members of the Senate should distribute free seed was eliminated. The motion is to recede from the Senate amendment. So Senators who are in favor of a continuation of the free-seed distribution will vote "yea," and Senators who are opposed to it will vote "nay."

I wish to say to the Senate that there are various other provisions for seeds and bulbs and trees in this appropriation bill. For instance, on a preceding page there is an appropriation of $20,000 "for the investigation, improvement, encouragement, and determination of the adaptability to different soils and climatic conditions of pecans, almonds, Persian walnuts," and so forth. There is also an appropriation of $83,200 for the investigation and improvement of fruits, and the method of growing and harvesting fruits. On the same page there is an appropriation of $11,690 for experimental work. On page 30 there is an appropriation "for horticultural investigations, including the study of producing and harvesting truck and related crops," and their marketing, "the study of landscape and vegetable gardening," and so forth. The appropriation for that purpose is $86,940.

There is also an appropriation of $20,000 for investigations, in cooperation with the States, in regard to nursery stock, and so forth. There is another appropriation of $20,500 for the improvements on the experimental farm and agricultural station on the Arlington estate. There is also an appropriation of $92,700 "for investigations in foreign seed and plant introduction, including the study, collection, purchase, testing, propagation, and distribution of rare and valuable seeds." There is also an appropriation of $130,000 "for the purchase, propagation, testing, and distribution of new and rare seeds."

So if the free-seed item is stricken out there will still remain full provision for the investigation, propagation, raising, and cultivation of all kinds of fruits and vegetables. All the Senate amendment does is to strike out of the Agricultural bill the appropriation of $239,416 for the purpose of buying ordinary seeds, that may be bought anywhere in any seed store, of course, for free distribution by Members of Congress.

Mr. President, the controversy in reference to the free distribution of seeds has been an annual show ever since I have been a Member of Congress. With very few exceptions, the Senate has stricken out this provision and the House has insisted on it; the matter has gone to conference; in the end the Senate has always receded; and the provision for free seeds has been put in for the benefit of Representatives in Congress. So it has become known to the country as an annual congressional vaudeville show.

I read an editorial not long ago in one of the great newspapers, at the time the Senate had stricken the provision out, stating that the annual show was on; that the Senate had stricken out the appropriation for the free-seed distribution by Congress; that it would go to conference; that there would be a disagreement; that the matter would be brought up several times; but that eventually the Senate would recede. I am wondering if we are going to do that.

I want to say to the Senate that if the pending motion is defeated, I shall submit a motion to instruct the conferees on the part of the Senate to agree to the House proposition with an amendment; and I want Senators to listen to the reading of the amendment. In my judgment, it answers every claim that has ever been made on the floor of either House in favor of the free-seed distribution.

It is claimed by those who favor the proposition that a great many people want these seed; that some poor people want them and use them, and so forth. So they fight for the retention of the appropriation. If that be true, any person in the country who wants free seed badly enough to write a letter will be able to get them under the amendment I intend to propose, although the matter of distribution will be taken out of the hands of Members of Congress to a great extent.

I proposed the amendment in conference. The Senate conferees were willing to accept it, but the House conferees refused to take it to the House; they refused to give it that consideration or to extend that courtesy. If it is adopted by the Senate, it will go to the House, and they will then have an opportunity to act on it. The proposed amendment is as follows:

In lieu of the language proposed to be stricken out insert the following:

"For the purchase, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants, $75,000. Said seeds, bulbs, trees, shrubs, vines, cuttings, and plants shall be sent only to such persons as shall make request therefor: *Provided*, That all such requests made of Senators, Representatives, and Delegates in Congress, if transmitted to the Department of Agriculture, shall be complied with by said department."

In my humble judgment, Mr. President, such an amendment will meet the only argument which can be made in favor of the free distribution of seed. It will reduce the appropriation from $239,000 to $75,000, and will take the distribution of seed out of the hands of Members of Congress, as I believe all thinking men who have studied the matter agree should be done.

I think Senators understand the proposition, and I am not going to go into a further discussion of it; but I ask for the yeas and nays upon the motion.

Mr. HARRISON. Mr. President——

Mr. NORRIS. Will the Senator allow us to have the yeas and nays ordered on the motion?

Mr. SMITH of Georgia. What is the motion?

Mr. HARRISON. The motion is to recede on amendment numbered 93.

Mr. NORRIS. The Senator from Mississippi has made a motion that the Senate recede from its amendment numbered 93, and on that motion I ask for the yeas and nays.

Mr. THOMAS. To recede, with the amendment proposed by the Senator from Nebraska.

The VICE PRESIDENT. No.

Mr. HARRISON. The question will come first on the motion which I have made, and then if that is defeated the Senator from Nebraska may offer his motion, as I understand.

Mr. SMOOT. Mr. President, I rise to a parliamentary inquiry. If the motion of the Senator from Mississippi is agreed to, then there will remain no disagreement between the two Houses?

Mr. NORRIS. That is understood; I think every Senator understands that. If the motion is agreed to, the provision for free seed goes out of the bill and the bill goes to the President.

Mr. SMOOT. That is as I understand it.

Mr. HARRISON. That is correct.

Mr. SMOOT. But the Senator from Nebraska, in the event the motion is agreed to, will have no chance at all to offer the proposed amendment to which he has referred.

Mr. NORRIS. I understand that, and that is the reason I desire the motion defeated. Then the bill will still remain before the Senate and I will be able to offer my proposed amendment. That is the reason I am opposed to the motion of the Senator from Mississippi.

Mr. HARRISON. Mr. President, I have made a motion to recede from Senate amendment numbered 93. It is the only provision of the bill now in disagreement, every other difference between the Senate and the House having been determined.

This bill ought to get out of the way. There are certain provisions in the bill touching the grades of cotton which it is important should be enacted promptly, for unless they become a part of the law by the 1st of June the old law in that regard will remain in force. I have been in favor of the free distribution of seeds through such a provision as the House incorporated in the bill, and which the Senate struck out, and such a provision has been in the bill year by year—so long, in fact, that the memory of man runneth not to the contrary; but it would seem now that there is a desire to defeat an Agricultural appropriation bill in order to change that policy. If the motion I have made is adopted, then the Agricultural appropriation bill is out of the way.

It is true that the Senate Committee on Agriculture and Forestry reported an amendment striking out the free-seed provision inserted by the House, but in the Senate there was no roll call on the adoption of that amendment. Twice, however, the House by a vote—once on a roll call, both times by a vote practically of two to one—insisted upon the free garden seed provision, thus adhering to the old policy which Congress has pursued for a very long time.

It seems to me that it is too trifling a matter to be allowed to hold up a great Agricultural appropriation bill. If the motion which I have made is adopted, then the bill will be out of the way; and it would seem to me it ought to be adopted.

Mr. BORAH. Mr. President, I wish to ask a question in order that I may get my bearings. Do I understand that the Senator from Mississippi has made a motion to recede?

Mr. HARRISON. I have moved that the Senate recede from its amendment numbered 93.

Mr. BORAH. If that motion is agreed to, then the free-seed provision remains in the bill?

Mr. HARRISON. It remains in the bill.

Mr. THOMAS. In other words, it is a question of "seed" and "recede." [Laughter.]

Mr. BORAH. I know what I desire to accomplish, but I do not know with certainty that my vote will be effective. I want to vote against the free distribution of seed, and in that case I will vote against receding.

Mr. HARRISON. When the Senator votes against my motion, he votes to allow the House provision to remain in the bill.

Mr. NORRIS. I am sorry the Senator from Idaho feels as he does, but if he wants to have a continuation of the free distribution of seed by Members of Congress, then on the pending motion he should vote "yea."

Mr. BORAH. I want to vote against a continuation of the free distribution of seed.

Mr. NORRIS. Then the Senator should vote "nay."

Mr. BORAH. If I can keep my bearings long enough now until the roll is called, I shall know how to vote.

Mr. McCUMBER. Mr. President, in the real working out of the two provisions, the one incorporated in the bill by the House and the one proposed by the Senator from Nebraska, we will simply have a difference between an appropriation of $75,000 and an appropriation of $239,000, or whatever amount is now fixed. In the event the amendment of the Senator from Nebraska is adopted, what will the Agricultural Department do? It will buy $75,000 worth of seeds. It will then pay some money to the several agricultural and other papers in the United States to advertise the fact that it has the seeds on hand; it will solicit applications for those seeds, and they will all go out. It is a difference whether the matter will be handled by Members of Congress or whether it will be handled by the Agricultural Department. I do not think it makes a great deal of difference, except as to the amount, which proposition is adopted.

Mr. SMITH of South Carolina. Mr. President, I simply want to state that the outstanding contracts affecting the northern and southern mills as well as the entire cotton trade are involved in whether or not this bill reaches the President before the 1st of June. Unless it does, it will create utter confusion and will certainly cause incalculable loss. Contracts are outstanding now, and it is said by some lawyers that on account of the rider being placed last March on the wheat bill the amendment of the cotton-futures act will lapse with the termination of that bill, and there is a provision in this bill making it permanent legislation. It will involve one of the greatest industries in this country if it is not made permanent legislation before the 1st of June. Even if the seed question were more serious than it is, I think the matter is of sufficient importance for us to waive that question in order to get this bill to a point where it may be signed, to obviate that difficulty.

Mr. BORAH. Mr. President, I do not think there is anything in the world so fortunate as the free-seed proposition. It is always saved by some situation such as this.

Mr. SMITH of South Carolina. Mr. President, I would not discuss the merits or demerits of the proposition in the face of the situation that I have outlined. The Senator from Idaho is right in this instance, that if it is to be defeated it seems to me it is fortunate that it is under the shadow of such an impelling necessity, because I assure him that there is not a mill in this country nor elsewhere but that will be affected, nor could a more serious condition confront the cotton trade than to have this thing lapse and not be signed by the 1st of June. It involves every contract.

Mr. SMITH of Georgia. Mr. President, I shall support the motion of the Senator from Mississippi [Mr. HARRISON], because I think it is all right to distribute these seeds. I did not think so when I first came to the Senate, and I helped strike the provision from the Senate bill. I did not think so the next year, but I really believe there has been a change in conditions, as a result of which the use of these seeds is doing good.

In my own instance I have calls for all that are furnished me from schools in which practical experimental agricultural gardens are conducted. I wish I had more to send them. I understand that now even the city Congressmen use their seeds, because in the cities where there is a patch of land gardening has begun in the last two or three years, and they need the seed for distribution.

I think it is all right. For eight years we have gone through the farce of striking out the seed appropriation in the Senate and then yielding to the House. The House Members are closer to the people in their districts than we can be. They have less to serve and know their wishes. I believe the people want these seeds; I believe they are entitled to have them; and I shall support this motion, because I have come to the conclusion that the House is right about the matter.

Mr. NORRIS. Mr. President, I want to say just one word in regard to the argument made by the Senator from South Carolina [Mr. SMITH], and also the Senator from Mississippi [Mr. HARRISON], that there is a provision in this bill that makes it necessary that it become a law before the 1st of June.

The provision to which the Senator refers is one of the amendments of the Senate that makes permanent law something that will expire on the 1st of June. If this bill were not enacted until the 4th or 5th of June, I do not think it would make any material difference; it would make it permanent law just the same. But, Mr. President, the bill can go to the President before the 1st of June if we defeat this motion and make this proposition of a compromise, so that the

House will have an opportunity to vote on it, which they never yet have had. It can probably all be done to-day, so that there is not any real delay involved in it.

I ask for the yeas and nays on the motion.

Mr. KING. Mr. President, just a word.

I hope that the motion of the Senator from Mississippi will be voted down. If, as the Senator said, for seven or eight years we have yielded to the House upon this item, it is about time the Senate adhered to its convictions. Apparently—and I do not speak with any disrespect at all of the other body; of course, that would not be proper under the rule—the other body, upon a number of bills, has expressed itself very forcibly, and the Senate has felt constrained to yield.

I do not approve at all of the view expressed by the Senator from South Carolina [Mr. SMITH]. I think this is a cheap and demagogic way of appealing to the people and a method of advertising by Congressmen and Senators that they want the votes of the people. I think it is a most disgraceful performance that we should appropriate money for this purpose when we know the object of it and know the misuse of the appropriation.

Mr. NORRIS. I call for the yeas and nays.

Mr. WALSH of Montana. Mr. President, may the substitute offered by the Senator from Nebraska be stated?

The VICE PRESIDENT. The Senator from Nebraska has not offered any substitute.

Mr. WALSH of Montana. I understand; but the Senator has signified that he will do so, and, of course, we should like to be advised of what the ultimate proposition is to be.

The VICE PRESIDENT. The Senator can read it, but it is not in order at this time. The Senator from Montana requests the reading of the substitute again.

Mr. NORRIS. Mr. President, of course it was not in order for me to offer it now on this motion. As I said before, if the motion to recede is defeated, then I shall offer this as an instruction to the conferees when I ask that the matter be sent back for further conference.

In the language that I use here I keep the language that is in this particular amendment. Of course, I want it to be understood that I shall offer this, if I get an opportunity, only as a compromise. I would rather have it all go out.

It reads as follows:

For the purchase, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants, $75,000. Said seeds, bulbs, trees, shrubs, vines, cuttings, and plants shall be sent only to such persons as shall make request therefor: *Provided*, That all such requests made of Senators, Representatives, and Delegates in Congress, if transmitted to the Department of Agriculture, shall be complied with by said department.

Mr. SMOOT. Mr. President, of course the Senator means that they shall be complied with within the limit of the appropriation.

Mr. NORRIS. Oh, yes. It will not come anywhere near using up the appropriation, as a matter of fact.

Mr. SMOOT. I will say to the Senator that I think that had better be put in.

The VICE PRESIDENT. The yeas and nays have been called for. Is the request seconded?

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on the motion of the Senator from Mississippi [Mr. HARRISON] that the Senate recede from its amendment No. 93. The Secretary will call the roll.

The Assistant Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Tennessee [Mr. MCKELLAR]. Were I at liberty to vote I should vote "nay."

Mr. FERNALD (when his name called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the senior Senator from Iowa [Mr. CUMMINS] and vote "nay."

Mr. NORRIS (when Mr. GRONNA's name was called). I desire to announce the absence of the Senator from North Dakota [Mr. GRONNA]. If he were present, he would vote "nay."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the senior Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. SMITH of Maryland (when his name was called). I have a pair with the Senator from Vermont [Mr. DILLINGHAM], which I transfer to the Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is absent on account of illness. I transfer that pair to the Senator from Tennessee [Mr. SHIELDS] and vote "yea."

The roll call was concluded.

Mr. CALDER. I have a pair with the junior Senator from Georgia [Mr. HARRIS], which I transfer to the junior Senator from Maryland [Mr. FRANCE] and vote "nay."

Mr. JONES of Washington (after having voted in the negative). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent on business of the Senate. I have agreed to pair with him for the day. I find, however, that I can transfer that pair to the Senator from North Dakota [Mr. GRONNA], and I do so, and allow my vote to stand.

Mr. GERRY. The Senator from Arizona [Mr. ASHURST], the Senator from Ohio [Mr. POMERENE], and the Senator from Arkansas [Mr. ROBINSON] are absent on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Delaware [Mr. BALL] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY].

Mr. CHAMBERLAIN. I have a pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence I transfer my pair to the Senator from Arizona [Mr. ASHURST] and vote "yea."

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. MCLEAN], which I transfer to the Senator from Arkansas [Mr. ROBINSON] and vote "nay."

Mr. DIAL (after having voted in the affirmative). I have a general pair with the Senator from Colorado [Mr. PHIPPS], which I transfer to the Senator from Ohio [Mr. POMERENE] and let my vote stand.

The result was announced—yeas 31, nays 37, as follows:

YEAS—31.

Chamberlain	Henderson	Phelan	Smith, S. C.
Colt	Hitchcock	Pittman	Stanley
Comer	Kendrick	Ransdell	Sutherland
Dial	McCumber	Reed	Trammell
Elkins	McKellar	Simmons	Underwood
Gay	McNary	Smith, Ariz.	Walsh, Mont.
Gerry	Nelson	Smith, Ga.	Williams
Harrison	Overman	Smith, Md.	

NAYS—37.

Beckham	Harding	Myers	Sterling
Borah	Jones, Wash.	New	Thomas
Brandegee	Kellogg	Norris	Townsend
Calder	Kenyon	Nugent	Wadsworth
Capper	Keyes	Page	Walsh, Mass.
Curtis	King	Poindexter	Watson
Fernald	Lenroot	Sheppard	Wolcott
Frelinghuysen	Lodge	Sherman	
Glass	McCormick	Smoot	
Hale	Moses	Spencer	

NOT VOTING—28.

Ashurst	Fletcher	Jones, N. Mex.	Penrose
Ball	France	Kirby	Phipps
Culberson	Gore	Knox	Pomerene
Cummins	Gronna	La Follette	Robinson
Dillingham	Harris	McLean	Shields
Edge	Johnson, Calif.	Newberry	Swanson
Fall	Johnson, S. Dak.	Owen	Warren

So the Senate refused to recede from its amendment numbered 93.

Mr. NORRIS. Mr. President, I move that the Senate further insist upon its amendment numbered 93, ask for a further conference with the House, and that the conferees on the part of the Senate be instructed in accordance with the language which I sent to the Clerk's desk.

Mr. HARRISON. Will it have to be read again?

The VICE PRESIDENT. It has been read twice to the Senate.

Mr. HARRISON. I am going to make a point of order on that proposition on the ground that it is new matter, that it was not considered by the conferees when the matter was in conference, and that the Senate can not take any action like that.

The VICE PRESIDENT. Like what? Like amending an amendment or instructing the conferees—which?

Mr. HARRISON. A motion was made to instruct the conferees to substitute this provision, I understand. That proposition is not in conference at all and has not been considered by the conferees. If the conferees on their own motion should want to consider it and report it back to the House and the Senate, they could do it; but it is not for the Senate to take the initiative.

The VICE PRESIDENT. The Chair thinks the Senate can amend its amendment if it chooses to do so, but the present occupant of the chair has never believed that you can instruct conferees. That is equivalent to saying to the House conferees, "You have got to take the amendment." It does not leave it open to a full and free conference if you tell the conferees that they have got to take it.

Mr. NORRIS. Mr. President, before the Chair rules that it is not within the power of the Senate to instruct its conferees I wish to state that I admit it is something which I have never seen done in the Senate, but I think in general parliamentary law it is conceded to be a proper motion. The reason why it has never been done in the Senate, as I understand it, is because the conferees never wanted to have it done; but this motion is presented by the conferees. It is a very common procedure in the House of Representatives. It was done just the other day on this particular bill in regard to the so-called Comer amendment. The conferees were instructed.

The VICE PRESIDENT. It is the opinion of the Chair that whenever that is done the Senate conferees ought to withdraw immediately from the conference.

Mr. NORRIS. What is the statement of the Chair?

The VICE PRESIDENT. The Senate conferees should immediately withdraw from a conference whenever the House of Representatives undertakes to tell the Senate that it has to accept an amendment.

Mr. NORRIS. I do not construe this motion as meaning that the Senate has to do it, and it does not mean that the House has to do it. It is a proposition. The Senate instructs its conferees to make this proposition to the House conferees. It has the added force of coming from the Senate rather than from the Senate conferees, and the House conferees do not have to agree to it.

Mr. SMITH of Georgia. May I ask the Senator a question?

Mr. NORRIS. Certainly.

Mr. SMITH of Georgia. Suppose the conferees agree, without any instructions from the Senate, on this proposed amendment, offered by the Senator, would it not be subject to a point of order, when it was brought into the Senate, as new matter?

Mr. NORRIS. No, Mr. President. If the Senator will look at the amendment and the language suggested to be inserted in lieu of it, he will have to concede that it is not subject to a point of order. It is exactly the same subject, and uses the same language, as far as it goes.

Mr. SMITH of Georgia. It would be on the same subject, but modified, and then it is not subject to a point of order.

Mr. NORRIS. There is no doubt about that.

The VICE PRESIDENT. The Chair is going to rule, and then an appeal can be taken and the matter settled.

The Chair holds that it will be in order for the Senate, if it chooses, to adopt the amendment as presented by the Senator from Nebraska [Mr. NORRIS].

The Chair holds, secondly, that it is not in order to instruct the conferees to insist upon this amendment; that that is in violation of the principle of the rule with reference to a full and free conference between the two Houses. An appeal from either or both rulings can be taken.

Mr. UNDERWOOD. I ask that the Secretary may read the proposal of the Senator from Nebraska.

The VICE PRESIDENT. The Secretary will state the motion of the Senator from Nebraska.

The ASSISTANT SECRETARY. In lieu of the Senate amendment insert the following:

> For the purchase, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants, $75,000. Said seeds, bulbs, trees, shrubs, vines, cuttings, and plants shall be sent only to such persons as shall make request therefor: *Provided*, That all such requests made of Senators, Representatives, and Delegates in Congress, if transmitted to the Department of Agriculture, shall be complied with by said department.

Mr. NORRIS. I will modify the caption. It ought to read, "in lieu of the language stricken out by the Senate amendment."

The VICE PRESIDENT. It will be so modified.

Mr. HARRISON. A parliamentary inquiry, Mr. President. This is a conference report we are considering now; we are not considering it originally as a bill in the Senate. Of course, the Senate could instruct the conferees, as proposed by the Senator from Nebraska, on something which the House had done to which the Senate had not agreed; the House could instruct on the Comer amendment, because the Senate had agreed to the Comer amendment. But this is a conference report. If the Senate should adopt the substitute, what would be in conference? Would the original proposition be in conference or would this substitute be in conference?

The VICE PRESIDENT. The substitute.

Mr. HARRISON. Something which the House conferees have never considered, which has not been before the House in its original form, or before the Senate?

The VICE PRESIDENT. Both the original and this substitute. An appeal can be taken. The Chair does not care anything about it, and the Chair does not know that he is right.

Mr. HARRISON. I understand; but I never appeal from a decision of the Chair, because I have profound respect for his judgment.

The VICE PRESIDENT. The Chair does not know that he is right, but it seems to the Chair that the Senate has a perfect right now to send back the only remaining item in conference and to send back to the conferees the question whether the original Senate amendment shall stand or whether this amendment shall stand. The House conferees have an option to take or reject either one.

Mr. NORRIS. Mr. President, I am not so particular about it. The only thing I wanted to do was to get the judgment of the Senate on whether this would be a fair compromise in the opinion of the Senate, in order that the House conferees, as it came from the Senate instead of the conferees, might feel willing to take the matter back to the House for the House's judgment, if they will not agree to it in a report. I am not so particular whether we are instructed or not. As a member of the conference, if I am on the conference, I will submit it, or something of the same tenor, as a compromise only, because we shall have to compromise on something.

Mr. REED. Mr. President, I am interested in the form in which this is presented. I have not the slightest doubt but that the Senator from Nebraska has a right to take the sense of the Senate in regard to the course he desires to have the conference pursue. But I understand that this is in effect an amendment to the bill. The paper before me does not seem to me to be very clear. I have the matter offered, which reads:

> In lieu of the matter proposed to be stricken out insert the following.

In that form, it seems to me, we are practically undertaking to amend a bill which is no longer before the Senate, upon which the Senate took its final vote. If that can be done, then, of course, the whole course of our procedure here, as we have understood it in the past, would be changed.

Mr. NORRIS. Mr. President, will the Senator yield there?

Mr. REED. I will.

Mr. NORRIS. I may be wrong, of course, but I did not offer it as a matter of instructing the conferees with the idea that I was thereby amending the bill. I think that it only has the effect of expressing to the House through the conferees that the Senate would be willing to accept it. It does not mean that they have to agree on this or nothing, as I understand it.

Mr. REED. If it is put in the form that the Senate directs the conferees to endeavor to have this language inserted, I think it is parliamentary and can be done, but if it is a proposal to amend the text of the bill I do not think it can be done, and I think it would be a very hazardous precedent to establish.

Mr. NORRIS. If the Senator will permit me, I should like to propound a parliamentary inquiry to the Chair.

In the judgment of the Chair, would the language suggested by the Senator from Missouri be a proper parliamentary procedure? If so, I am perfectly willing to make my motion in that form. That is as far as I want to go.

The VICE PRESIDENT. The Chair has already ruled.

Mr. REED. There was some confusion, and I did not hear the ruling.

The VICE PRESIDENT. The Chair thinks it would be proper, if the Senator wishes to adopt it, to say that the conferees be not instructed, but requested to agree upon a compromise with the House conferees upon the proposed basis. That can be done, but the Chair does not think the Senate can instruct the conferees.

Mr. NORRIS. I withdraw the motion as originally stated and make it in the form the Chair has suggested, that the conferees on the part of the Senate be requested to submit the following language in lieu of the language stricken out by amendment numbered 93.

Mr. REED. I think that is parliamentary.

The VICE PRESIDENT. As a compromise of the disagreement between the two Houses?

Mr. NORRIS. Yes.

The VICE PRESIDENT. The Chair thinks that can be done.

Mr. REED. With the question stated in that form, I beg the indulgence of the Senate for just about five minutes.

This is an old fight, and has its origin in the theory that the distribution of seeds is a sort of congressional graft, and that the seeds are distributed for the furtherance of the campaigns of Congressmen. It is like a great many other claims that are put forward, and no one sees fit to deny them or explain the facts until the charge becomes accepted as a fact.

I have not the slightest doubt in the world that there is not an item in all the appropriations made by Congress that so directly and immediately benefits all the people of the United States as the item in the appropriation bill which provides for

the distribution of seeds. Of course, no one can follow the benefits and point out exactly where the benefits have occurred, or count up in the aggregate the value to the country; but the fact is that if the Department of Agriculture does its business right, and no one has charged to the contrary, it provides a superior quality of seed that, of course, will produce a superior product.

These seeds are called for by the people of the United States. Speaking for myself, I can not supply, out of the quota of seeds assigned to me as a Senator, one-tenth of the demands or requests that are made for seeds from my State. These requests come from the country, to use a common expression, from "the forks of the creek," from the little neighborhoods, and frequently their receipt is followed by letters of thanks.

I do not care whether the seeds are sent out through Congressmen or not. I would be quite willing to be relieved of the responsibility and that labor, but the man who thinks that seeds sent out to the country and planted and reproduced do not pay for themselves many times over is a very peculiar sort of individual. Here is a community that has just an ordinary kind of tomato. Some one sends in and gets from the Government a superior variety, and one of the good old ladies in the community raises them in her garden. All the other women folks get that seed the next year. The result is that the little package of seed that is sent out from Washington to Mrs. Jones or Mrs. Smith may be the cause of the introduction into an entire county of a superior variety of that product.

This has gone on for years. I have no doubt in the world that the seeds sent out from Washington have produced in products one hundred thousand times the value of the entire cost.

This is some more Republican cheeseparing, picayunish parsimony for political purposes. You vote $600,000,000 a year for an Army without batting an eye. You vote old-age pensions that, before you are through with them, will run to a billion dollars a year in this country, and do not shed a tear. You expend a million dollars a day to keep soldiers in Europe who ought to have been back here 12 months ago, and it does not disturb the peaceful serenity of your dreams. You carry on these plans of enormous expenditure and insist upon an Army of 300,000 men in a time of profound peace, with no enemy at our gates, and no possible enemy to attack us. But when it comes to sending some garden seeds out to the people of the United States you suddenly become very economical. You can tear down a river and harbor appropriation so that the improvements already in will be swept away in two or three years, and then you can vote ten times the sum for something that brings no return, and congratulate yourselves upon your wonderful financial ability.

I hope that this compromise and back-down proposition will be defeated. I hope the House of Representatives will stand just where it stands now, insisting on the provision as it passed the House. There is no use talking much more about it. There are some Senators here who think that this Government is going to be saved by cutting off a few pennies here and a few pennies there, who sit here, and will sit here, having voted and intending to vote in the future for expenditures that are inexcusable. The idea of an Army of 300,000 men in the United States in time of profound peace!

While we are talking about depriving the farmers and owners of little gardens in little villages of seeds, we are talking about going over to Armenia and taking charge of the battle grounds of Europe and Asia.

Mr. McCORMICK. May I interrupt the Senator to say that not many of us here are talking about going over to Armenia.

Mr. REED. I understand that the Senator is not.

Mr. McCORMICK. No; nor many anywhere in the Chamber.

Mr. REED. It may be not, and so much the better; but while that subject is being forced on the attention of the American people and a sentiment sought to be created in favor of it, a proposition that will cost the country, if it is carried, the maintenance of an army of not less than 1,000,000 men in Armenia, we are haggling here about some seeds which sown in good ground will produce one hundredfold.

I said an army of a million men, and I mean it, for whoever undertakes to take charge of the new Armenia and hold it must be prepared to hold it against the entire Turkish hordes, against the hordes of Arabia, and ultimately to defend it against the vast forces of Russia. Some Senators on both sides of the Chamber who may not be for the Armenian proposition, who balk at taking charge of a small section of the world, have been standing here for 18 months insisting that we shall go into a general scheme for the control of the entire world, with all its vast expense in blood and in treasure. Some of those same gentlemen will vote to take the garden seed away from the people in their communities.

I have talked longer than I intended and have gone into other subjects.

The VICE PRESIDENT. The question is on the motion of the Senator from Nebraska [Mr. NORRIS].

Mr. REED. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). Making the same announcement as to my pair and its transfer as before, I vote "yea."

Mr. OVERMAN (when his name was called). Making the same announcement of the transfer of my pair as on the last roll call, I vote "nay."

The roll call was concluded.

Mr. JONES of Washington (after having voted in the affirmative). Making the same announcement regarding my pair and its transfer to the Senator from North Dakota [Mr. GRONNA] as on the last roll call, I will let my vote stand.

Mr. EDGE. I inquire if the Senator from Oklahoma [Mr. OWEN] has voted?

The VICE PRESIDENT. He has not.

Mr. EDGE. I transfer my pair with that Senator to the Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. MYERS. I inquire if the Senator from Connecticut [Mr. McLEAN] has voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut, which I transfer to the Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. As he is absent, I withhold my vote.

Mr. WILLIAMS. I transfer my pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Delaware [Mr. BALL] with the Senator from Florida [Mr. FLETCHER];

The Senator from New York [Mr. CALDER] with the Senator from Georgia [Mr. HARRIS];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH]; and

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY].

The result was announced—yeas 39, nays 24, as follows:

YEAS—39.

Beckham	Hale	McCormick	Sheppard
Borah	Harding	Moses	Smoot
Brandegee	Henderson	Myers	Spencer
Capper	Jones, Wash.	New	Sterling
Comer	Kendrick	Norris	Townsend
Curtis	Kenyon	Nugent	Wadsworth
Edge	Keyes	Page	Walsh, Mont.
Elkins	King	Phelan	Warren
Fernald	Lenroot	Phipps	Watson
Frelinghuysen	Lodge	Pomerene	

NAYS—24.

Ashurst	Harrison	Poindexter	Smith, S. C.
Colt	McCumber	Ransdell	Sutherland
Dial	McKellar	Reed	Trammell
Gay	McNary	Simmons	Underwood
Gerry	Overman	Smith, Ariz.	Walsh, Mass.
Glass	Pittman	Smith, Ga.	Williams

NOT VOTING—33.

Ball	Gore	Knox	Shields
Calder	Gronna	La Follette	Smith, Md.
Chamberlain	Harris	McLean	Stanley
Culberson	Hitchcock	Nelson	Swanson
Cummins	Johnson, Calif.	Newberry	Thomas
Dillingham	Johnson, S. Dak.	Owen	Wolcott
Fall	Jones, N. Mex.	Penrose	
Fletcher	Kellogg	Robinson	
France	Kirby	Sherman	

So Mr. NORRIS's motion was agreed to, and it was entered in the Journal, as follows:

Mr. NORRIS moves that the Senate request a further conference with the House of Representatives on the disagreeing votes of the two Houses on Senate amendment numbered 93, and that the conferees on the part of the Senate be appointed by the Chair, and that they be requested, if possible, to compromise the disagreement upon the said amendment upon substantially the following bases:

In lieu of the matter proposed to be stricken out insert:

"For the purchase, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants, $75,000. Said seeds, bulbs, trees, shrubs, vines, cuttings, and plants shall be sent only to such persons as shall make request therefor: *Provided*, That all such requests made of Senators, Representatives, and Delegates in Congress, if transmitted to the Department of Agriculture, shall be complied with by said department."

The VICE PRESIDENT appointed Mr. GRONNA, Mr. NORRIS, and Mr. GORE conferees on the part of the Senate at the further conference.

NATIONAL BUDGET SYSTEM—CONFERENCE REPORT.

Mr. JONES of Washington. I ask that the unfinished business be laid before the Senate.

Mr. McCORMICK. May I presume on the good nature of the Senator from Washington to permit me now to atempt to secure consideration for the unanimous report of the committee of conference on the bill (H. R. 9783) to provide a national budget system and an independent audit of Government accounts, and for other purposes?

Mr. JONES of Washington. If the Senator from Illinois can have the report disposed of without discussion, I will ask that the unfinished business be temporarily laid aside.

The VICE PRESIDENT. Without objection, it is so ordered. The Chair lays before the Senate the conference report on House bill 9783, called up by the Senator from Illinois, which will be read.

The Assistant Secretary proceeded to read the report.

[For report see Senate proceedings of May 26, pp. 7660–7663.]

During the reading of the conference report,

Mr. KING. Mr. President, if the Senator from Illinois will make a brief explanation of the points in disagreement and of the changes which have been made in the Senate bill, it seems to me that would answer the purpose. I therefore ask unanimous consent that the further reading of the conference report be dispensed with, and that the Senator from Illinois make a brief explanation of the points of difference and of the action of the conferees.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. McCORMICK. Mr. President, it would be inexact as it would be ungenerous to our colleagues on the conference committee to say that, although the report embodies some changes in the form of the bill as it passed the Senate, it represents substantially no modification of the substance of that bill. The text of the report, as the Senator will learn, if he will turn to page 3, section 207, provides for the creation of a bureau of the budget; that the Secretary of the Treasury shall be the director thereof, and that there shall be an assistant director appointed by the President. The Senate bill provided that there should be in the Treasury a bureau of the budget and the commissioner thereof appointed by the President.

The bill reported by the conferees includes, in section 205, the provision that for the service of the fiscal year ending June 30, 1923, and for the service of that year only, there shall be presented an alternative budget, incorporating therefor an important provision of the House bill which was not included in the Senate bill.

Those are the sole radical departures from the substance of the Senate bill.

Under Title III, creating the general accounting office, the report of the conferees includes all of the substantive provisions of the Senate bill, but does not create by statute——

Mr. SIMMONS. Mr. President, before the Senator leaves the second change to which he has just referred, I think it would be very well for him to explain what he means by the alternative.

Mr. McCORMICK. Mr. President, it was felt by the conferees for the House that possibly some good might accrue from the presentation of a budget classified in detail according to the kind of service purposed to be supported by appropriations rather than classified according to departments and establishments of government.

I may illustrate by pointing out that to-day there are a number of map-making services scattered through the several departments and that there are a number of health services distributed through the several departments. If I understand the purpose of the conferees of the House, they intend to vest in the President the power to present for the fiscal year 1923, and for this year only, the budget in two forms, the first following in general terms the present Book of Estimates and classified by departments and divisions, the second or alternative budget presenting the estimates aggregated and correlated as to the kind of service. Thus, for example, the estimates for these several map-making services or health services would be presented under the general head of maps or of health rather than classified by departments and establishments of the Government, as under the Book of Estimates with which Senators are familiar.

If I have answered the query of the Senator from North Carolina as it touched the alternative budget, I shall proceed to a very brief consideration of the general accounting office.

The Senate bill provided that there should be three assistants to the comptroller general, each charged with specific responsibilities, to be carried out under the direction of the comptroller general and with his approval—an assistant comptroller, discharging the duties of the present auditors; a second, who would be an expert accountant; and a third, who would be the general bookkeeper of the Government. The conferees of the House held that it would be a mistake rigidly to confer upon three statutory subordinates of the comptroller general the responsibilities fixed by the Senate bill, for reasons of general administration, but especially because the responsibilities of the comptroller general were to be new, and that to departmentize too rigidly now would hamper in the organization of his department. They held that especially it would inhibit an effort to rid the department of about 20 per cent of the employees now engaged in the work for which the comptroller general would be responsible. The conferees of the Senate were brought to agree with the conferees of the House by their argument. The conferees of the House, on the other hand, accepted the general additional powers of the comptroller's office, upon which the committee of the Senate had insisted from the beginning. Finally, that provision of the Senate bill of the value of which the members of the Senate committee were the least certain, the provision creating the board of appeals, we struck out. There was none of the members of the Senate Committee on the Budget who was clearly convinced of the wisdom of this provision; and in the face of the insistence of the House conferees, and conscious of our own want of confidence in our provision, we yielded.

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Illinois yield to the Senator from Utah?

Mr. McCORMICK. Certainly.

Mr. KING. May I inquire of the Senator if there is any reviewing board or any appellate power that takes the place of the provision that was stricken out?

Mr. McCORMICK. The comptroller, for certain purposes, may vest specified responsibilities in his subordinates in order that they may make settlements. Provision is made that settlements so determined by his subordinates may be appealed to the comptroller himself.

Mr. President, like all agreements upon measures of this general character, like the agreement between the House and Senate on the railroad bill, there has been concession on the part of the conferees for the Senate and on the part of the conferees for the House. As I suggested at the beginning of my remarks, in my judgment, in substance, the conferees for the House yielded the greater part.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois further yield to the Senator from Utah?

Mr. McCORMICK. I do.

Mr. KING. Does the Senator think, now, that with the arrangement made the bill is entirely congruous?

Mr. McCORMICK. It is that. It is devoid of any incongruity.

Mr. KING. It articulates in such a way as that there will be proper functioning of the various departments and agencies created?

Mr. McCORMICK. It does. It was the long labor necessary to contrive articulation which delayed our report.

I have only trespassed upon the generosity of the Senator from Washington [Mr. JONES] because the members of the House Budget Committee have urged, and insistently urged, first, that we act to-day in order that they might act, and, secondly, in order that under the new law the President of the United States may make the necessary appointments before the Senate goes into recess. The very important appointments of the comptroller general and the assistant comptroller general must be submitted to the Senate for confirmation before the new law takes effect on July 1. I hope that the Senate may adopt this report to-day.

Mr. SIMMONS. Mr. President, I merely want to say one or two words.

It is very well known that the Senate committee charged with the duty of framing legislation for the purpose of establishing a budget gave most mature consideration to the House bill, and as a result that committee, of which I was a member, materially changed the House plan. Of course, it was expected when the matter went to conference that there would be stubborn contention on the part of the conferees representing both bodies for their views. The conference report does not, in my judgment, materially change the measure as it passed the Senate, and practically all of the changes that are made are with reference to matters about which there was controversy in the Senate committee framing the bill.

There were two courses of procedure with reference to the establishment of the budget system. Both of those methods met approval on the part of certain members of the Senate committee. We finally selected the one which was different from that proposed by the House. Now, the conferees have compromised these matters of difference, retaining a part of the Senate plan, and the Senate has yielded to a part of the House plan.

In my judgment the result of the conference has not materially weakened the bill as framed by the Senate committee. It has merely changed the form of the procedure and shifted slightly the responsibility of final action; but, in my judgment, the general result has been not to weaken the system which it is sought to establish.

This matter of a budget system is one that has been very much discussed in the country. As I took occasion to say once before, both parties have thoroughly committed themselves to a budget system. I do not believe it is possible for the two branches of Congress to have worked out and finally come to an agreement upon a system that will more effectually accomplish the purpose which the Congress has in mind and which the country has in mind in the establishment of a budget than this conference report, and I trust that we may have practically a unanimous vote in support of the conference report.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SIMMONS. I do.

Mr. KING. During the consideration of the bill in the Senate an amendment was offered which created an organization or agency that might go into the departments and make an examination with a view to securing efficiency. The amendment was offered by my colleague, the senior Senator from Utah [Mr. SMOOT]. I understand that that provision has been materially modified. Does the Senator state that the bill as now presented contains any of the terms of that provision?

Mr. SIMMONS. I understand that the conference report gives authority which will be amply sufficient to accomplish that purpose.

Mr. McCORMICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Illinois?

Mr. SIMMONS. I yield.

Mr. McCORMICK. If the Senator from Utah will turn to the provisions touching the relation between the budget bureau on the one hand and the comptroller's office on the other with Congress, he will find that both are in large measure either responsible to Congress or required to afford Congress such information as it seeks.

Mr. SIMMONS. He will find also that the accounting department has the right to make investigations to enlighten itself with reference to expenditures, and that for that purpose they may call for the books of every bureau, department, or establishment of the Government.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the senior Senator from Utah?

Mr. SIMMONS. I yield.

Mr. SMOOT. I was simply going to add to what the Senator said that it also provides that Congress shall have the right and power to request this bureau to make an examination and report the facts to Congress on any item found in the budget. I recognize the fact that it is not exactly in conformity with the amendment which was offered by me and agreed to by the Senate, but perhaps it will work out as nearly through the agency created in the budget bill, as now reported, as it could possibly be without the adoption of the plan originally offered by me. I would prefer, of course, to have had the other provision, but I am quite confident that the compromise will work out along the lines which some of us had in mind, namely, that Congress would have some agency at their command to make a thorough investigation on any estimate calling for money from the Treasury of the United States and report their findings direct to Congress and not through some other source.

Mr. SIMMONS. Mr. President, I entirely concur in the statement made by the Senator from Utah [Mr. SMOOT]. I think the bill provides ample authority to enable Congress to secure such information as it may need. I think it also confers upon the accounting bureau ample authority to make investigations in the departments, that all the facts will be available to them, and that they will have full authority to examine the books and obtain the information in order to advise Congress.

The PRESIDING OFFICER. The question is upon the adoption of the conference report.

The report was agreed to.

TUNGSTEN ORES.

Mr. JONES of Washington. Mr. President——

Mr. PHIPPS. Will the Senator yield to me for a moment or two only to make a statement?

Mr. JONES of Washington. I yield.

Mr. PHIPPS. Mr. President, I am very much interested in securing consideration for the bill (H. R. 4437) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States. During the past week I have been absent on account of illness, and I realize that as the time of the Senate has been taken up with other measures, that bill has not been reached. I wondered if it would be possible to agree upon a time when consideration of that measure might be had, and whether it might be agreeable to take it up during the morning hour of Saturday next. In order to test the question, I ask unanimous consent that it be taken up in the morning hour on Saturday next.

Mr. THOMAS. Mr. President, I object.

The PRESIDING OFFICER. There is objection.

HAWAIIAN HOMES COMMISSION.

Mr. NEW. I move that the Committee on Pacific Islands, Porto Rico, and the Virgin Islands be discharged from the further consideration of the bill (H. R. 13500) to amend an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended, to establish a Hawaiian homes commission, and for other purposes, and that it be referred to the Senate Committee on Territories. The reason for the motion is simply that House bill 13500 is the same as the Senate bill on the same subject. The bills are identical. They were introduced concurrently in the two Houses. The one in the Senate was referred to the Committee on Territories, which has had hearings on the bill and is about ready to submit a report. The House bill when it came over to the Senate was referred to the Committee on the Pacific Islands, Porto Rico, and the Virgin Islands. I talked with the Senator from New Mexico [Mr. FALL], chairman of that committee, about this change of reference, and he thoroughly understands it. The purpose is simply to avoid complications.

The PRESIDING OFFICER. Without objection, the change of reference will be made.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13870) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes; requests a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GOOD, Mr. VARE, and Mr. BYRNS of Tennessee managers at the conference on the part of the House.

The message also announced that the Speaker of the House had signed the following enrolled bills:

S. 4163. An act to incorporate the Roosevelt Memorial Association; and

H. R. 4438. An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment.

SUNDRY CIVIL APPROPRIATIONS.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 13870) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. WARREN, Mr. SMOOT, and Mr. OVERMAN conferees on the part of the Senate.

WATER-POWER DEVELOPMENT—CONFERENCE REPORT.

Mr. JONES of Washington. Mr. President, I call up the unfinished business and ask for the adoption of the conference report on the water-power bill.

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3184) to create a Federal power commission and to define its powers and duties, to provide for the improvement of navigation, for the development of water power, for the use of lands of the United States in relation thereto, to repeal section 18 of "An act mak-

ing appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved August 8, 1917, and for other purposes.

Mr. LENROOT. Mr. President, I very greatly regret that I can not support this conference report, because I realize that it does contain very many excellent features in the public interest. On the other hand, it does contain some features which, in my judgment, are so inimical to the public interest that I can not support it.

I appreciate, Mr. President, that this conference report will in all probability be adopted, but because of the position which I have always taken with reference to this legislation, and the dangers which, it seems to me, lurk in the provisions to which I shall refer in a moment, I wish to make a statement with reference to it before the vote is taken.

I realize, Mr. President, the very great necessity of the development of our water power, the great saving of coal and the effect on transportation which will result from the development of our water power, and I believe that inducements necessary to secure development should be offered to private capital. The difference between the committee and some of us is simply as to what inducements are necessary to secure that development. The committee evidently believes that it is necessary to go very much further in inducements than I believe is necessary to secure that development.

But aside from that, Mr. President, there is one section in the conference report—section 12, found on page 28—which, in my judgment, goes beyond the power of Congress to enact, and I believe that if this report is adopted and this becomes a law the court will hold that at least that section is unconstitutional, and it may hold that because of the unconstitutionality of that section the entire act is rendered invalid.

Mr. President, our jurisdiction with reference to this water-power legislation upon navigable streams depends wholly upon our jurisdiction over navigable waters, and we have no right to legislate with reference to any navigable stream except for the purpose of improving the navigation thereof. All water-power legislation is based upon the theory that the erection of a dam and the conservation of the waters will improve navigation, and if in improving navigation water power is also created in the carrying out of that purpose the Federal Government has the right to deal with that power thus created. But if it be granted in any particular case that the construction of a dam across a navigable river, instead of improving navigation, destroys navigation, it is utterly beyond the power of the Congress to enact any such legislation.

Section 12 as passed by the House provided:

SEC. 12. That whenever application is filed for a project hereunder involving navigable waters of the United States, and the commission shall find upon investigation that the needs of navigation require the construction of a lock or locks or other navigation structures, and that such structures can not, consistent with a reasonable investment cost to the applicant, be provided in the manner specified in section 11, subsection (a) hereof, the commission may, before taking action upon such application, cause a report upon such project to be prepared, with estimates of cost of the power of development and of the navigation structures, and shall submit such report to Congress with such recommendations as it deems appropriate concerning the participation of the United States in the cost of construction of such navigation structures.

So that Congress may, if it deems best, itself provide the navigation structures.

This was permissive as passed by the House, and the Senate adopted an amendment providing that in such case, where the needs of navigation, according to the finding of the commission, required a lock or locks or other navigation structures before granting any applications for a license the matter should be reported to Congress, so that navigation could not be obstructed upon any navigable stream, and that before or in connection with the construction of the dam provision should be made for the necessary lock or locks, in order not to interfere with navigation. Those were the differences between the Houses, the House making it permissive, the Senate making it mandatory.

But now what do we find the conferees have done? The conferees have stricken out both of those provisions and have inserted a new one, reading that the commission "may grant the application, with the provision to be expressed in the license that the licensee will install the necessary navigation structures if the Government fails to make provision therefor within a time to be fixed in the license."

Under the agreements reached by the conferees this commission has the right to obstruct and destroy navigation upon any and every navigable stream in the United States. There is not any question about it; there can not be any question about it. They have the right to grant an application to put a dam across the Mississippi River, so that no boats can float upon that river until such time as Congress, in its wisdom, within the time fixed by the commission, may provide locks, or a private party or a licensee after the expiration of that time may provide them.

But for a period of time fixed in the license the Congress of the United States proposes to give to this subordinate body the power to destroy its navigation in any stream of the United States. That, I say, is beyond the power of the Congress to do. When a body created by Congress, carrying out the directions of Congress, make a finding that the needs of navigation require the construction of a lock or locks in case a dam is built, I say that Congress has no power, either itself or by delegation of power, to authorize the absolute obstruction of that stream without a lock or locks.

I do not believe there is a lawyer in the Senate who upon reflection will disagree with that proposition. It is no answer, as the answer may be made, that the commission would not undertake to exercise any such power, but why put it in? We have a dam across the Mississippi River now at Keokuk. The licensee was required to construct locks in connection with that dam so as not to interfere with navigation, and the theory was that the construction of the dam would in fact improve navigation. But here is authority to absolutely obstruct navigation. Not only is there no possibility in a given case, so far as power is concerned, of improving navigation, but power is delegated to destroy navigation, something utterly and completely beyond the power of Congress.

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. WATSON in the chair). Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LENROOT. I yield.

Mr. KING. As I understand the Senator, and I inquire for information, his position is that this provision of the bill in the reported agreement of the conferees permits the Federal Government to engage in the power business by obstructing navigation; in other words, it subordinates its power to control navigation in the interest of commerce, to the establishment of power instrumentalities upon the streams of the country?

Mr. LENROOT. That is true. I think it will be conceded by everyone that the Congress has no power to obstruct and destroy navigation upon the navigable streams for the purpose of creating power.

Mr. KING. It seems to me that is so obvious that the mere statement of it carries with it the conviction of its soundness. The Federal Government may not interfere with navigable streams except for the purpose of protecting the streams for navigable purpose or uses. It has no power and it has no right, as I understand the law, to go upon a stream and regard it primarily for power purposes, and it may exercise no authority whatever over the streams except to say that they shall not be interfered with for navigable uses.

Mr. LENROOT. The Senator is correct. The law very clearly is that the only power of Congress over a navigable stream is for the control and improvement of its navigation. It may be in a given case, where the Congress authorizes the erection of a dam across a navigable stream, that opinions will differ as to whether that dam did improve or injure navigation. The courts would not inquire into that, holding that that was a matter for Congress to determine. But here is a case where it is expressly provided in the law that a body created by Congress, if they shall find that navigation will be injured by the construction of the dam, nevertheless may destroy navigation and absolutely obstruct the stream.

Mr. KING. Will the Senator yield to me again?

Mr. LENROOT. Certainly.

Mr. KING. Does not the Senator think that he stated the proposition a little too broadly with respect to the action which the courts might take? It seems to me, of course, that it is a legislative question to determine whether or not a structure constructed in a stream injures navigation, and yet at the same time cases will suggest themselves to the minds of Senators and can easily be conceived of where there could be no possible question but that the structure created did destroy navigation, so that it would cease to be a legislative determination and become a question for the courts to pass on.

Mr. LENROOT. I agree; and a very plain illustration would be this: Supposing the Congress enacted a law authorizing the erection of a dam across the Mississippi River without any provision for locks. That very clearly would be beyond the power of Congress. But Congress might pass a law authorizing the erection of a dam across the Mississippi River with locks, and even with those locks it might be a question of fact whether navigation was improved or injured by the erection of the dam.

In such case the courts would not inquire into that question of fact, but would take the conclusion of Congress as being final. But in the case I just mentioned I do not believe the chairman of the committee would undertake to say that we have the right to authorize the absolute obstruction of the Mississippi River without providing navigation facilities; and yet that is exactly what this does, after a finding by the commission that those facilities are necessary in the interest of navigation.

I think it is very unfortunate. It would be very much better to have left the House provision as it was, which was permissive. The Senate provision was even very much better. I really can not understand what may have been in the minds of the conferees, not only upon the merits of the case, but to so greatly endanger the constitutionality of this measure. So much for that proposition.

The next proposition to which I refer is a provision with reference to the charges that may be imposed as a consideration for the granting of a license. The House bill provided that the commission should have the right to exact a charge for the privilege granted. The Senate provision modified that, in effect, limiting the charges, except upon public lands, to reasonable charges to pay the cost of the administration of the act. The conference agreement provides for a charge for the purpose of reimbursing the United States for the cost of the administration of the act, for recompensing it for the use and occupancy of the enjoyment of any public land, and then goes on and provides:

And for the expropriation to the Government of excessive profits until the respective States shall make provision for preventing excessive profits or for the expropriation thereof to themselves, or until the period of amortization as herein provided is reached, and in fixing such charges the commission shall seek to avoid increasing the price to the consumers of power by such charges, and charges for the expropriation of excessive profits may be adjusted from time to time by the commission as conditions may require:

Mr. President, I have never contended that the United States ought to exact any charge for the privilege granted other than to reimburse itself for the cost of administration in any case where the public will get the benefit of the privilege. I have only contended, and have contended for years, that the commission should have the authority to exact a charge only where the public does not and will not get the benefit of the privilege and the privilege granted enables the licensee to make exorbitant profits for itself.

I am not going to take the time to-day, for I have argued it many times before, to discuss the classifications where the public would not get the benefit of the privilege and where the only recompense the public can secure is through the exaction of a charge.

One of the most familiar illustrations is that where the power created is not distributed to the public, but is a power created for a manufacturing establishment either owned directly or indirectly by the same financial interests that erect a dam. The regulation of charges in that kind of a case by State commissions does not amount to a snap of one's finger. It is taking money out of one pocket and putting it into another pocket, and that is all that it amounts to.

With the language that is agreed upon, while there is a great deal of language there looking to the protection of the public against excessive profits, in actual practice it will be of no value because the provision is directed against the licensee and against the licensee alone, and wherever the licensee distributes the power created to the general public there is no occasion for any charge. The State commission can regulate it in that kind of a case.

But take a great water power for the production of nitrate, where it requires 100,000 horsepower, where the creation of the horsepower is for the purpose of that manufacture, as to which there is a monopoly in the United States to-day, the only nitrates coming in competition being the nitrates that may be imported from Chile. In that kind of a case what would any licensee do? The licensee in its corporate capacity would not own the manufacturing plant. The licensee would erect the dam, the licensee would make a rate and charge to its subsidiary corporation for the power created, and the subsidiary corporation might make 100 per cent a year upon the money actually invested in it, and it is absolutely without the terms of the bill.

On the other hand, if the commission were given discretion to take all of these things into consideration, it could inquire and would inquire whether such a subsidiary corporation was in fact owned by the same interests that owned the stock of the licensee, and if they found that there was such condition they would impose and could impose and should impose a charge upon the licensee. It will not be done and it can not be done under the provisions as agreed upon in conference.

The next and last provision to which I desire to call attention is the one which was discussed so much when the bill was before the Senate previously, relating to what I then claimed amounted to a perpetual license to licensees under the bill. I am very clear that I was correct in my contention, but, whether I was or not, there is no question now, in the form that the conferees have reported it, that it is a perpetual license. It goes on forever. Not only that, but it delegates to the courts the power to determine whether or not a law enacted by Congress is reasonable, which is something entirely unprecedented in the history of the Congress of the United States. The House provision read:

Provided, That in the event the United States does not exercise the right to take over and does not issue a new license to the original or a new licensee, then the commission shall issue from year to year an annual license—

And so forth. The Senate provision read:

Provided, That in the event the United States does not exercise the right to take over or does not issue a license to a new licensee, or tender a new license to the original licensee, upon the terms and conditions aforesaid which is accepted, then the commission shall issue from year to year an annual license to the then licensee—

And so forth. The conferees have stricken out the word "tender" and have inserted the word "issue," so that it now reads:

Provided, That in the event the United States does not exercise the right to take over or does not issue a license to a new licensee, or issue a new license to the original licensee, upon reasonable terms, then the commission shall issue from year to year an annual license to the then licensee.

Mr. President, when the conferees struck out the word "tender" and inserted the word "issue" they removed any possible doubt as to the definition the word "issue" should have in this connection. It might have been argued, and it was argued by the very gentlemen who are interested in this legislation in connection with the conference report of last year, that the word "issue" as used herein did not mean a license accepted by the licensee, but one that was tendered. I admitted in the argument here when the bill was before the Senate that that question was open to argument; but when the conferees strike out the word "tender" and insert the word "issue" they must have had some purpose in so doing. So in the construction of this act the courts will not read "issue" as being synonymous with "tender," but they will necessarily read that a new license in order to be effective must be accepted by the original licensee. Consequently, if the original licensee chooses to sit back and say, "I do not care to accept this new license; I prefer to go on from year to year so long as time shall run under the original terms of my license," he will have the legal right to do so under this conference report.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LENROOT. I yield.

Mr. NORRIS. The effect would be, would it not, to make the lease perpetual?

Mr. LENROOT. Yes; exactly.

Mr. NORRIS. At least, it gives the lessee the right to make it perpetual?

Mr. LENROOT. Exactly.

Mr. NORRIS. The Government would have in reality nothing to say about it.

Mr. LENROOT. Absolutely nothing. That is the very contention that I am making. The lessee may go on forever under the terms of the original lease until such time as the licensee is willing to accept a new license or lease from the Government.

But it is said, Mr. President, that the provisions for the recapture of the property and its leasing to a new licensee or the recapture by the Government itself are a sufficient protection to the Government, because at the expiration of the term the Government could take over the property upon paying the compensation provided for in the bill. I am sure that not one of the gentlemen interested in this bill believe the Government should ever take such property over and operate it; they are all against that; but they say if the original licensee is not willing to accept a new license we can lease it to a new licensee who is willing to take it over and pay for it. Let us see what the new licensee would have to pay and how impossible it would be for a new licensee under any ordinary conditions ever to accept a transfer. Under the provisions of this bill, Mr. President, if the property is transferred to a new licensee he must pay not only every dollar that has been invested in the plant, less any amortization which may have occurred during the term, but he must under the provisions of the bill pay what is termed "severance damages" to the original licensee, which may easily amount to a great deal more than the entire value of the property that is taken over. He gets no value from those damages. The only value to the new licensee is the property that is taken over, but under the bill he is compelled not only to pay for that but to pay damages upon the theory that the

licensee has been injured at the end of the term by the severance of his property. Of course, treating the license as a perpetual franchise, as is now provided in the conference report, the original licensee is injured by the severance of his property; but if the lease had been for a flat term of 50 years, as it ought to have been, giving the Government the power to accept the terms instead of granting such power to the licensee; if Congress had been given any control over these water powers, as it ought to have been, after giving such liberal inducements to private parties as would result in their development, then there could be no damages at the end of the 50 years. How could there possibly be any damages when the licensee has secured all that his contract called for?

But under the terms of this conference report, as I said a moment ago, after paying the full value of the plant, it is provided that severance damages must be paid, upon the theory that the licensee has been injured at the end of the 50 years through the severance of the property. Gentlemen can not take the position that this is not a perpetual license, on the one hand, and then say severance damages are just upon the other. The only possible justification for severance damages would be that at the end of the 50 years the licensees had legal rights still existing of which we were depriving them, and, therefore, that severance damages would be proper. If they have no legal rights at the end of the 50 years, there can be no proper severance damages.

But that is not all. The Senate adopted an amendment, which was proposed by me, providing some limitation upon the severance damages that might be allowed; a very liberal limitation it was, too. It provided that the total severance damages allowed should in no case exceed the value of the works taken; in other words, if the Government took over the property, or if a new licensee took it over, the severance damages should in no case exceed the value of the property taken; or if the Government took it over, or if a new licensee wanted it, they should in no case be compelled to pay more than twice what the plant was worth. But we find the conferees have stricken out that limitation; it is not now found in the bill. There is no protection either to the Government or to a new licensee. There is no limit to the severance damages that may be allowed; and under the language of the bill as it now comes to us from the conferees, recognizing the right under a perpetual franchise of a licensee to damages for the severance of his property, the courts may very well hold that if a water power is created under a license of the Government at a cost of $10 per horsepower per year, and the plant is taken over and horsepower from other source or by steam is required to take its place, costing $30 per year, the Government must pay a profit to the licensee of $20 per horsepower per year.

Mr. President, the provisions for recapture found in this bill are not worth the paper upon which they are written, so far as any protection to the Government is concerned, for the bill provides practically for a perpetual franchise. I am very sorry that we come to the end of this important legislation with such a surrender as it seems to me is found in the conference report.

Mr. HALE. Mr. President, under the act passed by Congress in 1906 to construct dams across navigable waters, and the further act passed in 1910, no obstruction may be placed upon navigable rivers without the consent of the Federal authorities. Since the act of 1910 was passed, no further legislation has been enacted covering this question.

The present water-power act provides a method for getting permission of the Federal authorities to erect dams and other obstructions on the navigable waters of the country. Some such act is undoubtedly necessary if the water-power development of the country is to be allowed to proceed.

I am not finding any fault with the general purpose of the act, although there are Senators who have taken that position. What I do object to is the definition of "navigable waters" contained in this bill.

The House provision reads as follows:

That the term "navigable waters," as used in this act and as applied to streams, shall be construed to include only such streams or parts of streams as are in their ordinary natural condition used for the transportation of persons or property in interstate or foreign commerce or which through improvement heretofore or hereafter made have been or shall become usable in such commerce.

The Senate amendment to the House bill, which has been adopted by the conferees, reads as follows:

"Navigable waters" means those parts of streams or other bodies of water over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States, and which either in their natural or improved condition, notwithstanding interruptions between the navigable parts of such streams or waters by falls, shallows, or rapids compelling land carriage, are used or suitable for use for the transportation of persons or property in interstate or foreign commerce, including therein all such interrupting falls, shallows, or rapids, together with such other parts of streams as shall have been authorized by Congress for improvement by the United States or shall have been recommended to Congress for such improvement after investigation under its authority.

The Constitution of the United States does not specifically mention "navigable waters." The only right of Congress to take jurisdiction over such waters is under the clause of the Constitution allowing Congress to regulate commerce with foreign nations and among the States.

The purpose of this bill is not really to regulate commerce but to control water powers. As such it should not go beyond what really affects the commerce of the country.

At a hearing before the conferees of the House and Senate on this bill a number of Senators and Representatives who object to the Senate amendment made the following suggestions to the conferees, either that the House provisions be adopted as it stood or that the Senate amendment be adopted with the following changes:

First. To strike out the words "or other bodies of water" on line 2 of the amendment. This would prevent the making of all parts of streams which are the outlets of navigable lakes subject to the provisions of this bill, which the present amendment would clearly do.

Second. The striking out of the word "and" in line 5 of the amendment. This would limit the rest of the amendment to the parts of streams which are navigable and would not be in addition thereto.

Third. To strike out the words "are used or suitable for use," in line 9, and insert the following: "are habitually used or with or without the proposed improvements have a reasonable prospect of being so used." The purpose of this change is to limit the section to parts of streams which are really to be used for the purpose of interstate or foreign commerce.

Fourth. To strike out lines 14 and 15, which read "or shall have been recommended to Congress for such improvement after investigation under its authority."

It is absurd to claim that the action of Congress in recommending a survey to determine whether a part of a stream may be so improved as to make it navigable should make that part of the stream navigable before the improvement has been authorized by Congress.

None of these proposed suggestions were adopted by the conferees. The only change that was made in the Senate amendment by the conferees was the addition of the words "between the navigable parts of such streams or waters" after the word "interruptions" in line 8.

Congress can not under the Constitution determine what shall and what shall not become "navigable waters." The decision must lie in all cases with the courts, and the decisions of the courts as to just what constitutes "navigable waters" are not uniform.

On May 4 Congressman WHITE, of Maine, made a very excellent speech in the House of Representatives, and I will refer to what he says about navigable waters:

What are "navigable waters" of the United States? What is the rule which must be applied in determining whether a particular stream comes within our jurisdiction? Cases in which the question has been discussed are many, but in them all the principle which must guide is clearly recognized.

In the Daniel Ball (10 Wall., 557) the court said:

"Those rivers must be regarded as public navigable rivers in law which are navigable in fact. And they are navigable in fact when they are used, or are susceptible of being used, in their ordinary condition as highways of commerce, over which trade and travel are or may be conducted in the customary modes of trade and travel on water.

In the Montello (20 Wall., 436) the court accepted navigability of the river in its natural state as the proper test, and said:

"If it (the river) be capable in its natural state of being used for purposes of commerce, * * * it is navigable in fact, and becomes in law a public river or highway."

And, again, it lays down the proposition that—

"The vital and essential point is whether the natural navigation of the river is such that it affords a channel for useful commerce."

The case quotes with approval the language by Chief Justice Shaw, of Massachusetts (21 Pickering, 344), in which he asserts that it is not—

"Every small creek in which a fishing skiff or gunning canoe can be made to float at high water which is deemed navigable, but in order to give it the character of a navigable stream it must be generally and commonly useful to some purpose of trade or agriculture."

And through the years the principle laid down in these early cases has been followed. The measure is the use or the susceptibility of use of the stream in its natural condition for useful commerce.

In United States *v.* Rio Grade Dam & Irrigation Co. (174 U. S., 690) the court limited the definition in this language:

"The mere fact that logs, poles, and rafts are floated down a stream occasionally and in times of high water does not make it a navigable river."

This case emphasizes the requirement that we must look to the ordinary and natural condition of the stream and to its natural availability for substantial commerce.

The case of United States *v.* Brewer-Elliott Oil & Gas Co. (249 Fed. Rep., 615) states the essentials of the rule with unusual clarity. I quote from the opinion:

"The issue of navigability is one of fact. * * * A river is not navigable unless so in fact. It will be deemed navigable when used or susceptible of use in its ordinary condition as a highway of trade and

travel in the customary modes on water. * * * The exceptional use of a stream for purposes of transportation in times of temporary high water or 'the mere fact that logs, poles, and rafts are floated down the stream occasionally * * * in * * * high water does not make it a navigable river.' To meet the test * * * a watercourse should be susceptible of use for purposes of commerce or possess a capacity for valuable floatage in the transportation to market of the products of this country through which it runs. It should be a practical usefulness to the public as a public highway in its natural state and without the aid of artificial means. A theoretical or potential navigability, or one that is temporary, precarious, and unprofitable, is not sufficient."

In Donnelly *v.* United States (228 U. S., 262) we find the rule expressed thus:

"The question of the navigability in fact of nontidal streams is sometimes a doubtful one. It has been held in fact that what are navigable waters of the United States within the meaning of the act of Congress in contradistinction to the navigable waters of the States depends upon whether the stream in its ordinary condition affords a channel for useful commerce."

One of the recent cases on this subject, and the last to which I shall refer in this connection, is United States *v.* Cross (243 U. S., 316). I quote:

"In Kentucky * * * numerous cases have arisen where it has been necessary to draw the line between public and private right in waters alleged to be navigable, and by an unbroken current of authorities it has become well established that the test of navigability in fact is to be applied to the stream in its natural condition, not as artificially raised by dams or similar structures; that the public right is to be measured by the capacity of the stream for valuable public use in its natural condition; that riparian owners have a right to the enjoyment of the natural flow without burden or hindrance imposed by artificial means, and no public easement beyond the natural one can arise without grant or dedication save by condemnation with appropriate compensation for the private right. * * * We have found no case to the contrary. * * * Many State courts * * * have held, also, that the legislature can not by simple declaration that a stream shall be a public highway if in fact it be not navigable in its natural state appropriate to public use the private rights therein without compensation. * * * This court has followed the same line of distinction."

The opinion then cites with approval some of the cases hereinbefore mentioned by me and later in the opinion reaches the conclusion:

"That the servitude of privately owned lands forming the banks and bed of a stream to navigation is a natural servitude, confined to such streams as in their ordinary and natural condition are navigable in fact and confined to the natural condition of the stream."

There have also been other decisions by the courts which hold practically the opposite.

It may be claimed that under some of these decisions practically all of the rivers of the country are "navigable." That is a matter for the courts to decide.

It may be claimed that no obstructions of any kind can be put on these rivers without the permission of the Federal Government. That is also a matter for the courts to decide.

In any event, under the provisions of this bill the Water Power Commission will, unless prevented by the Congress, assume jurisdiction over practically all of the rivers of the country. Licenses will be obtained from the commission to erect dams and water powers. Those who apply first and who get the permission of the Government to do so will secure a priority of right over those who do not. The result will be that it will not be safe for anyone depending on their constitutional rights to proceed without the permission of the Water Power Commission. Endless litigation will be started, and the courts will have to decide specifically in each case as to whether the parts of the stream on which the improvements are to be made are or are not within the jurisdiction of the commission.

It is, of course, too late to offer any amendment to the bill, now that the bill is in conference and the conferees have reported. I will say frankly that we prefer the House amendment, because in our opinion it is not as broad as the Senate amendment.

The Senate amendment provides specifically that all connecting parts of streams between navigable waters shall themselves be considered as navigable. The House bill has no such provision.

Under the Senate amendment, if a stream were navigable near its mouth and at some portion of the stream 100 miles away from its mouth and in no way navigable in between, all of the intervening waters would become navigable under the bill, though under no possibility could they become navigable in fact.

The Water Power Commission would have jurisdiction over all of these unnavigable parts of streams. This would not be the case under the House provision. Under the latter we believe that the Government would not assume jurisdiction over waters where there was any question of their navigability, and the people who desire to make improvements could proceed as they do now in many cases without applying in any way to the Federal Government.

In my State we have many valuable water powers, developed and undeveloped. These water powers we regard as among the principal assets of the State. As far as possible we desire to handle them for the use of the people of the State of Maine under State instead of Federal regulations.

Many of the streams in my State are used for lumbering purposes, and temporary dams and temporary obstructions are constantly being put in these streams for logging purposes. Often the need for action is very immediate. To have to go to the Water Power Commission in each case for permission to do so would be intolerable.

I sincerely trust that the conference report will be defeated, and that a further conference will be ordered which will report back the bill with the House provision restored.

Mr. THOMAS and Mr. FERNALD addressed the Chair.

The PRESIDING OFFICER (Mr. MCNARY in the chair). The Senator from Colorado.

Mr. THOMAS. I will say to the Senator from Maine that I expect to speak for perhaps an hour. Does the Senator from Maine desire to say something on this matter?

Mr. FERNALD. I do; but I am very anxious to listen to the Senator from Colorado.

Mr. THOMAS. I will yield to the Senator for a few minutes.

Mr. FERNALD. I think if the Senator will yield for just a few moments I shall be able to conclude what I have to say.

Mr. THOMAS. I shall be glad to do so.

Mr. FERNALD. I thank the Senator for his courtesy.

Mr. President, I regret exceedingly that it should seem necessary for me to pursue a course so unusual and extraordinary as to oppose a conference report. This matter, however, is of so much interest to the people of New England, and particularly to the constituents whom I represent, that I deem it only fair to make a statement to the Senate which, I am sure, will have due and proper consideration.

I have listened with great satisfaction to the eloquent appeal made by the Senator from Wisconsin [Mr. LENROOT] in explaining the legal status of this bill, and I have also listened with much interest to my colleague [Mr. HALE]. My State, as you know, is the most easterly of the Union. I assume that every Senator feels it his duty, when any matter concerning his particular State is brought to the attention of Congress and any legislation is about to be enacted with reference to or which will in any way affect the business interests of his State, to present whatever evidence there may be for or against such legislation; and the State of Maine is so seriously affected by this particular bill that I deem it only fair to present a few facts.

As stated, my State is the most easterly of the Union. While it is known as an agricultural State, we have no fields and lands that, tickled with the hoe, laugh with the harvest; but the land responds bountifully and splendidly to efficient service and hard work. A large part of our State, however, is still in the virgin forest. We have 5,000 rivers and streams in the State of Maine and more than 1,500 lakes. I assume that we may have been blessed with this enormous amount of water because we have not permitted ourselves to have any other liquids for drinking purposes, and it seemed only fair that we should have all the water we wanted; and in the early days these streams were used somewhat for purposes of navigation, if streams that float logs may be considered navigable streams.

As I say, we have in our State thousands and hundreds of thousands of acres of virgin forest. We have, as was suggested in a report from the Forestry Service, about one-third of the growing spruce of this country. It is estimated that we have more than 22,750,000,000 feet of spruce about 6 inches at the stem. From that we can cut 750,000,000 feet of spruce annually from now to the end of time and have just as much growing as we have now. Our lumbermen are conserving the forests, and these forests are being manufactured into pulp and paper on the rivers and streams of my State. We have many large pulp mills, we have a great many cotton mills and woolen mills and boot and shoe factories, all operated, or nearly all, by power generated from the water powers in the State of Maine. When you affect the interests of the owners or operators of these powers, you affect the entire business of the State; you affect every mill and every manufacturer that is receiving power from these streams.

I assume that every Senator knows a little more about his own State than any other Senator. When Senators from the Middle West talk to me about the great prairies and the wonderful crops that are being harvested from the plains and splendid lands of the Middle West, I assume that they know something about the wheat and corn business of that section. When Senators from the South talk to me about rice and cotton, I assume that they know more about the raising of rice and cotton and their manufacture than I do up in Maine, where we have nothing of that kind; and when I tell you about the water powers of my State, I assume that you will believe that I know something about the power that is generated down in the State of Maine.

We stand second in water power of all the North Atlantic States. More than 900,000 horsepower may be generated and developed in the State of Maine. On the river that runs nearest my home, with a power of 180,000 horsepower, 120,000 horsepower is already developed; and many other manufacturers and many other men engaged in the development of that sort of power are now contemplating the development of the entire stream.

On this particular river we have a reservoir which will hold more than 30,000,000,000 feet of water, covering a territory of more than 1,200 square miles. I am telling you this, Senators, so that you may understand the interest my constituents have in this power bill.

I am in sympathy, in the main, with this bill. I realize the effort which the chairman of the Committee on Commerce has made and the sincerity of his associates in producing a bill which might be fair to all of the business interests of this country. I have been a member of that committee. I have watched carefully to guard well the interests of my State, and yet it is believed by some of our legal fraternity in Maine that we are not sufficiently protected, that some changes should be made in this bill, and it is for that reason that I bring the matter before the Senate this afternoon.

I assume that nothing I may say will change the bill. I assume it is likely to be adopted, because I realize that in the main it is going to be of great interest to the people of the country. I realize that of all the waste in the country which may be mentioned, there is none so inexcusable as water power running undeveloped, because, unlike coal and oil, there is just as much running, and just as restlessly, as in the beginning of time. The sooner this is developed, of course, the more advantageous it will be to the people of Maine, and it ought to be done immediately.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Washington?

Mr. FERNALD. I yield.

Mr. JONES of Washington. I have always had a very high opinion of the legal fraternity of Maine, but I want to say that if the legal fraternity of Maine hold to the opinion that this bill affects injuriously conditions which confront them now upon navigable waters, my opinion will change very materially. I want to say to the Senator that this bill, in the definition of navigable waters, and so forth, does not interfere with any rights they have now in any way, shape, or form. As a matter of fact, there is a law on the statute books now which prohibits any interference with the navigable capacity of streams, and if, under the advice of the legal fraternity of Maine, men have invested their money in the construction of dams, and so forth, under that law, they will lose their investments.

Under this bill their rights in that respect will not be in any way affected, either adversely or favorably, for that matter, but under the bill provisions are made by which they can come to the Government and get a permit which will insure their investment and make safe that which now might be unsafe. However, under this bill they do not have to come to this commission to get a permit. If they want to take the risk, if they want to put their money in, they can go on and do it just the same in the future as they have done in the past. There is absolutely nothing in this bill which prohibits anyone from putting an obstruction in a stream. I thought I would just put that in the RECORD, in view of the statement of the Senator that the legal fraternity of Maine are fearful of the effect of the bill.

Let me say that the Senator from Maine has guarded this in the most effective way. He has given it his most careful attention, and the provision is not subject to any criticism whatever.

I know it has been stated by some that it was put in the bill secretly. It was not. It was put in the bill in the Senate committee openly, was reported to the Senate, was on the calendar here for weeks, was then brought up in the Senate, and passed without any objection whatever. It was all done openly, and in my judgment it is clearly in the interests of the people and for the benefit of the interests in the State of Maine described by the Senator.

Mr. FERNALD. I thank the Senator from Washington, and I want to say that I know what he says is true, so far as these amendments and the consideration of this bill are concerned. These matters were discussed. I did not always agree with the majority. Many things which I had suggested which I felt would be of interest to my State were allowed to go in the bill. I want to say further that, fortunately or unfortunately, I do not know which, I am not a lawyer, but I followed carefully the legal effect of the different provisions in the bill. I believe all the Senator from Washington told me, fine lawyer as he is, and with his honesty, as to the legal status of these provisions. He represents a State similar to mine. There is a very large water development in the State of Washington. I believe it has a larger water power than any other State of the Union, some 10,000,000 horsepower of developed and undeveloped water power, in his State. Then, coming down along the Atlantic coast to the North Atlantic States, New York is one of the large water-power States. Then comes Maine, which people sometimes forget is as large in territory as all the other New England States. It is often referred to as the playground of the world, because for a period of six months we have perhaps the finest climate on earth, and the water powers are a great asset to us. We have all of these timbers in the forests which we desire to have worked up by our own mills and with our own power, and the State some time since placed upon its statute books a law that no power should be carried from the State, but that it should all be used in the State. We have what was referred to by my colleague as a dam act. He did not intend, I am sure, to begin his speech by swearing at the chairman of the committee, but we refer to it often in the State of Maine as the dam act, because it has been before our courts and has been always construed as sound and good law.

Our riparian-right law there is that any man who owns both sides of a stream, the banks, may cast a dam across the stream and use the power for any purpose he chooses, provided he pays any damages to other men's land where the water may flow, and by paying for the flowage rights he can go on and do business.

In the early days the pioneers had their sawmills on these streams. Later they were developed and great manufacturing plants and cotton mills were erected there, until to-day, on one little river, which is less than 100 miles long, whose source is in the adjoining State of New Hampshire, running across about 30 miles and down through my State, there is more than $50,000,000 worth of property, paying an annual pay roll to the operatives of more than $10,000,000. So Senators can see what interest the people have in this one particular river; and we have three large rivers of like size and like development.

The one provision in the bill to which I object, and to which my constituents object very seriously, is the vague and indefinite definition of "navigable waters."

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER (Mr. GERRY in the chair). Does the Senator yield to the Senator from Montana?

Mr. FERNALD. I yield.

Mr. WALSH of Montana. For the sake of clarity, as the Senator is now taking up that subject, I desire to invite his attention to the fact that the only change made by the conferees in that provision of the bill is formal. The conferees have not changed the substance of that provision at all, as I read it. They caused to be inserted the words "between the navigable parts of such streams." I ask the chairman of the committee if I am correct.

Mr. JONES of Washington. All the conferees put in was the clause "between the navigable parts of such streams or waters."

Mr. WALSH of Montana. So the significance of it is not changed at all. The complaint the Senator is making, as I interpret it, is against the provision which was inserted not by the conferees but by the Senate when the bill was before it. I would like to inquire of the Senator from Washington, the chairman of the committee, if any request for a hearing was had before the committee upon the definition of "navigable waters," as given in the bill.

Mr. JONES of Washington. No request for a hearing was made until after we had been conferring quite a good while, and after the House conferees had really accepted the amendment. Then the Senator from Maine [Mr. HALE] asked for a hearing, and the hearing was given. The Senator from Maine and the Senator from Massachusetts and Members of the House came over and discussed the matter, and after that hearing the words to which the Senator has just called attention were inserted in the amendment. That was all.

Mr. WALSH of Montana. I suggest to the Senator from Maine that the criticism is rather late now.

Mr. FERNALD. I assume it may be too late, Mr. President. I realize the legislation which has already taken place regarding the water-power development in the country, and I am going to read a statute on the subject. I do not often refer to law books, but I am going to read a statute taken from the United States Statutes at Large, Fifty-fifth Congress, 1897–1899, volume 30, page 1151, paragraph 10. I want to say, Mr. President, that at that time Senator Frye was chairman of the Commerce Committee, and I am sure that this country has

never seen a more efficient, honest, sincere legislator in this or any other body than the Senator from Maine at that time. I will submit to the lawyers of the Senate if the language of this act is not very vague and indefinite, so far as the definition of "navigable waters" is concerned.

What I desire, in legislating in this body, is to have it so clear that the common layman can understand it. We have passed legislation here within a year which affected billions of dollars' worth of property; and it took the best lawyers in this country to determine the meaning of it; and members of the committee who reported upon that legislation were unable to give me or anybody else any light on the subject. If we are about to pass such legislation, we ought to send about 150,000 lawyers to go with it, so that the business men in the country might have somebody to interpret it. I know the lawyers of my State have written me asking what certain phrases meant in laws which have been passed. I do not propose, if I can help it, to have any laws passed which I do not understand myself, so that if a man asks me, I can give him some faint idea of their meaning.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Colorado?

Mr. FERNALD. I yield to the Senator from Colorado.

Mr. THOMAS. I think that if the Senator will take the experiences of Congress for the past 10 or 15 years, he will discover that anything is a navigable stream for whose improvement you can get an appropriation.

Mr. FERNALD. Exactly; the Senator is right. Now, I am going to refer to this act, and I am going to leave it to the lawyers in the Senate if this is not a vague and uncertain definition of what navigable waters are.

Mr. NELSON. Is the Senator about to read the old law?

Mr. FERNALD. The old law; yes.

Mr. NELSON. In what year was it passed?

Mr. FERNALD. It is found in United States Statutes at Large, 1897–1899, volume 30, page 1151, section 10.

Mr. NELSON. I want to say, incidentally, if the Senator will allow me, that I was a member of the Committee on Commerce at that time and served under Senator Frye, and I indorse everything the Senator said about Senator Frye.

Mr. FERNALD. I thank the Senator. I want to say, too, that I have followed the Senator from Minnesota in this legislation carefully, because I knew he was as well versed as anybody in this country, and I have all confidence in him.

This is the law, and I want the lawyers in the Senate to give attention:

> That the creation of any obstruction not affirmatively authorized by Congress, to the navigable capacity of any of the waters of the United States, is hereby prohibited; and it shall not be lawful to build or commence the building of any wharf, pier, dolphin, boom, weir, breakwater, bulkhead, jetty, or other structures in any port, roadstead, haven, harbor, canal, navigable river, or other water of the United States, outside established harbor lines or where no harbor lines have been established, except on plans recommended by the Chief of Engineers and authorized by the Secretary of War; and it shall not be lawful to excavate, or fill, or in any manner to alter or modify the course, location, condition, or capacity of any port, roadstead, haven, harbor, canal, lake, harbor of refuge, or inclosure within the limits of any breakwater, or of the channel of any navigable water of the United States, unless the work has been recommended by the Chief of Engineers and authorized by the Secretary of War prior to beginning the same.

I am frank to say that the navigable waters are not defined at all in that law.

Now, Mr. President, I realize and appreciate that I am speaking in the time of the Senator from Colorado [Mr. THOMAS], but I am going to cite the Senate to one concrete case which in my judgment represents every river and stream in the United States. I will take one of the rivers in my own State.

The Androscoggin River has its source at the outlet of Umbagog Lake and flows thence to tidewater below Brunswick, Me.

From its source to tidewater, a distance of considerably more than 100 miles, there is a total fall of about 1,200 feet, with numerous falls or rapids capable of development for power purposes.

Tidewater stops at the foot of the falls at Brunswick. The river is not navigable for boats or vessels above Brunswick, but formerly was used for floating logs from the Great Lakes down river even as far as Brunswick. In other words, it is a "floatable" stream, in the language of the Maine decisions.

The numerous falls in the river made it more useful and valuable for the development of power, and in the process of time the sawmills at Brunswick, Lisbon, Lewiston, and so forth, have all disappeared, and at the present time logs are only driven down river to the pulp and paper mills and a few sawmills on the upper reaches of the river.

Except, then, for log driving, it can not be said that the river in its natural condition ever afforded a "channel for useful commerce"; that is, boats and vessels never plied back and forth on the river carrying merchandise or engaged in trade and commerce. The most that can possibly be claimed is that logs in the sections in northern Maine were floated to the sawmills at various points in New Hampshire and Maine and there sawed into lumber, from which points the manufactured products were sent to market by rail, but never by water boats or conveyance.

The waters of this river always have been, and now are, used almost exclusively for manufacturing purposes, formerly by direct power, and now, to a considerable extent, by hydroelectric power. Indeed, during these trying days of coal shortage, it is safe to say that not a single manufacturing plant on the Androscoggin River has been obliged to shut down or lose an hour's time.

The investment in manufacturing plants directly and indirectly on the river operated by water power or hydroelectric power will amount to more than $50,000,000. My own judgment is very considerably in excess of that, but I do not wish to overstate, and the annual pay rolls for operating labor will amount to not less than $10,000,000.

These manufacturing industries include a great variety of products—cotton and woolen goods, shoes, lumber, wood products, paper, and many other things. None of these various products go to market by water—that is, by this river—but all are shipped by rail from the various points of manufacture along the river.

More than one-half of the available head on the river is now developed and used for these manufacturing purposes, and the power developments operating these varied industries have been made almost wholly at power sites on the river where the power could be developed at a low cost per foot of head. The undeveloped heads are more expensive for development, but they will be developed and used as called for by business conditions.

The present owners, representing probably 75 per cent of the developed and undeveloped power on the river, have spent not less than $3,000,000 in storage reservoirs at the headwaters of the river, and maintain a system of control and regulation of flow on the river which it is conceded make this river one of the best controlled and regulated streams of its size in the United States.

These storage reservoirs have a capacity of more than 30,000,000,000 cubic feet of water, with a watershed of about 1,200 square miles.

What I have said above applies in a degree to all of the numerous tributary streams flowing into the Androscoggin.

Leaving now the description of the river and its industries, I take up another branch, that is, the legal side of the question.

It seems certain that the Federal Government can have no control over the Androscoggin River above tidewater, except such as it may have under the commerce clause of the Federal Constitution. The Government owns no soil in the bed or on the banks of the river, and it can not acquire such lands except, of course, by purchase or by condemnatory proceedings for some public use.

On the other hand, the riparian, under the laws of Maine, may build a dam on his own land and raise a head of water to run his mill or factory.

Does this bill undertake to impose any restriction upon the exercise of the settled rights of the riparian; and, if so, what?

It would seem to me that the bill applies primarily to such water powers as there may be on public lands now owned by the Federal Government and, next, upon the navigable waters of the United States, like, for example, the Androscoggin River below Brunswick, where the tide ebbs and flows, and upon which boats and vessels may pass engaged in commerce.

If there is any claim that the owners of undeveloped power privileges on this river may not build dams and develop and use the power so created without the consent of the Federal Government under the provisions of this bill, we ought to know it, and we also ought to know what the extent of that consent would be.

I am hoping that this statement of facts, in connection with the law as we have all understood it, will enable me to inform my constituents what the claims of the proponents of the bill are as applied to the Androscoggin River.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER (Mr. MCLEAN in the chair). Does the Senator from Maine yield to the Senator from Washington?

Mr. FERNALD. Certainly.

Mr. JONES of Washington. In this connection I wish to repeat what I said a while ago, that there is nothing in the bill that prohibits the people of the Senator's State from doing anything that they want to try to do, and that they can do now.

Mr. FERNALD. I thank the Senator.

Mr. KING. Mr. President——

Mr. FERNALD. I yield to the Senator from Utah.

Mr. KING. Is there not something in the bill—and I am addressing myself to the Senator from Washington, with the permission of the Senator from Maine—that requires the citizens of the State, those who live upon the river to which the Senator is referring, to obtain a license from the Federal Government for the construction of power plants upon the stream?

Mr. JONES of Washington. There is not. There are provisions in the bill which permit people to get a permit, but it does not require them to do so. There is not a prohibitory provision in the bill with reference to the construction of dams in streams, but there are provisions in the bill under which, if a person wants to be sure he will not be interfered with under the law to which the Senator referred and which he read, he can come to the commission and ask for a permit and get it upon certain conditions. But if they want to take the chances, they can go on and put a dam in the stream, just as they can do now.

Mr. KING. If the Senator will pardon me further, as I interpret the bill it makes a man who constructs a power plant upon a so-called navigable stream a trespasser unless he obtains a license from the Federal Government.

Mr. JONES of Washington. No; the bill does not.

Mr. WALSH of Montana. Mr. President, I wish to remind the Senator from Utah that the prohibition is not in the pending bill. The prohibition is in the law now. A person can not do it at all now without an act of Congress, while under the pending bill he can get a permit from the commission.

Mr. FERNALD. I should like to inquire of the Senator from Montana if under the provision of the law which I have read he finds that clause?

Mr. WALSH of Montana. Yes. It prohibits any obstruction of a navigable stream.

Mr. KING. Will the Senator permit me to make one observation?

Mr. FERNALD. Certainly.

Mr. KING. The courts have held repeatedly, I understand, that it is not such an obstruction as the Federal Government could take cognizance of unless it does interfere with navigation. There may be obstructions, there may be locks, there may be dams, but if they do not interfere with navigation, under the law which the Senator read and to which the Senator from Montana now refers, such obstructions may be placed in the river.

Mr. WALSH of Montana. As stated by the chairman of the committee, there is no such prohibition in this bill at all.

Mr. KING. May I inquire of the Senator what is the purpose of the bill with reference to the States in which there are no public lands, if it is not for the purpose of fastening a Federal system of leasing and licensing upon all the power streams of the United States?

Mr. WALSH of Montana. This is the purpose of the bill. Under the existing law anyone who wants to put any obstruction whatever in a navigable stream must come to Congress and get a special act. The pending bill is a general act granting power to give permits through this commission. That is the purpose of it.

Mr. JONES of Washington. May I suggest further in connection with this matter that the Senate placed amendment No. 58 on the bill, under which it provides a way by which a person or company or corporation may get the judgment of the commission with reference to whether a stream is navigable, if they desire to do it. That is for the protection of any person who contemplates putting a dam in a navigable stream. If they exercise the right given to them in this section of the bill, the commission will first make an investigation to see whether or not the stream is navigable, and they can not put their dam in if the commission says that it is navigable; but if the commission says that it is not navigable, then permission is granted to put the dam in. However, there is nothing which requires them to come to the commission in the first instance and ask their judgment as to whether the stream is navigable or not.

They can go on and take their chances under the prohibitory law which the Senator from Montana read, and that is the law now. That law we do not seek in any way to change in this bill except to provide a way by which a person can get a permit so that he will not bring himself under the prohibition of the law as it exists now.

Mr. FERNALD. I thank the Senator.

Personally, if the bill is not dangerous to the great manufacturing interests of the Androscoggin River, which represents other rivers of my State and of the country, I think we should support the bill. It is unnecessary for me to say that the owners of the undeveloped powers are broad, progressive men, and that they are not holding these undeveloped privileges for any monopilistic purposes. These privileges will be developed as and when the business conditions require, but we do not want the cold hand of Federal authority laid upon our property rights, which we have bought and paid for and improved by the vast storage reservoirs at the headwaters of the river, and be told that we can not use our own except by the consent of some one who has no property rights on the river.

I can not imagine that the power developments that have made possible such cities as Lewiston, Auburn, Rumford Falls, Berlin, and many similar cities and towns are or can be considered an obstruction to the navigation or commerce on the Androscoggin River.

Mr. President, in closing let me say that the one particular feature of this bill to which I object, and which I believe the proponents of the bill ought to accept an amendment to remedy, is the absence of a clear definition of the term "navigable waters." I do not know what definition may be laid down in any of the law books of the country, but I do know that a definition might be placed upon "navigable waters" which would be so plain and clear that anybody might understand it.

Mr. JONES of Washington. Mr. President, let me suggest to the Senator from Maine that we do not attempt in this bill to define "navigable waters" at all. We simply say that for the purpose of this act—that is, for the purpose of applying for permits to build dams, and so forth—certain waters shall be considered navigable. That leaves the whole matter as to whether in fact a stream is navigable to be determined under the rules which have been laid down by the courts, and they have laid them down in a great many cases.

Mr. FERNALD. Does not the Senator from Washington think it would be wise right here and now, in three or four lines, to define what a navigable stream is? I think it could be done by an amendment that, if it were in order, I might suggest.

Mr. JONES of Washington. I remember, a Congress or two ago, that we spent days discussing the proposition of defining a navigable stream in connection with the water-power bill; and while it may appear very plain and simple to the Senator from Maine, I am satisfied that if we were to open up on the proposition and try to define in legislation the term "navigable streams" we should be discussing it for weeks. The courts have laid down pretty good rules in reference to the matter; and in framing this bill we do not seek to interfere with those rules at all.

Mr. FERNALD. But, Mr. President, if the chairman of the committee wishes—and I know he does wish—to be fair in this matter, does he not think it would be better to define what a navigable stream is here than to permit the question to go to the courts, at an expense of millions of dollars, as it has already done? It seems to me right in this bill we have reached a point where in three or four lines we could readily define, so that it might be clearly understood, exactly what a navigable stream is. I think I can suggest such an amendment to the Senator.

Mr. JONES of Washington. I think the courts have laid down rules which determine that question mightly well. However, the Senator from Minnesota [Mr. NELSON] has given the matter especial consideration, and I will let him answer the suggestion which has been made by the Senator from Maine.

Mr. NELSON. Will the Senator from Maine yield to me?

Mr. FERNALD. I very gladly yield to the Senator from Minnesota.

Mr. NELSON. Mr. President, I think the Supreme Court has long ago settled, as nearly as it can be settled, the question as to the navigability of streams. I refer to their decision in the case of the *Montello*.

Mr. FERNALD. Let me ask the Senator from Minnesota before he proceeds, if the interpretation of the court which he is about to read is generally accepted by the lawyers of the country, or are they still in disagreement in reference to the matter?

Mr. NELSON. I have never heard the decision questioned; on the contrary, it has been followed in other cases. The decision is found in Twentieth Wallace, on page 430. It is what is known as the case of the *Montello*, that being the name of the vessel. Merely to save time, I will read only the syllabus.

Mr. SMITH of Arizona. I did not catch the title of the case from which the Senator from Minnesota is going to quote.

Mr. NELSON. The title of the case is the *Montello*, which is the name of the vessel.

Mr. SMITH of Arizona. I recall it.

Mr. NELSON. To save time I will read the syllabus of the case instead of going into the decision in detail. It is as follows:

THE MONTELLO.

1. The navigability of a stream for the purpose of bringing it within the terms "navigable waters of the United States" does not depend upon the mode by which commerce is conducted upon it, as whether by steamers, or sailing vessels, or Durham boats, nor upon the difficulties attending navigation, such as those made by falls, rapids, and sand bars, even though these be so great as that while they last they prevent the use of the best means, such as steamboats, for carrying on commerce. It depends upon the fact whether the river in its natural state is such as that it affords a channel for useful commerce.

This was a case arising in Wisconsin and related to the navigation of the Fox River, a stream that flows into Green Bay, which itself connects with Lake Michigan; so that the navigation of the stream was connected with the waters of the Great Lakes. The headwaters of that stream are very near the Wisconsin River, which flows southward into the Mississippi River. There was only a slight portage between the Fox River and the Wisconsin River, over a distance perhaps of 2 or 3 miles. In early days commerce went up the Fox River from Green Bay and Lake Michigan, and crossed the portage into the Wisconsin River and then down the Mississippi River. The Supreme Court held that, although there were rapids and falls in the stream, around which it was necessary to portage the freight, it was a navigable stream and so came within the commerce clause of the Constitution. I may add that the opinion of the Supreme Court of the United States in the case of "The *Daniel Ball*," Tenth Wallace, page 557, is to the same effect.

Mr. KING. Mr. President——

Mr. FERNALD. I yield to the Senator from Utah.

Mr. KING. This bill, as I interpret it, would make every stream navigable, even to the headwaters of the smallest stream, or up to the snow line, where the snow melts and finds its way by little trickles and rivulets into some other stream. For instance, this language, if the Senator will pardon me——

Mr. NELSON. Let me call the attention of the Senator to the first part of the amendment, which reads:

"Navigable waters" means those parts of streams or other bodies of water over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States—

Mr. KING. The Senator will see that that does not impose any limitation upon the Federal Government as to what it may regulate. When it confers the power to regulate commerce among the States, et cetera, that is not a definition of what commerce is or the extent to which Congress may control streams. The Supreme Court has held, as I understand, that tributaries of tributaries of other tributaries, if any part of such tributary of the final stream was navigable, would be under the cognizance of the Federal Government. That would carry up to the snow line.

Mr. NELSON. The court's decision only goes to this extent—and the facts in the case must be considered—that as to the tributaries that supply water to the main stream, which is in fact and in law navigable, Congress of necessity must have sufficient jurisdiction over those feeders to prevent their being dammed up and thereby preventing the supply of water running into the main stream. That is the extent of the decision and the Senator ought to see that that is inevitable, for if all the feeders of our great rivers, such as the Mississippi, the Missouri, and other navigable rivers, could be dammed up so that water would be kept away from them they would cease to be navigable.

Mr. KING. I am not arguing that question.

Mr. NELSON. So the Government has jurisdiction to the extent that the supply of water can not be cut off from a navigable stream.

Mr. KING. Obviously, then, under the Senator's contention, the Federal Government would have jurisdiction over the snow line, and, as the Senator from Colorado [Mr. THOMAS] sotto voce says, it would have jurisdiction of the clouds which produce the snow which melts and produces the spring which produces the tributary flowing into the river which is navigable. So that the Federal Government may stretch out its powerful and omnipotent hand until it can grasp the snow in the mountains and say, "We have jurisdiction over that."

Mr. NELSON. That is a forced construction.

Mr. KING. I think that the Senator's position leads to that.

Mr. NELSON. It does not lead to that, and that is not my position. The Senator a few moments ago referred to the Rio Grande case. The court intimated incidentally in that opinion that the control of Congress extended to the feeders of the stream, but when it comes to applying the principles of law to the facts in each case they must be measured by the facts. The court did not mean to decide that the feeders were navigable. What the court meant to say was that the Federal Government has sufficient jurisdiction over the feeders to see to it that the supply of water shall not be destroyed or so diminished in the feeders as to prevent the main stream from being navigable. The Senator on reflection ought to see that if the Government had no control whatever of the feeders—if such a thing were possible, although I can not conceive it—if it were possible for the States or individuals to dam up the feeders and prevent a drop of water flowing into the main navigable stream, they could dry up the main stream and destroy navigation on it. Except in those sections where the water is exhausted for irrigation, the erection of dams in feeders, as a matter of fact, for instance, in the East and in the Middle West, does not diminish the supply of water, for the water flows over the dam in one way or another and enters the feeders and then the main stream. It is only in the arid West where it is possible to divert water entirely for irrigation purposes from the main stream.

To what extent can that be done? I take it that if a case of that kind should come before the court, the court would consider both the rights of the farmers, who needed the water for irrigation, and the interests of commerce requiring water for navigation, and the question would be one of fact in each case. Does the diversion of the water of a certain feeder of a certain stream for irrigation purposes diminish the quantity of the water to such an extent as to destroy the navigability of the main stream? If the diversion of the water did not diminish the navigability of the main stream, the Government would have no control whatever. Furthermore, it would only have control to the extent of the supply of water needed to subserve the purposes of real navigation.

We are not seeking to interfere with the present situation, and no matter what we put into this bill, if the Senator from Maine will excuse me a moment longer, we can not change the decisions of the Supreme Court as to their determination of the words "navigable stream." We could not undo by this legislation, if we should make the effort, what they have decided. We have made no such attempt. We have simply said that those parts of streams or bodies of water over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States, and which in either their natural or improved conditions, and so forth, are naviable, shall be considered to be navigable streams. That is all we have said. We have simply left the matter where the courts have left it; and if we undertook to change the law as it is and to say that a certain class of streams which are navigable in fact are not navigable the Supreme Court would overrule us.

Mr. FERNALD. Without going more fully into the decisions of the Supreme Court of the United States, I wish to cite the case of Samuel Veazie and Levi Young, plaintiffs in error, against Wyman B. S. Moor, reported in Fourteenth Howard:

"SAMUEL VEAZIE AND LEVI YOUNG, PLAINTIFFS IN ERROR, V. WYMAN B. S. MOOR.

"The River Penobscot is entirely within the State of Maine, from its source to its mouth. For the last 8 miles of its course it is not navigable, but crossed by four dams erected for manufacturing purposes. Higher up the stream there was an imperfect navigation.

"A law of the State, granting the exclusive navigation of the upper river to a company who were to improve it, is not in conflict with the eighth section of the first article of the Constitution of the United States, and a license to carry on the coasting trade did not entitle a vessel to navigate the upper waters of the river.

"This case was brought up from the Supreme Judicial Court of the State of Maine by a writ of error issued under the twenty-fifth section of the judiciary act.

"The facts in the case are stated in the opinion of the court.

"It was argued by Mr. Paine, for the plaintiffs in error, and by Mr. Kelley and Mr. Moor, for the defendant in error.

"The following propositions were contended for in an elaborate brief filed by the counsel for the plaintiffs in error:

"1. That the constitutional power of Congress in question embraces the right to adopt any means reasonably necessary in their opinion to the successful prosecution of commerce among the States and with foreign nations.

"2. That Congress has adopted as such means the whole commercial marine of the country, every part of which as a unit is under their entire control and regulation, without regard to the waters on which the navigation is carried on.

"3. That to constitute a part of this commercial marine, no other qualifications are necessary than those prescribed by

(569) Congress in the several acts regulating the registry and enrollment of vessels, and such registry or enrollment is evidence of a compliance with the prescribed conditions.

"4. That any vessel so enrolled, being licensed, has an unrestricted right to navigate all the navigable waters of the United States, wherever they may be found serviceable to its use.

"5. That the power of Congress to regulate commerce is as extensive on land as water, and is irrespective of both—that these compose no part of commerce or navigation, but are subject to be adopted as ways or thoroughfares of it, whenever they may be required by the wants of either—and that in legislating upon the subject Congress has not discriminated between one class or body of navigable waters and another, but has made all such waters free for the uses of navigation, wherever any portion of the commercial marine of the country may exist.

"6. That under the statute of 1831, March 2, section 3, the plaintiffs' boat is expressly included as provided for by said act, and is thus embraced within the power of Congress, even if not included in the general provisions of the acts regulating the 'coasting trade.'

"7. That the right of Congress to regulate 'commerce with the Indian tribes,' extends to and embraces the Penobscot Tribe of Indians, and the Legislature of Maine has no right to restrict the people to, or deprive them of, any particular mode of intercourse or trade with them.

"8. That any act of a State legislature contravening such right of navigation, as does the act set forth in defendants' bill of complaint, is absolutely null and void.

"The points made by the counsel for the defendant in error were thus stated:

"The only question here is, whether the grant to Moor is in conflict with that provision of the Constitution which gives Congress the right to regulate commerce.

"A party alleging that a State law is unconstitutional takes on himself the burden of establishing there three propositions:

"First. That the matter or subject in controversy is within the legislative jurisdiction of Congress.

"Second. That Congress has de facto legislated on the subject, and embraced it within regulations established by its legislation; and

"Third. That the party impeaching the law has himself acquired rights in the subject matter which is in controversy, and that these rights have been invaded by the legislation of the State.

"570. Applying these rules to this case, plaintiffs are bound to show: First. That the navigation of the Penobscot River, above Oldtown Falls, is within the jurisdiction of Congress.

"Second. That Congress has embraced this navigation in its legislation, and provided regulations for it; and

"Third. That they have acquired rights in that navigation under the legislation of Congress, which rights have been impaired by the law of the State.

"Plaintiffs must establish all three of these propositions. It is not enough for them to establish any two of them. If they fail in any one of them they have no ground to stand upon.

"First. As to the first of these propositions. The grant being confined to waters wholly internal, plaintiffs can carry on no navigation by means of those waters, with any foreign nation, nor with any other State. We think this is almost too plain for argument. (Moor *v.* Veazie, 32 Me., 343; Wilson *v.* Blackbird Co., 2 Pet., 250, 3 Kent, Com., 458; Livingston *v.* Van Ingen, 9 Johns. (N. Y.), 506; Gibbons *v.* Ogden, 17 Id., 488; Id., 9 Wheat., 1; New Bedford Bridge case, 1 Woodb. & M., 404; Kellogg *v.* Union Co., 12 Conn., 7; Passenger cases, 7 How., 283; Brown *v.* Maryland, 12 Wheat., 419; New York *v.* Miln, 11 Pet., 102; 3 Cow. (N. Y.), 713.)

"Again, this grant is not in conflict with the power of Congress to regulate commerce with the Indian tribes.

"1. Because commerce in this connection does not include navigation. (32 Me., 343.)

"Vol. XIV.—39.

"2. Because the Constitution manifestly refers only to independent tribes with which the General Government may come in conflict; not to those small remnants of tribes scattered over the country, which are under State jurisdiction and guardianship. (32 Me., 343.)

"Second. We hold that plaintiffs entirely fail to establish the second proposition, to wit: That the navigation of these waters is embraced within the actual legislation of Congress. None of the acts cited were ever intended to apply to waters wholly within the limits of a State, and which could not be reached by vessels from foreign ports or from other States.

"Again, we contend that if Congress has, or should pass any acts interfering with commerce purely internal, they would be unauthorized and void. (Passenger case, 7 How., 283; Genesee Chief, 12 Id., 443.)

"Third. As to the third proposition, the case fails to show that plaintiffs have acquired any rights in the navigation of the waters of the upper Penobscot, under any regulation of Congress or in any other way or manner.

"Assuredly there can be no pretense that plaintiffs were engaged (571) in any commerce on those waters with any foreign nation, or with any other State. Nor is there any fact or evidence in the case tending to show that they were engaged in commerce with the Penobscot Tribe. It does not appear that they traded or had any intercourse with that tribe, nor that they wished or intended to have any such intercourse. The Penobscots are not represented here. They do not complain of the grant. There is no fact going to show that this grant has any bearing or effect on any commerce to which they are parties. If they have any ports of entry or clearance, for aught the case finds, such ports may be as hermetically sealed as those of Japan.

"If plaintiffs fail to show that they have acquired rights which have been taken away, they can not complain, even if the act was most palpably against the Constitution. (Wheeling Bridge case, 13 How., 518; East Hartford *v.* Hartford Bridge Co., 17 Conn.)

"Mr. Justice Daniel delivered the opinion of the court.

"The questions raised upon this record, however subdivided or varied they may have been in form or number, are essentially and properly restricted to the power and the duty of this court to inquire into the constitutional obligation of the law of the State of Maine, upon which the decision of the supreme court of that State was founded, for if that law and the privileges conferred thereby be coincident with the eighth section of Article I of the Constitution they can be assailable here upon no just exception.

"It is insisted, however, that the statute of the State of Maine is in derogation of the power vested in Congress by the article and section above mentioned, 'to regulate commerce with foreign nations and among the several States and with the Indian tribes.' We will examine the character of this objection with reference to the facts disclosed by the record and with reference also to the provisions of the statute in question, as they have been designed to operate on those facts; and, as these last are all agreed by the parties, there can be no need of a comparison of the testimony to ascertain their verity.

"The River Penobscot is situated entirely within the State of Maine. Having its rise far in the interior of the State, it is not subject to the tides above the city of Bangor, near its mouth. Between the city of Bangor and Old Town, a distance of 8 miles, the Penobscot passes over a fall, is crossed by four dams erected for manufacturing purposes, and for the above space is not at this time and never has been navigable; but there is a railroad from Bangor to the steamboat landing at Old Town. On the 30th day of July, 1846, the Legislature of Maine, by (572) law enacted that—

"'William Moor and Daniel Moor, jr.,' their associates and assigns, were authorized to improve the navigation of the Penobscot River above Old Town, and for that purpose were authorized to deepen the channel of the river; to cut down and remove any gravel or ledge, bars, rocks, or other obstructions in the bed thereof; to erect in the bed, on the shore or bank of said river suitable dams and locks, with booms, piers, abutments, breakwaters, and other erections to protect the same; to build upon the shore or bank of said river any canal or canals to connect the navigable parts of said river; or (in case it shall be deemed the preferable mode of improvement) any railroads for the like purpose.

"After providing the modes of acquiring lands or gravel on the shores or in the bed of the river, and for compensating the owners of property used in the prosecution of the contemplated improvement, the act proceeds to limit the time for the contemplation of the undertaking, with particular termini therein named, to the period of seven years from its date, and, further, requires that within the period thus limited the grantees shall build and run a steamboat between those termini, and shall, within the same time, make a canal and lock around the falls of the river or a railroad to connect the route above with that below the falls.

"Then follows section 4 of the statute, containing the provision objected to. It is in these words: 'If said William Moor and Daniel Moor, jr., their associates and assigns, shall perform the conditions of this grant as contained in the preceding section, the sole right of navigation of said river by boats

propelled by steam from said Oldtown so far up as they shall render the same navigable is hereby granted to them for the term of 20 years from and after the completion of the improvement, as provided in the third section of this act.' The defendant in error, who is assignee of the original grantees from the legislature, having made certain improvements in the river by the removal of rocks and by deepening the channel in other places, so as to enable boats to run therein, with 2½ feet less of water than was requisite for navigation previously to these improvements, and all within the limit prescribed to him by law, built, and on the 27th of May, 1847, placed upon the said river the steamboat *Governor Neptune* and ran her from Oldtown over the Piscataquis Falls to a place called Nickaton. In the spring of the year 1847 the defendant in error placed on the river the steamboat *Mattanawcook* and ran her to Lincoln till obstructions were removed by him at a place called the Mohawk Rips, above the Piscataquis Falls; and has also built, and is now running upon the river, another steamboat (573) called the *Sam Houston*, in addition to the *Governor Neptune* and the *Mattanawcook*.

"The plaintiff in error, Samuel Veazie, built the steamboat *Governor Dana*, and in conjunction with other plaintiffs, Levi and Warren R. Young, ran her upon the Penobscot River between Oldtown and the Piscataquis Falls from the 10th of May, 1849, until they were arrested by an injunction granted at the suit of the defendant in error. The steamboat *Governor Dana* was enrolled and licensed for the coasting trade at the customhouse at Bangor. The Penobscot tribe of Indians own all the islands in the Penobscot River above Oldtown Falls, some of which they occupy; and this tribe always have been, and now are, under the jurisdiction and guardianship of the State of Maine.

"Upon this state of facts agreed, the Supreme Judicial Court of Maine, after argument and advisement, at its June term, 1850, decreed that the plaintiffs in error be perpetually enjoined to desist and refrain from running and employing the steamboat *Governor Dana*, propelled by steam, for transporting passengers or merchandise on said river or any part thereof above Oldtown, and also from building, using, and employing any other boat propelled by steam on that part of the said river for that purpose without the consent of the said Wyman B. S. Moor, obtained according to law, until the said Moor's exclusive right shall expire. The court further decreed to the defendant in error the sum of $1,052.45 for damages and expenses incurred by him by reason of the interference with his rights on the part of the plaintiffs in error.

"Upon a comparison of this decree and of the statute upon which it is founded with the provision of the Constitution already referred to we are unable to perceive by what rule of interpretation either the statute or the decree can be brought within either of the categories comprised in that provision.

"These categories are, first, commerce with foreign nations; second, commerce amongst the several States; third, commerce with the Indian tribes. Taking the term commerce in its broadest acceptation, supposing it to embrace not merely traffic, but the means and vehicles by which it is prosecuted, can it properly be made to include objects and purposes such as those contemplated by the law under review? Commerce with foreign nations must signify commerce which in some sense is necessarily connected with these nations, transactions which either immediately or at some state of their progress, must be extraterritorial. The phrase can never be applied to transactions wholly internal between citizens of the same community or to a polity and laws whose ends and purposes and operations are (574) restricted to the territory and soil and jurisdiction of such community. Nor can it be properly concluded that, because the products of domestic enterprise in agriculture or manufactures, or in the arts, may ultimately become the subjects of foreign commerce, that the control of the means or the encouragements by which enterprise is fostered and protected, is legitimately within the import of the phrase 'foreign commerce,' or fairly implied in any investiture of the power to regulate such commerce. A pretension as far-reaching as this would extend to contracts between citizen and citizen of the same State, would control the pursuits of the planter, the grazier, the manufacturer, the mechanic, the immense operations of the collieries and mines and furnaces of the country; for there is not one of these avocations, the results of which may not become the subjects of foreign commerce, and be borne either by turnpikes, canals, or railroads, from point to point within the several States, toward an ultimate destination, like the one above mentioned. Such a pretension would effectually prevent or paralyze every effort at internal improvement by the several States; for it can not be supposed that the States would exhaust their capital and their credit in the construction of turnpikes, canals, and railroads, the remuneration derivable from which, and all control over which, might be immediately wrested from them, because such public works would be facilities for a commerce which, whilst availing itself of those facilities, was unquestionably internal, although intermediately or ultimately it might become foreign.

"The rule here given with respect to the regulation of foreign commerce, equally excludes from the regulation of commerce, between the States and the Indian tribes the control over turnpikes, canals, or railroads, or the clearing and deepening of watercourses exclusively within the States, or the management of the transportation upon and by means of such improvements. In truth, the power vested in Congress by Article I, section 8, of the Constitution was not designed to operate upon matters like those embraced in the statute of the State of Maine, and which are essentially local in their nature and extent. The design and object of that power, as evinced in the history of the Constitution, was to establish a perfect equality amongst the several States as to commercial rights, and to prevent unjust and invidious distinctions, which local jealousies or local and partial interests might be disposed to introduce and maintain. These were the views pressed upon the public attention by the advocates for the adoption of the Constitution, and in accordance therewith have been the expositions of this instrument propounded by this court, in decisions quoted by counsel on either side of this cause, though differently applied by them. (575) (Vide The Federalist, Nos. 7 and 11, and the cases of Gibbons *v.* Ogden, 9 Wheat., 1; New York *v.* Milne, 11 Pet., 102; Brown *v.* The State of Maryland, 12 Wheat., 419; and the License cases in 5 How., 504.)

"The fact of procuring from the collector of the port of Bangor a license to prosecute the coasting trade for the boat placed upon the Penobscot by the plaintiff in error (the *Governor Dana*), does not affect, in the slightest degree, the rights or condition of the parties. These remain precisely as they would have stood had no such license been obtained. A license to prosecute the coasting trade is a warrant to traverse the waters washing or bounding the coasts of the United States. Such a license conveys no privilege to use, free of tolls, or of any condition whatsoever, the canals constructed by a State, or the watercourses partaking of the character of canals exclusively within the interior of a State, and made practicable for navigation by the funds of the State, or by privileges she may have conferred for the accomplishment of the same end. The attempt to use a coasting license for a purpose like this is, in the first place, a departure from the obvious meaning of the document itself, and an abuse wholly beyond the object and the power of the Government in granting it.

"Upon the whole we are of the opinion that the decision of the Supreme Judicial Court of the State of Maine is in accordance with the Constitution of the United States, and ought to be, and is hereby, affirmed.

"ORDER.

"This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Maine and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this court, that the judgment of said supreme judicial court in this cause be, and the same is hereby affirmed with costs."

Mr. President, I feel that I ought not to occupy the floor longer. The Senator from Colorado gave notice yesterday that he would speak to-day, and I feel that I am imposing on him by taking so much time.

Mr. THOMAS. I have no desire to abbreviate the remarks of the Senator from Maine.

Mr. FERNALD. I have already used more than an hour, although I intended to speak but a few moments.

Mr. President, in conclusion I wish to ask in order to bring this question back to a concrete matter, what will really happen when a man who owns the banks of a stream wishes, under this bill, if it shall be enacted into law, as it probably will be, to erect a dam? What will be the first thing he will do? Will he not go to the best lawyer he can find to ascertain what his rights are?

Mr. President, it is readily apparent that there is a great difference of opinion among the leading lawyers of the Senate, as there is a great difference of opinion among the courts of the United States in the various States, as to this question. Some decisions are on one side and some on the other. All I want to do is to provide a definition which everyone can understand, so that it will not be necessary for a farmer, if he desires to build a dam across a stream, to ascertain whether or not it is a navigable stream.

I am going to suggest to the chairman of the committee a definition which, I think, would make the matter plain. It

would apply to every stream and every State in the United States, and would obviate any further dispute about this matter. It would take, I am sure, a considerable business away from the lawyers—and that is what I am here for, for I am not a lawyer. [Laughter.]

I would suggest, if the committee of conference mean what they say—and I know they do—that they ought to be willing to accept my definition, and it is simply this. It is only four lines, and everybody can understand it; and if the term has not been defined up to this time in any law, it is time that it was defined in this bill.

"Navigable waters" as used in this act includes only those streams or sections of streams that are shown to be navigable in more than one State, for boats drawing more than 2 feet of water, and are more useful for navigation than for other purposes.

That defines the term so that anybody can understand it, and I suggest that definition to the conferees.

Mr. THOMAS. Mr. President, I am satisfied that if the Senator's definition were incorporated in this law, it would create a harvest for the legal profession that would support them for at least one generation to come.

I sympathize with my friend the Senator from Maine and all other representatives of the nonpublic-domain States with regard to this question of Federal control of their streams; and yet simple justice requires me to say to those gentlemen that the position which they have heretofore occupied with regard to similar questions on the public domain is the cause of their present difficulty, and their dilemma is a situation which, with all due respect to them, serves them perfectly right. As the Senator from Arizona [Mr. SMITH] suggests, they are getting now what they have given to us for a great many years; and it is a source of some consolation, therefore, to know that these chickens are coming home to roost.

We have stood upon this floor for years protesting against the restrictions and the constantly growing extension of Federal authority over the public lands, over the public waters, and the use of them, against the continuous enlargement of the legal and statutory definitions of navigable streams, against the interference of those definitions as applied in practice with the development of the public-domain States, against the discouragements which they have furnished to immigration and development; and during all these years Senators from the older States have constituted an almost solid phalanx in sustaining this policy, in promoting it, and in defeating every effort at relief which western Senators and Congressmen have attempted to secure. The result is that the term "navigable stream," as applied to Federal jurisdiction, means all the waters in the country, including the surface waters falling from the heavens and filling the streams, and thus contributing to the navigability of the greater rivers to which the Senator from Minnesota [Mr. NELSON] referred.

Mr. SMOOT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield.

Mr. SMOOT. The Senator knows my position on this question, and the position that I have taken on it for about 12 years.

Mr. THOMAS. Yes.

Mr. SMOOT. Until a year ago, there were two separate bills always introduced at each Congress, one for navigable streams and one for the streams of the intermountain country.

Mr. THOMAS. Yes; one for streams in the public domain.

Mr. SMOOT. In the public domain. A year ago they conceived the idea that by combining the two propositions into one bill it would be very much easier to secure the passage of the proposition in that way than to try to pass the bills separately. I want to say that while the bill is not what I should like to have it, and if I had the writing of it the Senator knows that it would be an entirely different bill, the situation got so intolerable that I thought it was best to get legislation by which we could at least develop some of the water powers that have been tied up in the West for so many years.

I was informed this morning that if the bill becomes a law there are already prospects of the expenditure of great sums of money for the development of water power under its provisions. I hope I shall not be disappointed. I may, however, but I hope not; and it is for that reason that I signed the conference report on this bill. In my opinion it is the best possible measure that we could pass through Congress that at least allows, with restrictions that are almost unbearable, the development of the water powers of the West.

Mr. THOMAS. Mr. President, I expect to hold my nose and vote for it, also, if necessary. The definition given to the subject of navigable waters in this bill, however, to my mind will eventuate in its applicability to every stream favorably passed upon by the engineers, who will probably pass upon any stream which in some particular district is sufficiently formidable to justify an application for an appropriation to improve it.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER (Mr. FERNALD in the chair). Does the Senator from Colorado yield to the Senator from Washington?

Mr. THOMAS. I yield.

Mr. JONES of Washington. Does not the Senator think that if that is true it will make Senators and Representatives a little bit more careful about asking for surveys of rivers, and thereby result in the saving of money?

Mr. THOMAS. I do not. If I thought so I would support the bill enthusiastically. I do not think anything will put a stop to that except the introduction of a new policy of appropriation in the Congress.

This bill does provide for permits, which may or may not be applied for—to use the language of the Senator having charge of the bill—according as the interested party may be willing to take chances; but before the bill has been in operation three years the department down here will construe that provision of the act as mandatory, and there is not a man in your State who can build a cow track or a sheep's bridge across one of your streams without coming down here to Washington and getting a permit; and again I say, it serves you right.

Mr. OVERMAN. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from North Carolina?

Mr. THOMAS. I do.

Mr. OVERMAN. Suppose we define in this bill what a navigable stream is. Does that make it a navigable stream?

Mr. THOMAS. I do not know whether it does or not, because the chances are that in nine cases out of ten the courts will have to define the definition.

Mr. BORAH. Mr. President, of course, as a matter of fact, it does not, but in the practical workings that will be the effect of it.

Mr. THOMAS. Certainly. I am speaking about its practical operation.

Mr. BORAH. They will find this authority here spread upon the statute, and they will exercise it, and there will be nobody who can stand against their exercise.

Mr. THOMAS. Precisely. We from the West have fought against this policy by day and by night, in season and out of season, and have been compelled to go down to defeat every time, because we have been confronted by an almost solid phalanx of opposition in the East and in the Middle States. Now, gentlemen, the medicine is of your own preparation. Please take it, and look as pleasant as you can. We have had to do it for some time.

ACTIVITIES AND ACCOMPLISHMENTS OF THE WAR DEPARTMENT.

But, Mr. President, I rose, pursuant to a notice which I gave a day or two ago, to submit to the Senate some observations upon the part played by the War Department in the recent war against Germany.

The part assigned by fate to the Great Republic in the tragedy of the German war, and her performance of it, surpasses the combined military exploits of history. The generation which wrought the stupendous task have reached the high tide in human accomplishment. Posterity will record their deeds in epic, song, and story. These may be emulated in the crises of the future, but no achievement, however heroic in purpose or stupendous in proportions, can overshadow it.

We are too near the great episode, we have been too much a part of it, to appreciate the magnitude of its proportions or the sublimity of its perspective. We have been involved in its details, annoyed by contact with the conception or the execution of some of the plans, critical of its operation here and there, doubtful of the earnestness, the capacity, or the integrity of personnel, and impatient over costly delays seemingly avoidable. Apprehension and anxiety, mingled with crimination and recrimination and synchronizing with the development of a mighty military machine, have been too acute and too chronic to subside with the triumph of our arms and the close of hostilities. These, coupled with the magnitude of the public expenditure, extravagant beyond the experiences of the past but unavoidable in the waste of war, have displaced in public vision the vastness of the national task and the implacable need for its speedy accomplishment.

This state of mind, coupled with an approaching presidential election and the prospect of a supply of unlimited campaign material, have impelled the Congress to devote the greater part of the session, now more than a year old, to numerous and microscopical investigations of the details and methods of

mobilization and supply, and of the departments, bureaus, boards, and individuals through whose agencies the work was done.

The investigators have revealed a few small dents in the national armor, a stray blemish on the escutcheon of national achievement, an occasional inability in personal effort. Like spots on the sun, these are for the astronomer's vision, and, like the astronomer, they are paraded with sinister enthusiasm by their discoverers, while the sun shines on.

The majestic sweep of an Amercian Army across the French landscape 3,000 miles away, their transport across the submarine-infested seas, their sustained equipment of munitions and supplies, the assembling and discipline of still vaster hordes of American youth in huge cantonments springing into existence overnight, the concentration of a nation's limitless industrial resources for a nation's cause, the titanic effort of a hundred million people for the overthrow of an overshadowing menace fraught with unspeakable disaster to a harried world, and the speedy retransportation of a victorious army—these are to-day obscured by the probings, the calumnies, the denunciations, and the personal animosities of the hour. Failures here, profligacy there, inability, incompetency, and dishonesty everywhere, form a clamoring chorus of complaint and detraction, undignified in character and unworthy of the Nation.

If it need be that such offenses must come, then rebuke and denial are alike impotent to overcome them. But they justify an attempt to draw the public mind for a brief moment away from the arena of acrid and passionate contention to a brief contemplation of the Nation's record as a whole during that period of 19 months which forms its "crowded hour of glorious life."

Let me, therefore, present to your dispassionate consideration a brief and imperfect sketch of the outlines of America's military campaign against the Central Empires during the years 1917 and 1918.

Since the date of the armistice on the western front a period has elapsed that is about equal to the period of American participation in the World War. Much has been written about the great accomplishments of our armies in France, but little has been said about the other and equally great achievement of our War Department in the creation and delivery of those armies in Europe. It is but just that something of the colossal measure of that achievement should be known.

Before passing to its review it seems fitting that we should touch upon still another—one that underlay and made possible both of these achievements—the effort of the American people. In the World War for nearly three years we had stood apart. We had no hand in bringing it about; no share in its conception. We had no thoughts of conquest or dominion. A great Nation, not insensible of our strength, we accorded to the smallest of peoples the full measure of national freedom which we demanded, as of right, for ourselves. We questioned the purposes of none. We believed that each nation was moving in its own way toward ends that the world would judge as good.

Suddenly, to us at least, the war burst upon Europe. Amazed at its onset, we watched, almost incredulously, its flames sweeping over Europe, then leaping to the remotest corners of the earth. What madness was theirs who kindled them? Everywhere men's hearts were gripped with apprehension. The structure of European civilization was assailed—a structure that had been a thousand years in the building. And then we, too, came in.

It is not needful to refer here to the causes which thrust us into the arena and for which we fought. They are known to all men. Nor is it wished to prolong the terrible passions of the war. These must be quenched. Mankind can not go forward until they die out. Without passion, without malice, our people are setting themselves to new tasks. And it is in no mean or ignoble spirit that they are facing them. The memory of recent years is fresh upon them; a memory of a common effort in an unselfish cause, when, revealing themselves to the world and to each other in new and unsuspected lights, they went forward, with a unity of purpose, of resolution, and of effort, to the greatest achievement in history.

The moral basis of that achievement is beyond measure or praise. The outlines of the achievement itself can be appraised. And the more we contemplate it, as it recedes in perspective so that we can see its full outlines, the more stupendous it appears. The conditions under which we began our task were not promising either as to an early or even as to a final success. For nearly three years the most powerful military machine ever created, the product of a century's growth, had marched triumphantly on. The Central Empires had been almost everywhere successful. Their opponents now to become our associates in the war had passed the zenith of their power. The eastern front was crumbling, and the Russian armies, shaken by excessive losses and repeated defeats, palsied by internal convulsions, showed but a shadow of their former strength. The fears then felt as to their dissolution and the total collapse of that once mighty nation were soon to be realized.

The task before our people was of transcendent magnitude. Could we offset the loss of Russia? Russia, a military nation, having a population nearly twice our own, and the largest armies in the world, organized and trained to meet this very event, whose borders ran with those of the enemy, so that her full strength could be exerted in the struggle, whose 8,000,000 troops had fought until so recently with an unflinching courage! Would it be possible for us, in practice and by inclination an unmilitary nation, to overcome the handicaps of our lack of preparation, to surmount the difficulties surrounding the dispatch of armies across 3,000 miles of a sea infested with submarines? In the face of these conditions, would it be practicable for us to exert a military effort equal to that lost by the defection of Russia?

But our task was much greater. We must exert that increased measure of effort that would be necessary to turn the tide of battle in our favor, and we must develop that effort with the utmost speed lest our associates, now facing enemy forces swollen by the release of his armies from the eastern front, should be crushed before we could come to their aid. Prior to the collapse of Russia the Allies had been able to maintain a numerical superiority on the western front of about 30 per cent; but the defection of that nation would permit the Central Powers not only to wipe out the allied superiority but to attain for themselves a superiority on that front of about 50 per cent. Our associates had put forth their maximum efforts. From now on their strength must wane. Their premiers and their military experts united in urging upon us that promptness was imperative. We must act quickly. Delay, whether avoidable or not, would be irretrievably disastrous.

The countries at war were literally nations in arms. The great military establishment each had maintained in peace lent itself to that expansion which was forced by the impelling need of three gruelling years, until their whole people had been molded into vast war machines. Great Britain alone afforded us an example even partially analogous to our own situation. Possessed, like ourselves, at the outbreak of war with an Army so small as to be, from a European standpoint, almost negligible, and, like ours, one not adapted to rapid expansion, her achievements had well earned our admiration. They might afford a comparative measure of our possible accomplishments. Yet Great Britain, close to the western front, without the great transportation difficulty that was facing us, in the 18 months following the outbreak of war had been able to assemble in France a force of only about 1,000,000 men. Our task might well have been looked on as impossible. In the light of the facts of the war until then it was impossible. Then we must do the impossible. We must surpass achievements that hitherto had found no parallel in history. We must demonstrate the old assertion that autocracies seem more efficient than they are, while democracies are more efficient than they seem.

It was in this spirit that our people met the great problems of the war. With unalterable resolution, with singleness of purpose, with constantly growing effectiveness of effort, they met every demand, overcame every difficulty, and turned an otherwise certain defeat into a decisive victory. And it was this spirit wafted overseas which brought renewed hope to the exhausted people of the Allies. And from this spirit flowed the resolution, the indomitable courage, that inspired our troops to their great deeds in France.

These deeds are well known. They are inscribed indelibly in history. But the basis on which these deeds became possible—the direction of the willing efforts of individuals into collective efforts toward essential ends, the organization of the resources of the entire Nation for the most effective prosecution of the war, the wise guidance of that organization; in brief, the achievement of the War Department in translating this unity of national purpose into unity of national effective effort—this is less known. Yet this achievement finds no counterpart among similar performances elsewhere in the war or in preceding history. Without leadership of high quality the sacrifices of a generous people would have been in vain. But again in a crisis, American leadership rose to the full measure of need and met every test.

The outstanding task which faced us upon our entry into the war was that of exerting our military strength upon the western front with a minimum of delay. To this task, which fell to the War Department, all others were subordinate or secondary. Time was everything. To its inexorable demand all other elements were subordinated. The main steps that had to be taken

by that department for the accomplishment of this task included raising the men; organizing, training, and equipping them; transporting them overseas; and subsequently providing them with the supplies and munitions needed in the conduct of operations.

The declaration of war, on April 6, 1917, found the United States, from a military standpoint, wholly unprepared. We could not make the deliberate preparation that had marked the development of the European military systems. The latter were the products of systematic and prearranged plans in time of profound peace, developed in the gradual manner of great commercial enterprises, such as the United States Steel Corporation or the Pennsylvania Railroad. The War Department, without time for experimentation, had to proceed along untried lines and with the utmost speed to the accomplishment of the greatest enterprise ever undertaken. Let us examine what its task was and how that task was accomplished.

When we entered the war in the spring of 1917 the submarine situation justified grave doubts as to our ability to transport, much less to maintain, large forces in Europe. The sinkings during that spring were unusually heavy and were increasing from month to month to such an extent as to cause our associates to become apprehensive lest the decreasing ocean tonnage should preclude their obtaining the necessary foodstuffs and the material for munitions requisite for the further prosecution of the war. If this increased rate of sinkings should continue it would be possible to dispatch overseas only a comparatively small force, as the greater part of the available tonnage would be required for foodstuffs and supplies for our associates. These considerations led to the adoption at that time of a tentative program, which involved—

(a) The immediate dispatch overseas of a small but, in a military sense, complete body of troops—one division—to serve as the nucleus for the organization and training of the American forces that were to follow and to afford a physical evidence of our participation in the war.

(b) To follow this advance detachment by an expeditionary force as large as the shipping situation would permit. For housing this latter force during the period of organization and training, work was at once started on the construction of 16 National Army cantonments and 16 National Guard camps, having a total capacity of one and a half million troops.

(c) To construct shipyards and turn out ships faster than the enemy could destroy them.

The adoption of a detailed plan of organization had to await the report of Gen. Pershing, then in France. That report was submitted under date of July 10, 1917, and recommended the dispatch to France of an American army of 30 divisions, a force which would aggregate 1,372,399 troops. Subsequently, the serious situation produced by the German offensive on the western front in the spring of 1918 led to the conviction that the war could be brought to a successful end only through a greater participation by the United States than was possible under the 30-division program. Accordingly, on July 8, 1918, the War Department enlarged that program so as to provide for the assembly in France by June 30, 1919, of 80 divisions, or 3,360,000 men, with 18 divisions at home, or a total force of 4,850,000 men. This was the program followed from then until the date of the armistice in the dispatch of troops to France. The premiers of our associates and Marshal Foch insistently urged, however, that a program even of that magnitude would not be sufficient to insure that the war would be brought to a successful termination, and on September 3, 1918, the War Department extended that program so as to provide for the assembly in France by June 30, 1920, of 100 divisions, or 4,260,000 men, with 12 divisions at home, or a grand total of 5,500,000 on that date.

The forces available upon our entry into the war as a nucleus for such enormous armies were, indeed, small. Our Regular Army comprised only 128,000 men, scattered throughout the United States, Panama, Hawaii, Alaska, and the Philippines. A large portion of it was guarding the Mexican border, which could not be wholly denuded. The strength of the National Guard in Federal service, as a result of the troubles on the border, amounted to about 64,000, and the National Guard troops in State service amounted to about 111,000. Our total forces, both Regular and National Guard, amounted to only about 300,000, including the Regular troops in our insular possessions. Our National Guard troops had to be assembled, organized into divisions, their training completed, and their expansion effected to their war strength of approximately 400,000 men. The small force of trained Regular troops had to be drawn on to obtain detachments to act as training leavens for the divisions to be organized from the draft and to afford nuclei for the additional organizations created under the national defense act, and then further diluted by an expansion to war strength, until finally these organizations contained only a small percentage of men with prewar training.

In the following year and a half these small forces had been expanded to a total of approximately 4,000,000 men, of whom 2,000,000 had been assembled in France. An indication of the true measure of this accomplishment will be found in the rate of expansion achieved by the British. The latter, although their trained forces were double ours, and notwithstanding their heroic efforts and their proximity to the battle field, were able to assemble in France only 1,000,000 men in the first 18 months after their entry into the war, and it required three years for them to assemble there the number that we assembled in half that period.

This rapid and large expansion in our military forces was made possible by the selective-service act of May 18, 1917. Enlistments were from two sources—voluntary and the draft. During the spring and summer of 1917, before men could be obtained through the draft, voluntary enlistment was resorted to in order to expand the Regular Army and National Guard to war strength. From September of 1917 onward nearly all enlistments were obtained through the operation of the selective-service act. Of our total male population of 54,000,000, 26,000,000, or nearly one-half, were registered, and over 2,800,000 were inducted into the military service, or 60 per cent of our armed forces. The act was applied in a manner recognized by our people as just and equitable and with a minimum of interference with our economic life, yet it continued to meet the progressive needs of our constantly expanding military forces and would have met the 100-division program asked by Marshal Foch. The country supported the law in letter and in spirit and held the drafted soldier and the volunteer in equal honor and esteem. The earnest, unselfish cooperation of the people in the application of that law will endure forever as a monument to American patriotism.

The men called in the initial draft in the fall of 1917 were used in the creation of the 17 new National Army divisions. Subsequently calls under the draft varied from month to month, depending upon the rate of shipment of troops to France. As this rate increased, releasing greater housing facilities at cantonments, the monthly increments in the draft were correspondingly increased. As it required about a month to call, receive, and distribute a single large increment of the draft, the total number that could be called during a month was limited to the maximum number that could be received and assigned during that period. The distribution of the draft among the cantonments was made with a view to completing the different units in the relative order in which they would have to be dispatched to France, in order to maintain there at all times a well-balanced army. In this distribution consideration had to be given also to the necessities which had arisen in the World War of supplying to each organization men with special qualifications for particular functions. These specialists could be obtained from the draft, as it had brought into the service men of all trades. The number obtained from agricultural districts, however, was too small to meet the needs of the organizations formed from the drafts from those districts, and it was found necessary therefore to examine and classify all men received and reassign those with mechanical or other special training to organizations as needed. This classification served also to disclose those who were inferior in physique, or whose knowledge of the English language was inadequate, and permitted special measures to be taken for the correction of those deficiencies. The effect of this system was to obtain the maximum value from each increment of the draft, as each man was placed in the position that he was best qualified to fill; and it was an important factor in the conservation of the man power of the country and in tending to disturb to a minimum degree the economic life of the Nation.

As the war progressed men were needed not only to make up the new divisions required in the expansion of the Army, but also to replace the wastage in divisions already formed. This wastage arose not only from battle casualties but from disease and from rejections of men because of physical or other deficiencies. It became an increasingly serious problem as the war went on until in the summer of 1918 the replacements required had risen to 50,000 men per month.

In the initial organization of the divisions of the National Army, as well as of those of the National Guard, each division was made up of men drawn from the same locality. At first it appeared to be desirable to restrict the replacements sent to a division to men drawn from its home locality, so as to maintain its local character, but subsequent events challenged its practicability. It was unavoidable that the character and extent of exposure to battle casualties of different divisions should vary widely, and if replacements had been so distributed as to

maintain the localized character of divisions the losses suffered by certain communities would have far exceeded those of others. For example, the Twenty-sixth Division was drawn from New England; the Twenty-seventh Division from New York; the Thirty-third Division from Illinois; the Thirtieth Division from North Carolina, South Carolina, and Tennessee. During the course of the war each of these divisions received about 30 per cent of replacements, drawn from about 40 States other than those from which the division was originally raised. Had the First and Second Regular Divisions been drawn from particular localities the changes in their original character would have been still more marked because of the heavier losses they sustained. These facts indicate that the policy followed in the distribution of replacements tended to the distribution of losses equitably over the entire country.

With the limited means on hand, the training of our armies appeared to offer a problem that might prove insurmountable in the time available. The officers of the Regular Army numbered less than 6,000, those in the National Guard about 12,000. The latter were needed and were retained with the divisions drawn from the National Guard. The small corps of Regular officers afforded the only source from which instructors could be obtained to train the nearly 200,000 new officers that were needed for our expanded armies. But that source had to be drawn on at the same time to meet a multitude of other pressing needs arising in the organization of our armies here and abroad. The training of our forces could not be carried on without shelter for the men during the training period. It was required on an enormous scale, and none was available; and its construction had to be begun at once, as the initial draft could not be assembled until it was completed.

Immediately after the declaration of war steps were taken by the War Department to meet both these pressing needs. Orders were issued in April, 1917, for the first series of officers' training camps, which opened on May 8, 1917, and which was attended by approximately 38,000 candidates for commissions, selected after tests as to their physical and mental qualifications. These candidates were given an intensive course of instruction for three months in the duties of an enlisted man and of platoon and company commanders. The results were excellent and of fundamental and far-reaching importance. Over 27,000 of the graduates of this first series of camps were found qualified for commissions, and it was these graduates who supplied the initial quotas of company officers for the National Army divisions organized in September, 1917. Subsequently three other series of training camps were held with equally good results. The rapid expansion of the commissioned personnel from its total of 18,000 at the declaration of war to nearly 200,000 at the date of the armistice was made possible largely by the results obtained at these camps. Of these 200,000 officers, approximately one-half were drawn from these camps, 3 per cent came from the commissioned and 8 per cent from the enlisted personnel of the Regular Army, 6 per cent from the National Guard, and the remainder, a majority of whom were for the Medical Department, entered the Army directly from civil life.

Simultaneously with the initiation of the first series of officers' training camps steps were taken by the War Department toward the provision of shelter and suitable training areas for the new forces. The construction of 16 cantonments for National Army divisions was authorized in May, 1917, the last site secured on July 6, and on September 5 of that year, when the first installment of the initial draft was called to the colors, cantonment accommodations were available for 430,000 men. This capacity was shortly increased to 770,000, or an average capacity per cantonment of 48,000.

In May, 1917, the construction work was started also on camps for the 16 National Guard divisions which were called into the Federal service in July of that year. Although the soldiers were quartered under canvas, the provision of these camps involved extensive construction work, including the erection of many wooden structures, the provision of water, sewer, and lighting systems, and the construction of roads. These camps had a capacity of 684,000, so that the total capacity of the camps and cantonments constructed in 1917 amounted to one and a half millions. In addition to these 32 camps and cantonments, a large amount of additional construction was required for the provision of suitable embarkation centers at New York and Newport News, and of schools for special services. This additional construction had a capacity for more than 300,000 men, so that during a few months in 1917 there was constructed as an essential part of our war program shelter for approximately 1,800,000 men.

The costs of construction were necessarily higher than they would have been if time had not been a controlling consideration; but time was the essential factor, and the outstanding feature of the accomplishment was its rapidity. Each of the cantonments was completed in substantially 90 days. It was this speed which made it possible to begin the training of the drafted army in the fall of 1917, and that made it available just in time for the critical battles of the summer of 1918.

The problem of the initial equipment of our forces, and subsequently their maintenance in munitions and supplies overseas, at best an exceedingly difficult one, was complicated for us by the fact that our associates were drawing and must continue to draw from us large quantities of munitions and supplies which were essential to the maintenance of their armies. As a consequence, the War Department, notwithstanding the delay thus entailed in our own preparations, was forced to develop new fields to meet our needs.

Some phases of this problem presented difficulties as to quantities rather than as to character, as, for example, blankets, clothing, and so forth. While the provision of adequate quantities of these latter articles was less difficult than the provision of noncommercial articles, such as ordnance, yet the quantities needed were so enormous as frequently to overtax the industries of the country. This was due not only to the large requirements for initial and reserve stocks but also to the vast but unavoidable wastage in the operations of troops in campaign. For example, the number of blankets purchased by the Army during 1918 was two and one-fourth times as great as the entire American production in 1914. In 1918 the margin between demand and supply had so decreased that it became necessary for the War Department to take over certain industries and control the output throughout all stages of manufacture. In the same year that department found itself obliged to follow the precedent established by the British Government and commandeer the entire wool supply of the country.

The great difficulty, however, in equipping our new Army was that of supplying it with munitions—that is, rifles, machine guns, artillery, ammunition, airplanes, guns, toxic gases, and so forth. These are noncommercial articles, which find no place in our economic life, and involve such technical difficulties in manufacture that their production can not be improvised and can be materially shortened in point of time only with the greatest difficulty. This problem had been found a critical one by each of the countries at war, and to meet it our associates had been forced to supplement their own facilities by drawing heavily upon us. Then, too, unlike the other belligerents, we entered the war without large initial stocks of equipment to tide us over the period until new facilities could come into quantity production. The problem frequently appeared an insuperable one. That it was met and mastered is a tribute both to the capacity and foresight of the War Department and to the patriotism of American industry.

But it should be remembered that the actual achievements in our production of munitions, great as they were, were but a foretaste of the far greater accomplishments that would have been achieved by the War Department had the war continued through 1919. And it should be remembered also that the fact that much of the equipment and munitions used by our troops in France was obtained from our associates was due in large measure to the imperative need that confronted us in the spring of 1918 of responding to the urgent appeals of our associates by employing all available tonnage for the shipment of troops, to the exclusion of the dispatch of equipment, and accepting the offers of our associates to supply equipment for those troops. The situation then existing is well described by Lieut. Col. Repington, the British military critic, writing in the Morning Post, of London, on December 9, 1918, as follows:

> * * * They (the British war cabinet) also prayed America in aid, implored her to send in haste all available infantry and machine guns, and placed at her disposal, to her great surprise, a large amount of transports to hasten arrivals. * * *
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> The American Government acceded to this request in the most loyal and generous manner. Assured by their allies in France that the latter could fit out the American Infantry divisions on their arrival with guns, horses, and transport, the Americans packed their infantry tightly in the ships and left to a later occasion the dispatch to France of guns, horses, transport, labor units, flying service, rolling stock, and a score of other things originally destined for transport with the divisions. If subsequently—and indeed up to the day that the armistice was signed—Gen. Pershing found himself short of many indispensable things, and if his operations were thereby conducted under real difficulties of which he must have been only too sensible, the defects were not due to him and his staff, nor to the Washington administration, nor to the resolute Gen. March and his able fellow workers, but solely to the self-sacrificing manner in which America had responded to the call of her friends. * * *

When we entered the war we had 600,000 rifles; at the date of the armistice this number had been increased to over 3,000,000, of types that were superior in accuracy and rapidity of fire to those used by either our associates or our enemies. The expansion made necessary in our stocks of machine guns was on a still greater scale. The extensive use of machine guns, as

exemplified in the World War, had revolutionized the tactics of the battle field. The allowance of such guns authorized by Congress in 1912 was 4 per regiment. The experience of the World War has shown that this allowance should be eighty-fourfold greater, or 336 per regiment. Our production of machine guns was one of the striking features of our war effort. Our stocks were increased from a few thousand to 227,000 on the date of the armistice, a number well in excess of that required for our forces on that date. Moreover, a majority of these guns were of the Browning type, invented during the war by an American of that name, which were found superior to any machine guns in use by any of the other belligerents.

Of the enormous amount of equipment required in the expansion of our Army from its prewar to its final strength, artillery and artillery ammunition were among the elements that could be improvised with the least facility, for the necessary processes of its manufacture involved irreducible periods of time. As in the case of rifles, the quantity of light artillery the United States had on hand at its entry into war was sufficient to equip an army of only 500,000 men. We had on hand only 544 3-inch fieldpieces, whereas the 42 divisions organized in 1917 required 2,100 guns of that type. Few of our industries were adapted or could be adapted in the time available to the manufacture of complete pieces; so that the production of these pieces in quantity could be obtained only by distributing the work among many factories in such a way that each was allotted only the particular components that it could best produce. The success of this method involved a harmonizing and a coordination of effort in the work of many industries, so that the processes of all could be so timed that the subsequent assembly of the completed units would not be delayed. This coordination was attained, and during the period before the armistice the United States produced a total of 1,642 pieces of light artillery, and the work of production was under such headway that before it could be advantageously checked, in April, 1919, this total had risen to more than 3,000.

Our artillery program required the production of enormous quantities of artillery projectiles. As in the case of the artillery itself, no factories were prepared to manufacture complete rounds, and it became necessary for the War Department to assume the burden of distributing these components among manufacturers in such a manner as to secure harmony of effort in the production of the finished projectiles. By October, 1918, our monthly production had risen to the enormous total of 3,000,000 rounds. Our production of smokeless powder and high explosives was on an even greater and an unprecedented scale. Our output in 1918 not only met our own needs, but in addition met nearly one-half the needs of our associates.

A measure of the results obtained by the War Department in the manufacture of these munitions is afforded by comparing our output in the first 20 months after our declaration of war with the output of Great Britain in the first 20 months after her entry into the war. On making these comparisons we find that in respect of only one element, light artillery, was our output exceeded by that of Great Britain. Our output in heavy artillery was nearly double that of the British, exceeded it in light-artillery projectiles, was sixfold greater in heavy artillery projectiles, and 40 per cent greater in powders and explosives.

The manufacture of toxic gases was a problem that for us was wholly new. When, in 1915, the British and French lines in the Ypres salient were suddenly enveloped in clouds of gas, a new weapon had been introduced into warfare. That it was a terrible one is shown by the fact that during 1918 between 20 and 30 per cent of all our battle casualties were caused by gas.

When we entered the war we had had practically no experience in the manufacture of toxic gases, and possessed no facilities that could be readily converted to their manufacture. By the date of the armistice we had produced more than 10,000 tons, and on that date we were equipped to produce gas at a greater rate than France, England, or Germany.

One of the striking developments of the war was the wide application of caterpillar traction to military uses. It was variously applied and, as the war progressed, in increasing measure. Caterpillar tractors were used to haul heavy artillery, and to draw caterpillar trailers loaded with artillery ammunition or other heavy weights. During the latter stages of the war guns of constantly increasing size were mounted on caterpillar tractors, so that they became self-propelled batteries, which could travel over the roughest of country and fire directly from the conveyances on which they were mounted. In this new field our production made rapid progress, and before the armistice over 1,400 large artillery tractors had been shipped overseas. Another and a revolutionary military application of the caterpillar principle was the tank, which is merely a caterpillar having armored protection for the men and guns it carries. The progress of the war had led to the development of two distinct types, the light, 6-ton, and the heavy, 30-ton, tank. In the production of both these types we had made gratifying progress by the date of the armistice.

For the expansion of our aviation we set, in the general enthusiasm aroused by the creation of that new military arm, a program whose magnitude we did not in our ignorance then appreciate. At our entry into the war we possessed only a few airplanes, and these were not of battle types. The designs of the battle types developed during the war and prior to our entry therein had not been accessible to us, as they had been carefully guarded and withheld from neutrals. There was a general lack of appreciation, shared by even the best informed American authorities on aviation, as to the requirements, other than that of simple flying ability, of the enormous program that we had laid out for ourselves; and our people were thus led to cherish expectations that were beyond the possibilities of realization. The magnitude of that program is shown by the fact that after four years of intensive effort, and when at the height of her strength, Germany was able to maintain on the western front only about 2,500 airplanes.

Following the advice of our associates, our production of airplanes was largely concentrated on observation and bombing machines, which were subject to less frequent changes in design than pursuit planes, leaving the construction of the latter types to the European factories, which were in close contact with the front. As foreign engine production was insufficient to meet even the needs of our associates, it was found necessary to redesign many planes so as to take American-made motors. By November, 1918, our total production of service planes had reached 4,000, and was then proceeding at the rate of over 1,100 per month. America's chief contribution to aviation, however, was the development and production of Liberty engines. Engine production had been and continued to be the limiting factor in the aviation expansion of our associates. It was essential that we should develop a high-powered motor which could be adapted to our commercial methods of standardized quantity production. This need was met by the development of the Liberty 12-cylinder engine, which was adapted to our methods of quantity production and which could be produced by us in quantities to meet our own needs and those of our associates. By October, 1918, the production of these engines had reached a monthly output of 3,850, and the production to the date of the armistice totaled 13,574. After exhaustive trials our associates pronounced this engine a complete success, and vied with each other in attempting to obtain our total monthly output.

It may be said, indeed, that our accomplishments in aviation, while not equal to the initial program that we had laid out for ourselves, were what might have been anticipated in the light of a fuller knowledge of the subject and of the experiences of the war, and equaled the accomplishments of any of our associates during a like period.

The rate of delivery of our armies and their equipment overseas stands as an achievement that is unique and unprecedented in history. It was beyond the previous expectations of ourselves of our associates, and at a rate which the Central Empires had confidently assumed as wholly impracticable of attainment. Back of it there lay the most stupendous transportation system, rail and sea, ever assembled under a single control, directed by the War Department with an efficiency which met every demand made upon it.

The necessity for the creation of a great transport fleet arose just at the time when the world was experiencing its most acute shortage of tonnage. At the opening of hostilities the War Department possessed only 7 small transports, but within a period of 18 months it built up from this small beginning a transport fleet of over 600 vessels, totaling over three and a half million tons. In the assembling of this great fleet every possible source of tonnage had to be drawn upon. The first great increment was the seized German vessels, which amounted to about a half million tons. A million and a half tons were obtained by the withdrawal of ships from those commercial routes whose maintenance was not a vital economic need; a million tons of new ships were obtained from the Emergency Fleet Corporation, and the balance of the tonnage was obtained by charter from Dutch, Scandinavian, and Japanese sources.

In the summer of 1917 our troop movement was not rapid. In the fall of that year, as the former German liners were repaired and put into service, our embarkations increased to a rate of about 50,000 per month. In the spring and summer of 1918 this rate increased progressively and rapidly, until in the single month of July 306,000 men were landed in France, or 10,000 men per day. Within a period of 18 months over

2,000,000 men were transported overseas. Of these a half million were transported in the first 12 months and one and one-half millions in the last 6 months. The transportation of troops on such a scale or over such a distance has never before been attempted or contemplated. While credit for this movement must be shared with our associates, particularly the British, it should be said that the accomplishment of our transports exceeded theirs, both in the extent to which they were loaded and in the speed of their turn around.

Cargo shipments rose from 16,000 tons in June, 1917, to over 800,000 tons in November, 1918, and the total oversea cargo shipments amounted to 7,500,000 tons. This cargo included not only food, equipment, and munitions for our armies, but large quantities of building and railway material for the extensive overseas construction required for the maintenance of those armies in France. It included, for example, 47,000 motor trucks, 27,000 freight cars, and about 1,800 locomotives, of which 650 were shipped set up on their own wheels, so that they could be unloaded on the tracks in France and run off in a few hours under their own steam. The need for additional locomotives for military operations in France was a constant and pressing need. The shipment of set-up locomotives of large size had never been made before, but at the date of the armistice the War Department was prepared to ship these set-up locomotives at the rate of 200 a month.

The movement of troops and supplies within the United States reached tremendous proportions, nearly 14,000,000 soldiers being moved by rail during the war to camps or ports of embarkation, but because of the centralized and efficient control of our railways, which permitted an effective coordination of the measures taken to meet both military and commercial needs, these movements were carried out with but little interference with the normal traffic of the country.

During the entire period of active hostilities the Army lost at sea only 200,000 tons of shipping, of which 142,000 tons were sunk by torpedoes. No American troop transport was lost on its eastward voyage. For this splendid record the Navy, which armed, manned, and convoyed the troop transports, deserves the highest commendation.

The record made in the dispatch of our troops to France has been excelled only in the rate at which they were returned to our shores after the armistice. This return movement reached its maximum in June of 1919, when 364,000 troops were embarked from French ports, nearly all of whom were carried in American ships.

No effort was spared by the War Department to safeguard the health of our soldiers. The Medical Corps of the Army, numbering about 2,000 commissioned officers, was expanded by the addition of over 31,000 physicians from civil life, including practically all the leaders in the medical profession. Adequate hospital facilities were provided, and all of the most recent advances in medical science were applied toward the prevention of disease. As a result, for the first time in our history the deaths in war from disease were not far in excess of those resulting from battle. In this war approximately half the deaths occurring among our soldiers were due to disease, and it is estimated that of this number nearly one-half was due to the influenza epidemic occurring in the fall of 1918. In the Spanish War the number of deaths from disease were five times, in the Civil War two times, and in the Mexican War seven times as large as the number of deaths from battle. America's debt of gratitude to the medical profession is immeasurable. No branch of our citizenship rendered more splendid service.

Execution of the details of the Nation's colossal undertaking demanded many new organizations, attainable only through business and scientific management, and talent of the highest order. To this need the business and professional men of America made prompt and loyal response. They came from every industrial center of the country. Unmindful of the pressure of their own affairs, they tendered their services to the departments, which gladly welcomed them, and, without pay or hope of pecuniary reward, they cheerfully accepted and sustained every responsibility which the Nation in its exigency placed upon their competent and willing shoulders. It is not too much to say that these splendid patriots contributed an indispensable element to the success of American arms in the great war just ended. The duties falling on them were as vital as those committed to the men in arms and at the front. They helped to organize victory. I wish that time would permit me to recite the long list of these men, all, or nearly all, of whom have long since returned to their homes and quietly taken up the tasks they abandoned for the sterner and most insistent duties of American citizenship. With scarcely an exception that I can recall, they paid their own expenses, lived upon their own resources, made and canceled many monetary obligation incurred solely for the Government, assumed responsibilities on critical occasions which imperiled their private fortunes, and effaced themselves in the work their heads and hands were called upon to perform. Baruch, Hoover, Ryan, and Garfield are types of this great galaxy of war-time servants of the country's urgent needs.

With many of these the tongue of slander and the spirit of detraction have been busy. But they may take serene pleasure in the fact that the illustrious men of our past were even more bitterly assailed than they, and that posterity, always dispassionate and always just, will lay its laurels upon their memories and cherish with undying gratitude their unselfish devotion to their country in its hour of travail.

As the war progressed more and more of our industrial activities were diverted from their normal uses and drawn in to become integral parts of the constantly expanding national war-making machine. Until the date of the armistice this machine was moving at ever-increasing speed. On that date the machinery had to be reversed and the work of demobilization begun. The problem was not a simple one. Nearly 4,000,000 men, 2,000,000 of whom were overseas, had to be returned promptly, yet with a minimum of interference with our industries and without causing hardship to the men, to the places in our social and economic life that they had quitted to enter the Army. War contracts had to be terminated with the minimum of delay consistent with a due regard for the interests of both the Government and of industry.

Fortunately, the War Department had foreseen the character of the problem which would arise and was prepared to adopt at once an effective and wise policy of demobilization. Three classes of industrial workers whose immediate discharge was for the public good—anthracite-coal miners, railway employees, and railway mail clerks—were demobilized at once. Individuals whose families were in need or distress or whose services were specially needed in our economic reconstruction were discharged in advance of the demobilization of their military organizations. With these exceptions, the plan followed was that of demobilization by military organizations in the order in which they could be best spared—transporting each soldier before final discharge to the camp nearest his home; retaining in service those of impaired physical condition who could be improved by treatment; preventing the congestion of unemployed discharged soldiers in the larger cities; and aiding the soldiers in securing employment.

The demobilization of our armies was accomplished with remarkable celerity, with fairness to the soldier, and without disturbing our economic life. In the first month after the armistice over 600,000 men were demobilized, and in one year the number discharged had risen to 3,200,000. This rate of demobilization would have been far exceeded had it not been retarded by the delays incident to the return of 2,000,000 troops from France and to the accompanying necessity of retaining in service in this country organization for the reception and demobilization of men and equipment from abroad. Notwithstanding this unavoidable retardation, the rate of demobilization was twice that attained in the discharge of the Northern armies at the close of the Civil War.

The great military industrial machine created during the war had also to be demobilized and incompleted war contracts liquidated. This was done promptly and with a great saving of public funds. The total value of uncompleted war contracts liquidated was approximately $3,000,000,000, and those were liquidated at a cost of about 13 per cent, effecting a saving to the Government of about $2,600,000,000.

These are the larger aspects of the achievement of the War Department during the World War. They speak for themselves. It was the will of the American people that we should have made no preparation for that struggle. It was their will that, once entered, we should expend, if need be, every ounce of national strength in bringing it to a successful end. In effort and in achievement the War Department responded to that will. From small beginnings it created a mighty structure, built on foundations of a still greater scope. If upon minute examination of each detailed part imperfections be found here and there, due to the impelling haste in its creation, they do not mar its splendor, and they are lost in the overshadowing perspective of the massive whole. It rises beyond the reach of those who might wish to deface it. It stands out as the achievement of all the ages; an achievement well worthy of the genius of our people; an American achievement under American leadership; an achievement immeasurably beyond the capacity of any other nation of any time; an achievement made possible by the genius

and the development of a Government dedicated from its birth to the great principle of liberty, linked with justice and protected by law.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

RECESS.

Mr. JONES of Washington. Mr. President, the Senator from Utah [Mr. KING] left the Chamber, as he was not feeling well. I can not ask for a vote upon the report in the absence of the Senator from Utah, but if any other Senator desires to speak on it I should like to have him take the time until about 5 o'clock. As no one seems to be inclined to do so, I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 4 o'clock and 40 minutes p. m.) the Senate took a recess until to-morrow, Friday, May 28, 1920, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *May 27, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Life, all love abounding, we thank Thee for this beautiful world full of life and activity, wherein we can develop our physical, intellectual, and moral being to the largest scope of our energy.

"Hitherto my Father works and I work." In this saying of the Master will be found the keynote to real success. God grant that we may study Thy laws and work in harmony with them, that together we may accomplish Thy will and fulfill our destiny. In Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. KENNEDY of Iowa presented the conference report and statement of the House conferees on the bill (H. R. 11892) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, for printing under the rule.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed with amendments the bill (H. R. 13870) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed joint resolution (S. J. Res. 191) to create a joint committee on the reorganization of the administrative branch of the Government, in which the concurrence of the House of Representatives was requested.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 4411. An act granting the consent of Congress to the counties of Pembina, N. Dak., and Kittson, Minn., to construct a bridge across the Red River of the North at or near the city of Pembina, N. Dak.; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 4438. An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4163. An act to incorporate the Roosevelt Memorial Association.

ARMY APPROPRIATIONS.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Army appropriation bill, disagree to all the Senate amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from California asks unanimous consent to take from the Speaker's table the Army appropriation bill, disagree to all the Senate amendments, and agree to the conference asked for by the Senate. Is there objection?

Mr. GARNER. Mr. Speaker, I shall object unless the gentleman will make the statement that the minority have been consulted and that they have agreed to it. I am going to make objection each time unless that statement accompanies the request for unanimous consent. You might just as well understand that now.

Mr. KAHN. Mr. Speaker, the ranking Democratic member of the committee, Mr. DENT, left the conference room with me and knew I was coming here for the purpose of making this request. He is present.

Mr. GARNER. The gentleman may be present; he may be in the Hall; but unless that statement accompanies the request for unanimous consent to send a bill to conference you are not going to conference by unanimous consent. You might just as well understand that.

Mr. DENT. Mr. Speaker, if the gentleman will yield, it is a fact that the chairman of the committee consulted me, and he and I came over to make this request.

Mr. GARNER. It is easy enough for the gentleman to make that statement when he asks unanimous consent.

Mr. KAHN. Mr. Speaker, I did not know that the gentleman from Texas had grown so particular. This is the first time I have heard him make this statement.

Mr. GARNER. It is unfortunate that the gentleman has not been in the Hall. This is the fifth time I have made that statement on the floor of the House.

Mr. KAHN. Mr. Speaker, I think the gentleman ought to be fair. I have been in conference on the Army reorganization bill every morning, every afternoon, and frequently at night, and I have not been able to be in the House all the time.

Mr. GARNER. I understand that. I made no criticism of the gentleman's absence, but I make the statement that this is the fifth time I have made this identical statement. I think it is a reasonable request, and the gentleman hears it.

Mr. KAHN. There is no use getting excited about it.

Mr. GARNER. I am not. I am merely stating that this is the fifth time I have given this notice.

Mr. KAHN. And I make the request.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. KAHN, Mr. ANTHONY, and Mr. DENT.

CROW INDIANS.

The SPEAKER. The Chair recognizes the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. Mr. Speaker, I was going to call up the conference report on the Crow Indian bill, providing for the leasing of certain lands, but I understand that the statement of the House conferees does not accompany the report.

The SPEAKER. Apparently there is no statement accompanying the report.

Mr. CAMPBELL of Kansas. Then, of course, I shall not call it up at this time.

SIMPLIFICATION OF THE REVENUE ACT OF 1918.

Mr. GREEN of Iowa. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of H. R. 14198——

Mr. CANNON. Will the gentleman yield for a moment?

Mr. GREEN of Iowa. I yield to the gentleman from Illinois.

PENSION APPROPRIATIONS.

Mr. CANNON. I desire to call up the pension appropriation bill (H. R. 13416) and to move to concur in two Senate amendments which are made necessary by the enactment of the Fuller bill.

The SPEAKER. The gentleman from Illinois calls up from the Speaker's table pension appropriation bill with Senate amendments. The Clerk will report the bill by title.

The Clerk read the title of the bill (H. R. 13416) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, and for other purposes.

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

Mr. CANNON. Mr. Speaker, these two amendments of the Senate are made necessary by the enactment of the Fuller bill. When the pension appropriation bill passed the House the Senate had not acted upon the Fuller bill. The estimate of the Pension Office, upon inquiry, is that $150,000 will be necessary,

for fees of surgeons for making examinations, in lieu of the $20,000 carried by the House bill.

I want to congratulate the Commissioner of Pensions. I think he has been fair and zealous in the performance of his duty, doing justice to the claimants and protecting the Treasury by a fair administration. I believe his estimate is reasonable, and therefore I move to concur in the Senate amendments.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. MANN of Illinois. There are just two Senate amendments?

Mr. CANNON. Yes; that is all.

Mr. MANN of Illinois. And the gentleman moves to concur in both of them?

Mr. CANNON. Yes.

Mr. MANN of Illinois. Does that close up the bill?

Mr. CANNON. That closes up the bill.

The SPEAKER. The gentleman from Illinois moves to concur in the Senate amendments.

The motion was agreed to.

SIMPLIFICATION OF THE REVENUE ACT OF 1918.

On motion of Mr. GREEN of Iowa, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 14198) to amend and simplify the revenue act of 1918, with Mr. REAVIS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 14198) to amend and simplify the revenue act of 1918. The Clerk will read.

The Clerk read as follows:

SEC. 3. That Title II of such act is amended by adding at the end of part I thereof the following new section:

EXTRAORDINARY NET INCOME.

"SEC. 207. (a) That compensation received in any taxable year beginning after December 31, 1919, for personal service rendered by the taxpayer during a period of more than three years, and gain derived in any such year from the sale of capital assets acquired more than three years prior to the date of sale, shall be deemed to be extraordinary income; and such income, less losses of the same class or description and the expenses or other deductions properly chargeable thereto, shall be deemed to be extraordinary net income.

Mr. BLACK. Mr. Chairman, I move to strike out the paragraph. Mr. Chairman, this section of the bill, if adopted, will introduce another complication into an already complicated income tax. Not only will it make the returns more complicated but, if I understand the purpose of the section, it will cost the Government a loss of millions of dollars of revenue.

What is the meaning of this section? Under the present law if I bought a piece of real estate in 1916 and paid $100,000 for it, kept it until the year 1920 and sold it for $500,000, I would make a profit of $400,000. Under the law I must render that in my income tax as income received for the year 1920. But under this amendment, if I understand it, it would enable me to claim that that income, if it was 20 per cent or more of all of my income, it would enable me to have that distributed over a period of years and to have my income tax reassessed and thereby have my surtaxes very largely reduced.

Now, I remember that when we had the war-revenue act of 1918 under consideration I asked the gentleman from North Carolina [Mr. KITCHIN], who had charge of the bill at that time, a question with reference to this particular matter of real estate taxes. I remember that the gentleman from Texas [Mr. HARDY] also asked questions with reference to it, and at the time I was of the impression that we ought to permit a man to distribute such income ratably. But the argument of Mr. KITCHIN convinced me that I was wrong, and the more I study the proposition the more convinced I am that the law should remain as it is at present.

How are you going to tell how much gain resulted in 1917? How are you going to tell how much gain resulted in 1918? How are you going to tell how much gain resulted in 1919? It seems to me that the only feasible plan is to require the rendition of the income as of the year it was received.

Not only that. I think it equitable to the public that we should do so, because if there is any income that ought to be heavily taxed it is the unearned increment on real estate. If there is any income that ought not to be exempted from tax burdens it is income of that sort. I do not believe that there is anything that has contributed to the high cost of living any more than the rapid rise in real estate values, which have been occasioned by inflation and speculation.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLACK. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. The gentleman from Texas asks for three minutes more. Is there objection?

Mr. GREEN of Iowa. I shall be compelled to object unless the gentleman from Texas confines himself to the paragraph under consideration. He has not said a word about it yet.

Mr. BLACK. I will read the paragraph to the gentleman.

Mr. GREEN of Iowa. We are considering section 207, which applies to personal services only and has nothing to do with real estate.

The CHAIRMAN. The Chair hears no objection.

Mr. BLACK. Let me read it:

That compensation received in any taxable year beginning after December 31, 1919, for personal service rendered by the taxpayer during a period of more than three years, and gain derived in any such year from the sale of capital assets acquired more than three years prior to the date of sale, shall be deemed to be extraordinary income.

And so forth.

Now, that is the very class of gain to which I am addressing my remarks. The bill has defined the words "capital assets" in a subsequent section, but it is certainly a relevant subject at this time, and it is in order for me to discuss the class of gain that the gentleman is seeking to except. And I want to read from the gentleman's own report.

Mr. GREEN of Iowa. The provisions for that are governed by the subsequent section.

Mr. BLACK. I have read the paragraph, and that is the one that undertakes to establish the law, and the words "capital assets" are defined in the subsequent paragraph. Now, here is what the gentleman says in his own report:

Under the present law all gains, profit, and income derived by way of compensation for personal service and from sales from dealing in property, either real or personal, are taxable as income of the year in which received.

And then the gentleman goes on to say that the purpose of this amendment is to abrogate and repeal that provision of the present law, and I contend that if the bill is passed it will enable real estate speculators to make these large profits from unearned increments in real estate and escape a very large payment of income tax to the Federal Government. It can not mean anything else, and I submit that we ought not to introduce into the income-tax law this new and indefensible scheme that the gentleman undertakes to do here by calling it extraordinary income.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. JUUL. Mr. Chairman, I rise to a point of order. I have tried in vain for some time to obtain a copy of the report and the bill under consideration. Many other Members are unable to follow the debate for the want of a printed bill. I think the consideration of this matter should be postponed until we can have some printed bills.

The CHAIRMAN. The gentleman does not state a point of order. The Chair is laboring under the same difficulty of having no bill here.

Mr. JUUL. I want to participate in the debate, but I am unable to do so for want of the bill.

Mr. GREEN of Iowa. Mr. Chairman, I very much regret the situation that we find ourselves in without copies of the bill. I supposed they would be here.

Mr. HUDSPETH. If the gentleman will yield, I understand the bill was printed in the RECORD of Friday.

Mr. GREEN of Iowa. I can not state about that. The difficulty is that the bills we had the other day have been destroyed. I have had books with my name on them thrown away. They were bound in leather and stamped with my name. The pages gathered up the bills, and instead of putting them back on the desks when we had the hearings before, they threw them away. I sent to the Senate and to the Ways and Means Committee to get more copies of the bill, but was unable to do so.

Mr. JUUL. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. JUUL. I would suggest that the gentleman have the Doorkeeper order the pages who gather up the bills to return them to the desk. I maintain it is utterly unfair to ask Members to sit here and vote for bills they can not get a copy of.

Mr. LONGWORTH. Mr. Chairman, I think the gentleman will find a copy of the bill on pages 7605 and 7606 of the RECORD of Tuesday last.

Mr. GREEN of Iowa. Mr. Chairman, because there are no copies of the bill to be had, I ask unanimous consent that the paragraph be again read.

There was no objection, and the Clerk again reported the paragraph.

Mr. GREEN of Iowa. Mr. Chairman, first, permit me to apologize to my friend from Texas [Mr. BLACK]. This section is preliminary to the taxing section. Therefore I thought we would better postpone discussion of it until we reached that section. My remarks made to him were probably not strictly

correct when I said that he was talking about matters not contained in the paragraph, and I apologize to him.

The purpose of this section is to remedy a great inequality which now exists; first, with reference to compensation for personal services. A lawyer may have worked upon a case for five years. He receives the pay, we will say, this year. Under the present law, unless he has allocated his charges for each year he will have the whole sum charged up to him as income of this year and have to pay a very high surtax upon it; but he may, if he chooses, get around this provision by allocating a part each year as he goes along. Therefore some will pay the high tax and some will not. It is the same way with reference to property sold.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. MANN of Illinois. The gentleman speaks of allocating. I do not understand what he means. Suppose a lawyer collects a fee of $1,000 this year for services over a series of years. What does the gentleman mean by allocating that?

Mr. GREEN of Iowa. Suppose he had charged on his books $250 for the first year, $250 for the second year, and so on, until he made up the thousand dollars. He could have had the $250 which he considered perfectly good against his client set into his income each year, if he desires.

Mr. MANN of Illinois. The gentleman means that he could have put in $250 as a part of his income several years ago.

Mr. GREEN of Iowa. Yes.

Mr. MANN of Illinois. Which he had not received?

Mr. GREEN of Iowa. Yes.

Mr. MANN of Illinois. And which he did not know he ever would receive?

Mr. GREEN of Iowa. Yes; if he considered it good.

Mr. MANN of Illinois. Of course, he might do it; but if he did, he would not be a lawyer—he would be a fool.

Mr. GREEN of Iowa. The gentleman classes as fools some lawyers of very high standing.

Mr. MANN of Illinois. I think not. I do not think any lawyer does that.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. LONGWORTH. I would think the more correct answer to the question of the gentleman from Illinois [Mr. MANN] would be not that the lawyer charge this as income, but merely enter on his books that portion of the fee which he thought he had earned, but never sent in a bill for it until the present year, so that he would escape the highest tax, if his fee was earned in years before the highest tax had to be paid, making it a fairer proposition.

Mr. MANN of Illinois. It might be that some lawyer does that, but it is not customary. It is not often that a lawyer would collect a bill until he had made out his final fee, and determined upon the exact amount to be charged in his books. Then the income-tax agent would have to go over his books and examine them to see whether he is right or not, and they would have to cross-examine him and determine on what theory he made the charge, and the confusion that is now confounded about making a return would be eternally worse confounded under this provision.

Mr. GREEN of Iowa. If the gentleman will permit, the people whom this affects would like to see it done, because it is fair, because it is honest, because it is right.

They earned this money in the preceding years, and they ought not by right, by fairness and justice, to have it charged up to them all in a lump at the end of one year. The gentleman says that this makes things worse for them. They are the ones who would like to see this done, naturally, because if carried into effect it would somewhat lower their taxes. It is fair and just that it should be done.

Mr. MANN of Illinois. Is this permissive or compulsory? Does the man have the choice, or is he required to do this?

Mr. GREEN of Iowa. He has the choice.

Mr. MANN of Illinois. Where is the language that gives him the choice?

Mr. GREEN of Iowa. He is not compelled to list anything as extraordinary income. He can leave it out, if he desires, in his return.

Mr. MANN of Illinois. Oh, no. He has to put in all of his income.

Mr. GREEN of Iowa. But he does not have to list any of it as extraordinary.

Mr. MANN of Illinois. If the law says he must, he has to. The gentleman will pardon me for asking the question, but I can not get a copy of the bill.

Mr. GREEN of Iowa. The gentleman can find it in the RECORD.

Mr. MANN of Illinois. I can not read the fine print in the RECORD, and I do not propose to try.

Mr. GREEN of Iowa. It is not necessary that the choice should be given here, because it would be given him by the general provisions of the income-tax law, and if my friend will pardon me, I think I am fairly familiar with that subject.

Mr. MANN of Illinois. The gentleman may be. All of my familiarity with the income tax in the main comes from trying to understand the unintelligible blanks that are sent out by the income-tax office. It strains my intellect, and I am never sure that I am right, and probably never have been, in making up the return. The gentleman may know how to do it, and if he does he ought to sit down here and tell the rest of us how to do it.

Mr. GREEN of Iowa. No man will be obliged to list any portion of his income as extraordinary income if he does not so desire. That is a mere matter of choice with him, and if, as the gentleman says, it is going to confuse the taxpayer, he will not be obliged to do it. That is the answer to that proposition.

Mr. MANN of Illinois. I would be better satisfied if the gentleman would show me the language.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREEN of Iowa. I fail to understand the difficulty of my friend from Illinois.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. JONES of Texas. What is the reason for limiting this privilege to a man whose extraordinary income amounts to at least 20 per cent of his income? If it is a good thing, why not give all of those the benefit of it who have extraordinary income?

Mr. GREEN of Iowa. We had to draw the line somewhere, and unless it amounted to at least 20 per cent it would make no very great difference with the man.

Mr. JONES of Texas. It might make a great difference. It might be a considerable amount, and yet not be 20 per cent of his total income.

Mr. GREEN of Iowa. Well, if it is not 20 per cent of his total income it will not add greatly to the surtax; that is the reason. It might be a large sum, but if his income was so large that it was less than 20 per cent it would not greatly affect his surtaxes.

Mr. JONES of Texas. Will the gentleman yield for one further question?

Mr. GREEN of Iowa. I will.

Mr. JONES of Texas. What method will be used in the case of the sale of real estate to determine the amount that the land increased in value for a particular year? What is to be the basis of the determination? Suppose the land was held for five years and increased during that five years and was sold in the last year, what process would you use in determining the profit that accrued to the land during the last year in order to determine what is the extraordinary income?

Mr. GREEN of Iowa. The only basis that can be taken is the same that has been all the time, the original cost.

Mr. JONES of Texas. I know the original cost, but if he holds it for five years under the terms of this bill he would not have to pay the tax on the difference in the original cost and the final selling price, but only on the amount the land gained during the last year?

Mr. GREEN of Iowa. Oh, no; the gentleman misunderstands entirely. The effect of this would be to permit him to apportion it to each year.

Mr. JONES of Texas. He can rate it as between those years——

Mr. GREEN of Iowa. And he will have to pay the tax for those years on it, whatever tax he would have paid had he received the money during those years.

Mr. JONES of Texas. The tax for each year will be paid during the last year.

Mr. GREEN of Iowa. Yes.

Mr. JONES of Texas. How do you determine that for each year——

Mr. GREEN of Iowa. By the sworn return of the taxpayer the same as you do ordinarily; there is no difference

Mr. JONES of Texas. You let the taxpayer himself determine the amount?

Mr. GREEN of Iowa. Not a particle different than we do now under the terms of the law, I will say to the gentleman.

Mr. JONES of Texas. No; now you take the original cost or value and subtract that from the final selling price and it is an easy matter to determine accurately the increase.

Mr. GREEN of Iowa. I regret my friend is not more familiar with the law. As soon as you go back to 1913 you always take the value; it is not a question of cost at all, and a greater number of these sales apply to cases in which the property was acquired prior to 1913.

Mr. JONES of Texas. But that will not assist you in apportioning the increase for any individual year, and will not the man be inclined to put the principal increase in value during the year he had the least taxes?

Mr. GREEN of Iowa. It simply increases the surtax if he does not divide it as much as he could.

Mr. JONES of Texas. That depends upon the way the law was drafted. It would be a pretty complicated way to determine it.

Mr. GREEN of Iowa. Now, just one word further in reference to this provision so far as it applies to real estate. The Treasury has thought that so far as sales of real estate are concerned——

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREEN of Iowa. Mr. Chairman, I would ask that I have five minutes additional.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa? [After a pause.] The Chair hears none.

Mr. GREEN of Iowa. With reference to sales of real property I will say that the Treasury officials think it will bring a good deal more income tax if this provision is passed for the reason that so many sales are now being held up. People are unwilling to sell property without paying the enormous surtax which would eat up their profit, and consequently they have determined not to sell at all but to keep the property.

Mr. BLACK. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BLACK. Does not the gentleman think that in a period of such wild speculative values in land it would be a good economical thing for the country if real-estate sales are held up to a certain extent?

Mr. GREEN of Iowa. Oh, no; not for the benefit of the Government; not to get the taxes. The Treasury would like to see this property sold while prices are high, so it can get this income tax.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. GREEN of Iowa. I do.

Mr. JOHNSON of Mississippi. What does the Treasury Department say about it? Has the Treasury made a recommendation?

Mr. GREEN of Iowa. The Treasury has recommended all the provisions of this bill, and are very desirous that it be passed. Now, that is the reason why the Treasury wants to have this provision as to real property, because they believe it will get a great deal more money than the present provision.

Mr. CANNON. Will the gentleman yield for a question?

Mr. GREEN of Iowa. I will yield to the gentleman from Illinois.

Mr. CANNON. A man sells a piece of real estate on three years' or five years' time, payable in equal installments. The first installment is made. He does not have to return that or can wait until the five years are up?

Mr. GREEN of Iowa. He would have to make a return of that. This provision does not apply to property sold on the installment plan.

Mr. CANNON. That much?

Mr. GREEN of Iowa. Yes.

Mr. CANNON. And he would have to return the second. I think I get the gentleman's idea. He could return that and have far less surtax if he would divide it up and get his yearly payments, and then he would not have so much as he would if he took payment in five years, because he would have then a larger surtax?

Mr. GREEN of Iowa. That is the way most of the sales are made now on various payments. But this provision does not apply to a case like that.

Mr. KINKAID. Will the gentleman yield for a question? In making these installment payments——

Mr. GREEN of Iowa. My friend is mistaken. This does not apply to installment payments at all.

Mr. LONGWORTH. This would apply to a case, if the gentleman will pardon me, such as this: Suppose the gentleman from Illinois had bought some property in 1910, and there had been an appreciable rise. If he sold that property to-day, he would have to pay the difference between the cost to him as of March, 1913, and the value for which he sold it and return his this year's income and pay the high rate of taxation. Under this bill he can go back and apportion it over. That is the real case.

Mr. GREEN of Iowa. The gentleman from Ohio is correct. The holders of real property will not sell unless they are forced to do so, and the Government is not getting income taxes from those cases.

Mr. MANN of Illinois. As I understand the gentleman's statement now, a man who owned property in 1919 and had sold it and had taken and invested the proceeds would have to return the income as a part of his income return? If he sells it now, of course he will have to return the profit from it as income under existing law?

Mr. GREEN of Iowa. Yes.

Mr. MANN of Illinois. Whereas if he had sold in 1913, the income from the proceeds would have been distributed through the years from 1913 until now. And the theory of the bill is that not having sold the property, the income in the way of profit shall be distributed in the same way as though it had been sold?

Mr. GREEN of Iowa. The gentleman is correct. I thank him for his statement.

Mr. MANN of Illinois. It looks like a fair proposition.

Mr. FORDNEY. If the gentleman will permit, under existing law there are two ways of getting the income. The Internal Revenue Department permits two ways of figuring that. Suppose you purchased a piece of property in 1905 and sell it this year, and you make a certain amount of profit; the Internal Revenue Office would permit you to prorate the profit over the term of years you held that property and say that it earned pro rata a certain amount each year.

Mr. MANN of Illinois. They told me they would not.

Mr. FORDNEY. They permitted me to do it.

Mr. MANN of Illinois. Possibly they did that because the gentleman is chairman of the Ways and Means Committee.

Mr. FORDNEY. Even if I am, I have no rights that the gentleman has not. I went to the commissioner and told him that I was unable to testify as to the correct value of the property as of March 1, 1913, and asked permission to prorate that income for a period of years, and they permitted me to do it.

Mr. MANN of Illinois. That is an arrival at the income as from the original cost. That is a different proposition.

Mr. HULL of Tennessee. Mr. Chairman, I would like to make a very brief statement of my impressions of this provision in the bill.

Of course, an income tax law ordinarily contemplates the imposition of a regular scale of rates from all profits arising from any business, trade, or profession. That, as a rule, means the annually recurring profits that come to a taxpayer or citizen from any trade, profession, or business. That includes under this general rule the profits derived from the purchase or sale of property, either real or personal, conducted by a dealer or one who makes that his business. Our law likewise taxes, under the construction given it, a certain class of profits that do not come within the category of those of a regular business. Most other laws have not undertaken to tax the profits derived from the sale of capital assets, for instance, by a manufacturing concern, but only the profits they derive from the prosecution of their regular business. The same laws do not tax the profits derived from the sale of a piece of real estate purchased for use and not purchased for resale for a commercial profit. But your real estate dealer would conduct a commercial purchase and sale subject to tax. The purpose of this pending provision is to deal with the three classes of profits that do not annually recur in connection with any trade or business. First, where a farmer, for instance, purchases a farm for use; at the end of 10 years he decides to sell that farm, and may purchase another one; he sells it for double the cost; under the present high scale of surtaxes it is manifestly unfair to take those profits that cover 10 years in their accrual and make him pay the higher rates for one year. So he may prorate them and pay taxes thereon. You understand this does not apply to profits from the sale of real estate by dealers and those in the business, but only the exceptional cases to which I have referred.

Mr. BLACK. Will the gentleman yield for a question?

Mr. HULL of Tennessee. Yes.

Mr. BLACK. If I understand the law correctly now, every income-tax return permits you to state whether you are rendering income received or income accrued, and all of these classes covered here under the bill, if they want to, can render that income in the year in which it accrues. They get it now under the law.

Mr. HULL of Tennessee. The department, by a very strained construction of the law, has undertaken on a different state of facts to give to a certain extent a liberal construction where real estate is sold on credit and payment made in installments.

But it is a harsh construction of the law. Now that is one class of cases, Mr. Chairman.

The English Government is undertaking to tax this class of profits and tax them in this way for the first time, whereas we have been doing it from the beginning.

Another class of cases is where a contractor undertakes to build a railroad, or a bridge, or a tunnel, or a ship, which requires three or four years. It is impossible for him to get his profits as they accrue at the end of each year; that is, his proportionate amount. And this covers a case of that kind. Or it covers the case of a lawyer where he is not able to collect his fee except out of the recovery, and the litigation extends over a number of years.

I introduced some months ago a bill covering these three classes of profits. I provided certain safeguards in there to the effect that the Treasury must be satisfied of the good faith of the transaction, so as to prevent the contractor, or the occasional purchaser or seller of real estate, from evading the law by holding out for a longer period of time and reducing the rates. I hope they will yet be inserted.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. MANN of Illinois. Mr. Chairman, since hearing the gentleman explain the bill I do not know that I could have any objection to this provision of it, or perhaps any other. This bill is an illustration of a situation. Gentlemen sometimes have an idea that by putting on high taxes they get lots of money. Now, along comes the Treasury Department and the Ways and Means Committee and recommend to us to practically reduce the taxes on sales of real estate and some other things, because they say that with the present exorbitant surtax owners will not sell, and instead of receiving money from this source they say they find that people keep their property, incur no income by sale and profits, and the Government receives no revenue. And yet, in spite of a bill of this sort to reduce these taxes, we have pending before us a proposition generally to increase taxes under the internal revenue law and income taxes on the theory that they will bring more money. And I venture to say that some of the taxes proposed in one of the bills now pending, instead of increasing the revenue, will likely decrease it. If you put taxes up so high that people do not incur them, you can not get the tax. You do not get the tax now on the sales of real estate, much because people prefer to hold their real estate rather than to sell it and give the Government the proceeds of it. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. BLACK] to strike out the paragraph.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. BLACK. A division, Mr. Chairman.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 7, noes 46.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

(b) The term "capital assets" as used in this section includes (but is not limited to) property held by the taxpayer for consumption or use; but does not include any property, whether real, personal, or mixed, held by a dealer for sale or included in the inventory of the taxpayer taken at the close of the preceding taxable year. The terms "compensation received" and "gain derived" mean compensation or gain accrued in the case of taxpayers who make returns upon the so-called accrual basis; but the provisions of this section shall not apply in the case of sales upon the installment plan when the income or gain is accounted for in installments as the payments are received.

Mr. BLACK. Mr. Chairman, I move to strike out the section.

The CHAIRMAN. The gentleman from Texas moves to strike out the section.

Mr. BLACK. Now, Mr. Chairman, I presume that the House will take the same action on this paragraph as was taken on the other, and after I submit the few remarks that I am going to submit on this paragraph I do not intend to argue the matter further.

But I want to call attention to this one fact: That we have had it frequently argued on the floor of the House—it has been frequently argued in the press—that Congress ought to show more favorable consideration, more discrimination, in favor of earned incomes. It has been the contention that incomes that are earned by a man's efforts should not be taxed as highly as accrued incomes, and while that proposition has never received favorable consideration so far as legislation is concerned, it does seem to present some merit. And yet in this bill we are taking a backward step and showing the favoritism to accrued income, to wit, unearned increment on real estate, and in my opinion there has not been a more indefensible proposition brought before this House during this session of Congress than this section of the bill which I am now debating.

I remember when the matter was up during the discussion of the act of 1918 that the able gentleman from North Carolina [Mr. KITCHIN] made a speech on this proposition and convinced the House that there ought not to be any distribution over a period of years of these accrued incomes, and I dare say if he were in the House at this time his voice would be raised against this proposition. At the very time that gentlemen are arguing and contending for a soldiers' bonus and for the increasing of income taxes to pay it we have a proposition brought in here by the Committee on Ways and Means to reduce very substantially the income taxes received from this class of real estate transactions.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes; in a moment. Now, what does the gentleman from Iowa say in his report on that?

Mr. LONGWORTH. The gentleman is making a very violent indictment of his Secretary of the Treasury and his Commissioner of Internal Revenue, who have drafted this resolution and are urging it upon us.

Mr. BLACK. It is absolutely immaterial to me as to whom the remarks apply. The proposition is wrong to my mind from any standpoint.

Now, what does the gentleman from Iowa [Mr. GREEN] state in his report? "It is contemplated," he says, "that if this provision is enacted into law a separate schedule will be provided in the income-tax return for the allocation of the extraordinary income to the proper years and a recomputing of the income taxes for such years." It means that the Treasury Department has got to go back and pick up the old returns and recompute the tax.

I wonder if the House is going to vote for a proposition of this kind, which will further complicate an already complicated situation by adding to it this so-called extraordinary income and directing the Secretary of the Treasury to go back in such cases where it is applicable over all this period of years since the enactment of the income tax in the Underwood tariff bill and recompute income-tax returns. I am not going to vote for it, Mr. Chairman, and I serve notice on the House that I am going to offer a motion to recommit this bill with instructions to strike out the entire section; and if I can do so I will get a record vote on that proposition.

The CHAIRMAN. The time of the gentleman from Texas has expired. The Chair would like to ask the gentleman from Texas whether he correctly understood the motion?

Mr. BLACK. It was to strike out the paragraph.

The CHAIRMAN. The Chair is constrained to hold at this time that that motion is premature because the section has not been read in its entirety.

Mr. BLACK. I mean the paragraph.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having resumed the chair, a message in writing from the President of the United States was communicated to the House by Mr. Sharkey, one of his secretaries.

SIMPLIFICATION OF THE REVENUE ACT OF 1918.

The committee resumed its session.

Mr. GREEN of Iowa. Mr. Chairman, if the gentleman from Texas [Mr. BLACK] had familiarized himself with the income-tax law he would not be so rash in his assertions about this provision being indefensible. Does the gentleman think that the Secretary of the Treasury, the Commissioner of Internal Revenue, and every single member of the Committee on Ways and Means are going to bring in here an indefensible proposition? It is because the gentleman does not understand it. His talk here shows that he does not understand it.

Mr. BLACK. In what particular?

Mr. GREEN of Iowa. The gentleman says this exaggerates the difference between the earned and unearned income. It does not change the situation a particle. It puts them in the same position as they were before, and the gentleman is basing his argument on that proposition, which is absolutely erroneous, and if the gentleman had made a little study of it he would know it.

Mr. BLACK. Under the present law does not all the income derived from the sale of a piece of real estate have to be rendered and assessed and paid for the year that the income is received?

Mr. GREEN of Iowa. It does.

Mr. BLACK. Will not this law permit the allocation of that income over a period back to 1913?

Mr. GREEN of Iowa. Yes. Has the gentleman any quarrel with that?

Mr. BLACK. If that is not a discrimination in favor of accrued incomes I would like the gentleman to explain what other class of incomes mentioned in the bill can be allocated.

Mr. GREEN of Iowa. Compensation for personal services, I would say to the gentleman.

Mr. BLACK. I said "other classes mentioned in this bill."

Mr. GREEN of Iowa. All other classes of income, every class of income to which this provision could apply is covered by the bill. There is no exception anywhere. If the gentleman can not read and understand the English language I can not make it plain to him. That is all there is of it.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Texas [Mr. BLACK] to strike out the paragraph.

The question was taken, and the motion was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 6. The various acts authorizing the issues of Liberty bonds are amended and supplemented as follows:

(a) On and after January 1, 1920, 4 per cent and 4¼ per cent Liberty bonds shall be exempt from graduated additional income taxes, commonly known as surtaxes, and excess-profits and war-profits taxes, now or hereafter imposed by the United States upon the income or profits of individuals, partnerships, corporations, or associations, in respect to the interest on aggregate principal amounts thereof as follows:

Until the expiration of two years after the date of the termination of the war between the United States and the German Government as fixed by proclamation of the President, on $125,000 aggregate principal amount; and for three years more on $50,000 aggregate principal amount.

(b) The exemptions provided in subdivision (a) shall be in addition to the exemptions provided in section 7 of the second Liberty bond act, and in addition to the exemption provided in subdivision (3) of section 1 of the supplement to the second Liberty bond act in respect to bonds issued upon conversion of 3½ per cent bonds, but shall be in lieu of the exemptions provided and free from the conditions and limitations imposed in subdivisions (1) and (2) of section 1 of the supplement to second Liberty bond act and in section 2 of the Victory Liberty loan act.

Mr. PLATT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PLATT. At the end of section 6 insert a new paragraph as follows:

"(c) When Liberty bonds are held to maturity and paid by the Government, the holder of said bonds shall not be required to report as taxable income the difference between the par value of such bonds and the purchase price."

Mr. LONGWORTH. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Ohio reserves a point of order on the amendment.

Mr. PLATT. Mr. Chairman, when a purchaser of Liberty bonds below par, as they are at the present time, buys them and sells them again, the profit made on the sale should, of course, be included in his income. But if the purchaser of bonds holds them till maturity and the Government pays them—and that is what we want purchasers to do; we want to induce them if possible to hold these bonds to maturity—when the purchaser holds his bonds to maturity and the Government pays them, it seems to me there is no reason why the difference between the purchase price and the payment made by the Government should be considered as income. A good many people would not think of it as income, and probably would not return it, and the revenue agents would have no way of finding out whether it was included in income, but as a matter of fact under the law it is returnable as income.

Mr. MANN of Illinois. Do I understand the gentleman to say that if a man buys Liberty bonds to-day, say, at 85 and holds them until maturity the profit ought not to be considered as income?

Mr. PLATT. If he holds them to maturity and the Government pays them, the Government loses nothing. It simply pays its obligations, and we want people to buy these bonds and hold them to maturity. I think the difference between the purchase price and the par value in such a case should not be considered as taxable income. At any rate it is a subject worth discussing.

Mr. MANN of Illinois. Of course, people in buying bonds to-day take into consideration the advance that they will receive if they hold the bonds until they become due.

Mr. PLATT. Exactly.

Mr. MANN of Illinois. And figure their rate of interest upon that whole basis.

Mr. PLATT. Exactly.

Mr. MANN of Illinois. And the gentleman's amendment is designed to do something toward keeping up the price of Liberty bonds.

Mr. PLATT. That is its sole purpose.

Mr. MANN of Illinois. The Ways and Means Committee has never done anything toward that.

Mr. PLATT. Not as far as I have ever heard. You will see in the financial tables showing the yield of the various Liberty bonds, if purchased at present prices, the gain between the present price and the maturity price. But that is not true of most purchases, because that tax has got to be taken out of it if the gain is reported as income.

Mr. FORDNEY. Will the gentleman yield?

Mr. PLATT. Yes.

Mr. FORDNEY. Suppose you bought Liberty bonds at par and sold them at 82 to-day. In your tax return you have a right to deduct your losses from your profits; and if I buy those bonds, you do not want me taxed for whatever profit I make if I hold the bonds. What consideration do you give the Government in the way of getting taxes? The gentleman says the Ways and Means Committee has never done anything for the bonds. What has the Ways and Means Committee done that can be said to have contributed to the sale of Government bonds on the stock market to-day at 82? Nothing.

Mr. PLATT. What we want to do is to get people to buy these bonds and hold them to maturity.

Mr. FORDNEY. Yes; but when you give a man the right to deduct his losses if he sells the bonds at a less price than he paid for them, why should you not make the man pay taxes on the profit that he makes out of the man who sells the bonds to-day?

Mr. PLATT. If he holds them to maturity, the Government simply pays its obligations.

Mr. FORDNEY. Of course the Government expects to pay and will pay 100 cents on the dollar, and when you buy bonds to-day at 82 cents on the dollar you know that you will get 100 cents on the dollar if you keep them until maturity.

Mr. PLATT. Unless you pass such a provision as this, the lower the bonds go the more likely they are not to come back to par. The inducement to buy the bonds and hold them to maturity will tend to keep up the price.

Mr. FORDNEY. I do not think the gentleman's amendment will help to maintain the stability of the bonds at all. The Congress of the United States voted $100,000,000 to the Secretary of the Treasury to buy bonds that were offered below par in order to stabilize the price of them, but it helped in no way whatever.

Mr. PLATT. There was not enough of it.

Mr. FORDNEY. Unless you bought all bonds offered for sale, it would not help, of course.

Mr. PLATT. This amendment of mine would help some.

Mr. FORDNEY. I do not believe it would, but it would eucher the Government out of the tax it should receive on the profit made by the man who buys them at 82 and collects on them at 100 cents on the dollar.

Mr. LONGWORTH. Mr. Chairman, I make the point of order that the amendment offered by the gentleman from New York is in violation of paragraph 3 of Rule XXI.

This paragraph, relating to the germaneness of amendments to revenue bills, is undoubtedly the most technical paragraph in the rules. It provides, in the case of bills affecting revenue, not only that the amendment must be germane to the subject matter of the bill, but it must directly relate to the item to which the amendment is proposed. I was unable to quite catch the significance of the amendment offered by the gentleman from New York, but I call the attention of the Chair to the fact that he offers his amendment to paragraph (b) of section 6, which relates only to exemptions of Liberty bonds. Clearly, it seems to me, his amendment is not germane to paragraph (b) of section 6, and I very much doubt its germaneness to the bill in any respect.

Mr. PLATT. The amendment is offered at the end of section 6, and makes a new paragraph.

Mr. LONGWORTH. I ask that the Clerk report the amendment.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. PLATT: At the end of section 6 add a new paragraph, as follows:

"(b) When Liberty bonds are held to maturity and paid by the Government, the holder of said bonds shall not be required to report as taxable income the difference between the par value of such bonds and their purchase price."

Mr. LONGWORTH. This amendment is offered to paragraph (b) at the end of section 6. Paragraph (b) has no relation to the subject matter to which the amendment offered by the gentleman from New York relates.

Mr. MANN of Illinois. It is not offered as an amendment to paragraph (b), if the gentleman will pardon me. It is offered as a new paragraph.

Mr. LONGWORTH. He offers it at the end of paragraph (b).

Mr. MANN of Illinois. It is offered as a new paragraph, and the only question is whether it is germane to the bill. It is not offered as an amendment to any paragraph.

Mr. LONGWORTH. The gentleman may be right about that. I make the point of order that it is not germane to the bill; that section 6, which relates to Liberty bonds, does not contain matter to which the amendment of the gentleman from New York is germane.

The Chair is familiar with the long line of decisions on paragraph 3, Rule XXI. It has been invariably construed by all occupants of the chair since the rule was put in force very strictly. The Chair will recall the decision of Judge Alexander, an eminent parliamentarian, who held that it was not in order to add a new item to a number of articles on the free list, and various Chairmen have construed the rule most strictly, as it was intended to be construed. I submit to the Chair that the amendment of the gentleman from New York is not germane.

Mr. MANN of Illinois. Mr. Chairman, the rule to which the gentleman from Ohio refers was put in the rules by a Democratic Congress for the purpose of being able to pass separate individual tariff bills.

Mr. LONGWORTH. Without a rule.

Mr. MANN of Illinois. Without a rule, under which, it is true, it was intended that, with a very rank Chairman in the chair, he would rule that no amendment was in order unless offered on the Democratic side of the House. That became the practice for a time, and ranker decisions were never made in this House than were made under that rule. But this is not one of those bills. It is not a revenue bill; it is not a tariff bill. I do not think there is any provision here for raising revenue.

Mr. LONGWORTH. This rule relates to bills affecting revenue. Clearly this bill affects revenue.

Mr. MANN of Illinois. It affects the administration of the laws relating to revenue.

Mr. LONGWORTH. I agree with the gentleman from Illinois that these decisions have been very technical, but nevertheless they are the precedents established by the House.

Mr. MANN of Illinois. I suppose it would be true that if we had a tariff bill under the same circumstances we would now follow the rank decisions of the Democratic side of the House, and maybe go them one better.

Mr. PLATT. Mr. Chairman, section 6 has reference wholly to Liberty bonds and their exemption from taxation, and it would seem to me that the amendment I have offered is clearly germane to that and to the whole bill. Section 3 refers to "extraordinary income," and if a man purchases Liberty bonds to-day and holds them to maturity he would have the right under section 3 to allocate that profit back as extraordinary income. So it seems to me that the amendment is clearly germane to the bill, and I believe to the section where it is offered.

The CHAIRMAN. The Chair is ready to rule. The rule invoked by the gentleman from Ohio [Mr. LONGWORTH] applies exclusively to measures affecting revenue and reads as follows:

No amendment shall be in order to any bill affecting revenue which is not germane to the subject matter in the bill; nor shall any amendment to any item of such bill be in order which does not directly relate to the item to which the amendment is proposed.

The Chair has before him a long line of precedents giving to the rule a strict and somewhat narrow construction. These precedents held that not only must the amendment be germane to the bill and paragraph but if offered as a new paragraph it must be germane to the next preceding paragraph. It does not devolve upon the Chair to pass on the question of the good faith or sincerity of those who establish these precedents. It is the duty of the Chair in the interest of the orderly procedure to follow the precedents when once set. It is very clear to the Chair that the amendment offered by the gentleman from New York is not in order, and the Chair sustains the point of order.

Mr. WALSH. Mr. Chairman, I offer an amendment. On page 7, line 19, after the word "fixed" insert the words "by Congress or."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 19, after the word "fixed" insert the words "by Congress or."

Mr. WALSH. Mr. Chairman, it may be possible that the presidential proclamation fixing the termination of the war may not be forthcoming under the present administration, and it may also be possible that Congress may determine the date of the termination of the war. We have already, I think, passed legislation to do that. I do not know whether it has been signed or not.

Mr. LONGWORTH. If the gentleman will yield, I was informed a moment ago that a document had been laid on the Speaker's table containing a disapproval of the act of Congress to which the gentleman refers. I am heartily in favor of the spirit in which the gentleman's amendment is offered——

Mr. WALSH. I appreciate the support of the gentleman from Ohio, and, of course, I know he feels as I do, that if the disapproval has been expressed by the action of the President heretofore taken in bringing peace to the country that Congress will unanimously override that disapproval at the first opportunity. I assume that that will be soon. But, irrespective of that, Mr. Chairman, I think in this particular paragraph relating to Liberty bonds exemption we ought to reserve the right to ourselves to be permitted in this particular case to fix the date of the termination of the war, and for that reason I have offered this amendment. I do not know whether the gentleman from Iowa objects or not.

Mr. GREEN of Iowa. I do not think it would change the situation at all.

Mr. KEARNS. Mr. Chairman, I ask unanimous consent, since none of us have the bill before us, that the Clerk read the entire sentence as it will read if amended, so that we will know what it is.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

Until the expiration of two years after the date of the termination of the war between the United States and the German Government as fixed by Congress or by proclamation of the President.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. WALSH) there were 47 ayes and 28 noes.

So the amendment was agreed to.

Mr. SABATH. Mr. Chairman, I move to strike out the last word. I do it because I desire to get some information from the chairman of the committee. I have been unable to secure a copy of the bill and have been unable to ascertain from the reading of the bill at the desk whether it exempts the original owners or purchasers of these bonds or is contemplated to exempt the present holders of the bonds from taxation.

Mr. GREEN of Iowa. Mr. Chairman, I do not believe I fully understand the gentleman's question, but this applies to a surtax upon incomes, which is the only tax to which these bonds are subjected. That, of course, never applies to anyone except the one who holds the bonds at the time the tax is imposed.

Mr. SABATH. Does that exemption apply to the present holders of the bonds or only to the original holders or original purchasers?

Mr. GREEN of Iowa. To the present holders of the bonds. This does not go back and exempt the original holders from any taxes that they have paid.

Mr. SABATH. So that the people who have acquired these bonds at the low prices of 82, 83, and 84 will have the advantage and be exempt from taxation on these acquired bonds.

Mr. GREEN of Iowa. No; the gentleman does not fully understand the bill.

Mr. SABATH. That is the reason I am asking the question. I would like to know.

Mr. GREEN of Iowa. This provision does not increase the total amount of exemptions. Under the law as it now stands the exemptions are allowed—so much for such an issue and under certain conditions, and so much for another issue and under certain conditions, and so on through, until it makes a very complex and complicated list. A man can hold as much as is provided for in this bill, namely, $125,000 in the aggregate amount of any issue, and for three years more $50,000. There might be a number of cases—not very many—where this would very slightly increase a man's exemption, but the Treasury Department estimated that the loss to the Government in revenue will amount to hardly anything. This is a simplification provision for the benefit of those holding different kinds of these bonds. Under this bill they would not have to be classified, so that a man can more easily make up his income-tax return with reference to Liberty bonds.

Mr. SABATH. Nevertheless, the people who have acquired these bonds for a low price, which they themselves have helped to bring down, will have the advantage of being able to claim exemption for these cheaply acquired bonds.

Mr. GREEN of Iowa. In a few instances it would slightly increase their exemptions, but if they selected out the proper issues they could hold the total amount provided for in this bill.

Mr. MANN of Illinois. Mr. Chairman, there are some exemptions allowed now that will continue even if this be enacted into law.

Mr. GREEN of Iowa. Yes; this does not apply to the 3½ per cent bonds.

Mr. MANN of Illinois. As I have never been able quite to understand the income-return form that has been sent to me, I ask for information. As I understand it, this exempts the income from $125,000 worth of 4 per cent and 4½ per cent bonds, no matter of what issue.

Mr. GREEN of Iowa. Yes.

Mr. MANN of Illinois. For two years.

Mr. GREEN of Iowa. Yes.

Mr. MANN of Illinois. And $50,000 for five years.

Mr. GREEN of Iowa. Yes.

Mr. MANN of Illinois. The gentleman has qualified as an expert, and I desire to ask him now what authority the Treasury Department has for asking me or anyone else what my income is on 3½ per cent bonds.

Mr. GREEN of Iowa. Oh, this does not apply——

Mr. MANN of Illinois. I know this does not; but what authority has the Treasury Department for doing that? Why do they impudently do that?

Mr. FORDNEY. Those bonds are exempt from taxation.

Mr. MANN of Illinois. Then why should anybody be required to make a return upon them?

Mr. GREEN of Iowa. I am unable to answer that question. It has nothing to do with this bill.

Mr. MANN of Illinois. Oh, but the gentleman qualified as an expert a while ago. He told me he knew all about the income tax, and I thought I would get that information.

Mr. GREEN of Iowa. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. REAVIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 14198, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. GREEN of Iowa. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. BLACK. Mr. Speaker, I offer the following motion to recommit.

The Clerk read as follows:

Mr. BLACK moves to recommit the bill to the Committee on Ways and Means, with instructions to report it back forthwith with an amendment striking out section 3 of the bill.

The SPEAKER. The question is on agreeing to the motion to recommit.

The question was taken.

Mr. BLACK. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question is on the motion to recommit.

The question was taken; and there were—yeas 26, nays 332, not voting 69, as follows:

YEAS—26.

Bankhead	Eagle	McDuffie	Sabath
Black	Evans, Mont.	McLane	Sims
Box	Goodwin, Ark.	Mann, S. C.	Thomas
Buchanan	Griffin	Morgan	Upshaw
Caraway	Harrison	O'Connor	Wingo
Clark, Mo.	Johnson, Miss.	Oliver	
Eagan	Keller	Quin	

NAYS—332.

Ackerman	Baer	Bland, Mo.	Browne
Almon	Barbour	Bland, Va.	Burroughs
Anderson	Barkley	Blanton	Butler
Andrews, Md.	Bee	Boies	Byrnes, S. C.
Andrews, Nebr.	Begg	Bowers	Byrns, Tenn.
Ashbrook	Bell	Brand	Caldwell
Aswell	Benham	Briggs	Campbell, Kans.
Ayres	Benson	Britten	Campbell, Pa.
Babka	Blackmon	Brooks, Ill.	Candler
Bacharach	Bland, Ind.	Brooks, Pa.	Carew
Carss	Hardy, Colo.	Major	Schall
Casey	Hardy, Tex.	Mann, Ill.	Scott
Chindblom	Harreld	Mapes	Sells
Christopherson	Haugen	Martin	Sherwood
Classon	Hawley	Mays	Siegel
Cleary	Hays	Mead	Sinclair
Coady	Heflin	Michener	Sinnott
Collier	Hersey	Miller	Sisson
Connally	Hersman	Milligan	Slemp
Cooper	Hickey	Minahan, N. J.	Smith, Idaho
Copley	Hicks	Monahan, Wis.	Smith, Ill.
Crago	Hoch	Mondell	Smith, Mich.
Cramton	Hoey	Montague	Smith, N. Y.
Crisp	Holland	Moon	Snell
Cullen	Houghton	Mooney	Steagall
Currie, Mich.	Howard	Moore, Ohio	Stedman
Dallinger	Hudspeth	Moore, Va.	Steele
Darrow	Hull, Tenn.	Moores, Ind.	Steenerson
Davey	Humphreys	Morin	Stephens, Miss.
Davis, Minn.	Husted	Mott	Stephens, Ohio
Davis, Tenn.	Hutchinson	Mudd	Stevenson
Dempsey	Ireland	Murphy	Stiness
Denison	Jacoway	Nelson, Mo.	Stoll
Dent	James	Nelson, Wis.	Strong, Kans.
Dewalt	Jefferis	Newton, Minn.	Strong, Pa.
Dickinson, Mo.	Johnson, Ky.	Newton, Mo.	Summers, Wash.
Dickinson, Iowa	Johnson, S. Dak.	Nolan	Sumners, Tex.
Dominick	Johnson, Wash.	O'Connell	Sweet
Donovan	Johnston, N. Y.	Ogden	Swope
Dooling	Jones, Tex.	Oldfield	Tague
Doremus	Juul	Olney	Taylor, Ark.
Doughton	Kearns	Osborne	Taylor, Colo.
Dowell	Kelley, Mich.	Padgett	Taylor, Tenn.
Dunbar	Kelly, Pa.	Paige	Temple
Dunn	Kennedy, R. I.	Park	Thompson
Dupré	Kiess	Parker	Tilson
Dyer	Kincheloe	Parrish	Timberlake
Echols	King	Pell	Tincher
Edmonds	Kinkaid	Peters	Tinkham
Elliott	Kleczka	Phelan	Towner
Emerson	Knutson	Platt	Treadway
Esch	Kraus	Porter	Valle
Evans, Nebr.	Lampert	Pou	Vare
Fairfield	Langley	Purnell	Venable
Fess	Lanham	Radcliffe	Vinson
Fields	Larsen	Rainey, Ala.	Voigt
Fisher	Layton	Rainey, H. T.	Volstead
Fordney	Lazaro	Rainey, J. W.	Walsh
Foster	Lea, Calif.	Raker	Walters
Frear	Lee, Ga.	Ramsey	Wason
Freeman	Lehlbach	Ramseyer	Watkins
French	Lesher	Randall, Calif.	Watson
Fuller, Ill	Linthicum	Randall, Wis.	Weaver
Fuller, Mass.	Little	Reavis	Webster
Gallagher	Lonergan	Reber	Welling
Gallivan	Longworth	Reed, N. Y.	Welty
Gandy	Luce	Reed, W. Va.	Whaley
Ganly	Lufkin	Ricketts	Wheeler
Gard	Luhring	Riddick	White, Kans.
Garland	McAndrews	Riordan	White, Me.
Garner	McArthur	Robinson, N. C.	Williams
Garrett	McClintic	Robsion, Ky.	Wilson, Ill.
Glynn	McCulloch	Rodenberg	Wilson, La.
Godwin, N. C.	McGlennon	Rogers	Wilson, Pa.
Goldfogle	McKiniry	Romjue	Winslow
Good	McKinley	Rose	Wise
Goodall	McLaughlin, Mich.	Rouse	Wood, Ind.
Graham, Ill.	McLaughlin, Nebr.	Rowan	Woods, Va.
Graham, Pa.	MacCrate	Rowe	Woodyard
Green, Iowa	MacGregor	Rubey	Wright
Greene, Mass.	Madden	Sanders, Ind.	Yates
Hadley	Magee	Sanders, La.	Young, Tex.
Hamilton	Maher	Sanford	Zihlman

NOT VOTING—69.

Anthony	Elston	Jones, Pa.	Rayburn
Booher	Evans, Nev.	Kahn	Rhodes
Brinson	Ferris	Kendall	Rucker
Brumbaugh	Flood	Kennedy, Iowa	Sanders, N. Y.
Burdick	Focht	Kettner	Scully
Burke	Goodykoontz	Kitchin	Sears
Cannon	Gould	Kreider	Shreve
Cantrill	Greene, Vt.	Lankford	Small
Carter	Griest	McFadden	Smithwick
Clark, Fla.	Hamill	McKenzie	Snyder
Cole	Hastings	McKeown	Sullivan
Costello	Hayden	McPherson	Tillman
Crowther	Hernandez	Mansfield	Vestal
Curry, Calif.	Hill	Mason	Ward
Dale	Huddleston	Merritt	Young, N. Dak.
Drane	Hulings	Neely	
Drewry	Hull, Iowa	Nicholls	
Ellsworth	Igoe	Overstreet	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. RHODES with Mr. TILLMAN.

Mr. ELSTON with Mr. DRANE.

Mr. COLE with Mr. HAYDEN.

Mr. SNYDER with Mr. CARTER.

Mr. DALE with Mr. IGOE.

Mr. HERNANDEZ with Mr. HASTINGS.

Mr. FOCHT with Mr. EVANS of Nevada.

Mr. ANTHONY with Mr. KETTNER.

Mr. GREENE of Vermont with Mr. NICHOLLS.

Mr. KENDALL with Mr. RUCKER.

Mr. CURRY of California with Mr. FLOOD.

Mr. HULINGS with Mr. DREWRY.

Mr. CANNON with Mr. KITCHIN.
Mr. HILL with Mr. LANKFORD.
Mr. BURKE with Mr. HUDDLESTON.
Mr. HULL of Iowa with Mr. BRINSON.
Mr. BURDICK with Mr. HAMILL.
Mr. KAHN with Mr. RAYBURN.
Mr. KREIDER with Mr. FERRIS.
Mr. CROWTHER with Mr. MANSFIELD.
Mr. KENNEDY of Iowa with Mr. CLARK of Florida.
Mr. MCKENZIE with Mr. CANTRILL.
Mr. VESTAL with Mr. BRUMBAUGH.
Mr. WARD with Mr. BOOHER.
Mr. YOUNG of North Dakota with Mr. SCULLY.
Mr. MERRITT with Mr. SEARS.
Mr. MASON with Mr. MCKEOWN.
Mr. MCPHERSON with Mr. OVERSTREET.
Mr. MCFADDEN with Mr. SULLIVAN.
Mr. JONES of Pennsylvania with Mr. SMITHWICK.
Mr. GOULD with Mr. SMALL.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present; the Doorkeeper will open the doors. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. GREEN of Iowa, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9783) to provide a national budget system and an independent audit of Government accounts, and for other purposes.

The message also announced that the Senate had passed the following:

"*Resolved*, That the Senate request a further conference with the House of Representatives on the disagreeing votes of the two Houses on Senate amendment numbered 93 to the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, and that the conferees on the part of the Senate be appointed by the Chair, and that they be requested to, if possible, compromise the disagreement upon the said amendment upon substantially the following basis:

"In lieu of the matter proposed to be stricken out insert:

"'For the purchase, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants, $75,000. Said seeds, bulbs, trees, shrubs, vines, cuttings, and plants shall be sent only to such persons as shall make request therefor: *Provided*, That all such requests made of Senators, Representatives, and Delegates in Congress, if transmitted to the Department of Agriculture, shall be complied with by said department.'"

That the Vice President had appointed Mr. GRONNA, Mr. NORRIS, and Mr. GORE as the conferees on the part of the Senate.

SUNDRY CIVIL APPROPRIATIONS.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 13870, the sundry civil appropriation bill, disagree to all the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table the sundry civil appropriation bill, disagree to all the Senate amendments, and ask for a conference. Is there objection?

Mr. BANKHEAD. Mr. Speaker, reserving the right to object——

Mr. GOOD. In this connection I wish to say that I have conferred with the gentleman from Tennessee [Mr. BYRNS], the ranking minority member, and this request is agreeable to him.

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, a very important amendment, I understand, was added in the Senate bill, Senate amendment No. 44, providing for an appropriation of $4,000,000 plus for transportation facilities on the inland and coastwise waterways as provided in the transportation act. I would like to have some assurance from the gentleman before this request is granted that the House conferees will give the House an opportunity to express its views on that amendment.

Mr. GOOD. I may say in that connection that that request and the estimate for the appropriation was made after the House had concluded the hearings and had acted on the bill. It was overlooked after the Congress adopted the transportation act providing for the operation on inland waterways of the vessels that had been purchased for the New York State Barge Canal, the Warrior section of Mississippi, and the Mississippi River. Now, these estimates came in after we had acted upon those matters, but for the rest of the year there is an estimate of $300,000, and the deficiency committee is reporting out the amount necessary to carry on that operation for the remainder of the year. I have not talked with the other gentlemen on the committee, but Congress having provided by law that the War Department shall carry on this service, of course we must appropriate the money for it. Now, how much is necessary I do not know. I have not examined the estimates or the Senate hearings. I know in a general way, and I know there must be some appropriation for the service. In matters of that kind I do not believe the conferees ought to go into conference in such a way that they can not enter freely into every matter in dispute. I will say to the gentleman, so far as I am personally concerned, I do not see how we could avoid agreeing to an appropriation sufficiently large to carry on that service. It is an experiment, and the experiment on inland waterways, I think, is going to be made under that appropriation, and the money ought to be sufficient, so that no one can say we have not given the inland waterways a fair chance to demonstrate what can be done in the movement of freight on our inland rivers.

Mr. BANKHEAD. Mr. Speaker, with the expression of those views by the chairman of the committee, I will not resist the unanimous consent.

Mr. CLEARY. Mr. Speaker, I simply want to say that it is well known to a good many Members here that the State of New York is not willing that the Government shall operate any longer upon its canals. The New York Chamber of Commerce and the New York Board of Trade and Transportation, of which I happen to be vice president, and all the other commercial bodies throughout the State want the Government to get off the canals, so far as their operation is concerned, because they say that various companies had intended starting to put on boats on the just completed barge canal, but while the Government operates on it those individuals can not be induced to put their money in it. We had a hearing the other day, and Gen. Hines stated that the Government had lost $166,000, I believe, this last year in operating on it. That being the case, it illustrates to individual capitalists and small corporations that it can not afford to compete with the Government operation; and the Government does not need the canal at all. It was given freely to it by the State, that spent $200,000,000 upon the building and improvement of it, during the war; but the war is over. There is no use for the Government to operate it now, and inasmuch as it operates it only at a loss to itself and a loss to the people, why should the operation continue?

Mr. GOOD. Mr. Speaker, I will say to the gentleman that is a legislative matter.

Mr. CLEARY. I know; but I wanted to educate these people present, who might not know, a little bit concerning it.

Mr. DUPRÉ. The proposition is not involved in this Senate amendment, is it?

Mr. GOOD. No; it is not involved in the Senate amendment.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. GOOD]? [After a pause.] The Chair hears none.

The SPEAKER announced the following conferees: Mr. GOOD, Mr. VARE, and Mr. BYRNS of Tennessee.

NATIONAL DEFENSE—CONFERENCE REPORT.

Mr. KAHN, from the Committee on Military Affairs, submitted a conference report on the bill (H. R. 12775) to amend an act entitled "An act making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, for printing under the rule.

VETO OF PEACE RESOLUTION (H. J. RES. 327).

The SPEAKER laid before the House the following message from the President of the United States, which was read, as follows:

To the House of Representatives:

I herewith return, without my signature, House joint resolution 327, intended to repeal the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and the joint resolution of December 7, 1917, declaring a state of war to exist between the United States and the Austro-Hungarian Government, and to declare a state of peace. I have not felt at liberty to sign this joint resolution because I can not bring myself to become party to an action which would place an ineffaceable stain upon the gallantry and honor of the United States. The resolution seeks to establish peace with the German Empire without exacting from the German

Government any action by way of setting right the infinite wrongs which it did to the peoples whom it attacked and whom we professed it our purpose to assist when we entered the war. Have we sacrificed the lives of more than 100,000 Americans and ruined the lives of thousands of others and brought upon thousands of American families an unhappiness that can never end for purposes which we do not now care to state or take further steps to attain? The attainment of these purposes is provided for in the treaty of Versailles by terms deemed adequate by the leading statesmen and experts of all the great peoples who were associated in the war against Germany. Do we now not care to join in the effort to save them?

We entered the war most reluctantly. Our people were profoundly disinclined to take part in a European war, and at last did so only because they became convinced that it could not in truth be regarded as only a European war, but must be regarded as a war in which civilization itself was involved and human rights of every kind as against a belligerent government. Moreover, when we entered the war we set forth very definitely the purposes for which we entered, partly because we did not wish to be considered as merely taking part in a European contest. This joint resolution which I return does not seek to accomplish any of these objects, but in effect makes a complete surrender of the rights of the United States so far as the German Government is concerned. A treaty of peace was signed at Versailles on the 28th of June last which did seek to accomplish the objects which we had declared to be in our minds, because all the great Governments and peoples which united against Germany had adopted our declarations of purpose as their own and had in solemn form embodied them in communications to the German Government preliminary to the armistice of November 11, 1918. But the treaty as signed at Versailles has been rejected by the Senate of the United States, though it has been ratified by Germany. By that rejection and by its method we have in effect declared that we wish to draw apart and pursue objects and interests of our own, unhampered by any connections of interest or of purpose with other Governments and peoples.

Notwithstanding the fact that upon our entrance into the war we professed to be seeking to assist in the maintenance of common interests, nothing is said in this resolution about the freedom of navigation upon the seas, or the reduction of armaments, or the vindication of the rights of Belgium, or the rectification of wrongs done to France, or the release of the Christian populations of the Ottoman Empire from the intolerable subjugation which they have had for so many generations to endure, or the establishment of an independent Polish State, or the continued maintenance of any kind of understanding among the great powers of the world which would be calculated to prevent in the future such outrages as Germany attempted and in part consummated. We have now in effect declared that we do not care to take any further risks or to assume any further responsibilities with regard to the freedom of nations or the sacredness of international obligation or the safety of independent peoples. Such a peace with Germany—a peace in which none of the essential interests which we had at heart when we entered the war is safeguarded—is, or ought to be, inconceivable, is inconsistent with the dignity of the United States, with the rights and liberties of her citizens, and with the very fundamental conditions of civilization.

I hope that in these statements I have sufficiently set forth the reasons why I have felt it incumbent upon me to withhold my signature.

WOODROW WILSON.

THE WHITE HOUSE,
27 May, 1920.

Mr. PORTER. Mr. Speaker, I move to postpone action on the message of the President until to-morrow and that it shall be taken up immediately after the reading of the Journal.

The SPEAKER. The gentleman moves to suspend further action on the message until to-morrow, immediately after the reading of the Journal.

Mr. BLACKMON. Mr. Speaker, I object to its being postponed. We should take action now.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania [Mr. PORTER].

The motion was agreed to.

CONSULAR AND DIPLOMATIC APPROPRIATIONS.

Mr. PORTER. Mr. Speaker, I desire to call up the conference report on the bill H. R. 11960, the Consular and Diplomatic appropriation bill.

The SPEAKER. The gentleman from Pennsylvania calls up a conference report on a bill, which the Clerk will report.

The Clerk read as follows:

Conference report on the bill H. R. 11960, making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921, and for other purposes.

The conference report was read.

[For conference report see House proceedings of May 25, 1920, p. 7604.]

Mr. PORTER. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. ROGERS].

Mr. ROGERS. Mr. Speaker, I have just one observation that I want to make on this conference report. The House by its rejection of the previous conference report on this same bill made it requisite for your conferees to insist on the elimination of the compulsory passport features. The impression may very easily go abroad, I think, that word having been carried in the press of the country, that the action taken by your conferees as a result of the vote of the House the other day frees an American traveler from the necessity of supplying himself with a passport before he leaves this country for trans-Atlantic, trans-Pacific, or South American ports. It is one of our functions to try to assist our constituents to get passports if and when they are needed. I think the membership of this House ought to understand very definitely that this action of the House to-day, assuming it accepts the conference report, in no way eliminates the present requirement that American travelers going abroad shall bear passports with them.

In the first place the present emergency legislation, the war legislation, approved May 22, 1918, continues in effect as long as the United States is technically at war. Under that law, the taking out of passports is absolutely compulsory until a peace treaty or a peace resolution becomes effective, unless the President shall by proclamation decree otherwise. But there is the further point that we must bear in mind, that even though the American Government does not require, after a status of peace returns, the taking out of a passport, conditions and regulations in Europe will be such for a good many years, in the opinion of competent judges, that it will not be safe for an American citizen, irrespective of what our law says, to go abroad without a passport.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. JOHNSON of Washington. Is there a requirement under the extension of the passport law that a citizen of the United States must now have a passport?

Mr. ROGERS. It is requisite that he shall have a passport now.

Mr. JOHNSON of Washington. He does not need to have one, but he should have one. The intention of the law is that aliens entering this country must have a passport?

Mr. ROGERS. It is the contemplation of the present law that American citizens shall have a passport. But the passport extension statute which became effective October 29 last, and which relieved American citizens from the requirement, does not become operative until the treaty of peace comes into effect by the proclamation of the President. As, by its terms, its life is limited to March 4 next, it seems probable that it will never become an actual factor in the situation.

Mr. WALSH. Mr. Speaker, will my colleague yield?

Mr. ROGERS. Yes.

Mr. WALSH. I would like to ask the gentleman to just straighten out the situation. The gentleman from Washington [Mr. JOHNSON] asks a question and states one case, and the gentleman from Massachusetts states the other. The law which expires on March 4, 1921, makes it necessary, does it not, for an American citizen, before he goes abroad, to have a passport?

Mr. ROGERS. It is not made mandatory by the present law, but it depends on the decision of the President, under the terms of that law, as to whether the "public safety" requires the taking out by American citizens of passports. The President's original proclamation to this effect has never been abrogated. As I have just said, the extension law, if it ever comes into effect, relieves Americans, so far as our domestic law can do it, of the necessity. The State Department regards it as essential, and, so far as I know, there is no exception to the rule to-day that American travelers going forth must equip themselves with American passports.

Mr. WALSH. So that that law does apply to an American citizen leaving the country as well as aliens coming here?

Mr. ROGERS. It does.

What I wanted to do, Mr. Speaker, for the information of the House, was to put in the RECORD a summary of the requirements of the other nations of the world as to passports and as to travelers from other countries within their boundaries. I

have here a pamphlet prepared last September which showed the requirements of passports in other countries as of that time. I have also a memorandum which was prepared for me this week which brings the situation up to date. It is rather interesting to note that the tendency of European, Asiatic, and South American countries to-day is to make much more rigid their requirements as to passports rather than to ameliorate them, as one would suppose natural in view of the fact that so much time has elapsed since the war.

Mr. ROGERS subsequently secured unanimous consent to extend his remarks by incorporating the data referred to.

Mr. ROGERS. Mr. Speaker, under leave to extend my remarks, I print the passport regulations of September 3, 1919, and a supplementary memorandum, dated May 19, 1920:

DIRECTIONS CONCERNING THE USE OF PASSPORTS.

I. SIGNATURE OF PASSPORT.

A person to whom a passport is issued should affix his signature thereon, in the space designated, immediately upon its receipt.

II. VISÉ OF PASSPORTS.

Passports of American citizens must, before the holder's departure from the United States, be viséed for entry into the following-named countries by diplomatic or consular officers thereof stationed in the United States: Argentina, Belgium, Brazil, British Empire, Chile, China, Costa Rica, Czechoslovakia, Denmark, Finland, France, Greece, Guatemala, Haiti, Italy, Japan, Mexico, the Netherlands, Norway, Persia, Peru, Poland, Portugal, Roumania, Russia, Serbia, Spain, Sweden, and Switzerland.

III. SPECIAL REGULATIONS OF FOREIGN COUNTRIES.

Upon arrival in European countries, persons may obtain information in regard to registration, etc., from the local authorities directly or through the nearest American consulate.

(The information given below is believed to be correct. For further and more authentic information it is necessary to apply to diplomatic or consular representatives of those countries. This is especially important in cases of naturalized American citizens and persons born in this country of foreign-born parents when such persons propose to visit countries in which they or their parents were born.)

Belgium: Persons going to Belgium must have their passports viséed by a diplomatic or consular official in this country.

Persons desirous of entering the Katanga, Belgium Congo, must be in possession of either a contract of service in the territory for not less than a period of three months with a bona fide business firm or a sum of 1,500 francs.

British Empire: A person going to British territory accompanied by his wife and minor children may have his family included in his passport, but a photograph of each member of his family over 14 years of age must be attached to his passport.

Persons over 15 years of age desiring to visit India, Australia, New Zealand, or Straits Settlements are required to produce separate passports viséed by British diplomatic or consular officers.

Visés for persons traveling to Australia may be secured from the Canadian commissioner of immigration at Vancouver or Victoria.

Passports are not required in Canada, but native American citizens going to Canada should carry documentary evidence of their birth in the United States with them, and naturalized citizens should carry their naturalization certificates.

Passports are required in Newfoundland.

Persons intending to go to British colonies or dependencies as missionaries should make application to the British embassy at Washington for permission to enter such territories. Their requests for visés should be made after their applications are approved.

Czechoslovakia: Persons going to Czechoslovakia must have their passports viséed by the consul of Czechoslovakia in New York City.

Finland: Persons going to Finland must have their passports viséed by the diplomatic officer of Finland in Washington, D. C.

Greece: Persons going to Greece must have their passports viséed by a consular officer of that country.

Italy: Under Italian regulations, each person over 16 years of age entering Italy must hold a separate viséed passport.

Norway: All persons above 12 years of age should have separate viséed passports. Norwegian regulations require that persons arriving in Norway shall at once report personally to the police in the district where the frontier is crossed, or Norwegian territory is first entered.

Persia: Passports will be viséed by the Persian consul general at New York City.

Peru: Each person over 12 years of age must hold a separate viséed passport.

Poland: Persons going to Poland must have their passports viséed by the consul general of Poland in New York City.

Portugal: Passports will be viséed by a Portuguese diplomatic or consular officer, preferably the Portuguese consul general in New York City.

Roumania: Persons going to Roumania must have their passports viséed by the Roumanian consul in New York City or Chicago, Ill.

Russia: Persons going to Russia must have their passports viséed by a Russian consular officer preferably in the United States, at San Francisco, Chicago, or New York City. Russian regulations require that the photographs of all persons included in a passport who are over 10 years of age, appear thereon.

Serbs, Croats, and Slovenes: Persons going to the Kingdom of the Serbs, Croats, and Slovenes must have their passports viséed by the consul general of that country in New York, or by a diplomatic or consular officer of the Serbs, Croats, and Slovenes in some foreign country.

Spain: Each person over 14 years of age must hold a separate viséed passport.

Sweden: Persons traveling to Sweden must obtain a visé by a Swedish consular representative in the United States before leaving this country. They should not, in case they intend to travel on a Norwegian or Danish steamer, postpone this formality until they arrive in Norway or Denmark.

Each person over 12 years of age must hold a separate viséed passport.

Switzerland: Formal application for visé must be made in person before a diplomatic or consular officer of Switzerland.

The Netherlands: An American intending to visit the Netherlands should apply for the visé of his passport to the nearest diplomatic or consular officer of that country. The application should be made a considerable time in advance of the intended journey.

All aliens arriving in Holland are required to present themselves in person, within 24 hours after arrival, before the chief of police or the official designated by him, at the place of entry or the place where the first night is spent.

IV. COUNTRIES TO BE NAMED IN PASSPORTS.

A passport should include the names of all countries which it is necessary for the applicant to visit, or which the applicant must pass through on his way to the country to be visited, and should be accompanied by evidence showing the necessity of the proposed visits.

DEPARTMENT OF STATE,
Washington, September 3, 1919.

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DEPARTMENT OF STATE,
DIVISION OF PASSPORT CONTROL,
May 19, 1920.

Memorandum.

In response to your request for information regarding the visaing of American passports, there is attached the department's print of September 3, 1919, showing the requirements as then known to the department. Since then numerous changes have been made, mainly with a view to putting additional restrictions or safeguards around the entrance of Americans into foreign countries. I will list the countries below in their alphabetical order and give a brief synopsis of the requirements in each country:

Argentina: In addition to the passport, two certificates issued by competent local authorities must be presented to the consul of whom the visa is requested; first, that the applicant has not been subjected to punishment for crimes entailing dishonorable penalties during the past five years; second, that his health and mental condition are and have been good, and that he has not been a mendicant. This applies to first, second, and third class passengers.

Colombia: Now requires a visa.

British Empire: Persons going to the British Isles to obtain or accept employment must secure, directly or through their employers, a labor permit from the British Ministry of Labor.

France: The visa must now be secured from a French representative whose jurisdiction includes the applicant's place of residence. Also, commercial travelers must secure a professional identification card from the consul who gives the visa. These cards must be renewed annually.

Occupied territories: Persons going to places which are temporarily occupied by the military or civil representatives of some other government must secure, in addition to the usual visa, a visa from a consular representative of the occupying nation.

Peru: Upon landing a foreigner must register with the police.

Serbs, Croats, and Slovenes: In urgent cases permission to grant a visa may be obtained by cable through the consul general in New York City of the kingdom of the Serbs, Croats, and Slovenes. The cablegram is sent to the minister of foreign affairs at Belgrade. If the cable is not used, at the expense of the applicant, he must await his reply through the mail.

Sweden: It was understood that rule regarding separate passports for persons over 12 years of age had been relaxed, but recent telegraphic communications indicate that this is, if anything, more necessary now than ever, because of the police regulations in that country.

The Netherlands: Persons who desire that authority for a visa be secured by cable may do so by paying the necessary cable charges; otherwise, they must await a mail reply.

Venezuela: Now requires a visa.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. MURPHY. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Ohio makes the point of order that there is no quorum present. The Chair will count.

Mr. ROGERS. Mr. Speaker, will the gentleman from Ohio withhold his point of no quorum while I secure unanimous consent to extend my remarks?

The SPEAKER (after counting). One hundred and eleven Members are present—not a quorum.

Mr. ROGERS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Edmonds	Jones, Pa.	Rhodes
Booher	Ellsworth	Jones, Tex.	Rowe
Brinson	Elston	Kendall	Rucker
Britten	Evans, Nev.	Kennedy, R. I.	Scully
Brumbaugh	Ferris	Kettner	Sears
Burke	Flood	Kitchin	Shreve
Campbell, Kans.	Freeman	Kreider	Slemp
Cantrill	Gandy	Lankford	Small
Caraway	Gould	McKenzie	Smith, Idaho
Carter	Greene, Mass.	McPherson	Smithwick
Clark, Fla.	Greene, Vt.	Mansfield	Snell
Cole	Griest	Martin	Snyder
Costello	Hamill	Merritt	Stephens, Miss.
Crowther	Harrison	Milligan	Sullivan
Curry, Calif.	Hastings	Morin	Tillman
Dale	Hayden	Neely	Upshaw
Davis, Minn.	Hernandez	Nicholls	Yates
Dempsey	Hulings	Olney	Young, N. Dak.
Dent	Husted	Parker	
Drane	Igoe	Peters	
Dunn	Johnson, S. Dak.	Platt	

The SPEAKER. Three hundred and forty-six Members have answered to their names. A quorum is present.

Mr. PORTER. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Pennsylvania moves to dispense with further proceedings under the rule. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

The doors were opened.

Mr. PORTER. Mr. Speaker, I move the previous question on the conference report.

The SPEAKER. The gentleman from Pennsylvania moves the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent to extend my remarks on the conference report.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks on the conference report. Is there objection?

There was no objection.

PERSONAL SERVICE CORPORATIONS.

Mr. GREEN of Iowa. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14197.

The SPEAKER. The gentleman from Iowa moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14197, which the Clerk will report.

The Clerk read the title of the bill, as follows:

A bill (H. R. 14197) to amend the personal service corporation provisions of the revenue act of 1918, and for other purposes.

Mr. GREEN of Iowa. Mr. Speaker, pending that, I would like to see if we can arrange about the time. The gentleman from Illinois [Mr. HENRY T. RAINEY] will remember that on the previous bill I gave him three-quarters of an hour and reserved 15 minutes myself. Will it be agreeable to the gentleman to reciprocate?

Mr. HENRY T. RAINEY. I will reciprocate the gentleman's courtesy.

Mr. GREEN of Iowa. I ask unanimous consent that the debate be limited to 1 hour, 15 minutes to be controlled by the gentleman from Illinois [Mr. HENRY T. RAINEY] and 45 minutes by myself.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the debate be limited to 1 hour, 15 minutes to be controlled by the gentleman from Illinois [Mr. HENRY T. RAINEY] and 45 minutes by himself. Is there objection?

Mr. MURPHY. I object.

Mr. GREEN of Iowa. I ask for a vote on the motion to go into the Committee of the Whole House on the state of the Union.

The SPEAKER. The question is on the motion that the House resolve itself into the Committee of the Whole House on the state of the Union.

Mr. MURPHY. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. GREEN of Iowa. I make the point of order that the motion is dilatory. I think no business has intervened since the last roll call.

Mr. SABATH. Oh, yes; we have had a conference report.

The SPEAKER. The Chair thinks that other business has intervened. The gentleman from Ohio makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and eighty-two Members present, not a quorum.

Mr. LONGWORTH. I move a call of the House.

Mr. GREEN of Iowa. That is not necessary. The vote comes in the motion to go into Committee of the Whole.

The SPEAKER. It is an automatic roll call. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 315, nays 13, answered "present" 5, not voting 94, as follows:

YEAS—315.

Ackerman	Bacharach	Bland, Va.	Buchanan
Almon	Bankhead	Blanton	Burdick
Anderson	Barkley	Boies	Burke
Andrews, Md.	Bell	Bowers	Burroughs
Andrews, Nebr.	Benham	Box	Butler
Ashbrook	Benson	Brand	Byrnes, S. C.
Aswell	Black	Briggs	Byrns, Tenn.
Ayres	Blackmon	Brooks, Ill.	Caldwell
Babka	Bland, Mo.	Brooks, Pa.	Campbell, Kans.
Candler	Hamilton	Major	Scott
Caraway	Hardy, Colo.	Mann, Ill.	Sells
Carew	Hardy, Tex.	Mann, S. C.	Sherwood
Carss	Harreld	Mapes	Siegel
Casey	Haugen	Martin	Sims
Chindblom	Hawley	Mason	Sinclair
Christopherson	Heflin	Mays	Sinnott
Clark, Mo.	Hersman	Mead	Sisson
Classon	Hickey	Michener	Smith, Mich.
Cleary	Hicks	Miller	Smith, N. Y.
Coady	Hoch	Milligan	Steagall
Collier	Hoey	Minahan, N. J.	Stedman
Connally	Holland	Monahan, Wis.	Steele
Crago	Houghton	Mondell	Steenerson
Cramton	Howard	Montague	Stephens, Miss.
Crisp	Huddleston	Moon	Stephens, Ohio
Cullen	Hudspeth	Mooney	Stevenson
Currie, Mich.	Hull, Iowa	Moore, Ohio	Stiness
Dallinger	Hull, Tenn.	Moores, Ind.	Stoll
Darrow	Humphreys	Mott	Strong, Kans.
Davey	Hutchinson	Mudd	Strong, Pa.
Davis, Minn.	Ireland	Nelson, Mo.	Summers, Wash.
Davis, Tenn.	Jacoway	Nelson, Wis.	Sumners, Tex.
Denison	James	Newton, Minn.	Sweet
Dewalt	Jefferis	Newton, Mo.	Swope
Dickinson, Mo.	Johnson, Ky.	O'Connell	Tague
Dickinson, Iowa	Johnson, Wash.	O'Connor	Taylor, Ark.
Dominick	Johnston, N. Y.	Ogden	Taylor, Colo.
Donovan	Juul	Oldfield	Taylor, Tenn.
Dooling	Kahn	Oliver	Temple
Doremus	Kelley, Mich.	Olney	Thompson
Doughton	Kelly, Pa.	Osborne	Tilson
Dowell	Kennedy, Iowa	Overstreet	Timberlake
Dunbar	Kennedy, R. I.	Padgett	Tincher
Dupré	Kiess	Paige	Tinkham
Eagan	Kincheloe	Park	Towner
Eagle	Kinkaid	Parker	Treadway
Elliott	Knutson	Parrish	Valle
Esch	Kraus	Pell	Vare
Evans, Mont.	Langley	Phelan	Venable
Evans, Nebr.	Lanham	Porter	Vestal
Fairfield	Larsen	Pou	Vinson
Fields	Layton	Quin	Walsh
Fisher	Lazaro	Radcliffe	Walters
Focht	Lea, Calif.	Rainey, Ala.	Ward
Fordney	Lehlbach	Rainey, H. T.	Wason
Foster	Lesher	Rainey, J. W.	Watkins
Frear	Linthicum	Raker	Watson
Freeman	Little	Ramsey	Weaver
French	Lonergan	Ramseyer	Webster
Fuller, Ill.	Longworth	Randall, Wis.	Welling
Gallagher	Luce	Rayburn	Welty
Gandy	Lufkin	Reavis	Whaley
Ganly	Luhring	Reed, N. Y.	Wheeler
Gard	McAndrews	Reed, W. Va.	White, Kans.
Garland	McArthur	Ricketts	White, Me.
Garner	McClintic	Riddick	Williams
Garrett	McDuffie	Riordan	Wilson, Ill.
Glynn	McFadden	Robinson, N. C.	Wilson, La.
Goldfogle	McGlennon	Robsion, Ky.	Wilson, Pa.
Good	McKeown	Rodenberg	Wingo
Goodall	McKiniry	Romjue	Winslow
Goodwin, Ark.	McKinley	Rose	Wise
Goodykoontz	McLane	Rouse	Wood, Ind.
Graham, Ill.	McLaughlin, Nebr.	Rowan	Woods, Va.
Graham, Pa.	MacCrate	Rubey	Woodyard
Green, Iowa	MacGregor	Sabath	Wright
Greene, Vt.	Madden	Sanders, Ind.	Young, Tex.
Griffin	Magee	Sanders, La.	Zihlman
Hadley	Maher	Schall	

NAYS—13.

Baer	Emerson	Kleczka	Nolan
Barbour	Gallivan	Lampert	
Begg	Keller	Morgan	
Cooper	King	Murphy	

ANSWERED "PRESENT"—5.

Hersey	Purnell	Reber	Rogers
Johnson, Miss.			

NOT VOTING—94.

Anthony	Dyer	Johnson, S. Dak.	Rowe
Bee	Echols	Jones, Pa.	Rucker
Bland, Ind	Edmonds	Jones, Tex.	Sanders, N. Y.
Booher	Ellsworth	Kearns	Sanford
Brinson	Elston	Kendall	Scully
Britten	Evans, Nev.	Kettner	Sears
Browne	Ferris	Kitchin	Shreve
Brumbaugh	Fess	Kreider	Slemp
Campbell, Pa.	Flood	Lankford	Small
Cannon	Fuller, Mass.	Lee, Ga.	Smith, Idaho
Cantrill	Godwin, N. C.	McCulloch	Smith, Ill.
Carter	Gould	McKenzie	Smithwick
Clark, Fla.	Greene, Mass.	McLaughlin, Mich.	Snell
Cole	Griest	McPherson	Snyder
Copley	Hamill	Mansfield	Sullivan
Costello	Harrison	Merritt	Thomas
Crowther	Hastings	Moore, Va.	Tillman
Curry, Calif.	Hayden	Morin	Upshaw
Dale	Hays	Neely	Voigt
Dempsey	Hernandez	Nicholls	Volstead
Dent	Hill	Peters	Yates
Drane	Hulings	Platt	Young, N. Dak.
Drewry	Husted	Randall, Calif.	
Dunn	Igoe	Rhodes	

So the motion of Mr. GREEN of Iowa was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. GREENE of Massachusetts with Mr. BEE.

Mr. SANFORD with Mr. NEELY.

Mr. YATES with Mr. BOOHER.

Mr. SNELL with Mr. HARRISON.
Mr. SLEMP with Mr. MOORE of Virginia.
Mr. BLAND of Indiana with Mr. NICHOLLS.
Mr. DUNN with Mr. EVANS of Nevada.
Mr. JOHNSON of South Dakota with Mr. LEE of Georgia.
Mr. MCPHERSON with Mr. GODWIN of North Carolina.
Mr. FESS with Mr. RANDALL of California.
Mr. MCCULLOCH with Mr. SULLIVAN.
Mr. GRIEST with Mr. CAMPBELL of Pennsylvania.
Mr. MORIN with Mr. UPSHAW.
Mr. PLATT with Mr. THOMAS.
Mr. HUSTED with Mr. JONES of Texas.
Mr. DYER with Mr. HAMILL.
Mr. BROWNE with Mr. DENT.
Mr. EDMONDS with Mr. BRINSON.
Mr. DEMPSEY with Mr. BRUMBAUGH.
Mr. MCLAUGHLIN of Michigan with Mr. CLARK of Florida.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CRAMTON in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of a bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 14197) to amend the personal service corporation provisions of the revenue act of 1918, and for other purposes.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. ANDERSON. I object.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 201 of the revenue act of 1918 is amended to read as follows:

"SEC. 201. (a) That the term 'dividend' when used in this title (except in paragraph (10) of subdivision (a) of section 234) means (1) any distribution made by a corporation to its shareholders or members, whether in cash or in other property, out of its earnings or profits accumulated since Febuary 28, 1913.

"(b) Any distribution shall be deemed to have been made from earnings or profits unless all earnings and profits have first been distributed. Any distribution made in the year 1918 or any year thereafter shall be deemed to have been made from earnings or profits accumulated since February 28, 1913; but any earnings or profits accumulated prior to March 1, 1913, may be distributed, exempt from the tax, after the earnings and profits accumulated since February 28, 1913, have been distributed.

"(c) A dividend paid in stock of the corporation (hereinafter called 'stock dividend') shall not be subject to tax at the time of distribution. Amounts bona fide distributed in the liquidation of a corporation shall be treated as payments in exchange for stock or shares, and any gain or profit realized thereby shall be taxed to the distributee as other gains or profits.

"(d) A distribution shall be deemed to have been made by a corporation to its stockholders or members as of the date when the cash or other property is distributed or set apart for or credited to the account of such stockholders or members as to be unqualifiedly subject to their immediate demands, and shall be taxed to such stockholders or members as of the date of such distribution.

"(e) For the purpose of computing the invested capital of a corporation, dividends distributed by such corporation during the first 60 days of any taxable year shall be deemed to have been made from earnings or profits accumulated during preceding taxable years; but any distribution made during the remainder of the taxable year shall be deemed to have been made from earnings or profits accumulated between the close of the preceding taxable year and the date of distribution, to the extent of such earnings or profits; and if the books of the corporation do not show the amount of such earnings or profits, the earnings or profits for the accounting period within which the distribution was made shall be deemed to have been accumulated ratably during such period."

SEC. 2. That section 205 of such act is amended as follows:

(1) In the first paragraph of subdivision (a) strike out the colon and the following:

"*Provided*, That in the case of a personal service corporation the amount to be paid shall be only that specified in clause (1)."

(2) In the second paragraph of subdivision (a) strike out the words "or, in the case of a personal service corporation, the amount specified in clause (1)" and the comma.

(3) In subdivision (c) strike out the colon and the following:

"*Provided*, That in the case of a personal service corporation with respect to a fiscal year beginning in 1917 and ending in 1918, the amount specified in clause (1) shall not be subject to normal tax."

SEC. 3. That subdivision (a) of section 216 of such act is amended to read as follows:

"(a) The amount received as dividends from a corporation which is taxable under this title upon its net income;"

SEC. 4. That subdivision (e) of section 218 of such act is repealed.

SEC. 5. That paragraph 14 of section 231 of such act is repealed.

SEC. 6. That paragraph 6 of subdivision (a) of section 234 of such act is amended to read as follows:

"(6) Amounts received as dividends from a corporation which is taxable under this title upon its net income;"

SEC. 7. That section 301 of the revenue act of 1918 is hereby amended—

(1) By inserting after the word "corporation" in subdivision (a) the words "(except a personal service corporation)";

(2) By inserting after the word "except" in subdivision (b) the words "personal service corporations and"; and

(3) By inserting after the word "corporation" in subdivision (c) the words "(except a personal service corporation)."

SEC. 8. That section 335 of such act is amended as follows:

(1) In subdivision (a) strike out the following: "(other than a personal service corporation)."

(2) In the first paragraph of subdivision (c) strike out the words "or a personal service corporation."

(3) In the second paragraph of subdivision (c) strike out the words "or personal service corporation" and the words "or corporation."

SEC. 9. That in addition to all other taxes, there shall be levied, collected, and paid for the taxable year 1920 upon the net income of every personal service corporation received or accrued during the taxable years 1918 and 1919 a tax equal to the tax that would have been paid had such corporation been subject to the taxes imposed by section 230 of the revenue act of 1918 for such years.

SEC. 10. (a) That in addition to all other taxes and in addition to the tax imposed by section 9 there shall be levied, collected, and paid for the taxable year 1920 upon the net income of every personal service corporation a tax equal to the sum of (1) 30 per cent of the amount of the net income of such corporation for the taxable year 1918 in excess of the dividend credit (determined under paragraph (c) of this section) and (2) 20 per cent of the amount of the net income of such corporation for the taxable year 1919 in excess of the dividend credit determined under paragraph (c) of this section.

(b) For the taxable year 1920 and each taxable year thereafter shall be levied, collected, and paid upon the net income of every personal service corporation a tax equal to 20 per cent of the amount of the net income in excess of the dividend credit determined under paragraph (c) of this section.

(c) The dividend credit shall consist of a specific exemption of $3,000 plus the amount by which the dividend distributed by the corporation to its stockholders or members during the taxable year exceeds the dividends deducted under the provisions of section 234 of the revenue act of 1918.

A foreign corporation shall not be entitled to the specific exemption of $3,000.

(d) Any personal service corporation that elects to pay taxes for the taxable years 1918 and 1919 under the provisions of the revenue act of 1918 as provided in section 11 of this act shall not be subject to the taxes imposed by section 9 or subdivision (a) of this section nor shall it be required to make return in respect to such taxes.

SEC. 11. That the taxes imposed by sections 9 and 10 shall be returned, assessed, collected, and paid, upon the same basis, in the same manner, and subject to the same provisions of law, including penalties, as the taxes imposed by Title II of the revenue act of 1918.

The taxes imposed for the taxable year 1920 shall be returned, assessed, collected, and paid at the time provided in Title II of the revenue act of 1918 for the return and payment of income taxes for the taxable year 1920; and the tax imposed for the taxable year 1921 and each taxable year thereafter shall be returned, assessed, collected, and paid at the time provided in Title II of the revenue act of 1918 for the return and payment of income taxes for the taxable year 1921 and each taxable year thereafter.

All terms used in sections 9, 10, and 11 of this act shall have the same meaning as the like terms used in the revenue act of 1918.

SEC. 12. That the stockholders of any personal service corporation in existence in the taxable year 1918 or 1919, by a written agreement between the directors of the corporation and all the stockholders thereof, may for such years elect to be taxed under the provisions of the revenue act of 1918 in effect prior to the time this act takes effect; and in the case of any personal service corporation the stockholders and the directors of which have made such election, any distribution made hereafter from earnings or profits accumulated during the calendar years 1918 and 1919 shall be exempt from the tax imposed by Title II of the revenue act of 1918: *Provided further*, That such directors and stockholders shall be deemed to have made such agreement and election unless within 90 days after the time this act takes effect one or more of them shall have notified the commissioner in writing that he rejects such agreement and election.

The Commissioner of Internal Revenue shall mail to all personal service corporations at the last known address a copy of this act within 30 days after the same takes effect.

Mr. GREEN of Iowa. Mr. Chairman, I yield three minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, I wish to speak for just a few minutes on a subject that I think is of vital interest to every Member of this House, especially if he comes from a manufacturing district. From all parts of this country at the present time telegrams and letters are arriving showing that there is a shortage of coal, and unless this situation is met in a courageous way many industries will be closed down and thousands of men thrown out of work.

I want to call the attention of the Members of this House to the fact that with this shortage of coal and the possibilities of industries being closed down, and thousands thrown out of work at this particular time, with rising prices which makes it difficult for the laboring man to support his family, we shipped out of this country in January, February, and March of this year an average of 500,000 tons of bituminous coal each month. In the month of April we shipped out of this country 750,000 tons. I am informed from an authentic source that we will have shipped out at the end of this month to foreign countries 1,000,000 tons of coal.

It is a well-known fact that New England depends for its coal supply very largely on coal shipped by water from southern ports. In this connection I have been informed that these coal fleets are held for days awaiting a cargo of coal, while ships destined for foreign ports apply at the same ports, receive their cargo of coal, and put to sea. The situation has developed that New England is now almost entirely dependent for

its supply of coal on rail shipments, which makes an excessive demand on railroad transportation facilities.

In my own district thousands of men may be thrown out of employment unless there is some regulation or an embargo to protect essential industries from this threatened coal shortage. I feel that the Members of this House should give some study to this question, and, if necessary, see that there is an embargo placed on coal. [Applause.]

Mr. GREEN of Iowa. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Chairman and gentlemen of the committee, I am not accustomed to noticing editorials that reflect upon the membership of the House in a general way, but it seems to me that a condition has arisen which calls for a protest on the part of the membership on both sides of the aisle, and I wish to voice it for a moment.

It relates to one of the morning papers, the Washington Post, and an evening paper, the Star, which persistently reflect upon what is known as the soldiers' compensation bill, and upon those who favor that bill. I do not care particularly so far as the papers are concerned, or for their editorials, but when at the other end of the Capitol Senators rise in their places and insert those offensive editorials reflecting on the House and upon the Ways and Means Committee, as they have done, and then proceed to discuss the matter and say how they intend to oppose this bill over there and the papers then turn round approvingly with fulsome praise, I believe we owe it to the dignity of the House to protest against that procedure. [Applause.]

Mr. BLANTON. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. The gentleman's argument is in violation of the rules of the House with respect to criticizing the action of another body.

Mr. FREAR. I ask the Chairman to rule on that.

The CHAIRMAN. The gentleman from Wisconsin is familiar with the rule that forbids criticism in this Chamber of another body. The Chair is not prepared to state whether the gentleman is violating the rule or not, but the gentleman will proceed.

Mr. FREAR. Mr. Chairman, it is clear that if the contention of the gentleman was allowed it would refuse to permit us to question the falsity of editorials inserted by Senators——

Mr. BLANTON. Mr. Chairman, I renew the point of order that it is a criticism on Members of another body and brings forth crimination and recrimination, and I think it is a violaton of the rules of the House. While I am in sympathy with what the gentleman says, and would like to get up and say what I say in west Texas about it——

Mr. KING. I make the point of order, Mr. Chairman, that the gentleman from Texas is not in order. He has not the floor.

Mr. LANGLEY. The rule is violated every day in the House. Why did the gentleman from Texas make the point of order if he is in sympathy with what the gentleman from Wisconsin says?

Mr. BLANTON. I made the point of order; I have the floor, and I have not given it over to the gentleman from Illinois. I ask the Chair to rule whether the gentleman from Wisconsin can criticize another legislative body.

Mr. FREAR. That is not the question at all.

The CHAIRMAN. The Chair will state that the statement made by the gentleman from Wisconsin does not involve a criticism of the Senate, and the Chair is not prepared to rule that he is proceeding out of order.

Mr. MURPHY. Mr. Chairman, I make the point of order that there is no quorum present. I think we ought to have a quorum.

The CHAIRMAN. The gentleman from Ohio makes the point of order that no quorum is present. The Chair will count. [After counting.] One hundred and forty-five Members present, a quorum, and the gentleman from Wisconsin will proceed.

Mr. FREAR. Mr. Chairman, I again repeat that no legislative body in this country has a right to publish scurrilous editorials in a printed record of its proceedings. It is a cheap method of notoriety that is not creditable to any of the parties engaged and seeks to do by indirection what is otherwise improper. That has been done time and time again, day after day, and it seems to me it is time for the House to resent it. That is the reason I speak at this time. I have an article which appeared in the Washington Post of this morning. Of course it contains falsehoods that they must know are not true. The editorial says that this bill is to be a raid on the Treasury. There is no such possibility for that statement to be made under the bill, and if they know the provisions of the bill as it is and as it was discussed yesterday they know that there can be no raid on the Treasury. Next, the Post editorial says the bonus proposition is used by the politicians for getting votes. Now, Mr. Chairman, I am not prepared at this time to say whether the publisher of the Washington Post is directly responsible for these frequent editorials, but I would like to know how the bill, if it passes, will affect that publisher, who, I understand, is many times a millionaire. I am willing to disclose to the House the personal interest such men have in preventing this legislation if motives of Congress are to be impugned by these editorial writers. The Washington Evening Star constantly assails Congress because of its attitude on the 50-50 tax proposition. Its frequent strictures on Congress and the soldiers' bill editorially are known to Members. I would like to know how much under this proposed bill the owner of the Star would be required to pay? I understand he, too, is a very wealthy man, whose criticisms of Congress are familiar.

Are these wealthy gentlemen who are publishers of these newspapers, and who are issuing these editorials, or directing their issuance, are these men the ones who have the right to say to Congress, "You gentlemen are politicians, because you endeavor to pass a soldiers' aid bill," which we believe is right. Let us see what the legislative position is: On February 26, over three months ago, you gentlemen on the Democratic side, as well as upon the Republican side, unanimously, by a vote of nearly 300 Members, requested the Committee on Ways and Means to take up the consideration of all soldiers' bills. Surely you expected us to do something, otherwise your action was hypocritical.

We have worked upon these bills as a committee faithfully. We have reported this bill and have been waiting to be heard for two or three weeks. We secured what we believe is the best bill that we can get out of the committee. I would like to have had it different, but it is far better than if the bill had been burdened with a sales tax, as was first proposed. It provides what? First, a method of taxation covering a period of three years, which reaches expensive cigars, with an increase of 15 per cent on certain tobacco. It exacts $5 on every $1,000 of all real estate transfers. It reaches incomes of over $26,000, and adds to the present rate 3 per cent with a small increase below that amount. It does not touch widows and orphans or the average man, because they are not engaged in stock gambling, which it also affects. It reaches Members of Congress with a small increased tax, and it is right that they should be reached, and what is it all for? To provide some little recognition for the boys who were in the service, whom you gentlemen sent to war. You took them away from their homes all over this country. You broke up thousands and hundreds of thousands of homes, and hundreds of thousands of jobs were lost to these men by your action when you sent them to war. This is just a little recognition of their services. These boys went over there and won the war for us. They saved to the millionaires, who are constantly complaining about this soldiers' bill, they saved their money from German indemnity. [Applause.] That is what these young soldiers did. Why not call a spade a spade. We know the opposition that is behind this bill, and it is because of the tax features that reach these gentlemen and their interests, and this is the situation that arises here to-day. Let us get out into the limelight these men who talk of "commercializing patriotism." Let me say to you gentlemen, do not think for a moment, do not make a mistake as to what you are doing. Forty men or thereabouts are holding up this legislation on the Republican side, as I understand it. It was so stated by the gentleman from Kansas [Mr. CAMPBELL] yesterday. One hundred and fifty-four men on this side of the Chamber voted in conference in favor of bringing out the bill and acting on it, and 44 voted against it. You now say you will not let us vote on this proposition. Well and good, but we will let the people know that you refuse to let us vote on it, and we propose to give them the true situation. [Applause.]

Mr. PELL. Mr. Chairman, will the gentleman yield?

Mr. FREAR. No; I can not yield. The situation is pathetic. Here are soldier boys who gave the best that was in them over there in Europe along the battle line and in the camps at $30 a month, and you begrudge them anything, excepting those who are crippled, and, by the way, the maimed and crippled are included under the terms of this bill. What were you getting during this same time? You refuse in a narrow, selfish spirit to permit a vote—and I do not speak of anyone personally; I refer to the men who say that we can not vote upon it. I do not object to the men who disagree with me on this bill. You have a right to oppose it if you want to. That is all right, but let us have a vote upon it and come out from under cover. Let the men who will not vote for the bill stand forth on their own responsibility. We are tired of these tactics and are

equally tired of the owners of these newspapers constantly insulting Congress by impugning our motives. It is an insult to say that we want to pass this bill because we are politically interested. We believe it to be right, and I am equally ready to place in the light the motives of men who favor this bill and the motives of these wealthy newspaper publishers who oppose it.

Mr. REAVIS. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes. I yield to the gentleman from Nebraska.

Mr. REAVIS. It is known to the gentleman as chairman of one of the investigating committees that hundreds of millions of dollars have been taken from the Treasury of the United States immorally and unlawfully while these boys were fighting for these same institutions. Has the gentleman ever seen any protest from the Washington Post against that kind of a raid on the Treasury?

Mr. FREAR. No; none of these papers will make public such facts. And let me say to the gentleman that in last night's Times there was an article stating that the Government has been defrauded out of $9,000,000 because of the refusal of the Crucible Steel Co. to pay its correct income tax. Why was there not an editorial about that in the Post or Star? Men who do such things as that are criminals. They were prosecuted, and $9,000,000 was paid into the Treasury. They were prosecuted. Not a word editorially about that. If it had been a common thief or a small hold-up on the streets, these papers would have been aroused; but not over a $9,000,000 hold-up of the Government by a steel company. Why not a word in regard to the railroad money that we have spent here, hundreds of millions of dollars that we have given? We have taken it out of the Treasury and turned it over to the railways. This soldiers' bill does not take a dollar out of the Treasury. It is a tax to be collected from men of wealth, able to pay. Why not a word about the hundreds of millions of dollars that we are taking from the Public Treasury and are spending for civil employees of the Government in bonuses—and I do not object to that, for the purpose of argument—but why not a word in regard to it by these wealthy newspaper publishers who are so wrought up about this soldiers' aid bill which they will have to contribute to when the tax collector comes around?

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. FREAR. I can not yield.

Mr. JUUL. Oh, for a brief question.

Mr. FREAR. What does the gentleman want to ask?

Mr. JUUL. I want to find out if these gentlemen you speak about as being opposed to the soldiers are also opposed to the fifty-fifty proposition.

Mr. FREAR. Oh, yes; as a rule. Pages of their papers are given over to abuse of Congress, because we believe the District should pay what we believe to be a fair share of the tax.

Mr. PELL. Mr. Chairman, will the gentleman yield?

Mr. FREAR. I can not yield. I have not the time. Get your own time, because I know what your attitude will be.

Mr. PELL. Exactly, but the gentleman does not want to answer.

The CHAIRMAN. The gentleman declines to yield.

Mr. FREAR. Get your own time and explain your opposition. Let your people pass upon your own vote and conduct. All I ask is the right to vote on this bill for this House, and you ought to give it to us without further delay. I was asked yesterday, "Do you not know that your committee was expected to put this soldiers' bill to sleep?" My God! Gentlemen, was that the disposition of you gentlemen, was that your purpose, to put it over on us and have us do your gag work? We never so understood it. We thought you were in earnest, and we brought out the best bill that we could, and we are going to vote upon it before we get through. We want to vote upon it and want you to vote upon it, too, and I ask you gentlemen not to vote for adjournment of this Congress until we have had a chance to vote on the merits of this soldiers' compensation bill. [Applause.]

Mr. GREEN of Iowa. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. MASON].

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes.

Mr. ANDERSON. Mr. Chairman, I desire to be recognized on the bill.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. ANDERSON. I desire to be recognized in debate.

Mr. GREEN of Iowa. I make the point of order that the gentleman is not entitled to be recognized. I have control of one hour.

The CHAIRMAN. The gentleman from Illinois [Mr. MASON] has already been recognized for five minutes.

Mr. MASON. Mr. Chairman, I think the time has come when we should talk plainly with one another about this matter. Those of us who favor what is called the "bonus bill" have been expecting a vote on that matter for days, weeks, and months.

A year ago on Decoration Day I discussed the matter. I had the pleasure of urging then that the soldier ought to be made useful to talk about on some other days besides Decoration Day. This matter has been carried along until those who favor it, knowing that they are in the majority on both sides of the Chamber, feel that we are being chloroformed and cheated by not being allowed to vote upon the question. So far as I am concerned, I think it is very, very unfair.

There has not been a single bill brought in here to take care of the contractors, whether they had a written contract or not, for which you have not passed unlimited appropriations to make good everything they lost by reason of any breach of contract on the part of the Government of the United States by reason of the closing of the war. Billions of dollars you have given to the railroad companies. Some of you gentlemen have said here you wanted to take the American soldier and put him on a pedestal. Not one of you has talked about putting the railroad companies on a pedestal. The soldiers want potatoes and not pedestals. As a matter of fact, gentlemen, the majority of this House, like all the people, are willing to give to the American soldier a fair amount of money to equalize the losses made by him by reason of being conscripted and taken away from his job worth eight to ten dollars a day to work for a dollar a day across the water.

Mr. LANGLEY. Will the gentleman yield?

Mr. MASON. No; I can not yield to anybody. My time is about up.

Mr. LANGLEY. For only one short question.

Mr. MASON. Go ahead, Brother LANGLEY, but make it short.

Mr. LANGLEY. I have before me the RECORD of day before yesterday, in which a Member of another body said:

> I protest against the spirit of this telegram and the spirit of this bonus bill in its entirety as a mercenary degradation of an unsullied patriotism.

And, again, he said a few moments later:

> If the American Legion is inspired by no greater purpose than to loot the American Treasury, it is an unworthy organization, and I could wish it were never created. I have met the perverted power of as great an organization as this in my own State and elsewhere.

What does the gentleman think about such an outrageous insult as that to the American Legion and to our soldier boys in general?

Mr. MASON. Of course, I can not agree to that. As a matter of fact, we drafted the most of these boys and compelled them to go. You passed a law here and they had to go. Now, when you drafted the railroad companies you put them back on the track, you gave them exactly as good as they had, and you went further with that bill you passed later to guarantee an income on their stock. Now, why can not you afford to give to the boys something to equalize them? Do not tell me that that is mercenary; do not tell me it is lack of patriotism. I know we have got Members of another body and some of the American Legion who say they do not want it. There is nothing in this bill that compels the soldier to take it if he does not want it, but he ought not to be a dog in the manger. [Applause.]

Mr. LANGLEY. I have due regard for those who must bear the burden and I wish I were able to bear more of it than I am to help those who will accept it, because they need it, but I want to say that I heartily agree with the patriotic sentiments expressed by my distinguished friend from Illinois.

The CHAIRMAN. The gentleman is recognized for three additional minutes.

Mr. HENRY T. RAINEY. Will the gentleman yield?

Mr. MASON. Make it short.

Mr. HENRY T. RAINEY. I agree with many of the things my colleague is saying. Will my colleague join in an effort to make the war profiteer pay this bonus rather than the farmer?

Mr. MASON. Yes; I will join the gentleman in making anybody pay, but I do not want to be led in this way. [Applause on the Republican side.] I do not want that proposition of my colleague from Illinois, for whom I have the greatest respect, to be lugged in here to be used not to pass this bill but to defeat it. [Applause.] I want fair play. [Applause.] I am willing to vote to have your Attorney General bring suit against Barney Baruch, the chief man, the closest man to the President of the United States, who stole $50,000,000 in copper alone. [Applause on the Republican side.] What is the use of putting that in your bill? What I am afraid of is that you are offering it not to help the soldiers, but to help to

defeat the legislation that the soldiers want; and I give notice—let us have the bill up—I give notice to gentlemen on this side of the House unless we can have some arrangement made to-morrow for ordering the previous question or suspending the rules I shall use what little power I have to stop all legislation in this body until you give us a fair chance to vote. [Applause.]

Mr. LANGLEY. And I tender my services to the gentleman to that end, if I can be of any help.

Mr. MASON. If you people who are opposed to this legislation can keep a quorum here, you will have to keep it here. I have not tried to interfere in matters of that kind. I have not often asked for a quorum of this House. I believe we ought to be generous and kind to each other, but we have gotten tired of this confidence game. We have gotten tired of the brakeman on the railroad train being a bigger man than the manager himself. Take off the brakes or else get ready to keep a quorum here to do the business of this Government. Give these men a chance. If you do not want to vote for it, you do not have to do so. If you like the plan of my friend from Illinois, vote for it, and if it is the only plan I can get I will vote for that, but you can not get anywhere by simply having a minority of this House run the majority. I am sick and tired of it, and I for one give you notice now that, so far as I have power and strength, I am ready to stay here if it takes all summer in order to vote on this question. Have a quorum here every day after to-day for the transaction of all business until you report some rule, make some honest effort, to give the Members of Congress a chance to vote yea or nay upon the proposition. You have held it back for a year, and you want to hold it back, and I do not believe——

Mr. BLANTON. Will the gentleman yield?

Mr. MASON. I know the chairman of the Committee on Ways and Means and the chairman of the Committee on Rules have been trying faithfully; I know that committee has been trying to perfect a bill; I know the difficulties that surround the arrangement of bringing out a bill for a billion or two billions of dollars and at the same time arranging to raise the revenue under present heavy taxes and pass that legislation.

Mr. BLANTON. Will the gentleman yield?

Mr. MASON. They have formulated a bill and that bill is here. If you have got the votes to amend it, do so, but do not crawl in your hole, put on the brakes, and say this is a country of minorities. Gentlemen, this ought to be a country of majorities, and a majority of this body is in favor of making good to the man whom we took away from his home and away from his job and put in the trenches over in France. [Applause.] We are ready to do it, but it is a minority that is stopping it, and that minority, as far as I am concerned, must keep a quorum here in the transaction of its business after to-day.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. Now, will the gentleman yield?

Mr. MASON. Yes.

Mr. BLANTON. The gentleman from Kansas [Mr. CAMPBELL] has the rule in his hip pocket now, and has had it there for a week. Why does he not bring it in here and let us vote?

The CHAIRMAN. The time of the gentleman from Illinois [Mr. MASON] has expired.

Mr. GREEN of Iowa. Mr. Chairman, I believe I have 22 minutes remaining. Is that correct?

The CHAIRMAN. The gentleman from Iowa [Mr. GREEN] was recognized for 1 hour, and has consumed 40 minutes.

Mr. GREEN of Iowa. I now yield 15 minutes to the gentleman from Illinois [Mr. HENRY T. RAINEY], reserving the balance of my time.

Mr. HENRY T. RAINEY. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. ANDERSON. Mr. Chairman, I make the point of order that the gentleman from Illinois [Mr. HENRY T. RAINEY] can not yield his time, the time having been yielded to him.

The CHAIRMAN. If the point of order is made, the gentleman from Illinois can not yield his time.

Mr. GREEN of Iowa. How much time does the gentleman from Tennessee desire?

Mr. GARRETT. Five minutes.

Mr. GREEN of Iowa. I yield five minutes to the gentleman from Tennessee.

Mr. GARRETT. Mr. Chairman, in view of the remarks just made by my distinguished friend—and I feel that he is my friend—from Illinois [Mr. MASON], I think it is proper that the exact parliamentary situation should be definitely laid before this House and the country.

The gentleman from Illinois has referred to the minority. Whether he meant the political minority or the numerical minority, I do not know.

Mr. MASON. I did not mean the political minority, because they are with us.

Mr. GARRETT. I am very glad to have that explanation from the gentleman, but lest it might be misunderstood as to what the reference meant, it is proper to say this, that so far as the political minority is concerned, either in the Commitee on Ways and Means or in the Committee on Rules, all that they have ever asked has been that this bill, the largest revenue bill ever presented to any nation in a time of peace, a bill having features of most tremendous importance, should be brought before the House in an orderly way, considered upon its merits, and subject to amendment. [Applause on the Democratic side.]

The gentleman from Kansas [Mr. CAMPBELL] has now in his pocket, reported from the Committee on Rules, a resolution to make it in order to consider this bill. There are those of us who object to the terms of that rule, not because it proposes to submit the question to the House for consideration, but because by its terms it cuts off the opportunity to amend this important measure in order that the judgment of this responsible body may be had upon all the questions involved, including the questions of taxation. [Applause on the Democratic side.]

But we have not at any time interposed, and do not now, the slightest objection to the gentleman from Kansas calling up that rule. We will then endeavor to bring about a situation under which amendments can be offered and considered, and take our chances. [Applause on the Democratic side.] So much ought to be said.

This body, if it does not already understand, and the country at large, those interested for and those interested against, ought to understand the exact facts. This much may be said, at least, that the political majority in this House is responsible for the procedure of the House. [Applause on the Democratic side.] They must in the nature of things take the initiative in bringing matters before the body for consideration. Our only chance, we of the political minority, is to attempt to secure the right of amendment and to amend, if possible. We can not initiate proceedings. And if the majority party has reached the point where it can not legislate under the general rules, where it can not legislate with a special rule, and is finally to be driven to a suspension of all rules, God knows what will become of the country. [Loud applause on the Democratic side, the Members rising.]

Mr. GREEN of Iowa. Mr. Chairman, I yield now five minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. Mr. Chairman, a great many special rules have been brought out of the Committee on Rules that have cut off debate and prohibited amendment, but no rule from that committee within my recollection has met the united opposition from the Democratic side of the House as has the rule for the consideration of the bill providing indemnity for the soldiers of the Great War. [Applause on the Republican side.] The political minority of the House is opposed to that legislation.

Mr. RUBEY. Will the gentleman yield?

Mr. CAMPBELL of Kansas. The political minority on the Democratic side is united with 49 Members on the majority side of the House.

Mr. RUBEY. Will the gentleman yield?

Mr. CAMPBELL of Kansas. No; I can not. This makes a majority of the membership of the House against the previous question on the rule and against the rule.

A MEMBER. Good!

Mr. CAMPBELL of Kansas. No man interested in this legislation would bring in a rule here, move the previous question, and have a united Democratic minority, supported by half a hundred on this side of the House, vote down the previous question and throw the whole question into the hands of the enemies of the legislation. [Applause on the Republican side.] And that is exactly what the enemies of this legislation are prepared to do.

Mr. PELL. Will the gentleman yield?

Mr. CAMPBELL of Kansas. No.

Mr. GALLIVAN. Will the gentleman yield to me for a moment? Here is one Democrat who is with you.

Mr. CAMPBELL of Kansas. That is one thing I do not propose to do. I shall not turn this legislation over to its enemies, to those who propose at any cost to defeat it. I propose on Saturday morning to bring in a rule providing for six days of suspension. Under that rule it will be in order to move to suspend the rules and pass the bill, and you gentlemen then can not go behind a barrage of previous questions and alleged drastic rules and vote against this legislation. The gentleman from Massachusetts [Mr. GALLIVAN] says he will be for it. I am glad to say he has been for it from the beginning; but other gentlemen on

that side of the House will have to come from behind the barrage. You will have to "go over the top" and into "no man's land" and vote for or against the main proposition. [Applause on the Republican side.]

Mr. PELL. Will the gentleman yield for a question?

Mr. CAMPBELL of Kansas. No.

This proposition does not differ from other important legislation brought here under special rule under which the previous question is ordered, under which amendment is denied. I have brought in such rules. The gentleman from Tennessee [Mr. GARRETT] has brought in such rules during the time that he and his party were in the majority. The same thing has been done throughout the history of legislation. Everybody knows that if the legislation that is proposed to indemnify the soldiers for some of the losses that they sustained during the war was thrown open for all sorts of amendment and debate such action would mutilate it and defeat its purpose as sought by the men who are attempting to get consideration for it under conditions that would enable them to do that. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BLANTON. Under the rules of debate on such a bill as is now before the Committee of the Whole House the opposition, claiming the hour given it, has the right to be recognized for an hour in opposition of the bill.

The CHAIRMAN. If the committee continues in session after the expiration of the hour controlled by the gentleman from Iowa [Mr. GREEN], that proposition would be true. The Chair will then recognize the gentleman from Illinois [Mr. HENRY T. RAINEY] unless some one opposed to the bill before the committee should claim recognition.

Mr. BLANTON. All right.

Mr. GREEN of Iowa. Mr. Chairman, I now yield three minutes to the gentleman from Missouri [Mr. RUBEY].

The CHAIRMAN. The gentleman from Missouri is recognized for three minutes.

Mr. RUBEY. Mr. Chairman, I came into the Chamber a moment ago, and I found they were discussing the bonus bill. I want to take this opportunity—the very first one that I have had and maybe the last one I shall get—to express my views as to where I stand.

The gentleman from Kansas [Mr. CAMPBELL] declined to yield to me a moment ago, when he made the declaration that the minority, referring to the political minority, was opposed to the bonus bill and was against the rule and against any proposition that might come before the House relating to the bonus bill. I want to say to the gentleman from Kansas that if he will bring in his rule he will find that a solid minority is not opposed to his rule, and he will find that the minority is not opposed to the bonus bill. [Applause.]

Mr. Chairman, it has gone out to the country from the Republican press of this city that the solid Democratic minority was opposing this legislation, and next week when you get your county papers from all over the country you will find in every Republican county paper, in the propaganda sent out by the Republican press from the Capital City, the statement that the Democrats in Congress are opposing the bonus bill. It is done for a purpose; it is done by our Republican friends for the purpose of saying to the soldiers of the country that the Democrats in Congress are against a bonus bill.

I for one do not propose to remain silent and have myself placed in a false position by these reports. I am for a bonus bill, and I propose to vote for it, and I am going to vote for any rule that you will bring in here to get this bonus bill to a vote. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. GREEN of Iowa. Does the gentleman desire more time?

Mr. HENRY T. RAINEY. No; I yield back my time.

Mr. GREEN of Iowa. I yield five minutes to the gentleman from Massachusetts [Mr. GALLIVAN].

The CHAIRMAN. The gentleman from Massachusetts is recognized for five minutes.

Mr. GALLIVAN. Mr. Chairman, I am sorry that the distinguished chairman of the Committee on Rules grew so partisan in his speech that he was unwilling even to grant the favor of a correction of his statement to some members of the minority whose support of the bonus bill has been misrepresented. [Applause.] The gentleman from Kansas [Mr. CAMPBELL] has repeatedly interviewed me about conditions on the Democratic side of the House as I found them, and the gentleman from Kansas knew from me not later than this noon that the Democratic minority is not unitedly opposed to the rule that he proposes to bring out, and which the gentleman from Tennessee [Mr. GARRETT] says the chairman of the Rules Committee now has in his hip pocket; and I am astounded and disgusted with his position, attempting to create political capital for his party, when he claims that the entire Democratic minority is opposed to his rule.

As one Democrat, I do not care what kind of a rule they bring out. I am going to vote for it, and other Democrats will do likewise, even though there are half of the Republican majority hoping that the bonus bill will be defeated. [Applause.] I do not believe that the bill as it is coming from the Committee on Ways and Means is what these boys deserve. [Applause.]

Mr. Chairman, if I had any hope that a better bill than the one now under discussion—a bill which would more adequately compensate the young men of America who were willing to risk all at the call of their country—might meet with the favorable consideration of the Ways and Means Committee, I would hesitate in favoring the measure as now reported. If this is the best we can hope for, I am going to vote for it.

Of course, there is opposition now that the glory and glamour of heroic sacrifice and brave deeds are not daily pictured on the front pages of the metropolitan dailies. Hunger, hardship, privations, disease, wounds, and foul poison gas, ghastly death in bloody battles—these are all forgotten now! What are they all compared with the great risk of those who continue to pile up immense profits in peaceful America?

How soon the world forgets! Two million trench veterans, who but a few short months ago were the pride and everlasting glory of America, are now called "looters" by a gang of profiteers whose great personal fortunes to-day were built on the sweat and sacrifice and the blood of the American youth who helped to save civilization. [Applause.]

These lads are now told by profiteer patriots that "the undying glory of their achievements" should be sufficient reward and that "to debase it with a cash gratuity would be an eternal shame."

Well, my colleagues, I have yet to see any blush of shame on the faces of those who stayed at home and fattened their bank accounts. They smilingly continue to pillage the pockets of the veterans and their crippled comrades—yea, and of the widows and orphans of our dead heroes. Big business opposes this bill. Of course it does. Let me tell this House that if the commodity-controlling trusts had not combined to gouge the public, including the war-worn veterans and their dependent families, the demand for a bonus to help the boys along in a fresh start would have died a-borning. The inordinate greed of big business has proved a boomerang, and this bill is a fitting response to the rising prices fostered by our trade monarchs.

Mr. Chairman, the men in whose behalf we are asked to legislate to-day would not ask for a bonus extracted from the pockets of the common people of this Republic. They are going about their daily duties nowadays in the usual way. It is true that few of them are loafing excepting the lads who are unable to work because of minor disabilities incurred during the war. Perhaps their injuries are not serious enough to call for Government compensation, but they are bad enough to handicap their earning possibilities.

These men are hoping for the best—for simple justice—let the gratitude pass. You can not pull the wool over their eyes by your professions of lasting loyalty to their welfare and then vote against this bill.

Mr. GREEN of Iowa. Mr. Chairman, I yield one minute to the gentleman from Georgia [Mr. WRIGHT].

The CHAIRMAN. The gentleman from Georgia is recognized for one minute.

Mr. WRIGHT. Mr. Chairman, I am in receipt of a letter from my distinguished predecessor, Hon. W. C. Adamson, on the subject of the development of the Chattahoochee River. It is very comprehensive and illuminating, and I desire to extend my remarks by printing it in the RECORD.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD by printing the letter stated. Is there objection?

Mr. ANDERSON. Reserving the right to object, Mr. Chairman, what is the matter that the gentleman desires to insert?

The CHAIRMAN. The gentleman will state it again.

Mr. WRIGHT. A letter from my distinguished predecessor, Hon. W. C. Adamson, on the necessity of the development of the Chattahoochee River.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Following is the letter referred to:

CARROLLTON, GA., *May 22, 1920.*

Hon. WILLIAM C. WRIGHT, M. C.,
Washington, D. C.

MY DEAR CONGRESSMAN: You and I both live in the fertile valley of the Chattahoochee, a river pronounced by competent engineers as offering the best prospect for water-power development now in this country and also offering splendid facilities for much-needed navigation from Atlanta to the Gulf, a distance of 500 miles. We discovered many years ago that owing to the expense involved the United States Government would not undertake the improvement of navigation above Columbus, Ga. Several times the authorities have so indicated, but the last deliverance on the question was on November 5, 1918, by the Board of Engineers, based on a report made September 10, 1918, by the division engineer of the southeast division, to which, however, he added:

"The water-power features of the question should await the outcome of the general legislation on this subject now under discussion in Congress."

That legislation has now been accomplished and there is no reason why those interested in the development of the Chattahoochee Valley should not bestir themselves to secure private capital which could find large profits in developing the additional horsepower now going to waste and would at the same time perfect the navigation of the river, with locks and dams above Columbus, making storage reservoirs that would maintain a constant navigable channel below Columbus. In the report of the Corps of Engineers recently issued occurs the following description of the Chattahoochee River and statements of the purposes of the survey recently made:

"2. The Chattahoochee River rises in the mountains of northeastern Georgia and unites with the Flint River at the Florida State line to form the Apalachicola River, which empties into the Gulf of Mexico through Apalachicola Bay. The torrential mountain portion of the river extends southwest to Gainesville, from which point to Atlanta the slope moderates. From Atlanta to West Point, a distance of 105 miles, it has a slope of about 1.8 feet per mile, and between West Point and Columbus, a distance of 35 miles, there is a drop of 370 feet, or about 10.5 feet per mile. From Columbus to the mouth, a distance of 164 miles, it has a fall of about 0.85 foot per mile, and this section has been improved by the United States since 1874, under a project providing for a channel 4 feet deep at low water and 100 feet wide, to be secured by the removal of timber obstructions, dredging, contraction works, and shore protection. The improvement has resulted in securing lower freight rates to Columbus and points below, and has exercised a beneficial influence upon the commerce of this section of the country, but the maximum benefits have not been attained, owing in part to the fact that the river does not afford a dependable channel the year round, and in part to the failure of local interests to provide suitable facilities for handling the traffic. In the section between Atlanta and Columbus, the large fall, combined with favorable foundation conditions, renders this stream peculiarly favorable to the construction of works for the development of water power, and in view of this fact it was deemed advisable to make a survey of the river below Atlanta in order to develop sufficient data for the consideration of this subject in coordination with improvement for navigation."

The following extract from the survey forecasts some of the advantages to be secured by improving the navigation of the river as far up as Atlanta:

"29. Below Columbus the river now serves an old and well-established local traffic through a territory about 30 miles wide which, except for highways, has no other means of transportation. The agricultural portion of this territory is now changing and growing rapidly, and corresponding import needs may result in the next decade. Even under present conditions manufacturing is also growing rapidly along the river and the indications are that better means of transportation must be added before many years. It is asserted that the trend of manufacturing toward this locality would be strengthened by cheaper and better transportation facilities, and that with the river placed on an equal footing with the railroads by means of proper and efficient terminals, modern boats, effective transfer facilities to seagoing vessels, and a deeper channel, it would be capable of handling all the freight which would naturally seek water transportation, and at a lower cost than it could move by rail. Export freight could also move with but one transfer to the various ports of the world. This might attract manufacturing plants, build up a large distributing trade, and develop not only the immediate vicinity of the river but greatly benefit the southeast in general. The extension of navigation from Columbus to Atlanta would, it is believed, furnish a new and needed means of transportation to a territory 140 miles long, which is now very scantily served by railroads and to which the above statements also apply. The long and short haul clause of the interstate commerce act is now being applied to the southeastern territory, many radical changes taking effect January 1, 1916. On items which previously had lower rates at river towns due to existing potential water competition, in all cases where such freight is not being actually carried by water the charges are raised to correspond with rates to inland towns. These changed rates are not yet all known, but grain at Columbus is raised 1 cent per 100 pounds. Applying this to the 100,000 tons now moving there, the increase of freight rates on this item alone will cost Columbus $20,000 annually. Practically 80 per cent of this grain could move by a dependable water route. On eight other items there is an increase of $20,000 to Columbus alone, and the rates on many other items are to be increased. Table No. 17, appended hereto, shows the class increase from New York, Cincinnati, and New Orleans to many river towns. Atlanta has long had preferential rates as a rail competing point. These are to be raised, and rate experts state that it will cost Atlanta over $500,000 annually in increased freight rates."

If we could secure private capital to construct the three dams at Franklin, Hairston Island, and Maple Creek, we could perfect the navigation from Atlanta to West Point with immense advantage to commerce and produce enough electricity to electrify the valley. As you know, there are more than 100 industrial enterprises within a few miles of that stretch of river, which, at reasonable prices, profitable to the electrical companies, would like to use the electric current. The following tables give the estimated cost of those three proposed dams:

"Franklin: The proposed Franklin Dam site is located about a quarter of a mile above the village of Franklin, Ga. It is proposed to make this a storage reservoir which will deliver a minimum continuous discharge of 3,000 second-feet to the river. By utilizing the upper 20 feet of the reservoir a storage capacity of 720,000 acre-feet may be obtained. The crest of the spillway is placed at elevation 750, the draw off to be carried through the turbines. If for any reason this could not be done, emergency valves in the dam would pass the required flow at any time. The maximum head would be 120 feet, the minimum head 100 feet. The mean of these two is used in computing the power to be derived from this dam. This is conservative, as during the greater part of the time the upper pool level would be very near the crest of the spillway.

Cofferdam, 700 linear feet, at $30	$21,000
Excavation, 2,500,000 cubic yards, at 25 cents	625,000
Concrete, lock, etc., 192,000 cubic yards, at $10	1,920,000
Concrete, dam, and power-house substructure, 826,000 cubic yards, at $10	8,260,000
Gates, valves, and operating machinery	200,000
Miscellaneous plant	100,000
Flowage and reservation acreage, 45,000 acres, at $50	2,250,000
Contingencies	524,000
Total	13,900,000

"Hairston Island: The Hairston Island site is located about 9 miles above the city of West Point, Ga., and is proposed to be developed for both navigation and power.

Cofferdam, 1,250 linear feet, at $30	$37,500
Excavation, 217,000 cubic yards, at 25 cents	54,250
Concrete, lock, etc., 76,000 cubic yards, at $10	760,000
Concrete, dam, and power-house substructure, 169,000 cubic yards	1,690,000
Gates, valves, and operating machinery	100,000
Miscellaneous plant	50,000
Flowage and reservation acreage, 14,400 acres, at $50	720,000
Contingencies	88,250
Total	3,500,000

"Maple Creek: The Maple Creek site is located about 3 miles above the city of West Point, Ga., and while it only has a lift of 18 feet, it is proposed to utilize the power.

Cofferdam, 700 linear feet, at $30	$21,000
Excavation, 270,000 cubic yards, at 25 cents	67,500
Concrete, lock, etc., 19,700 cubic yards, at $10	197,000
Concrete, dam, etc., 32,430 cubic yards, at $10	324,300
Gates, valves, and operating machinery	75,000
Flowage and reservation acreage, 1,910 acres, at $50	95,500
Contingencies	39,700
Total	820,000

The report estimates the 24-hour primary horsepower to be generated as follows:

Franklin Dam	30,000
Hairston Island	14,350
Maple Creek	5,230

Of course the 10 or 12 hour power usually used would double that in quantity. In addition to that, it is estimated that constructing those three dams and making a regular flow below them would so far increase the current at the plants already established down the river as to enable them to produce 44,000 primary horsepower more than they now produce, for which, under the law just passed, they would have to pay the constructors of the upstream dams.

Of course there are difficulties in the way of securing capital to construct these dams, but there are other obstacles. Several times we have been offered the money. Its use was once prevented by the administration refusing to approve plans and specifications pending the water-power legislation. Another time when $10,000,000 was offered, at a time when $10,000,000 would have done as much work as $20,000,000 would now, the existing power companies prevented construction. The following extract from the engineers' report very clearly lines up the situation:

"The plant on the Chestatee is owned by the Gainesville Railway & Power Co., and the output used in that city to operate the street railway and local mills. All other existing plants and many of the undeveloped sites up to West Point are owned by the Columbus Power Co., which belongs to Stone & Webster. The Georgia Railway & Power Co., of Atlanta, controls the rest of the river above Franklin. These two companies are allied, and their existing plants are connected, so that current may be transmitted in either direction as needed. They are also tied to the Carolina and Tennessee developments. The position of these two interests and the establishment of their transmission lines in most of the important towns and cities of north and northwest Georgia and of northeast Alabama permit them to monopolize the power situation and to control future developments in this and outlying sections.

"The previous description of the river shows that between Atlanta and Columbus, but more particularly between West Point and Columbus, the large fall combined with favorable foundation conditions renders this stream peculiarly favorable to the construction of works for the development of water power, and, while the low-water flow is relatively small, apparently this defect may be remedied by the construction of storage reservoirs, advantageous sites for which are known to exist at and above Franklin. Tables Nos. 19[1] and 20[1] show that at present the available power is by no means fully developed. Accordingly the interests prominently identified with the existing developments have been requested to state their attitude as to further development and as to an improvement of the stream which shall coordinate and harmonize the requirements for efficient and economical navigation and for corresponding development of water power."

The reports state that these power companies replied that all their primary developed power has not yet been sold. In the same connection, the same report states, "None of these plants can now furnish, to the full extent of their present installations, even 10-hour horsepower during low-water months," demonstrating that more water is needed and more uniformity in the amount of water, which can only be supplied by constructing the Franklin reservoir. If that engineer were making the same report now, he would tell you that during the past two years it was impossible for the present installations to furnish all the primary power demanded, even at current prices, and he might add, what you and I both know, that if abundant power existed and were offered to industrial institutions at an industrial and domestic rate every horsepower that could possibly be generated would be utilized, and that without necessarily reducing the present price of the current for lighting purposes.

I can not believe that the existing power companies, serving the country from Atlanta to Columbus, will stand in the way of the development of the Chattahoochee Valley, solely from fear of creating competition which would compel a reduction of the price of their current. The Stone & Webster people told me once that they would sell

their holdings if they could secure the contracts to construct the project, as they were in the business of construction. I have no doubt they would still manifest that amiable frame of mind. The North Georgia Power Co. at one time agreed to sell the Franklin holdings, provided the entire stream were made navigable from Atlanta to the Gulf. As the Franklin Dam is the key to the situation, I have no doubt the entire navigation of the river would inevitably follow the construction of the Franklin Dam. Certainly ingenuity enough exists in the cities of Atlanta and Columbus and among the wealthy mill men of La Grange, Newman, Carrollton, and West Point to inaugurate some plan or arrangement by which those sites could be amicably and profitably utilized.

But if any difficulty should arise, a remedy is at hand. The new law provides the right of condemnation through the right of eminent domain, where dams are to be constructed to promote navigation (sec. 21).

I don't believe there is a more profitable field for capitalists to invest their money right now than can be found in constructing the three dams I have referred to. Whatever may be said by existing power companies about there being no market to demand further development, we know that, at the proper industrial price, all the current that could be possibly developed on every shoal between Atlanta and Columbus could be sold.

The whole river ought to be made navigable, and will be some time, but it all can not be done at once. The most feasible plan advocated by the engineers is set forth in the following extract:

"Plan No. 1.—This plan considers the improvement of the entire river between Atlanta and the mouth by the construction of locks and dams between Columbus and Atlanta. It contemplates both navigation and power above Columbus and a 6-foot low-water depth at all times below Columbus, to be obtained by increasing the low-water discharge through the use of the Franklin Reservoir above Columbus. The total estimated cost is $32,790,000, and $111,000 per annum for maintenance. The total amount of new power which would be rendered available by this plan is 139,510 horsepower."

But the engineers suggest another plan which, for the present, would perfect the navigation below Columbus and make a lake 108 miles long between Franklin and Atlanta, which would furnish navigation locally in that upper reach of the river to a portion of the valley sadly in need of transportation. That recommendation is set out in the following extract from the report of the engineers:

"5. In addition to the plans mentioned above, the district engineer presents for consideration case 4, which contemplates the construction of the Franklin Dam only. This dam would furnish 30,000 horsepower and provide sufficient storage to give a 6-foot navigation below Columbus. The estimate for this improvement is $12,900,000. If proper cooperation for the development of water power could be secured, the district engineer would favor this plan, but it appears that at this time local cooperation is not offered. The division engineer does not regard improvement of the Chattahoochee River for navigation purposes worthy of being undertaken beyond the work authorized by the existing project, and he believes that the question of the power dam should await the outcome of pending power legislation."

As to the sequence in which the possible dams, all of which have been located by the survey, should be constructed, the following extract from the report contains the suggestion of the engineers:

"28. Sequence of operations: For the early benefit to navigation, it would appear that the Franklin Dam should be built first, as it would relieve the present situation below Columbus, but from an economical standpoint the other locks and dams should be completed first. On account of the depth of water the Franklin Dam will back at the Camp Creek Dam site when the reservoir is full; it will be necessary to have the Camp Creek Lock and Dam completed before the Franklin Reservoir is filled. The completion of the Franklin Dam first would give the additional flow of the river to contend with at the various sites below, which would be a considerable added expense. Construction of the Franklin Dam first would also necessitate the construction of a supply railroad about 20 miles in length from Newnan to Franklin, Ga."

As it is evident that the most important dam for navigation is the Franklin Dam, even if the section between West Point and Columbus should never be canalized, and, as its construction would insure the most profitable financial returns in the way of electric current, it is obvious that it ought to be built as early as possible. But the expense of building a railroad from some near-by railroad point can be obviated by first building the dam at Hairstons Island. Then an elevator operated at the Atlanta, Birmingham & Atlantic Railroad and a boat operated on the lake constructed by that dam could convey the materials for constructing the Franklin Dam right up to the dam site. But if suggestion No. 4, made by the engineers, is followed, to eliminate the lock in the Franklin Dam, that would more than save enough to build the railroad. It would furnish the principal things that you and I are eager for—first, cheap transportation for Heard County, and, second, insuring a permanent navigable channel below Columbus, from the Franklin Dam making such a tremendous storage reservoir. In connection with that plan the engineers make the following recommendation:

"45. The cost of a system of locks and dams below Columbus (case No. 3), whereby a 6-foot depth would be secured to Apalachicola, is estimated at a first cost of $8,400,000, with an additional sum of $28,500 for necessary preliminary surveys and a large sum required annually for maintenance and operation. It might be equitable, therefore, for the United States to pay a large part of the sum required for the construction of the Franklin Dam due to the benefits to be derived for navigation purposes below Columbus. This scheme would meet the requirements in the same way that locks and dams would and would do away with the cost of maintenance and operation which would exceed the annual cost of open-channel work between Columbus and the confluence with the Flint River. Hence it appears the equitable portion to be borne by the United States might be half of the cost of constructing the Franklin Dam, or $6,450,000. This would make the proposition far more attractive to private interests and would render more satisfactory service to navigation than a system of locks and dams between Columbus and the mouth of the Chattahoochee. Of the various cases herein considered, this possibly is the one most recommendable. It is a question, however, if cooperation could be secured.

"46. The entire amount should be appropriated before the work is started, or so arranged that there would be no delay in receiving the necessary money for carrying on the work continuously. The first consideration would be the construction of the railroad from Newnan to Franklin for the purpose of transporting plant and materials. During the construction of the railroad necessary additional data could be collected and the designs completed so that actual construction could be started as soon as the railroad reached Franklin."

My main purpose in addressing this letter to you at this time is to call your attention to section 12 of the water-power bill just enacted, suggesting a combination between the Government's promotion of navigation and the investment of private capital for hydroelectrical purposes, and to section 10, paragraph E, authorizing a city for its own use to secure a license without paying any annual charge. Considering those two provisions in connection with the recommendation of the engineers last quoted, it occurs to me that the construction of the Franklin Dam affords the best possible instance of a proper case for erecting a combination dam. Whether constructed with or without a lock, it would permit much-needed navigation between Franklin and Atlanta, and constitute a storage reservoir to perfect navigation every day in the year below Columbus. At the same time the 30,000 horsepower 24-hour current, or the 60,000 horsepower 12-hour current would every bit be used by the city of Atlanta for municipal purposes. The city of Atlanta could well afford to pay half of the cost of construction for the use of that tremendous amount of current, with the navigation secured, and the Government could well afford to contribute half of the cost of construction in order to secure the navigation already suggested.

I have no doubt that the distinguished Representative from the fifth district, whose home is in Atlanta, and our two Senators, and Congressmen CRISP and PARK, of Georgia, and Congressman STEAGALL, of Alabama, as well as the two Senators from Alabama, will all cooperate with you in the enterprise and that you will all be able to secure an arrangement by which the city of Atlanta and the United States Government can divide the expense of constructing the Franklin Dam, provided private capital can not be readily secured to make the entire development.

There are two considerations that ought to induce cities and the people along the river from Atlanta to Columbus to form a Chattahoochee improvement association in order to push the work on that river. First, the construction of the dams already located by the Government survey would absolutely eliminate and prevent all floods and overflows in the future, such as damaged West Point last winter and have so frequently ruined crops in the valley, and, more important still, the use of an abundant supply of hydroelectricity at reasonable prices would dispense with thousands and thousands of tons of coal and prevent coal famines in the cities along that river in the future. There is scarcely a purpose for which coal is used that could not be more economically, conveniently, and pleasantly served by electricity. I have no doubt the city of Atlanta alone would find a use for every particle of the current generated at the Franklin Dam and West Point, Lagrange, Carrollton, Newnan, and Columbus could absorb profitably all that could be generated at the other dams below Franklin.

Yours, truly, W. C. ADAMSON.

Mr. GREEN of Iowa. Mr. Chairman, I yield one-half minute to the gentleman from New York [Mr. PELL].

The CHAIRMAN. The gentleman from New York is recognized for half a minute.

Mr. PELL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

Mr. ANDERSON. Reserving the right to object, Mr. Chairman, we are having a considerable debate on this question, and I think the gentleman's remarks would be very helpful, and therefore I think they ought to be delivered. Therefore I object.

The CHAIRMAN. The gentleman from Minnesota objects.

Mr. PELL. I thank the gentleman for the compliment. [Applause.]

Mr. GREEN of Iowa. Mr. Chairman, I yield three minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, the gentleman from Kansas [Mr. CAMPBELL] chairman of the great Committee on Rules, admits that he has had in his hip pocket for several days a rule authorizing this bonus legislation to be brought before the House at any time he presents such rule; but as an excuse for not considering this legislation, he says in the next breath that 49 Republican Members are against his proposition and do not want it to come up, and he says that joined with the 49 Republicans there are sufficient Democrats in the minority party on this side of the House to prevent his doing what he wants to do, and therefore he will not let anything be done. It is a rule or ruin policy. He has a rule which provides that we have got to vote up or down, without any amendment whatever, a certain proposition that affects this country in a more vital and extensive degree than any other proposition that has ever been before this House during the present session; and he says "If you do not vote for it just exactly like I want you to vote, without the dotting of an 'i' or the crossing of a 't,' I am going to raise Cain here during the next week, and read out of the Republican Party the 49 Republicans who want to follow their own consciences and judgments."

Mr. ANDERSON. I make the point of order that the gentleman's remarks are not in order.

Mr. BLANTON. Oh, yes; I withdraw the objectionable word. If a majority of the House of Representatives, and such a majority is a majority of the 435 Members, are not in favor of the proposition, then that proposition ought to go down. Does not the gentleman want a majority of the Members to control? Has the time come when a minority not political, but

a minority of all the Members of the House, who admit they are a minority, manipulated and controlled by the great chairman of the great Rules Committee, have got to run over the House of Representatives with a gag-rule proposition that the majority are not in favor of, else delay it until you can browbeat Members over? Are you holding your rule off until you can browbeat and whip into line with your bull whip on your side of the Chamber the 49 brave citizens of this country, Republicans though they be, who stand to vote for their convictions and their consciences? Are you trying to wait until you can whip them into line? When you criticized them the other day, I called attention to the fact that, thank God, the Member from Kansas, great chairman of the great Rules Committee though he is, had not the power to read out of the Republican Party the 49 Republicans who disagreed with him.

Mr. MASON. Will the gentleman yield?

Mr. BLANTON. Yes; the gentleman would not yield to me, but I will be kinder to him than he was to me.

Mr. MASON. I beg the gentleman's pardon. I yielded to him, and therefore I thought he would yield to me.

Mr. BLANTON. I yield to the distinguished gentleman from Illinois.

Mr. MASON. Is the gentleman from Texas for the bonus bill?

Mr. BLANTON. When you give me an opportunity to vote on it you will hear me vote. I am not for the gag rule that the gentleman from Kansas has in his hip pocket, which crams down my throat things that I do not like. I want an opportunity to vote for the things that appeal to my conscience and my judgment and for a chance to perfect a piece of legislation by proper amendments, and I do not want that kind of legislation crammed down my throat, with no chance whatever given to properly amend it, and I am therefore unalterably opposed to said rule.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GREEN of Iowa. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 14½ minutes.

Mr. GREEN of Iowa. I yield five minutes to the gentleman from Ohio [Mr. LONGWORTH]. [Applause.]

Mr. LONGWORTH. Mr. Chairman, those of you who heard the reading of the veto message of the President this morning will recall this language:

> Notwithstanding the fact that upon our entrance into the war we professed to be seeking to assist in the maintenance of common interests, nothing is said in this resolution about the freedom of navigation upon the seas.

Gentlemen will recall that a respectful, but rather audible titter of merriment went around the House on the reading of that. I remembered at the time reading in the London Times an interview with the President upon this subject, which I will quote. You will find it published in the RECORD of September 8, 1919, at page 5023.

When asked by the British correspondent what was the situation with regard to the issue of the freedom of the seas, President Wilson said:

> "I am glad you asked me that, for I want to tell you a good joke on myself. I did not see this joke until I came over here. Under the League of Nations there will be no neutrals. They will all be in the league and subject to the league's decisions on the matter of the exertion of armed force. If there are no neutrals, there will be no issue over sea rights, for the freedom-of-the-seas puzzle arose over relations between belligerents and neutrals. The league will now settle all matters of naval policy. So it might be said, 'There ain't no such thing' as an issue of freedom of the seas."
>
> Mr. Wilson was asked if the British had brought that argument to him, and Mr. Wilson replied, "No; I arrived at that conclusion in the privacy of my own soul." (London Times, weekly edition, Paris correspondence.)

[Laughter.]

And yet we are criticized for not putting into this resolution of peace an issue about which the President said, "There ain't no such thing."

Mr. GRIFFIN. Will the gentleman yield?

Mr. LONGWORTH. Query: Did the same man who gave that interview write the message we received this morning? [Laughter.]

Mr. GREEN of Iowa. Mr. Chairman, in order to finish the consideration of this bill to-night, I shall move that the committee rise and go back into the House, and then move to close general debate. Mr. Chairman, I move that the committee do now rise.

Mr. GARNER. Maybe you can close debate by unanimous consent without rising.

Mr. BLANTON. See if you can close debate by unanimous consent.

Mr. GARNER. Ask unanimous consent.

Mr. GREEN of Iowa. Mr. Chairman, if the Chair will permit me to withhold the motion for a moment, I will ask unanimous consent that general debate on the bill be now closed.

Mr. MURPHY. I object.

Mr. GREEN of Iowa. I move that the committee do now rise.

SEVERAL MEMBERS. Read the bill.

The CHAIRMAN. Does the gentleman make the motion?

Mr. GREEN of Iowa. I move that the committee do now rise.

Mr. GARNER. Let the Chair put the request, "Without objection the Clerk will read."

The CHAIRMAN. Without objection the Clerk will read.

Mr. ANDERSON. I object.

The CHAIRMAN. The gentleman from Minnesota objects. The gentleman from Iowa moves that the committee do now rise.

The question being taken, on a division (demanded by Mr. ANDERSON) there were—ayes 119, noes 21.

So the motion of Mr. GREEN of Iowa was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRAMTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 14197) to amend the personal service corporation provisions of the revenue act of 1918, and for other purposes, had come to no resolution thereon.

Mr. GREEN of Iowa. Mr. Speaker, I move that all general debate be now closed.

Mr. BLANTON. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Under the rules of the House, in Committee of the Whole the proponents of a measure are entitled to one hour of debate, and then the opposition is entitled to an hour. On this bill in Committee of the Whole House there was an hour consumed by the proponents of the measure. I make the point of order that until the opposition has a chance to be heard on it in Committee of the Whole, a motion to close debate is not in order.

The SPEAKER. The Chair will state that the committee having risen and the Chairman having reported that the committee has come to no resolution on the bill, the motion made by the gentleman from Iowa is in order.

Mr. GREEN of Iowa. And on that I move the previous question.

Mr. ANDERSON. Mr. Speaker, I desire to make a preferential motion. I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. ANDERSON) there were 31 ayes and 132 noes.

Mr. MURPHY. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The gentleman from Ohio makes the point that no quorum is present. The Chair will count. [After counting.] One hundred and seventy-seven Members present, not a quorum.

Mr. GREEN of Iowa. Mr. Speaker, I move a call of the House. Does not the call come automatically?

The SPEAKER. The Chair will state that it is not necessary for a quorum to be present to adjourn. The motion to adjourn was acted upon and the Chair announced the result. The question is on ordering a call of the House.

The question was taken; and on a division (demanded by Mr. ANDERSON) there were 111 ayes and 13 noes.

So a call of the House was ordered.

The Doorkeeper was ordered to close the doors and the Sergeant at Arms to notify the absentees.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Dempsey	Hayden	Mansfield
Bell	Dent	Hays	Merritt
Benham	Dewalt	Hernandez	Moore, Va.
Blackmon	Drane	Hulings	Morin
Bland, Ind.	Drewry	Husted	Mott
Booher	Dunn	Igoe	Neely
Bowers	Dyer	Jacoway	Nicholls
Brinson	Edmonds	Johnson, S. Dak.	Overstreet
Britten	Ellsworth	Johnson, Wash.	Parker
Browne	Elston	Jones, Pa.	Platt
Brumbaugh	Evans, Nev.	Kahn	Porter
Buchanan	Ferris	Kelley, Mich.	Pou
Butler	Fisher	Kelly, Pa.	Rhodes
Cantrill	Gandy	Kendall	Riddick
Carter	Godwin, N. C.	Kettner	Riordan
Clark, Fla.	Good	Kiess	Rowe
Cole	Goodall	Kitchin	Rubey
Copley	Gould	Kreider	Rucker
Costello	Greene, Mass.	Lankford	Sabath
Crowther	Griest	Luhring	Sanford
Curry, Calif.	Hamill	McArthur	Scott
Dale	Hardy, Tex.	McCulloch	Scully
Davis, Minn.	Hastings	McPherson	Sears

Shreve	Snell	Sullivan	Walters
Slemp	Snyder	Thomas	Wood, Ind.
Small	Steele	Tillman	Woodyard
Smith, N. Y.	Stephens, Miss.	Towner	Yates
Smithwick	Strong, Pa.	Upshaw	Young, N. Dak.

On this call 315 Members have answered to their names, a quorum.

Mr. GREEN of Iowa. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. Without objection, it will be so ordered.

Mr. ANDERSON. Mr. Speaker, I object.

The SPEAKER. The question is on the motion of the gentleman from Iowa to dispense with further proceedings under the call.

The question was taken; and on a division (demanded by Mr. ANDERSON) there were—ayes 135, noes 85.

So the motion was agreed to.

The doors were opened.

Mr. GREEN of Iowa. Mr. Speaker, I move the previous question on the motion to close debate.

The question was taken; and on a division (demanded by Mr. ANDERSON) there were—ayes 155, noes 35.

Mr. ANDERSON. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. As many as are in favor of taking this vote by yeas and nays will rise and stand until counted. [After counting.] Eight Members have risen, not a sufficient number.

So the previous question was ordered.

Mr. MURPHY. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Ohio makes the point of order that there is no quorum present. The Chair will count. [After counting.] Two hundred and thirty-eight Members present, a quorum. The question now comes on the motion to close debate.

The question was taken; and on a division (demanded by Mr. ANDERSON) there were—ayes 175, noes 26.

So the motion to close debate was agreed to.

Mr. GREEN of Iowa. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 14197) to amend the personal-service corporation provisions of the revenue act of 1918 and for other purposes.

The SPEAKER. The question is on the motion of the gentleman from Iowa that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14197.

Mr. ANDERSON. Mr. Speaker, pending that, I raise the question of consideration.

Mr. MANN of Illinois. Mr. Speaker, I make the point of order that the question of consideration can not be raised on a motion to go into the Committee of the Whole House on the state of the Union. The House decides that by the vote on motion.

The SPEAKER. A vote not to go into the Committee of the Whole House would be tantamount to a refusal to consider. The point of order is sustained. The question is on the motion to go into the committee.

The question was taken; and on a division (demanded by Mr. ANDERSON) there were—ayes 185, noes 17.

Mr. ANDERSON. Mr. Speaker, on this vote I demand tellers.

The SPEAKER. As many as are in favor of taking the vote by tellers will rise and stand until counted. [After counting.] Seven Members have risen, not a sufficient number, and tellers are refused.

So the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14197, with Mr. CRAMTON in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That section 201 of the revenue act of 1918 is amended to read as follows:

"SEC. 201. (a) That the term 'dividend' when used in this title (except in paragraph (10) of subdivision (a) of section 234) means (1) any distribution made by a corporation to its shareholders or members, whether in cash or in other property, out of its earnings or profits accumulated since February 28, 1913.

"(b) Any distribution shall be deemed to have been made from earnings or profis unless all earnings and profits have first been distributed. Any distribution made in the year 1918 or any year thereafter shall be deemed to have been made from earnings or profits accumulated since February 28, 1913; but any earnings or profits accumulated prior to March 1, 1913, may be distributed, exempt from the tax, after the earnings and profits accumulated since February 28, 1913, have been distributed.

"(c) A dividend paid in stock of the corporation (hereinafter called 'stock dividend') shall not be subject to tax at the time of distribution. Amounts bona fide distributed in the liquidation of a corporation shall be treated as payments in exchange for stock or shares, and any gain or profit realized thereby shall be taxed to the distributee as other gains or profits.

"(d) A distribution shall be deemed to have been made by a corporation to its stockholders or members as of the date when the cash or other property is distributed or set apart for or credited to the account of such stockholders or members as to be unqualifiedly subject to their immediate demands, and shall be taxed to such stockholders or members as of the date of such distribution.

"(e) For the purpose of computing the invested capital of a corporation, dividends distributed by such corporation during the first 60 days of any taxable year shall be deemed to have been made from earnings or profits accumulated during preceding taxable years; but any distribution made during the remainder of the taxable year shall be deemed to have been made from earnings or profits accumulated between the close of the preceding taxable year and the date of distribution, to the extent of such earnings or profits; and if the books of the corporation do not show the amount of such earnings or profits, the earnings or profits for the accounting period within which the distribution was made shall be deemed to have been accumulated ratably during such period."

Mr. ANDERSON. Mr. Chairman, I move to strike out the last word. I do so to make an inquiry of the chairman of the committee as to the net result of the passage of this bill upon the revenues of the Government.

Mr. GREEN of Iowa. Mr. Chairman, as the matter stands now under the decision of the Supreme Court in the Stock Dividends case, personal service corporations would not be subject to any taxation whatever. Under the law of 1918, the individual members of personal-service corporations were subject to taxation in the same manner as if the corporation had been a partnership. The effect of the Stock Dividends case is to make that taxation, in the judgment of the committee and in the judgment of the Solicitor of the Treasury, invalid, and they would be subject to no taxation whatever unless this bill is passed. This would bring in, as the Treasury estimates, about $6,000,000 a year. If it is not passed, the Government will lose about that amount.

Mr. ANDERSON. Mr. Chairman, I asked the question in the light of the fact that the general debate, while very illuminating upon the general subject of the bonus, was not particularly illuminating with respect to the subject of this bill. It occurred to me that inasmuch as the committee will at some time, if not to-day then later on, have to vote on the provisions of this bill, it might be desirable to get some light upon them.

Mr. GREEN of Iowa. The committee will be glad to give any light which the gentleman from Minnesota will permit it to give.

Mr. ANDERSON. The gentleman from Minnesota will permit the gentleman from Iowa to give any information which he has in the time of the gentleman from Minnesota.

Mr. GREEN of Iowa. If the gentleman from Minnesota has any further question, the gentleman from Iowa will endeavor to answer it.

Mr. ANDERSON. What I was trying to get at, I will say to the gentleman, is the net effect of the bill—whether it results in a higher rate of taxation or a lower rate of taxation, a greater amount of revenue or a less amount of revenue.

Mr. GREEN of Iowa. As the matter stands now, these corporations will pay no tax whatever; they will pay nothing. Under the bill they will pay 20 per cent on the undistributed profits.

Mr. ANDERSON. Does the gentleman mean in view of the decision of the Supreme Court or because under the present law they are untaxed?

Mr. GREEN of Iowa. In view of the decision. It is the logical result of the decision in the Stock Dividends case. That case, I might say, declared in effect that a stock dividend could not be taxed, because it was not in fact a distribution of any of the property of the corporation. Now, we have been taxing the members of these personal seryice corporations just the same rate whether distribution was made or not, and it can not be done in that manner under the decision of the Supreme Court, in my opinion, and I think in the opinion of every lawyer who has examined into the matter.

Mr. ANDERSON. What I understand this bill does is to apply the rule of taxing undistributed profits?

Mr. GREEN of Iowa. Undistributed profits; yes.

Mr. ANDERSON. Why has not that rule been applied generally to corporations?

Mr. GREEN of Iowa. There has been considerable discussion over that, and it has, I believe, been recommended by the Secretary of the Treasury, and there are also a number of objections to it. I am inclined myself to think that it would be a very proper method of taxation.

Mr. ANDERSON. Well, in view of the fact that the recent decision of the Supreme Court probably makes it impossible in the future to tax stock dividends in any satisfactory or effective way, it seems to me that it is clearly the duty of the Committee

on Ways and Means to consider the question of taxing undistributed profits.

Mr. GREEN of Iowa. Well, the Committee on Ways and Means—at least, that portion of it represented by the gentleman now speaking—has done its best to have stock dividends taxed in another manner; and if the present bill providing for soldiers' adjusted compensation is ratified, they will be taxed.

Mr. ANDERSON. I am very much in hopes that the bill providing for the adjusted compensation of ex-service men will be considered; and one of the things that disturbs me in reference to this particular legislation is that it seems to be considered more important by certain gentlemen who occupy the position of leadership in the House——

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. HOWARD. Mr. Chairman, in view of the fact——

The CHAIRMAN. For what purpose does the gentleman from Oklahoma rise?

Mr. HOWARD. Mr. Chairman, I rise to make a unanimous-consent request. In view of the fact the hour of general debate on this bill was consumed in politics, and no doubt the committee has had some hearings and could enlighten the House with reference to this measure, which is very important, I ask unanimous consent that the gentleman from Iowa be given 10 minutes in which to address the House and give some information relative to the bill.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the gentleman from Iowa [Mr. GREEN] be given 10 minutes in which to address the Committee in reference to the measure before us. Is there objection?

Mr. BLANTON. Mr. Chairman, reserving the right to object, as the gentleman from Iowa had a whole hour——

Mr. MACCRATE. Mr. Chairman, I object.

Mr. BLANTON. And used that hour in politics, I object.

Mr. GREEN of Iowa. Mr. Chairman, I move to amend, on page 2, line 19, after the word "is," by inserting the word "so."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 19, after the word "is," insert the word "so."

Mr. GREEN of Iowa. Mr. Chairman, this is simply an error on the part of the printer, and having this opportunity and while I have the floor, if any gentleman desires to ask any questions in reference to this or any other part of the bill I shall be very glad to answer any question which I am able.

Mr. WINGO rose.

Mr. GREEN of Iowa. Does the gentleman from Arkansas desire to make an inquiry?

Mr. WINGO. Yes. I would like the gentleman to explain just exactly what changes are made in the present law by this bill. As I understand the gentleman has explained that the changes in the first paragraph were occasioned by the decision of the Supreme Court. Now, I did not catch all the gentleman's explanation, but take lines 10 and 12, page 2—

A dividend paid in stock of the corporation (hereinafter called stock dividend) shall not be subject to tax at the time of distribution.

Mr. GREEN of Iowa. That is the only change in the present law made on the first two pages, until we reach line 24.

Mr. WINGO. That is the real change. That is what I thought.

Mr. GREEN of Iowa. That is the real change, and that is made to adjust the law to the Supreme Court decision. While we were preparing these various paragraphs we thought we would make the law conform to the Supreme Court decision.

Mr. WINGO. There is reason for adding the words "at the time of distribution." Are they taxed under existing law or under this bill?

Mr. GREEN of Iowa. Not under this bill, but under the existing law.

Mr. WINGO. What is the present law? I have forgotten.

Mr. GREEN of Iowa. If a stock dividend is made, and then even under the Supreme Court decision if the person who secured the dividend should sell some of that stock afterwards, he could be taxed on the profit that was made on the stock.

Mr. WINGO. Let me see if I catch the gentleman. Even under the decision of the Supreme Court, if a stock dividend is made and a man receives his stock and afterwards sells the stock, he must make a return for the profit he makes? In other words, it becomes income to the extent of the profit?

Mr. GREEN of Iowa. That is the case under the present law.

Mr. WINGO. The Supreme Court does not destroy that?

Mr. GREEN of Iowa. The Supreme Court does not destroy that principle. It was made definite in the other bill that we had just how that profit was to be computed. It was to be ascertained by dividing the original cost of the stock by the total number of shares a man had after the stock dividend was made to ascertain how much the cost of each share then was, and on that determine the assessment.

Mr. WINGO. Does the gentleman care to state—a good many people are inquiring—what is the probability of legislation that might reach the stock dividends that would be compatible with the decision of the Supreme Court? Is there any probability of that?

Mr. GREEN of Iowa. We have in the soldiers' adjusted compensation bill a provision about which I think there is no question as to constitutionality. It does not tax the stock dividend, however, in the hands of the party to whom it is issued, but puts an excise tax on the corporation issuing the stock dividend.

Mr. WINGO. If it is issued, you put an excise tax on the issuance of that stock?

Mr. GREEN of Iowa. Yes; but that is not in this bill.

Mr. WINGO. It is not? Does that produce the same amount of revenue we lost by the decision of the Supreme Court?

Mr. GREEN of Iowa. We think it will produce about the same amount. Of course, it will bring it in in a lump, because so many corporations have made stock dividends. It will bring in about $40,000,000 at once.

Mr. WINGO. Which was about what was estimated to be the loss from the decision?

Mr. GREEN of Iowa. Yes; about that much loss in several years.

Mr. WINGO. Now, what does the gentleman say is the other change besides that. I call his attention to section 1.

Mr. GREEN of Iowa. There is a change in section (e), the words:

For the purpose of computing the invested capital of a corporation, dividends distributed by such corporation during the first 60 days of any taxable year shall be deemed to have been made from earnings or profits accumulated during preceding taxable years.

And so forth.

There is a slight change in the law there, for the purpose of making it more definite.

Mr. WINGO. In other words, the dividends that are declared during the first 60 days of a taxable year shall be deemed to be dividends accruing to the income of the preceding taxable year?

Mr. GREEN of Iowa. Yes. There has been a dispute before——

Mr. WINGO. And that is the reason to clear the language?

Mr. GREEN of Iowa. That is all.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. GREEN] has expired.

Mr. CHINDBLOM. Mr. Chairman, I ask that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Iowa have five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. CHINDBLOM. Referring to those lines 10, 11, and 12, on page 2, reading:

A dividend paid in stock of the corporation (hereinafter called "stock dividend") shall not be subject to tax at the time of distribution.

I would like to ask the gentleman if that is any change from existing law subsequent to the decision of the Supreme Court?

Mr. GREEN of Iowa. That is the law as it stands since the decision of the Supreme Court. It is put in here to make our statute conform to that decision.

Mr. CHINDBLOM. To declare the decision of the Supreme Court?

Mr. GREEN of Iowa. To make the statute conform to the decision. Our law was contrary to the decision of the Supreme Court, because there was a provision that stock dividends should be taxed.

Mr. CHINDBLOM. On the following lines:

Amounts bona fide distributed in the liquidation of a corporation shall be treated as payments in exchange for stock or shares, and any gain or profit realized thereby shall be taxed to the distributee as other gains or profits.

Is that any change in existing law?

Mr. GREEN of Iowa. The words "bona fide" have been inserted. That is all.

Mr. CHINDBLOM. Is the rest of the language in the existing law?

Mr. GREEN of Iowa. The rest of the language is in the existing law.

Mr. LUCE. Will the gentleman yield?

Mr. GREEN of Iowa. I yield with pleasure to the gentleman from Massachusetts.

Mr. LUCE. The Supreme Court decision said in effect that in the distribution of stock dividends there was no diminution

of the property of the corporation and no increase in the property of the stockholder, and therefore the stockholder could not be taxed. Does the gentleman think that labeling the tax an "excise" escapes the Supreme Court decision?

Mr. GREEN of Iowa. Well, I do not know whether the gentlemen here care to take up time in a discussion between myself and the gentleman from Massachusetts as to something that is not in the bill.

Mr. LUCE. Mr. Chairman, the supreme importance of this matter is that the other bill which the gentleman's committee has reported, the bonus bill, is, in my judgment, absolutely unconstitutional, and is therefore simply a camouflage offered to the soldiers. The question I have asked here reaches the very vitals of the issue. Let us meet it squarely. Can you make a thing constitutional by putting a label on it?

Mr. GREEN of Iowa. The gentleman can answer that question for himself.

Mr. LUCE. I will. You can not make an unconstitutional thing constitutional by a label.

Mr. GREEN of Iowa. I decline to be bound by the gentleman's assumptions. The gentleman sets up a straw man here, and then destroys it.

Mr. LUCE. Will the gentleman answer my question?

Mr. GREEN of Iowa. I do not think I should take up my time in the discussion of another bill.

Mr. LUCE. If the gentleman is willing to have it go out to the country that the bonus bill is unconstitutional, I am willing.

Mr. GREEN of Iowa. I have had the opinion of every lawyer who has construed the provisions of the bill fairly, and that opinion is that the provision in the bonus bill is constitutional. It is not a question of labels; it is a question of what we have the right to do. We have a right to put an excise tax upon certain acts done by a corporation. When we do that we are not violating the Constitution of the United States. Any of the powers exercised by a corporation are subject to taxation, and it is for Congress to say whether they shall be taxed. The tax is laid upon those corporations which exercise the powers, functions, or privileges which Congress considers proper subjects for taxation.

Mr. LUCE. Will the gentleman for one moment contend that we can tax a corporation on a procedure from which it gets no benefit?

Mr. GREEN of Iowa. That consideration does not enter into the revenue laws. I think that if the gentleman had gone more deeply into that question he would be aware of that. The right of taxation of a corporation does not depend upon the benefit it receives.

Mr. LUCE. Perhaps I have gone more deeply into it than the gentleman thinks.

Mr. TINCHER. Mr. Chairman, in view of the fact that the Supreme Court will undoubtedly claim their constitutional prerogative to pass upon the validity of this law, I assert that it is not constitutional for the gentlemen to decide it. [Laughter and applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa [Mr. GREEN].

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. ANDERSON. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 111, noes 13.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 6. That paragraph 6 of subdivision (a) of section 234 of such act is amended to read as follows:

"(6) Amounts received as dividends from a corporation which is taxable under this title upon its net income."

Mr. ANDERSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Minnesota moves to strike out the last word.

Mr. ANDERSON. Mr. Chairman, I do not know whether it is necessary to amend paragraph 6 of subdivision (a) of section 234 of such act, which I suppose is the revenue act, in the manner proposed in this item or not. I assume that it is necessary, because the Committee on Ways and Means, I take it, has given the matter very careful consideration.

The question that disturbs me is whether it is as necessary to amend the revenue act in the way proposed in this legislation at this particular time as it is to consider the legislation which proposes to adjust the compensation of ex-service men, and to give them certain preferences with respect to public employment, and also to give them certain advantages in obtaining lands from the United States Government. I have an idea that it is just and necessary to amend the law in this particular way, and I shall vote to so amend it; but if I had the opportunity I would sooner vote, and I think it would be in accordance with the desire of a majority of the House to vote in favor of legislation which would accomplish what it is proposed to accomplish in the legislation recently proposed by the Ways and Means Committee which provides for a bonus for ex-service men, which word "bonus," I think, is rather a misnomer, because what is really proposed is to make some adjustment which will be commensurate with the sacrifices which the ex-service men suffered in the way of loss of opportunity incident to that service. If it were not necessary to amend the provisions of the revenue act in the way which is here proposed, and if it were not so important to do it at this particular time, we might be able to consider the legislation to which I have referred; but, unfortunately, that action seems to be prevented by the opposition of certain gentlemen, representing a minority on this side of the House, who are opposed to that legislation. I do not object to that opposition. It is in itself perfectly legitimate. The unfortunate part of it is that those who take that position assume that they also have the right, in accordance with that position, to direct the action of the majority of the Republicans with reference to the legislation to which I have referred by preventing the consideration of the bill.

Mr. KING. Will the gentleman yield?

Mr. ANDERSON. I yield to the gentleman from Illinois.

Mr. KING. I was out of the room a moment ago. To what legislation does the gentleman refer?

Mr. ANDERSON. In what I said a moment ago I had reference to the legislation recently reported by the Ways and Means Committee which provides alternative plans for the relief of the ex-service men who fought so gallantly across the water during the late war. Of course, the gentleman from Illinois [Mr. KING] will appreciate the fact that in view of the opposition of the minority of the gentlemen on this side of the House it will probably not be within the purview of the program of legislation to consider this legislation at this time.

Mr. PELL. A point of order, Mr. Chairman.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. TREADWAY. Mr. Chairman, I rise in opposition to the pro forma amendment of the gentleman from Minnesota. I agree with the gentleman that it is very necessary to pass this legislation, but I think there are other matters that should have the consideration of the House before its adjournment, which I understand may take place next week.

One matter which it seems to me ought to have the attention of the House is the report which I trust will be submitted by the Post Office Commission, so called, on the increase of salaries for post-office employees. [Applause.] It seems to me that it is very essential that action should be had on that expected report before we adjourn, and I for one hope that that report will come in.

Mr. HUDSPETH. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Texas.

Mr. HUDSPETH. I wish to say that I am in favor of the increase of the compensation of postal employees, and I wish to ask the gentleman if he is also in favor of the increase of the compensation of second-class postmasters?

Mr. TREADWAY. I am in favor of increased pay for postal employees all along the line.

Mr. HUDSPETH. I should like to know if the report of the Postal Commission carries with it a recommendation in favor of the increase of salaries of second, third, and fourth class postmasters?

Mr. TREADWAY. I am unable to inform the gentleman, but trust the commission's report will prove beneficial to these deserving men.

Mr. MONDELL. Mr. Chairman, I reget to have to make the point of order, but——

Mr. GREEN of Iowa. Mr. Chairman, I agreed to give the gentleman time in general debate, but owing to the very acute parliamentary situation I overlooked it.

The CHAIRMAN. Does the gentleman from Wyoming withdraw his point of order?

Mr. MONDELL. I do for the moment, but I believe that the debate ought to be confined to the bill under consideration.

Mr. TREADWAY. I desire to add one statement, and that is that there is to be a convention of postal employees in Springfield, Mass., on Sunday next, to which many of us have been invited, who are detained here by our duties. I trust that there may be some word go forth to these employees of favorable action by this House on their request. [Applause.]

Mr. MURPHY. I move to strike out the last two words. Mr. Chairman, I make this motion for the purpose of asking the gentleman, who is on these powerful committees of the House,

if legislation to pay the postal clerks, which is so highly needed, is going to be brought into this House before the soldiers' bonus bill?

Mr. TREADWAY. As far as I am concerned, I have absolutely nothing to do with what may be presented to the House, but am urging the legislation in behalf of the postal employees.

Mr. MURPHY. I will say that I am in favor of the postal clerks being well paid, but I shall object to everything until the soldiers' bonus bill is given consideration on the floor of this House.

Mr. WINGO. Mr. Chairman, I move to strike out the last three words. The particular proposition in the pending paragraph now being considered has this language——

Mr. JUUL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JUUL. I want to know if the steering wheel of this parliamentary body has broken, or what has happened? [Laughter.]

Mr. WINGO. Section 6 says paragraph 6 of subdivision (a) of section 234 of such act is amended to read as follows:

Amounts received as dividends from a corporation which is taxable under this title upon its net income.

Mr. GREEN of Iowa. That merely strikes out reference to the personal service corporations.

Mr. WINGO. Sections 3 and 4 seem to cover personal service corporations. I have not had occasion to refresh my memory since the bill came up, but you intend to change the law, which at the present time makes stockholders in personal service corporations taxable, the same as a partnership. Under your law the dividends received from personal service corporations will be taxed, or will they be exempt? What is the status under the bill, assuming it passes?

Mr. GREEN of Iowa. If they make distribution of profits, the dividends will be taxed, the same as any dividends. If they do not make distribution, the corporation will be taxed for undistributed profits.

Mr. WINGO. If they distribute the profits, each individual stockholder will have to account for it in his income.

Mr. GREEN of Iowa. Yes; like any other dividends. We put a flat tax on the personal service corporations, the same as we do on all other corporations. Now, we put their dividends in the same class as other corporations. But if they do not make distribution, as a personal service corporation has no use for capital, we tax them for undistributed profits.

Mr. WINGO. That is the whole purpose of this provision?

Mr. GREEN of Iowa. Yes; the sole purpose.

The Clerk read as follows:

SEC. 9. That in addition to all other taxes, there shall be levied, collected, and paid for the taxable year 1920 upon the net income of every personal service corporation received or accrued during the taxable years 1918 and 1919 a tax equal to the tax that would have been paid had such corporations been subject to the taxes imposed by section 230 of the revenue act of 1918 for such years.

Mr. ANDERSON. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman from Iowa why this tax is limited to 1920?

Mr. GREEN of Iowa. The paragraph under consideration is for the years 1918 and 1919. The next is for 1920, and on the next page you will see a provision for after 1920. This provision covers the past tax paid by these corporations in case they do not elect as provided in the latter part of the bill to stand on their returns. In the latter part of the bill they are given the privilege of standing on the returns they have heretofore made. These provisions are for the reassessment in case they follow the Supreme Court decision claiming that the former tax is not valid and demand a repayment by the Government.

Mr. CHINDBLOM. Will the gentleman from Minnesota yield for me to ask a question of the gentleman from Iowa?

Mr. ANDERSON. Yes.

Mr. CHINDBLOM. I would like to ask the gentleman from Iowa whether any considerable number of personal service corporations have refused to pay the tax prior to the decision of the Supreme Court.

Mr. GREEN of Iowa. My information is that none have refused. It is the belief of the Treasurer and of the Ways and Means Committee that they will continue to stand on their former returns. They are given the election of standing on the returns for former years.

Mr. CHINDBLOM. And not be required to make a new return.

Mr. GREEN of Iowa. They are given the election.

Mr. CHINDBLOM. Can the gentleman say whether any considerable number of the personal service corporations have requested a refund of their taxes?

Mr. GREEN of Iowa. If they have done so, it is very recent.

Mr. CHINDBLOM. So it is not going to create any hardship to the corporations?

Mr. GREEN of Iowa. No; none at all.

Mr. ANDERSON. If the corporation elects to be taxed under this act, then the act operates retroactively.

Mr. GREEN of Iowa. It is not a question of electing to be taxed under this act; for the year 1920 they will have to be taxed under this act. Their election is given as to previous years.

Mr. ANDERSON. How far back?

Mr. GREEN of Iowa. They were not taxable until the law of 1918, and it is only necessary to go back that far.

Mr. ANDERSON. So this is a retroactive act.

Mr. GREEN of Iowa. It is retroactive on those who demand a reassessment or demand their money back that they have paid heretofore.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CRAGO having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 13870) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. SMOOT, and Mr. OVERMAN as the conferees on the part of the Senate.

PERSONAL SERVICE CORPORATIONS.

The committee resumed its session.

The Clerk read as follows:

SEC. 10. (a) That in addition to all other taxes and in addition to the tax imposed by section 9 there shall be levied, collected, and paid for the taxable year 1920 upon the net income of every personal service corporation a tax equal to the sum of (1) 30 per cent of the amount of the net income of such corporation for the taxable year 1918 in excess of the dividend credit (determined under paragraph (c) of this section) and (2) 20 per cent of the amount of the net income of such corporation for the taxable year 1919 in excess of the dividend credit determined under paragraph (c) of this section.

Mr. GREEN of Iowa. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa: Page 6, lines 1 and 2, after the word "credit," in line 1, strike out the words "determined under paragraph (c) of this section" and the parentheses and insert in lieu thereof the following: "determined for that year under paragraph (c) of this section."

Mr. GREEN of Iowa. Mr. Chairman, the parentheses were wrongly inserted there and the words "for that year" were omitted through error.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

Mr. GREEN of Iowa. Mr. Chairman, I offer another amendment, in line 4, page 6, after the word "determined," to insert the words "for that year."

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa: Page 6, line 4, after the word "determined," insert "for that year."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

(b) For the taxable year 1920 and each taxable year thereafter shall be levied, collected, and paid upon the net income of every personal service corporation a tax equal to 20 per cent of the amount of the net income in excess of the dividend credit determined under paragraph (c) of this section.

Mr. GREEN of Iowa. Mr. Chairman, I offer the following committee amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 6, line 7, after the word "thereafter" insert the word "there."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 10. (a) That in addition to all other taxes and in addition to the tax imposed by section 9 there shall be levied, collected, and paid for the taxable year 1920 upon the net income of every personal service corporation a tax equal to the sum of (1) 30 per cent of the amount

of the net income of such corporation for the taxable year 1918 in excess of the dividend credit (determined under paragraph (c) of this section) and (2) 20 per cent of the amount of the net income of such corporation for the taxable year 1919 in excess of the dividend credit determined under paragraph (c) of this section.

(b) For the taxable year 1920 and each taxable year thereafter shall be levied, collected, and paid upon the net income of every personal-service corporation a tax equal to 20 per cent of the amount of the net income in excess of the dividend credit determined under paragraph (c) of this section.

(c) The dividend credit shall consist of a specific exemption of $3,000 plus the amount by which the dividend distributed by the corporation to its stockholders or members during the taxable year exceeds the dividends deducted under the provisions of section 234 of the revenue act of 1918.

A foreign corporation shall not be entitled to the specific exemption of $3,000.

(d) Any personal service corporation that elects to pay taxes for the taxable years 1918 and 1919 under the provisions of the revenue act of 1918 as provided in section 11 of this act shall not be subject to the taxes imposed by section 9 or subdivision (a) of this section nor shall it be required to make return in respect to such taxes.

Mr. CHINDBLOM. Mr. Chairman, I move to strike out the last word. Does section 10 impose upon personal service corporations larger taxes than are now imposed upon ordinary corporations by existing law?

Mr. GREEN of Iowa. They are imposed in quite a different manner. The flat tax on personal service corporations is the same as the flat tax on the other corporations. Then it imposes a tax on the undistributed profits which is not imposed on the other corporations. The gentleman will understand that there is no reason why personal service corporations should not distribute their profits unless they want to avoid taxation. They have no need for capital, and one of the distinguishing features of a personal service corporation is that the capital does not constitute any important matter in its organization and operation.

Mr. CHINDBLOM. A personal service corporation might need a certain amount of cash on hand constantly. That is only a reserve against the day when their operations may not be successful, and when they may not be making sufficient returns for the members of the corporation.

Mr. GREEN of Iowa. If they are profits over the previous year, I think the gentleman would say that they ought to be taxed, and that would be the only case where the tax would be laid. I am assuming the gentleman refers to undistributed profits.

The Clerk read as follows:

SEC. 12. That the stockholders of any personal service corporation in existence in the taxable year 1918 or 1919, by a written agreement between the directors of the corporation and all the stockholders thereof, may for such years elect to be taxed under the provisions of the revenue act of 1918 in effect prior to the time this act takes effect; and in the case of any personal service corporation the stockholders and the directors of which have made such election, any distribution made hereafter from earnings or profits accumulated during the calendar years 1918 and 1919 shall be exempt from the tax imposed by Title II of the revenue act of 1918: *Provided further*, That such directors and stockholders shall be deemed to have made such agreement and election unless within 90 days after the time this act takes effect one or more of them shall have notified the commissioner in writing that he rejects such agreement and election.

Mr. ANDERSON. Mr. Chairman, I move to strike out the last word. I understood it was the theory of the Ways and Means Committee in reporting this legislation that the present act, so far as it applies to personal service corporations, is perhaps unconstitutional.

Mr. GREEN of Iowa. Yes. I have no doubt about it myself.

Mr. ANDERSON. Does the gentleman from Iowa think that by providing in this act that if the directors and stockholders of such a corporation agreed to such taxation, it thereby becomes constitutional?

Mr. GREEN of Iowa. We do not believe that it thereby becomes constitutional, but we believe they will be estopped from making any further objection, if they elect to stand on their former returns instead of paying the tax provided for in this bill.

Mr. ANDERSON. It is a very remarkable theory, it seems to me, that after you have levied an unconstitutional tax upon a personal service corporation you can then say to that corporation, "If you agree to this invalid tax, it shall be valid."

Mr. GREEN of Iowa. The gentleman does not put it quite right, because there is a consideration for the agreement. The law provides that if they object to the present method of taxation they shall be taxed in a different manner.

We can impose the taxes provided in this bill. There is no doubt about that. But we provide that a personal service corporation may exempt itself from the taxes herein laid for previous years if it is willing to waive any claim for refund for the taxes paid for those years, and stand on its former return. It is not a question of making the present law constitutional, for, of course, we can not do that. It is a question of remedy to the taxpayer. He is entitled to the refund. If he says to the Government, "If you will waive your right to the new taxes, I will waive my right to the refund and stand by my former return," he will be estopped from further claim by his election.

It is very clear to my mind they would be estopped, because the law provides that if they accept the old method they shall not be taxed under the new plan. I am not sure but there is in fact an agreement for a consideration between them and the Government.

Mr. ANDERSON. Well, I have a very indistinct and very imperfect recollection of the rules which apply to unconstitutional taxation, and it is my impression—I may be entirely wrong about it—that where you have levied an unconstitutional tax, nothing you can do thereafter in respect to that sort of a tax will ever validate it.

Mr. GREEN of Iowa. The gentleman is confusing two different principles. He is quite right that there is no such thing as waiving the constitutionality of an act. If it is unconstitutional it is unconstitutional, and that is all there is to it; but that does not prevent the taxpayer from waiving any claim he may have against the Government should he see fit.

Mr. ANDERSON. Do I understand the gentleman to say that the new tax proposal is higher than the old tax proposal?

Mr. GREEN of Iowa. Well, there is not much difference. In some instances it will be a little higher tax and in some a little lower.

Mr. ANDERSON. I was wondering if this agreement on the part of the stockholders was to be accomplished through what amounts to a threat in the act to impose a heavier tax if they did not agree to this unconstitutional taxation—— [Cries of "Read!"] I will say to the gentlemen who are so anxious to have the Clerk read that as far as I am concerned they will not make any time by yelling "read."

The Clerk read as follows:

The Commissioner of Internal Revenue shall mail to all personal service corporations at the last known address a copy of this act within 30 days after the same takes effect.

Mr. HENRY T. RAINEY. Mr. Chairman, I offer the following amendment as a new section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add a new section, to be known as section 13:

"SEC. 13. Title X of the revenue act of 1918 is amended by adding at the end thereof the following new section:

"'SEC. 1010. That every corporation shall pay a special excise tax with respect to all dividends declared and paid by it in its own stock or shares on or after March 15, 1920, equivalent to $10 for each $100 of the par or face value or fraction thereof.'"

Mr. LONGWORTH. Mr. Chairman, the Clerk has proceeded far enough with the reading of the amendment to indicate to my mind plainly that it is not germane, and I make the point of order against it.

Mr. HENRY T. RAINEY. That is no reason why it should not be read, and I contend that it is germane.

Mr. LONGWORTH. I have no objection if the gentleman desires——

Mr. HENRY T. RAINEY. Yes; I want to insist on the amendment as being germane to every section of this bill.

The CHAIRMAN. Does the gentleman from Ohio insist upon his point of order at this time?

Mr. LONGWORTH. No; I will permit the amendment to be read.

Mr. HENRY T. RAINEY. I want to be heard on the point of order when the gentleman makes it.

The Clerk read as follows:

If the dividends so declared are issued without par or face value, the tax shall be computed at the rate of $10 per share, unless the actual market value is in excess of $100 per share, in which case the tax shall be computed at the rate of $10 on each $100 of such actual value or fraction thereof.

(a) On or before 60 days after this section takes effect every corporation liable for any tax imposed by this section for the period from March 15, 1920, to and including June 30, 1920, and (b) on July 1, 1921, and thereafter on July 1 in each year, every corporation liable for any tax imposed by this section for the preceding year ending June 30 shall make a return under oath in duplicate and pay the taxes imposed by such section to the collector for the district in which is located the principal place of business. Such returns shall contain such information and be made at such times and in such manner as the commissioner, with the approval of the Secretary, may by regulations prescribe.

The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month from the time when the tax became due.

Mr. LONGWORTH. Mr. Chairman, I now make the point of order that the amendment is violative of paragraph 3, Rule XXI, upon which the Chair ruled this morning. If the gentleman desires, I will reserve the point of order.

Mr. HENRY T. RAINEY. The point of order of the gentleman is that the amendment is not germane?

Mr. LONGWORTH. Neither to the bill nor to the paragraph to which it is offered.

Mr. HENRY T. RAINEY. Now, Mr. Chairman, if I can have the attention of the Chair, this is my proposition. On the 8th day of March of this year, in order to indicate just what this is, the Supreme Court of the United States rendered a decision which destroyed the validity of our income-tax law so far as it pertains to stock distributions, and the Chair knows what has happened since then and how many hundreds of millions of dollars of stock distributions have been made by the great corporations of the country. The section I have proposed was just a few minutes ago vigorously defended by the gentleman from Iowa [Mr. GREEN] as being constitutional. The proposition, Mr. Chairman, is this: Here is a bill which this House is considering which affects corporations and nothing but corporations. It affects corporations which are known as personal-service corporations, and there is no apparent difference so far as form is concerned between a personal-service corporation and any other kind of a corporation. In this very case in this decision of the Supreme Court rendered on the 8th of March last, the case of Eisner against Macomber—I do not know whether I have the attention of the Chair or whether the Parliamentary Clerk has it.

The CHAIRMAN. The Chair is giving attention to the gentleman from Illinois.

Mr. HENRY T. RAINEY. I am glad to know it. The Supreme Court in that decision said:

> But looking through the form, we can not disregard the essential truth disclosed; ignore the substantial difference between corporation and stockholder; treat the entire organization as unreal; look upon stockholders as partners, when they are not such; treat them as having in equity a right to a partition of the corporate assets when they have none; and indulge the fiction that they have received and realized a share of the profits of the company which in truth they have neither received nor realized. We must treat the corporation as a substantial entity separate from the stockholder, not only because such is the practical fact but because it is only by recognizing such separateness that any dividend—even one paid in money or property—can be regarded as income of the stockholder.

Predicated upon this decision of the Supreme Court of the United States is the necessity for this very bill that we are considering now. And the Supreme Court of the United States in this particular opinion held that in form there is no difference between a corporation for profit and a corporation for any other purpose. There is none. The bill we are considering to-day amends that section and several sections of the revenue law which affect corporations, and does not amend any other sections. The amendment that I propose is an amendment which affects corporations and which affects no other sections of the revenue law. If it is not germane, I do not know how any proposition could possibly be germane, and if it is germane it will save this Government at once $75,000,000. It takes the strongest sort of almost ignoring the definition of the word "germane," as applied by the rules of this House and by the various decisions of this House, to enable the Chairman to hold that this amendment is not germane to this bill and to every section of this bill.

Mr. LONGWORTH. Mr. Chairman, may I ask the Chair whether he was present during a discussion of the point of order raised this morning? If so, I can save a little time.

The CHAIRMAN. The Chair was not present.

Mr. LONGWORTH. Then I call the Chair's attention to paragraph 3, Rule XXI, which reads:

> No amendment shall be in order to any bill affecting revenue which is not germane to the subject matter in the bill; nor shall any amendment to any item of such bill be in order which does not directly relate to the item to which the amendment is proposed.

The question discussed and decided by the Chair this morning was a much narrower question than this. Clearly this bill relates to personal service corporations and personal service corporations only. It does not relate in any respect to stock dividends, but an entirely different method of distribution. The gentleman's amendment, therefore, is not germane to the bill at all. But even if it were or could by any refinement be held to be germane to the question of personal service corporations, clearly it is not germane to the paragraph to which it is offered. The paragraph to which it is offered runs as follows:

> The Commissioner of Internal Revenue shall mail to all personal-service corporations at the last known address a copy of this act within 30 days after the same takes effect.

The amendment of the gentleman from Illinois imposes a retroactive, so-called excise tax on stock dividends of all corporations. This morning the Chair ruled, and ruled correctly according to the precedents, not only that the amendment must be germane to the subject matter of the bill but must be germane to the preceding paragraph of the bill. That is in line with the universal precedent with regard to the holdings under this paragraph of Rule XXI. The object of this paragraph concededly was to make the amendment of revenue bills very difficult. The reason for it was, at the time it was adopted, that the party then in power, now the minority, desired to be able to bring in revenue bills without a rule limiting amendment. And so purposely this rule with regard to revenue bills was established for the very purpose of making it impossible to amend revenue bills by anything except absolutely germane amendments to the particular paragraph to which offered.

It seems to me that it must be clear to the Chair that an amendment proposing a retroactive tax upon the issue of stock dividends by all corporations is not germane to the subject matter of this bill, which relates merely to personal service corporations, and clearly, by the widest stretch of imagination, can not be germane to the paragraph to which it is offered.

The CHAIRMAN. Will the gentleman state to the Chair just what corporations are included in personal service corporations?

Mr. LONGWORTH. Only those corporations without, practically, any invested capital whatever and whose profits are derived from the personal efforts of its members, such as a corporation of lawyers, a corporation of physicians, and possibly a corporation of public accountants.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. GREEN of Iowa. The legal definition of personal corporation in the law is found in the first paragraph of the report under the head of "Taxation of personal service corporations."

Mr. LONGWORTH. Will the gentleman be good enough to read it?

Mr. GREEN of Iowa. It says:

> A personal service corporation, as defined in the revenue law of 1918, means a corporation whose income is derived from a profession or business (a) which consists principally of rendering personal service; (b) the earnings of which are to be ascribed primarily to the activities of the principal owners or stockholders; and (c) in which the employment of capital is not necessary or is only incidental, with certain exceptions not necessary here to recite.

Mr. LONGWORTH. So, of course, under the legal definition of a personal service corporation it would be utterly impossible for such a corporation to issue stock dividends.

Mr. HENRY T. RAINEY. There is no difference in form between a personal-service corporation and any other corporation, and they do issue stock.

Mr. LONGWORTH. Will the gentleman yield?

Mr. HENRY T. RAINEY. Yes.

Mr. LONGWORTH. Has the gentleman ever heard of a personal-service corporation issuing a stock dividend?

Mr. HENRY T. RAINEY. No; I do not recall any distribution of that character; but they can do so. There is nothing in the world to keep them from doing it, and the reason why they are not doing it is because they do not think they are affected by the decision of the Supreme Court of the United States. The owners can not have a corporation under the laws of any State unless somebody owns the stock, and it does not make any difference whether it is personal-service corporation or any other kind of a corporation. It is a matter of proof, to be approved by the Revenue Department here, as to whether or not a corporation is a personal-service corporation, so as to come within the provisions of the law of 1918. My amendment merely seeks to impose a different method of taxing corporations which make stock dividends. That is all there is to this bill.

The gentleman from Ohio contends that a personal-service corporation is not the kind of a corporation that can make stock dividends. It is identical in form with any other corporation, and can make stock dividends if it elects to do so.

The argument the gentleman makes, that this act is retroactive, is the real reason why the gentleman is opposed to this proposition, as I understand it. It is retroactive, of course; but that does not destroy the fact that it is a germane proposition.

The Supreme Court of the United States has held that these income taxes can be retroactive, and the court so held as far back as 1864 in the case of income taxes, and the court has so held several times since. Our first income-tax law, enacted after the income-tax amendment, was retroactive. That question came before the Supreme Court of the United States, and that court decided, on the strength of prior decisions, beginning back as far as 1864, that the fact that the act was retroactive did not make any difference at all, provided it did not go back of the amendment to the Constitution.

The argument of the gentleman from Ohio as to the germaneness of this proposition does not depend on whether it is retro-

active or not, and if it does depend upon that question I can produce in a few minutes for the information of the Chair the decisions of the Supreme Court—a long line of them—which held that an income tax can be retroactive and can not be challenged on that account.

This is a very important matter. A Senator of the United States a few days ago placed in the CONGRESSIONAL RECORD a list of scores of corporations which, taking advantage of the recent decision of the Supreme Court of the United States, were robbing the Treasury of millions and millions of dollars. It would take a violent stretch of methods of interpreting the rules of this House for the Chairman to hold that this amendment is not germane; that this amendment, which provides for taxing corporations and the stock dividends of corporations is not germane to a bill which taxes corporations which can make and do make stock dividends. [Applause and cries of "Rule!"]

Mr. LONGWORTH. Mr. Chairman, just a word. I have not been discussing the constitutionality of retroactive taxation. It does not make any difference whether it is constitutional or not for the purposes of this controversy. This bill does not impose a retroactive tax, so that it would not be germane to propose a retroactive tax.

But that is not my main contention. My contention is that this is a bill for a specific purpose, to wit, to amend the personal service corporation provisions of the revenue act of 1918—that is all that it does and all that it deals with—and therefore opening up the proposition to apply to all corporations on stock dividends is not germane.

The CHAIRMAN. The pending bill, "to amend the personal service corporation provisions of the revenue act of 1918, and for other purposes," proposes only certain amendments to Title II of the revenue law, which relates to the income tax. All its provisions have reference to the personal service corporations. A personal service corporation is defined in the revenue act to be—

> A corporation whose income is derived from a profession or business (a) which consists principally of rendering personal service; (b) the earnings of which are to be ascribed primarily to the activities of the principal owners or stockholders; and (c) in which the employment of capital is not necessary or is only incidental—

With certain exceptions not necessary here to recite.

The amendment before the committee offered by the gentleman from Illinois [Mr. HENRY T. RAINEY] proposes to add to Title X of the revenue act, a title which has reference to certain special taxes, certain provisions. Those provisions are specifically made applicable to all corporations. It states that "every corporation shall pay a special excise tax" and, further, that every corporation liable for any tax imposed shall make certain returns on oath.

It seems very clear to the Chair that whereas the measure pending before the committee is one affecting only a certain class of corporations, to wit, personal-service corporations, the amendment offered relates to all corporations.

The rule with reference to revenue bills is very clear, "that no amendment shall be in order to any bill affecting revenue which is not germane to the subject matter of the bill," and the various precedents, which it seems unnecessary to cite here, seem disposed to construe that rule strictly.

The bill before us relates to certain specific corporations. The amendment is a general provision affecting all corporations, and the Chair holds it not germane to the bill before us and sustains the point of order.

Mr. HENRY T. RAINEY. Mr. Chairman, the matter is so important and I am so anxious to see what this committee thinks about taxing corporate distribution, on account of which we are losing so much money now——

The CHAIRMAN. The gentleman from Illinois ought hardly to state that that is the issue decided by the Chair, because the gentleman knows that the decision of the Chair——

Mr. HENRY T. RAINEY. I am not so stating.

The CHAIRMAN. If the gentleman will permit the Chair, the decision of the Chair does not necessarily reflect the point of view of the Chair or of the House as to the propriety of the tax which the gentleman's amendment proposes.

Mr. HENRY T. RAINEY. I am so anxious to get the views of the House on the merits of this propostion that I appeal from the decision of the Chair.

Mr. LONGWORTH. I make the point of order that the gentleman has no right to make such a statement as that. He simply has a right to appeal from the decision of the Chair.

The CHAIRMAN. The point of order is sustained.

Mr. HENRY T. RAINEY. I have a right to state it.

The CHAIRMAN. But not to state that he is submitting the merits of the amendment.

Mr. HENRY T. RAINEY. Oh, well, I have a right to do that. I am not out of order in doing that.

The CHAIRMAN. The Chair rules the gentleman out of order in the statement he has made. If the gentleman desires to appeal from the decision of the Chair, he can do so.

Mr. HENRY T. RAINEY. Certainly I do.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. CRISP. Mr. Chairman, is not the appeal debatable?

The CHAIRMAN. If the gentleman seeks recognition, it is.

Mr. CRISP. I understood the gentleman to seek recognition.

Mr. HENRY T. RAINEY. Yes; I seek recognition.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. HENRY T. RAINEY. I want to call the attention of the committee to the fact that immediately after the decision of the Supreme Court on the 8th day of last March, great corporations commenced to make stock distribution, with the evident intention of depriving the Treasury of the United States of the revenues to which it would be entitled if the decision of the Supreme Court had sustained the section of the law which it held unconstitutional. Now, this is a matter for legislation, and when the Chair has ruled on the question as to its germaneness—I am not finding any fault with the ruling of the Chair, although I differ with him in that particular—it has been the immemorial custom in this body to submit the matter to the committee or to the House itself, and the committee or the House have decided the question, and in such a case they vote not whether the Chair is right or not on the parliamentary proposition, but they vote as to the merits of the proposed legislation; and in this case a vote to sustain the Chair is a vote against this proposition on its merits. So with that idea in view, I now respectfully appeal from the decision of the Chair.

Mr. GREEN of Iowa. Will the gentleman let me have a word?

Mr. HENRY T. RAINEY. Certainly.

Mr. GREEN of Iowa. This proposition to tax corporation stock dividends or dividends in stock is my proposition in the first instance. I originated it and introduced a bill for it, and I am in favor of it now, but the merits of the proposition are not involved in this appeal from the decision of the Chair. The Chair has simply conformed to a rule which was originally established by the present minority of the House in order that they might get their tariff bills through, and it has been adopted by us. The Chair has ruled in accordance with the uniform decisions and ought to be sustained by every Member present. If the rules of the House are to have any force and effect and perform any useful function, they can not be upset every time they interfere with something that one of us would like to do. If we did that, everything would be thrown into confusion. We might as well have no rules, for they would have no force or effect. Instead of a deliberative assembly proceeding by order, system, and deliberation, we would become a mere mob, whose acts would be entitled to no more respect than a street gathering.

Mr. GARNER. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. GARNER. The gentleman from Iowa has stated it correctly. Does he think this legislation ought to pass?

Mr. GREEN of Iowa. I do.

Mr. GARNER. Now, if this proposition does not go onto this bill, does he believe it is going to become a part of the law?

Mr. GREEN of Iowa. Yes; it is a part of the soldiers' adjusted compensation bill which is going to become a law.

Mr. GARNER. Who put it on?

Mr. GREEN of Iowa. I helped to put it on.

Mr. GARNER. No; you did not.

Mr. GREEN of Iowa. Yes; I did.

Mr. GARNER. I deny that.

Mr. GREEN of Iowa. The committee record will show it.

Mr. FESS. What is the difference?

Mr. GARNER. We put it on.

Mr. FESS. What is the difference?

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the House?

The question being taken,

The CHAIRMAN. The Chair is in doubt. The gentleman from Kansas [Mr. CAMPBELL] will please take the chair.

Mr. CAMPBELL of Kansas took the chair.

The House divided; and there were—ayes 95, noes 42.

Accordingly, the decision of the Chair was sustained.

The CHAIRMAN. The Clerk will read.

Mr. GREEN of Iowa. Mr. Chairman, I move that the committee do now rise.

Mr. ANDERSON. Mr. Chairman, I have an amendment. I move to strike out the words "at the last known address" in the last paragraph.

Mr. GREEN of Iowa. Was I not recognized, Mr. Chairman, to make a motion?

Mr. ANDERSON. My motion to amend takes precedence of a motion to rise.

The CHAIRMAN. The Chair will recognize the gentleman from Minnesota.

Mr. BLANTON. Not for a pro forma amendment.

The CHAIRMAN. The gentleman will state his amendment.

Mr. ANDERSON. I move to strike out the words in line 11, page 8, "at the last known address."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 8, line 11, strike out the words "at the last known address."

Mr. TREADWAY. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. TREADWAY. Can an amendment be offered after the completion of the reading of the bill and a new section has been offered and acted upon? Can we go back retroactively and take up an amendment to something that has been passed over? I make the point of order that the amendment is not in order.

Mr. ANDERSON. I submit that although the amendment was offered as a new paragraph it must be an amendment to something. It was passed and the gentleman from Illinois [Mr. RAINEY] offered a new section, and I make the point of order that the point of order of the gentleman from Massachusetts is too late.

The CHAIRMAN. The point of order made by the gentleman from Massachusetts was made immediately after the reporting of the amendment of the gentleman from Minnesota by the Clerk. The last section of the bill has been read and disposed of, and a new section proposed and acted upon. The Chair sustains the point of order.

Mr. GREEN of Iowa. Mr. Chairman, I move that the committee do now rise and report the bill to the House with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRAMTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14197) to amend the personal service corporation provisions to the revenue act of 1918, and for other purposes, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. GREEN of Iowa. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The question was taken; when Mr. MURPHY made the point that no quorum was present.

The SPEAKER. The gentleman from Ohio makes the point that no quorum is present. Evidently there is no quorum present.

Mr. CALDWELL. Mr. Speaker, I move that the House do now adjourn. It is 20 minutes past 6.

The SPEAKER. The gentleman from New York moves that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. CALDWELL) there were 51 ayes and 93 noes.

Mr. CALDWELL. Mr. Speaker, I demand tellers.

The question of ordering tellers was taken, when six Members arose, not a sufficient number, and tellers were refused.

So the House refused to adjourn.

The SPEAKER. The point of no quorum having been made, the Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of ordering the previous question will answer "yea," those opposed will vote "nay."

The question was taken; and there were—yeas 280, nays 0, answered "present" 1, not voting 146, as follows:

YEAS—280.

Ackerman	Bland Ind.	Carew	Davis, Tenn.
Almon	Bland, Va.	Carss	Dickinson, Mo.
Anderson	Blanton	Casey	Dickinson, Iowa.
Andrews, Md.	Boies	Chindblom	Dominick
Andrews, Nebr.	Box	Christopherson	Donovan
Ayres	Brand	Clark, Mo.	Dooling
Babka	Briggs	Cleary	Doughton
Bacharach	Brooks, Pa.	Coady	Dowell
Baer	Buchanan	Collier	Dunbar
Bankhead	Burdick	Connally	Dunn
Barbour	Burroughs	Cooper	Dupré
Barkley	Byrnes, S. C.	Cramton	Eagan
Bee	Byrns, Tenn.	Crisp	Edmonds
Begg	Caldwell	Cullen	Elliott
Bell	Campbell, Kans.	Currie, Mich.	Emerson
Benham	Campbell, Pa.	Dallinger	Evans, Nebr.
Benson	Candler	Darrow	Fairfield
Black	Cannon	Davey	Fess
Fields	Juul	Moon	Schall
Flood	Kearns	Mooney	Sells
Focht	Keller	Moore, Ohio	Sherwood
Fordney	Kennedy, Iowa	Moores, Ind.	Siegel
Foster	King	Morgan	Sinnott
French	Kleczka	Mott	Sisson
Fuller, Ill.	Knutson	Mudd	Smith, Ill.
Fuller, Mass.	Kraus	Murphy	Smith, Mich.
Gallagher	Lampert	Nelson, Mo.	Smith, N. Y.
Gallivan	Langley	Nelson, Wis.	Steagall
Gandy	Lanham	Newton, Minn.	Stephens, Ohio
Ganly	Larsen	Newton, Mo.	Stevenson
Gard	Layton	Nolan	Stiness
Garland	Lazaro	O'Connell	Stoll
Garner	Lea, Calif.	Ogden	Strong, Kans.
Garrett	Lee, Ga.	Osborne	Sumners, Tex.
Glynn	Lehlbach	Paige	Sweet
Goldfogle	Lesher	Park	Swope
Good	Linthicum	Parrish	Taylor, Ark.
Goodykoontz	Little	Pell	Temple
Graham, Ill.	Lonergan	Phelan	Thompson
Green, Iowa	Longworth	Platt	Tilson
Greene, Mass.	Luce	Purnell	Timberlake
Greene, Vt.	Lufkin	Quin	Tincher
Griest	Luhring	Radcliffe	Tinkham
Hadley	McAndrews	Rainey, H. T.	Treadway
Hardy, Colo.	McArthur	Rainey, J. W.	Valle
Harreld	McClintic	Raker	Vare
Harrison	McDuffie	Ramsey	Venable
Haugen	McFadden	Ramseyer	Vestal
Hawley	McGlennon	Randall, Wis.	Vinson
Heflin	McKenzie	Rayburn	Volstead
Hersey	McKeown	Reavis	Walsh
Hersman	McKiniry	Reber	Ward
Hickey	McLane	Reed, N. Y.	Wason
Hicks	McLaughlin, Mich.	Reed, W. Va.	Watkins
Hoch	McLaughlin, Nebr.	Ricketts	Watson
Hoey	MacCrate	Riddick	Weaver
Holland	MacGregor	Riordan	Webster
Howard	Magee	Robsion, Ky.	Welling
Hudspeth	Maher	Rodenberg	Welty
Hull, Tenn.	Major	Rogers	Whaley
Humphreys	Mann, S. C.	Romjue	Wheeler
Hutchinson	Mapes	Rose	White, Kans.
Ireland	Martin	Rouse	White, Me.
Jacoway	Mead	Rowan	Wilson, La.
Jefferis	Michener	Rowe	Wilson, Pa.
Johnson, Ky.	Miller	Rubey	Wise
Johnson, Miss.	Milligan	Sabath	Wood, Ind.
Johnson, S. Dak.	Minahan, N. J.	Sanders, Ind.	Woods, Va.
Johnston, N. Y.	Monahan, Wis.	Sanders, La.	Wright
Jones, Tex.	Mondell	Sanders, N. Y.	Young, Tex.

NAYS—0.

ANSWERED "PRESENT"—1.

Wingo

NOT VOTING—146.

Anthony	Ellsworth	Kettner	Scott
Ashbrook	Elston	Kiess	Scully
Aswell	Esch	Kincheloe	Sears
Blackmon	Evans, Mont.	Kincaid	Shreve
Bland, Mo.	Evans, Nev.	Kitchin	Sims
Booher	Ferris	Kreider	Sinclair
Bowers	Fisher	Lankford	Slemp
Brinson	Frear	McCulloch	Small
Britten	Freeman	McKinley	Smith, Idaho
Brooks, Ill.	Godwin, N. C.	McPherson	Smithwick
Browne	Goodall	Madden	Snell
Brumbaugh	Goodwin, Ark.	Mann, Ill.	Snyder
Burke	Gould	Mansfield	Stedman
Butler	Graham, Pa.	Mason	Steele
Cantrill	Griffin	Mays	Steenerson
Caraway	Hamill	Merritt	Stephens, Miss.
Carter	Hamilton	Montague	Strong, Pa.
Clark, Fla.	Hardy, Tex.	Moore, Va.	Sullivan
Classon	Hastings	Morin	Summers, Wash.
Cole	Hayden	Neely	Tague
Copley	Hays	Nicholls	Taylor, Colo.
Costello	Hernandez	O'Connor	Taylor, Tenn.
Crago	Hill	Oldfield	Thomas
Crowther	Houghton	Oliver	Tillman
Curry, Calif.	Huddleston	Olney	Towner
Dale	Hulings	Overstreet	Upshaw
Davis, Minn.	Hull, Iowa	Padgett	Voigt
Dempsey	Husted	Parker	Walters
Denison	Igoe	Peters	Williams
Dent	James	Porter	Wilson, Ill.
Dewalt	Johnson, Wash.	Pou	Winslow
Doremus	Jones, Pa.	Rainey, Ala.	Woodyard
Drane	Kahn	Randall, Calif.	Yates
Drewry	Kelley, Mich.	Rhodes	Young, N. Dak.
Dyer	Kelly, Pa.	Robinson, N. C.	Zihlman
Eagle	Kendall	Rucker	
Echols	Kennedy, R. I.	Sanford	

So the previous question was ordered.

The Clerk announced the following additional pairs:

Until further notice:

Mr. GRAHAM of Pennsylvania with Mr. DEWALT.

Mr. FREEMAN with Mr. MAYS.

Mr. JOHNSON of Washington with Mr. POU.

Mr. CLASSON with Mr. EAGLE.

Mr. KIESS with Mr. CLARK of Florida.

Mr. WINSLOW with Mr. TAGUE.

Mr. MADDEN with Mr. SIMS.

Mr. HOUGHTON with Mr. OLDFIELD.

Mr. WILLIAMS with Mr. STEDMAN.

Mr. MCKINLEY with Mr. TAYLOR of Colorado.

Mr. GOODALL with Mr. OLNEY.
Mr. ESCH with Mr. PADGETT.
Mr. BOWERS with Mr. FISHER.
Mr. PORTER with Mr. SMITHWICK.
Mr. PETERS with Mr. RAINEY of Alabama.
Mr. SUMMERS of Washington with Mr. THOMAS.
Mr. BUTLER with Mr. STEELE.
Mr. BROOKS of Illinois with Mr. OLIVER.
Mr. FREAR with Mr. BLAND of Missouri.
Mr. MANN of Illinois with Mr. MONTAGUE.
Mr. ELLSWORTH with Mr. O'CONNOR.
Mr. MASON with Mr. KITCHIN.
Mr. TOWNER with Mr. DOREMUS.
Mr. COPLEY with Mr. EVANS of Montana.
Mr. ECHOLS with Mr. STEPHENS of Mississippi.
Mr. SMITH of Idaho with Mr. ROBINSON of North Carolina.
Mr. DAVIS of Minnesota with Mr. ASWELL.
Mr. DENISON with Mr. BRUMBAUGH.
Mr. BRITTEN with Mr. ASHBROOK.
Mr. CRAGO with Mr. BLACKMON.
Mr. PARKER with Mr. HAMILL.
Mr. SHREVE with Mr. BOOHER.
Mr. SCOTT with Mr. CARAWAY.
Mr. STEENERSON with Mr. GOODWIN of Arkansas.
Mr. KINKAID with Mr. HARDY of Texas.
Mr. KELLY of Pennsylvania with Mr. GRIFFIN.
The result of the vote was announced as above recorded.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. KENDALL, until further notice, on account of illness in family.

EXTENSION OF REMARKS.

Mr. GALLIVAN. Mr. Speaker, I ask unanimous consent to extend and revise in the RECORD the remarks I made this afternoon.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 6 o'clock and 40 minutes p. m.) the House adjourned until to-morrow, Friday, May 28, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting estimate of appropriation permitting Secretary of the Treasury to fix compensation of certain technical employees within certain limits; to the Committee on Appropriations.

2. A letter from the Postmaster General, transmitting report of special contract entered into with the Alaskan Engineering Commission for the carrying of mails between Seward and Fairbanks, Alaska; to the Committee on the Post Office and Post Roads.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. KAHN, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 359) authorizing the Secretary of War to loan to the American Legion Post No. 73, Vincennes, Ind., necessary cots for use at the State encampment of the American Legion to be held at Vincennes, Ind., on June 28 and 29, 1920, reported the same with an amendment, accompanied by a report (No. 1046), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BENHAM, from the Committee on the Public Lands, to which was referred the bill (S. 3225) for the relief of the bona fide settlers who intermarry after having complied with the homestead law for one year, reported the same without amendment, accompanied by a report (No. 1050), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 4411) granting the consent of Congress to the counties of Pembina, N. Dak., and Kittson, Minn., to construct a bridge across the Red River of the North, at or near the city of Pembina, N. Dak., reported the same without amendment, accompanied by a report (No. 1051), which said bill and report were referred to the House Calendar.

Mr. DUNN, from the Committee on Roads, to which was referred the bill (H. R. 13742) to amend sections 3 and 6 of the act of July 11, 1916, entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," as amended by sections 5 and 6 of the act of February 28, 1919, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes," reported the same with an amendment, accompanied by a report (No. 1053), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (S. 3992) authorizing the exchange of certain lands in the State of Nevada, reported the same without amendment, accompanied by a report (No. 1047), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 3372) authorizing the Secretary of the Interior to issue a patent to Jennie Dunphy Meyer for certain lands in the State of Nevada, reported the same without amendment, accompanied by a report (No. 1048), which said bill and report were referred to the Private Calendar.

Mr. KELLY of Pennsylvania, from the Committee on Claims, to which was referred the bill (H. R. 10359) for the relief of Seth J. Harris, Jimmie Lou Martin, Mary Holloman, and William Henry Coleman, reported the same with amendments, accompanied by a report (No. 1052), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 14203) granting a pension to Benjamin E. Mosby; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12218) granting a pension to John M. Graham; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ASWELL: A bill (H. R. 14255) to appropriate additional sums for Federal aid in the construction of rural post roads and national forest roads and trails, and to amend section 3 of the act of July 11, 1916, entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," as amended by section 6 of the act of February 28, 1919, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes"; to the Committee on Roads.

By Mr. RICKETTS: A bill (H. R. 14256) to provide for old-age pensions; to the Committee on Labor.

By Mr. WEAVER: A bill (H. R. 14257) providing for the final disposition of the affairs of the eastern band of Cherokee Indians of North Carolina; to the Committee on Indian Affairs.

By Mr. PARRISH: A bill (H. R. 14258) amending the act of February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain, and for other purposes"; to the Committee on the Public Lands.

By Mr. RAINEY of Alabama: A bill (H. R. 14259) for permit to construct a toll bridge across the Tennessee River, Marshall County, Ala., at a point one-half mile north of Guntersville, Ala.; to the Committee on Interstate and Foreign Commerce.

By Mr. MASON: Joint resolution (H. J. Res. 365) expressing sympathy for Irish people for Government of their own choice; to the Committee on Foreign Affairs.

By Mr. CONNALLY: Concurrent resolution (H. Con. Res. 59) declaring the Irish question to be of no concern to the United States; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of Nebraska: A bill (H. R. 14260) for the relief of F. H. Abbott, late secretary and special disbursing agent of the Board of Indian Commissioners; to the Committee on Expenditures in the Treasury Department.

By Mr. ASHBROOK: A bill (H. R. 14261) granting a pension to Charles F. George; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14262) granting a pension to James S. George; to the Committee on Invalid Pensions.

By Mr. BEGG: A bill (H. R. 14263) granting a pension to Gertrude G. Brown; to the Committee on Pensions.

By Mr. BROOKS of Illinois: A bill (H. R. 14264) for the relief of Martin M. Hicks; to the Committee on Claims.

By Mr. DOMINICK: A bill (H. R. 14265) granting an increase of pension to Sallie C. Goodman; to the Committee on Pensions.

By Mr. FOCHT: A bill (H. R. 14266) granting an increase of pension to W. Walter Branyan; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 14267) granting a pension to Harriet Barnes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14268) granting a pension to Mary Hist; to the Committee on Invalid Pensions.

By Mr. GARD: A bill (H. R. 14269) granting a pension to Ellen Smith; to the Committee on Invalid Pensions.

By Mr. HICKEY: A bill (H. R. 14270) granting a pension to James N. Parker; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 14271) granting a pension to James F. Parsons; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 14272) granting a pension to Martha Short; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14273) granting a pension to James R. Kelley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14274) granting a pension to John T. Mockabee; to the Committee on Pensions.

By Mr. SWOPE: A bill (H. R. 14275) granting a pension to Charles Carpenter; to the Committee on Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 14276) granting a pension to Eliza Macomber; to the Committee on Invalid Pensions.

By Mr. MANN of Illinois: A bill (H. R. 14277) for the relief of Ignatius Shoen; to the Committee on Claims.

By Mr. MONDELL: A bill (H. R. 14278) granting a pension to Mary V. Barlow; to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 14279) granting an increase of pension to Eliza A. Pate; to the Committee on Pensions.

By Mr. TAGUE: A bill (H. R. 14280) for the relief of Mrs. Vincenza Dimonico; to the Committee on Claims.

By Mr. VAILE: A bill (H. R. 14281) granting a pension to Olga Stauter; to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 14282) granting a pension to Mary T. Reeves; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3923. By the SPEAKER (by request): Petition of Philadelphia Board of Trade, favoring the passage of Senate bill 4204; to the Committee on Interstate and Foreign Commerce.

3924. Also (by request), petition of sundry citizens of the State of Massachusetts, urging relief for Ukrainia; to the Committee on Foreign Affairs.

3925. Also (by request), petition of Philadelphia Board of Trade, opposing the passage of House bill 12397; to the Committee on Ways and Means.

3926. Also (by request), petition of Mississippi Bankers' Association, of Gulfport, Miss., opposing bonus for soldiers other than those disabled; to the Committee on Ways and Means.

3927. By Mr. CRAMTON: Memorial of the Port Huron Trades and Labor Council, asking Congress to make an investigation of the activities of the Bureau of Immigration in regard to secretly examining persons arrested under department warrants, before they are permitted to consult counsel, and by threats, intimidation, and other coercive methods compel them to make statements upon which cases against them are founded; to the Committee on Immigration and Naturalization.

3928. Also, petition of 16 residents of St. Clair County, Mich., asking for the passage of House bill 1112, introduced by Mr. RAKER, providing for the parole of Federal prisoners; to the Committee on the Judiciary.

3929. Also, petition of 18 ladies of the Central Clothing Club, Burtchville Township, St. Clair County, Mich., asking for the passage of House bill 11641, known as the truth-in-fabrics bill, and the Barkley bill, H. R. 2855, which has to do with the misbranding of articles, and to regulate the traffic therein; to the Committee on Interstate and Foreign Commerce.

3930. Also, petition of 34 residents of St. Clair County, Mich., asking for the passage of House bill 10925 and Senate bill 3259, offering the aid of the National Government to any State that will join it in maternal and infant welfare work; to the Committee on Interstate and Foreign Commerce.

3931. Also, petitions of Dewitt B. Scott, James Chubb, Leland Miller, Fred Chubb, William Jenkinson, and John Jasper, North Branch; secretary Milk Producers' Association, Ray Center; secretary Dryden Milk Association, Dryden; P. A. Arnold, W. S. Drake, and W. W. Drake, Utica; 100 members of Romeo Milk Producers' Association, Romeo; and 22 citizens of Otter Lake, all in the State of Michigan, asking for the passage of the Capper-Hersman bill; to the Committee on the Judiciary.

3932. Also, petition of Alfred Groome and Annie Groome, of Peck, Mich., against compulsory military training; to the Committee on Military Affairs.

3933. Also, memorial of the members of Divison 122, Brotherhood of Locomotive Engineers, Port Huron, Mich., protesting against the conscription clause in the Army organization bill, providing for military service and assignment of all men between the ages of 18 and 45 to industrial pursuits whenever in the opinion of the President and Congress a national emergency exists; to the Committee on Military Affairs.

3934. Also, memorials of E. W. Crittenden, Port Huron; Fred A. Schoenhals, D. A. McKeith, Harry Howe, C. H. Hiller, Carl Wendl, and Ezra Pepper, Brown City; B. I. Britz, W. S. Carman, and William Regan Post, No. 127, Marine City; Murray Walker, Howard Churchill, Nelson Young, Earl Bottomley, Leo Worth, and American Legion Post, Imlay City; Charles A. Hammond Post, No. 8, Port Huron; Charles J. Fulton Post, St. Clair; American Legion Post, Capac; Burhans-Hagedon Post, Harbor Beach; and Griswold-Gooch Post, No. 168, Fostoria, all in the State of Michigan, asking for the passage of the bonus bill, House bill 14157; to the Committee on Ways and Means.

3935. Also, memorial of George N. Vantine, of Caro, Mich., in favor of sale of beer and wines; to the Committee on the Judiciary.

3936. By Mr. DYER: Petition of the News-Press of St. Joseph, Mo., favoring Madden second-class postage bill; to the Committee on the Post Office and Post Roads.

3937. Also, petition of Traders' Live Stock Exchange, protesting against passage of bonus bill in its present form; to the Committee on Ways and Means.

3938. Also, petition of 17 citizens of St. Louis, Mo., favoring removal of restrictions upon progress of oil industry; to the Committee on Interstate and Foreign Commerce.

3939. Also, 11 petitions of corporation and individuals of St. Louis, Mo., favoring enactment of the bill introduced by Mr. McLaughlin of Michigan in regard to exemption of taxes on real estate mortgages; to the Committee on Ways and Means.

3940. By Mr. FULLER of Illinois: Petition of American Steamship Owners' Association of New York, favoring House bill 12230, for transfer of the Coast Guard from the Treasury to the Navy Department; to the Committee on Naval Affairs.

3941. Also, petition of George North Taylor, of Streator, Ill., favoring increased salaries for postal employees; to the Committee on the Post Office and Post Roads.

3942. Also, petition of Illinois Grain Dealers' Association, of Delavan, Ill., protesting against proposed tax on sales of grain, produce, etc.; to the Committee on Ways and Means.

3943. Also, petition of National Grange and the Private Soldiers' and Sailors' Legion, opposing present bonus legislation; to the Committee on Ways and Means.

3944. By Mr. GRIEST: Petition of Salunga (Pa.) Methodist Episcopal Congregation and Mount Zion Methodist Episcopal Church, of Fairfield, Pa., urging enactment of legislation to secure enforcement of the eighteenth constitutional amendment; to the Committee on the Judiciary.

3945. Also, petition of Post D, Lancaster (Pa.) Travelers' Protective Association of America, indorsing legislation proposed by House bill 11729, to permit traveling salesmen to deduct certain expenses in computing net incomes for income-tax purposes; to the Committee on Ways and Means.

3946. By Mr. HERSEY: Petition of Rev. Harry C. Vrooman and Mr. H. S. Thomas, of Greenville, Me., opposing interstate transmission of race-gambling bets and interstate transporta-

tion of gambling machines and devices; to the Committee on Interstate and Foreign Commerce.

3947. By Mr. KENNEDY of Rhode Island: Petition of 34 members of Woonsocket (R. I.) Young Men's Hebrew Association, favoring passage of House bill 1112; to the Committee on the Judiciary.

3948. By Mr. LEA of California: Petition of Pan American Aeronautics Congress and the Atlantic City Chamber of Commerce, opposing aeroplane antidumping legislation; to the Committee on Appropriations.

3949. By Mr. LONERGAN: Petition of Connecticut Congress of Mothers, favoring the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

3950. Also, petition of Connecticut League of Local Building and Loan Associations, in behalf of the Calder-Nolan Federal building loan bill; to the Committee on Ways and Means.

3951. By Mr. McGLENNON: Petition of American War Mothers of New Jersey, favoring bonus bill; to the Committee on Ways and Means.

3952. Also, petition of Board of Commissioners of the City of Bayonne and William H. Parry, of Newark, N. J., favoring increase in postal salaries; to the Committee on the Post Office and Post Roads.

3953. By Mr. MAHER: Petition of Second Division Post, American Legion, New York, favoring bonus for ex-service men; to the Committee on Ways and Means.

3954. Also, petition of the Butterick Publishing Co., of New York, favoring more pay for postal employees; to the Committee on the Post Office and Post Roads.

3955. By Mr. MERRITT: Petition of Connecticut Congress of Mothers, urging the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

3956. By Mr. O'CONNELL: Petition of American Steamship Owners' Association, favoring transfer of Coast Guard from Treasury to the Navy Department; to the Committee on Naval Affairs.

3957. Also, petition of American Medical Association, favoring publication of medical history of the World War; to the Committee on Appropriations.

3958. Also, petition of Illinois Grain Dealers' Association, favoring House bill 13481; to the Committee on Agriculture.

3959. By Mr. OSBORNE: Petition of Private Soldiers' and Sailors' Legion of California, signed by Cornelius Mobile and 24 others, and Claude McGehee and 27 others, favoring a cash bonus for ex-service men; to the Committee on Ways and Means.

3960. By Mr. RANDALL of California: Petition of Private Soldiers' and Sailors' Legion, California, signed by Paul Chester and 260 other ex-service men, favoring bonus for soldiers in cash payment; to the Committee on Ways and Means.

3961. By Mr. RAKER: Petition of California State Real Estate Association, urging support of House bill 8080, exempting real-estate mortgages from income tax; to the Committee on Ways and Means.

3962. Also, petition of Oakland Chapter of American Officers of Great War, protesting against injustice of leaving them out of the additional compensation bill; to the Committee on Ways and Means.

3963. Also, petition of Henry A. Koster, of San Francisco, Calif., protesting against any bonus legislation; to the Committee on Ways and Means.

3964. Also, petition of Federal Employees' Union No. 1, San Francisco, Calif., urging support of $25,000 appropriation asked by Civil Service Commission to keep the reclassification records current; to the Committee on Appropriations.

3965. By Mr. TAGUE: Petition of sundry citizens of the State of Massachusetts, favoring an immediate increase in the salaries of post-office employees; to the Committee on the Post Office and Post Roads.

3966. Also, petition of B. J. Rothwell, of Boston, Mass., urging the immediate passage of the Fess-Kenyon bills, House bill 4438; to the Committee on Education.

3967. Also, petition of Air Reduction Sales Co., of Boston, Mass., protesting against the passage of Senate bill 3223 and House bill 9932; to the Committee on Patents.

3968. Also, petition of Eastern New England Conference Board, International Molders' Union of North America, favoring Irish independence; to the Committee on Foreign Affairs.

3969. By Mr. TILSON: Petition of Connecticut Congress of Mothers, urging the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

3970. By Mr. WINSLOW: Petition of 52 citizens of Massachusetts, for favorable consideration of Mason bill in re republic of Ireland; to the Committee on Foreign Affairs.

SENATE.

FRIDAY, *May 28, 1920.*

(Legislative day of Monday, May 24, 1920.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11960) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921.

The message also announced that the House had passed a bill (H. R. 14198) to amend and simplify the revenue act of 1918, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED.

H. R. 14198. An act to amend and simplify the revenue act of 1918, was read twice by its title and referred to the Committee on Finance.

PETITIONS AND MEMORIALS.

Mr. UNDERWOOD presented petitions of sundry citizens of Montgomery, Ala., praying for the enactment of legislation providing for the protection of maternity and infancy, which were referred to the Committee on Public Health and National Quarantine.

Mr. TOWNSEND presented a petition of sundry teachers of the Campbell School, of Detroit, Mich., and a petition of sundry teachers of the Alger School, of Detroit, Mich., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Chamber of Commerce of Kalamazoo, Mich., praying for an increase in the rates on railroads, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the Civic and Commercial Association of Sault Ste. Marie, Mich., remonstrating against recognition by the United States of the Soviet Government of Russia, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Ann Arbor, Mich., praying for the enactment of legislation providing for the protection of maternity and infancy, which was referred to the Committee on Public Health and National Quarantine.

Mr. CAPPER presented a memorial of Fair Hope Grange, Patrons of Husbandry, Gridley, Kans., remonstrating against the passage of the so-called Nolan tax bill, which was referred to the Committee on Finance.

He also presented a petition of the Kansas State Federation of Labor, praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

REPORTS OF COMMITTEES.

Mr. POINDEXTER, from the Committee on Mines and Mining, to which was referred the bill (S. 4259) to provide further for the relief of war minerals producers, and to amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919, reported it with amendments and submitted a report (No. 639) thereon.

Mr. SPENCER, from the Committee on Claims, to which was referred the bill (H. R. 7900) for the relief of Rudolph L. Desdunes, reported it without amendment and submitted a report (No. 641) thereon.

Mr. NEW, from the Committee on Territories, to which was referred the bill (H. R. 13500) to amend an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended, to establish an Hawaiian homes commission, and for other purposes, reported it without amendment and submitted a report thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. STANLEY:

A bill (S. 4454) granting a pension to George T. Cooney (with accompanying papers); and

A bill (S. 4455) granting a pension to Charles C. Watson (with accompanying papers); to the Committee on Pensions.

By Mr. McCORMICK:

A bill (S. 4456) to create a commission on lynching; to the Committee on the Judiciary.

ABOLITION OF CONTRACT RETURNS OFFICE.

Mr. SMOOT. I introduce a bill to abolish the returns office, and I ask to have it referred to the Committee on Finance.

Mr. President, I wish to make a short statement on the bill. Sections 512, 513, 514, 515, 3744, 3745, 3746, and 3747 of the United States Statutes were passed at the time of the Civil War, with a view of guarding against corruption in connection with war contracts. They provide a "returns office" wherein must be filed a copy of each Government contract by the War, Navy, and Interior Department. Such copy must have an original "affidavit of disinterestedness" attached, and must be decorated with seal and ribbon, and be accompanied with copies of bids, offers, proposals, and advertisements involved. Under present conditions all this is pure waste—storage, paper, notary service, printing, ribbon, seals, time, labor, and expense of employees. I introduce this bill for the repeal of the returns office with a view of doing away with this unnecessary and expensive work.

The bill (S. 4453) to abolish the returns office was read twice by its title and referred to the Committee on Finance.

THE ALBANIAN STATE.

Mr. LENROOT. I offer by request a resolution, which I ask may be referred to the Committee on Foreign Relations.

The resolution (S. Res. 375) was referred to the Committee on Foreign Relations, as follows:

Resolved, That the Senate of the United States expresses its sympathy for the Albanian people in their effort to maintain their political independence and national sovereignty and to preserve the territorial integrity of the Albanian State within the frontiers drawn by the London and Florence conference of 1912 and 1913.

Resolved further, That this body expresses its sympathy with the legitimate aspirations of the Albanian people for a union of all Albanians within a single national sovereignty.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. SWANSON submitted an amendment proposing to appropriate $60,000 for improvement of the post office, courthouse, and customhouse at Richmond, Va., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate $275,000 for installation and improvement of the lighthouse depot at Portsmouth, Va., intended to be proposed by him to the general deficiency appropriation bill, which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

LANDS IN OREGON.

Mr. SMOOT. Mr. President, on last Monday, May 24, the Senate passed the bill (S. 3763) regulating the disposition of lands formerly embraced in the grants to the Oregon & California Railroad Co. and Coos Bay Wagon Road Co. To-day I am in receipt of a letter from Hon. NICHOLAS J. SINNOTT, chairman of the Committee on the Public Lands of the House, calling my attention to the fact that a House bill identically the same as the Senate bill passed the House on May 3, and asking me to have the House bill acted upon by the Senate. Therefore, if there is no objection, I should like to have action taken upon the House bill at this time.

The PRESIDING OFFICER (Mr. CURTIS in the chair). Is there objection to granting the unanimous consent asked for by the Senator from Utah?

Mr. UNDERWOOD. Let the bill be read, Mr. President.

The PRESIDING OFFICER. The bill will be read.

The bill (H. R. 9392) regulating the disposition of lands formerly embraced in the grants to the Oregon & California Railroad Co. and Coos Bay Wagon Road Co. was read, as follows:

Be it enacted, etc., That in the administration of the act approved June 9, 1916 (39 Stat. L., p. 218), revesting title in the United States to the lands formerly granted to the Oregon & California Railroad Co. remaining unsold July 1, 1913, and the act approved February 26, 1919 (40 Stat. L., p. 1179), authorizing the United States to accept from the Southern Oregon Co. a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, the Secretary of the Interior is hereby authorized, in his discretion, to sell the timber on lands classified and withdrawn as power-site lands in such manner and at such times as he is now authorized to sell the timber from lands classified as timberlands: *Provided*, That if a valid claim for a preferred right of homestead entry, in accordance with the terms of section 5 of said act of June 9, 1916, or a preference right of purchase or entry under section 3 of said act of February 26, 1919, is shown to exist for lands thus classified and withdrawn, it may be exercised therefor, as provided in section 2 hereof.

SEC. 2. That the lands embraced in homestead entries or sales authorized by the proviso to section 1 hereof shall be subject to disposition as water-power sites upon the compensation of the owner of the land for actual damages sustained by the loss of his improvements thereon, through the use of the land for water-power purposes, such damages to be ascertained and awarded under the direction of the Secretary of the Interior; and the rights reserved under this section shall be expressly stated in the patent.

SEC. 3. That the provisions of the act of Congress approved May 31, 1918 (40 Stat. L., p. 593), "To authorize the Secretary of the Interior to exchange for lands in private ownership lands formerly embraced in the grant to the Oregon & California Railroad Co.," as amended in section 4 of this act, shall be extended to the lands reconveyed to the United States under the terms of said act of February 26, 1919, and authorize the exchange of lands embraced therein, in like manner and for the same purpose.

SEC. 4. That said act of May 31, 1918, is hereby so amended as to require the applicant for exchange to pay a filing fee of $1 each to the register and receiver for each 160 acres or fraction thereof of the public lands embraced in proposed selections, whether now pending or hereafter tendered.

SEC. 5. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect.

The PRESIDING OFFICER. The Chair will venture to inquire of the Senator from Utah if the bill for which he asks consideration has been reported from any committee? Does the Senator from Utah now report the bill?

Mr. SMOOT. The bill I have presented is a House bill identical in form with the bill which passed the Senate on last Monday, and I desire it to take the place of that bill.

The PRESIDING OFFICER. The Chair is advised that the House bill has heretofore been referred to the Committee on Public Lands, and is not on the calendar. Is it not necessary that the Senator report the bill from the committee?

Mr. SMOOT. I will say that is what I intended to do when I asked unanimous consent for its consideration. If there is objection, however, I will withdraw the bill immediately.

Mr. UNDERWOOD. I have no objection to the bill in itself. I have no doubt that what the Senator from Utah says is the absolute fact in the case, but I do not think we ought to take up bills which have not been reported after they have been referred to a committee. There is not a very full Senate present, and I do not think we ought to proceed to the consideration of the bill under the circumstances, although I have no objection, if the Senator reports the bill from the committee.

Mr. SMOOT. The committee authorized a report on an exactly similar Senate bill which has already passed the Senate. If the Senator from Alabama does not desire action taken on the measure now, I will withdraw the bill.

The PRESIDING OFFICER. The bill is withdrawn.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on the 26th instant, approved and signed the joint resolution (S. J. Res. 189) authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases.

WATER-POWER DEVELOPMENT—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3184) to create a Federal power commission and to define its powers and duties, to provide for the improvement of navigation, for the development of water power, for the use of lands of the United States in relation thereto, to repeal section 18 of "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved August 8, 1917, and for other purposes," and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. HENDERSON. Mr. President, there has probably never been a measure before the Senate of the United States that received more careful and thorough consideration by this body than the measure that was finally enacted as section 18 of the river and harbor bill, approved August 8, 1917, and which is now to be repealed by the last four lines of the present water-power bill. Not only once but three times the Senate passed what is generally known as the Newlands Waterways Commission before it finally became a law.

Once it was lost in conference. Once it went out on a reserved point of order raised by Senator Gallinger, whose opposition, I understand, was not to this commission but to another matter in the bill which was of a much different character and which had been put in the bill as an amendment after it had reached the Senate. The third time the amendment creating this commission was passed and agreed to in conference. It is now a law, and a much-needed law, but if this conference report is adopted the amendment which Senator Newlands succeeded in placing on our statute books fails without ever a trial.

All the Members of the Senate who served with Senator Newlands are fully familiar with the years that he devoted to this subject and his untiring efforts to secure this legislation. It harks back to the Inland Waterways Commission appointed by President Roosevelt, of which Senator Newlands was a member. From the time his first bill on this subject was introduced after the report of that commission until the enactment of this measure, in August, 1917, he never slackened his earnest and tireless efforts to secure the adoption of this plan of bringing the different constructive agencies of the Government together in harmonious cooperation and coordination. It was the great dream of his life, and was largely accomplished when section 18 was adopted and became a part of the river and harbor bill of 1917.

There has been perhaps in all the history of the Senate only one other instance of such loyal and tenacious advocacy of a great idea by one Senator, that other instance being the advocacy of the Nicaragua Canal by Senator Morgan, of Alabama. In either case it was practically the life work of a great constructive mind. Senator Morgan's efforts did not bear fruit in the exact way that he had advocated, but no one can say that they did not contribute to the final construction of a canal connecting the Atlanitc with the Pacific, though that canal was finally built at Panama instead of at Nicaragua.

In the case of Senator Newlands's great idea the legislation as finally enacted accomplished two out of the three of the purposes embodied in the plan as originally formulated by him. That plan originally contemplated three things:

First. The creation of the machinery for bringing into coordination and cooperation the various agencies, services, and bureaus of the National Government having to do with the great problem of the regulation and control of the waters flowing in the streams and rivers of the United States, and also to provide for cooperation between the Nation and the States and all local agencies.

Second. The making, by this coordinated and cooperating Government agency, on every watershed in the United States a comprehensive plan for the doing of whatever may be required to control and regulate the flow of that river, prevent floods, and standardize the navigable stage of the river throughout the year so far as might be practicable. These plans were designed to be actual plans for construction, the work to be apportioned to the different departments, each taking that part of the work within its jurisdiction: Topography to the topographical branch of the Geological Survey; stream measurement to the water resources branch of the Geological Survey; forest preservation and reforestation and the general problem of watershed protection to the Forest Service; reclamation, whether of arid or of swamp and overflow lands, to the Reclamation Service; channel-improvement work and all work of the character heretofore within the scope of the labors of the Engineers of the Army, to that department.

Third. The original plan contemplated a lump-sum appropriation of $60,000,000 a year for 10 years, to be apportioned between the departments and expended directly, without the necessity for special annual appropriations by Congress, as was the plan of the United States reclamation act when it was originally adopted and a fund for construction created as provided in that act.

This last part of the Newlands plan was the chief bone of contention between the advocates and opponents of the plan. Senator Newlands believed in it very deeply and adhered to it most tenaciously until the war made it unquestionably impossible to secure any large appropriations for domestic expenditure while that great struggle continued. Under those circumstances Senator Newlands deemed it best to defer that part of his plan and to secure the enactment of the first two branches of it, creating the administrative machinery, and requiring the making of comprehensive plans on each watershed, treating a river as a unit from source to mouth, with a nominal appropriation of $100,000 toward the cost of making plans, leaving it for Congress to determine, when those plans had been made, as to the propriety of constructing the works therein contemplated.

It must be borne in mind that the purpose of the law as finally enacted was not mere investigation, but the making of plans for actual construction, upon which appropriations could be asked and made to actually build the works and do the things which the plan showed were necessary to be done, in any and every flood menaced valley, and to make available for beneficial use for every practicable purpose, the standardized flow of all the rivers of the country.

It was in this modified form that the bill finally passed Congress and became a law. When that had been accomplished, Senator Newlands felt, and so declared, that the act as passed inaugurated the great system in such a way that its benefits to the people of the country were at last assured. It was his belief that the local needs of the different localities for the plans provided for by the act would insure that local interest and demand so necessary to set in motion governmental forces in this field, and that when plans had been completed for flood prevention and river regulation upon any given watershed or for the benefit of any special community, the same local interest would be strong enough to secure the necessary appropriations.

In other words, he believed that he had brought into existence, as the result of years of effort, an automatic and self-perpetuating system for ending the terrible devastations that have been wrought in the United States by floods, and turning those agencies of destruction into beneficent agencies for wealth production and human betterment.

It seems difficult to believe that Senator Newlands's brother Senators, the men who have listened to his voice so often in this Chamber as he patiently unfolded this great plan and explained its details, and who have shown their faith in his plan by three times voting to pass this same measure and in the end securing its final enactment, should be willing now to allow the results of all those years of effort to be obliterated and the people of the country deprived of a great boon which the Congress of the United States has after years of deliberation conferred upon them. It is the people of the entire country who will be deprived of the benefits of this act by its repeal. The appeals for its enactment came from every part of the country. No law finally enacted by Congress was more earnestly demanded than this, especially from those sections of the United States menaced by floods. When the Senate set apart September 2, 1918, for memorial addresses on the life and character of the late Senator Newlands, as a part of my address on that day I embodied in the CONGRESSIONAL RECORD history of the great Nation-wide demand that had been voiced for this legislation, extending over a long series of years. That history showed that the West, through the National Irrigation Congress, had repeatedly urged the adoption of the Newlands plan, that the legislatures of several Western States had urged its enactment, that the Los Angeles Chamber of Commerce and many other similar bodies in the West had for years persistently advocated it. Many organizations on the Atlantic slope of the Appalachian Range indorsed it.

The Pittsburgh Chamber of Commerce and the Pittsburgh Flood Commission practically fathered the bill before the country when it was first so modified by Senator Newlands as to particularly include flood prevention and protection in its scope, as well as matters more directly related to navigation, and have repeatedly and continuously supported it, and after the enactment of section 18 they cooperated with other organizations in urging the appointment of the commission thereby created.

The Mississippi Valley has most earnestly supported the measure. As I understand, it was not only an agreed measure in the form in which it was finally passed, but the Senators from the lower Mississippi Valley pledged their support to Senator Newlands for this more comprehensive measure when the Mississippi River flood-control bill was passed, and that pledge was splendidly fulfilled when this Newlands amendment was, at the next session, reported from the Commerce Committee without a dissenting voice and unanimously passed by the Senate and agreed to in conference with only one dissenting vote from the House conferees.

Again, when speaking in favor of the passage of the White Mountain and Appalachian bill, Senator Newlands referred to assurances that he had received from the members of the Committee on Forestry as to their favorable attitude toward what he then termed his larger measure.

I read from the remarks of the Hon. Francis G. Newlands in the United States Senate on Wednesday, February 15, 1911:

> Recently, before the Committee on Forestry, which has this bill in charge, I stated frankly the embarrassments under which I labored in continuing my efforts to enlarge this bill, and I am glad to say that there was but one expression in the committee, and that was of interest in and sympathy with the larger legislation which I have outlined—not an absolute committal to all its details, but an indication of friendliness to the general line of action proposed.

Afterwards, on February 21, 1916, when speaking on this subject in the Senate, Senator Newlands referred to the White Mountain and Appalachian bill, and in the course of his remarks said:

> THE APPALACHIAN NATIONAL FOREST BILL.
>
> My disposition was, when the Appalachian bill came up, to insist upon the consideration of this measure as an amendment to it. What was that bill? A bill which provided for the acquisition of mountain lands denuded of timber in the Appalachian Mountains and in the White Mountains. Under what power was that legislation sought? Under the interstate-commerce power. How? It was claimed that it affected navigation; that the effect of denuding these vast timber areas was to

precipitate the water falling on them suddenly into streams, thus swelling the streams to enormous proportions and endangering navigation and preventing a stable flow of the streams.

At that time I proposed to offer as an amendment this measure, and I was dissuaded from doing so by the members of the committee having jurisdiction over it. They were afraid that the consideration of a big measure of this kind might imperial the bill, and I was in sympathy with the movement for the acquisition of large areas of denuded land at the source of streams.

I realized not only that those deforested lands were shedding their waters into the streams just as a cemented surface would, but the soil was being stripped off of those lands and they were gradually being reduced to a condition of aridity, such as that which prevails in the mountains of China, where, as you view a mountain scene far distant, you do not observe great altitudes covered with trees and vegetation and green, but simply great, white, exposed, surfaces, apparently of clay and stone, from which the soil has been stripped. That soil goes down into the streams and away into the ocean, where it serves no useful purpose. So I was for the acquisition of those lands as a part of a general system of conservation in this country—a system of conservation which would ultimately fit in with the great scheme of waterway development which I had in view. So, having received assurances from a number of the prominent men of that committee, assurances which I shall likely remind them of in the near future regarding this bill, I reconsidered my disposition to force this bill upon that measure.

And Senator Newlands might have added not only that he refrained from forcing his bill upon that measure, but that he earnestly supported the Appalachian and White Mountain bill on its final passage through the Senate, for in his remarks on that bill made in the Senate February 15, 1911, he said:

For these reasons, Mr. President, I advocate and urge upon the Senate the passage of this bill without any amendment of any kind whatsoever. I shall vote for it.

Mr. President, Senator Newlands is not here to bring to the attention of Senators these numerous assurances given to him at different times to aid in the enactment of this legislation. It was unquestionably his intention to do so, but he was suddenly taken from your midst, and within less than 30 months after his death the Congress is about to repeal the law that he so long and earnestly labored to secure. But, sirs, I can not refrain from making one last effort to keep upon the statute books a law that will be of such great benefit to the people. Nor, Mr. President, can I believe that those assurances given to Senator Newlands by "a number of prominent men of that committee"—referring to the Committee of Forestry—are to be considered as personal. They were for the benefit of the people who have been so widely advocating this plan for the protection of their homes and property from floods, and bringing the rivers of this country under control for all beneficial uses.

Mr. JONES of Washington. Mr. President, I think that I ought to say a word in connection with the remarks of the Senator from Nevada [Mr. HENDERSON] with regard to the matter to which he has referred. I join with him very heartily and very sincerely in his encomium of the late Senator Newlands; it is deserved. The idea of Senator Newlands was a great idea, conceived by a great man, a man of far-seeing vision.

The bill to which the Senator from Nevada refers was passed in 1917, three years ago. The commission authorized by that bill was not appointed and has never been appointed. The House conferees were opposed to the Senate amendment. They called attention to these facts—and they are facts—that in the pending water-power bill and in the act restoring the railroads to their owners provisions are inserted which to a very great extent cover the ideas of Senator Newlands as incorporated in the bill of 1917. It is true they are not quite so broad, and yet they are very comprehensive, and, taking the two together, the House conferees contended—and I think with much force—that the purposes and the objects to be accomplished by that act can be and will be accomplished under the water-power bill and the act restoring the railroads to their owners.

I should like to call attention to one provision in the water-power bill in section 4, as follows:

That the commission is hereby authorized and empowered—
(a) To make investigations and to collect and record data concerning the utilization of the water resources of any region to be developed, the water-power industry, and its relation—

And so forth.

That is quite broad so far as it concerns the investigation of water resources and their utilization in any region where they may be developed.

Then, with reference to coordination of the Government agencies, paragraph (b) of the same section provides that the commission is authorized—

(b) To cooperate with the executive departments and other agencies of State or National Governments in such investigations; and for such purpose the several departments and agencies of the National Government are authorized and directed upon the request of the commission to furnish such records, papers, and information in their possession as may be requested by the commission, and temporarily to detail to the commission such officers or experts as may be necessary in such investigations.

Mr. President, the splendid ideas of this great man have been very largely incorporated in the measures to which I have referred, and, while the pending bill proposes to repeal the clause which provided for that commission, we are continuing in a legislative way the great ideas of Senator Newlands to a very great extent.

Mr. HENDERSON. Mr. President, what is anybody's business is nobody's business. The fear I have is that under the pending water-power bill the provision which has been referred to by the Senator from Washington will be forgotten.

I recall reading the debates that occurred on the floor of the Senate in 1917 when the Newlands Waterways Commission amendment was under consideration. The Senator from Washington, now in charge of the pending conference report, opposed that amendment, not on general grounds, not because he objected to the good that it might accomplish, but because he was afraid that the amendment would permit the President of the United States to appoint the heads of some of the executive departments as members of the commission. The Senator from Washington was not the only Senator that opposed the amendment on that ground. I believe his colleague [Mr. POINDEXTER] likewise opposed it; but at that time the Senator from Minnesota [Mr. NELSON] explained to the Senate that that contention was not well founded; that, in fact, it was not the intention of Congress in adopting the amendment providing for what is known as the Newlands Waterway Commission to grant the President the power to appoint the Secretary of any department on the commission, but it was intended to give the President the power to appoint, for instance, the Director of the Reclamation Service or the Director of the United States Geological Survey, all of which the Senator from Washington fully approved, according to the debates that occurred on this floor at that time.

Now, what happens? The water-power bill creates a commission, and that commission consists of the Secretary of War, the Secretary of Agriculture, and the Secretary of the Interior. Following the line of the argument of the Senator from Washington three years ago, in addition to their secretarial duties are the duties created and imposed upon them by this bill, and they are not going to have time to carry out the great ideas of Senator Newlands as provided for as stated by the Senator. The amendment introduced by me and adopted by the Senate provides that this commission shall consist of the Secretary of War, the Secretary of Agriculture, and the Secretary of the Interior—the same three Secretaries that constitute the commission under this water-power bill—and also the Director and Chief Engineer of the Reclamation Service, the Director of the United States Geological Survey, the Forester and Chief of the Forest Service, and the Engineer of the Corps of Engineers of the United States Army who is in charge of the river improvement work, so that every one of these commissioners would be under the three Secretaries who are named commissioners in the water-power bill. In other words, we will bring together the people who will carry out this work. The salaries that were provided for under the original amendment are eliminated from this amendment. I also eliminate the $100,000 appropriation provided for in the original amendment, so there will be no expense. With the multitudinous duties now imposed upon the Secretary of War, the Secretary of Agriculture, and the Secretary of the Interior, and the additional duties provided for under this bill, I think it highly advisable that these other four commissioners be named. In other words, I feel that under this amendment as proposed and the Senate adopted the people will receive beneficial results from the old Newlands waterways commission created in 1917.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Washington?

Mr. HENDERSON. I yield.

Mr. JONES of Washington. I agree with the Senator; the Senator's views and mine are very much in accord; but it simply emphasizes what I said a moment ago, that this bill to a great extent is carrying out the great ideas of the late Senator from Nevada, Mr. Newlands.

Mr. Newlands was earnestly and persistently in favor of the sort of a commission that this water-power bill provides—that is, a commission composed of Cabinet officers. I have not changed my mind from three or four years ago. I still think that that was wrong; but this commission was provided in the bill as it passed the House. It has been adopted by the House two or three times, and they are insistent upon it. My view is not in the majority, but I am accepting it in order to get legislation.

Mr. SMOOT. Mr. President——

Mr. JONES of Washington. Just a moment. I think the commission that the Senator's amendment provided for is a

better and more effective commission than the one that we provide for, but I can not have my way about these things. I can not have my way in a good many respects, so I have to bow to the majority. As I said, this water-power bill is carrying out that part of the great idea of Senator Newlands that gives to these Secretaries this power. I think it is unwise to do it, but I am accepting the view of the majority in order to get legislation.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Utah?

Mr. HENDERSON. I yield to the Senator.

Mr. SMOOT. I want to say to the Senator from Nevada that I think a majority of the Senate did not want this commission. I was utterly opposed to a commission. I did not like the principle of it at all; but, as the Senator from Washington has stated, there had to be a compromise in some way in order to get legislation. Two years ago I positively refused to sign the conference report on a bill similar to this, and one of the main objections I had to it was the creation of this commission; but there had to be give and take, and the House insisted upon it. They would not yield in any way, and therefore, in order to get the legislation, we had to yield. I will say to the Senator, however, that a majority of the conferees on the part of the Senate did not want it, and I am quite sure a majority of the Senate did not want it in that shape; but we had to yield in order to get any kind of legislation.

Mr. HENDERSON. Mr. President, in answer to the Senator from Utah I will state that the RECORD shows that only one member of the conference committee voted against it at that time, and that was a Member of the House.

Mr. President, a few minutes ago the Senator from Washington stated that the Newlands Waterway Commission never had been appointed and never had been in effect. That is true; but I have here a copy of a letter that was addressed to the President of the United States on September 24, 1917, by Senator Newlands, shortly after the approval of the bill carrying his amendment, in which Senator Newlands states:

UNITED STATES SENATE,
Washington, D. C., September 24, 1917.

The PRESIDENT,
The White House, Washington, D. C.

MY DEAR MR. PRESIDENT: We have now whole hecatombs of accumulated information, maps, surveys, and data filed away in the departments on nearly every question on which the Waterways Commission will have to report, and the matter of most immediate importance with reference to its organization would seem to be to so organize it as to most effectively insure the utilization of this existing data, together with the utmost economy in securing, through the existing machinery of the departments, such necessary connecting data as may be required.

The amount appropriated for the use of the Waterways Commission is so small as to exclude the possibility of any original investigations being made by the commission. It is only $100,000. That will be enough, however, to carry the commission along until its usefulness has been so fully demonstrated as to insure its permanence, provided the commission is so organized that it will operate as a coordinating commission, within, through, and as a part of the executive departments which, under the terms of the act creating the commission, it is "to bring together in coordination and cooperation."

We have already had two commissions, the Inland Waterways Commission and the National Waterways Commission, which acted independently of the departments. Both have died, and their work has died with them. The commissions are out of existence, and their reports are forgotten. I believe this Waterways Commission will have the same fate unless it is organized as a part of the departmental machinery of the departments to be coordinated, and works directly under the supervision and authority of the four Secretaries representing the source of authority in those departments.

When I read that letter it occurred to me that the three commissioners named in this water-power bill would not have the time to go into this mass of material and get the information that was needed, and therefore the amendment was prepared and offered. The additional four commissioners to be created under this amendment are already in the Government service and under Government salary, and there would be no additional expense, and they could in the near future get all of this information together and have it ready for the commission to act upon.

In connection with the statement that the President has never appointed the commission, I am going to read a letter that was written to the President of the United States on August 1, 1918:

WASHINGTON, D. C., *August 1, 1918.*

The PRESIDENT,
The White House, Washington, D. C.

DEAR MR. PRESIDENT: Since the Food Administration was established I have been assisting Mr. Hoover, but when the war service is concluded I will return as general manager of the California Fruit Growers' Exchange.

The membership of the exchange includes 75 per cent of the citrous-fruit growers in California, the crop being marketed and distributed through the association. The problem of water conservation is vital to the prosperity of the sections where this industry is the mainstay of agricultural production, there having been $200,000,000 invested in California in citrous-fruit production.

We have for several years cooperated in the movement which resulted in the passage last August of the river regulation amendment to the river and harbor bill. Under the old system of appropriations through the river and harbor bills we could get no relief, because our rivers are nonnavigable. This new national system is expressly made applicable to all watersheds in the United States, and proposes to coordinate the work of the four departments that have in the past been working on water problems.

What is most vitally needed in California is a comprehensive plan made by the National Government. When such a plan has been made it will furnish the initiative around which all the local interests can be organized for effective results.

I should like to have the attention of the Senator from Washington for just a minute, because this is directly in line with the matter under discussion. I was afraid for a minute that because of the mention of the name of Mr. Hoover, Senators might have thought that I was taking up another matter; but this is absolutely in point and pertinent to the subject that I am discussing.

As soon as the river regulation amendment was passed the people of San Bernardino, Riverside, and Orange Counties employed a board of engineers and had an engineer's report prepared for submission to the commission provided for by the amendment as soon as it had been appointed.

The people in southern California, acting under that amendment, had a survey made, and they have data prepared, but no commission to which to refer it.

It was understood through the late Senator Newlands that the delay in the appointment of the commission was due solely to your absorption in war problems. We have hoped that perhaps during the present cessation of congressional activities you might perhaps find time to give the matter attention. If this can be done, the coordination and cooperation of the four departments which have been interested in the river regulation movement can be made effective, and the future handling of this great national problem will thereby be assured.

Yours, very respectfully,

G. HAROLD POWELL.

Mr. President, I realize that the commission created under the Newlands waterways act has never been appointed by the President. I am quite sure that the President of the United States is in sympathy with that legislation, and that the commission would have been appointed had we not been in the war. I have every reason to believe that the commission would have been appointed some time ago—in fact, shortly after the adoption of that amendment—had there been any available Army Engineers from whom a selection could have been made, as provided for in the act.

However, Mr. President, under the amendment which I proposed the commission is named, and that commission can serve a very useful purpose to the people of the United States.

Mr. NORRIS obtained the floor.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. NORRIS. I yield to the Senator.

Mr. KING. I wish to suggest to the Senator from Nevada that if the writer of the letter from which he has just read conceives that it is the power and the duty of the Federal Government to go into the State of California or into any other State and take charge of the little streams therein and to coordinate those streams which are used for irrigation purposes with the navigable streams of the United States he has a very erroneous conception as to the powers and functions of the Federal Government.

I would regard any legislation as mischievous in the highest degree which had for its purpose what seems to be in the mind of the writer of the letter from which the Senator has just read.

Mr. HENDERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Nevada?

Mr. NORRIS. I yield to the Senator.

Mr. HENDERSON. I simply want to state that I read the letter to show the widespread interest throughout the country, what the people are doing, and how eagerly they want this legislation as passed in 1917.

Mr. KING. If the Senator from Nebraska will just pardon me one word, Mr. President, I am afraid the writer of that letter, as well as many other people, have fallen into the foolish and indefensible and very regrettable state of mind that the Federal Government should go in and take charge of the little streams, clean them out, and aid the individuals in their work of reclamation, in their farming operations. I think the majority of the people of the United States do not entertain that view, and they look with detestation upon this constant usurpation of authority by the Federal Government, which involves the destruction of the State, and the assumption by Congress of the most elementary duties and responsibilities resting upon individuals and upon communities.

Mr. NORRIS. Mr. President, in opposing the conference report I shall confine my remarks almost entirely to one amendment, the amendment which was put into the bill on my motion on the floor of the Senate when the bill was in the Senate, providing for the development by a governmental commission of the power at Great Falls, just above the District of Columbia line.

In confining my remarks, however, to this particular topic, I do not wish to be understood as favoring the bill as agreed upon in conference in a good many other particulars. I never did like the commission which has been provided for by the bill. I think it ought to have been an independent commission, not made up of Cabinet officers, who change every time there is a change of political control, and often change on account of different factions in one political party. However, I would not have regarded that objection as being sufficiently serious to bring about my opposition; but in order to save the time of the Senate I will not go over the argument which has been made, particularly by the Senator from Wisconsin [Mr. LENROOT], in which I concur.

There are two fundamental proposition to which he called the attention of the Senate, and which he discussed quite fully, which I believe ought to be eliminated from any water-power bill which Congress enacts. One of them is that particular part of the bill which in effect makes the lease perpetual, and the other is the recapture clause. But since that has already been fully discussed, I am not going into it further than to say that I agree with the conclusions reached by the Senator from Wisconsin.

When the bill was in the Senate there was an amendment put on which provided for the development of the water power at Great Falls. I realize how difficult it is for conference committees to agree, and I realize that the conferees on the part of either House can not get all they want, and that they have to compromise, necessarily, in order to get legislation. The Senator from Minnesota [Mr. NELSON] championed the Senate amendment, I understand, in the conference, and was almost alone in his efforts to have the conferees agree to the amendment. There were members of the conference committee who were opposed to it in the Senate and who were outvoted on a roll call of the Senate when the amendment was adopted. There was at least one of the House conferees who was most heartily in favor of the House receding and agreeing to the amendment.

Mr. JONES of Washington. Mr. President——

Mr. NORRIS. I yield to the Senator.

Mr. JONES of Washington. I wish to say to the Senator that personally I have always been in favor of this proposition, I have supported it at every opportunity, and have hoped that we would be able to get this development. I have referred many times in my State to the situation here as an example of the way the East conserves water power. I heartily supported the Senator from Minnesota [Mr. NELSON] in the conference, if I may be permitted to say that, although probably I did not insist so strenuously as he, because I was convinced that we could not accomplish anything further than we did. If I had had any hope of doing so, I would have stood out to the last, because I am heartily in favor of the Senator's proposition, or of any proposition which will lead to the development of this water power.

Mr. NORRIS. I thank the Senator, and I accept his explanation in perfect good faith and at full value. I have no doubt he did just what he has said, and I know he has favored the proposition in the past.

Mr. NUGENT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. NORRIS. I yield.

Mr. NUGENT. The Senator, of course, is aware of the fact that I voted against the water-power bill when it was passed by the Senate, and I have been at all times, and am now, opposed to its enactment into law. The principal reason on which my opposition to the measure is based is that in my judgment it practically makes a gift to private interests of all the water-power sites in the United States now in Government ownership, including those on the St. Lawrence River and at Niagara Falls, and before the Senator concludes his argument, if it meets with his approval, I shall be glad to have him state his opinion in respect to that proposition.

Mr. NORRIS. Mr. President, I have been so extremely busy with other matters, particularly conference reports, and on account of the absence of the chairman of one of the great committees a great burden has fallen upon me, so that I have not had time—it has been a physical impossibility—to gather together some things which I would have liked to present to the Senate on this question. So it may be that I will disappoint the Senator from Idaho.

However, let me say that in the amendment which was put on by the Senate provision was made for the development by the Government, through the instrumentality of the commission provided in the bill, of electric power at Great Falls and the increase of the water supply of the city of Washington. That is a very important proposition, and it ought to be connected up with the hydroelectric energy at Great Falls. The two can be worked together with great economy to both, and the particular project named in the bill as it passed the Senate provided for that kind of a development. I had no pride of authorship. I had no desire, Mr. President, to insist on any particular language. I would have been perfectly willing if the conferees had brought back here an amended proposition, so long as they had kept in it the one fundamental idea, that the Government by the law should be bound to develop this water power.

I would be perfectly willing, as I tried to provide in the amendment, that the commission should discard and throw aside the particular project named in the amendment and follow altogether new or different lines, provided that they should be permitted to build one dam, or two dams, or more, that they should let the contract, and do the work in that way, or that they should do the work as representing the Government and on behalf of the Government. I would not have cared if the amount of the appropriation had been changed, or any of its details had been changed, if we had settled by law the one thing that made it obligatory upon Government officials, some time at least, to enter upon this great work. But, instead, the conference report strikes out the amendment and comes back with an amended proposition which simply provides for an investigation by a commission and makes an appropriation to pay the expenses of that investigation.

Mr. President, for a great many years the Government has been investigating and investigating and appointing commissions and spending public funds investigating and reinvestigating this proposition. I presume it has been investigated more in detail than any other water-power proposition anywhere in the whole world, and almost invariably, so far as I know, without exception, where an investigation was thorough, or attempted at least to go into the details of it, the result was favorable and a recommendation made that the water power at the falls should be developed.

So it seemed to me the time to investigate, the time to appoint commissions to look it over and spend money, was past. I submit as my judgment that about all that will be necessary will be to some time get a commission which will make an unfavorable report, and then that will always be pointed to as a sufficient reason why this work should never be done by the Government.

Mr. NUGENT. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Idaho?

Mr. NORRIS. I yield.

Mr. NUGENT. I would like to inquire of the Senator from Nebraska how many investigations have been made of the Great Falls water-power proposition?

Mr. NORRIS. I will give a partial list before I conclude, and I do not know but that I might as well do that now as at any other time. This list, I judge, is not complete.

George Washington, I believe, made the first survey up there, but in 1894 there was a project known as the Frizell project, and a report made on that. Then came the Herschel project, in 1902. Then came the Sellers project, in 1903. Then came the Shireff project in 1903, and a Shireff project in 1904. Then the Kennedy project, in 1907, and the Nicholson project, in 1909.

Mr. NELSON. Mr. President——

Mr. NORRIS. I yield to the Senator from Minnesota.

Mr. NELSON. I wish to say a few words while the Senator from Illinois [Mr. SHERMAN] is here. I have been heartily in favor of the proposiion of the Senator from Nebraska, as he knows, from the beginning. We did the best we could to get his amendment accepted in the conference, but the House conferees absolutely declined to yield.

The Committee on the District of Columbia is under the leadership of the very able Senator from Illinois [Mr. SHERMAN]. We have provided in the bill for a new survey and a new examination of the water-power question, and the report is to be made before the beginning of the next session of Congress. I sincerely trust the Senator from Nebraska, with his usual energy and activity, will take up the matter at the next session of Congress and see that something is done in the way of the improvement of that water power, to the end that Washington may get a more ample supply of water and to the end

that electrical power may be secured here for operating at least the Government buildings.

Mr. SHERMAN. Mr. President——

Mr. NORRIS. I yield to the Senator from Illinois.

Mr. SHERMAN. I think I have said to the Senator from Nebraska in private conversation that I saw no good reason to oppose the creation of proper authority to make this survey and to do so promptly. The Senator from Minnesota [Mr. NELSON] has stated the condition up to the present time. If the matter comes to the District Committee, I assure both Senators, as well as other Senators here present, that it will have prompt action and that I myself will support the measure. I see no reason for delay, and so far as I have any authority in the committee it will receive very prompt action, as well as have my support on the floor of the Senate.

Mr. NORRIS. I thank both Senators.

Mr. JONES of Washington. As the Senator knows, I happen to be a member of the District Committee, and I shall welcome the report and shall welcome action upon it just as quickly as possible after it comes in.

Mr. NORRIS. I will refer to that again when I complete the statement of these various reports.

In 1911 the Leighton project was proposed. In 1913 the Seneca Falls project and the Langfitt-Herschel project, in 1913 the Leighton-Herschel project, and in 1916 the project known as the Hamilton project. I am not going into detail with reference to those various projects. The particular one that I wish to discuss, and which I think has been conceded by most of those who have investigated the subject as being the best, is the Langfitt-Herschel project of 1913.

The investigation by Col. Langfitt, now Gen. Langfitt, came about from the appropriation of $20,000 in 1912 that was made in the sundry civil appropriation bill, or, at least, in some appropriation bill. Col. Langfitt, one of the great engineers of the Army, had charge of that report, and used $20,000 in making the investigation. I have heretofore outlined that report before the Senate. It was a most comprehensive report. It went into every detail. The project was examined from all directions, and there was a definite recommendation made. The report provided for the development of hydroelectric energy amounting to an average of 66,000 horsepower, and likewise provided for an increase of the water supply of the city of Washington, so that if the ordinary increase of population should continue until 1950—I think it was—it would be sufficient to supply the needs.

It is understood, of course, that there are various ways in which this power might be developed, and that accounts for all these different projects. One utilizes the Great Falls proper, which in itself is a great water power. Others utilize the fall of the river between Great Falls and the District of Columbia line. That is what Langfitt did, and did not interfere with Great Falls, so that those who wanted to preserve it on account of its beauty would have no occasion to complain. Other projects have taken in all of the power between the District line and Great Falls and included the falls proper. Others take up the question of the construction of dams for the impounding of water farther up.

The weak point, and, as far as I know in my investigation the only weak point in the entire proposition, is that there is a great variation between high water and low water in the Potomac River.

Mr. JONES of Washington. Will the Senator allow me to interrupt him there and ask a question?

Mr. NORRIS. Certainly.

Mr. JONES of Washington. I have not examined the report for quite a long while. It was suggested to me the other night by some one—I forget now whom—that some engineer, in talking with him, stated that in his opinion the report did not discuss the matter that would be involved in connection with the canal running along there, and that in his judgment that was one of the serious difficulties in the way, that if they built a dam it would flood the canal. I do not remember whether the report discusses that or not.

Mr. NORRIS. The Senator is misinformed or his informant was misinformed. The Langfitt report does discuss and provide for it, and tells just what is to be done and what it will cost to do it.

Mr. NELSON. Mr. President——

Mr. NORRIS. I yield to the Senator from Minnesota.

Mr. NELSON. My recollection is that it recommends practically what I would call subsidiary reservoirs farther up the stream; that is, some minor dams with reservoirs to hold the water farther up, and in that manner insure a supply of water for the dry season.

Mr. NORRIS. The Langfitt report itself does not do that. Although I have talked personally with Col. Langfitt and he has made some investigation of the subject, he did not do it in this report. Without the construction of a dam we would have a minimum horsepower—and that would be only occasionally, once in 15 years, and only a day or two then on an average, as the stream has been measured in the past—of 16,000 and a maximum horsepower of 99,000.

Col. Langfitt did not propose to utilize the falls proper. He utilizes the fall of the water between the foot of the falls and the District of Columbia line, where he proposed to construct the dam. It would have made a lake 115 feet deep at the deepest end and 9 miles long, and would have added greatly to the beauty of the surroundings of the Capital city. It would have made a great body of water there that would have been utilized by visitors to and residents of this city to great advantage.

By the construction of some reservoir dams farther up the river and the construction of the Langfitt Dam at the line, and then utilizing the falls proper, we would have more power twice over than would be sufficient to turn every wheel and light every house and run every elevator in the District of Columbia. Col. Langfitt did not propose to utilize it all, at least in the first instance, because he thought it was unnecessary and that could be done later if demand were made for more power.

So, as far as the development of this site goes, it has been practically exhausted, as far as examination of it is concerned. It has been investigated for years and years and years, and the water is still going down over the falls. Any man, whether he is an engineer or not, who will go out there and see the fall of the water will know that it is an economic sin to permit that power to go to waste. If that had been developed, according to this report, in 1913, we, for instance, would not have seen what happened in the city of Washington during the war and what is liable to happen next winter—a great coal shortage and perhaps a water shortage. We were right on the verge of that and will be again without any doubt. But for some reason or other some one somewhere has always been able to defeat the real development of this power.

Mr. BORAH. Has the Senator ever been able to locate them?

Mr. NORRIS. I said once here that it seemed to me one of the reasons or the first reason why it was not developed was the Potomac Electric Power Co., and the second reason was the Potomac Electric Power Co., and the third reason was the Potomac Electric Power Co. Of course there are other institutions of a similar nature outside of the city of Washington who do not want to have this power developed, because it would be an illustration of what could be done in water power. Right here, too, is an illustration of what the Government could do. The Government uses more electric energy and more light and more power than any other one customer in the District of Columbia.

Let me go back to the interruptions and speak of the effect of this new proposition which is going to come before the Committee on the District of Columbia. I hope it will turn out just like Senators have said it will, and that there will be action on it, but without casting reflection upon any member of the committee—for I want it distinctly understood that I do not, because I realize the multitudinous duties of Senators in committee work, and I realize that it is a physical impossibility for them to give attention to all things, important though they may be. Yet I have tried this proposition in all kinds of ways. I once introduced a bill and had it referred to the Committee on the District of Columbia, and I sent to every member of the Committee on the District of Columbia a copy of Langfitt's report, and I talked with most of them. It was finally referred to a subcommittee, but there was never any action.

One reason for it was that the War Department at that time reported against it. The bill was referred to the Secretary of War and referred to the District Commissioners. The District Commissioners promptly reported in favor of it. I said the Secretary of War reported against it. I may be wrong about that; it may be he did not make any report at all, but I remember I took it up with him afterwards in order to get him to make a report, and I was told by some official in the War Department that some engineer had written an article, condemning the Langfitt report, and that it was because of that that nothing had been done. I inquired what the article was and where I could get it and who was its author. I found that it was a magazine article of a couple of pages which had been written, in which they said in substance, as I remember it, that Langfitt, in reaching the cost, had omitted some things in his report that he ought to have included, or put something in that ought to have been excluded, I do not now remember which.

I afterwards met the author of the article, and while he said he was not at that time employed by the Potomac Electric

Power Co., he admitted to me that he had been in their employ. I thought from my conversation with him, although I was not a technical man and he was, that he did not even satisfy himself that he had made a good case.

However, Mr. President, we are not technical men; we are not engineers. I confess that I do not know as to these matters. If I should be intrusted or charged with the work I would not know what to do, but I should have to turn it over to engineers, to technical men. When we examine their report and find, so far as we are able to see, that the project is a proper one and that they recommend it, we have to follow the judgment of the technical experts, and a horde of them have almost universally been in favor of the development of this great power project. When there was a change in the office of the Secretary of War and the present incumbent, Mr. Baker, became Secretary of War, knowing what his reputation had been in such matters, I thought that we would at once get a favorable report from the War Department on this project, and that the work could be inaugurated.

Mr. NUGENT. Mr. President——

Mr. NORRIS. I yield to the Senator from Idaho.

Mr. NUGENT. I should like to ask the Senator to explain, if he is familiar with the facts, the connection existing between the Potomac Electric Power Co. and the bankrupt, broken-down, jerkwater abomination which is known as the Washington Railway & Electric Co.

Mr. NORRIS. Mr. President, I have gone into that matter in times past and I shall have to speak now mostly from memory; but the Washington Railway & Electric Co. owns one of the street railways of the city of Washington; it also owns all of the stock of the Potomac Electric Power Co., which is the corporation which supplies the city of Washington with light and with some power. Between the two somewhere—I have forgotten now just how it is owned—there is another corporation, I think, which is called the Great Falls Power Co., which, I believe, has a capital stock of a million dollars. The real purpose of the Great Falls Power Co., in my judgment, is to prevent the development of the Great Falls. It claims to have some rights there that must be acquired before Great Falls can be developed; but it has been in existence for a great many years, and the stock, as I now remember, has been transferred from the Potomac Electric Power Co. to the Washington Railway & Electric Co. whenever the income of the Potomac Electric Power Co. has become so great that they fear a reduction of rates, and when the income of the other corporation crept up it would be transferred back to the other company. Something of that kind has gone on in the past; I have forgotten the details. The Great Falls Power Co. is a corporation which for a great many years past has owned and, I suppose, it now owns some rights at Great Falls. It claims to have some controlling rights; but it has never done a thing toward the development of the power which it was organized to develop.

Mr. JONES of Washington. Will the Senator from Nebraska permit me to interrupt him?

Mr. NORRIS. I yield to the Senator from Washington.

Mr. JONES of Washington. Has the Senator read the opinion of Mr. Justice Gould, of the Supreme Court of the District of Columbia, in reference to this matter?

Mr. NORRIS. Yes. I have it here before me.

Mr. JONES of Washington. I thought it would be interesting in that connection merely to quote what Mr. Justice Gould says about the situation at Great Falls; but as the Senator has that opinion, I will not now interrupt him.

Mr. NORRIS. I was going to read a paragraph from that opinion in answer to the question of the Senator from Idaho.

Mr. JONES of Washington. Very well.

Mr. NORRIS. If I do not read what the Senator from Washington desires to have placed in the RECORD, I shall be glad to have him again interrupt me when I shall have concluded.

Mr. JONES of Washington. I merely thought it would be interesting to the Senate to note the fact that this company tried to have included for rate-making purposes the million dollars for its right at Great Falls; and I thought it would be interesting to have the opinion of the court in the RECORD, showing what the court thought about it.

Mr. NORRIS. Mr. Justice Gould passed upon that question and rendered an opinion which is very lengthy; it takes up a great many other questions which were involved; but as bearing on the question submitted by the Senator from Idaho, I will read a paragraph that refers to the particular corporation of which I have been speaking, that claims some rights at Great Falls.

Mr. NUGENT. From what report is the Senator about to read?

Mr. NORRIS. I am going to read from a decision of Mr. Justice Gould. He was passing at that time on the valuation of the Potomac Electric Power Co. for the purpose of fixing rates, a valuation made under the law by the Public Utilities Commission. The Potomac Electric Power Co. appealed from that decision, the question was submitted to the court, and Justice Gould rendered the opinion. In referring to this particular corporation, he said:

> The power company also claimed that it had a right to the allowance, as part of the historical cost of its property, of the sum of $1,000,000, representing what it paid in its stock—

It paid that sum in stock, remember—

> for certain water rights at what is known as the Great Falls power site. It is a significant fact that these rights to this nonproductive property were not only previously acquired by the Washington Railway & Electric Co. and held by it for 12 years before it transferred them to the power company, but that title, up to the time of the hearing in this case, had not been perfected, either in that company or in the power company. It is also worthy of notice that shortly before the public utilities law was enacted the Washington Railway & Electric Co. and the power company, acting through identical boards of directors, consummated a transaction by which these rights were transferred to the power company for $1,000,000 of the stock of the latter company. This power site is located outside the District of Columbia.

In other words, they issued a million dollars' worth of stock and then gave it for a transfer of these uncertain rights which were owned by the Great Falls Power Co., which they have never tried to utilize for the improvement of the property but have simply held out of use. They were anxious that the Potomac Power Co. should have a right to include that as a part of their valuation and get returns on it in the way of charges for electricity to the consumers of the District of Columbia.

The court proceeds:

> It has never been used for the purpose of supplying power to those who use electric current in the District of Columbia, nor is there a scintilla of evidence in the record that it ever will be so used by the power company. Its actual value is problematical, and the ability of a private owner of power rights at this site to develop them is further complicated by the larger Federal Government's interest therein. No witness who claimed to have any knowledge on the subject testified as to what the value was. For these reasons there was no justifiable theory upon which the $1,000,000 of stock issued for it by the power company could be treated as an actual value of $1,000,000 upon which the power company would be entitled to collect revenue from its patrons in the District of Columbia. The commission, therefore, did not err in excluding it, either as an item in the historical cost of the property, or in the reproduction cost, or in its finding of fair value.

Mr. NUGENT. Then, as I understand it, Mr. President, the Great Falls Power Co. claim to have certain rights in respect to the power site at Great Falls, and have for years claimed those rights. Am I correct in that?

Mr. NORRIS. In substance the Senator is correct; but it comes about in this way: In the first place, the Washington Railway & Electric Co. secured the stock in the Great Falls Power Co.; they sold the stock in that power company to the Potomac Electric Power Co. and received from the Potomac Electric Power Co. a million dollars of its stock; that is, the Potomac Electric Power Co. transferred to the Washington Railway & Electric Co. a million dollars of stock, and the railway company transferred to the Potomac Electric Power Co. title or the stock of the Great Falls Power Co., which was a corporation claiming to own and control some rights at Great Falls.

Mr. NUGENT. When were those water rights initiated, if the Senator knows?

Mr. NORRIS. I do not have that information here and I am sorry I am not able to advise the Senator as to that, but it was a great many years ago. The transfer of the Great Falls Power Co. from one corporation to another, of which the court speaks, was made 12 years ago. So we have here three corporations, all under the same ownership, as the court says, and with the board of directors of two of them identical, which two transfer the stock of the third from one to the other.

Mr. NUGENT. And during all those years there has been no development of electric power under those rights?

Mr. NORRIS. None whatever.

Mr. NUGENT. On the contrary, I gather from the Senator's statement that the corporations interested in the matter have during all those years blocked every effort on the part of Congress to have electric power at Great Falls developed by the Government.

Mr. NORRIS. Mr. President, I have no doubt in my own mind that the Great Falls Power Co. was organized for that purpose and exists for no other purpose. If the Government does ever undertake to develop the power at Great Falls—and the Government owns some property there also—it will find this corporation very anxious, and there will probably be some litigation as to what their rights are.

Mr. President, as I was about to say when the Senator from Idaho interrupted me, when Secretary Baker came into office I thought that we certainly would secure the development of Great Falls, because, as I looked at the matter, it really only

lacked the approval of the War Department and the submission of an estimate on their part to secure provision for the development by Congress. I went to see the Secretary; I talked the matter over with him; I handed him personally a copy of the Langfitt report. He told me he would have the project thoroughly examined, and later on he appointed a commission which made an unfavorable report. There was no money appropriated for the commission; they did not claim that they made any deep investigation; but what they did do, in the main, was to examine the various reports which had theretofore been made, and I presume looked the ground over.

I thought from what I saw in the newspapers when they submitted their report that it was favorable, and I wrote the Secretary of War a letter, to which I received an answer in which he sent me a copy of the report and called my attention to the fact that it was not favorable, but was unfavorable. I send to the desk the letter to me from the Secretary of War in which he forwarded the report, and ask that the letter may be read at the desk.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Assistant Secretary read as follows:

WAR DEPARTMENT,
Washington, October 8, 1915.

Hon. G. W. NORRIS,
United States Senate.

MY DEAR SENATOR: Referring to your letter of the 26th ultimo concerning the recent report on the Great Falls power development, I note that you refer to the report as "favorable." It is presumed, therefore, that you have not seen a copy, and I am inclosing one herewith, believing that it will be of special interest to you.

It will be seen from the conclusions of the board (p. 20–22) that they think the cost of power from the development will be little if any cheaper than could be obtained by a steam plant, and also that they think thorough studies should be made of all phases of the project before the United States embarks upon it. They state that this will require the provision of adequate funds in order to provide for the field work and further study now shown to be required. They do not give their opinion concerning the probable cost of the examination, but quote the view of the district engineer officer who considers $10,000 a fair sum.

Conditions have changed materially since the investigation of 1912 under direction of Col. W. C. Langfitt, Corps of Engineers (H. Doc. 1400, 63d Cong., 2d sess.), and in view of the recent remarkable development of the steam turbine and the evident wisdom of making a canvass of present demands for power in the District of Columbia and the present outlook concerning future demands, I concur in the conclusion of the board that the United States should not embark upon the project until all phases have been thoroughly considered in the light of present-day experience and present conditions.

In the absence of specific direction from Congress, I am not in a position to lay this subject before them with recommendation for action. The information before me does not show conclusively that further investigations will prove the development a wise undertaking. The indications are that its advantages, if any, will be small. If you deem it wise, however, to introduce a resolution for the thorough studies suggested by the board, this department will be glad of the opportunity to investigate and settle the question conclusively.

Very respectfully,

NEWTON D. BAKER,
Secretary of War.

Mr. NORRIS. Mr. President, it will be noted that the Secretary in this letter states that he is opposed to this development unless another investigation is made and it is shown to be a feasible one, although he does not decide definitely against it. He says he concurs in the conclusion of the board. The board, among other things, found that if this water power were developed now it would produce a great deal more electric power than the Government and the District could use, and hence we would have a lot of power developed that we could not use, and of course the charge for the entire development would come from the consumers who did use it, and therefore it would make an expensive proposition.

In the same report, however, they say that another objection to it is that if all the power developed should be utilized by the various industries, the railway systems, and so forth, it would take all the power that was developed, and hence in years to come, when we needed more power, we would not have it, and so they were opposed to its development.

I answered this letter of the Secretary of War, and because my reply goes into the matter in detail and gives what I believe to be the correct conclusions that must be arrived at I ask that my reply to the Secretary of War may be read.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Assistant Secretary read as follows:

UNITED STATES SENATE,
Washington, D. C., November 29, 1915.

Hon. NEWTON D. BAKER,
Secretary of War, Department of War.

MY DEAR MR. BAKER: Upon my return to Washington I find your letter of October 8, together with inclosure as stated, awaiting my attention. The only thing I had heard in regard to the report made by the board appointed by you to investigate the Great Falls proposition was some newspaper comment, and that comment gave me the impression that the report was favorable. I have read the report which you kindly inclosed very carefully, and I confess I am at a complete loss to see why this report made by this board should be considered by you sufficient to offset the report made by Col. Langfitt, as shown in House Document 1400, Sixty-third Congress, second session. Col. Langfitt's report was, I think, the most complete investigation that had ever taken place in regard to the Great Falls project. Indeed, I am unable to see how by any further investigation any additional light could have been thrown upon the subject. This report, it seems to me, completely exhausted the subject and was as complete in every detail, I presume, as any report that has ever been made in regard to any water-power proposition either in this or in any other country. To have this set aside, annulled, and held for naught by a report of Army officials, who made really no examination of the subject, except to analyze the various reports that have been made from time to time during the years that have passed, is something I am unable to understand. Even an examination of all these reports which they reviewed in their report, I think, will convince almost any disinterested and fair-minded person that this water-power proposition ought to be developed. As I remember, practically every report that has ever been made where any thorough investigation has taken place has been favorable. This board has made an argument against the development of this water power that is very similar to any argument that would be made by any person who was opposed to the proposition on the general theory of being opposed to any governmental development of any great resource. The fact that they happen to be officers in the United States Army does not, in my judgment, add anything to their argument, and even they admit that the proposition is feasible. The idea of making a further investigation and the expenditure of a further sum of public funds does not appeal to me when such a thorough investigation was made at the expense of $20,000 by Col. Langfitt and his assistants. If your theory is correct, then there is no use of the Government ever trying to develop any proposition of this kind. Under your theory the lifetime of those who are living and some who are unborn would be taken up in investigations. When Congress appropriated $20,000 for the investigation of this project it was supposed to be an investigation that would determine whether or not the Government should undertake the development. Col. Langfitt spent $20,000 in making this investigation. His report in every detail was favorable. Now, the proposition is to make a further investigation. If this is done and another board spends $10,000 more, as suggested by this report, in another examination, it will simply mean that by the time this report comes in some one of your successors, if he follows your theory, will ask that still another investigation be made to see whether the work should be done. This is one of the ways to which those who oppose progress always resort when there is no valid reason existing for further delay. Ever since the Langfitt report was made there has been nothing on the part of those who oppose this development except delay. If the Langfitt report, complete as it is, is not a sufficient reason for making this great improvement for the benefit of the Capital City, then we can never in the future expect to get one that is.

I note with a great deal of interest that one of the arguments used by your board against this development is that there is already a supply of electricity at very reasonable rates furnished by private enterprise and that the development of this great project would put them out of business, and thus be an injury to vested rights. If this is a valid argument, then it will be no use whatever to spend more of the public funds in investigations. If this argument is valid, then we ought to stop all progress and all improvement everywhere.

Another argument made, and it is a familiar one, is that the law under which Col. Langfitt made his investigation gave as a reason for the investigation the desirability of this improvement for the purpose of supplying the light and power for use by the Government of the United States and the District of Columbia. They then concluded that the power developed would be so much greater than the Government and District need that it would be unwise to develop it, because there would be no market for the surplus energy, and hence it would be an expensive proposition, since the Government could only use a portion of the energy developed. This argument has been made before, but it is made by men that apparently do not know that Washington has street railways operated by electricity; that there are thousands of houses in the city occupied by civilized people who would be glad to utilize electric lights and electric power if it were supplied within reasonable limits.

I note, too, that this board argue that if the Government should dispose of all this surplus power to manufacturers or others that in later years when the Government required more light and more power it would not be able to get it because all the surplus power had already been sold, and therefore in 1950 and the years following the Government would have to buy power elsewhere. This argument answers the other one, that we would have more power than we could use. If it is good, then no water power anywhere should ever be developed, first, because when it is first developed it would not be known that all the power could be sold; and, second, that if all the power should be sold trouble would arise in the future because there would be more people demanding more power.

The entire report of the board is simply an argument against progress, nothing else, and the thing that surprises me more than anything else is that it should receive your approval. Your work in the past and the reputation you have made would lead any unbiased friend of yours, such as myself, to expect different conclusions. Here is a great water power almost within sight of the Capital City that can supply electric light and power for the citizens, for the Government, for the District of Columbia, and for the street railways, and it only needs development. If you will compare the rates that the citizens of Washington must pay with the rates in your own beautiful city of Cleveland you can reach no other conclusion than that the people here are paying an exorbitant price. There is power enough going to waste at Great Falls to turn every wheel in the District. I had supposed that you would be one of the first to do your utmost to bring about its utilization, and I regret more than I can say that you have taken the side of those who are opposed to this improvement. With your opposition there can be no hope of bringing about this development. With your assistance there would have been no doubt but what proper laws could have been enacted to bring about this development and its resulting good to all the people of this city.

Very truly, yours, G. W. NORRIS.

Mr. NORRIS. Mr. President, I do not think I have anything further to say on the subject. It seems to me that even the throwing out of this one amendment would be a sufficient reason why this conference report ought to be rejected.

As I said at the beginning, if Senators or Members of the House think that it is a particularly bad time right now, on account of the excessively high cost of material and labor, to do the work, it would not have made any material difference to me, nor, I believe, to others who favor this legislation, if the conferees had brought in an amendment to the original proposition that had made ever so slight an appropriation, or even none, if it had provided in substance that this power should be developed, and leave it, perhaps, to the discretion of the proper officials as to just when they should commence work on it.

Mr. JONES of Washington. Mr. President, probably I ought to say a word. The Senate conferees attempted to do just what the Senator suggests. We asked that a small appropriation might be made; in other words, we sought to get recognition in the bill of the adoption of the project, regardless of the amount. We were sure the Senator from Nebraska would be satisfied with that.

The main objection of the House conferees was, I think, that it is an entirely new proposition; that it is a specific one; and that it was not the purpose of the power bill to deal with specific projects. They stated that it had not been acted upon by any committee of the House, that it had had no consideration by the House, and that they did not feel justified in acceding to it. As the Senator from Minnesota [Mr. NELSON] said, they would not accept the amendment, and they would not accept any amount. We acted upon it once, and we attempted to get it reconsidered, and urged it strongly. I feel that we did the very best we possibly could have done.

I feel that we have made progress toward the accomplishment of what the Senator from Nebraska [Mr. NORRIS], the Senator from Minnesota [Mr. NELSON], and I want. It is not the progress I would like to see, but it is progress, and when we get the report of the commission in January I want to assure the Senator that, so far as I am concerned, anything I can do to get legislation through which will make use of that power there, I will do. But I feel that while we have not accomplished, as I said, what the Senator and I would have liked, we have made progress toward the end we both desire.

Mr. NORRIS. Mr. President, the argument that this is a new project is hardly available now. It is one of the oldest projects in the United States. As far as the development of power is concerned, it is a very simple project. If we utilized the Great Falls proper and did not use the rapids between Great Falls and the District line, we could develop considerable power with a comparatively small expenditure of money. But no one in the House or the Senate could maintain that this is a new project. Here was an investigation made by the express authority of Congress and the public money spent for it, and it is not the only one which has been made. Now, we have a proposition to make another investigation. I do not feel, let me say to my friend from Washington, that this is any progress. It is simply continuing investigations, and I think it is a useless expenditure of public money to make them.

Mr. JONES of Washington. Mr. President, of course my use of the word "new" was not in the sense that it had never been considered, or anything of that sort, but that it had not been adopted by Congress, especially that it had not been passed upon by the House. At any rate, that was the attitude of the House conferees, and we could not convince them to the contrary. The Senator does not need to argue with me. He and I are very much in accord, except that I disagree with him in the idea that this is not progress. While it is small compared with the Panama Canal proposition, it is very much like it in that that project went over year after year, investigation after investigation was made, and we would not have had it yet, I suppose, if we had not had those investigations. But there resulted from it the accomplishment finally of that great work. I believe that this will bring results, and I believe that it will not bring another survey, but that if the Senators who are in favor of the development of that plant, as soon as this report comes in, will all get to work and press it, we will accomplish something, and accomplish just what the Senator and I want.

Mr. NORRIS. Mr. President, I hope the Senator is right, and, of course, he may be. I know that he is acting entirely in good faith. But the Senate conferees could have insisted that the House conferees should take this matter to the House, as they said the House had never voted on it, and let them act on it. It is probably true that every Senate amendment which was put on this bill the House had not voted on. If there was any great contention, then it would have been the duty of the conferees to take it to the House and let them vote on it. I have no doubt that if the House of Representatives had an opportunity, after a fair and reasonable consideration, to vote on this proposition, it would carry there overwhelmingly.

I fear that sometime, if we keep on investigating, we will get a report which is unfavorable, and there are thousands of interests, unseen to a great extent, which have devious ways of working by which even innocent men may be deceived, and if we ever get an unfavorable report from any commission provided for by Congress, then to the end of time that will be cited as a conclusive and real reason why we should go no further.

I would not object to an investigation if there had not been so many made, or if it was not a proposition where an ordinary individual, by looking at it, can see that power is going to waste there, and that it is a national sin, almost, to permit it to go to waste. It seems to me we have reached a time when we ought to act definitely and provide definitely for the development of this power.

We are going to have, possibly in the coming winter, a coal shortage. We are possibly going to have in this coming summer a water shortage. Both these have been staring the city of Washington in the face, especially a water shortage, for many years. If this project is delayed, then the attempt will be made, as it has been in the recent past, to develop the water supply in some other way, and the officials here will say, "We can not wait for this investigation. We must have more water for the people of this great city, and therefore we must provide some means to get more water"; and they proceed to get it, and spend money for it. Then, when we come to the consideration of the question, after the report comes in, as to whether this power should be developed, that argument in favor of the project is taken away; it is conceded, then, by its friends that it will be more expensive than ever. An increased water supply for the District is one of the great objects involved in this proposition.

Mr. KING. Mr. President, when this bill was before the Senate for consideration a few weeks ago, I discussed its provisions at considerable length and submitted some observations concerning the legal questions involved. I expressed my unalterable opposition to the measure and pointed out the evils which would result and the oppressive bureaucracy it would develop if it became a law. It passed the Senate without a record vote, as I recall, there being but few Senators voting against it. The bill then went to conference, and the report of the conferees is now before us. The House, as I read the conference report, has accepted most of the Senate amendments, so that the bill as presented for our action to-day is substantially in the same form as it was when it was approved by the Senate.

It had been my purpose to do everything within my power in a parliamentary way to defeat the conference report. Indeed, I have felt at times as though any Senator would be justified in employing a filibuster to defeat it. The general theory of the bill is in contravention of the rights of the States, and many of its provisions are so hateful and oppressive and iniquitous that I regard its passage as a great calamity. Unfortunately the views which I entertain respecting this measure are not shared by many of the Members of the legislative branch of the Government. I have been importuned by Senators and others in public station and in private life to not oppose this bill. At one time there was formidable opposition to its provisions. Substantially the entire West felt that it was iniquitous and unjust, and that it would fasten upon the States a most deadly and arbitrary paternalism. But the unyielding and unreasonable attitude of various sections of the country with respect to the policy which the Government should pursue toward the public-lands States has compelled some of the public representatives of the West to reluctantly abandon the position which they have held for so many years and accept the measure under consideration. As is known, public lands are locked up under executive orders, and the tyrannous and autocratic position of the Federal Government has prevented the development of the water power in the public-lands States, as well as other resources essential to the prosperity of the West and the welfare of the Nation. It has been felt by many who are bitterly opposed to this legislation that, bad and oppressive as it is, it is better than existing conditions—conditions which no patriotic American ought to defend and no lover of the rights of the States can approve.

This bill is a direct assault upon the public-lands States, and aims at the establishment of a licensing system which in its operations will inevitably lead to friction between the States and the Federal Government, and to the subjection of the people within such States to a centralized bureaucracy at Washington. The paralyzing effects of its influence and power have been felt in all parts of the Western States.

Under the pretext of protecting navigation, for which authority is claimed under the commerce clause of the Constitution,

this bill seizes the streams of the United States, whether navigable or not, and submits them to the control of executive agencies which will pursue the course of all executive agencies of the Government and aggrandize the Federal Government and magnify its instrumentalities. Notwithstanding there is no plenary or other power in the Federal Government to exercise any control over the streams of the United States, except to prevent interference with their navigation, this bill seeks the control of all sources of hydraulic power in the United States as well as the control of all streams therein.

I believe a fair reading of the bill will furnish convincing proof that it seeks to control not only the water-power sites in the United States but also the corpus of the streams and the hydroelectric plants which produce electric energy, together with the power thereby developed. Injurious and oppressive as its terms are as applied to those States in which the Federal Government owns no lands, its provisions are infinitely more oppressive and injurious as applied to what are known as the public-lands States. The people of the West have suffered from the inefficiency of the Federal administration and from the arbitrary policies and contemptuous behavior of executive agencies and officials.

This bill places additional authority and power in the hands of the bureaus and branches and officials from whom the West has so greatly suffered. The iron heel of a Government 3,000 miles away is more firmly planted upon the prostrate forms of the Commonwealths of the West and the millions of American citizens residing therein. I regret that I am powerless to defeat this measure. I regret that Senators from the Western States have thrown off their armor and have laid their lances at rest, and are ready, though with rebellious and sullen hearts, to place their necks under the yoke of bondage and oppression. I protest against this bill and denounce it as unjust, un-American, and a wanton and vital attack upon the sovereignty and integrity and liberty of the States.

It was my intention this morning to further analyze the bill and discuss many of its provisions and show the evil consequences which will flow from its enforcement. But the attitude of Senators, and the apparent determination of practically all of the Senators to support the conference report, has led me to the abandonment of my purpose. I warn Senators of the pernicious effects of the bill, and assert with all sincerity that those who are supporting and those who are submitting to it will live to regret its passage and sooner or later will be found demanding its repeal or material modifications of its provisions.

The VICE PRESIDENT. The question is on concurring in the report.

Mr. JONES of Washington. There are some Senators who have asked that we might have a record vote on the adoption of the report. So I ask for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. McCUMBER]. In his absence I withhold my vote.

Mr. WILLIAMS (when his name was called). Transferring my pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from Tennessee [Mr. SHIELDS], I vote "yea." The senior Senator from Pennsylvania is unfortunately absent owing to illness.

Mr. WOLCOTT (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON]. I note that he is not present, and I am therefore not at liberty to vote.

The roll call was concluded.

Mr. BALL. I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. In his absence I withhold my vote.

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from Ohio [Mr. HARDING] and vote "nay."

Mr. CURTIS. I have a pair for the day with the Senator from Oklahoma [Mr. GORE] and in his absence withhold my vote.

I desire to announce that the junior Senator from Ohio [Mr. HARDING] is absent on official business of the Senate.

Mr. CALDER (after having voted in the affirmative). I am paired with the junior Senator from Georgia [Mr. HARRIS]. I note that he is absent and therefore withdraw my vote.

Mr. UNDERWOOD (after having voted in the affirmative). I have a general pair with the junior Senator from Ohio [Mr. HARDING]. He is absent on official business, but I am authorized by him to vote on this question, and therefore allow my vote to stand.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY].

The result was announced—yeas 45, nays 21, as follows:

YEAS—45.

Beckham	Jones, Wash.	Page	Sterling
Brandegee	Kellogg	Poindexter	Sutherland
Chamberlain	Kendrick	Pomerene	Swanson
Colt	Knox	Ransdell	Townsend
Dial	Lodge	Robinson	Underwood
Elkins	McCumber	Sherman	Wadsworth
Fall	McLean	Simmons	Walsh, Mont.
Frelinghuysen	McNary	Smith, Ariz.	Warren
Gay	Myers	Smith, Ga.	Williams
Gerry	Nelson	Smith, S. C.	
Glass	New	Smoot	
Jones, N. Mex.	Overman	Spencer	

NAYS—21.

Borah	Henderson	McKellar	Sheppard
Capper	Kenyon	Moses	Trammell
Fernald	Keyes	Norris	Walsh, Mass.
France	King	Nugent	
Hale	Lenroot	Phelan	
Harrison	McCormick	Reed	

NOT VOTING—30.

Ashurst	Edge	Johnson, S. Dak.	Shields
Ball	Fletcher	Kirby	Smith, Md.
Calder	Gore	La Follette	Stanley
Comer	Gronna	Newberry	Thomas
Culberson	Harding	Owen	Watson
Cummins	Harris	Penrose	Wolcott
Curtis	Hitchcock	Phipps	
Dillingham	Johnson, Calif.	Pittman	

So the conference report was agreed to.

Mr. JONES of Washington subsequently said:

Mr. President, the conference report on the water-power bill has passed, so that anything I may say now will do it no injury. I refrained from discussing it in order to get it through. I wish to take a moment or two with reference to one suggestion that was made in opposition to the report.

It was suggested by two or three Senators that the provision in the bill with reference to a new license gives a perpetual license to the licensee. The provision as it passed the Senate reads as follows:

Provided, That in the event the United States does not exercise the right to take over, or does not issue a license to a new licensee, or issue a new license to the original licensee, upon the terms and conditions aforesaid, which is accepted.

There was much controversy over the words "which is accepted." It was urged very earnestly and vigorously that those words placed the discretion entirely in the licensee to say whether or not he would accept the license and thereby did in fact give him a perpetual license.

The House conferees urged that against the provision and the Senate conferees finally receded and we accepted the provision reading as follows:

Provided, That in the event the United States does not exercise the right to take over, or does not issue a license to a new licensee, or issue a new license to the original licensee upon reasonable terms.

It is the same argument that was urged against the words "which is accepted" that is now urged against the words "upon reasonable terms," I think without reason and without merit. I think that it clearly means that at the end of 50 years, if the commission issues a new license upon reasonable terms and the licensee refuses to take it, then of course his right terminates. If he contends that it is not on reasonable terms, the matter will be decided by the court, and if the court says that it is based upon reasonable terms, he having rejected it he is out. If the court holds that the terms are reasonable and the licensee has accepted it, of course he goes on then under the provisions of the bill.

Mr. President, these words were recommended and approved by the Secretary of Agriculture, Mr. Houston, who has been very strongly in favor of water-power legislation. In a letter to the committee under date of October 3, the committee having asked him for his views with reference to the amendment suggested by the Commerce Committee, the Secretary of Agriculture said:

As is also stated in the letter of June 11, the department approves the insertion of the words "on reasonable terms" or some similar expression, in the proviso of section 15.

Then he goes on to state that the words "which is accepted" do give a perpetual right to the licensee, but he urges the words "on reasonable terms."

These amendments were submitted to the Secretary of War, who will be a member of this commission, and who has also taken a very active part with reference to water-power legislation.

These amendments were submitted to the Secretary of War, who will be a member of the commission, and who has also taken a very active part with reference to water-power legislation. Under date of October 6, 1919, he states:

I have conferred with the Secretary of Agriculture and desire to concur in the letter sent by him to you covering the amendments suggested in the bill as it passed the House.

Mr. President, I think that the opposition to this provision on the ground that it gives a perpetual license to the licensee at his option is entirely without merit or basis.

ENROLLED BILLS SIGNED.

The VICE PRESIDENT announced his signature to the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 4163. An act to incorporate the Roosevelt Memorial Association; and

H. R. 4438. An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment.

THE COAL SITUATION.

Mr. WALSH of Massachusetts. Mr. President, I ask unanimous consent to offer a resolution asking for information from the Interstate Commerce Commission, and to discuss the reasons for the same for a very brief time.

The VICE PRESIDENT. Is there objection? The Chair hears none. The Secretary will report the resolution.

The Assistant Secretary read the resolution (S. Res. 374), as follows:

Resolved, That the Interstate Commerce Commission is authorized and directed to investigate and report to the Senate as soon as practicable:

(a) What amount of bituminous coal mined in the Pennsylvania and West Virginia fields during the months of March and April, 1920, was dumped over tidewater piers;

(b) What is the probable amount of the coal mined in these fields that will be shipped to tidewater in the next six months;

(c) What percentage of the coal dumped at tidewater during March and April was used for foreign bunkers and export cargo;

(d) From what ports were these exports made and how much from each;

(e) What percentage of the coal dumped at tidewater in March and April moved coastwise;

(f) How many railway cars were used in these months to carry the coal which went offshore for foreign bunkers and cargoes;

(g) To what extent has the price of coal for locomotive use on American railroads been raised due to the upbidding of coal prices by foreign buyers;

(h) To what extent does the eastern coast section of the United States depend on shipments of bituminous coal by water; and

(i) What is the total tonnage of bituminous coal shipped by water in normal times to supply the necessary requirements of the eastern coast section.

Mr. WALSH of Massachusetts. Mr. President, only the serious situation that confronts the country would lead me to take the time of the Senate to put before it some information as a basis for this resolution. The facts upon which I base the questions contained in the resolution offered are of such importance that I deem it wise to state them at this time.

Mr. President, I feel impelled to call the attention of the Senate to the alarming condition which I have learned exists in New England, a condition which, if permitted to continue and develop, threatens to spread all over the country. I refer to the shortage of bituminous coal, which has already closed many industries in that section and, unless soon relieved, must close many more, and eventually, as I am assured by reliable authority, can but lead to a nation-wide paralysis of industry.

This incipient coal famine is undoubtedly due to three contributing causes, the present car shortage, underproduction at the mines, and an extraordinary increase in the exportation of coal. These three factors are so closely interrelated, as I shall attempt to show, that all must be treated at once, and that no attempted remedy will assure our home markets of a sufficient supply unless all of these contributory causes are, as far as possible, removed without avoidable delay.

I feel, however, that the most marked and the most immediate relief, as I shall try to show, is to be had through remedying the third factor.

No one familiar with the events of the past few weeks will dispute the fact that a serious car shortage has made itself manifest, nor that this shortage is daily growing more acute. Without considering the causes which underlie this bad state of affairs, I think most of us will admit that, apparently, earnest efforts are being given toward effecting a more adequate supply of cars. And a close analysis, I believe, will show that because of the inability of the railroads to furnish cars production of bituminous coal has been more than considerably curtailed, and statistics go to show that at present the mines are only producing from 30 per cent to 50 per cent of the normal coal supply.

The influence of increased carrying facilities will unquestionably increase production at the mines, for just as soon as the cars become available the operators can put their mines on a full-speed basis. Apparently, every possible effort is being made to better the coal-transportation facilities, and in this direction it does not appear as though Congress needs to direct or enforce any stronger policy.

But the third factor, which I mentioned as most largely contributory to our dearth of coal, namely, unparalleled exportation, a condition which does not grow out of the other two but is the result of the stringent conditions in foreign markets, is one which our Government can, and in the interests of American industrial and social security should, control. In the face of the car shortage and the incapacity of the railroads to move a reasonable percentage of the Nation's requirements, and in spite of the tremendous underproduction which this shortage has necessarily served to bring about, coal is pouring out of the United States for foreign ports at the estimated rate of 2,000,000 tons a month, and is expected by foreign-trade experts to reach the astounding total exportation of 4,000,000 tons by midsummer.

While our people must be satisfied with 33⅓ per cent production of the normal supply, our export buyers are taking more than 100 per cent of what went out of the country in the days of full capacity production. In a word, there is to-day more coal going out of the country than when we were at our maximum production.

Foreign agents in America, acting for their home representatives, have consistently overbid our home buyers. They have made offers for our coal which have been prohibitive to the domestic buyers, who, even when willing to pay the price, have often been unable to get a fair allotment of coal.

Some of this coal purchased for export is carried in British bottoms to Cuba, where it is exchanged for sugar, which in turn is carried back to Europe, while America continues to pay outrageous prices for this necessary commodity. English agents are buying up American coal and distributing it through their Mediterranean depots, and in return other raw materials are transported to England so as to keep British industries going at full speed. And what is more astounding this process goes on in spite of the fact that Great Britain has put a restriction on the export of her own coal, and reduced her exportation figures from 34 per cent of her total production in 1913 to 19 per cent in 1918, and as it now appears it is to be shortly reduced to 10 per cent in 1920. It is to the credit of British business capacity that the industries of England can operate on the domestic coal supply, while British tradesmen exchange American coal for materials for their own home markets. No one reasonably can attribute bad motives, double dealing, or commercial trickery to English merchants; they are simply acting in the interest of their own country, protecting it against economic collapse, strengthening its forces of production, and rehabilitating a whole industrial system deteriorated by war. It is not my purpose to attack Great Britain for her thoughtful, and surely lawful, manipulations in favor of her own people; but I want to ask why America has stood by and watched her coal supply, in itself not sufficient for our own people, carried off to all parts of the earth so that foreign industries may thrive? Must not our own industries continue to produce for America? Are we not bound to consider the needs of our own country first?

We can not defend this wholesale exportation of our own coal on the ground that it is necessary to prevent starvation and misery in debilitated European countries, for we must bear in mind that bituminous coal is chiefly used for manufacturing purposes.

During March of this year 1,050,000 tons of cargo and bunker coal were exported from Hampton Roads out of a total dumping of 1,700,000 tons; in April approximately 1,200,000 tons out of a total dumping of 1,900,000 tons were carried away to foreign ports. And during the month of April, while New England industries were left to face suspension and paralysis on account of lack of fuel, due, it is alleged, to car shortage, there was a 25,000 car movement carrying export coal from the mines to the seaboard. How short-sighted! How deplorable! How totally indifferent to the threatened collapse of our industries we have been! The New England all-rail gateway blocked with loaded cars, New England industries closed, the whole country facing not only a car shortage but a coal shortage, and we complacently permit foreign agents to buy our coal at fabulous prices and transport it to vessels waiting in American

ports with facilities that we need for the transportation of our own merchandise and our own coal.

As an illustration of the effect this apparently insatiable export demand has had on coal prices, a steamer in New York lacking bunker coal recently paid $22 per ton alongside for enough coal to take her to Halifax. This price would mean a charge of $18 per ton at the mines. Vessels arriving at New York finding it necessary to buy spot coal have to pay from $15 to $20 per ton alongside, as compared with a price of about $5 per ton for the very same coal, or $3.50 60 days ago, at the mines.

Many coal companies are selling at contract prices of $4 and $5 at the mines, but can not possibly get cars to transport their coal to regular customers. But spot prices in Pennsylvania and West Virginia range from $8 to $9 per net ton f. o. b. mines. The Boston & Maine Railroad—and the reason why I am particularly interested is because the situation so vitally affects the transportation system of New England—is now paying $13.50 per ton f. o. b. wharf, Boston; $8 of this is paid the producer at the mine, an increase of 100 per cent in the last 60 days.

Owing to the priority granted by the Interstate Commerce Commission to railroads within reach to load up at the mines, certain railroads are well supplied with fuel, but the geographically remote New England roads are facing a dangerous shortage. Railroads hold little encouragement that the car shortage can be relieved in the near future so as to begin normal shipments of coal to different sections of the country.

Retail dealers everywhere find it difficult to purchase coal at any price. In New England conditions seem to be worse in this respect than elsewhere. An extract received from Worcester retail dealers says: "The large operators selling coal on what are called circular prices are not giving us any coal at all. Independent companies will give small amounts at prohibitive prices." Reports from Massachusetts lead me to believe that whereas at this time of year normally the retail dealers have had substantial stocks of coal on hand, this year they have practically none and very few prospects of getting supplied.

What a terrible coal famine is imminent in New England can better be understood by the following figures. Her consumption of bituminous coal is approximately 25,000,000 tons per annum. It is impossible, because of the limited railroad gateways, to transport under ordinarily favorable conditions by rail more than one-half of the demand, or 12,000,000 tons. The balance must be bought at tidewater, mostly at Hampton Roads. This port is infested with foreign buyers with foreign ships, offering any price, and the result has been a tremendous increase in price by reason of this competition.

Last month nearly 66⅔ per cent of the coal dumped at Hampton Roads went to foreign or export trade, leaving only a few hundred thousand tons at best for the New England market. Any shipment by water less than 1,000,000 tons per month means a most serious shortage.

Mr. President, as I pointed out in my recent speech before this body, we are the only country in the world attempting to plunge through this upset, chaotic period without a policy of reconstruction. We are paying dearly for this neglect—and this reactionism—and the condition like the present coal emergency gives emphatic proof of it. The lack of an efficient Government control of exports and home distribution is responsible for an alarmingly dangerous situation, the outcome of which no human agency can conjecture.

But New England is not the only sufferer. The price of coal has risen in every part of the country by reason of the excessive prices offered by foreign buyers. In addition, the attractive prices paid for export coal has diverted coal from the Northwest and, if not already, very shortly, the Northwestern States will find their supply greatly reduced and the price doubled by reason of the exportation of American coal to Europe. The practical question for us to face and answer is this: Why should the American people suffer so that our producers can furnish foreign countries with coal for their commercial exchanges in every part of the world?

The data upon which my remarks have been based are not simply rumor or hearsay. I have had my facts verified and totally authenticated by several reliable men very close to the departments of our Government which have to do with mining, exporting, commerce, and transportation, and I am convinced that these men have in nowise exaggerated conditions as they exist. Mr. President, can our Government remain sluggish while our industries and railroads face such disastrous shortage of what is essential and necessary for their continuance, and will we refuse to help our people when they are threatened with conditions worse than those which rural Italy suffered during the height of the war? It is not time to criticize or malign the British because they have outwitted us and cajoled our coal producers who care more for the jingle of swollen profits than the well-being and security of their fellow citizens. It is time to step in and take the reins from the hands of certain of our coal producers, who are leading us into the ditches of industrial stagnation and human suffering; it is time to keep enough of our coal at home to supply the full requirements of this country. And we can do it; an embargo declared on all coal destined for a foreign port, with power in a fuel administrator to distribute coal shipments according to the needs of the various sections of the United States, will help to settle the problem. Mr. President, I offer this resolution for the purpose of securing official information leading to that end.

The VICE PRESIDENT. Does the Senator from Massachusetts desire to have the resolution considered now?

Mr. WALSH of Massachusetts. Yes; if the Senate please.

The VICE PRESIDENT. Is there unanimous consent for its present consideration?

Mr. SMOOT. Mr. President——

Mr. POMERENE. Mr. President, I did not hear the reading of the resolution. I have been very much interested in the remarks of the Senator from Massachusetts.

The VICE PRESIDENT. The Chair desires to know whether there is objection to the present consideration of the resolution.

Mr. SUTHERLAND. I object to its present consideration. I have not had an opportunity to study it.

The VICE PRESIDENT. Then the resolution goes over.

Mr. SMOOT. I think the resolution will have to go to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. The Chair has not seen the resolution. It goes over one day under the rule, anyway.

Mr. FRELINGHUYSEN. Mr. President, I should like to ask the Senator from Massachusetts a question. In recommending an embargo against the export of coal—which can not amount to more than 25,000,000 tons a year, because that is the fullest extent of the capacity of the wharves and piers and loading facilities—out of 500,000,000 tons produced annually in this country, is he also in favor of an embargo against Canada, to which we export 16,000,000 tons annually?

Mr. WALSH of Massachusetts. Mr. President, I favor an embargo on coal which will reduce the exporting of coal in the same proportion that the production has been reduced in the United States. In other words, the production has been reduced from 100 per cent in normal times to 33⅓ per cent. All I ask for is that the exportation of coal be reduced to the same proportion, 33⅓ per cent.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. The Chair must hold that this debate is out of order. There is nothing before the Senate.

MEAT-PACKING INDUSTRY.

Mr. KENYON. I move that the Senate proceed to the consideration of the bill (S. 3944) to create a Federal live-stock commission, to define its powers and duties, and to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes. I desire to call the attention of the Senator from Illinois [Mr. SHERMAN] to the motion. I am moving to take up what is known as the packer bill. There is a general understanding that this bill shall be the unfinished business at the time the Senate adjourns or recesses. We do not ask to have it take the place of any legislation that may be brought up between now and the time of the recess, and I have assured the Senator from Illinois that we will not push it now; but we want to have it made the unfinished business, and after it has been made the unfinished business we shall be willing to lay it aside for any important matter.

Mr. UNDERWOOD. Mr. President, I should like to ask the Senator a question. If we take up the packing bill, as I believe it is called, there is undoubtedly going to be a good deal of debate on it.

Mr. KENYON. Yes.

Mr. UNDERWOOD. It will probably occupy all the spare time between now and adjournment, if we succeed in adjourning on the 5th of June.

Mr. KENYON. I think it is fair to say that it will.

Mr. UNDERWOOD. There is a good deal of legislation that is not seriously combatted—legislation outside of the supply bills and conference reports—that Members are interested in. If this particular legislation could be passed before the 5th of June, I could see that the Senator would have a right to push it; but I do not think it is probable that it can. It simply means debate until that time. I should very much prefer, if the Senator will agree to a proposition of that kind, to see it

go over until December, and fix a day certain for it to be taken up as the unfinished business, than to have it stand in the way of everything else here until the end of the session.

Mr. LODGE. Mr. President——

Mr. KENYON. I yield.

Mr. LODGE. I understood from what the Senator from Iowa said that in taking up this bill and making it the unfinished business now, he did not propose to allow it to interfere with any of the necessary business which we must transact in the course of the next 10 days.

Mr. UNDERWOOD. I understood that; but it will stand in the way of various small bills and matters of legislation that are not of grave public importance, but are of a good deal of interest to many people.

Mr. KENYON. Mr. President, I will say that there probably will be no discussion on the bill between now and then. It is simply a question of making it the unfinished business when we recess or adjourn. I hope we are not going to adjourn; but if we recess for some stated period, then this will be the unfinished business when we recess; that is all. I should like to ask the Senator whether we could not have unanimous consent to that effect. Would there be any objection to that?

Mr. UNDERWOOD. I have no objection to that, if the Senator's purpose is that certain classes of bills that Members may want to get up will be given a chance.

Mr. KENYON. It is not to be discussed. This is just an effort to make it the unfinished business; and if we can have a unanimous-consent agreement that it shall be the unfinished business at the time of the recess or adjournment, we are satisfied.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. KENYON. Certainly.

Mr. LENROOT. If the Senator would make his request in this way, that at the time of the recess or adjournment this bill shall be the unfinished business but not made the unfinished business now, that will answer every purpose.

Mr. UNDERWOOD. Mr. President, I do not like to make an agreement with the Senator from Iowa that I think would mislead him. I suppose he wants to make this bill the unfinished business when we adjourn, so that it will be the unfinished business when we meet.

Mr. KENYON. Yes.

Mr. UNDERWOOD. But, as I understand, when we adjourn the unfinished business goes to the calendar.

Mr. KENYON. I do not think so.

Mr. UNDERWOOD. If it does not, then it is all right; but that is my understanding of the rules of the Senate.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. The Senator from Iowa is running this.

Mr. KENYON. I yield to the Senator from Massachusetts.

Mr. LODGE. I was only going to say that taking up the bill at this moment does not make it the unfinished business, the hour of 2 o'clock not having arrived. I think the purpose we all have is similar, and that is to make this bill the unfinished business to be taken up after the recess or adjournment, as the case may be; and I suppose that can be reached by unanimous consent.

Mr. KENYON. That covers the situation very clearly.

Mr. SHERMAN. Mr. President, in the event a recess is voted by the Senate, if this bill is carried over then and made the unfinished business at the recessed session, I should like to inquire when it will be taken up. That will be along some time in July. The last convention is not held until the 28th of June, and even if we do not adjourn it will be July, probably, before the recessed session will convene. What arrangement will be made in July and August or between the time we convene in recess and the first Monday in December, when the regular session begins?

I should dislike very greatly to be in a condition where I am compelled to return to this Chamber, say, on the 5th or 6th of July and remain until the following December. I want to vote. I have voted an absent voter's ballot now for four years. I have not been home, and I do not want to be in a condition where I must stay here all summer. For the last eight years, with the exception of one, I have been here practically all summer. Could we not put something in the agreement that would cover at least a convenient arrangement?

Mr. KENYON. I shall be perfectly willing to put in it a stipulation that the Senator from Illinois need not be here.

Mr. SHERMAN. I shall not be here voluntarily, I assure the Senator.

Mr. KENYON. How would this do? We can not determine that until we see when the recess is taken to. I assume that it will not be taken to a time later than July. Perhaps the Senator from Massachusetts can tell us about that.

Mr. SHERMAN. Would it not be safer to adopt the suggestion made by the Senator from Alabama and make the bill the unfinished business for December? It then has priority. I do not want to talk all summer, and still I may be compelled to do so.

The VICE PRESIDENT. Why are we discussing the question of making something in the future the unfinished business? You can not by an act of this Congress make anything the unfinished business. It is made by the condition that exists at the time of adjournment.

Mr. KENYON. Can we not make it the unfinished business prior to adjournment by unanimous consent?

The VICE PRESIDENT. Certainly not; no. The unfinished business is the last business when the adjournment is taken.

Mr. KENYON. It is the same Congress.

Mr. UNDERWOOD. Mr. President, I do not agree with the Chair at all about that.

Mr. LODGE. Neither do I.

Mr. UNDERWOOD. I think it is entirely in order for the Senate to adopt an order prescribing what the business shall be on a certain day.

The VICE PRESIDENT. That is a special order. That is a horse of another color.

Mr. UNDERWOOD. That is what we are trying to agree on.

The VICE PRESIDENT. That is provided for—that you can set a thing down at a certain time for consideration.

Mr. UNDERWOOD. That is what I understood the Senator from Iowa desired to do.

The VICE PRESIDENT. That is not unfinished business.

Mr. UNDERWOOD. I understood that it is the purpose of the request of the Senator from Iowa to have a special order made by unanimous consent, and make this bill the unfinished business under that special order at a certain date—I mean, a special order for its consideration, not for a vote.

Mr. SHERMAN. Mr. President, would not the Senator be satisfied with that? That is a practical arrangement.

Mr. KENYON. If we are going to adjourn, I shall be perfectly satisfied with that. If we are coming back here in September, I should not be satisfied with it. So far as I am concerned, I will vote for a recess to September; but I am not going to vote for an adjournment, and I hope we will not adjourn. If we come back in September, would the Senator have any objection to having the bill taken up then?

Mr. SHERMAN. I do not want to make any agreement. I shall not object. I will sit mute in my seat and say nothing.

Mr. KENYON. That will be satisfactory.

Mr. SHERMAN. But I prefer that it be not done, of course.

Mr. SIMMONS. Mr. President, I should like to ask the Senator from Iowa a question. I understood the Senator to say that even if this bill is made the unfinished business he does not expect to discuss it during this session.

Mr. KENYON. No; not to discuss it.

Mr. SIMMONS. Does the Senator think he would have any difficulty in getting this bill up at any time that he wishes to take it up, either this session or next session?

Mr. KENYON. I judge only of the future by the past, and I am very sure there will be difficulty.

Mr. SIMMONS. Has the Senator any doubt that there are enough votes in this Chamber at this time to take up this bill, now or later, against any opposition?

Mr. KENYON. I think there are enough votes now, and that is why I should like to take it up. I do not know whether there will be as many after election.

Mr. SIMMONS. I do not feel that there would be any votes on this side against taking it up now or at any time during the next session; and if the condition of sentiment in this Chamber is such that the Senator can take it up now if he wants to, and can take it up at any time during the next session that he wants to, why does the Senator want to take it up when he does not intend to discuss it?

Mr. KENYON. Mr. President, I am anxious, and I am sure the Senator from Wyoming [Mr. KENDRICK] is, to take it up and act on it during this session. That is our desire; but we found that to do so would come in conflict with the appropriation bills, and we do not want to delay them. The Senator from Illinois, who is very much opposed to the bill, wanted to get away, and a good many other Senators want to get away. We do not want to be in the position of forcing the Senator from Illinois to stay here during the coming week; otherwise, we should be glad to take it up.

Mr. SIMMONS. Exactly; but the point I am making is, as the Senator does not intend to discuss it at this session, what

is the use of his having it made the unfinished business when it is certain, in my judgment, that at any time the Senator wants to take it up in extra session or special session or after the recess he can take it up?

Mr. KENYON. The Senator will concede, will he not, that it is a great deal more certain that it will be taken up if it is made the unfinished business when this session closes?

Mr. SIMMONS. It is a case of certainty in both instances; and therefore I do not see why the Senator is so anxious to have it declared the unfinished business now.

Mr. KENYON. I am anxious simply to have the bill acted on. I have been anxious for months to have it acted on.

Mr. SIMMONS. I would believe the Senator was right about that provided there was any doubt about the attitude of the Senate with reference to taking up this bill.

Mr. KENYON. Well, that is an unknown factor.

Mr. SIMMONS. I do not think it is an unknown factor.

Mr. LODGE. Mr. President, it is impossible at this moment to tell exactly what we shall do on the 5th day of June; but I assume that a recess, either long or short, will be taken on that day. In fact, I think that will have to be done, because I doubt if there will be a quorum. Therefore it seems to me that we could meet the wishes of the Senator from Iowa, which I am very anxious to do, by providing that at 2 o'clock on the 5th day of June we shall take up the packers' bill.

Mr. KENYON. That will be satisfactory.

The VICE PRESIDENT. That requires a two-thirds vote. Is there any objection to it?

Mr. LODGE. Why a two-thirds vote? Can it not be done by unanimous consent?

The VICE PRESIDENT. You are attempting to make a special order for 2 o'clock on the 5th day of June.

Mr. LODGE. Can we not do that by unanimous consent?

The VICE PRESIDENT. You can. That overrides everything.

Mr. KENYON. Will the Senator from Massachusetts make that request?

Mr. LODGE. I make a request for unanimous consent that we take up the packers' bill at 2 o'clock on the 5th day of June.

The VICE PRESIDENT. Is there any objection?

Mr. SIMMONS. Mr. President, I do not exactly understand the request of the Senator from Massachusetts. Does he mean that on that day we shall vote on the question whether we will proceed to the consideration of the bill?

Mr. LODGE. No; I mean that it shall be taken up at 2 o'clock on the 5th day of June, and that makes it the unfinished business.

Mr. SIMMONS. Can we now vote upon what we will do on the 5th day of June?

Mr. LODGE. We can make a unanimous-consent agreement.

The VICE PRESIDENT. The Chair has ruled that either by unanimous consent or by a two-thirds vote the Senate can set the bill for a hearing on the 5th day of June at 2 o'clock, under Rule X. Is there any objection?

Mr. SIMMONS. I have no objection to taking it up on June 5, and I have no objection to taking it up right now. I believe we are ready to take the bill up any time the Senator from Iowa wants to have it taken up.

Mr. KENYON. Does not the Senator think we ought to accommodate other Senators? I would be glad to take it up right now and keep it before the Senate until it has been passed, if it took all summer.

Mr. SIMMONS. I understand the position of the Senator, but he does not seem to be able to understand my position. I can not see, for the life of me, why it is necessary for us now to make a record here making this the unfinished business when we do not intend, and it is declared that we do not intend, to consider it at all during this session. It is simply for the purpose of making it the unfinished business on the record. That is all I can see in it. If there were any doubt about the ability of the Senator, as soon as Congress meets after a recess, or at the regular session, if we adjourn, to get up the bill, I would see no objection to the course which he now seeks to pursue; but I do not see any reason why it should simply be made the unfinished business for the purpose of making a record.

Mr. LODGE. It is not for the purpose of making a record, Mr. President. It is an endeavor to secure the position for this bill which I think practically all Senators desire to secure for it—to make it certain now that at 2 o'clock on the 5th of June we shall take it up. For the reasons stated by the Senator from Iowa it is not possible to deal with the bill between now and the 5th day of June.

We shall, in all human probability, take a recess on the 5th of June. We may not end the session, we may not get an adjournment, but we certainly shall take a recess on that day. By taking the bill up under a special order at 2 o'clock on that day we make it the unfinished business, and it will come up whenever Congress meets again.

Mr. KENDRICK. Mr. President, I hope that the Senator from North Carolina [Mr. SIMMONS] will not object to the proposed unanimous-consent agreement. The conclusion to consider the bill in this way is something of a compromise growing out of the impossibility of considering it at this session of Congress, without impeding the progress of other legislation. The question of going on record in this way involves another situation, and that is the appeals from different sections of the country to pass this legislation.

Mr. SIMMONS. As the Senator knows, I am as much in favor of this legislation as he is.

Mr. KENDRICK. I do.

Mr. SIMMONS. And he knows that I want to see it given consideration. If the Senator, who is jointly with the Senator from Iowa the author of the bill, wants this action taken, I shall not interpose any objections, but I do want to repeat what I have already said, that I do not see that the matter will be advanced at all by this process.

Mr. KENDRICK. I merely wish to say that this result would be accomplished: There would be a definite notice given to the country that the first thing when we reconvened will be to take this legislation up and consider it, and either act favorably upon it or reject it. That is the object I am anxious to accomplish in reaching this conclusion.

Mr. LENROOT. Mr. President, I would like to suggest to the Senator from North Carolina [Mr. SIMMONS] that another advantage is gained, in that it cuts off debate. If the motion were made when we come back after the recess, it would be debatable, and it might require a great deal of time.

Mr. SIMMONS. There seems to be no debate about the matter now, and no opposition to taking it up. I do not see why the Senator should anticipate any protracted debate after the recess.

Mr. LENROOT. I had in mind the statement made by the Senator from Illinois [Mr. SHERMAN] that if he had to come back, he might talk all summer upon the bill.

Mr. SIMMONS. I suppose he can talk on the bill after the recess, if it is taken up, but not on the motion to take it up. I have not heard him say that he is going to oppose the motion to take it up.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and what is known as the packers bill is made the special order for 2 o'clock on Saturday, the 5th day of June.

The unanimous consent agreement entered into was reduced to writing, as follows:

It is agreed by unanimous consent that at 2 o'clock p. m., on the calendar day of June 5, 1920, the Senate will proceed to the consideration of the bill S. 3944, a bill to create a Federal live-stock commission, to define its powers and duties, and to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes.

RUSSIAN RAILWAY SERVICE CORPS.

Mr. WADSWORTH. Mr. President, out of order I ask unanimous consent to present a report from the Committee on Military Affairs. I report from that committee favorably with an amendment the bill (S. 3865) providing for the men and officers in the Russian Railway Service Corps the status of enlisted men and officers of the United States Army when discharged, and I submit a report (No. 637) thereon. I desire to call the bill to the special attention of the Senator from Washington [Mr. POINDEXTER].

Mr. POINDEXTER. Mr. President, I ask unanimous consent for the present consideration of the report just made by the chairman of the Committee on Military Affairs.

The VICE PRESIDENT. Is there objection?

Mr. KING. Mr. President, from its title it seems to be an important measure, and I would like to know what it is about before I consent to its consideration.

Mr. POINDEXTER. I will say to the Senator from Utah that it is a measure which was considered this morning by the Committee on Military Affairs, and has the effect of giving to 215 men who comprise the Russian Railway Service Corps, railroad men who were recruited in this country to serve in Siberia on the railroads there, recruited by the War Department, equipped with United States uniforms, the same status as enlisted men and officers of the United States Army as to the benefits of the war-risk insurance and other privileges.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. KING. I object.

The VICE PRESIDENT. The bill will be placed on the calendar.

TRANSFER OF WAR MATERIAL.

Mr. WADSWORTH. I ask unanimous consent to report from the Committee on Military Affairs the bill (H. R. 13329) to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes, and I submit a report (No. 638) thereon. I desire to call the attention of the Senator from North Carolina [Mr. SIMMONS] to the bill.

Mr. KING. I object to its present consideration.

The VICE PRESIDENT. Objection is made, and the bill will be placed on the calendar.

EXECUTIVE SESSION.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After one hour spent in executive session the doors were reopened.

SPANISH WAR AND OTHER PENSIONS.

Mr. NEW. Mr. President, I move that the Senate proceed to the consideration of the bill (H. R. 2) to pension soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition.

Mr. JONES of Washington. I ask the Senator to permit me to present a conference report on the river and harbor bill and have it acted upon.

Mr. NEW. As soon as we get action on my motion I will be very glad to yield for that purpose.

The VICE PRESIDENT. The question is on the motion of the Senator from Indiana to proceed to the consideration of House bill 2.

Mr. KING. Mr. President, it seems to me we have more important legislation than that at the present moment, and I hope the bill will not be taken up.

The VICE PRESIDENT. The question is on the motion of the Senator from Indiana.

Mr. KING. I ask for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk called the roll.

Mr. MYERS. I notice that the Senator from Connecticut [Mr. MCLEAN], with whom I have a pair, is absent. I transfer my pair to the Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], who does not appear to be in the Chamber, and I withhold my vote.

Mr. CALDER. I have a general pair with the junior Senator from Georgia [Mr. HARRIS]. I transfer that pair to the senior Senator from Iowa [Mr. CUMMINS] and vote "yea."

Mr. MOSES (after having voted in the affirmative). I have a pair with the Senator from Louisiana [Mr. GAY]. I transfer my pair to the Senator from New York [Mr. WADSWORTH] and let my vote stand.

Mr. BALL. I have a general pair with the senior Senator from Florida [Mr. FLETCHER], but I understand that he would vote "yea" if present. So I will vote. I vote "yea."

Mr. GERRY. I wish to announce that the Senator from Arkansas [Mr. ROBINSON] is detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON];

The Senator from Minnesota [Mr. KELLOGG] with the Senator from North Carolina [Mr. SIMMONS]; and

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT].

The result was announced—yeas 52, nays 3, as follows:

YEAS—52.

Ashurst	Hale	McKellar	Sheppard
Ball	Harding	McNary	Smith, Ariz.
Borah	Harrison	Moses	Smith, S. C.
Brandegee	Jones, N. Mex.	Nelson	Smoot
Calder	Jones, Wash.	New	Spencer
Capper	Kendrick	Norris	Stanley
Chamberlain	Kenyon	Nugent	Sterling
Curtis	Keyes	Overman	Swanson
Dial	Knox	Page	Townsend
Elkins	Lenroot	Phelan	Trammell
France	Lodge	Pittman	Underwood
Frelinghuysen	McCormick	Poindexter	Walsh, Mont.
Gerry	McCumber	Pomerene	Warren

NAYS—3.

King	Myers	Thomas

NOT VOTING—41.

Beckham	Glass	McLean	Smith, Ga.
Colt	Gore	Newberry	Smith, Md.
Comer	Gronna	Owen	Sutherland
Culberson	Harris	Penrose	Wadsworth
Cummins	Henderson	Phipps	Walsh, Mass.
Dillingham	Hitchcock	Ransdell	Watson
Edge	Johnson, Calif.	Reed	Williams
Fall	Johnson, S. Dak.	Robinson	Wolcott
Fernald	Kellogg	Sherman	
Fletcher	Kirby	Shields	
Gay	La Follette	Simmons	

So the motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. ASHURST. I offer an amendment to the bill. I ask that it be read.

The PRESIDING OFFICER (Mr. MCCORMICK in the chair). The proposed amendment will be read.

The ASSISTANT SECRETARY. On page 3, after line 17, insert a new section, as follows:

SEC. 4. That all Army nurses of the War with Spain, the Philippine insurrection, and the China relief expedition shall be entitled to the benefits of this act.

Mr. JONES of Washington. I desire to present the conference report on the river and harbor appropriation bill. May I ask if the Senator from Indiana will permit the unfinished business to be temporarily laid aside for the consideration of the conference report?

Mr. NEW. I have no objection to the granting of the request.

The PRESIDING OFFICER. If there be no objection, the unfinished business will be temporarily laid aside.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. JONES of Washington submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11892) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 11, 15, 18, 20, 24, 26, 27, 32, 40, 43, 57, and 65.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 8, 9, 12, 14, 16, 17, 19, 21, 25, 28, 29, 30, 31, 33, 35, 37, 38, 41, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 58, 59, 60, 62, and 63, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with its insertion on page 10, after line 16; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In the proposed amendment strike out the word "Sterlings" and insert in lieu thereof the word "Starlings"; and strike out the word "Accomack" and insert in lieu thereof the word "Accomac"; and the Senate agree to the same.

That the House recede from its disagrement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "Charlotte Harbor, Fla., with a view to securing a channel of suitable dimensions to Punta Gorda"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "Harbor at St. Petersburg, Fla."; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "Tennessee River and tributaries, in North Carolina, Tennessee, Alabama, and Kentucky"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In the proposed amendment strike out the word "Pollocksville" in line 4, insert in lieu thereof the word "Polloksville," and transfer the item so amended to page 5, after line 5; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In line 4 of the amendment strike out the word "deep" and insert in lieu thereof the word "depth";

and in line 18 of the amendment strike out the word "Ceritor" and insert in lieu thereof the word "Cerritos"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "with a view to"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: In line 7 of the proposed amendment strike out the word "appropriation"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lines 7 and 8 of the proposed amendment strike out the word "Appropriation"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 6. That the laws of the United States relating to the improvement of rivers and harbors, passed between March 4, 1913, until and including the laws of the third session of the Sixty-sixth Congress, shall be compiled under the direction of the Secretary of War and printed as a document, and that 600 additional copies shall be printed for the use of the War Department."

And the Senate agreed to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In line 2 of the proposed amendment strike out the word "appropriation"; and the Senate agree to the same.

The committee of conference have been unable to agree on the amendment of the Senate numbered 1.

W. L. JONES,
CHAS. L. MCNARY,
JOS. E. RANSDELL,
Managers on the part of the Senate.
C. A. KENNEDY,
S. WALLACE DEMPSEY,
THOS. GALLAGHER,
Managers on the part of the House.

Mr. JONES of Washington. I ask for the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. KING. Mr. President, I should like to ask the Senator to explain what the particular differences were and what concessions were made by the Senate conferees.

Mr. JONES of Washington. Outside of amendment numbered 1, which covers the amount that is carried in the bill, the other provisions were with reference to surveys. The House conferees receded from most of the surveys. We followed this rule, however, in passing upon provisions for surveys: That where an adverse report had been made upon a proposition within four years, the Senate conferees receded from any provision for a new survey. That, in brief, is the substance of the report.

Amendment numbered 1 covers the amount carried in the bill. There is disagreement over that amendment. We have not agreed on it. When the conference report is agreed to I desire to make a statement with reference to that feature of the bill. The other provisions of the bill, the amendments put on by the Senate looking to contributions, were accepted by the House, and the further amendments of a general character that the Senate put on were accepted by the House. Is there any further information that I can give to the Senator?

Mr. KING. Does the report increase the amount as the bill passed the Senate?

Mr. JONES of Washington. Oh, no; we have not agreed upon the amount at all. That is in disagreement yet, and it is the only amendment that is in disagreement. That is amendment numbered 1. The House passed the bill providing for $12,000,000, and the Senate increased the amount to $24,000,000. We have reached no agreement on that.

Mr. KING. Have not the Senate conferees acceded to certain amendments which of necessity would increase the amount of the appropriation above $12,000,000?

Mr. JONES of Washington. Oh, no; not at all.

Mr. KING. I am very much interested in trying to help the Republicans to practice economy, which some of them do not seem to be very anxious to carry into effect.

Mr. JONES of Washington. The matter of economy is involved in amendment numbered 1.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. JONES of Washington. I move that the Senate further insist upon its amendment numbered 1 and request a further conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

I desire to make this brief statement before the motion is put. The Senate will remember that the House passed the bill providing for $12,000,000 and that the Senate committee made its report, recommending that the amount be increased to $20,000,000. After considerable discussion in the Senate, the Senate agreed to an amendment increasing the amount recommended by the committee from $20,000,000 to $24,000,000, and in that form the bill passed the Senate. The conferees have not been able to reach any agreement with reference to the amount. The House Members insist strenuously upon their amount, $12,000,000. The Senate confreees made a proposal to accept $18,000,000, but this was not accepted by the House conferees.

Here is the situation: The engineers of the Army came before the Senate Committee on Commerce and very strenuously urged that we should appropriate $19,000,000 for improvements and $5,000,000 for maintenance, or $24,000,000 altogether. They stated positively that they felt they could not get along well with less than that amount of money, and that if Congress appropriated less than that sum of money, either the needs of commerce would suffer or the improvements that were under way would suffer and thereby bring a loss to the Government.

Col. Taylor also stated that the amount on hand the 1st of February was a little over $36,000,000. According to the statement submitted to the House, on the 1st of November last there was on hand the sum of $59,000,000 in round numbers. Col. Taylor, as I said, stated that on the 1st of February there was on hand $36,000,000. The committee inquired rather particularly about that, and we thought we understood the situation. According to that they were spending about $5,000,000 a month. Col. Taylor went on to say that on the 1st of July we would have about $12,000,000 or $13,000,000 on hand. That was based upon the assumption that we would spend $5,000,000 a month.

When the matter came up in the Senate, of course, these facts were brought out, and I remember stating on the floor that, assuming that to be correct, and if we were to spend at the same rate of $5,000,000 a month up to the 1st of January, and appropriated $20,000,000 available the 1st of July, we would have on hand only about $2,000,000 the 1st of January. Whether that had anything to do with the action of the Senate in increasing the amount to $24,000,000 I can not say. Before that statement was presented there was very strong argument made for increasing the amount and an amendment was proposed making it $27,000,000, which, my recollection is, was lost by only two votes. At any rate, I made that statement on the floor.

I understood Col. Taylor's testimony before our committee to mean and to be to the effect that the $59,000,000 on hand the 1st of November had been reduced to $36,000,000 on the 1st of February, and that this coming summer and fall the expenditures would at least be equal to what they had been in the few months before, if not more. But after the bill had passed the Senate, in talking with one of the House Members, he made a suggestion that led me to think that possibly we had misunderstood Col. Taylor. I do not think that Col. Taylor intended to mislead us at all, but that we had misunderstood him. So I wrote him a letter asking him further and more particularly as to the amount of money that we had on hand. He wrote me under date of April 10 as follows:

Balance available February 1, 1920, for works of river and harbor improvement, $36,307,292 (does not include allotments for Wilson Dam and Illinois and Michigan Canal, nor flood-control appropriations).

I was not satisfied with that, and I telephoned him again and told him what I wanted to get was a statement clearly showing the amount of money that was actually unexpended, and in answer I received a letter under date of April 29, 1920, giving me a table showing the amount of money on hand in connection with every project that is under way, the amount of money that has been allotted out of that or under contract, and the amount of money that is unallotted and uncontracted, and this is the showing that that makes: That on the 1st day of April, instead of the 1st day of February, there was on hand for river and harbor improvements under way $60,005,311.69; that of that there had been allotted or contracted to

be spent $27,305,253.96, leaving, on the 1st of April, a balance available that has not been contracted, that has not even been allotted, of $32,750,547.90.

So when I made the statement on the floor of the Senate that since November 1 up to February 1 we had expended at the rate of $5,000,000 a month I was incorrect. That amount of money had probably been allotted for expenditure or contracts had been made that when completed would involve that amount of expenditure; but, as a matter of fact, they have not been spending even half that amount. I have here a statement, under date of May 4, from the Engineer's office giving the amount of money actually spent per month from July 1 to December 31, 1919, as being $16,921,692.52, or a little over $2,000,000 a month. Then in January, 1920, they spent $2,360,240.63; in February, 1920, they spent $1,929,334.57; in March, 1920, they spent $2,393,195.84; and in April they spent a little over $2,562,000. So they are not now spending in excess of two and a half million dollars a month.

That, Mr. President, is the situation financially. It shows the amount of money that is available during the coming year up to the 4th of next March, and it is assumed that we shall pass a river and harbor bill prior to that time. In view of this showing, the other House is insisting very strongly that the $12,000,000 provided for in its bill will be amply sufficient to take care of the needs of river and harbor improvements up to the 4th of next March.

Mr. President, I felt that I should make that statement before asking the Senate to further insist upon its amendment and allowing the bill to go back to conference. I desire to assure the Senate, however, that if it does send the bill back to conference the Senate conferees will do the very best they possibly can, in the light of these figures and of this situation, to carry out the wishes of the Senate.

If there be no further suggestions in reference to the matter, I move that the Senate further insists upon its amendment No. 1, request a further conference with the House on the disagreeing votes of the two Houses thereon, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. JONES of Washington, Mr. MCNARY, and Mr. RANSDELL conferees on the part of the Senate at the further conference.

OIL LAND LEASING REGULATIONS.

Mr. PITTMAN. Mr. President, I wish to call the attention of the Senate to the rules and regulations which have been promulgated by the Department of the Interior in regard to what is known as the oil-leasing bill. Protests in various form are reaching me from all over the country against those rules and regulations. I have studied them very carefully, and I think in many cases they absolutely nullify the purpose and spirit of the act. I have drawn a brief on the subject, which I have submitted to the Secretary of the Interior, and I desire permission to have it printed in the RECORD, in order that it may reach all of those from whom inquiries have been received concerning the matter and as well be of assistance, perhaps, to Senators who have received similar inquiries.

Mr. LODGE. I think it ought to be incorporated in the RECORD.

Mr. SMOOT. Do I understand the Senator to say that the matter has been approved by the Secretary of the Interior?

Mr. PITTMAN. No. It is a protest to the Secretary of the Interior against the rules and regulations issued by the Department of the Interior as nullifying the purpose of the act. I simply desire to have it printed in the RECORD in order to save correspondence and give each Senator the opportunity to utilize it if he so desires. It is in the form of a brief.

Mr. SMOOT. I think that is all right, Mr. President.

The PRESIDING OFFICER. Without objection, the request of the Senator from Nevada is granted.

The matter referred to is as follows:

UNITED STATES SENATE,
Washington, D. C., May 26, 1920.

HON. JOHN BARTON PAYNE,
The Secretary of the Interior, Washington, D. C.

SIR: I take the liberty of calling to your attention certain regulations and rulings issued by your department relative to operations under and enforcement of the act of February 25, 1920, Public No. 146, known as the general oil-leasing bill, which, in my opinion, are in conflict with the spirit and purpose of the act, nullifying in their effect, and without and beyond the authority granted your department in the act. I would not impose this additional burden upon you were it not for the fact that this legislation is of vital interest to my constituents and to the whole country.

Under section 19 of the leasing bill prior locators have a right to accept a prospecting permit within six months after the passage of the act, or they may have the option under section 37 of prosecuting their claims to patent under the laws existing prior to the passage of the leasing bill. The period is rapidly approaching when they must exercise their options, and therefore a final ruling upon these matters must be made at an early date or great and irreparable damage will be done to bona fide locators.

Since September 27, 1909, and until the passage of the leasing bill, practically all of the supposed oil lands on the public domain have been withdrawn and withheld from exploration for oil. At the time of the passage of the act the oil situation had become extremely critical, not only in the United States but throughout the world. The purpose of the act was not to retard but to encourage and aid in the exploration for and development of our oil resources.

The authority of the Department of the Interior to make rules and regulations is found in section 32 of the act. It is as follows:

> That the Secretary of the Interior is authorized to prescribe necessary and proper rules and regulations and to do any and all things necessary to carry out and accomplish the purposes of this act.

In this brief and argument I will deal only with one regulation. With your permission, I will submit a brief later with regard to other harsh, unreasonable, and restrictive regulations.

Section 37 of the act provides:

> That the deposits of coal, phosphate, sodium, oil, oil shale, and gas, herein referred to, in lands valuable for such minerals * * * shall be subject to disposition only in the form and manner provided in this act, except as to valid claims existent at date of passage of this act and thereafter maintained in compliance with the laws under which initiated, which claims may be perfected under such laws, including discovery.

The regulation affecting the foregoing exception to the provision of the act is found in paragraph (c) of Regulation VI. It is as follows:

> Stated negatively, under this section of the act, the following classes of oil or gas placer locations, so called, notwithstanding absence of fraud and full compliance with law in other respects, may not proceed to patent, viz: (c) Any location on lands not withdrawn, on which, at the date of the act, the claimant had not made discovery or was not in diligent prosecution of work leading to discovery, and does not continue such work with diligence to discovery.

A discovery is not required in either case.

I call particular attention to the conflict between the requirements of the act and the requirements of the regulation. Under the requirements of the act all that is necessary is that the claim shall have been located and maintained in accordance with the then existing law governing placer mining locations and shall be so maintained until a discovery is made. The regulation goes further and adds the additional requirement not provided in the placer law, namely, that the locator must have been in the diligent prosecution of work leading to such discovery and must continue such work from and after the passage of the leasing bill with diligence to discovery. It is this requirement of diligence before and after the date of the passage of the leasing bill that places a burden and obligation upon the locator not required under the general placer mining law nor required under the terms of the leasing bill. It was this requirement of diligence under the Pickett Act and the harsh and unreasonable construction that was given to such provision that resulted in the notorious injustice perpetrated upon locators of placer oil claims embraced in the withdrawal of 1909. But in such cases the Department of the Interior did not read into the act the word "diligence," because the Pickett Act itself contained such provision. The Pickett Act, however, was remedial legislation and was intended solely to relieve locators whose claims had been brought within a withdrawn area after location but prior to a discovery.

The regulation that I am now attacking does not deal with lands within any withdrawn area but with mining locations upon the nonwithdrawn public lands, which were at all times prior to the passage of the leasing bill, on February 25, 1920, open to location and exploration for oil under the general placer mining act of 1872 and the amendments of 1874, 1876, and 1897. In none of the acts to which I have referred is there any requirement that the locator shall be diligent in the prosecution of his work.

Section 2319, Title XXXII, chapter 6, of the Revised Statutes, setting forth the act of 1872, provides:

> All valuable mineral deposits in lands belonging to the United States, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and purchase.

In section 2324 of the same act we find the following:

> The location must be distinctly marked on the ground so that its boundaries can be readily traced. All records of mining claims hereafter made shall contain the name or names of the locators, the date of the location, and such a description of the claim or claims located

by reference to some natural object or permanent monument as will identify the claim. On each claim located after the 10th day of May, 1872, and until a patent has been issued therefor, not less than $100 worth of labor shall be performed or improvements made during each year.

The Federal law also recognizes the rules and regulations provided by State laws not in conflict with the Federal laws.

In section 2329 of the same act we find the following:

Claims usually called "placers," including all forms of deposit, excepting veins of quartz, or other rock in place, shall be subject to entry and patent, under like circumstances and conditions, and upon similar proceedings, as are provided for vein or lode claims.

Prior to February 11, 1897, oil locations were made under the placer act. Certain decisions of the courts threw doubt upon the applicability of the placer act to the location and acquisition of oil lands. Therefore, on February 11, 1897 (29 Stat., 526), an act was passed and approved expressly providing for the entry and patenting of lands containing petroleum and other mineral oils under the placer-mining laws of the United States.

In this act there is no requirement for diligent prosecution of work.

Such are the laws applicable to mining locations made prior to the passage of the leasing bill, and which locations are excluded from the operations of said act by its express terms. Under such laws there are certain essential acts of a placer-mining location, namely:

(a) The posting of the notice of the claim upon the ground.

(b) The marking of the boundaries so that they may be readily traced upon the ground.

(c) The performance of work upon each claim annually of a value of not less than $100.

(d) A discovery of the mineral.

(e) Recording notice of location where required by State laws.

In Mining Co. *v.* Tunnel Co. (196 U. S., 348) the court quotes the following opinion with approval:

The order of time in which these several acts are performed is not of the essence of the requirements, and it is immaterial that the discovery was made subsequent to the completion of the acts of location, provided only all the necessary acts are done before intervening rights of third parties accrue. All these other steps having been taken before a valid discovery, and a valid discovery then following, it would be a useless and idle ceremony, which the law does not require, for the locators again to locate their claims and refile their location certificate or file a new one.

Let me call to your attention that as far as requirement (c) is concerned, it has been held by the Department of the Interior and by the courts that this work need not be performed actually upon the claim; that it may be any kind or character of work that is essential for the prosecution of the work looking to a discovery or the mining of the mineral. For instance, it has been held time and again that the building of a road or a trail to the property where such road or trail was necessary did constitute the work required under the statute.

The act, in speaking of "valid claims existent at date of passage of this act," can have but one meaning and that is valid by reason of a compliance with the then existing law with the exception of the discovery, because in the same sentence it provides "which claims may be perfected under such laws, including discovery."

There is but one question with regard to this regulation and that is not a question of discovery but a question as to whether or not the Interior Department has the authority under the leasing bill to require more of the locator than is required under existing law applicable to mining locations on nonwithdrawn public domain. There is nothing in these acts that requires or even mentions diligence or that requires more than $100 worth of work annually. The acts essential to the valid location and maintenance of a mining claim under the general placer-mining laws have been adjudicated and are understood by miners.

What is meant by "diligent prosecution of work" is unknown. It depends for its construction upon the whim of the Commissioner of the General Land Office or some other officer of the Department of the Interior. The same provision in the Pickett Act was so construed by the Department of the Interior as to practically nullify the act in many cases.

What encouragement or hope may be held out to the prospector or explorer if, after the expenditure of all his means and the suffering of years of toil, he can be cut off like hay by a retroactive law or departmental ruling? Such was not the intention of Congress in the enactment of the leasing bill of February 25, 1920. Congress had become fully cognizant of the injustices done under the Pickett Act of 1910, through the technical construction of the same clause with regard to diligence that is contained in the regulation I am attacking. Having this in mind, Congress purposely omitted from the saving clause contained in section 37 the provisions with regard to diligence that were contained in the Pickett Act of 1910.

Let us see what the Pickett Act of 1910 is, because it was from the Pickett Act that the drafter of these regulations undoubtedly obtained the suggestion for the requirement of diligence in the prosecution of work looking to discovery before and after the passage of the leasing bill. The Pickett Act was approved June 25, 1910 (36 Stat., 849). It provides:

That the President may, at any time in his discretion, temporarily withdraw from settlement, location, sale, or entry any of the public lands of the United States—

And so forth. And then there is found in section 2 of said act the following proviso:

Provided, That the rights of any person who, at the date of any order of withdrawal heretofore or hereafter made, is a bona fide occupant or claimant of oil or gas-bearing lands, and who at such date is in diligent prosecution of work leading to discovery of oil or gas, shall not be affected or impaired by such order so long as such occupant or claimant shall continue in diligent prosecution of said work.

It will be noted that the drafter of the regulations has taken the proviso from the Pickett Act. In other words, he is attempting by regulations to substitute the Pickett Act for the general placer-mining acts.

The locator or claimant referred to in the Pickett Act had been deprived of the privilege of prosecuting his work to a discovery by the withdrawal of the land from entry under the mining laws. It was an act that dealt solely with withdrawn lands, with lands that the Government had designated as probable oil-bearing lands. The Pickett Act had nothing to do with the nonwithdrawn public lands of the United States which our Government did not consider of sufficient prospective value to withdraw.

The locations referred to in section 37 of the leasing bill and in the regulation with regard to said section, are the latter classes of land and not such lands as were provided for under the Pickett Act. The drafter of the regulation evidently has not drawn this distinction. The drafter of the regulation was evidently of the opinion that the Pickett Act applied to locations referred to and excepted in section 37 and therefore required that the discovery work upon such locations should be prosecuted with the diligence required in the Pickett Act. The most casual examination of the Pickett Act will clearly disclose to any careful lawyer that it was a special act dealing with a special situation and not applicable to the character of locations excepted from the provisions of the leasing bill under section 37.

It must be fundamental that the Department of the Interior, in its rules and regulations, can not require more of a locator than is required in the law.

In conclusion, let me respectfully suggest that it is to the vital interest of our country that new oil structures be discovered. Those prospectors and explorers who were willing to go upon the public domain outside of the withdrawn areas and beyond the districts where the Geological Survey after years of investigation had designated as possible oil lands, and who attempted, without the aid of the Government and through their own adventurous spirits, to discover and produce and add to one of the vital powers of our Government should be encouraged in every way and not hampered and retarded by unnecessary, harsh, and restrictive regulations.

Respectfully submitted. KEY PITTMAN.

PURCHASE OF SILVER.

Mr. PITTMAN. Mr. President, I also ask to have printed in the RECORD a memorandum from the Director of the Mint and a copy of a telegram sent by him to the superintendent of the mint at Denver with regard to the purchase of silver under the Federal silver act; also, a copy of a telegram sent by me to the secretary of the Nevada Mine Operators' Association. They are very short.

The PRESIDING OFFICER. Without objection, permission is granted.

The matter referred to is as follows:

TREASURY DEPARTMENT,
OFFICE OF DIRECTOR OF THE MINT,
Washington, May 24, 1920.

Memorandum for Senator PITTMAN.

Section 3519, Revised Statutes, provides:

* * * It shall be lawful, however, to refuse any deposit of less value than $100 or any bullion so base as to be unsuitable for the operations of the mint.

The existing regulations of the mint and assay service provide that "bullion containing 800 or more parts in 1,000, by assay, of base metals shall be refused."

The regulations also provide that "bullion containing 1 part in 1,000, by assay, of gold shall be classed as gold bullion."

The following is a copy of the telegram sent the superintendent of the mint at Denver under date of May 20:

Replying to your telegram, silver contained in gold deposits which can be covered by certificates as to origin and treatment paid for at $1. The deposit, however, subject to regular charges.

M. M. O'RIELLY.

[Copy—Western Union telegram.]

WASHINGTON, D. C., *May 24, 1920.*

HENRY M. RIVES,
Secretary Nevada Mine Operators' Association,
Reno, Nev.:

Certain newspapers throughout the country are publishing statement to effect that mints would only accept refined silver under the Pittman Act. This is not true. The mint will accept the ordinary bullion bars as they come from mills and smelters, as it has heretofore done. If bullion contains one one-thousandth part gold, it is termed gold deposit, and the silver in such gold deposit, no matter how small or large in quantity it may be, will be paid for at the rate of a dollar an ounce for each ounce therein contained of pure silver, or what is termed pure silver, nine hundred and ninety-nine one-thousandths pure. If the bullion contains no gold but contains six hundred one-thousandths silver, then it will be accepted as a silver deposit and paid for in same way. The expression in act, "1,000 fine," measures price paid for silver in bullion and does not control purity or kind of bullion received. Mints will charge small separation charge—that is, separation of silver from other metals in bullion—but this charge is always made by smelters at present time. I have had this matter up with Director of Mint, and he has given orders in accordance herewith to all mints receiving silver under Pittman Act. Under the misconstruction of act that I have referred to it was charged that only refiners could take the benefit of act. This, of course, under proper construction, which I have given, is not true. In fact, under Pittman Act the necessity of sending silver to smelters and refineries is entirely eliminated. By reason of publication of Government's intentions under Pittman Act silver has already gone up above a dollar an ounce. Such misconstructions and misunderstandings as I have referred to must be publicly corrected or they will be used for purpose of deceiving producers of silver and of bearing its price. Such misconstructions will also be used, unless publicly and completely contradicted, to assist in propaganda for repeal of Pittman Act. As long as such act remains on statute books, and I can guarantee that it will not be repealed so long as present rules of Senate exist, American silver will not sell below a dollar an ounce.

KEY PITTMAN.

ARMENIAN MANDATORY.

Mr. LODGE. Mr. President, I desire to give notice that to-morrow, immediately after the conclusion of the morning business, I shall ask the Senate to consider what is known as the Armenian resolution in regard to the mandate over Armenia. I do not wish to interfere with the pending bill at all, but it is now only 20 minutes past 3 o'clock, and I do not see why that bill should not be disposed of this afternoon, which will permit us to adjourn until to-morrow, when I may ask that the resolution referred to be taken up for consideration immediately after the morning business.

SPANISH WAR AND OTHER PENSIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2) to pension soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Arizona [Mr. ASHURST].

Mr. KING. Mr. President, I will ask the Senator from Massachusetts if it will not be agreeable to him to take a recess at this time until 12 o'clock to-morrow, with the understanding that the bill of which the Senator from Indiana is in charge shall be disposed of within an hour thereafter?

Mr. LODGE. If a time can be fixed for taking a vote on the pension bill, I shall be very glad to make such an arrangement.

Mr. KING. So far as I know the Senator from Colorado [Mr. THOMAS] and myself are the only Senators who will submit any observations upon the measure, and I am sure that we will not consume more than an hour.

Mr. LODGE. If we could meet at 11 o'clock and allow the pension bill the time until 1 o'clock, would that suit the Senator?

Mr. KING. Yes.

Mr. NEW. I suggest that we agree to vote on the pension bill at not later than 1 o'clock.

Mr. LODGE. That at not later than 1 o'clock the vote shall be taken on the pending bill.

The PRESIDING OFFICER. Does the Senator from Massachusetts make such a request for unanimous consent?

Mr. LODGE. Yes; I ask unanimous consent to that effect.

The PRESIDING OFFICER. Will the Senator from Massachusetts state the request for unanimous consent?

Mr. LODGE. I ask unanimous consent that at not later than 1 o'clock p. m. to-morrow, May 29, the Senate shall vote without further debate on House bill No. 2, being what is commonly known as the Sells bill, to pension the veterans of the Spanish War, the Philippine Insurrection, and the China relief expedition, with the usual provision in regard to amendments pending or which may be offered.

The PRESIDING OFFICER. Is there objection?

Mr. LODGE. Mr. President, I think, under the rule, we will have to have a quorum call before the proposed unanimous-consent agreement can be entered into.

The PRESIDING OFFICER. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Brandegee	Kendrick	Nugent	Smith, Md.
Capper	King	Overman	Smith, S. C.
Chamberlain	Lenroot	Page	Smoot
Curtis	Lodge	Phelan	Spencer
Elkins	McCormick	Pittman	Sterling
France	McNary	Poindexter	Swanson
Frelinghuysen	Moses	Ransdell	Thomas
Gerry	Nelson	Sheppard	Townsend
Harrison	New	Simmons	Underwood
Jones, Wash.	Norris	Smith, Ga.	Walsh, Mont.

Mr. GERRY. The Senator from Arkansas [Mr. ROBINSON] and the Senator from Nebraska [Mr. HITCHCOCK] are absent on official business.

Mr. CURTIS. I wish to announce the absence of the Senator from Maine [Mr. HALE] on official business.

The PRESIDING OFFICER. Forty Senators having answered to their names, there is not a quorum present. The Secretary will call the names of absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. STANLEY, Mr. SUTHERLAND, Mr. TRAMMELL, Mr. WADSWORTH, Mr. WALSH of Massachusetts, and Mr. WARREN answered to their names when called.

Mr. FALL, Mr. KENYON, Mr. JONES of New Mexico, Mr. POMERENE, Mr. BALL, Mr. GLASS, Mr. HARDING, Mr. KEYES, and Mr. SMITH of Arizona entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-five Senators having answered to their names, there is a quorum present. The Senator from Massachusetts asks that unanimous consent be given that at not later than 1 o'clock p. m. on the calendar day of Saturday, May 29, the Senate will proceed to vote without further debate upon any amendment that may be pending, any amendment that may be offered, and upon the bill (H. R. 2) to pension soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition, through the regular parliamentary stages to its final disposition. Is there any objection?

Mr. POINDEXTER. Mr. President, pending the giving of consent to that request I want to call attention to H. R. 5218, a bill to provide revenue for the Government and to establish and maintain the production of magnesite ores and manufactures thereof in the United States. That bill has passed the House, and has been considered and reconsidered in the Finance Committee of the Senate. It has been reported without amendment. It has been discussed considerably among Senators, and, according to the best information that I can get, would not involve a great amount of discussion upon the floor of the Senate if it were brought up for a vote.

Mr. THOMAS. Mr. President, it is my duty to undeceive the Senator as to that impression.

Mr. POINDEXTER. I understood that the Senator from Colorado was not going to be so severe on this bill as he has been on some of these other tariff measures.

Mr. THOMAS. The Senator from Colorado is obliged to be consistent during the rest of his term.

Mr. POINDEXTER. I give notice, for the benefit of the Senators who are interested in the bill, that on Monday morning, at the conclusion of the morning business, or as soon thereafter as I can get an opportunity, I shall move to proceed to the consideration of this bill.

The PRESIDING OFFICER. Is there any objection to the request of the Senator from Massachusetts [Mr. LODGE]? The Chair hears none, and it is so ordered.

The unanimous-consent agreement entered into was reduced to writing, as follows:

It is agreed by unanimous consent that at not later than 1 o'clock p. m., on the calendar day of Saturday, May 29, 1920, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill H. R. 2, a bill to pension soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition, through the regular parliamentary stages to its final disposition.

WATER-POWER DEVELOPMENT.

Mr. JONES of Washington. Mr. President, I have a concurrent resolution that I desire to offer, and I ask for its immediate consideration. It was the intention to have the resolution offered and passed first by the House, but conditions there seem to be such that there is doubt that it can be acted upon. It is a concurrent resolution authorizing, in the enrollment of the water-power bill, the insertion of a provision to the effect that the short title of the act shall be "The Federal water-power act." The conferees felt that that ought to go in, but we had no authority to do it, and so we did not run the risk of a point of order. Then the concurrent resolution also amends the title. The title, strange to say, had a duplication that was not observed until it had passed both Houses and gone into conference, and we simply ask to correct the title.

I ask unanimous consent for the present consideration of the concurrent resolution.

The PRESIDING OFFICER. Is there any objection?

The concurrent resolution (S. Con. Res. 28) was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (H. R. 3184) entitled "An act to create a Federal power commission and to define its powers and duties, to provide for the improvement of navigation, for the development of water power, for the use of lands of the United States in relation thereto, to repeal section 18 of 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved August 8, 1917, and for other purposes,' and for other purposes," the clerk be, and he is hereby, authorized and directed to add a new section, to be known as section 30, and to read as follows:

"SEC. 30. That the short title of this act shall be 'The Federal water-power act.'"

Also to amend the title to read as follows: "An act to create a Federal power commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto, and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes."

SPANISH WAR AND OTHER PENSIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2) to pension soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition.

The PRESIDING OFFICER. The question is upon the amendment of the Senator from Arizona [Mr. ASHURST] to House bill 2.

Mr. THOMAS. I supposed that bill had gone over

Mr. NEW. Mr. President, as I understand, the consideration of that bill goes over until to-morrow under the unanimous-consent agreement.

Mr. LODGE. No.

The PRESIDING OFFICER. No; under the request of the Senator from Massachusetts the pending business is House bill 2. It was agreed merely that the vote upon the so-called Armenian resolution should follow the vote as fixed by the unanimous-consent agreement.

Mr. KING. Mr. President, the understanding was——

Mr. LODGE. Mr. President, I think that is not quite correct. The unanimous-consent agreement was simply that the vote should be taken on the pending bill, the Sells pension bill, at 1 o'clock to-morrow.

Mr. THOMAS. And amendments.

Mr. LODGE. And amendments. That has been agreed to. I gave notice before that that I should ask the Senate to take up the Armenian mandate resolution immediately afterwards. That was simply a notice. There was no agreement about it.

Mr. KING. Mr. President, the understanding which I had with the Senator from Massachusetts and the Senator from Indiana was that we would not proceed further with the so-called Sells pension bill this afternoon, but that it would be taken up at 11 o'clock to-morrow morning.

Mr. NEW. Mr. President, in order that there may be no misunderstanding, I will state that it was my understanding with the Senator from Massachusetts and the Senator from Utah that the unanimous-consent agreement carried with it the suspension of consideration of this measure until to-morrow morning, when it would be taken up as the unfinished business and voted on at 1 o'clock.

Mr. CURTIS. Mr. President——

Mr. LODGE. Mr. President, that understanding was not covered by the unanimous-consent agreement. It is perfectly easy, if that is the understanding among those who are particularly interested in the Sells bill, to ask now that it be temporarily laid aside.

Mr. NEW. Then, Mr. President, I ask that House bill No. 2, which is the unfinished business, be temporarily laid aside.

The PRESIDING OFFICER. Is there any objection? The Chair hears none, and it is so ordered.

LEAGUE OF NATIONS.

Mr. SPENCER. Mr. President, I ask that the letter which I send to the desk, addressed to me, from the Washington Central Labor Union, be printed in the RECORD without reading.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON CENTRAL LABOR UNION,
May 24, 1920.

Hon. SELDEN P. SPENCER,
United States Senate, Washington, D. C.

SIR: In reply to yours of May 14, 1920, in regard to text of resolution passed by Washington Central Labor Union instructing its delegate to the American Federation of Labor convention to be held in Montreal, Canada, to oppose any advocacy of the League of Nations, I may state that there was no such resolution passed by the Washington Central Labor Union.

At the regular meeting of the Washington Central Labor Union Monday, May 10, 1920, a motion was adopted by the body to instruct the delegate to the American Federation of Labor convention not to vote for the indorsement of the League of Nations without reservations.

I am not in a position to state whether any other central labor union has taken like action.

Hoping that the information herein contained will be satisfactory, and desiring to be of further service to you at any time, I remain,

Very truly, yours,

[SEAL.] FRANK J. COLEMAN,
Secretary.

CUSTER STATE PARK GAME SANCTUARY.

Mr. STERLING. I should like to call attention to H. R. 11398, a bill for the creation of the Custer State Park Game Sanctuary, in the State of South Dakota, and for other purposes, and to ask unanimous consent for its present consideration.

The PRESIDING OFFICER. Is there any objection?

Mr. KING. I object.

The PRESIDING OFFICER. The Senator from Utah objects.

PERSONAL EXPLANATION.

Mr. SHEPPARD. Mr. President, I rise to a question of personal privilege.

I have noted that certain newspapers in Texas are giving currency to an erroneous report regarding my recent remarks on the prohibition brief filed by the State of New Jersey before the United States Supreme Court. This report is to the effect that I was compelled to apologize for those remarks. Nothing could be further from the truth. I was not compelled to do anything or to say anything in connection with the matter. What I did say was on my own initiative and of my own volition, solely with a view to clarifying my meaning and not by way of apology.

I withdrew a portion of my remarks on the day after they were made because I did not want anything I had said to remain in the RECORD that might be susceptible of a construction that reflected in any way on any State or any Senator.

I wish to add that it is still my belief that governments derive their just powers from the consent of the governed, and that any contention to the effect that the governed can not change, alter, or amend their government tends in the last analysis to precipitate anarchy, chaos, and revolution.

NATIONAL PROHIBITION ENFORCEMENT ACT.

Mr. STERLING. From the Committee on the Judiciary I report back favorably without amendment the bill (S. 4296) to confer upon the Territorial courts of the Territory of Hawaii jurisdiction concurrent with the United States courts of that district of all offenses under the act of October 28, 1919, known as the national prohibition enforcement act, and I submit a report (No. 640) thereon. I call the attention of the Senator from Texas [Mr. SHEPPARD] to the bill.

Mr. SHEPPARD. Mr. President, I want to say to the Senate that at present all process in these prohibition cases in the various islands composing the Hawaiian group must be made returnable to Honolulu and probably one or two other larger places. This imposes great hardship on all concerned, and often results in a failure of justice. The object of this bill is to confer jurisdiction on the local courts in the various islands, in order that the cases may be tried before the local magistrates. I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That there is conferred upon the Territorial magistrates and courts of the Territory of Hawaii jurisdiction, concurrent with the commissioners and courts of the United States for said Territory, of all offenses under the act of October 28, 1919, known as the national prohibition enforcement act, the jurisdiction of said Territorial magistrates and courts over said offenses to be the same which they now have over other criminal offenses within their jurisdiction.

SEC. 2. That this act shall take effect and be in force from and after its passage and approval.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF VOCATIONAL REHABILITATION ACT.

Mr. SMITH of Georgia. I wish to call attention to H. R. 12266, a bill to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919.

This is a bill, which has passed the House, to add $20 a month to the support of the injured soldiers who are taking vocational rehabilitation. The evidence before the House committee showed clearly that it was utterly impossible for these men to pay their expenses on the $80 a month now allowed them; and the House, practically by a unanimous vote, has increased the compensation $20 per month.

I ask unanimous consent that we take up the bill for consideration.

Mr. THOMAS obtained the floor.

Mr. SMOOT. Mr. President——

Mr. THOMAS. I yield to the Senator from Utah.

Mr. SMOOT. When we reached this bill on the calendar the last time the senior Senator from Wyoming [Mr. WARREN] objected to its consideration. I know that the Senator from Wyoming is very much interested in this bill, and in his absence I could not allow it to be taken up.

Mr. THOMAS. Mr. President, my purpose in rising also was to announce that the junior Senator from Utah [Mr. KING] desires to be heard on this bill. He has just gone home because of illness, and for that reason I should have to object to unanimous consent.

Mr. SMITH of Georgia. Then, Mr. President, I will not move at this time that the bill be taken up, but I shall move at the earliest opportunity to take it up. I think the Senator from Wyoming will have his objection to the bill almost entirely relieved. I do not think there will be any further objection from him. I hope there will not be.

Mr. SMOOT. There will be, unless there are some changes in it from day before yesterday.

Mr. SMITH of Georgia. It is since day before yesterday that the subject has been discussed with him. I hope he will not object further; but whether he does or not, I intend to press the bill after to-day at the first time possible.

THE CALENDAR.

Mr. SMOOT. I ask unanimous consent that the Senate proceed to the consideration of bills on the calendar to which there is no objection, beginning with Order of Business No. 493. I will state that that is where the Senate left off the last time the calendar was under consideration.

The PRESIDING OFFICER. Is there any objection?

Mr. SMITH of South Carolina. Mr. President, as I understand, the request is that we consider the unobjected bills?

Mr. SMOOT. Yes; beginning with Order of Business 493, where the Senate left off the last time the calendar was up for consideration.

The PRESIDING OFFICER. The Chair hears no objection. The Secretary will state the first bill on the calendar beginning at the point named.

CLAIMS OF PONCA TRIBE OF INDIANS.

The bill (S. 804) authorizing the Ponca Tribe of Indians, residing in the States of Oklahoma and Nebraska, to submit claims to the Court of Claims was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs with amendments, on page 2, after line 4, to insert: "*Provided also*, That the court shall hear and determine any legal or equitable defenses, set-offs, or counterclaims which the United States may have against the said tribe of Indians"; in line 10, after the word "begun," to insert "within five years from the passage of this act"; in line 14, after the words "Ponca Tribe," to insert "employed under contract approved by the Secretary of the Interior and the Commissioner of Indian Affairs as provided by existing law"; and in line 22, after the word "Indians," to insert "not to exceed 10 per cent of the amount of the judgment the court may render in favor of said Indians," so as to make the bill read:

Be it enacted, etc., That all claims of whatsoever nature, both legal and equitable, which the Ponca Tribe of Indians residing in the States of Oklahoma and Nebraska may have against the United States shall be submitted to the Court of Claims, with the right of appeal by either party to the Supreme Court of the United States for determination; and jurisdiction is hereby conferred upon the Court of Claims to hear and determine any and all such claims and to render final judgment thereon.

The Court of Claims shall advance the cause upon its docket for hearing, and shall have authority to determine and adjudge the rights, both legal and equitable, of the said Ponca Tribe and of the United States in the premises: *Provided also*, That the court shall hear and determine any legal or equitable defenses, set-offs, or counterclaims which the United States may have against the said tribe of Indians, notwithstanding lapse of time or statutes of limitation. The suit or suits instituted hereunder shall be begun within five years from the passage of this act by the Ponca Tribe of Indians as parties plaintiff and the United States as the party defendant. The petition or petitions may be verified by the attorney or attorneys employed by the Ponca Tribe, employed under contract approved by the Secretary of the Interior and the Commissioner of Indian Affairs as provided by existing law, upon information and belief as to the facts therein alleged, and no other verification shall be necessary: *Provided*, That upon the final determination of such suit or suits the Court of Claims shall have jurisdiction to decree the fees to be paid to the attorney or attorneys employed by the said Ponca Tribe of Indians, not to exceed 10 per cent of the amount of the judgment the court may render in favor of said Indians, and the same shall be paid out of any sum or sums found due said tribe.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 1519) making appropriations for expenses incurred under the treaty of Washington was announced as next in order.

Mr. THOMAS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3251) granting longevity pay from and including August 5, 1917, to certain officers and enlisted men was announced as next in order.

Mr. THOMAS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3318) for the relief of Willis B. Cross was announced as next in order.

Mr. THOMAS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 515) to correct the military record of Charles K. Bond, alias Kimball W. Rollins, was announced as next in order.

Mr. THOMAS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 8038) to amend section 4 of the act approved July 17, 1916, known as the Federal farm-loan act, extending its provisions to Porto Rico, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4076) to amend section 4404 of the Revised Statutes of the United States as amended by the act approved July 2, 1918, providing that the supervising inspectors of the Steamboat-Inspection Service be included under the classified civil service, was announced as next in order.

Mr. THOMAS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2903) to provide that robbery of a Federal reserve bank or a member bank shall constitute a felony, and for other purposes, was announced as next in order.

Mr. THOMAS. Let that go over.

The PRESIDING OFFICER (Mr. STERLING in the chair). The bill will be passed over.

The bill (H. R. 12266) to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2279) to authorize the addition of certain lands to the Humboldt National Forest was announced as next in order.

Mr. SMITH of South Carolina. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

RAILROAD LOANS.

The bill (S. 4373) to amend sections 207 and 210 of the transportation act, 1920, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That paragraphs (a) and (b) of section 207 and paragraphs (a), (b), and (c) of section 210 of the transportation act, 1920, approved February 28, 1920, are hereby amended so as to read as follows:

"SEC. 207. (a) As soon as practicable after the termination of Federal control the President shall ascertain (1) the amount of the indebtedness of each carrier to the United States which may exist at the termination of Federal control incurred for additions and betterments made during Federal control and properly chargeable to capital account; (2) the amount of indebtedness of such carrier to the United States otherwise incurred; and (3) the amount of indebtedness of the United States to such carrier arising out of Federal control. The amount under clause (3) may be set off against the amount under clause (2), so far as deemed wise by the President, but only to the extent permitted under any contract now or hereafter made between such carrier and the United States in respect to the matter of Federal control, or, where no such contract exists, to the extent permitted under paragraph (b) of section 7 of the standard contract between the United States and the carriers relative to deductions from compensation: *Provided*, That such set-off shall not be so exercised as to prevent such carrier from having the sums required for interest, taxes, and other corporate charges and expenses referred to in paragaph (b) of section 7 of such standard contract accruing during Federal control and also the sums required for dividends declared and paid during Federal control, including also, in addition, a sum equal to that proportion of such last dividend which the period between its payment and the termination of Federal control bears to the last regular dividend period: *And provided further*, That such right of set-off shall not be exercised unless there shall have first been paid sums, in addition, as may be necessary to provide the carrier with working capital in amount not less than one twenty-fourth of its operating expenses for the calendar year 1919.

"(b) The indebtedness of the carrier to the United States, incurred for additions and betterments made during Federal control and properly chargeable to capital account, shall, at the request of the carrier, be funded for a period of 10 years from the termination of Federal control, or a shorter period, at the option of the carrier, with interest at the rate of 6 per cent, payable semiannually, subject to the right of such carrier to pay on any interest payment day the whole or any part of such indebtedness. The funding of such indebtedness shall be in such form and upon such terms as the President may prescribe, for the reasonable assurance of the payment of the same to the United States.

"SEC. 210. (a) For the purpose of enabling carriers by railroad subject to the interstate commerce act properly to serve the public during the transition period immediately following the termination of Federal control, any such carrier may, at any time after the passage of this act, and before the expiration of two years after the termination of Federal control, make application to the commission for a loan from the United States to meet its maturing indebtedness, or to provide itself with equipment or other additions and betterments, setting forth the amount of the loan; the term for which it is desired; the purpose of the loan and the use to which it will be applied; the present and prospective ability of the applicant to repay the loan and meet the requirements of its obligations in that regard; the character and value of the security offered; and the extent to which the public convenience and necessity will be served. The application shall be accompanied by statements showing such facts in detail as the commission may require with respect to the physical situation, ownership, capitalization, indebtedness, contract obligations, operation, and earning power of the applicant, together with such other facts relating to the propriety and expediency of granting the loan applied for, and the ability of the applicant to make good the obligation as the commission may deem pertinent to the inquiry.

"(b) If the commission, after such hearing and investigation, with or without notice, as it may direct, finds that the making, in whole or in part, of the proposed loan by the United States for one or more of the aforesaid purposes is necessary to enable the applicant properly to meet the transportation needs of the public, and that the prospective earning power of the applicant, and the character and value of the security offered are such as to furnish reasonable assurance of the applicant's ability to repay the loan within the time fixed therefor and to meet its other obligations in connection with such loan, the commission shall certify to the Secretary of the Treasury its findings of such facts; also the amount of the loan which is to be made; the time, not exceeding 15 years from the making thereof, within which it is to be repaid; the terms and conditions of the loan, including the security to be given for repayment; that the prospective earning power of the applicant, together with the character and value of the security offered, furnish, in the opinion of the commission, reasonable assurance of the applicant's ability to repay the loan within the time fixed therefor, and reasonable protection to the United States; and that the applicant, in the opinion of the commission, is unable to provide itself with the funds necessary for the aforesaid purposes from other sources.

"(c) Upon receipt of such certificate from the commission, the Secretary of the Treasury shall immediately, or as soon as practicable, make a loan of the amount recommended in such certificate, out of any funds in the revolving fund provided for in this section, and accept the security prescribed therefor by the commission. All such loans shall bear interest at the rate of 6 per cent per annum, payable semiannually to the Secretary of the Treasury, and to be placed to the credit of said revolving fund. The form of obligation to be entered into shall be prescribed by the Secretary of the Treasury, but the time, not exceeding 15 years from the making thereof, within which such loan is to be repaid, the security which is to be taken therefor, and the terms and the conditions of the loan, shall be in accordance with the findings and the certificate of the commission."

Mr. UNDERWOOD. One of the sections of the bill has already been passed. I think the other section has been unanimously agreed to by the Committee on Interstate Commerce, and I see no reason why it should not be passed.

Mr. POINDEXTER. I understand that one section was incorporated in the sundry civil appropriation bill.

Mr. UNDERWOOD. I have just called the attention of the Senate to that fact.

Mr. POINDEXTER. I should think the appropriate thing to do would be to strike out that section.

Mr. UNDERWOOD. The Senator is probably right about that, as the sundry civil appropriation bill will undoubtedly pass. Therefore I ask that "section 210," the second part of the bill, be stricken out.

Mr. SMITH of South Carolina. If the Senator from Alabama will allow me, it will not complicate anything to allow it to pass just as it is, because final action has not been taken on the sundry civil appropriation bill.

Mr. UNDERWOOD. I agree with the Senator.

Mr. SMITH of South Carolina. I think we had better just let it pass.

Mr. UNDERWOOD. I withdraw the motion.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (H. R. 974) for the relief of W. T. Dingler was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 4184) for the relief of C. V. Hinkle was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

LANDS AT LOS ANGELES, CALIF.

The bill (H. R. 406) amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Calif., certain public lands in California, and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland Reserve, Calif., to the city of Los Angeles, Calif.," approved June 30, 1906, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with amendments, on page 2, line 15, after the word "maintaining," to insert the word "such"; on line 17, after the words "Los Angeles," to insert the words "as have been heretofore constructed"; on page 3, line 13, after the word "State" and the comma, to insert the words "or to any lands which may be found to have been illegally purchased from the United States by said city, or to any lands the title to which was on the 31st day of October, 1919, or is now forfeitable to the United States by force of any act of Congress"; on page 5, after the word "heard" and the comma, to strike out the words "and upon notice by the city within 90 days of such possible conflict"; on line 13, after the word "city," to insert the words "and for which application is filed by said city within 90 days of notice of the possibly conflicting application"; on line 20, after the word "way," to insert the words "including rights of way for roads"; on page 7, line 7, after the word "city," to insert the words "and the consideration and adjudication of such applications by the department having jurisdiction thereof shall be wholly upon the merits of such applications, unaffected by any possible conflict with the plans of said city"; and, on line 24, after the word "act," to insert the following additional proviso: "*And provided further*, That any approval of rights of way for reservoir purposes for the storage of water for use in whole or in part for the generation of electric power under the provisions of this act shall contain the express condition that such reservoirs shall not, without the consent of the parties having irrigation rights which would be affected by such storage, be used in such manner as will interfere with the use of such stored water for irrigation purposes unless provision shall be made by said city for secondary storage for such irrigation use," so as to make the bill read:

Be it enacted, etc., That section 1 of an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Calif., certain public lands in California; and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland Reserve, Calif., to the city of Los Angeles, Calif.," approved June 30, 1906, be, and the same is hereby, amended to read as follows:

"SECTION 1. That there is hereby granted to the city of Los Angeles, Calif., a municipal corporation of the State of California, all necessary rights of way, not to exceed 250 feet in width, over and through the public lands of the United States in the counties of Mono, Inyo, Kern, and Los Angeles, State of California, and over and through the Inyo and Santa Barbara National Forests, and that portion of the Angeles National Forest situate and lying west of range 6 west, San Bernardino meridian, as established by the United States public land survey, and that portion of the Sequoia National Forest east of the crest of the Sierra Nevada Mountains, in said State, for the purpose of constructing, operating, and maintaining such canals, ditches, pipes and pipe lines,

flumes, tunnels, and conduits for conveying water to the city of Los Angeles as have been heretofore constructed, and for the purpose of constructing, operating, and maintaining power and electric plants, poles, and lines for the generation and distribution of electric energy, together with such lands as the Secretary of the Interior may deem to be actually necessary for power houses, diverting and storage dams and reservoirs, and necessary buildings and structures to be used in connection with the construction, operation, and maintenance of said water power and electric plants whenever said city shall have filed as hereinafter provided, and the same shall have been approved by the Secretary of the Interior, a map or maps showing the boundaries, locations, and extent of said proposed rights of way for the purposes hereinabove set forth: *Provided, however,* That the grant hereby made shall not apply to lands located in the drainage basin of Kern River or in that portion of Mono County lying north and west of the Owens River drainage basin, and embracing Mono Lake drainage basin and Adobe Valley and Black Lake drainage basin, or to lands located upon Bishop Creek or its branches in Inyo County, or to lands in the Fish Slough Reservoir site in the counties of Inyo and Mono, in said State, or to any lands which may be found to have been illegally purchased from the United States by said city, or to any lands the title to which was on the 31st day of October, 1919, or is now forfeitable to the United States by force of any act of Congress."

SEC. 2. That section 2 of the act entitled and approved as aforesaid be, and the same is hereby, amended to read as follows:

"SEC. 2. That on or before the 31st day of December, 1922, the city of Los Angeles shall file with the register of the United States land offices in the districts where the lands traversed by said rights of way are located a map or maps showing the boundaries, locations, and extent of said proposed rights of way, for the purposes stated in section 1 of this act, and there shall also be filed within that time all desired changes of location, the amended map or maps necessary to show such changes of location to be filed in the same manner and subject to the same approval as are the original map or maps of location, but no construction work shall be commenced on any of said lands until the map or maps have been filed as herein provided and until said map or maps and the proposed plan of development have been approved by the Secretary of the Interior, and the approval by the Secretary of the Interior of any amended map or maps showing changes of location of said rights of way shall operate as an abandonment ipso facto by the city of Los Angeles, to the extent of such change or changes, of the rights of way indicated on the original map or maps: *Provided,* That any rights inuring to the city of Los Angeles under this act shall, on approval by the Secretary of the Interior of the map or maps and the plan of development referred to, relate back to the date of the filing of said map or maps with the register of the United States land office, as provided herein: *Provided,* That during the period allowed the city of Los Angeles, for filing maps or applications under this act, the head of the department having jurisdiction over the lands, may grant easements or permits for rights of way, under any act of Congress now in force or hereafter enacted, for pipes, pipe lines, canals, ditches, flumes, tunnels, or reservoirs for the conveyance, delivery, or storage of water for irrigation, mining, or domestic purposes, or for the generation of electric power, including rights of way for the construction of power plants, towers, transmission and distribution lines, for the generation and delivery of electricity, if after affording the city an opportunity to be heard, such head of department shall find that the easement or permit may be granted without destruction of or material interference with the works constructed or proposed to be constructed by the city and for which application is filed by said city within 90 days of notice of the possibly conflicting application: *Provided further,* That all rights of way herein and hereby granted and all other rights of way hereafter granted under general laws, for the purposes herein enumerated, over lands within the operation of this act, shall be with the reservation of the power to thereafter grant other rights of way, including rights of way for roads, by easement or permit, conflicting with such prior grants or permits for the purpose of permitting crossing of rights of way or for limited distances necessary common use of prior rights of way, under such conditions as the head of the department shall find necessary and shall determine to be properly protective against interference with and not detrimental to the construction, operation, and maintenance of the works of prior grantees or permittees."

SEC. 3. That section 3 of the act entitled and approved as aforesaid be, and the same is hereby, amended to read as follows:

"SEC. 3. That the rights of way hereby granted shall not be effective over any land upon which homestead, mining, or other existing valid claims shall have been filed or made until the city of Los Angeles shall have procured proper relinquishments of all such entries and claims, or acquired title by due process of law and just compensation paid to said entrymen or claimants and caused proper evidence of such fact to be filed with the Secretary of the Interior: *Provided, however,* That this act shall not apply to any lands embraced in rights of way heretofore approved under any act of Congress, nor affect the adjudication of any pending applications for rights of way by the owner or owners of existing water rights, and that no private right, title, interest, or claim of any person, persons, or corporation, in or to any of the lands traversed by or embraced in said right of way shall be interfered with or abridged, except with the consent of the owner or owners or claimant or claimants thereof, or by due process of law, and just compensation paid to such owner or claimant: *Provided,* That the lands affected hereby shall in accordance with existing law continue to be subject to applications for homesteads, for rights of way for canals, ditches, or reservoirs, for the conveyance, delivery, or storage of water for irrigation, if same be filed in the proper United States land office prior to the filing of maps by the city of Los Angeles, showing the boundaries, location, and extent of the rights of way sought by said city, and the consideration and adjudication of such applications by the department having jurisdiction thereof shall be wholly upon the merits of such applications, unaffected by any possible conflict with the plans of said city: *And provided further,* That the grant hereby made shall not apply to any lands or rights of way included in any application filed by, and thereafter approved to, any person or corporation for the development and transmission of hydroelectric power in connection with any project upon which actual construction work was being performed prior to June 30, 1906, on that portion of Owens River lying above the confluence of Rock Creek and said river, and locally known as Owens River Gorge, and upon which portion construction work may have been carried on continuously since that date: *Provided,* That such applications for rights of way over or the right to use lands shall be filed within six months from the date of the passage of this act: *And provided further,* That any approval of rights of way for reservoir purposes for the storage of water for use in whole or in part for the generation of electric power, under the provisions of this act, shall contain the express condition that such reservoirs shall not, without the consent of the parties having irrigation rights which would be affected by such storage, be used in such manner as will interfere with the use of such stored water for irrigation purposes, unless provision shall be made by said city for secondary storage for such irrigation use."

SEC. 4. That section 5 of the act entitled and approved as aforesaid be, and the same is hereby, amended to read as follows:

"SEC. 5. That all lands over which the rights of way mentioned in this act shall pass shall be disposed of, subject to such easements: *Provided, however,* That if the construction of said waterworks shall not have been begun in good faith within five years of the date of the approval of this act, then all rights hereunder shall be forfeited to the United States: *And provided further,* That if any power or electric works or structure to be used in connection therewith shall not be completed within five years after approval of the map or maps of rights of way for such works or structure as herein provided, or within such additional time as the Secretary of the Interior shall, in his discretion, grant, then such rights herein granted shall be forfeited as to any uncompleted portion of such works or structure, to the extent that the same is not completed at the date of the forfeiture."

SEC. 5. That said act entitled and approved as aforesaid be, and the same is hereby, amended by adding a new section thereto to read as follows:

"SEC. 8. That this act is a grant upon certain expressed conditions specifically set forth herein, and nothing herein contained shall be construed as affecting or intended to affect or in anywise to interfere with the laws of the State of California, relating to the control, appropriation, use, or distribution of water used in irrigation or for municipal or other uses, or any vested right acquired thereunder, and the Secretaries of the Interior and Agriculture, respectively, and the city of Los Angeles, in carrying out the provisions of this act, shall proceed in conformity with the laws of said State."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER.

The bill (H. R. 644) for the relief of Oscar Smith was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 1799) for the relief of Thomas Darr was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. KENYON. Mr. President, I would like to inquire if Calendar No. 477 has been passed over.

Mr. SMOOT. I will say to the Senator that we began with No. 493, where we left off at the last call of the calendar.

Mr. NORRIS. I would like to make an inquiry. Calendar No. 545, in regard to the Patent Office, went over on objection. I want to inquire of the Senator from Utah [Mr. SMOOT] whether he will object to the fixing of some time to take that bill up and dispose of it?

Mr. SMOOT. There are a number of Senators who asked me to request that the bill go over if it came up. As far as I am personally concerned, I shall be glad to agree on a time, but I do not believe it could be done to-day. I know of three Senators who asked just before leaving the Chamber that the bill should be passed over.

Mr. NORRIS. I would like to say that that bill ought to be disposed of before we take a recess. I am satisfied that no Senator will have any objection to it upon a fair consideration of it. If there are any amendments Senators want to make to it, or if there is anything in it which is wrong, there will be no objection to changing it. I am going to move some time before the recess is taken, if I can, when there is no appropriation bill or conference report before the Senate, to take up that bill. It is very important that it should be disposed of. I do not believe there is any valid objection to anything in it.

Mr. KENYON. Mr. President, I want to say, as to No. 477, that it is a bill which should be disposed of. I do not believe there will be very much objection to it. It is a bill to establish in the Department of Labor a bureau to be known as the women's bureau, and I am going to ask the Senate to take that up before we adjourn.

There is another bill which has been passed, where there is a motion to reconsider, known as the Nolan-Johnson minimum-wage bill. The Senator from Colorado [Mr. THOMAS] moved a reconsideration of that bill. I would like to ask him if it would be agreeable to him to take it up to-morrow?

Mr. THOMAS. Mr. President, as I informed the Senator privately a few moments ago, I shall not object to its being taken up at any time. While I filed the motion, I filed it more as a representative of other Senators on this side of the Chamber than on my own account, although I have been informed since it was filed of some features of the bill which should not be on the statute books. But I do not propose to obstruct in any way the consideration of it.

Mr. KENYON. I think it should be disposed of.

Mr. THOMAS. As far as I have anything to do with it, the Senator can have it disposed of at any time, with my consent. I reserve the right, of course, to call for a quorum, so that Senators interested in the bill may be present.

Mr. McCORMICK. May I ask the Senator from Iowa if he will not call up one or the other of those bills at this time?

Mr. KENYON. I should be glad to do so.

Mr. UNDERWOOD. I shall object until the calendar is finished, because we have undertaken to go through the calendar, and I think it is proper that we should finish it.

Mr. KENYON. When the calendar is finished I shall move to take up Calendar No. 477, the bill (H. R. 13229) to establish in the Department of Labor a bureau to be known as the women's bureau.

Mr. SMOOT. I will say to the Senator that I think it was tentatively understood by all that we were only going to consider to-night bills on the calendar to which there was no objection.

Mr. McCORMICK. I do not believe there was any other agreement than that we shoudl go through the unobjected bills on the calendar. If we finish them before 5 o'clock, I think it is entirely proper that we should proceed to some other business.

Mr. THOMAS. I think the Senator should bear in mind the fact that the Senator from Massachusetts [Mr. LODGE] has given notice that to-morrow at 1 o'clock he would call up the Armenian resolution.

Mr. KENYON. I will keep that in mind.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House further insists upon its disagreement to the amendment of the Senate numbered 93 to the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HAUGEN, Mr. McLAUGHLIN of Michigan, and Mr LEE of Georgia managers at the further conference on the part of the House.

The message also announced that the President of the United States having returned to the House of Representatives, in which it originated, the resolution (H. J. Res. 327) entitled "Joint resolution repealing the joint resolution of April 6, 1917, declaring that a state of war exists between the United States and Germany, and the joint resolution of December 7, 1917, declaring that a state of war exists between the United States and the Austro-Hungarian Government," with his objections thereto, the House proceeded in pursuant to the Constitution to reconsider the same; and,

Resolved, That the resolution do not pass, two-thirds of the House of Representatives not agreeing to pass the same.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives further insisting upon its disagreement to the amendment of the Senate numbered 93 to the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, and agreeing to the further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. NORRIS. The House has had another vote since we have voted here, and it is quite evident that the House is not going to recede on the so-called free-seed amendment. I regret very much to say this, but it is quite evident now that the Senate must recede from its amendment and permit free seeds to go into the bill or have no agricultural appropriation bill, and thus tie up one of the great departments of the Government.

Mr. SMOOT. Did the House have a vote upon the amended proposition?

Mr. NORRIS and Mr. SMITH of South Carolina. Yes.

Mr. SMOOT. And turned it down?

Mr. NORRIS. Yes. The House voted on the compromise amendment that we submitted to them and voted it down by a large majority. They have refused to make any compromise on the free-seed proposition, so I presume we either have to have free seeds or no Agricultural Department. Realizing that as I do, I feel it to be my duty now, as one of the conferees on the part of the Senate, to move that the Senate recede from its amendment numbered 93.

Mr. THOMAS. Mr. President, if that motion is to be considered now, I shall be compelled to suggest the absence of a quorum, because I know of Senators now absent who wish to be heard on the question.

Mr. NORRIS. Let me say to the Senator from Colorado that, as the Senator knows and as I think the RECORD shows the action of the conferees, there is no one here more opposed to the free-seed provision than I am.

Mr. THOMAS. I am aware of that.

Mr. NORRIS. But I do not feel as though I ought to jeopardize the appropriations for the department in order to keep out what I believe ought to go out. I think it is demonstrated now from the RECORD that the House will do that and that the bill will fail unless the Senate does recede. If the Senator is going to take the action which he proposes to take, I, of course, would withdraw my motion, because I realize that we probably would not be able to get a quorum this evening, and I shall renew the motion to-morrow.

Mr. THOMAS. The House as well as the Senate has considered what a failure to agree means. If the Agricultural Department is jeopardized, let the blame be placed where it belongs. I am getting rather weary of being compelled, and especially during the closing hours of a session of Congress, to yield vital points on these great bills to the House because, unless we surrender, the appropriations will fail and the departments be jeopardized. Just as long as the House knows that the Senate will ultimately yield under the circumstances, just so long will such abuses as this old seed abuse, that is hoary with age and claims to be sanctified by time, be continued upon this bill.

We yielded on vital propositions upon the military bill for the same reason—that the bill would fail if we did not do so. If the position of the House is that it must have all these disputed amendments or the bill will fail, I am in favor of giving them second choice. We will have to do it sooner or later on some of these measures, or the situation which now presents itself will be repeated ad nauseum. The Agricultural Department is of vast importance, so vast, indeed, that I think this will be a good place to test the endurance of the House and determine whether the Senate is the body which will always yield or whether some of the things which the House insists upon shall not be granted.

The PRESIDING OFFICER. The Chair understands that the Senator from Nebraska withdraws his motion.

Mr. NORRIS. If the Senator from Colorado intends to take the course suggested by him, I withdraw my motion.

Mr. THOMAS. I have promised Senators in this and in other matters in which they were interested that if they came up during their absence, I would follow this course.

Mr. NORRIS. Then I withdraw the motion.

CAROLYN WHEELER KOBBE.

The bill (H. R. 1827) for the relief of Carolyn Wheeler Kobbe was announced as next in order on the calendar, and was considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carolyn Wheeler Kobbe, widow of Gustav Kobbe, who was killed as the result of an accident caused by a United States Navy seaplane, the sum of $2,500.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NANCY A. PARSONS ET AL.

The bill (H. R. 4927) for the relief of Nancy A. Parsons, C. M. Parsons, D. F. Staggs, Ollie Staggs, Roas Staggs, Lena Birchfield, Alice Birchfield, Bertie Gwin, Greely Gilbert, Linville Gilbert, and Nelson Gilbert was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $3,975 in the following proportions: To Nancy A. Parsons, one-half; to C. M. Parsons, one-sixth; to D. F. Staggs, one-sixth; to Ollie Staggs, one forty-eighth; to Roas Staggs, one forty-eighth; to Lena Birchfield, one forty-eighth; to Alice Birchfield, one forty-eighth; to Bertie Gwin, one forty-eighth; to Greely Gilbert, one forty-eighth; to Linville Gilbert, one forty-eighth; to Newson Gilbert, one forty-eighth; said sum being the value ascertained on said date by condemnation proceedings in the district court of the United States for the northern district of Alabama, in which the United States was plaintiff and said persons were defendants, as the damages sustained by said persons to lands owned by them jointly in said proportions by the construction by the United States of certain works for the improvement of navigation on the Black Warrior River.

Mr. UNDERWOOD. Mr. President, I desire to make a short statement in explanation of this bill.

Some years ago the Government condemned certain lands along the Warrior River in Alabama for the purpose of building Dam No. 17. The dam has since been built and the land is overflowed with water. The Government proceeded with its condemnation against these lands, and the finding of the District Court of the Northern District of Alabama was for the amount that is carried in the bill to pay the claimants for the land, they having been driven off their small farms or homes by the Government thus overflowing the land. The land

is now under water, and the district court found that the amount named in the bill is just compensation. Therefore I think this very meritorious bill ought to be passed.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN T. ADAMS.

The bill (H. R. 5807) for the relief of John T. Adams was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem, in favor of John T. Adams, of Frankton, Ind., United States coupon bonds of the 3 per cent loan of 1908 to 1918 (Nos. 43361 and 50623 for $500 each), with interest from November 1, 1910, the said bonds, with coupons attached, dated February 1, 1911, to maturity of the loan, inclusive, having been stolen: *Provided*, That the said John T. Adams shall first file in the Treasury Department a bond in the penal sum of double the amount of the principal and the unpaid interest coupons of the said bonds, in such form and with such surety as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the stolen bonds hereinbefore described or the coupons belonging thereto.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD A. PURDY.

The bill (H. R. 9583) for the relief of Edward A. Purdy, postmaster of the city of Minneapolis, Minn., for postage stamps, postal-savings stamps, war-savings stamps, war-tax revenue stamps, and cash from money orders stolen from the branch post office at Minneapolis, Minn., commonly known and described as the traffic station, and located at Nos. 621 and 623 First Avenue north, in said city, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit Edward A. Purdy, as postmaster of the said city, in the sum of $13,861.24, said sum being the amount of certain postage stamps, postal-savings stamps, war-savings stamps, war-tax revenue stamps, and cash, from the money-order funds taken and stolen by unknown burglars, on or about 4 o'clock in the morning of the 23d day of October, 1918, from one of the branch post offices of the said city of Minneapolis, to wit: That certain branch post office located at Nos. 621 and 623 First Avenue north, in said city, and commonly known and described as the traffic station; and that the said Edward A. Purdy be, and he is hereby, released from payment to the Treasury of the United States of the said sum of $13,861.24 and every part thereof as such postmaster, and that his account in connection with the aforesaid traffic station branch post office be credited with the said amount of $13,861.24 by reason of the aforesaid loss caused by the said burglars.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARVEY R. BUTCHER.

The bill (H. R. 10115) for the relief of Harvey R. Butcher was announced as next in order.

Mr. SMOOT. Let that go over.

Mr. SPENCER. I wonder if the Senator from Utah will not allow this bill to be considered when he has some information about it. It is for the relief of a young man who, through no fault of his own, incurred this loss. It is recommended both by the War Department and by the board of officers.

This young man was in the Quartermaster's Department and handled $1,510,000 in the emergency, and there was a discrepancy of about $2,000 which never could be accounted for. A board of officers was appointed and exonerated him, and the Secretary of War recommended that the allowance be credited upon the books. This is for his relief. It is a perfectly fair bill, and the committee felt that it was entitled to favorable action.

I wonder if, under that statement, the Senator from Utah will let us consider the bill?

Mr. SMOOT. Mr. President, I have been trying to read the report through, but it is a long report. However, if the facts are as the Senator states them, I have no objection to it. There are so many of these claims made that we ought to go into them pretty carefully.

Mr. SPENCER. I may say to the Senator that Acting Secretary of War Crowley stated in reference to this matter that the discrepancy evidently—

Occurred through this officer's inability to give personal supervision to every transaction in his office under the large amount of work required by his office during the demobilization of the Army.

It is believed that this bill is meritorious and should be passed.

Mr. SMOOT. I withdraw my objection.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Harvey R. Butcher, out of any money in the Treasury not otherwise appropriated, the sum of $1,770.33 to reimburse him for moneys paid out of his personal funds in settlement of a shortage in his accounts while acting as disbursing officer, Quartermaster Corps, United States Army, at Camp Funston, the said shortage not being due to any negligence or default on his part.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BLANCHE UTLEY.

The bill (H. R. 10317) for the relief of Blanche Utley was considered as in Committee of the Whole and was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of the estate of Blanche Utley, a minor, of Fort Worth, Tarrant County, Tex., the sum of $5,000 in full compensation for injuries sustained by the said Blanche Utley due to an aeroplane owned by the United States Government while engaged in practice flying in Tarrant County, Tex., striking a barbed-wire fence near an automobile standing in a public road and in which said Blanche Utley was sitting, knocking said barbed wire loose from said fence and against the said occupant, Blanche Utley, of said automobile in such a manner and way as to injure and cut the said Blanche Utley, on the 20th day of June, A. D. 1918.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM CASEY.

The resolution (S. Res. 367) referring to the Court of Claims the bill (S. 4384) for the relief of William Casey was considered by unanimous consent and agreed to, as follows:

Resolved, That the claim of William Casey (S. 4384), now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

PAWNEE TRIBE OF INDIANS OF OKLAHOMA.

The resolution (S. Res. 368) referring to the Court of Claims the bill (S. 4375) for the relief of the Pawnee Tribe of Indians of Oklahoma was considered by unanimous consent and agreed to, as follows:

Resolved, That the bill S. 4375, entitled "A bill for the relief of the Pawnee Tribe of Indians of Oklahoma," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

NAVAL ACADEMY AGE LIMIT.

The bill (S. 3969) to authorize the Secretary of the Navy to waive the age limit for admission to the United States Naval Academy was considered as in Committee of the Whole.

The bill had been reported from the Committee on Naval Affairs with an amendment in line 4, after the word "limit," to strike out the words "to the extent of from 30 to 60 days" and to insert "not exceeding 60 days," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized, in his discretion, to waive the age limit, not exceeding 60 days, of any midshipman compelled to resign from the Naval Academy on account of deficiencies in studies, who desires to be reappointed, and who is over the age limit to be reappointed in the regular way: *Provided*, That such waiver shall be made only in cases of midshipmen whose conduct and academic records shall entitle them to such consideration.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NAVAL RESERVE FORCE.

The bill (S. 4361) to provide for the relief of certain officers of the Naval Reserve Force, and for other purposes, was considered as in Committee of the Whole. The bill was read as follows:

Be it enacted, etc., That officers of the Naval Reserve Force or the Marine Corps Reserve who have heretofore been, or may hereafter be, disenrolled from said service or have heretofore been, or may hereafter be, released from active duty therein, shall receive mileage at the same rate as authorized for officers of the Regular Navy for the distance involved in travel in the United States from the place where disenrolled or released from active duty to their homes.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE E. PAYNE.

The bill (H. R. 3212) for the relief of legal representative of George E. Payne, deceased, was considered as in Committee of the Whole. The bill was read as follows:

Be it enacted, etc., That the claim of the legal representative of George E. Payne, deceased, of New Orleans, La., for personal property taken by United States officers, and for the crop of sugar sold by the sequestration commissioners, and the net proceeds transferred by them to the Quartermaster's Department and used for public good, and for the use and occupancy of the plantation of said deceased, taken by

United States Army officers and turned over to the United States Treasury agent, and by said agent leased to William Spear for the year 1864, and for the use and occupancy by the Freedmen's Bureau for the year 1865, be, and the same is hereby, referred to the Court of Claims of the United States for adjudication, at the fair and reasonable rental and the value of the property taken and used as aforesaid, on the competent evidence heretofore presented and that may be adduced, any statute of limitations to the contrary notwithstanding: *Provided, however*, That it be shown to the satisfaction of the court that said George E. Payne did not give any aid or comfort to the late Civil War, but was throughout the war loyal to the Government of the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CUSTER STATE PARK GAME SANCTUARY, S. DAK.

The bill (H. R. 11398) for the creation of the Custer State Park Game Sanctuary, in the State of South Dakota, and for other purposes, was considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That the President of the United States is hereby authorized to designate as the Custer State Park Game Sanctuary such areas, not exceeding 30,000 acres, of the Harney National Forest, and adjoining or in the vicinity of the Custer State Park, in the State of South Dakota, as should, in his opinion, be set aside for the protection of game animals and birds and be recognized as a breeding place therefor.

SEC. 2. That when such areas have been designated as provided for in section 1 of this act, hunting, trapping, killing, or capturing of game animals and birds upon the lands of the United States within the limits of said areas shall be unlawful, except under such regulations as may be prescribed from time to time by the Secretary of Agriculture; and any person violating such regulations or the provisions of this act shall be deemed guilty of a misdemeanor, and shall, upon conviction in any United States court of competent jurisdiction, be fined in a sum not exceeding $1,000, or be imprisoned for a period not exceeding one year, or shall suffer both fine and imprisonment, in the discretion of the court.

SEC. 3. That it is the purpose of this act to protect from trespass the public lands of the United States and the game animals and birds which may be thereon, and not to interfere with the operation of the local game laws as affecting private or State lands.

SEC. 4. That the State of South Dakota is hereby authorized and permitted to erect and maintain a good substantial fence, inclosing in whole or in part such areas as may be designated and set aside by the President under the authority of section 1. The State shall erect and maintain such gates in this fence as may be required by the authorized agents of the Federal Government in administering this game sanctuary and the adjoining national forest lands, and may erect and maintain such additional inclosures as may be agreed upon with the Secretary of Agriculture. The right of the State to maintain this fence shall continue so long as the area designated by the President as a game sanctuary is also given similar protection by the laws of the State of South Dakota.

SEC. 5. That upon recommendation of the Secretary of Agriculture, the Secretary of the Interior may patent to the State of South Dakota not to exceed 1,600 acres of nonmineral national forest lands not otherwise appropriated or withdrawn within the areas set aside by the President under the authority of section 1: *Provided*, That the State of South Dakota conveys to the Government good and sufficient title to other lands of equal value owned by the State and lying within the exterior boundaries of a national forest in the State of South Dakota and approved by the Secretary of Agriculture as equally desirable for national forest purposes, the lands thus conveyed to the Government to become a part of the national forest: *Provided, however*, That this authority shall not operate to restrict any selection rights which the State may have or may be hereafter granted, excepting as to the specific lands conveyed to the Government under authority of this act.

Mr. WADSWORTH. I should like to ask a question of the Senator from Connecticut [Mr. MCLEAN], who reported the bill. Apparently this bill does not call for an appropriation. Would it lead to one?

Mr. STERLING. Perhaps I can answer the question, as it relates to my State. It does not call for a Federal appropriation. Whatever expense may be involved will be borne by the State.

Mr. WADSWORTH. Is the park to be patroled by Federal agents

Mr. STERLING. It is to be patroled by Federal agents and by State agents. There is to be cooperation between the State and Federal Government in this game preserve and in the protection of wild animals.

Mr. WADSWORTH. Has the Federal Government a reservation near by at which patrolmen are employed?

Mr. STERLING. The proposed game sanctuary is to be designated from the Harney National Forest, as it is called. The State has a park called the Custer State Park adjoining the Harney National Forest. The object is to set aside certain portions of the Harney National Forest, around which fences are to be erected, for the protection of game.

Mr. WARREN. It is expected to be taken care of by the State, as I understand?

Mr. STERLING. Certainly; the area designated by the President under the terms of the bill will be taken care of by the State. The State is to build the fences and take care of the preserve.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

W. R. GRACE & CO.

The bill (S. 3743) for the relief of W. R. Grace & Co. was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "sum of," to strike out "$268.36" and to insert "$263.73," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. R. Grace & Co., of 7 Hanover Square, New York City, the sum of $263.73, the amount which said W. R. Grace & Co. paid as customs duty on 180 bales of caraway seed, which was imported on May 15, 1918, the entry on which was liquidated on August 10, 1918, and which was reported for exportation by the Department of Agriculture on November 13, 1918, after the expiration of the 30-day period provided by law for the filing of protests after liquidation of entry.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GRAZING LANDS IN ALASKA.

The bill (S. 2791) to provide for the leasing of public lands in Alaska for stock breeding and for other purposes was announced as next in order.

Mr. THOMAS. I shall have to ask that that bill go over, Mr. President.

The VICE PRESIDENT. Being objected to, the bill will go over.

Mr. THOMAS subsequently said: Mr. President, from what the Senator from Utah [Mr. SMOOT] tells me regarding Senate bill 2791, I withdraw my objection to the consideration of the bill.

Mr. SMOOT. I ask that the bill be now considered.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, and under such general regulations as he may adopt, to lease, for stock-grazing purposes unappropriated public lands, either surveyed or unsurveyed, in the Territory of Alaska, not adapted to ordinary agricultural uses, but chiefly valuable for pasturage, in area not to exceed in the aggregate 10,240 acres to any one lessor, for such periods of time as may be agreed upon, but in no case to exceed 25 years, and for such annual rental as may be fixed by agreement, subject to revision at stated periods: *Provided*, That all leases granted hereunder shall expressly reserve the right of citizens of the United States to enter upon, explore, and work the leased lands for the minerals therein, and acquire title thereto under the mining laws.

SEC. 2. That on the termination of a lease, after due compliance with the terms thereof, the lessor shall have a preferred right to purchase for cash, on the payment of the appraised value thereof, the land on which his principal improvements are situated; the area so taken not to exceed 640 acres: *Provided*, That if the lessee shall not exercise such right of purchase all improvements on the leased land shall be and remain the property of the United States.

SEC. 3. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the leasing of public lands in Alaska for grazing purposes."

GEORGE F. RAMSEY.

The bill (S. 4326) for the relief of George F. Ramsey was considered as in Committee of the Whole. The bill had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and to insert:

That the sum of $15,561.23 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, and paid to George F. Ramsey, levee contractor, of which $13,602.27 is for himself and $1,958.96 is for the use and benefit of W. H. Dennison, his subcontractor, being the aggregate losses incurred by said George F. Ramsey and his subcontractors in the carrying out of certain contracts referred to in a Senate resolution of June 19, 1919, under which the Secretary of War was directed to report the amount of losses incurred by the contractors upon contracts mentioned in said resolution: *Provided*, That before paying said sums the Secretary of the Treasury shall require satisfactory evidence that said contract has been completed and that there are no other subcontractors who claim loss for work in connection with said contract.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

H. B. BANKS.

The bill (S. 4327) for the relief of H. B. Banks was considered as in Committee of the Whole. The bill had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and insert:

That the sum of $123,569.03 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, and paid to H. B. Banks, levee contractor, of which $40,720.95 is for the use and benefit of his subcontractors, Roach, Stansell, Lowrance Bros. & Co., and $82,848.08 is for the use and benefit of his subcontractor, George F. Ramsey, being the aggregate losses incurred by said subcontractors in the carrying out of certain contracts referred to in a Senate resolution of June 19, 1919, under which the Secretary of War was directed to report the amount of losses incurred by the contractors upon contract mentioned in said resolution: *Provided*, That the Secretary of the Treasury, before paying said sums, shall require evidence satisfactory to him that said contracts have been completed, and that there are no other subcontractors who claim loss for work in connection therewith.

Mr. SMOOT. Mr. President, I should like to ask the Senator from Tennessee [Mr. MCKELLAR] if examination has been made by any agency of the Government showing the amount of the loss to be as reported in the committee amendment?

Mr. MCKELLAR. Yes. Under date of June 9 last the Commerce Committee passed a resolution instructing the Secretary of War, who in this case acted through the Chief of Engineers, to examine and report the amount of the losses sustained. That was done, and the figures in the amendment are those reported by the engineers. As the Senator will notice, the loss was caused by reason of the fact that the Government practically prevented the employment of labor because they themselves used all the available labor in that locality in connection with work upon nitrate plants, powder plants, and aviation fields. The figures have been gone into very carefully, and those contained in the amendment are the exact figures reported by the War Department.

Mr. SMOOT. The contracts were made with the Government?

Mr. MCKELLAR. Yes; they were made with the Government.

Mr. NELSON. Mr. President, if the Senator will yield to me for a moment, I desire to say that the last river and harbor bill contained a provision for the allowance of claims of this kind on account of the war.

Mr. SMOOT. I recall that provision.

Mr. NELSON. The contracts involved in this bill relates to levee construction?

Mr. MCKELLAR. Yes.

Mr. NELSON. The officials of the War Department were authorized to audit such claims, and, as I understand, have passed upon the claims, and the amounts in the bills reported from the Committee on Claims are those recommended by the department.

Mr. MCKELLAR. That is true.

Mr. NELSON. The amounts contained in the bills are exactly the amounts which have been reported by the War Department.

Mr. MCKELLAR. That, as I understand, is correct.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROACH, STANSELL, LOWRANCE BROS. & CO.

The bill (S. 4328) for the relief of Roach, Stansell, Lowrance Bros. & Co. was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and insert:

That the sum of $204,307.98 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, and paid to Roach, Stansell, Lowrance Bros. & Co., of which $150,110.07 is for themselves, and $14,953.84 is for the use and benefit of their subcontractors, L. Lowrance & Bros.; $5,376 is for the use and benefit of their subcontractor, George F. Ramsey, and $15,822.82 is for the use and benefit of their subcontractor, Rodgers Construction Co., and $18,045.25 is for the use and benefit of their subcontractors, H. N. Rodgers & Bro., being the aggregate losses incurred by said Roach, Stansell, Lowrance Bros. & Co. and their subcontractors in the carrying out of certain contracts referred to in a Senate resolution of June 19, 1919, under which the Secretary of War was directed to report the amount of losses incurred by the contractors upon contracts mentioned in said resolution: *Provided*, That before paying said sums the Secretary of the Treasury shall require satisfactory evidence that said contracts have been completed, and that there are no other subcontractors who claim loss for work in connection with said contracts.

The amendment was agreed to.

The bill was then reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCIS NICHOLSON.

The bill (S. 1313) for the relief of Francis Nicholson was announced as next in order.

Mr. THOMAS. I ask that that bill go over.

Mr. PHELAN. I hope the Senator will not object to the consideration of that bill. It is a very meritorious case.

Mr. THOMAS. If the Senator is interested in it, I will withdraw my objection.

Mr. SMOOT. I should like to have the Senator from California give some explanation of the bill.

Mr. PHELAN. Mr. President, I quote from the report on the bill, as follows:

It is shown from the records that Francis Nicholson, 1269 Stanyan Street, San Francisco, at the age of 13, sustained personal injuries from the discharge of evening gun at the Presidio, San Francisco, October 4, 1916.

I may state he was on the public highway when he received the injury.

The young man was attended by four doctors, lost one eye, and received a concussion of the brain. He was severely burned about the face and body. He is disfigured for life and partly disabled.

The Secretary of War ordered an investigation, and I have here [exhibiting] the whole proceedings of the court. The investigation continued for a period of over a year and a half. The Secretary of War concludes his report with this recommendation:

In view of all the circumstances of the case a board of officers which investigated the matter recommend $20,000 damages be paid for the injury sustained by the boy. The commanding general Western Department recommends approval, and I concur.

NEWTON D. BAKER,
Secretary of War.

The committee cut that down arbitrarily to $10,000. I am perfectly familiar with the case. It is entirely meritorious. This young man's life has been ruined. Any private employer would have compensated him in the whole amount. I should say that $20,000 for a ruined life was not excessive; but the committee has seen fit to recommend the appropriation of $10,000, and I think the Senate should approve it.

Mr. SMOOT. Mr. President, this afternoon we passed a bill giving the widow of a man who was killed by the Government of the United States $2,500. We passed another bill giving a widow $5,000 for the death of her husband. Here we have a bill appropriating $10,000 for the injury of a boy reported by the Military Affairs Committee.

Mr. THOMAS. The Claims Committee.

Mr. SMOOT. Oh, no.

Mr. PHELAN. It comes from the Claims Committee.

Mr. SMOOT. My copy of the bill says that it was read twice and referred to the Committee on Military Affairs. I think I shall ask that it go over to-day.

Mr. PHELAN. Mr. President, let me ask the Senator whether the damage to a boy 13 years of age, who survived, is not greater than that to a widow whose husband is killed. No adequate reparation can be made for that; but this boy is compelled to live, and it seems to me that $10,000 is very poor recompense for the fact that the United States Government, through the carelessness of its agents, has blown out his eyes and otherwise damaged him.

Mr. SMOOT. I want to read the report. I ask that the bill go over to-day.

The VICE PRESIDENT. The bill will be passed over.

JOHN B. ELLIOTT.

The bill (S. 4250) for the relief of John B. Elliott was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John B. Elliott, whose position as collector of customs of collection district No. 27 (formerly known as the district of southern California), was inadvertently abolished under the provisions of the Executive order of February 2, 1920, the salary he would have received as collector of customs of the newly created district No. 27 (known as the district of Los Angeles) from February 2, 1920, to April 5, 1920, inclusive, had not his position been so abolished.

SEC. 2. That for the above purpose there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $888.89.

Mr. PHELAN. Mr. President, this is merely a perfunctory matter. The President, by an Executive order, created a new customs district at San Diego, and in doing so he eliminated the more important customs district at Los Angeles, and the Auditor of the Treasury said that the man had been legislated out of his salary. He continued to serve for two months, and this is a bill to provide for the payment of two months' salary for services rendered the United States in due course. It was a mere accident on the part of the department that he was dis-

placed, and the report so shows. It is perfunctory. It is not a debatable question at all.

Mr. THOMAS. Mr. President, if the Senator can assure me that the Treasury Department will never repeat that mistake I will not make any objection.

Mr. PHELAN. I will give the Senator any assurance he desires.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LOAN OF TENTS AND COTS.

The joint resolution (H. J. Res. 336) authorizing the Secretary of War to loan to the Albert Sidney Johnston Camp, United Confederate Veterans, No. 1820, Fort Worth, Tex., 100 cots and blankets for the use of Confederate veterans at the reunion of said camp June 24 to 27, inclusive, 1920, was considered as in Committee of the Whole.

The joint resolution had been reported from the Committee on Military Affairs with amendments, on page 1, line 8, after the word "hundred," to insert "tents and," and in line 9, after the word "cots," to strike out "blankets," so as to make the joint resolution read:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized to loan, in his discretion, to the Albert Sidney Johnston Camp, United Confederate Veterans, No. 1820, Fort Worth, Tex., in their encampment to be held at Hodgkins Springs, near Fort Worth, Tex., from June 24 to June 27, inclusive, 1920, 100 tents and cots: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered to the commander of said Albert Sidney Johnston Camp at such time prior to the holding of said encampment as may be agreed upon by the Secretary of War and the commander of said camp: *Provided further*, That the Secretary of War, before delivering said cots and blankets, shall take from the commander of said camp a good and sufficient security for the safe return of said property in good order and condition, and the whole to be without expense to the United States Government.

The amendments were agreed to.

Mr. WARREN. Mr. President, I understand that the bill as amended simply covers cots and tents?

Mr. SHEPPARD. Cots and tents only. The words "and blankets" are stricken out.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

The title was amended so as to read: "Joint resolution authorizing the Secretary of War to loan to the Albert Sidney Johnston Camp, United Confederate Veterans, No. 1820, Fort Worth, Tex., 100 tents and cots for the use of Confederate veterans at the reunion of said camp June 24 to 27, inclusive, 1920."

OREGON & CALIFORNIA RAILROAD CO., ETC.

Mr. CHAMBERLAIN. Mr. President, this morning the Senator from Utah [Mr. SMOOT] called up a bill which had heretofore passed the Senate, and the same bill has passed the House. The one which passed the House and came to the Senate was referred to the Committee on Public Lands. I ask that the Committee on Public Lands be discharged from the further consideration of the bill, and that the House bill be taken up and disposed of.

The VICE PRESIDENT. Now?

Mr. CHAMBERLAIN. Yes, sir. The same bill has passed both bodies, but, like Mahomet's coffin, it is hung up between the two bodies now. I ask that the Committee on Public Lands of the Senate be discharged from the further consideration of the House bill, and that the House bill be taken up and disposed of now. That would restore the House bill, as I understand, to the Senate.

Mr. SMOOT. Mr. President, I do not like to have the Senator move that the Public Lands Committee of the Senate be discharged from the further consideration of the bill. In fact, I knew nothing about it until I received a letter this morning from Congressman SINNOTT, and I had not had the letter in my possession one hour before I asked for the consideration of the bill and stated the facts in the case. I prefer that the Senator should allow me to report the bill back to the Senate to-morrow and get the consent of the Senate to have it acted upon.

Mr. CHAMBERLAIN. I can assure the Senator that the bills are exactly the same.

Mr. SMOOT. I so stated this morning when there was objection to it.

Mr. CHAMBERLAIN. The Senator says he does not know anything about the bill. It is exactly the same bill that the Senator reported out of the Public Lands Committee.

Mr. SMOOT. The Senator is mistaken.

Mr. CHAMBERLAIN. Well, I am not going to insist upon it. If the Senator does not want the very thing that he asked for this morning, and now objects to it, I withdraw my request.

Mr. SMOOT. I am not objecting to that at all.

Mr. CHAMBERLAIN. That is what it amounts to.

Mr. SMOOT. Another thing I want to say is that I did not say that I knew nothing about the bill.

Mr. CHAMBERLAIN. I have withdrawn my request.

Mr. SMOOT. I said that I did not know anything about the bill passing the House until I received the letter this morning.

Mr. CHAMBERLAIN. I was not here this morning. I understood that the Senator brought up this very matter, and that the Senator from Alabama [Mr. UNDERWOOD], not knowing anything about it, practically requested that the matter go over. Now I have taken up the same matter, the Senator from Alabama assures me that he has no objection to it, and the Senator who brought it up this morning now practically objects. I have withdrawn my request.

Mr. SMOOT. I object to having a motion made to discharge the Committee on Public Lands from the further consideration of the bill. That looks like a reflection upon the Public Lands Committee. That is the only reason.

Mr. UNDERWOOD. Mr. President, I wish the Senator would allow me to make a statement.

This morning, when this bill came up, the unfinished business had not been disposed of and we were not in the morning hour. The bill came up in a rather unusual way, because it was not on the calendar and had not been reported. The Senator from Utah did state that a similar bill had been reported and passed by the Senate, but I desired to find out the situation. I want to say that I think when the calendar is up and Senators are on notice that we are passing bills of this character, it is an opportune time to pass them, when everybody has a chance; but except in unusual cases I do not favor, as far as I am individually concerned, the consideration of bills that require real consideration, matters of moment, at unusual times. That was my reason for asking the Senator to let it go over.

Mr. SMOOT. If the Senator from Oregon will ask unanimous consent for the consideration of this bill, I shall not object; but I do object to having it appear on the record that it required a motion upon the part of any Senator to discharge the Committee on Public Lands from the consideration of any bill.

Mr. CHAMBERLAIN. Mr. President, the Senator is supersensitive. That motion is made here time and time and time again. The Senator himself has made it in my hearing and in my presence more than once, and the Senator knows that absolutely no disrespect was intended to his committee. It was simply a question of following the proper parliamentary procedure to get the bill before the Senate; that was all.

Mr. SMOOT. If the Senator asks unanimous consent for it, I shall not have any objection.

Mr. CHAMBERLAIN. I will follow the Senator's advice and suggestion and ask unanimous consent that the bill may now be considered. I may say, further, that the bill has reference only to an Oregon matter. It is local in its significance and follows the language of a former bill which passed this Congress.

The VICE PRESIDENT. But it is in the hands of the Committee on Public Lands; that is the trouble.

Mr. CHAMBERLAIN. That is the very reason why I made the motion. The Senator from Utah seemed sensitive about it, and I assured him that I had no intention of referring slightingly to his committee. I was simply following the usual rule.

Mr. SMOOT. Mr. President, I knew nothing about the bill until this morning. As I say, I had not had the letter one hour before I asked for unanimous consent and it was objected to. I am perfectly willing for the Senator to ask unanimous consent that the committee be discharged rather than having it done by vote, and then we can consider the bill.

The VICE PRESIDENT. Is there any objection to the request for unanimous consent that the Committee on Public Lands be discharged from the further consideration of the bill? The Chair hears none, and the committee is discharged. Is there objection to the present consideration of the House bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9392) regulating the disposition of lands formerly embraced in the grants to the Oregon & California Railroad Co. and Coos Bay Wagon Road Co.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CAPT. EDWARD T. HARTMANN.

The bill (S. 2929) for the relief of Capt. Edward T. Hartmann, United States Army, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims, with amendments, on page 1, line 4, after the word "Hartmann," to strike out "United States Army, the sum of $272.50, which sum," and insert "the sum of $272.50; Capt. Frederick G. Lawton, the sum of $1,400; Capt. Frank B. Watson, the sum of $1,500; and Capt. James Ronayne, United States Army, the sum of $1,658, which sums"; in line 9, after the word "necessary," to strike out "is" and insert "are"; in line 11, after the word "said," to strike out "sum" and insert "sums"; on page 2, line 1, after the word "by," to strike out "him" and insert "them"; and on line 5, after the word "from," to strike out "him" and insert "each," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to Capt. Edward T. Hartmann the sum of $272.50, Capt. Frederick G. Lawton the sum of $1,400, Capt. Frank B. Watson the sum of $1,500, and Capt. James Ronayne, United States Army, the sum of $1,658, which sums, or so much thereof as may be necessary, are hereby appropriated, out of any money in the Treasury not otherwise appropriated, said sums to be payment in full for all losses of personal property incurred by them by reason of the sinking of the U. S. transport *Meade* in the harbor of Ponce, Porto Rico, on or about May 16, 1899: *Provided*, That the accounting officer of the Treasury shall require a schedule and affidavit from each, such schedule to be approved by the Secretary of War.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Capt. Edward T. Hartmann, United States Army, and others."

JOHN A. GAULEY.

The bill (H. R. 2396) for the relief of John A. Gauley was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SWANHILD SIMS.

The bill (H. R. 6198) authorizing payment of compensation to Swanhild Sims for personal injuries was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CATHERINA REA, ADMINISTRATRIX.

The bill (H. R. 9048) for the relief of Catherina Rea, administratrix of the estate of John Rea, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE TEXAS CO.

The bill (S. 1255) authorizing the Texas Co. to bring suit against the United States was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the claim of the owners of the steamer *Texas* arising out of a collision between said steamer and the U. S. S. *Frederick der Grosse* off Tompkinsville, Staten Island, in the harbor of New York, on the 3d day of September, 1917, for and on account of the losses alleged to have been suffered in said collision by the owners of said steamer *Texas* by reason of damages to and detention of said steamer, may be submitted to the United States court for the district of New York, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal.

SEC. 2. That should damages be found to be due from the United States to the owners of said steamer *Texas*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

The bill was reported to the Senate without amendment.

Mr. SMOOT. Mr. President, section 2 of this bill provides as follows:

That should damages be found to be due from the United States to the owners of said steamer *Texas*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated.

I move to strike out section 2 of the bill.

Mr. SHEPPARD. Mr. President, I believe that course has been pursued as to all other similar bills.

Mr. SMOOT. As to all similar bills.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SOUTHERN IRON & METAL CO.

The bill (S. 3031) to appropriate $1,189.35 for the relief of Southern Iron & Metal Co., Jacksonville, Fla., for salvage material, consisting of submarine cable purchased from the War Department, was announced as next in order.

Mr. WARREN. I should like to have that bill read.

The Reading Clerk read the bill.

Mr. WARREN. Is there a report there or any explanation of the bill? I do not see in his place the Senator who reported it.

Mr. SMOOT. Let it go over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

COURTS IN NEW MEXICO.

The bill (S. 4310) to amend an act entitled "The New Mexico enabling act" was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That section 13 of the act entitled "An act to enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States," approved June 20, 1910, is hereby amended to read as follows:

"SEC. 13. That the State, when admitted as aforesaid, shall constitute one judicial district, and the circuit and district courts of said district shall be held at the capital of said State, and the said district shall, for judicial purposes, be attached to the eighth judicial circuit. There shall be appointed for said district one district judge, one United States attorney, and one United States marshal. The judge of said district shall receive a yearly salary the same as other similar judges of the United States, payable as provided for by law, and shall reside in the district to which he is appointed. There shall be appointed clerks of said courts, who shall keep their offices at the capital of said State. The regular terms of said courts shall be held on the first Monday in March and the first Monday in September of each year. The circuit and district courts for said district and the judges thereof, respectively, shall possess the same powers and jurisdiction and perform the same duties required to be performed by the other circuit and district courts and judges of the United States, and shall be governed by the same laws and regulations. The marshal, district attorney, and the clerks of the circuit and district courts of said district, and all other officers and persons performing duties in the administration of justice therein, shall severally possess the powers and perform the duties lawfully possessed and required to be performed by similar officers in other districts of the United States, and shall, for the services they may perform, receive the fees and compensation now allowed by law to officers performing similar services for the United States in the Territory of New Mexico."

Mr. NELSON. Mr. President, I desire to explain that all there is in the bill is changing a term of court. It reenacts a provision of the statute in relation to New Mexico, but the only change effected is the change of a term of court, recommended by the judge and by the Department of Justice.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MASONIC MUTUAL RELIEF ASSOCIATION.

The bill (S. 4400) to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia," approved March 3, 1869, as amended, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That sections 2, 3, and 5 of an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia," approved March 3, 1869, as amended, be amended to read as follows:

"SEC. 2. That membership in this association shall be limited to Master Masons, and that the business and objects of the society or corporation shall be to provide, maintain, and disburse a fund for the benefit of the members, their wives, widows, children, orphans, dependents, heirs, assignees, legatees, or beneficiaries, and for this purpose it shall and may be lawful for the said society or corporation to make all and every insurance appertaining to or connected with life or disability risks of whatever kind and nature; and, in addition thereto, to provide, maintain, and disburse a fund for owning, establishing, maintaining, and operating homes, hospitals, sanitariums, and any other aid or service for its members, Master Masons, their wives, widows, children, orphans, dependents, or beneficiaries; and because of its fraternal organization and benevolent purposes it shall be defined and classed as a fraternal beneficial society: *Provided, however*, That upon all contracts of insurance it shall maintain a reserve fund adequate to meet all liabilities thereon, and which in case of life risks shall be not less than that computed upon the American experience table of mortality at 4 per cent interest.

"SEC. 3. That the number of directors of said association shall be at least 21, a number of whom, less than a majority, shall be elected annually by the members of the association from among themselves and shall serve for three years. In all cases of a tie vote the choice to be determined by lot, and in all other cases a plurality vote shall decide. That the annual meeting of said association shall be held on the third Tuesday in February of each year, and said directors shall, at their first meeting succeeding the annual meeting of the association, elect one of their number to be president of the board of directors, who shall also be president of the association, and shall elect one of their number as vice president, and one of their number or a member of the association as secretary of the association, and the said secretary of the association shall give bond with surety to said association in such sum as the board of directors may require for the faithful discharge of his duties; and one of their number as treasurer, who shall also give bond with surety to said association in such sum as the said board of directors may require for the faithful discharge of his trust. At all meetings

of the board of directors 12 members of the board shall form a quorum. In case of any vacancy in the board of directors, by death, resignation, or otherwise, such vacancy shall be filled by the remaining directors from among the members of said association for the remainder of the unexpired term.

"SEC. 5. That the said board of directors may be increased from time to time to a number not exceeding the number of grand lodges of Masons in the United States, and the said board shall be capable of taking and holding the funds, property, and effects of said corporation, which funds, property, or effects shall forever be devoted to the purpose mentioned in section 2 hereof."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GOVERNMENT DEPOSITARIES.

The bill (S. 4436) to amend the act approved December 23, 1913, known as the Federal reserve act, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the first paragraph of the act approved December 24, 1919, known as the Edge Act, amending the Federal reserve act, be amended by adding at the end a proviso, so that the paragraph as amended will read as follows:

"SEC. 25. (a) Corporations to be organized for the purpose of engaging in international or foreign banking or other international or foreign financial operations, or in banking or other financial operations in a dependency or insular possession of the United States, either directly or through the agency, ownership, or control of local institutions in foreign countries, or in such dependencies or insular possessions as provided by this section, and to act when required by the Secretary of the Treasury as fiscal agents of the United States, may be formed by any number of natural persons, not less in any case than five: *Provided*, That nothing in this section shall be construed to deny the right of the Secretary of the Treasury to use any corporation organized under this section as depositaries in Panama and the Panama Canal Zone or in the Philippine Islands and other insular possessions and dependencies of the United States."

Mr. McLEAN. Mr. President, this bill merely gives the Secretary of the Treasury the power to designate corporations organized under the Edge Act to act as Government depositaries. The Secretary of the Treasury is now using a bank in the Panama Canal Zone organized under State law. That bank wants to reorganize and operate under the Edge Act, and the Treasury Department is afraid that if the bank does that the Secretary will be precluded from using it any longer for that purpose. That is all the bill provides.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WOODFORD BANK & TRUST CO.

The bill (H. R. 11030) for the relief of the Woodford Bank & Trust Co., of Versailles, Ky., was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem certificates of indebtedness of the United States of America, Nos. 14978 and 14979, each of the denomination of $5,000, and each of the issue dated April 10, 1919, and maturing September 9, 1919, with interest from April 10, 1919, to September 9, 1919, in favor of the Woodford Bank & Trust Co., of Versailles, Ky., without presentation of the certificates, the said certificates of indebtedness having been lost, stolen, or destroyed: *Provided*, That the said Woodford Bank & Trust Co., of Versailles, Ky., shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal of said certificates of indebtedness of the United States of America in such form and with such sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the said certificates of indebtedness hereinbefore described which were lost, stolen, or destroyed.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM C. BROWN.

The bill (S. 4324) for the relief of William C. Brown was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the President of the United States, in his discretion, be, and he is hereby, authorized to appoint, by and with the consent of the Senate, Col. William C. Brown, United States Army, retired, to the position and rank of brigadier general on the retired list.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PERRY L. HAYNES.

The bill (H. R. 1309) for the relief of Perry L. Haynes was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on line 6, after the words "National Guard," to insert the words "out of any money in the Treasury not otherwise appropriated," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to reimburse Second Lieut. Perry L. Haynes, Coast Artillery Corps, National Guard, out of any money in the Treasury not otherwise appropriated, in the sum of $855.75, which amount represents funds belonging to the Government of the United States for which he was held accountable and which were lost through no fault of his.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed for a third reading and the bill to be read a third time.

The bill was read the third time and passed.

EXPENSES OF THE DISTRICT OF COLUMBIA.

The bill (H. R. 7158) to provide for the expenses of the government of the District of Columbia was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia, with an amendment, to strike out all after the enacting clause, and to insert:

Be it enacted, etc., That one half of the following sums, respectively, is appropriated out of any money in the Treasury not otherwise appropriated, and the other half out of the revenues of the District of Columbia, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, namely:

Hereafter the estimates of the Commissioners of the District of Columbia for any fiscal year, submitted in accordance with the act of June 11, 1878, shall state the necessary expenses of the government of the District of Columbia for said year, and shall bear no arbitrary relation to the total estimated revenues of the District of Columbia for such fiscal year, and the Secretary of the Treasury is authorized and directed to advance, on the requisition of the Commissioners of the District of Columbia, made in the manner now prescribed by law, out of any moneys in the Treasury of the United States not otherwise appropriated, such sums as may be necessary from time to time to meet the general expenses of said District, as authorized by Congress, and to reimburse the Treasury for the portion of said advances payable by the District of Columbia out of the taxes and revenues collected for the support of the government thereof. If in any year the taxes and revenues of the District of Columbia shall be insufficient to reimburse the Treasury for the portion of said advance payable by the District of Columbia, such unpaid advance shall be reimbursed to said Treasury out of the revenues of the District of Columbia of the succeeding year or years. If in any year the taxes and revenues of the District of Columbia shall be more than sufficient to reimburse the Treasury for the portion of said advances payable by the District of Columbia, such surplus of revenue and all unexpended surpluses of District revenue shown by the reports of said commissioners to have been heretofore accumulated and deposited in the Treasury of the United States shall be held in the Treasury as a trust fund for the benefit of said District and be available as revenue of the District of Columbia for meeting the portion of appropriations payable by said District in the succeeding year or years, and all acts and parts of acts in conflict with any of the provisions herein contained are hereby repealed.

Hereafter the 50 per cent of approved estimates to be levied and assessed under the act of June 11, 1878, upon the taxable property and privileges in said District, shall be raised by the imposition of such rate of taxation on realty and tangible and intangible personal property as the commissioners shall ascertain to be necessary to raise annually, in combination with other District tax revenues and unexpended tax surpluses of previous years, a sum sufficient to meet the proportion of expenses to be paid by the District of Columbia under said act of June 11, 1878.

The amendment was agreed to.

Mr. JONES of Washington. I wanted to suggest an amendment, Mr. President, but I will let it go. The bill will have to go to conference.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. JONES of Washington. Mr. President, I desire to make a statement with reference to the bill which has just been passed. The bill will go to conference, and I think the conference can take care of the proposition which is involved in the amendment I wanted to offer. What I intended to propose was to strike out the words "and intangible," on page 3, line 23, so as to allow the present rate on intangible property to stand and not attempt to deal with that. Then I intended to propose the following proviso at the end of line 3:

Provided, That the basic tax rate of 1½ per cent now on realty and tangible property shall not be decreased.

It might be increased, but I proposed that it should not be decreased. I think both those propositions can be cared for in conference under the amendment that has just been agreed to. So I will not ask for reconsideration of the vote by which the bill was passed.

ARMENIAN MANDATE.

The resolution (S. Con. Res. 27) declining to grant to the Executive the power to accept a mandate over Armenia was announced as next in order.

Mr. SMOOT. I ask that the resolution may go over.

The VICE PRESIDENT. The concurrent resolution will be passed over.

RUSSIAN RAILWAY SERVICE CORPS.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. The Senator from Utah.

Mr. POINDEXTER. Mr. President, I hope the Senator from Utah will not make a motion to take a recess until there is an opportunity to call the other bills on the calendar which are not printed. One or two have been reported to-day.

Mr. SMOOT. I am informed that the bills are not at the desk. We will have plenty of time to consider them next week.

Mr. POINDEXTER. If the bills are not available at the desk at this time, I will not insist on taking them up.

The VICE PRESIDENT. The bill on the calendar at the desk will be stated.

The READING CLERK. A bill (S. 3865) providing for the men and officers in the Russian Railroad Service Corps the status of enlisted men and officers of the United States Army when discharged.

The amendment of the Committee on Military Affairs was to strike out all after the enacting clause and insert:

That the officers who are or have been in the Russian Railway Service Corps, organized by the War Department in 1917, under the authority of the President of the United States, shall henceforth have the status as to honorable discharge, when they are, or if they have been, honorably discharged from such service, of officers honorably discharged from the Army of the United States.

That all officers of this corps, active and honorably discharged, shall be entitled to receive all benefits under the war risk and war compensation acts, with all amendments thereto, provided that applications for war-risk insurance shall not be granted unless the applications therefor shall be made within 120 days from and after the passage of this act.

That any officer of the Russian Railway Service Corps who, while in active service and before the expiration of 120 days from and after the passage of this act, becomes or has become totally or permanently disabled, or dies, or has died, without having applied for insurance, shall be deemed to have applied for and to have been granted insurance in the manner provided for in section 401 of the war-risk insurance act.

Amend the title so as to read: "A bill providing for the officers in the Russian Railway Service Corps the status of officers of the United States Army when discharged."

Mr. KING. Mr. President, I was called out of the Chamber; I have been quite poorly. I desire to ask if this is the same bill I objected to a little while ago?

Mr. POINDEXTER. I think it is, Mr. President. I hope the Senator from Utah will not insist upon his objection. The bill was unanimously reported by the Committee on Military Affairs after a very elaborate hearing, and it is a mere measure of justice to some 215 young railroad men who were organized by the War Department, furnished with Army uniforms, and sent to Siberia, where they served for about two years under arduous circumstances.

Mr. KING. Mr. President, I do not think the Senator from Washington has treated me very fairly in this matter. I objected to the consideration of the bill just a few moments ago when unanimous consent was asked for its consideration. It is a matter which had not been called to the attention of the Senate, and none of us had had a chance to become familiar with its provisions or to determine the character of the precedent which it would establish. Desiring an opportunity to investigate it in its implications, I objected to its consideration.

Later the Senator from Washington approached me and asked me, in substance, the nature of my objections. I very briefly pointed them out. I told him I should be glad to look into the matter, and would do so within the next day or two; that I would not object to the bill being brought up for consideration at a later time after opportunity for investigation.

I had been out of the Chamber for a little while, and was just passing by when I heard the bill being read. I do not think it was fair or parliamentary for the Senator, under those circumstances, to take advantage of my absence and call this bill up again within a few minutes. I object to its consideration now.

The VICE PRESIDENT. The bill goes over.

Mr. POINDEXTER. Mr. President, I should like to take an opportunity of saying, in response to what the Senator from Utah has said, that every Senator is necessarily his own judge of propriety and of ethics.

The Senator from Utah has undertaken to state a conversation which I had with him to-day, and he stated it very inaccurately—no doubt unintentionally. He stated on the floor just now that he said he would examine this measure and come to some decision in a day or two. I am unaware of any such conversation having been had with him at all. No such language was uttered by him in my presence.

I am not aware of any impropriety, when the calendar is being called, of allowing bills which are on the calendar to come up. I had no agreement with the Senator from Utah in regard to this bill. If the Senator from Utah desires to object to bills, it is his place to be in his seat in the Senate and object to them; it is not my business to find the Senator from Utah. He made no request of me to postpone the consideration of this bill; he did not give any intimation of the kind. I undertake to say that the Senator from Utah has no more accurate sense of propriety on occasions of this kind than I have myself.

Mr. KING. Mr. President, I challenge the accuracy of the statement of the Senator from Washington. The substance of the conversation was clearly an indication that I desired to have an opportunity to look into the bill.

Mr. POINDEXTER. Does the Senator from Utah undertake to say that he asked me to postpone the consideration of the bill and that I agreed to do so?

Mr. KING. Mr. President, the Senator from Washington came to my seat after I had objected to the bill and asked me what my objections were, and I stated, in substance, that I desired an opportunity to look into the bill, and I would do so at the earliest possible moment. I did state, in substance, that I hoped to do so within the next day or so, and I shall do so. The bill may be entirely proper, but as I have heard the bill read, it will lead, it seems to me, to dangerous precedents. I certainly got the understanding from the conversation between us that an opportunity would be given for me to examine the bill and to make up my mind in regard to the matter. If the Senator feels that under those circumstances if I stepped out from the Chamber it was proper to call the bill up again, he has the right to do so, and he will judge as to whether it is proper or not.

Mr. POINDEXTER. Mr. President, I do not want to prolong this matter, but I wish to say that if I had with the Senator from Utah any such conversation as he states was had, in substance or any other way, I would consider that I ought to have notified him again before bringing up the bill. But I did not have any such conversation with him, and he did not ask me to postpone consideration of it. He did not state that he desired any further opportunity to be heard on the subject. Nothing of that kind passed between us.

And I want to say to the Senator from Utah that if, when the calendar is called again, this bill is reached and called, I shall not ask for a postponement of its consideration. The Senator from Utah will have to be in the Senate and make his own objection. The situation now is exactly the same as it has been heretofore. At the time the Senator from Utah referred to, the bill was not on the calendar; it was just being reported, and when it was called just now it was called in the ordinary course of the call of the calendar.

MILITARY STATUS OF CERTAIN EMPLOYEES.

Mr. WADSWORTH. Mr. President, if there is no further business at this moment, I desire to take just a little time in calling attention to a letter printed in the RECORD of yesterday's proceedings, on pages 7714–7715, a letter addressed to the Senator from South Dakota [Mr. STERLING], from the president of the Civil Service Commission, Hon. Martin A. Morrison, in which the commissioner makes certain observations about what he calls the militarizing of the civil service under the War Department. I shall not read all of the letter, because it is already in the RECORD, but I think it would be interesting to call attention to the very evident misunderstanding that the Civil Service Commission has reached about the function of the soldier.

A table is printed as part of the letter, near the bottom of the second column, on page 7714, in which it is set forth that 27,200 soldiers of the Army are to be assigned to seven of the services named in that table. I will not recite them all, but merely call attention to the fact that apparently the Civil Service Commission believes that the 12,500 soldiers of the Army who are to be assigned to the Transportation Service are to do clerical work, and therefore it is an invasion of the civil-service theory and rules and practice of the Government.

The fact is, of course, that the 12,500 men to be assigned to the Transportation Service are the soldiers who drive the trucks, the soldiers who repair the trucks and who keep gas engines in repair. They are just as much soldiers as the infantrymen, the cavalrymen, and the field artillerymen. Mr. Morrison apparently believes that they are going to sit at desks and swing pens.

He complains that there are 6,000 men being assigned to construction service. As a matter of fact, those are men who have to do the roughest kind of field work and must, of course, be soldiers.

He also complains that there are 6,000 men assigned to the Ordnance Corps, and apparently assumes that they are to do clerical work. As a matter of fact, the soldiers in the Ordnance Corps handle the high explosives and repair machine guns and keep track of ammunition and the artillery supplies, and issue them to combat troops. They go with the troops in the field. They are subject to battle action. They must, of course, be a part of the Army. They do not do clerical work. They do soldiers' work.

Mr. Morrison is completely mistaken about the matter. He makes such a point of it as that it will break down our whole theory of civil service and protection of the civil service that I desire to point out that he does not know what a soldier is compelled to do.

Mr. WARREN. Will the Senator yield?

Mr. WADSWORTH. Certainly.

Mr. WARREN. Of course, it is not understandable how he made such a mistake, but there must be some reason. Has the Senator discovered as yet where this mistake has occurred, that these soldier places all the way down should be filled from the civil list of eligibles brought into the Army through the civil service? This soldier clerical force is not like the department clerical forces in the War Department and other departments, who are never called to leave their desks here in Washington. These whom Mr. Morrison enumerates are clerks who are subject to be sent to any part of the country, to an Army headquarters, a division headquarters, where there are adjutants general, inspectors general, and others.

Mr. WADSWORTH. I am sure I do not know the reason. He complains, for example, that 400 men are to be assigned to The Adjutant General's Department and that they are to do clerical work. Of course, those form a portion of the recruiting force, who go out to recruit the Army of the United States. They will be doing Army work, and yet Mr. Morrison believes that they ought to be civil-service employees and not subject to any regular military discipline at all; that the men who drive Army trucks and Quartermaster trucks and Ordnance Department trucks, who go along the shell-beaten roads of France, should be civil-service employees and not subject to military discipline. Of course, he has a complete misconception of the whole thing.

The most ludicrous of his complaints is his contention that 1,200 men assigned to Chemical Warfare Service should not be assigned from the soldiers of the Army. Those are the men who distribute the gas grenades in the front-line trenches and who are the gas troops. It may be that certain kinds of gas can be distributed by civilians, but not that kind of gas. They have to be soldiers and have to be members of the Army under Army discipline.

Mr. Morrison contends that headquarters clerks should be civilian employees, and that we should not have anything like Army field clerks. As a matter of fact, the Army field clerks have to accompany the Army in the field; they go with headquarters, with the regiment or brigade or division, often under fire of the enemy, and some were killed or wounded in the war. They wear uniforms and are subject to military discipline.

Mr. Morrison does not seem to understand that civil-service employees, protected under civil-service regulations, are not subject to military discipline and would be utterly out of place in positions of that sort. From this letter his complete misconception is apparent of what the Army does in its several branches. I merely desire to enter my protest against the contention of the Civil Service Commission to the effect that all these services in the Army should be placed under the Civil Service Commission rather than under the general in command.

Mr. WARREN. One would think, to look at this table of 27,200 men, that his contention is they should all be subject to the Civil Service Commission.

Mr. WADSWORTH. Yes; they must be subject to the Civil Service Commission, according to Mr. Morrison.

Mr. WARREN. They begin with The Adjutant General's, the Inspector General's, the judge advocates' officers, who are appointed officers or enlisted men, and all have passed their military examinations and from time immemorial have been subject to military discipline. All of the Army clerks, field and others, are subject to being sent to the battle front and are expected to do duty under fire if necessary.

Mr. WADSWORTH. Mr. Morrison thinks these men should not be selected for the Army in that way, but that they should be appointed under the civil-service law and appointed for life.

Mr. WARREN. Of course, there is no law which justifies that; but I am sure the president of the board, Mr. Morrison, must be laboring under some misapprehension. It could not be more absurd if they would submit that Senators of the United States ought to be examined by the Civil Service Commission.

Mr. WADSWORTH. That is true.

RECESS.

Mr. SMOOT. Mr. President, I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m., Friday, May 28, 1920) the Senate took a recess until to-morrow, Saturday, May 29, 1920, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate May 28 (legislative day of May 24), 1920.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

The following-named officer of the Bureau of Foreign and Domestic Commerce in the Department of Commerce to be first assistant director (by promotion from second assistant director):

Charles Eldred Herring, of the District of Columbia, vice Roy S. MacElwee, promoted.

The following-named officer of the Bureau of Foreign and Domestic Commerce in the Department of Commerce to be second assistant director (by promotion from chief of division):

Oliver Paul Hopkins, of Pennsylvania, vice Charles Herring, promoted.

UNITED STATES CIRCUIT JUDGE.

J. Warren Davis, of Trenton, N. J. (now United States district judge), to be United States circuit judge, third judicial circuit, vice Thomas G. Haight, resigned.

UNITED STATES DISTRICT JUDGE.

Joseph L. Bodine, of Trenton, N. J. (now United States attorney), to be United States district judge, district of New Jersey, vice J. Warren Davis, nominated to be circuit judge.

UNITED STATES ATTORNEYS.

James E. Carroll, of St. Louis, Mo., to be United States attorney, eastern district of Missouri, vice W. L. Hensley, resigned, effective June 1, 1920.

Elmer H. Geran, of Matawan, N. J., to be United States attorney, district of New Jersey, vice Joseph L. Bodine, nominated to be United States district judge.

REGISTERS OF LAND OFFICES.

Hubbard H. Abbott, of Colorado, to be register of the land office at Del Norte, Colo., his present term expiring July 24, 1920. (Reappointment.)

Benjamin Spear, of Washington, to be register of the land office at Waterville, Wash., his term having expired. (Reappointment.)

Hilmar Schmidt, of Wisconsin, to be register of the land office at Wausau, Wis., his term having expired. (Reappointment.)

RECEIVERS OF PUBLIC MONEYS.

George G. E. Neill, of Montana, to be receiver of public moneys at Helena, Mont., vice Frank F. Steele, resigned.

William A. White, of Washington, to be receiver of public moneys at Walla Walla, Wash., his term having expired. (Reappointment.)

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

Commander Kenneth M. Bennett to be a captain in the Navy from the 14th day of April, 1920.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of July, 1919:

Robert A. Abernathy,
John Downes, and
Harry A. Baldridge.

Lieut. Commander Joseph O. Fisher to be a commander in the Navy from the 23d day of September, 1919.

Lieut. Robert W. Cabaniss to be a lieutenant commander in the Navy from the 1st day of July, 1918.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1919:

Allan S. Farquhar,
Robert C. Giffen,
William T. Smith,
Richard S. Galloway, and
John F. Cox.

Lieut. Cortlandt C. Baughman to be a lieutenant commander in the Navy from the 20th day of July, 1919.

Lieut. Richard F. Bernard to be a lieutenant commander in the Navy from the 7th day of December, 1919.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of June, 1919:

Herman E. Keisker,
Arthur G. Robinson,
Chapman C. Todd, jr.,
Hardy B. Page, and
Tunis A. M. Craven.

Lieut. (Junior Grade) Leo H. Thebaud to be a lieutenant in the Navy from the 1st day of July, 1919.

Ensign John D. Small to be a lieutenant (junior grade) in the Navy from the 5th day of June, 1918.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 3d day of June, 1919:

Arthur T. Emerson and
Charles G. Berwind.

The following-named passed assistant surgeons to be surgeons in the Navy with the rank of lieutenant commander from the 7th day of December, 1919:

Andrew B. Davidson,
Griffith E. Thomas,
Clyde B. Camerer,
George R. W. French,
William L. Irvine,
Walter A. Bloedorn,
Gardner E. Robertson,
William H. Connor, and
Joseph J. A. McMullin.

The following-named assistant surgeons to be passed assistant surgeons in the Navy with the rank of lieutenant from the 30th day of July, 1919:

Harold L. Jensen,
John P. Owen,
Arthur Freeman,
Harold W. Wellington,
Aubrey M. Larsen,
George B. Tyler,
Thomas C. Anderson, and
Alexander B. Hepler.

The following-named assistant dental surgeons to be passed assistant dental surgeons in the Navy with the rank of lieutenant from the 30th day of July, 1919:

George M. Frazier,
Albert Knox,
Everett K. Patton,
Griffin G. Frazier,
Irvin G. Kohlmeier, and
Richard C. Green,

Assistant Naval Constructor Ralph D. Weyerbacher to be a naval constructor in the Navy with the rank of lieutenant from the 1st day of May, 1920.

The following-named boatswains to be chief boatswains in the Navy from the 16th day of January, 1920:

Melvin C. Kent and
Albert C. Fraenzel.

Lieut. (Junior Grade) Walker P. Rodman to be a lieutenant in the Navy, for temporary service, from the 12th day of July, 1919.

Lieut. (Junior Grade) Stephen W. Burton to be a lieutenant in the Navy, for temporary service, from the 13th day of July, 1919.

Lieut. (Junior Grade) William Kuskey to be a lieutenant in the Navy, for temporary service, from the 14th day of July, 1919.

Capt. Frederick R. Hoyt to be a major in the Marine Corps, for temporary service, from the 10th day of April, 1920.

Capt. Harry W. Weitzel to be a major in the Marine Corps, for temporary service, from the 28th day of March, 1920, to correct the date from which he takes rank as previously nominated and confirmed.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 28 (legislative day of May 24), 1920.

FEDERAL RESERVE BOARD.

Edmund Platt to be a member of Federal Reserve Board.

RENT COMMISSION, DISTRICT OF COLUMBIA.

Mrs. Clara Sears Taylor.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

To be lieutenant commander.

Lieut. Frank L. Lowe.

To be captains.

Capt. David F. Sellers,
Capt. Clark D. Stearns, and
Capt. Powers Symington.

First Lieut. David H. Owen to be a captain in the Marine Corps.

Second Lieut. David H. Owen to be a first lieutenant in the Marine Corps.

To be ensigns.

Laurence A. Abercrombie,
William V. Alexander, jr.,
William C. Allison,
Bern Anderson,
Albert S. Arkush,
Arthur De L. Ayrault, jr.,
George H. Bahm,
Harry W. Baltazzi,
Hampden O. Banks,
Morgan C. Barrett,
Virgil K. Bayless,
Edward P. Beach,
Charles H. Belcher,
Louis A. Benoist,
Wilson A. Benoist,
Burton B. Biggs,
Wesley C. Bobbitt,
Max I. Black,
Walter F. Boone,
Joseph F. Bolger,
Roscoe L. Bowman,
Charles E. Booth, jr.,
Wilbur F. Broun,
Harry A. Brandenburger,
William G. Buch,
Heber B. Brumbaugh,
Sydney S. Bunting,
Harry S. Bueche,
Carl H. Bushnell,
John G. Burrow,
Kenneth C. Caldwell,
Ralph E. Butterfield,
Guy Chadwick,
Jesse H. Carter,
Frederick G. Clay,
Nealy A. Chapin,
Oswald S. Colclough,
Howard Clark,
Oliver D. Colvin, jr.,
Sterling T. Cloughley,
William W. Cone,
Paul R. Coloney,
Allen B. Cook.
Arthur D. Condon,
John D. Corrigan,
Clarence V. Conlan,
Thomas O. Cullins, jr.,
Albert G. Cook, jr.,
Richard F. Cross, jr.,
Morton C. Hutchinson, jr.,
John J. Curley, jr.,
Arnold J. Isbell,
Duncan Curry, jr.,
Alan C. Curtiss,
Sampson G. Dalkowitz,
Thomas F. Darden, jr.,
Walter D. David,
Alan P. Davis,
Ransom K. Davis,
William S. G. Davis,
George H. De Baun,
Willard E. Dillon,
Sydney B. Dodds.
Samuel W. DuBois,
James R. Dudley,
Percy Earle,
Harold W. Eaton,
William G. Eaton,
Dew W. Eberle,
Alexander S. Edward,
Frank J. R. Eggers,
John M. Eggleston,
Edward H. Enright,
Charles F. Erck,
Thomas A. Esling, jr.,
William G. Fewel,
William F. Fitzgerald, jr.,
William B. Fletcher, jr.,
James L. Fly, jr.,
Edwin G. Fullinwider,
Daniel V. Gallery, jr.,
Gerard F. Galpin,
Kinloch N. Gardner,
Olin E. Gates,
William A. Gorry,
Alfred M. Granum,
Edwin D. Graves, jr.,
Alexander J. Gray, jr.,
Clark L. Green,

Nathan Green, jr.,
John F. Grube,
Elmon B. Guernsey,
Harry A. Guthrie,
Edward E. Haase,
Benjamin L. Hailey,
William M. Hainer,
Grover B. H. Hall,
James E. Hamilton,
Edgar W. Hampson,
Byron H. Hanlon,
Harlo H. Hardy,
Bryan C. Harper,
James C. Harris, jr.,
John W. Harris,
Walter J. Harrison,
Leonidas E. Hill, jr.,
Thaddeus B. Hopper,
Paul E. Howard,
Joseph C. Hubbard,
Howard H. Hubbell,
Roy C. Hudson,
John H. P. Hughart, jr.,
Linfield L. Hunt,
Ralph B. Hunt,
Stuart H. Ingersoll,
Virgil V. Jacomini,
William B. Jackson, jr.,
Llewellyn J. Johns,
Leon J. Jacobi,
Delamer L. Jones,
John W. Jamison,
Allan E. Julin,
Bascom S. Jones,
Frederick G. Kahn,
John G. Jones,
Marion R. Kelley,
William W. Juvenal,
Richmond K. Kelly,
Brian B. Kane,
Roland R. Killian,
William P. Kellogg, 2d,
Frederick D. Kime,
Thomas J. Kelly,
Edward T. Kline,
William M. Killingsworth,
Andrew W. Knisley,
James Kirkpatrick, jr.,
Lloyd Lafot,
Charles R. Kloman,
William G. Lalor,
Franklin B. Kohrs,
John E. Lawson, jr.,
Burton G. Lake,
Wilson D. Leggett, jr.,
Philip D. Lampert,
Maris V. Lewis,
Andrew P. Lawton,
Lawrence Litchfield, jr.,
George A. Leighton,
Harold E. McCarthy,
Gerald D. Linke,
Wayne A. McDowell,
Leonard Le B. Lyons, jr.,
William B. McHugh,
Frank C. McClure,
Renwick S. McIver,
Joseph A. McGinley,
Cecil G. McKinney,
Francis X. McInerney,
Heber H. McLean,
Francis J. McKenna,
Burns Macdonald, jr.,
Frank M. McLaury,
Atherton Macondray, jr.,
Ralph E. McShane,
Charles J. Maguire,
James S. MacKinnon,
William E. Makosky,
Charles G. Magruder, jr.,
William L. Maxson,
Artyn L. Main,
De Long Mills,
Harold L. Meadow,
Campbell H. Minckler,
William R. Millis,
Theodore O. Molloy,
Edward J. Milner,
Walter E. Moore,
Lucian A. Moebus,
Leland W. Morrow,
Gilbert B. Myers,
Thomas G. Murrell,
Christopher Noble,
Ralph O. Myers,
Timothy J. O'Brien,
Kenneth H. Noble,
John L. B. Olson,
Clarence E. Olsen,
Archie Paley,
Leo L. Pace,
George H. L. Peet,
Gordon B. Parks,
Paul E. Pihl,
Raymond C. Percival,
James C. Pollock,
John E. Pixton,
Charles R. Pratt,
William C. Powell,
William F. Ramsey,
Joe L. Raichle,
Paul J. Register,
William L. Rees,
Carl H. Reynolds, jr.,
James C. Reisinger,
Harry E. Rice, jr.,
Charles W. Rhodes,
Francis J. Riley,
George L. Richmire,
Kilburn H. Roby,
James L. Robertson,
Willis N. Rogers,
Joseph W. Rodes,
Paul E. Roswall,
David B. Rossheim,
Joe E. Rucker,
Edward E. Roth,
Thomas J. Ryan, jr.,
John C. Rule,
Joseph O. Saurette,
Ralph C. Sanson,
Norman O. Schwien,
Edwin W. Schell,
Joseph Seletski,
Malcolm E. Selby,
Burce Settle,
Mortimer E. Serat, jr.,
Eugene P. Sherman,
Glenn H. Sheldon,
Roy M. Signer,
Carleton Shugg,
Rodger W. Simpson,
Roland E. Simpson,
Edwin F. Smellie,
Barnett Sisson,
Sherwood B. Smith,
Talbot Smith,
John A. Snackenberg,
Elmer D. Snare,
Robert C. Sprague,
Ralph R. Stogsdall, jr.,
Robert Strite,
William E. Sullivan,
Fred Morris, jr.,
Ralph D. F. Sweeney,
Donald R. Tallman,
Wendell G. Switzer,
Warren F. Taylor,
Raymond D. Tarbuck,
Rufus G. Thayer,
Lyman A. Thackrey,
Edward M. Thompson,
Colin J. Thomas,
Rutledge B. Tompkins,
Carlton R. Todd,
Walter S. K. Trapnell,
Lloyd L. Tower,
Joseph C. Van Cleve,
Arnold E. True,
Claiborne J. Walker,

George van Deurs,
Richard M. Watt, jr.,
John A. Waters, jr.,
William Webster, jr.,
Thomas L. Wattles,
Charles Wellborn, jr.,
Max Welborn,
Forrest H. Wells,
Timothy F. Wellings,
Charles D. Wheelock,
Robert K. Wells,
Wilbur A. Wiedma,
Charles A. Whiteford,
John H. Willis,
Henry G. Williams,
Paul B. Wishart,
Dwight H. Wilson,
Charles P. Woodson ,
John P. Womble, jr.,
George S. Young,
Ray F. Yager,
Thomas E. Zellars,
Parke G. Young,
Carl A. L. Sundberg, and
Rupert M. Zimmerli.

To be a colonel in the Marine Corps.

Lieut. Col. Dickinson P. Hall.

To be a lieutenant colonel in the Marine Corps.

Maj. Charles T. Westcott.

To be a major in the Marine Corps.

Capt. Frederick R. Hoyt.

To be second lieutenants in the Marine Corps.

Henry T. Birmingham,
Hjalmar A. Christensen,
Louis E. Marie, jr.,
Ivan W. Miller,
Joe N. Smith, and
James H. Strother.

POSTMASTERS.

ALABAMA.

Thomas L. Lindsey, Fayette.

ILLINOIS.

Joseph D. Robertson, Barrington.
Edwin C. O'Brien, Barry.
Mack M. Lane, Crete.
Jeremiah J. Carr, Hume.
Frank G. Robinson, El Paso.
Cornelius D. Pautler, Evansville.
Ralph E. Trickle, Rantoul.
Christian Andres, Tinley Park.
George A. Hill, Virginia.
Frank Z. Carstens, Woodriver.

KENTUCKY.

Marvin W. Barnes, Elizabethtown.
William M. Lowery, Fredonia.
Mary Molloy, Kuttawa.
Frank H. Wade, Pembroke.
Loring C. Kackley, Pineville.

MASSACHUSETTS.

James W. Hastings, Duxbury.
Herbert E. Buxton, Shrewsbury.
Walter B. Currier, South Acton.

MINNESOTA.

Alfred E. Hill, Aurora.
George H. Hopkins, Battle Lake.
Hans P. Becker, Hanska.

MONTANA.

Robert Parsons, Sweetgrass.

NEW YORK.

Guy O. Hinman, Angelica.
Frank M. Evans, Fredonia.

NORTH DAKOTA.

Evelyn Johnson, Bowbells.
Walter M. Moore, Forbes.

OKLAHOMA.

Mary L. Whaley, Eldorado.
William M. Erwin, Pauls Valley.
Alva G. Sweezy, Quapaw.

PENNSYLVANIA.

Andrew E. Hiltebeitel, Souderton.

PORTO RICO.

Jose M. Alcover, Arecibo.
Moises Jordan, Utuado.

SOUTH DAKOTA.

Harry A. Briggs, Ipswich.
William L. Lowry, Leola.
William R. Amoo, Morristown.

TENNESSEE.

Connell G. Byrd, Adams.
Walter W. Price, Oneida.
Bessie P. Downing, South Pittsburg.

WISCONSIN.

Homer J. Samson, Cameron.
Adlai S. Horn, Cedarburg.
Ernest R. Nickel, Chippewa Falls.
Lawrence P. Miller, Hortonville.
George A. Slaiken, Luck.
Leo E. Butenhoff, Markesan.
Anton C. Martin, Neillsville.
Paul Herbst, Park Falls.
Percy L. Miner, Pepin.
Wilber E. Hoelz, Random Lake.
Alvin L. Olson, Scandinavia.
Roy D. Larrieu, Spring Valley.
Hans P. Hansen, Withee.

WITHDRAWAL.

Executive nomination withdrawn from the Senate May 28 (legislative day of May 24), 1920.

PROMOTION IN THE NAVY.

Capt. Frederick R. Hoyt to be a major in the Marine Corps, for temporary service, from the 28th day of March, 1920.

REJECTION.

Executive nomination rejected by the Senate May 28 (legislative day of May 24), 1920.

COMMISSIONER OF THE DISTRICT OF COLUMBIA.

John Van Schaick, jr., to be a Commissioner of the District of Columbia.

HOUSE OF REPRESENTATIVES.

FRIDAY, *May 28, 1920.*

The House met at 12 o'clock noon.

The SPEAKER. The House will be in order and——

Mr. MURPHY. Mr. Speaker, I think there ought to be a quorum present to hear this prayer this morning, and I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Ohio makes the point of order that there is no quorum present. There is no quorum present——

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

Booher	Evans, Nev.	Kiess	Riddick
Bowers	Flood	Kitchin	Rucker
Britten	Gould	Kraus	Scully
Burke	Graham, Pa.	Kreider	Sears
Cantrill	Greene, Vt.	Lankford	Shreve
Carter	Hardy, Tex.	Larsen	Small
Clark, Fla.	Hastings	Lea, Calif.	Smithwick
Cole	Haugen	McCulloch	Snell
Costello	Hayden	McPherson	Snyder
Crisp	Hernandez	Mansfield	Sullivan
Curry, Calif.	Hill	Mason	Tillman
Dale	Houghton	Moore, Va.	Upshaw
Dempsey	Hulings	Morin	Voigt
Drane	Igoe	Mudd	Wheeler
Drewry	Johnson, S. Dak.	Nicholls	Wilson, La.
Eagle	Jones, Pa.	Nolan	Wright
Edmonds	Kelley, Mich.	Parker	Yates
Ellsworth	Kennedy, Iowa	Pou	Young, N. Dak.
Elston	Kettner	Rhodes	

The SPEAKER. Three hundred and fifty Members have answered to their names. A quorum is present.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move to dispense with further proceedings under the call.

Mr. MURPHY. Mr. Speaker, I object.

The question was taken; and the Speaker announced the ayes seemed to have it.

Mr. MURPHY. Division, Mr. Speaker.

The House divided; and there were—ayes 220, noes 1.

So further proceedings under the call were dispensed with.

The SPEAKER. The Doorkeeper will open the doors and the Chaplain will offer prayer.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God, our Heavenly Father, in whom we live, aspire, and pray, cleanse us, we beseech Thee, from all guile, pour down upon us Thy spiritual gifts, that we may hallow Thy name in all that we undertake this day and thus honor ourselves by honoring Thee. In the spirit of the world's Great Exemplar. Amen.

THE JOURNAL.

The SPEAKER. The Clerk will read the Journal of the proceedings of yesterday.

The Clerk proceeded to read the Journal.

Mr. MURPHY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MURPHY. I ask that the Journal be read in full.

The SPEAKER. The Clerk will read the Journal in full.

Mr. MURPHY. The names and roll calls.

The Clerk proceeded to read the Journal.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to dispense with the further reading of the Journal in full.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to dispense with the further reading of the Journal. Is there objection?

Mr. ASHBROOK. Mr. Speaker, reserving the right to object, I would like to know whether or not the gentleman from Wyoming has conferred with my colleague [Mr. MURPHY], who stepped out. He demanded a reading of the Journal in full.

Mr. GALLIVAN. Well, Mr. Speaker, I object.

Mr. WALSH. Mr. Speaker, I move that the Journal stand approved without further reading.

The SPEAKER. The Chair does not think that is in order. The Clerk will read.

The Clerk proceeded with the reading of the Journal.

Mr. ANDERSON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. ANDERSON. I ask unanimous consent that the further reading of the Journal be dispensed with.

Mr. MURPHY. Mr. Speaker, I object.

The SPEAKER. Objection is made.

The Clerk proceeded with and concluded the reading of the Journal.

The SPEAKER. Without objection, the Journal will be considered as approved.

Mr. MURPHY. Mr. Speaker, I object.

Mr. FESS. Mr. Speaker, I move that the Journal be adopted as read.

The SPEAKER. The gentleman from Ohio moves that the Journal be approved.

The question was taken, and the Speaker announced the ayes had it.

Mr. MURPHY. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 231, noes 2.

So the Journal of the proceedings of yesterday was approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3184) to create a Federal power commission and to define its powers and duties; to provide for the improvement of navigation; for the development of water power; for the use of lands of the United States in relation thereto; to repeal section 18 of "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved August 8, 1917, and for other purposes.

PEACE WITH GERMANY.

The SPEAKER. Under the special order the reconsideration of House joint resolution 327, vetoed by the President, is considered as pending in the House; and before that motion is put the Chair will state that the gentleman from Pennsylvania is entitled to recognition if he desires it. Does the gentleman desire recognition?

Mr. PORTER. Yes.

The SPEAKER. The gentleman from Pennsylvania.

Mr. PORTER. Mr. Speaker, primarily, I desire to direct attention to the fact that nowhere in the President's message appears an intimation that the resolution is unconstitutional. The President carefully avoided the untenable position that a war could only be ended by a treaty of peace. I pause here to express my sympathy and condolence for those profound students of constitutional law who argued both earnestly and eloquently that Congress was without the authority to terminate a state of war other than by a treaty of peace. I hope that the failure of the President in not even mentioning the word "Constitution" may not disturb the confidence which his eminent followers have in their opinions on constitutional law. Perhaps I am unduly alarmed. It should be a source of deep gratification to those who, without precedent as a guide, believed that Congress, which has the power to declare war, to raise and support an army, to provide and maintain a navy, to take the sunshine and happiness out of our American homes and place them on the battle front, and employ other means for the successful prosecution of a war, has also the power to declare that war at an end; that, after all, common sense is constitutional and prevails as the law of the land [applause on Republican side]; that the Constitution of the Republic does not place the sole and exclusive authority to terminate a war in the hands of one person; and that the power and authority in such vital matters still rest in the hands of the chosen representatives of the American people. [Applause on Republican side.] The mother of republics does not need precedents; she makes them.

The pending resolution provides for the termination of all the war legislation, and that such termination shall not waive any of the rights, privileges, indemnities, reparations, or advantages to which our country and its nationals are entitled by reason of our participation in the war, and that all matters in dispute shall be adjusted by a treaty of peace duly ratified by the Senate. In other words, and I desire to emphasize this point, it has only one object, and that is to remove the blighting influence of this war legislation from the activities of the American people and suspend the rights of the belligerents until a treaty has been duly ratified.

The President says in his message:

I have not felt at liberty to sign this joint resolution because I can not bring myself to become party to an action which would place an ineffaceable stain upon the gallantry and honor of the United States.

[Applause on Democratic side.]

The President is grievously in error in this assertion. [Applause on Republican side.] Is it not a fact that unless we succeed in overriding his veto, thus terminating the technical state of war and restoring the country to its prewar condition, will not the ineffaceable stain be upon the liberties of the American people and not on their gallantry and honor?

The President says:

The resolution seeks to establish peace with the German Empire without exacting from the German Government any action by way of setting right the infinite wrongs which it did to the peoples whom it attacked and whom we professed it our purpose to assist when we entered the war.

The peoples whom Germany attacked and whom we professed it our purpose to assist when we entered the war have all made treaties of peace with Germany, and it must be assumed that all their demands have been satisfied. If they are content with the exactions which they made of the German Government, should we further concern ourselves over the matter [applause on Republican side], and upon what basis of reasoning should the relations between Germany and the Allies be an argument against the repeal of war legislation by the United States?

The President says:

The attainment of these purposes is provided for in the treaty of Versailles by terms deemed adequate by the leading statesmen and experts of all the great peoples who were associated in the war against Germany. Do we now not care to join in the effort to secure them?

The fact that the terms of the treaty of Versailles are deemed adequate by the leading statesmen and experts of all the great peoples who were associated with us in the war against Germany is of little weight with the American people. Their sole concern is whether or not the terms are adequate and sufficient to protect the rights of the United States, and they insist that the Senate of the United States shall be the sole judge of the adequacy of such terms. [Applause of the Republican side.] This paragraph also conveys the impression in a most subtle way that the controversy between the President and the Senate is on the terms and conditions of the treaty of peace, when the fact is that there are no disputes about the terms and conditions. The disagreement is on the League of Nations, which was improperly made a part of the treaty.

Again we read:

But the treaty as signed at Versailles has been rejected by the Senate of the United States, though it has been ratified by Germany. By that rejection and by its methods we have in effect declared that we

wish to draw apart and pursue objects and interests of our own unhampered by any connections of interest or of purpose with other Governments and peoples.

Is this not far from being a fair statement of the reasons for rejecting the treaty, as we all know the sole reason for its rejection was the patriotic desire on the part of the Senate to protect and conserve American sovereignty? [Applause on the Republican side.]

The President complains, mark you, that—

Notwithstanding the fact that upon our entrance into the war we professed to be seeking to assist in the maintenance of common interests, nothing is said in this resolution about freedom of navigation upon the seas or the reduction of armaments, or the vindication of the rights of Belgium, or the ratification of wrongs done to France, or to the release of the Christian populations of the Ottoman Empire from the intolerable subjugation which they have had for so many generations to endure, or the establishment of an independent Polish State.

The freedom of navigation upon the seas was one of the 14 points announced by the President at Mount Vernon which he abandoned at the peace table. [Applause on the Republican side.] The rights of Belgium have been vindicated, at least to the satisfaction of the Belgian people, as they have signed a treaty of peace with Germany. The same is true of France. The reference to the release of the Christian population of the Ottoman Empire from the intolerable subjugation which they have had for so many generations to endure has as little place in the pending resolution as a reference to the Christian population of Mexico, which, through "watchful waiting," has suffered from intolerable subjugation as great as if not greater than that of the Christian people of the Ottoman Empire. [Applause on the Republican side.] The President states that we do not mention the establishment of an independent Polish State, when the fact is that he recognized the independence of the Polish Republic in March, 1919, and our Diplomatic and Consular appropriation bill carries an item for diplomatic representation in that country. The freedom of the seas, the rights of Belgium, France, the Christian populations of the Ottoman Empire, or the freedom of Poland are questions so clearly irrelevant to the pending resolution that further discussion is unnecessary.

The President says:

We have now in effect declared that we do not care to take any further risks or to assume any further responsibilities with regard to the freedom of nations or the sacredness of international obligation or the safety of independent people.

I concede, as a Member of the House of Representatives of the United States of America, that I do not desire to take any further risks or assume any further responsibilities with regard to the freedom of other nations, but I deny that a simple resolution repealing war legislation and holding all of the rights of the belligerents in abeyance until a treaty of peace has been duly signed and ratified interferes with the sacredness of international obligation or the safety of independent people. [Applause on the Republican side.]

The President says:

Moreover, when we entered the war we set forth very definitely the purposes for which we entered, partly because we did not wish to be considered as merely taking part in the European contest. This joint resolution which I return does not seek to accomplish any of these objects, but in effect makes a complete surrender of the rights of the United States so far as the German Government is concerned.

[Applause on the Democratic side.]

It is true that the President journeyed to Mount Vernon, and there, in the shadow of the tomb of Washington, announced our objects in entering the war. They have been referred to as the 14 points. On his return from the peace conference we found many of these had been lost "in transit," among which were freedom of the seas and naval disarmament, and if there has been a complete surrender of the rights of the United States in these matters so far as the German Government is concerned, the fault lies alone with the President. However, the resolution does not surrender any rights of the United States; on the contrary, it conserves and protects them, as section 3 provides:

SEC. 3. That until by treaty or act or joint resolution of Congress it shall be determined otherwise, the United States, although it has not ratified the treaty of Versailles, does not waive any of the rights, privileges, indemnities, reparations, or advantages to which it and its nationals have become entitled under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof which under the treaty of Versailles have been stipulated for its benefit as one of the principal allied and associated powers and to which it is entitled.

During the debate on the resolution and the motion to concur in the Senate amendments, followers of the President loudly proclaimed their desire for an immediate repeal of all the war legislation; in fact, they went so far as to make a motion to recommit the resolution with instructions to report one which provided only for such repeal. The President in his message fails to mention this action on the part of his party followers; therefore, it is safe to assume that he repudiates it. It places them in the same position as those other followers who so earnestly argued that the resolution was unconstitutional.

But why prolong the discussion? The message is a plain attempt to avoid the subject matter of the resolution by taking advantage of the lofty motives of the American people and leading them into the underbrush of sentimental idealism which is beautiful and attractive in theory but extremely dangerous in practice, especially in these days when the world is on fire. The American people awaited the President's answer to this resolution, which would restore their liberties, with deep interest and grave concern. We received his answer yesterday. It is silence. Nowhere in the message does the President either expressly or by implication ratify the motion to recommit, offered by his leader in the House, or indicate a desire that these great powers which, under the unbroken policy of our former war-time Presidents, have been immediately relinquished at the close of war, shall be withdrawn from him. His silence on this great and important matter, coupled with the fact that he is not willing to accept the reservations to the treaty of peace which were adopted by the Senate by a vote of 49 to 35, and the further fact that he is willing to use the presidential veto to thwart the wishes of practically two-thirds of the House of Representatives for the repeal of his war powers, admits of but one inference, and that is that he intends to retain and continue to use these drastic war laws as a means of compelling the Senate of the United States to surrender its prerogatives and ratify the treaty without crossing a "t" or dotting an "i" on terms deemed adequate, as the President says in his message, by the leading statesmen and experts of Europe and Asia.

This is the real issue, and I for one am ready and willing to take it to the country. [Applause on Republican side.]

Does the gentleman from Virginia desire some time?

Mr. FLOOD. Yes; I would like to have a little time. How much will the gentleman let me have?

Mr. PORTER. How much time does the gentleman want?

Mr. FLOOD. I would like to have half of the time that is to be consumed.

Mr. PORTER. I yield 20 minutes to the gentleman from Virginia.

Mr. FLOOD. I yield 10 minutes to the gentleman from Texas [Mr. CONNALLY]. [Applause.]

Mr. CONNALLY. Mr. Speaker and gentlemen of the House, the gentleman from Pennsylvania [Mr. PORTER], in one of his characteristic tirades against the President of the United States, has delivered the Republican expression on the veto message. The gentleman is sorely distressed, he is troubled in spirit, because the President did not again point out that this resolution is wholly unconstitutional. The President, whatever may be said of him, can not be charged with a lack of perspicacity or power to sense the purposes behind this measure. He knew it would do not good to call the attention of a Republican Congress to the fact that the resolution was unconstitutional. [Applause on the Democratic side.] He knew that the Republican side of this Chamber when forced to choose between the Constitution and the expediency of practical partisan politics would not heed the Constitution. [Laughter on the Democratic side.]

Ah, the gentleman from Pennsylvania again complains and says that the President, by his veto message, makes it impossible for Congress to repeal restrictive war measures. I challenge the gentleman from Pennsylvania now to rise in his place and name one war measure that should be repealed? Ah, the gentleman from Wyoming [Mr. MONDELL] from his official place counsels and commands the gentleman from Pennsylvania not to rise.

Mr. PORTER. Will the gentleman yield? My reply is, All of them. [Applause on the Republican side.]

Mr. CONNALLY. I will say to the gentleman from Pennsylvania that I expected that response. I invited that response. [Laughter on the Republican side.] And my response to the jeers of the Republican side is that if you desire the repeal of all the war measures, you have had a year in which to repeal those measures. [Applause on the Democratic side.] The Republican side of this House has had one year in which to repeal every measure upon the statute books which was imposed by the necessities of war. But you chose to fritter away the time that was yours in playing petty politics. [Applause on the Democratic side.] You chose, instead of bringing in resolutions repealing these measures one by one, or by bringing in a joint resolution repealing them all, to try to keep the country under the fiction or belief that you were hampered by the President; that you were prevented by the President from resuming prewar conditions, and from going back to prewar legislation. Ah, you may try to fool yourself, but you will not fool the American people, because even laymen know that any piece of legislation which can be enacted by Congress can be

repealed by Congress. [Applause on the Democratic side.] I challenge the gentleman from Pennsylvania [Mr. PORTER] and the gentleman from Wyoming [Mr. MONDELL] to bring in now a resolution repealing war statutes. I want to show you, though, that you are not sincere. I want to expose the fraud of this pretense that you are practicing. [Applause on the Democratic side.]

Why do you make this pretense? Because you know the President under his oath of office is required to veto this resolution because of its unconstitutionality. You never expected that war measures would be repealed. You do not want them repealed. [Laughter on the Republican side.] Well, why do you not repeal them? [Applause on the Democratic side.] All the Republican Party is interested in is—— [Cries of "Peace! Peace!"] Oh, peace! You have not peace in your own ranks. [Applause on the Democratic side.] Why, the gentleman from Wyoming [Mr. MONDELL] wears a crown of paper. [Applause on the Democratic side.] You bring your family squabbles on the floor day after day and expose them to public view. The gentleman from Iowa [Mr. GOOD], the chairman of the Committee on Appropriations, and the gentleman from Wyoming [Mr. MONDELL] do not properly mesh. They quarrel on the floor. All day yesterday you had a filibuster engineered by one of your factions, and this morning we have symptoms of it again, because you have both a majority and a minority on the Republican side of this Chamber. You meet yourselves coming back whenever you start down the legislative road. [Applause on the Democratic side.] What you are interested in is not the repeal of these laws, but the creation in the public mind of the belief that you want them repealed. [Applause on the Democratic side.] If you really want them repealed, introduce a resolution to simply repeal them. It can pass the House, if you will it. It can pass the Senate. And I believe I am almost authorized to state for this side of the House [laughter on the Republican side]—I am not like the Republican side. Everybody over on this side is not a leader. You have some two hundred and odd leaders. [Applause on the Republican side and cries of "Hurrah for leaders!"] Each man appoints himself a leader. [Applause on the Democratic side.] If you will pass a resolution simply repealing war measures, and the President should by any chance, which I do not anticipate, veto it [laughter on the Republican side], this side of the House will assist you in passing it over his veto.

Mr. MONDELL. Is that a pledge?

Mr. CONNALLY. I will not make a pledge with anyone who has not the authority to carry out the contract. I will have to see the power of attorney of the gentleman from Wyoming to act for his side in order to be able to take the word of the gentleman as to what his side will do.

Mr. MONDELL. Will you give your word as to what that side will do?

Mr. CONNALLY. I am not the leader on this side. But I will say to the gentleman from Wyoming that this side of the House did not hesitate to override the President's veto on the daylight-saving bill. The Democratic side of the House did not hesitate to override the veto on the immigration bill, and it will not hesitate to override the veto of the President on any other measure which appeals to the conscience and the judgment of the Democrats of this House. [Applause on the Democratic side.]

Mr. STEVENSON. Will the gentleman yield?

Mr. CONNALLY. I will.

Mr. STEVENSON. I just wanted to call the gentleman's attention to the fact that in the veto of the war-time prohibition legislation the President called the attention of the Congress to the fact that he asked that you repeal all war-time legislation that was unnecessary early in the session.

Mr. CONNALLY. I thank the gentleman from South Carolina for that suggestion, and I may observe that, like all other suggestions from the President, the Republican side of this House is deaf to them absolutely if they affect legislation. He made some suggestions last August.

Mr. WILLIAMS. And that is why we are here.

Mr. CONNALLY. I will say to the gentleman from Illinois that he is perhaps correct. [Applause on the Republican side.] I want to say that, so far as what his side of the House has accomplished, it might just as well have been at home as here. [Applause on the Democratic side.]

I yield back the balance of my time. [Applause on the Democratic side.]

Mr. FLOOD. Mr. Speaker, I yield one minute to the gentleman from Louisiana [Mr. WATKINS].

The SPEAKER. The gentleman from Louisiana is recognized for one minute.

Mr. WATKINS. Mr. Speaker, in the limited time in which we have to consider this veto message, it is perfectly impossible to go into details giving reasons why the veto of the President should be sustained. We all understand that there are three principal reasons why the peace resolution was brought to the House of Representatives for initiation. Under the Constitution of the United States treaties are to be ratified by a two-thirds vote of the Senate. They shifted that responsibility and put it on the House of Representatives because of the fact that there were not enough in the Senate favoring the peace treaty to get the two-thirds majority. That was one of the reasons why they shifted the responsibility.

The SPEAKER. The time of the gentleman from Louisiana has expired.

Mr. WATKINS. Mr. Speaker, I ask permission to extend and revise my remarks.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. MANN of Illinois. I object, Mr. Speaker.

Mr. PORTER. Is the gentleman from Virginia going to continue now? I hope he will use some of his time.

Mr. FLOOD. Mr. Speaker, this is the last act in the pitiful drama of the Republican leadership of this session of Congress with the peace situation of the world. The gentleman from Pennsylvania [Mr. PORTER] said that the only object the Republican leaders of the Senate had in the amendments they put on the peace treaty was to secure a treaty that was American in its form. If that was the object, Mr. Speaker, and politics was not their object, I would like to ask the gentleman why the Foreign Relations Committee of the Senate, that had to deal with the peace treaty, was packed with men known to be against any peace treaty before that treaty was made? [Applause on the Democratic side.]

Mr. MANN of Illinois. Mr. Speaker——

Mr. FLOOD. I do not yield.,

Mr. MANN of Illinois. I am not asking the gentleman to yield. Mr. Speaker, I make the point of order that the gentleman is making a statement directly reflecting upon the Senate of the United States, which he ought to know better than to make.

Mr. FLOOD. It is not my statement that reflects on the Senate. It was the action of the Republican majority that reflected on that august body. My statement is perfectly proper.

The SPEAKER. The attention of the Chair was diverted for a moment, and the Chair did not hear what the gentleman from Virginia said. But, of course, the gentleman from Virginia knows that it is the rule that it is not proper to say anything reflecting upon the Senate.

Mr. MANN of Illinois. I make the point of order because we have got into the habit of doing this. It ought not to be done, and I hope the gentleman from Virginia will not say things that may cause trouble between the two Houses.

Mr. FLOOD. I will not. I will only cite what was done. If what was done causes trouble between the House and Senate, I can not help that. [Applause on the Democratic side.]

I know this, Mr. Speaker, that while the treaty was in the making, and before the Republicans of the Senate could have known what was in it, a round robin was sent by nearly one-third of them, pledging themselves to vote against any treaty that the Democratic President should negotiate. [Applause on the Democratic side.] That is a matter of public record.

The gentleman from Pennsylvania [Mr. PORTER] says this resolution provides for the repeal of war legislation. The Republican majority of this House has voted, every time it has had an opportunity, against every resolution for the repeal of war legislation that could have become a law. [Applause on the Democratic side.]

When the peace resolution that the gentleman from Pennsylvania [Mr. PORTER] introduced in the House, very different from this one, was before us, I offered a motion to recommit, repealing all of this war legislation. Gentlemen on that side knew that if they voted for it it would pass and would receive the signature of the President, yet they voted almost solidly against it. [Applause on the Democratic side.] That vote convicted the Republican Party of being opposed to the repeal of war legislation. The Republicans presented a resolution with a provision for the repeal of war legislation which those who spoke in favor of it declared the President would veto, and they knew they could never pass that resolution over his veto. Their claim that they are in favor of the repeal of war-time legislation has been insincere, and they do not stand for it to-day. [Applause on the Democratic side.]

If you are in favor of the repeal of such legislation, introduce a general resolution repealing it, or introduce specific measures of repeal and stay here and enact those repeal measures and do not run away as you are going to do on the 5th of June. [Applause on the Democratic side.]

Mr. Speaker, there are so many phases of this peace resolution that are improper, that are unconstitutional, that are un-American, that are against the interests of this country, that no man could discuss it fully in the time that has been allotted in this debate. The President has given ample and sufficient reasons why every patriotic American should vote against overriding his veto upon this proposition. [Applause on the Democratic side.]

Gentlemen have discussed it here at great length, but I want to call attention to some phases of this resolution that have not heretofore been discussed here. We received very little in a material way out of this war. One thing we did get was the German ships which happened to be in our ports and which we seized. Our only title to those ships is under the treaty of Versailles. They have never been through a prize court. If they sail into any port of the world, they could be libeled there, and we would lose them. This resolution practically surrenders our right to those ships.

We have $500,000,000 worth of alien property in the hands of our Alien Property Custodian, kept there to pay the claims of Americans who suffered in the *Lusitania* murder and other outrages at the hands of the German Government during the war, before we entered it, and since. The enactment of this resolution absolutely denies those people any opportunity of getting reparation from that Government which has done our citizens so much damage.

I state it as a principle of international law that gentlemen on the other side will not dare to contest that you can not take enemy property for the satisfaction of private claims against the enemy without the consent of the enemy government.

Mr. GOOD. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. GOOD. I will say to the gentleman that Admiral Benson, appearing before the Committee on Appropriations, said that our title was absolute in those ships by a previous treaty with Germany, and that there was no question at all about our right to sell them; that our right to them was perfect.

Mr. FLOOD. Admiral Benson knows more about the sailing of a ship than he knows about international law. [Applause on the Democratic side.] That principle that I have referred to is an unassailable principle, and here the Republican Party comes before the country and before the Congress and proposes to give up this fund that we have held to pay those Americans who have been outraged and maltreated by the German Government. The loved ones of the victims of the *Lusitania* infamy and those on board that ill-fated ship who survived have properly expected recompense out of these funds. Thousands and thousands of Americans have had this expectation. And we are asked to absolutely surrender the rights of these outraged people, which rights were so carefully guarded by President Wilson in making the Versailles treaty. So essential was it to get Germany's assent to our use of that property for that purpose that it was incorporated in that treaty. This right the Republican majority are surrendering, either from ignorance or cowardice. [Applause on the Democratic side.] The people of this country will not forget such a betrayal of these rights. [Applause on Democratic side.]

The United States has an immediate interest in the proceedings of the reparation commission provided for by the treaty and which is in no way taken care of by this resolution. This commission has control over the payment by Germany of the cost of the armies of occupation, including our own. If we are dependent for our status of peace upon this resolution, I fail to see how we could be able to demand reimbursement for the cost of our armies of occupation, which amounts to many millions. These millions are surrendered by this Republican majority, who are constantly prating here about their economy. [Applause on Democratic side.]

This resolution gives to Germany and her nationals all of the rights they would have had if the United States had ratified the treaty of Versailles. Under this treaty Germany can become a member of the League of Nations, and, having under this resolution all the rights it would have had under the treaty when it became a member of the League of Nations, it would be entitled to assert against the United States the same rights which any other nation would have been entitled to assert against this Government had our country ratified the treaty. We would thus be in the position of being compelled to protect the independence and territorial integrity of Germany against the aggressions of any or all of our former allies. We would be bound to carry out article 10 of the League of Nations with reference to Germany if this resolution became law. We would thus be extending to Germany a protection and rights which the leadership of the Senate have so violently proclaimed that we would never extend to any nation on the face of the earth. We have refused to enter into any such obligations with our allies, and yet by this resolution we propose to give the benefits of those obligations to Germany. [Applause on Democratic side.]

Mr. Speaker, I believe every thoroughly patriotic man in this House will vote to sustain the President's veto of this resolution. I hope every Member will do so. [Applause on Democratic side.]

Mr. PORTER. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

The SPEAKER. The gentleman from Wyoming is recognized for five minutes.

Mr. MONDELL. Mr. Speaker, the resolution before us, if it became a law, would fix the date of the repeal of the war-time laws. If the Democratic side is in favor of peace, if the Democratic side is in favor of repealing the war-time laws, the Democratic side must vote with us to override the President's veto. [Applause on the Republican side.] If they do not, they give the lie to all their protestations of a desire to establish peace, of a desire to take from the President the extraordinary powers which the war-time laws have given him.

The President evidently cares not for peace. His sole desire is to have his way in the surrender of American sovereignty by the acceptance of the overlordship of the League of Nations. The Senate of the United States declines to be a party to that surrender, and in order that the gentlemen on the Democratic side might have the opportunity to join with us in the establishment of peace, in the return to normal peace conditions of law, this resolution was presented. If, as the gentleman from Texas has stated, the Democratic side is in favor of the repeal of the war laws, here is your chance to prove it by voting with us.

The gentleman from Texas [Mr. CONNALLY] has said he is in favor of the repeal of the war laws, that the Democratic side would join in overriding the President's veto of the repeal of the war laws. Here is his chance and your chance right here and now. [Applause.] I call on the Democratic side to let us know whether they propose to make good the pledge the gentleman just made in their behalf.

We are for peace. We are for the restoration of normal conditions, and will prove it by our votes to override the veto. [Applause.]

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. PORTER. Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Pennsylvania moves the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House on reconsideration pass the resolution, the objections of the President to the contrary notwithstanding. The Constitution requires that this vote shall be taken by the yeas and nays. As many as are in favor will, as their names are called, vote "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 220, nays 152, answered "present" 1, not voting 54, as follows:

YEAS—220.

Ackerman	Currie, Mich.	Goodykoontz	King
Anderson	Dallinger	Graham, Ill.	Kinkaid
Andrews, Md.	Darrow	Green, Iowa	Kleczka
Andrews, Nebr.	Davis, Minn.	Greene, Vt.	Knutson
Anthony	Dempsey	Griest	Kraus
Ashbrook	Denison	Hadley	Lampert
Bacharach	Dickinson, Iowa	Hamilton	Layton
Baer	Dooling	Hardy, Colo.	Lehlbach
Barbour	Dowell	Harreld	Little
Begg	Dunbar	Haugen	Longworth
Benham	Dunn	Hawley	Luce
Bland, Ind.	Dyer	Hays	Lufkin
Boies	Echols	Hersey	Luhring
Britten	Elliott	Hickey	McArthur
Brooks, Ill.	Emerson	Hicks	McFadden
Brooks, Pa.	Esch	Hill	McKenzie
Browne	Evans, Nebr.	Hoch	McKinley
Burdick	Fairfield	Houghton	McKinley
Burroughs	Fess	Hull, Iowa	McLane
Butler	Focht	Husted	McLaughlin, Mich.
Caldwell	Fordney	Hutchinson	McLaughlin, Nebr.
Campbell, Kans.	Foster	Ireland	MacCrate
Cannon	Frear	James	MacGregor
Carew	Freeman	Jefferis	Madden
Chindblom	French	Johnson, Wash.	Magee
Christopherson	Fuller, Ill.	Juul	Maher
Classon	Gallivan	Kahn	Mann, Ill.
Cooper	Ganly	Kearns	Mapes
Copley	Garland	Keller	Mead
Crago	Glynn	Kelly, Pa.	Merritt
Cramton	Goldfogle	Kendall	Michener
Crowther	Good	Kennedy, Iowa	Miller
Cullen	Goodall	Kennedy, R. I.	Monahan, Wis.

Mondell	Ramseyer	Sinclair	Towner
Moore, Ohio	Randall, Calif.	Sinnott	Treadway
Moores, Ind.	Randall, Wis.	Slemp	Vaile
Morgan	Reavis	Smith, Idaho	Vare
Mott	Reber	Smith, Ill.	Vestal
Murphy	Reed, N. Y.	Smith, Mich.	Voigt
Nelson, Wis.	Reed, W. Va.	Steenerson	Volstead
Newton, Minn.	Ricketts	Stephens, Ohio	Walsh
Newton, Mo.	Riddick	Stiness	Walters
Nolan	Robsion, Ky.	Strong, Kans.	Ward
O'Connell	Rodenberg	Strong, Pa.	Wason
O'Connor	Rogers	Summers, Wash.	Watson
Ogden	Rose	Sweet	Webster
Olney	Rowe	Swope	Wheeler
Osborne	Sanders, Ind.	Tague	White, Kans.
Paige	Sanders, N. Y.	Taylor, Tenn.	White, Me.
Peters	Sanford	Temple	Williams
Platt	Schall	Thompson	Wilson, Ill.
Porter	Scott	Tilson	Winslow
Purnell	Sells	Timberlake	Wood, Ind.
Radcliffe	Sherwood	Tincher	Woodyard
Ramsey	Siegel	Tinkham	Zihlman

NAYS—152.

Almon	Donovan	Larsen	Raker
Aswell	Doremus	Lazaro	Rayburn
Ayres	Doughton	Lea, Calif.	Riordan
Babka	Drewry	Lee, Ga.	Robinson, N. C.
Bankhead	Dupré	Lesher	Romjue
Barkley	Eagan	Linthicum	Rouse
Bee	Ferris	Lonergan	Rowan
Bell	Fields	McAndrews	Rubey
Benson	Fisher	McClintic	Sabath
Black	Flood	McDuffie	Sanders, La.
Blackmon	Fuller, Mass.	McGlennon	Sims
Bland, Mo.	Gallagher	McKeown	Sisson
Bland, Va.	Gandy	Major	Smith, N. Y.
Blanton	Gard	Mann, S. C.	Steagall
Box	Garner	Martin	Stedman
Brand	Garrett	Mays	Steele
Briggs	Godwin, N. C.	Milligan	Stephens, Miss.
Brinson	Goodwin, Ark.	Minahan, N. J.	Stevenson
Brumbaugh	Griffin	Montague	Stoll
Buchanan	Hamill	Moon	Sumners, Tex.
Byrnes, S. C.	Hardy, Tex.	Mooney	Taylor, Ark.
Byrns, Tenn.	Harrison	Moore, Va.	Taylor, Colo.
Campbell, Pa.	Heflin	Neely	Thomas
Candler	Hersman	Nelson, Mo.	Upshaw
Caraway	Hoey	Nicholls	Venable
Carss	Holland	Oldfield	Vinson
Casey	Howard	Oliver	Watkins
Clark, Mo.	Hudspeth	Overstreet	Weaver
Cleary	Hull, Tenn.	Padgett	Welling
Coady	Humphreys	Park	Welty
Collier	Jacoway	Parrish	Whaley
Connally	Johnson, Ky.	Pell	Wilson, La.
Davey	Johnson, Miss.	Phelan	Wilson, Pa.
Davis, Tenn.	Johnston, N. Y.	Pou	Wingo
Dent	Jones, Tex.	Quin	Wise
Dewalt	Kelley, Mich.	Rainey, Ala.	Woods, Va.
Dickinson, Mo.	Kincheloe	Rainey, H. T.	Wright
Dominick	Lanham	Rainey, J. W.	Young, Tex.

ANSWERED "PRESENT"—1.

Langley.

NOT VOTING—54.

Booher	Ellsworth	Jones, Pa.	Rucker
Bowers	Elston	Kettner	Scully
Burke	Evans, Mont.	Kiess	Sears
Cantrill	Evans, Nev.	Kitchin	Shreve
Carter	Gould	Kreider	Small
Clark, Fla.	Graham, Pa.	Lankford	Smithwick
Cole	Greene, Mass.	McCulloch	Snell
Costello	Hastings	McPherson	Snyder
Crisp	Hayden	Mansfield	Sullivan
Curry, Calif.	Hernandez	Mason	Tillman
Dale	Huddleston	Morin	Yates
Drane	Hulings	Mudd	Young, N. Dak.
Eagle	Igoe	Parker	
Edmonds	Johnson, S. Dak.	Rhodes	

So, two-thirds not voting in the affirmative, the House refused to pass the resolution, the objections of the President to the contrary notwithstanding.

The Clerk announced the following pairs:

Mr. MASON and Mr. MCCULLOCH (to override veto) with Mr. HAYDEN (to sustain veto).

Mr. BURKE and Mr. EDMONDS (to override veto) with Mr. EAGLE (to sustain veto).

Mr. JONES of Pennsylvania and Mr. KREIDER (to override veto) with Mr. SMALL (to sustain veto).

Mr. LANGLEY and Mr. GREENE of Massachusetts (to override veto) with Mr. CLARK of Florida (to sustain veto).

Mr. YATES and Mr. GOULD (to override veto) with Mr. SCULLY (to sustain veto).

Mr. HERNANDEZ and Mr. ELSTON (to override veto) with Mr. CARTER (to sustain veto).

Mr. CURRY of California and Mr. GRAHAM of Pennsylvania (to override veto) with Mr. IGOE (to sustain veto).

Mr. RHODES and Mr. SNYDER (to override veto) with Mr. TILLMAN (to sustain veto).

Mr. SNELL and Mr. KIESS (to override veto) with Mr. KITCHIN (to sustain veto).

Mr. SHREVE and Mr. SULLIVAN (to override veto) with Mr. MANSFIELD (to sustain veto).

Mr. MORIN and Mr. COLE (to override veto) with Mr. HASTINGS (to sustain veto).

Mr. DALE and Mr. YOUNG of North Dakota (to override veto) with Mr. CANTRILL (to sustain veto).

Mr. BOWERS and Mr. ELLSWORTH (to override veto) with Mr. DRANE (to sustain veto).

Mr. WHEELER. Mr. Speaker, I desire to state that my colleague, Mr. MASON, was taken suddenly ill this morning. For that reason he is absent. Had he been present he would have voted yea.

Mr. DYER. Mr. Speaker, I desire to announce that my colleague, Mr. RHODES, is absent on official business of the House. If he were here, he would vote yea.

Mr. LANGLEY. Mr. Speaker, I voted yea. I overlooked the fact that I was paired with the gentleman from Florida, Mr. CLARK, who is absent. So I desire to be recorded as present.

The result of the vote was announced as above recorded.

The SPEAKER. Two-thirds not having voted in the affirmative, the resolution is not passed, and is referred to the Committee on Foreign Affairs.

Mr. MURPHY. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The roll has just been called and a quorum is present.

Mr. MURPHY. But they are not in the room.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent that the House conferees on the naval appropriation bill may be given permission to change the totals.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the House conferees on the naval appropriation bill may be given permission to change the totals Is there objection?

Mr. MURPHY. I object.

AGRICULTURAL APPROPRIATION BILL—CONFERENCE REPORT.

Mr. HAUGEN. Mr. Speaker, I call up the conference report on the bill H. R. 12272, the Agricultural appropriation bill.

Mr. MURPHY. I object.

The SPEAKER. The gentleman from Iowa calls up the conference report on the Agricultural appropriation bill.

Mr. MURPHY. Mr. Chairman, I make the point of order that there is no quorum present.

Mr. MONDELL. Mr. Speaker, I make the point that that is dilatory.

The SPEAKER. The Chair will state the rule as to a quorum. If there is not a quorum present, the point of no quorum is not dilatory, but the Chair would hold, as he did a moment ago, that it is dilatory when a roll call is just finished and a quorum has been disclosed. Business has intervened and the Chair thinks he ought to count. [After counting.] Two hundred and twenty-seven Members are present, a quorum, and the Clerk will read the conference report.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate No. 93 to the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year 1921, having met, after full and free conference have been unable to agree.

G. N. HAUGEN,
J. C. MCLAUGHLIN,
GORDON LEE,
Managers on the part of the House.

A. J. GRONNA,
G. W. NORRIS,
Managers on the part of the Senate.

Mr. HAUGEN. Mr. Speaker, I move that the House further insist on its disagreement and agree to the conference asked for.

The SPEAKER. The gentleman from Iowa moves that the House further insist on its disagreement and agree to the conference asked for.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. MANN of Illinois. In this matter I notice that the Senate not only asks for a further conference but instructed the conferees on the part of the Senate, and the Senate sent a copy of the instructions to the House. I believe in recent years it has not been customary to send the instructions of one House to its managers to the other body. However, as we have the instructions to the Senate conferees and they are going into the conference instructed, why does not the getnleman from Iowa ask to have some affirmative action on the part of the House?

This bill goes back to conference with instructions to the Senate conferees, and they either must come to a total disagreement again or else the House conferees have got to agree to this proposition that the Senate submits.

Mr. HAUGEN. This I do not regard as instructions. It is "that the conferees be appointed by the Chair, and that they be requested, if possible, to compromise the disagreement upon the said amendment upon substantially the following basis."

Mr. MANN of Illinois. That is an instruction to the Senate conferees.

Mr. HAUGEN. A very mild one.

Mr. MANN of Illinois. Very polite, but I do not think it is mild. It is evident that the Senate conferees are not going to recede from the Senate amendment unless the House conferees agree to the instructions, and it will only delay matters to go back to conference without some affirmative action on the part of the House. I think we ought to vote directly on concurring in the Senate proposition. If the House wants to agree to it, there is no necessity for it to go to conference. If they want to disagree to it, then there is a statement on the part of the House that they will not agree to the instructions to the Senate conferees. Unless we do that we gain nothing by sending it to conference.

Mr. MONDELL. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. MONDELL. Do I understand that the gentleman from Iowa intends to make a motion that the House further insist——

Mr. HAUGEN. I will yield to the gentleman from Texas to make a motion which will bring the matter squarely before the House, in order to accomplish what is desired by the gentleman from Illinois.

Mr. MONDELL. And the vote will come squarely on that. My opinion is, based on some knowledge of the situation, that if the House now emphatically records itself against receding, the Senate will recede. The Senate committee has come part way. I have no manner of doubt but what the Senate will recede.

If the Senate conferees do not agree to recede, they will unquestionably, in my opinion, be instructed by the Senate to recede from their insistence upon the Senate amendment; and it is my opinion, in the interest of the Agricultural bill, in the interest of the many important matters provided for in the bill, that, without regard to gentlemen's views on this matter, there ought to be a pretty decided vote that we will not recede from the position which the House has taken. [Applause.]

Mr. MANN of Illinois. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MANN of Illinois. Does not the gentleman from Wyoming think the Senate conferees will not recede until the House takes a vote on the Senate proposition, and is not the time to take a vote on the Senate proposition now? What is the use of sending it to conference without any action, because the Senate conferees will say that the House has not had a chance to vote on their proposition.

Mr. MURPHY. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The Chair will state that there can be no business transacted if the gentleman rises continually and makes a point of no quorum and keeps the Chair counting. The whole afternoon might be spent in counting while there was a quorum present all the while. The point of order is overruled. [Applause.]

Mr. MURPHY. Mr. Speaker, I am only standing on my constitutional rights. There has been business transacted since.

Mr. WALSH. I make the point of order that the gentleman is out of order.

Mr. GARD. Mr. Speaker, I demand the regular order.

Mr. HAUGEN. Mr. Speaker, I yield to the gentleman from Texas to offer a motion that the House recede and agree to the amendment suggested by the Senate, and that will put the proposition squarely up to the House whether it will agree to the Senate proposition or not.

Mr. CANNON. Why does not the gentleman from Iowa make the parliamentary motion that the House adhere to its disagreement?

Mr. BLANTON. Mr. Speaker, I offer the following preferential motion: I move that the House recede from its disagreement with the Senate and concur in the Senate amendment No. 93, amended as suggested by the Senate, as per their instructions to their conferees, and I send the instructions to the Clerk's desk in order that they may be reported.

The SPEAKER. The gentleman from Texas offers a preferential motion, which the Clerk will report.

The Clerk read as follows:

Mr. BLANTON moves that the House recede from its disagreement to the Senate amendment and concur in the Senate amendment with an amendment as follows: In lieu of the matter proposed to be stricken out insert:

"For the purchase, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants, $75,000. Said seeds, bulbs, trees, shrubs, vines, cuttings, and plants shall be sent only to such persons as shall make request therefor: *Provided*, That all such requests made of Senators, Representatives, and Delegates in Congress, if transmitted to the Department of Agriculture, shall be complied with by said department."

Mr. BANKHEAD. Mr. Speaker, I desire to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BANKHEAD. Would a substitute affirmatively instructing the conferees to further insist be in order?

Mr. GARRETT. Mr. Speaker, I reserve the point of order on the motion.

The SPEAKER. Answering the parliamentary inquiry of the gentleman from Alabama, the Chair thinks not. The gentleman from Tennessee will state his point of order.

Mr. GARRETT. Mr. Speaker, as I remember the matter in the way it was messaged from the Senate, as read by the clerk of the Senate to the House, it was that the Senate conferees be instructed to try to bring about a compromise upon the following basis. Whether they adopted that as an amendment or not did not appear.

Mr. MANN of Illinois. If the gentleman will pardon me, the Senate has an amendment striking out the whole paragraph, and a motion is now made to concur in the Senate amendment with an amendment, and in lieu of the matter stricken out to insert this matter. That is not an instruction to the conferees; that is action on the part of the House.

Mr. GARRETT. That would not be subject to the point of order.

Mr. HAUGEN. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, I have always voted against the seed proposition. I can not vote for this proposition now pending, which is only changing the seed distribution from one point to another. I think it is in a worse form in the Senate amendment than it is at the present time. I can see no reason why those who are opposed to seed appropriation should vote for this Senate amendment. It is true that the amount is slightly less, but the amount does not bother me one way or the other. I do not think it is a governmental function, but I do not believe in turning the work over to the Secretary of Agriculture, if it is to be done at all, because I think it will cost the Government a great deal more to have the Secretary of Agriculture do it than the difference in the amounts proposed by the Senate and by the House.

Mr. HAUGEN. Mr. Speaker, I yield two minutes to the gentleman from Kentucky [Mr. LANGLEY].

Mr. LANGLEY. Mr. Speaker, I think it is time for the House to make the Senate understand that we mean what we say and that we do not propose to permit the other body to dictate to us and to deprive us farmers of garden seeds which our constituents insist on having. As a matter of fact, I think that the proposed amendment suggested by the Senate is out of order, because it seeks to change existing law as to the manner of the distribution of vegetable seeds. This prolonged controversy over the seed question is a good illustration of the way representative government works out and the part that human nature plays in it. During the many years that I have been a Member of this body I have observed some interesting facts. For example, the Member who has plenty of turnpike roads in his district is opposed to Federal aid for the construction of public highways. The Member who has all of the public buildings that are needed in his district is opposed to appropriations for public buildings. If a Member represents a district that does not have a river running through it or adjacent to it, or if such river exists and has already been locked and dammed, he is opposed to river improvements. The same is true in regard to the restriction of immigration. During the 14 years that I have been a Member of this body I have noticed that wherever a Member represents a district in which there is a port of entry or a port of entry adjacent to it, as a result of which foreigners settle there and become voters, that Member is opposed to restriction of immigration, and, in addition to that, the fellow who can not pronounce the English language correctly is also opposed to it. The same thing is true with reference to garden seeds. The Member who represents a district that has no gardens, or whose soil is not sufficient to produce a profitable garden, is opposed to the distribution of garden seeds.

I am not complaining about this at all, because I believe thoroughly in the theory that a Member of the House should represent the interests and the wishes of his own people. I merely suggest these things to show the human nature that is involved in legislation even in this body, and that after all we are really grown-up boys. My observation has been that the men who talk the loudest and protest the most against the distribution of garden seeds are the stingiest men in this House. [Laughter.] They argue that it is wrong in principle to spend the money of the people for distributing these seeds, and yet they are the first to demand their quota and the last to loan their colleagues any of what is allotted to them. We are suffering with the burden of the high cost of living. It is conceded that this situation is partly due to decreased production. Nobody questions the fact that the distribution of garden seeds will increase production, and to that extent it will necessarily aid in reducing the high cost of living. This is, comparatively speaking, a nominal appropriation, and gentlemen are mistaken when they think that they are pleasing the people of the country who want real economy when they oppose this garden-seed distribution.

Mr. Speaker, I think that the motion offered by the gentleman from Illinois [Mr. MANN] is out of order, because it proposes to change existing law, which provides a different method of distribution to that proposed in the gentleman's amendment, which is based upon the suggestion of the Senate conferees.

Mr. WALSH. That point of order comes too late.

The SPEAKER. It is too late to make the point of order.

Mr. LANGLEY. Very well, let it go at that, as we will vote it down anyhow. [Applause.]

Mr. HAUGEN. Mr. Speaker, I yield two minutes to the gentleman from Mississippi [Mr. CANDLER].

Mr. CANDLER. Mr. Speaker, I feel sure that gentlemen of the House will not support any such proposition as is proposed by the Senate. They propose to strike out "$239,000" and insert "$75,000," and provide, further, that the seed shall be sent out by the Agricultural Department, that when requests come to you, you shall take them or send them to the Agricultural Department and request the officials of that department to send them out.

The House has twice voted upon this question. Upon the motion of Mr. PURNELL, of Indiana, when the bill was first before the House we had a direct vote upon his motion to strike out the provision in the bill, and the yeas were 71 and nays were 130. The other day we had a vote on the motion of the gentleman from Texas [Mr. BLANTON] to concur in the Senate amendment, striking out the House provision, and we had a roll call on that vote, and the yeas were 108 and the nays were 203. Therefore the House has voted once 130 to 71 and again 203 to 108 on a roll call in favor of the distribution of seed, and our position and determination on the question is made by these record votes certain and unequivocal. I appeal to you, however, to emphasize our position in favor of the provision in the House bill by an increased vote now so as, if possible, we may emphatically impress the conferees and the distinguished body at the other end of the Capitol that we are really in earnest and intend to maintain our position by every parliamentary procedure. Their proposal provides an appropriation of $75,000. Our bill carries an appropriation of $239,000. That really is not enough to furnish sufficient seed to grant the requests of the many people who write to us for them. Really we need more in order to fully meet the wishes of the people. So far as I am concerned, I am for the people, and at all times I want to promptly comply with every request they make, and I try to do so in every instance, and I know you want to respond likewise to the requests of your constituents. Therefore vote down the Senate proposal and stand firmly by the House provision, and in the future, as in the past, we will then be able practically to comply with all requests that come to us. Vote for the seed, and in doing so you will vote to comply with the wishes of the people so often expressed in the many letters received by us on this subject. [Applause.]

Mr. HAUGEN. Mr. Speaker, I move the previous question.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. CRAMTON. Mr. Speaker, I demand a division.

The House divided; and there were—ayes 187, noes 5.

So the previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Texas.

Mr. WINGO. Mr. Speaker, I demand a division of the question.

The SPEAKER. A division of the motion to recede and concur is demanded. The gentleman has the right to demand a division.

Mr. WINGO. The first question will come on the motion that the House recede.

The SPEAKER. Certainly. The question is, Will the House recede from its disagreement to the Senate amendment?

Mr. CRAMTON. Mr. Speaker, on that question I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Michigan makes the point of order that there is no quorum present. The Chair will count. [After counting.] Two hundred and nineteen Members are present, a quorum.

The question was taken, and the motion to recede was rejected.

The SPEAKER. The question is on the motion of the gentleman from Iowa——

Mr. WINGO. No; the House having refused to recede, that is equivalent to a motion to adhere——

Mr. MANN of Illinois. No; not at this stage.

Mr. WINGO. I should not have said "adhere" but "insist." The House having refused to recede, of course the motion is limited——

Mr. WALSH. Well, recede and concur with an amendment.

Mr. WINGO. The House having voted it would not recede, why vote on a proposition to recede and concur with an amendment? The House has refused to recede——

Mr. WALSH. Because that is a different proposition.

Mr. WINGO. That is the reason I asked for it, because I thought that would get more votes to vote down the proposition.

The SPEAKER. The Chair thinks that is tantamount to an insistence on the House disagreement.

Mr. WINGO. It is tantamount to rejecting the pending question, because whenever you reject the basic part of a pending question, it rejects the other part that depends on an agreement with the basic question.

The SPEAKER. Certainly. The question is on the motion of the gentleman from Iowa that the House further insist upon its disagreement to the Senate amendment and agree to the conference.

The question was taken, and the motion was agreed to.

Mr. MANN of Illinois. Mr. Speaker, I rise to make a preferential motion.

Mr. MONDELL. Mr. Speaker, before it is too late I want to demand a division.

Mr. BLANTON. Mr. Speaker, I make the point of order that it is too late because the gentleman from Illinois was recognized.

The SPEAKER. Does the gentleman from Illinois yield?

Mr. MANN of Illinois. It is not for me to yield; if the gentleman is entitled to a division, he is entitled to it.

The SPEAKER. The Chair has recognized the gentleman from Illinois.

Mr. MANN of Illinois. I move that the conferees be instructed to agree in conference to the substance of what is in the Senate proposition.

The SPEAKER. The gentleman from Illinois offers a motion, which the Clerk will report.

The Clerk read as follows:

Mr. MANN of Illinois moves that the House conferees be instructed to agree in conference to the substance of the Senate proposition, which is as follows:

"In lieu of the matter proposed to be stricken out insert:

"'For the purchase, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants, $75,000. Said seeds, bulbs, trees, shrubs, vines, cuttings, and plants shall be sent only to such persons as shall make request therefor: *Provided*, That all such requests made of Senators, Representatives, and Delegates in Congress, if transmitted to the Department of Agriculture, shall be complied with by said department.'"

Mr. GARRETT. Mr. Speaker, I make the point of order——

Mr. MANN of Illinois. I move the previous question——

Mr. GARRETT. Mr. Speaker, the confusion is so great we could not understand. Do I understand the gentleman's motion was to agree to the substance?

Mr. MANN of Illinois. That the House conferees be instructed in conference to agree to the substance of this matter.

Mr. LANGLEY. I thought the gentleman was opposed to it.

Mr. MANN of Illinois. I am going to vote against the motion. The gentleman need not worry.

Mr. GARRETT. Is not the gentleman from Illinois afraid to set such a dangerous precedent——

Mr. MANN of Illinois. No.

Mr. GARRETT. In offering a motion that the conferees be instructed to agree to the substance of a proposition?

Mr. MANN of Illinois. Oh, no; that is frequently done.

Mr. GARRETT. Without the language?

Mr. MANN of Illinois. I put the language in the motion, however.

Mr. CANDLER. The gentleman puts the Senate proposition in the motion.

Mr. MANN of Illinois. Absolutely, and it has been so reported.

Mr. GARRETT. Well, it seems to me that in offering a motion to agree to a Senate amendment in substance it leaves a leeway for the conferees to pile up trouble, not upon this matter; I am not interested in this matter——

Mr. MANN of Illinois. It leaves a leeway to the conferees which is necessary if you have any full, fair, and free conference.

Mr. GARRETT. Mr. Speaker, I make the point of order that it is not in order to instruct the conferees to agree upon the substance——

The SPEAKER. The Chair will hear the gentleman on that point.

Mr. MONDELL. It has frequently been done.

Mr. WINGO. Mr. Speaker, the gentleman from Tennessee [Mr. GARRETT] is laboring under a wrong impression. The gentleman from Illinois [Mr. MANN] moved that the House conferees agree in substance to a Senate amendment, and then he had the proposition read.

Mr. GARRETT. What does the "substance" mean?

Mr. MANN of Illinois. They can not cross a "t" or dot an "i." It will mean that we express the authority of the House when it comes to drafting it, and it is a proper thing for the House to do when we send it to conference.

Mr. BARKLEY. Mr. Speaker, I desire to make an additional point of order.

The SPEAKER. Only one point of order can be pending at the same time. The Chair overrules the point of order.

Mr. BARKLEY. Mr. Speaker, I make the point of order that it is not in order to instruct the conferees to agree to an amendment that could not be put on the bill in the House as an original proposition, because it changes existing law and would not be in order on this appropriation bill if offered in the House. This motion practically instructs the conferees to change the existing law.

Mr. MANN of Illinois. I think there is no law on the subject.

Mr. BARKLEY. As to the distribution of seeds?

Mr. MANN of Illinois. Yes.

Mr. BARKLEY. I think there is.

Mr. MANN of Illinois. It is carried in the appropriation bill, and that is the only way it is carried. There is no permanent law on the subject.

Mr. LANGLEY. May I be indulged for a moment to call attention to the fact that the gentleman from Massachusetts, who was acting as Speaker, ruled on the point of order I made when this bill was up originally in the House that this changes existing law and provides a different method of distribution, and therefore is not in order.

Mr. BLANTON. That was a wrong decision. Two wrongs do not make a right.

Mr. BARKLEY. Mr. Speaker, if the Chair please, I made this point of order so that it might not operate as a precedent, but that the House might vote its convictions on the subject. I withdraw the point of order.

Mr. MANN of Illinois. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Illinois to instruct the conferees.

Mr. LANGLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LANGLEY. Am I correct in the impression that a vote "nay" is to leave the existing appropriation for vegetable seeds?

Mr. MANN of Illinois. A vote "nay" is your vote. [Laughter.]

The SPEAKER. The question is on the motion of the gentleman from Illinois [Mr. MANN].

Mr. BLANTON. Division, Mr. Speaker.

Mr. LANGLEY. Mr. Speaker, I ask for the yeas and nays.

Mr. BLANTON. I ask for the yeas and nays. Let us have a record vote.

The SPEAKER. The gentleman from Texas asks for the yeas and nays. The question is on ordering the yeas and nays.

The yeas and nays were refused.

Mr. MANN of Illinois. Mr. Speaker, I ask for tellers.

Tellers were ordered.

Mr. HAUGEN and Mr. BLANTON took their places as tellers.

The House divided; and the tellers reported—ayes 38, noes 169.

So the motion was rejected.

Mr. CRAMTON. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The Chair will count. There was within half a dozen of a quorum that voted through the tellers, and the Chair is advised that there are some gentlemen who did not vote. The Chair will count. [After counting.] Two hundred and thirty-eight Members are present, a quorum. [Applause.]

So the motion was rejected.

The SPEAKER appointed the following conferees: Mr. HAUGEN, Mr. MCLAUGHLIN of Michigan, and Mr. LEE of Georgia.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved joint resolution and bills of the following titles:

On May 25, 1920:

H. R. 9781. An act to amend section 217 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909;

H. R. 9825. An act authorizing certain railroad companies, or their successors in interest, to convey for public-road purposes certain parts of their rights of way;

H. R. 10285. An act to authorize the purchase by the city of Myrtle Point, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916;

H. R. 13157. An act authorizing the issuance of patent to Johnson County, Wyo., of lands for poor-farm purposes;

H. R. 13389. An act to authorize the Secretary of the Interior to dispose of at public sale certain isolated and fractional tracts of lands formerly embraced in the grant to the Oregon & California Railroad Co.; and

H. R. 13576. An act authorizing the Secretary of War to turn over to the Postmaster General, without charge therefor, a certain building or buildings now located at Watertown, N. Y.

On May 26, 1920:

H. J. Res. 351. Joint resolution extending the provisions of an act amending section 32 of the Federal farm-loan act, approved July 17, 1916, to June 30, 1921;

H. R. 5163. An act authorizing certain tribes of Indians to submit claims to the Court of Claims, and for other purposes;

H. R. 11024. An act to amend an act entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914," approved June 30, 1913;

H. R. 13138. An act to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended May 15, 1916; and

H. R. 13274. An act to convey to the Big Rock Stone & Construction Co. a portion of the military reservation of Fort Logan H. Roots, in the State of Arkansas.

On May 27, 1920:

H. R. 8440. An act to restore to the public domain certain lands heretofore reserved for a bird reservation in Siskiyou and Modoc Counties, Calif., and Klamath County, Oreg., and for other purposes;

H. R. 13665. An act granting the consent of Congress to Muskogee County, Okla., to construct a bridge across the Arkansas River between sections 16 and 21, township 15 north, range 19 east, in the State of Oklahoma; and

H. R. 13666. An act granting the consent of Congress to Muskogee County, Okla., to construct a bridge across the Arkansas River in section 18, township 12 north, range 21 east, in the State of Oklahoma.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11892) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, had further insisted upon its amendment numbered 1 to the said bill upon which the committee of conference have been unable to agree, had asked a further conference with the House, and had appointed Mr. JONES of Washington, Mr. MCNARY, and Mr. KANSDELL as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following concurrent resolution:

Senate concurrent resolution 28.

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (H. R. 3184) entitled "An act to create a Federal Power Commission and to define its powers and duties,

to provide for the improvement of navigation, for the development of water power, for the use of lands of the United States in relation thereto, to repeal section 18 of 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved August 8, 1917, and for other purposes,' and for other purposes," the clerk be, and he is hereby, authorized and directed to add a new section, to be known as section 30, and to read as follows:

"SEC. 30. That the short title of this act shall be "The Federal water power act."

Also to amend the title to read as follows: "An act to create a Federal Power Commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes."

ARMY REORGANIZATION—CONFERENCE REPORT.

Mr. KAHN. Mr. Speaker, I call up the conference report on the Army reorganization bill.

The SPEAKER. The gentleman from California calls up a conference report, which the Clerk will report.

The Clerk read as follows:

Conference report on the bill H. R. 12775, to amend an act entitled "An act making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916.

Mr. KAHN. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report:

Mr. CRAMTON. I object.

The SPEAKER. The gentleman from Michigan objects. The Clerk will read the report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same with an amendment so that it shall read as follows:

"To amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice."

That the House recede from its disagreement to the amendment of the Senate and agree to the same with the following amendment: In lieu of the matter proposed by the amendment of the Senate insert the following:

"An act to amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.*

"CHAPTER I.

"That the act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, be amended as follows:

"That section 1 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'That the Army of the United States shall consist of the Regular Army, the National Guard while in the service of the United States, and the Organized Reserves, including the Officers' Reserve Corps and the Enlisted Reserve Corps.'

"SEC. 2. That section 2 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 2. Composition of the Regular Army: The Regular Army of the United States shall consist of the Infantry, the Cavalry, the Field Artillery, the Coast Artillery Corps, the Air Service, the Corps of Engineers, the Signal Corps, which shall be designated as the combatant arms or the line of the Army; the General Staff Corps; the Adjutant General's Department; the Inspector General's Department; the Judge Advocate General's Department; the Quartermaster Corps; the Finance Department; the Medical Department; the Ordnance Department; the Chemical Warfare Service; the officers of the Bureau of Insular Affairs; the officers and enlisted men under the jurisdiction of the Militia Bureau; the chaplains; the professors and cadets of the United States Military Academy; the present military storekeeper; detached officers; detached enlisted men; unassigned recruits; the Indian Scouts; the officers and enlisted men of the retired list; and such other officers and enlisted men as are now or may hereafter be provided for. Except in time of war or similar emergency when the public safety demands it, the number of enlisted men of the Regular Army shall not exceed 280,000, including the Philippine Scouts.'

"SEC. 3. That section 3 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 3. Organization of the Army: The organized peace establishment, including the Regular Army, the National Guard and the Organized Reserves, shall include all of those divisions and other military organizations necessary to form the basis for a complete and immediate mobilization for the national defense in the event of a national emergency declared by Congress. The Army shall at all times be organized so far as practicable into brigades, divisions and Army corps, and whenever the President may deem it expedient, into armies. For purposes of administration, training and tactical control, the continental area of the United States shall be divided on a basis of military population into corps areas. Each corps area shall contain at least one division of the National Guard or Organized Reserves, and such other troops as the President may direct. The President is authorized to group any or all corps areas into Army areas or departments.

"'SEC. 3a. The initial organization of the National Guard and the organized reserves: In the reorganization of the National Guard and in the initial organization of the organized reserves, the names, numbers, and other designations, flags, and records of the divisions and subordinate units thereof that served in the World War between April 6, 1917, and November 11, 1918, shall be preserved as such as far as practicable. Subject to revision and approval by the Secretary of War, the plans and regulations under which the initial organization and territorial distribution of the National Guard and the organized reserves shall be made, shall be prepared by a committee of the branch or division of the War Department General Staff, hereinafter provided for, which is charged with the preparation of plans for the national defense and for the mobilization of the land forces of the United States. For the purpose of this task said committee shall be composed of members of said branch or division of the General Staff and an equal number of reserve officers, including reserve officers who hold or have held commissions in the National Guard. Subject to general regulations approved by the Secretary of War, the location and designation of units of the National Guard and of the organized reserves entirely comprised within the limits of any State or Territory shall be determined by a board, a majority of whom shall be reserve officers, including reserve officers who hold or have held commissions in the National Guard and recommended for this duty by the governor of the State or Territory concerned.'

"SEC. 4. That section 4 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 4. Officers: Officers commissioned to and holding in the Army the office of a general officer shall hereafter be known as general officers of the line. Officers commissioned to and holding in the Army an office other than that of general officer, but to which the rank of a general officer is attached, shall be known as general officers of the staff. There shall be one general, as now authorized by law, until a vacancy occurs in that office, after which it shall cease to exist. On and after July 1, 1920, there shall be 21 major generals and 46 brigadier generals of the line; 599 colonels; 674 lieutenant colonels; 2,245 majors; 4,490 captains; 4,266 first lieutenants; 2,694 second lieutenants; and also the number of officers of the Medical Department and chaplains, hereinafter provided for, professors as now authorized by law, and the present military storekeeper, who shall hereafter have the rank, pay, and allowances of major; and the numbers herein prescribed shall not be exceeded: *Provided*, That major generals of the line shall be appointed from officers of the grade of brigadier general of the line, and brigadier generals of the line shall be appointed from officers of the grade of colonel of the line whose names are borne on an eligible list prepared annually by a board of not less than five general officers of the line, not below the grade of major general: *Provided further*, That the first board convened after the passage of this act may place upon such eligible list any officer of the line of not less than 22 years' commissioned service.

"'Officers of all grades in the Infantry, Cavalry, Field Artillery, Coast Artillery Corps, Corps of Engineers, and Medical Department; officers above the grade of captain in the Signal Corps, Judge Advocate General's Department, Quartermaster Corps, Ordnance Department, and Chemical Warfare Service, all chaplains and professors, and the military storekeeper, shall be permanently commissioned in their respective branches. All officers of the General Staff Corps, Inspector General's Department, Bureau of Insular Affairs, and Militia Bureau shall be obtained by detail from officers of corresponding grades in other branches. Other officers may be either detailed or, with their

own consent, be permanently commissioned, in the branches to which they are assigned for duty.

"'SEC. 4a. Warrant officers: In addition to those authorized for the Army mine planter service, there shall be not more than 1,120 warrant officers, including band leaders, who shall hereafter be warrant officers. Appointments shall be made by the Secretary of War from among noncommissioned officers who have had at least 10 years' enlisted service; enlisted men who served as officers of the Army at some time between April 6, 1917, and November 11, 1918, and whose total service in the Army, enlisted and commissioned, amounts to five years; persons serving or who have served as Army field clerks or field clerks, Quartermaster Corps, and, in the case of those who are to be assigned to duty as band leaders, from among persons who served as Army band leaders at some time between April 6, 1917, and November 11, 1918, or enlisted men possessing suitable qualifications. Hereafter no appointments as Army field clerks or field clerks, Quartermaster Corps, shall be made. Warrant officers other than those of the Army mine planter service shall receive base pay of $1,320 a year and the allowances of a second lieutenant, shall be entitled to longevity pay and to retirement under the same conditions as commissioned officers, and shall take rank next below second lieutenants and among themselves according to the dates of their respective warrants.

"'SEC. 4b. Enlisted men: On and after July 1, 1920, the grades of enlisted men shall be such as the President may from time to time direct, with monthly base pay at the rate of $74 for the first grade, $53 for the second grade, $45 for the third grade, $45 for the fourth grade, $37 for the fifth grade, $35 for the sixth grade, and $30 for the seventh grade. Of the total authorized number of enlisted men, those in the first grade shall not exceed 0.6 per cent, those in the second grade 1.8 per cent, those in the third grade 2 per cent, those in the fourth grade 9.5 per cent, those in the fifth grade 9.5 per cent, those in the sixth grade 25 per cent. The temporary increase of pay for enlisted men of the Army authorized by section 4 of the act of Congress approved May 18, 1920, shall be computed upon the base pay provided for in this section, and shall apply only to enlisted men of the first five grades. The temporary allowance of rations authorized by section 5, and the transportation privileges authorized by section 12 of the said act, shall apply only to enlisted men of the first three grades.

"'Existing laws providing for continuous service pay are repealed to take effect July 1, 1920, and thereafter enlisted men shall receive an increase of 10 per cent of their base pay for each five years of service in the Army, or service which by existing law is held to be the equivalent of Army service, such increase not to exceed 40 per cent.

"'Under such regulations as the Secretary of War may prescribe, enlisted men of the sixth and seventh grades may be rated as specialists, and receive extra pay therefor per month, as follows: First class, $25; second class, $20; third class, $15; fourth class, $12; fifth class, $8; sixth class, $3. Of the total authorized number of enlisted men in the sixth and seventh grades, those rated as specialists of the first class shall not exceed 0.7 per cent; of the second class, 1.4 per cent; of the third class, 1.9 per cent; of the fourth class, 4.7 per cent; of the fifth class, 5 per cent; of the sixth class, 15.2 per cent. All laws and parts of laws providing for extra-duty pay for enlisted men are repealed, to take effect July 1, 1920: *Provided*, That nothing in this section shall operate to reduce the pay which any enlisted man is now receiving during his current enlistment and while he holds his present grade, nor to change the present rate of pay of any enlisted men now on the retired list.

"'SEC. 4c. Assignments: Officers and enlisted men shall be assigned to the several branches of the Army as hereafter directed, a suitable proportion of each grade in each branch, but the President may increase or diminish the number of officers or enlisted men assigned to any branch by not more than a total of 15 per cent: *Provided*, That the total number authorized in any grade by this act is not exceeded: *Provided further*, That the number of enlisted men herein authorized for any branch shall include such number of Philippine Scouts as may be organized in that branch: *Provided further*, That no officer shall be transferred from one branch of the service to another under the provisions of this section without his own consent. Except as otherwise herein prescribed, chiefs and assistants to the chiefs of the several branches shall hereafter be appointed by the President, by and with the advice and consent of the Senate, for a period of four years, and such appointments shall not create vacancies. Appointment as chief of any branch shall be made from among officers commissioned in grades not below that of colonel, and as assistant from among officers of not less than 15 years' commissioned service, who have demonstrated by actual and extended service in such branch or on similar duty that they are qualified for such appointment: *Provided*, That the chiefs of the several branches shall make recommendations to the Secretary of War for the appointment of their assistants: *Provided further*, That in making the first appointment to any such office created by this act, the chief of a branch may be selected from among officers of not less than 22 years' commissioned service. Any officer who shall have served four years as chief of a branch, and who may subsequently be retired, shall be retired with the rank, pay, and allowances authorized by law for the grade held by him as such chief. In time of peace no officer of the line shall be or remain detailed as a member of the General Staff Corps unless he has served for two of the next preceding six years in actual command of troops of one or more of the combatant arms; and in time of peace every officer serving in a grade below that of brigadier general shall perform duty with troops of one or more of the combatant arms for at least one year in every period of five consecutive years, except that officers of less than one year's commissioned service in the Regular Army may be detailed as students at service schools: *Provided*, That an officer commissioned in a staff corps shall not be or remain detailed as a member of the General Staff Corps unless he has served for one of the next preceding five years with troops of one or more of the combatant arms. In the administration of this provision, all duty performed between April 6, 1917, and July 1, 1920, inclusive, or as a student at service schools, other than those of the noncombatant branches, at any time, shall be regarded as satisfying the requirements of service with combatant arms. Existing laws in so far as they restrict the detail or assignment of officers are hereby repealed. The Secretary of War shall annually report to Congress the numbers, grades, and assignments of the officers and enlisted men of the Army, and the number, kinds, and strength of organizations pertaining to each branch of the service.'

"SEC. 5. That section 5 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 5. General Staff Corps: The General Staff Corps shall consist of the Chief of Staff, the War Department General Staff and the General Staff with troops. The War Department General Staff shall consist of the Chief of Staff and 4 assistants to the Chief of Staff selected by the President from the general officers of the line, and 88 other officers of grades not below that of captain. The General Staff with troops shall consist of such number of officers not below the grade of captain as may be necessary to perform the General Staff duties of the headquarters of territorial departments, armies, army corps, divisions, and brigades, and as military attachés abroad. In time of peace the detail of an officer as a member of the General Staff Corps shall be for a period of four years, unless sooner relieved, and such details shall be limited to officers whose names are borne on the list of General Staff Corps eligibles. The initial eligible list shall be prepared by a board consisting of the general of the Army, the commandant of the General Staff College, the commandant of the General Service Schools, and two other general officers of the line, selected by the Secretary of War, who are not then members of the General Staff Corps. This board shall select and report the names of all officers of the Regular Army, National Guard, and Officers' Reserve Corps of the following classes who are recommended by them as qualified by education, military experience, and character for General Staff duty;

"'(a) Those officers graduated from the Army Staff College of the Army War College prior to July 1, 1917, who, upon graduation, were specifically recommended for duty as commander or chief of staff of a division or higher tactical unit, or for detail in the General Staff Corps;

"'(b) Those officers who, since April 6, 1917, have commanded a division or higher tactical unit, or have demonstrated by actual service in the World War that they are qualified for General Staff duty.

"'After the completion of the initial General Staff Corps eligible list, the name of no officer shall be added thereto unless upon graduation from the General Staff School he is specifically recommended as qualified for General Staff duty, and hereafter no officer of the General Staff Corps except the Chief of Staff shall be assigned as a member of the War Department General Staff unless he is a graduate of the General Staff College or his name is borne on the initial eligible list. The Secretary of War shall publish annually the list of officers eligible for General Staff duty, and such eligibility shall be noted in the annual Army Register. If at any time the number of officers available and eligible for detail to the General Staff is not sufficient to fill all vacancies therein, majors or captains may be detailed as acting General Staff officers under

such regulations as the President may prescribe: *Provided*, That in order to insure intelligent cooperation between the General Staff and the several noncombatant branches officers of such branches may be detailed as additional members of the General Staff Corps under such special regulations as to eligibility and redetail as may be prescribed by the President; but not more than two officers from each such branch shall be detailed as members of the War Department General Staff.

"'The duties of the War Department General Staff shall be to prepare plans for national defense and the use of the military forces for that purpose, both separately and in conjunction with the naval forces, and for the mobilization of the manhood of the Nation and its material resources in an emergency, to investigate and report upon all questions affecting the efficiency of the Army of the United States, and its state of preparation for military operations; and to render professional aid and assistance to the Secretary of War and the Chief of Staff.

"'All policies and regulations affecting the organization, distribution and training of the National Guard and the organized reserves, and all policies and regulations affecting the appointment, assignment, promotion, and discharge of reserve officers, shall be prepared by committees of appropriate branches or divisions of the War Department General Staff, to which shall be added an equal number of reserve officers, including reserve officers who hold or have held commissions in the National Guard, and whose names are borne on lists of officers suitable for such duty, submitted by the governors of the several States and Territories. For the purposes specified herein, they shall be regarded as additional members of the General Staff while so serving: *Provided*, That prior to January 1, 1921, National Guard officers who do not hold reserve commissions, if recommended by the governors of the several States and Territories, may be designated by the President as members of the committees herein provided for, and while so serving such officers shall receive the pay and allowances of their corresponding grades in the Regular Army.

"'The duties of the General Staff with troops shall be to render professional aid and assistance to the general officers over them; to act as their agents in harmonizing the plans, duties, and operations of the various organizations and services under their jurisdiction, in preparing detailed instructions for the execution of the plans of the commanding generals, and in supervising the execution of such instructions.

"'The Chief of Staff shall preside over the War Department General Staff and, under the direction of the President, or of the Secretary of War under the direction of the President, shall cause to be made, by the War Department General Staff, the necessary plans for recruiting, organizing, supplying, equipping, mobilizing, training, and demobilizing the Army of the United States and for the use of the military forces for national defense. He shall transmit to the Secretary of War the plans and recommendations prepared for that purpose by the War Department General Staff and advise him in regard thereto; upon the approval of such plans or recommendations by the Secretary of War, he shall act as the agent of the Secretary of War in carrying the same into effect. Whenever any plan or recommendation involving legislation by Congress affecting national defense or the reorganization of the Army is presented by the Secretary of War to Congress, or to one of the committees of Congress, the same shall be accompanied, when not incompatible with the public interest, by a study prepared in the appropriate division of the War Department General Staff, including the comments and recommendations of said division for or against such plan, and such pertinent comments for or against the plan as may be made by the Secretary of War, the Chief of Staff, or individual officers of the division of the War Department General Staff in which the plan was prepared.

"'Hereafter, members of the General Staff Corps shall be confined strictly to the discharge of duties of the general nature of those specified for them in this section and in the act of Congress approved February 14, 1903, and they shall not be permitted to assume or engage in work of an administrative nature that pertains to established bureaus or offices of the War Department, or that, being assumed or engaged in by members of the General Staff Corps, would involve impairment of the responsibility or initiative of such bureaus or offices, or would cause injurious or unnecessary duplication of or delay in the work thereof.

"'SEC. 5a. Hereafter, in addition to such other duties as may be assigned him by the Secretary of War, the Assistant Secretary of War, under the direction of the Secretary of War, shall be charged with supervision of the procurement of all military supplies and other business of the War Department pertaining thereto and the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to war-time needs. The Assistant Secretary of War shall receive a salary of $10,000 per annum. There shall be detailed to the office of the Assistant Secretary of War from the branches engaged in procurement such number of officers and civilian employees as may be authorized by regulations approved by the Secretary of War. The offices of Second Assistant Secretary of War and Third Assistant Secretary of War are hereby abolished.

"'Under the direction of the Secretary of War chiefs of branches of the Army charged with the procurement of supplies for the Army shall report direct to the Assistant Secretary of War regarding all matters of procurement. He shall cause to be manufactured or produced at the Government arsenals or Government-owned factories of the United States all such supplies or articles needed by the War Department as said arsenals or Government-owned factories are capable of manufacturing or producing upon an economical basis. And all appropriations for manufacture of matériel pertaining to approved projects, which are placed with arsenals, or Government-owned factories, or other ordnance establishments shall remain available for such purpose until the close of the next ensuing fiscal year.

"'SEC. 5b. The War Council: The Secretary of War, the Assistant Secretary of War, the General of the Army, and the Chief of Staff shall constitute the War Council of the War Department, which council shall from time to time meet and consider policies affecting both the military and munitions problems of the War Department. Such questions shall be presented to the Secretary of War in the War Council, and his decision with reference to such questions of policy, after consideration of the recommendations thereon by the several members of the War Council, shall constitute the policy of the War Department with reference thereto.'

"SEC. 6. That section 6 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 6. Adjutant General's Department: The Adjutant General's Department shall consist of The Adjutant General with the rank of major general, one assistant with the rank of brigadier general, who shall be chief of the personnel bureau, and 115 officers in grades from colonel to captain, inclusive. The personnel bureau shall be charged, under such regulations as may be prescribed by the Secretary of War, with the operating functions of procurement, assignment, promotion, transfer, retirement, and discharge of all officers and enlisted men of the Army: *Provided*, That territorial commanders and the chiefs of the several branches of the Army shall be charged with such of the above-described duties within their respective jurisdictions as may be prescribed by the Secretary of War.'

"SEC. 7. That section 7 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 7. Inspector General's Department: The Inspector General's Department shall consist of one Inspector General with the rank of major general, and 61 officers in grades from colonel to captain, inclusive.'

"SEC. 8. That section 8 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 8. Judge Advocate General's Department: The Judge Advocate General's Department shall consist of one Judge Advocate General with the rank of major general, and 114 officers in grades from colonel to captain, inclusive: *Provided*, That immediately upon the passage of this act the number of colonels of the Judge Advocate General's Department shall be increased by five, and the vacancies thus created shall be filled by promotion in the manner heretofore provided by law.'

"SEC. 9. That section 9 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 9. Quartermaster Corps: The Quartermaster Corps shall consist of 1 Quartermaster General with the rank of major general, 3 assistants with the rank of brigadier general, 1,050 officers in grades from colonel to second lieutenant, inclusive, and 20,000 enlisted men. The Quartermaster General, under the authority of the Secretary of War, shall be charged with the purchase and procurement for the Army of all supplies of standard manufacture and of all supplies common to two or more branches but not with the purchase or the procurement of special or technical articles to be used or issued exclusively by other supply departments; with the direction of all work pertaining to the construction, maintenance, and repair of buildings, structures, and utilities other than fortifications connected with the Army; with the storage and issue of supplies; with the operation of utilities; with the acquisition of all real estate and the issue of licenses in connection with Gov-

ernment reservations; with the transportation of the Army by land and water, including the transportation of troops and supplies by mechanical or animal means; with the furnishing of means of transportation of all classes and kinds required by the Army; and with such other duties not otherwise assigned by law as the Secretary of War may prescribe: *Provided*, That special and technical articles used or issued exclusively by other branches of the service may be purchased or procured with the approval of the Assistant Secretary of War by the branches using or issuing such articles, and the chief of each branch may be charged with the storage and issue of property pertaining thereto: *Provided further*, That utilities pertaining exclusively to any branch of the Army may be operated by such branches.

"'SEC. 9a. Finance Department: There is hereby created a Finance Department. The Finance Department shall consist of 1 chief of finance with the rank of brigadier general, 141 officers in grades from colonel to second lieutenant, inclusive, and 900 enlisted men.

"'The chief of finance, under the authority of the Secretary, shall be charged with the disbursement of all funds of the War Department, including the pay of the Army and the mileage for officers and the accounting therefor; and with such other fiscal and accounting duties as may be required by law, or assigned to him by the Secretary of War: *Provided*, That under such regulations as may be prescribed by the Secretary of War, officers of the Finance Department, accountable for public moneys, may intrust moneys to other officers for the purpose of having them make disbursements as their agents, and the officer to whom the moneys are intrusted, as well as the officer who intrusts the moneys to him, shall be held pecuniarily responsible therefor to the United States.'

"SEC. 10. That section 10 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 10. Medical Department: The Medical Department shall consist of one Surgeon General with the rank of major general, two assistants with the rank of brigadier general, the Medical Corps, the Dental Corps, the Veterinary Corps, the Medical Administrative Corps, a number of enlisted men which, until June 30, 1921, shall not exceed 5 per cent of the authorized enlisted strength and thereafter 5 per cent of the actual strength, commissioned and enlisted, of the Regular Army, the Army Nurse Corps as now constituted by law, and such contract surgeons as are now authorized by law. The number of officers of the Medical Corps shall be six and one-half for every thousand, and of the Medical Administrative Corps, 1 for every 2,000, of the total enlisted strength of the Regular Army, authorized from time to time, and within the peace strength permitted by this act. The number of officers of the Dental Corps shall be one for every thousand of the total strength of the Regular Army, authorized from time to time, and within the peace strength permitted by this act. The number of officers of the Veterinary Corps shall be 175.

"'Hereafter an officer of the Medical or Dental Corps shall be promoted to the grade of captain after 3 years' service, to the grade of major after 12 years' service, to the grade of lieutenant colonel after 20 years' service, and to the grade of colonel after 26 years' service. An officer of the Veterinary Corps shall be promoted to the grade of first lieutenant after 3 years' service, to the grade of captain after 7 years' service, to the grade of major after 14 years' service, to the grade of lieutenant colonel after 20 years' service, and to the grade of colonel after 26 years' service. An officer of the Medical Administrative Corps shall be promoted to the grade of first lieutenant after 5 years' service, and to the grade of captain after 10 years' service. For purposes of promotion there shall be credited to officers of the Medical Department all active commissioned service in the Regular Army whenever rendered; and also all such service rendered since April 6, 1917, in the Army or in the National Guard when in active service under a call by the President, except service under a reserve commission while in attendance at a school or camp for the training of candidates for commission. To officers of the Dental Corps shall be credited their service as contract dental surgeons and acting dental surgeons, and to officers of the Veterinary Corps, their governmental veterinary service rendered prior to June 3, 1916. The length of service of any officer who shall have lost files by reason of sentence of court-martial or failure in examination for promotion shall be regarded as diminished to the equivalent of the service of the officer of his corps immediately preceding him in relative rank.

"'Of the vacancies in the Medical Department existing on July 1, 1920, such number as the President may direct shall be filled by the appointment on that date in any grade authorized by this section, of persons under the age of 58 years, other than officers of the Regular Army, who served as officers of the Army at some time between April 6, 1917, and the date of the passage of this act, the selection to be made by the board of general officers provided for in section 24, and subject to the restrictions as to age therein prescribed. Appointees in the Medical Administrative Corps must also have had at least five years' enlisted service in the Medical Department, and the number appointed in the grades of captain and first lieutenant under the provisions of this paragraph shall not exceed one-half of the whole number authorized for said corps. For purposes of future promotion, any person so appointed in the Medical or Dental Corps shall be considered as having had, on the date of appointment, service equal to that of the junior officer of his grade and corps now in the Regular Army; and in the Veterinary or Medical Administrative Corps, sufficient service to bring him to his grade under the rules established in this section.

"'Hereafter the members of the Army Nurse Corps shall have relative rank as follows: The superintendent shall have the relative rank of major; the assistant superintendents, director and assistant directors, the relative rank of captain; chief nurses, the relative rank of first lieutenant; head nurses and nurses, the relative rank of second lieutenant; and as regards medical and sanitary matters and all other work within the line of their professional duties shall have authority in and about military hospitals next after the officers of the Medical Department. The Secretary of War shall make the necessary regulations prescribing the rights and privileges conferred by such relative rank.'

"SEC. 11. That section 11 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 11. Corps of Engineers: The Corps of Engineers shall consist of 1 Chief of Engineers with rank of major general, 1 assistant with the rank of brigadier general, 600 officers in grades from colonel to second lieutenant, inclusive, and 12,000 enlisted men, such part of whom as the President may direct being formed into tactical units organized as he may prescribe.'

"SEC. 12. That section 12 of said act be, and the same is hereby, amended by striking out the same, and inserting the following in lieu thereof:

"'SEC. 12. Ordnance Department: The Ordnance Department shall consist of 1 Chief of Ordnance with the rank of major general, 2 assistants with the rank of brigadier general, 350 officers in grades from colonel to second lieutenant, inclusive and 4,500 enlisted men.

"'SEC. 12a. Chemical Warfare Service: There is hereby created a Chemical Warfare Service. The Chemical Warfare Service shall consist of 1 chief of the Chemical Warfare Service with the rank of brigadier general, 100 officers in grades from colonel to second lieutenant, inclusive, and 1,200 enlisted men. The Chief of the Chemical Warfare Service under the authority of the Secretary of War shall be charged with the investigation, development, manufacture, or procurement and supply to the Army of all smoke and incendiary materials, all toxic gases, and all gas defense appliances; the research, design, and experimentation connected with chemical warfare and its material; and chemical projectile filling plants and proving grounds; the supervision of the training of the Army in chemical warfare, both offensive and defensive, including the necessary schools of instruction; the organization, equipment, training, and operation of special gas troops, and such other duties as the President may from time to time prescribe.'

"SEC. 13. That section 13 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 13. Signal Corps: The Signal Corps shall consist of 1 chief signal officer with the rank of major general, 300 officers in grades from colonel to second lieutenant, inclusive, and 5,000 enlisted men, such part of whom as the President may direct being formed into tactical units organized as he may prescribe.

"'SEC. 13a. Air Service: There is hereby created an Air Service. The Air Service shall consist of 1 chief of the Air Service with the rank of major general, 1 assistant with the rank of brigadier general, 1,514 officers in grades from colonel to second lieutenant, inclusive, and 16,000 enlisted men, including not to exceed 2,500 flying cadets, such part of whom as the President may direct being formed into tactical units, organized as he may prescribe: *Provided*, That not to exceed 10 per cent of the officers in each grade below that of brigadier general who fail to qualify as aircraft pilots or as observers within one year after the date of detail or assignment shall be permitted to remain detailed or assigned to the Air Service. Flying units shall in all cases be commanded by flying officers.

Officers and enlisted men of the Army shall receive an increase of 50 per cent of their pay while on duty requiring them to participate regularly and frequently in aerial flights; and hereafter no person shall receive additional pay for aviation duly except as prescribed in this section: *Provided*, That nothing in this act shall be construed as amending existing provisions of law relating to flying cadets.'

"SEC. 14. That section 14 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 14. Bureau of Insular Affairs: The officers of the Bureau of Insular Affairs shall be one chief of the bureau with the rank of brigadier general, and two officers below the grade of brigadier general: *Provided*, That during the tenure of office of the present Chief of the Bureau of Insular Affairs he shall have the rank of major general.'

"SEC. 15. That section 15 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 15. Chaplains: There shall be one chaplain for every 1,200 officers and enlisted men of the Regular Army, exclusive of the Philippine Scouts and the unassigned recruits, authorized from time to time in accordance with law and within the peace strength permitted by this act. Chaplains shall hereafter have rank, pay, and allowances according to length of active commissioned service in the Army, or, since April 6, 1917, in the National Guard while in active service under a call by the President, as follows: Less than 5 years, first lieutenant; 5 to 14 years, captain; 14 to 20 years, major; over 20 years, lieutenant colonel. One chaplain, of rank not below that of major, may be appointed by the President, by and with the advice and consent of the Senate, to be chief of chaplains. He shall serve as such for four years, and shall have the rank, pay, and allowances of colonel while so serving. His duties shall include investigation into the qualifications of candidates for appointment as chaplain, and general coordination and supervision of the work of chaplains. Of the vacancies existing on July 1, 1920, such number as the President may direct shall be filled by appointment on that date of persons under the age of 58 years, other than chaplains of the Regular Army, who served as chaplains in the Army at some time between April 6, 1917, and the date of the passage of this act. Such appointments may be made in grades above the lowest under the same restrictions as to age and rank as are hereinafter prescribed for original appointments in other branches of the service, and in accordance with the recommendation of the board of officers provided for in section 24. For purposes of future promotion, persons so appointed shall be considered as having had, on the date of appointment, sufficient prior service to bring them to their respective grades under the rules of promotion established in this section.'

"SEC. 16. That said act be, and the same is hereby, amended by striking out section 16.

"SEC. 17. That section 17 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 17. Infantry: The Infantry shall consist of one chief of infantry with the rank of major general; 4,200 officers in grades from colonel to second lieutenant, inclusive, and 110,000 enlisted men, organized into such Infantry units as the President may direct. Hereafter all tank units shall form a part of the Infantry.'

"SEC. 18. That section 18 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 18. Cavalry: The Cavalry shall consist of one chief of Cavalry with the rank of major general, 950 officers in grades from colonel to second lieutenant, inclusive, and 20,000 enlisted men, organized into Cavalry units as the President may direct.'

"SEC. 19. That section 19 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 19. Field Artillery: The Field Artillery shall consist of one chief of Field Artillery with the rank of major general, 1,900 officers in grades from colonel to second lieutenant, inclusive, and 37,000 enlisted men, organized into Field Artillery units as the President may direct.'

"SEC. 20. That section 20 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 20. Coast Artillery Corps: The Coast Artillery Corps shall consist of one chief of Coast Artillery with the rank of major general, 1,200 officers in grades from colonel to second lieutenant, inclusive, the warrant officers of the Army Mine Planter Service as now authorized by law, and 30,000 enlisted men, organized into such Coast Artillery units as the President may direct.'

"SEC. 21. That section 21 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 21. Porto Rico Regiment of Infantry: The Porto Rico Regiment of Infantry and the officers and enlisted men of such regiment shall become a part of the Infantry branch herein provided for, and its officers shall, on July 1, 1920, be recommissioned in the Infantry with their present grades and dates of rank, unless promoted on that date in accordance with the provisions of section 24 hereof.'

"SEC. 22. That said act be, and the same is hereby, amended by adding after section 22 a new section, to be numbered 22a, and to read as follows:

"'SEC. 22a. Philippine Scouts: The President is authorized to form the Philippine Scouts into such branches and tactical units as he may deem expedient, within the limit of strength prescribed by law, organized similarly to those of the Regular Army, the officers to be detailed from those authorized in section 4 hereof. On July 1, 1920, all officers of the Philippine Scouts on the active list, who are citizens of the United States and are found qualified under such regulations as the President may prescribe, shall be recommissioned in some one of the branches provided for by this act, and those not so recommissioned shall continue to serve under their commissions as officers of the Philippine Scouts. No further appointments shall be made as officers of Philippine Scouts except of citizens of the Philippine Islands, who may be appointed in the grade of second lieutenant, under such regulations as the President may prescribe. Officers commissioned in the Philippine Scouts shall be subject to promotion, classification, and elimination, as hereinafter prescribed for officers of the Regular Army. Those now on the retired list shall hereafter receive the same pay as a retired second lieutenant of equal service. Officers of the Philippine Scouts shall hereafter be retired under the same conditions, and those hereafter placed on the retired list shall receive the same retired pay, as other officers of like grades and length of service, and shall be equally eligible for advancement on account of active duty performed since retirement. Nothing in this act shall be construed to alter in any respect the present status of enlisted men of the Philippine Scouts.'

"SEC. 23. That section 23 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu therefor:

"'SEC. 23. Provisional appointments: All laws providing that certain appointments of officers shall be provisional for a period of time are hereby repealed.'

"SEC. 24. That section 24 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 24. Filling of vacancies: Not less than one-half of the total number of vacancies caused by this act, exclusive of those in the Medical Department and among chaplains, shall be filled by the appointment, to date from July 1, 1920, and subject to such examination as the President may prescribe, of persons other than officers of the Regular Army who served as officers of the United States Army at any time between April 6, 1917, and the date of the passage of this act. A suitable number of such officers shall be appointed in each of the grades below that of brigadier general, according to their qualifications for such grade as may be determined by the board of general officers provided for in this section. No such person above the age of 50 years shall be appointed in a combatant branch, or above the age of 58 in a noncombatant branch. No such person below the age of 48 years shall be appointed in the grade of colonel, or below the age of 45 years in the grade of lieutenant colonel, or below the age of 36 years in the grade of major. Not less than three such persons shall be appointed to the grade of colonel in the Judge Advocate General's Department, and not less than eight to the grade of lieutenant colonel in the Judge Advocate General's Department, provided a sufficient number of applicants for such appointments are legally eligible and are found by the board provided for in this section to be properly qualified. Any person originally appointed under the provisions of this act at an age greater than 45 years shall, when retired, receive retired pay at the rate of 4 per cent of active pay for each complete year of commissioned service in the United States Army, the total to be not more than 75 per cent. Vacancies remaining in grades above the lowest which are not filled by such appointments shall be filled by promotion to date from July 1, 1920, in accordance with the provisions of section 24c hereof. The selection of officers to be appointed under the provisions of this section, under such rules and regulations as may be approved by the Secretary of War, shall be made by

a board consisting of the General of the Army, three bureau chiefs and three general officers of the line, to be appointed by the Secretary of War: *Provided*, That no officer shall be appointed in any branch of the service under the provisions of this section except with the approval of the chief of such branch or officer acting as such.

"'SEC. 24a. Promotion list: For the purpose of establishing a more uniform system for the promotion of officers, based on equity, merit, and the interests of the Army as a whole, the Secretary of War shall cause to be prepared a promotion list, on which shall be carried the names of all officers of the Regular Army and Philippine Scouts below the grade of colonel, except officers of the Medical Department, chaplains, professors, the military storekeeper, and certain second lieutenants of the Quartermaster Corps hereinafter specified. The names on the list shall be arranged, in general, so that the first name on the list shall be that of the officer having the longest commissioned service; the second name that of the officer having the next longest commissioned service, and so on. In computations for the purpose of determining the position of officers on the promotion list there shall be credited all active commissioned service in the Army performed while under appointment from the United States Government, whether in the Regular, provisional, or temporary forces, except service under a reserve commission while in attendance at a school or camp for the training of candidates for commission; also commissioned service in the National Guard while in active service since April 6, 1917, under a call by the President; and also commissioned service in the Marine Corps when detached for service with the Army by order of the President. In determining position on the promotion list, and relative rank, commissioned service in the Regular Army or the Philippine Scouts, if continuous to the present time, shall be counted as having begun on the date of original commission. The original promotion list shall be formed by a board of officers appointed by the Secretary of War, consisting of one colonel of each of six branches of the service in which officers are permanently commissioned under the terms of this act, and one officer who, as a member of the personnel branch of the General Staff, has made a special study of merging the present promotion lists into a single list. The steps in the formation of the original promotion list shall be as follows:

"'First, officers below the grade of colonel in the Corps of Engineers, Signal Corps, Infantry, Cavalry, Field Artillery, Coast Artillery Corps, Porto Rico Regiment, and Philippine Scouts, who were originally appointed in the Regular Army or Philippine Scouts prior to April 6, 1917, shall be arranged without changing the present order of officers on the lineal lists of their own branches, but otherwise as nearly as practicable according to length of commissioned service. The following shall be omitted:

"'(a) Officers who, as a result of voluntary transfer, occupy positions on the lineal list other than those they would have held if their original commissions had been in their present branches.

"'(b) Officers of other branches appointed in the Field Artillery or the Coast Artillery Corps to fill vacancies created by the act approved January 25, 1907.

"'(c) Officers appointed in the Regular Army since January 1, 1903, while serving as officers of the Porto Rico Provisional Regiment of Infantry or Philippine Scouts.

"'(d) Former officers of the Regular Army or Philippine Scouts who have been reappointed in these forces and who are now below normally placed officers of less commissioned service than theirs.

"'Officers of classes (a), (b), and (c) shall be placed on the list in the positions they would have occupied if they had remained in their original branches of the service. Officers of class (d) shall be placed on the list in the position that would normally be occupied by an officer of continuous service equal to the total active commissioned service of such officers in the Army.

"'Second, officers of the Judge Advocate General's Department, Quartermaster Corps, and Ordnance Department shall be placed on the list according to length of commissioned service, except those second lieutenants of the Quartermaster Corps who are found not qualified for promotion as provided in section 24b hereof.

"'Third, captains and lieutenants of the Regular Army and Philippine Scouts, originally appointed since April 6, 1917, shall be arranged among themselves according to commissioned service rendered prior to November 11, 1918, and shall be placed at the foot of the list as prepared to this point.

"'Fourth, persons to be appointed as captains or lieutenants under the provisions of section 24 hereof shall be placed according to commissioned service rendered prior to November 11, 1918, among the officers referred to in the next preceding clause; and where such commissioned service is equal, officers now in the Regular Army shall precede persons to be appointed under the provisions of this act, and the latter shall be arranged according to age.

"'Fifth, persons appointed as lieutenant colonels or majors under the provisions of section 24 hereof shall be placed immediately below all officers of the Regular Army who, on July 1, 1920, are promoted to those grades respectively under the provisions of section 24 hereof: *Provided*, That the board charged with the preparation of the promotion list may in its discretion assign to any such officer a position on the list higher than that to which he would otherwise be entitled, but not such as to place him above any officer of greater age, whose commissioned service commenced prior to April 6, 1917, and who would precede him on the list under the general provisions of this section.

"'Any former officer of the Regular Army and any retired officer who may hereafter be appointed to the active list in the manner provided by law shall be placed on the promotion list in accordance with his total active commissioned service; except that former officers appointed to field grades on July 1, 1920, under the provisions of section 24, may be placed as provided in the next preceding paragraph of this section. A reserve judge advocate appointed in the Regular Army shall be placed as provided in section 24c.

"'Other officers on original appointment shall be placed at the foot of the list. The place of any officer on the promotion list once established shall not thereafter be changed, except as the result of the sentence of a court-martial.

"'SEC. 24b. Classification of officers: Immediately upon the passage of this act, and in September of 1921 and every year thereafter, the President shall convene a board of not less than five general officers, which shall arrange all officers in two classes, namely: Class A, consisting of officers who should be retained in the service, and class B, of officers who should not be retained in the service. Until otherwise finally classified, all officers shall be regarded as belonging to class A, and shall be promoted according to the provisions of this act to fill any vacancies which may occur prior to such final classification. No officer shall be finally classified in class B until he shall have been given an opportunity to appear before a court of inquiry. In such court of inquiry he shall be furnished with a full copy of the official records upon which the proposed classification is based and shall be given an opportunity to present testimony in his own behalf. The record of such court of inquiry shall be forwarded to the final classification board for reconsideration of the case, and after such consideration the finding of said classification board shall be final and not subject to further revision except upon the order of the President. Whenever an officer is placed in class B, a board of not less than three officers shall be convened to determine whether such classification is due to his neglect, misconduct, or avoidable habits. If the finding is affirmative, he shall be discharged from the Army; if negative, he shall be placed on the unlimited retired list with pay at the rate of 2½ per cent of his active pay multiplied by the number of complete years of commissioned service, or service which under the provisions of this act is counted as its equivalent, unless his total commissioned service or equivalent service shall be less than 10 years, in which case he shall be honorably discharged with one year's pay. The maximum retired pay of an officer retired under the provisions of this section prior to January 1, 1924, shall be 75 per cent of active pay, and of one retired on or after that date, 60 per cent. If an officer is thus retired before the completion of 30 years' commissioned service, he may be employed on such active duty as the Secretary of War considers him capable of performing until he has completed 30 years' commissioned service. The board convened upon the passage of this act shall also report the names of those second lieutenants of the Quartermaster Corps who were commissioned under the provisions of section 9 of the act of June 3, 1916, who are not qualified for further promotion. The officers so reported shall continue in the grade of second lieutenant for the remainder of their service and the others shall be placed upon the promotion list according to their commissioned service, as hereinbefore provided.

"'SEC. 24c. Promotion of officers: Up to and including June 30, 1920, except as otherwise provided herein, promotions shall continue to be made in accordance with law existing prior to the passage of this act, and on the basis of the number heretofore authorized for each grade and branch. On and after July 1, 1920, vacancies in grades below that of brigadier general shall be filled by the promotion of officers in the order in which they stand on the promotion list, without regard to the branches in which they are commissioned. Existing laws providing

for the examination of officers for promotion are hereby repealed, except those relating to physical examinations, which shall continue to be required for promotion to all grades below that of brigadier general, and except also those governing the examination of officers of the Medical, Dental, and Veterinary Corps. Officers of said three corps shall be examined in accordance with laws governing examination of officers of the Medical Corps, second lieutenants of the Veterinary Corps being subject to the same provisions as first lieutenants.

"'SEC. 24d. Transfer of officers: Upon his own application any officer may be transferred to another branch without loss of rank or change of place on the promotion list.

"'SEC. 24e. Appointment of officers: Except as otherwise herein provided, appointments shall be made in the grade of second lieutenant, first, from graduates of the United States Military Academy; second, from warrant officers and enlisted men of the Regular Army between the ages of 21 and 30 years, who have had at least two years' service; and, third, from reserve officers, and from officers, warrant officers, and enlisted men of the National Guard, members of the Enlisted Reserve Corps, and graduates of technical institutions approved by the Secretary of War, all between the ages of 21 and 30 years. Any vacancy in the grade of captain in the Judge Advocate General's Department, not filled by transfer or detail from another branch, may, in the discretion of the President, be filled by appointment from reserve judge advocates between the ages of 30 and 36 years, and such appointee shall be placed upon the promotion list immediately below the junior captain on said list. Appointments in the Medical and Dental Corps shall be made in the grade of first lieutenant from reserve medical and dental officers, respectively, between the ages of 23 and 32 years; in the Veterinary Corps in the grade of second lieutenant from reserve veterinary officers between the ages of 21 and 30 years; and in the Medical Administrative Corps in the grade of second lieutenant from enlisted men of the Medical Department between the ages of 21 and 32 years, who have had at least two years' service. To be eligible for appointment in the Dental Corps, a candidate must be a graduate of a recognized dental college, and have been engaged in the practice of his profession for at least two years subsequent to graduation. Appointments as chaplains shall be made from among persons duly accredited by some religious denomination or organization, and of good standing therein, between the ages of 23 and 45 years. Former officers of the Regular Army and retired officers may be reappointed to the active list, if found competent for active duty, and shall be commissioned in the grades determined by the places assigned to them on the promotion list under the provisions of section 24a hereof.'

"SEC. 25. That section 25 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 25. Detached officers and enlisted men: All officers and enlisted men authorized by law and not assigned to duty with any branch or bureau herein provided for shall be carried on the detached officers' list and detached enlisted men's list, respectively.'

"SEC. 26. That said act be, and the same is hereby, amended by striking out section 26.

"SEC. 27. That section 27 of said act be, and the same is hereby, amended by striking out all up to and including the third proviso, and also the proviso relating to the utilization of the service of postmasters, and inserting the following in lieu thereof:

"'SEC. 27. Enlistments: Hereafter original enlistments in the Regular Army shall be for a period of one or three years at the option of the soldier, and reenlistments shall be for a period of three years. Existing laws providing for the payment of three months' pay to certain soldiers upon reenlistment are hereby repealed, and hereafter an enlistment allowance equal to three times the monthly pay of a soldier of the seventh grade shall be paid to every soldier who enlists or reenlists for a period of three years, payment of the enlistment allowance for original enlistment to be deferred until honorable discharge.'

"SEC. 28. That said act be, and the same is hereby, amended by striking out section 28, with the exception of the proviso added thereto by Chapter XVII, section 5, of an act of Congress approved July 9, 1918, providing pay for qualification as telegraphers.

"SEC. 29. That section 29 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 29. Discharge on account of dependent relatives: When by reason of death or disability of a member of the family of an enlisted man, occurring after his enlistment, members of his family become dependent upon him for care or support, he may, in the discretion of the Secretary of War, be discharged from the service of the United States.'

"SEC. 30. That section 30 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 30. The Regular Army Reserve is hereby abolished, and all members thereof shall be discharged from the obligations under which they are now serving.'

"SEC. 31. That said act be, and the same is hereby, amended by striking out sections 31, 32, 33, 34, 36, 38, and 39.

"SEC. 32. That section 37 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 37. Officers' Reserve Corps: For the purpose of providing a reserve of officers available for military service when needed, there shall be organized an Officers' Reserve Corps consisting of general officers, of sections corresponding to the various branches of the Regular Army, and of such additional sections as the President may direct. The grades in each section and the number in each grade shall be as the President may prescribe. Reserve officers shall be appointed and commissioned by the President alone, except general officers, who shall be appointed by and with the advice and consent of the Senate. Appointment in every case shall be for a period of five years, but an appointment in force at the outbreak of war, or made in time of war, shall continue in force until six months after its termination. Any reserve officer may be discharged at any time in the discretion of the President. A reserve officer appointed during the existence of a state of war shall be entitled to discharge within six months after its termination if he makes application therefor. In time of peace, a reserve officer must, at the time of his appointment, be a citizen of the United States or of the Philippine Islands, between the ages of 21 and 60 years. Any person who has been an officer of the Army at any time between April 6, 1917, and June 30, 1919, or an officer of the Regular Army at any time, may be appointed as a reserve officer in the highest grade which he held in the Army or any lower grade; any person now serving as an officer of the National Guard may be appointed as a reserve officer in his present or any lower grade; no other person shall in time of peace be originally appointed as a reserve officer of Infantry, Cavalry, Field Artillery, Coast Artillery, or Air Service in a grade above that of second lieutenant. In time of peace appointments in the Infantry, Cavalry, Field Artillery, Coast Artillery, and Air Service shall be limited to former officers of the Army, graduates of the Reserve Officers' Training Corps, as provided in section 47b hereof, warrant officers, and enlisted men of the Regular Army, National Guard and Enlisted Reserve Corps, and persons who served in the Army at some time between April 6, 1917, and November 11, 1918. Promotions and transfers shall be made under such rules as may be prescribed by the President, and shall be based so far as practicable upon recommendations made in the established chain of command, but no reserve officer shall be promoted to any grade in time of peace until he has held a commission for at least one year in the next lower grade. So far as practicable, reserve officers shall be assigned to units in the locality of their places of residence. Nothing in this act shall operate to deprive a reserve officer of the reserve commission he now holds. Any reserve officer may hold a commission in the National Guard without thereby vacating his reserve commission.

"'SEC. 37a. Reserve officers on active duty: To the extent provided for from time to time by appropriations for this specific purpose, the President may order reserve officers to active duty at any time and for any period; but except in time of a national emergency expressly declared by Congress, no reserve officer shall be employed on active duty for more than 15 days in any calendar year without his own consent. A reserve officer shall not be entitled to pay and allowances except when on active duty. When on active duty he shall receive the same pay and allowances as an officer of the Regular Army of the same grade and length of active service, and mileage from his home to his first station and from his last station to his home, but shall not be entitled to retirement or retired pay.'

"SEC. 33. That said act be, and the same is hereby, amended by striking out sections 40, 41, 42, 43, 45, and 46 and inserting the following in lieu thereof:

"'SEC. 40. Reserve Officers' Training Corps—Organization: The President is hereby authorized to establish and maintain in civil educational institutions a Reserve Officers' Training Corps, one or more units in number, which shall consist of a senior division organized at universities and colleges granting degrees, including State universities and those State institutions that are required to provide instruction in military tactics

under the act of Congress of July 2, 1862, donating lands for the establishment of colleges where the leading object shall be practical instruction in agriculture and the mechanic arts, including military tactics, and at those essentially military schools not conferring academic degrees, specially designated by the Secretary of War as qualified, and a junior division organized at all other public and private educational institutions, and each division shall consist of units of the several arms, corps, or services in such number and such strength as the President may prescribe: *Provided*, That no such unit shall be established or maintained at any institution until an officer of the Regular Army shall have been detailed as professor of military science and tactics, nor until such institution shall maintain under military instruction at least 100 physically fit male students, except that in the case of units other than Infantry, Cavalry or Artillery, the minimum number shall be 50: *Provided further*, That except at State institutions described in this section, no unit shall be established or maintained in an educational institution until the authorities of the same agree to establish and maintain a two years' elective or compulsory course of military training as a minimum for its physically fit male students, which course, when entered upon by any student, shall, as regards such student, be a prerequisite for graduation unless he is relieved of this obligation by regulations to be prescribed by the Secretary of War.

"'SEC. 40a. Reserve Officers' Training Corps courses: The Secretary of War is hereby authorized to prescribe standard courses of theoretical and practical military training for units of the Reserve Officers' Training Corps, and no unit of such corps shall be organized or maintained at any educational institution the authorities of which fail or neglect to adopt into their curriculum the prescribed courses of military training or to devote at least an average of three hours per week per academic year to such military training, except as provided in section 47c of this act.

"'SEC. 40b. Personnel for duty with Reserve Officers' Training Corps: The President is hereby authorized to detail such numbers of officers, warrant officers, and enlisted men of the Regular Army, either active or retired, as may be necessary for duty as professors of military science and tactics, assistant professors of military science and tactics, and military instructors at educational institutions where one or more units of the Reserve Officers' Training Corps are maintained. In time of peace retired officers, retired warrant officers, or retired enlisted men shall not be detailed under the provisions of this section without their consent, and no officer on the active list shall be detailed for recruiting service or for duty at a school or college, not including schools of the service, where officers on the retired list can be secured who are competent for such duty. Hereafter retired officers below the grade of brigadier general and retired warrant officers and enlisted men shall, when on active duty, receive full pay and allowances.'

"SEC. 34. That said act be, and the same is hereby, amended by striking out sections 47, 48, 49, 50, 51, 52, 53, and 54 and inserting the following in lieu thereof:

"'SEC. 47. Supplies for Reserve Officers' Training Corps: The Secretary of War, under such regulations as he may prescribe, is hereby authorized to issue to institutions at which one or more units of the Reserve Officers' Training Corps are maintained such public animals, transportation, arms, ammunition, supplies, tentage, equipment, and uniforms belonging to the United States as he may deem necessary, and to forage at the expense of the United States public animals so issued, to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War, and to authorize such expenditures from proper Army appropriations as he may deem necessary for the efficient maintenance of the Reserve Officers' Training Corps. He shall require from each institution to which property of the United States is issued a bond in the value of the property issued for the care and safe-keeping thereof, except for uniforms, expendable articles, and supplies expended in operation, maintenance, and instruction, and for its return when required.

"'SEC. 47a. Reserve Officers' Training Corps camps: The Secretary of War is hereby authorized to maintain camps for the further practical instruction of the members of the Reserve Officers' Training Corps, no such camps to be maintained for a longer period than six weeks in any one year, except in time of actual or threatened hostilities; to transport members of such corps to and from such camps at the expense of the United States so far as appropriations will permit, to subsist them at the expense of the United States while traveling to and from such camps and while remaining therein so far as appropriations will permit, or in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowances at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to make the payment of travel allowances for the return journey in advance of the actual performance of the same, and to admission to military hospitals at such camps, and to furnish medical attendance and supplies; to use the troops of the Regular Army, and such Government property as he may deem necessary, for the military training of the members of such corps while in attendance at such camps; and to prescribe regulations for the government of such camps.

"'SEC. 47b. Appointment of graduates of Reserve Officers' Training Corps as reserve officers: The President alone, under such regulations as he may prescribe, is hereby authorized to appoint as a reserve officer of the Army of the United States any graduate of the senior division of the Reserve Officers' Training Corps who shall have satisfactorily completed the further training provided for in section 47a of this act, or any graduate of the junior division who shall have satisfactorily completed the courses of military training prescribed for the senior division and the further training provided for in section 47a of this act, and shall have participated in such practical instruction subsequent to graduation as the Secretary of War shall prescribe, who shall have arrived at the age of 21 years and who shall agree, under oath in writing, to serve the United States in the capacity of a reserve officer of the Army of the United States during a period of at least five years from the date of his appointment as such reserve officer, unless sooner discharged by proper authority: *Provided*, That no reserve officer appointed pursuant to this act shall be entitled to retirement, or to retired pay, and shall be eligible for pension only for disability incurred in line of duty in active service or while serving with the Army pursuant to provisions of this act.

"'SEC. 47c. Pay and commutation of subsistence, Reserve Officers' Training Corps: When any member of the senior division of the Reserve Officers' Training Corps has completed two academic years of service in that division, and has been selected for advanced training by the president of the institution and by the professor of military science and tactics, and has agreed in writing to continue in the Reserve Officers' Training Corps for the remainder of his course at the institution, devoting five hours per week to the military training prescribed by the Secretary of War, and has agreed in writing to pursue the course in camp training prescribed by the Secretary of War, he may be furnished at the expense of the United States commutation of subsistence at such rate, not exceeding the cost of the garrison ration prescribed for the Army, as may be fixed by the Secretary of War, during the remainder of his service in the Reserve Officers' Training Corps, not exceeding two years: *Provided*, That any medical, dental, or veterinary student may be admitted to a Medical, Dental, or Veterinary Corps unit of the Reserve Officers' Training Corps for a course of training at the rate of 90 hours of instruction per annum for the four collegiate years, and if at the end of two years of such training he has been selected by the professor of military science and tactics and the head of the institution for advanced training, and has agreed in writing to continue in the Reserve Officers' Training Corps for the remainder of his course at the institution, and has agreed in writing to pursue the course in camp training prescribed by the Secretary of War, he may be furnished, at the expense of the United States, with commutation of subsistence at such rate, not exceeding the cost of the garrison ration prescribed for the Army, as may be fixed by the Secretary of War, during the remainder of his service in the Reserve Officers' Training Corps, not exceeding two years: *Provided further*, That any reserve officer who is also a medical, dental, or veterinary student may be admitted to such Medical, Dental, or Veterinary Corps unit for such training, under such rules and regulations as the Secretary of War may prescribe: *Provided further*, That members of the Reserve Officers' Training Corps, or other persons authorized by the Secretary of War to attend advanced course camps, shall be paid for attendance at such camps at the rate prescribed for soldiers of the seventh grade of the Regular Army.

"'SEC. 47d. Training camps: The Secretary of War is hereby authorized to maintain, upon military reservations or elsewhere, schools or camps for the military instruction and training, with a view to their appointment as reserve officers or noncommissioned officers, of such warrant officers, enlisted men, and civilians as may be selected upon their own application; to use for the purpose of maintaining said camps and imparting military instruction and training thereat, such arms, ammunition, accouterments, equipments, tentage, field equipage, and transportation belonging to the United States as he may deem necessary; to furnish at the expense of the United States uni-

forms, subsistence, transportation by the most usual and direct route within such limits as to territory as the Secretary of War may prescribe, or in lieu of furnishing such transportation and subsistence to pay them travel allowances at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to make the payment of travel allowances for the return journey in advance of the actual performance of the same, and medical attendance and supplies to persons receiving instruction at said camps during the period of their attendance thereat; to authorize such expenditures, from proper Army appropriations, as he may deem necessary for water, fuel, light, temporary structures, not including quarters for officers nor barracks for men, screening, and damages resulting from field exercises, and other expenses incidental to the maintenance of said camps, and the theoretical winter instruction in connection therewith; and to sell to persons receiving instructions at said camps, for cash and at cost price, plus 10 per cent, quartermaster and ordnance property, the amount of such property sold to any one person to be limited to that which is required for his proper equipment. All moneys arising from such sales shall remain available throughout the fiscal year following that in which the sales are made, for the purpose of that appropriation from which the property sold was authorized to be supplied at the time for the sale. The Secretary of War is authorized further to prescribe the courses of theoretical and practical instruction to be pursued by persons attending the camps authorized by this section; to fix the periods during which such camps shall be maintained; to prescribe rules and regulations for the government thereof; and to employ thereat officers, warrant officers, and enlisted men of the Regular Army in such numbers and upon such duties as he may designate.'

"SEC. 35. That said act be, and the same is hereby, amended by striking out sections 55 and 56 and inserting the following in lieu thereof:

"'SEC. 55. The Enlisted Reserve Corps: The Enlisted Reserve Corps shall consist of persons voluntarily enlisted therein. The period of enlistment shall be three years, except in the case of persons who served in the Army, Navy, or Marine Corps at some time between April 6, 1917, and November 11, 1918, who may be enlisted for one-year periods and who, in time of peace, shall be entitled to discharge within 90 days if they make application therefor. Enlistments shall be limited to persons eligible for enlistment in the Regular Army, who have had such military or technical training as may be prescribed by regulations of the Secretary of War. All enlistments in force at the outbreak of war or entered into during its continuation, whether in the Regular Army or the Enlisted Reserve Corps, shall continue in force until six months after its termination, unless sooner terminated by the President.

"'SEC. 55a. Organization of the Enlisted Reserve Corps: The President may form any or all members of the Enlisted Reserve Corps into tactical organizations similar to those of the Regular Army, similarly armed, uniformed, and equipped, and composed, so far as practicable, of men residing in the same locality, may officer them by the assignment of reserve officers or officers of the Regular Army, active or retired, and may detail such personnel of the Army as may be necessary for the administration of such organizations and the care of Government property issued to them.

"'SEC. 55b. Reservists on active duty: Members of the Enlisted Reserve Corps may be placed on active duty, as individuals or organizations, in the discretion of the President, but except in time of a national emergency expressly declared by Congress no reservist shall be ordered to active duty in excess of the number permissible under appropriations made for this specific purpose, nor for a longer period than 15 days in any one calendar year without his own consent. While on active duty they shall receive the same pay and allowances as other enlisted men of like grades and length of service.

"'SEC. 55c. Military equipment and instructors at other schools and colleges: The Secretary of War is hereby authorized, under such regulations as he may prescribe, to issue such arms, tentage, and equipment as he shall deem necessary for proper military training to schools and colleges, other than those provided for in section 40 of this act, having a course of military training prescribed by the Secretary of War and having not less than 100 physically fit male students above the age of 14 years; and the Secretary of War is hereby authorized to detail such available active or retired officers, warrant officers, and enlisted men of the Regular Army as he may deem necessary to said schools and colleges, other than those provided for in section 40 of this act: *Provided*, That while so detailed they shall receive active pay and allowances: *Provided further*, That in time of peace retired officers, warrant officers, or enlisted men shall not be detailed under the provisions of this section without their consent.'

"SEC. 36. That section 60 of said act be, and the same is hereby, amended by adding the following at the end thereof: 'Until July 1, 1921, companies and corresponding units of the National Guard may be recognized at a minimum enlisted strength of 50: *Provided*, That the National Guard of any State, Territory, and the District of Columbia may include such detachments or parts of units as may be necessary in order to form complete tactical units when combined with troops of other States.'

"SEC. 37. That section 69 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 69. Original enlistments in the National Guard shall be for a period of three years and subsequent enlistments for periods of one year each: *Provided*, That persons who have served in the Army for not less than six months, and have been honorably discharged therefrom, may, within two years after the passage of this act, enlist in the National Guard for a period of one year and reenlist for like periods.'

"SEC. 38. That section 70 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 70. Men enlisting in the National Guard of the several States, Territories, and the District of Columbia, shall sign an enlistment contract and subscribe to the following oath of enlistment: "I do hereby acknowledge to have voluntarily enlisted this ——— day of ———, 19—, as a soldier in the National Guard of the United States and of the State of ———, for the period of three (or one) year———, under the conditions prescribed by law, unless sooner discharged by proper authority. And I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of ———, and that I will serve them honestly and faithfully against all their enemies whomsoever, and that I will obey the orders of the President of the United States and of the governor of the State of ———, and of the officers appointed over me according to law and the rules and articles of war."'

"SEC. 39. That said act be, and the same is hereby, amended by striking out section 71.

"SEC. 40. That section 72 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 72. Discharge of enlisted men from the National Guard: An enlisted man discharged from service in the National Guard, except when drafted into the military service of the United States under the provisions of section 111 of this act, shall receive a discharge in writing in such form and with such classification as is or shall be prescribed for the Regular Army, and in time of peace discharges may be given prior to the expiration of terms of enlistment under such regulations as the President may prescribe.'

"SEC. 41. That section 74 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 74. Qualifications for National Guard officers: Persons hereafter commissioned as officers of the National Guard shall not be recognized as such under any of the provisions of this act unless they shall have been selected from the following classes, and shall have taken and subscribed to the oath of office prescribed in the preceding section of this act; officers or enlisted men of the National Guard; officers, active or retired, reserve officers, and former officers of the Army, Navy, or Marine Corps, enlisted men and former enlisted men of the Army, Navy, or Marine Corps who have received an honorable discharge therefrom; graduates of the United States Military and Naval Academies; and graduates of schools, colleges, universities, and officers' training camps, where they have received military instruction under the supervision of an officer of the Regular Army who certified their fitness for appointment as commissioned officers; and for the technical branches or Staff Corps and departments, such other civilians as may be specially qualified for duty therein.'

"SEC. 42. That section 78 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 78. That hereafter, men duly qualified under regulations prescribed by the Secretary of War may enlist in the National Guard Reserve for a period of one or three years, under such regulations as the Secretary of War shall prescribe, and on so enlisting they shall subscribe to the following enlistment contract and take the oath therein specified: "I do hereby acknowledge to have voluntarily enlisted this ——— day of ———,

19—, as a soldier in the National Guard Reserve of the United States and of the State of ———, for a period of one (or three) year—, unless sooner discharged by proper authority, and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of ———, and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the orders of the President of the United States and the governor of the State of ———, and of the officers appointed over me according to law and the Rules and Articles of War": *Provided*, That members of said reserve, officers and enlisted men, when engaged in field or coast-defense training with the active National Guard, shall receive the same Federal pay and allowances as those occupying like grades on the active list of said guard when likewise engaged: *Provided further*, That, except as otherwise specifically provided in this act, no commissioned or enlisted reservist shall receive any pay or allowances out of any appropriation made by Congress for National Guard purposes.'

"SEC. 43. That said act be, and the same is hereby, amended by striking out section 79.

"SEC. 44. That section 81 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 81. Militia Bureau of the War Department: The Militia Division of the War Department shall hereafter be known as the Militia Bureau of the War Department. After January 1, 1921, the chief of the Militia Bureau shall be appointed by the President, by and with the advice and consent of the Senate, by selection from lists of present and former National Guard officers, recommended by the governors of the several States and Territories as suitable for such appointment, who hold commissions in the Officers' Reserve Corps, who have had 10 or more years' commissioned service in the National Guard, at least 5 of which has been in the line, and who have attained at least the grade of major. He shall hold office for four years, unless sooner removed for cause, and shall have the rank, pay, and allowances of a major general of the Regular Army during his tenure of office, but shall not be entitled to retirement or retired pay. While serving as chief his reserve commission shall continue in force and shall not be terminated except for cause assigned. Until the chief is appointed, as provided in this section, the President may assign an officer of the Regular Army, not below the grade of colonel, to perform the duties of chief. For duty in the Militia Bureau and for the instruction of the National Guard the President shall assign such number of officers and enlisted men of the Regular Army as he may deem necessary. The President may also assign, with their consent, and within the limits of the appropriations previously made for this specific purpose, not exceeding 500 officers of the National Guard, who hold reserve commissions, to duty with the Regular Army, in addition to those attending service schools; and while so assigned they shall receive the same pay and allowances as Regular Army officers of like grades, to be paid out of the whole fund appropriated for the support of the militia.'

"SEC. 45. That section 89 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 89. Animals for National Guard: Funds allotted by the Secretary of War for the support of the National Guard shall be available for the purchase, under such regulations as the Secretary of War may prescribe, of animals conforming to the Regular Army standards for the training of the National Guard, said animals to remain the property of the United States and to be used solely for military purposes.

"'The number of animals so issued shall not exceed 32 for each battery of Field Artillery or troop of Cavalry, and a proportionate number for other mounted organizations, under such regulations as the Secretary of War may prescribe; and the Secretary of War is further authorized to issue, in lieu of purchase, for the training of such organizations, condemned Army animals which are no longer fit for service, but which may be suitable for the purposes of instruction, such animals to be sold as now provided by law when said purposes shall have been served.'

"SEC. 46. That section 90 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 90. Funds allotted by the Secretary of War for the support of the National Guard shall be available for the purchase and issue of forage, bedding, shoeing, and veterinary services, and supplies for the Government animals issued to any organization, and for the compensation of competent help for the care of the material, animals, and equipment thereof, under such regulations as the Secretary of War may prescribe: *Provided*, That the men to be compensated, not to exceed five for each organization, shall be duly enlisted therein and shall be detailed by the organization commander, under such regulations as the Secretary of War may prescribe, and shall be paid by the United States disbursing officer in each State, Territory, and the District of Columbia.'

"SEC. 47. That section 109 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 109. Pay for the National Guard officers: Captains and lieutenants belonging to organizations of the National Guard shall receive compensation at the rate of one-thirtieth of the monthly base pay of their grades as prescribed for the Regular Army for each regular drill or other period of instruction authorized by the Secretary of War, not exceeding five in any one calendar month, at which they shall have been officially present for the entire required period, and at which at least 50 per cent of the commissioned strength and 60 per cent of the enlisted strength attend and participate for not less than one and one-half hours. Captains commanding organizations shall receive $240 a year in addition to the drill pay herein prescribed. Officers above the grade of captain shall receive not more than $500 a year, and officers below the grade of major, not belonging to organizations, shall receive not more than four-thirtieths of the monthly base pay of their grades for satisfactory performance of their appropriate duties under such regulations as the Secretary of War may prescribe. Pay under the provisions of this section shall not accrue to any officer during a period when he shall be lawfully entitled to the same pay as an officer of corresponding grade in the Regular Army: *Provided*, That section 9 of an act amending the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, approved August 31, 1918, shall also apply to the purchase of uniforms, accouterments, and equipment for cash by officers of the National Guard and National Guard Reserve, whether in State or Federal service, on proper identification and under such rules and regulations as the Secretary of War may prescribe.'

"SEC. 48. That section 110 of said act be, and the same is hereby, amended by striking out the first paragraph and inserting the following in lieu thereof:

"'SEC. 110. Pay for National Guard enlisted men: Each enlisted man belonging to an organization of the National Guard shall receive compensation at the rate of one-thirtieth of the initial monthly pay of his grade in the Regular Army for each drill ordered for his organization where he is officially present and in which he participates for not less than one and one-half hours, not exceeding 8 in any one calendar month, and not exceeding 60 drills in one year: *Provided*, That no enlisted man shall receive any pay under the provisions of this section for any month in which he shall have attended less than 60 per cent of the drills or other exercises prescribed for his organization: *Provided further*, That the proviso contained in section 92 of this act shall not operate to prevent the payment of enlisted men actually present at any duly ordered drill or other exercise: *And provided further*, That periods of any actual military duty equivalent to the drills herein prescribed (except those periods of service for which members of the National Guard may become lawfully entitled to the same pay as officers and enlisted men of the corresponding grades in the Regular Army) may be accepted as service in lieu of such drills when so provided by the Secretary of War.'

"SEC. 49. That section 111 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 111. National Guard when drafted into Federal service: When Congress shall have authorized the use of the armed land forces of the United States for any purpose requiring the use of troops in excess of those of the Regular Army the President may, under such regulations, including such physical examination, as he may prescribe, draft into the military service of the United States to serve therein for the period of the war or emergency, unless sooner discharged, any or all members of the National Guard and of the National Guard Reserve. All persons so drafted shall, from the date of their draft, stand discharged from the militia, and shall be subject to such laws and regulations for the government of the Army of the United States as may be applicable to members of the Army, whose permanent retention in the military service is not contemplated by law, and shall be organized into units corresponding as far as practicable to those of the Regular Army or shall be otherwise assigned as the President may direct. The commissioned officers of said organizations shall be appointed from among the members thereof; officers with rank not above that of colonel to be

appointed by the President alone, and all other officers to be appointed by the President by and with the advice and consent of the Senate. Officers and enlisted men while in the service of the United States under the terms of this section shall have the same pay and allowances as officers and enlisted men of the Regular Army of the same grades and the same prior service. On the termination of the emergency all persons so drafted shall be discharged from the Army, shall resume their membership in the militia, and, if the State so provide, shall continue to serve in the National Guard until the dates upon which their enlistments entered into prior to their draft would have expired if uninterrupted.'

"SEC. 50. That said act be, and the same is hereby, amended by striking out section 114.

"SEC. 51. That said act be, and the same is hereby, amended by inserting after section 127 a new section, to be numbered 127a, and to read as follows:

"'SEC. 127a. Miscellaneous provisions: Hereafter no detail, rating, or assignment of an officer shall carry advanced rank, except as otherwise specifically provided herein: *Provided*, That in lieu of the 50 per cent increase of pay provided for in this act any officer or enlisted man upon whom the rating of junior military aviator, or military aviator, has heretofore been conferred for having specially distinguished himself in time of war in active operations against the enemy, shall, while on duty which requires him to participate regularly and frequently in aerial flights, continue to have the rank, pay, and allowances and additional pay now provided by the act of June 3, 1916, and the act of July 24, 1917.

"'Officers now carried as additional numbers shall be included in the numbers provided for by this act, and after June 30, 1920, shall no longer be additional, and any officer hereafter appointed, under the provisions of law, to a grade in which no vacancy exists, shall be an additional number in that grade until absorbed, and no longer.

"'In time of war retired officers may be employed on active duty in the discretion of the President, and when so employed they shall receive the full pay and allowances of their grades.

"'The President is authorized to detail not more than five officers of the Medical Department for duty with the military relief division of the American National Red Cross.

"'Authority is hereby given to the Secretary of War to grant permission, by revocable license, to the American National Red Cross to erect and maintain on any military reservations within the jurisdiction of the United States buildings suitable for the storage of supplies, or to occupy for that purpose buildings erected by the United States, under such regulations as the Secretary of War may prescribe, such supplies to be available for the aid of the civilian population in case of serious national disaster.

"'In determining relative rank and increase of pay for length of service, and, in the case of officers of the Regular Army, in determining rights of retirement, active duty performed while under appointment from the United States Government, whether in the Regular, provisional, or temporary forces, shall be credited to the same extent as service under a Regular Army Commission.

"'In time of war any officer of the Regular Army may be appointed to higher temporary rank without vacating his permanent commission, such appointments in grades below that of brigadier general being made by the President alone, but all other appointments of officers in time of war shall be in the Officers' Reserve Corps.

"'Unless special assignment is made by the President under the provisions of the one hundred and nineteenth article of war, all officers in the active service of the United States in any grade shall take rank according to date, which, in the case of an officer of the Regular Army, is that stated in his commission or letter of appointment, and, in the case of a reserve officer or an officer of the National Guard called into the service of the United States, shall precede that on which he is placed on active duty by a period equal to the total length of active service which he may have performed in the grade in which called or any higher grade. When dates of rank are the same, precedence shall be determined by length of active commissioned service in the Army. When length of such service is the same, officers of the Regular Army shall take rank among themselves according to their places on the promotion list, preceding reserve and National Guard officers of the same date of rank and length of service, who shall take rank among themselves according to age.

"'Hereafter any retired officer who has been or shall be detailed on active duty shall receive the rank, pay, and allowances of the grade, not above that of colonel, that he would have attained in due course of promotion if he had remained on the active list for a period beyond the date of his retirement equal to the total amount of time during which he has been detailed to active duty since his retirement.

"'Retired enlisted men who have served honorably as commissioned officers of the United States Army at some time between April 6, 1917, and November 11, 1918, including those who have been placed on the retired list during the World War, and who have been or may hereafter be discharged from their temporary commissions, shall receive the retired pay and allowances of warrant officers on the retired list, as provided in this act.

"'Cadets graduated from the United States Military Academy during the present calendar year shall be commissioned as second lieutenants to date not earlier than July 2, 1920.

"'The President is authorized to retain temporarily in service, under their present commissions, such emergency officers as he may deem necessary, but the total number so remaining in service, other than those undergoing treatment for physical reconstruction, shall not at any time exceed the total number of vacancies then existing in the Regular Army. Any such officer may be discharged when his services are no longer required, and all such officers shall be discharged not later than December 31, 1920. All officers of the Regular Army holding commissions granted for the period of the existing emergency, in whatever grade, shall be discharged therefrom not later than June 30, 1920. The President is authorized and directed to retain in service disabled emergency officers until their treatment for physical reconstruction has reached a point where they will not be further benefited by retention in a military hospital or in the military service.

"'The Secretary of War is hereby authorized, in his discretion, to detail not to exceed 2 per cent of the commissioned officers of the Regular Army in any fiscal year as students at such technical, professional, and other educational institutions, or as students, observers, or investigators at such industrial plants, hospitals, and other places, as shall be best suited to enable such officers to acquire a knowledge of or experience in the specialties in which it is deemed necessary that such officers shall perfect themselves. The number of officers so detailed shall, as far as practicable, be distributed proportionately among the various branches: *Provided*, That no expense shall be incurred by the United States in addition to the pay and allowances of the officers so detailed, except for the cost of tuition at such technical, professional, and other educational institutions.

"'Whenever, prior to December 31, 1920, any person shall be nominated to the Senate for appointment to fill any office in the Regular Army provided for by this act, the President alone is authorized to appoint such person temporarily in the United States Army in the grade pertaining to such Regular Army office, to have rank and pay from the same dates as if such appointment were in the Regular Army. Such temporary appointment shall terminate upon acceptance, after confirmation, of the corresponding office in the Regular Army, or on March 4, 1921, if then still unconfirmed. If any officer of the Regular Army is retired while holding a temporary appointment made under the provisions of this paragraph, he shall have the rank of such temporary grade, and his retired pay shall be computed upon the pay of that grade.'

"SEC. 52. That all laws and parts of laws in so far as they are inconsistent with this act are hereby repealed.

"CHAPTER II.

"The articles included in this section shall be known as the Articles of War and shall at all times and in all places govern the armies of the United States.

"I. PRELIMINARY PROVISIONS.

"ARTICLE. 1. Definitions: The following words when used in these articles shall be construed in the sense indicated in this article, unless the context shows that a different sense is intended, namely:

"(a) The word 'officer' shall be construed to refer to a commissioned officer;

"(b) The word 'soldier' shall be construed as including a noncommissioned officer, a private, or any other enlisted man;

"(c) The word 'company' shall be understood as including a troop or battery; and

"(d) The word 'battalion' shall be understood as including a squadron.

"ART. 2. Persons subject to military law: The following persons are subject to these articles and shall be understood as included in the term 'any person subject to military law,' or 'persons subject to military law,' whenever used in these articles: *Provided*, That nothing contained in this act, except as specifically provided in article 2, subparagraph (c), shall be construed to apply to any person under the United States naval jurisdiction unless otherwise specifically provided by law.

"(a) All officers, members of the Army Nurse Corps, warrant officers, Army field clerks, field clerks Quartermaster Corps, and soldiers belong to the Regular Army of the United States; all volunteers, from the dates of their muster or acceptance into the military service of the United States; and all other persons lawfully called, drafted or ordered into, or to duty or for training in, the said service, from the dates they are required by the terms of the call, draft or order to obey the same;

"(b) Cadets;

"(c) Officers and soldiers of the Marine Corps when detached for service with the armies of the United States by order of the President: *Provided*, That an officer or soldier of the Marine Corps when so detached may be tried by military court-martial for an offense committed against the laws for the government of the naval service prior to his detachment, and for an offense committed against these articles he may be tried by a naval court-martial after such detachment ceases;

"(d) All retainers to the camp and all persons accompanying or serving with the armies of the United States without the territorial jurisdiction of the United States, and in time of war all such retainers and persons accompanying or serving with the armies of the United States in the field, both within and without the territorial jurisdiction of the United States, though not otherwise subject to these articles;

"(e) All persons under sentence adjudged by courts-martial;

"(f) All persons admitted into the Regular Army Soldiers' Home at Washington, D. C.

"II. COURTS-MARTIAL.

"ART. 3. Courts-martial classified: Courts-martial shall be of three kinds, namely:

"First, general courts-martial;

"Second, special courts-martial; and

"Third, summary courts-martial.

"A. Composition.

"ART. 4. Who may serve on courts-martial: All officers in the military service of the United States, and officers of the Marine Corps when detached for service with the Army by order of the President, shall be competent to serve on courts-martial for the trial of any persons who may lawfully be brought before such courts for trial. When appointing courts-martial the appointing authority shall detail as members thereof those officers of the command who, in his opinion, are best qualified for the duty by reason of age, training, experience, and judicial temperament; and officers having less than two years' service shall not, if it can be avoided without manifest injury to the service, be appointed as members of courts-martial in excess of the minority membership thereof.

"ART. 5. General courts-martial: General courts-martial may consist of any number of officers—not less than five.

"ART. 6. Special courts-martial: Special courts-martial may consist of any number of officers—not less than three.

"ART. 7. Summary courts-martial: A summary court-martial shall consist of one officer.

"B. By whom appointed.

"ART. 8. General courts-martial: The President of the United States, the commanding officer of a territorial division or department, the Superintendent of the Military Academy, the commanding officer of an army, an army corps, a division, or a separate brigade, and, when empowered by the President, the commanding officer of any district or of any force or body of troops may appoint general courts-martial; but when any such commander is the accuser or the prosecutor of the person or persons to be tried, the court shall be appointed by superior competent authority, and no officer shall be eligible to sit as a member of such court when he is the accuser or a witness for the prosecution.

"The authority appointing a general court-martial shall detail as one of the members thereof a law member, who shall be an officer of the Judge Advocate General's Department, except that when an officer of that department is not available for the purpose the appointing authority shall detail instead an officer of some branch of the service selected by the appointing authority as specially qualified to perform the duties of law member. The law member, in addition to his duties as a member, shall perform such other duties as the President may by regulations prescribe.

"ART. 9. Special courts-martial: The commanding officer of a district, garrison, fort, camp, or other place where troops are on duty, and the commanding officer of a brigade, regiment, detached battalion, or other detached command may appoint special courts-martial; but when any such commanding officer is the accuser or the prosecutor of the person or persons to be tried the court shall be appointed by superior authority, and may in any case be appointed by superior authority when by the latter deemed desirable; and no officer shall be eligible to sit as a member of such court when he is the accuser or a witness for the prosecution.

"ART. 10. Summary courts-martial: The commanding officer of a garrison, fort, camp, or other place where troops are on duty, and the commanding officer of a regiment, detached battalion, detached company, or other detachment may appoint summary courts-martial; but such summary courts-martial may in any case be appointed by superior authority when by the latter deemed desirable: *Provided*, That when but one officer is present with a command he shall be the summary court-martial of that command and shall hear and determine cases brought before him.

"ART. 11. Appointment of trial judge advocates and counsel: For each general or special court-martial the authority appointing the court shall appoint a trial judge advocate and a defense counsel, and for each general court-martial one or more assistant trial judge advocates and one or more assistant defense counsel when necessary: *Provided, however*, That no officer who has acted as member, trial judge advocate, assistant trial judge advocate, defense counsel, or assistant defense counsel in any case shall subsequently act as staff judge advocate to the reviewing or confirming authority upon the same case.

"C. Jurisdiction.

"ART. 12. General courts-martial: General courts-martial shall have power to try any person subject to military law for any crime or offense made punishable by these articles, and any other person who by the law of war is subject to trial by military tribunals: *Provided*, That no officer shall be brought to trial before a general court-martial appointed by the Superintendent of the Military Academy: *Provided further*, That the officer competent to appoint a general court-martial for the trial of any particular case may, when in his judgment the interest of the service shall so require, cause any case to be tried by a special court-martial notwithstanding the limitations upon the jurisdiction of the special court-martial as to offenses set out in article 13; but the limitations upon jurisdiction as to persons and upon punishing power set out in said article shall be observed.

"ART. 13. Special courts-martial: Special courts-martial shall have power to try any person subject to military law for any crime or offense not capital made punishable by these articles: *Provided*, That the President may, by regulations, except from the jurisdiction of special courts-martial any class or classes of persons subject to military law.

"Special courts-martial shall not have power to adjudge confinement in excess of six months, nor to adjudge forfeiture of more than two-thirds pay per month for a period of not exceeding six months.

"ART. 14. Summary courts-martial: Summary courts-martial shall have power to try any person subject to military law, except an officer, a member of the Army Nurse Corps, a warrant officer, an Army field clerk, a field clerk Quartermaster Corps, a cadet, or a soldier holding the privileges of a certificate of eligibility to promotion, for any crime or offense not capital made punishable by these articles: *Provided*, That noncommissioned officers shall not, if they object thereto, be brought to trial before a summary court-martial without the authority of the officer competent to bring them to trial before a general court-martial: *Provided further*, That the President may, by regulations, except from the jurisdiction of summary courts-martial any class or classes of persons subject to military law.

"Summary courts-martial shall not have power to adjudge confinement in excess of one month, restriction to limits for more than three months, or forfeiture or detention of more than two-thirds of one month's pay.

"ART. 15. Jurisdiction not exclusive: The provisions of these articles conferring jurisdiction upon courts-martial shall not be construed as depriving military commissions, provost courts, or other military tribunals of concurrent jurisdiction in respect of offenders or offenses that by statute or by the law of war may be triable by such military commissions, provost courts, or other military tribunals.

"ART. 16. Officers; how triable: Officers shall be triable only by general and special courts-martial, and in no case shall an officer, when it can be avoided, be tried by officers inferior to him in rank.

"D. Procedure.

"ART. 17. Trial judge advocate to prosecute; counsel to defend: The trial judge advocate of a general or special court-martial shall prosecute in the name of the United States, and shall, under the direction of the court, prepare the record of its proceedings. The accused shall have the right to be represented

in his defense before the court by counsel of his own selection, civil counsel if he so provides, or military if such counsel be reasonably available, otherwise by the defense counsel duly appointed for the court pursuant to article 11. Should the accused have counsel of his own selection, the defense counsel and assistant defense counsel, if any, of the court, shall, if the accused so desires, act as his associate counsel.

"ART. 18. Challenges: Members of a general or special court-martial may be challenged by the accused or the trial judge advocate for cause stated to the court. The court shall determine the relevancy and validity thereof, and shall not receive a challenge to more than one member at a time. Challenges by the trial judge advocate shall ordinarily be presented and decided before those by the accused are offered. Each side shall be entitled to one peremptory challenge; but the law member of the court shall not be challenged except for cause.

"ART. 19. Oaths: The trial judge advocate of a general or special court-martial shall administer to the members of the court, before they proceed upon any trial, the following oath or affirmation: 'You, A. B., do swear (or affirm) that you will well and truly try and determine, according to the evidence, the matter now before you, between the United States of America and the person to be tried, and that you will duly administer justice, without partiality, favor, or affection, according to the provisions of the rules and articles for the government of the armies of the United States, and if any doubt should arise, not explained by said articles, then according to your conscience, the best of your understanding, and the custom of war in like cases; and you do further swear (or affirm) that you will not divulge the findings or sentence of the court until they shall be published by the proper authority or duly announced by the court, except to the trial judge advocate and assistant trial judge advocate; neither will you disclose or discover the vote or opinion of any particular member of the court-martial upon a challenge or upon the findings or sentence, unless required to give evidence thereof as a witness by a court of justice in due course of law. So help you God.'

"When the oath or affirmation has been administered to the members of a general or special court-martial, the president of the court shall administer to the trial judge advocate and to each assistant trial judge advocate, if any, an oath or affirmation in the following form: 'You, A. B., do swear (or affirm) that you will faithfully and impartially perform the duties of a trial judge advocate, and will not divulge the findings or sentence of the court to any but the proper authority until they shall be duly disclosed. So help you God.'

"All persons who give evidence before a court-martial shall be examined on oath or affirmation in the following form: 'You swear (or affirm) that the evidence you shall give in the case now in hearing shall be the truth, the whole truth, and nothing but the truth. So help you God.'

"Every reporter of the proceedings of a court-martial shall, before entering upon his duties, make oath or affirmation in the following form: 'You swear (or affirm) that you will faithfully perform the duties of reporter to this court. So help you God.'

"Every interpreter in the trial of any case before a court-martial shall, before entering upon his duties, make oath or affirmation in the following form: 'You swear (or affirm) that you will truly interpret in the case now in hearing. So help you God.'

"In case of affirmation the closing sentence of adjuration will be omitted.

"ART. 20. Continuances: A court-martial may, for reasonable cause, grant a continuance to either party for such time and as often as may appear to be just.

"ART. 21. Refusal or failure to plead: When an accused arraigned before a court-martial fails or refuses to plead, or answers foreign to the purpose, or after a plea of guilty makes a statement inconsistent with the plea, or when it appears to the court that he entered a plea of guilty improvidently or through lack of understanding of its meaning and effect, the court shall proceed to trial and judgment as if he had pleaded not guilty.

"ART. 22. Process to obtain witnesses: Every trial judge advocate of a general or special court-martial and every summary court-martial shall have power to issue the like process to compel witnesses to appear and testify which courts of the United States, having criminal jurisdiction, may lawfully issue; but such process shall run to any part of the United States, its Territories, and possessions.

"ART. 23. Refusal to appear or testify: Every person not subject to military law who, being duly subpœnaed to appear as a witness before any military court, commission, court of inquiry, or board, or before any officer, military or civil, designated to take a deposition to be read in evidence before such court, commission, court of inquiry, or board, willfully neglects or refuses to appear, or refuses to qualify as a witness, or to testify, or produce documentary evidence which such person may have been legally subpœnaed to produce, shall be deemed guilty of a misdemeanor, for which such person shall be punished on information in the district court of the United States or in a court of original criminal jurisdiction in any of the territorial possessions of the United States, jurisdiction being hereby conferred upon such courts for such purpose; and it shall be the duty of the United States district attorney or the officer prosecuting for the Government in any such court of original criminal jurisdiction, on the certification of the facts to him by the military court, commission, court of inquiry, or board, to file an information against and prosecute the person so offending, and the punishment of such person, on conviction, shall be a fine of not more than $500 or imprisonment not to exceed six months, or both, at the discretion of the court: *Provided*, That the fees of such witness and his mileage, at the rates allowed to witnesses attending the courts of the United States, shall be duly paid or tendered said witness, such amounts to be paid out of the appropriation for the compensation of witnesses: *Provided further*, That every person not subject to military law, who before any court-martial, military tribunal, or military board, or in connection with, or in relation to any proceedings or investigation before it or had under any of the provisions of this act, is guilty of any of the acts made punishable as offenses against public justice by any provision of chapter 6 of the act of March 4, 1909, entitled 'An act to codify, revise, and amend the penal laws of the United States' (35 U. S. Stat. L., 1088), or any amendment thereof, shall be punished as therein provided.

"ART. 24. Compulsory self-incrimination prohibited: No witness before a military court, commission, court of inquiry, or board, or before any officer conducting an investigation, or before any officer, military or civil, designated to take a deposition to be read in evidence before a military court, commission, court of inquiry, or board, or before an officer conducting an investigation, shall be compelled to incriminate himself or to answer any question the answer to which may tend to incriminate him, or to answer any question not material to the issue when such answer might tend to degrade him.

"ART. 25. Depositions; when admissible: A duly authenticated deposition taken upon reasonable notice to the opposite party may be read in evidence before any military court or commission in any case not capital, or in any proceeding before a court of inquiry or a military board, if such deposition be taken when the witness resides, is found, or is about to go beyond the State, Territory, or District in which the court, commission, or board is ordered to sit, or beyond the distance of 100 miles from the place of trial or hearing, or when it appears to the satisfaction of the court, commission, board, or appointing authority that the witness, by reason of age, sickness, bodily infirmity, imprisonment, or other reasonable cause, is unable to appear and testify in person at the place of trial or hearing: *Provided*, That testimony by deposition may be adduced for the defense in capital cases.

"ART. 26. Depositions—Before whom taken: Depositions to be read in evidence before military courts, commissions, courts of inquiry, or military boards, or for other use in military administration, may be taken before and authenticated by any officer, military or civil, authorized by the laws of the United States or by the laws of the place where the deposition is taken to administer oaths.

"ART. 27. Courts of inquiry—Records of, when admissible: The record of the proceedings of a court of inquiry may, with the consent of the accused, be read in evidence before any court-martial or military commission in any case not capital nor extending to the dismissal of an officer, and may also be read in evidence in any proceeding before a court of inquiry or a military board: *Provided*, That such evidence may be adduced by the defense in capital cases or cases extending to the dismissal of an officer.

"ART. 28. Certain acts to constitute desertion: Any officer who, having tendered his resignation and prior to due notice of the acceptance of the same, quits his post or proper duties without leave and with intent to absent himself permanently therefrom shall be deemed a deserter.

"Any soldier who, without having first received a regular discharge, again enlists in the Army, or in the militia when in the service of the United States, or in the Navy or Marine Corps of the United States, or in any foreign army, shall be deemed to have deserted the service of the United States; and, where the enlistment is in one of the forces of the United States mentioned above, to have fraudulently enlisted therein.

"Any person subject to military law who quits his organization or place of duty with the intent to avoid hazardous duty or to shirk important service shall be deemed a deserter.

"ART. 29. Court to announce action: Whenever the court has acquitted the accused upon all specifications and charges, the court shall at once announce such result in open court. Under such regulations as the President may prescribe, the findings and sentence in other cases may be similarly announced.

"ART. 30. Closed sessions: Whenever a general or special court-martial shall sit in closed session, the trial judge advocate and the assistant trial judge advocate, if any, shall withdraw; and when their assistance in referring to the recorded evidence is required, it shall be obtained in open court, and in the presence of the accused and of his counsel, if there be any.

"ART. 31. Method of voting: Voting by members of a general or special court-martial upon questions of challenge, on the findings, and on the sentence shall be by secret written ballot. The junior member of the court shall in each case count the votes, which count shall be checked by the president, who will forthwith announce the result of the ballot to the members of the court. The law member of the court, if any, or if there be no law member of the court, then the president, may rule in open court upon interlocutory questions, other than challenges, arising during the proceedings: *Provided*, That unless such ruling be made by the law member of the court if any member object thereto the court shall be cleared and closed and the question decided by a majority vote, viva voce, beginning with the junior in rank: *And provided further*, That if any such ruling be made by the law member of the court upon any interlocutory question other than an objection to the admissibility of evidence offered during the trial, and any member object to the ruling, the court shall likewise be cleared and closed and the question decided by a majority vote, viva voce, beginning with the junior in rank: *Provided further, however*, That the phrase, 'objection to the admissibility of evidence offered during the trial,' as used in the next preceding proviso hereof, shall not be construed to include questions as to the order of the introduction of witnesses or other evidence, nor of the recall of witnesses for further examination, nor as to whether expert witnesses shall be admitted or called upon any question, nor as to whether the court shall view the premises where an offense is alleged to have been committed, nor as to the competency of witnesses, as, for instance, of children, witnesses alleged to be mentally incompetent, and the like, nor as to the insanity of accused, or whether the existence of mental disease or mental derangement on the part of the accused has become an issue in the trial, or accused required to submit to physical examination, nor whether any argument or statement of counsel for the accused or of the trial judge advocate is improper, nor any ruling in a case involving military strategy or tactics or correct military action; but, upon all these questions arising on the trial, if any member object to any ruling of the law member, the court shall be cleared and closed and the question decided by majority vote of the members in the manner aforesaid.

"ART. 32. Contempts: A military tribunal may punish as for contempt any person who uses any menacing words, signs, or gestures in its presence, or who disturbs its proceedings by any riot or disorder: *Provided*, That such punishment shall in no case exceed one month's confinement, or a fine of $100, or both.

"ART. 33. Records—General courts-martial: Each general court-martial shall keep a separate record of its proceedings in the trial of each case brought before it, and such record shall be authenticated by the signature of the president and the trial judge advocate; but in case the record can not be authenticated by the president and trial judge advocate, by reason of the death, disability, or absence of either or both of them, it shall be signed by a member in lieu of the president and by an assistant trial judge advocate, if there be one, in lieu of the trial judge advocate; otherwise by another member of the court.

"ART. 34. Records—Special and summary courts-martial: Each special court-martial and each summary court-martial shall keep a record of its proceedings, separate for each case, which record shall contain such matter and be authenticated in such manner as may be required by regulations which the President may from time to time prescribe.

"ART. 35. Disposition of records—General courts-martial: The trial judge advocate of each general court-martial shall, with such expedition as circumstances may permit, forward to the appointing authority or to his successor in command the original record of the proceedings of such court in the trial of each case. All records of such proceedings shall, after having been acted upon, be transmitted to the Judge Advocate General of the Army.

"ART. 36. Disposition of records—Special and summary courts-martial: After having been acted upon by the officer appointing the court, or by the officer commanding for the time being, the record of each trial by special court-martial and a report of each trial by summary court-martial shall be transmitted to such general headquarters as the President may designate in regulations, there to be filed in the office of the judge advocate. When no longer of use, records of summary courts-martial may be destroyed.

"ART. 37. Irregularities—Effect of: The proceedings of a court-martial shall not be held invalid, nor the findings or sentence disapproved, in any case on the ground of improper admission or rejection of evidence or for any error as to any matter of pleading or procedure unless in the opinion of the reviewing or confirming authority, after an examination of the entire proceedings, it shall appear that the error complained of has injuriously affected the substantial rights of an accused: *Provided*, That the act or omission upon which the accused has been tried constitutes an offense denounced and made punishable by one or more of these articles: *Provided further*, That the omission of the words 'hard labor' in any sentence of a court-martial adjudging imprisonment or confinement shall not be construed as depriving the authorities executing such sentence of imprisonment or confinement of the power to require hard labor as a part of the punishment in any case where it is authorized by the Executive order prescribing maximum punishments.

"ART. 38. President may prescribe rules: The President may, by regulations, which he may modify from time to time, prescribe the procedure, including modes of proof, in cases before courts-martial, courts of inquiry, military commissions, and other military tribunals, which regulations shall, in so far as he shall deem practicable, apply the rules of evidence generally recognized in the trial of criminal cases in the district courts of the United States: *Provided*, That nothing contrary to or inconsistent with these articles shall be so prescribed: *Provided further*, That all rules made in pursuance of this article shall be laid before the Congress annually.

"E. Limitations upon prosecutions.

"ART. 39. As to time: Except for desertion committed in time of war, or for mutiny or murder, no person subject to military law shall be liable to be tried or punished by a court-martial for any crime or offense committed more than two years before the arraignment of such person: *Provided*, That for desertion in time of peace or for any crime or offense punishable under articles 93 and 94 of this code the period of limitations upon trial and punishment by court-martial shall be three years: *Provided further*, That the period of any absence of the accused from the jurisdiction of the United States, and also any period during which by reason of some manifest impediment the accused shall not have been amenable to military justice, shall be excluded in computing the aforesaid periods of limitation: *And provided further*, That this article shall not have the effect to authorize the trial or punishment for any crime or offense barred by the provisions of existing law.

"ART. 40. As to number: No person shall, without his consent, be tried a second time for the same offense; but no proceeding in which an accused has been found guilty by a court-martial upon any charge or specification shall be held to be a trial in the sense of this article until the reviewing and, if there be one, the confirming authority shall have taken final action upon the case.

"No authority shall return a record of trial to any court-martial for reconsideration of—

"(a) An acquittal; or

"(b) A finding of not guilty of any specification; or

"(c) A finding of not guilty of any charge, unless the record shows a finding of guilty under a specification laid under that charge, which sufficiently alleges a violation of some article of war; or

"(d) The sentence originally imposed, with a view to increasing its severity, unless such sentence is less than the mandatory sentence fixed by law for the offense or offenses upon which a conviction has been had.

"And no court-martial, in any proceedings on revision, shall reconsider its finding or sentence in any particular in which a return of the record of trial for such reconsideration is hereinbefore prohibited.

"F. Punishments.

"ART. 41. Cruel and unusual punishments prohibited: Cruel and unusual punishments of every kind, including flogging, branding, marking, or tattooing on the body, are prohibited.

"ART. 42. Places of confinement—When lawful: Except for desertion in time of war, repeated desertion in time of peace, and mutiny, no person shall under the sentence of a court-martial be punished by confinement in a penitentiary unless an act or omission of which he is convicted is recognized as an offense

of a civil nature and so punishable by penitentiary confinement for more than one year by some statute of the United States, of general application within the continental United States, excepting section 289, Penal Code of the United States, 1910, or by the law of the District of Columbia, or by way of commutation of a death sentence, and unless, also, the period of confinement authorized and adjudged by such court-martial is more than one year: *Provided*, That when a sentence of confinement is adjudged by a court-martial upon conviction of two or more acts or omissions any one of which is punishable under these articles by confinement in a penitentiary, the entire sentence of confinement may be executed in a penitentiary: *Provided further*, That penitentiary confinement hereby authorized may be served in any penitentiary directly or indirectly under the jurisdiction of the United States: *Provided further*, That persons sentenced to dishonorable discharge and to confinement not in a penitentiary shall be confined in the United States disciplinary barracks or elsewhere as the Secretary of War or the reviewing authority may direct, but not in a penitentiary.

"ART. 43. Death sentence—When lawful: No person shall, by general court-martial, be convicted of an offense for which the death penalty is made mandatory by law, nor sentenced to suffer death, except by the concurrence of all the members of said court-martial present at the time the vote is taken, and for an offense in these articles expressly made punishable by death; nor sentenced to life imprisonment, nor to confinement for more than 10 years, except by the concurrence of three-fourths of all of the members present at the time the vote is taken. All other convictions and sentences, whether by general or special court-martial, may be determined by a two-thirds vote of those members present at the time the vote is taken. All other questions shall be determined by a majority vote.

"ART. 44. Cowardice; fraud—Accessory penalty: When an officer is dismissed from the service for cowardice or fraud, the crime, punishment, name, and place of abode of the delinquent shall be published in the newspapers in and about the camp and in the State from which the offender came or where he usually resides; and after such publication it shall be scandalous for an officer to associate with him.

"ART. 45. Maximum limits: Whenever the punishment for a crime or offense made punishable by these articles is left to the discretion of the court-martial, the punishment shall not exceed such limit or limits as the President may from time to time prescribe: *Provided*, That in time of peace the period of confinement in a penitentiary shall in no case exceed the maximum period prescribed by the law which, under article 42 of these articles, permits confinement in a penitentiary, unless in addition to the offense so punishable under such law the accused shall have been convicted at the same time of one or more other offenses.

"G. Action by appointing or superior authority.

"ART. 46. Action by convening authority: Under such regulations as may be prescribed by the President every record of trial by general court-martial or military commission received by a reviewing or confirming authority shall be referred by him, before he acts thereon, to his staff judge advocate or to the Judge Advocate General. No sentence of a court-martial shall be carried into execution until the same shall have been approved by the officer appointing the court or by the officer commanding for the time being.

"ART. 47. Powers incident to power to approve: The power to approve the sentence of a court-martial shall be held to include:

"(a) The power to approve or disapprove a finding and to approve only so much of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when, in the opinion of the authority having power to approve, the evidence of record requires a finding of only the lesser degree of guilt; and

"(b) The power to approve or disapprove the whole or any part of the sentence.

"(c) The power to remand a case for rehearing, under the provisions of article 50½.

"ART. 48. Confirmation—When required: In addition to the approval required by article 46, confirmation by the President is required in the following cases before the sentence of a court-martial is carried into execution, namely:

"(a) Any sentence respecting a general officer;

"(b) Any sentence extending to the dismissal of an officer, except that in time of war a sentence extending to the dismissal of an officer below the grade of brigadier general may be carried into execution upon confirmation by the commanding general of the Army in the field or by the commanding general of the territorial department or division;

"(c) Any sentence extending to the suspension or dismissal of a cadet; and

"(d) Any sentence of death, except in the cases of persons convicted in time of war of murder, rape, mutiny, desertion, or as spies; and in such excepted cases a sentence of death may be carried into execution, subject to the provisions of article 50½, upon confirmation by the commanding general of the Army in the field or by the commanding general of the territorial department or division.

"When the authority competent to confirm the sentence has already acted as the approving authority no addiitonal confirmation by him is necessary.

"ART. 49. Powers incident to power to confirm: The power to confirm the sentence of a court-martial shall be held to include:

"(a) The power to confirm or disapprove a finding, and to confirm so much only of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when, in the opinion of the authority having power to confirm, the evidence of record requires a finding of only the lesser degree of guilt; and

"(b) The power to confirm or disapprove the whole or any part of the sentence.

"(c) The power to remand a case for rehearing, under the provisions of article 50½.

"ART. 50. Mitigation of remission of sentences: The power to order the execution of the sentence adjudged by a court-martial shall be held to include, inter alia, the power to mitigate or remit the whole or any part of the sentence.

"Any unexecuted portion of a sentence adjudged by a court-martial may be mitigated or remitted by the military authority competent to appoint, for the command, exclusive of penitentiaries and the United States Disciplinary Barracks, in which the person under sentence is held, a court of the kind that imposed the sentence, and the same power may be exercised by superior military authority; but no sentence approved or confirmed by the President shall be remitted or mitigated by any other authority, and no approved sentence of loss of files by an officer shall be remitted or mitigated by any authority inferior to the President, except as provided in the fifty-second article.

"When empowered by the President so to do, the commanding general of the Army in the field or the commanding general of the territorial department or division, may approve or confirm and commute (but not approve or confirm without commuting), mitigate, or remit and then order executed as commuted, mitigated, or remitted any sentence which under these articles requires the confirmation of the President before the same may be executed.

"The power of remission or mitigation shall extend to all uncollected forfeitures adjudged by sentence of court-martial.

"ART. 50½. Review; rehearing: The Judge Advocate General shall constitute, in his office, a board of review consisting of not less than three officers of the Judge Advocate General's Department.

"Before any record of trial in which there has been adjudged a sentence requiring approval or confirmation by the President under the provisions of article 46, article 48, or article 51 is submitted to the President, such record shall be examined by the board of review. The board shall submit its opinion, in writing, to the Judge Advocate General, who shall, except as herein otherwise provided, transmit the record and the board's opinion, with his recommendations, directly to the Secretary of War for the action of the President.

"Except as herein provided, no authority shall order the execution of any other sentence of a general court-martial involving the penalty of death, dismissal not suspended, dishonorable discharge not suspended, or confinement in a penitentiary, unless and until the board of review shall, with the approval of the Judge Advocate General, have held the record of trial upon which such sentence is based legally sufficient to support the sentence; except that the proper reviewing or confirming authority may upon his approval of a sentence involving dishonorable discharge or confinement in a penitentiary order its execution if it is based solely upon findings of guilty of a charge or charges and a specification or specifications to which the accused has pleaded guilty. When the board of review, with the approval of the Judge Advocate General, holds the record in a case in which the order of execution has been withheld under the provisions of this paragraph legally sufficient to support the findings and sentence, the Judge Advocate General shall so advise the reviewing or confirming authority from whom the record was received, who may thereupon order the execution of the sentence. When in a case in which the order of execution

has been withheld under the provisions of this paragraph, the board of review holds the record of trial legally insufficient to support the findings or sentence, either in whole or in part, or that errors of law have been committed injuriously affecting the substantial rights of the accused, and the Judge Advocate General concurs in such holding of the board of review, such findings and sentence shall be vacated in whole or in part in accord with such holding and the recommendations of the Judge Advocate General thereon, and the record shall be transmitted through the proper channels to the convening authority for a rehearing or such other action as may be proper. In the event that the Judge Advocate General shall not concur in the holding of the board of review, the Judge Advocate General shall forward all the papers in the case, including the opinion of the board of review and his own dissent therefrom, directly to the Secretary of War for the action of the President, who may confirm the action of the reviewing authority or confirming authority below, in whole or in part, with or without remission, mitigation, or commutation, or may disapprove, in whole or in part, any finding of guilty, and may disapprove or vacate the sentence, in whole or in part.

"When the President or any reviewing or confirming authority disapproves or vacates a sentence the execution of which has not theretofore been duly ordered, he may authorize or direct a rehearing. Such rehearing shall take place before a court composed of officers not members of the court which first heard the case. Upon such rehearing the accused shall not be tried for any offense of which he was found not guilty by the first court, and no sentence in excess of or more severe than the original sentence shall be enforced unless the sentence be based upon a finding of guilty of an offense not considered upon the merits in the original proceeding: *Provided*, That such rehearing shall be had in all cases where a finding and sentence have been vacated by reason of the action of the board of review approved by the Judge Advocate General holding the record of trial legally insufficient to support the findings or sentence or that errors of law have been committed injuriously affecting the substantial rights of the accused, unless, in accord with such action, and the recommendations of the Judge Advocate General thereon, the findings or sentence are approved in part only, or the record is returned for revision, or unless the case is dismissed by order of the reviewing or confirming authority. After any such rehearing had on the order of the President, the record of trial shall, after examination by the board of review, be transmitted by the Judge Advocate General, with the board's opinion and his recommendations, directly to the Secretary of War for the action of the President.

"Every record of trial by general court-martial, examination of which by the board of review is not hereinbefore in this article provided for, shall nevertheless be examined in the Judge Advocate General's office; and if found legally insufficient to support the findings and sentence, in whole or in part, shall be examined by the board of review, and the board, if it also finds that such record is legally insufficient to support the findings and sentence, in whole or in part, shall, in writing, submit its opinion to the Judge Advocate General, who shall transmit the record and the board's opinion, with his recommendations, directly to the Secretary of War for the action of the President. In any such case the President may approve, disapprove, or vacate, in whole or in part, any findings of guilty, or confirm, mitigate, commute, remit, or vacate any sentence, in whole or in part, and direct the execution of the sentence as confirmed or modified, and he may restore the accused to all rights affected by the findings and sentence, or part thereof, held to be invalid; and the President's necessary orders to this end shall be binding upon all departments and officers of the Government.

"Whenever necessary, the Judge Advocate General may constitute two or more boards of review in his office, with equal powers and duties.

"Whenever the President deems such action necessary, he may direct the Judge Advocate General to establish a branch of his office, under an Assistant Judge Advocate General, with any distant command, and to establish in such branch office a board of review, or more than one. Such Assistant Judge Advocate General and such board or boards of review shall be empowered to perform for that command, under the general supervision of the Judge Advocate General, the duties which the Judge Advocate General and the board or boards of review in his office would otherwise be required to perform in respect of all cases involving sentences not requiring approval or confirmation by the President.

"ART. 51. Suspension of sentences of dismissal or death: The authority competent to order the execution of a sentence of dismissal of an officer or a sentence of death may suspend such sentence until the pleasure of the President be known, and in case of such suspension a copy of the order of suspension, together with a copy of the record of trial, shall immediately be transmitted to the President.

"ART. 52. Suspension of sentences: The authority competent to order the execution of the sentence of a court-martial may, at the time of the approval of such sentence, suspend the execution, in whole or in part, of any such sentence as does not extend to death, and may restore the person under sentence to duty during such suspension; and the Secretary of War or the commanding officer holding general court-martial jurisdiction over any such offender, may at any time thereafter, while the sentence is being served, suspend the execution, in whole or in part, of the balance of such sentence and restore the person under sentence to duty during such suspension. A sentence, or any part thereof, which has been so suspended may be remitted, in whole or in part, except in cases of persons confined in the United States Disciplinary Barracks or its branches, by the officer who suspended the same, by his successor in office, or by any officer exercising appropriate court-martial jurisdiction over the command in which the person under sentence may be serving at the time, and, subject to the foregoing exceptions, the same authority may vacate the order of suspension at any time and order the execution of the sentence or the suspended part thereof in so far as the same shall not have been previously remitted, subject to like power of suspension. The death or honorable discharge of a person under a suspended sentence shall operate as a complete remission of any unexecuted or unremitted part of such sentence.

"ART. 53. Execution or remission—Confinement in disciplinary barracks: When a sentence of dishonorable discharge has been suspended until the soldier's release from confinement, the execution or remission of any part of his sentence shall, if the soldier be confined in the United States Disciplinary Barracks, or any branch thereof, be directed by the Secretary of War.

"III. PUNITIVE ARTICLES.

"A. Enlistment; Muster; Returns.

"ART. 54. Fraudulent enlistment: Any person who shall procure himself to be enlisted in the military service of the United States by means of willful misrepresentation or concealment as to his qualifications for enlistment, and shall receive pay or allowances under such enlistment, shall be punished as a court-martial may direct.

"ART. 55. Officer making unlawful enlistment: Any officer who knowingly enlists or musters into the military service any person whose enlistment or muster in is prohibited by law, regulations, or orders shall be dismissed from the service or suffer such other punishment as a court-martial may direct.

"ART. 56. False muster: Any officer who knowingly makes a false muster of man or animal, or who signs or directs or allows the signing of any muster roll knowing the same to contain a false muster or false statement as to the absence or pay of an officer or soldier, or who wrongfully takes money or other consideration on mustering in a regiment, company, or other organization, or on signing muster rolls, or who knowingly musters as an officer or soldier a person who is not such officer or soldier, shall be dismissed from the service and suffer such other punishment as a court-martial may direct.

"ART. 57. False returns—Omission to render returns: Every officer whose duty it is to render to the War Department or other superior authority a return of the state of the troops under his command, or of the arms, ammunition, clothing, funds, or other property thereunto belonging, who knowingly makes a false return thereof shall be dismissed from the service and suffer such other punishment as a court-martial may direct. And any officer who, through neglect or design, omits to render such return shall be punished as a court-martial may direct.

B. Desertion; Absence without leave.

"ART. 58. Desertion: Any person subject to military law who deserts or attempts to desert the service of the United States shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct, and if the offense be committed at any other time, any punishment, excepting death, that a court-martial may direct.

"ART. 59. Advising or aiding another to desert: Any person subject to military law who advises or persuades or knowingly assists another to desert the service of the United States shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct, and, if the offense be committed at any other time, any punishment, excepting death, that a court-martial may direct.

"ART. 60. Entertaining a deserter: Any officer who, after having discovered that a soldier in his command is a deserter from the military or naval service or from the Marine Corps, retains such deserter in his command without informing superior authority or the commander of the organization to which the

deserter belongs, shall be punished as a court-martial may direct.

"ART. 61. Absence without leave: Any person subject to military law who fails to repair at the fixed time to the properly appointed place of duty, or goes from the same without proper leave, or absents himself from his command, guard, quarters, station, or camp without proper leave, shall be punished as a court-martial may direct.

C. Disrespect; Insubordination; Mutiny.

"ART. 62. Disrespect toward the President, Vice President, Congress, Secretary of War, governors, legislatures: Any officer who uses contemptuous or disrespectful words against the President, Vice President, the Congress of the United States, the Secretary of War, or the governor or legislature of any State, Territory, or other possession of the United States in which he is quartered shall be dismissed from the service or suffer such other punishment as a court-martial may direct. Any other person subject to military law who so offends shall be punished as a court-martial may direct.

"ART. 63. Disrespect toward superior officer: Any person subject to military law who behaves himself with disrespect toward his superior officer shall be punished as a court-martial may direct.

"ART. 64. Assaulting or willfully disobeying superior officer: Any person subject to military law who, on any pretense whatsoever, strikes his superior officer or draws or lifts up any weapon or offers any violence against him, being in the execution of his office, or willfully disobeys any lawful command of his superior officer, shall suffer death or such other punishment as a court-martial may direct.

"ART. 65. Insubordinate conduct toward noncommissioned officer: Any soldier who strikes or assaults, or who attempts or threatens to strike or assault, or willfully disobeys the lawful order of a warrant officer or a noncommissioned officer while in the execution of his office, or uses threatening or insulting language, or behaves in an insubordinate or disrespectful manner toward a warrant officer or a noncommissioned officer while in the execution of his office, shall be punished as a court-martial may direct.

"ART. 66. Mutiny or sedition: Any person subject to military law who attempts to create or who begins, excites, causes, or joins in any mutiny or sedition in any company, party, post, camp, detachment, guard, or other command shall suffer death or such other punishment as a court-martial may direct.

"ART. 67. Failure to suppress mutiny or sedition: Any officer or soldier who, being present at any mutiny or sedition, does not use his utmost endeavor to suppress the same, or knowing or having reason to believe that a mutiny or sedition is to take place, does not without delay give information thereof to his commanding officer shall suffer death or such other punishment as a court-martial may direct.

"ART. 68. Quarrels; frays; disorders: All officers, members of the Army Nurse Corps, warrant officers, Army field clerks, field clerks, Quartermaster Corps, and noncommissioned officers have power to part and quell all quarrels, frays, and disorders among persons subject to military law and to order officers who take part in the same into arrest, and other persons subject to military law who take part in the same into arrest or confinement, as circumstances may require, until their proper superior officer is acquainted therewith. And whosoever, being so ordered, refuses to obey such officer, nurse, band leader, warrant officer, field clerk, or noncommissioned officer, or draws a weapon upon or otherwise threatens or does violence to him, shall be punished as a court-martial may direct.

"D. Arrest; Confinement.

"ART. 69. Arrest or confinement: Any person subject to military law charged with crime or with a serious offense under these articles shall be placed in confinement or in arrest as circumstances may require; but when charged with a minor offense only such person shall not ordinarily be placed in confinement. Any person placed in arrest under the provisions of this article shall thereby be restricted to his barracks, quarters, or tent, unless such limits shall be enlarged by proper authority. Any officer or cadet who breaks his arrest or who escapes from confinement, whether before or after trial or sentence and before he is set at liberty by proper authority, shall be dismissed from the service or suffer such other punishment as a court-martial may direct; and any other person subject to military law who escapes from confinement or who breaks his arrest, whether before or after trial or sentence and before he is set at liberty by proper authority, shall be punished as a court-martial may direct.

"ART. 70. Charges; action upon: Charges and specifications must be signed by a person subject to military law, and under oath either that he has personal knowledge of, or has investigated, the matters set forth therein, and that the same are true in fact, to the best of his knowledge and belief.

"No charge will be referred for trial until after a thorough and impartial investigation thereof shall have been made. This investigation will include inquiries as to the truth of the matter set forth in said charges, form of charges, and what disposition of the case should be made in the interest of justice and discipline. At such investigation full opportunity shall be given to the accused to cross-examine witnesses against him if they are available and to present anything he may desire in his own behalf either in defense or mitigation, and the investigating officer shall examine available witnesses requested by the accused. If the charges are forwarded after such investigation, they shall be accompanied by a statement of the substance of the testimony taken on both sides.

"Before directing the trial of any charge by general court-martial the appointing authority will refer it to his staff judge advocate for consideration and advice.

"When any person subject to military law is placed in arrest or confinement immediate steps will be taken to try the person accused or to dismiss the charge and release him. Any officer who is responsible for unnecessary delay in investigating or carrying the case to a final conclusion shall be punished as a court-martial may direct. When a person is held for trial by general court-martial the commanding officer will, within eight days after the accused is arrested or confined, if practicable, forward the charges to the officer exercising general court-martial jurisdiction and furnish the accused a copy of such charges. If the same be not practicable, he will report to superior authority the reasons for delay. The trial judge advocate will cause to be served upon the accused a copy of the charges upon which trial is to be had, and a failure so to serve such charges will be ground for a continuance unless the trial be had on the charges furnished the accused as hereinbefore provided. In time of peace no person shall, against his objection, be brought to trial before a general court-martial within a period of five days subsequent to the service of charges upon him.

"ART. 71. Refusal to receive and keep prisoners: No provost marshal or commander of a guard shall refuse to receive or keep any prisoner committed to his charge by an officer belonging to the forces of the United States, provided the officer committing shall, at the time, deliver an account in writing, signed by himself, of the crime or offense charged against the prisoner. Any officer or soldier so refusing shall be punished as a court-martial may direct.

"ART. 72. Report of prisoners received: Every commander of a guard to whose charge a prisoner is committed shall, within 24 hours after such confinement, or as soon as he is relieved from his guard, report in writing to the commanding officer the name of such prisoner, the offense charged against him, and the name of the officer committing him; and if he fails to make such report he shall be punished as a court-martial may direct.

"ART. 73. Releasing prisoner without proper authority: Any person subject to military law who, without proper authority, releases any prisoner duly committed to his charge, or who through neglect or design suffers any prisoner so committed to escape, shall be punished as a court-martial may direct.

"ART. 74. Delivery of offenders to civil authorities: When any person subject to military law, except one who is held by the military authorities to answer, or who is awaiting trial or result of trial, or who is undergoing sentence for a crime or offense punishable under these articles, is accused of a crime or offense committed within the geographical limits of the States of the Union and the District of Columbia, and punishable by the laws of the land, the commanding officer is required, except in time of war, upon application duly made, to use his utmost endeavor to deliver over such accused person to the civil authorities, or to aid the officers of justice in apprehending and securing him, in order that he may be brought to trial. Any commanding officer who upon such application refuses or willfully neglects, except in time of war, to deliver over such accused person to the civil authorities or to aid the officers of justice in apprehending and securing him shall be dismissed from the service or suffer such other punishment as a court-martial may direct.

"When, under the provisions of this article, delivery is made to the civil authorities of an offender undergoing sentence of a court-martial, such delivery, if followed by conviction, shall be held to interrupt the execution of the sentence of the court-martial, and the offender shall be returned to military custody, after having answered to the civil authorities for his offense, for the completion of the said court-martial sentence.

"E. War offenses.

"ART. 75. Misbehavior before the enemy: Any officer or soldier who, before the enemy, misbehaves himself, runs away, or shamefully abandons or delivers up or by any misconduct, dis-

obedience, or neglect endangers the safety of any fort, post, camp, guard, or other command which it is his duty to defend, or speaks words inducing others to do the like, or casts away his arms or ammunition, or quits his post or colors to plunder or pillage, or by any means whatsoever occasions false alarms in camp, garrison, or quarters, shall suffer death or such other punishment as a court-martial may direct.

"ART. 76. Subordinates compelling commander to surrender: Any person subject to military law who compels or attempts to compel any commander of any garrison, fort, post, camp, guard, or other command, to give it up to the enemy or to abandon it shall be punishable with death or such other punishment as a court-martial may direct.

"ART. 77. Improper use of countersign: Any person subject to military law who makes known the parole or countersign to any person not entitled to receive it according to the rules and discipline of war, or gives a parole or countersign different from that which he received, shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct.

"ART. 78. Forcing a safeguard: Any person subject to military law who, in time of war, forces a safeguard shall suffer death or such other punishment as a court-martial may direct.

"ART. 79. Captured property to be secured for public service: All public property taken from the enemy is the property of the United States and shall be secured for the service of the United States, and any person subject to military law who neglects to secure such property or is guilty of wrongful appropriation thereof shall be punished as a court-martial may direct.

ART. 80. Dealing in captured or abandoned property: Any person subject to military law who buys, sells, trades, or in any way deals in or disposes of captured or abandoned property, whereby he shall receive or expect any profit, benefit, or advantage to himself or to any other person directly or indirectly connected with himself, or who fails whenever such property comes into his possession or custody or within his control to give notice thereof to the proper authority and to turn over such property to the proper authority without delay, shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial, military commission, or other military tribunal may adjudge, or by any or all of said penalties.

"ART. 81. Relieving, corresponding with, or aiding the enemy: Whosoever relieves or attempts to relieve the enemy with arms, ammuntiion, supplies, money, or other thing, or knowingly harbors or protects or holds correspondence with or gives intelligence to the enemy, either directly or indirectly, shall suffer death or such other punishment as a court-martial or military commission may direct.

"ART. 82. Spies: Any person who in time of war shall be found lurking or acting as a spy in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States, or elsewhere, shall be tried by a general court-martial or by a military commission, and shall, on conviction thereof, suffer death.

"F. Miscellaneous crimes and offenses.

"ART. 83. Military property—Willful or negligent loss, damage, or wrongful disposition: Any person subject to military law who willfully, or through neglect, suffers to be lost, spoiled, damaged, or wrongfully disposed of, any military property belonging to the United States shall make good the loss or damage and suffer such punishment as a court-martial may direct.

"ART. 84. Waste or unlawful disposition of military property issued to soldiers: Any soldier who sells or wrongfully disposes of or willfully or through neglect injures or loses any horse, arms, ammunition, accouterments, equipment, clothing, or other property issued for use in the military service, shall be punished as a court-martial may direct.

"ART. 85. Drunk on duty: Any officer who is found drunk on duty shall, if the offense be committed in time of war, be dismissed from the service and suffer such other punishment as a court-martial may direct; and if the offense be committed in time of peace, he shall be punished as a court-martial may direct. Any person subject to military law, except an officer, who is found drunk on duty shall be punished as a court-martial may direct.

"ART. 86. Misbehavior of sentinel: Any sentinel who is found drunk or sleeping upon his post, or who leaves it before he is regularly relieved, shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct; and if the offense be committed in time of peace, he shall suffer any punishment, except death, that a court-martial may direct.

"ART. 87. Personal interest in sale of provisions: Any officer commanding in any garrison, fort, barracks, camp, or other place where troops of the United States may be serving who, for his private advantage, lays any duty or imposition upon or is interested in the sale of any victuals or other necessaries of life brought into such garrison, fort, barracks, camp, or other place for the use of the troops, shall be dismissed from the service and suffer such other punishment as a court-martial may direct.

"ART. 88. Intimidation of persons bringing provisions: Any person subject to military law who abuses, intimidates, does violence to, or wrongfully interferes with any person bringing provisions, supplies, or other necessaries to the camp, garrison, or quarters of the forces of the United States shall suffer such punishment as a court-martial may direct.

"ART. 89. Good order to be maintained and wrongs redressed: All persons subject to military law are to behave themselves orderly in quarters, garrison, camp, and on the march; and any person subject to military law who commits any waste or spoil, or willfully destroys any property whatsoever (unless by order of his commanding officer), or commits any kind of depredation or riot, shall be punished as a court-martial may direct. Any commanding officer who, upon complaint made to him, refuses or omits to see reparation made to the party injured, in so far as the offender's pay shall go toward such reparation, as provided for in article 105, shall be dismissed from the service, or otherwise punished, as a court-martial may direct.

"ART. 90. Provoking speeches or gestures: No person subject to military law shall use any reproachful or provoking speeches or gestures to another; and any person subject to military law who offends against the provisions of this article shall be punished as a court-martial may direct.

"ART. 91. Dueling: Any person subject to military law who fights or promotes or is concerned in or connives at fighting a duel, or who, having knowledge of a challenge sent or about to be sent, fails to report the fact promptly to the proper authority, shall, if an officer, be dismissed from the service or suffer such other punishment as a court-martial may direct; and if any other person subject to military law, shall suffer such punishment as a court-martial may direct.

"ART. 92. Murder—Rape: Any person subject to military law who commits murder or rape shall suffer death or imprisonment for life, as a court-martial may direct; but no person shall be tried by court-martial for murder or rape committed within the geographical limits of the States of the Union and the District of Columbia in time of peace.

"ART. 93. Various crimes: Any person subject to military law who commits manslaughter, mayhem, arson, burglary, housebreaking, robbery, larceny, embezzlement, prejury, forgery, sodomy, assault with intent to commit any felony, assault with intent to do bodily harm with a dangerous weapon, instrument, or other thing, or assault with intent to do bodily harm, shall be punished as a court-martial may direct.

"ART. 94. Frauds against the Government: Any person subject to military law who makes or causes to be made any claim against the United States or any officer thereof, knowing such claim to be false or fraudulent; or

"Who presents or causes to be presented to any person in the civil or military service thereof, for approval or payment, any claim against the United States, or any officer thereof, knowing such claim to be false or fraudulent; or

"Who enters into any agreement or conspiracy to defraud the United States by obtaining, or aiding others to obtain, the allowance or payment of any false or fraudulent claim; or

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or against any officer thereof, makes or uses, or procures, or advises the making or use of, any writing or other paper knowing the same to contain any false or fraudulent statements; or

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, makes or procures, or advises the making of, any oath to any fact or to any writing or other paper knowing such oath to be false; or

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, forges or counterfeits, or procures, or advises the forging or counterfeiting of any signature upon any writing or other paper, or uses, or procures, or advises the use of any such signature, knowing the same to be forged or counterfeited; or

"Who, having charge, possession, custody, or control of any money or other property of the United States, furnished or intended for the military service thereof, knowingly delivers, or causes to be delivered, to any person having authority to receive the same, any amount thereof less than that for which he receives a certificate or receipt; or

"Who, being authorized to make or deliver any paper certifying the receipt of any property of the United States furnished or intended for the military service thereof, makes or delivers to any person such writing, without having full knowledge of the truth of the statements therein contained and with intent to defraud the United States; or

"Who steals, embezzles, knowingly and willfully misappropriates, applies to his own use or benefit, or wrongfully or knowingly sells or disposes of any ordnance, arms, equipments, ammunition, clothing, subsistence stores, money, or other property of the United States furnished or intended for the military service thereof; or

"Who knowingly purchases or receives in pledge for any obligation or indebtedness from any soldier, officer, or other person who is a part of or employed in said forces or service, any ordnance, arms, equipment, ammunition, clothing, subsistence stores, or other property of the United States, such soldier, officer, or other person not having lawful right to sell or pledge the same;

"Shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial may adjudge, or by any or all of said penalties. And if any person, being guilty of any of the offenses aforesaid while in the military service of the United States, receives his discharge or is dismissed from the service, he shall continue to be liable to be arrested and held for trial and sentence by a court-martial in the same manner and to the same extent as if he had not received such discharge nor been dismissed, and if any officer, being guilty, while in the military service of the United States, of embezzlement of ration savings, post exchange, company, or other like funds, or of embezzlement of money or other property intrusted to his charge by an enlisted man or men, receives his discharge, or is dismissed, or is dropped from the rolls, he shall continue to be liable to be arrested and held for trial and sentence by a court-martial in the same manner and to the same extent as if he had not been so discharged, dismissed, or dropped from the rolls.

"ART. 95. Conduct unbecoming an officer and gentleman: Any officer or cadet who is convicted of conduct unbecoming an officer and a gentleman shall be dismissed from the service.

"ART. 96. General article: Though not mentioned in these articles, all disorders and neglects to the prejudice of good order and military discipline, all conduct of a nature to bring discredit upon the military service, and all crimes or offenses not capital, of which persons subject to military law may be guilty, shall be taken cognizance of by a general or special or summary court-martial, according to the nature and degree of the offense, and punished at the discretion of such court.

"IV. COURTS OF INQUIRY.

"ART. 97. When and by whom ordered: A court of inquiry to examine into the nature of any transaction of or accusation or imputation against any officer or soldier may be ordered by the President or by any commanding officer; but a court of inquiry shall not be ordered by any commanding officer except upon the request of the officer or soldier whose conduct is to be inquired into.

"ART. 98. Composition: A court of inquiry shall consist of three or more officers. For each court of inquiry the authority appointing the court shall appoint a recorder.

"ART. 99. Challenges: Members of a court of inquiry may be challenged by the party whose conduct is to be inquired into, but only for cause stated to the court. The court shall determine the relevancy and validity of any challenge, and shall not receive a challenge to more than one member at a time. The party whose conduct is being inquired into shall have the right to be represented before the court by counsel of his own selection, if such counsel be reasonably available.

"ART. 100. Oath of members and recorders: The recorder of a court of inquiry shall administer to the members the following oath: 'You, A. B., do swear (or affirm) that you will well and truly examine and inquire, according to the evidence, into the matter now before you without partiality, favor, affection, prejudice, or hope of reward. So help you God.' After which the president of the court shall administer to the recorder the following oath: 'You, A. B., do swear (or affirm) that you will, according to your best abilities, accurately and impartially record the proceedings of the court and the evidence to be given in the case in hearing. So help you God.'

"In case of affirmation the closing sentence of adjuration will be omitted.

"ART. 101. Powers; procedure: A court of inquiry and the recorder thereof shall have the same power to summon and examine witnesses as is given to courts-martial and the trial judge advocate thereof. Such witnesses shall take the same oath or affirmation that is taken by witnesses before courts-martial. A reporter or an interpreter for a court of inquiry shall, before entering upon his duties, take the oath or affirmation required of a reporter or an interpreter for a court-martial. The party whose conduct is being inquired into or his counsel, if any, shall be permitted to examine and cross-examine witnesses so as fully to investigate the circumstances in question.

"ART. 102. Opinion on merits of case: A court of inquiry shall not give an opinion on the merits of the case inquired into unless specially ordered to do so.

"ART. 103. Record of proceedings—How authenticated: Each court of inquiry shall keep a record of its proceedings, which shall be authenticated by the signature of the president and the recorder thereof, and be forwarded to the convening authority. In case the record can not be authenticated by the recorder, by reason of his death, disability, or absence, it shall be signed by the president and by one other member of the court.

"V. MISCELLANEOUS PROVISIONS.

"ART. 104. Disciplinary powers of commanding officers: Under such regulations as the President may prescribe, the commanding officer of any detachment, company, or higher command may, for minor offenses impose disciplinary punishments upon persons of his command without the intervention of a court-martial, unless the accused demands trial by court-martial.

"The disciplinary punishments authorized by this article may include admonition, reprimand, withholding of privileges for not exceeding one week, extra fatigue for not exceeding one week, restriction to certain specified limits for not exceeding one week, and hard labor without confinement for not exceeding one week, but shall not include forfeiture of pay or confinement under guard; except that in time of war or grave public emergency a commanding officer of the grade of brigadier general or of higher grade may, under the provisions of this article also impose upon an officer of his command below the grade of major a forfeiture of not more than one-half of such officer's monthly pay for one month. A person punished under authority of this article, who deems his punishment unjust or disproportionate to the offense, may, through the proper channel, appeal to the next superior authority, but may in the meantime be required to undergo the punishment adjudged. The commanding officer who imposes the punishment, his successor in command, and superior authority shall have power to mitigate or remit any unexecuted portion of the punishment. The imposition and enforcement of disciplinary punishment under authority of this article for any act or omission shall not be a bar to trial by court-martial for a crime or offense growing out of the same act or omission; but the fact that a disciplinary punishment has been enforced may be shown by the accused upon trial, and when so shown shall be considered in determining the measure of punishment to be adjudged in the event of a finding of guilty.

"ART. 105. Injuries to property—Redress of: Whenever complaint is made to any commanding officer that damage has been done to the property of any person or that his property has been wrongfully taken by persons subject to military law, such complaint shall be investigated by a board consisting of any number of officers from one to three, which board shall be convened by the commanding officer and shall have, for the purpose of such investigation, power to summon witnesses and examine them upon oath or affirmation, to receive depositions or other documentary evidence, and to assess the damages sustained against the responsible parties. The assessment of damages made by such board shall be subject to the approval of the commanding officer, and in the amount approved by him shall be stopped against the pay of the offenders. And the order of such commanding officer directing stoppages herein authorized shall be conclusive on any disbursing officer for the payment by him to the injured parties of the stoppages so ordered.

"Where the offenders can not be ascertained, but the organization or detachment to which they belong is known, stoppages to the amount of damages inflicted may be made and assessed in such proportion as may be deemed just upon the individual members thereof who are shown to have been present with such organization or detachment at the time the damages complained of were inflicted as determined by the approved findings of the board.

"Art. 106. Arrest of deserters by civil officials: It shall be lawful for any civil officer having authority under the laws of the United States, or of any State, Territory, District, or possession of the United States, to arrest offenders, summarily to arrest a deserter from the military service of the United States and deliver him into the custody of the military authorities of the United States.

"Art. 107. Soldiers to make good time lost: Every soldier who in an existing or subsequent enlistment deserts the service of the United States or without proper authority absents himself from his organization, station, or duty for more than one day, or who is confined for more than one day under sentence, or while awaiting trial and disposition of his case, if the trial results in conviction, or through the intemperate use of drugs or alcoholic liquor, or through disease or injury the result of his own misconduct, renders himself unable for more than one day to perform duty, shall be liable to serve, after his return to a full-duty status, for such period as shall, with the time he may have served prior to such desertion, unauthorized absence, confinement, or inability to perform duty, amount to the full term of that part of his enlistment period which he is required to serve with his organization before being furloughed to the Army reserve.

"Art. 108. Soldiers—Separation from the service: No enlisted man, lawfully inducted into the military service of the United States, shall be discharged from said service without a certificate of discharge, signed by a field officer of the regiment or other organization to which the enlisted man belongs or by the commanding officer when no such field officer is present; and no enlisted man shall be discharged from said service before his term of service has expired, except by order of the President, the Secretary of War, the commanding officer of a department, or by sentence of a general court-martial.

"ART. 109. Oath of enlistment: At the time of his enlistment every soldier shall take the following oath or affirmation: 'I, ———, do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America; that I will serve them honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to the Rules and Articles of War.' This oath or affirmation may be taken before any officer.

"ART. 110. Certain articles to be read and explained: Articles 1, 2, and 29, 54 to 96, inclusive, and 104 to 109, inclusive, shall be read and explained to every soldier at the time of his enlistment or muster in, or within six days thereafter, and shall be read and explained once every six months to the soldiers of every garrison, regiment, or company in the service of the United States.

"ART 111. Copy of record of trial: Every person tried by a general court-martial shall, on demand therefor, made by himself or by any person in his behalf, be entitled to a copy of the record of the trial.

"ART. 112. Effects of deceased persons—Disposition of: In case of the death of any person subject to military law the commanding officer of the place of command will permit the legal representative or widow of the deceased, if present, to take possession of all his effects then in camp or quarters; and if no legal representative or widow be present, the commanding officer shall direct a summary court to secure all such effects, and said summary court shall have authority to collect and receive any debts due decedent's estate by local debtors and to pay the undisputed local creditors of decedent in so far as any money belonging to the deceased which may come into said summary court's possession under this article will permit, taking receipts therefor for file with said court's final report upon its transactions to the War Department; and as soon as practicable after the collection of such effects said summary court shall transmit such effects and any money collected, through the Quartermaster Department, at Government expense, to the widow or legal representative of the deceased, if such be found by said court, or to the son, daughter, father, provided the father has not abandoned the support of his family, mother, brother, sister, or the next of kin in the order named, if such be found by said court, or the beneficiary named in the will of the deceased, if such be found by said court, and said court shall thereupon make to the War Department a full report of its transactions; but if there be none of the persons hereinabove named, or such persons or their addresses are not known to or readily ascertainable by said court, and the said court shall so find, said summary court shall have authority to convert into cash, by public or private sale, not earlier than 30 days after the death of the deceased, all effects of deceased except sabers, insignia, decorations, medals, watches, trinkets, manuscripts, and other articles valuable chiefly as keepsakes; and as soon as practicable after converting such effects into cash said summary court shall deposit with the proper officer, to be designated in regulations, any cash belonging to decedent's estate, and shall transmit a receipt for such deposits, any will or other papers of value belonging to the deceased, any sabers, insignia, decorations, medals, watches, trinkets, manuscripts, and other articles valuable chiefly as keepsakes, together with an inventory of the effects secured by said summary court, and a full account of its transactions, to the War Department for transmission to the Auditor for the War Department for action as authorized by law in the settlement of accounts of deceased officers and enlisted men of the Army.

"The provisions of this article shall be applicable to inmates of the United States Soldiers' Home who die in any United States military hospital outside of the District of Columbia where sent from the home for treatment.

"ART. 113. Inquests: When at any post, fort, camp, or other place garrisoned by the military forces of the United States and under the exclusive jurisdiction of the United States, any person shall have been found dead under circumstances which appear to require investigation, the commanding officer will designate and direct a summary court-martial to investigate the circumstances attending the death; and, for this purpose, such summary court-martial shall have power to summon witnesses and examine them upon oath or affirmation. He shall promptly transmit to the post or other commander a report of his investigation and of his findings as to the cause of the death.

"ART. 114. Authority to administer oaths: Any judge advocate or acting judge advocate, the president of a general or special court-martial, any summary court-martial, the trial judge advocate or any assistant trial judge advocate of a general or special court-martial, the president or the recorder of a court of inquiry or of a military board, any officer designated to take a deposition, any officer detailed to conduct an investigation, and the adjutant of any command shall have power to administer oaths for the purposes of the administration of military justice and for other purposes of military administration; and in foreign places where the Army may be serving shall have the general powers of a notary public or of a consul of the United States in the administration of oaths, the execution and acknowledgment of legal instruments, the attestation of documents, and all other forms of notarial acts to be executed by persons subject to military law.

"ART. 115. Appointment of reporters and interpreters: Under such regulations as the Secretary of War may from time to time prescribe, the president of a court-martial or military commission or a court of inquiry shall have power to appoint a reporter, who shall record the proceedings of and testimony taken before such court or commission and may set down the same, in the first instance, in shorthand. Under like regulations the president of a court-martial or military commission, or court of inquiry, or a summary court, may appoint an interpreter, who shall interpret for the court or commission.

"ART. 116. Powers of assistant trial judge advocate and of assistant defense counsel: An assistant trial judge advocate of a general court-martial shall be competent to perform any duty devolved by law, regulation, or the custom of the service upon the trial judge advocate of the court. An assistant defense counsel shall be competent likewise to perform any duty devolved by law, regulation, or the custom of the service upon counsel for the accused.

"ART. 117. Removal of civil suits: When any civil or criminal prosecution is commenced in any court of a State against any officer, soldier, or other person in the military service of the United States on account of any act done under color of his office or status, or in respect to which he claims any right, title, or authority under any law of the United States respecting the military forces thereof, or under the law of war, such suit or prosecution may at any time before the trial or final hearing thereof be removed for trial into the district court of the United States in the district where the same is pending in the manner prescribed in section 33 of the act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved March 3, 1911, and the cause shall thereupon be entered on the docket of said district court and shall proceed therein as if the cause had been originally commenced in said district court and the same proceedings had been taken in such suit or prosecution in said district court as shall have been had therein in said State court prior to its removal, and said district court shall have full power to hear and determine said cause.

"ART. 118. Officers, separation from service: No officer shall be discharged or dismissed from the service except by order of the President or by sentence of a general court-martial; and in time of peace no officer shall be dismissed except in pursuance of the sentence of a general court-martial or in mitigation thereof; but the President may at any time drop from the rolls of the Army any officer who has been absent from duty three months without leave or who has been absent in confinement in a prison or penitentiary for three months after final conviction by a court of competent jurisdiction.

"ART. 119. Rank and precedence among Regulars, Militia, and Volunteers: That in time of war or public danger, when

two or more officers of the same grade are on duty in the same field, department, or command, or of organizations thereof, the President may assign the command of the forces of such field, department, or command, or of any organization thereof, without regard to seniority of rank in the same grade.

"ART. 120. Command when different corps or commands happen to join: When different corps or commands of the military forces of the United States happen to join or do duty together, the officer highest in rank of the line of the Regular Army, Marine Corps, forces drafted or called into the service of the United States, or Volunteers, there on duty, shall, subject to the provisions of the last preceding article, command the whole and give orders for what is needful in the service, unless otherwise directed by the President.

"ART. 121. Complaints of wrongs: Any officer or soldier who believes himself wronged by his commanding officer, and, upon due application to such commander, is refused redress, may complain to the general commanding in the locality where the officer against whom the complaint is made is stationed. The general shall examine into said complaint and take proper measures for redressing the wrong complained of; and he shall, as soon as possible, transmit to the Department of War a true statement of such complaint, with the proceedings had thereon.

"SEC. 2. That the provisions of Chapter II of this act shall take effect and be in force eight months after the approval of this act: *Provided*, That articles 2, 23, and 45 shall take effect immediately.

"SEC. 3. That all offenses committed and all penalties, forfeitures, fines, or liabilities incurred prior to the taking effect of Chapter II of this act, under any law embraced in or modified, changed, or repealed by Chapter II of this act, may be prosecuted, punished, and enforced in the same manner and with the same effect as if this act had not been passed.

"SEC. 4. That section 1342 of the Revised Statutes of the United States be, and the same is hereby, repealed, and all laws and parts of laws in so far as they are inconsistent with this act are hereby repealed."

JULIUS KAHN,
D. R. ANTHONY, Jr.,
JOHN C. MCKENZIE,
S. H. DENT, Jr.,
W. J. FIELDS,
Managers on the part of the House.

J. W. WADSWORTH, Jr.,
HOWARD SUTHERLAND,
HARRY S. NEW,
GEO. E. CHAMBERLAIN,
C. S. THOMAS,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House of Representatives at a conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, submit the following statement:

The Senate passed this bill with an amendment which took the form of striking out the entire House bill and substituting a new one entirely different in form. The conferees agreed to return to the form and substance of the House bill, making certain changes, the most important of which will be mentioned hereafter. The bill as now reported back is, then, merely a thorough revision of the national defense act, which is what the House originally contemplated. The commissioned strength finally agreed upon was that contained in the original House bill, while the enlisted strength is that proposed by the Senate, i. e., a total of 280,000, as against a possible maximum of 299,000 according to the original House bill.

The provisions for the general organization of the Army are stated somewhat more in detail than in the House bill, so that the organization of the peace establishment shall include not only the Regular Army but also the citizen forces, namely, the National Guard and the Organized Reserves, which comprises the Officers' Reserve Corps and the Enlisted Reserve Corps of the present law.

In this respect the bill as now reported follows the recommendations of the Senate.

The number of warrant officers finally adopted was 1,120, as against the 1,575 contained in the original House bill and 750 in the Senate bill. Those belonging to the Army Mine Planter Service were included in the 750 proposed by the Senate, while they are additional to the numbers adopted by the House and by the conferees. The House conferees further accepted the recommendation of the Senate that band leaders shall be warrant officers instead of commissioned officers.

The provisions as to the pay of enlisted men were rewritten so as to harmonize with recent legislation increasing the pay of the Army and Navy, the total cost remaining practically unchanged.

In the matter of the appointment of chiefs and assistants to the chiefs of the several branches, the Senate conferees agreed to the provision in the House bill that chiefs shall be selected from among officers of the grade of colonel. As to assistants, a compromise was arrived at. The House limited such appointments to officers of the grade of colonel, and the Senate made officers as low as major eligible. The conferees agreed on the provision whereby all officers of 15 years' commissioned service shall be eligible for such appointment.

The provisions as to detached service of officers—the so-called Manchu law—are those of the House bill.

The strength of the General Staff remains as fixed by the House, and the other provisions regarding it are substantially the same, with one exception. This authorizes and directs that whenever policies or regulations affecting the National Guard or the reserves are to be worked out, the work shall be done by committees of the General Staff upon which reserve and National Guard officers have equal representation with officers of the Regular Army.

The Senate accepted the title of the Assistant Secretary of War in place of undersecretary of war, the duties of the office in the two bills being practically the same.

The House conferees accepted the Senate provisions for a war council, to be composed of the Secretary and Assistant Secretary of War, the General of the Army, and the Chief of Staff. All policies which involve both military and procurement problems are to be discussed and worked out in this council.

As to the staff departments, there was no material difference between the two bills except as to the services of construction and transportation. The House bill had continued both of these services in the Quartermaster Corps, where they were before the war. The Senate bill established separate branches for each of these two services. The conferees adopted the provisions of the House bill.

In the section relating to the Medical Department the House conferees agreed to the Senate proposition whereby officers of this department should not be placed on the general promotion list, but should be promoted strictly on the basis of commissioned service. This serves the same purpose which the House had in mind, namely, to separate questions of promotion from those of organization. The number of officers of the Veterinary Corps was fixed at 175, as against 140 proposed by the House and 200 proposed by the Senate. The provision for the relative rank of nurses was agreed to, it being contained in both bills.

The Senate accepted the House provision for the promotion of chaplains, allowing them to rise to the grade of lieutenant colonel. It was also decided to authorize one chaplain to be detailed, with the rank of colonel, to perform general supervisory duties relating to the work of chaplains, this plan being adopted in preference to that proposed by the Senate bill constituting a board for this purpose.

The Senate conferees accepted the House proposition that retired officers in the Philippine Scouts should hereafter have the pay of second lieutenants, and that those officers in the Philippine Scouts who are found qualified shall be transferred to the Regular Army, while those not found so qualified shall continue to serve under their scout commissions.

In the matter of filling original vacancies in the Army and of forming the original promotion list, it was agreed that the maximum age limit for appointment in the combatant branches should be 50 years, and in the noncombatant branches 58 years. Otherwise the House limitations as to age were accepted. The House conferees agreed to the Senate proposition that commissioned service in the National Guard where called out during the war, but prior to the draft, shall be included in determining the place of officers upon the promotion list. As already stated, medical officers will be omitted from this list.

The Senate conferees accepted the House provisions as to the classification of officers—that is, in two classes instead of three—while the House conferees agreed to the Senate provision for the review of the classification board's action by a court of inquiry in case the officer adversely affected demands it. The House conferees accepted the Senate proposal whereby the examination of officers for promotion is, in general, omitted, being convinced that the classification system will furnish an entirely satisfactory substitute.

The rules as to the appointment of officers were somewhat simplified and clarified, several of the groups from which the appointees may be chosen being merged into one.

The period of enlistment in the Regular Army was fixed at one or three years, at the option of the soldier, for original enlistments, while reenlistments are to be for three-year periods. Enlistments and reenlistments for three years are encouraged by offering an allowance equivalent to three months' pay of a private for any such enlistment. This is a slight extension of the privilege granted by existing law.

The provisions as to the Officers' Reserve Corps and Enlisted Reserve Corps have been somewhat modified in details, particularly in prescribing that reserve organizations shall be localized so far as practicable and that reserve officers or enlisted men shall not be liable to call for extended periods except when Congress shall so direct. Liberal terms are offered for the enrollment of war veterans in the Enlisted Reserve Corps.

The sections relating to the Reserve Officers' Training Corps, which were prepared with the advice of the authorities of the educational institutions concerned, were nearly the same in the two bills, and are, therefore, reported back practically unamended.

The sections relating to the National Guard are here presented in practically the form in which they passed the House. The Chief of the Militia Bureau is to be a national guardsman, while it is further provided that he shall also be a reserve officer, full authority being carried in the bill as now reported for reserve officers to accept National Guard commissions and National Guard officers to accept reserve commissions. It was further decided that the selection of the Chief of the Militia Bureau shall be made from eligible officers who are recommended by the governors of the several States and Territories as suitable for such appointments. This insures that the position shall be held by a representative national guardsman.

The section relating to the draft of the National Guard in time of war has been somewhat modified. It will be recalled that what the House sought to accomplish was the automatic reconstitution of the National Guard upon its release from service under the draft. The section as now drawn is believed to be somewhat more satisfactory for this purpose than that which was originally enacted by the House.

A provision is made for the transition period, before this act can be made fully effective, by authorizing the retention of the emergency officers for a brief period, until it can be determined which ones are to receive Regular Army appointments. Temporary advanced rank for officers of the Regular Army, however, is abolished.

The House conferees agreed that the revised Articles of War should be attached to the reorganization bill. These Articles of War were passed by the Senate as a part of that body's reorganization bill, and have been reported to the House in very nearly the same form. The form finally agreed upon is that of the House bill.

JULIUS KAHN,
D. R. ANTHONY, Jr.,
JOHN C. MCKENZIE,
Managers on the part of the House.

We, the undersigned managers on the part of the House, have signed the report and this statement because we think the matters in dispute between the two Houses were in the main decided correctly and in accordance with the views of the House.

There were some features of the bill as originally passed by both Houses to which we do not subscribe, and for that reason reserve the right to vote against the conference report, although approving as a whole the adjustment of the matters really in dispute.

S. H. DENT, Jr.,
W. J. FIELDS,
Managers on the part of the House.

During the reading of the conference report the following occurred:

Mr. KAHN. Mr. Speaker, I ask unanimous consent that further reading of the conference report be dispensed with and that the statement be read instead.

The SPEAKER. The gentleman from California asks unanimous consent that further reading of the conference report be dispensed with and that the statement be read instead. Is there objection?

Mr. CRAMTON. I object.

The SPEAKER. The gentleman from Michigan objects. The Clerk will read.

The Clerk proceeded with the reading of the conference report.

Mr. BAER. Mr. Speaker, I ask unanimous consent that the further reading of the report be dispensed with, and that we substitute in lieu thereof the accompanying statement. There is a lot of important business on hand and pending.

Mr. CRAMTON. Mr. Speaker, I make the point that the gentleman's request is dilatory. I object.

The SPEAKER pro tempore (Mr. GOOD). Objection is made. The Clerk will read.

The Clerk proceeded with the reading of the conference report.

Mr. MURPHY. Mr. Speaker, I make the point of order that there is no quorum present, and I think the reading clerk needs a rest.

The SPEAKER. The gentleman from Ohio makes the point of order that there is no quorum present. The Chair will count. [After counting.] It is clear that there is no quorum present.

Mr. KAHN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Seregant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Dunn	Jones, Pa.	Reavis
Anthony	Dyer	Kelley, Mich.	Reber
Barkley	Edmonds	Kennedy, Iowa	Rhodes
Black	Ellsworth	Kennedy, R. I.	Riddick
Blackmon	Elston	Kettner	Riordan
Booher	Evans, Nev.	Kiess	Rucker
Britten	Garland	Kitchin	Scott
Brumbaugh	Glynn	Kleczka	Scully
Burke	Godwin, Ark.	Kreider	Sears
Burroughs	Good	Langley	Shreve
Butler	Goodall	Lankford	Sims
Cantrill	Gould	McCulloch	Slemp
Caraway	Graham, Pa.	McPherson	Small
Carss	Hamill	Mansfield	Smithwick
Carter	Hastings	Mason	Snell
Clark, Fla.	Haugen	Merritt	Snyder
Clark, Mo.	Hayden	Morin	Steele
Cleary	Hays	Mudd	Sullivan
Cole	Hernandez	Nelson, Wis.	Thomas
Costello	Hersey	Oldfield	Tillman
Crisp	Holland	Oliver	Walters
Curry, Calif.	Houghton	Parker	Wood, Ind.
Dale	Hulings	Platt	Young, N. Dak.
Davis, Minn.	Husted	Porter	
Dewalt	Johnson, S. Dak.	Pou	
Drane	Johnson, Wash.	Randall, Calif.	

The SPEAKER. Three hundred and twenty-seven Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Wyoming moves to dispense with further proceedings under the call. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will resume the reading of the conference report.

Mr. GOODYKOONTZ. Mr. Speaker, I wish to submit a unanimous-consent request. I ask the privilege of extending my remarks in the RECORD on the subject of the United States Railroad Labor Board, urging prompt action.

The SPEAKER. The gentleman from West Virginia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read.

The Clerk resumed the reading of the conference report.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that the further reading of the report be dispensed with.

The SPEAKER pro tempore (Mr. MADDEN). The gentleman from Iowa asks unanimous consent that the further reading of the conference report be dispensed with. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the adoption of the conference report.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

Mr. KAHN. I have promised several gentlemen that I will allow them to have a little time.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

Mr. KAHN. Yes.

Mr. BLANTON. I just wanted to ask the distinguished gentlemen from Iowa [Mr. GOOD] how he accomplished it. [Laughter.]

Mr. KAHN. I yield eight minutes, Mr. Speaker, to the gentleman from Mississippi [Mr. QUIN].

The SPEAKER pro tempore. Apparently the gentleman from Mississippi is not present.

Mr. KAHN. Then I yield five minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BANKHEAD. Will it be in order for me to discuss a matter that is not related to the conference report without getting unanimous consent?

The SPEAKER. It will not.

Mr. BANKHEAD. In that situation, then, I ask unanimous consent that in the time granted to me by the courtesy of the chairman of the committee [Mr. KAHN] I may be allowed to proceed out of order.

The SPEAKER. The gentleman from Alabama asks unanimous consent to proceed in his five minutes out of order. Is there objection?

Mr. CANNON. How much debate is there to be on this conference report?

The SPEAKER. The gentleman from California [Mr. KAHN] has an hour.

Mr. BLAND of Indiana. Mr. Speaker, I would like to know the subject that is to be discussed.

Mr. BANKHEAD. It is in regard to the propaganda that is being sent to the Members of the House each day in reference to the Muscle Shoals nitrate plant. It is a matter of great importance to every Member of the House.

The SPEAKER. Is there objection?

Mr. CRAMTON. Mr. Speaker, would the gentleman object to coupling with that a request that a similar right be given to the gentleman from Kansas [Mr. STRONG]?

Mr. KAHN. I did not catch the question of the gentleman from Michigan.

Mr. CRAMTON. May I ask the gentleman from California if the gentleman from Kansas [Mr. STRONG] is to have time?

Mr. KAHN. He has not asked for time, but the gentleman from Nebraska [Mr. ANDREWS] has asked for two minutes.

Mr. FERRIS. Reserving the right to object—which I do not intend to do—will the gentleman from Alabama [Mr. BANKHEAD] or the gentleman from California [Mr. KAHN] save enough time to explain the conference report?

Mr. KAHN. I will do so. I have an hour. Then I will move the previous question.

Mr. FERRIS. I wanted to ask a question or two about the conference report myself. I wanted to know if I would have opportunity to do that.

Mr. KAHN. I think the gentleman will have that opportunity.

Mr. FERRIS. If the time is all given away for general debate not upon the bill, we will not have that time.

Mr. WALSH. Reserving the right to object, is this matter which the gentleman from Alabama intends to discuss at all germane to the conference report?

Mr. FERRIS. He said not.

Mr. BANKHEAD. Not directly. It is a statement which I should like to have permission to read to the House.

The SPEAKER. Is there objection to the request of the gentleman?

Mr. CANNON. Mr. Speaker, I have rarely objected to anything, speeches or otherwise. I hope that before the adjournment or the recess the gentleman will get his time, and that every other gentleman who wants to talk about something other than this bill will have opportunity to do so; but I shall object to any remarks made out of order until this conference report is agreed to. [Applause.]

The SPEAKER. The gentleman from Illinois objects.

Mr. MONDELL. Mr. Speaker, there are a number of gentlemen on both sides who want some little time to discuss matters of importance to them and to the country, not in order on this bill, or possibly on the next one we take up. My hope and expectation is that we will be able to take care of these gentlemen and give them a reasonable length of time for these discussions within the next few days.

Mr. BANKHEAD. Do I understand the gentleman from Illinois to object to my request for unanimous consent?

Mr. CANNON. For the reason I spoke of. The gentleman knows I have the highest respect for him, and would not vex him in any way.

Mr. BANKHEAD. It does not vex me at all. I just wanted to know if the gentleman finally objected to the request. If he does, of course I will take my seat.

Mr. CANNON. Is the gentleman from Wyoming going to object?

Mr. MONDELL. I was not going to, although I think we ought to get rid of these conference reports.

Mr. CANNON. So do I.

Mr. MONDELL. When we have done that I hope gentlemen on both sides will be given an opportunity to get their speeches into the RECORD.

Mr. BANKHEAD. This is not a speech. It is a very short statement which will not take over four minutes.

Mr. LONGWORTH. Does not the gentleman think it might lead to some controversy if the gentleman intends to make an argument? If he merely intends to state certain facts——

Mr. BANKHEAD. I do not expect to make any argument at all.

Mr. LONGWORTH. If it is debatable it might lead to some controversy.

The SPEAKER. Is there objection to the request of the gentleman from Alabama to proceed out of order?

Mr. CANNON. I regretfully object.

The SPEAKER. Objection is made.

Mr. KAHN. Mr. Speaker, of course I expect that when I yield time to any gentleman it is for the purpose of discussing the conference report.

The SPEAKER. The gentleman has the floor.

Mr. KAHN. I yield eight minutes to the gentleman from Mississippi [Mr. QUIN]. [Applause.]

Mr. QUIN. Mr. Speaker and gentlemen, I believe that every Member of this House is under deep obligations to the splendid, efficient, and faithful work of our conferees on this Army reorganization bill. [Applause.] I did not vote for the bill as it passed the House, and I can not vote for this conference report. It makes too big an Army. The Senate eliminated that bill altogether and substituted a bill that had in it the objectionable feature of conscription of the manhood of this country in time of peace, the further conscription of industrial labor, assigning men to duty, and the further objectionable feature of universal military training. Our conferees forced the Senate to recede from all of those objectionable features. They forced the Senate to recede from the objectionable features touching the National Guard, and substituted a provision that every man on this floor can stand for.

The only reason that I can not vote for this conference report is that I do not approve of so large an Army for peace times, and of some other objectionable features in it. One is the size of the Army, although this conference report brings back to you fewer men than the House bill added. They had 299,000 men in the bill that this House passed, and your conferees have brought back a bill that has 280,000 men, or 19,000 less.

One feature in the bill that I can not support is that of too many officers. That was one feature that was objectionable in the bill that passed this House. It comes back with too many officers. Every Member of this House on either side, Democratic or Republican, who voted for the Army reorganization bill as it passed this House and went over to the Senate is fully justified in voting for this conference report, because in my judgment your conferees have brought back a better bill than you passed in this House. If they had brought back the bill that the Senate passed, I believe that 75 per cent of the Members on this floor who represent the people would have voted against such a report. But the splendid report that your conferees, headed by the distinguished gentleman from California and his Republican associates, Mr. ANTHONY and Mr. MCKENZIE, and our two distinguished brethren on our side, the gentleman from Alabama [Mr. DENT] and the gentleman from Kentucky [Mr. FIELDS], have brought back here, merits, in my judgment, the hearty thanks of all of you. I do not know if our conferees on my side of the House can support this conference bill, because the Army is too large. The great majority of us on this minority side do not believe in this big Army, but this is up to you, and the Congress is about to take a recess or an adjournment. If you propose to have an Army of this size in officers and men, you are justified in supporting this. I will not vote for such a big Army. The Army, as I understand this report, is based to a large extent on the national-defense act of 1916.

I wish we could eliminate this whole bill and substitute in its place the national-defense act of 1916, which was written under the leadership of our able chairman from Virginia, Judge Hayes. It is the best law for a military establishment that this country has ever had.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. QUIN. I am very sorry, but I can not; I have only eight minutes.

But the Senate can not be forced to reach that conclusion, and it seems that the majority of this House can not reach it. We are bound to have an army, and the appropriation bill that passed through this House provided for 175,000 enlisted men and 16,000 officers. That was in accord with the national-de-

fense act. This bill brings back a much larger number of men. But, my friends, the number provided by the national-defense act will probably, in my judgment, be all that they can enlist. The young men of this country will not in peace time go into the Army to as great a number as 280,000.

Mr. BLAND of Indiana. Will the gentleman yield right there for a question?

Mr. QUIN. I can not yield. If 280,000 men in peace time can be raised in this country, then the Appropriation Committee would have to bring out a deficiency bill in order to support such an army as that. But we must go on with the enlisted men as they are up to to-day. The United States Army, through its proper officials, has flaring headlines, great bill posters on the public highways and in the streets of the city offering inducements of every kind to young men to come and join the Regular Army. They tell them that they will be sent abroad and they will see the sights of the world; they will have delightful entertainment—music, dancing, and education, and all that thing, as an inducement for them to come into the Army. But they do not rush into the Army; in my judgment, the Army will be about 175,000 enlisted men, and that will be the standing Army of the United States. It is ample and sufficient to safeguard our interests and take charge in Panama, Nicarauga, the Philippines, and elsewhere. We do not need that many, but the majority in Congress has voted the number, and it will stand, even if we are opposed to it. [Applause.]

Mr. KAHN. Mr. Chairman, I yield five minutes to the gentleman from Oklahoma [Mr. FERRIS].

Mr. FERRIS. Mr. Speaker, this is the last lap of the peace-time Army reorganization bill. It has been before Congress a long time. It has required much hard work and much care and thoughtfulness. I am glad that the four great questions are settled right. It is a matter of deep concern to our people everywhere. I do not know that a word is due from me, but there have been four salient features of the Army reorganization bill which have worried certain citizens a great deal. The first one was not to allow the peace-time Army to remain too large. That has been well handled. I congratulate the committee on the course they have pursued.

The three remaining features over which the country has been ill at ease are, first, the perpetual conscription feature in times of peace; in other words, as the Senate passed the bill the Executive can at any time declare an emergency, without Congress taking action or passing any law, and draft any man between the ages of 18 and 45. As one who supported the war and voted for every war measure I can not, the Congress should not, and the country did not approve such a provision. I congratulate the House conferees on the good work they have done in eliminating it.

The second provision over which the country has been ill at ease was the compulsory military training feature. The Senate passed a voluntary training feature which was sought to be used as a basis for forcing the conferees to agree to the compulsory military training provision. It was, so to speak, a provision which Congress could easily at some future time twist into a compulsory military training provision, and was very objectionable to our farmers, our laboring men, and to the people generally. In short, the people want no compulsory military training in peace times. They do not want our country Prussianized, and I congratulate the House conferees on refusing to yield to the Senate provision and completely eliminating it from the bill. It means much to the country.

The third provision that was very objectionable to the 35 governors and 35 adjutants general was the Senate provision attempting to federalize the militia. The Senate sought to make the militia the second-line defense for the Regular Army. They sought to strip the 48 States of their power and authority over the militia. The Senate sought to have the Federal Government completely swallow up the militia. I repeat, 35 governors and 35 adjutants general have openly protested against it. The other governors were either passive or noncommittal on the subject, but I am sure they would have been opposed to the proposition had they taken time to study and understand and fully comprehend its far-reaching effect. I congratulate the House conferees for the good work they did in defeating this proposition.

I feel sure the action of the House to-day will be gratifying to the thousands of friends all over the country who have appealed for the elimination of this proposition. I personally have received numerous letters from farmers, who were unable to get a sufficient amount of help on their farms, for the defeat of this proposition. I am sure it will be gratifying to the laboring people of the country and to the American Federation of Labor, who have opposed it all along. I feel sure the committee's course will be gratifying to the 80,000 soldiers in Oklahoma, who were willing to serve loyally, faithfully, and well during the war, but who do not want any perpetual draft law or compulsory training in times of peace. I feel some little pride in this matter myself, for several months ago I made quite an earnest speech in the House in opposition to these provisions. I protested personally and in writing to the conferees against these features, and I have felt it my duty to congratulate the House conferees, who have served the country in first-class fashion.

The House conferees are entitled to thanks and appreciation. They have rendered yeoman service.

I feel keenly indebted to the gentleman from California [Mr. KAHN], the gentleman from Alabama [Mr. DENT], the gentleman from Kansas [Mr. ANTHONY], and the gentleman from Kentucky [Mr. FIELDS]. I know their load has been heavy. Their task has been well done.

The one criticism I have of this bill, and I do not pretend to say that it is in all things a just criticism, for I do not profess to be an expert, is the question of having 18,000 officers to officer 280,000 men. That would seem to a layman who does not pretend to know all about the situation to be one officer for every fifteen or twenty men. That seems to me too many. I am wondering when this becomes a law if it will not be found that there are too many officers. Mr. Speaker, I ask unanimous consent to extend and revise my remarks in the RECORD.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. WALSH. Reserving the right to object, are they the gentlemans' own remarks that he has made?

Mr. FERRIS. Surely.

The SPEAKER. The Chair hears no objection.

Mr. KAHN. Mr. Speaker, I yield one minute to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I congratulate the members of the Military Committee, the conferees upon the part of the House, and the country upon the conference report now presented on the Army reorganization bill. I believe it embodies a most excellent military plan and program, one that will receive the indorsement of practically everyone in the country who is familiar with legislation of this character, and in this connection I desire to submit some remarks on the subject of our military policy and program doing the late war.

Seventeen months ago the armistice terminating active operations in the war with Germany was signed. While still in the midst of the immediate consequences of that war, it is desirable, however difficult, to appraise the war effort in a broad way and to strike a balance of the costs on the one hand and the results achieved on the other hand. It is of primary importance to determine, first, what the administration did to prepare the Nation for the war after our entrance into it became inevitable, and, second, the extent to which its conduct of the war was vigorous, effective, and economical.

The success of our democracy depends upon the opportunity furnished the people to review the policy and accomplishment of its political leaders; it depends, too, upon their ability fairly to judge of the success with which the Nation's welfare and interests are protected. This furnished the compelling motive for inquiring into the administration's military policy, program, and effort since 1914.

There are those who in a spirit of partisanship say, "Well, we won the war; why bother about its mistakes or blunders?" The fact that the war represents the most significant event and undertaking in the life of this Nation since the Civil War is sufficient answer to this.

COMPARISON OF WAR COSTS.

The total direct cost of our participation in the war with Germany up to June 30, 1919, is conservatively estimated at $30,000,000,000, including loans to our allies. This is, roughly, $2,000,000,000 in excess of the total war cost of France up to that date; it is approximately two-thirds of the total war cost of Great Britain.

On this basis the average monthly expenditure of the United States was approximately three times as great as that of France and almost twice as great as that of Great Britain.

The following table shows the average monthly expenditure of the United States and our two leading allies, the average monthly expenditure being based upon the months of active operation. The direct cost of the war was computed on the following basis: From the expenditures—disbursements—of each nation for the war period and for the seven months immediately following the armistice were deducted the normal expenditures for the period of the war. The result was considered the direct cost of the war.

Country.	Period at war.	Months of active operation.	Total war cost to June 30, 1919.	Average monthly expenditure.
France	4 yrs. 3 mos	51	$28,249,487,446	$553,911,518
Great Britain	do	51	44,888,959,950	880,175,685
United States	1 yr. 7 mos	19	30,013,457,345	1,579,655,649

Included in the foregoing amounts are the loans made by each nation to her allies, which up to June 30, 1919, were as follows:

United States (the loans of the United States to allies have been increased since June 30, 1919, to March 31, 1920, by the sum of $387,720,914, making a total of $9,877,726,844)	$9,490,005,930
Great Britain	8,695,000,000
France	1,547,200,000

The maximum troop enrollment of France and Great Britain was almost twice as great as that of the United States; the average troop enrollment for the entire period of active operations is estimated at from two to three times as great as the United States. On this basis the per soldier day expenditure for France would approximate six times the per soldier day costs of the United States; the per soldier day costs of Great Britain would approximate from four to five times the per soldier day costs of the United States.

The extent to which the United States and her leading allies financed the war from current tax revenue is particularly illuminating. It appears, for example, that France relied entirely upon loans; that Great Britain and the United States, in addition to the normal expenses of Government, paid from 20 to 25 per cent of the war costs, computed above, from current revenue.

The following table shows the amounts over and above the normal revenue for the period of active operations, the amounts raised by the United States, Great Britain, and France for the purposes of the war:

Country.	Raised by current taxes.	Percentage of war cost paid by current taxation.
United States	$7,250,000,000	25
France	1,000,000,000	3
Great Britain	9,000,000,000	20

THE ACCOMPLISHMENT OF THE UNITED STATES—THE BALANCE OF MAN POWER.

Three months after our entrance into the war the Pershing expedition to France, comprising a mere handful of men, was organized. It was almost a year later that our allies, facing a critical situation because of the numerical superiority of the German forces being mobilized on the western front, appealed to us for help. The joint effort of the United States and Great Britain to transport our troops in large numbers immediately followed. When the armistice was signed we had approximately 2,000,000 men in France.

Thirteen months of the war period had elapsed before the American troops participated in a real sense in the operations on the western front. On April 28, 1918, they first took over a sector near Montdidier; the first major operation of these troops took place a month later at Cantigny.

The initiative, resourcefulness, and energy of the combat troops of the American Army on the western front furnished in the last five months of the war the balance of man power that brought about the defeat of Germany. This is recognized to-day. The performance and morale of those troops reflected the complete cooperation of the American people in the prosecution of the war—their willingness to make the sacrifice. The Nation, indeed, rose magnificently to the emergency. But these facts alone do not furnish the appraisal.

The success or failure of the administration's military policy and conduct depend upon the specific steps taken to prepare the Nation for the event of war and upon the machinery and methods which it developed to utilize the cooperation which the American people gave in such full measure to the war.

Were our troops adequately equipped? Was production of war equipment and munitions rapidly and effectively developed by the administration? Were the $30,000,000,000 expended by the Government for purely war purposes efficiently expended? Where did the dollar go?

In answering these questions we find that the record of the administration is not one of accomplishment. It is one of humiliating failure.

APPRAISAL OF RESULTS REFLECTS ADMINISTRATION'S FAILURE.

Viewed in these terms, the administration's military policy and program before and during the conduct of the war was a gigantic failure. Executive leadership was lacking. Slow to interpret the obvious significance of the European war, the President was even slower to act when our national peril was forced upon us. He refused to take competent counsel or to be guided by it. The President's indecision and his slowness to formulate any policy during the two years before our entrance into the war explains why on April 6, 1917, we were as unprepared for positive or effective action as we were at the time the *Lusitania* went down. The President's indecision and slowness to formulate a policy continued after April 6, 1917; he remained throughout the conduct of the war stubbornly hostile to the development of a comprehensive organization which could visualize war needs and get results. The entire war was fought with handicaps of organization which seem incredible to the competent critic.

The outstanding characteristic of our whole war effort: Delayed production and mismanagement.

Billions were appropriated for production of war material. A negligible result, in the light of all conditions, was obtained. Billions were wasted.

A multiplicity of boards and emergency departments were developed, on the initiative of the President and pursuant to the war powers given him. Their duties overlapped, their jurisdiction was oftentimes uncertain; coordinated direction was lacking. The war powers conferred upon the President contemplated centralization of authority. He deliberately disbursed it through a hierarchy of war and emergency organizations, each in large degree unable effectively to act.

The causes of waste and inefficiency may be summed up briefly as follows:

a. The inability of the President to visualize the war problem; his unwillingness to bring into the administration capable administrators under a properly coordinated war plan.

b. Lack of competent direction of the War Department and its activities: events proved that inefficient heads were placed in charge of important war-making bureaus and activities, such as Ordnance and Quartermaster.

c. Inefficient organization for war-making purposes.

The investigation during the last 15 months of the inside workings of the War Department and the policy of the administration lead us inevitably to these conclusions. Admitting that war is wasteful, it is obvious that the waste in the war with Germany was many times multiplied by the conditions for which the administration was responsible. I am confident that a sane and economical administrative policy during the war, coupled with adequate measures of preparedness before our entrance into the war, would have saved the American people at least $10,000,000,000 from the total expenditure of thirty billions; and, what is more important, it would have secured for us a greater result in terms of production.

RESPONSIBILITY FOR PREPAREDNESS PROGRAM.

The President of the United States is the constitutional head of the Government. Foreign relations are completely subject to his initiative and leadership. Congress and the people must await that leadership. The President in a time of international difficulty has the facts; he must interpret them, advise with Congress, and give leadership to the country.

President Wilson knew that this country would become a party to the war. He knew the moral sense of this people, their sense of moral obligation. As a student of history he knew that the conditions threatened war for this country. This is not mere assertion nor guesswork. He has himself admitted it. In reply to Senator McCUMBER's questions at the meeting with the Senate committee, August 19, 1919, he said:

> Our moral conviction of the unrighteouness of the German war would, I hoped eventually as the thing developed, have brought us into this war if Germany had not committed any acts against us.
>
> If Germany had committed no act of war or no act of injustice against our citizens, I think we would have gotten into the war.

March 3, 1916, the Associated Press Washington dispatches said:

> Congressmen who have visited the President to discuss the armed-ship issue have told their legislative associates that the President said that if another merchant ship was sunk without warning and American lives were lost he would dismiss the German ambassador and the Austrian chargé d'affaires, recall Ambassadors Gerard and Penfield, and prepare for emergencies. "What would be the next step," the President was asked by some of the congressional leaders, "the step following the break in diplomatic relations?" The President's response to this was that it had been represented to him that it might lead to war.

These two statements show beyond question that President Wilson actually not only "hoped and thought" this country would enter the war, but that he knew this was inevitable. He recognized the moral obligation resting upon this Government and people to enter the war regardless of Germany's acts against

us, and in that same White House conference he states that a moral obligation was much stronger than any legal obligation.

THE PRESIDENT'S SLOWNESS TO FORMULATE A POLICY.

Nothing reveals an early intention of the President to bring the American people into military sympathy with the view which he entertained or a sincere effort on his part to prepare the country for the emergency when it arose.

On August 18, 1914, in an address to the American people, President Wilson said:

The effect of this war upon the United States will depend upon what American citizens say or do. * * * The United States must be neutral in fact as well as in name. * * * We must be impartial in thought as well as in action, must put a curb on our sentiments. * * * My thought is America * * * a Nation that never sits in judgment upon others nor is disturbed in her own councils.

It was Theodore Roosevelt who, in comment, used the phrase—

Shivering apostles of the gospel of national abjectness.

It was Roosevelt, too, who said:

Wilson has met a policy of blood and iron with a policy of milk and water. Indecision and the treatment of conversation as a substitute for action and above all the making of threats which are not carried into action put a premium on exactly the form of anarchy and conspiracy of which the press complains.

Belgium appealed in her agony and he denied her. In his message to Congress four months after Germany had made a scrap of paper of the Belgian treaty, he referred to the war as—

a war with which we have nothing to do, whose causes can not touch us, whose very existence affords us opportunities of friendship and disinterested service which should make us ashamed of any thought of hostility or fearful preparations for trouble.

Then followed that speaking campaign during 1915 and 1916 to dull that moral sense which he says he hoped and thought would compel us to enter the war:

The example of America must be the example of peace, not merely because it will not fight, but of peace because peace is the healing and the elevating influence of the world and strife is not. There is such a thing as a man being too proud to fight.

With the war's causes and its objects we are not concerned. The obscure fountains from which its stupendous flood has burst forth we are not interested to search for nor explore.

There are actually men in America who are preaching war, who are preaching the duty of the United States to do what it never would before, seek entanglements in the controversies which have arisen on the other side of the water—abandon its habitual and traditional policy and deliberately engage in the conflict which is now engulfing the rest of the world.

These utterances reflect the leadership of the President during the period that Germany had been making war against this country. In 1915 the *Falaba*, *Gulfflight*, *Lusitania*, *Arabic*, and *Persia* were torpedoed. On March 24, 1916, the *Sussex*, a British channel passenger boat, was sunk without warning and several Americans injured. October 9 five vessels, one a Dutch neutral, were sunk close to our eastern coast. February 4, 1917, 7 American ships were sunk and 13 American lives lost, while other Americans perished on ships of other nations that were sunk.

THE ADMINISTRATION'S PLEA FOR INDORSEMENT IN THE POLITICAL CAMPAIGN OF 1916.

The administration asked for an indorsement of its record and its continuance in political power because it had "kept us out of war." In a preelection speech at Shadow Lawn the President directly pointed to the danger of war which Republican success pointed to. He said:

The certain prospect of the success of the Republican Party is that we shall be drawn, in one form or another, into the embroilments of the European war.

INDEPENDENT LEADERSHIP POINTED THE WAY.

During the two years from 1914 to 1916 a vigorous public opinion was being developed under the strong leadership of Theodore Roosevelt, which insisted that the Nation define a policy consistent with its honor and take adequate steps of preparedness to resist the aggression to which the Nation was being subjected.

Theodore Roosevelt, the outstanding leader of this movement, advocated only "that our preparedness take such shape as to fit us to resist aggression, not to encourage us in aggression."

The growth of this demand began to drag President Wilson along with it. He repeatedly indorsed Secretary Garrison's plan to build up a real national army with adequate reserves. But when the actual test came he rejected this for the plan of Congressman Hay, a pacifist, opposed to any army and whose program was a mere excuse. Mr. Garrison and his assistant resigned in disgust. Mr. Wilson had the ardent support of leading Democrats in an attitude of abject servility. He, however, continued to feel the strength of the undercurrent of popular sentiment. He felt the effect of the Roosevelt counterleadership. Late in 1916 and early in 1917 he put another tint in his coat of many colors. He took the appearance of being forced or dragged against his will into war. Like his indorsement of the Garrison plan, it was but an appearance. He said:

I would not condescend to appeal to your passions. I would be ashamed of myself if I tried to do anything to quiet your judgments. I do not wish you to be any more excited than I am. I am too solemn to be excited. I do not draw a passionate breath for fear I might disturb the nice equipoise of the peace of this part of the world.

SELECTION OF PACIFIST AS SECRETARY OF WAR.

It was on March 22, 1916, that Newton D. Baker was nominated by the President to be Secretary of War. Mr. Baker described himself and his fitness for office at that critical time as follows:

You may classify me as a professional pacifist. I belong to every peace society that I know of, and it is my contention we ought to substitute reason for force.

It was into such hands the President committed war preparedness and later war operations. Mr. Wilson either leaned to the pacifists or was a victim of pacifism. Roosevelt stated in March that "the American pacifist, the professional pacifist, has been the tool and subordinate ally" of our enemies.

THE NATION WAS UNPREPARED FOR WAR.

Discussion is unnecessary in view of the accumulation of evidence with which the country is acquainted to indicate that the Nation was wholly unprepared for the war which it declared April 6, 1917. Our Regular Army numbered but 85,000, with but 46,000 mobile troops. Our National Guard numbered 120,000; of this number, however, only 48,000 had qualified even as third-class riflemen.

Rear Admiral Fisk was forced to resign because he had testified as to the unpreparedness of the Navy, especially in all branches of the science of gunnery. Secretary Daniels reprimanded Commander Sterling for calling attention to the neglected condition of the submarine flotilla. Admiral Fletcher stated that the Atlantic Fleet was short 5,219 seamen and 339 officers. As Congressman Gardner showed, of the 50 vessels Secretary Daniels said had been added to the Navy, but 2 were new battleships—authorized in the Taft administration—and the rest were obsolete vessels taken from anchorage and undermanned.

In the summer of 1915 Gen. Leonard Wood opened the first Plattsburg camp for training civilians to become officers in the Army if needed. This did not have the President's verbal encouragement, nor the War Department's approval. It was not until after the camps of 1916 that the Democratic Congress appropriated funds to pay the expenses of these thousands of men who for love of the flag and loyalty to the country left their businesses to undergo the strict discipline and severe training of the camps. Even then this appropriation was forced by Republicans. Yet all officers of our Army testify that it would have been absolutely impossible to have officered the National Army in the training camps in France but for the Plattsburg system and the many thousands trained in these volunteer camps.

We then had in all but 11 airplanes and 2 machines in construction. The program was for but 50 machines to form four squadrons. When the war began Germany had 600 planes and 20 dirigibles, France had 1,200 planes and 15 dirigibles, Great Britain had 350 planes and 10 dirigibles, Russia had 300 planes.

FAILURE TO DEVELOP EFFICIENT ORGANIZATION FOR WAR PURPOSES.

The United States was the only "first-class power" in the war on either side—absolutely the only one—where the party in control made it a party war; the President refused to make use of the ability of the opposition party; he refused coalition; he made the war partisan and political and boasted that it was a Democratic war, while demanding of the Republicans complete subserviency to all their demands on the grounds of patriotic duty.

In 1915, nine months after England entered the war, a British coalition cabinet was formed with almost equal numbers of Liberals and Unionists, and with Laborites included. The ablest of the opposition were called into council. Men who were bitter and unrelenting political enemies came together, consulted, cooperated, advised, and worked together in complete harmony for the common cause—for Great Britain, their country. "If Britain lives, who can die?" was the faith that bound them together.

But in Great Britain not only did they soon make it a British war, they made it a business war. By September the British found their cabinet too cumbersome for war control. A special war committee of its members was named. One man was named in February, 1916, to coordinate the army and navy air service and an independent air force was organized. Finally, when Lloyd-George succeeded Asquith, he at once organized the war council of five to take complete control of war operations and every phase of war service. This is practically what Senator CHAMBERLAIN and the Senate Committee—Democrat—on Military Affairs proposed in January, 1918, but what President Wilson opposed as an interference with his conduct of

our war affairs. France followed the British plan and program step by step, and Italy and Russia closely coordinated with them.

THE ADMINISTRATION INVESTED WITH AMPLE POWER.

The Overman Act, passed May 20, 1918, was intended to enable the administration to profit by the British and French experience and develop effective coordination and central leadership of war activities. He demanded that act as a vote of confidence in his leadership. Although invested with such powers, the President failed to exercise them. Instead of developing a centralized system of control, in organizing on the war basis, 19 new boards, commissions, and agencies of a primary nature were created outside of the regular departments, the total expenditure of which during the fiscal year 1919 amounted to $2,723,526,540. The President under his war powers deliberately developed the type of organization which was suicidal from the viewpoint of results. He developed two cabinets—one devoted to peace-time functions, the other devoted to the conduct of the war. The organization, as it functioned during the stress of the war, was inherently wasteful because of the resulting confusion, overlapping, and conflicts of jurisdiction.

THE COUNCIL OF NATIONAL DEFENSE.

The Council of National Defense was one of the war agencies which the President developed. This act, passed in 1916, looked toward preparedness. It gave the President power to name six of his Cabinet as a Council of National Defense, and under it an advisory committee of seven. Under the advisory committee were "subordinate bodies for its assistance in special investigation," whose members should be experts to serve without pay, but use a fund to hire experts for technical work. The working rules and regulations of this council were subject to the approval of the President.

The Council of National Defense was regarded by the President as one of the vital war agencies. It was so constituted as to defeat its very purpose. Ninety-five subcommittees were constituted as a part of the council organization consisting of 688 members.

Inevitably their duties overlapped, crossed, recrossed, and duplicated. They had no authority and no responsibility; neither had the advisory committee nor, indeed, the council itself. The result, of course, was chaos. Hundreds of fine Americans accepted these voluntary tasks. They were glad to have a chance to serve their country for nothing. They hoped to accomplish great things with American efficiency, and big, splendid, able men actually wept at the mesh thrown around them, as they found themselves working or trying to work in veritable barbed-wire entanglements.

LACK OF EQUIPMENT FOR THE TRAINING OF MEN.

There was a lamentable weakness at the outbreak of the war in respect to equipment necessary for the training of men.

The recommendations of those in command of ordnance indicated a total lack of comprehension of the needs. Gen. Crozier stated that the capacity of all the arsenals was but 1,500 rifles a day. Men were trained in the camps without rifles; there were machine-gun companies that never saw a machine gun; artillery contingents who never fired a field-piece, and none of them ever saw a heavy howitzer, a large field rifle, motor artillery, or even antiaircraft guns and trench mortars until they reached France.

FAILURE TO GET PRODUCTION UNDER WAY.

The character of the organization developed for war purposes was ineffective. There were five purchasing divisions, each directed by a major general, under whom worked a brigadier general. Each officer was accountable to the superior war council, the War Industries Board, and the General Staff, and they in turn to the Secretary of War. Investigations confirm what was generally observed during the prosecution of the war—that the administration's lack of coordination of the multiplicity of war agencies and activities had resulted in lamentable delays and mistakes of administration. Walter S. Gifford, of the Council of National Defense, testified 10 months after our entrance into the war that "if the Government during the next 18 months is not better prepared to use its vast resources than it is now, we are going to fall down in winning the war." In this he agreed with Daniel Willard, chairman of the War Industries Board, and Baruch, who both favored a department of munitions, which the President regarded as a reflection on his conduct of his war. "The War Department," Mr. Gifford said, "needs one policy, one program, one head of its vast purchasing work."

Gen. Pershing in his report says his first act in France was to organize a general staff. As none had "hitherto existed in our Army," he had to take the French and British staffs as models. He had to establish great training camps for our men as they arrived, that they might be fitted for modern warfare with modern weapons. Large quantities of uniforms were ordered from England. France furnished them artillery, airplanes—not enough of either—and some tanks. American pursuit or fighting airplanes never reached the front. The first squadron, equipped with 12 American observation planes, was organized August 7, 1918, just 16 months after we entered the war, and these the aviators nicknamed the "flaming coffins." Many a splendid American flyer met a needless death. The sum of $1,050,000,000 was actually expended in airplane production in this country for this result. Toward the close of the war, according to Pershing, only 109 American-made 75's—a weapon much inferior to the French model—had been received, none in time to be used, and not a single gun of larger caliber.

We refused to make the French gun—the famous "75."

The following table presents the actual production of artillery in terms of the principal items of artillery equipment which was completed on or before November 11, 1918, and the amount which under revised plans of the War Department was completed after the armistice. This analysis shows that but 0.45 per cent of the United States' production in terms of cost was actually used in combat:

Principal items in the Artillery program from April 6, 1917, to June 30, 1919.

[Not including expenditures for increased facilities or settlement of claims.]

Items.	Accepted or to be accepted.	To Nov. 11, 1918.		To Nov. 14, 1918, delivered by foreign Governments.	Unit cost.	Total cost.	Cost of United States production completed prior to Nov. 11, 1918.	Cost of United States production used in combat.	Cost of material to be completed after Nov. 11, 1918.
		Completed in United States.	Floated to A. E. F.						
37 m/m guns (Infantry)	841	826	122	.....	$1,794	$3,302,754	$1,481,844	.....	$1,820,910
37 m/m guns (tank)	300	50	.....	.....	1,200	1,560,000	60,000	.....	1,500,000
3-inch A. A. guns (1918)	169	88	.....	.....	3,725	629,525	327,800	.....	301,725
3-inch A. A. mounts (trailers, 1917)	120	1	.....	.....	10,000	1,200,000	10,000	.....	1,190,000
75 m/m A. A. guns (1916)	51	51	26	.....	3,850	196,350	196,350	.....	.....
75 m/m A. A. truck mounts	123	44	26	72	10,000	1,230,000	440,000	$390,000	70,000
75 m/m guns (1916)	810	695	31	.....	3,850	3,118,500	2,675,750	.....	442,750
75 m/m gun carriage (1916)	363	206	26	.....	5,500	1,996,500	1,133,000	.....	863,500
75 m/m gun (Br. 1917)	909	724	124	.....	3,850	3,499,650	2,787,400	.....	712,250
75 m/m gun carriage (1917)	921	724	124	.....	5,500	5,065,500	3,982,000	.....	1,083,500
75 m/m gun (Fr. 1897)	3,904	74	.....	1,910	3,800	14,835,200	281,200	.....	7,297,920
75 m/m gun carriage (1897)	4,154	291	.....	1,910	5,500	22,847,000	1,600,500	.....	10,741,500
75 m/m gun recuperator (1897)	3,723	1	.....	1,910	3,255	12,118,365	3,255	.....	5,898,060
75 m/m gun carriage limbers (1916)	5,194	4,434	980	.....	1,075	5,583,550	4,765,550	.....	817,000
75 m/m gun caissons (1918)	19,132	11,954	4,448	.....	1,400	26,781,800	16,735,600	.....	10,049,200
75 m/m gun limbers (1918)	22,591	17,702	4,048	.....	1,100	24,850,100	19,472,200	.....	5,377,900
75 m/m store wagon (1917)	1,057	495	109	.....	1,702	1,799,014	812,490	.....	956,524
75 m/m store limbers	1,925	1,701	109	.....	925	1,780,625	1,573,425	.....	207,200
75 m/m battery wagons	1,323	615	144	.....	1,478	1,955,394	908,970	.....	1,046,424
75 m/m forge limbers	2,475	1,926	144	.....	1,000	2,475,000	1,926,000	.....	549,000
75 m/m battery reels	1,300	964	456	.....	635	825,500	612,140	.....	213,360
4.7-inch guns (1906)	[1] 420	91	[2] 64	.....	5,200	[2] 2,184,000	[1] 473,200	.....	1,710,800
4.7-inch gun carriages (1906)	[1] 462	247	[2] 64	.....	[3] 10,930	[2] 5,049,660	[2] 2,699,710	.....	2,349,950
4.7-inch gun-carriage limbers (1905)	[1] 963	406	[2] 64	.....	[2] 2,135	[2] 2,056,005	[1] 866,810	.....	1,189,195
4.7-inch caissons	[1] 1,256	261	[2] 64	.....	1,838	[2] 2,308,528	[1] 479,718	.....	1,828,810
155 m/m guns (1916)	993	71	16	233	13,000	12,902,000	923,000	.....	8,957,000

[1] Does not include 66 guns, 62 carriages, 110 limbers, and 112 caissons on hand prior to Apr. 6, 1917.
[2] See Note 1. It is assumed that the complete units floated were on hand prior to Apr. 6, 1917.
[3] Estimated.

Principal items in the Artillery program from April 6, 1917, to June 30, 1919—Continued.

[Not including expenditures for increased facilities or settlement of claims.]

Items.	Accepted or to be accepted.	To Nov. 11, 1918.		To Nov. 14, 1918, delivered by foreign Governments.	Unit cost.	Total cost.	Cost of United States production completed prior to Nov. 11, 1918.	Cost of United States production used in combat.	Cost of material to be completed after Nov. 11, 1918.
		Completed in United States.	Floated to A. E. F.						
155 m/m gun carriages	1,231	368	16	233	$18,000	$22,158,000	$6,624,000		$7,794,000
155 m/m gun recuperators	1,372	1		233	5,635	7,731,220	5,635		6,412,630
155 m/m gun-carriage limbers	1,231	370		233	1,800	2,215,800	666,000		1,130,400
155 m/m howitzer	3,285	1,172	2	796	5,400	17,739,000	6,328,800		7,111,800
155 m/m howitzer carriages	2,294	144		796	8,000	18,352,000	1,152,000		10,856,000
155 m/m howitzer recuperators	3,097	854		796	[1]3,788	11,731,436	3,234,952		5,481,236
155 m/m gun carriage limbers	2,189	207		796	1,500	3,283,500	310,500		1,779,000
155 m/m howitzer caissons	9,856	4,373	552		2,600	25,625,600	11,369,800		14,255,800
8-inch howitzers and carriages	517	173	96	124	54,000	27,918,000	9,342,000	$1,296,000	11,880,000
9.2-inch howitzers and carriages	45			44	68,000	3,060,000			68,000
240 m/m howitzer	400	1			10,000	4,000,000	10,000		3,990,000
240 m/m howitzer carriages	320	1			70,000	22,400,000	70,000		22,330,000
240 m/m howitzer recuperators	427	1			[1]14,655	6,257,685	14,655		6,243,030
5-inch seacoast guns and mounts	[2]28	[2]28	26		31,100	[2]870,800	870,800		
6-inch seacoast guns and mounts	[2]77	[2]77	74		13,500	[2]1,039,500	[2]1,039,500		
	92	92	74		25,000	2,300,000	2,300,000		
6-inch Navy guns	[3]79	[3]52			5,000	[3]140,000	5,000		135,000
6-inch Navy gun carriages	2				17,500	35,000			35,000
7-inch Navy guns and carriages	12	12			20,000	240,000	240,000		
8-inch S. C. guns (modified)	[4]62	[4]58	6		12,500	775,000	725,000		50,000
8-inch Barbette carriage	47	19	3		25,000	1,175,000	475,000		700,000
8-inch Navy gun (modified)	14				4,100	57,400			57,400
305 m/m railway mounts fabricated parts (sets)	36	16	4		38,000	1,368,000	608,000		760,000
Additional fabricated parts (sets)	36	8	4		10,000	360,000	80,000		280,000
12-inch railway carriage (1918)	12				150,000	1,800,000			1,800,000
12-inch mortar carriages (1918)	91	1			66,495	6,051,000	66,495		5,984,505
12-inch Chilean guns (caliber .50)	6	1			240,000	1,440,000	240,000		1,200,000
12-inch and 14-inch sliding railway mounts	3	1			207,000	621,000	207,000		414,000
12-inch howitzer (caliber .20)	1				174,381	174,381			174,381
12-inch howitzer mounts	1				106,000	106,000			106,000
12-inch Barbette carriage	32	20			100,000	3,200,000	2,000,000		1,200,000
14-inch Navy guns	48	6	3		128,958	6,190,080	773,748		5,416,332
Total						362,575,922	116,016,797	1,686,000	184,818,992
Percentage of total cost (per cent)						100	32	0.46	50.97

[1] Estimated.
[2] Guns were on hand Apr. 6, 1917, but required modification and mounts.
[3] 51 guns on hand Apr. 6, 1917. Not included in cost.
[4] 62 guns on hand but required modification.

The lack of effective production of airplane and artillery equipment during the 19 months before the armistice was typical of all departments of Army production.

Hundreds of thousands of shells were made in this country only to find there was no gas with which to charge them. Gas was then made, but there were no detonators to explode this when in the shell. Up to the end of the war we never produced shells, gas, and detonators coordinately, and so furnished no gas shells at all.

ATTITUDE OF THE REPUBLICAN PARTY; UNSTINTED SUPPORT OF THE WAR DICTATOR.

The Republicans in Congress and out submitted. They rose above partisanship. They turned Democrats for the time, and unquestioningly, unhesitatingly, without question or quibble, supported the President and his party. They were ignored in their country's councils; even war services were refused by the President because of political differences. But the Republicans voted to President Wilson greater powers and authority than were given any other ruler or head of a Government in any country with even a pretense of self-government. They voted him greater war funds than were given by any other Government.

From the day of the war message to the close of war operations President Wilson did not ask a credit, a tax, an increase of power or authority, or any single thing which he claimed would aid in waging the war to a successful end that was not granted.

From that day of our entrance into the war Republicans in and out of Congress forgot partnership. He was given, besides his control of the Army and Navy as Commander in Chief, the control of all industry, the right to commandeer, and, if he chose, operate industrial plants and mines, the control of railroads and ocean transportation and of telegraph and cable communications, of all commerce, of all raw materials, of the press, the power and authority to fix prices, to regulate the people's food supply, and to regulate finance.

The President was made the country's dictator. It was wholly within his power to have made any war organization, any war machine he chose, having, at his request added the right to reorganize and change to suit himself all the administrative bureaus, commissions, and agencies of the Government departments.

Immediately after this country entered the war the British and French sent commissions to Washington. They included the most skilled and experienced experts of both countries in every factor and every feature of the war machine. They included men who knew every detail of the experience and process of reorganization through which the Allies had gone in reaching that perfectly working organization and system for unifying and making effective the full force of their material strength and resources—man power, industry, science, invention, and finance.

These men were ready to give this Government the advantage of all they had learned and knew. They had been instructed to withhold or deny nothing. There were to be no secrets. Everything France and Great Britain had developed was to be placed at our disposal. This was done not only as to matters of organization to effect results most directly and completely, with least cost, waste, and friction, to economize funds, time, and effort, but it included every engine of war, every discovery, every factor in science and invention that had been made available for their own war uses.

The United States was not to go through the agonies, delays, and losses France and Great Britain had had if open-hearted, open-minded, complete trust and confidence could prevent it.

Refusal of all this seemed beyond imagination. Yet it was refused. Not one single item was accepted. Nothing was taken. President Wilson, who alone could act, who alone could accept, refused to come from the clouds to the hard earth of practicability.

THE ADMINISTRATION'S FAILURE AS SEEN BY A DEMOCRAT.

Senator CHAMBERLAIN, Democrat, fresh from listening for days to the testimony of Secretary Baker, most of which was contradicted by known conditions; having listened for a month to other testimony disclosing many features of stupid incompetence, or worse, made an address in New York. In anguish of spirit, almost in despair, he bluntly, realizing the hopelessness of the administration's self-satisfied, complacent inability to cope with so great a problem, told the bald truth. He said:

> The Military Establishment of America has fallen down. There is no use of being optimistic about a thing that does not exist. It has almost stopped functioning. Why? Because of inefficiency in every bureau and in every department of the United States. We are trying to work it out. I speak not as a Democrat but as a citizen of the United States.

Later, Senator CHAMBERLAIN said in the Senate:

> Great Britain has found such conditions existing and has corrected them. France, Italy, and Germany have done it. America ought to do it.

But America did not do it, because the President, retiring to that Tower of Babel of his own creation, stood helpless and bewildered by the myriad tongues of his frantic executives.

THE END OF THE WAR.

The war was being won on the western front and the German forces were near rout when that final series of remarkable notes between the President of the United States and the German Government led to the armistice. It was the abrupt conclusion of the war—and the new problems of peace—which terminated the analysis and scrutiny to which the administrative mistakes and blunders of the administration's military policy was then being subjected—mistakes which would have proved costly in human lives as they proved costly in dollars and cents had the balance of effective man power not been mobilized on the western front.

During the 16 months following the armistice the characteristic lack of planning evidenced through the prosecution of the war has continued. The administration's utter failure to develop a reconstruction and retrenchment program is the natural sequel of what happened during the war.

The Republican Congress has endeavored to cooperate with the administrative departments in the carrying out of a reconstructive and retrenchment program, but, notwithstanding the desire and effort of certain officers of the Military Establishment to aid in the development of such a program, the administrative departments in the main, through indifference or disinclination, have blocked the way.

Congress has not been disposed to be parsimonious, but rather to be liberal, in its military program, but Congress has desired economy and efficiency. Under present administrative control it seems to be impossible to secure either, with the result that the country is paying much more than it ought to for its defense establishments.

FAILURE TO SALVAGE AND FIX A PLAN AND PROGRAM.

Only after the most persistent agitation in Congress was the War Department prevailed upon, or rather compelled, to undertake a sale and distribution of its surplus supplies, particularly foodstuffs, and notwithstanding the fact that 17 months have passed since the signing of the armistice the department is still holding stores which ought to be disposed of. The department seems to have deliberately entered upon the pursuit of a policy of waste and extravagance in the handling of its automobiles. It seems to have had a fixed purpose not to sell a new machine, but to use machines long enough to make them secondhand, and then reluctantly dispose of them. Notwithstanding the continued efforts of Congress, the department has quite successfully blocked the way to a general distribution among the States where needed of trucks, tractors, and road material. Up to date the department does not know its own mind as to what should be permanently retained in the way of camps, cantonments, material, or facilities. Certain abandoned posts which the department has heretofore tried to get rid of it now clings to tenaciously, though they are badly needed by the Public Health Service to furnish hospital facilities and accommodations for disabled soldiers of the late war. And so it goes through the whole gamut of activities, or, rather, lack of activities, of the service. But what can one expect?—the condition in our defense establishments, with all their facilities and all their wealth of splendid personnel, but reflects the character of their administrative heads.

Mr. KAHN. Mr. Speaker, I yield two minutes to the gentleman from Nebraska [Mr. McLAUGHLIN].

Mr. McLAUGHLIN of Nebraska. Mr. Speaker, I wish to take this opportunity to express my appreciation of the work that the conferees of the House have accomplished. I believe they are entitled to our congratulations. The administration asked Congress for an Army of 576,000 enlisted men and 28,000 officers. The administration also asked for a system of universal compulsory military training. The Army that was asked for by the administration, figuring at the rate of $2,000 per man, which is conservative, would have cost this Government $1,152,000,000 annually, plus whatever it would have cost to carry out the scheme of universal military training, which has been variously estimated to be a billion dollars, more or less.

Mr. HOWARD. Mr. Speaker, will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. I decline to yield, as I have but two minutes. The committee has brought to us a bill which provides for 280,000 enlisted men and 17,800 officers, minus any scheme for compulsory universal military training. The cost of such an army will be about $560,000,000 a year, which is an annual saving over the amount that would have been required to support the army asked for by the administration of $592,000,000 a year. The elimination of the compulsory universal military training from the bill saves another billion dollars. Again I repeat that the Congress is to be congratulated on the passage of an Army reorganization bill that will save $1,592,000,000 to the taxpayers of the Nation under the amount that would have been necessary to carry out the recommendation of the President and the Secretary of War.

Mr. KAHN. Mr. Speaker, I yield three minutes to the gentleman from Alabama [Mr. DENT].

Mr. DENT. Mr. Speaker, I did not subscribe, as the statement that the gentleman from Kentucky [Mr. FIELDS] and I signed shows, to some of the features of the bill as it passed the House and as it passed the Senate. I was opposed to the idea of the composition of the Army, and I made my views clear when the bill was pending before the House. I thought that the number of officers in the Army was entirely too large, and I still think so. One officer for practically every 15½ men in the Army seems to me entirely too much. I thought when the bill passed the House that the higher ranking officers were too many in number. Those matters, however, were settled by the House and they were settled by the Senate; and in the conference I wish to say that the House conferees, after six weeks of work, have accomplished all that could possibly be expected of them. For that reason I signed the report. We struck out of the Senate bill practically all of the features that were objectionable to the House. We have taken care of the National Guard. We have taken care of the Chief of the Militia Bureau in a way which I think will be entirely satisfactory. We struck out the provision continuing the draft act whenever a national emergency may exist. On the whole, I think the conferees have worked out a wonderfully fine compromise proposition, and so far as I am concerned, although I think the Army is perhaps a little too large and I know the number of officers is too great, I would be willing to accept the conference report, reserving the right, of course, to vote in accord with my previous record. [Applause.]

Mr. KAHN. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. SWOPE].

Mr. SWOPE. Mr. Speaker, to my mind one of the greatest features of this bill is the reform of the court-martial system of our Army. The system we have been laboring under is simply a survival of one of the most unjust practices that has ever masqueraded under the name of justice. This is a reform I have been advocating and working for a long time, and I am now glad to see it incorporated in the Army reorganization bill and am glad to vote for it. One of the features I refer to is found on page 42 of the conference report, and I wish you gentlemen would notice it with me. I refer to article 40, relative to courts-martial, which provides as follows:

ART. 40. As to number: No person shall, without his consent, be tried a second time for the same offense; but no proceeding in which an accused has been found guilty by a court-martial upon any charge or specification shall be held to be a trial in the sense of this article until the reviewing and, if there be one, the confirming authority shall have taken final action upon the case.

No authority shall return a record of trial to any court-martial for reconsideration of—

(a) An acquittal; or

(b) A finding of not guilty of any specification; or

(c) A finding of not guilty of any charge, unless the record shows a finding of guilty under a specification laid under that charge, which sufficiently alleges a violation of some article of war; or

(d) The sentence originally imposed, with a view to increasing its severity, unless such sentence is less than the mandatory sentence fixed by law for the offense or offenses upon which a conviction has been had.

And no court-martial, in any proceedings on revision, shall reconsider its finding or sentence in any particular in which a return of the record of trial for such reconsideration is hereinbefore prohibited.

That is a great article, and will prevent many acts of injustice. You notice in subsection (a) of the above article that in the case of an acquittal no authority shall return a record of trial to any court-martial for reconsideration. Under our present unjust court-martial procedure if a man is acquitted on his trial the reviewing authority can refer the case back to the court for reconsideration. Think of it! Where in our broad land is there a court with such despotic authority? If our civil courts, which are well versed in law, have not that authority, why should some Army general or reviewing authority have the right to say to a court-martial that it has made a mistake in acquitting a man and that it should reconsider its action? Such a practice almost amounts to no trial by jury at all, because while the members of the courts-martial are not compelled to follow the directions of the reviewing authority, yet they are subordinates to the reviewing authority and naturally try to please him in many instances. Now, just to illustrate the injustice of this practice, I want to read to you a case where a soldier was tried by a court-martial and found "not guilty," but the reviewing authority, apparently thinking he knew more about the case than those before whom it was tried, referred it back for reconsideration. I am personally acquainted with this case. A lieutenant was tried in one of the camps of

this country for violation of the ninety-fifth article of war. There were two specifications laid thereunder. The man was found "not guilty," but when the record reached headquarters it was disapproved and returned to the court for reconsideration, and I want you to listen to the statement that is made:

In the foregoing case of Second Lieut. Elmer L. Berg, Infantry Reserve Corps, the court, notwithstanding clear and conclusive evidence of guilt, has persisted in adhering to a finding of acquittal, which finds no support either in the record or in the law; and has persisted therein after its error has been carefully pointed out.

Proper regard for the good of the service and the duty of the court thereto plainly indicated a different finding in this case; and the division commander can not do otherwise than express his displeasure and astonishment that any court should be found so lacking in judgment.

The proceedings and findings are disapproved.

By command of Brig. Gen. Beach.

Now, does the old régime in Russia or Prussia offer a more glaring example of militaristic despotism? After the court had acquitted the soldier and refused to change its findings, this Gen. Beach, who was not even present at the trial and knew nothing of the case except perhaps by a careless review of the transcript of the case and some ill feeling toward this young officer, ordered the court to reconsider.

Now, the worst part of this case was that this young man was acquitted by the court on May 2, 1918, and was kept in confinement until May 22, 1918. In other words, this man was kept in confinement 20 days after he had been declared innocent, and all because Gen. Beach desired to express "his displeasure and astonishment." The result was that this young man, after having been in confinement 20 days, after he was declared innocent by the court, left his quarters one night and was tried again for breaking arrest, and was dismissed the service. Such rules, articles, and practices do not encourage discipline nor morale, but actually break down morale and destroy discipline in its proper sense. Under the new provisions of this act this could not have occurred because it says, on page 39:

Whenever the court has acquitted the accused of all specifications and charges, the court shall, at once, announce such result in open court.

The SPEAKER. The time of the gentleman has expired.

Mr. SWOPE. Will the gentleman yield me one more minute?

Mr. KAHN. All right; I yield the gentleman one minute.

Mr. SWOPE. Now, gentlemen, getting back to this young soldier. In view of the manifest injustice done him, I took it up with the office of the Judge Advocate General to see if we might secure an honorable discharge for him, and received a full and comprehensive letter from that office, which, after giving the facts in the case as I have given them to you, ended with the paragraph:

As former Lieut. Berg was dismissed the service pursuant to a legal court-martial sentence, he is completely separated from the Army, and not being in the Army he can not be discharged therefrom.

This lieutenant served honestly and faithfully and was exonerated by the court on his first trial, but now can not have a discharge simply because he declined and refused to be kept in arrest more than 20 days after he had been acquitted, and as a result was tried again and dismissed.

Mr. FIELDS. All because one officer thought he should have been convicted.

Mr. SWOPE. Exactly. But under this new bill, which marks a great step in the proper direction, it can never happen again. [Applause.]

Mr. KAHN. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. CALDWELL].

Mr. CALDWELL. Mr. Speaker, I dislike very much to be a jarring note in this symphony of approval that has gone on here, but, personally, I shall vote against the conference report. In the first place, the bill carries a provision relative to the National Guard that is clearly unconstitutional, and so decided by every lawyer who has examined the decisions of the Supreme Court upon the subject. In the second place, it does not comply with the wishes of the experts in the National Guard in the States that have a sufficient amount of National Guard to understand what it means, and they represent a major portion of the organized guard; and, in the third place, this great committee and this Congress has, like the mountain, labored and brought forth a mouse. There is no question but that when this bill becomes effective this country will be in as helpless a condition as when we entered the Great War. I think it is a shame that the membership of a great body like this, after the country was caught unprepared by the great military powers of the Old World and sent its men into battle untrained and untried, should say to the coming generation that in the next war they, too, shall go to the sacrifice, and go as unprepared as the boys went in this generation. Under those circumstances, Mr. Speaker, if I am the only Member of this Congress who votes against this conference report, I propose to vote against it. My country may be unprepared for the next war, but at least I will have a clear conscience.

Mr. McLAUGHLIN of Nebraska. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection?

Mr. HOWARD. Mr. Speaker, I object.

Mr. KAHN. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. McKENZIE].

Mr. McKENZIE. Mr. Speaker and gentlemen of the House, as a member of the Committee on Military Affairs, I think I voice the sentiment of all my fellow members on that committee in saying that we rejoice, after months and months of hard labor, that we have reached this hour when we are to take final action on this bill. I do not agree with my colleague from New York [Mr. CALDWELL] that we have labored long and brought forth a mouse. It is true that a majority of us on the committee declined to follow the lead of our distinguished colleague from New York. We have done many things in this bill over his protest; but, after all, I want to say to my colleagues in all sincerity as one member of the Committee on Military Affairs, who has only in mind the welfare of the Military Establishment and our country, that in my judgment this bill will be the best military law that has ever been written on the statute books of our country. It does justice to the Regular Army, it takes care of the National Guard, it removes the heartburnings of thousands of men in the Regular Army who have not known their position heretofore, and it protects the people by providing 18,000 officers.

We learned one lesson in the World War just passed, and that is, if there is one thing necessary as a matter of national defense it is officers who are qualified. We have provided in this bill for the organization of a General Staff that will be of value on the field of battle as well as in the city of Washington. And I want to say to any man in this room who is alarmed about the number of officers that there are only about 50 per cent of those officers who are really fighting men. Under a system that has been in vogue in this country for years, we have given commissions to chaplains, to veterinarians, to doctors, and to dentists, and all the other civilian auxiliary branches of the Army, which adds to the total number of officers. And do not be misled in thinking that we have too many fighting officers provided for in this bill. We ought to have more of them and fewer of these other commissioned officers.

Mr. SWOPE. Mr. Speaker, I ask unanimous consent to revise and extend the remarks that I made on this bill.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to revise and extend the remarks made on this bill. Is there objection? [After a pause.] The Chair hears none.

Mr. KAHN. Mr. Speaker, I yield two minutes to the gentleman from Iowa [Mr. HULL].

Mr. HULL of Iowa. Mr. Speaker, I quite agree to all the nice things that have been said about the conferees on this bill. I think it is a wonderful bill, but there is one feature about it which, though a minor feature, I think will cause criticism in the future. It was not in the bill the way it is now when it passed the House. I think it is reasonable to call attention to it here. It is in regard to the one-year enlistment. As the bill passed the House I think that feature was perfect. A man could enlist for one year and he could reenlist for another one year, or he could enlist for three years. As it is now, a man can enlist for one year, but can not reenlist for one year. The result of that will be that we will have beginners taking training for one year. We will have men with training of one year that can not get into the Army for another one-year enlistment. The result will be they will criticize Congress for passing such an unreasonable law, when it is not our fault at all, but is due to the stupid opposition of the Army, that has always opposed short-term enlistments. It will be corrected later.

Mr. KAHN. Mr. Speaker, how much time have I consumed?

The SPEAKER. Thirty-seven minutes.

Mr. KAHN. Mr. Speaker, the Members of the House have expressed various views about the conference report. The bill as it is reported by the conferees is practically the House bill. We took some of the Senate provisions. I believe they helped to better the House bill. I have not the fear that the gentleman from New York [Mr. CALDWELL] has about this bill. I think, and I believe, that it is the best military bill that has ever been written upon the statute books of the Republic. [Applause.] Oh, if I could have written it myself I think I could have bettered it in many particulars. There are a number of strong preparedness sections that I would have included. But, after all, when a bill goes to conference you have to respect the views of the bodies at both ends of this Capitol.

Mr. BEE. Will the gentleman yield for a question?

Mr. KAHN. I will.

Mr. BEE. Of course, I am strongly in favor of this conference report, and I share the sentiments of the other Members. On page 40, article 32 seems to be a dangerous proposition, inasmuch as it gives the military tribunal the right to punish a civilian for contempt. Do I understand the practice in the past has been that when a civilian commits contempt before a military court-martial, it has been referred to the United States attorney, and he is tried before a Federal judge? If I read article 32, page 40, correctly, it would give the military court-martial the right to imprison for a month a civilian who is guilty of contempt before a military tribunal. It occurred to me it was a dangerous precedent, and I felt it my duty to call attention to the matter.

Mr. KAHN. Mr. Speaker, the Articles of War and court-martial trials were considered by a subcommittee of the Committee on Military Affairs, of which the gentleman from Pennsylvania [Mr. CRAGO] was chairman. That committee went into these questions very fully. They had voluminous hearings. They heard officers of the Judge Advocate's Department; they heard officers who were in the American Expeditionary Forces, and a committee from the American Legion appeared before that subcommittee and went over every article embraced in that section of the conference report which relates to military justice. That committee felt fully convinced that it was advisable to retain that section. They so reported to the entire Committee on Military Affairs, which committee accepted the report of its subcommittee.

I yield to the gentleman from Pennsylvania [Mr. CRAGO], the chairman of that subcommittee, in my time, to explain the matter.

Mr. BEE. Mr. Speaker, I want to ask the gentleman from Pennsylvania, if he will permit me to ask a question in that connection, whether, in the judgment of the gentleman from California or the gentleman from Pennsylvania, the Congress has the right to pass a law that would make a civilian subject to punishment and confinement by a military court-martial?

Mr. CRAGO. I do not think there is any question about that, and if the gentleman desires an explanation of it, and another paragraph, which makes another offense committed by a civilian in connection with a court-martial procedure punishable by the Federal courts, I will say that the matter was brought up something like this: In one of the court-martial proceedings, where they were trying an alleged draft evader——

Mr. BEE. In that instance he would be subject to the military authorities.

Mr. CRAGO. The gentleman did not let me finish my statement. As I was saying, the Government found the witnesses before the court were being tampered with by outside parties, and they found to their dismay that there was nothing making the tampering with witnesses before the court-martial a penal offense, and we thought that that should be provided for in these Articles of War. And this section 32 was put in here merely to safeguard the procedure before the court-martial. In other words, around many of the military posts there are numerous civilians, and in the conduct of these cases these civilians, without this provision here, would not be subject to the control of the officers of that court, and there might be riotous conduct, or menacing conduct, or threatening conduct, or disorderly conduct of any kind, and the court-martial would have to await the determination of some other court maybe hundreds of miles away.

Mr. BEE. If the gentleman will permit me, what becomes of the existing law on that subject, which has heretofore required cases of contempt by civilians before a military court to be sent to the United States court?

Mr. CRAGO. That would be all right if a United States court were available for that purpose. But this simply defines what act of civilians constitutes an offense. That is section 32. I do not think there is any question about the position that the gentleman takes in a general way. In other words, you can very well see how the action of a court could be broken up by civilians with no power to punish. This is only in line with the general provision which makes all persons in the vicinity of a military post subject to military law.

Mr. BEE. I want to ask the gentleman from Pennsylvania this question: I am just as strong for the Army and all that as any other man, but what right have we to pass a law which gives the military authorities control over civilians around a military post?

Mr. CRAGO. We are establishing here a system of military courts, and the very right that would enable us to establish a Federal court or define offenses punishable by a Federal court gives us the right. The same lawmaking power exercised here would be authorized to define any other offense against a Federal statute.

Mr. KAHN. I may say that the Judge Advocate General, who is well grounded in matters of this kind, believes this to be constitutional; and he, after all, is the law officer of the War Department.

Mr. BEE. What becomes of existing law, which now requires, before this enactment, that persons convicted of contempt before a military court shall be sent to the United States court?

Mr. CRAGO. I do not think this will repeal that law. It is simply an additional method of dealing with that class of offenders.

Mr. CLARK of Missouri. Mr. Speaker, will the gentleman yield?

Mr. CRAGO. Yes.

Mr. CLARK of Missouri. Are you trying to make it a criminal offense for a witness not to obey an ordinary subpœna?

Mr. CRAGO. Not in this provision.

Mr. KAHN. This is to cover cases where civilians attempt to interfere with witnesses who are summoned to appear before a court; in preventing tampering with those witnesses. Of course, if it were a civil case or a criminal case they could be severely dealt with according to statute law.

Mr. BEE. And they can now be so dealt with. Let me ask the gentleman this further question: A great many of the courts of this country have held that a contempt proceeding is subject to review. The writ of habeas corpus lies, and a trial by jury would be a part of their right. Does this section take away from a civilian who may be disrespectful to the court the right of writ of habeas corpus or the right of trial by jury as to whether or not he has committed a violation of the law?

Mr. SISSON. The gentleman from Pennsylvania does not mean in a contempt proceeding, unless it is specifically provided that he shall have the right of trial by jury.

Mr. CRAGO. This only amends section 32, but it does not disturb that right that a man would have to appeal.

Mr. SISSON. Let me ask this question: Is it limited only to cases where a civilian in some way attempts to pervert justice in a trial that is being conducted?

Mr. CRAGO. Yes; if he uses any menacing words or signs or gestures, or if he disturbs the proceedings by signs or disorder.

Mr. BEE. Or is disrespectful to them?

Mr. CRAGO. Yes.

Mr. KAHN. Mr. Speaker, there are one or two other little matters that remain to be explained.

A great deal of fear seems to have entered the minds of a great many of the wounded officers, and they were fearful that they would be thrown out of the medical hospitals of the Army on the 1st of July. The bill contains a provision continuing those wounded men on the roll until they are cured or put in a condition where the Army hospitals can not give them any further relief.

Mr. Speaker, I move the previous question on the conference report.

The SPEAKER. The gentleman from California moves the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. ALMON. Mr. Speaker, I ask for a division.

The SPEAKER. The gentleman from Alabama asks for a division.

Mr. JOHNSON of Mississippi. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Mississippi demands the yeas and nays.

Mr. MANN of Illinois. I suggest to the gentleman from Mississippi that he wait until the House divides, and then he can get an automatic roll call.

Mr. JOHNSON of Mississippi. I make the point of no quorum present.

Mr. MANN of Illinois. If the gentleman makes the point of no quorum now he will not get an automatic roll call.

The SPEAKER. The Chair suggests that the gentleman wait until the House divides.

Mr. JOHNSON of Mississippi. I thought the House had divided.

The SPEAKER. No. The House is about to divide.

The House divided; and there were—ayes 109, noes 30.

Mr. JOHNSON of Mississippi. Mr. Speaker, I make the point of no quorum present.

The SPEAKER. The Chair thinks there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll. Those who favor agreeing to the conference report will, as their names are called, vote "yea," those opposed will vote "nay."

The question was taken; and there were—yeas 237, nays 107, not voting 83, as follows:

YEAS—237.

Ackerman	Freeman	Longworth	Riordan
Anderson	Fuller, Ill.	Luce	Robsion, Ky.
Andrews, Md.	Fuller, Mass.	Lufkin	Rodenberg
Andrews, Nev.	Gallagher	Luhring	Rogers
Anthony	Gallivan	McAndrews	Rose
Babka	Ganly	McArthur	Rowe
Bacharach	Gard	McFadden	Sabath
Barbour	Garland	McGlennon	Sanders, Ind.
Bee	Glynn	McKenzie	Sanford
Begg	Goldfogle	McKiniry	Schall
Benham	Good	McKinley	Sells
Benson	Goodykoontz	McLaughlin, Mich.	Siegel
Black	Graham, Ill.	MacCrate	Sinnott
Bland, Ind.	Green, Iowa	McLaughlin, Nebr.	Slemp
Bland, Mo.	Greene, Mass	MacGregor	Smith, Idaho
Bland, Va.	Greene, Vt.	Madden	Smith, Ill.
Boies	Griest	Magee	Smith, Mich.
Brooks, Ill.	Griffin	Maher	Smith, N. Y.
Brooks, Pa.	Hadley	Mann, Ill.	Stephens, Ohio
Burdick	Hamilton	Mapes	Strong, Kans.
Burroughs	Hardy, Colo.	Martin	Strong, Pa.
Butler	Harreld	Michener	Summers, Wash.
Campbell, Kans.	Harrison	Miller	Sweet
Campbell, Pa.	Haugen	Minahan, N. J.	Swope
Cannon	Hawley	Monahan, Wis.	Taylor, Tenn.
Carew	Hays	Mondell	Temple
Chindblom	Hersman	Mooney	Thompson
Christopherson	Hickey	Moore, Ohio	Tilson
Classon	Hicks	Moore, Va.	Timberlake
Coady	Hill	Moores, Ind.	Tincher
Cooper	Hoch	Morgan	Tinkham
Copley	Holland	Mott	Towner
Crago	Howard	Mudd	Treadway
Crowther	Hudspeth	Murphy	Upshaw
Cullen	Hull, Iowa	Neely	Vaile
Currie, Mich.	Husted	Nelson, Wis.	Vare
Dallinger	Hutchinson	Newton, Minn.	Vestal
Darrow	Igoe	Newton, Mo.	Walsh
Dempsey	Ireland	O'Connell	Walters
Denison	James	Ogden	Ward
Dickinson, Iowa	Jefferis	Olney	Wason
Donovan	Johnson, S. Dak.	Osborne	Watson
Dooling	Johnston, N. Y.	Overstreet	Webster
Dowell	Juul	Paige	Welling
Drewry	Kahn	Parker	Welty
Dunbar	Kearns	Pell	Wheeler
Dunn	Kendall	Peters	White, Kans.
Dupré	Kennedy, R. I.	Phelan	White, Me.
Eagan	King	Platt	Williams
Echols	Kinkaid	Purnell	Wilson, Ill.
Elliott	Kleczka	Radcliffe	Winslow
Emerson	Knutson	Rainey, J. W.	Wise
Esch	Kraus	Raker	Woods, Va.
Evans, Nebr.	Layton	Ramsey	Woodyard
Fairfield	Lazaro	Ramseyer	Wright
Fess	Lea, Calif.	Randall, Wis.	Yates
Fisher	Lee, Ga.	Reed, N. Y.	Zihlman
Focht	Lehlbach	Reed, W. Va.	
Fordney	Linthicum	Ricketts	
Foster	Lonergan	Riddick	

NAYS—107.

Almon	Davis, Minn.	Kincheloe	Robinson, N. C.
Ashbrook	Davis, Tenn.	Lampert	Romjue
Aswell	Dent	Lanham	Rouse
Ayres	Dickinson, Mo.	Larsen	Rubey
Baer	Dominick	Lesher	Sanders, La.
Bankhead	Doughton	Little	Sherwood
Barkley	Eagle	McDuffie	Sinclair
Bell	Evans, Mont.	McKeown	Sisson
Blanton	Ferris	McLane	Steagall
Bowers	Fields	Major	Steenerson
Box	Flood	Mann, S. C.	Stevenson
Brand	French	Mead	Stoll
Briggs	Gandy	Milligan	Sumners, Tex.
Browne	Garner	Moon	Tague
Buchanan	Garrett	Nelson, Mo.	Taylor, Ark.
Byrnes, S. C.	Goodwin, Ark.	Nicholls	Taylor, Colo.
Byrns, Tenn.	Hardy, Tex.	O'Connor	Venable
Caldwell	Heflin	Oldfield	Vinson
Candler	Hoey	Oliver	Voigt
Caraway	Huddleston	Padgett	Volstead
Carss	Hull, Tenn.	Park	Watkins
Casey	Humphreys	Parrish	Weaver
Clark, Mo.	Jacoway	Quin	Whaley
Collier	Johnson, Ky.	Rainey, Ala.	Wilson, Pa.
Connally	Johnson, Miss.	Rainey, H. T.	Wingo
Cramton	Jones, Tex.	Randall, Calif.	Young, Tex.
Davey	Keller	Rayburn	

NOT VOTING—83.

Blackmon	Clark, Fla.	Doremus	Godwin, N. C.
Booher	Cleary	Drane	Goodall
Brinson	Cole	Dyer	Gould
Britten	Costello	Edmonds	Graham, Pa.
Brumbaugh	Crisp	Ellsworth	Hamill
Burke	Curry, Calif.	Elston	Hastings
Cantrill	Dale	Evans, Nev.	Hayden
Carter	Dewalt	Frear	Hernandez
Hersey	Lankford	Reavis	Snell
Houghton	McClintic	Reber	Snyder
Hulings	McCulloch	Rhodes	Stedman
Johnson, Wash.	McPherson	Rowan	Steele
Jones, Pa.	Mansfield	Rucker	Stephens, Miss.
Kelley, Mich.	Mason	Sanders, N. Y.	Stiness
Kelly, Pa.	Mays	Scott	Sullivan
Kennedy, Iowa	Merritt	Scully	Thomas
Kettner	Montague	Sears	Tillman
Kiess	Morin	Shreve	Wilson, La.
Kitchin	Nolan	Sims	Wood, Ind.
Kreider	Porter	Small	Young, N. Dak.
Langley	Pou	Smithwick	

So the conference report was agreed to.

The following additional pairs were announced:

Until further notice:

Mr. RHODES with Mr. TILLMAN.

Mr. DALE with Mr. EVANS of Nevada.

Mr. HERNANDEZ with Mr. HASTINGS.

Mr. COLE with Mr. HAYDEN.

Mr. SNYDER with Mr. CARTER.

Mr. ELSTON with Mr. DRAINE.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. GRAHAM of Pennsylvania with Mr. STEELE.

Mr. MASON with Mr. KITCHIN.

Mr. GOODALL with Mr. CRISP.

Mr. CURRY of California with Mr. BOOHER.

Mr. KIESS with Mr. DEWALT.

Mr. KELLY of Pennsylvania with Mr. DOREMUS.

Mr. JOHNSON of Washington with Mr. MCCLINTIC.

Mr. WOOD of Indiana with Mr. STEDMAN.

Mr. REAVIS with Mr. SIMS.

Mr. NOLAN with Mr. THOMAS.

Mr. STINESS with Mr. WILSON of Louisiana.

Mr. HERSEY with Mr. KETTNER.

Mr. KREIDER with Mr. BRINSON.

Mr. EDMONDS with Mr. GODWIN of North Carolina.

Mr. SHREVE with Mr. BRUMBAUGH.

Mr. SNELL with Mr. STEPHENS of Mississippi.

Mr. YOUNG of North Dakota with Mr. SCULLY.

Mr. DYER with Mr. RUCKER.

Mr. BURKE with Mr. SULLIVAN.

Mr. KELLEY of Michigan with Mr. MAYS.

Mr. FREAR with Mr. MONTAGUE.

Mr. JONES of Pennsylvania with Mr. OLNEY.

Mr. GOULD with Mr. SMALL.

Mr. MORIN with Mr. SMITHWICK.

Mr. MCPHERSON with Mr. SEARS.

Mr. PORTER with Mr. POU.

Mr. MCCULLOCH with Mr. ROWAN.

Mr. SCOTT with Mr. CLEARY.

Mr. SANDERS of New York with Mr. LANKFORD.

Mr. REBER with Mr. HAMILL.

Mr. MERRITT with Mr. BLACKMON.

Mr. ELLSWORTH with Mr. MANSFIELD.

Mr. HOUGHTON (for) with Mr. CANTRILL (against).

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

On motion of Mr. KAHN, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 11960. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921; and

H. R. 13416. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, and for other purposes.

ALLOTMENT OF LAND OF THE CROW INDIANS—CONFERENCE REPORT.

Mr. CAMPBELL of Kansas. Mr. Speaker, I call up the conference report on the bill S. 2890, to provide for the allotment of land of the Crow Tribe, for the distribution of tribal funds, and for other purposes.

The SPEAKER. The gentleman from Kansas calls up the conference report of which the Clerk will read the title.

The Clerk read the title, as follows:

S. 2890. An act to provide for the allotment of land of the Crow Tribe, for the distribution of tribal funds, and for other purposes.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Kansas asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2890) to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 2, 19, 20, and 31.

That the Senate recede from its disagreements to the amendments of the House numbered 3, 10, 11, 12, 13, 14, 15, 17, 18, 21, 22, 24, 25, 26, 27, 28, 29, 30, and 32, and agree to the same.

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: Omit the matter stricken out by said amendment and, on page 1 of the bill, in line 10, after the word "Montana," insert the following: "(not including the Big Horn and Pryor Mountains the boundaries whereof to be determined by said commission with the approval of the Secretary of the Interior) and"; and the House agree to the same.

Amendments numbered 4, 5, 6, 7, 8, and 9: That the Senate recede from its disagreement to the amendments of the House numbered 4, 5, 6, 7, 8, and 9, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"SEC. 2. No conveyance of land by any Crow Indian shall be authorized or approved by the Secretary of the Interior to any person, company, or corporation who owns at least 640 acres of agricultural or 1,280 acres of grazing land within the present boundaries of the Crow Indian Reservation, nor to any person who, with the land to be acquired by such conveyance, would become the owner of more than 1,280 acres of agricultural or 1,920 acres of grazing land within said reservation. Any conveyance by any such Indian made either directly or indirectly to any such person, company, or corporation of any land within said reservation as the same now exists, whether held by trust patent or by patent in fee shall be void and the grantee accepting the same shall be guilty of a misdemeanor and be punished by a fine of not more than $5,000 or imprisonment not more than six months or by both such fine and imprisonment.

"The classification of the lands of such reservation for the purpose of allotment and the allotment thereof shall be made as provided in the act of Congress approved June 25, 1910 (36 Stat. L., p. 859), which classification with any heretofore made by authority of law as to lands heretofore allotted shall be conclusive, for the purposes of this section, as to the character of the land involved."

And the House agree to the same.

Amendment numbered 16: That the Senate recede from its disagreement to the amendment of the House numbered 16, and agree to the same with an amendment as follows: On page 6 of the bill, in line 10, after the word "act" insert the following "unless otherwise ordered by Congress"; and the House agree to the same.

Amendment numbered 23: That the Senate recede from its disagreement to the amendment of the House numbered 23, and agree to the same with an amendment as follows: Omit the matter stricken out and inserted by said amendment; and the House agree to the same.

P. P. CAMPBELL,
J. H. SINCLAIR,
C. E. RANDALL,
HARRY L. GANDY,
ZEBULON WEAVER,
Managers on the part of the House.

CHARLES CURTIS,
T. J. WALSH,
JOHN B. KENDRICK,
Managers on the part of the Senate.

STATEMENT.

The language in lines 5, 6, 7, and 8, of section 1, stricken out by House amendment No. 1 sought to leave unallotted certain lands on the reservation within which are located the Big Horn and Pryor Mountains. There was some question as to just what is the description of the lands the Indians desired to be not allotted. In amendment 23 there was included by the House this language: "*Provided*, That the Big Horn and Pryor Mountains shall be reserved from allotment." The conferees agreed to House amendment No. 1, but it will be noted that the language inserted in House amendment No. 23 was receded from by the House managers, with an amendment inserting after the word "Montana," in line 10, page 1, the following, "not including the Big Horn and Pryor Mountains, the boundaries whereof shall be determined by said commission with the approval of the Secretary of the Interior and." Thus, what was sought to be accomplished by both the Senate and the House has been accomplished, but definite decision as to just what constitutes the Big Horn and Pryor Mountains is left for determination to the commission provided for in this bill, subject to the approval of the Secretary of the Interior.

House amendment No. 2 provided that the title of an allottee to the land of his allotment should attach at the time of making selection and reporting same to the agency office. Your conferees receded, leaving the vesting of title under an allotment as is now provided by the general allotment law, at the time of the approval by the Secretary of the Interior.

House amendments Nos. 19 and 20 provided that reclamation expenditures should be reimbursed to the Crow Tribe of Indians. It was later ascertained that some of the expenditures have been made directly from the United States Treasury; hence all of the reimbursements should not be made to the Crow Tribe. Your managers receded from these two amendments, leaving the provisions of the bill that the reclamation expenditures should be reimbursed, and thus there will be returned to the Indians their share and to the United States Treasury the amount expended from it.

House amendment No. 31 eliminated provisions for per diems for legislative committee of the Crow Tribe when visiting Washington on tribal business at the request of the Commissioner of Indian Affairs or a committee of Congress. Your conferees receded from that amendment, being convinced that a legislative committee on behalf of the tribe ought properly to be paid for its services.

House amendments Nos. 4, 5, 6, 7, 8, and 9 practically rewrote section 2, under the provision of which it is sought to limit both the number of acres of land that any Crow Indian may sell and to fix the qualifications for eligibility to purchase. The necessity for some provision of this nature lies in the fact that this bill proposes to practically divide the Crow Reservation among the members of the tribe, and it is not thought to be either good public policy or for the best interests of the Indians to permit any one firm, person, or corporation to acquire any great acreage of the land. The proviso in House amendment No. 9 provided that the limitations should not apply to grazing land. A new section was therefore drafted in lieu of amended section 2, as follows:

"SEC. 2. No conveyance of land by any Crow Indian shall be authorized or approved by the Secretary of the Interior to any person, company, or corporation who owns at least 640 acres of agricultural or 1,280 acres of grazing land within the present boundaries of the Crow Indian Reservation, nor to any person who, with the land to be acquired by such conveyance, would become the owner of more than 1,280 acres of agricultural or 1,920 acres of grazing land within said reservation. Any conveyance by any such Indian made either directly or indirectly to any such person, company, or corporation of any land within said reservation as the same now exists, whether held by trust patent or by patent in fee shall be void and the grantee accepting the same shall be guilty of a misdemeanor and be punished by a fine of not more than $5,000 or imprisoned not more than six months or by both such fine and imprisonment. The classification of the lands of such reservation for the purpose of allotment and the allotment thereof shall be made as provided in the act of Congress approved June 25, 1910 (36 Stat. L., p. 859), which classification with any heretofore made by authority of law as to lands heretofore allotted shall be conclusive, for the purposes of this section, as to the character of the land involved."

Under this amended section 2 one who owns 640 acres of agricultural land on the reservation can purchase only 640 acres of similar land, while one who owns not more than 1,280 acres of grazing land may also purchase 640 acres of similar land. In either case but 640 acres of land may be sold to the same purchaser.

Section 6 provides a mineral reservation to the tribe, and House amendment No. 16 reduced the duration of such reservation from 50 to 25 years. The Senate conferees accepted the House amendment with the addition of the following language: "unless otherwise ordered by Congress."

Senate conferees receded on House amendment 23 in so far as it pertains to the language stricken out and your conferees receded regarding the language inserted, mention of which inserted language was made in the first paragraph of this statement.

The Senate conferees accepted House amendments Nos. 3, 10, 11, 12, 13, 14, 15, 17, 18, 21, 22, 24, 25, 26, 27, 28, 29, 30, and 32.

Your conferees, therefore, recommend the agreement of the House to this conference report.

P. P. CAMPBELL,
J. H. SINCLAIR,
C. E. RANDALL,
HARRY L. GANDY,
ZEBULON WEAVER,
Managers on the part of the House.

Mr. CAMPBELL of Kansas. Mr. Speaker, the statement covers the action of the conferees on the question of differences between the two Houses, and, if there are no questions, I move the previous question.

Mr. McKEOWN. I would like to ask the gentleman one question. Is the provision as to the sale of the land of the deceased Indians to soldiers made in the bill?

Mr. CAMPBELL of Kansas. That was not in conference. Mr. Speaker, I move the previous question.

The previous question was ordered.

The conference report was agreed to.

On motion of Mr. CAMPBELL of Kansas, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

CLAIMS OF SIOUX TRIBE OF INDIANS—CONFERENCE REPORT.

Mr. DALLINGER. Mr. Speaker, I call up the conference report on the bill H. R. 400.

The SPEAKER. The gentleman from Massachusetts calls up the conference report on the bill H. R. 400, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 400) authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 400) authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: After the word "funds," in section 1, insert the words "or lands," and before the comma in the same line insert the words "or band or bands thereof"; and the Senate agree to the same.

FRED'K W. DALLINGER,
J. H. SINCLAIR,
HARRY L. GANDY,
Managers on the part of the House.
SELDEN SPENCER,
CHAS. L. MCNARY,
Managers on the part of the Senate.

STATEMENT.

This bill H. R. 400 authorizes the Sioux Tribe of Indians to submit claims to the Court of Claims. The Senate amended by substitution, which presented to your managers three points of difference between the two bills and which are hereafter discussed in the order in which they appear.

In section 2 of the bill as passed by the House, in defining the jurisdiction of the Court of Claims and in providing what may be pleaded as a credit or set-off on the part of the United States, there appear the two words "including gratuities." The effect of these two words appears immaterial when it is noted that the fore part of section 2 provides "that if any claim or claims be submited to said courts they shall settle the rights thereof both legal and equitable of each and all of the parties thereto * * *."

The fore part of section 3 as passed by he House provides that if it be found any lands have been wrongfully appropriated, the damages shall be confined to the value of the land at the time of said appropriation. That was not carried in the Senate bill, inasmuch as the provision therein contained is the rule of all courts with relation to the misappropriation of land or other property. Hence, it appears that this difference in the two bills is also immaterial.

The latter part of section 3 as passed by the House provided if judgment should be recovered interest should be decreed thereon at the rate of 3 per cent per annum from the date of the appropriation of the lands. It has not been the practice of Congress in passing Court of Claims bills to authorize the payment of interest, and the conferees finally agreed that it is perhaps not wise to establish a precedent along that line.

Inasmuch as section 3 of the House bill, which was not carried in the Senate bill, contains the only direct reference in the bill to a claim for damages on account of misappropriation of lands, the conferees agreed to an amendment in section 1, so that specific provision is made that the suit filed may be on account of the misappropriation of lands.

For the reasons stated your managers receded from the disagreement to the Senate amendment and agreed to the same with the amendment referred to. As agreed to the bill follows the usual form of authorizing submission of the claims of Indian tribes to the Court of Claims.

The agreement of the House to the conference report is therefore recommended.

FREDERICK W. DALLINGER,
J. H. SINCLAIR,
HARRY L. GANDY,
Managers on the part of the House.

Mr. WALSH. Mr. Speaker, I reserve a point of order on the conference report. I would like to ask the gentleman from Massachusetts if there is anything in the bill as it passed the House and the Senate which confers jurisdiction upon land?

Mr. DALLINGER. I think there was, but the gentleman from South Dakota has a copy of the bill.

Mr. GANDY. Section 3 of the bill as it passed the House made specific provision as to land. That was the one section in the bill that did make provision for land. For the reason stated in the statement section 3 was eliminated. So it left no provision in the bill as to land.

Mr. WALSH. The transfer of the provision relative to the land was to the other section of the bill?

Mr. GANDY. To section 1.

Mr. WALSH. So you make the operations under section 1 include the land?

Mr. GANDY. To cover funds and land.

Mr. WALSH. Mr. Speaker, I withdraw the reservation.

Mr. CANNON. What Indians does this conference report refer to?

Mr. GANDY. To the Sioux Indians in South Dakota.

Mr. Speaker, the action of the House in agreeing to the conference report on House bill 400 completes the passage of the bill introduced by me authorizing an adjudication by the Court of Claims of the claims of the Sioux Tribe of Indians and successfully closes nearly 40 years of effort by these Indians to secure recognition of their claims. It is fitting that once more I should point out to you just what this measure does and the reasons for its passage.

The Sioux Tribe of Indians is composed of a number of bands, each of which now reside upon and own separate reservations. Several of these bands have individual claims, and those can now be brought before the Court of Claims for determination, for this bill proposes that there may be an adjudication of all claims of whatsoever nature which the Sioux Tribe, or band or bands thereof, may have against the United States which have not heretofore been determined by the Court of Claims.

By far the largest claim of the Sioux is that with relation to the alleged enforced cession of the Black Hills in 1876, and for that reason this bill has been very commonly referred to among the Sioux as the Black Hills claim bill. In order to understand just what that claim is, one should recall the situation as it existed in Dakota Territory prior to January 1, 1868. The Indians then claimed practically all of what is now South Dakota. With the exception of a few settlers in the eastern portion, a few traders to the west thereof, and some squaw men among the Indians, there were no whites in the Territory. Various exploratory trips had been made into the country west of the Missouri River, and almost as it were like fairyland tales came the stories of gold beyond. So prevalent became these stories that in 1861 there was formed at Yankton, the capital of the then Dakota Territory, the Black Hills Exploring & Mining Association, which association, however, never got beyond the organization stage. In 1866 Dr. F. V. Hayden, an eminent scientist, who at one time was professor of geology in the Philadelphia Academy of Sciences and also was connected with the Smithsonian Institution, at Washington, visited Dakota and proceeded from Fort Randall, on the Missouri River, with a few troops for a body guard and companions, to the Bad Lands and the Black Hills. Upon his return in 1867, at Yankton he charmed and enthused the pioneers with a glowing story of his travels, including mention of the rich gold deposits in the hills. That the statements made in his address at Yankton and his published report of his trip scattered very widely and caused

excitement is easily understood. This, together with the reports of Lieut. Warren of his exploration in the Northwest in 1858 and the earlier report of Lieut. Mullen in 1853, precludes this Government from insisting that it negotiated and ratified the Fort Laramie treaty of April 29, 1868, with the Sioux—ratified by the Senate on February 16, 1869, and proclaimed by the President on February 24, 1869—without full knowledge of the territory involved. By that treaty the Sioux consented that their reservation be restricted to what is now South Dakota west of the Missouri River and existing reservations on the east bank thereof—Crow Creek and Yankton Reservations. Thus, the Rosebud, Pine Ridge, Lower Brule, Cheyenne, and Standing Rock Bands of the Sioux came into definite ownership of what is now western South Dakota and a portion of southwestern North Dakota. Article 2 of that treaty defined the boundaries of the Sioux Indian Reservation and guaranteed the sacredness of it as follows:

ART. 2. The United States agrees that the following district of country, to wit, viz, commencing on the east bank of the Missouri River where the forty-sixth parallel of north latitude crosses the same; thence along low-water mark down said east bank to a point opposite where the northern line of the State of Nebraska strikes the river; thence west across said river, and along the northern line of Nebraska, to the one hundred and fourth degree of longitude west from Greenwich; thence north on said meridian to a point where the forty-sixth parallel of north latitude intercepts the same; thence due east along said parallel to the place of beginning; and in addition thereto, all existing reservations on east bank of said river shall be, and the same is, set apart for the absolute and undisturbed use and occupation of the Indians herein named, and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit amongst them; and the United States now solemnly agrees that no person except those herein designated and authorized so to do, and except such officers, agents, and employees of the Government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory described in this article, or in such territory as may be added to this reservation for the use of said Indians, and henceforth they will and do hereby relinquish all claims or right in and to any portion of the United States or Territories, except such as is embraced within the limits aforesaid and except as hereinafter provided.

It is, indeed, surprising that the United States Government ever made and proclaimed such a treaty provision, knowing the Black Hills to contain gold; but having once made it there can be no question of the obligation incurred. The agitation for the exploration and development of the Indian country continued, but it was not until some years later that any of the numerous expeditions which were fitted out actually made their way into the Black Hills and began the mining of gold.

Kingsbury's "Dakota Territory," volume 1, pages 874 and 875, states:

The Secretary of the Interior in his annual report for 1868–69, after a general review of the natural advantages and resources of South Dakota, says: "The Black Hills, situated in the southwest part, contain gold, silver, copper, and coal. Large forests of pine also exist in this locality adapted to building purposes."

This in a Government document, officially given out five years before the Custer expedition, indicates that the existence of gold in the Black Hills was not then a subject of doubt in Washington. * * *

The agitation of gold in the Black Hills had reached to nearly every portion of the United States, and it was apparent as early as 1872 that a public sentiment was forming throughout the country so widespread and determined that the Government would find it necessary in the interest of peace to arrange a treaty with the Indian owners for cession of that country. The time had come when the proclamations of civil and military officials were in danger of being disregarded. Expeditions were forming as far east as Massachusetts, of such numerical strength that their leaders felt rather like inviting instead of avoiding a conflict with the Indians, and the sentiment was outspoken that Government troops would never go so far as to use their weapons upon American citizens who were engaged in exploring and developing the valuable mineral resources of the country—resources that the Indians could not develop and were valueless in their hands. So acute had the situation become in April, 1872, that Maj. Gen. Hancock, then commanding the Department of Dakota, issued an important communication to the people of Dakota and the Northwest, which was designed to allay the growing popular feeling by a statement of the situation, and also to engender doubts regarding the existence of paying gold deposits. * * *

And about the same time the executive of Dakota Territory put forth a warning proclamation in words following:

"BY THE GOVERNOR OF DAKOTA TERRITORY—A PROCLAMATION.

"Information having reached the office of the executive of said Territory, through various sources, to the effect that combinations of men have been and are now being made with a view of entering and occupying the region of country known as the Black Hills of Dakota, which is within the reservation belonging to the Sioux Indians, under the plea that the said Black Hills country has valuable mineral deposits, as well as quantities of timber fit for lumber:

"Now, therefore, I, Edwin S. McCook, secretary and acting governor of the Territory of Dakota, by the direction of the President of the United States through the Hon. Columbus Delano, Secretary of the Interior, do hereby warn all such unlawful combinations of men, of whatever locality or under whatever plea or excuse operating, that any such attempt to violate our treaty stipulations with these Indians or disturb the peace of the Territory by an effort to invade, occupy, or settle upon said reservation, will not only be illegal and liable to disturb the peace between the United States and said Indians but will be disapproved by the Government; and if such efforts are persisted in, the Government will use so much of its civil and military force as may be necessary to remove from this Indian territory all persons who go there in violation of law.

"In testimony whereof I have hereunto set my hand and affixed the seal of the Territory. Given at my office in the city of Yankton, this 6th day of April, 1872.

"EDWIN S. MCCOOK, [SEAL.]
"Secretary and Acting Governor of Dakota Territory."

In 1874 an expedition consisting of Cavalry, Infantry, and wagon train, under command of Gen. Custer, was sent from Fort Abraham Lincoln, near Bismarck, to explore the hills. The report of Gen. Custer late that year plainly told of the existence of precious metals, and from that time on even the Army was unable to stop the inrush of people lured thither by the prospect of acquiring riches in the gold fields. In 1875 and 1876 the towns of Sheridan, Hill City, Custer, Pactola—known at that time as Camp Crook—Deadwood, Rochford, Rapid City, and others came into existence. Gold, silver, lead, and other minerals were discovered in paying quantities, and the production thereof continues to this day. Hundreds of thousands of acres of good pine timber were found there. Millions of feet of timber is owned there to-day by the Government in the Black Hills and the Harney National Forests.

A deputation of leading Indians from the various bands was called to Washington in 1874 for the purpose of making a treaty which would cede the Black Hills country, but notwithstanding numerous conferences were held with the then Secretary of the Interior and with President Grant, no treaty was made. A scientific expedition to the hills country in 1875, under the direction of the Interior Department, by Prof. Walter P. Jenney, of the Columbia School of Mines, Washington, by its report added to the tremendous interest in the mineral discoveries in the hills. Prof. Jenney then estimated about 300 miners at work on the creeks and about 800 whites in the hills. That expedition was the last of the efforts made by the Government to explore the Black Hills, and the removal by Gen. Crook in 1875 of a large body of prospectors was the final effort of the Government to prevent emigration to the mining regions. Towns had already been laid out, mining districts had been organized, and the production of gold was well under way.

On September 18, 1875, a commission appointed by the President and representing the Government met approximately 15,000 Indians, and an extended effort was made to arrive at an agreement with the chiefs, but without result, for the Indians even then had full knowledge of the great value of their holdings.

In a report to the Secretary of the Interior in 1876, the then Commissioner of Indian Affairs, Hon. E. P. Smith, says:

Several thousand or more miners have made their way into the hills in the face of the most stringent orders of the military. These miners have organized an association for mutual protection and have adopted laws and regulations; have staked out and reserved their claims in the right to which they expect hereafter to be protected. In this complication of affairs there is but one alternative for the Government, either to increase the military force so as to compel a strict observance of the treaty rights of the Sioux by preventing all intrusion, or to put such restrictions upon the exercise of the large bounty now granted to the Sioux as to form an argument that will be likely to procure their assent to the cession of this country. * * * The occupation and possession of the Black Hills by white men is inevitable, but no reason exists for making this inevitability an occasion of wrong or injury to the Sioux.

Further complicating the situation came the disaster which overtook Gen. Custer and the troops under his command on the Little Big Horn, in Wyoming, on June 27, 1876. Notwithstanding the statement of Hon. Simon Cameron, the then Secretary of War, in a special report to the President concerning that massacre, that the discovery of gold on the western border of the big Sioux Reservation and the intrusion thereon had not caused the war with the Indians, the people of the country very generally associated the two and demanded immediate action. The Indian appropriation bill of August 15, 1876, contained the following proviso:

Provided, That none of said sums appropriated for said Sioux Indians shall be paid to any band thereof while said band is engaged in hostilities against the white people; and hereafter there shall be no appropriation made for the subsistence of said Indians unless they shall first agree to relinquish all right and claim to any country outside the boundaries of the permanent reservation established by the treaty of 1868 for said Indians; and also so much of their said permanent reservation as lies west of the one hundred and third meridian of longitude, and shall also grant rights of way over said reservation to the country thus ceded for wagon or other roads from convenient and accessible points on the Missouri River, in all not more than three in number * * *.

Thus, notwithstanding the fact that the United States had by solemn treaty entered into in 1868 agreed to preserve inviolate the permanent reservation of the Sioux, in 1876 the above proviso in the Indian appropriation bill of that year plainly told the Indians that no more subsistence would be furnished them until they ceded a portion of their lands and certain rights of way over the remaining lands. More troops were sent into Dakota Territory following the Custer massacre, and the Indians were overawed and in many places disarmed. They were brought to realize their helplessness and their dangerous situa-

tion. The President appointed a commission to negotiate a new agreement that would clear the way for the formal opening of the Black Hills. The commission met the Indians near Red Cloud Agency, now known as Pine Ridge Agency, and on September 26, 1876—ratified February 28, 1877—an agreement was signed. From the foregoing it is easy to understand why the Indians then so readily entered into that agreement which ceded the Black Hills country and gave consent to three road rights of way from the Missouri River to the Black Hills. However, they have for years urged the claim that that agreement of cession was made under duress and carried little valuable consideration for the lands ceded; that the things which the Government agreed to do it had already very largely agreed to do in the treaty of 1868. Now, after all these years there will be a determining of this question, and if it shall be found that the lands of the Sioux Indians were wrongfully appropriated an accounting shall be had and just payment shall be made therefor. This should be done from the standpoint of right and justice. Mr. Speaker, it will promote more amicable relations between the Government and the Sioux Indians.

This bill provides that the legal and equitable rights of both parties shall be adjudicated. As originally passed by the House it provided for payment of interest at 3 per cent from the date of the misappropriation of the lands, but, as stated in the conference report, the Senate very strongly opposed the payment of interest as establishing a precedent in this sort of legislation. Hence, rather than see the bill defeated, the interest item was eliminated.

I have no authority to speak for the Secretary of the Interior as to what regulations he will promulgate under which the various tribes of the Sioux shall employ attorneys and make plans for their suit or suits before the Court of Claims, but I have no hesitancy in saying how, in my judgment, that ought to be done in so far as the Black Hills claim is concerned. After due notice there should be called an election on each of the Sioux reservations affected, at which such number of delegates should be elected as the ratio of the enrollment of that particular tribe bears to the total enrollment of the Sioux. The delegates so elected from each of the reservations should meet in a general council and there should be considered the question of the employment of an attorney or attorneys and the procedure to be followed. After that council shall have contracted with an attorney or attorneys to represent the Sioux, then the contract under this bill would be submitted to the Secretary of the Interior for approval.

Those are matters, however, Mr. Speaker, that the Secretary of the Interior and the Commissioner of Indian Affairs will undoubtedly duly consider and take such steps as will be best for the Indians. The Bureau of Indian Affairs is in sympathy with the Indians in this matter and will render every possible assistance. The Government will be represented at the suit or suits by the Department of Justice.

In conclusion, Mr. Speaker, permit me to say that I am happy, indeed, to have introduced this measure, which the Sioux Indians have tried so many years to pass. To-day's action will bring justice to them. Thousands of them are residents of western South Dakota. They are making great progress in this world's affairs. They are a peaceful, happy people, entitled to consideration, help, guidance, and justice at the hands of this, their Government.

The following is a copy of the bill as agreed upon:

[H. R. 400—Sixty-sixth Congress.]

That all claims of whatsoever nature which the Sioux Tribe of Indians may have against the United States, which have not heretofore been determined by the Court of Claims, may be submitted to the Court of Claims with the right of appeal to the Supreme Court of the United States by either party, for determination of the amount, if any, due said tribe from the United States under any treaties, agreements, or laws of Congress, or for the misappropriation of any of the funds or lands of said tribe or band or bands thereof, or for the failure of the United States to pay said tribe any money or other property due; and jurisdiction is hereby conferred upon the Court of Claims, with the right of either party to appeal to the Supreme Court of the United States, to hear and determine all legal and equitable claims, if any, of said tribe against the United States, and to enter judgment thereon.

SEC. 2. That if any claim or claims be submitted to said courts they shall settle the rights therein, both legal and equitable, of each and all the parties thereto, notwithstanding lapse of time or statutes of limitation, and any payment which may have been made upon any claim so submitted shall not be pleaded as an estoppel, but may be pleaded as an offset in such suits or actions, and the United States shall be allowed credit for all sums heretofore paid or expended for the benefit of said tribe or any band thereof. The claim or claims of the tribe or band or bands thereof may be presented separately or jointly by petition, subject, however, to amendment, suit to be filed within five years after the passage of this act; and such action shall make the petitioner or petitioners party plaintiff or plaintiffs and the United States party defendant, and any band or bands of said tribe or any other tribe or band of Indians the court may deem necessary to a final determination of such suit or suits may be joined therein as the court may order. Such petition, which shall be verified by the attorney or attorneys employed by said Sioux Tribe or any band thereof, shall set forth all the facts on which the claims for recovery are based, and said petition shall be signed by the attorney or attorneys employed, and no other verification shall be necessary. Official letters, papers, documents, and public records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys of said tribe or bands thereof to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys for said tribe or bands of Indians.

SEC. 3. That upon the final determination of such suit, cause, or action the Court of Claims shall decree such fees as it shall find reasonable to be paid the attorney or attorneys employed therein by said tribe or bands of Indians under contracts negotiated and approved as provided by existing law, and in no case shall the fee decreed by said Court of Claims be in excess of the amounts stipulated in the contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and no attorney shall have a right to represent the said tribes or any band thereof in any suit, cause, or action under the provisions of this act until his contract shall have been approved as herein provided. The fees decreed by the court to the attorney or attorneys of record shall be paid out of any sum or sums recovered in such suits or actions, and no part of such fees shall be taken from any money in the Treasury of the United States belonging to such tribe or bands of Indians in whose behalf the suit is brought unless specifically authorized in the contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior as herein provided: *Provided*, That in no case shall the fees decreed by said court amount to more than 10 per cent of the amount of the judgment recovered in such cause.

Mr. DALLINGER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The conference report was agreed to.

FEDERAL WATER POWER ACT.

Mr. ESCH. Mr. Speaker, I ask unanimous consent for the present consideration of Senate concurrent resolution 28, which I send to the desk and ask to have read.

The Clerk read as follows:

Senate concurrent resolution 28.

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (H. R. 3184) entitled "An act to create a Federal power commission and to define its powers and duties, to provide for the improvement of navigation, for the development of water power, for the use of lands of the United States in relation thereto, to repeal section 18 of 'An act making appropriations for the construction, repair, and preservation of certain public works or rivers and harbors, and for other purposes, approved August 8, 1917, and for other purposes,' and for other purposes," the Clerk be, and he is hereby, authorized and directed to add a new section, to be known as section 30, and to read as follows:

"SEC. 30. That the short title of this act shall be 'The Federal water power act.'"

Also to amend the title to read as follows: "An act to create a Federal power commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto, and to repeal section 18 of the river and harbor appropriation act approved August 8, 1917, and for other purposes."

The SPEAKER. Is there objection to the present consideration of the concurrent resolution?

Mr. WALSH. Mr. Speaker, reserving the right to object, I think it should be explained.

Mr. ESCH. Mr. Speaker, the conferees in considering the joint water power bill found an error in the title of the bill in the repetition of the words "for other purposes." Moreover, it was considered that the title of the bill was rather large and extensive and could be readily condensed. We therefore recommended that the title be modified and the error be eliminated. At the same time we recommend that the short title of the act be "The Federal water power act," to distinguish it from the act of 1906 and the act of 1910.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the Senate concurrent resolution.

The concurrent resolution was agreed to.

PERSONAL SERVICE CORPORATIONS.

Mr. GREEN of Iowa. Mr. Speaker, I call up the bill H. R. 14197, to amend the personal service corporation provisions of the revenue act of 1918, and for other purposes, and ask that the Chair put the next question in order on the bill. The previous question was ordered last night.

The SPEAKER. The gentleman from Iowa calls up the bill H. R. 14197, which the Clerk will report.

The Clerk reported the title of the bill.

The SPEAKER. When the House adjourned last night the previous question had been ordered. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. Tre question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GREEN of Iowa, a motion to reconsider the vote by which the bill was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. PLATT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the pay of a private soldier in the Army.

The SPEAKER. Is there objection.

There was no objection.

Mr. GANDY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the conference report upon the bill H. R. 400, just agreed to.

The SPEAKER. Is there objection?

There was no objection.

Mr. REED of West Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks upon the Military Establishment.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANDREWS of Nebraska. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection?

There was no objection.

Mr. PELL. Mr. Speaker, I ask unanimous consent to extend my remarks on the bonus bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bonus bill.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CRISP, for the day, on account of illness.

To Mr. SHERWOOD, for five days, beginning Monday, May 31, on account of memorial services.

LOANING COTS TO AMERICAN LEGION POST NO 73.

Mr. BLAND of Indiana. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 359, authorizing the Secretary of War to loan to the American Legion Post No. 73, Vincennes, Ind., necessary cots for use at the State encampment of the American Legion to be held at Vincennes, Ind., on June 28 and 29, 1920.

The resolution is in the regular form, reported by the unanimous vote of the Military Affairs Committee, with a recommendation of the War Department.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration of House joint resolution 359. Is there objection?

Mr. WALSH. Mr. Speaker, let the resolution be reported.

The Clerk read the resolution, as follows:

House joint resolution 359.

Resolved, etc., That the Secretary of War be, and is hereby, authorized to loan, in his discretion, to the American Legion Post No. 73, of Vincennes, Ind., 1,000 cots to be used at the State encampment of the American Legion to be held in the city of Vincennes, Ind., on June 28 and 29: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered to the commander of said American Legion post, at such time as may be agreed upon by the Secretary of War and the commander of said post: *Provided further*, That the Secretary of War, before delivering said equipment, shall take from the commander of said post a good and sufficient security for the safe return of said property in good order and condition, and the whole to be without expense to the United States Government.

With the following committee amendment:

Page 1, line 5, strike out the word "one" and insert "two."

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. GARD. Mr. Speaker, reserving the right to object, is this another resolution for another encampment in Indiana?

Mr. BLAND of Indiana. I am fortunate to have two State encampments of soldier organizations, one the old soldiers of the Civil War and the other the American Legion. This is for the American Legion. The House was kind enough to grant cots for the old soldiers a few days ago.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the joint resolution.

The joint resolution was again reported.

The committee amendment was agreed to.

The joint resolution as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. BLAND of Indiana, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

NAVAL APPROPRIATION BILL.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent of the House that the House conferees on the naval appropropriation bill may have the privilege of changing some totals. We find that the totals passed here by the House were agreed to by the Senate, but the Senate had added in the paragraphs a number of items which make it absolutely necessary to change the totals, and we do not have the authority without the permission of the House. It is only a matter of calculation, I will say.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to change certain totals. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, that will not accomplish what the gentleman seeks, simply authorizing the House conferees to change totals. If the gentleman will get the consent of the House that the House conferees may agree in conference to change the totals——

Mr. BUTLER. I am perfectly willing to put it as the gentleman suggests.

Mr. WALSH. Then he can correct the bill.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, the matter is in conference, is it not?

Mr. BUTLER. It is in conference, and the totals must be changed for the reason that the totals——

Mr. GARD. Have not the conferees the authority to make the change?

Mr. BUTLER. No——

Mr. WALSH. The totals are not in conference.

Mr. BUTLER. Because the House and Senate have agreed upon the totals.

Mr. GARD. The controlling appropriation will be the individual appropriation anyhow, and the amount of the total would be a matter of addition, it seems to me.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

ASSOCIATION OF PRODUCERS OF AGRICULTURAL PRODUCTS.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Kansas submits a privileged report from the Committee on Rules which the Clerk will report.

The Clerk read as follows:

House resolution 552.

Resolved, That immediately upon the adoption of this resolution it shall be in order to consider in the House the bill (H. R. 13931), being a bill to authorize associations of producers of agricultural products. That the bill shall have a privileged status until the conclusion of its consideration. Upon the consideration of the bill there may not be to exceed two hours of general debate, which shall be confined to the bill.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent to change the time allowed for general debate to 30 minutes.

The SPEAKER. Is there objection?

Mr. IGOE and Mr. WALSH. Mr. Speaker, I object.

Mr. CAMPBELL of Kansas. Then, Mr. Speaker, the rule simply provides that the House take up this bill and consider it. Immediately upon the adoption of this resolution, the House will proceed to consider this bill and conclude its consideration before adjournment.

Mr. WALSH. Will the gentleman yield?

Mr. CAMPBELL of Kansas. For a question.

Mr. WALSH. Do I understand the gentleman to say it is expected that the bill will be considered and passed to-night before adjournment?

Mr. CAMPBELL of Kansas. That is the intention.

Mr. WALSH. Without any intervening recess or anything of the sort?

Mr. CAMPBELL of Kansas. The intention is to run until the bill is concluded.

Mr. WALSH. Will the gentleman have any objection, in his time, to having the bill read so we may know what it is?

Mr. CAMPBELL of Kansas. No; I have no objection.

Mr. WALSH. Mr. Speaker, I ask that the bill upon which this rule operates may be reported. The gentleman from Kansas says he has no objection.

Mr. CAMPBELL of Kansas. I have no objection.

The SPEAKER. Is there objection to unanimous consent to having the bill reported? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13931) to authorize association of producers of agricultural products.

Be it enacted, etc., That persons engaged in the production of agricultural products as farmers, planters, ranchmen, dairymen, or fruit growers may act together in associations, corporate or otherwise, with

or without capital stock, in collectively processing, preparing for market, handling, and marketing in interstate and foreign commerce, such products of their members; and such producers may organize and operate such associations and make the necessary contracts and agreements to effect that purpose, any law to the contrary notwithstanding: *Provided, however*, That such associations are operated for the mutual benefit of the members thereof, as such producers, and conform to one or both of the following requirements:

First. That no member of the association is allowed more than one vote because of the amount of stock or membership capital he may own therein, or,

Second. That the association does not pay dividends on stock or membership capital in excess of 8 per cent per annum.

SEC. 2. That if the Secretary of Agriculture shall have reason to believe that any such association restrains trade or lessens competition to such an extent that the price of any agricultural product is unduly enhanced by reason thereof, he shall serve upon such association a complaint stating his charge in that respect, to which complaint shall be attached, or contained therein, a notice of hearing, specifying a day and place not less than 30 days after the service thereof, requiring the association to show cause why an order should not be made directing it to cease and desist from so restraining trade or lessening competition in such article. An association so complained of may at the time and place so fixed show cause why such order should not be entered. The evidence given on such a hearing shall be reduced to writing and made a part of the record therein. If upon such hearing the Secretary of Agriculture shall be of the opinion that such association restrains trade or lessens competition to such an extent that the price of any agricultural product is, or is about to become, unduly enhanced thereby, he shall issue and cause to be served upon the association an order reciting the facts found by him, directing such association to cease and desist therefrom. If such association fails or neglects for 30 days to obey such order, the Secretary of Agriculture shall file in the district court in which such association has its principal place of business a certified copy of the order and of all the records in the proceeding, together with a petition asking that the order be enforced, and shall give notice to the Attorney General and to said association of such filing. Such district court shall thereupon have jurisdiction to affirm, set aside, or modify said order, and may make rules as to pleadings and proceedings to be had in considering such order.

The facts found by the Secretary of Agriculture and recited as set forth in said order shall be prima facie evidence of such facts, but either party may adduce additional evidence. The Department of Justice shall have charge of the enforcement of such order. After the order is so filed in such district court and while pending for review the district court may issue a temporary writ of injunction forbidding such association from violating such order or any part thereof. The court may upon conclusion of its hearing enforce such order by a permanent injunction or other appropriate remedy. Service of such complaint and of all notices may be made upon such association by service upon any officer or agent thereof engaged in carrying on its business, and such service shall be binding upon such association, the officers, and members thereof.

Mr. CAMPBELL of Kansas. Mr. Speaker, the language of the bill is explanatory of its purpose——

Mr. WALSH. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I think it more important that the bill should pass than that I should discuss bringing in a rule for its consideration.

Mr. WALSH. Will the gentleman state how the time for the consideration of this bill is to be controlled?

Mr. CAMPBELL of Kansas. One-half by those favoring and one-half by those opposing the measure. That is stated in the rule; that is, according to my recollection.

The SPEAKER. The Chair will follow that course.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move the previous question on the adoption of the rule.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the rule.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. WALSH. Division, Mr. Speaker.

The House divided; and there were—ayes 147, noes 19.

Mr. WALSH. I make the point of no quorum, Mr. Speaker.

The SPEAKER. The gentleman from Massachusetts makes the point of no quorum. Evidently there is no quorum present. The Doorkeeper will close the doors and the Sergeant at Arms will notify the absent Members. As many as are in favor of agreeing to the rule will, as their names are called, answer "yea," and those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 262, nays 44, answered "present" 1, not voting 120, as follows:

YEAS—262.

Ackerman	Bland, Va.	Caraway	Davis, Minn.
Almon	Blanton	Carss	Davis, Tenn.
Anderson	Boies	Casey	Dempsey
Andrews, Md.	Bowers	Chindblom	Denison
Andrews, Nebr.	Brand	Christopherson	Dickinson, Iowa
Ashbrook	Briggs	Clark, Mo.	Dickinson, Mo.
Aswell	Brooks, Ill.	Classon	Dominick
Ayres	Brooks, Pa.	Coady	Doughton
Baer	Browne	Collier	Dowell
Bankhead	Burdick	Connally	Dunbar
Barbour	Butler	Cooper	Dupré
Barkley	Byrnes, S. C.	Copley	Dyer
Bee	Byrns, Tenn.	Cramton	Elliott
Begg	Campbell, Kans.	Crowther	Emerson
Bell	Campbell, Pa.	Currie, Mich.	Esch
Benham	Candler	Darrow	Evans, Nebr.
Bland, Ind.	Cannon	Davey	Fairfield
Ferris	Juul	Morgan	Sinnott
Fess	Kahn	Mott	Sisson
Fields	Kearns	Mudd	Slemp
Fisher	Kendall	Murphy	Smith, Ill.
Flood	Kennedy, R. I.	Neely	Smith, Mich.
Focht	Kincheloe	Nelson, Mo.	Steagall
Fordney	King	Nelson, Wis.	Steenerson
Foster	Kinkaid	Newton, Minn.	Stephens, Ohio
Freeman	Kleczka	Nicholls	Strong, Kans.
French	Knutson	Nolan	Strong, Pa.
Fuller, Ill.	Kraus	Ogden	Summers, Wash.
Gandy	Lampert	Oldfield	Sumners, Tex.
Garland	Langley	Oliver	Sweet
Garrett	Lanham	Osborne	Swope
Glynn	Larsen	Overstreet	Taylor, Colo.
Goodwin, Ark.	Layton	Padgett	Taylor, Tenn.
Graham, Ill.	Lazaro	Park	Temple
Green, Iowa	Lea, Calif.	Parker	Thomas
Greene, Mass.	Lee, Ga.	Parrish	Thompson
Greene, Vt.	Little	Porter	Tilson
Hadley	Lonergan	Purnell	Timberlake
Hardy, Colo.	Longworth	Quin	Tincher
Harreld	Luce	Radcliffe	Treadway
Harrison	Luhring	Rainey, H. T.	Upshaw
Haugen	McArthur	Raker	Vestal
Hawley	McClintic	Ramsey	Voigt
Hays	McDuffie	Ramseyer	Volstead
Heflin	McFadden	Randall, Calif.	Wason
Hersman	McKenzie	Randall, Wis.	Watson
Hickey	McKeown	Rayburn	Weaver
Hicks	McKinley	Reber	Webster
Hill	McLane	Reed, N. Y.	Welling
Hoch	McLaughlin, Mich.	Reed, W. Va.	Welty
Hoey	McLaughlin, Nebr.	Ricketts	Whaley
Holland	MacGregor	Robinson, N. C.	Wheeler
Howard	Madden	Robsion, Ky.	White, Kans.
Huddleston	Major	Rodenberg	White, Me.
Hudspeth	Mann, S. C.	Romjue	Wilson, Ill.
Hull, Iowa	Mapes	Rose	Wilson, Pa.
Hull, Tenn.	Martin	Rouse	Wingo
Husted	Mead	Rowe	Winslow
Hutchinson	Michener	Rubey	Wise
Ireland	Miller	Sanders, Ind.	Woods, Va.
Jacoway	Milligan	Sanders, La.	Wright
James	Monahan, Wis.	Schall	Yates
Jefferis	Mondell	Scott	Young, Tex.
Johnson, Ky.	Moon	Sells	Zihlman
Johnson, Wash.	Moore, Ohio	Siegel	
Jones, Tex.	Moore, Va.	Sinclair	

NAYS—44.

Babka	Gallagher	McGlennon	Rainey, J. W.
Benson	Gallivan	McKiniry	Rogers
Box	Ganly	MacCrate	Sabath
Caldwell	Garner	Maher	Smith, N. Y.
Carew	Goldfogle	Minahan, N. J.	Stevenson
Cullen	Griffin	Mooney	Stoll
Dallinger	Humphreys	Moores, Ind.	Tague
Donovan	Igoe	Newton, Mo.	Tinkham
Dooling	Johnston, N. Y.	O'Connell	Vare
Eagan	Lufkin	Pell	Venable
Eagle	McAndrews	Phelan	Walsh

ANSWERED "PRESENT"—1.

Crago

NOT VOTING—120.

Anthony	Elston	Kiess	Sanders, N. Y.
Bacharach	Evans, Mont.	Kitchin	Sanford
Black	Evans, Nev.	Kreider	Scully
Blackmon	Frear	Lankford	Sears
Bland, Mo.	Fuller, Mass.	Lehlbach	Sherwood
Booher	Gard	Lesher	Shreve
Brinson	Godwin, N. C.	Linthicum	Sims
Britten	Good	McCulloch	Small
Brumbaugh	Goodall	McPherson	Smith, Idaho
Buchanan	Goodykoontz	Magee	Smithwick
Burke	Gould	Mann, Ill.	Snell
Burroughs	Graham, Pa.	Mansfield	Snyder
Cantrill	Griest	Mason	Stedman
Carter	Hamill	Mays	Steele
Clark, Fla.	Hamilton	Merritt	Stephens, Miss.
Cleary	Hardy, Tex.	Montague	Stiness
Cole	Hastings	Morin	Sullivan
Costello	Hayden	O'Connor	Taylor, Ark.
Crisp	Hernandez	Olney	Tillman
Curry, Calif.	Hersey	Paige	Towner
Dale	Houghton	Peters	Vaile
Dent	Hulings	Platt	Vinson
Dewalt	Johnson, Miss.	Pou	Walters
Doremus	Johnson, S. Dak.	Rainey, Ala.	Ward
Drane	Jones, Pa.	Reavis	Watkins
Drewry	Keller	Rhodes	Williams
Dunn	Kelley, Mich.	Riddick	Wilson, La.
Echols	Kelly, Pa.	Riordan	Wood, Ind.
Edmonds	Kennedy, Iowa	Rowan	Woodyard
Ellsworth	Kettner	Rucker	Young, N. Dak.

The Clerk announced the following additional pairs:

Until further notice:

Mr. ANTHONY with Mr. DENT.

Mr. TOWNER with Mr. POU.

Mr. GOOD with Mr. TAYLOR of Arkansas.

Mr. WILLIAMS with Mr. RIORDAN.

Mr. HAMILTON with Mr. LESHER.

Mr. ECHOLS with Mr. BLAND of Missouri.

Mr. BACHARACH with Mr. O'CONNOR of Louisiana.

Mr. BURROUGHS with Mr. DREWRY.

Mr. GRIEST with Mr. BLACK.

Mr. MAGEE with Mr. SHERWOOD.

Mr. RIDDICK with Mr. VINSON.
Mr. PAIGE with Mr. WATKINS.
Mr. JOHNSON of South Dakota with Mr. JOHNSON of Mississippi.
Mr. WARD with Mr. EVANS of Montana.
Mr. DUNN with Mr. BUCHANAN.
Mr. MANN of Illinois with Mr. HARDY of Texas.
Mr. LEHLBACH with Mr. CLEARY.
Mr. PETERS with Mr. RUCKER.
Mr. PLATT with Mr. RAINEY of Alabama.
Mr. SMITH of Idaho with Mr. LINTHICUM.
Mr. SANFORD with Mr. HAMILL.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

The doors were opened.

The SPEAKER. Two hours of debate are allowed. The Chair thinks it will be most satisfactory to the House if the Chair recognizes the gentleman from Minnesota [Mr. VOLSTEAD] for one hour in favor of the bill and the gentleman from Missouri [Mr. IGOE] for the other hour against. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13931) to authorize association of producers of agricultural products.

Be it enacted, etc., That persons engaged in the production of agricultural products as farmers, planters, ranchmen, dairymen, or fruit growers may act together in associations, corporate or otherwise, with or without capital stock, in collectively processing, preparing for market, handling, and marketing in interstate and foreign commerce, such products of their members; and such producers may organize and operate such associations and make the necessary contracts and agreements to effect that purpose, any law to the contrary notwithstanding: *Provided, however*, That such associations are operated for the mutual benefit of the members thereof, as such producers, and conform to one or both of the following requirements:

First. That no member of the association is allowed more than one vote because of the amount of stock or membership capital he may own therein, or,

Second. That the association does not pay dividends on stock or membership capital in excess of 8 per cent per annum.

SEC. 2. That if the Secretary of Agriculture shall have reason to believe that any such association restrains trade or lessens competition to such an extent that the price of any agricultural products is unduly enhanced by reason thereof, he shall serve upon such association a complaint stating his charge in that respect, to which complaint shall be attached, or contained therein, a notice of hearing, specifying a day and place not less than 30 days after the service thereof, requiring the association to show cause why an order should not be made directing it to cease and desist from so restraining trade or lessening competition in such article. An association so complained of may at the time and place so fixed show cause why such order should not be entered. The evidence given on such a hearing shall be reduced to writing and made a part of the record therein. If upon such hearing the Secretary of Agriculture shall be of the opinion that such association restrains trade or lessens competition to such an extent that the price of any agricultural product is, or is about to become, unduly enhanced thereby, he shall issue and cause to be served upon the association an order reciting the facts found by him, directing such association to cease and desist therefrom. If such association fails or neglects for 30 days to obey such order, the Secretary of Agriculture shall file in the district court in which such association has its principal place of business a certified copy of the order and of all the records in the proceedings, together with a petition asking that the order be enforced, and shall give notice to the Attorney General and to said association of such filing. Such district court shall thereupon have jurisdiction to affirm, set aside, or modify said order, and may make rules as to pleadings and proceedings to be had in considering such order.

The facts found by the Secretary of Agriculture and recited as set forth in said order shall be prima facie evidence of such facts, but either party may adduce additional evidence. The Department of Justice shall have charge of the enforcement of such order. After the order is so filed in such district court and while pending for review the district court may issue a temporary writ of injunction forbidding such association from violating such order or any part thereof. The court may, upon conclusion of its hearing, enforce such order by a permanent injuntion or other appropriate remedy. Service of such complaint and of all notices may be made upon such association by service upon any officer or agent thereof engaged in carrying on its business, and such service shall be binding upon such association, the officers, and members thereof.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Oklahoma [Mr. MORGAN].

The SPEAKER. The gentleman from Oklahoma is recognized for five minutes.

Mr. MORGAN. Mr. Speaker, the bill we have under consideration is H. R. 13931, by the gentleman from Minnesota [Mr. VOLSTEAD], the chairman of the Judiciary Committee of the House. It is entitled "A bill to authorize association of producers of agricultural products." The chief provision in said bill is as follows:

That persons engaged in the production of agricultural products as farmers, planters, ranchmen, dairymen, or fruit growers may act together in associations, corporate or otherwise, with or without capital stock, in collectively processing, preparing for market, handling, and marketing in interstate and foreign commerce such products of their members; and such producers may organize and operate such associations and make the necessary contracts and agreements to effect that purpose, any law to the contrary notwithstanding.

This bill was introduced and has been reported as a substitute for the bill widely known as the Capper-Hersman bill.

This bill is designed to accomplish two chief purposes. The first object to be accomplished is to make it clear that farmers may organize into associations or corporations for the purpose of collectively marketing their products. The second object of this legislation is to encourage farmers to organize such associations or corporations. As the law stands now, there is some question as to whether such associations or corporations are legal under the national antitrust laws.

The practical effect of this is to deter and discourage farmers in forming associations or corporations for the purpose of collectively marketing their products. This bill has been reported with the idea that the organization of farmers in what are known as cooperative associations for the purpose of collectively marketing their products and buying their supplies will be beneficial not only to the farmers but to the public generally. It is not class legislation as that term is generally understood. While the legislation is designed to promote agricultural prosperity, to increase the profits of the farm, and to give the farmers a larger proportion of the wealth they produce, it is likewise designed to give the ultimate consumers substantial benefits coming from reduction in the cost of transportation, manufacturing, marketing, and distributing of the products of the farm, and also from the increased production which will come from better business methods in the farming industry.

THE EXISTING LAW.

To understand the demand for the legislation proposed in this bill, it is well to get in our minds the Federal law as it now exists. Fundamentally the so-called antitrust laws of the Federal Government are found in the act approved July 2, 1890, known as the Sherman Antitrust Act. Thirty years have elapsed since the enactment of this law. It still stands as the basis of our Federal laws against trusts, conspiracies, combinations, and monopolies in the restraint of trade among the several States or with foreign nations. There are two chief provisions in the Sherman antitrust law. They are as follows:

(1) Every contract, combination, in form of trust or otherwise, or conspiracy, in the restraint of trade or commerce among the several States, or with foreign nations, is hereby declared to be illegal. Every person who shall make any such contract or engage in any such combination or conspiracy shall be deemed guilty of a misdemeanor.

(2) Every person who shall monopolize or attempt to monopolize, or combine, or conspire with any other person or persons to monopolize any part of the trade or commerce among the several States, or with foreign nations, shall be deemed guilty of a misdemeanor.

CLAYTON ANTITRUST ACT.

The chief addition to the Sherman antitrust law appears in what is know as the Clayton Antitrust Act, approved October 15, 1914. There is one provision in this act which should be considered in connection with the legislation proposed in this bill. The provision referred to is found in section 6 of the so-called Clayton Antitrust Act, and is as follows:

Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations instituted for the purpose of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade under the antitrust laws.

The above provision excludes from the penalties of the antitrust laws only agricultural organizations "not having capital stock or conducted for profit." This seems to convey the idea that Congress intended that all agricultural organizations which either have capital stock or are conducted for profit are subject to the provisions of the antitrust laws.

The Sherman antitrust law was never intended to apply to cooperative farmers' organizations. It was enacted to prevent combinations, conspiracies, and trusts among the commercial, manufacturing, mercantile, and transportation corporations. But the provision in the Clayton Antitrust Act to which I have referred has raised the question as to whether or not associations of farmers engaged in collectively marketing their products are illegal under the Federal antitrust laws. The object of the bill under consideration is to make it clear that persons engaging in the production of agricultural products may form corporations or associations, either with or without capital stock, and may engage in collectively marketing their products. In other words, Congress desires to encourage farmers in forming cooperative business organizations and to use such organizations as a means of promoting agricultural prosperity and adding to the profits of the business of farming.

The provisions of section 1 of the bill under consideration, as I have quoted it, does not in any way directly refer to section 6 of the so-called Clayton Antitrust Act approved October 15, 1914. It does not by direct terms amend section 6 of the Clayton Antitrust Act. In effect it does, however, amend section 6 of the Clayton Antitrust Act by making a broader and more comprehensive declaration as to the kind and character of cooperative farm organizations which shall not be prohibited by the provisions of any of the antitrust laws.

HISTORY OF SECTION 6 OF THE CLAYTON ANTITRUST ACT.

Mr. Speaker, I was a member of the Judiciary Committee of the House in 1914 when the so-called Clayton Antitrust Act was reported to the House. While the bill was under consideration I pointed out to the committee that the provisions of section 6 of the Clayton Antitrust Act were not broad enough to include cooperative farm organizations, and especially not sufficiently comprehensive to encourage cooperative farm organizations organized for the purpose of encouraging collective bargaining in the purchase of supplies and in the sale of farm products. In the hope to amend this bill I prepared a minority report as a member of the Judiciary Committee and submitted it with the majority report on the subject. In this minority report, made six years ago, I used the following language:

The law not only should not prohibit but should encourage farmers to organize with a view to purchasing implements, machinery, and other farm supplies at less cost and with the view to collective bargaining in the sale of their products and in the purchase of supplies. In France, Germany, and other European countries farmers' organizations are authorized by law. The line along which these organizations can act is definitely defined. Government aid, direction, and assistance is given. Such organizations are encouraged to engage in a wide field of purely business transactions. These organizations have contributed immensely to the expansion of the agricultural interests of these countries. It would be exceedingly unfortunate at this time, when we are about to enter upon the important task of providing our farmers with better credit facilities, to enact a law which may be construed to make all farmers' organizations unlawful except such as are organized for mutual benefit of members along literary, insurance, and social lines.

Practically every other business is highly organized but the business of farming. There are about 6,500,000 farmers. Something like 12,000,000 persons over 10 years of age toil on the farm. The farmers are at a great disadvantage. Labor is organized. Business is organized. Concentration, combination, cooperation everywhere except among the farmers. With the most intelligent farmers of the world, in business cooperation our farmers are far behind the less intelligent farmers of other countries. To aid our farmers in the line of greater cooperation has now become a national duty, and it would be hardly short of a public calamity to enact a statute which on its face restricts and limits to a narrow sphere the purposes for which agricultural associations may be formed.

DISCUSSION IN THE HOUSE.

As shown by the CONGRESSIONAL RECORD of June 1, 1914, when this bill was being considered in the House, I took part in the discussion. Among other things, I said:

My objection to section 7—

Now section 6 of the Clayton Antitrust Act—

as it has been amended is that under it only farmers' organizations without capital stock and not conducted for profit would be legal under this section. In other words, it exempts from antitrust laws only farmers' organizations organized for mutual help along social, literary, and educational lines. There has been no attempt to dissolve such farmers' organizations, so that the provisions of section 7 really give the farmers nothing. While we are considering this question we should in plain language give the farmers the right to organize, even with capital stock or for profit, so long as the organizations are along legitimate lines, to aid them in marketing their products as cheaply as possible and in purchasing their supplies as cheaply as possible.

I believe that the National Government ought not only to permit farmers to organize, but that the National Government should make appropriation to encourage the farmers to organize.

Mr. Speaker, the above views, expressed by me six years ago as a member of the Judiciary Committee in a minority report and as a Representative on the floor of this House when the Clayton antitrust law was being considered, show that I am no recent convert to the principles and policies which constitute the basis of the proposed legislation. So I stand to-day for this legislation. The National Government should not only permit farmers' cooperative organizations but should encourage them by both legislation and appropriations. Above all, there should be no uncertainty as to what the law is on the subject. I believe now, as I believed six years ago, that through cooperative business organizations farmers will get better prices for their products and pay less for the supplies they purchase and thus add largely to their net profits. Cooperative farmers' organizations will bring producers and consumers closer together. The excessive charges of unnecessary middlemen will be eliminated, and the cost of marketing, manufacturing, and distributing farm products will be greatly reduced. The producers and consumers will share equitably in the profits derived from cooperative business organizations among farmers. Prices will be stabilized, production will be more uniform and larger in the aggregate, the supply of food products will increase in proportion to the demand, speculation, gambling, and profiteering in food products will be curtailed, controlled, and in a large measure prevented, and as a result the farmers will be more prosperous, the cost of living will be reduced, and the general public welfare will be benefited.

This bill has the indorsement generally of the farmers of the United States. The great farm organizations of the country have indorsed it. Among these may be mentioned the National Grange, the American Farm Bureau Federation, the National Board of Farm Organizations, the Farmers' Educational and Cooperative Union of America, the Society of Equity, and the International Farm Congress. The editors of the great agricultural papers of the United States have indorsed this kind of legislation. The leading writers, thinkers, and students of agricultural problems approve cooperative business methods among farmers. Men at the head of the great agricultural colleges and the instructors in such institutions generally recognize that larger cooperation among the farmers in selling their products and in purchasing their supplies will be beneficial not only to the farmers but to the public generally. Experience in other countries has shown that cooperation among farmers in buying their supplies and in selling their products has been an immense factor in promoting the growth of agriculture, the prosperity of the farmers in increasing food production, and in adding to the general prosperity of the various European nations. For years these nations, as a rule, have been encouraging these organizations. The time has come when the National Government and the various State governments in the United States should give greater encouragement along this same line to the farmers of the United States. We can safely do this in the interest of the farmers alone. Never before was there a time in our history when there was greater need to encourage the development of our agricultural interests. Our population is rapidly increasing. The demand for food products grows annually by leaps and bounds. We may safely encourage any system that will bring the producers and consumers in closer contact; that will provide a more efficient and more economical system of marketing, manufacturing, transporting, and distributing the products of the farm. The so-called middlemen can not, of course, all be eliminated, but all unnecessary middlemen should be eliminated. The so-called middlemen should not be in a position to demand excessive profits. Our system of marketing should be such as will give to the farmers the greatest possible proportion of the wealth they produce.

A BETTER DAY COMING.

There has perhaps never been a time in our history when the farmers themselves were taking so much interest in the subject of better business methods. Cooperative farm marketing organizations are more numerous in this country to-day than ever before. Wherever they have been tried as a rule they have been successful. During the present year a very important new organization of farmers has been formed. It is the National Wheat Growers' Association. The wheat growers of Oklahoma, Texas, and Kansas have been leaders in perfecting this organization. They have formed local organizations, State organizations, and the national organization. Many thousands of wheat growers in the eighth congressional district of Oklahoma, which I have the honor to represent, are members of this new organization. Primarily, these wheat growers organize for their own protection. Rightfully do they believe that they should have somthing to say about the prices they receive for their wheat. Unquestionably, they are entitled to receive a price for their wheat that will cover the cost of production and that will provide a reasonable profit. There was never before a time in the history of this country when the cost of producing wheat was so great as it is to-day. The price of wheat must advance in proportion as the cost of its production increases. The cotton farmers of the United States are also engaged in perfecting an organization.

The corn growers and the producers of the other great staple farm products may well organize. The object of all these organizations will not be to exact from the consumers excessive or extortionate prices. But through organization the groups of farmers engaged in producing the great staple farm products will each develop its own industry. After all, agriculture is just like any other business. It must be profitable to make it popular. We can not hold American citizens on the farm unless the farm offers inducements which compare favorable with what other occupations offer.

In conclusion, I will state that this bill should be enacted into law. It should be made clear beyond question that farmers have a right to form business organizations for the purpose of selling their products. The farmers should be organized for the purpose of making their business profitable, for the purpose of pro-

moting the expansion of the great fundamental industry of agriculture, and for the purpose of making their influence felt in the public affairs of the community, the county, the State, and the Nation.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. VOLSTEAD. Mr. Speaker, I yield two minutes to the gentleman from Nebraska [Mr. EVANS].

The SPEAKER. The gentleman from Nebraska is recognized for two minutes.

Mr. EVANS of Nebraska. Mr. Speaker, I ask unanimous consent to revise and extend my remarks; also, to include in the extension tables of prices of commodities, both purchased by and sold by the farmers; also, an editorial from the Wallace Farmer.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his remarks and to insert a table and an editorial. Is there objection?

Mr. WALSH. I object to the editorial. I will be glad to have the table inserted.

Mr. EVANS of Nebraska. It is an editorial on this question.

Mr. WALSH. I object to the editorial. I have no objection to the other matter being inserted.

The SPEAKER. The gentleman from Massachusetts objects to the editorial.

Mr. EVANS of Nebraska. Then I ask unanimous consent to insert the other matter.

The SPEAKER. Is there objection?

There was no objection.

Mr. EVANS of Nebraska. Mr. Speaker and gentlemen of the House, the purpose of this bill, H. R. 13931, is to permit the persons engaged in agricultural pursuits to market their products collectively. With this purpose I am in hearty accord. The bill contains provisions that admit of improvement and which I hope to see corrected and clarified.

The conditions surrounding those engaged in agriculture are such that the percentage of persons engaged in it is decreasing. That country which does not care for and keep a strong, virile rural population is decadent.

If the United States continues in its present course it is certainly in its decline. Its timber is well-nigh exhausted. Its coal mining has reached the point that a large number is not needed to measure the years preceding its exhaustion. Its gas and oil are being depleted still more rapidly, and what should alarm all is the shrinkage of rural population, and the reason therefor merits earnest and thorough investigation and thoughtful consideration. More than all, we are in effect wasting our rural manhood. There is between 12 and 33 per cent less labor on the farms now than in 1914, 37 per cent more in the automobile industry, and not more than one-half of the latter that is actually producing essentials. In addition, the auto causes a waste of the time of one-half of those that ride. What I am attempting to say is that we are depleting our agricultural population by driving it into other lines of industry, much of which is not production of real wealth—of essentials.

The city sends its agents to the farm to take from the farm by means of high wages and other allurements its efficient labor and is making idlers out of those of its own workers who ought to be continued as efficient workers. We are taking the young man from the farm where he has been a laborer for from 10 to 14 hours per day and placing him in the city where he labors from 5 to 8 hours per day under conditions such that, hour against hour, his labor on the farm was more efficient than his labor in the city.

We ought to carefully and thoughtfully consider the cause of this change. It will be suggested that the cause is apparent in the changed conditions set forth above. However, there have always been men found who for an increased remuneration will assume the heavier burdens and travel the rougher road. If we will but submit the problem to a closer scrutiny we will find the correct answer.

In what I shall say I am not intending to criticize or condemn that which the different organizations have done or are doing, but I am intending to demonstrate that the course pursued by other organizations ought to be permitted to agriculture, and that if you require it to fight in a battle so unequal as this now is the result will be a complete breakdown of our agricultural structure, and with it of the country.

Of the original primary food-producing occupations, hunting, fishing, and agriculture, hunting has ceased to be an occupation, and is but a sport, and the same is true of fishing, excepting as to those species found in the sea or deeper waters; and as a general proposition agriculture must furnish that which we eat and largely that which we wear.

Not only is agriculture so important with reference to food and clothing, but it is to its regions we look as the principal source of supply from which come the men that fill our governmental positions—the professions, business occupations, mechanical experts, and other important vocations. If this statement is correct—and a census of those occupying the above positions will confirm it—our manhood, our food, and clothing depend almost entirely upon the farm, and its preservation in such condition and with such environment as will enable it to best perform its functions is of vital importance and necessary to our existence as a great Nation.

Recognizing the decrease in our agricultural population as a fact, it is necessary to determine its cause. Many have declared that the "white lights," "movies," and other entertainments more or less commendable constitute the lodestone that draws the inhabitants from the rural districts. That such amusements and the environments of city life are potent is recognized, but, as I have said, there have always been and always will be men and women found willing, when offered sufficient remuneration, to perform all necessary and proper tasks; so that, while the condition of the city life, as contrasted with country life, may be considered as influential, it is not sufficient to account for the trend from the country to the city.

I repeat that what I am about to say is not said in criticism of the organizations to which I refer, but rather in support of this bill by way of analogy.

Take the bankers' association; in all its investigations it is not sought how they may lower the interest or discount rates to the borrower, but how they can best increase that rate or lower the cost to themselves and discover how the cost of a certain service may be passed to another interest. By reason of these investigations and the organization, banking is made more profitable. Banks pay now when serving a population where a few years ago they could not have existed. A part of the expense of running that bank is passed on to some other interest. The point is, a very much smaller number of persons with a much smaller amount of business in a community now support a bank than formerly could have done so, and the cost, of necessity, is passed on, as the bank is not a philanthropic project.

The merchants in like manner have, through improved methods, passed on certain of their expense charges, so that they have increased their profits. The banker has not lowered his rate of interest, neither banker nor merchant has absorbed his expense, and the increased profits of these two persons are kept at home, but no additional expense charge finds lodgment in the home of either, reducing his profit.

Take labor next. Labor in the past six years has, by its increase in wage in nearly every industry, covered at least the increase in the cost of living and at the same time reduced the hours of labor at least 20 per cent. It follows, of course, that the additional labor cost was passed on to some other than the laborer. In other words, the financial condition of the laborer in 1920 is no worse than in 1914, and his hours of work and working conditions are considerably better, but the products of the same number of men working the same number of days under the same conditions do not produce as many units of a particular kind as they did in 1914, there not being as many hours of labor, hence the conclusion that the added cost has been passed on.

It follows that during the past five years merchandising and financiering have been making added profits and that these additional profits have been paid by some one other than the financier, the business man, or industrial. Income-tax reports furnish conclusive proof of this fact.

Investigations of farm organizations are along the following lines: How can the yield be increased in quantity and value—how secure a better kernel, more kernels to the head or ear, more ears to the stalk, more stalks on the ground, better quality of flesh or meat, more of the better cuts to the single animal, more pounds produced from a given amount of feed and by using as little high-priced feed as is consonant with quality and economic production. His organization has directed its efforts toward increasing production and improving quality.

I have not recalled these facts because I deemed them either unknown or forgotten, but that they be in mind as we come to place the large portion of the financial cost that is passed on. Bearing in mind that the financier, the merchant, the laborer, each and all, have pointed their efforts at some other entity or source of wealth for the increase that came to them or either of them, we may examine the prices of the commodities to determine just where this increase is loaded.

I have taken the prices of animals sold by farmers from one of the largest cities of the Central West, a recognized market, and the prices of shoes used I gathered from the same city.

Top beef steers for the years from 1913 to May 1, 1920, inclusive.

Months.	1920	1919	1918	1917	1916	1915	1914	1913
January	$15.00	$18.00	$13.40	$11.20	$8.75	$8.50	$8.75	$8.30
February	13.25	18.20	13.25	11.50	8.65	8.30	8.75	8.50
March	14.25	18.75	14.00	12.50	9.40	8.45	9.25	8.75
April	14.00	18.60	17.40	13.05	9.50	8.50	9.00	8.75
May	.....	18.35	17.60	13.35	10.65	9.00	8.75	8.75
June	.....	15.75	18.25	13.75	11.00	9.35	9.15	8.80
July	.....	18.00	18.40	14.00	10.40	10.10	9.75	9.00
August	.....	18.85	18.40	15.55	10.60	9.85	10.25	9.00
September	.....	18.50	17.60	16.50	10.85	9.85	10.50	9.35
October	.....	18.00	18.00	16.50	11.10	9.90	10.50	9.60
November	.....	15.75	17.50	16.75	11.10	10.00	10.50	9.45
December	.....	16.15	18.00	15.00	11.50	10.00	10.75	9.50
Year	.....	18.85	18.40	16.75	11.50	10.10	10.75	9.60

Top feeding steers for years from 1913 to May 1, 1920, inclusive.

Months.	1920	1919	1918	1917	1916	1915	1914	1913
January	$14.00	$16.00	$11.15	$10.05	$7.80	$8.50	$8.20	$8.00
February	12.00	16.85	11.75	10.05	7.85	7.35	8.15	8.00
March	12.25	16.65	12.25	10.75	8.65	7.60	8.25	8.40
April	11.50	16.50	13.25	10.25	9.00	8.25	8.25	8.35
May	.....	14.50	13.65	11.25	9.00	8.15	8.05	8.00
June	.....	12.30	13.00	10.50	8.50	8.15	8.00	8.50
July	.....	15.00	13.60	10.25	8.50	8.50	8.35	7.90
August	.....	14.50	16.00	11.50	8.45	8.55	8.30	8.00
September	.....	14.15	16.50	14.50	8.40	8.65	8.85	8.30
October	.....	14.00	14.25	14.25	9.00	8.50	8.75	8.55
November	.....	13.60	15.00	13.00	8.25	8.10	7.75	7.85
December	.....	13.00	15.25	11.00	9.25	7.75	8.50	7.75
Year	.....	16.85	16.50	14.50	9.25	8.65	8.85	8.55

Top cows and heifers for years from 1913 to May 1, 1920, inclusive.

Months.	1920	1919	1918	1917	1916	1915	1914	1913
January	$12.00	$14.00	$11.50	$9.00	$7.10	$7.00	$7.60	$7.10
February	11.25	14.00	11.25	9.60	7.60	7.00	8.20	7.60
March	12.25	15.00	12.00	10.25	8.45	7.25	8.00	8.15
April	12.75	15.25	13.50	10.85	8.40	7.65	8.40	8.20
May	.....	14.10	14.25	11.35	9.00	7.85	8.60	7.80
June	.....	12.25	13.50	12.25	10.00	9.00	8.50	8.30
July	.....	14.25	13.50	12.65	9.75	7.75	9.00	8.50
August	.....	13.00	12.10	9.85	7.50	8.60	9.60	8.10
September	.....	11.50	12.05	10.00	7.25	7.35	7.25	7.25
October	.....	11.25	12.50	9.35	7.75	7.40	7.75	7.25
November	.....	12.00	12.00	12.00	9.75	6.75	8.10	7.35
December	.....	13.15	13.50	15.00	8.60	8.00	8.35	7.75
Year	.....	15.25	14.25	15.00	10.00	9.00	9.60	8.50

Top corn-fed steers for years from 1913 to May 1, 1920, inclusive.

	1920	1919	1918	1917	1916	1915	1914	1913
1	$13.60	$18.10	$14.10	.....	.....	$7.75	$8.60	$8.45
2	13.75	17.45	14.30	$12.50	(1)	7.25	8.35	8.40
3	13.50	17.50	14.35	12.60	$8.75	.....	8.40	8.65
4	(2)	17.50	14.50	12.80	8.75	(1)	.....	8.65
5	14.00	.....	15.00	12.50	9.30	8.60	(1)	.....
6	13.75	(1)	14.85	12.45	9.30	7.90	8.75	(1)
7	13.90	18.60	(1)	.....	9.35	8.00	8.60	8.55
8	13.60	17.25	15.25	(1)	.....	8.25	8.75	8.50
9	.....	17.00	15.50	12.85	(1)	8.35	8.75	8.75
10	.....	16.25	15.60	13.05	9.15	.....	8.45	8.70
11	(2)	15.60	16.00	12.75	9.25	(1)	.....	8.40
12	13.00	.....	16.05	13.00	9.30	8.00	(1)	.....
13	12.85	(1)	16.00	12.50	9.40	8.25	8.35	(1)
14	14.00	18.00	(1)	.....	9.50	8.25	8.75	8.60
15	13.75	16.75	16.50	(1)	.....	8.15	8.85	8.55
16	13.85	16.50	16.75	12.85	(1)	8.20	8.75	8.50
17	13.00	17.00	17.00	13.00	9.30	.....	8.55	8.35
18	(2)	16.35	17.00	12.30	9.35	(1)	.....	.....
19	14.00	.....	17.00	12.50	9.50	8.30	(1)	.....
20	13.65	(1)	17.00	11.50	9.50	8.40	8.85	(1)
21	13.35	16.85	(1)	.....	9.15	8.20	8.75	8.55
22	13.00	17.50	17.00	(1)	.....	8.25	8.85	8.75
23	12.40	17.50	17.00	12.60	(1)	8.20	8.80	8.60
24	11.40	17.35	17.05	13.00	9.50	.....	8.65	8.45
25	(2)	17.25	17.00	12.70	9.35	(1)	.....	8.10
26	12.75	.....	17.10	12.85	9.35	8.20	(1)	.....
27	12.40	(1)	16.75	11.75	9.30	8.25	8.75	(1)
28	12.75	17.50	(1)	.....	.....	8.50	8.85	8.30
29	13.10	18.00	17.25	(1)	.....	8.45	9.00	8.35
30	12.90	16.50	17.40	12.85	(1)	.....	8.75	8.50

[1] Sunday. [2] No full loads on sale.

Top hogs for the years from 1913 to May 1, 1920, inclusive.

Months.	1920	9119	1918	1917	1916	1915	1914	1913
January	$15.45	$17.65	$16.75	$11.70	$7.80	$7.35	$8.45	$7.45
February	15.15	17.75	17.30	13.30	8.55	6.95	8.60	8.25
March	15.55	19.50	17.35	15.05	9.65	6.82	8.70	8.95
April	15.50	20.85	17.45	16.20	9.00	7.50	8.72	9.05
May	.....	20.80	17.50	16.20	9.90	7.60	8.40	8.65
June	.....	21.10	16.85	15.75	9.80	7.60	8.32	8.67
July	.....	22.85	18.85	15.65	10.00	7.65	8.95	9.15
August	.....	22.75	19.65	19.60	10.85	7.60	9.35	8.05
September	.....	19.25	20.40	19.45	11.10	8.15	8.90	8.75
October	.....	16.65	19.40	19.50	10.15	8.60	8.25	8.55
November	.....	15.35	18.15	17.90	10.15	7.35	8.05	7.85
December	.....	14.75	17.70	17.50	10.35	6.65	7.25	7.80
Year	.....	22.85	20.40	19.60	11.10	8.60	9.35	9.15

Daily sales of hogs.

	1920	1919	1918	1917	1916	1915	1914	1913
1	$14.43	$19.42	$16.70	(1)	$9.28	$6.60	$8.38	$8.85
2	14.67	19.65	16.76	$14.70	(1)	6.65	8.45	8.83
3	14.26	19.65	16.95	14.74	9.38	6.70	8.81	8.55
4	(1)	19.66	16.80	14.92	9.32	(1)	8.53	8.71
5	14.29	19.69	16.48	15.24	9.24	6.66	(1)	8.74
6	14.45	(1)	16.50	15.50	9.25	6.58	8.47	(1)
7	14.07	19.81	(1)	15.58	9.26	6.56	8.42	8.79
8	13.60	19.90	16.59	(1)	9.30	6.65	8.47	8.85
9	12.28	20.07	16.76	15.84	(1)	6.76	8.50	8.84
10	13.02	20.14	17.11	16.05	9.15	6.85	8.51	8.81
11	(1)	20.24	17.02	15.86	9.16	(1)	8.57	8.91
12	14.16	20.25	16.86	15.80	9.28	6.98	(1)	8.94
13	14.05	(1)	17.13	15.79	9.44	7.03	8.62	()
14	14.05	20.22	(1)	15.77	9.50	6.98	8.65	8.90
15	14.12	20.36	17.06	(1)	9.49	7.07	8.58	8.76
16	14.39	20.41	16.89	15.64	(1)	7.19	8.48	8.65
17	14.63	20.24	17.27	15.57	9.40	7.26	8.47	8.69
18	(1)	20.08	16.84	15.34	9.35	(1)	8.50	8.79
19	14.77	20.03	17.10	15.31	9.31	7.33	(1)	8.78
20	14.47	(1)	17.13	15.35	9.32	7.41	8.46	(1)
21	14.44	20.08	(1)	15.34	9.35	7.33	8.30	8.74
22	13.98	20.34	16.90	(1)	9.40	7.28	8.22	8.64
23	13.68	20.42	16.85	15.14	(1)	7.33	8.33	8.48
24	13.97	20.49	16.70	15.23	9.51	7.37	8.40	8.52
25	(1)	20.39	16.71	15.15	9.63	(1)	8.34	8.59
26	14.16	20.43	16.82	15.28	9.57	7.24	(1)	8.53
27	14.34	(1)	16.91	15.38	9.54	7.20	8.37	(1)
28	13.99	20.32	(1)	15.37	9.60	7.29	8.29	8.31
29	14.02	20.18	17.08	(1)	9.70	7.35	8.17	8.19
30	14.30	20.08	17.01	15.31	(1)	7.41	8.18	8.26

[1] Sunday.

From April, 1914, to the same date 1920 beef steers (tops) increased in price from $9 to $14, an advance of $5, or an increase of 56 per cent.

Between the same dates cows and heifers increased in price from $8.40 to $12.75, an advance of $4.35, or an increase of 52 per cent.

Between the same dates feeding steers increased from $8.25 to $11.50, an advance of $3.25, or an increase of about 40 per cent.

Between the same dates corn-fed steers increased in price from $8.75 to $12.90, an advance of $4.15, or an increase of less than 48 per cent.

It will be noted that the difference between feeders and corn-fed beef at the latter date is only $1.40, not a condition conducive to profitable feeding.

Between the same dates hogs increased in price from $8.18 to $14.30, an advance of $6.12, or an increase of 75 per cent.

The foregoing prices are from the stockyards sales in the city alluded to above.

Between 1914 and December, 1918, hides advanced from 19½ to 23 cents. (International Price Comparison.)

I follow with the price of shoes in the same city from which the cattle and hog prices came and covering the same period.

MAY, 1914.

Men's shoes:	
Hanan	$6.50
Clapp	4.50
H. & F	4.00
F. F. & H	6.50
Women's shoes:	
Hanan	6.00
Cousins	5.00
Selby	4.00
Misses' shoes:	
Cramer	3.50
Melanson	3.00
Edwards	2.00
Boys' shoes:	
Alden	4.00
Cogan	2.50

MAY, 1915.

Men's shoes:	
Hanan	6.50
Clapp	6.50
H. & F	4.50
F. F. & H	4.00
Women's shoes:	
Hanan	6.50
Cousins	5.00
Selby	4.50
Misses' shoes:	
Cramer	3.50
Melanson	3.00
Edwards	2.00
Boys' shoes:	
Alden	4.00
Cogan	2.50

MAY, 1916.

Men's shoes:	
Hanan	7.00
Clapp	7.00
H. & F	5.00
F. F. & H	4.50
Women's shoes:	
Hanan	8.00
Cousins	7.00
Selby	6.00

Misses' shoes:	
Cramer	$4.25
Melanson	3.50
Edwards	3.50
Boys' shoes:	
Alden	4.00
Cogan	3.00
Neenah	2.75
MAY, 1917.	
Men's shoes:	
Hanan	9.50
Clapp	9.50
H. & F	6.50
F. F. & H	4.50
Women's shoes:	
Hanan	9.50
Cousins	9.00
Selby	6.00
Misses' shoes:	
Cramer	6.00
Melanson	4.50
Edwards	3.50
Boys' shoes:	
Alden	4.50
Cogan	4.00
Neenah	3.50
MAY, 1918.	
Men's shoes:	
Hanan	10.50
Clapp	10.50
H. & F	8.00
F. F. & H	7.00
Women's shoes:	
Hanan	10.50
Cousins	10.00
Selby	7.00
Misses' shoes:	
Cramer	6.50
Melanson	5.50
Edwards	4.50
Boys' shoes:	
Alden	5.50
Cogan	4.50
Neenah	4.00
MAY, 1919.	
Men's shoes:	
Hanan	12.50
Clapp	12.50
H. & F	9.50
F. F. & H	9.00
Women's shoes:	
Hanan	12.50
Cousins	12.00
Selby	9.00
Misses' shoes:	
Cramer	Too high.
Melanson	6.50
Edwards	4.50
Boys' shoes:	
Alden	7.00
Cogan	5.75
Neenah	4.00
MAY, 1920.	
Men's shoes:	
Hanan	18.50
Clapp	18.50
H. & F	14.00
F. F. & H	10.00
Women's shoes:	
Hanan	18.50
Cousins	16.00
Selby	10.00
Misses' shoes:	
Melanson	8.00
Edwards	6.50
Boys' shoes:	
Alden	8.00
Cogan	6.50
Neenah	4.50

This is the schedule of prices from actual sales.

This schedule of prices shows an increase in the prices of men's shoes during the past six years of from 150 to 184 per cent, on women's shoes from 150 to 218 per cent, on misses' shoes from 166 to 225 per cent, and on boys' shoes from 100 to 160 per cent, the base of which the farmer produced and which he must buy back at these increased rates, with less than half that rate of increase in the price of his own products from which the hide was taken.

The items "Shoes" and "Leather findings" are not at all exceptional in this respect.

Pig iron was from 1914 to December, 1918—I do not have access to the reports for 1918 and 1920, but since 1918 the trend has not been downward—increased in price 149 per cent; steel billets increased 144 per cent. (The percentages of increases are taken from International Price Comparisons.)

The following rates of increase are taken from the Labor Review of February, 1920:

From 1914 to 1920 the increase on clothes and clothing is 235 per cent, on lumber 154 per cent, and on house furnishings 203 per cent.

In the same table the Labor Review notes an increase during the same period of 143 per cent on "Farm products." Of necessity this rate must have taken the retailers' price, hence the profiteers' profit is included. Eggs have increased 166 per cent, potatoes 152 per cent, but lard, flour, and oatmeal, which have had an increase of between 120 and 133 per cent, have included therein the manufacturers' profit, as the steer, hog, wheat, and the corn are the farmers' product.

As shown by the statistics quoted by the gentleman from Kansas [Mr. STRONG]—CONGRESSIONAL RECORD, page 7248—during 1919 wheat raising was not a profitable venture but a losing one in all parts of Kansas except in the western division, where the gain was but $1.89 per acre. As Kansas is a wheat-growing State, it may be assumed as representing general conditions.

Sheep, because of the peculiar conditions created by the World War, did show an increase in price comparable with the commodities the farmer buys.

When the farmer hires his labor he is confronted with the same increase. In January, 1914, the wages of a farm hand ranged from $25 to $40 per month, with board and lodging, now the rate is $80 to $100, with a reduction of hours of labor and a decided reduction in efficiency and capability of the laborer. In 1914 a man and wife, with boarding and lodging or rent and usual concessions, received from $40 to $60, and now they receive from $125 and up. There has been an increase of about 200 per cent in cost and a decrease in efficiency as to labor.

To summarize, the farmer is getting, on the average, less than 65 per cent of an advance upon the price he received for his product in that part of 1914. He is paying an average of 185 per cent of an increase on the price of 1914 for what he buys, including therein his clothing, improvements, implements, and labor.

His real estate has advanced at the rate the price of his product has advanced. The demand for his product has increased and his energy has been stimulated in almost every conceivable way. The call for production, more production, still greater production, is shouted by the Government agents, merchants, everybody, but no one desires or is even willing to pay a fair price. The eastern manufacturers, bankers, and merchants complain that the farmer does not pay enough income tax, ignoring the fact that he—the banker, the manufacturer, or the merchant—has already made the farmer pay the income tax of each of them and a profit on it in the increased profit they have taxed. The packer has increased the rate of his profit from 14.6 per cent in 1914 to 36.9 per cent in 1916–1918, and we can only guess where it is now. The tanners are in the same class.

From a study recently made upon the ground it was demonstrated that 160-acre farm in Iowa in 1918 made a net earning of $4,570. Deducting 5½ per cent for use of the capital invested and the remainder is $1,234. Estimating the value of the time employed by the farmer at labor on his farm at $1,169, he was able to average $65 more than the value of his time.

The farm products have fallen in value since 1918. Farm labor and supplies have risen in price during that time, so that the farmer in northern Iowa is unable to make $1,234 per annum for his time or 5½ per cent on his money invested.

The effort of a mechanic or genius producing a useful and valuable invention secures by a patent an increased income to himself for such discovery or invention. In like manner by copyright does the author increase his stipend. The discoverer of a pleasing preparation or article by a trade-mark secures to himself the advantage to flow therefrom. Not so the farmer. He but passes on to the neighboring groups the benefits of his investigation and the resultant discoveries, and to-day, by reason of these conditions and these different courses of action, he finds his group being deserted by his own kind, who seek more remunerative employment, performed under more pleasant surroundings, with not nearly such arduous toil or such long hours. He discovers that every other group, industrial or commercial, is organized to fight; that though they may fight each other, in the end his group is the victim of all battles.

Give to the farmer pay at a rate commensurable with the ability required to conduct operations in his charge; pay him time and half time for all the time he works over eight hours per day; pay him double time for work on Sundays and holidays; pay his wife at the same rate for the work she performs outside her household duties; pay his children for their labor in the fields, barns, and garden; give him the same rate of interest on his investment that industrial plants charge or that he pays to the financier or that the merchant charges in the price he puts upon the goods he sells; do this and the price that farm products now bring will be multiplied at least five times; add to this the rule of division of labor as now applied to transportation or manufacturing, and you will again multiply by two. Should such conditions prevail on the farm the price now on farm products in the various markets

would be increased to a point where the trend of the farmer from the farm to the city would at least be checked.

Organizations created to elevate labor, if successful in increasing the wages, pass that advance on as increase in cost of production, of transportation, or merchandising.

The financier in his "overhead" "carries on" the charge he makes to the manufacturer or transporter or merchandiser or agency using his funds the increased increment coming to his capital. In like manner the transporter carries on the increased cost to the merchant, who in turn passes it to the consumer. If the consumer is anyone other than a farmer it is, as we have seen, again passed on by increased wages, profit, interest, or charge. Every organization in its final result is against the farmer, because he must pay a price which includes the cost and a profit for what he buys. He is the buffer between the contending forces, and his means is constantly wasted by their contentions.

Mr. Speaker and gentlemen, there is no question but that agriculture is the basic industry on which our society rests. It is likewise certain that every other industry, every other activity, merchandising or financial, is pointed against the farmer.

Who fixes the price for the farmer's product? Again the organization is turned against him and his interests. The commission merchant or retail dealer or the packer or the elevator man fixes for him the price he shall receive for his product. It is folly to suggest to the farmer with a carload of cattle on the market to "take them home" or to "haul back his load of wheat" or other commodity. Not only so, but if he spoke of so doing some philanthropist of sanctimonious caste will preach of the high cost of living and "helpless infants without milk" and at the same time shelter under these same special privileges men like themselves who are selling milk or other commodity at retail price and profit surely that of the conscienceless profiteer. More, these same complaining urbanites have used the courts to harass and prosecute the producer only to learn from their own tribunal that the fault was not with the producer but with the complainants. Even here in Congress some shout of the moral deterioration of those who raise food and who themselves are not willing to starve or at least deny themselves the comforts of a modest living.

If what I have said is correct, we would expect to find that the people engaged in agricultural pursuits are leaving and entering other and more remunerative callings, and that, as all know, is exactly what is occurring, even in such agricultural States as Iowa, Kansas, and Nebraska.

However, if there is by reason of improved methods something that makes the industry as profitable as it formerly was the conclusion suggested might be avoided, and to as far as possible make this certain I submit the following data as to the stock of various kinds on the farms of the United States:

Stock as reported on the first day of the years 1919 and 1920.

Animals.	1920	1919
Horses	21,109,000	21,482,000
Mules	4,995,000	4,954,000
Dairy cattle	23,747,000	23,475,000
Beef cattle	44,485,000	45,085,000
Sheep	48,615,000	48,866,000
Hogs	72,909,000	79,584,000

It will be noted that mules increased 41 and dairy cows 272 and that other animals have decreased; this, too, at a time when the war has closed and the extraordinary demand it created to a great extent curtailed.

I now call attention to the acres of cultivated crops, using 1920 data where available and otherwise 1919 and 1918.

Crops.

Crop.	1920	1919	1918
	Acres.	*Acres.*	*Acres.*
Winter wheat	31,165,000	49,905,000	37,130,000
Hay	71,752,000	72,034,000	71,120,000
Rye	5,470,000	7,063,000	6,391,000
Corn	.....	102,075,000	104,467,000
Spring wheat	.....	23,338,000	22,051,000
Oats	.....	42,400,000	44,249,000
Potatoes	.....	4,013,000	4,295,000

It will be noted that wheat and rye increased in 1919, undoubtedly due to the fact that the Government called upon the farmers in 1918 prior to the armistice for an unusual effort in the production of cereals. However, in those crops, so far as the 1920 figures are at hand, there has been a decrease at the time when there is still an unusual demand for foodstuffs.

Certainly these conditions are ominous. When the urban population can indulge in the extravagances of to-day, wasting their time by idleness and their earnings in luxuries while their rural neighbors call in vain for help to save an ever-decreasing product, we are not only warranted in applying a remedy quickly but we are justified in applying heroic treatment. The present bill, I fear, will not furnish sufficient stimulant to insure the necessary increase in production.

The foregoing are cogent reasons for a potent remedy to be quickly applied. I believe that the circumstances warrant an unlimited right in the producers of the crops to market the same collectively with their fellows for a price that will bring back to the farm those now leaving because of failure to make a living equal to or approaching that furnished others who work less hours per day, less efficiently, and under more desirable and pleasant conditions.

It is claimed by the opponents of this measure that unrestricted law of trade should apply to the farmer, and that because some other industry or interest has been given an undue advantage that such fact does not warrant the extension of such rights or similar rights to those who follow agriculture as means of a livelihood.

The weakness of this attack is found in the fact that everyone making it represents a district or a community the inhabitants of which are living and existing by reason of advantages obtained long since and adhered to and claimed as a right necessary to their existence. Under these so-called special privileges they have taken undue and improper advantage of the farmer, and the present bill is only placing the man who produces from the soil in such position that he may overcome to a slight extent the effect of the organized effort, combined with still other organized efforts directed against him.

Let it be borne in mind that the liberty sought in this bill for the man who tills the soil is not that which was evil of itself. When those who lived with the great aggregations of people by unjust combination and improper and oppressive measures, directed against the producer as well as the consumer, had cornered foodstuffs to the great detriment of all and Congress by enactment created or made it a crime, which it is against both, in the enactment of a law to prevent these parasites from their nefarious practices there was created an opportunity for the parasites to use the law itself to hide behind while they filched from both producer and consumer. It was never intended to prevent the farmer doing what is permitted by this bill. This bill has one purpose—to prevent persecution of those who now are pressed so hard that they are rapidly ceasing to live on the farm and migrating to the city, are ceasing to be producers and are becoming consumers.

You will search in vain for a single instance of a farmers' combination to store or corner farm products arising with the farmer. It never occurred.

This bill when enacted into law will only prevent undue and improper advantages used against the farmers, now insisted upon by the unscrupulous, from being carried to disastrous effect upon that calling upon which the moral and physical life of our Nation depends.

The danger present is not that the law may be passed, but has it not already been too long delayed and will it relieve the conditions now recognized as a menace?

The great mass of farmers are interested in their pursuits to the exclusion of most selfish interests. They are cognizant of the fact that others are advancing in a financial way more rapidly than they, but plod on, not recognizing that all interests work and work effectively against them. When the cry against the high cost of living is made, all pound the farmer as the first to make reductions in what he sells and the last to secure reductions in what he buys, and cut his price but keep their own elevated.

The Government itself has not been fair. It fixed the price of wheat during the war too low, but copper, iron, all manufactured products were helped on so that the amounts charged have created billionaires, but there are no farmer billionaires. Having fixed the price of wheat, it then, through Federal Reserve Board and banks, inflated the currency so that even the low price fixed was not paid in a currency nearly so valuable as it had been when the price was fixed. More, the price having been fixed too low, a profit resulted, and that is covered into the Treasury to the advantage of the men who during the war had great incomes. In Canada that profit was given to the farmer, to whom it justly belongs. In the United States it was given to the benefit of the billionaire profiteers.

During the Nation's hour of need unusual effort was asked of the farmer and he responded. That fats so greatly needed should be produced in larger quantities the Government through its proper agents offered to the farmer the noted "13 to 1" corn-

hog ration (Cong. Rec., 66th Cong., 2d sess., pp. 3163-3164, 5588-5590).

The farm occupants bent all efforts toward the desired production and results testify as to their success, but with the armistice request and promise were forgotten and are now denied and $50,000,000 justly due the producers of fats are saved (?) by the Government, while billions are voted to would-be contractors for munitions and war supplies, the chief consideration for which was signing the Government voucher.

Even now as we are here discussing this measure comes from the Middle West the news of the fact that the Federal reserve bank, for reasons certainly not good (but the reason for which I believe I can trace to other questionable actions of the same board), is refusing to extend loans on what is termed "cattle paper." We hear of the "publicity" declarations that sugar speculators must lift their paper, but there is no news of any of that paper that has been lifted. Why? Why? But cattle paper given by the cattle raiser must be taken care of at once, and as this forces cattle upon the market before "fit," I am wondering do the packers and sugar speculators have access to the Federal Reserve System by a way not open to the farmer? It may be. Stranger things have happened.

With remuneration to the agricultural producer lower than to any other interest, with the cultivated area used for necessary crops decreasing, with agricultural help decreasing, with the number of owner and tenant farmers decreasing, with no increase in prices commensurate with such conditions apparent or probable in the immediate future, with our country preeminently adapted to agriculture and agriculture recognized as the basis upon which rests our present and upon which must rest our future greatness if we would continue as a great Nation, the present trend from farm to city must stop. To stop it the farm must have an adequate wage.

I believe this bill, if passed, will at least materially aid in bringing about that result.

Mr. IGOE. I yield 15 minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Speaker, this measure has been introduced by the distinguished chairman of the Committee on the Judiciary. I assume it is a substitute for what is known as the Capper-Hersman bill. Now, the distinguished chairman of this committee [Mr. VOLSTEAD] is noted and famous throughout the country because his name is also attached to another piece of legislation of which we are hearing a great deal up and down this broad land of ours every day and some of the nights.

The measure which we are now considering is, in my opinion, distinctly class legislation, and in the midst of the hurly-burly and the outcry which we hear going up from the homes and from the various communities of the land for some relief from the great high cost of living, the Republican Congress, led by the Republican chairman of a committee in control of Republicans, brings forth this measure to permit the farmers and producers of this country to combine and engage in collective bargaining and processing, in the futile hope that in that way the prices of their products are going to be lowered and those products placed within more easy reach of the consumer. I submit, Mr. Speaker, that any such result as that can not be looked for from the passage of this legislation. They have had these concerns under State laws in various parts of the Union, the most notable instance, I think, having been in California; and I would like to have somebody show the House—they certainly did not show the committee when they had hearings upon this measure—that the cost of those products has been lowered to any appreciable extent.

Under the provisions of this bill we turn over to the Secretary of Agriculture, the guardian angel of the farmers of this country, the say so as to whether men shall be prosecuted in case they have, through the enhancement of price, lessened competition or restrained trade. That authority now in other industries is vested elsewhere.

Furthermore, there is no provision in this bill for anybody to lodge a complaint or to require an investigation or prosecution. This bill bears all the earmarks of the dangerous propaganda that is being put forth by that organization which is thriving in some of the Western States, and which I fear is possibly invading the district of the distinguished chairman of this committee, the Nonpartisan League, which is fostering principles and ideas that are inimical to our Government, and which is seeking to put into practice things that will tear down the institutions of this Government. These principles, under cloak, are embodied in this measure, and I trust the House will not be in such a rush, during a campaign year, just before a much-hoped-for and possibly much-to-be-desired recess or adjournment, to run to cover because certain Representatives of the great farming States of the Middle West, aided by gentlemen from other States which are not in the Middle West, seek to pass legislation of this sort.

Mr. STEVENSON. Will the gentleman yield?

Mr. WALSH. For a question.

Mr. STEVENSON. I would like to get the gentleman's opinion as to whether this is or is not conferring judicial power on the Secretary of Agriculture.

Mr. WALSH. The gentleman is a very distinguished lawyer, and I think from his making that inquiry there may be at least some doubt in his mind as to whether that is not so. I think it is so, Mr. Speaker, because it says:

> That if the Secretary of Agriculture shall have reason to believe that any such association restrains trade or lessens competition to such an extent that the price of any agricultural product is unduly enhanced by reason thereof, he shall serve upon such association a complaint stating his charge in that respect, to which complaint shall be attached, or contained therein, a notice of hearing, specifying a day and place not less than 30 days after the service thereof, requiring the association to show cause why an order should not be made directing it to cease and desist from so restraining trade or lessening competition in such article.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. STEVENSON. Will the gentleman yield for another question?

Mr. WALSH. I yield to the gentleman from South Carolina.

Mr. STEVENSON. I notice that there seems to be an appeal from the Secretary of Agriculture, but it is to a United States district court, is it not?

Mr. WALSH. Yes.

Mr. STEVENSON. That looks judicial also.

Mr. WALSH. There is an appeal from the decree of the Secretary of Agriculture to the judicial branch of this Government, which can affirm, reverse, or modify his order.

Mr. VOLSTEAD. Is not the gentleman aware that we have a Federal Trade Commission, upon which we have conferred just about the same powers?

Mr. WALSH. I am aware of that, and I know that the Federal Trade Commission is operating now in instances where under the State law the associations are engaged in this work, and where they are enhancing prices and restraining trade and lessening competition.

Mr. VOLSTEAD. Is not this the same thing that business corporations have—they have the power to combine with capital of millions of dollars?

Mr. WALSH. They have not the power under the law if the law is enforced. The gentleman appreciates that; but the idea of putting under one executive officer who under the law creating the department is supposed to do everything to encourage agriculture and assist the farmer to increase production—give him the power to say, "Well, Mr. Farmer of South Dakota, you are restraining trade a little too much; you have got to come in before me and have a hearing; and if you are not behaving yourself, I am going to give you a spanking. Of course, you can go to the district court and have the order considered."

Mr. MORGAN. Will the gentleman yield?

Mr. WALSH. I will yield to the distinguished jurist and more distinguished farmer from Oklahoma. [Laughter.]

Mr. MORGAN. I want to ask the gentleman if he is not aware that in practically all of the European countries the farmers combine under the law, and, not only that, but they are encouraged to do so?

Mr. WALSH. I have no doubt that in Russia they may have these organizations. [Laughter.]

Mr. MORGAN. No; but in England, Ireland, in Denmark, in Holland, in France the law allows it.

Mr. WALSH. Have they a Sherman antitrust law in France? Have they a Sherman antitrust law in England? If they have, does it exempt farmers from the operation of the act? Why, Mr. Speaker, it says that this is to permit these men to associate for the marketing of their goods, with the expectation that it will not lessen competition. If the farmers of Oklahoma, under this law, engaged in an association to market their goods, for the purposes of bargaining, marketing, and handling their goods, how can it be expected that it is not going to lessen competition? Why, of course it will lessen competition. It will restrain trade. It has done so in every State in which it has been tried under a State law.

Now, Mr. Speaker, I know that a great many Members of the House that come from industrial centers of this Nation are sometimes under somewhat of a shadow when they are considered by their colleagues in this body that come from the agricultural centers. They think—and, possibly, 99.44 of the time it is true—that we do not understand the agricultural problems. But, gentlemen, we pay a large share of the taxes—the money that is being spent by the Department of Agriculture. We appreciate that if it were not for the suc-

cess of the farmer, if it were not for his full crop, for the facilities in marketing to dispose of them, the whole prosperity of this country would probably come tumbling down about our heads. But I would have you remember, sir, that the farmers of this country have never been the subject of laws which discriminated against them as much as they may sometimes cry out to that effect. They have never been so prosperous, on the whole, as they have been within the last few years. At the time of their greatest prosperity you will find that the returns from them in the way of income and other taxes are not commensurate with the increase of their prosperity.

Why, the returns of income tax from the agricultural State of Iowa are something that should cause gentlemen from that State to blush with shame. There is a State that has the greatest amount of per capita circulation of any State in this Union. It has a population almost equivalent to the State I have the honor in part to represent, and yet its contribution, in spite of its prosperity, to the Federal Treasury from income tax is a mere pittance compared with other States and compared with other industrial States that have a larger population.

Mr. CANNON. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. CANNON. On page 3 I find that on complaint the Secretary of Agriculture may regulate these people, or not regulate them, after investigation; and if they do not obey his mandate for the first time he can resort to the courts. But suppose he be in sympathy with the people that this bill would authorize to associate together, then I do not find that there is any appeal to be made in that event to any court. He is supreme. Now, then, I want to say that I come from an agricultural State, a large agricultural district. I voted for the rule and I am in sympathy with apt legislation, but I do not want legislation that would shut out any American citizen from appealing for his real or supposed rights.

Mr. WALSH. Well, Mr. Speaker, the gentleman is correct. The Secretary of Agriculture is the only man that can set the machinery in motion. It is not an independent branch of the Federal Government, such as the Federal Trade Commission. The raisin growers and the prune growers from California came before the committee when we had hearings upon this bill. They were very much peeved and disturbed, and criticized the Federal Trade Commission because it called them before it on account of complaints having been made that they were enhancing unduly the price of their products, and they set up an objection to putting the power in the Federal Trade Commission to do that; they claimed that they should not be bothered by being haled before the Federal Trade Commission to tell them about the costs and profits that they were making, and that, therefore, the power should be lodged in other hands. It is now lodged——

The SPEAKER. The time of the gentleman from Massachusetts has expired.

ADJOURNMENT.

Mr. WALSH. Mr. Speaker, before we have further exposition upon this bill I think we should have a quorum present, and I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point of order that there is no quorum present.

Mr. WELLING. Why not move to adjourn?

Mr. WALSH. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion of the gentleman from Massachusetts that the House do now adjourn.

The question was taken, and the Speaker announced that the ayes had it.

Mr. DOWELL (and others). Mr. Speaker, I demand a division.

The House divided.

The SPEAKER. On this vote the ayes are 38 and the noes are 33. The ayes have it, and the House stands adjourned until to-morrow at 12 o'clock.

Mr. DOWELL (and others). Mr. Speaker, we demand tellers; we are entitled to tellers.

Mr. WALSH. Mr. Speaker, I make the point of order that the House was not in session when this demand was made, it having been declared adjourned by the Speaker. The Speaker is not now in position to recognize the demand. The House has adjourned.

The SPEAKER. The Chair thinks the point of order is well taken. The Chair was not precipitate. After announcing the result the Chair waited before making the statement that the House had adjourned.

Accordingly (at 6 o'clock and 57 minutes p. m.) the House adjourned until to-morrow, Saturday, May 29, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Postmaster General submitting a supplemental estimate of appropriation required by the Post Office Department for the Postal Service, "Indemnities, domestic mail," during the fiscal year 1920 (H. Doc. No. 798); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Navy, transmitting draft of requested legislation to repeal the bill establishing relative rank of brigadier generals of the Army with rear admirals of the Navy; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HUSTED, from the Committee on the Judiciary, to which was referred the bill (H. R. 14136) to amend an act entitled "An act to parole United States prisoners, and for other purposes," approved June 25, 1910, as amended by an act approved January 23, 1913, and for the establishment of a probation system in the United States courts, except in the District of Columbia, reported the same with amendments, accompanied by a report (No. 1054), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MILLER: A bill (H. R. 14283) to authorize the deportation of aliens convicted of importing narcotics into the United States; to the Committee on the Judiciary.

By Mr. LEA of California: A bill (H. R. 14284) to amend section 110 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and to establish military justice; to the Committee on Military Affairs.

By Mr. DALLINGER: A bill (H. R. 14285) to prohibit the export of coal from the United States or any place subject to its jurisdiction; to the Committee on Interstate and Foreign Commerce.

By Mr. PETERS: A bill (H. R. 14286) to authorize officers of the naval service to accept offices with compensation and emoluments from Governments of the Republics of South America; to the Committee on Naval Affairs.

By Mr. TILSON: A bill (H. R. 14287) to provide revenue, encourage domestic industries, and make provision for the national defense by the elimination, through the assessment of special duties, of unfair foreign competition in the sale of aeroplanes imported into the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. DALLINGER: Resolution (H. Res. 573) requesting the Interstate Commerce Commission to enforce the powers conferred upon it by the act entitled "An act to amend an act entitled 'An act to regulate commerce,' as amended in respect of car service, and for other purposes," approved May 29, 1917, to prohibit the further exportation of anthracite and bituminous coal from the United States until such time as the present emergency shall have passed; to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: Resolution (H. Res. 574) to investigate the escape of Grover Cleveland Bergdoll; to the Committee on Rules.

By Mr. CONNALLY: Joint resolution (H. J. Res. 366) repealing certain war legislation and fixing a date for the termination of emergency acts; to the Committee on the Judiciary.

By Mr. ACKERMAN: Joint resolution (H. J. Res. 367) to repeal war-time legislation; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUMBAUGH: A bill (H. R. 14288) granting a pension to Lola Beebe; to the Committee on Invalid Pensions.

By Mr. DUPRÉ: A bill (H. R. 14289) for the relief of Col. Herbert Deakyne, Corps of Engineers, United States Army; to the Committee on Military Affairs.

By Mr. FORDNEY: A bill (H. R. 14290) granting an increase of pension to George P. Robertson; to the Committee on Pensions.

Also, a bill (H. R. 14291) granting a pension to Electa E. Rockwell; to the Committee on Invalid Pensions.

By Mr. GODWIN of North Carolina: A bill (H. R. 14292) for the relief of Ethel A. Fullwood; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 14293) granting a pension to James McCray; to the Committee on Pensions.

By Mr. MUDD: A bill (H. R. 14294) granting an increase of pension to Mary E. Lynde; to the Committee on Pensions.

By Mr. PHELAN: A bill (H. R. 14295) granting a pension to Bridget Margaret Geraghty; to the Committee on Invalid Pensions.

By Mr. RICKETTS: A bill (H. R. 14296) granting an increase of pension to Rutherford H. Bowsher; to the Committee on Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 14297) granting a pension to Kittie Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14298) granting a pension to Hiram L. Hensley; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 14299) granting a pension to Lucy Sanders; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 14300) granting a pension to Margaret Gilbon; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 14301) granting a pension to Polly Marsee; to the Committee on Pensions.

Also, a bill (H. R. 14302) granting a pension to Creed F. Casteel; to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 14303) granting a pension to Mary Kirk; to the Committee on Pensions.

Also, a bill (H. R. 14304) granting a pension to Mrs. Albert B. Hoffman; to the Committee on Invalid Pensions.

By Mr. TREADWAY: A bill (H. R. 14305) granting a pension to Harriet E. Sabin; to the Committee on Invalid Pensions.

By Mr. VARE: A bill (H. R. 14306) for the relief of Walter R. Smith; to the Committee on Claims.

By Mr. VESTAL: A bill (H. R. 14307) granting a pension to Edwin S. Fager; to the Committee on Pensions.

By Mr. WISE: A bill (H. R. 14308) for the relief of J. H. B. Wilder; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3971. By Mr. CULLEN: Petition of Henry F. Osborn, jr., Marvin G. Sperry, and the Tobacco Merchants' Association of the United States, in connection with bonus legislation; to the Committee on Ways and Means.

3972. By Mr. DARROW: Petition of 73 residents of Germantown, Pa., in behalf of increased salaries for postal employees; to the Committee on the Post Office and Post Roads.

3973. Also, petition of 34 residents of Philadelphia, Pa., favoring passage of House bill 13334; to the Committee on the Territories.

3974. Also, resolution of the Commercial Exchange of Philadelphia, Pa., opposing a cash bonus for able-bodied service men; to the Committee on Ways and Means.

3975. By Mr. ESCH: Petition of 46 residents of Wisconsin, against compulsory military training; to the Committee on Military Affairs.

3976. Also, petition of Illinois Grain Dealers' Association, protesting against passage of section 704 of House bill 13874; to the Committee on Agriculture.

3977. Also, petition of the Tobacco Merchants' Association of the United States, protesting against proposed tax on tobacco; to the Committee on Ways and Means.

3978. By Mr. FULLER of Illinois: Petition of Disabled Men's Bureau of Service and Legislative Relief, opposing pending bonus bill; to the Committee on Ways and Means.

3979. Also, petition of the Air Reduction Sales Co., of Chicago, Ill., concerning pending patent legislation; to the Committee on Patents.

3980. By Mr. GALLIVAN: Petition from Francis J. O'Hara, South Boston, Mass., and 75 others, requesting passage of legislation which will provide suitable living wages for the employees of the Postal Service; to the Committee on the Post Office and Post Roads.

3981. Also, petition from Thomas L. Walsh, South Boston, Mass., and 100 others, requesting passage of legislation which will provide suitable living wages for the employees of the Postal Service; to the Committee on the Post Office and Post Roads.

3982. By Mr. GOLDFOGLE: Petition of the Workmen's Circle, Branch No. 8, and the Sons of Unterstuetzungs Verein, Branch No. 68, New York, favoring amnesty for military prisoners; to the Committee on the Judiciary.

3983. By Mr. HADLEY: Five petitions signed by E. T. Riordon and 28 others, Carroll Lewis and 18 others, Ulrick Holten and 27 others, Charles Thorsen and 19 others and James Lawless and 19 others, all ex-service men, from the Private Soldiers' and Sailors' Legion of Washington, favoring a cash bonus of $500 for ex-service men; to the Committee on Ways and Means.

3984. By Mr. KELLY of Pennsylvania: Petition of Chamber of Commerce of Pittsburgh, Pa., urging increased salaries for postal employees; to the Committee on the Post Office and Post Roads.

3985. By Mr. LONERGAN: Resolutions of the Diocesan Convention of the Episcopal Church of Connecticut, that the obligations of the United States in the Near East be faced; to the Committee on Foreign Affairs.

3986. Also, resolutions of the Typewriter Lodge, Hartford, Conn., of International Machinists, for the repeal of the wartime sedition laws; to the Committee on the Judiciary.

3987. Also, resolutions of the Connecticut Pastoral Union of Hartford, Conn., favoring the acceptance of the mandate for Armenia; to the Committee on Foreign Affairs.

3988. By Mr. McGLENNON: Five petitions of unions, associations, corporations, and individuals, of New Jersey, favoring increase in salaries of postal employees; to the Committee on the Post Offices and Post Roads.

3989. By Mr. O'CONNELL: Petition of Henry F. Osborn, jr., the William Whitman Co., and the Tobacco Merchants' Association of the United States, all of New York, in connection with bonus legislation; to the Committee on Ways and Means.

3990. By Mr. ROWAN: Petition of New York Employing Printers' Association, Butterick Publishing Co., and the Universal Leaf Tobacco Co., of New York, favoring increased salaries for postal employees; to the Committee on the Post Office and Post Roads.

3991. Also, petition of the Merchants' Association and the Columbia University Post, American Legion, of New York, in connection with the bonus legislation; to the Committee on Ways and Means.

3992. By Mr. SNYDER: Petition of sundry residents of the thirty-third New York congressional district, favoring the passage of House bill 10925, offering Government aid to all States who will join in the maternal and infant-welfare work; to the Committee on Interstate and Foreign Commerce.

3993. By Mr. TAGUE: Petition of sundry citizens of the State of Massachusetts, urging increased pay for postal employees; to the Committee on the Post Office and Post Roads.

3994. By Mr. VAILE: Petition of Montrose Lodge, No. 1053, Benevolent and Protective Order of Elks, Montrose, Colo., pledging their support in suppression of the activities of the I. W. W., Bolshevists, and kindred organizations; to the Committee on the Judiciary.

SENATE.

SATURDAY, *May 29, 1920.*

(Legislative day of Monday, May 24, 1920.)

The Senate reassembled at 11 o'clock noon, on the expiration of the recess.

MAIL SERVICE IN ALASKA (S. DOC. NO. 282).

The VICE PRESIDENT laid before the Senate a communication from the Postmaster General stating that, pursuant to law, a special contract had been entered into with the Alaska Engineering Commission for carrying the mails as far as trains may be operated during the next winter season between Seward and Fairbanks, Alaska, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

NATIONAL ZOOLOGICAL PARK POLICEMEN (S. DOC. NO. 283).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Smithsonian Institution submitting a supplemental estimate of appropriation in the sum of $4,160 required by that institution to provide additional compensation for the policemen at the National Zoological Park, etc., which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the

bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 400) authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2890) to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes.

The message also announced that the House agrees to the concurrent resolution of the Senate authorizing the Clerk of the House in the enrollment of the bill (H. R. 3184) to create a Federal power commission and to define its powers and duties, to provide for the improvement of navigation, for the development of water power, for the use of lands of the United States in relation thereto, to repeal section 18 of "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved August 8, 1917, and for other purposes," and for other purposes, to add a new section, and also to amend the title.

The message further announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 14197. An act to amend the personal service corporation provisions of the revenue act of 1918, and for other purposes; and

H. J. Res. 359. Joint resolution authorizing the Secretary of War to loan to the American Legion Post No. 73, Vincennes, Ind., necessary cots for use at the State encampment of the American Legion to be held at Vincennes, Ind., on June 28 and 29, 1920.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 400. An act authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims;

H. R. 3184. An act to create a Federal power commission, to provide for the improvement of navigation, the development of water power, the use of the public lands in relation thereto, and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes;

R. R. 11960. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921; and

H. R. 13416. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, and for other purposes.

PROPOSED SOLDIERS' BONUS.

Mr. MYERS. Mr. President, I ask the indulgence of the Senate for a few minutes.

I have received from constituents many inquiries as to my attitude toward proposed legislation for a cash bonus and other benefits for former service men. Quite a number of my constituents who are former service men have urged me to support legislation to pay a cash bonus to former soldiers and sailors; some former service men among my constituents oppose a cash bonus.

I have given the matter of legislation for former service men careful consideration, and have arrived at a conclusion as to my duty and my course, and am ready and free to make it known. In order that it may be known to all who may be interested I will here state it.

First and foremost, I am in favor of doing everything within the bounds of reason for our former service men who are crippled, maimed, disabled, or incapacitated from wounds or other results of their service so that they are not able or not so well able as before their service to make a living and get along in the world. For those unfortunates I feel we can hardly do too much. I favor every feasible provision of law and appropriation of necessary money to rehabilitate them, give them vocational educational training, and fit them to make a living, so they will not be dependent upon charity or under unnecessary disadvantage in the battle of life. I also favor liberal compensatory benefits for them. I favor very liberal legislation for the benefit of that class of service men who sacrificed so much.

Furthermore, I favor liberal legislation and appropriations to reclaim arid, desert, swamp, cut-over, and other barren lands for the purpose of reclaiming farms for such former service men as may desire to acquire land and follow farm life. Indeed, I introduced a bill to that effect. It was approved by Secretary of the Interior Lane, and is now pending. I favor legislation to give employment at such reclamation work to former service men at good wages and to equip them for farming and to sell the lands to them on long-time payments at a low rate of interest. We need to encourage a back-to-the-land movement. We need sturdy young men on farms. We need to divert population from the overcrowded, congested cities and industrial centers. We need to increase farm production. Therefore I have from the beginning favored former Secretary Lane's plan to induce former service men to buy land and go to farming and to help them to do it.

Further than those two projects, though, I am not willing to go. I am not willing to lend Government money to former service men to buy homes in cities and towns. There are too many people now in cities and towns. I am also opposed to the payment of any cash bonus to former service men. I think the plan would be unjust, unpatriotic, unwise, and un-American. It would put the dollar mark on patriotism. It would commercialize patriotic duty. Its effect would be debasing. It would be contrary to principle. There is a principle involved. Citizens owe a duty to defend their country when its existence is threatened, and they should not expect cash rewards for performing that duty.

It is said that those who stayed at home during the war made more money than those who served in the Army. Some did, but not all. I stayed at home and upheld my country during the war, and for doing so received no more than board and clothes for myself and family. I am not asking a bonus. Even if some who stayed at home did get more money than they should have gotten, two wrongs do not make a right.

I think young men who either volunteered or were drafted and who received $30 a month and their keep, all expenses during their service, together with two months' extra pay at discharge, already paid; who were provided with liberal insurance and compensation laws; who received the benefits of the drill and discipline of Army life, either in camp in this country or in the field in France; some of whom went abroad and had opportunities of seeing the world that otherwise they probably never would have had; and who did a patriotic duty and returned to this country safe, sound, unscratched, and untouched, without being wounded and without suffering in health, should not expect the people of this country to go down in their pockets and pay them an additional cash price for their patriotic service.

No cash bonus has ever been voted to the soldiers of this country who served in any war. It was not done for those who served in the Revolutionary War, the War of 1812, the Mexican War, the Civil War, the Spanish-American War. I do not see why it should be done in this instance. The soldiers who served in the war with Germany were given the most liberal insurance and compensation laws ever awarded to the soldiers of any war waged by this country, and I think those who returned unhurt should be satisfied.

I do not believe the country is in a condition to justify voting a cash bonus of a billion dollars or more to returned soldiers who were unhurt. Taxes are enormously high and will be for a generation to come. The necessary expenses growing out of the war will require huge appropriations by Congress for many years to come. The cost of living is frightfully high. People are now groaning and staggering under burdens of high cost of living and excessive taxation, and will continue to do so for a number of years. To go to work now, in addition to all of this, and take at least a billion dollars more out of the pockets of the people and give it to young men who returned unhurt from the war I think would be unjust, and I do not think it should be asked.

No matter how the money might be raised it would be bound ultimately to be paid by the consumer. It might be by a tax on sales, it might be by a tax on stock transfers, it might be by a tax on dividends, it might be by some other form of taxation, but it would come from the consumer, and that would mean that people of all classes would have to pay it. The tax might be put on the net profits of corporations, but inevitably they would add it to the cost price of their products, and the consumer would pay it. This proposal is one for the benefit of the few at the expense of the many, and I am opposed to that kind of legislation. I am and always have been opposed to all class legislation for the benefit of the few at the expense of the many, whether in the form of a high protective tariff or any other form of class legislation. In my opinion those who originated this scheme simply planned a raid on the Treasury and they thought Congress would be too cowardly to resist the demand. The movement in Congress for a cash bonus, so far as

the Members of Congress are concerned, I believe to be simply a scheme of both political parties to buy the soldier vote at the expense of the people, and I shall not be a party to it. I yield to none in devotion to and admiration for the defenders of our country, but these are times when we should be cautious about dipping into the Treasury and being generous with the people's money. Rigid economy in public expenditures should be exercised.

These are my views. They may not be popular with most former service men, but I am conscientious in them and I intend to adhere to them.

I know there are many former service men who do not encourage the movement for cash bonus and do not look with favor upon it. I have a clipping from the Washington Post of the 23d instant, which is a communication on that subject to the public, from a former service man. It contains much good, sound sense and I ask that it be incorporated in the RECORD in connection with my remarks. It is as follows:

EDITOR THE WASHINGTON POST:

As a volunteer of the second day of war, and, moreover, one who could make speedy use of money, I feel qualified in voicing opposition to the proposed bonus for former service men. I shall do this by meeting the arguments as they have been made by soldiers themselves, though generally misunderstood and hence a cause for discontent on both sides.

It is declared in defense of the measure that the purpose is not to reward for dutiful service, nor to pay a price for patriotism (which would render it obnoxious even to its beneficiaries), but merely to pay additional compensation, their wages having been very low; that many slackers took advantage of their absence, receiving high salaries and permanent means of support, while those to whom these might have gone were fighting their country's battles without possibility of saving money and without final adjustment of wages; that service men should not be forced to incur financial loss over and above the risk to life, limb and health, and the horrors of war.

This general complaint of bonus advocates is first largely unjust, and besides is overweighed by other considerations which should command the attention of their better nature.

It is a fact that the wages of a private were only $30 per month, but food, lodging, furnishings, doctor's bills, and most of our clothes were furnished free of charge, thus eliminating for us the high cost of living which beset the tax-ridden civilian. If the average salary received by our men before enlistment or conscription is compared with this and all it includes it is doubtful whether the difference is great. But in addition to this Congress helped those with dependents, granted all a $60 bonus on discharge, and offered them insurance at enormous loss, allowing them to continue it for life at the same low rate, no matter how far back it expired.

Hence it would appear the disparities have already been adjusted. As to the cases where they have been displaced by civilians, this has already been partially, if not entirely, balanced by the general precedence given to former service men. Further steps in their favor to preclude advantage by those who stayed at home (not all of whom were slackers) would be possible without a universal tax for the benefit of those who fought (many of whom were slackers prior to conscription).

But grant for the moment that our salary was far too meager, and that it was not compensated by insurance and precedence in employment. Obviously, if the American Legion is to consider nothing except justice to itself, it can not legitimately demand further payment, since aggravating the cost of living does not militate against paying what one really owes.

Even then the bonus should be opposed by the soldier because every dollar spent on the able-bodied man means many dollars less for each of the smaller number of wounded, blinded, and stricken, and the mothers and wives who lost their only means of support. One may say that Congress should provide for both. They could, but they wouldn't to any extent, because the public would not endure the constant taxation. The greater the sum expended on the American Legion the greater the protest against further bonuses, and the victims of the war need every cent they can be furnished as just remuneration.

Besides the increased cost of living through inflation of currency, more will be consumed and wasted by the beneficiaries of the tax, and, furthermore, labor for harvesting crops will be almost impossible to secure in abundance, especially among negroes; which means loss to the farmer and perhaps more world-wide suffering for bread.

Therefore, I urge the American Legion to put all of its force behind a praiseworthy bonus, which step will redeem it from the obloquy into which it has begun to fall. If we are to become another of those damnable lobbying organizations whose business it is to pester and threaten Congressmen into voting against their convictions, we had better break up at once. With such an exacting spirit, which is nothing but self, we would be a public nuisance. For my part I shall never accept for my own pleasure a reward which to some one else might mean the difference between sickness and health. Even if we had it coming to us, as I am convinced we do not, we should pass it on to those who need it more. Our motto should be "Millions for the needy, but not one cent of gratuity for able-bodied men."

Respectfully submitted.

PAUL MORRIS.

George Washington Post, No. 1.

SPANISH WAR AND OTHER PENSIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2) to pension soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition.

Mr. THOMAS obtained the floor.

Mr. McCUMBER. Will the Senator yield to me to give a notice?

Mr. THOMAS. Certainly.

Mr. McCUMBER. I wish to give notice at this time, and I ask the attention of the Senator from Utah [Mr. KING] to it, immediately after the vote upon the pending Spanish War pension bill, that I shall call up the bill (H. R. 12530) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. KING. I understood that the Armenian resolution was to have the right of way to-day.

Mr. McCUMBER. I think we can dispose of that in a short time, and we ought to get through with the pension bills. I call the attention of the Senator to the fact that some of them have been on the calendar since last September.

Mr. KING. Does the Senator intend to displace the Armenian resolution?

Mr. McCUMBER. I intend to call up House bill 12530, whatever it displaces at that time.

Mr. THOMAS. Mr. President, I have no doubt the Senator from North Dakota will succeed in securing the consideration of the bill to which he refers, because the Senate has an unwritten rule that all business of all kinds, however important or unimportant, shall give way to pension bills. The notice, therefore, is superfluous.

It is a perfectly hopeless task to oppose a pension bill unless it is designed to do something for the soldiers and officers of the Regular Army. A bill has been on the calendar since the 20th of January designed to give relief to officers and soldiers of the Regular Army. No attempt has been made to call up that bill and dispose of it. No attempt will be made at this session to do so.

Unfortunately for the beneficiaries of that class of pension bills they are few in number and have no political influence whatever. They are not organized, hence they must, like Lazarus and the dogs, content themselves with such crumbs as may fall from Uncle Sam's table, which in these days are very few. There are too many other pension guests at the feast.

Some time ago I had occasion to discuss in my feeble way some features of the so-called Fuller pension bill, which adds to the general expenses of the people the very generous sum of $65,000,000. One result of my strictures was to inspire the adverse criticism of a newspaper in the city of Washington called the National Tribune, a paper devoted to patriotism and pensions. It regards the two terms as synonymous, and has acted very consistently upon that definition. I have suspected and once intimated that the paper was established for and lived by its advocacy of pensions—pensions for everybody, pensions for everything, pensions for the just, pensions for the unjust, pensions for those in actual battle, pensions for those who after the conflict regretted that they had not gone, but who served their country in less hazardous positions.

That suspicion, Mr. President, has been strengthened by my receipt during the first part of the present month of this letter. It is written from Fort Lupton, Colo., route 1, box 27, May 2, 1920—

Mr. THOMAS, M. C.:

As you have helped me in the past in regard to my pension—

I plead guilty, Mr. President. It is impossible to be in Congress without occasionally falling by the wayside—

I thought maybe you would advise me again. I received a letter—

And I commend this to my Republican friends on the Pension Committee—

I received a letter from the National Tribune saying there was a bill for increased pensions, and if I would send $2 for a year's subscription for their paper, it would be a help to have the bill passed. Instead of getting $25 a month I would get $30. My pension is all I have to support myself, and $2 means something to me. If I thought it would help to pass the bill I would gladly send the money. Please advise me and oblige.

I was strongly tempted to answer by saying if she would only send that direct to me instead of in this roundabout way it might accomplish some good purpose. But it clearly consisted, under the circumstances, of that species of graft which the National Tribune lives on and is evidently levying upon every pensioner and every would-be pensioner who seeks the largess of the American Congress. There are over 600,000 of these. If 10 per cent of them respond to the request of this paper, its revenues can be easily estimated and its motives for advocating pensions will be understood.

I can afford, Mr. President, to enjoy the disapproval of public plunderers who under the guise of a public periodical devoted ostensibly to that species of patriotism which falls within Samuel Johnson's definition, if I have incurred it by reason of anything I have said or may say in this body about them.

Coming now, Mr. President, for a moment to the pending bill, it is a modest one compared to the Fuller bill. It will add something like $15,000,000 ultimately, if the report of the com-

mittee is to be accepted, to the annual expense charge of the Government; but it is the beginning of another pension system whose dimensions will expand with the flight of time and find material expression in subsequent legislation here. The bill does not propose to limit relief to those soldiers and sailors mentioned in the title of the bill because of disabilities received in the service, but to make them the wards of the Government if at any time after their honorable discharge, through no fault of theirs, they become disabled in whole or in part, mentally or physically, from earning a livelihood, whether they have means or are without them; in other words, the theory of this bill is to take over and to support at the expense of the tax-paying public any man who, having served the Government of the United States and worn its uniform in certain wars and expeditions, shall in afterlife, through disease or accident or misfortune, be unable, in the opinion of the Pension Bureau, to fight the battle of life and to make a livelihood for himself. Now, let us see. The bill provides:

That all persons who served 90 days or more in the military or naval service of the United States during the War with Spain, the Philippine insurrection, and the China relief expedition, and who have been honorably discharged therefrom, and who are now or who may hereafter be suffering from any mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, which so incapacitates them from the performance of manual labor as to render them unable to earn a support, shall, upon making due proof of the fact—

And so forth.

Mr. President, this is a deliberate and premeditated perversion of the whole theory of pensions. Talk about the establishment of privileged classes! Why, here is a privileged class not only established but encouraged by law. It is the easiest thing in the world for a man, encountering adverse circumstances or suffering from disappointments in active life, to believe that he is mentally or physically incapacitated from earning a living; and this, easy as it is, receives encouragement by the invitation of the Government to believe so, submit to an examination, and become a beneficiary of the Government.

This is an instance—I was about to say a conspicuous one, but it is not—this is a common illustration of the progress the people of the United States are making toward universal paternalism. What is the Government of the United States? The average man and woman of this generation regards it as an abstract entity possessed of superabundant wealth, of inexhaustible resources, and existing only to care for every person who assumes that he or she is unable to take care of himself. We have ceased to speak or think of the Government of the United States as our very own; as an institution of which every man and woman is a distinct unit; as something created because essential to the security of life and of property, to the administration of justice, and to the safeguarding of personal rights, with the enforcement of their accompanying responsibilities everywhere. That has gone. If you encounter trouble in these days, go to Washington, but organize before you go. Then call on your Representative and on your Senators; tell them your needs and insist upon their recognition and relief, regardless of cost. Go upon the principle that he who doubts your story is damned, and that he who refuses is to be retired from public life; and in nine cases out of ten Congress will "come through," for we can face anything except the hazard of defeat for reelection.

In fact, I do not know why Congress sits in these days except to introduce bills for appropriations and then insist upon their recognition by a majority. Inasmuch as all of us have our particular appropriations and this is an age of combination and concentration, how easy it is for us to get together and say, "You help me with my appropriation and I will help you with yours!" We can both get Brown's assistance and that of John Doe because those gentlemen are similarly circumstanced. Hence, Congress has become an aggregation, a combine, a cooperative association, for the purpose of getting money from the Treasury and squandering the taxes of the people, and the more we squander the more the appetite grows for Federal aid.

Public taxation is equivalent to $50 a head for every man, woman, and child in the United States. With a deficiency immediately confronting us of $3,000,000,000, which must be paid by additional taxes, we welcome the consideration of and are eager to pass bills bound to increase that deficiency, knowing that they will increase that deficiency, and largely because a presidential election is approaching, largely because the Republican Party wants votes and is perfectly willing to buy them from the Public Treasury, largely because the Democratic Party needs votes worse than the Republican Party and is therefore the more anxious to buy them from the Public Treasury. So we are engaged, Mr. President, in a mad race for political supremacy in America at the cost of the taxpayers. I will not take part in it.

Mr. Bryan announces, unless he has been misrepresented, that he proposes to insist upon a bonus plank in the platform, plus the unconditional acceptance of the so-called labor program. To be consistent, he should include in his program his proposal for a constitutional amendment, which he advocated the other night, establishing the single standard of morals in America. Write those things upon our banner, and write the "in hoc signo vinces" of old Constantine upon the banners of the enemy. I will not support such a platform. There is nothing democratic in it. It is in conflict with every tenet of democracy. When my party reaches that degree of demagogy, of misgovernment and mobocratic action, I part company from it and from any party so insensible to public thrift and security, to principle, and to the ancient faith of the fathers. Such a program presages disaster beyond any attitude or proposal of other days.

So much, Mr. President, for the features of this bill, which will pass, of course. Three lone, lean, solitary votes were mustered over here in opposition to the motion submitted to take it up—three; count them; that is all. The only comfort I get out of it is that the three call themselves Democrats. God knows what we are in these days, but are nominally branded with that appellation.

Mr. President, the pendency of this bill prompts me to direct public attention to another combination for more public money which seems sufficiently powerful to enlist in its behalf all associations, all political interests, all social interests, and a possible majority of the individuals in the United States. I refer to the proposition to increase salaries in the Postal Service. I intended to bring over the mass of mail and telegrams which have reached me on this subject, but I am not as strong as I used to be, and I was not able to carry them, and my secretary was busy, so I did not impose the burden upon him. They all indicate, Mr. President, that the Postal Service is starving; that because of a niggardly Government the service is becoming demoralized; and that unless this particular largess is given and given quickly, the whole postal organization will soon go to the devil; in fact, we are warned that it is on the road there now, due largely to the inability of the postal employees to live upon present salaries, and to the consequent existing need for increased compensation. The cry is, "Help us, Cassius, or we sink."

Mr. President, some of these letters have appealed to me. If I were a candidate for reelection, possibly a great many of the urgent solicitations coming from the various civic societies of my country would have been convincing to me. They may do so yet. I do not know. If perseverance and quantity of bombardment are the tests of success, then I am gone. To be perfectly serious, let me say that I may support the measure when it comes from the committee; but I want to exercise my own judgment about it if possible and after the facts are available. I am afraid I shall not have the opportunity. Names are invidious, but I know a great many Members of this body who will support it under the compulsion of propaganda, just as I might if I were obsessed to remain in the performance of disagreeable and unpopular duties such as I now confront.

I called attention to the full-page advertisement appearing in the New York Times last Monday and I think in 200 other papers in the country, consisting of an article in the Literary Digest of May 22, entitled "Are postal employees human beings?" and I suggested that an organization having money enough to pay for advertising at that rate was more prosperous than Uncle Sam, relatively speaking, and a combination which could carry on a campaign like that were in a class with those other combinations in the good old days of the Payne-Aldrich and the Underwood bills, whose similar practices were universally condemned, and contributing to the retirement of the Republican Party in 1912.

I met a gentleman the next morning who said, "You have only skimmed the surface of that situation. Are you not aware that the Literary Digest published this article upon the 22d of May under an agreement to secure its recognition in several hundred newspapers in the United States in consideration that these organizations would undertake to increase its circulation by some three or four hundred thousand?" "No," I replied. "Well," he said, "Don't you know that they did increase it some three or four hundred thousand for that number?"

"Did you know that by the contract would-be beneficiaries were to continue their bombardment of Congress in this interest, and that in the event of success the periodicals of the country are to have the support of the civil service postal employees of their demand for the repeal of the present rates of second-class postage?" "No," I said, "I did not know that." I regarded the Literary Digest as an uplifting, inspired, educational periodical to which money was but a secondary consideration, and only

to the extent of enabling it to continue its mission of instructing the people.

A day or two afterwards I received a document bearing on the subject which I will read:

New York post office.
Supervisory Employees' Association.
Member National Association Supervisory Post Office Employees.

Rather a formidable organization of gentlemen and ladies supported by the Government of the United States.

Officers:
Albert Firmin, president, General Post Office; Frederick Mulker, vice president, General Post Office; John J. Kiely, financial secretary, Grand Central Station; Joseph Willon, recording secretary, Times Square Station; George B. Cutler, treasurer, City Hall Station.

May 8, 1920.
Brother Supervisors:

What a fraternal greeting that is! The modern relation between all propagandists is a fraternal one. It is about the only evidence of the survival of moral qualities in the United States. We used to have brothers in Christ, brothers in lodges, and brothers-in-law, brothers in arms, brothers in love, brothers in affection; but if anything is more grieviously conspicuous since the close of the war than anything else, it is the submergence of the human spirit, the spirit of the Golden Rule, the desire for service. That altruistic element of our nature which is the solid foundation of Christianity and of every other successful religion is gone for the present. Two impulses now govern us, consciously or unconsciously:

First—

> That they should take who have the power,
> And they should keep who can.

And the other—

Every man for himself, and the devil take the hindmost.

And I assert that all of the schemes and plans for benefiting humanity, for restoring our normal status, and for returning to a sane and safe condition in life, are impossible until the old spirit of fraternity, of human sympathy, of service, of justice, and of altruistic association shall again assert itself among the sons of men.

But let me proceed with this letter.

BROTHER SUPERVISORS:

We are carrying on a campaign in New York the object of which is to insure the enactment of legislation in our behalf before the adjournment of Congress.

I believe we adjourn on the 5th, do we? Somebody in authority has said so.

We need your assistance. One supreme effort is called for at this time. If it is joined in by everyone it will be successful. Can we count upon your assistance?

The particular object of this letter is to bring to your attention that the Literary Digest of this city has promised us a very wonderful program in support of our appeal. In its issue of May 22 will appear a stirring article in our behalf. The management is not only going to print this but it has volunteered to bring the justice of our appeal to the attention of over 200 newspapers throughout the United States in which it advertises. Also to write personal letters to influential men throughout the country supporting our cause—

I must be an exceptionally influential man, because I got two of them.

The publication recognizes the justice of our appeal, and it has come to our support with whole heart.

Well, there is nothing like assuming a job in that spirit.

We believe that it is of the utmost importance to disseminate what the Digest is about to publish. Will you not immediately urge your post-office associates and all with whom you come in contact to immediately order copies of the Digest for May 22 through their news agents? Do not delay this until the papers arrive, for the supply will be bought up, but get your orders in in advance, and if necessary have your news agent telegraph for them. The papers when obtained should be brought to the notice of as many people as possible. This matter affects the whole service; rural free delivery, letter carriers, clerks, supervisories, and all. Will you not bring it to the attention of everyone? We intend here to have the article distributed to barber shops, cigar stores, and elsewhere where people congregate. Please drop me a postal as to your intentions. We feel the help given is so valuable every employee will want to get a copy.

Sincerely,

ALBERT FIRMIN, *President.*

There is no question about its value. The article duly appeared on May 22, pretending to have been written after careful, exhaustive, and impartial investigation into the merits of the claims of this service. Here is a copy of the Digest for that date. I was curious enough to compare its advertising space with its reading space.

This issue comprises 162 pages, of which reading matter occupies 64, advertisements 97, and this post-office article—which, of course, is free, without money and without price—one. By far the larger part of the paper is given to advertisements. The number of postal employees aggregates somewhere in the neighborhood of 300,000; so who can say what the added profit to this disinterested journal of civilization was upon this one issue? And, Mr. President, we know from experience that the circulation by the Postal Department of papers like this cost the Government some 75 per cent of the cost of that service—60 per cent, certainly.

I do not know what the circulation of the Literary Digest is, but I will venture to assert it is somewhere in the neighborhood of a million copies, in which event every issue doubtless costs the Government for its circulation somewhere in the neighborhood of $750,000. I am giving these figures at random. I do not pretend to accuracy. I know one journal with a greater circulation that costs something like $4,000,000 for that service; and the small proportion of amount which they are required to pay, notwithstanding it is ridiculously small, the periodicals of the country are determined to relieve themselves of, if possible, upon the plea that they are educating the people; that you should not tax literature. All is fair in war; hence the contract of the Literary Digest, for that is what it is, disguise it as you may, plainly expressed it amounts to this: "We will get your salaries increased, gentlemen, if you will help relieve us from this postal taxation and add two or three hundred thousand to our circulation. Congress is easy, especially on the threshold of a campaign; and together we will bring enough pressure behind every Member of the Senate and of the House to put both proposals through, yours first and our afterwards."

The Literary Digest is thrifty—thrifty because it is shrewd. That periodical paid for every one of these advertisements in other newspapers all over the country.

I can not prove that, but I am so morally certain of it that I do not hesitate to state it upon the strength of the letter which I read; moreover, the name of the periodical at the bottom of the advertisement appears with a nice little circle on either side referring to it. The first reads:

It is a mark of distinction to be a reader of the Literary Digest.

And the second—

For a single dime at the news stands each week.

So that this paper, for the money advantage which it proposes to get in additional circulation, in additional advertisements, and in additional charges for advertisements because of this increased circulation, seems to have prostituted its great influence in America for individual gain, for money, and pharisaically exploits a presumably terrible condition of these employees that it may increase its profits and its revenues perhaps a hundredfold. This is simply another development of the class commercialism of the time and of that constantly accelerating tendency to make poor old Uncle Sam "cough up" at all times and on all occasions and for everything to everybody.

The money which we pay is not ours; we are only trustees; consequently we pay it. The appropriations which we make here, of hundreds of millions of dollars upon the vote of 15 or 20 Senators, is not our money, it belongs to the people.

Vanderbilt years ago, in a moment of excitement, said, "The people be damned." One of the heads of the striking coal miners last December used the same expression. I think, Mr. President, that Congress might well adopt it as a standing motto, for by our fruits we should be known.

Of all the political hypocrisies which have characterized political parties in the United States, commend me to their repeated pledges to economy in public administration. If anything looking like economy should enter the doors of the Senate from either direction, in all probability it would be summarily ejected by the Sergeant at Arms, acting for the Senate, as a public nuisance.

But, Mr. President, this can not go on forever. The Treasury of the Untied States is not a Tennyson's brook, and the man who must continue to dig and to dig and to dig lower and still lower in his jeans for our ever-increasing taxes will dig a hole in the bottom of his pocket after a while, after which I do not know what will happen, but I can suspect. I do know that as man can not live except he have the wherewithal to sustain him, so nations are similarly conditioned. With this constant waste at the bunghole, with here and there a microscopic saving at the spigot, it requires no prophet to predict the consequences.

When the paid civil service of the Government of the United States, which this administration has permitted to organize, unites its tremendous collective power with a private agency for the mutual purpose of obtaining additional moneys from the Treasury and from the people, those of us who have apprehended sinister consequences from such combinations are beginning to realize that our apprehensions were not overdrawn. Why should not the bonus proposition make a similar arrangement with the Literary Digest, or some other great and virtuous disseminator of public information? Indeed, why should they not unite with this identical movement, instead of making two bites at the Treasury?

The river and harbor people and the public building people, materializing their request in the shape of appropriations running into millions, "look like 30 cents" when compared with the movements now in progress for unlimited appropriations.

Mr. President, if I have done this paper an injustice, I shall regret it. The task has not been a pleasant one, and I hope that the information which I have received is exaggerated. But I do not think so. I am told by a high official in the Postal Department that the Postal Service is well paid, and that the compensation averages from 25 to 30 per cent more than the employees could make in private life. I do not assert it, but my authority is undoubted.

The Digest in its issue of May 29 publishes some of the testimony taken before the committee given by employees who say they have gone hungry for years, by others who say they have suffered because of the meagerness of their compensation.

Mr. President, if in this country a man possesses any sort of energy, mental or physical, working for the Government, who, because of lean salaries, is obliged to ration himself below the limit, he is not entitled to much sympathy, for the very good reason that the world outside is clamoring for his help and anxious to pay for it.

I saw an article in the Milwaukee Sentinel the other day calling attention to the unanswered appeals of 10,000 farmers in Wisconsin for help on the farms at $100 a month and found, and of an equal number of ex-service men who are living upon the $13,000,000 bonus of that State, and, therefore, reluctant to resume their old occupations or any other employment. How it is possible under such circumstances for a man to deny himself the needs of life by staying in the public service is beyond my comprehension. It can be explained in one way, which is the power to utilize the union by forcing increased compensation from time to time as need or cupidity, or both, may determine.

I have said, Mr. President, that I hope the position occupied by the Literary Digest has been overstated to me. There is no power in a free country like the power of the press, whether that power be properly or improperly directed. The dissemination of bolshevistic literature, as it is called, unquestionably exercises an influence upon the minds of those who read it. The influence of the so-called Hearst publications is well nigh without limit. The man who owns them has a potential force which enables him, if properly exercised, to do more good in this world than any man I know of, and I fervently wish that this mighty influence, Mr. President, could always be exerted in behalf of the ideals of life, in advocacy of the old, homely, Anglo-Saxon virtues under whose dominion the foundations of this Government were laid. I would to God that, casting aside all questions of compensation or material gain, or political authority, those in control of this mighty influence would at this hour of the world's crisis rise to the heights of the supreme occasion and use it in bringing our people and the peoples of all the world back to those standards and those principles the abandonment of which must inevitably lead to chaos and disaster.

I trust, Mr. President, that the publicity given this incident will arouse the journalism of America to the need of sustaining the Government in the encouragement of every movement designed to reestablish the fundamentals of the American Union; that they will condemn this contract as it deserves to be denounced by every honest man cognizant of its sordid covenants. I do not hesitate to say that a great journal, a respectable journal, an influential journal, a journal of wide circulation, coming in contact with all classes and conditions of men, a journal of high reputation and character, such as the Digest enjoys, which will engage in such a work or in any similar work for considerations which I have exposed is as dangerous to public morality and to the integrity of representative government as those journalists who openly advocate sedition and anarchy, for both lead in the same direction. The paths must eventually merge; the goal will be the same.

I desire to offer two amendments to this bill, Mr. President, one to amend the title and the other to amend the text.

Mr. NORRIS. I ask the Senator from Indiana if he will not consent to temporarily lay aside the unfinished business and let me call up the conference report on the Agricultural appropriation bill.

Mr. NEW. I have no objection, provided it does not occupy very much time. I know the Senator from Utah [Mr. KING] wishes to speak on this bill, and perhaps one or two other Senators, and we are operating under a unanimous-consent agreement.

Mr. THOMAS. I do not wish to interfere with the Senator's purpose, but I suggest the query whether we have power under the unanimous-consent agreement to take up anything else?

Mr. NORRIS. Let us get the opinion of the Chair on that.

Mr. THOMAS. Certainly. That is the reason why I made the suggestion.

Mr. NORRIS. If that is true, then, of course I will not insist on it.

The VICE PRESIDENT. It is the opinion of the Chair that by unanimous consent any business may be done; but if there is a single objection, the pension bill must stay before the Senate.

Mr. NORRIS. I ask unanimous consent that the unfinished business may be temporarily laid aside, in order to take up the conference report on the Agricultural appropriation bill.

The VICE PRESIDENT. We are under a unanimous-consent agreement now, and a bill is before the Senate under that agreement. Is there objection to granting the request of the Senator from Nebraska?

Mr. NEW. I should be very glad to agree if there is no prospect that it will occupy any time in debate.

Mr. NORRIS. I do not think it will, but, of course, I can not guarantee that. However, if there is debate, I will not insist upon going on with it.

Mr. NEW. With the understanding that the Senator will withdraw it in case it does encounter much debate, I will yield.

Mr. NORRIS. I will let the Senator from Indiana be the judge on that proposition.

Mr. NEW. Very good.

AGRICULTURAL APPROPRIATIONS.

The VICE PRESIDENT. Is there objection to the request of the Senator from Nebraska [Mr. NORRIS]?

There being no objection, the Senate proceeded to consider its amendment No. 93 to the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, disagreed to by the House of Representatives.

Mr. NORRIS. Mr. President, I wish to say just a word to let the Senate know what is the parliamentary situation. The only matter in dispute between the conferees on the part of the House and the conferees on the part of the Senate, as probably all Senators know, is what is known as the congressional free-seed distribution amendment. The Senate struck out that provision from the bill, but the House has insisted on retaining it. At another time the Senate requested its conferees to propose a compromise amendment. The House yesterday took up that compromise amendment directly and had a vote on it and it was defeated, as I remember it, by 4 or 5 to 1.

The conferees on the part of the Senate have reached the conclusion, and I think we are justified in it, that the Senate must recede from its amendment, and that the provision for free seeds must be allowed to remain in the bill or we will not have any Agriculture appropriation bill. The idea was expressed yesterday by the Senator from Colorado [Mr. THOMAS] that we ought to accept that challenge. The conferees on the part of the Senate, while I believe everybody will concede we have been just as anxious to exclude free seeds from the law as any conferees who ever represented the Senate on that question, still think that we can not afford to take that desperate remedy to bring it about, and particularly at this time, when interfering with the operations of the Agricultural Department would probably be a more serious blow than in any other year for a good while.

While I regret it and dislike to do it, we realize, I think, that it must be done, or no Agricultural appropriation bill will be passed. Therefore, under the circumstances, I move that the Senate recede from its amendment No. 93, the only thing left in dispute.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Nebraska.

The motion was agreed to.

SPANISH WAR AND OTHER PENSIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2) to pension soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition.

Mr. KING obtained the floor.

Mr. THOMAS. Mr. President——

Mr. KING. I yield to the Senator from Colorado.

Mr. THOMAS. The amendment which I offered is designed to include in the bill a pension of $50 a month to Mrs. Mary Pope, the widow of Brig. Gen. Pope, of the Regular Army, a man who devoted 45 years of his life to the service of his country, and who was afflicted by a wasting and lingering malady at the close of his life, from which he finally died, and whose little substance was wasted in the care that he had to

receive during that period of his life. This widow is dependent upon the bounty of the Government for her everyday expenses. I think it is no more than just, under the circumstances, that such an amendment should be considered and agreed to.

The VICE PRESIDENT. Does the Senator from Colorado understand there is a pending amendment?

Mr. THOMAS. I do. I merely wished to explain my amendment briefly at this time.

Mr. McCUMBER. Mr. President, with the permission of the Senator from Utah——

Mr. KING. I yield to the Senator from North Dakota.

Mr. McCUMBER. I desire to say that I understand the amendment proposed by the Senator from Colorado covers the case of the widow of a Civil War veteran.

Mr. THOMAS. No; he was a Regular Army officer, a West Point graduate, a man who began at the bottom.

Mr. McCUMBER. Very well. In either instance the reasons I will give will apply just the same. We have introduced bills covering three classes of cases. There is, among other private pension bills, one that relates to Civil War veterans only. There is another that relates to the Regular Army Establishment. That which the Senator now desires to introduce as an amendment, which would be a special bill to amend general legislation, relates to the Spanish War. The Senator will find upon the calendar a bill relating to the Regular Establishment and covering these cases. I think the amendment should be offered to that bill, and he should not attempt to put a private bill on general legislation. We ought to get those bills up, and I think we will.

Mr. THOMAS. I have taken this amendment from the bill to which the Senator refers, but I understand there is no hope of doing anything for the Regular soldiers' pension bill at this session, and this is a case of need. This is the case of a widow whose husband gave his entire life to the military service of the country.

Mr. McCUMBER. If the Senator will allow me, I think there is just as much hope of getting that up as there is of the other, and there is hope for both of them.

Mr. ASHURST. Mr. President——

Mr. KING. I yield to the Senator from Arizona.

Mr. ASHURST. On yesterday I proposed to the pending bill the following amendment: Add a new section to be known as section 4:

That all Army nurses in the War with Spain, the Philippine insurrection, and the China relief expedition shall be entitled to the benefits of this act.

I perceive that the entire time between now and the hour set for a vote will be consumed upon the bill, and largely by its opponents; I, therefore, would not have time after 1 o'clock to make any explanation of my amendment. Hence I embrace this opportunity and thank the Senator from Utah for yielding me these two minutes.

The Senate should know something about the facts regarding the amendment. The amendment proposes to make the Army nurses of the War with Spain, the Philippine insurrection, and the China relief expedition eligible to pension under this bill. I am advised by The Adjutant General's office that there are no persons eligible for pension under the amendment by reason of service in the China relief expedition; that so far as the record discloses there were 1,700 Army nurses in the Philippine insurrection and the War with Spain, but the War Department has no means of ascertaining how many of those 1,700 persons are now alive, or how many would be eligible to pensions. But I am safe in stating that certainly not to exceed 1,700 persons, and, in my judgment, not nearly that number, would be eligible to receive pensions under this amendment if it were agreed to.

Mr. KING. Mr. President, the address just delivered by the Senator from Colorado [Mr. THOMAS] should admonish Senators, as well as those in public position, of the solemn responsibility which rests upon them, and stimulate a passionate desire for patriotic service and unremitting devotion to the cause of justice and righteousness. Upon other occasions this courageous Senator has called attention to the profligate expenditures of the Government and the constant usurpations of the Federal Government upon the rights of the States. It is to be hoped that his sober words will rouse the American people to an appreciation of the evils manifesting themselves in our land, and awaken a determination to preserve this Republic unimpaired in strength, unchanged in its original form, and undiminished in its beauty and capacity for genuine service for the people. Influences are at work in every part of our country to pervert the minds of the people and inculcate not only an erroneous but an absolutely untrue conception of the form and character of our Government and the relation of the individual and the States to the Federal Government.

I have upon numerous occasions, perhaps with painful iteration, protested against the centripetal forces manifesting themselves in this Republic and the Nation-wide propaganda which tended to enervate the people and destroy individual initiative, prevent enterprise, and crush local aspirations and the capacity of the people for self-government, and to consolidate all administrative and governmental forces in the executive Federal agencies. I have attempted to combat measures which directly assailed the States and were in the interest of paternalistic policies now so pervasive in the land.

Every student of our political institutions and the growth and development of our country must be aware of the paternalistic menace which threatens our form of Government. In contemplating the social, economic, and political movements throughout our land, I am reminded of the words of De Tocqueville when he spoke of the condition of France in his day. He said:

The French Government having assumed the place of Providence, it is natural that everyone should invoke its aid in his individual necessities.

The Spartan and heroic virtues which inspired and controlled the founders of this Republic developed the highest form of character and strong, virile, self-respecting, and independent men and women. They sought the maintenance of vigorous and efficient communities and the development of a wholesome, progressive, and well-rounded community spirit and community life and the maintenance of puissant States, which reflected the independence and moral forces of the people.

When this spirit controlled the States and local self-government was the passion of the people there was a love of State and pride in State achievement, and the Constitution of the United States was regarded with affection and indeed with reverence. The Federal Government was regarded as one of enumerated and limited powers. The people fully approved of the view announced by our Supreme Court that the National Government has no legislative powers affecting the Nation as a whole, except those enumerated in the grant of power, and that the tenth amendment to the Constitution reserves all powers to the States not expressly granted to the Nation nor prohibited to the States. They indorsed the view expressed by Mr. Justice Miller that "the just and equal observance of the rights of the States and of the General Government as defined by the present Constitution is as necessary to the permanent prosperity of our country and to its existence for another century as it has been for the one whose close we are now celebrating."

The American people in those days said, "What can I do for my community, my State, and the Nation?" The people were imbued with the thought that the power was with them, not with the Federal Government; and that the prosperity of the people and the happiness and welfare of all classes in every part of the land as well as the preservation of liberty rested with them. But nowadays the cry is, "What will the Government do for us?"

The colossal form of the Government, intrenched in power at Washington, seems either to have stupefied or terrified the people until they have reversed the position formerly occupied by the brave and heroic people of the States. They seem to regard the Federal Government as the source of all power and authority, and the dispenser of gifts, bounties, and largesses, and the source of light and power and prosperity and happiness.

Mr. President, this is a symptom of a malignant disease, one which must be cured or disaster must overtake the Nation. This hour calls for a calm examination of conditions. It is no time for emotionalism or hysteria, but the situation demands a stern inquiry into the psychology of the people and the tendencies of the time. There must be a return to fundamental principles, and an examination of the philosophy of Government and a comprehension of the principles upon which free nations are founded. It is somewhat paradoxical that we have been asserting with so much force and sincerity the right of local self-government—of "self-determination"—and the capacity of the people to govern themselves, and at the same time have in our own country set in motion policies and processes which will inevitably, if persisted in, destroy local self-government and home rule and the independence and autonomy of the States, and also develop a strong federalized imperialistic government functioning at the Capital of the Nation. We have denounced imperialism, and have insisted that the peoples of Europe should have the right of self-determination. The ethnographical and nationalistic lines, we have insisted, should be respected. Our public writers and statesmen have warned against consolidating forces in government, and our teachers and leaders have impressed upon the people the necessity of maintaining the spirit and faith essential for local self-government.

Even the great Marshall, who was charged by some Democrats as seeking the aggrandizement of the Federal Government at the expense of the States, appreciated that our Nation could endure only so long as political power was maintained by the people, and the rights of the States protected and preserved. Senators are familiar with his statement that "No political dreamer would ever be wild enough to think of breaking down the lines which separate the States and of compounding the American people into one common mass."

But, as stated, there is a spirit in the land to-day demanding the suppression of the States, and the building up of an omnipotent Government with not only paternalistic but with despotic powers. The cry, as I have stated, everywhere throughout the land is, "What will the Government do for us?"

Local evils prompt immediate appeals for national aid; individual ills cry aloud for Federal medication; local responsibilities prove irksome, and demands are made to the Federal Government to discharge the functions of the States. Executive agencies too willingly respond to the spirit of the times and encourage these Macedonian cries from communities and States, appreciating that the response thereto will augment their power and increase their emoluments, jurisdiction, and authority. So everywhere we are worshipping at the shrine of the National Government. The constant speech is concerning national authority, and national power, and national jurisdiction, and national aid, and national support. We forget the words of Wilson in the Federal constitutional convention, when he said:

> To support with vigor a single government over the whole extent of the United States would demand a system of the most unqualified and the most unremitted despotism.

This same great statesman said:

> The State governments ought to be preserved. The freedom of the people and their internal good police depend on their existence in full vigor.

Even Hamilton appreciated that the destruction of the States would mean the destruction of this Republic. In the Constitutional Convention he declared that—

> It never can be the interest or desire of the National Legislature to destroy the State governments. * * * The blow aimed at the members must give a fatal wound to the head and the destruction of the States must be at once a political suicide.

The virtues which developed strong men and women, those who love liberty, and in whom the capacity for self-government exists, are not sufficiently appreciated in this day, when gaudy trappings and imperialistic power dazzle and satisfy many people. The wholesome virtues of thrift and providence and honest toil and labor are not the prizes sought by all the people.

Society seems to be in a fluid condition. Unrest and instability are found even among the most stable and conservative elements of communities. Wholesome and necessary individualism is deprecated. Individuals are turned from themselves and their own power and capacity by the false teachers throughout the land to the dazzling and ever-increasing power of the Federal Government.

If the soil is unproductive, the Federal Government must smile upon it and bring fertility. If transportation is inadequate, Congress must provide the remedy. If schools are insufficient, the Federal Government must appropriate from the Federal Treasury to relieve the situation. If there is poverty in the land, the Federal Treasury must open wide its doors for the relief of the people. Washington is to be a veritable Mecca to which the eyes of the faithful must constantly be turned. With the rising of the sun, with the tolling of the noonday bells, with the fading of the last rays of the sinking sun behind the western horizon, on bended knees we must prostrate our selves before the triumphant form of this omnipotent and all-merciful paternalism, in which we are to "live and move and have our being." It is to give us pensions and bounties and succor. It is the cornucopia yielding gifts for all.

It were better for our country if we remembered the words of John Stuart Mill:

> The mischief begins when, instead of calling forth the activity and powers of individuals and bodies, government substitutes its own activity for theirs, when, instead of informing, advising, and, upon occasion denouncing, it makes them work in fetters or bids them stand aside and does their work instead of them. The worth of a State in the long run is the worth of the individuals composing it.

Exotic growths have been transplanted from foreign soil to our land. The fatal philosophy of Karl Marx has become the guide of some of our citizens, and the views of those who would confer upon the National Government autocratic power have impregnated others. Upon the one hand socialistic heresies are promulgated, and upon the other a sinister imperialism is suggested. Both seek to magnify the Executive power, and, in the language of Sir Henry Campbell-Bannerman, "They act upon the passions of the people; conciliate them in classes and in localities by lavish expenditures."

In my opinion there is a deliberate effort being made to destroy all regard for constitutional limitations. In a period of national danger, governments of necessity assume larger powers than are exercised in days of peace. Periods of war put into operation forces that are not compatible with economic and political freedom, and periods following great wars often furnish fertile fields for the seeds of autocracy and an oppressive paternalism. False teachers, faddists, charlatans, neurotic men and women, are traversing our land taking advantage of the post-war unrest and instability to sow the seeds of discontent and to preach false and sinister doctrines which, if triumphant, will destroy this Republic.

That there are economic ills in the land no one will deny. That there should be industrial and political improvement all concede. That all human governments are imperfect is axiomatic, but I submit that the highest form of human government rests upon the formulas of Jefferson that the greatest liberty and economic and industrial freedom will be attained under a government which affords full and free opportunity for self-government and which allows legitimate opportunity for the realization of the aspirations and ideals and humanitarian and altruistic ambitions of the units of society.

There must be no breaking down of a proper individualism or the overthrow of local self-government and the destruction of the States and the "compounding into one mass" of all the people of all the States of our Union. We need political and social teachers who will combat the heresies taught in the land, and neutralize, if not destroy, the sinister forces which seek the perversion of the Government and the reduction of the individuals to anemic and flaccid nonentities over whom will float the flag of a despotic paternalism or a bureaucratic federated republic with unrestricted powers.

Mr. President, demands are constantly made upon the Federal Government to extend its authority into fields where it is forbidden to enter, and to exert the taxing power in an illegitimate and unconstitutional manner to raise funds to be devoted to experiments and enterprises and undertakings wholly beyond the limits and authority of the Government of the United States. Hundreds of millions of dollars are demanded by the people to aid in undertakings and enterprises that are purely private and local in character, and appeals for Federal aid are so numerous that, if granted, the Treasury of the United States would be bankrupt and a system of burdensome and oppressive taxation would be fastened upon the people. It is incomprehensible to me that there should be such a misconception as to the powers of the Government and the economic and industrial effects of the consummation of many of the schemes for Federal aid and interposition. Demands are made for hundreds of millions of dollars for roads and schools and pensions, and for aid in agricultural development, and for construction and operation of transportation systems, and for the development of real estate and irrigation projects, and for the supplying of money for agriculturist and various classes of the community. It is wholly immaterial that the powers of the Federal Government are limited, that many of the demands call for the exercise of almost unrestricted power, power which was denied the Federal Government, power the exercise of which would in the end inevitably destroy our form of government.

We have become a Nation of opportunists. We are satisfied with any policy of expediency. We want to pursue the easiest way, though it may not be the path of duty or the path of safety. We refuse to practice the homely virtues to which I referred. Thrift, economy, and providence we despise or fail to practice. We are like the spendthrift son whose prodigality has been encouraged by a foolish father. If our substance is gone, we turn to the Federal Government and stretch out our hands to the empty Treasury of the Government. It matters not that the Treasury is empty. The power of taxation exists, and we demand that the power be exercised. If all legitimate fountains of taxation are dried, we demand that unconstitutional and retroactive levies shall be made that strike at capital and shake the very industrial fabric of the Nation. The right of contract and the right to acquire and hold property are "antiquated" and "reactionary" creeds. Notwithstanding the Constitution of the United States limits the taxing power of Congress and denies it the right to levy taxes except for purely governmental purposes, appeals are made for hundreds and, indeed, billions of dollars for purposes that have no relation to the functions of government.

There is a strong lack of understanding upon the part of many of those who are making these demands for Federal aid as to the consequences which may result if all their appeals were recognized. Whatever taxes are imposed, either directly or in-

directly, they find their way as a burden upon the producer and the consumer. Increased taxes by the Federal Government mean increased burdens upon the workingman. If the printing presses of the Government are employed to put into circulation millions and billions of fiat money in order to meet the demands for Federal aid and Federal assistance, the consequences of such a foolish policy will heavily rest upon the masses of the people. Action and reaction are equal. Extravagances upon the part of the Government to-day must be met by oppressive burdens which the people upon the morrow must bear. The spendthrift who wastes his substance sooner or later comes to grief; and the profligate spendthrift nation, heeding the importunities of the thoughtless mass calling for bounties, pensions, and largesses and extravagances, will founder upon the rock of national dishonor.

Mr. President, during my service in this body I recall but few letters urging economy upon the part of the Federal Government. I have received thousands of letters and telegrams demanding that appropriations be made for almost every conceivable matter. I have no doubt that the experience of other Senators is the same as my own. There seems to be an orgy of extravagance everywhere. In recent reports which I have examined municipalities, school districts, counties, and States are appropriating millions and hundreds of millions of dollars, though they are compelled to borrow enormous amounts. I believe that the appropriations made by the various State legislatures and the municipalities during the past year were more than $700,000,000. There seems to be a rivalry between the States and cities and political subdivisions to see how much money can be spent. We are literally a Nation of spendthrifts. I was told that in one city of less than 20,000 population there were paid through the banks in the past year for automobiles and automobile accessories more than $100,000,000. This city, as I recall, cleared for only a small portion of two States. The taxable property of one of the States the year prior to the war was only $300,000,000. This propensity to spend and waste is limited to no section or class. There can only be one result flowing from this saturnalia of irresponsibility and untrammeled expenditure of public funds and private savings and capital. The wild debauch must come to an end, and in the gray dawn of the coming day there will be the pangs of suffering and remorse that the profligate, intemperate, and foolish course pursued by individuals and States and the Nation will surely produce.

Mr. President, representatives of organizations throng the Halls of Congress demanding millions, and, indeed, billions of dollars. I have heretofore stated my belief that there was no scheme that could not be carried through Congress if there were sufficient organization behind it. The Senator from Colorado just called attention to the Nation-wide propaganda to compel Congress to make appropriations for employees in a certain branch of the Government service. The evidence seems to indicate that this organization has spent enormous sums in a propaganda, and that the Literary Digest and a large number of newspapers are to be utilized in the interest of this effort to secure an annual appropriation of millions of dollars from the Treasury of the United States. Scarcely a measure comes before Congress that is not promoted by some organization or class more or less powerful. Schemes that in their early inception seemed foredoomed to failure have been carried to triumphant victory because of the powerful forces which strong organization developed. A combination of voters throughout the United States and the organization of forces in support of a scheme to assault the Treasury of the United States will in the end break down opposition and resistance.

It seems as though men in public life are afraid to deny the importunities of those who knock at the doors of Congress and demand appropriations and bounties and aid from the United States. I venture the assertion that it would be for the interest of the people if there were more men in public life who served their country with fidelity and observed with scrupulousness their oath of office. It seems as though public office makes cowards of men who sustained before entering public life reputations of possessing high moral courage. We have appropriated billions during the present Congress, and if we remain in session for 60 days longer I make the prophecy that we will make further appropriations to the extent of more than $2,000,000,000.

I appreciate that opposition to the pending bill will be utterly futile. My experience in this body has taught me that opposition to appropriation bills brings criticism and defeat. If it is known that a Senator will oppose a scheme calling for Federal aid or millions or hundreds of millions of dollars from the Treasury, those who are interested in its support promptly communicate with the constituents of the suspected Senator, and every possible means are employed to abate his opposition to the proposed measure.

I appreciate full well what the consequences will be because of my opposition to many of the bills considered in this body and the opposition I shall make to appropriation bills which will later come before us for consideration. Notwithstanding the lack of success attending efforts to prevent extravagances and unwarranted appropriations, I shall continue my efforts to prevent appropriations which I think are improper or unjust or are unauthorized by the Constitution of the United States. It is a matter of supreme regret to me that the people of the United States manifest such an indifference to the extravagances of the Federal Government, and to the character of many of the appropriations, appropriations which can not be justified and for which no constitutional warrant can be found. I have had occasion to state that the consciences of the people seem to be narcotized in the presence of promised gifts at the hands of the Federal Government. States are debauched by the millions which are promised from the Federal Treasury. The people seem to forget that we have outstanding bonds to the extent of many billions of dollars, and that an annual interest charge must be paid by the Government of more than $1,000,000,000. This huge obligation, which is a mortgage upon all the property and all the resources of our country, is not only regarded with the utmost equanimity, but one would think that the people regard it as an advantage to have their country so encumbered.

There seems to be a studied indifference in relation to the expenses which are being incurred and appropriations which are being made.

For the fiscal year ending June 30 of this year Congress appropriated more than seven and one-quarter billions of dollars. In my opinion, there will be deficiency appropriations which will call for large amounts in addition to the huge sum that I have just mentioned. There is an utter lack of appreciation by the American people of the stupendous sum which we expended during the current year.

Senators will recall that the amount voted by the first Congress of President Harrison's administration was approximately $1,000,000,000. The amount was so great as to excite the indignation of the American people, and I have no doubt that it was one of the principal causes leading to the defeat of the Republican Party at the next ensuing election.

Yet for the current year our appropriations were more than $7,000,000,000, and appropriations for the coming fiscal year no one can determine with any certainty. I feel sanguine, however, that they will exceed $6,000,000,000, and if certain legislation now projected shall be enacted into law, the budget will carry more than seven and one-half billions of dollars.

Mr. President, such a burden following the war and in this hour of peace is intolerable. It will bear oppressively upon the people and be an impediment to readjustment along safe and rational lines and to the realization of permanent prosperity within a reasonable time. It is a burden which the American consumer ought not to be compelled to bear. It is a burden which will result from an extravagant and wasteful Congress.

A year ago the Republican Party came into power in the legislative branch of the Government. Publicly it was pledged to economy in the administration of public affairs. But I submit that its record has been a complete refutation of its pledges, and its program so far as it has been revealed to the public furnishes further convincing proof of its incompetency and its extravagant employment of public funds wrung by burdensome taxation from the American people.

With considerable unctuousness the Republican leaders have boasted that their party during the past year has effectuated economies and reforms, and in support of this contention they have referred to the fact that appropriation bills have carried less amounts than the estimates of some of the executive departments of the Government.

This plea made by our Republican friends can not be treated seriously; it is absurdly ludicrous. It is a matter of common knowledge that almost from the beginning of our Government executive agencies have submitted estimates greatly in excess of the appropriations made by Congress. It has become a habit and usage and has almost crystallized into law for the various bureaus and department heads to submit estimates for amounts very much greater than they knew Congress would appropriate. I am not defending the system. It can not be defended. It justifies the criticisms which have been made for many years of the usurpations and ambitions of executive agencies of the Government. It is unfortunate that men holding these responsible positions, men charged with administering and executing the law, should seek to increase their authority and power and to enter fields of executive action not authorized and often not desired by the people. There has been a reprehensible itching for power by executive branches of the Government. Instead of operating within the confines of their lawful sphere, they have repeatedly

transgressed their authority; instead of conserving the resources of the Government and employing methods of economy and thrift and promoting efficiency, they have been willfully and wantonly extravagant, and have put into operation methods that have prevented efficient administration. As a rule they have demanded in the estimates submitted enormous sums for executive departments.

Realizing what the income of the Government would be, they have for decades submitted estimates that in many instances were double the receipts of the Government from taxation and all other sources. A majority of the heads of bureaus and executive instrumentalities have been in the service for many years. They have become infected with the bureaucratic spirit. They are possessed with a mania to extend their authority and jurisdiction. They have for years demanded more power and more money, and so long as they remain in office they will pursue the same course. With the tremendous burdens resting upon the people many of these executive officials are willing to perpetuate the burdens and to add to them. Estimates have been presented grossly in excess of what the various executive agencies and department heads received.

No credit is due to the majority party in Congress for ignoring these estimates and making appropriations for less amounts. I regret that the majority party in Congress has not set a more wholesome example of economy. I have repeatedly called attention to the extravagant appropriations which were being made, and to the failure of the Republican Party to carry out its pledges to enforce economy in the administration of public affairs.

The Senator from Illinois [Mr. MCCORMICK] was the chairman of a special committee, and rendered excellent service in the preparation of the so-called budget bill. I had the honor to serve with him upon the committee, and there was recently passed through the Senate a measure prepared by the committee which I hope will tend to secure greater economy in Federal affairs. But a budget system, no matter how excellent or meritorious it may be, will be powerless for good in the face of the organized efforts, of which we have frequent illustrations, to secure appropriations from the Federal Government. Nor will a budget system protect the Government when bills of the character now before us receive almost unanimous support in both branches of Congress.

Mr. President, it must be manifest to the student of our fiscal affairs that with the enormous appropriations we are making for the coming year there will be no possibility of reducing the heavy burden of taxation now resting upon the American people. We are now bowed beneath war-time taxation. It was thought with the termination of the war that some of the burdens of taxation would be removed from the backs of the people; but I predict that with the enormous appropriations being made by this Republican Congress it will be necessary to add further burdens of taxation. Instead of their being economy and a reduction of taxation there will be greater extravagance and still larger burdens of taxation placed upon the people.

Our Republican friends seem to be insensible to the economic and business conditions of our country. The coming year will show a material diminution in the aggregate amount of incomes subject to taxation, and will also reveal a great loss in the amount paid into the Treasury from excess profits. And other sources of taxation will yield much less than was obtained by the Government during the years of 1917, 1918, and 1919. This will result in a much less aggregate tax from all sources of taxation for the coming year than during the years just referred to, notwithstanding the fact that the rate of taxation will not be reduced.

Mr. President, it would appear from present conditions that notwithstanding these enormous taxes which will be collected, the extravagance of the Republican Congress will call not only for increased taxes but perhaps for a further issue of bonds.

I desire to direct the attention of Senators to the fact that with the reduction in the volume of our foreign commerce there will be a further loss to the Treasury of the United States. This reduction in our foreign commerce presages a material slowing down of business in the United States. When we had more than $10,000,000,000 of foreign commerce in one year prosperity was inevitable, and unparalleled activity in all manufacturing lines and enlarged production of all agricultural products necessarily followed. In my opinion, our foreign commerce for the month of June will be more than $200,000,000 less than it was during the month of February, or the month of March; and perhaps for the year of 1920 there will be $2,000,000,000 less than the figures for 1919 or 1918.

I am not an alarmist, nor do I believe that our country is threatened with industrial collapse or financial disaster. However, the situation does call for serious thought upon the part of business men and demands the most earnest consideration upon the part of all charged with public duty. We can not close our eyes to the present economic situation. In laying the burdens of taxation upon the people we should take into account the industrial and economic conditions. In providing for governmental expenditures it is imperative that we recognize principles of sound and prudent finance.

The recent action of certain manufacturing plants of New England should be a warning to Congress and to the country. A number of plants have been closed down and others have diminished their output. This, of course, will result in diminished production, fewer hours of employment, and a less number of employees. This action upon the part of business enterprises means a slowing down of business, at least in certain lines. This is an indication that the period of readjustment is at hand, that the orgy of extravagance and wastefulness has reached the limit, that the time has come for "stock taking." Individuals, communities, business establishments, and the Government itself all must set their houses in order. The time has come to strike a balance sheet and to ascertain our liabilities and our assets.

The Nation is solvent. The creative genius of the American people is unimpaired. The resources of our country have not been exhausted, but there must be an organized effort everywhere to produce and create wealth and to develop resources and to synchronize and coordinate the activities and policies and processes of the people. There must be greater production. That means there must be more men engaged in gainful pursuits. There are too many parasites in the country—too many that seek the cities, too few who are willing to labor upon farms and engage in the trades and vocations that are creative and productive. Our standard of values must be revised, and that includes a revision of the standard of human values. The man who toils and builds and produces must come into his own. Labor must be dignified, exalted, and glorified. The parasitic growths so far as possible must be destroyed by public opinion and by changes in our industrial and economic system. The lost motion between producer and consumer must be overcome. The parasitic and destructive agencies which devour and consume the products of labor must be eliminated. There are too many middlemen, too many brokers, too many agencies and instrumentalities which rob the producer and despoil the consumer.

That there will be serious imperfections in our industrial and political system is manifest to all. No system devised by the finite mind can meet every test or produce perfect conditions. But there are certain fundamental principles which underlie human progress which the mutations of time can not change and which are sufficient for all conditions of human society. The ethical concepts of the Nazarene are adequate for all peoples in all climes and in all ages. They are fundamental and eternal. There are certain political principles so perfect and so in consonance with the high standard of morality to which humanity should aspire that the changing centuries can not produce surer or safer guides. These principles have found expression in the Declaration of Independence and in the Constitution of the United States.

We have here a government of the people. There is political equality and a sure basis for social justice and economic and industrial progress. Under the pretext of reform and progress there must be no retrogression or tearing down of the work of the fathers. There must be no imperialistic policy or program; no assertion of autocratic power by the Federal Government; no paralyzing hand of bureaucratic agencies and instrumentalities; no paternalistic usurpations which destroy initiative and individual effort and carry individuals and communities and States and sections into one lifeless stagnant mass which is without stimulus or impulse except from some paternalistic source.

In the consideration of this and other measures the principles and policies which I have been discussing should, in my mind, not be forgotten.

Mr. President, when the bill now before us was under consideration a few weeks ago I discussed it at some length and invited attention to some of its features which I regarded as improper. I called attention to the fact that it was not a bill designed for the relief of those who had been injured or who had incurred disabilities while in the service of their country.

This is a service pension bill, not an invalid pension bill. Some of its provisions are meritorious and call for legislative approval, but it contains features which I regard as inconsistent with the spirit of our institutions and as baneful to our political principles and policies. It is being pushed with a zeal which defies all obstacles and compels the view that there are powerful forces behind it.

As I have indicated in these remarks, many propositions presented to the National Legislature are supported by powerful, nation-wide organizations, and with a persistency that admits of no denial and permits no defeat.

Moreover, a national election is now at hand, and this and other measures supported by organizations, members of which have votes, are presented with assiduity and determination, and thus far with complete success.

This measure, of course, will pass in the form reported from the committee, not because of its justice or its virtues and merits—there are other causes and reasons that will crown it with success.

As I have heretofore stated in substance, there seems to be a breaking down of the spirit of individuality and independence that has made this a great Nation, and the eyes of the people seem to be directed to the National Government for aid and material contributions. The spirit of State socialism has so far affected many of the people that they listen to the appeals of dreamers and the frenzied demands of charlatans and visionaries for the active intervention of the Federal Government in the local and domestic affairs of the people and the States. Federal pensions are being demanded for the aged and infirm. Contributions from the Federal Government are claimed for widows and for the support of the poor and the needy throughout the land. State legislatures are ignored. State machinery is not called upon to function. Indeed, the scheme of many who support these heresies is to prevent the State from exercising its rightful and proper functions with respect to its local and domestic affairs, to the end that the paternalism of the National Government may be strengthened and a pretext for the assertion of unwarranted authority afforded. Under this new policy we are to be a Nation of pensioners. A portion of the people are to produce, and a large part of the population is to subsist as pensioners upon the toil and labor of others. There are hundreds of thousands who are pensioners because of military and naval service. It appears as though there soon will be millions. There are thousands who are civil pensioners. There soon will be hundreds of thousands. During the current year there were paid in pensions and in behalf of those who served in the recent World War many hundreds of millions of dollars.

Payments made to those who were injured or to those who incurred disabilities in the service of their country or to the widows and children of those who gave their lives for their country are proper. A grateful people will deal generously in behalf of those who come within this classification. It is not of such pension bills I am speaking. I am protesting against fastening upon this Republic a policy which has for its purpose the bestowal of pensions upon hundreds of thousands and perhaps millions who have served in the Army or Navy of the United States but for a few days or a few months and suffered no injuries and incurred no disabilities. In other words, I am speaking against the service pension system and in favor of the invalid pension policy. I am urging against a policy which is leading this Nation into a civil pension system, which will produce evils of which our prophets and statesmen have imperfect vision. When the system of the service pension becomes firmly rooted and grounded it will not be limited to those who were in the military and naval service of the Government. It will extend ultimately to all forms of service rendered the Government. We will have a civil pension list under the policy which is being developed that will increase until hundreds of millions of dollars will be required annually to liquidate it.

Mr. David Kinely, professor of political economy in the University of Illinois, in his preface to Dr. William H. Glasson's work on Federal military pensions in the United States, in speaking of Dr. Glasson's record of the workings of the past pension policy of the United States, says:

> The story is both heartening and depressing. The reader who is also an American citizen will take a pardonable pride in the fact that, as the story shows, the American people have been moved by generous impulses in their provision for those who at one time or another risked their lives in the military and naval service of their country. But he will be depressed by the account of moral degeneration and political corruption that gradually crept into the administration and operation of our old pension system, as in the lapse of time the sterner motives and higher ideals which led to its adoption faded into the dim background of the memories of the war.

Speaking of the pension agent, he stated:

> Assisted by political leaders from time to time, he gradually molded the pensioners into a political faction so numerous and powerful that in time it came to hold the balance of political power. Party leaders and parties formed their platforms and policies at its behest. The Public Treasury became, in the minds of many, a proper source of loot.
>
> The evil influence of the above trend on the moral and patriotic character of the pensioners themselves soon became evident. Many of them came to look upon their pensions as rewards for service rather than as tokens of the country's appreciation of their patriotism. But the pension which any country can ordinarily pay is wholly inadequate as a reward for service. Naturally, therefore, the pensioners insisted on larger pensions, and, assisted by the claim agent and the politician, they pushed their claims until the financial drain on the country became a serious one. This is likely to happen in a democracy.
>
> The moral degeneration caused in time by the changing view of the true character of pensions led also to the evil of extending them to men whose service was brief and resulted in no injury to them. Moreover, pensions were taken without compunction by some men who, while technically entitled to them, had other means of adequate support and, indeed, were sometimes rich, to say nothing of young widows of old soldiers. For such people to take pensions is to throw a shadow of graft on the whole system.

I believe the statement of Dr. Glasson in the work I have just referred to correctly states the views of the American people that—

> Among the people of the United States there has always been a strong feeling that the Government is under moral obligation to provide for the aid and relief of those who have been disabled in its military service and for the support of the widows and dependent relatives of the slain.

Pursuant to this feeling the Government of the United States from the beginning has generously dealt with all who have received injuries or incurred disabilities while in the military service of the United States, and it has likewise granted liberal pensions to the families and dependents of those to whom death came while in such service. And the Government has gone further and at times granted service pensions.

A short time ago a bill was passed by Congress which added sixty-five millions of dollars annually to the pension roll; the measure was a "service" pension bill. That measure found almost unanimous support in both the House and the Senate. Under it pensions are paid to men who received no wounds or injuries, who are suffering from no disability whatever, and many of whom possess wealth and are in no need of aid from the Federal Treasury.

The bill now before us rivets the service-pension system upon the Nation. Pensions are not limited to those who were injured or who incurred disabilities while in the service of their country, but pensions are to be paid to all who were upon the rolls of the military and naval branches of the Government during the Spanish-American War and whose names were there for a period of 90 days or more. Under this measure all persons whose names were upon the rolls in the military or naval service of the United States in the War with Spain, the Philippine insurrection, the China relief expedition, and who were honorably discharged, and who are now or who may hereafter suffer from any mental or physical disability of a permanent character, not the result of their own vicious habits, which incapacitates them from the performance of manual labor so as to render them unable to earn a support, shall obtain a pension from the Government. There need be no proof that they need the pension for their support. They may be men of wealth and have ample means for their support, and yet if their names were upon the rolls for 90 days they are to be pensioned for life. And this is true though they may never have left the United States or done any actual military duty or rendered any actual military or naval service. The bill further provides that upon reaching the age of 62 years every person within the class just mentioned shall receive a pension. And this pension is to be paid for life, notwithstanding the recipient of the same is in perfect health, is the possessor of millions, and is not in need of any support whatever from the Government.

Let it be understood, Mr. President, this bill is a service pension bill. Already there are many who were in the Spanish-American War receiving pensions for injuries received or disabilities incurred, but that legislation does not meet the demands of the proponents of service pensions. There must be pension for all whose names were upon the rolls of the Army or Navy for 90 days, without regard to their needs or ailments or character of the service rendered. They may have been in some pleasant camp of the United States for 90 days; that fact entitles them to pensions. I have repeatedly said during debates upon pension bills that I would heartily support liberal and generous pensions for every person who was injured while in the service of his country or who incurred disability of any character or description by reason of such service; also that I would support measures providing liberal pensions for the widows and children of all who lost their lives while in the military or naval service of their country. But I am unable to indorse a purely service pension system. I believe that the moral effects of it are wrong; that it leads to effeminacy, to self-effacement, to the weakening of the spirit and character of the people, and to the propagation of the heresy of governmental paternalism. The appetite for pensions will grow as a result of legislation of this character, so that service pensions

will soon be demanded by all who have been in any way connected with the Government. It has found expression in the civil pension bill recently passed, which will annually impose millions of dollars of expense to the Government to meet pensions paid civil employees.

A bill was reported yesterday which, if I understand correctly, asked that a certain status be accorded to engineers who served in Siberia in the construction of the Siberian Railroad that will enable them to claim all the benefits from gratuities and gifts and pensions that are paid and to be paid to those who have been in the military or naval service of the United States. I am advised that already a movement is on foot to give pensions to the Army and Navy clerks, and there are thousands of them, and other civil employees who were in the service of the Government during the recent war. Hundreds of thousands of men were engaged in transportation, in the construction of cantonments, in the erection of military camps, and in other important work overseas. They in time will claim service pensions. The nurses and those engaged in charitable and other work in behalf of the soldiers and sailors will in time, under this policy which is to prevail, seek pensions from the Government.

Mr. President, this picture is not overdrawn. Whenever there is established a policy of pensioning for mere service, service but for a few days, service which exposed the claimants to no danger and which resulted in no disability or injury, the door will be opened and it will invite demands from other quarters for bounties and pensions from the Government.

As I have stated, if organizations are effected and demands persistently made, success will ultimately crown the efforts of those who seek relief from the Government. Mr. President, I have stated that I would be glad to support a pension bill that cares for brave men who received injuries or incurred disabilities in the Spanish-American War and which would generously provide for the widows and children of those who lost their lives while in the service of their country. When our country entered the war a patriotic spirit swept throughout the land, and there was a ready response to the call for men to battle for justice and the Nation's honor. Tens of thousands of splendid and chivalrous Americans volunteered to carry the flag of their country against the foe. There was a practical demonstration of the solidarity of the American people. It was realized beyond any question that there was no North and no South. There was a united country. And the boys whose fathers were locked in deadly embrace, wearing the blue and the gray, arm in arm walked together against the common foe. We were proud of their achievements in Cuba and in the Philippines, on land and on sea. They added glory to the military and naval records of our country and brought additional honor to this Republic, which had championed the cause of the oppressed and sought only freedom for peoples under despotic rule.

It is true that only a part of those who enlisted had the opportunity to participate in military or naval engagements or to leave the soil of the United States. As I recall, there were approximately 285,000 enlisted in the military service during the war, and of that number 50,000 only served beyond the confines of the United States. Indeed, as I am advised, less than that number did serve outside of the United States, because those who were in the Regular Army served in Cuba and also in the Philippines. Of course those who were denied the opportunity to serve beyond the borders of the United States experienced great disappointment. They enlisted with the expectation of foreign service, but the early defeat of the enemy denied them such opportunity. In the recent World War hundreds of thousands of our brave soldiers, because of the capitulation of the Central Powers, were deprived of the chance to reach the blood-stained fields of Europe. We all know the keen disappointment which they experienced, but their valor and their courage none can deny.

Mr. NEW. Mr. President, will the Senator yield to me for a moment?

Mr. KING. I yield.

Mr. NEW. In reference to the Senator's statement in regard to the military camps, let me say that among other camps I was for some time at Jacksonville with a number of men who never went beyond the confines of the United States; but I saw several thousand of them carried to the hospital, and I saw several hundred of them die in the hospital. More died in the hospital of the camp at Jacksonville than were killed or died of wounds in the Battle of Santiago; but they are dead.

Mr. KING. Mr. President, I do not see the relevancy of the statement just submitted by the distinguished Senator from Indiana. I concede that, because of the mismanagement of certain officials of the War Department, there were an unnecessary number of persons invalided and who met their death in the camps.

Mr. NEW. Mr. President, I do not like to intrude upon the time of the Senator——

Mr. KING. I am glad to yield.

Mr. NEW. But, in explanation, I should like to say further, referring to the camp at Jacksonville, Fla., that that camp was located by Gen. Henry W. Lawton. There was no better soldier in the United States Army and no man better qualified properly to select camp sites than he. When he selected Jacksonville, however, it was with the idea that the men who were to occupy that camp would be there for a few weeks only. If he had foreseen that they were to be there for months and months and then other months, he never would have located it at that particular spot. There were other sites in the vicinity much better suited to the purpose. But it was just one of those circumstances which no man can foresee in war. The men who died at Jacksonville were not the victims of Gen. Lawton's mistake or the mistake of the War Department; they were the victims of the circumstances of war, which, as I have said, no man can foresee or entirely avoid.

Mr. KING. Mr. President, I do not dissent from the statement made by my friend the Senator from Indiana. I do not desire to derrogate from the credit due those who volunteered for service in the Spanish-American War. As I have stated, they are entitled to all honor and to the thanks of the American people. I am only urging that the service pension system is fraught with dangers. It only tends to depreciate the honor and the glory and the credit due to men who sought to serve their country in the hour of danger. It depreciates their patriotism and seeks to put a money value upon those exalted motives and lofty ideals which inspire men to heroic conduct and humanitarian service. I have no desire to discuss the charges that were made during the Spanish-American War of maladministration upon the part of officials of the War Department which it was claimed resulted in the death, unnecessarily, of a number of brave and gallant boys who wore the uniform of their country. I merely invite attention to the criticism made by former President Roosevelt of the conduct of the War Department. Anything that I might say would be mild in comparison with his outspoken condemnation of certain phases of the conduct of the war.

What I have said with respect to service pensions I do not desire to be given too broad interpretation. We are discussing the measure now before us and not questions which may be presented at a future date. Although the observations which I have made are general, I think I state a correct general policy with respect to the adoption of a national pension policy. Of course, there may be conditions, peculiar and exceptional in character, which would call for material modification of the general propositions for which I am contending and a wide departure from the conclusions which I heretofore stated.

But I do appeal to Senators to refuse their support to measures which will fasten a deadly socialism upon the Republic or bring the people and the States under the oppressive hand of a Federal paternalistic Government. I appeal in behalf of those policies which encourage individualism and turn attention of the people from the dazzling omnipotent Federal Government to the fountains of authority which the people themselves possess and which, if properly developed and applied, will fructify the land, fertilize the soil, build up the waste places, and make of the Commonwealths mighty States in which are deposited delegated powers from the people to be exercised for their welfare and happiness and the protection of their liberties.

Mr. President, just a few words in regard to a number of amendments which I shall suggest. I have indicated my desire to support measures which will generously provide for those who were injured during the War with Spain or the Philippine insurrection or the China relief expedition, as well as those who incurred disabilities while in such service, and also generous provision for the widows and children of those who met their death while in the service of their country. I have called attention to the fact that the bill is a service pension bill, and that pensions are paid to those who may be as rich as Crœsus, or who are suffering from no disability whatever. I have called attention to the fact that as soon as a person reaches the age of 62 years, it matters not how rich he may be and notwithstanding the fact that he never left the United States or incurred any risks or dangers or was injured or suffered any disability or is not suffering from any ailments, he is entitled to a pension for life.

Provision is made in the first section of the bill for the aid of such classes. I believe that such a provision is improper and should be stricken from the bill. I ask the Senator in

charge of the bill if he will be willing to strike out the proviso beginning on line 10 and ending on line 17, which reads as follows:

Provided, That any such person who has reached the age of 62 years shall, upon making proof of such fact, be placed upon the pension roll and entitled to receive a pension of $12 per month. In case such person has reached the age of 68 years, $18 per month; in case such person has reached the age of 72 years, $24 per month; and in case such person has reached the age of 75 years, $30 per month.

Mr. NEW. Mr. President, if the Senator from Utah addresses me——

Mr. KING. I am addressing the Senator from Indiana.

Mr. NEW. The Senator spoke of the chairman of the committee. I am not the chairman of the committee; but, if his inquiry is addressed to me, I will say that I would not be willing to accept the amendment.

Mr. KING. Then I shall move, at the proper time, to strike out that proviso.

I inquire of the Senator from Indiana—and I am asking for information—what interpretation he places upon these words, commencing in line 22 on page 2:

Nothing herein contained shall be so construed as to prevent any pensioner thereunder from prosecuting his claim and receiving his pension under any other general or special act.

I inquire of the Senator whether this does not provide a double pension? That is to say, it is known that many so-called Spanish War veterans are now receiving pensions.

Mr. NEW. I do not think it provides a double pension.

Mr. KING. Or is not this intended to permit pensions additional to those which the pensioners are now receiving?

Mr. NEW. No.

Mr. KING. It seems to me that the language is susceptible of that construction.

I ask the Senator—and I am asking for information—what the words found in the next line mean:

Provided, however, That no person shall receive more than one pension for the same period.

Is that for the purpose of qualifying the preceding proviso, so that it is clear that there will not be a double pension?

Mr. NEW. I think so.

Mr. KING. Mr. President, I have attempted to interpret this bill and understand its terms, but I confess that, in my opinion, it will be held to give a double pension; that men now receiving pensions will obtain an additional pension under the terms of this act.

Mr. McCUMBER. Mr. President——

Mr. KING. I yield.

Mr. McCUMBER. Will the Senator allow me to state that that is exactly the same language that has been used in all of these other bills? It has been construed, of course, over and over again, and it has always been held by the department that the language meant just exactly what it was intended to mean, namely, that no person shall draw more than one pension.

Mr. KING. Mr. President, I am glad to know that that is the interpretation placed upon the bill, because it did seem to me that it could be construed as being cumulative in its operation.

Mr. NEW. Mr. President——

Mr. KING. I yield to the Senator.

Mr. NEW. I merely want to say that this is an exact copy of previous pension acts, except that the reference to "soldiers of the Spanish-American War, the Philippine insurrection, and the Boxer insurrection" was inserted as descriptive, just as was the reference to soldiers of the Civil War in the other acts.

Mr. KING. I shall also offer, Mr. President, an amendment to section 1 of the bill, the object of which is to limit pensions which such section provides to those who have not sufficient means for their support. Under the provisions of section 1 pensions are paid to all persons who served 90 days or more in the military or naval service of the United States who come within the provisions of the section, though they are the possessors of limitless wealth and have no need whatever for contributions from the Federal Treasury. It occurs to me where service pensions are paid their beneficiaries should be in such a situation financially that the pension is necessary for their support, But, as stated, the section as drawn gives a pension to those who have sufficient means for their support and to those whose wealth is beyond the dreams of avarice. Of course, I understand that no amendments will be accepted; that this bill is to pass the Senate without the dotting of an "i" or the crossing of a "t." It is the purpose to carry it through the Senate and they are here to secure the result. I regret that just and proper amendments will not command support and that the bill will pass just as it has been reported from the committee.

It is quite possible that the paternalistic frenzy which possesses the people and the triumph of political heresies which the clamorous teachers of the hour are propagating may bring this measure and others, paternalistic and oppressive, the support of the majority of the American people. It is possible that they will give their support to policies which will call for billions of additional taxes in this onsweeping tide of Federal usurpation and authority. But I believe that the day will come when the patriotic people of this Nation will awaken from their slumber and, like the lion confronting its foes, they will shake their invincible locks and repudiate the policies which are destroying the States and place this Republic in the path of safety.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Colorado?

Mr. KING. I have concluded and yield the floor.

Mr. THOMAS. I desire to give notice that I will offer an amendment to insert, on page 1, line 9, after the word "character," the words "incurred in the service and."

Mr. NEW. Mr. President, the 12 or 13 minutes of unexpired time remaining for the consideration of this bill will very much more than suffice for what I have to say in concluding the discussion of it. I expressed my views concerning it in full the other day, and there is very little I care to add to what I then said.

I may do the Senator from Utah [Mr. KING] an injustice when I say that he refers I think contemptuously to "the men who served 90 days," or some such time, in camp. The statistics of the war under consideration in this bill, the Spanish-American War, and of every other war in which this or any other country has ever engaged, will show that the deaths and disabilities are much more numerous as the result of disease and exposure than they are from gunshot wounds and other wounds received in battle. There is no difference between the vital statistics of this war and those accompanying the story of any other war.

Everybody knows that conditions obtaining at the time of the Spanish-American War were especially onerous, and I think I assigned the reason for that in an interpolation which I made a few moments ago in the address of the Senator from Utah. It was largely due to the fact that the troops engaged were recruited in great haste; it was not anticipated that they were going to occupy the camps selected for their mobilization for any considerable length of time, and the camps were located at sites which were not well calculated for long-time occupancy. Every man who served in that war and every man who was an observer at the time knows that that was true. The men who located the camps were not to be criticized, as in the case of Gen. Lawton, to which I referred a while ago. Lawton never in the world would have located Camp Cuba Libre just outside of Jacksonville in the environment of that camp if he had expected the men to be there from May until the following October. It was necessary to remove them in midsummer, because conditions got so bad there that men were dying in alarming numbers. That was true of that and true of many of the other camps. That is all I care to say on that score.

Mr. President, the Senator from Utah has painted a very gloomy and a very terrifying picture of the demands which are to be made hereafter on the Congress for pensions for women, for the aged, and for public employees—all sorts of people at all sorts of times and under all sorts of conditions. I think we can meet those demands on their merits when they are made. But they are not made in this bill.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Colorado?

Mr. NEW. Certainly.

Mr. THOMAS. If I understood the Senator a moment ago, he was discussing the unhealthy and undesirable conditions under which the American Army in the Spanish-American War suffered during the campaign and before the campaign. I think a bill designed to compensate men for disabilities incurred in the service would not be as objectionable as this bill. The trouble with this bill is that it does not limit the disabilities to those which were caused by or incurred in the service, but if any member of the American Army in that war suffers from any disability hereafter for which he is not to blame, whether he contracted that disability in the service or out of it, he becomes entitled to a pension under this act.

Mr. NEW. Yes; that is true. But, Mr. President, pensioning men who have served their country in time of war, after they reach a certain age, or after they shall become disabled, whether from disabilities incurred in the service or not, so long as they are not disabilities incurred as the result of their own vicious habits, has no terrors for me, and I do not think it has any for the people of this country.

The language in this bill is certainly plain enough. It provides that pensions paid under it are to be paid only to those "who have been honorably discharged from the military service," and "who are now or who may hereafter be suffering from any mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, which so incapacitates them from the performance of manual labor as to render them unable to earn a support," and upon making due proof of that fact, under the rules provided by the Pension Office, they shall be entitled to receive a pension at various figures.

Objection has been made to the age feature. Mr. President, the Regular officer of the Navy is retired by law at the age of 62, and the Regular officer of the Army is retired compulsorily at the age of 64, which is certainly proof enough that the Government regards those as the ages at which a man is no longer able to render competent service in the Navy or in the Army, and if not there, certainly his earning capacity is affected to his disadvantage in any other field.

Mr. President, there is nothing further that I care to say on the bill.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arizona [Mr. ASHURST].

Mr. NEW. Before a vote is taken on that amendment, I desire to say that I have had no opportunity whatever to investigate how many people would be affected by the amendment. I think it would complicate the bill.

Mr. ASHURST. Will the Senator permit me at this time, in the moment remaining, to say a word about the amendment?

Mr. NEW. Yes; but I would like to say before taking my seat that I am opposed to the amendment and hope it will not be agreed to.

Mr. ASHURST. In the moment remaining I wish to repeat what I said before, that there are no persons eligible to pensions as nurses who served with the China relief expedition; that there were 1,700 persons who served as nurses in the war with Spain and the Philippine insurrection 20 years or more ago, and I apprehend that possibly not half of them are eligible for pensions under this bill.

Mr. ROBINSON. Mr. President, in the moment remaining before the limitation on debate becomes effective, I simply desire to say that I am heartily in favor of the amendment of the Senator from Arizona.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arizona.

The amendment was rejected.

The VICE PRESIDENT. The Senator from Colorado has offered an amendment, which will be read.

The ASSISTANT SECRETARY. Add at the end of the bill the following:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary L. Pope, widow of James W. Pope, late brigadier general, United States Army, retired, Regular Establishment, and pay her a pension at the rate of $50 per month.

Mr. NEW. Mr. President, it is with a good deal of regret that I oppose the amendment offered by my good friend, the Senator from Colorado. I have no doubt whatever that it possesses merit. The case, however, is provided for in another bill, which the Senator from North Dakota [Mr. STERLING], the chairman of the Committee on Pensions, proposes to report. If it is attached to this bill, it opens the way to attach to the same bill quite a large number of other cases of perhaps equal merit. If this were to be considered strictly on its merits, I would——

The VICE PRESIDENT (at 1 o'clock p. m.). Without further debate the Senate will vote on the pending amendment, which is the amendment offered by the Senator from Colorado [Mr. THOMAS].

The amendment was rejected.

Mr. THOMAS. I now ask consideration of the other amendment which I proposed; that is, to insert after the word "character," in line 9, page 1, the words "incurred in the service and," so that the disability will be that incurred in the service.

The amendment was rejected.

Mr. KING. Mr. President, on page 1, at the end of line 11, after the word "support," I move to amend by adding the words "and who have not sufficient means for their support," so that it will read:

That all persons who served 90 days or more in the military or naval service of the United States during the War with Spain, the Philippine insurrection, and the China relief expedition, and who have been honorably discharged therefrom, and who are now or who may hereafter be suffering from any mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, which so incapacitates them from the performance of manual labor as to render them unable to earn a support, and who have not sufficient means for their support, shall—

And so forth.

On a division, the amendment was rejected.

Mr. NEW. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 3, line 9, after the numerals "$20," insert the following:

Which sum shall be payable only upon the order of the Commissioner of Pensions under such rules and regulations as he may deem proper to make—

So that the section will read:

SEC. 2. That no agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions of this act shall, directly or indirectly, contract for, demand, receive, or retain, for such services in preparing, presenting, or prosecuting such claim a sum greater than $20, which sum shall be payable only upon the order of the Commissioner of Pensions under such rules and regulations as he may deem proper to make, and any person who shall violate any of the provisions of this section or who shall wrongfully withhold from a pensioner or claimant the whole or any part of a pension or claim allowed or due such pensioner or claimant under this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not exceeding $500, or be imprisoned at hard labor not exceeding two years, or both, in the discretion of the court.

The amendment was agreed to.

Mr. MYERS. Mr. President, I offer an amendment to be added to the bill as a new section:

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. Add at the end of the bill a new section, to be known as section 4, as follows:

SEC. 4. That there is hereby appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, the sum of $9,819 to and for Katherine Macdonald, of Butte, Mont., for and on account of unpaid claims held by her on account of work and services performed on or supplies furnished for the construction of the Corbett Tunnel, a part of the Shoshone reclamation project, in the State of Wyoming.

The amendment was rejected.

Mr. KING. I move to amend by striking out, on page 2, beginning at line 10, the following words:

Provided, That any such person who has reached the age of 62 years shall, upon making proof of such fact, be placed upon the pension roll and entitled to receive a pension of $12 per month. In case such person has reached the age of 68 years, $18 per month; in case such person has reached the age of 72 years, $24 per month; and in case such person has reached the age of 75 years, $30 per month.

I move to strike out this proviso because it gives a pension without any necessity.

The amendment was rejected.

Mr. KING. I move the following amendment, and I desire Senators to do me the kindness to listen to the amendment so that they may know its whole import. I move to strike out, on page 2, line 10, the word "*Provided*," and, after the word "who," on the same line, to add language so as to make it read:

That any such person who is now or who may hereafter be suffering from any mental or physical disability or disabilities of a permanent character, not the result of his own vicious habits, which shall so incapacitate him from the performance of manual labor as to render him unable to earn a support, and who has not sufficient means for his support—

And so forth.

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. Shall the bill pass?

Mr. NEW. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a general pair with the Senator from South Dakota [Mr. JOHNSON]. On this question I understand that he would vote as I am about to vote, and I therefore vote. I vote "yea."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. I am informed that that Senator if present would vote as I am about to vote, so I vote. I vote "yea."

Mr. WILLIAMS (when his name was called). I have a general pair with the Senator from Pennsylvania [Mr. PENROSE] who unfortunately is absent on account of illness. I transfer my pair to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

The roll call was concluded.

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], who is necessarily absent. I therefore withhold my vote.

Mr. EDGE. I transfer my general pair with the junior Senator from Oklahoma [Mr. OWEN] to the senior Senator from Iowa [Mr. CUMMINS] and vote "yea."

Mr. BALL. I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. On this vote I am released from that pair and therefore permitted to vote. I vote "yea."

Mr. WATSON (after having voted in the affirmative). I have a general pair with the senior Senator from Delaware [Mr. WOLCOTT]. I transfer that pair to the Senator from Vermont [Mr. DILLINGHAM] and allow my vote to stand.

Mr. SIMMONS (after having voted in the affirmative). May I inquire if the Senator from Minnesota [Mr. KELLOGG] has voted?

The VICE PRESIDENT. He has not.

Mr. SIMMONS. I have a general pair with that Senator, which I transfer to the Senator from Nevada [Mr. PITTMAN], and allow my vote to stand.

Mr. CHAMBERLAIN (after having voted in the affirmative). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. He is absent, but I understand he would vote, if present, as I have voted, and I therefore allow my vote to stand.

Mr. GERRY. The senior Senator from Kentucky [Mr. BECKHAM], the Senator from Delaware [Mr. WOLCOTT], and the junior Senator from Kentucky [Mr. STANLEY] are absent on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Georgia [Mr. HARRIS];

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY]; and

The Senator from West Virginia [Mr. SUTHERLAND] with the Senator from Kentucky [Mr. BECKHAM].

I wish to announce the unavoidable absence of the Senator from West Virginia [Mr. SUTHERLAND]. If present, he would vote "yea" on the passage of the bill.

The result was announced—yeas 65, nays 3, as follows:

YEAS—65.

Ashurst	Gerry	McNary	Simmons
Ball	Hale	Moses	Smith, Ariz.
Borah	Harding	Myers	Smith, Md.
Brandegee	Harrison	Nelson	Smith, S. C.
Capper	Henderson	New	Spencer
Chamberlain	Hitchcock	Norris	Sterling
Colt	Jones, N. Mex.	Nugent	Townsend
Comer	Jones, Wash.	Overman	Trammell
Curtis	Kendrick	Page	Underwood
Dial	Kenyon	Phelan	Wadsworth
Edge	Keyes	Phipps	Walsh, Mass.
Elkins	Lenroot	Poindexter	Walsh, Mont.
Fall	Lodge	Pomerene	Warren
Fernald	McCormick	Ransdell	Watson
France	McCumber	Reed	
Frelinghuysen	McKellar	Robinson	
Gay	McLean	Sheppard	

NAYS—3.

King	Thomas	Williams

NOT VOTING—28.

Beckham	Gore	Knox	Shields
Calder	Gronna	La Follette	Smith, Ga.
Culberson	Harris	Newberry	Smoot
Cummins	Johnson, Calif.	Owen	Stanley
Dillingham	Johnson, S. Dak.	Penrose	Sutherland
Fletcher	Kellogg	Pittman	Swanson
Glass	Kirby	Sherman	Wolcott

So the bill was passed.

The title was amended so as to read: "A bill to pension soldiers and sailors of the War with Spain, the Philippine insurrection, and the China relief expedition."

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the Principals' Union, of Washington, D. C., praying for an increase in the salaries of engineers, janitors, and laborers in the public schools of the district, which was referred to the Committee on Appropriations.

He also presented petitions of the Brightwood Citizens' Association, the Kalorama Citizens' Association, the Thompson Community Center Association, the West End Citizens' Association, and the North Capitol and Eckington Citizens' Association, all in the District of Columbia, praying for an emergency relief fund of at least $500 for each teacher in the public schools, which were referred to the Committee on Appropriations.

Mr. CAPPER presented a petition of sundry postal employees of Manhattan, Kans., and a petition of sundry citizens of Butler County, Kans., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

Mr. TOWNSEND presented a petition of sundry manufacturing and business companies of Dowagiac, Mich., praying for the enactment of legislation providing for an increase of freight rates, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Chamber of Commerce and sundry business firms of Grand Haven, Mich., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. CURTIS presented a petition of the Commercial Club of Cherryvale, Kans., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Lodge, International Boiler Makers and Iron Ship Builders of America, of Marysville, Kans., praying for the parole of Federal prisoners, which was referred to the Committee on the Judiciary.

He also presented a memorial of the Chamber of Commerce of Wichita, Kans., remonstrating against the enactment of legislation limiting the charges of nonmember banks with the Federal Reserve System in the collection and payment of checks drawn upon them, which was referred to the Committee on Banking and Currency.

He also presented a memorial of the Board of Trade of Kansas City, Mo., remonstrating against the enactment of legislation placing a tax of 2 cents on each $10 in value of all sales of grain or produce for future delivery, etc., which was referred to the Committee on Agriculture and Forestry.

PROPOSED BONUS TO DISTRICT SCHOOL-TEACHERS.

Mr. WALSH of Massachusetts. Mr. President, I present a communication from Duncan McLaren, chairman of the teachers' committee of the District of Columbia, transmitting resolutions adopted at a meeting of and signed by over 2,000 teachers of the public schools of the District of Columbia, relative to some financial relief being granted them in the form of an amendment to the general deficiency appropriation bill. I ask that the communication of Mr. McLaren be printed in the RECORD and that the communication and petition be referred to the Committee on Appropriations for action.

There being no objection, the communication and accompanying petition were referred to the Committee on Appropriations and the communication was ordered to be printed in the RECORD, as follows:

The teachers of the District of Columbia respectfully direct the attention of the United States Senate to their present unfortunate plight, caused by inadequate salaries, and submit this petition, with the request that some relief be granted before Congress recesses. Attention is directed to the fact that in many cities throughout the country substantial increases have been granted recently, and that these increases have been made effective for the current school year, including some of the cities which were used by the Reclassification Commission for purposes of comparison in computing a fair scale for the District. It is respectfully suggested that the pending general deficiency bill could be amended to carry this much-needed and fully merited relief, and we ask that the subcommittee in charge of said bill be authorized to report an amendment for that purpose, if, after hearings on the subject, it believes the situation warrants such action.

Respectfully submitted.

DUNCAN MCLAREN,
Chairman Teachers' Committee.

MAY 28, 1920.

REPORTS OF COMMITTEES.

Mr. MCNARY, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 4420) to prohibit the exportation of sugar, and for other purposes, reported it with amendments and submitted a report (No. 642) thereon.

Mr. POINDEXTER, from the Committee on Interstate Commerce, to which was referred the bill (S. 4204) to prohibit interference with commerce, reported it with amendments and submitted a report (No. 644) thereon.

ACCEPTANCE OF OFFICES FROM FOREIGN COUNTRIES.

Mr. WALSH of Montana. From the Committee on Naval Affairs I report back favorably with amendments the bill (S. 4435) to authorize officers of the naval service to accept offices with compensation and emoluments from Governments of the Republics of South America, and I submit a report (No. 643) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. Let the bill be read.

Mr. WADSWORTH. From the reading of the title, this seems to be a measure of some importance.

Mr. SMOOT. Mr. President, let the bill go to the calendar so that we may have an opportunity to examine it.

The VICE PRESIDENT. Objection is made, and the bill goes to the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS:

A bill (S. 4457) providing for the adoption of the Montgomery safety dial on timepieces throughout the United States; to the Committee on Post Offices and Post Roads;

A bill (S. 4458) granting a pension to Lou Alice Clay (with accompanying papers);

A bill (S. 4459) granting a pension to Benjamin E. Reeder (with accompanying papers);

A bill (S. 4460) granting a pension to Sarah E. Sprague (with accompanying papers);

A bill (S. 4461) granting a pension to Miles C. Gilliland (with accompanying papers);

A bill (S. 4462) granting a pension to Daniel Boon Martin (with accompanying papers);

A bill (S. 4463) granting a pension to Lillian Bramun (with accompanying papers);

A bill (S. 4464) granting a pension to Lilly Ann Newberry (with accompanying papers);

A bill (S. 4465) granting a pension to James W. Murphy (with accompanying papers);

A bill (S. 4466) granting a pension to Cordelia Hazen (with accompanying papers);

A bill (S. 4467) granting a pension to Anthony Early (with accompanying papers); and

A bill (S. 4468) granting a pension to Hannah E. Gron (with accompanying papers); to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 4469) to amend section 110 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and to establish military justice; to the Committee on Military Affairs.

By Mr. WADSWORTH (by request):

A bill (S. 4470) to regulate air navigation within the United States and its dependencies, and between the United States or any of its dependencies and any foreign country or its dependencies; to the Committee on Commerce.

By Mr. SUTHERLAND:

A bill (S. 4471) granting a pension to Sarah Scrivens; to the Committee on Pensions.

By Mr. CAPPER:

A joint resolution (S. J. Res. 207) authorizing and directing the Secretary of the Treasury to deposit funds in the Federal reserve banks for rediscounting cattle paper to encourage the production of food; to the Committee on Banking and Currency.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. OVERMAN submitted an amendment proposing to appropriate $600 to pay to the widow of the late James T. Britt, late an employee on the maintenance roll of the Senate Office Building, etc., intended to be proposed by him to the general deficiency appropriation bill, which was ordered to be printed, and, with accompanying paper, referred to the Committee on Appropriations.

Mr. GAY (by request) submitted an amendment authorizing the surplus property division of the War Department to cancel the contract or contracts made on or about March 26, 1920, with J. Frank, care Frank-Langham Co., New York City, etc., intended to be proposed to the general deficiency appropriation bill; which was referred to the Committee on Appropriations and ordered to be printed.

MEMORIAL ADDRESSES ON THE LATE SENATOR BANKHEAD.

Mr. UNDERWOOD. Mr. President, I desire to give notice that on December 9 I shall ask that the business of the Senate be temporarily suspended to consider resolutions on the life, character, and public services of my late distinguished colleague, Hon. JOHN HOLLIS BANKHEAD.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE ESTOPINAL.

Mr. RANSDELL. Mr. President, I desire to give notice that on Tuesday next, June 1, 1920, at 4 o'clock and 30 minutes p. m., I shall ask that the business of the Senate be temporarily suspended in order that an opportunity may be given for tributes of respect to the memory of Hon. ALBERT ESTOPINAL, late a Member of the House from the State of Louisiana.

CROW INDIAN LANDS—CONFERENCE REPORT.

Mr. WALSH of Montana submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2890) to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 2, 19, 20, and 31.

That the Senate recede from its disagreements to the amendments of the House numbered 3, 10, 11, 12, 13, 14, 15, 17, 18, 21, 22, 24, 25, 26, 27, 28, 29, 30, and 32, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: Omit the matter stricken out by said amendment and, on page 1 of the bill, in line 10, after the word "Montana," insert the following: "(not including the Big Horn and Pryor Mountains the boundaries whereof to be determined by said commission with the approval of the Secretary of the Interior) and"; and the House agree to the same.

That the Senate recede from its disagreement to the amendments of the House numbered 4, 5, 6, 7, 8, and 9, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"SEC. 2. No conveyance of land by any Crow Indian shall be authorized or approved by the Secretary of the Interior to any person, company, or corporation who owns at least 640 acres of agricultural or 1,280 acres of grazing land within the present boundaries of the Crow Indian Reservation, nor to any person who, with the land to be acquired by such conveyance, would become the owner of more than 1,280 acres of agricultural or 1,920 acres of grazing land within said reservation. Any conveyance by any such Indian made either directly or indirectly to any such person, company, or corporation of any land within said reservation as the same now exists, whether held by trust patent or by patent in fee shall be void and the grantee accepting the same shall be guilty of a misdemeanor and be punished by a fine of not more than $5,000 or imprisonment not more than six months or by both such fine and imprisonment.

"The classification of the lands of such reservation for the purpose of allotment and the allotment thereof shall be made as provided in the act of Congress approved June 25, 1910 (36 Stat. L., p. 859), which classification with any heretofore made by authority of law as to lands heretofore allotted shall be conclusive, for the purposes of this section, as to the character of the land involved."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 16, and agree to the same with an amendment as follows: On page 6 of the bill, in line 10, after the word "act," insert the following: "unless otherwise ordered by Congress"; and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 23, and agree to the same with an amendment as follows: Omit the matter stricken out and inserted by said amendment; and the House agree to the same.

CHARLES CURTIS,
T. J. WALSH,
JOHN B. KENDRICK,
Managers on the part of the Senate.

P. P. CAMPBELL,
J. H. SINCLAIR,
C. E. RANDALL,
HARRY L. GANDY,
ZEBULON WEAVER,
Managers on the part of the House.

The report was agreed to.

NAVAL RADIO STATIONS.

Mr. POINDEXTER. I ask the Chair to lay before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 170) to authorize and direct the Secretary of the Navy to open certain naval radio stations for the use of the general public.

The VICE PRESIDENT. The Chair lays before the Senate the amendments of the House of Representatives, which will be read.

The amendments were read, as follows:

Strike out all after the resolving clause and insert:

"That all land, ship, and airship radio stations and all apparatus therein owned by the United States may be used by it for receiving and transmitting messages relating to Government business, compass reports, and the safety of ships.

"SEC. 2. That the Secretary of the Navy is hereby authorized, under terms and conditions and at rates prescribed by him, which rates shall be just and reasonable, and which, upon complaint, shall be subject to review and revision by the Interstate Commerce Commission, to use all radio stations and apparatus, wherever located, owned by the United States and under the control of the Navy Department—(a) for the reception and transmission of press messages offered by any newspaper published in the United States, its Territories or possessions, or published by citizens of the United States in foreign countries, or by any press association of the United States, and (b) for the reception and transmission of private commercial messages: *Provided*, That the rates fixed for the reception and transmission of commercial messages, other than press messages, shall not be less than the rates charged by privately owned and operated stations for like messages and service: *Provided further*, That the right to use such stations for any of the purposes named in this section shall terminate and cease as between any countries or localities or between any locality and privately operated ships, whenever privately owned and operated stations are capable of meeting the normal communication requirements between such countries or localities or between any locality and privately operated ships, and the Secretary of Commerce shall have notified the Secretary of the Navy thereof, and all rights conferred by this section shall terminate and cease in any event two years from the date this resolution takes effect.

"SEC. 3. That all stations owned and operated by the Government, except as herein otherwise provided, shall be used and operated in accordance with the provisions of the act of Congress entitled 'An act to regulate radio communication,' approved August 13, 1912"; and to amend the title so as to read: "Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes."

Mr. POINDEXTER. As this is a matter of some emergency, I have been instructed by the Senate Committee on Naval Affairs to move to concur in the amendments of the House.

The motion was agreed to.

HOUSE BILL AND JOINT RESOLUTION REFERRED.

H. R. 14197. An act to amend the personal service corporation provisions of the revenue act of 1918, and for other purposes, was read twice by its title and referred to the Committee on Finance.

H. J. Res. 359. Joint resolution authorizing the Secretary of War to loan to the American Legion Post No. 73, Vincennes, Ind., necessary cots for use at the State encampment of the American Legion, to be held at Vincennes, Ind., on June 28 and 29, 1920, was read twice by its title and referred to the Committee on Military Affairs.

ARMENIAN MANDATORY.

Mr. LODGE. Mr. President, according to the notice previously given by me, I move that the Senate proceed to the consideration of Senate concurrent resolution 27, relating to the Armenian mandate.

The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts to proceed to the consideration of Senate concurrent resolution No. 27.

The motion was agreed to; and the Senate proceeded to the consideration of the concurrent resolution (S. Con. Res. 27), which was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby respectfully declines to grant to the Executive the power to accept a mandate over Armenia as requested in the message of the President dated May 24, 1920.

Mr. LODGE. Mr. President, the pending resolution has been reported by the Committee on Foreign Relations, the committee feeling that a request so important as that of the President, that he be given authority to take a mandate for Armenia, should be replied to at once, especially as a recess is approaching. The resolution is a concurrent resolution and is simply a respectful declination on the part of Congress to grant to the President the authority to accept the mandate.

I am very anxious, Mr. President, if possible, to dispose of the resolution before the recess, and I have no intention of myself debating it unless it becomes necessary to do so. I should be glad to secure a vote on the resolution at the earliest possible moment.

Mr. HITCHCOCK. I suggest to the Senator from Massachusetts that if, after a little preliminary discussion to-day, the resolution could go over until next week it might be quite possible to arrange for a definite time for a vote. I will say that I had contemplated offering an amendment to the resolution but have not had quite time to perfect it, and I should like a little more time for that purpose.

Mr. LODGE. Mr. President, I have no desire to cut off opportunity either for debate or amendment. If we could agree to take a vote on some day next week, it would be perfectly agreeable to me. The resolution could then be called up at any time under such an understanding.

Mr. HITCHCOCK. Does the Senator desire to discuss the resolution to-day?

Mr. LODGE. Personally, all I desire to get is a vote; but I understood the Senator to ask that the resolution go over, and I should have no objection to having it go over if I could obtain some agreement for a vote.

Mr. HITCHCOCK. So far as I am concerned, I will be willing to consent to almost any day next week. I was waiting for the Senator from Alabama [Mr. UNDERWOOD] before making a definite suggestion. I think we could arrange the matter on Monday.

Mr. LODGE. If the Senator could suggest some day for a vote, or make some suggestion that would be convenient to him, I think there would be no objection to a satisfactory agreement being reached.

Mr. SMITH of South Carolina. Mr. President, might it not be agreeable to allow the resolution to go over until Monday, and on Monday take it up and reach whatever agreement may be desired? I will remind the Senator that this is Saturday.

Mr. LODGE. I should think we could arrive at an agreement to-day, and, of course, if such an agreement is reached I shall not press the resolution, but shall get it out of the way for other business.

Mr. HITCHCOCK. Mr. President, I will outline in a few words what I have in mind to propose. In my opinion the effect of the resolution as drawn will discourage the people of Armenia. I am not in favor of granting to the President the power to accept a mandate over Armenia, but I hesitate very much to become a party to the adoption of a resolution which, it seems to me, will have the effect of discouraging Armenia, and possibly of encouraging the enemies of Armenia.

For that reason I have designed to draft an amendment, in the shape of an addition to the pending resolution, which would indicate beyond any doubt the purpose of the United States to cooperate with the Government of Armenia and to assist in every reasonable way toward the economic rehabilitation of Armenia and cooperation with the Government of Armenia. I have drawn rather hastily an amendment, which I will read for information. I think it needs revision, but it indicates what I have in mind as a practical manifestation of the disposition of the United States to assist Armenia without undertaking the responsibilities of a mandate. I shall probably propose the following, or something like it, as an addition to the pending resolution:

Resolved further, That the President be, and he is hereby, empowered to appoint three American citizens to act with a like number of representatives of the Government of Armenia in the organization of a joint commission, the six so chosen to select a seventh person as chairman. Said joint commission shall be charged with the duty of supervising the preparation, issuance, and offering for sale in the United States of bonds of the Armenian Government, not exceeding $50,000,000 in amount, the proceeds of which shall be available for the following purposes, to wit: To purchase in the United States agricultural implements, materials for railroad development, construction, and repair in Armenia, and other similar supplies, for economic development and rehabilitation that may be designated by the Armenian Government: *Provided*, That not to exceed one-half of this amount may be used for the purpose of rehabilitating and establishing a sound banking and currency system for Armenia, in case the Armenian Government may so decide, under the advice and approval of this joint commission. These bonds may be made payable in the United States, but the Government of the United States is not to be made in any sense responsible for the payment of either principal or interest.

Mr. President, that is a crude form of the suggestion I desire to make by way of amendment. It is drawn along the lines of a desire expressed by some of the Armenians themselves. Armenia is a rich and fertile country, and, if assisted in economic development at this time, will probably be able to develop a stable government and restore conditions of prosperity among her people.

I believe it has been stated that something like 800,000 American citizens contributed some $40,000,000 for charity in Armenia, and it seems to me that among those same people will probably be found a large number who will purchase Armenian bonds if they can be assured that their issuance and sale and the custody of the funds are in the possession of a joint commission for purposes which will benefit the development and rehabilitation of Armenia; and I believe this will carry out in a practical way the disposition which the Senate has indicated in the resolution of sympathy already adopted. I should like to attach it to this concurrent resolution, in order that Armenia may see that we have a fixed purpose of assistance and in order also that the Turkish Government and other neighboring peoples disposed to interfere with Armenia may also realize that it is the purpose of the United States to assist Armenia in every reasonable way possible.

I am therefore asking that the matter may go over until next week, in order that this amendment may be perfected and any criticisms that may be offered may be available.

Mr. LODGE. Mr. President, I personally have felt the very deepest sympathy for Armenia and I have tried to help the passage of the resolution which we did pass, and I should have been glad personally to do more. I am utterly opposed to taking a mandate and binding ourselves to keep an army of at least 60,000 American troops in Armenia for an indefinite time and to involve ourselves in an expenditure which Gen. Harbord's report estimates to be $275,000,000 for the first year, and which also is indefinite, which entangles us necessarily in all the quarrels and difficulties of Asia Minor; but I should be glad to see anything done for Armenia that could be properly done and constitutionally done without involving ourselves in any way in a mandate.

I hold in my hand a statement submitted by Mr. Gerard to the Secretary of State, representing the wishes of the Armenians. Mr. Gerard is the head of one of the great organizations in this country which have been raising money and trying in all ways to help the Armenians, and he represents certainly the views of many of the Armenians themselves. This statement which he submitted, and which is very brief, is as follows:

First, he asks that action be taken on the Senate resolution already adopted. That is the resolution we adopted which asked the President—who has the power to do it without the action of Congress—to send a battleship to Batum, with marines on board, for the protection of American property and covering the railroad.

Second, he asks for the continued dispatch of foodstuffs. That is going on through these large philanthropic societies—two of them, I think—and they have already collected and spent in Armenia some $40,000,000.

3. Deliver at once in Erivan equipment for army of 40,000 to 50,000 men.
4. Send to Erivan 50 American officers to reorganize the Armenian army.
5. Create an American-Armenian mixed financial commission, to be charged with the task of raising $75,000,000 by private subscription in this country, about one-half of said sum to be spent in this country for the purchase of farming tools and implements, railway equipment, and the like, and the balance to be transferred to Armenia by way of credit, to constitute the basis of the monetary system of Armenia. Also a few of the American members of the mixed commission should at once proceed to Armenia to organize the finances of Armenia.
6. Address a note to the supreme council or identical notes to the allied powers similar in substance to instructions given by Mr. Webster to American minister in Great Britain concerning Liberia. (Copy of text of said instructions annexed hereto.)

I pause to say that those notes go very much further than I think it would be desirable at this time to go.

7. Suspend the foreign enlistment act and authorize and enable the Armenians in this country to raise a force of 10,000 men for service in Cilician Armenia.
8. Give warning to the Turks against further hostile operations in Cilicia, express to France the hope that it may be possible for her to adopt hereafter a more sympathetic attitude toward the Armenians in Cilicia, and take such other steps as may be necessary to save the Armenians in Cilicia.
9. Ask the powers to cooperate with us in any action.

I will ask to have that statement and the accompanying notes printed.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

SUBMITTED BY MR. GERARD TO THE SECRETARY OF STATE.

"1. Take action on Senate resolution already adopted.

"2. Continue dispatch of foodstuff.

"3. Deliver at once in Erivan equipment for army of 40,000 to 50,000 men.

"4. Send to Erivan 50 American officers to reorganize the Armenian Army.

"5. Create an American-Armenian mixed financial commission to be charged with the task of raising $75,000,000 by private subscription in this country, about one-half of said sum to be spent in this country for the purchase of farming tools and implements, railway equipment, and the like, and the balance to be transferred to Armenia by way of credit, to constitute the basis of the monetary system of Armenia. Also a few of the American members of the mixed commission should at once proceed to Armenia to organize the finances of Armenia.

"6. Address a note to the supreme council or identical notes to the allied powers similar in substance to instructions given by Mr. Webster to American minister in Great Britain concerning Liberia. (Copy of text of said instructions annexed hereto.)

"7. Suspend the foreign enlistment act, and authorize and enable the Armenians in this country to raise a force of 10,000 men for service in Cilician Armenia.

"8. Give warning to the Turks against further hostile operations in Cilicia, express to France the hope that it may be possible for her to adopt hereafter a more sympathetic attitude toward the Armenians in Cilicia, and take such other steps as may be necessary to save the Armenians in Cilicia.

"9. Ask the powers to cooperate with us in any action.

"MAY 21, 1920."

SUBMITTED BY MR. GERARD TO THE SECRETARY OF STATE.

"A note might be addressed to the supreme council or identical notes to the allied powers stating that—

(Mr. Hay, Secretary of State, re Liberia, to our ambassador to France.)

"The Government of the United States, having recognized Armenia, feels that it has a peculiar interest in its citizens and could not be justified in regarding with indifference any attempt to oppress them or deprive them of their independence."

(Mr. Webster, Secretary of State, re Liberia, to our minister to Great Britain.)

"This Government regards Armenia as occupying a peculiar position, and as possessing peculiar claims to the friendly consideration of all Christian powers; that this Government will be at all times prepared to interpose its good offices to prevent any encroachment by Armenia upon any just right of any Nation; and that it would be very unwilling to see it despoiled of its territory rightfully acquired, or improperly restrained in the exercise of its necessary rights and powers."

Mr. LODGE. I do not bring those up with any idea of attaching them to this resolution, or moving them at this time. I simply lay them before the Senate, since the Senator from Nebraska has called attention to one of the propositions, as showing that there are other methods by which we could properly be of assistance to the Armenians, and I am sure the desire to help the Armenians is very general in the United States. There is no desire to turn a completely deaf ear to their cry for help, for they are a brave people who have struggled for centuries to preserve their religion and their liberty, and they, I think, must appeal to every American sympathy; but that is wholly different from taking the mandate and assuming the care of that country for we can not say how many years to come.

Mr. President, I think it important that we should have action upon this question. We ought to have time, of course, to have the amendment of the Senator from Nebraska printed and put in such form as he desires, but with only a week ahead of us before a recess, at all events, must be taken, I should like to have time to get it over to the House, which has already taken it up in the Committee on Foreign Affairs, and I know wishes to take action, too. We must have concurrent action. If we could reach an agreement to vote some day early next week, so as to give us an opportunity to send this resolution to the House, I should be very glad to make that agreement, and not press it further at this time. Perhaps the Senator from Nebraska can suggest some time when he would be willing to take it up and have a vote upon it.

Mr. HITCHCOCK. Mr. President, unless the Senator has something definite to propose, I suggest that the matter go over until Monday, and we can probably then enter into an agreement. There is a little difference of opinion here as to exactly the time that should be suggested. As far as I am personally concerned, I should like to come to a vote upon the resolution.

Mr. LODGE. If Senators on the other side are willing to make an agreement, I am perfectly ready to let the making of it go over until Monday. All I want to be assured of is a vote in time to send it to the House.

Mr. HITCHCOCK. Personally, I think that will facilitate the arrangement. I think we can be ready to agree on Monday as to when we shall take the vote. I find a little difficulty in agreeing upon a date just at this moment. I had expected some discussion.

Mr. POINDEXTER. Mr. President, if the matter goes over, I should like it to go over until Tuesday instead of Monday.

Mr. LODGE. The proposition is only to let making the agreement go over, not to fix the vote on Monday, but that on Monday we make an agreement as to when we shall vote.

Mr. POINDEXTER. I gave notice yesterday that I should undertake to get a vote on the magnesite tariff bill on Monday, and I should like to have an opportunity at least of presenting that matter.

Mr. LODGE. I think I shall have to ask that we reach an agreement on Monday.

Mr. HITCHCOCK. I believe I can assure the Senator that it will be possible on Monday to reach an agreement on a vote.

Mr. LODGE. Very well. If it is understood, then, that we shall reach some agreement on Monday, I am perfectly willing to let it go over now, unless some Senator wishes to address the Senate upon it at this time.

Mr. BRANDEGEE. Mr. President, if the arrangement is made to let it go over until Monday, at which time we shall try

to get an agreement as to a time for a vote upon it, I should like to ask whether or not it becomes the unfinished business? The Senate met at 11 o'clock to-day, and this matter was taken up more than two hours after the meeting, and I assume that it would be the unfinished business.

Mr. LODGE. Certainly; it would be the unfinished business. It is the unfinished business now.

Mr. BRANDEGEE. Yes; unless it is displaced.

Mr. LODGE. If no Senator wishes to debate it further to-day, I shall simply ask that the unfinished business be temporarily laid aside.

Mr. WILLIAMS. Mr. President, before the Senator makes that request, I want to be heard for about five minutes.

Mr. LODGE. Certainly. I do not want to cut off anybody.

Mr. WILLIAMS. Mr. President, I see no objection to taking a vote on this question right now. It seems to me that every Senator ought to know how he intends to vote. It seems to me, furthermore, that the Congress owes it to the President of the United States, and that these United States owe it to France and Great Britain and Italy and the other civilized powers, who have invited us through the President to become a mandatory for Armenia, to return a prompt reply.

Europe is awaiting our action. I am perfectly aware of the fact that I am probably in a very small minority, but when I have to face a situation I believe in facing it. I do not believe in useless delay for the mere purpose of talking. If we are to refuse this mandate, we ought to communicate that fact to the civilized powers of the world, whose representatives have invited us to accept it. We owe that much to them. The legislative branch owes that much to the President.

Mr. LODGE. Mr. President, will the Senator allow me to say one word just there?

Mr. WILLIAMS. Certainly.

Mr. LODGE. I am in entire agreement with what the Senator is saying about the necessity of taking action promptly. I offered to let the matter go over in deference to the wishes of the Senator from Nebraska [Mr. HITCHCOCK], who desires to present an amendment which he has not yet fully prepared.

Mr. WILLIAMS. I understood that he had already prepared it; but however that may be, Mr. President, I want to say just this much upon the proposition itself:

In my private relations I have never, as far as I now remember, been confronted with a situation where I was willing to accept all the benefits and advantages while shirking all the burdens and responsibilities. I am not willing, as a Senator of the United States, to see these United States put themselves in that attitude before the world, and I think we would put ourselves in that attitude if we declined to do even this much—to accept the invitation of civilization to act as police regulators in Armenia until the Armenian people can stand upon their own feet.

Mr. President, Armenia is an isolated and an insulated Christian community surrounded by hereditary enemies. She is not able to defend herself now, although some of her own people think that she is. Turks, Kurds, Georgians, for the most part Mohammedans, are seeking her throat with knives all the time. Her people are members of the oldest Christian church in existence on this earth. This has always constituted an appeal to the sympathy and the better and higher feeling of the American people.

I believe that if we accepted the mandate the mere presence of the American uniform in Armenia would very nearly, if not quite, settle the issue by preventing Kurdish and Turkish attacks and leaving the Armenians at peace to work out their destiny. But whether it did or not, I am unwilling, after we have fought this war, with all the death and misery which came to so many of our citizens and so many of our families, not to do even this little thing to help along in the maintenance of the peace of the world.

My heartstrings are tied very closely to the history of this remarkable people—remarkable in very many more ways than one, but especially remarkable for their abiding faith, their constancy, their courage, and their devotion to an ideal—and I am heartily in favor of giving the President the power which he has requested. I would like to give it to him this moment.

Mr. President, I understand that it is almost impossible to keep any people, no matter how altruistic, at a point of high tension for many years in succession. I know that our people were kept at a high tension during the war. I also know that when the armistice came the opinion generally spread itself that everything that was wrong and miserable had stopped, and everything that was right and prosperous had had its beginning. I also know, of course, that that was an error.

I for one do not see how my country can take itself out of the world. It is a part of it, and the earth now is a very narrow place, with its aeroplanes and its wireless and all the other things which bring its peoples close together. Even if it were advisable to *be* off of the earth, we can not *get* off of it, nor can we escape and shirk the burdens and responsibilities of a situation while we accept all of its advantages. Perhaps I was wrong in saying that we *can* not do it. What I meant was that you *ought* not to do it.

Mr. President, that is all I have to say, or, rather, further *saying* of things would do no good.

Mr. BRANDEGEE. Mr. President, I ask unanimous consent that there may be printed in the RECORD Senate Document No. 266, which is the summary of the report of the American military mission to Armenia by Maj. Gen. James G. Harbord. This was a commission appointed by the President.

Mr. SMOOT. It is a public document already.

Mr. BRANDEGEE. It is a public document and is deposited in the files upstairs, but it is not in the RECORD, which is read by the people of the country, and I think it advisable, if there is to be a debate on this subject, that it should be in the RECORD.

Mr. SMOOT. It seems to me that anyone who desires to read the debate can get the public document easier than he can get the RECORD.

Mr. LODGE. Mr. President, I am as much in favor of keeping needless matter out of the RECORD as anyone. We are all indebted to the Senator from Utah [Mr. SMOOT] for enforcing the rule. But here is a matter of the utmost moment, which is coming before the Senate, I hope not to take much debate. This report covers the exact subject from the highest authority; it seems to me at this moment the facts contained in it ought to be laid not only before the Senate in the RECORD but before that much wider audience, the people who read the RECORD. The RECORD goes to the newspaper offices, and I think it very desirable that the report should be printed in it.

Mr. SMOOT. The document has reference to the Armenian people?

Mr. LODGE. Yes; and nothing else. It is all about Armenia and the effect of a mandate.

Mr. SMOOT. Then I have not any objection.

Mr. SMITH of Georgia. I do not think we want to have the exhibits printed in the RECORD, but just the report proper.

Mr. BRANDEGEE and Mr. LODGE. The report proper.

Mr. SMITH of Georgia. I have read it with a great deal of care, and thought to bring a number of extracts from the report to the attention of the Senate, in order that the people reading the RECORD might see how clearly Gen. Harbord points out the grave responsibility and the serious difficulty surrounding the matter.

The PRESIDING OFFICER. Without objection, the report itself, without the exhibits, will be printed in the RECORD.

The report referred to is as follows:

CONDITIONS IN THE NEAR EAST.

AMERICAN MILITARY MISSION TO ARMENIA,
On Board U. S. S. Martha Washington, October 16, 1919.

From: Maj. Gen. James G. Harbord, United States Army.
To: The Secretary of State.
Subject: Report of the American Military Mission to Armenia.

The undersigned submits herewith the report of the American Military Mission to Armenia. The mission, organized under authority of the President, consisted of Maj. Gen. James G. Harbord, United States Army; Brig. Gen. Frank R. McCoy, United States Army; Brig. Gen. George Van Horn Moseley, United States Army; Col. Henry Beeuwkes, Medical Corps, United States Army; Lieut. Col. John Price Jackson, United States Engineers; Lieut. Col. Jasper Y. Brinton, judge advocate, United States Army; Lieut. Col. Edward Bowditch, jr., Infantry, United States Army; Commander W. W. Bertholf, United States Navy; Maj. Lawrence Martin, General Staff, United States Army; Maj. Harold Clark, Infantry, United States Army; Capt. Stanley K. Hornbeck, Ordnance Department, United States Army (chief of Far Eastern Division, American Commission to Negotiate Peace); Mr. William B. Poland, chief of the American Relief Commission for Belgium and Northern France; Prof. W. W. Cumberland, economic advisor to the American Commission to Negotiate Peace; Mr. Eliot Grinnell Mears, trade commissioner, Department of Commerce, with other officers, clerks, interpreters, etc.

The instructions to the mission were to—

Proceed without delay on a Government vessel to Constantinople, Batum, and such other places in Armenia, Russian Transcaucasia, and Syria, as will enable you to carry out instructions already discussed with you. It is desired that you investigate and report on political, military, geographical, administrative, economic, and other considerations involved in possible American interests and responsibilities in that region.

The mission proceeded by ship to Constantinople. From there it traveled by the Bagdad Railway to Adana, near the northeastern coast of the Mediterranean Sea, the scene of the massacres of 1909, and the principal city of the rich Province of Cilicia, where two days were spent visiting Tarsus and the ports of Ayas and Mersina; thence continued by rail via Aleppo to Mardin; from there by motor car to Diarbekir, Kharput, Malatia, Sivas, Erzinjan, Erzerum, Kars, Erivan, and Tiflis; thence by rail to Baku and Batum. Erivan, Tiflis, and Baku are the capitals, respectively, of the Republics of Armenia, Georgia, and Azarbaijan, and Batum is the seat of the British military government of the Georgian district of that name. Members of the mission also traveled by carriage from Ula-Kishla to Sivas; from Sivas to Samsun; visiting Marsovan, where there is much apprehension among the Armenian population at this time; from Trebizond to Erzerum; by horseback from Khorasan to Bayazid; from Erivan to Nakhichevan, near the Persian border. The Armenian Catholicos, His Holiness Kevork V, was visited at Etchmiadzin, the historic seat of the Armenian Church, with its ancient cathedral, dated from 301 A. D. The mission traversed Asia Minor for its entire length and the Transcaucasus from north to south and east to west. All of the Vilayets of Turkish Armenia were visited except Van and Bitlis, which were inaccessible in the time available, but which have been well covered by Capt. Niles, an Army officer, who inspected them on horseback in August, and whose report corroborates our observations in the neighboring regions; as well as both Provinces of the Armenian Republic and the Republics of Azarbaijan and Georgia. The Turkish frontier was paralleled from the Black Sea to Persia. On the return voyage from Batum the mission visited Samsun, the port of one of the world's great tobacco regions, and Trebizond, the latter a principal port on the south shore of the Black Sea, terminus of the ancient caravan route to Persia, of historic interest as the point where the Greek 10,000 reached the sea under Xenophon over 2,300 years ago.

The mission spent 30 days in Asia Minor and Transcaucasia, and interviewed at length representatives of every Government exercising sovereignty in that region, as well as individual Turks, Armenians, Greeks, Kurds, Tartars, Georgians, Russians, Persians, Jews, Arabs, British, and French, including Americans for some time domiciled in the country. It also gave consideration to the views of the various educational, religious, and charitable organizations supported by America. In addition to this personal contact the mission before leaving Paris was in frequent conference with the various delegations to the peace conference from the regions visited. It has had before it numerous reports of the American Committee for Relief in the Near East, and Food Administration, and that of the mission of Mr. Benjamin B. Moore, sent by the peace conference to Transcaucasia, as well as the very complete library on the region, its geography, history, and governments, loaned by the Librarian of Congress, the American Mission to Negotiate Peace, and others. It has listened to the personal experiences of many witnesses to the atrocities of 1915, and benefited by the views of many persons whose knowledge of the various peoples in the regions visited is that obtained by years spent among them.

The interest, the horror, and sympathy of the civilized world are so centered on Armenia, and the purpose and work of this mission so focus on the blood-soaked region and its tragic remnant of a Christian population that this report should seem to fall naturally under the following heads: (a) History and present situation of the Armenian people; (b) the political situation and suggestions for readjustment; (c) the conditions and problems involved in a mandatory; (d) the considerations for and against the undertaking of a mandate.

The report is accordingly so presented.

THE HISTORY AND PRESENT SITUATION OF ARMENIAN PEOPLE.

The Armenians were known to history under that name in the fifth century B. C., and since that period have lived in the region where their misfortunes find them to-day. Their country is the great rough tableland, from 3,000 to 8,000 feet above the level of the sea, of which Mount Ararat is the dominant peak. In ancient times it touched the Mediterranean, Caspian, and Black Seas. In later days it has dwindled to about 140,000 square miles, an area about as large as Montana, without political identity, but existing in 1914 in two parts, the eastern belonging to Russia, which consisted of Kars and Erivan, and some portions of the present territory of Azarbaijan; the remainder being Turkish Armenia, comprised in the villayets of Van, Bitlis, Erzerum, Diarbekir, Kharput, and Cilicia, though Armenians were scattered more or less throughout the whole of Transcaucasia and Asia Minor. Armenia was an organized nation 1,000 years before there was one in Europe, except Greece and Rome. For over 12 of the 25 centuries of its history Armenia enjoyed independence within borders that shifted with the events of the times. Its last king, Leon VI, an exile from his own land, spent his last years in the effort to bring about an understanding between France and England, then in the struggle of the Hundred Years War, and actually presided at a peace conference near Boulogne in 1386, which brought about the understanding which led to the end of that war. Armenia was evangelized by Apostles fresh from the memory of our Lord, as early as 33 A. D., and as a nation adopted Christianity and founded a national church in 301 A. D., which has outridden the storms of the centuries and is vital to-day. Armenia was the first nation to officially adopt Christianity, with all that act involved in a pagan world.

The first two centuries following the foundation of the church were a golden age of Armenian literature, witnessing the invention of an Armenian alphabet; the translation of the Bible into the vernacular; the thronging of Armenians to the great centers of learning at Athens, Rome, and Alexandria; and the development of a flexible literary language, one of the great assets of national life.

By its geographical location on the great highway of invasion from east to west the ambitions of Persia, the Saracens and the rising tide of Islam, and the Crusades found Armenia the extreme frontier of Christianity in the East. Persians, Parthians, Saracens, Tartars, and Turks have exacted more martyrs from the Armenian church in proportion to its numbers than have been sacrificed by any other race. The last Armenian dynasty was overthrown by the Sultan of Egypt 78 years before the fall of Constantinople to Mahomet II in 1453. From that time until to-day the story of their martyrdom is unbroken. In the Persian, the Roman, the Byzantine, the Armenian found Aryan kinsmen and tyranny was tempered with partial autonomy. Even the Saracen was a high racial type, and reciprocal adjustments had been possible. The Turk to whom they now fall prey was a raiding nomad from central Asia. His mainsprings of action were plunder, murder, and enslavement; his methods the scimitar and the bowstring. The Crusades were long ended. Europe busy with her own renaissance contented herself with standing on the defensive against the Moslem, and the eastern Christian was forgotten. For more than three centuries the Armenian people figure little in the history of the times, though at an earlier period 16 Byzantine Emperors were of that race, and ruled the eastern Empire with distinction. Many individuals, and even colonies, however, played a part in distant lands. Europe, India, and Persia welcomed them. They were translators, bankers, scholars, artisans, artists, and traders, and even under their tyrannical masters filled posts which called for administrative ability, became ambassadors and ministers, and more than once saved a tottering throne. They carried on trades, conducted commerce, and designed and constructed palaces. Nevertheless as a race they were forbidden military service, taxed to poverty, their property confiscated at pleasure, and their women forced into the harems of the conqueror. Such slavery leaves some inevitable and unlovable traces upon the character, but in the main the Armenian preserved his religion, his language, and his racial purity, persecution bringing cohesion.

Time, temperament, and talent eventually brought most of the industry, finance, commerce, and much of the intellectual and administrative work of the Ottoman Empire into Armenian hands.

The progress of events in Europe brought about in the early nineteenth century a revival of interest in the forgotten Near East. As early as 1744 the treaty of Kainardje had placed Imperial Russia in the rôle of a protector of the Christians of the Near East, an attitude many times under suspicion by contemporary statesmen, but whatever its motives, the only genuine attempt by any European nation to afford such protection to helpless Armenia. A plebiscite in Russian Armenia, if fairly held, would probably vote a reconstituted Russia into a mandatory for that region.

With Armenian consciousness of their own capacity to trade, to administer, and to govern in the name of others, there came in the last quarter of the nineteenth century the opportunity to throw their weight into the scale for the reform of Turkey from within, at a time when the dismemberment of Turkey was balanced in European politics against the possibility of her self-redemption. In 1876 a constitution for Turkey was drawn up by the Armenian Krikor Odian, secretary to Midhat Pasha, the reformer, and was proclaimed and almost immediately revoked by Sultan Abdul Hamid.

The foregoing inadequately sketches the story of the wrongs of Armenia down to our own times. From 1876 it is a story of massacre and of broken and violated guaranties.

The Russo-Turkish War ended in 1877 by the treaty of San Stefano, under which Russia was to occupy certain regions

until actual reforms had taken place in Turkey. This treaty, through British jealousy of Russia, was torn up the following year and the futile treaty of Berlin substituted, asking protection but without guaranties. Meantime there had been the convention of Cyprus, by which that island passed to Great Britain, and the protection of Turkey was promised for the Armenians in return for Great Britain's agreement to come to the aid of Turkey against Russia. A collective note of the powers in 1880 was ignored by Turkey. Then followed the agreement of 1895, which was never carried out, and the restoration of the constitution of 1876 in 1908. A further agreement in 1914 was abrogated at the entrance of Turkey in the war—and the last of the series is a secret treaty of 1916 between Great Britain, France, and Russia, the existence and publication of which rest on Bolshevik authority, by which Armenia was to be divided between Russia and France. Meanwhile there have been organized official massacres of the Armenians ordered every few years since Abdul Hamid ascended the throne. In 1895, 100,000 perished. At Van in 1908, and at Adana and elsewhere in Cilicia in 1909, over 30,000 were murdered. The last and greatest of these tragedies was in 1915. Conservative estimates place the number of Armenians in Asiatic Turkey in 1914 at over 1,500,000, though some make it higher. Massacres and deportations were organized in the spring of 1915 under definite system, the soldiers going from town to town. The official reports of the Turkish Government show 1,100,000 as having been deported. Young men were first summoned to the government building in each village and then marched out and killed. The women, the old men, and children were, after a few days, deported to what Talaat Pasha called "agricultural colonies," from the high, cool, breeze-swept plateau of Armenia to the malarial flats of the Euphrates and the burning sands of Syria and Arabia. The dead from this wholesale attempt on the race are variously estimated from 500,000 to more than a million, the usual figure being about 800,000.

Driven on foot under a fierce summer sun, robbed of their clothing and such petty articles as they carried, prodded by bayonet if they lagged, starvation, typhus, and dysentery left thousands dead by the trail side. The ration was a pound of bread every alternate day, which many did not receive, and later a small daily sprinkling of meal on the palm of the outstretched hand was the only food. Many perished from thirst or were killed as they attempted to slake thirst at the crossing of running streams. Numbers were murdered by savage Kurds, against whom the Turkish soldiery afforded no protection. Little girls of 9 or 10 were sold to Kurdish brigands for a few piasters, and women were promiscuously violated. At Sivas an instance was related of a teacher in the Sivas Teachers' College, a gentle, refined Armenian girl, speaking English, knowing music, attractive by the standards of any land, who was given in enforced marriage to the beg of a neighboring Kurdish village, a filthy, ragged ruffian three times her age, with whom she still has to live, and by whom she has borne a child. In the orphanage there maintained under American relief auspices there were 150 "brides," being girls, many of them of tender age, who had been living as wives in Moslem homes and had been rescued. Of the female refugees among some 75,000 repatriated from Syria and Mesopotamia we were informed at Aleppo that 40 per cent are infected with venereal diseases from the lives to which they have been forced. The women of this race were free from such diseases before the deportation. Mutilation, violation, torture, and death have left their haunting memories in a hundred beautiful Armenian valleys, and the traveler in that region is seldom free from the evidence of this most colossal crime of all the ages. Yet immunity from it all might have been purchased for any Armenian girl or comely woman by abjuring her religion and turning Moslem. Surely no faith has ever been put to harder test or has been cherished at greater cost.

Even before the war the Armenians were far from being in the majority in the region claimed as Turkish Armenia, excepting in a few places. To-day we doubt if they would be in the majority in a single community, even when the last survivors of the massacres and deportations have returned to the soil, though the great losses of Turkish population to some extent offset the difference brought about by slaughter. We estimate that there are probably 270,000 Armenians to-day in Turkish Armenia. Some 75,000 have been repatriated from the Syrian and Mesopotamian side, others are slowly returning from other regions, and some from one cause or another remained in the country. There are in the Transcaucasus probably 300,000 refugees from Turkish Armenia and some thousands more in other lands, for they have drifted to all parts of the Near East. The orphanages seen throughout Turkey and Russian Armenia testify to the loss of life among adults. They are Turkish as well as Armenian, and the mission has seen thousands of these pathetic little survivors of the unhappy years of the war. Reports from 20 stations in Turkey show 15,000 orphans receiving American aid, and undoubtedly the number demanding care is double this, for many were seen cared for under the auspices of the Red Crescent, the organization which in Moslem countries corresponds to our Red Cross. Twenty thousand are being cared for at the expense of the various relief agencies in the Transcaucasus. On the route traveled by the mission fully 50,000 orphans are to-day receiving Government or other organized care. We estimate a total of perhaps half a million refugee Armenians as available to eventually begin life anew in a region about the size of New York, Pennsylvania, and Ohio, to which would be added those not refugees who might return from other lands. The condition of the refugees seen in the Transcaucasus is pitiable to the last degree. They subsist on the charity of the American relief organizations, with some help, not great, however, from their more prosperous kinsmen domiciled in that region. Generally they wear the rags they have worn for four years. Eighty per cent of them suffer from malaria, 10 per cent from venereal troubles, and practically all from diseases that flourish on the frontiers of starvation. There are also the diseases that accompany filth, loathsome skin troubles, and great numbers of sore eyes, the latter especially among the children. The hospitals are crowded with such cases.

The refugees in Russian Armenia have hitherto drifted from place to place, but an effort is now being made by the administration of Col. Haskell to concentrate them in several refugee camps. The winter season will see many deaths, for the winters there are extremely severe, fuel is scarce, and shelter inadequate. Medicines are scarce and very dear. Quinine costs approximately $30 a pound. On the Turkish side of the border where Armenians have returned they are gradually recovering their property, and in some cases have received rent for it, but generally they find things in ruins, and face winter out of touch with the American relief, and with only such desultory assistance as the Turkish Government can afford. Things are little if any better with the peasant Turks in the same region. They are practically serfs, equally destitute and equally defenseless against the winter. No doctors or medicines are to be had. Villages are in ruins, some having been destroyed when the Armenians fled or were deported; some during the Russian advance; some on the retreat of the Armenian irregulars and Russians after the fall of the empire. Not over 20 per cent of the Turkish peasants who went to war have returned. The absence of men between the ages of 20 and 35 is very noticeable. Six hundred thousand Turkish soldiers died of typhus alone, it is stated, and insufficient hospital service and absolute poverty of supply greatly swelled the death lists.

In the region which witnessed the ebb and flow of the Russian and Turkish Armies the physical condition of the country is very deplorable. No crops have been raised for several years and the land ordinarily cultivated has gone to weeds. Scarcely a village or city exists which is not largely in ruins. The country is practically treeless.

Where the desperate character of the warfare, with its reprisals of burning and destroying as one side and then the other advanced, has not destroyed the buildings, which are generally of adobe, the wooden beams have been taken for fuel and the houses are ruined. In the territory untouched by war from which Armenians were deported the ruined villages are undoubtedly due to Turkish deviltry, but where Armenians advanced and retired with the Russians their retaliatory cruelties unquestionably rivaled the Turks in their inhumanity. The reconstruction of this country will be little short in difficulty of its original reclamation from virgin wilderness in days when the world was young.

Where the Russian went he built fine macadam highways, and even the main Turkish roads generally built during the war, over which our mission traveled, were passable, and some quite good. All highways are rapidly going to ruin for lack of maintenance. A country once fairly equipped for motor traffic is sliding back to dependence on the camel caravan, the diminutive pack donkey, and the rattly, ramshackly araba wagon. The ox is the principal draft animal. A good highway existed from Erzerum to Trebizond, on the line of the most ancient trade route in the world, that from Persia to the Black Sea, through which, in all ages, the carpets and jewels of Persia have reached the western world. The distance is about 150 miles. The freight rate is now between $145 and $150 per ton.

In the portion of Turkey traversed we heard of brigandage, but experienced no inconvenience. Apparently the Turkish Government, inefficient and wicked as it sometimes is, can

control its people, and does govern. In the region once policed by Russia the relaxation from its iron hand has been great, and life and property are unsafe in many regions. Our mission was fired upon by Kurds in Russian Armenia and several motor cars struck by bullets, and over half the party were kept prisoners one night by Moslems who claimed to have been driven from their villages by Armenians.

In Azarbaijan we were also fired upon. Train wrecks for robbery are frequent on the Transcaucasian Railroad, and the Georgian Government took the precaution to run pilot engines ahead of our train for safety. The highways are unsafe even to the suburbs of the large towns. Practically every man in Georgia and Azarbaijan, outside the cities, carries a rifle. If he desires to stop a traveler on the highway, he motions or calls to him, and if unheeded fires at him.

The relief work consists of the allotment made to the Transcaucasus from the unexpended balance of the hundred millions appropriated by Congress for relief in allied countries, and of the funds contributed through the American Committee for Relief in the Near East. All circumstances considered, the relief administration in the Transcaucasus seems to have been conducted with more than average energy. It has rescued the refugees there from starvation and brought the name of America to a height of sympathy and esteem it has never before enjoyed in this region. It extends now throughout the Near East, and is felt by the wild, ragged Kurd, the plausible Georgian, the suspicious Azarbaijan, the able Armenian, and the grave Turk with equal seriousness. With it, or probably because of it, there has come widespread knowledge of the fourteen points submitted by the President, and "self-determination" has been quoted to the mission by wild Arabs from Shamar and Basra, by every Government in Transcaucasia, by the mountaineers of Daghestan, the dignified and able chiefs of the Turkish nationalist movement at Sivas and Erzerum, and the nomad Kurds who 10 minutes before had fired at our party, thinking us to be Armenians. Undoubtedly some charges of corruption on the part of native officials connected with the relief could be substantiated. Charges of partiality favoring Christian against Moslem in equal distress are not infrequent. Due to inexperience, to difficulties of communication, and other causes, there has been inefficiency on the part of American officials and employees. Enthusiastic young Americans out of touch with the sources of their funds, confronted with the horrors of famine in a refugee population, drew drafts on the good faith and generosity of their countrymen, procedure not usual in the business world, but drafts that were honored nevertheless. Any criticism of unbusinesslike methods must be accompanied with the statement of work accomplished, which has been very great and very creditable to America and her splendid citizens who have so generously contributed to this cause. Col. Haskell has reorganized the work in the Trancaucasus and is getting better results. In some way funds must be found and this work must be continued and the people be sustained until they can harvest a crop. If seed is available for planting, a crop should be due in August, 1920. Even this prospective amelioration only applies to those repossessed of their lands.

There is much to show that, left to themselves, the Turk and the Armenian when left without official instigation have hitherto been able to live together in peace. Their existence side by side on the same soil for five centuries unmistakably indicates their interdependence and mutual interest. The aged Vali of Erzerum, a man old in years and in official experience, informed us that in his youth, before massacres began under Abdul Hamid, the Turk and the Armenian lived in peace and confidence. The Turk making the pilgrimage to the holy cities of Mecca and Medina left his family and property with his Armenian neighbor; similarly the Armenian on the eve of a journey intrusted his treasures to his Turkish friend. Testimony is universal that the massacres have always been ordered from Constantinople. Some Turkish officials were pointed out to us by American missionaries as having refused to carry out the 1915 order for deportation. That order is universally attributed to the Committee of Union and Progress, of which Enver Bey, Talaat Bey, and Djemal Pasha were the leaders. A court has been sitting in the capital practically since the armistice, and one man, an unimportant subordinate, has been hung. Talaat, Enver, and Djemal are at large, and a group of men charged with various crimes against the laws of war are at Malta in custody of the British, unpunished, except as restrained from personal liberty. Various rumors place Enver Bey as scheming in the Transcaucasus, and a French officer is authority for the statement that he has been in Tiflis within two months conferring with Government officials. This man is in Turkish eyes a heroic figure; risen from obscurity by his own efforts, allied by marriage to the Imperial House of Osman, credited with military ability, the possibilities of disturbance are very great should he appear in command of Moslem irregulars on the Azarbaijan-Armenian frontier.

Such are conditions to-day in the regions where the remnant of the Armenian people exist; roads and lands almost back to the wild; starvation only kept off by American relief; villages and towns in ruins; brigandage rampant in the Transcaucasus; lack of medicines and warm clothing; winter coming on in a treeless land without coal. We saw nothing to prove that the Armenians who have returned to their homes in Turkey are in danger of their lives, but their natural apprehension has been greatly increased by unbalanced advice given by officers on the withdrawal of foreign troops from certain regions. The events at Smyrna have undoubtedly cheapened every Christian life in Turkey, the landing of the Greeks there being looked upon by the Turks as deliberate violation by the Allies of the terms of their armistice and the probable forerunner of further unwarranted aggression. The moral responsibility for present unrest throughout Turkey is very heavy on foreign powers. Meantime, the Armenian, unarmed at the time of the deportations and massacres, a brave soldier by thousands in the armies of Russia, France, and America during the war, is still unarmed in a land where every man but himself carries a rifle.

THE POLITICAL SITUATION AND SUGGESTIONS FOR READJUSTMENT.

In seeking a remedy for political conditions which shriek of misery, ruin, starvation, and all the melancholy aftermath, not only of honorable warfare but of bestial brutality, unrestrained by God or man, but which nevertheless prevail under an existing government with which the powers of Europe have long been willing to treat on terms of equality, one's first impulse is to inquire as to the possibility of reform from within. The machinery of government existing, can it be repaired and made a going concern, affording to its people the guarantees of life, liberty, and the pursuit of happiness which the modern world expects of its governments? The case of the Turkish Empire was duly presented to the peace conference in Paris on June 17 last by the Turkish grand vizier, Damad Ferid Pasha, in which he admitted for the Turkish Government of the unhappy region under consideration the commission of "misdeeds which are such as to make the conscience of mankind shudder with horror forever," and that "Asia Minor is to-day nothing but a vast heap of ruins." In the reply made by the council of 10 of the peace conference to the plea of the grand vizier for the life of his empire, the probability of that Government being able to accomplish reforms from within which will satisfy modern requirements and perhaps make amends for past crimes is well weighed in the following words:

> Yet in all these changes there has been no case found, either in Europe or in Asia or in Africa, in which the establishment of Turkish rule in any country has not been followed by a diminution of prosperity in that country. Neither is there any case to be found in which the withdrawal of Turkish rule has not been followed by material prosperity and a rise in culture. Never among the Christians in Europe, nor among the Moslems in Syria, Arabia, or Africa, has the Turk done other than destroy wherever he has conquered. Never has he shown that he is able to develop in peace what he has gained in war. Not in this direction do his talents lie.

It seems likely, therefore, that, as far as the Armenians are concerned, the Turk has had his day, and that further uncontrolled opportunity will be denied him.

With the break-up of Russia, the Transcaucasus found itself adrift. This Transcaucasian region is ethnographically one of the most complicated in the world. In all ages it has been one of the great highways of mankind. Here stragglers and racial remnants have lodged during all the centuries that the tides of migration have swept the base of the great Caucasus Range until to-day its small area contains five great racial groups, divided into some 40 distinct races. Nine of these have arrived in comparatively recent times, but the remaining 31 are more or less indigenous. There are here 25 purely Caucasian races. This racial diversity is complicated by the fact that with the exception of the fairly compact group of Georgians, and one of Tartars, these peoples are inextricably commingled throughout the region. Their civilization varies from the mountain savage to individuals of the highest types. Of the 40 distinct races, the most important groups are the Georgians, the Azarbaijanese Tartars, and the Armenians.

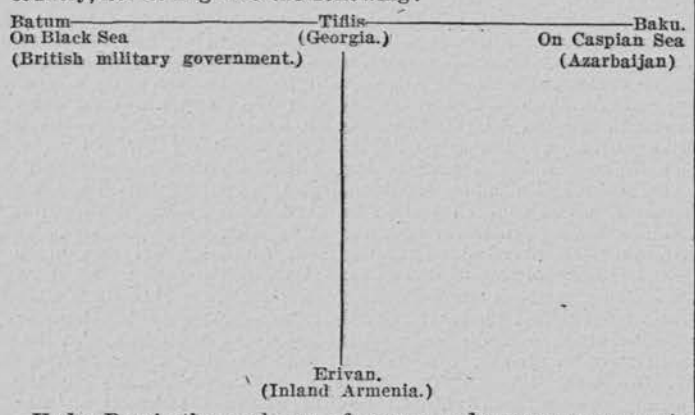
A Transcaucasian confederation formed by all the peoples in that region was followed by an alignment in three small Republics—Georgia, Azarbaijan, and Armenia. Georgia is Christian, and its Iberian population are in the majority; Azarbaijan is Tartar and Moslem; Armenia is made up of the former Provinces that composed Russian Armenia, less the part that went to Azarbaijan in the split, and the majority of its people

are the blood brothers of the Armenians of Turkey in Asia. These Republics have been recognized by none of the powers except Turkey. The Armenian Republic seeks at the peace conference a union with the Turkish Armenians, and the creation of an Armenian State to include Russian Armenia and the six Turkish Vilayets—Van, Bitlis, Diarbekir, Kharput, Sivas, Erzerum—and Cilicia, to be governed by a mandatory of the great powers during a transition state of a term of years in which Armenians of the dispersion may return to their homes, and a constituent assembly be held to determine the form of the eventual permanent government. Georgia and Azarbaijan ask independence at the peace conference with certain adjustments of disputed boundaries in which all Transcaucasia is interested.

Both Georgia and Azarbaijan, living on the salvage from the wreck of Russia, have persuaded themselves that the civilization and governmental and business machinery they have taken over have been theirs from the beginning. The Georgians, with a church of their own antedating that of Russia, and traditions of a Georgian dynasty of Armenian origin which reigned in Tiflis for a thousand years before Russia took over the country in 1802, are a very proud and plausible race. They have been much influenced by the proximity of Bolshevism, fly the red flag of revolution over their own, and have nationalized land, taking it from the original owners without compensation, to sell to peasants. This measure has been unsatisfactory to both peasant and proprietor. The Azarbaijanese are Tartars by blood and Moslem by religion and sympathy. The varied topography of their little country and the diversity of its products make them more independent of outside help than either of the other Transcaucasian Republics. Both Georgian and Azarbaijan Governments live in terror of the forces of Deniken coming south of the Caucasus Mountains. Georgia has her little army on her northern frontier; and Azarbaijan has a tacit agreement with Gen. Deniken to refrain from hostilities against him in return for immunity from attack by his gunboats on the Caspian Sea.

The Russian Armenians are the blood brothers of those in Turkey, and came under Russian domination in 1878. They absorbed many Russian manners and customs, and the wealth and ability of the race gave them a predominant rôle in the Transcaucasus under Russia. Tiflis, which was the Russian capital, has probably the largest Armenian population of any city in the world except New York and Constantinople. They are friendly to Deniken and a reconstituted Russia, and their refusal to join Georgia and Azarbaijan against Deniken caused the break-up of the Transcaucasian Federation.

The dominant civilization in Transcaucasia is Russian. Everything worth while in the country is due to Russian money and Russian enterprise. Besides this common bond, these countries are interdependent in the matter of transportation. From Tiflis, the capital of Georgia, a railroad runs west to the Black Sea at Batum and east to the Caspian Sea at Baku, the capital of Azarbaijan, and south to Erivan, the capital of the Republic of Armenia. The road is one of system, of the Russian gauge, with the three radii from Tiflis, each ending in a different country, something like the following:



Under Russia the road was, of course, under one management, with shops, rolling stock, and policy in common. Georgia now controls the shops, Azarbaijan the oil fuel, and each of the three such rolling stock as it can get. No one of the three trusts the others; no through or continuous traffic is possible without an outside power guaranteeing the return of the rolling stock when it passes from one jurisdiction to another. Georgia does not hesitate to embargo freight against Armenia, and from her position of vantage simply censors the railroad traffic to that unfortunate country. Azarbaijan controls the fuel supply and combines with Georgia against Armenia, which alone of the three has nothing by which to exert leverage. The railroad can neither be consolidated nor properly operated under native control. Roadbed and rolling stock are rapidly deteriorating. An example of the power of Georgia over Armenia is that the latter is not permitted to import either arms or ammunition, though under almost constant menace from its neighbors.

The three Governments from an occidental standpoint are now thoroughly inefficient, without credit, and undoubtedly corrupt. Alone each faces inextricable financial difficulties. Religious differences, added to racial, threaten to embroil them unless brought under a common control. Two of them have no outlet to the Black Sea except through Georgia over the railroad. They have no present intermonetary, postal, or customs union, and, as stated, no definite agreement for common control and use of the railroad, and are in continual squabbles over boundaries. Azarbaijan has no educated class capable of well administering a government; Georgia is threatened by Bolshevism; Armenia is in ruins and partial starvation. All our investigation brings conviction that the people in each would welcome a mandatory by a trustworthy outside power. Russian Armenia would to-day probably vote a mandate to Russia if that power were reconstituted. Georgia recalls its ancient independence and was never thoroughly reconciled to Russian rule. Azarbaijan, Tartar and Moslem, feels a double tie to Turkey and distrusts the Christian, but the more intelligent people realize that outside control is inevitable and even necessary to their relations with Christian countries, and that Turkey is beyond consideration. So closely are the countries related geographically, commercially, and by the habit of generations that this mission not only believes that a mandatory is necessary for them but that it is imperative from the standpoints of peace, order, efficiency, and economy that the same power shall exercise a mandate over them all, leaving for the present their interior boundaries unsettled. The ultimate disposition or form of government of these States, other than that they may look forward to autonomy, but not necessarily independence, should, in our opinion, not now be announced. Their capacity for self-government and their ability to sustain amicable and workable relations among themselves remain to be tested under control by such power as may be induced to undertake its supervision, facing a long period of tutelage for possibly unappreciative and ungrateful pupils, much expense, probably diplomatic embarrassment from a reconstitution of Russia, and little reward except the consciousness of having contributed to the peace of the world and the rehabilitation of oppressed humanity.

The covenant of the League of Nations contemplates that "certain communities *formerly* belonging to the Turkish Empire" shall be subject to a mandatory power for an unstated period, thus appearing to recognize in advance the dismemberment to some degree of that Empire. [The italic is ours.] This, in connection with the arraignment of the Turkish Government in the reply of the peace conference, partly quoted on page 15 ante (see p. 6), may not unreasonably be construed to apply to any or all parts of the Turkish Empire as fast as they reach a certain stage of development. As between actual dismemberment and a receivership for his entire country, the Turk would beyond doubt prefer a mandatory for the whole Empire as it may stand after adjudication by the peace conference. Bad as he is, without the pale of consideration from many standpoints, there would seem to be no objection to action taken in his interest and in line with his preference if the interest and inclination of the world lie in the same direction.

A power which should undertake a mandatory for Armenia and Transcaucasia without control of the contiguous territory of Asia Minor—Anatolia—and of Constantinople, with its hinterland of Roumelia, would undertake it under most unfavorable and trying conditions, so difficult as to make the cost almost prohibitive, the maintenance of law and order and the security of life and property uncertain, and ultimate success extremely doubtful. With the Turkish Empire still freely controlling Constantinople, such a power would be practically emasculated as far as real power is concerned. For generations these peoples have looked to Constantinople as the seat of authority. The most intelligent and ambitious Armenians have sought the capital as a career. The patriarch of the Armenian Church in Constantinople, although subordinate in matters of doctrine to the Catholicos at Etchmiadzin, is in reality the political head of the Armenian people by his location in Constantinople. Every people in the Empire is numerously represented at the capital, the Armenians reaching before the war the number of 150,000, with business connections ramifying to distant corners of the entire country. To no small degree the

future business and industrial development of their native land will depend upon these men. Transportation lines and commerce center at Constantinople. Before the war Constantinople was the most important port in continental Europe, reckoned upon the basis of shipping clearances. There are well-informed business men who believe it is destined to become the third most important commercial city in the world. But, through generations of habit, unless put under a mandatory, Constantinople will continue to be a whirlpool of financial and political currents. Concession hunting, financial intrigue, political exploitation, and international rivalries will center there in the future as in the past. Concerted international action for administration of Constantinople is impracticable. All concerts for governmental action are cumbersome; all concerts must have a leader to secure effectiveness, and were it possible to agree upon one power which should really lead, the reality of a mandate would exist with the handicap of a camouflage concert. In any concert for the future government of Constantinople there would still exist the temptation for single powers to play politics and befriend Turkey for value received. There must be actual control, for responsibility without authority is worse than useless in a land of oriental viewpoints.

As Americans, supposed to be disinterested, this mission was the recipient of confidences from the various sources. Turks when not deriding foreign efforts were deploring their effect on their unfortunate Empire. Without dependable centralized control of Constantinople, a power exercising mandate in Armenia would be crippled in administration, restricted in trade development, ridden by concessionaires, dependent on Turkish discredited diplomacy for redress of local and boundary grievances, and in extreme case practically cut off from communication with the western world. It is believed that allied sentiment is so crystallized in the opinion that Constantinople must be placed under a mandatory that it may safely be assumed for the purposes of this report that this will be done.

Conceded that there shall be a mandate for Armenia and Transcaucasia and one for Constantinople and Anatolia, there are many considerations that indicate the desirability of having such mandates exercised by the same power. If separate powers exercised such mandate the inevitable jealousies, hatreds, exaggerated separatist tendencies, and economic difficulties would compel failure. With all its faults the Turkish Empire is an existing institution and it has some rusty, blood-stained political machinery which under control of a strong mandatory can be made to function. The peoples in question live in adjacent territory and whether they wish it or not are neighbors. A single mandatory for the Turkish Empire and the Transcaucasus would be the most economical solution. No intelligent scheme for development of railroads for Transcaucasia and Armenia can be worked out without extension into Anatolia. Natural highways through the high mountains of Armenia are few, and transportation development will, with proper feeders, at best be costly and difficult; without access into Anatolia it will be impossible. For many years the expenses of exploitation will not be met by equivalent receipts. This situation would be alleviated by control of both regions. With Constantinople, Anatolia, and Armenia in different hands, the manufacturers and exporters of Armenia could not hope for an equal share in the commerce and trade of the Near East.

The Armenian Patriarch, the head of the Armenian Protestants, and others at Constantinople, on our return from Armenia, called and volunteered the belief that the Armenian question could not be settled within the boundaries of that country, and that they were prepared to pass under a single mandate which should include the other parts of the Turkish Empire. In a later written statement, however, they modified this, stating that while "Different nations of this Empire may enjoy the help of the same mandatory power" they felt that to bring Armenia under the same system of administration as that of the Turks would defeat the object of the development of Armenian ideals, "because by assuring the individual rights of a people the national rights and ideals of the same people can not necessarily be assured"; that "Giving a good government to the whole Turkish Empire will not induce the Armenians to gather to their native land. They will still be a scattered people, etc."

A party of distinguished Turks, including a former cabinet minister of high standing and a diplomat who for eight years represented his country at one of the European courts, stated that as between the independence of Turkey as it existed in 1914 and a mandate for the Empire given to the United States, they greatly preferred the latter, and believed that they spoke for the educated classes of all Turkey.

It has been very evident to this mission that Turkey would not object to a single disinterested power taking a mandate for her territory as outlined in the armistice with the Allies, and that it could be accomplished with a minimum of foreign soldiery, where an attempt to carve out territory for any particular region would mean a strong foreign force in constant occupation for many years. The aim of the Nationalist, or National Defense Party, as its adherents style it, as stated by Mustapha Kemal Pasha, its head, is the preservation of the territorial integrity of the Empire under a mandatory of a single disinterested power, preferably America.

The mission, while at Sivas, had a conference with the chiefs of this party, which held a congress at Erzerum in July and one at Sivas in September. This movement has been the cause of much apprehension on the part of those interested in the fate of the Armenians, to whose safety it has been supposed to portend danger. The leader, Mustapha Kemal Pasha, is a former general officer in the Turkish Army, who commanded with distinction an army corps at the Dardanelles, and appears to be a young man of force and keen intelligence. He is supposed to have resigned from the army to lead this movement. It sought, as a means to its end, the overthrow of the Ferid Pasha cabinet, which has since fallen, claiming that it was entirely under the influence of one of the great powers which itself desires a mandate for the Empire. While professing entire loyalty to the Sultan, the Nationalist leader had gone to the extremity of cutting all official telegraph communications between the capital and the interior, pending the removal of the cabinet. The fall of the Damad Ferid Pasha ministry in October would seem to put the Empire behind the movement, for the Turkish officials in the interior were already identified with it. In a statement given out on October 15, Mustapha Kemal said:

> The Nationalist Party recognized the necessity of the aid of an impartial foreign country. It is our aim to secure the development of Turkey as she stood at the armistice. We have no expansionist plans, but it is our conviction that Turkey can be made a rich and prosperous country if she can get a good government. Our government has become weakened through foreign interference and intrigues. After all our experience we are sure that America is the only country able to help us. We guarantee no new Turkish violences against the Armenians will take place.

The events of the Greek occupation of Smyrna and the uneasiness produced by the activities and propaganda of certain European powers have so stirred the Turkish people in the long interval since the armistice that the mission fears that an announcement from Paris at this time of an intention to carve from Turkey a State of Armenia, unless preceded by a strong military occupation of the whole Empire, might be the signal for massacres of Christians in every part of the country. There is no wisdom in now incorporating Turkish territory in a separate Armenia, no matter what the aspirations of the Armenians. Certainly it is unwise to invite trouble which may be avoided by the consolidation of the mandate region under a single power. Under one mandatory they will be neighbors. Under two or more they will be rivals, their small differences subjected to the interminable processes of diplomatic representation, with the maintenance of duplicate and parallel establishments in many lines of governmental activity. Only under a single mandatory can the matter of ultimate boundaries be deferred, which is believed by this mission to be important.

In the proposition to carve an independent Armenia from the Ottoman Empire there is something to be said on the part of the Turk; namely, that his people, even when all the refugees shall have returned to their homes, will be in the majority in the region contemplated for a reconstituted Armenia—and they were in the majority before the deportations took place—even though due, as it may be, to the gerrymandering of provincial boundaries and the partial extermination of a people. Notwithstanding his many estimable qualities, his culture, and his tenacity of race and religion, the Armenian generally does not endear himself to those of other races with whom he comes in contact. The Armenian stands among his neighbors very much as the Jew stands in Russia and Poland, having, as he does, the strong and preeminent ability of that race. He incurs the penalty which attaches among backward races to the banker, the middleman, and the creditor. Unjust as it may be, the sentiment regarding him is expressed by this saying current in the Near East: "The Armenian is never legally in the wrong; never morally in the right." Even the American missionary, who in so many instances has risked his life for his Armenian charges, does not, as a rule, personally like the Armenian as well as he does the more genial but indolent and pleasure-loving Turk. The Armenian is not guiltless of blood himself; his memory is long, and reprisals are due and will doubtless be made if opportunity offers. Racially allied to the wild Aryan Kurd, he is cordially hated by the latter. Kurds appealed to this mission, with tears in their eyes, to protect them from Armenians who had driven them from their villages,

appealing to be allowed to go back to their homes for protection against the rigorous winter now rapidly approaching on the high interior plateau. The Kurds claim that many of their people were massacred under the most cruel circumstances by Armenian irregulars accompanying the Russian Bolshevists when the Russian Army went to pieces after the collapse of the Empire.

Similar claim is made by the people of Erzerum, who point to burned buildings in which hundreds of Turks perished, and by the authorities of Hassan-Kala, who give the number of villages destroyed by the Armenians in their great plain as 43. According to British Consul Stevens, at Batum, these statements were verified by a commission which examined into the allegations and on which Armenians had a representation. In Baku the massacre of 2,000 Azarbaijanese by Armenians in March, 1918, was followed by the killing of 4,000 Armenians by Azarbaijanese in November of the same year. From the standpoint of this mission the capacity of the Armenian to govern himself is something to be tested under supervision. With that still in doubt, the possibility of an Armenian minority being given authority over a Moslem majority, against whom its hearts are filled with rancor for centuries of tyranny, may well justify apprehension. There are very many who believe that the best elements of the Armenian race have perished. It is believed that with the reestablishment of order in their native country many of those who have emigrated to other countries will return. That, however, can only come with time, and even then it is doubted if many of the wealthy and influential Armenians long domiciled in happier lands will return to their somewhat primitive ancient home, even though such absentees have raised their voices most loudly for an autonomous Armenia. Certainly with arbitrary boundaries on the Anatolia side determined only by Armenian wishes, expediency, tradition, or even verified historical claims of former occupation, without regard to the present population, the mandatory powers for both Anatolia and Armenia should inaugurate government by placing a cordon of trustworthy foreign soldiers from the Black Sea to the Mediterranean. With a single power in control of both peoples and boundaries unannounced except as they have hitherto existed, such difficulties would not arise. Against such combination of authority and postponement of delimitation of boundaries is to be weighed the unchangeable belief of many that the Turk at the end of his tutelage will still be the Turk, bloodthirsty, unregenerate, and revengeful, and that it is unthinkable that Armenia shall ever again form part of a country which may be governed by him; that the sufferings of centuries should now be terminated by definite and permanent separation of Armenia from Turkey, and that this plan seems to contemplate a tutelage of indefinite length. To this the reply is that the Armenian should have no fear to submit his case to the League of Nations—the court of the world—and that he must in the meantime prove his capacity not only to govern himself but others, and that at the behest of the great powers a plebiscite could be had and the mandatory at any time be terminated by detachment of his territory from Anatolia as well as now and with much greater safety to him and convenience to his benefactors.

The conclusion of the American military mission to Armenia is that the remedy for the existing conditions in Armenia and the Transcaucasus is a mandatory control to be exercised by a single great power. The Armenian question can not be settled in Armenia. It can not be finally settled without answering two questions:

What is to be done with Turkey?

What is Russia going to do?

Pending the ultimate settlement of these questions the mission believes that, for reasons set forth, the power which takes a mandate for Armenia should also exercise a mandate for Anatolia, Roumelia, Constantinople, and Transcaucasia; the boundaries of the Turkish vilayets of Armenia and Anatolia and the interior boundaries of Russian Armenia, Georgia, and Azarbaijan to remain substantially as they are for the present. The divisions of such mandate are an administrative detail to be worked out by the mandatory power. Good administration indicates that there should be some intermediate authority between the Provinces and the capital. A natural subdivision of such a mandate as has been indicated would probably be: Roumelia, city of Constantinople (federal district), Anatolia, Armenia, district of Transcaucasia (less Russian Armenia).

The inclusion of the whole Turkish Empire under the government of a single mandatory would be simpler and proportionately more economical than to divide it. A plebiscite fairly taken would in all probability ask for an American mandate throughout the Empire. Syria and Mesopotamia, however, not being considered essential to the settlement of the Armenian question or as being the field for possible American responsibilities and interests in the Near East as contemplated in the instructions to the mission, because actually occupied by France and Great Britain at this time, have been considered by us as excluded from our considerations, as is for a similar reason Arabia. In its belief that the Armenian problem is only to be solved by a mandatory which should include also Constantinople, Anatolia, Turkish Armenia, and the Transcaucasus, the mission has the concurrence of many Americans whose views by reason of long residence in the Near East are entitled to great weight. Such Americans are practically a unit in believing that the problems of Armenia, Anatolia, Constantinople, and Transcaucasia must be considered as an inseparable whole.

The mission has a strong conviction that the nation which may be induced by its colleagues to undertake this mandate should be one prepared to steadfastly carry out a continuity of policy for at least a generation, and to send only its most gifted sons to leadership in the work without regard to political affiliations. Only on the certainty of continuity of a nonpartisan policy would the best men forsake their careers in their own country to take up the burdens in these eastern lands. No disinterested nation would undertake such a mandatory except from a strong sense of altruism and international duty to the peace of the world in this breeding place of wars and at the unanimous wish of other parties to the covenant of the League of Nations.

No duty of modern times would be undertaken under so fierce a glare of publicity. Such nation would hold the center of the international stage, with the spotlight from every foreign office and from every church steeple in the world focussed upon it. No nation could afford to fail, or to withdraw when once committed to this most serious and difficult problem growing out of the Great War. No nation incapable of united and nonpartisan action for a long period should undertake it.

THE CONDITIONS AND PROBLEMS INVOLVED IN A MANDATE FOR TURKEY AND TRANSCAUCASIA.

This report has heretofore endeavored to consider the conditions and questions of which it treats in the abstract sense applicable to any nation which might be induced to assume the task of a practical regeneration of this region. Its interest for our country, however, lies in the possibility that the United States may be called upon by the world to undertake the task, and the necessity, therefore, of knowing what it would mean for America. The problems for the United States would not be identical with those of any other nation which might undertake it. A not too sympathetic Old World, without pretensions to altruism or too much devotion to ideals, will expect of America in the Near East the same lofty standards shown in Cuba and the Philippines—the development of peoples rather than of material resources and commerce. Distance, our time-honored detachment from the affairs of the Old World, our innocence from participation in the intrigues which have hitherto characterized intercourse with the Turk, our freedom from bias through the necessity of considering Moslem public opinion in other parts of the world, and the fact that we have no financial interest in the great foreign debt of the Ottoman Empire, give America a viewpoint and an advantage in approaching the situation that are enjoyed by no other great power.

A great part of the work of the mission has been devoted to a consideration of the situation as it would affect our own country should it be invited to assume a mandate in the Near East. The problem as a whole has been kept in mind while individual members of the mission have made special inquiry into different matters of which knowledge is necessary to reach an intelligent appreciation of the difficulties to be solved in this region. Each of these studies constitutes a unit on the subject with which it deals, too important to justify the risk of an attempt at epitomizing for this report. They are therefore submitted as appendices, as follows:

A. Political Factors and Problems, by Capt. Stanley K. Hornbeck, Ordnance Department, United States Army.

B. Government in Turkey and Transcaucasia, by Lieut. Col. Jasper Y. Brinton, judge advocate, United States Army.

C. Public and Private Finance of Turkey and Transcaucasia, by Prof. W. W. Cumberland.

D. Commerce and Industry in Turkey and Transcaucasia, by Trade Commissioner Eliot Grinnell Mears.

E. Public Health and Sanitation, by Col. Henry Beeuwkes, Medical Corps, United States Army.

F. Population; Industrial and Other Qualities; Maintenance, by Lieut. Col. John Price Jackson, Engineers, United States Army.

G. Climate, Natural Resources, Animal Industry, and Agriculture, by Lieut. Col. E. Bowditch, Infantry, United States Army.

H. Geography, Mining, and Boundaries, by Maj. Lawrence Martin, General Staff, United States Army.

I. The Press of Turkey and Transcaucasia, by Maj. Harold W. Clark, Infantry, United States Army.

J. The Military Problem of a Mandatory, by Brig. Gen. George Van Horn Moseley, General Staff, United States Army.

K. Transport and Communications in Asia Minor and the Transcaucasus, by William B. Poland, engineer member of the mission.

L. Bibliography.

THE MILITARY PROBLEM.

Our country has so recently sent its young manhood to war overseas and the heart of the Nation is so sensitive to any enterprise which calls for its sons to serve as soldiers in distant lands that the greatest interest attaches to the military problem involved in any mandate to which our people may ever give consideration.

The immediate problems which would lie before the Army and Navy of a mandatory power in Turkey and Transcaucasia are:

(a) The suppression of any disorder attendant upon withdrawal of occupying troops and the initiation of the government.

(b) The maintenance of order until a constabulary could be organized for the rural police of the mandatory region.

(c) To help organize and train a native constabulary.

(d) To constitute a reserve for moral effect, for possible actual use in supplementing the local constabulary in case of emergency, and for the prestige of the mandatory government in a region which has been governed by force since the beginning of history.

The inauguration of a mandatory government would be followed at a very early date by the withdrawal of the foreign troops now occupying the region and by the dissolution as soon as practicable of the permanent military establishments now maintained by Turkey and Transcaucasia. The United States accepting the mandate at the request of the other great powers and of the peoples interested, no resistance to her troops would be anticipated. On the contrary, they would doubtless be welcomed. No problem of external defense of the country occupied would exist.

(a) The present occupying force of the regions now under consideration, Roumelia, Constantinople, Anatolia, and Transcaucasia, excluding five Greek divisions occupying Smyrna, is the Army of the Black Sea and the troops in Cilicia, comprising about 50,000 of the British, French, Italian, and Greek Governments. The regular troops of Turkey and Transcaucasia to be disbanded in the same region at the convenience of the mandatory government aggregate about 92,000 men. The gendarmerie of Turkey amounts to about 30,000 men. The loss of man power in Turkey has been appalling, and too many men are still absent from work and carrying rifles.

It is not thought that any serious disorder would attend this substitution of the troops of the mandatory power for the army of occupation and for the native regular forces.

(b) During the formation of an efficient native constabulary, a period of six months to a year, small garrisons would have to be furnished along the railroads and in isolated towns, especially on the old frontiers, where feeling runs high between races. This would give security while the various nationals are being repatriated, reconstructing their homes, and adjusting themselves to new conditions. The suppression of outlaw bands, which already exist in some localities, and the formation of which in eastern countries invariably follows the disbandment of armies after a long war, would call for constant use of a certain number of United States troops pending the completion of the constabulary organization for service. During this period the disarmament of the civilian population would be accomplished.

(c) The first duty of a mandatory would be to guarantee the safety of life and property through the country, and to this end its earliest efforts should be directed to the establishment of a native rural police or constabulary for the suppression of brigandage, outlawry, and other crimes outside the towns. This force, with a military organization, should be a force of peace officers as that term is used in our own country, empowered to make arrests of criminals of all kinds, serve warrants, execute orders of arrest, etc. While decentralized in its administration, and destined eventually to operate in small bodies, it should be a Federal force, cooperating with but not serving under provincial officials. Its personnel should absorb the best elements of the present gendarmerie, and also provide suitable employment for deserving officers of the disbanded armies. For a considerable period its highest officers would necessarily be Americans, but as fast as the quality of the native officers justifies, the force should become native. The strength of the constabulary should be such as to enable it to take over the whole task of maintaining order outside the towns and release American troops at the earliest practicable date. Coincident with the organization of the constabulary would be the creation of efficient municipal police.

(d) Considering the uncertain character of the neighboring populations, the traditional lawlessness of migratory Kurds and Arabs, and the isolation of certain regions where the temptation to reprisals for past wrongs will be strong for at least a generation, a certain force must be kept in hand to supplement the native constabulary when needed. Such a force will also be necessary for general moral effect. Its mere existence will prevent organized disorder on a scale too large for a peace force to handle. Such a force would be stationed near the capital, trained for quick expeditionary work, and sent where needed.

The character of the troops should be suited to the purpose for which used. For expeditionary purposes, marines or infantry with artillery would be best. For moral effect in the interior and during the period of constabulary organization, cavalry would be preferable. A small, efficient air service should be maintained. The aeroplane is not only a means of very rapid communication, but its value for dealing with a distant small problem among half-wild tribes can not be overestimated. The country much resembles Mexico, and the conditions would be not unlike our border cavalry service. A regiment of railway engineers would be a necessity. During the initial period of the mandatory, troops would be needed in connection with the general problem of sanitation and cleaning up, and an extra proportion of sanitary troops would be necessary.

Estimates of the necessary number of mandatory troops vary greatly—from 25,000 to 200,000. Conditions change so rapidly that plans made to-day for the use of troops might be obsolete in six months. Uncertainty as to the time the mandate will be tendered and accepted make estimates merely approximate. Under conditions as they exist to-day the undersigned believes that a force of two American divisions, with several hundred extra officers, or a total force of 59,000, would be ample. Such force would be specially organized; one aeroplane squadron; a minimum of artillery; not to exceed one regiment of 75's motorized; a minimum of the special services; four times the usual number of sanitary troops; four regiments of cavalry, with minor changes in organization at the discretion of the senior general officer on duty with the mandatory government. This force should be substantially reduced at the end of two years, and by 50 per cent at the end of the third year. After that some further reduction could be slowly effected, but the irreducible minimum would be reached at about the strength of one division.

The annual cost for the force of the Army above stated would be at the maximum:

For the first year	$88,500,000
At the end of two years perhaps	59,000,000
At the end of three years	44,250,000

with thereafter a continuing appropriation of that sum less such amount as the local revenues could afford, probably a very substantial fraction of the cost.

To offset our expenditures there would be available at least a part of the naval and military budget hitherto used for the support of the disbanded armies in the region. In Turkey before the war this totaled about $61,000,000 annually for the Army, including $5,000,000 for the Navy.

The Naval Establishment should consist of a station ship for the capital, and probably one each for Smyrna, Mersina, Batum, and Baku, to meet local needs in quick transportation of troops. A transport of light draft capable of carrying a complete regiment should be permanently on station at the capital. Four to six destroyers would be needed for communication and moral effect. Collier, repair, and hospital service afloat should be in proportion. Old ships of obsolete type would probably answer for all except the station ship at the capital and the destroyers. Some ships of the Turkish Navy, of which there are over 30, could doubtless be used with American crews soon to be replaced by natives.

The Naval Establishment might not entail any additional Federal appropriations. Ships and personnel could probably be drawn from existing establishment; the only additional expense would probably be the difference in cost of maintenance in near eastern and home waters.

It is very important that a proper military and naval setting be given the mandatory government at the beginning. In no part of the world is prestige so important, and in no region have people been so continuously governed by force. The mandatory could at the outset afford to take no unnecessary risks among such a population in densest ignorance as to our resources and our national traits.

CONCLUSIONS.

This mission has had constantly in mind the moral effect to be exercised by its inquiry in the region visited. Very alarming reports had been received from Transcaucasia for several months before its departure from France, particularly as to organized attacks by the Turkish Army impending along the old international border between Turkey and Russia. The itinerary of the mission through Turkey was planned with those reports before it and with the intention of observing as to their truth

and, if possible, to exert a restraining influence. We practically covered the frontier of Turkey from the Black Sea to Persia, and found nothing to justify the reports. The Turkish Army is not massed along the border; their organizations are reduced to skeletons; and the country shows an appalling lack of people, either military or civilian. At every principal town through which we passed the chief of the mission held a conference with the Turkish officials. Inquiry was made as to the Christian community, some were always interviewed; the interest of America in its own missionaries and in the native Christians was invariably emphasized; the Armenian deportations, the massacres, and the return of the survivors were discussed on each occasion, as well as other matters intended to convince Turkish officials that their country is on trial before the world. The visit of the mission has had a considerable moral effect in securing the safety of Christian lives and property pending action by the peace conference.

We would again point out that if America accepts a mandate for the region visited by this mission it will undoubtedly do so from a strong sense of international duty, and at the unanimous desire—so expressed at least—of its colleagues in the League of Nations. Accepting this difficult task without previously securing the assurance of conditions would be fatal to success. The United States should make its own conditions as a preliminary to consideration of the subject—certainly before and not after acceptance, for there are a multitude of interests that will conflict with what any American would consider a proper administration of the country. Every possible precaution against international complications should be taken in advance. In our opinion, there should be specific pledges in terms of formal agreements with France and England and definite approval from Germany and Russia of the dispositions made of Turkey and Transcaucasia, and a pledge to respect them.

Of particular importance are the following:

Absolute control of the foreign relations of the Turkish Empire, no ambassador, envoy, minister, or diplomatic agent to be accredited to Turkey, and the latter to send none such abroad.

Concessions involving exclusive privileges to be subject to review if shown to be contrary to the best interests of the State.

Concessions undesirable from the standpoint of the mandatory upon which work has not been started to be canceled. Compensation to be allowed to holders when necessary.

The system by which specified revenues are assigned for particular purposes to be discarded. All revenues to be controlled by the treasury, and all creditors to look only to the treasury as the source of payment.

Foreign control over Turkey's financial machinery to cease, meaning the dissolution of the council of administration of the Ottoman public debt, reserving the right to retain some individual members of the council as advisers because of their familiarity with Ottoman finances.

All foreign obligations of the Empire to be unified and refunded.

Those countries receiving territory of the Turkish Empire, e. g., Syria and Mesopotamia, to assume their reasonable share of the paper currency, of the foreign obligations, and of obligation for possible reparation payments.

Abrogation, on due notice, of existing commercial treaties with Turkey.

All foreign Governments and troops to vacate territorial limits of mandate at dates to be fixed by the mandatory power.

Consent to many of these measures would not easily be obtained. Many nations now have some sort of financial control within the Ottoman Empire, and they would not see this control taken away without protest.

It needs no argument, however, to show that the United States could not submit to having her financial policies controlled from foreign capitals. The refunding of the debt, possibly with a reduction of the capital amount, would raise a storm of protest, but it should be insisted upon. Otherwise an American administration would be embarrassed and run the risk of being discredited.

The mission has not felt that it is expected to submit a recommendation as to the United States accepting a mandate in the Near East. It, therefore, simply submits the following summary of reasons for and against such action, based on all information obtainable during six weeks' constant contact with the peoples of the region:

Reasons for.	*Reasons against.*
1. As one of the chief contributors to the formation of the League of Nations, the United States is morally bound to accept the obligations and responsibilities of a mandatory power.	1. The United States has prior and nearer foreign obligations, and ample responsibilities with domestic problems growing out of the war.
Reasons for—Continued.	*Reasons against*—Continued.
2. The insurance of world peace at the world's crossways, the focus of war infection since the beginning of history.	2. This region has been a battle ground of militarism and imperialism for centuries. There is every likelihood that ambitious nations will still maneuver for its control. It would weaken our position relative to Monroe doctrine and probably eventually involve us with a reconstituted Russia. The taking of a mandate in this region would bring the United States into the politics of the Old World, contrary to our traditional policy of keeping free of affairs in the Eastern Hemisphere.
3. The Near East presents the greatest humanitarian opportunity of the age—a duty for which the United States is better fitted than any other—as witness Cuba, Porto Rico, Philippines, Hawaii, Panama, and our altruistic policy of developing peoples rather than material resources alone.	3. Humanitarianism should begin at home. There is a sufficient number of difficult situations which call for our action within the well-recognized spheres of American influence.
4. America is practically the unanimous choice and fervent hope of all the peoples involved.	4. The United States has in no way contributed to and is not responsible for the conditions, political, social, or economic, that prevail in this region. It will be entirely consistent to decline the invitation.
5. America is already spending millions to save starving peoples in Turkey and Transcaucasia and could do this with much more efficiency if in control. Whoever becomes mandatory for these regions we shall be still expected to finance their relief, and will probably eventually furnish the capital for material development.	5. American philanthropy and charity are world wide. Such policy would commit us to a policy of meddling or draw upon our philanthrophy to the point of exhaustion.
6. America is the only hope of the Armenians. They consider but one other nation, Great Britain, which they fear would sacrifice their interests to Moslem public opinion as long as she controls hundreds of millions of that faith. Others fear Britain's imperialistic policy and her habit of staying where she hoists her flag. For a mandatory America is not only the first choice of all the peoples of the Near East but of each of the great powers, after itself. American power is adequate; its record clean; its motives above suspicion.	6. Other powers, particularly Great Britain and Russia, have shown continued interest in the welfare of Armenia. Great Britain is fitted by experience and government, has great resources in money and trained personnel, and though she might not be as sympathetic to Armenian aspirations, her rule would guarantee security and justice. The United States is not capable of sustaining a continuity of foreign policy. One Congress can not bind another. Even treaties can be nullified by cutting off appropriations. Nonpartisanship is difficult to attain in our Government.
7. The mandatory would be self-supporting after an initial period of not to exceed five years. The building of railroads would offer opportunities to our capital. There would be great trade advantages not only in the mandatory region but in the proximity to Russia, Roumania, etc. America would clean this hotbed of disease and filth as she has in Cuba and Panama.	7. Our country would be put to great expense, involving probably an increase of the Army and Navy. Large numbers of Americans would serve in a country of loathsome and dangerous diseases. It is questionable if railroads could for many years pay interest on investments in their very difficult construction. Capital for railways would not go there except on Government guaranty. The effort and money spent would get us more trade in nearer lands than we could hope for in Russia and Roumania. Proximity and competition would increase the possibility of our becoming involved in conflict with the policies and ambitions of States which now our friends would be made our rivals.
8. Intervention would be a liberal education for our people in world politics; give outlet to a vast amount of spirit and energy and would furnish a shining example.	8. Our spirit and energy can find scope in domestic enterprises, or in lands south and west of ours. Intervention in the Near East would rob us of the strategic advantage enjoyed through the Atlantic, which rolls between us and probable foes. Our reputation for fair dealing might be impaired. Efficient supervision of a mandate at such distance would be difficult or impossible. We do not need or wish further education in world politics.
9. It would definitely stop further massacres of Armenians and other Christians, give justice to the Turks, Kurds, Greeks, and other peoples.	9. Peace and justice would be equally assured under any other of the great powers.
10. It would increase the strength and prestige of the United States abroad and inspire interest at home in the regeneration of the Near East.	10. It would weaken and dissipate our strength, which should be reserved for future responsibilities on the American continents and in the Far East. Our line of communication to Constantinople would be at the mercy of other naval powers, and especially of Great Britain, with Gibraltar and Malta, etc., on the route.

Reasons for—Continued.

11. America has strong sentimental interests in the region—our missions and colleges.

12. If the United States does not take responsibility in this region, it is likely that international jealousies will result in a continuance of the unspeakable misrule of the Turk.

13. "And the Lord said unto Cain, 'Where is Abel, thy brother?' And he said, 'I know not; am I my brother's keeper?'"

Better millions for a mandate than billions for future wars.

Reasons against—Continued.

11. These institutions have been respected even by the Turks throughout the war and the massacres; and sympathy and respect would be shown by any other mandatory.

12. The peace conference has definitely informed the Turkish Government that it may expect to go under a mandate. It is not conceivable that the League of Nations would permit further uncontrolled rule by that thoroughly discredited Government.

13. The first duty of America is to its own people and its nearer neighbors.

Our country would be involved in this adventure for at least a generation, and in counting the cost Congress must be prepared to advance some such sums, less such amount as the Turkish and Transcaucasian revenues could afford, for the first five years, as follows:

FIRST YEAR.

General government	$100,000,000
Communications, railroads, etc	20,000,000
Relief, repatriation, education, etc	50,000,000
Army and Navy	88,500,000
Sanitation	17,000,000
Total	275,500,000

SECOND YEAR.

General government	75,000,000
Communications, railroads, etc	20,000,000
Relief, education, etc	13,000,000
Army and Navy	59,000,000
Sanitation, etc	7,264,000
Total	174,264,000

THIRD YEAR.

General government	50,000,000
Communications, railroads, etc	20,000,000
Relief, education, etc	4,500,000
Army and Navy	44,250,000
Sanitation, etc	5,000,000
Total	123,750,000

FOURTH YEAR.

General government	25,000,000
Communications, railroads, etc	20,000,000
Relief, education, etc	4,500,000
Army and Navy	44,250,000
Sanitation, etc	3,000,000
Total	96,750,000

FIFTH YEAR.

General government	15,000,000
Communications, railroads, etc	20,000,000
Relief, education, etc	4,500,000
Army and Navy	44,250,000
Sanitation, etc	2,000,000
Total	85,750,000

SUMMARY.

Total first year	275,500,000
Total second year	174,264,000
Total third year	123,750,000
Total fourth year	96,750,000
Total fifth year	85,750,000
Grand total	756,014,000

14. Here is a man's job that the world says can be better done by America than by any other. America can afford the money; she has the men; no duty to her own people would suffer; her traditional policy of isolation did not keep her from successful participation in the Great War. Shall it be said that our country lacks the courage to take up new and difficult duties?

Without visiting the Near East it is not possible for an American to realize even faintly the respect, faith, and affection with which our country is regarded throughout that region. Whether it is the world-wide reputation which we enjoy for fair dealing, a tribute perhaps to the crusading spirit which carried us into the Great War, not untinged with hope that the same spirit may urge us into the solution of great problems growing out of that conflict, or whether due to unselfish and impartial missionary and educational influence exerted for a century, it is the one faith which is held alike by Christian and Moslem, by Jew and Gentile, by prince and peasant in the Near East. It is very gratifying to the pride of Americans far from home. But it brings with it the heavy responsibility of deciding great questions with a seriousness worthy of such faith. Burdens that might be assumed on the appeal of such sentiment would have to be carried for not less than a generation under circumstances so trying that we might easily forfeit the faith of the world. If we refuse to assume it, for no matter what reasons satisfactory to ourselves, we shall be considered by many millions of people as having left unfinished the task for which we entered the war, and as having betrayed their hopes.

Respectfully submitted.

JAMES G. HARBORD,
Major General, United States Army, Chief of Mission.

Mr. ROBINSON. I understand, Mr. President, that the resolution goes over until Monday?

Mr. LODGE. Yes; I shall ask to lay it aside in a moment. It is the unfinished business. I do not want it to lose that position.

Mr. ROBINSON. With the understanding that it will not be taken up again until Monday? I make that suggestion to the Senator from Massachusetts, because I do not concur in the statement just made by the Senator from Mississippi [Mr. WILLIAMS] that the vote should be taken at once. I think the matter is of so much importance, and the Senate is so manifestly lacking in familiarity with the facts which are involved in a proper determination of the question, that a reasonable time should be devoted to its consideration. While I agree that a vote should be promptly taken, I do not think the vote should be attempted just at this time.

Mr. LODGE. That is the reason why I want Senators to read the synopsis of the Harbord report.

Mr. ROBINSON. Very well.

Mr. LODGE. I know that there is a very important conference report which the Senator from New York [Mr. WADSWORTH] has in charge, and I ask unanimous consent that the pending resolution be temporarily laid aside. This will also permit the Senator from Arkansas to have taken up the matter he wishes to have considered. I ask unanimous consent temporarily to lay aside the pending resolution.

The PRESIDING OFFICER (Mr. PITTMAN in the chair). Is there objection?

Mr. JONES of New Mexico. Before consenting that it may be laid aside, I should like to inquire of the chairman of the Committee on Foreign Relations whether the committee made any report in connection with the resolution, showing the conditions in Armenia, and what the mandate would involve?

Mr. LODGE. The committee made no report, because all the important matters are contained in the Harbord report, which has been ordered printed in the RECORD.

Mr. JONES of New Mexico. Of course, we are not all familiar with that report.

Mr. LODGE. It is going to be printed in the RECORD, and for the very purpose of bringing it before the Senate now.

Mr. JONES of New Mexico. May I inquire the general nature of that report, and by what authority it was prepared?

Mr. LODGE. It was a commission appointed, I think, by the peace conference, or it was appointed by the President. The Senator from New York [Mr. WADSWORTH] can tell me.

Mr. WADSWORTH. It was a commission appointed by the President, with the entire approval of the peace conference at Paris, and was dispatched to Armenia, where it spent a considerable length of time traveling all over the country.

Mr. JONES of New Mexico. What is the date of the report?

Mr. WADSWORTH. The report itself is dated October 16, 1919.

Mr. SMITH of Georgia. The 1st of April the report was brought over, and the commission had been at work six or eight months.

Mr. LODGE. They went all over Armenia.

Mr. SMITH of Georgia. Nearly a year ago they began their work.

Mr. LODGE. We have only printed the synopsis. The typewritten report is of such magnitude that it would make too large a document if printed in full.

Mr. JONES of New Mexico. That seems to me to lay the foundation for the one observation which I wish to make at this time. Owing to a previous engagement, I shall not be here on

Monday, and I want to express this thought. I join with the Senator from Arkansas [Mr. ROBINSON] in the position that the Senate is not ready to vote on this very important question.

Mr. WILLIAMS. I do not know that I caught accurately the statement of the Senator, but I think the Senator a moment ago asked whether there was anything on the record showing the present conditions. I wish to say to the Senator that a subcommittee, of which the Senator from Ohio [Mr. HARDING] was chairman and of which I was a member, had somewhat prolonged hearings, and that matter is in print and available to Senators now, showing the actual conditions in Armenia.

Mr. LODGE. Will the Senator from New Mexico allow me to interrupt him for a moment?

Mr. JONES of New Mexico. I am very glad to yield.

Mr. LODGE. I had supposed an agreement had been reached to this extent, that we would on Monday make an agreement for a vote on that day, and under that condition I was very glad to lay the resolution aside for the convenience of other Senators. If we are not going to reach any agreement, and are to have an indefinite debate on it, we had better take the time now.

Mr. JONES of New Mexico. I shall be very brief in what I have to say.

Mr. LODGE. I did not wish to interrupt anything the Senator wanted to say now. I only meant that I shall withdraw my request temporarily to lay the resolution aside.

Mr. JONES of New Mexico. The remark of the Senator from Mississippi [Mr. WILLIAMS] has rather given point to the matter which I had in mind. It seems that some Senators have been studying this question, but there is no report from the Committee on Foreign Relations which bears upon the responsibilities which the Government would assume in the event that there should be a mandate accepted by it.

There has been no consideration given to any question of a qualified mandate. It is true we are not a member of the League of Nations, and to accept this mandate would be wholly aside from any question of our becoming a member of the League of Nations; but the request that we accept a mandate, if I am correctly informed, does come from the existing League of Nations, or the council of that league, which is assuming to put into effect the League of Nations and to look after the concerns of the world.

I assume that that request came in pursuance of the terms of the covenant of the League of Nations. On looking at that document it seems to me that our duties are not defined. This covenant of the League of Nations deals with two classes of mandatories, and it seems to me that Armenia is in a special class, and that it may not involve all the consequences which were indicated by the chairman of the committee.

The chairman of the committee has made the statement that it would involve an expense for the first year, according to the report to which he has referred, of $275,500,000; that it would mean the sending to Armenia of 60,000 American soldiers.

Mr. LODGE. That is the lowest estimate, I think.

Mr. JONES of Washington. That is the estimate submitted by the Senator, but I want to call the attention of the chairman of the committee as well as of the Senate to the provision in the covenant of the League of Nations regarding these mandates.

Mr. LODGE. That I have read.

Mr. JONES of New Mexico. I have no doubt the Senator has read it, and that every other Senator has read it, but the importance of it seems to have been overlooked at this time by the Foreign Relations Committee.

Article 22 of the covenant of the League of Nations provides that—

> To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in this covenant.
>
> The best method of giving practical effect to this principle is that the tutelage of such peoples should be intrusted to advanced nations who by reason of their resources, their experience, or their geographical position can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as mandatories on behalf of the league.

I invite the attention of the Senator to the next paragraphs:

> The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions, and other similar circumstances.
>
> Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory.

Mr. President, this is one country, if I understand the situation, which was intended to be referred to by the language which I have just read, and as to this country, according to this provision of the covenant of the League of Nations, "the character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions, and other similar circumstances," and referring particularly to Armenia it says that it "can be provisionally recognized subject to the rendering of administrative advice and assistance."

If I further understand the situation, as an outgrowth of the war the Republic of Armenia has been organized, a government has been formed, it has its representatives accredited to this country, and it is a constituted government. It is not one of those where we would want to put the country under the absolute control of any foreign power. Under the provisions of the covenant of the League of Nations, that mandatory may be restricted to the furnishing of administrative advice and assistance. That may be the extent of it. It may be necessary in furnishing assistance to go probably to the extent of the proposed amendment suggested this morning by the Senator from Nebraska [Mr. HITCHCOCK].

I do not know what ought to be done, but I say I do not believe the Committee on Foreign Relations has considered this matter with that earnestness and sincerity which its importance requires.

Mr. LODGE. If the Senator will allow me——

Mr. JONES of New Mexico. I gladly yield.

Mr. LODGE. I will state that the matter of Armenia has been under consideration in the Committee on Foreign Relations for months. We have had a subcommittee which gave elaborate hearings and went into the subject thoroughly. The committee does understand the question of Armenia, even if the Senator from New Mexico is not informed of it.

Mr. JONES of New Mexico. I, of course, am unable to look into the deliberations of the Committee on Foreign Relations, but there is one thing very apparent here. If that committee has studied this problem, if it has worked out this information, if it has reached some conclusion, if it has studied the alternative propositions, why has not the committee brought in something in the nature of a report?

Mr. LODGE. In the first place, we desire to save time. In the second place, we thought the question whether there would be a mandatory or not was so plain that a child might answer it. We brought in a report, voted by a large majority of the committee, that we would not authorize the President to take a mandate.

If the Senator wishes to occupy time and prevent action upon this matter, undoubtedly he can so obstruct business that he can prevent action before the 5th of June and prevent our notifying Europe as we ought to do. The Senator can do that. I quite admit it. My object is to get a plain answer given one way or the other. I agree with the Senator from Mississippi [Mr. WILLIAMS] that we owe it to Europe; that we owe it to the President; that we owe it to all our associates in the war, to say one thing or the other. The Committee on Foreign Relations considered themselves entirely competent, and they think the Senate is entirely competent to give an answer. The facts are all there in the Harbord report and in the hearings of our own subcommittee for anyone who wants to study them.

Mr. JONES of New Mexico. I think that the suggestion by the distinguished Senator of a probable filibuster on my part is wholly unjustified. I have never engaged in anything of that sort in this body and I hope I never shall. I am not attempting now to delay action. I think I can see the handwriting on the wall. I think it is perfectly apparent that the Foreign Relations Committee is willing to have the Senate act upon this resolution with the very meager information which has been suggested here this morning.

Mr. WADSWORTH. Will the Senator yield?

Mr. JONES of New Mexico. But I wish to suggest that the people of the country are not willing that such an important matter as this shall be disposed of in this very perfunctory way. I yield to the Senator from New York.

Mr. WADSWORTH. May I ask whether the Senator from New Mexico, in the event he has read the Harbord report, does not think that is one of the most exhaustive studies of a political, economic, and military problem ever presented to any legislative body?

Mr. JONES of New Mexico. I will state that I have been unfortunate enough not to have had an opportunity to read that report.

Mr. WADSWORTH. May I say to the Senator that the report has been printed here for weeks?

Mr. JONES of New Mexico. I am not a member of the Committee on Foreign Relations and I have not had the opportunity,

in connection with my other duties, such as every other Senator has here, to study this question in detail. The purpose of referring a resolution of this kind to the committee is to have that committee digest the facts and present them in some digested form to the Senate, so that the Senate may have information, and direct information, deliberately reached, on which to act.

Mr. WADSWORTH. Does the Senator think the Harbord report, as presented to the Senate, fails to digest the facts?

Mr. JONES of New Mexico. I have just stated that I have not read that report. I do not know what it states.

Mr. WADSWORTH. Then why does the Senator blame the Committee on Foreign Relations?

Mr. JONES of New Mexico. The Committee on Foreign Relations has not presented here this report as its judgment and its finding. The Senator from Massachusetts has just stated that the report consists of a large number of pages of manuscript, which have been digested and put into the form of a smaller pamphlet.

Mr. LODGE. The report covers a great many subjects other than Armenia. It covers conditions in the Near East. Some time ago I had a synopsis printed, which covers only the Armenian mandatory and gives all the figures. No one else can get anything better. We are not going to wait another two years in order to find out what another commission will report.

The President in his message says absolutely nothing in regard to the conditions of a mandatory. He gave us no information whatever as to Armenia, and I do not think he was called upon to do so. The Senator must think because he has not considered the subject that no one else has, and because he is uninformed that everyone else is uninformed. That is a hasty conclusion.

Mr. JONES of New Mexico. I think it is quite apparent from what has been said by the chairman of the committee that the committee itself has not considered any situation other than that contained in the report to which reference has been made. The committee assumes that a mandatory means the carrying out of a program according to that report, but I wish to say that a mandatory does not necessarily mean anything of the kind. The covenant of the League of Nations, under which this request is made, specifically provides that the mandate may be limited to the furnishing of administrative advice and assistance.

Have the Committee on Foreign Relations considered that phase of the case? Not at all. They have assumed that we are to go over and there take full responsibility for the running of that Government, that we should send soldiers over there at our own expense, that we should incur this great financial liability and endanger the lives of American soldiers. But there is absolutely nothing in the terms under which this request was made that would warrant any such assumption.

So I say that it seems to me the Committee on Foreign Relations ought to take up the question, consider the various phases of the mandate, and determine whether this great country of ours should not in its liberality do something to aid those oppressed people. We have passed resolutions expressing our sympathy for them. Do we mean what we say? I do not know whether we ought to have a mandate or not, but I am not willing to vote for the resolution and forclose the day of investigation.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. JONES of New Mexico. I yield to the Senator from Wisconsin.

Mr. LENROOT. If the Senator had read the Harbord report he would have seen that the limited mandate he now suggests would be no protection whatever to the Armenian people, but would leave them in a worse state than if there had been no mandate, because such a limited mandate would shut out any of the European powers from accepting a mandate who ought to accept it.

Mr. JONES of New Mexico. There has been no consideration of the question as to whether the other nations of Europe would not join the United States in furnishing financial assistance, in furnishing military assistance, and practically take the burden of this whole matter off the shoulders of the United States, and leave it to us to furnish administrative and other advice and assistance.

Mr. McCORMICK. May I ask the Senator what lesson he draws from the experience of the condominium in Egypt as it would apply to a mandate exercised in association with other powers?

Mr. JONES of New Mexico. The question of Egypt is quite apart from this.

Mr. McCORMICK. The question of a condominium is not apart from the question of association with other powers in the exercise of a mandate in Armenia.

Mr. JONES of New Mexico. Mr. President, the action of the Foreign Relations Committee is further to be criticized by reason of the question asked by the Senator from Illinois [Mr. McCORMICK]. Has this thing he mentions been considered in connection with it? Has any honest effort been made to solve this problem and do a little something toward the preservation of the peace of the world? Are we to say that we will take no part in aiding other nations so that civilization may be preserved? Is that to be the attitude of this country?

I do not believe it, Mr. President, and I wish to say here and now that I think the resolution should be defeated, that the whole subject should go back to the Committee on Foreign Relations, and that that committee should try to do something to solve this most serious problem.

Mr. SMITH of Georgia. Mr. President, I have been much interested in the Armenian question. I have read a great deal of literature that has been published about it, and I have read all that has been published in document shape of the report of Maj. Gen. Harbord. The President appointed this major general, two brigadier generals, a number of colonels, a number of lieutenant colonels, majors, captains, and a few civilians nearly 12 months ago and sent them into that section to make a study. Their instructions were to—

> Proceed without delay on a Government vessel to Constantinople, Batum, and such other places in Armenia, Russian Transcaucasia, and Syria, as will enable you to carry out instructions already discussed with you. It is desired that you investigate and report on political, military, geographical, administrative, economic, and other considerations involved in possible American interests and responsibilities in that region.

This was a mission selected by the President, with three generals and a number of other distinguished Army officers on it.

I wish to read to the Senate several extracts from their report. I think they show the magnitude of this undertaking and the utter impossibility of dealing with it in a mere informal way, as suggested by the Senator from New Mexico [Mr. JONES]. On page 15 I find the statement:

> A power which should undertake a mandatory for Armenia and Transcaucasia without control of the contiguous territory of Asia Minor—Anatolia—and of Constantinople, with its hinterland of Roumelia, would undertake it under most unfavorable and trying conditions, so difficult as to make the cost almost prohibitive, the maintenance of law and order and the security of life and property uncertain, and ultimate success extremely doubtful.

Now, here is the report of the commission on the character of mandate, so far as territory which must be embraced is concerned, and it entirely excludes the idea of merely having some kind of a conference or indefinite association with a part of Armenia. Then, on page 17, we find:

> The events of the Greek occupation of Smyrna and the uneasiness produced by the activities and propaganda of certain European powers have so stirred the Turkish people in the long interval since the armistice that the mission fears that an announcement from Paris at this time of an intention to carve from Turkey a State of Armenia, unless preceded by a strong military occupation of the whole Empire, might be the signal for massacres of Christians in every part of the country. There is no wisdom in now incorporating Turkish territory in a separate Armenia, no matter what the aspirations of the Armenians.

So the mission points out the necessity for a strong military occupation of the Turkish Empire before even an announcement of the purpose to carve out a State of Armenia.

Again it is said:

> In the proposition to carve an independent Armenia from the Ottoman Empire there is something to be said on the part of the Turk, namely, that his people, even when all the refugees shall have returned to their homes, will be in the majority in the region contemplated for a reconstituted Armenia.

Again it is said:

> The Kurds claim that many of their people were massacred under the most cruel circumstances by Armenian irregulars accompanying the Russian Bolshevists when the Russian Army went to pieces after the collapse of the Empire.

Then a description of a massacre by Armenians and massacres by others is given, following which the report says:

> The inclusion of the whole Turkish Empire under the government of a single mandatory would be simpler and proportionately more economical than to divide it.
>
> * * * * * * *
>
> The mission has a strong conviction that the nation which may be induced by its colleagues to undertake this mandate should be one prepared to steadfastly carry out a continuity of policy for at least a generation.

The mission advises that we should not undertake the task unless prepared to continue in the work for a generation.

Then they state:

> No nation could afford to fail or to withdraw when once committed to this most serious and difficult problem growing out of the great war.

Again they say:

> Estimates of the necessary number of mandatory troops vary greatly—from 25,000 to 200,000. Conditions change so rapidly that plans made to-day for the use of troops might be obsolete in six months.

Further they say the expense would be—

For the first year	$88,500,000
At the end of two years perhaps	59,000,000
At the end of three years	44,250,000

Mr. WADSWORTH. That is for the Army alone, may I remind the Senator from Georgia.

Mr. SMITH of Georgia. That was the expense of maintaining the Army.

Mr. LODGE. Of maintaining the Army alone?

Mr. SMITH of Georgia. Yes.

After they finish their detailed report they present reasons for and against the proposition. As one reason for it is that—

3. The Near East presents the greatest humanitarian opportunity of the age—a duty for which the United States is better fitted than any other—as witness Cuba, Porto Rico, Philippines, Hawaii, Panama, and our altruistic policy of developing peoples rather than material resources alone.

It is presented solely as an altruistic task. What authority has Congress to tax the people of the United States for altruistic purposes? I know of none. What authority, then, have we to use the money of the people for purely altruistic purposes? I know of none.

Mr. THOMAS. Mr. President, does not the Senator know that the United States has so much money that it does not know what to do with it, and, consequently, if we could embark upon an altruistic campaign and thereby provide a channel for further expenditure it would relieve the Treasury of its present congestion?

Mr. SMITH of Georgia. I remember having heard years ago during one administration that the way to get rid of the surplus in the Treasury was to stop collecting taxes.

Mr. THOMAS. Oh, Mr. President, that is obsolete.

Mr. SMITH of Georgia. That was more than a quarter of a century ago.

Mr. THOMAS. We have gone away beyond that.

Mr. SMITH of Georgia. Again, in the final figures presented the board suggests an expenditure of $275,000,000 for the first year; $174,264,000 for the second year; and $756,000,000 for the first five years. They then present this view as adverse to the mandate:

10. It would weaken and dissipate our strength, which should be reserved for future responsibilities on the American continents and in

And it is suggested that Great Britain, Russia, and contiguous countries really should carry the responsibility. I have omitted one extract from the report which I regard as of especial importance. It is the suggestion that before we can properly assume a mandatory it is necessary to ascertain what is to be done with all of Turkey, and what is Russia going to do.

As I understand the President, he makes a request for authority to take a mandate for Armenia, without explanation and without limitation.

Mr. LODGE. Mr. President, will the Senator allow me to interrupt him?

Mr. SMITH of Georgia. I yield.

Mr. LODGE. Not even the boundaries of Armenia, over which we are asked to take a mandate, have as yet been fixed.

Mr. SMITH of Georgia. And, as I have pointed out, the Harbord report, to which certainly we may all give the greatest credence, as the President selected the members of the commission and as they were chosen from the very ablest Army officers especially suited for the work, shows that the mandate can not be successfully handled if it simply includes what is technically called Armenia, but that it must be broadened over a much greater extent of territory. Great Britain has Mesopotamia; France has Syria; and Greece has a nice slice of territory in the same neighborhood. This report indicates that the section proposed to be placed in our charge is rough, mountainous, and unproductive, but excellently situated to bring on our troops all the attacks and all the warlike movements probable in that section. We would be located as a buffer against the Russian soviet; we would be made a buffer against other warlike peoples.

Mr. THOMAS. Mr. President, the Senator says we would be a buffer against the soviets. It appears from recent dispatches from the Near East that the Bolsheviki are already in Armenia. Does not the Senator believe that the presence there of an American army of 70,000 would, under those circumstances, inevitably involve an armed conflict with the soviets?

Mr. SMITH of Georgia. It would involve this: The commission state that the 59,000 soldiers——

Mr. THOMAS. The number is 69,000, I think.

Mr. LODGE. Two divisions.

Mr. SMITH of Georgia. That the 59,000 suggested by them as possibly sufficient must not be considered except in the light of the then conditions, for in a few months the mission advises changes might be such that a vastly greater number of troops would be required.

Mr. THOMAS. I call the Senator's attention to page 26, where the number is fixed at 69,450.

Mr. SMITH of Georgia. On page 23 it says 59,000.

Mr. THOMAS. I am referring to page 26. Page 23, I think, refers to another army.

Mr. SMITH of Georgia. No.

Mr. THOMAS. Then the print of the document which the Senator has and the print which I have differ.

Mr. SMITH of Georgia. Page 23 of the little pamphlet I have refers to the first suggested army and contains the statement:

Conditions change so rapidly that plans made to-day for the use of troops might be obsolete in six months.

Mr. THOMAS. The Senator's print and mine are different. I read from page 26, which gives an estimate of a number of troops "for the first setting of the problem." A little matter of 10,000 soldiers 5,000 miles away is immaterial.

Mr. SMITH of Georgia. I wish I thought 10,000 more men would be sufficient. I regard 100,000 more as not sufficient to assure us safety there. I would regard under present conditions the sending of 50,000 men into that section, in the light of this report and in the light of changed conditions since the report was made, as just an offer of the men for sacrifice.

Mr. LODGE. Mr. President, I should like to call the attention of the Senator—and I think he will be interested in looking at it—to the more detailed formal military report, which is one of the parts of the Harbord report, made by Brig. Gen. Mosely, which has just been printed. That report presents very elaborate conclusions as to the military conditions. Let me say, further, to the Senator, if I do not interrupt him unduly, that northern Armenia, what was Russian Armenia, where they have their capital, the name of which I believe is Erivan, is just at the point where attacks are made. England is there holding Mesopotamia; France is holding Syria; Italy has a great block of territory in the neighborhood, and Armenia is the point at which they must be protected, not merely from the Bolsheviki but from the Turks, the Kurds, and the Georgians—and there has already been fighting with the Georgians. It is the crossroads. As I have heard it described by somebody, there are three banks and a poorhouse there, and we have been given the poorhouse.

Mr. SMITH of Georgia. Mr. President, I merely desired to call attention to a few extracts from the Harbord report, because they are very striking, but anyone interested in the subject should read the whole report and read it carefully. The mandate proposal presents, according to the commission, a tremendous undertaking, larger to-day than it was then; and the broad request is that we take a mandate over Armenia without knowing what Armenia is, what territory is to be covered, or what responsibilities really are to rest upon us.

I can not believe that the people of this country desire to be taxed this additional amount for this purpose. I am not prepared to concede the constitutional authority of Congress to collect taxes beyond the requirements of the general welfare of the United States and the people in the United States.

Do the mothers of our country wish their boys taken for this service? Let me call attention to the fact that in the estimate of troops to be sent four times the normal number of medical attendants are required to meet the ravages of disease in that country, diseases to which our men would be subject.

I believe that the nations already interested in that immediate section should handle the Armenian question, and it is unreasonable to ask our people to carry such a burden so far away.

The Armenian country, as described by the commission, is rough and barren. France and England have taken the rich oil wells and copper mines. They have taken that which promises them and their people a handsome return. To the United States they offer that which can bring nothing but heavy loss of money and lives.

We had an opportunity a few years ago of exercising a mandatory over Mexico. The Armenian mandatory would be far more complicated, dangerous, and expensive than would have been a temporary supervision of Mexican territory.

We did not even declare war against Turkey, and the supervision and adjustment of the Armenian problem properly rests with England, France, and those countries which were in the war with Turkey. This mandatory over Armenia which the President is urging is an illustration of the burdens we would have assumed under the League of Nations if it had been ratified without reservations nullifying a number of its provisions.

Mr. THOMAS. Mr. President, does not the Senator think that the same burdens which we have avoided because of the rejection of the treaty will come to the United States once it sets such a precedent as would be established by the aceptance

of this mandate? In other words, how could we accept the mandate for Armenia and then refuse to accept other mandates?

Mr. SMITH of Georgia. We probably could not. It is one of the worst parts of the treaty. We are asked to accept a thing which involves us in complications, responsibilities, and wars. That constituted one of the grievances I found in the treaty itself.

Mr. THOMAS. Let me ask the Senator one more question. If the United States is to enter upon this policy, does not the Senator think, upon the principle that charity begins at home, that we should assume a mandate for Mexico, which is right upon our border?

Mr. SMITH of Georgia. The objection to a mandate over Mexico is that it is so near home it might contribute to the welfare of our own people.

Mr. BRANDEGEE obtained the floor.

Mr. ROBINSON. Mr. President, will the Senator from Connecticut yield to me to submit a request for unanimous consent which, I think, will require only a few minutes?

Mr. BRANDEGEE. I yield.

LAND IN PANAMA CANAL ZONE.

Mr. ROBINSON. I ask unanimous consent that the Committee on Commerce be discharged from the further consideration of the bill (H. R. 6222) to remove a certain tract or lots of land in Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, pursuant to the act of Congress of August 24, 1912 (37 Stats., ch. 390, p. 565), and that it be referred to the Committee on Interoceanic Canals.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBINSON. I submit a favorable report on behalf of the Senator from Idaho [Mr. BORAH], the chairman of the Committee on Interoceanic Canals—who is engaged elsewhere on public business—and I ask for the present consideration of the bill. I will make a brief statement of the purpose of the bill. I have spoken to the Senator from Washington [Mr. JONES], who informs me that he has no objection to the request.

Mr. JONES of Washington. The bill, in the first instance, should have gone to the Interoceanic Canals Committee.

The PRESIDING OFFICER. There is a unanimous-consent request pending. Is there any objection to the request for unanimous consent made by the Senator from Massachusetts [Mr. LODGE]?

Mr. BRANDEGEE. I object.

The PRESIDING OFFICER. Objection is made. The Senator from Arkansas asks unanimous consent that the Senate proceed to the consideration of House bill 6222.

Mr. ROBINSON. In submitting the request, I will explain briefly, with the consent of the Senator from Connecticut, the purpose and provisions of the bill.

As a part of its original grant, the Panama Railroad Co. acquired the lots involved in this bill. It executed a lease on the lots to a Masonic lodge in Colon or Cristobal. That lodge proceeded with the construction of a building, but before the building was complete found itself unable to complete the construction, so the Panama Railroad Co. effected an arrangement with the lodge and completed the building.

That arrangement was in the nature of an option to purchase in favor of said lodge. Subsequent to this arrangement the Panama Canal act of August 24, 1912, authorizing the President of the United States to issue an Executive order in effect reserving all of these lands from sale or disposition, was passed, and on December 5 the President issued such Executive order. It was not intended to embrace lands in the situation that these are in. The bill authorizes the conveyance of these lands by the Panama Railroad Co., and authorizes the Panama Railroad Co. to retain the proceeds, as it has advanced sums in the construction of the building and originally owned the lots. The bill has the approval of all of the departments of the Government concerned, the governor of the Canal Zone, the Secretary of War, and all others who have jurisdiction or supervision over that area.

Mr. BRANDEGEE. From what committee does the bill come?

Mr. ROBINSON. From the Committee on Interoceanic Canals. I am making the report for the Senator from Idaho [Mr. BORAH], who is busy with other public duties and who asked me to proceed with the bill.

Mr. BRANDEGEE. What is the Senator's request for unanimous consent?

Mr. ROBINSON. My request is to discharge the Committee on Commerce from the consideration of the bill, the bill having actually been considered by the Committee on Interoceanic Canals, to report the same favorably, and to proceed to its consideration.

Mr. BRANDEGEE. I have no objection whatever, provided the unfinished business is not laid aside.

Mr. ROBINSON. It is not my attention to ask to have the unfinished business laid aside.

Mr. BRANDEGEE. I agree to unanimous consent for the consideration of the matter the Senator wants to suggest, provided that we return immediately to the consideration of the pending measure.

Mr. ROBINSON. I have no objection to that course, and I understand that would be the effect of the action which I am asking.

Mr. BRANDEGEE. Very well.

The PRESIDING OFFICER (Mr. WALSH of Montana in the chair). Is there objection to the request of the Senator from Arkansas? The Chair hears none.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. ROBINSON. Mr. President, there is an amendment which the legal department of the Canal Zone thinks necessary to be incorporated in the bill, as follows:

Add a new section to the bill in the following language:

"SEC. 2. The Panama Railroad Co. is hereby authorized to sell, transfer, and convey said lots or tracts of land, with all improvements thereon, to any other person or persons or association of persons, and retain the consideration therefor for its own use."

This is the amendment which was suggested by the canal attorney and which has the approval of the committee.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to add at the end of the bill a new section, as follows:

SEC. 2. The Panama Railroad Co. is hereby authorized to sell, transfer, and convey said lots or tracts of land, with all improvements thereon, to any other person or persons or association of persons, and retain the consideration therefor for its own use.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. ROBINSON. I ask leave to have printed in the RECORD the House report on the bill, and a letter to me from a Member of the House of Representatives.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[House Report No. 123, Sixty-sixth Congress, first session.]

TO EXEMPT A CERTAIN TRACT OR LOTS OF LAND IN CRISTOBAL, CANAL ZONE, ETC.

Mr. DENISON, from the Committee on Interstate and Foreign Commerce, submitted the following report, to accompany H. R. 6222.

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 6222) to exempt certain tract or lots of land in Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, having considered the same, report thereon with a recommendation that it pass.

Among other lands which have belonged to the Panama Railroad Co. from the time of its original grant was a certain tract of land located in what is now Cristobal, Canal Zone, and described as lots Nos. 641, 643, 645, and 647, aggregating about 12,000 square feet, being at the corner of Eleventh and Bolivar Streets.

In 1912 Sojourners Lodge, A. F. and A. M., of Cristobal, Canal Zone, leased from the Panama Railroad Co. the above-described lands, on which to erect a Masonic temple. The erection of the building was begun and partially completed when the lodge found that it was financially unable to complete the project, and its completion was afterwards undertaken by the Panama Railroad Co. By agreement with the Panama Railroad Co., in writing, the lease which had been executed between the lodge and the railroad company was surrendered and a new contract for the purchase of the building from the railroad company by the lodge was executed, to pay for the property within the period of five years from its date, July 7, 1913. The consideration to be paid by the lodge for the building which had been erected on the lots was $130,000 and the payment of certain ground rentals for the land.

Before the contract of sale was consummated, however, it was discovered that there was a legal obstruction to the proper execution of the conveyance by the Panama Railroad Co. because of the order of expropriation issued by President Taft on December 5, 1912, issued in pursuance of the provisions of the act of Congress known as the Panama Canal act.

The act to provide for the opening, maintenance, protection, and operation of the Panama Canal and the sanitation and government of the Canal Zone, approved August 24, 1912, known as the Panama Canal act, contains the following provision:

"SEC. 3. That the President is authorized to declare by Executive order that all land and land under water within the limits of the Canal Zone is necessary for the construction, maintenance, operation, sanitation, or protection of the Panama Canal, and to extinguish by agreement, when advisable, all claims and titles of adverse claimants and occupants. Upon failure to secure by agreement title to any such parcel of land or land under water, the adverse claim or occupancy shall be disposed of and title thereto secured in the United States, and compensation therefor fixed and paid in the manner provided in the

aforesaid treaty with the Republic of Panama, or such modification of such treaty as may hereafter be made."

Acting under the authority of this provision of the canal act, President Taft, on December 5, 1912, issued the following Executive order:

EXECUTIVE ORDER.

By virtue of the authority vested in me by the act of Congress entitled "An act to provide for the opening, maintenance, protection, and operation of the Panama Canal and the sanitation and government of the Canal Zone," approved August 24, 1912, I hereby declare that all land and land under the water within the limits of the Canal Zone are necessary for the construction, maintenance, operation, protection, and sanitation of the Panama Canal; and the chairman of the Isthmian Canal Commission is hereby directed to take possession, on behalf of the United States, of all such land and land under the water, and he may extinguish, by agreement when practicable, all claims and titles of adverse claimants to the occupancy of said land and land under the water.

WM. H. TAFT.

THE WHITE HOUSE,
December 5, 1912.

(No. 1656.)

While the above Executive order expropriating the lands in the Canal Zone was not intended to apply to lots situated as were those in question, yet under it title thereto would constructively pass to the United States; so that it has been thought by the legal advisers of the Panama Railroad Co. as well as by the governor of the Canal Zone that the Panama Railroad Co. could not properly execute the contract and consummate the sale of the building to the Masonic lodge without an act of Congress to remove the particular lots of land on which the building is located from the operation and effect of the President's Executive order of December 5, 1912.

The bill H. R. 6222 was introduced for that purpose, and the committee, upon consideration of the same, found that the contract for the purchase of the building was entered into by the parties in good faith, and its consummation is prevented solely by the Executive order above referred to, the fact and effect of which was overlooked by inadvertence at the time the contract was executed.

The committee further finds that no objection on the part of the canal or railroad officials has been raised against the consummation of the contract, other than the lack of authority, and it does not appear that the building is either necessary or suitable for canal purposes.

The building is a three-story structure built according to the original plans and specifications of the Masonic lodge which originally began its construction.

The officers of the lodge addressed a communication on May 10, 1917, to President Wilson, asking him by Executive order to exclude the lots in question from the effect of the Executive order of President Taft of December 5, 1912. President Wilson referred the matter to Secretary of War Baker.

On June 23, 1917, Secretary Baker addressed the following letter to the officers of the lodge, inclosing a copy of his letter addressed to Hon. J. P. Tumulty, Secretary to the President, which is also printed herewith:

WAR DEPARTMENT,
Washington, June 23, 1917.

Mr. RALPH OSBORN,
Master Sojourners Lodge, A. F. and A. M.,
Cristobal, Canal Zone.

SIR: Receipt is acknowledged of your letter of May 10, 1917, addressed to the President, with reference to the desire of your lodge to purchase the building known as the Masonic Temple in Cristobal and the lot upon which the building stands.

For your information I am inclosing herewith copy of a letter addressed by me to Mr. J. P. Tumulty, Secretary to the President, setting forth my recommendations to the President in the matter.

Very respectfully, NEWTON D. BAKER,
Secretary of War.

—

WAR DEPARTMENT,
Washington, June 23, 1917.

Hon. J. P. TUMULTY,
Secretary to the President,
The White House.

MY DEAR MR. TUMULTY: On the 25th ultimo you transmitted to me a communication addressed to the President by Congressman Swagar Sherley, dated May 23, in reference to the Masonic Building at Cristobal, Canal Zone, the object of Mr. Sherley's communication being to secure an Executive order which would authorize the Panama Railroad Co. to consummate a contract with the Sojourners Lodge, A. F. and A. M., of Cristobal, Canal Zone, for the purchase of the building in Cristobal known as the Masonic Temple.

I have also received by reference from the President a letter from the master of the Sojourners Lodge, dated May 10, 1917, relating to the same matter.

As I informed you in my letter of May 28, acknowledging your communication of the 23d, the question was referred to the governor of the Panama Canal for an expression of opinion. I have now received a communication from the governor in which the matter is discussed, and he advises that in his opinion it will be necessary that authority to purchase the property and lot should be secured from Congress. The matter has been carefully considered on the Isthmus by the legal advisers of the Panama Canal, and in view of their concurrence in the opinion expressed by the governor, I beg to recommend that you inform Mr. Sherley and the President and the Sojourners Lodge of my concurrence in the governor's recommendation and suggest that they proceed to secure the necessary authority from Congress for the consummation of the desired purchase.

Sincerely, yours, NEWTON D. BAKER,
Secretary of War.

The following letter under date of May 17, 1919, was written by Gov. Chester Harding, of the Canal Zone, to the officers of the lodge:

THE PANAMA CANAL,
Balboa Heights, Canal Zone, May 17, 1919.

Mr. CLINTON G. CARTY,
Chairman Purchase Committee,
Sojourners Lodge, A. F. and A. M., Cristobal, Canal Zone.

SIR: Replying to your letter of the 15th instant, in which you ask me to advise whether or not the local authorities have objection to the transfer of the Masonic Temple Building in Cristobal, Canal Zone, to the Sojourners Lodge, A. F. and A. M., I have to advise you that there is no objection except the legal one of lack of authority, in view of the taking over by the Government of all property within the limits of the Canal Zone by the Executive order of December 5, 1912. I am advised that the requisite authority is obtainable only as a result of congressional legislation.

Respectfully, CHESTER HARDING, *Governor.*

Since there does not seem to be any objection on the part of the Government nor of the governor of the Canal Zone except the legal one, it would seem that the legal objection should be removed by an act of Congress so as to permit the lodge to complete the purchase of the building that was built for its special use, and the committee recommends that the bill pass.

—

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
Washington, D. C., February 4, 1920.

Senator JOSEPH T. ROBINSON,
Senate Office Building, City.

MY DEAR SENATOR ROBINSON: Following the suggestion made in our conversation recently, I am inclosing herewith copy of H. R. 6222, to remove a certain tract or lot of land at Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912. This matter has been pending for a long time.

During the Sixty-fifth Congress it was placed in the hands of Congressman Swagar Sherley, but nothing was done. And I introduced a bill by request at the first session of this Congress.

Some years ago the Panama Railroad Co. leased the lots in question to the Masonic lodge at Cristobal for the purpose of erecting thereon a Masonic building. After the building was started the lodge found it was unable to finance it, and, by agreement between the parties, the Panama Railroad Co. completed the building and gave the lodge a lease thereon with an optional right to purchase under certain terms mentioned. Thereafter the lodge raised the funds and undertook to exercise its option and to secure the title to the property, when it was found that the Panama Railroad Co. could not legally transfer the title because of the Executive order of President Taft expropriating all lands in the Canal Zone and lands under water for the use of the Government, in accordance with the treaty between this country and Panama. While the intention was not to transfer to the Government title to properties of this kind, yet the order of expropriating was general, and it was held that the title to these lots constructively passed to the Government.

My bill was introduced in order to enable the railroad company to go ahead and complete the construction and sell the building to the lodge, which it had built for it, and in accordance with plans and specifications made by the lodge.

While I was in Panama last spring a number of the members of the lodge spoke to me about it and expressed the hope that the title could be straightened out in some way. The Panama Railroad Co. built a very handsome building there especially for the Masonic lodge, and now that the lodge is able to pay for it there is no reason why the Government should claim title to it and prevent the transfer simply because this general order of expropriation issued by President Taft would transfer constructively the title to the Government. The Panama Railroad Co. furnished the money with which the building is built and had title to the property at that time.

This matter has been considered carefully by the President, the Secretary of War, the governor of the Canal Zone, and the attorneys of the canal government, and there is no objection to the transfer, except the legal one, and they recommend that legislation be enacted in order to remove the legal objection.

I introduced the bill in the form thought necessary at that time, in order to accomplish the desired purpose. But after the bill had been presented to the House and passed the House and sent to the Senate, a letter was received from Judge Feuille, special attorney of the Panama Canal, in which he takes a different position as to the title from that theretofore held by the officials down there, and in order to conform to his view of the matter there will have to be an amendment made to the bill by the Senate committee.

I am inclosing a copy of the bill as it passed the House with an amendment added, which I take the liberty to suggest as proper to be considered by the Senate committee in order to make the bill conform to the views of Judge Feuille.

As this is a matter of importance to the Masonic lodge, I have hoped that the legislation might be speedily enacted. I have endeavored to get Senator BORAH to call a meeting of the committee, but up to this time he has not seen fit to do so. I know of no reason why the bill should not pass, and if you can do anything to have the bill considered by Senator BORAH'S committee I will appreciate it, as I am sure the members of the Sojourners Masonic Lodge in Panama will. If the com-

mittee could have a meeting and permit me to go before them and make a statement, I could, I think, make clear the legal questions involved and present correspondence showing that the proposed legislation has the approval of all of the parties above named.

Yours, truly, E. E. DENISON.

SHORTAGE OF CARS.

Mr. HARDING. Mr. President, I ask unanimous consent to present and have immediate consideration of a resolution. I think perhaps it will facilitate matters if I explain, before offering the resolution, why I want this consent.

When the so-called Cummins law was enacted by the Congress, restoring the railroads to their owners, a provision was made in section 401, paragraph 12, relating to the car service under the direction of the Interstate Commerce Commission. I have no disposition to read the section and add that much to the consumption of time; but, in brief, it provides for a just and equitable distribution of cars among the various coal mines served by the lines of railway in case of shortage. This is clearly the intent of the law. It is a distinct provision in the statute.

Very recently, facing the shortage in the open-car service of the railroads, the Interstate Commerce Commission has suspended this statutory provision. The result of it has been very unacceptable to the public, to the coal miners, and to the coal operators of southern Ohio, and probably other sections of the country. I desire, therefore, to offer a resolution making inquiry of the Interstate Commerce Commission as to what authority there is for the suspension of a clearly expressed provision of the statute enacted returning the railroads.

I do not think it is necessary to make a presentation of the evils that have been wrought by this decision on the part of the commission, nor do I think that it is the province of Congress to undertake the detailed management of the railway service of this country; but it is so apparent that the consignment of cars for railway use in times of shortage is working a hardship both to the public and to the miners and to the mine operators that we ought to know precisely whether the law as passed was intended to mean what it says or whether there is an authority above the law. Therefore I desire to offer a resolution of inquiry.

Mr. SMITH of South Carolina. Mr. President, I should like to ask the Senator whether he has in his possession the formal notice from the Interstate Commerce Commission that they have suspended the operation of this section?

Mr. HARDING. I have; and it is contained in the resolution which I am about to offer. I send to the desk a resolution, and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the resolution will be stated.

The resolution (S. Res. 376) was read, as follows:

Whereas the railroad companies are making assignments of freight cars; and

Whereas the said railroad companies, or a part of them, are making such assignment in a manner alleged to be discriminatory and prejudicial to the common public welfare; and

Whereas authority for making assignment of cars by said railroad companies is predicated upon an order of the Interstate Commerce Commission, which order is known as Order No. — of the Interstate Commerce Commission, dated April 15, 1920, and entitled "Notice to carriers and shippers," and is in the following words and figures:

"The commission recommends that until experience and careful study demonstrate that other rules will be more effective and beneficial, the uniform rules as contained in the Railroad Administration's Car Service Section Circular CS 31 (revised) be continued in effect, except that rule 8 as contained in said circular should be amended to read:

"'8. Private cars and cars placed for railroad fuel loading in accordance with the decisions of the Interstate Commerce Commission in Railroad Commission of Ohio, et al., against Hocking Valley Railway Co. (12 I. C. C., 398), and Traer against Chicago & Alton Railroad Co., et al. (13 I. C. C., 451), will be designated as "assigned" cars. All other cars will be designated as "unassigned cars."'"

Therefore be it

Resolved, That the Interstate Commerce Commission be directed to inform the Senate upon what authority, if any, said order was issued.

Mr. ROBINSON. Mr. President, I do not desire to object to the consideration of the resolution, but I reserve the right to object until I can see it for a moment. I did not understand the first paragraph. It seems to me that there is a feature of the resolution which assumes a discriminatory use of cars prejudicial to the common public welfare. I do not think the Senator ought to ask the Senate to adopt a resolution containing such a whereas without some investigation into it. So far as the inquiry which the Senator desires to have made is concerned, I have no objection to it. If the Senator will strike out the premise in the nature of a whereas stated in his resolution, I shall not object to its present consideration. Otherwise I shall have to ask that it go over in order that I may satisfy myself in regard to it.

Mr. HARDING. Would the Senator object to the resolution if the Senator from Ohio made reply that this question had already been presented to a division of the Interstate Commerce Commission, and the condition stated in the whereas is admitted to exist?

Mr. ROBINSON. I imagine the commission did not admit that it was making these assignments in a manner discriminatory and prejudicial to common public welfare. If it did, the commission ought to be impeached. Unless the Senator will modify his resolution so as to strike out the whereas, I shall object to its present consideration.

The PRESIDING OFFICER. The Chair suggests to the Senator from Ohio that if he would state in his whereas that it is asserted, or alleged, or charged, the objection would be removed.

Mr. ROBINSON. If the Senator will modify his resolution so as to say "alleged to be discriminatory," I shall not object. What I object to is prejudging the controversy.

Mr. HARDING. I will be very glad to have the preamble amended so as to insert after the word "manner" the words "alleged to be discriminatory."

Mr. ROBINSON. Very well; I have no objection to it.

Mr. HARDING. I will be very glad, if the Senator is agreeable, to make that amendment.

Mr. ROBINSON. I shall have no objection to the consideration of the resolution.

The Senate, by unanimous consent, proceeded to consider the resolution.

The PRESIDING OFFICER. The Senator from Ohio has modified the preamble as stated. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

PROPOSED PENSION LEGISLATION.

Mr. BRANDEGEE. Mr. President, I desire to make some remarks upon the report of the Committee on Foreign Relations, but I heard the Senator from North Dakota [Mr. MCCUMBER] say that he desires to make some observations.

Mr. McCUMBER. The only observation I had to make was that we have bills upon the calendar which probably could be disposed of this afternoon. It is understood that the pending resolution will not be disposed of this afternoon. The chairman of the Committee on Foreign Relations has made a request that it be temporarily laid aside and go over until Monday, with an understanding and an assurance given him by Senators on the other side of the Chamber that we would then agree upon a time for a vote. The time between now and Monday is simply time that is being filled to hold the resolution constantly before the Senate. When Senators on the other side can assure us that they will agree Monday upon a definite time, and the definite time fixed early in the week, at which to vote upon the resolution, I think we should allow the matter to go over and dispose of bills which we have on the calendar, and have had on the calendar since last September. I think the Senator from Connecticut ought to allow us to go on with those bills and dispose of them. One thing is quite certain—that we will get through with the Armenian question. It is not certain that we will get through with the other measures. If we should fail to get through with the Armenian question, all we will have failed to do is to give the President the authority to accept the mandate, and that we will not give him anyway.

The Senator understands as well as I do, if he has given the matter consideration, that the Senate, by a considerable majority, are opposed to granting the mandate. Therefore if it should be delayed, there would be no harm that would follow, whereas there are bills which in the interim ought to be passed. While the Senator from Massachusetts [Mr. LODGE] gave the notice before I gave notice of my intention to bring up the pension bills, I did what I could, as I understood, to clear the deck, so that we could go on with other legislation, allowing the resolution to go over until Monday. I ask the Senator from Connecticut if he has any objection to its going over until Monday?

Mr. BRANDEGEE. Mr. President, I objected to the request of the Senator from Massachusetts for unanimous consent.

Mr. KING. I want to state to the Senator from North Dakota, who has alluded to pension bills, that he has been very courteous in not calling them up before. Perhaps there was no time. I told him there were many items in the bills to which I should object, and I promised to give him a list of the names of those seeking pensions to whom I should particularly object. Owing to the press of business, and the fact that I have been worked so hard, it has been physically impossible for me to do that.

Mr. McCUMBER. I did it because I thought I would facilitate business by so doing.

Mr. KING. I have been unable to do so. I shall not object to taking the bill up, but I want to tell the Senator that I shall ask for a record vote upon quite a number of items.

Mr. McCUMBER. I have appreciated the fact of late that I would be unable to get a list from the Senator, and rather despaired of receiving it, and undoubtedly the Senator had good cause. Therefore I gave notice that I would bring up the bill immediately after we got through with the resolution for to-day, and that is the reason why I am anxious that it may go over until Monday.

Mr. KING. I will say to the Senator that I have just completed the list, and I will be glad to furnish him this evening a list of those I shall particularly object to. The Senator knows that it has been physically impossible for me to do so before with all the work upon us here.

Mr. McCUMBER. In the meantime, if the pension bills go over until Monday, the mandate resolution will be the unfinished business, we will probably consider it all day Monday, and the result will be that we will not get these bills through in time for them to become laws.

Mr. KING. I can assure the Senator that my observations will be very brief, but I do want the Senate to know the character of these claims and I want to take its judgment upon them. As far as I am concerned, I shall not consume more than half an hour in presenting my views upon the various claims. There are over 600 claims. If the Senate wants to support the claims which are contained in this volume [exhibiting], these private pension bills, they are at liberty to do so.

Mr. McCUMBER. If the Senator should require a record vote on 30 or 40 cases, it would take some time to have the votes recorded.

Mr. KING. No; I do not mean that I shall ask a record vote upon the entire number, but probably one out of each group. Probably four record votes will be all that I shall require.

Mr. WADSWORTH. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. WADSWORTH. I desire to ask to what extent and just how is a conference report privileged?

The PRESIDING OFFICER. The Chair understands that the presentation of a conference report is privileged.

Mr. WADSWORTH. The reason why I am asking the question is that the conference report on the Army reorganization bill is ready, the House having acceded to it, and I am exceedingly anxious to get it disposed of. I will present it now, Mr. President.

Mr. BRANDEGEE. I think I will not yield further, Mr. President.

Mr. WADSWORTH. Does the Senator object to my presenting the conference report?

Mr. BRANDEGEE. The Senator has a right to present the report.

ARMY REORGANIZATION—CONFERENCE REPORT.

Mr. WADSWORTH. I submit the report of the committee of conference on the part of the Senate on the bill H. R. 12775, the Army reorganization bill.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same with an amendment so that it shall read as follows:

"To amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice."

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with the following amendment: In lieu of the matter proposed by the amendment of the Senate insert the following:

"An act to amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.*

"CHAPTER I.

"That the act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, be amended as follows:

"That section 1 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'That the Army of the United States shall consist of the Regular Army, the National Guard while in the service of the United States, and the organized reserves, including the Officers' Reserve Corps and the Enlisted Reserve Corps.'

"SEC. 2. That section 2 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 2. Composition of the Regular Army: The Regular Army of the United States shall consist of the Infantry, the Cavalry, the Field Artillery, the Coast Artillery Corps, the Air Service, the Corps of Engineers, the Signal Corps, which shall be designated as the combatant arms or the line of the Army; the General Staff Corps; The Adjutant General's Department; the Inspector General's Department; the Judge Advocate General's Department; the Quartermaster Corps; the Finance Department; the Medical Department; the Ordnance Department; the Chemical Warfare Service; the officers of the Bureau of Insular Affairs; the officers and enlisted men under the jurisdiction of the Militia Bureau; the chaplains; the professors and cadets of the United States Military Academy; the present military storekeeper; detached officers; detached enlisted men; unassigned recruits; the Indian Scouts; the officers and enlisted men of the retired list; and such other officers and enlisted men as are now or may hereafter be provided for. Except in time of war or similar emergency when the public safety demands it, the number of enlisted men of the Regular Army shall not exceed 280,000, including the Philippine Scouts.'

"SEC. 3. That section 3 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 3. Organization of the Army: The organized peace establishment, including the Regular Army, the National Guard, and the Organized Reserves, shall include all of those divisions and other military organizations necessary to form the basis for a complete and immediate mobilization for the national defense in the event of a national emergency declared by Congress. The Army shall at all times be organized, so far as practicable, into brigades, divisions, and Army corps, and whenever the President may deem it expedient, into armies. For purposes of administration, training, and tactical control the continental area of the United States shall be divided on a basis of military population into corps areas. Each corps area shall contain at least one division of the National Guard or Organized Reserves, and such other troops as the President may direct. The President is authorized to group any or all corps areas into Army areas or departments.

"'SEC. 3a. The initial organization of the National Guard and the Organized Reserves: In the reorganization of the National Guard and in the initial organization of the Organized Reserves, the names, numbers, and other designations, flags, and records of the divisions and subordinate units thereof that served in the World War between April 6, 1917, and November 11, 1918, shall be preserved as such as far as practicable. Subject to revision and approval by the Secretary of War, the plans and regulations under which the initial organization and territorial distribution of the National Guard and the Organized Reserves shall be made shall be prepared by a committee of the branch or division of the War Department General Staff, hereinafter provided for, which is charged with the preparation of plans for the national defense and for the mobilization of the land forces of the United States. For the purpose of this task said committee shall be composed of members of said branch or division of the General Staff and an equal number of reserve officers, including reserve officers who hold or have held commissions in the National Guard. Subject to general regulations approved by the Secretary of War, the location and designation of units of the National Guard and of the Organized Reserves entirely comprised within the limits of any State or Territory shall be determined by a board, a majority of whom shall be reserve officers, including reserve officers who hold or have held commissions in the National Guard and recommended for this duty by the governor of the State or Territory concerned.'

"SEC. 4. That section 4 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 4. Officers: Officers commissioned to and holding in the Army the office of a general officer shall hereafter be known as general officers of the line. Officers commissioned to and holding in the Army an office other than that of general officer, but to which the rank of a general officer is attached, shall be known as general officers of the staff. There shall be one general, as now authorized by law, until a vacancy occurs in that

office, after which it shall cease to exist. On and after July 1, 1920, there shall be 21 major generals and 46 brigadier generals of the line; 599 colonels; 674 lieutenant colonels; 2,245 majors; 4,490 captains; 4,266 first lieutenants; 2,694 second lieutenants; and also the number of officers of the Medical Department and chaplains, hereinafter provided for, professors as now authorized by law, and the present military storekeeper, who shall hereafter have the rank, pay, and allowances of major; and the numbers herein prescribed shall not be exceeded: *Provided*, That major generals of the line shall be appointed from officers of the grade of brigadier general of the line, and brigadier generals of the line shall be appointed from officers of the grade of colonel of the line whose names are borne on an eligible list prepared annually by a board of not less than five general officers of the line not below the grade of major general: *Provided further*, That the first board convened after the passage of this act may place upon such eligible list any officer of the line of not less than 22 years' commissioned service.

"'Officers of all grades in the Infantry, Cavalry, Field Artillery, Coast Artillery Corps, Corps of Engineers, and Medical Department; officers above the grade of captain in the Signal Corps, Judge Advocate General's Department, Quartermaster Corps, Ordnance Department, and Chemical Warfare Service, all chaplains and professors, and the military storekeeper shall be permanently commissioned in their respective branches. All officers of the General Staff Corps, Inspector General's Department, Bureau of Insular Affairs, and Militia Bureau shall be obtained by detail from officers of corresponding grades in other branches. Other officers may be either detailed or, with their own consent, be permanently commissioned in the branches to which they are assigned for duty.

"'SEC. 4a. Warrant officers: In addition to those authorized for the Army Mine Planter Service there shall be not more than 1,120 warrant officers, including band leaders, who shall hereafter be warrant officers. Appointments shall be made by the Secretary of War from among noncommissioned officers who have had at least 10 years' enlisted service, enlisted men who served as officers of the Army at some time between April 6, 1917, and November 11, 1918, and whose total service in the Army, enlisted and commissioned, amounts to five years; persons serving or who have served as Army field clerks or field clerks, Quartermaster Corps; and, in the case of those who are to be assigned to duty as band leaders, from among persons who served as Army band leaders at some time between April 6, 1917, and November 11, 1918, or enlisted men possessing suitable qualifications. Hereafter no appointments as Army field clerks or field clerks, Quartermaster Corps, shall be made. Warrant officers other than those of the Army Mine Planter Service shall receive base pay of $1,320 a year and the allowances of a second lieutenant, shall be entitled to longevity pay and to retirement under the same conditions as commissioned officers, and shall take rank next below second lieutenants and among themselves according to the dates of their respective warrants.

"'SEC. 4b. Enlisted men: On and after July 1, 1920, the grades of enlisted men shall be such as the President may from time to time direct, with monthly base pay at the rate of $74 for the first grade, $53 for the second grade, $45 for the third grade, $45 for the fourth grade, $37 for the fifth grade, $35 for the sixth grade, and $30 for the seventh grade. Of the total authorized number of enlisted men those in the first grade shall not exceed 0.6 per cent, those in the second grade 1.8 per cent, those in the third grade 2 per cent, those in the fourth grade 9.5 per cent, those in the fifth grade 9.5 per cent, those in the sixth grade 25 per cent. The temporary increase of pay for enlisted men of the Army authorized by section 4 of the act of Congress approved May 18, 1920, shall be computed upon the base pay provided for in this section and shall apply only to enlisted men of the first five grades. The temporary allowance of rations authorized by section 5 and the transportation privileges authorized by section 12 of the said act shall apply only to enlisted men of the first three grades.

"'Existing laws providing for continuous-service pay are repealed to take effect July 1, 1920, and thereafter enlisted men shall receive an increase of 10 per cent of their base pay for each five years of service in the Army, or service which by existing law is held to be the equivalent of Army service, such increase not to exceed 40 per cent.

"'Under such regulations as the Secretary of War may prescribe, enlisted men of the sixth and seventh grades may be rated as specialists and receive extra pay therefor per month, as follows: First class, $25; second class, $20; third class, $15; fourth class, $12; fifth class, $8; sixth class, $3. Of the total authorized number of enlisted men in the sixth and seventh grades, those rated as specialists of the first class shall not exceed 0.7 per cent; of the second class, [illegible] per cent; of the third calss, 1.9 per cent; of the fourth class, 4.7 per cent; of the fifth class, 5 per cent; of the sixth class, 15.2 per cent. All laws and parts of laws providing for extra-duty pay for enlisted men are repealed, to take effect July 1, 1920: *Provided*, That nothing in this section shall operate to reduce the pay which any enlisted man is now receiving, during his current enlistment and while he holds his present grade, nor to change the present rate of pay of any enlisted man now on the retired list.

"'SEC. 4c. Assignments: Officers and enlisted men shall be assigned to the several branches of the Army as hereafter directed, a suitable proportion of each grade in each branch, but the President may increase or diminish the number of officers or enlisted men assigned to any branch by not more than a total of 15 per cent: *Provided*, That the total number authorized in any grade by this act is not exceeded: *Provided further*, That the number of enlisted men herein authorized for any branch shall include such number of Philippine Scouts as may be organized in that branch: *Provided further*, That no officer shall be transferred from one branch of the service to another under the provisions of this section without his own consent. Except as otherwise herein prescribed, chiefs and assistants to the chiefs of the several branches shall hereafter be appointed by the President, by and with the advice and consent of the Senate, for a period of four years, and such appointments shall not create vacancies. Appointment as chief of any branch shall be made from among officers commissioned in grades not below that of colonel, and as assistant from among officers of not less than 15 years' commissioned service, who have demonstrated by actual and extended service in such branch or on similar duty that they are qualified for such appointment: *Provided*, That the chiefs of the several branches shall make recommendations to the Secretary of War for the appointment of their assistants: *Provided further*, That in making the first appointment to any such office created by this act the chief of a branch may be selected from among officers of not less than 22 years' commissioned service. Any officer who shall have served four years as chief of a branch and who may subsequently be retired shall be retired with the rank, pay, and allowances authorized by law for the grade held by him as such chief. In time of peace no officer of the line shall be or remain detailed as a member of the General Staff Corps unless he has served for two of the next preceding six years in actual command of troops of one or more of the combatant arms; and in time of peace every officer serving in a grade below that of brigadier general shall perform duty with troops of one or more of the combatant arms for at least one year in every period of five consecutive years, except that officers of less than one year's commissioned service in the Regular Army may be detailed as students at service schools: *Provided*, That an officer commissioned in a staff corps shall not be or remain detailed as a member of the General Staff Corps unless he has served for one of the next preceding five years with troops of one or more of the combatant arms. In the administration of this provision all duty performed between April 6, 1917, and July 1, 1920, inclusive, or as a student at service schools other than those of the noncombatant branches, at any time, shall be regarded as satisfying the requirements of service with combatant arms. Existing laws in so far as they restrict the detail or assignment of officers are hereby repealed. The Secretary of War shall annually report to Congress the numbers, grades, and assignments of the officers and enlisted men of the Army, and the number, kinds, and strength of organizations pertaining to each branch of the service.'

"SEC. 5. That section 5 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 5. General Staff Corps: The General Staff Corps shall consist of the Chief of Staff, the War Department General Staff and the general staff with troops. The War Department General Staff shall consist of the Chief of Staff and four assistants to the Chief of Staff selected by the President from the general officers of the line, and 88 other officers of grades not below that of captain. The general staff with troops shall consist of such number of officers not below the grade of captain as may be necessary to perform the General Staff duties of the headquarters of territorial departments, armies, Army corps, divisions, and brigades, and as military attachés abroad. In time of peace the detail of an officer as a member of the General Staff Corps shall be for a period of four years, unless sooner relieved, and such details shall be limited to officers whose names are borne on the list of General Staff Corps eligibles. The initial eligible list shall be prepared by a board consisting of the General of the Army, the commandant of the General Staff College, the commandant of the general service schools, and two other general officers of the line, selected by the Secretary

of War, who are not then members of the General Staff Corps. This board shall select and report the names of all officers of the Regular Army, National Guard, and Officers' Reserve Corps of the following classes who are recommended by them as qualified by education, military experience, and character for General Staff duty;

"'(a) Those officers graduated from the Army Staff College or the Army War College prior to July 1, 1917, who, upon graduation were specifically recommended for duty as commander or chief of staff of a division or higher tactical unit, or for detail in the General Staff Corps;

"'(b) Those officers who, since April 6, 1917, have commanded a division or higher tactical unit, or have demonstrated by actual service in the World War that they are qualified for General Staff duty.

"'After the completion of the initial General Staff Corps eligible list, the name of no officer shall be added thereto unless upon graduation from the General Staff School he is specifically recommended as qualified for General Staff duty, and hereafter no officer of the General Staff Corps except the Chief of Staff shall be assigned as a member of the War Department General Staff unless he is a graduate of the General Staff College or his name is borne on the initial eligible list. The Secretary of War shall publish annually the list of officers eligible for General Staff duty, and such eligibility shall be noted in the annual Army Register. If at any time the number of officers available and eligible for detail to the General Staff is not sufficient to fill all vacancies therein, majors or captains may be detailed as acting General Staff officers under such regulations as the President may prescribe: *Provided*, That in order to insure intelligent cooperation between the General Staff and the several noncombatant branches officers of such branches may be detailed as additional members of the General Staff Corps under such special regulations as to eligibility and redetail as may be prescribed by the President; but not more than two officers from each such branch shall be detailed as members of the War Department General Staff.

"'The duties of the War Department General Staff shall be to prepare plans for national defense and the use of the military forces for that purpose, both separately and in conjunction with the naval forces, and for the mobilization of the manhood of the Nation and its material resources in an emergency, to investigate and report upon all questions affecting the efficiency of the Army of the United States and its state of preparation for military operations, and to render professional aid and assistance to the Secretary of War and the Chief of Staff.

"'All policies and regulations affecting the organization, distribution, and training of the National Guard and the Organized Reserves, and all policies and regulations affecting the appointment, assignment, promotion, and discharge of reserve officers shall be prepared by committees of appropriate branches or divisions of the War Department General Staff, to which shall be added an equal number of reserve officers, including reserve officers who hold or have held commissions in the National Guard, and whose names are borne on lists of officers suitable for such duty submitted by the governors of the several States and Territories. For the purposes specified herein they shall be regarded as additional members of the General Staff while so serving: *Provided*, That prior to January 1, 1921, National Guard officers who do not hold reserve commissions, if recommended by the governors of the several States and Territories, may be designated by the President as members of the committees herein provided for, and while so serving such officers shall receive the pay and allowances of their corresponding grades in the Regular Army.

"'The duties of the General Staff with troops shall be to render professional aid and assistance to the general officers over them; to act as their agents in harmonizing the plans, duties, and operations of the various organizations and services under their jurisdiction; in preparing detailed instructions for the execution of the plans of the commanding generals; and in supervising the execution of such instructions.

"'The Chief of Staff shall preside over the War Department General Staff and, under the direction of the President or of the Secretary of War under the direction of the President, shall cause to be made, by the War Department General Staff, the necessary plans for recruiting, organizing, supplying, equipping, mobilizing, training, and demobilizing the Army of the United States and for the use of the military forces for national defense. He shall transmit to the Secretary of War the plans and recommendations prepared for that purpose by the War Department General Staff and advise him in regard thereto. Upon the approval of such plans or recommendations by the Secretary of War he shall act as the agent of the Secretary of War in carrying the same into effect. Whenever any plan or recommendation involving legislation by Congress affecting national defense or the reorganization of the Army is presented by the Secretary of War to Congress, or to one of the committees of Congress, the same shall be accompanied, when not incompatible with the public interest, by a study prepared in the appropriate division of the War Department General Staff, including the comments and recommendations of said division for or against such plan, and such pertinent comments for or against the plan as may be made by the Secretary of War, the Chief of Staff, or individual officers of the division of the War Department General Staff in which the plan was prepared.

"'Hereafter members of the General Staff Corps shall be confined strictly to the discharge of duties of the general nature of those specified for them in this section and in the act of Congress approved February 14, 1903, and they shall not be permitted to assume or engage in work of an administrative nature that pertains to esablished bureaus or offices of the War Department, or that, being assumed or engaged in by members of the General Staff Corps, would involve impairment of the responsibility or initiative of such bureaus or offices or would cause injurious or unnecessary duplication of or delay in the work thereof.

"'SEC. 5a. Hereafter, in addition to such other duties as may be assigned him by the Secretary of War, the Assistant Secretary of War, under the direction of the Secretary of War, shall be charged with supervision of the procurement of all military supplies and other business of the War Department pertaining thereto and the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs. The Assistant Secretary of War shall receive a salary of $10,000 per annum. There shall be detailed to the office of the Assistant Secretary of War from the branches engaged in procurement such number of officers and civilian employees as may be authorized by regulations approved by the Secretary of War. The offices of Second Assistant Secretary of War and Third Assistant Secretary of War are hereby abolished.

"'Under the direction of the Secretary of War chiefs of branches of the Army charged with the procurement of supplies for the Army shall report direct to the Assistant Secretary of War regarding all matters of procurement. He shall cause to be manufactured or produced at the Government arsenals or Government-owned factories of the United States all such supplies or articles needed by the War Department as said arsenals or Government-owned factories are capable of manufacturing or producing upon an economical basis. And all appropriations for manufacture of matériel pertaining to approved projects which are placed with arsenals or Government-owned factories or other ordnance establishments shall remain available for such purpose until the close of the next ensuing fiscal year.

"'SEC. 5b. The war council: The Secretary of War, the Assistant Secretary of War, the General of the Army, and the Chief of Staff shall constitute the war council of the War Department, which council shall from time to time meet and consider policies affecting both the military and munitions problems of the War Department. Such questions shall be presented to the Secretary of War in the war council and his decision with reference to such questions of policy, after consideration of the recommendations thereon by the several members of the war council, shall constitute the policy of the War Department with reference thereto.'

"SEC. 6. That section 6 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 6. Adjutant General's Department: The Adjutant General's Department shall consist of The Adjutant General with the rank of major general, 1 assistant with the rank of brigadier general, who shall be Chief of the Personnel Bureau, and 115 officers in grades from colonel to captain, inclusive. The Personnel Bureau shall be charged, under such regulations as may be prescribed by the Secretary of War, with the operating functions of procurement, assignment, promotion, transfer, retirement, and discharge of all officers and enlisted men of the Army: *Provided*, That territorial commanders and the chiefs of the several branches of the Army shall be charged with such of the above-described duties within their respective jurisdictions as may be prescribed by the Secretary of War.'

"SEC. 7. That section 7 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 7. Inspector General's Department: The Inspector General's Department shall consist of 1 Inspector General with the rank of major general and 61 officers in grades from colonel to captain, inclusive.'

"SEC. 8. That section 8 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 8. Judge Advocate General's Department: The Judge Advocate General's Department shall consist of 1 Judge Advocate General with the rank of major general, and 114 officers in grades from colonel to captain, inclusive: *Provided*, That immediately upon the passage of this act the number of colonels of the Judge Advocate General's Department shall be increased by 5, and the vacancies thus created shall be filled by promotion in the manner heretofore provided by law.'

"SEC. 9. That section 9 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 9. Quartermaster Corps: The Quartermaster Corps shall consist of 1 Quartermaster General with the rank of major general, 3 assistants with the rank of brigadier general, 1,050 officers in grades from colonel to second lieutenant, inclusive, and 20,000 enlisted men. The Quartermaster General, under the authority of the Secretary of War, shall be charged with the purchase and procurement for the Army of all supplies of standard manufacture and of all supplies common to two or more branches but not with the purchase or the procurement of special or technical articles to be used or issued exclusively by other supply departments; with the direction of all work pertaining to the construction, maintenance, and repair of buildings, structures, and utilities other than fortifications connected with the Army; with the storage and issue of supplies; with the operation of utilities; with the acquisition of all real estate and the issue of licenses in connection with Government reservations; with the transportation of the Army by land and water, including the transportation of troops and supplies by mechanical or animal means; with the furnishing of means of transportation of all classes and kinds required by the Army; and with such other duties not otherwise assigned by law as the Secretary of War may prescribe: *Provided*, That special and technical articles used or issued exclusively by other branches of the service may be purchased or procured with the approval of the Assistant Secretary of War by the branches using or issuing such articles, and the chief of each branch may be charged with the storage and issue of property pertaining thereto: *Provided further*, That utilities pertaining exclusively to any branch of the Army may be operated by such branches.

"'SEC. 9a. Finance department: There is hereby created a finance department. The finance department shall consist of 1 chief of finance with the rank of brigadier general, 141 officers in grades from colonel to second lieutenant, inclusive, and 900 enlisted men.

"'The chief of finance, under the authority of the Secretary, shall be charged with the disbursement of all funds of the War Department, including the pay of the Army and the mileage for officers and the accounting therefor, and with such other fiscal and accounting duties as may be required by law or assigned to him by the Secretary of War: *Provided*, That under such regulations as may be prescribed by the Secretary of War officers of the finance department accountable for public moneys may intrust moneys to other officers for the purpose of having them make disbursements as their agents, and the officer to whom the moneys are intrusted, as well as the officer who intrusts the moneys to him, shall be held pecuniarily responsible therefor to the United States.'

"SEC. 10. That section 10 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 10. Medical Department: The Medical Department shall consist of one Surgeon General with the rank of major general, two assistants with the rank of brigadier general, the Medical Corps, the Dental Corps, the Veterinary Corps, the Medical Administrative Corps, a number of enlisted men which until June 30, 1921, shall not exceed 5 per cent of the authorized enlisted strength and thereafter 5 per cent of the actual strength, commissioned and enlisted, of the Regular Army, the Army Nurse Corps as now constituted by law, and such contract surgeons as are now authorized by law. The number of officers of the Medical Corps shall be 6½ for every 1,000, and of the Medical Administrative Corps, 1 for every 2,000, of the total enlisted strength of the Regular Army, authorized from time to time, and within the peace strength permitted by this act. The number of officers of the Dental Corps shall be 1 for every 1,000 of the total strength of the Regular Army, authorized from time to time, and within the peace strength permitted by this act. The number of officers of the Veterinary Corps shall be 175.

"'Hereafter an officer of the Medical or Dental Corps shall be promoted to the grade of captain after 3 years' service, to the grade of major after 12 years' service, to the grade of lieutenant colonel after 20 years' service, and to the grade of colonel after 26 years' service. An officer of the Veterinary Corps shall be promoted to the grade of first lieutenant after 3 years' service, to the grade of captain after 7 years' service, to the grade of major after 14 years' service, to the grade of lieutenant colonel after 20 years' service, and to the grade of colonel after 26 years' service. An officer of the Medical Administrative Corps shall be promoted to the grade of first lieutenant after 5 years' service, and to the grade of captain after 10 years' service. For purposes of promotion there shall be credited to officers of the Medical Department all active commissioned service in the Regular Army whenever rendered; and also all such service rendered since April 6, 1917, in the Army or in the National Guard when in active service under a call by the President, except service under a reserve commission while in attendance at a school or camp for the training of candidates for commission. To officers of the Dental Corps shall be credited their service as contract dental surgeons and acting dental surgeons, and to officers of the Veterinary Corps, their governmental veterinary service rendered prior to June 3, 1916. The length of service of any officer who shall have lost files by reason of sentence of court-martial or failure in examination for promotion shall be regarded as diminished to the equivalent of the service of the officer of his corps immediately preceding him in relative rank.

"'Of the vacancies in the Medical Department existing on July 1, 1920, such number as the President may direct shall be filled by the appointment on that date in any grade authorized by this section, of persons under the age of 58 years, other than officers of the Regular Army, who served as officers of the Army at some time between April 6, 1917, and the date of the passage of this act, the selection to be made by the board of general officers provided for in section 24, and subject to the restrictions as to age therein prescribed. Appointees in the Medical Administrative Corps must also have had at least five years' enlisted service in the Medical Department, and the number appointed in the grades of captain and first lieutenant under the provisions of this paragraph shall not exceed one-half of the whole number authorized for said corps. For purposes of future promotion, any person so appointed in the Medical or Dental Corps shall be considered as having had, on the date of appointment, service equal to that of the junior officer of his grade and corps now in the Regular Army; and in the Veterinary or Medical Administrative Corps, sufficient service to bring him to his grade under the rules established in this section.

"'Hereafter the members of the Army Nurse Corps shall have relative rank as follows: The superintendent shall have the relative rank of major; the assistant superintendents, director and assistant directors, the relative rank of captain; chief nurses, the relative rank of first lieutenant; head nurses and nurses, the relative rank of second lieutenant; and as regards medical and sanitary matters and all other work within the line of their professional duties shall have authority in and about military hospitals next after the officers of the Medical Department. The Secretary of War shall make the necessary regulations prescribing the rights and privileges conferred by such relative rank.'

"SEC. 11. That section 11 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 11. Corps of Engineers: The Corps of Engineers shall consist of one Chief of Engineers with the rank of major general, one assistant with the rank of brigadier general, 600 officers in grades from colonel to second lieutenant, inclusive, and 12,000 enlisted men, such part of whom as the President may direct being formed into tactical units organized as he may prescribe.'

"SEC. 12. That section 12 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 12. Ordnance Department: The Ordnance Department shall consist of one Chief of Ordnance with the rank of major general, two assistants with the rank of brigadier general, 350 officers in grades from colonel to second lieutenant, inclusive, and 4,500 enlisted men.

"'SEC. 12a. Chemical Warfare Service: There is hereby created a Chemical Warfare Service. The Chemical Warfare Service shall consist of one Chief of the Chemical Warfare Service with the rank of brigadier general, 100 officers in grades from colonel to second lieutenant, inclusive, and 1,200 enlisted men. The Chief of the Chemical Warfare Service under the

authority of the Secretary of War shall be charged with the investigation, development, manufacture, or procurement and supply to the Army of all smoke and incendiary materials, all toxic gases, and all gas defense appliances; the research, design, and experimentation connected with chemical warfare and its material; and chemical projectile filling plants and proving grounds; the supervision of the training of the Army in chemical warfare, both offensive and defensive, including the necessary schools of instruction; the organization, equipment, training, and operation of special gas troops, and such other duties as the President may from time to time prescribe.'

"SEC. 13. That section 13 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 13. Signal Corps: The Signal Corps shall consist of one Chief Signal Officer with the rank of major general, 300 officers in grades from colonel to second lieutenant, inclusive, and 5,000 enlisted men, such part of whom as the President may direct being formed into tactical units organized as he may prescribe.

"'There is hereby created an Air Service.

"'SEC. 13a. Air Service: The Air Service shall consist of 1 Chief of the Air Service with the rank of major general, 1 assistant with the rank of brigadier general, 1,514 officers in grades from colonel to second lieutenant, inclusive, and 16,000 enlisted men, including not to exceed 2,500 flying cadets, such part of whom as the President may direct being formed into tactical units, organized as he may prescribe: *Provided*, That not to exceed 10 per cent of the officers in each grade below that of brigadier general who fail to qualify as aircraft pilots or as observers within one year after the date of detail or assignment shall be permitted to remain detailed or assigned to the Air Service. Flying units shall in all cases be commanded by flying officers. Officers and enlisted men of the Army shall receive an increase of 50 per cent of their pay while on duty requiring them to participate regularly and frequently in aerial flights; and hereafter no person shall receive additional pay for aviation duty except as prescribed in this section: *Provided*, That nothing in this act shall be construed as amending existing provisions of law relating to flying cadets.'

"SEC. 14. That section 14 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 14. Bureau of Insular Affairs: The officers of the Bureau of Insular Affairs shall be one chief of the bureau with the rank of brigadier general, and two officers below the grade of brigadier general: *Provided*, That during the tenure of office of the present Chief of the Bureau of Insular Affairs he shall have the rank of major general.'

"SEC. 15. That section 15 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 15. Chaplains: There shall be one chaplain for every twelve hundred officers and enlisted men of the Regular Army, exclusive of the Philippine Scouts and the unassigned recruits, authorized from time to time in accordance with law and within the peace strength permitted by this act. Chaplains shall hereafter have rank, pay, and allowances according to length of active commissioned service in the Army, or, since April 6, 1917, in the National Guard while in active service under a call by the President, as follows: Less than 5 years, first lieutenant; 5 to 14 years, captain; 14 to 20 years, major; over 20 years, lieutenant colonel. One chaplain, of rank not below that of major may be appointed by the President, by and with the advice and consent of the Senate, to be chief of chaplains. He shall serve as such for four years, and shall have the rank, pay and allowances of colonel while so serving. His duties shall include investigation into the qualifications of candidates for appointment as chaplain, and general coordination and supervision of the work of chaplains. Of the vacancies existing on July 1, 1920, such number as the President may direct shall be filled by appointment on that date of persons under the age of 58 years, other than chaplains of the Regular Army, who served as chaplains in the Army at some time between April 6, 1917, and the date of the passage of this act. Such appointments may be made in grades above the lowest under the same restrictions as to age and rank as are hereinafter prescribed for original appointments in other branches of the service, and in accordance with the recommendation of the board of officers provided for in section 24. For purposes of future promotion, persons so appointed shall be considered as having had, on the date of appointment, sufficient prior service to bring them to their respective grades under the rules of promotion established in this section.'

"SEC. 16. That said act be, and the same is hereby, amended by striking out section 16.

"SEC. 17. That section 17 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 17. Infantry: The Infantry shall consist of one chief of Infantry with the rank of major general, 4,200 officers in grades from colonel to second lieutenant, inclusive, and 110,000 enlisted men, organized into such Infantry units as the President may direct. Hereafter all tank units shall form a part of the Infantry.'

"SEC. 18. That section 18 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 18. Cavalry: The Cavalry shall consist of one chief of Cavalry with the rank of major general, 950 officers in grades from colonel to second lieutenant, inclusive, and 20,000 enlisted men, organized into Cavalry units as the President may direct.'

"SEC. 19. That section 19 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 19. Field Artillery: The Field Artillery shall consist of one chief of Field Artillery with the rank of major general, 1,900 officers in grades from colonel to second lieutenant, inclusive, and 37,000 enlisted men, organized into Field Artillery units as the President may direct.'

"SEC. 20. That section 20 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 20. Coast Artillery Corps: The Coast Artillery Corps shall consist of one chief of Coast Artillery with the rank of major general, 1,200 officers in grades from colonel to second lieutenant, inclusive, the warrant officers of the Army Mine Planter Service as now authorized by law, and 30,000 enlisted men, organized into such Coast Artillery units as the President may direct.'

"SEC. 21. That section 21 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 21. Porto Rico Regiment of Infantry: The Porto Rico Regiment of Infantry and the officers and enlisted men of such regiment shall become a part of the Infantry branch herein provided for, and its officers shall, on July 1, 1920, be recommissioned in the Infantry with their present grades and dates of rank, unless promoted on that date in accordance with the provisions of section 24 hereof.'

"SEC. 22. That said act be, and the same is hereby, amended by adding after section 22 a new section, to be numbered 22a, and to read as follows:

"'SEC. 22a. Philippine Scouts: The President is authorized to form the Philippine Scouts into such branches and tactical units as he may deem expedient, within the limit of strength prescribed by law, organized similarly to those of the Regular Army, the officers to be detailed from those authorized in section 4 hereof. On July 1, 1920, all officers of the Philippine Scouts on the active list, who are citizens of the United States and are found qualified under such regulations as the President may prescribe, shall be recommissioned in some one of the branches provided for by this act, and those not so recommissioned shall continue to serve under their commissions as officers of the Philippine Scouts. No further appointments shall be made as officers of Philippine Scouts except of citizens of the Philippine Islands, who may be appointed in the grade of second lieutenant, under such regulations as the President may prescribe. Officers commissioned in the Philippine Scouts shall be subject to promotion, classification, and elimination, as hereinafter prescribed for officers of the Regular Army. Those now on the retired list shall hereafter receive the same pay as a retired second lieutenant of equal service. Officers of the Philippine Scouts shall hereafter be retired under the same conditions, and those hereafter placed on the retired list shall receive the same retired pay, as other officers of like grades and length of service, and shall be equally eligible for advancement on account of active duty performed since retirement. Nothing in this act shall be construed to alter in any respect the present status of enlisted men of the Philippine Scouts.'

"SEC. 23. That section 23 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 23. Provisional appointments: All laws providing that certain appointments of officers shall be provisional for a period of time are hereby repealed.'

"SEC. 24. That section 24 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 24. Filling of vacancies: Not less than one-half of the total number of vacancies caused by this act, exclusive of those in the Medical Department and among chaplains, shall be filled by the appointment, to date from July 1, 1920, and subject to such examination as the President may prescribe, of persons other than officers of the Regular Army who served as officers of the United States Army at any time between April 6, 1917, and the date of the passage of this act. A suitable number of such officers shall be appointed in each of the grades below that of brigadier general, according to their qualifications for such grade as may be determined by the board of general officers provided for in this section. No such person above the age of 50 years shall be appointed in a combatant branch, or above the age of 58 in a noncombatant branch. No such person below the age of 48 years shall be appointed in the grade of colonel, or below the age of 45 years in the grade of lieutenant colonel, or below the age of 36 years in the grade of major. Not less than three such persons shall be appointed to the grade of colonel in the Judge Advocate General's Department, and not less than eight to the grade of lieutenant colonel in the Judge Advocate General's Department, provided a sufficient number of applicants for such appointments are legally eligible and are found by the board provided for in this section to be properly qualified. Any person originally appointed under the provisions of this act at an age greater than 45 years shall, when retired, receive retired pay at the rate of 4 per cent of active pay for each complete year of commissioned service in the United States Army, the total to be not more than 75 per cent. Vacancies remaining in grades above the lowest which are not filled by such appointments shall be filled by promotion to date from July 1, 1920, in accordance with the provisions of section 24c hereof. The selection of officers to be appointed under the provisions of this section, under such rules and regulations as may be approved by the Secretary of War, shall be made by a board consisting of the General of the Army, three bureau chiefs, and three general officers of the line, to be appointed by the Secretary of War: *Provided*, That no officer shall be appointed in any branch of the service under the provisions of this section except with the approval of the chief of such branch or officer acting as such.

"'SEC. 24a. Promotion list: For the purpose of establishing a more uniform system for the promotion of officers, based on equity, merit, and the interests of the Army as a whole, the Secretary of War shall cause to be prepared a promotion list, on which shall be carried the names of all officers of the Regular Army and Philippine Scouts below the grade of colonel, except officers of the Medical Department, chaplains, professors, the military storekeeper and certain second lieutenants of the Quartermaster Corps hereinafter specified. The names on the list shall be arranged, in general, so that the first name on the list shall be that of the officer having the longest commissioned service; the second name that of the officer having the next longest commissioned service, and so on. In computation for the purpose of determining the position of officers on the promotion list there shall be credited all active commissioned service in the Army performed while under appointment from the United States Government, whether in the Regular, provisional, or temporary forces, except service under a reserve commission while in attendance at a school or camp for the training of candidates for commission; also commissioned service in the National Guard while in active service since April 6, 1917, under a call by the President; and also commissioned service in the Marine Corps when detached for service with the Army by order of the President. In determining position on the promotion list, and relative rank, commissioned service in the Regular Army or the Philippine Scouts, if continuous to the present time, shall be counted as having begun on the date of original commission. The original promotion list shall be formed by a board of officers appointed by the Secretary of War, consisting of one colonel of each of six branches of the service in which officers are permanently commissioned under the terms of this act, and one officer who, as a member of the personnel branch of the General Staff, has made a special study of merging the present promotion lists into a single list. The steps in the formation of the original promotion list shall be as follows:

"'First, officers below the grade of colonel in the Corps of Engineers, Signal Corps, Infantry, Cavalry, Field Artillery, Coast Artillery Corps, Porto Rico Regiment, and Philippine Scouts, who were originally appointed in the Regular Army or Philippine Scouts prior to April 6, 1917, shall be arranged without changing the present order of officers on the lineal lists of their own branches, but otherwise as nearly as practicable according to length of commissioned service. The following shall be omitted:

"'(a) Officers who, as a result of voluntary transfer, occupy positions on the lineal list other than those they would have held if their original commissions had been in their present branches;

"'(b) Officers of other branches appointed in the Field Artillery or the Coast Artillery Corps to fill vacancies created by the act approved January 25, 1907;

"'(c) Officers appointed in the Regular Army since January 1, 1903, while serving as officers of the Porto Rico Provisional Regiment of Infantry or Philippine Scouts;

"'(d) Former officers of the Regular Army or Philippine Scouts who have been reappointed in these forces and who are now below normally placed officers of less commissioned service than theirs.

"'Officers of classes (a), (b), and (c) shall be placed on the list in the positions they would have occupied if they had remained in their original branches of the service. Officers of class (d) shall be placed on the list in the position that would normally be occupied by an officer of continuous service equal to the total active commissioned service of such officers in the Army.

"'Second, officers of the Judge Advocate General's Department, Quartermaster Corps, and Ordnance Department shall be placed on the list according to length of commissioned service, except those second lieutenants of the Quartermaster Corps who are found not qualified for promotion as provided in section 24b hereof.

"'Third, captains and lieutenants of the Regular Army and Philippine Scouts, originally appointed since April 6, 1917, shall be arranged among themselves according to commissioned service rendered prior to November 11, 1918, and shall be placed at the foot of the list as prepared to this point.

"'Fourth, persons to be appointed as captains or lieutenants under the provisions of section 24, hereof, shall be placed according to commissioned service rendered prior to November 11, 1918, among the officers referred to in the next preceding clause; and where such commissioned service is equal, officers now in the Regular Army shall precede persons to be appointed under the provisions of this act, and the latter shall be arranged according to age.

"'Fifth, persons appointed as lieutenant colonels or majors under the provisions of section 24 hereof, shall be placed immediately below all officers of the Regular Army who, on July 1, 1920, are promoted to these grades respectively under the provisions of section 24 hereof: *Provided*, That the board charged with the preparation of the promotion list may in its discretion, assign to any such officer a position on the list higher than that to which he would otherwise be entitled, but not such as to place him above any officer of greater age, whose commissioned service commenced prior to April 6, 1917, and who would precede him on the list under the general provisions of this section.

"'Any former officer of the Regular Army and any retired officer who may hereafter be appointed to the active list in the manner provided by law shall be placed on the promotion list in accordance with his total active commissioned service; except that former officers appointed to field grades on July 1, 1920, under the provisions of section 24, may be placed as provided in the next preceding paragraph of this section. A reserve judge advocate appointed in the Regular Army shall be placed as provided in section 24e.

"'Other officers on original appointment shall be placed at the foot of the list. The place of any officer on the promotion list once established shall not thereafter be changed, except as the result of the sentence of a court-martial.

"'SEC. 24b. Classification of officers: Immediately upon the passage of this act, and in September of 1921 and every year thereafter, the President shall convene a board of not less than five general officers, which shall arrange all officers in two classes, namely: Class A, consisting of officers who should be retained in the service, and Class B, of officers who should not be retained in the service. Until otherwise finally classified all officers shall be regarded as belonging to Class A, and shall be promoted according to the provisions of this act to fill any vacancies which may occur prior to such final classification. No officer shall be finally classified in Class B until he shall have been given an opportunity to appear before a court of inquiry. In such court of inquiry he shall be furnished with a full copy of the official records upon which the proposed classification is based and shall be given an opportunity to present testimony in his own behalf. The record of such court of inquiry shall be forwarded to the final classification board for reconsideration of the case, and after such consideration the finding of said classification board shall be final and not subject to further revision except upon the order of the President. Whenever an officer is placed in Class B a board of not less than three officers shall be convened to determine

whether such classification is due to his neglect, misconduct, or avoidable habits. If the finding is affirmative, he shall be discharged from the Army; if negative, he shall be placed on the unlimited retired list with pay at the rate of 2½ per cent of his active pay multiplied by the number of complete years of commissioned service, or service which under the provisions of this act is counted as its equivalent, unless his total commissioned service or equivalent service shall be less than 10 years, in which case he shall be honorably discharged with one year's pay. The maximum retired pay of an officer retired under the provisions of this section prior to January 1, 1924, shall be 75 per cent of active pay, and of one retired on or after that date, 60 per cent. If an officer is thus retired before the completion of 30 years' commissioned service, he may be employed on such active duty as the Secretary of War considers him capable of performing until he has completed 30 years' commissioned service. The board convened upon the passage of this act shall also report the names of those second lieutenants of the Quartermaster Corps who were commissioned under the provisions of section 9 of the act of June 3, 1916, who are not qualified for further promotion. The officers so reported shall continue in the grade of second lieutenant for the remainder of their service and the others shall be placed upon the promotion list according to their commissioned serrvice, as hereinbefore provided.

"'SEC. 24c. Promotion of officers: Up to and including June 30, 1920, except as otherwise provided herein, promotions shall continue to be made in accordance with law existing prior to the passage of this act, and on the basis of the number heretofore authorized for each grade and branch. On and after July 1, 1920, vacancies in grades below that of brigadier general shall be filled by the promotion of officers in the order in which they stand on the promotion list, without regard to the branches in which they are commissioned. Existing laws providing for the examination of officers for promotion are hereby repealed, except those relating to physical examination, which shall continue to be required for promotion to all grades below that of brigadier general, and except also those governing the examination of officers of the Medical, Dental, and Veterinary Corps. Officers of said three corps shall be examined in accordance with law governing examination of officers of the Medical Corps, second lieutenants of the Veterinary Corps being subject to the same provisions as first lieutenants.

"'SEC. 24d. Transfer of officers: Upon his own application any officer may be transferred to another branch without loss of rank or change of place on the promotion list.

"'SEC. 24e. Appointment of officers: Except as otherwise herein provided, appointments shall be made in the grade of second lieutenant, first, from graduates of the United States Military Academy; second, from warrant officers and enlisted men of the Regular Army between the ages of 21 and 30 years, who have had at least two years' service; and, third, from reserve officers, and from officers, warrant officers, and enlisted men of the National Guard, members of the Enlisted Reserve Corps, and graduates of technical institutions approved by the Secretary of War, all between the ages of 21 and 30 years. Any vacancy in the grade of captain in the Judge Advocate General's Department not filled by transfer or detail from another branch may, in the discretion of the President, be filled by appointment from reserve judge advocates between the ages of 30 and 36 years, and such appointee shall be placed upon the promotion list immediately below the junior captain on said list. Appointments in the Medical and Dental Corps shall be made in the grade of first lieutenant from reserve medical and dental officers, respectively, between the ages of 23 and 32 years; in the Veterinary Corps in the grade of second lieutenant from reserve veterinary officers between the ages of 21 and 30 years; and in the Medical Administrative Corps in the grade of second lieutenant from enlisted men of the Medical Department between the ages of 21 and 32 years, who have had at least two years' service. To be eligible for appointment in the Dental Corps, a candidate must be a graduate of a recognized dental college and have been engaged in the practice of his profession for at least two years subsequent to graduation. Appointments as chaplains shall be made from among persons duly accredited by some religious denomination or organization, and of good standing therein, between the ages of 23 and 45 years. Former officers of the Regular Army and retired officers may be reappointed to the active list if found competent for active duty, and shall be commissioned in the grades determined by the places assigned to them on the promotion list under the provisions of section 24a hereof.'

"SEC. 25. That section 25 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 25. Detached officers and enlisted men: All officers and enlisted men authorized by law and not assigned to duty with any branch or bureau herein provided for shall be carried on the detached officers' list and detached enlisted men's list, respectively.'

"SEC. 26. That said act be, and the same is hereby, amended by striking out section 26.

"SEC. 27. That section 27 of said act be, and the same is hereby amended by striking out all up to and including the third proviso, and also the proviso relating to the utilization of the service of postmasters, and inserting the following in lieu thereof:

"'SEC. 27. Enlistments: Hereafter original enlistments in the Regular Army shall be for a period of one or three years at the option of the soldier, and reenlistments shall be for a period of three years. Existing laws providing for the payment of three months' pay to certain soldiers upon reenlistment are hereby repealed, and hereafter an enlistment allowance equal to three times the monthly pay of a soldier of the seventh grade shall be paid to every soldier who enlists or reenlists for a period of three years, payment of the enlistment allowance for original enlistment to be deferred until honorable discharge.'

"SEC. 28. That said act be, and the same is hereby amended by striking out section 28, with the exception of the proviso added thereto by Chapter XVII, section 5, of an act of Congress approved July 9, 1918, providing pay for qualification as telegraphers.

"SEC. 29. That section 29 of said act be, and the same is hereby amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 29. Discharge on account of dependent relatives: When by reason of death or disability of a member of the family of an enlisted man occurring after his enlistment members of his family become dependent upon him for care or support, he may, in the discretion of the Secretary of War, be discharged from the service of the United States.'

"SEC. 30. That section 30 of said act be, and the same is hereby amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 30. The Regular Army Reserve is hereby abolished, and all members thereof shall be discharged from the obligations under which they are now serving.'

"SEC. 31. That said act be, and the same is hereby amended by striking out sections 31, 32, 33, 34, 36, 38, and 39.

"SEC. 32. That section 37 of said act be, and the same is hereby amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 37. Officers' Reserve Corps: For the purpose of providing a reserve of officers available for military service when needed, there shall be organized an Officers' Reserve Corps consisting of general officers, of sections corresponding to the various branches of the Regular Army, and of such additional sections as the President may direct. The grades in each section and the number in each grade shall be as the President may prescribe. Reserve officers shall be appointed and commissioned by the President alone, except general officers, who shall be appointed by and with the advice and consent of the Senate. Appointment in every case shall be for a period of five years, but an appointment in force at the outbreak of war, or made in time of war, shall continue in force until six months after its termination. Any reserve officer may be discharged at any time, in the discretion of the President. A reserve officer appointed during the existence of a state of war shall be entitled to discharge within six months after its termination if he makes application therefor. In time of peace a reserve officer must, at the time of his appointment, be a citizen of the United States or the Philippine Islands, between the ages of 21 and 60 years. Any person who has been an officer of the Army, at any time between April 6, 1917, and June 30, 1919, or an officer of the Regular Army at any time, may be appointed as a reserve officer in the highest grade which he held in the Army or any lower grade; any person now serving as an officer of the National Guard may be appointed as a reserve officer in his present or any lower grade; no other person shall in time of peace be originally appointed as a reserve officer of Infantry, Cavalry, Field Artillery, Coast Artillery, or Air Service in a grade above that of second lieutenant. In time of peace appointments in the Infantry, Cavalry, Field Artillery, Coast Artillery, and Air Service shall be limited to former officers of the Army, graduates of the Reserve Officers' Training Corps, as provided in section 47b hereof, warrant officers and enlisted men of the Regular Army, National Guard, and enlisted Reserve Corps, and persons who served in the Army at some time between April 6, 1917, and November 11, 1918. Promotions and transfers shall be made under such rules as may be prescribed by the President, and shall be based so far as prac-

ticable upon recommendations made in the established chain of command, but no reserve officer shall be promoted to any grade in time of peace until he has held a commission for at least one year in the next lower grade. So far as practicable reserve officers shall be assigned to units in the locality of their places of residence. Nothing in this act shall operate to deprive a reserve officer of the reserve commission he now holds. Any reserve officer may hold a commission in the National Guard without thereby vacating his reserve commission.

"'SEC. 37a. Reserve officers on active duty: To the extent provided for from time to time by appropriations for this specific purpose, the President may order reserve officers to active duty at any time and for any period; but except in time of national emergency expressly declared by Congress, no reserve officer shall be employed on active duty for more than 15 days in any calendar year without his own consent. A reserve officer shall not be entitled to pay and allowances except when on active duty. When on active duty he shall receive the same pay and allowances as an officer of the Regular Army of the same grade and length of active service, and mileage from his home to his first station and from his last station to his home, but shall not be entitled to retirement or retired pay.'

"SEC. 33. That said act be, and the same is hereby, amended by striking out sections 40, 41, 42, 43, 45, and 46 and inserting the following in lieu thereof:

"'SEC. 40. Reserve Officers' Training Corps—Organization: The President is hereby authorized to establish and maintain in civil educational institutions a Reserve Officers' Training Corps, one or more units in number, which shall consist of a senior division organized at unversities and colleges granting degrees, including State universities and those State institutions that are required to provide instruction in military tactics under the act of Congress of July 2, 1862, donating lands for the establishment of colleges where the leading object shall be practical instruction in agriculture and the mechanic arts, including military tactics, and at those essentially military schools not conferring academic degrees, specially designated by the Secretary of War as qualified, and a junior division organized at all other public and private educational institutions, and each division shall consist of units of the several arms, corps, or services in such number and such strength as the President may prescribe: *Provided*, That no such unit shall be established or maintained at any institution until an officer of the Regular Army shall have been detailed as professor of military science and tactics, nor until such institution shall maintain under military instruction at least 100 physically fit male students, except that in the case of units other than infantry, cavalry, or artillery, the minimum number shall be 50: *Provided further*, That except at State institutions described in this section, no unit shall be established or maintained in an educational institution until the authorities of the same agree to establish and maintain a two years' elective or compulsory course of military training as a minimum for its physically fit male students, which course, when entered upon by any student, shall, as regards such student, be a prerequisite for graduation unless he is relieved of this obligation by regulations to be prescribed by the Secretary of War.

"'SEC. 40a. Reserve Officers' Training Corps courses: The Secretary of War is hereby authorized to prescribe standard courses of theoretical and practical military training for units of the Reserve Officers' Training Corps, and no unit of such corps shall be organized or maintained at any educational institution the authorities of which fail or neglect to adopt into their curriculum the prescribed courses of military training or to devote at least an average of three hours per week per academic year to such military training, except as provided in section 47c of this act.

"'SEC. 40b. Personnel for duty with Reserve Officers' Training Corps: The President is hereby authorized to detail such numbers of officers, warrant officers, and enlisted men of the Regular Army, either active or retired, as may be necessary for duty as professors of military science and tactics, assistant professors of military science and tactics, and military instructors at educational institutions where one or more units of the Reserve Officers' Training Corps are maintained. In time of peace retired officers, retired warrant officers, or retired enlisted men shall not be detailed under the provisions of this section without their consent, and no officer on the active list shall be detailed for recruiting service or for duty at a school or college, not including schools of the service, where officers on the retired list can be secured who are competent for such duty. Hereafter retired officers below the grade of brigadier general and retired warrant officers and enlisted men shall, when on active duty, receive full pay and allowances.'

"SEC. 34. That said act be, and the same is hereby, amended by striking out sections 47, 48, 49, 50, 51, 52, 53, and 54 and inserting the following in lieu thereof:

"'SEC. 47. Supplies for Reserve Officers' Training Corps: The Secretary of War, under such regulations as he may prescribe, is hereby authorized to issue to institutions at which one or more units of the Reserve Officers' Training Corps are maintained such public animals, transportation, arms, ammunition, supplies, tentage, equipment, and uniforms belonging to the United States as he may deem necessary, and to forage at the expense of the United States public animals so issued, to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War, and to authorize such expenditures from proper Army appropriations as he may deem necessary for the efficient maintenance of the Reserve Officers' Training Corps. He shall require from each institution to which property of the United States is issued a bond in the value of the property issued for the care and safe-keeping thereof, except for uniforms, expendable articles, and supplies expended in operation, maintenance, and instruction, and for its return when required.

"'SEC. 47a. Reserve Officers' Training Corps camps: The Secretary of War is hereby authorized to maintain camps for the further practical instruction of the members of the Reserve Officers' Training Corps, no such camps to be maintained for a longer period than six weeks in any one year, except in time of actual or threatened hostilities; to transport members of such corps to and from such camps at the expense of the United States so far as appropriations will permit, to subsist them at the expense of the United States while traveling to and from such camps and while remaining therein so far as appropriations will permit, or in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowances at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to make the payment of travel allowances for the return journey in advance of the actual performance of the same, and to admission to military hospitals at such camps, and to furnish medical attendance and supplies; to use the troops of the Regular Army, and such Government property as he may deem necessary, for the military training of the members of such corps while in attendance at such camps; and to prescribe regulations for the government of such camps.

"'SEC. 47b. Appointment of graduates of Reserve Officers' Training Corps as reserve officers: The President alone, under such regulations as he may prescribe, is hereby authorized to appoint as a reserve officer of the Army of the United States any graduate of the senior division of the Reserve Officers' Training Corps who shall have satisfactorily completed the further training provided for in section 47a of this act, or any graduate of the junior division who shall have satisfactorily completed the courses of military training prescribed for the senior division and the further training provided for in section 47a of this act, and shall have participated in such practical instruction subsequent to graduation as the Secretary of War shall prescribe, who shall have arrived at the age of 21 years and who shall agree, under oath in writing, to serve the United States in the capacity of a reserve officer of the Army of the United States during a period of at least five years from the date of his appointment as such reserve officer, unless sooner discharged by proper authority: *Provided*, That no reserve officer appointed pursuant to this act shall be entitled to retirement, or to retired pay, and shall be eligible for pension only for disability incurred in line of duty in active service or while serving with the Army pursuant to provisions of this act.

"'SEC. 47c. Pay and commutation of subsistence, Reserve Officers' Training Corps: When any member of the senior division of the Reserve Officers' Training Corps has completed two academic years of service in that division, and has been selected for advanced training by the president of the institution and by the professor of military science and tactics, and has agreed in writing to continue in the Reserve Officers' Training Corps for the remainder of his course at the institution, devoting five hours per week to the military training prescribed by the Secretary of War, and has agreed in writing to pursue the course in camp training prescribed by the Secretary of War, he may be furnished at the expense of the United States commutation of subsistence at such rate, not exceeding the cost of the garrison ration prescribed for the Army, as may be fixed by the Secretary of War, during the remainder of his service in the Reserve Officers' Training Corps, not exceeding two years: *Provided*, That any medical, dental, or veterinary student may be admitted to a

Medical, Dental, or Veterinary Corps unit of the Reserve Officers' Training Corps for a course of training at the rate of 90 hours of instruction per annum for the four collegiate years, and if at the end of two years of such training he has been selected by the professor of military science and tactics and the head of the institution for advanced training, and has agreed in writing to continue in the Reserve Officers' Training Corps for the remainder of his course at the institution, and has agreed in writing to pursue the course in camp training prescribed by the Secretary of War, he may be furnished, at the expense of the United States, with commutation of subsistence at such rate not exceeding the cost of the garrison ration prescribed for the Army, as may be fixed by the Secretary of War, during the remainder of his service in the Reserve Officers' Training Corps, not exceeding two years: *Provided further*, That any reserve officer who is also a medical, dental, or veterinary student may be admitted to such Medical, Dental, or Veterinary Corps unit for such training, under such rules and regulations as the Secretary of War may prescribe: *Provided further*, That members of the Reserve Officers' Training Corps, or other persons authorized by the Secretary of War to attend advanced course camps, shall be paid for attendance at such camps at the rate prescribed for soldiers of the seventh grade of the Regular Army.

"'SEC. 47d. Training camps: The Secretary of War is hereby authorized to maintain, upon military reservations or elsewhere, schools or camps for the military instruction and training, with a view to their appointment as reserve officers or noncommissioned officers, of such warrant officers, enlisted men, and civilians as may be selected upon their own application; to use for the purpose of maintaining said camps and imparting military instruction and training thereat, such arms, ammunition, accouterments, equipments, tentage, field equipage, and transportation belonging to the United States as he may deem necessary; to furnish at the expense of the United States uniforms, subsistence, transportation by the most usual and direct route within such limits as to territory as the Secretary of War may prescribe, or in lieu of furnishing such transportation and subsistence to pay them travel allowances at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp, and for the return travel thereto, and to make the payment of travel allowances for the return journey in advance of the actual performance of the same, and medical attendance and supplies to persons receiving instruction at said camps during the period of their attendance thereat, to authorize such expenditures, from proper Army appropriations, as he may deem necessary for water, fuel, light, temporary structures, not including quarters for officers nor barracks for men, screening, and damages resulting from field exercises, and other expenses incidental to the maintenance of said camps, and the theoretical winter instruction in connection therewith; and to sell to persons receiving instructions at said camps, for cash and at cost price, plus 10 per cent, quartermaster and ordnance property, the amount of such property sold to any one person to be limited to that which is required for his proper equipment. All moneys arising from such sales shall remain available throughout the fiscal year following that in which the sales are made, for the purpose of that appropriation from which the property sold was authorized to be supplied at the time for the sale. The Secretary of War is authorized further to prescribe the courses of theoretical and practical instruction to be pursued by persons attending the camps authorized by this section; to fix the periods during which such camps shall be maintained; to prescribe rules and regulations for the government thereof; and to employ thereat officers, warrant officers, and enlisted men of the Regular Army in such numbers and upon such duties as he may designate.'

"SEC. 35. That said act be, and the same is hereby, amended by striking out sections 55 and 56 and inserting the following in lieu thereof:

"'SEC. 55. The Enlisted Reserve Corps: The Enlisted Reserve Corps shall consist of persons voluntarily enlisted therein. The period of enlistment shall be three years, except in the case of persons who served in the Army, Navy, or Marine Corps at some time between April 6, 1917, and November 11, 1918, who may be enlisted for one-year periods and who, in time of peace, shall be entitled to discharge within 90 days if they make application therefor. Enlistments shall be limited to persons eligible for enlistment in the Regular Army who have had such military or technical training as may be prescribed by regulations of the Secretary of War. All enlistments in force at the outbreak of war, or entered into during its continuation, whether in the Regular Army or the Enlisted Reserve Corps, shall continue in force until six months after its termination unless sooner terminated by the President.

"'SEC. 55a. Organization of the Enlisted Reserve Corps: The President may form any or all members of the Enlisted Reserve Corps into tactical organizations similar to those of the Regular Army, similarly armed, uniformed, and equipped, and composed so far as practicable of men residing in the same locality, may officer them by the assignment of reserve officers or officers of the Regular Army, active or retired, and may detail such personnel of the Army as may be necessary for the administration of such organizations and the care of Government property issued to them.

"'SEC. 55b. Reservists on active duty: Members of the Enlisted Reserve Corps may be placed on active duty, as individuals or organizations, in the discretion of the President, but except in time of a national emergency expressly declared by Congress no reservist shall be ordered to active duty in excess of the number permissible under appropriations made for this specific purpose, nor for a longer period than 15 days in any one calendar year without his own consent. While on active duty they shall receive the same pay and allowances as other enlisted men of like grades and length of service.

"'SEC. 55c. Military equipment and instructors at other schools and colleges: The Secretary of War is hereby authorized, under such regulations as he may prescribe, to issue such arms, tentage, and equipment as he shall deem necessary for proper military training to schools and colleges, other than those provided for in section 40 of this act, having a course of military training prescribed by the Secretary of War and having not less than 100 physically fit male students above the age of 14 years; and the Secretary of War is hereby authorized to detail such available active or retired officers, warrant officers, and enlisted men of the Regular Army as he may deem necessary to said schools and colleges, other than those provided for in section 40 of this act: *Provided*, That while so detailed they shall receive active pay and allowances: *Provided further*, That in time of peace retired officers, warrant officers, or enlisted men shall not be detailed under the provisions of this section without their consent.'

"SEC. 36. That section 60 of said act be, and the same is hereby, amended by adding the following at the end thereof: 'Until July 1, 1921, companies and corresponding units of the National Guard may be recognized at a minimum enlisted strength of 50: *Provided*, That the National Guard of any State, Territory, and the District of Columbia may include such detachments or parts of units as may be necessary in order to form complete tactical units when combined with troops of other States.'

"SEC. 37. That section 69 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 69. Original enlistments in the National Guard shall be for a period of three years and subsequent enlistment for periods of one year each: *Provided*, That persons who have served in the Army for not less than six months, and have been honorably discharged therefrom, may, within two years after the passage of this act, enlist in the National Guard for a period of one year and reenlist for like periods.'

"SEC. 38. That section 70 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 70. Men enlisting in the National Guard of the several States, Territories, and the District of Columbia, shall sign an enlistment contract and subscribe to the following oath of enlistment: I do hereby acknowledge to have voluntarily enlisted this ——— day of ———, 19—, as a soldier in the National Guard of the United States and of the State of ———, for the period of three (or one) years ———, under the conditions prescribed by law, unless sooner discharged by proper authority. And I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of ———, and that I will serve them honestly and faithfully against all their enemies whomsoever, and that I will obey the orders of the President of the United States and of the governor of the State of ———, and of the officers appointed over me according to law and the Rules and Articles of War.'

"SEC. 39. That said act be, and the same is hereby, amended by striking out section 71.

"SEC. 40. That section 72 of said act be, and the same is hereby, amended by striking out the same, and inserting the following in lieu thereof:

"'SEC. 72. Discharge of enlisted men from the National Guard: An enlisted man discharged from service in the National Guard, except when drafted into the military service of the United States under the provisions of section 111 of this act, shall receive a discharge in writing in such form and with such classification as is or shall be prescribed for the Regular

Army, and in time of peace discharges may be given prior to the expiration of terms of enlistment under such regulations as the President may prescribe.'

"SEC. 41. That section 74 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 74. Qualifications for National Guard officers: Persons hereafter commissioned as officers of the National Guard shall not be recognized as such under any of the provisions of this act unless they shall have been selected from the following classes, and shall have taken and subscribed to the oath of office prescribed in the preceding section of this act; officers or enlisted men of the National Guard; officers, active or retired, reserve officers, and former officers of the Army, Navy, or Marine Corps, enlisted men and former enlisted men of the Army, Navy, or Marine Corps who have received an honorable discharge therefrom; graduates of the United States Military and Naval Academies; and graduates of schools, colleges, universities, and officers' training camps, where they have received military instruction under the supervision of an officer of the Regular Army who certified their fitness for appointment as commissioned officers; and for the technical branches or Staff Corps and departments, such other civilians as may be specially qualified for duty therein.'

"SEC. 42. That section 78 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 78. That hereafter men duly qualified under regulations prescribed by the Secretary of War may enlist in the National Guard Reserve for a period of one or three years, under such regulations as the Secretary of War shall prescribe, and on so enlisting they shall subscribe to the following enlistment contract and take the oath therein specified: "I do hereby acknowledge to have voluntarily enlisted this ——— day of ———, 19—, as a soldier in the National Guard Reserve of the United States and of the State of ———, for a period of one (or three) year—, unless sooner discharged by proper authority, and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of ———, and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the orders of the President of the United States and the governor of the State of ———, and of the officers appointed over me according to law and the rules and Articles of War": *Provided*, That members of said reserve, officers and enlisted men, when engaged in field or coast-defense training with the active National Guard, shall receive the same Federal pay and allowances as those occupying like grades on the active list of said guard when likewise engaged: *Provided further*, That, except as otherwise specifically provided in this act, no commissioned or enlisted reservist shall receive any pay or allowances out of any appropriation made by Congress for National Guard purposes.'

"SEC. 43. That said act be, and the same is hereby, amended by striking out section 79.

"SEC. 44. That section 81 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 81. Militia Bureau of the War Department: The Militia Division of the War Department shall hereafter be known as the Militia Bureau of the War Department. After January 1, 1921, the Chief of the Militia Bureau shall be appointed by the President, by and with the advice and consent of the Senate, by selection from lists of present and former National Guard officers, recommended by the governors of the several States and Territories as suitable for such appointment, who hold commissions in the Officers' Reserve Corps, who have had 10 or more years' commissioned service in the National Guard, at least 5 of which has been in the line, and who have attained at least the grade of major. He shall hold office for four years, unless sooner removed for cause, and shall have the rank, pay and allowances of a major general of the Regular Army during his tenure of office, but shall not be entitled to retirement or retired pay. While serving as chief, his reserve commission shall continue in force, and shall not be terminated except for cause assigned. Until the chief is appointed, as provided in this section, the President may assign an officer of the Regular Army, not below the grade of colonel, to perform the duties of chief. For duty in the Militia Bureau and for the instruction of the National Guard the President shall assign such number of officers and enlisted men of the Regular Army as he may deem necessary. The President may also assign, with their consent, and within the limits of the appropriations previously made for this specific purpose, not exceeding 500 officers of the National Guard, who hold reserve commissions, to duty with the Regular Army, in addition to those attending service schools; and while so assigned they shall receive the same pay and allowances as Regular Army officers of like grades, to be paid out of the whole fund appropriated for the support of the militia.'

"SEC. 45. That section 89 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 89. Animals for National Guard: Funds allotted by the Secretary of War for the support of the National Guard shall be available for the purchase, under such regulations as the Secretary of War may prescribe, of animals conforming to the Regular Army standards for the training of the National Guard, said animals to remain the property of the United States and to be used solely for military purposes.

"'The number of animals so issued shall not exceed 32 for each battery of field artillery or troop of cavalry, and a proportionate number for other mounted organizations, under such regulations as the Secretary of War may prescribe; and the Secretary of War is further authorized to issue, in lieu of purchase, for the training of such organizations, condemned Army animals which are no longer fit for service, but which may be suitable for the purposes of instruction, such animals to be sold as now provided by law when said purposes shall have been served.'

"SEC. 46. That section 90 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 90. Funds allotted by the Secretary of War for the support of the National Guard shall be available for the purchase and issue of forage, bedding, shoeing, and veterinary services, and supplies for the Government animals issued to any organization, and for the compensation of competent help for the care of the material, animals, and equipment thereof, under such regulations as the Secretary of War may prescribe: *Provided*, That the men to be compensated, not to exceed five for each organization, shall be duly enlisted therein and shall be detailed by the organization commander, under such regulations as the Secretary of War may prescribe, and shall be paid by the United States disbursing officer in each State, Territory, and the District of Columbia.'

"SEC. 47. That section 109 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 109. Pay for the National Guard officers: Captains and lieutenants belonging to organizations of the National Guard shall receive compensation at the rate of one-thirtieth of the monthly base pay of their grades as prescribed for the Regular Army for each regular drill or other period of instruction authorized by the Secretary of War, not exceeding five in any one calendar month, at which they shall have been officially present for the entire required period, and at which at least 50 per cent of the commissioned strength and 60 per cent of the enlisted strength attend and participate for not less than one and one-half hours. Captains commanding organizations shall receive $240 a year in addition to the drill pay herein prescribed. Officers above the grade of captain shall receive not more than $500 a year, and officers below the grade of major, not belonging to organizations, shall receive not more than four-thirtieths of the monthly base pay of their grades for satisfactory performance of their appropriate duties under such regulations as the Secretary of War may prescribe. Pay under the provisions of this section shall not accrue to any officer during a period when he shall be lawfully entitled to the same pay as an officer of corresponding grade in the Regular Army: *Provided*, That section 9 of an act amending the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, approved August 31, 1918, shall also apply to the purchase of uniforms, accoutrements, and equipment for cash by officers of the National Guard and National Guard Reserve, whether in State or Federal service, on proper identification and under such rules and regulations as the Secretary of War may prescribe.'

"SEC. 48. That section 110 of said act be, and the same is hereby, amended by striking out the first paragraph and inserting the following in lieu thereof:

"'SEC. 110. Pay for National Guard enlisted men: Each enlisted man belonging to an organization of the National Guard shall receive compensation at the rate of one-thirtieth of the initial monthly pay of his grade in the Regular Army for each drill ordered for his organization where he is officially present and in which he participates for not less than one and one-half hours, not exceeding 8 in any one calendar month, and not exceeding 60 drills in one year: *Provided*, That no enlisted man

shall receive any pay under the provisions of this section for any month in which he shall have attended less than 60 per cent of the drills or other exercises prescribed for his organization: *Provided further*, That the proviso contained in section 92 of this act shall not operate to prevent the payment of enlisted men actually present at any duly ordered drill or other exercise: *And provided further*, That periods of any actual military duty equivalent to the drills herein prescribed (except those periods of service for which members of the National Guard may become lawfully entitled to the same pay as officers and enlisted men of the corresponding grades in the Regular Army) may be accepted as service in lieu of such drills when so provided by the Secretary of War.'

"SEC. 49. That section 111 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"'SEC. 111. National Guard when drafted into Federal service: When Congress shall have authorized the use of the armed land forces of the United States for any purpose requiring the use of troops in excess of those of the Regular Army, the President may, under such regulations, including such physical examination, as he may prescribe, draft into the military service of the United States, to serve therein for the period of the war or emergency, unless sooner discharged, any or all members of the National Guard and of the National Guard Reserve. All persons so drafted shall, from the date of their draft, stand discharged from the militia, and shall be subject to such laws and regulations for the government of the Army of the United States as may be applicable to members of the Army, whose permanent retention in the military service is not contemplated by law, and shall be organized into units corresponding as far as practicable to those of the Regular Army or shall be otherwise assigned as the President may direct. The commissioned officers of said organizations shall be appointed from among the members thereof; officers with rank not above that of colonel to be appointed by the President alone, and all other officers to be appointed by the President by and with the advice and consent of the Senate. Officers and enlisted men while in the service of the United States under the terms of this section shall have the same pay and allowances as officers and enlisted men of the Regular Army of the same grades and the same prior service. On the termination of the emergency all persons so drafted shall be discharged from the Army, shall resume their membership in the militia, and, if the State so provide, shall continue to serve in the National Guard until the dates upon which their enlistments entered into prior to their draft, would have expired if uninterrupted.'

"SEC. 50. That said act be, and the same is hereby, amended by striking out section 114.

"SEC. 51. That said act be, and the same is hereby, amended by inserting after section 127 a new section, to be numbered 127a, and to read as follows:

"'SEC. 127a. Miscellaneous provisions: Hereafter no detail, rating, or assignment of an officer shall carry advanced rank, except as otherwise specifically provided herein: *Provided*, That in lieu of the 50 per cent increase of pay provided for in this act any officer or enlisted man upon whom the rating of junior military aviator, or military aviator, has heretofore been conferred for having specially distinguished himself in time of war in active operations against the enemy, shall, while on duty which requires him to participate regularly and frequently in aerial flights, continue to have the rank, pay, and allowances and additional pay now provided by the act of June 3, 1916, and the act of July 24, 1917.

"'Officers now carried as additional numbers shall be included in the numbers provided for by this act, and, after June 30, 1920, shall no longer be additional, and any officer hereafter appointed, under the provisions of law, to a grade in which no vacancy exists, shall be an additional number in that grade until absorbed, and no longer.

"'In time of war retired officers may be employed on active duty in the discretion of the President, and when so employed they shall receive the full pay and allowances of their grades.

"'The President is authorized to detail not more than five officers of the Medical Department for duty with the military relief division of the American National Red Cross.

"'Authority is hereby given to the Secretary of War to grant permission, by revocable license, to the American National Red Cross to erect and maintain on any military reservations within the jurisdiction of the United States buildings suitable for the storage of supplies, or to occupy for that purpose buildings erected by the United States, under such regulations as the Secretary of War may prescribe, such supplies to be available for the aid of the civilian population in case of serious national disaster.

"'In determining relative rank and increase of pay for length of service, and, in the case of officers of the Regular Army, in determining rights of retirement, active duty performed while under appointment from the United States Government, whether in the Regular, provisional, or temporary forces, shall be credited to the same extent as service under a Regular Army commission.

"'In time of war any officer of the Regular Army may be appointed to higher temporary rank without vacating his permanent commission, such appointments in grades below that of brigadier general being made by the President alone, but all other appointments of officers in time of war shall be in the Officers' Reserve Corps.

"'Unless special assignment is made by the President under the provisions of the one hundred and nineteenth article of war, all officers in the active service of the United States in any grade shall take rank according to date, which, in the case of an officer of the Regular Army, is that stated in his commission or letter of appointment, and, in the case of a reserve officer or an officer of the National Guard called into the service of the United States, shall precede that on which he is placed on active duty by a period equal to the total length of active service which he may have performed in the grade in which called or any higher grade. When dates of rank are the same, precedence shall be determined by length of active commissioned service in the Army. When length of such service is the same, officers of the Regular Army shall take rank among themselves according to their places on the promotion list, preceding reserve and National Guard officers of the same date of rank and length of service, who shall take rank among themselves according to age.

"'Hereafter any retired officer who has been or shall be detailed on active duty shall receive the rank, pay, and allowances of the grade, not above that of colonel, that he would have attained in due course of promotion if he had remained on the active list for a period beyond the date of his retirement equal to the total amount of time during which he has been detailed to active duty since his retirement.

"'Retired enlisted men who have served honorably as commissioned officers of the United States Army at some time between April 6, 1917, and November 11, 1918, including those who have been placed on the retired list during the World War, and who have been or may hereafter be discharged from their temporary commissions, shall receive the retired pay and allowances of warrant officers on the retired list, as provided in this act.

"'Cadets graduated from the United States Military Academy during the present calendar year shall be commissioned as second lieutenants to date not earlier than July 2, 1920.

"'The President is authorized to retain temporarily in service, under their present commissions, such emergency officers as he may deem necessary, but the total number so remaining in service, other than those undergoing treatment for physical reconstruction, shall not at any time exceed the total number of vacancies then existing in the Regular Army. Any such officer may be discharged when his services are no longer required, and all such officers shall be discharged not later than December 31, 1920. All officers of the Regular Army holding commissions granted for the period of the existing emergency, in whatever grade, shall be discharged therefrom not later than June 30, 1920. The President is authorized and directed to retain in service disabled emergency officers until their treatment for physical reconstruction has reached a point where they will not be further benefited by retention in a military hospital or in the military service.

"'The Secretary of War is hereby authorized, in his discretion, to detail not to exceed 2 per cent of the commissioned officers of the Regular Army in any fiscal year as students at such technical, professional, and other educational institutions, or as students, observers, or investigators at such industrial plants, hospitals, and other places, as shall be best suited to enable such officers to acquire a knowledge of or experience in the specialties in which it is deemed necessary that such officers shall perfect themselves. The number of officers so detailed shall, as far as practicable, be distributed proportionately among the various branches: *Provided*, That no expense shall be incurred by the United States in addition to the pay and allowances of the officers so detailed, except for the cost of tuition at such technical, professional, and other educational institutions.

"'Whenever, prior to December 31, 1920, any person shall be nominated to the Senate for appointment to fill any office in the Regular Army provided for by this act, the President alone is authorized to appoint such person temporarily in the United States Army in the grade pertaining to such Regular Army

office, to have rank and pay from the same dates as if such appointment were in the Regular Army. Such temporary appointment shall terminate upon acceptance, after confirmation, of the corresponding office in the Regular Army, or on March 4, 1921, if then still unconfirmed. If any officer of the Regular Army is retired while holding a temporary appointment made under the provisions of this paragraph, he shall have the rank of such temporary grade, and his retired pay shall be computed upon the pay of that grade.'

"SEC. 52. That all laws and parts of laws in so far as they are inconsistent with this act are hereby repealed.

"CHAPTER II.

"The articles included in this section shall be known as the Articles of War and shall at all times and in all places govern the armies of the United States.

"I. PRELIMINARY PROVISIONS.

"ARTICLE 1. Definitions: The following words when used in these articles shall be construed in the sense indicated in this article, unless the context shows that a different sense is intended, namely:

"(a) The word 'officer' shall be construed to refer to a commissioned officer;

"(b) The word 'soldier' shall be construed as including a noncommissioned officer, a private, or any other enlisted man;

"(c) The word 'company' shall be understood as including a troop or battery; and

"(d) The word 'battalion' shall be understood as including a squadron.

"ART. 2. Persons subject to military law: The following persons are subject to these articles and shall be understood as included in the term 'any person subject to military law,' or 'persons subject to military law,' whenever used in these articles: *Provided*, That nothing contained in this act, except as specifically provided in article 2, subparagraph (c), shall be construed to apply to any person under the United States naval jurisdiction unless otherwise specifically provided by law.

"(a) All officers, members of the Army Nurse Corps, warrant officers, Army field clerks, field clerks Quartermaster Corps, and soldiers belonging to the Regular Army of the United States; all volunteers, from the dates of their muster or acceptance into the military service of the United States; and all other persons lawfully called, drafted, or ordered into, or to duty or for training in, the said service, from the dates they are required by the terms of the call, draft, or order to obey the same.

"(b) Cadets;

"(c) Officers and soldiers of the Marine Corps when detached for service with the armies of the United States by order of the President: *Provided*, That an officer or soldier of the Marine Corps when so detached may be tried by military court-martial for an offense committed against the laws for the government of the naval service prior to his detachment, and for an offense committed against these articles he may be tried by a naval court-martial after such detachment ceases;

"(d) All retainers to the camp and all persons accompanying or serving with the armies of the United States without the territorial jurisdiction of the United States, and in time of war all such retainers and persons accompanying or serving with the armies of the United States in the field, both within and without the territorial jurisdiction of the United States, though not otherwise subject to these articles;

"(e) All persons under sentence adjudged by courts-martial;

"(f) All persons admitted into the Regular Army Soldiers' Home at Washington, D. C.

"II. COURTS-MARTIAL.

"ART. 3. Courts-martial classified: Courts-martial shall be of three kinds, namely:

"First, general courts-martial;

"Second, special courts-martial; and

"Third, summary courts-martial.

"*A. Composition.*

"ART. 4. Who may serve on courts-martial: All officers in the military service of the United States, and officers of the Marine Corps when detached for service with the Army by order of the President, shall be competent to serve on courts-martial for the trial of any person who may lawfully be brought before such courts for trial. When appointing courts-martial the appointing authority shall detail as members thereof those officers of the command who, in his opinion, are best qualified for the duty by reason of age, training, experience, and judicial temperament; and officers having less than two years' service shall not, if it can be avoided without manifest injury to the service, be appointed as members of courts-martial in excess of the minority membership thereof.

"ART. 5. General courts-martial: General courts-martial may consist of any number of officers; not less than five.

"ART. 6. Special courts-martial: Special courts-martial may consist of any number of officers; not less than three.

"ART. 7. Summary courts-martial: A summary court-martial shall consist of one officer.

"*B. By whom appointed.*

"ART. 8. General courts-martial: The President of the United States, the commanding officer of a territorial division or department, the Superintendent of the Military Academy, the commanding officer of an army, an army corps, a division, or a separate brigade, and, when empowered by the President, the commanding officer of any district or of any force or body of troops may appoint general courts-martial; but when any such commander is the accuser or the prosecutor of the person or persons to be tried, the court shall be appointed by superior competent authority, and no officer shall be eligible to sit as a member of such court when he is the accuser or a witness for the prosecution.

"The authority appointing a general court-martial shall detail as one of the members thereof a law member, who shall be an officer of the Judge Advocate General's Department, except that when an officer of that department is not available for the purpose the appointing authority shall detail instead an officer of some other branch of the service selected by the appointing authority as specially qualified to perform the duties of law member. The law member, in addition to his duties as a member, shall perform such other duties as the President may by regulations prescribe.

"ART. 9. Special courts-martial: The commanding officer of a district, garrison, fort, camp, or other place where troops are on duty, and the commanding officer of a brigade, regiment, detached battalion, or other detached command may appoint special courts-martial; but when any such commanding officer is the accuser or the prosecutor of the person or persons to be tried, the court shall be appointed by superior authority, and may in any case be appointed by superior authority when by the latter deemed desirable; and no officer shall be eligible to sit as a member of such court when he is the accuser or a witness for the prosecution.

"ART. 10. Summary courts-martial: The commanding officer of a garrison, fort, camp, or other place where troops are on duty, and the commanding officer of a regiment, detached battalion, detached company, or other detachment may appoint summary courts-martial; but such summary courts-martial may in any case be appointed by superior authority when by the latter deemed desirable: *Provided*, That when but one officer is present with a command he shall be the summary court-martial of that command and shall hear and determine cases brought before him.

"ART. 11. Appointment of trial judge advocates and counsel: For each general or special court-martial the authority appointing the court shall appoint a trial judge advocate and a defense counsel, and for each general court-martial one or more assistant trial judge advocates and one or more assistant defense counsel when necessary: *Provided, however*, That no officer who has acted as member, trial judge advocate, assistant trial judge advocate, defense counsel, or assistant defense counsel in any case shall subsequently act as staff judge advocate to the reviewing or confirming authority upon the same case.

"*C. Jurisdiction.*

"ART. 12. General courts-martial: General courts-martial shall have power to try any person subject to military law for any crime or offense made punishable by these articles, and any other person who by the law of war is subject to trial by military tribunals: *Provided*, That no officer shall be brought to trial before a general court-martial appointed by the Superintendent of the Military Academy: *Provided further*, That the officer competent to appoint a general court-martial for the trial of any particular case may, when in his judgment the interest of the service shall so require, cause any case to be tried by a special court-martial notwithstanding the limitations upon the jurisdiction of the special court-martial as to offenses set out in article 13; but the limitations upon jurisdiction as to persons and upon punishing power set out in said article shall be observed.

"ART. 13. Special courts-martial: Special courts-martial shall have power to try any person subject to military law for any crime or offense not capital made punishable by these articles: *Provided*, That the President may, by regulations, except from the jurisdiction of special courts-martial any class of persons subject to military law.

"Special courts-martial shall not have power to adjudge confinement in excess of six months, nor to adjudge forfeiture of more than two-thirds pay per month for a period of not exceeding six months.

"ART. 14. Summary courts-martial: Summary courts-martial shall have power to try any person subject to military law, ex-

cept an officer, a member of the Army Nurse Corps, a warrant officer, an Army field clerk, a field clerk Quartermaster Corps, a cadet, or a soldier holding the privileges of a certificate of eligibility to promotion, for any crime or offense not capital made punishable by these articles: *Provided*, That noncommissioned officers shall not, if they object thereto, be brought to trial before a summary court-martial without the authority of the officer competent to bring them to trial before a general court-martial: *Provided further*, That the President may, by regulations, except from the jurisdiction of summary courts-martial any class or classes of persons subject to military law.

"Summary courts-martial shall not have power to adjudge confinement in excess of one month, restriction to limits for more than three months, or forfeiture or detention of more than two-thirds of one month's pay.

"ART. 15. Jurisdiction not exclusive: The provisions of these articles conferring jurisdiction upon courts-martial shall not be construed as depriving military commissions, provost courts, or other military tribunals of concurrent jurisdiction in respect of offenders or offenses that by statute or by the law of war may be triable by such military commissions, provost courts, or other military tribunals.

"ART. 16. Officers; how triable: Officers shall be triable only by general and special courts-martial, and in no case shall an officer, when it can be avoided, be tried by officers inferior to him in rank.

"*D. Procedure.*

"ART. 17. Trial judge advocate to prosecute; counsel to defend: The trial judge advocate of a general or special court-martial shall prosecute in the name of the United States, and shall, under the direction of the court, prepare the record of its proceedings. The accused shall have the right to be represented in his defense before the court by counsel of his own selection, civil counsel if he so provides, or military if such counsel be reasonably available, otherwise by the defense counsel duly appointed for the court pursuant to article 11. Should the accused have counsel of his own selection, the defense counsel and assistant defense counsel, if any, of the court, shall, if the accused so desires, act as his associate counsel.

"ART. 18. Challenges: Members of a general or special court-martial may be challenged by the accused or the trial judge advocate for cause stated to the court. The court shall determine the relevancy and validity thereof, and shall not receive a challenge to more than one member at a time. Challenges by the trial judge advocate shall ordinarily be presented and decided before those by the accused are offered. Each side shall be entitled to one peremptory challenge; but the law member of the court shall not be challenged except for cause.

"ART. 19. Oaths: The trial judge advocate of a general or special court-martial shall administer to the members of the court, before they proceed upon any trial, the following oath or affirmation: 'You, A. B., do swear (or affirm) that you will well and truly try and determine, according to the evidence, the matter now before you, between the United States of America and the person to be tried, and that you will duly administer justice, without partiality, favor, or affection, according to the provisions of the rules and articles for the government of the armies of the United States, and if any doubt should arise, not explained by said articles, then according to your conscience, the best of your understanding, and the custom of war in like cases; and you do further swear (or affirm) that you will not divulge the findings or sentence of the court until they shall be published by the proper authority or duly announced by the court, except to the trial judge advocate and assistant trial judge advocate; neither will you disclose or discover the vote or opinion of any particular member of the court-martial upon a challenge or upon the findings or sentence, unless required to give evidence thereof as a witness by a court of justice in due course of law. So help you God.'

"When the oath or affirmation has been administered to the members of a general or special court-martial, the president of the court shall administer to the trial judge advocate and to each assistant trial judge advocate, if any, an oath or affirmation in the following form: 'You, A. B., do swear (or affirm) that you will faithfully and impartially perform the duties of a trial judge advocate, and will not divulge the findings or sentence of the court to any but the proper authority until they shall be duly disclosed. So help you God.'

"All persons who give evidence before a court-martial shall be examined on oath or affirmation in the following form: 'You swear (or affirm) that the evidence you shall give in the case now in hearing shall be the truth, the whole truth, and nothing but the truth. So help you God.'

"Every reporter of the proceedings of a court-martial shall, before entering upon his duties, make oath or affirmation in the following form: 'You swear (or affirm) that you will faithfully perform the duties of reporter to this court. So help you God.'

"Every interpreter in the trial of any case before a court-martial shall, before entering upon his duties, make oath or affirmation in the following form: 'You swear (or affirm) that you will truly interpret in the case now in hearing. So help you God.'

"In case of affirmation the closing sentence of adjuration will be omitted.

"ART. 20. Continuances: A court-martial may, for reasonable cause, grant a continuance to either party for such time and as often as may appear to be just.

"ART. 21. Refusal or failure to plead: When an accused arraigned before a court-martial fails or refuses to plead, or answers foreign to the purpose, or after a plea of guilty makes a statement inconsistent with the plea, or when it appears to the court that he entered a plea of guilty improvidently or through lack of understanding of its meaning and effect the court shall proceed to trial and judgment as if he had pleaded not guilty.

"ART. 22. Process to obtain witnesses: Every trial judge advocate of a general or special court-martial and every summary court-martial shall have power to issue the like process to compel witnesses to appear and testify which courts of the United States, having criminal jurisdiction, may lawfully issue; but such process shall run to any part of the United States, its Territories, and possessions.

"ART. 23. Refusal to appear or testify: Every person not subject to military law who, being duly subpœnaed to appear as a witness before any military court, commission, court of inquiry, or board, or before any officer, military or civil, designated to take a deposition to be read in evidence before such court, commission, court of inquiry, or board, willfully neglects or refuses to appear, or refuses to qualify as a witness, or to testify, or produce documentary evidence which such person may have been legally subpœnaed to produce, shall be deemed guilty of a misdemeanor, for which such person shall be punished on information in the district court of the United States or in a court of original criminal jurisdiction in any of the territorial possessions of the United States, jurisdiction being hereby conferred upon such courts for such purpose; and it shall be the duty of the United States district attorney or the officer prosecuting for the Government in any such court of original criminal jurisdiction, on the certification of the facts to him by the military court, commission, court of inquiry, or board, to file an information against and prosecute the person so offending, and the punishment of such person, on conviction, shall be a fine of not more than $500 or imprisonment not to exceed six months, or both, at the discretion of the court: *Provided*, That the fees of such witness and his mileage, at the rates allowed to witnesses attending the courts of the United States, shall be duly paid or tendered said witness, such amounts to be paid out of the appropriation for the compensation of witnesses: *Provided further*, That every person not subject to military law, who before any court-martial, military tribunal, or military board, or in connection with, or in relation to any proceedings or investigation before it or had under any of the provisions of this act, is guilty of any of the acts made punishable as offenses against public justice by any provision of chapter 6 of the act of March 4, 1909, entitled 'An act to codify, revise, and amend the penal laws of the United States' (vol. 35, United States Statutes at Large, p. 1088), or any amendment thereof, shall be punished as therein provided.

"ART 24. Compulsory self-incrimination prohibited: No witness before a military court, commission, court of inquiry, or board, or before any officer conducting an investigation, or before any officer, military or civil, designated to take a deposition to be read in evidence before a military court, commission, court of inquiry, or board, or before an officer conducting an investigation, shall be compelled to incriminate himself or to answer any question the answer to which may tend to incriminate him, or to answer any question not material to the issue when such answer might tend to degrade him.

"ART. 25. Depositions—when admissible: A duly authenticated deposition taken upon reasonable notice to the opposite party may be read in evidence before any military court or commission in any case not capital, or in any proceeding before a court of inquiry or a military board, if such deposition be taken when the witness resides, is found, or is about to go beyond the State, Territory, or District in which the court, commission, or board is ordered to sit, or beyond the distance of 100 miles from the place of trial or hearing, or when it appears to the satisfaction of the court, commission, board, or appointing authority that the witness, by reason of age, sickness, bodily infirmity, imprisonment, or other reasonable cause, is unable to appear and testify in person at the place of trial or hearing:

Provided, That testimony by deposition may be adduced for the defense in capital cases.

"ART. 26. Depositions—before whom taken: Depositions to be read in evidence before military courts, commissions, courts of inquiry, or military boards, or for other use in military administration, may be taken before and authenticated by any officer, military or civil, authorized by the laws of the United States or by the laws of the place where the deposition is taken to administer oaths.

"ART. 27. Courts of inquiry—records of, when admissible: The record of the proceedings of a court of inquiry may, with the consent of the accused, be read in evidence before any court-martial or military commission in any case not capital nor extending to the dismissal of an officer, and may also be read in evidence in any proceeding before a court of inquiry or a military board: *Provided*, That such evidence may be adduced by the defense in capital cases or cases extending to the dismissal of an officer.

"ART. 28. Certain acts to constitute desertion: Any officer who, having tendered his resignation and prior to due notice of the acceptance of the same, quits his post or proper duties without leave and with intent to absent himself permanently therefrom shall be deemed a deserter.

"Any soldier who, without having first received a regular discharge, again enlists in the Army, or in the militia when in the service of the United States, or in the Navy or Marine Corps of the United States, or in any foreign army, shall be deemed to have deserted the service of the United States; and, where the enlistment is in one of the forces of the United States mentioned above, to have fraudulently enlisted therein.

"Any person subject to military law who quits his organization or place of duty with the intent to avoid hazardous duty or to shirk important service shall be deemed a deserter.

"ART. 29. Court to announce action: Whenever the court has acquitted the accused upon all specifications and charges, the court shall at once announce such result in open court. Under such regulations as the President may prescribe, the findings and sentence in other cases may be similarly announced.

"ART. 30. Closed sessions: Whenever a general or special court-martial shall sit in closed session, the trial judge advocate and the assistant trial judge advocate, if any, shall withdraw; and when their assistance in referring to the recorded evidence is required, it shall be obtained in open court, and in the presence of the accused and of his counsel, if there be any.

"ART. 31. Method of voting: Voting by members of a general or special court-martial upon questions of challenge, on the findings, and on the sentence shall be by secret written ballot. The junior member of the court shall in each case count the votes, which count shall be checked by the president, who will forthwith announce the result of the ballot to the members of the court. The law member of the court, if any, or if there be no law member of the court, then the president, may rule in open court upon interlocutory questions, other than challenges, arising during the proceedings: *Provided*, That unless such ruling be made by the law member of the court if any member object thereto the court shall be cleared and closed and the question decided by a majority vote, viva voce, beginning with the junior in rank: *And provided further*, That if any such ruling be made by the law member of the court upon any interlocutory question other than an objection to the admissibility of evidence offered during the trial, and any member object to the ruling, the court shall likewise be cleared and closed and the question decided by a majority vote, viva voce, beginning with the junior in rank: *Provided further, however*, That the phrase, 'objection to the admissibility of evidence offered during the trial,' as used in the next preceding proviso hereof, shall not be construed to include questions as to the order of the introduction of witnesses or other evidence, nor of the recall of witnesses for further examination, nor as to whether expert witnesses shall be admitted or called upon any question, nor as to whether the court shall view the premises where an offense is alleged to have been committed, nor as to the competency of witnesses, as, for instance, of children, witnesses alleged to be mentally incompetent, and the like, nor as to the insanity of accused, or whether the existence of mental disease or mental derangement on the part of the accused has become an issue in the trial, or accused required to submit to physical examination, nor whether any argument or statement of counsel for the accused or of the trial judge advocate is improper, nor any ruling in a case involving military strategy or tactics or correct military action; but, upon all these questions arising on the trial, if any member object to any ruling of the law member, the court shall be cleared and closed and the question decided by majority vote of the members in the manner aforesaid.

"ART. 32. Contempts: A military tribunal may punish as for contempt any person who uses any menacing words, signs, or gestures in its presence, or who disturbs its proceedings by any riot or disorder: *Provided*, That such punishment shall in no case exceed one month's confinement, or a fine of $100, or both.

"ART. 33. Records—General courts-martial: Each general court-martial shall keep a separate record of its proceedings in the trial of each case brought before it, and such record shall be authenticated by the signature of the president and the trial judge advocate; but in case the record can not be authenticated by the president and trial judge advocate, by reason of the death, disability, or absence of either or both of them, it shall be signed by a member in lieu of the president and by an assistant trial judge advocate, if there be one, in lieu of the trial judge advocate; otherwise by another member of the court.

"ART. 34. Records—Special and summary courts-martial: Each special court-martial and each summary court-martial shall keep a record of its proceedings, separate for each case, which record shall contain such matter and be authenticated in such manner as may be required by regulations which the President may from time to time prescribe.

"Art. 35. Disposition of records—General courts-martial: The trial judge advocate of each general court-martial shall, with such expedition as circumstances may permit, forward to the appointing authority or to his successor in command the original record of the proceedings of such court in the trial of each case. All records of such proceedings shall, after having been acted upon, be transmitted to the Judge Advocate General of the Army.

"ART. 36. Disposition of records—Special and summary courts-martial: After having been acted upon by the officer appointing the court, or by the officer commanding for the time being, the record of each trial by special court-martial and a report of each trial by summary court-martial shall be transmitted to such general headquarters as the President may designate in regulations, there to be filed in the office of the judge advocate. When no longer of use, records of summary courts-martial may be destroyed.

"ART. 37. Irregularities—Effect of: The proceedings of a court-martial shall not be held invalid, nor the findings or sentence disapproved, in any case on the ground of improper admission or rejection of evidence or for any error as to any matter of pleading or procedure unless in the opinion of the reviewing or confirming authority, after an examination of the entire proceedings, it shall appear that the error complained of has injuriously affected the substantial rights of an accused: *Provided*, That the act or omission upon which the accused has been tried constitutes an offense denounced and made punishable by one or more of these articles: *Provided further*, That the omission of the words 'hard labor' in any sentence of a court-martial adjudging imprisonment or confinement shall not be construed as depriving the authorities executing such sentence of imprisonment or confinement of the power to require hard labor as a part of the punishment in any case where it is authorized by the Executive order prescribing maximum punishments.

"ART. 38. President may prescribe rules: The President may, by regulations, which he may modify from time to time, prescribe the procedure, including modes of proof, in cases before courts-martial, courts of inquiry, military commissions, and other military tribunals, which regulations shall, in so far as he shall deem practicable, apply the rules of evidence generally recognized in the trial of criminal cases in the district courts of the United States: *Provided*, That nothing contrary to or inconsistent with these articles shall be so prescribed: *Provided further*, That all rules made in pursuance of this article shall be laid before the Congress annually.

"*E. Limitations upon prosecutions.*

"ART. 39. As to time: Except for desertion committed in time of war, or for mutiny or murder, no person subject to military law shall be liable to be tried or punished by a court-martial for any crime or offense committed more than two years before the arraignment of such person: *Provided*, That for desertion in time of peace or for any crime or offense punishable under articles 93 and 94 of this code the period of limitations upon trial and punishment by court-martial shall be three years: *Provided further*, That the period of any absence of the accused from the jurisdiction of the United States, and also any period during which by reason of some manifest impediment the accused shall not have been amenable to military justice, shall be excluded in computing the aforesaid periods of limitation: *And provided further*, That this article shall not have the effect to authorize the trial or punishment for any crime or offense barred by the provisions of existing law.

"ART. 40. As to number: No person shall, without his consent, be tried a second time for the same offense; but no proceeding in which an accused has been found guilty by a court-martial upon any charge or specification shall be held to be a trial in the sense of this artilce until the reviewing and, if there be one, the confirming authority shall have taken final action upon the case.

"No authority shall return a record of trial to any court-martial for reconsideration of—

"(a) An acquittal; or

"(b) A finding of not guilty of any specification; or

"(c) A finding of not guilty of any charge, unless the record shows a finding of guilty under a specification laid under that charge, which sufficiently alleges a violation of some article of war; or

"(d) The sentence originally imposed, with a view to increasing its severity, unless such sentence is less than the mandatory sentence fixed by law for the offense or offenses upon which a conviction has been had.

"And no court-martial, in any proceedings on revision, shall reconsider its finding or sentence in any particular in which a return of the record of trial for such reconsideration is hereinbefore prohibited.

"F. Punishments.

"ART. 41. Cruel and unusual punishments prohibited: Cruel and unusual punishments of every kind, including flogging, branding, marking, or tattooing on the body, are prohibited.

"ART. 42. Places of confinement—When lawful: Except for desertion in time of war, repeated desertion in time of peace, and mutiny, no person shall under the sentence of a court-martial be punished by confinement in a penitentiary unless an act or omission of which he is convicted is recognized as an offense of a civil nature and so punishable by penitentiary confinement for more than one year by some statute of the United States, of general application within the continental United States, excepting section 289, Penal Code of the United States, 1910, or by the law of the District of Columbia, or by way of commutation of a death sentence, and unless, also, the period of confinement authorized and adjudged by such court-martial is more than one year: *Provided*, That when a sentence of confinement is adjudged by a court-martial upon conviction of two or more acts or omissions any one of which is punishable under these articles by confinement in a penitentiary, the entire sentence of confinement may be executed in a penitentiary: *Provided further*, That penitentiary confinement hereby authorized may be served in any penitentiary directly or indirectly under the jurisdiction of the United States: *Provided further*, That persons sentenced to dishonorable discharge and to confinement not in a penitentiary shall be confined in the United States Disciplinary Barracks or elsewhere as the Secretary of War or the reviewing authority may direct, but not in a penitentiary.

"ART. 43. Death sentence—When lawful: No person shall, by general court-martial, be convicted of an offense for which the death penalty is made mandatory by law, nor sentenced to suffer death, except by the concurrence of all the members of said court-martial present at the time the vote is taken, and for an offense in these articles expressly made punishable by death; nor sentenced to life imprisonment, nor to confinement for more than 10 years, except by the concurrence of three-fourths of all of the members present at the time the vote is taken. All other convictions and sentences, whether by general or special court-martial, may be determined by a two-thirds vote of those members present at the time the vote is taken. All other questions shall be determined by a majority vote.

"ART. 44. Cowardice; fraud—Accessory penalty: When an officer is dismissed from the service for cowardice or fraud, the crime, punishment, name, and place of abode of the delinquent shall be published in the newspapers in and about the camp and in the State from which the offender came or where he usually resides; and after such publication it shall be scandalous for an officer to associate with him.

"ART. 45. Maximum limits: Whenever the punishment for a crime or offense made punishable by these articles is left to the discretion of the court-martial, the punishment shall not exceed such limit or limits as the President may from time to time prescribe: *Provided*, That in time of peace the period of confinement in a penitentiary shall in no case exceed the maximum period prescribed by the law which, under article 42 of these articles, permits confinement in a penitentiary, unless in addition to the offense so punishable under such law the accused shall have been convicted at the same time of one or more other offenses.

"G. Action by appointing or superior authority.

"ART. 46. Action by convening authority: Under such regulations as may be prescribed by the President every record of trial by general court-martial or military commission received by a reviewing or confirming authority shall be referred by him, before he acts thereon, to his staff judge advocate or to the Judge Advocate General. No sentence of a court-martial shall be carried into execution until the same shall have been approved by the officer appointing the court or by the officer commanding for the time being.

"ART. 47. Powers incident to power to approve: The power to approve the sentence of a court-martial shall be held to include:

"(a) The power to approve or disapprove a finding and to approve only so much of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when, in the opinion of the authority having power to approve, the evidence of record requires a finding of only the lesser degree of guilt;

"(b) The power to approve or disapprove the whole or any part of the sentence; and

"(c) The power to remand a case for rehearing, under the provisions of article 50½.

"ART. 48. Confirmation—When required: In addition to the approval required by article 46, confirmation by the President is required in the following cases before the sentence of a court-martial is carried into execution, namely:

"(a) Any sentence respecting a general officer;

"(b) Any sentence extending to the dismissal of an officer, except that in time of war a sentence extending to the dismissal of an officer below the grade of brigadier general may be carried into execution upon confirmation by the commanding general of the Army in the field or by the commanding general of the territorial department or division;

"(c) Any sentence extending to the suspension or dismissal of a cadet; and

"(d) Any sentence of death, except in the cases of persons convicted in time of war of murder, rape, mutiny, desertion, or as spies; and in such excepted cases a sentence of death may be carried into execution, subject to the provisions of article 50½, upon confirmation by the commanding general of the Army in the field or by the commanding general of the territorial department or division.

"When the authority competent to confirm the sentence has already acted as the approving authority no additional confirmation by him is necessary.

"ART. 49. Powers incident to power to confirm: The power to confirm the sentence of a court-martial shall be held to include:

"(a) The power to confirm or disapprove a finding, and to confirm so much only of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when, in the opinion of the authority having power to confirm, the evidence of record requires a finding of only the lesser degree of guilt;

"(b) The power to confirm or disapprove the whole or any part of the sentence; and

"(c) The power to remand a case for rehearing, under the provisions of article 50½.

"ART. 50. Mitigation of remission of sentences: The power to order the execution of the sentence adjudged by a court-martial shall be held to include, inter alia, the power to mitigate or remit the whole or any part of the sentence.

"Any unexecuted portion of a sentence adjudged by a court-martial may be mitigated or remitted by the military authority competent to appoint, for the command, exclusive of penitentiaries and the United States Disciplinary Barracks, in which the person under sentence is held, a court of the kind that imposed the sentence, and the same power may be exercised by superior military authority; but no sentence approved or confirmed by the President shall be remitted or mitigated by any other authority, and no approved sentence of loss of files by an officer shall be remitted or mitigated by any authority inferior to the President, except as provided in the fifty-second article.

"When empowered by the President so to do, the commanding general of the Army in the field or the commanding general of the territorial department or division may approve or confirm and commute (but not approve or confirm without commuting), mitigate, or remit and then order executed as commuted, mitigated, or remitted any sentence which under these articles requires the confirmation of the President before the same may be executed.

"The power of remission or mitigation shall extend to all uncollected forfeitures adjudged by sentence of court-martial.

"ART. 50½. Review; rehearing: The Judge Advocate General shall constitute, in his office, a board of review consisting of not less than three officers of the Judge Advocate General's Department.

"Before any record of trial in which there has been adjudged a sentence requiring approval or confirmation by the President under the provisions of article 46, article 48, or article 51 is submitted to the President, such record shall be examined by the board of review. The board shall submit its opinion, in writing, to the Judge Advocate General, who shall, except as herein otherwise provided, transmit the record and the board's opinion, with his recommendations, directly to the Secretary of War for the action of the President.

"Except as herein provided, no authority shall order the execution of any other sentence of a general court-martial involving the penalty of death, dismissal not suspended, dishonorable discharge not suspended, or confinement in a penitentiary, unless and until the board of review shall, with the approval of the Judge Advocate General, have held the record of trial upon which such sentence is based legally sufficient to support the sentence; except that the proper reviewing or confirming authority may upon his approval of a sentence involving dishonorable discharge or confinement in a penitentiary order its execution if it is based solely upon findings of guilty of a charge or charges and a specification or specifications to which the accused has pleaded guilty. When the board of review, with the approval of the Judge Advocate General, holds the record in a case in which the order of execution has been withheld under the provisions of this paragraph legally sufficient to support the findings and sentence, the Judge Advocate General shall so advise the reviewing or confirming authority from whom the record was received, who may thereupon order the execution of the sentence. When in a case in which the order of execution has been withheld under the provisions of this paragraph, the board of review holds the record of trial legally insufficient to support the findings or sentence, either in whole or in part, or that errors of law have been committed injuriously affecting the substantial rights of the accused, and the Judge Advocate General concurs in such holding of the board of review, such findings and sentence shall be vacated in whole or in part in accord with such holding and the recommendations of the Judge Advocate General thereon, and the record shall be transmitted through the proper channels to the convening authority for a rehearing or such other action as may be proper. In the event that the Judge Advocate General shall not concur in the holding of the board of review, the Judge Advocate General shall forward all the papers in the case, including the opinion of the board of review and his own dissent therefrom, directly to the Secretary of War for the action of the President, who may confirm the action of the reviewing authority or confirming authority below, in whole or in part, with or without remission, mitigation, or commutation, or may disapprove, in whole or in part, any finding of guilty, and may disapprove or vacate the sentence, in whole or in part.

"When the President or any reviewing or confirming authority disapproves or vacates a sentence the execution of which has not theretofore been duly ordered, he may authorize or direct a rehearing. Such rehearing shall take place before a court composed of officers not members of the court which first heard the case. Upon such rehearing the accused shall not be tried for any offense of which he was found not guilty by the first court, and no sentence in excess of or more severe than the original sentence shall be enforced unless the sentence be based upon a finding of guilty of an offense not considered upon the merits in the original proceeding: *Provided*, That such rehearing shall be had in all cases where a finding and sentence have been vacated by reason of the action of the board of review approved by the Judge Advocate General holding the record of trial legally insufficient to support the findings or sentence or that errors of law have been committed injuriously affecting the substantial rights of the accused, unless, in accord with such action and the recommendations of the Judge Advocate General thereon, the findings or sentence are approved in part only, or the record is returned for revision, or unless the case is dismissed by order of the reviewing or confirming authority. After any such rehearing had on the order of the President, the record of trial shall, after examination by the board of review, be transmitted by the Judge Advocate General, with the board's opinion and his recommendations, directly to the Secretary of War for the action of the President.

"Every record of trial by general court-martial, examination of which by the board of review is not hereinbefore in this article provided for, shall nevertheless be examined in the Judge Advocate General's Office; and if found legally insufficient to support the findings and sentence, in whole or in part, shall be examined by the board of review, and the board, if it also finds that such record is legally insufficient to support the findings and sentence, in whole or in part, shall, in writing, submit its opinion to the Judge Advocate General, who shall transmit the record and the board's opinion, with his recommendations, directly to the Secretary of War for the action of the President. In any such case the President may approve, disapprove, or vacate, in whole or in part, any findings of guilty, or confirm, mitigate, commute, remit, or vacate any sentence, in whole or in part, and direct the execution of the sentence as confirmed or modified, and he may restore the accused to all rights affected by the findings and sentence, or part thereof, held to be invalid; and the President's necessary orders to this end shall be binding upon all departments and officers of the Government.

"Whenever necessary, the Judge Advocate General may constitute two or more boards of review in his office, with equal powers and duties.

"Whenever the President deems such action necessary, he may direct the Judge Advocate General to establish a branch of his office, under an Assistant Judge Advocate General, with any distant command, and to establish in such branch office a board of review, or more than one. Such Assistant Judge Advocate General and such board or boards of review shall be empowered to perform for that command, under the general supervision of the Judge Advocate General, the duties which the Judge Advocate General and the board or boards of review in his office would otherwise be required to perform in respect of all cases involving sentences not requiring approval or confirmation by the President.

"ART. 51. Suspension of sentences of dismissal or death: The authority competent to order the execution of a sentence of dismissal of an officer or a sentence of death may suspend such sentence until the pleasure of the President be known, and in case of such suspension a copy of the order of suspension, together with a copy of the record of trial, shall immediately be transmitted to the President.

"ART. 52. Suspension of sentences: The authority competent to order the execution of the sentence of a court-martial may, at the time of the approval of such sentence, suspend the execution, in whole or in part, of any such sentence as does not extend to death, and may restore the person under sentence to duty during such suspension; and the Secretary of War or the commanding officer holding general court-martial jurisdiction over any such offender, may at any time thereafter, while the sentence is being served, suspend the execution, in whole or in part, of the balance of such sentence and restore the person under sentence to duty during such suspension. A sentence, or any part thereof, which has been so suspended may be remitted, in whole or in part, except in cases of persons confined in the United States Disciplinary Barracks or its branches, by the officer who suspended the same, by his successor in office, or by any officer exercising appropriate court-martial jurisdiction over the command in which the person under sentence may be serving at the time, and, subject to the foregoing exceptions, the same authority may vacate the order of suspension at any time and order the execution of the sentence or the suspended part thereof in so far as the same shall not have been previously remitted, subject to like power of suspension. The death or honorable discharge of a person under a suspended sentence shall operate as a complete remission of any unexecuted or unremitted part of such sentence.

"ART. 53. Execution or remission—Confinement in disciplinary barracks: When a sentence of dishonorable discharge has been suspended until the soldier's release from confinement, the execution or remission of any part of his sentence shall, if the soldier be confined in the United States Disciplinary Barracks, or any branch thereof, be directed by the Secretary of War.

"III. PUNITIVE ARTICLES.

"A. Enlistment; muster; returns.

"ART. 54. Fraudulent enlistment: Any person who shall procure himself to be enlisted in the military service of the United States by means of willful misrepresentation or concealment as to his qualifications for enlistment, and shall receive pay or allowances under such enlistment, shall be punished as a court-martial may direct.

"ART. 55. Officer making unlawful enlistment: Any officer who knowingly enlists or musters into the military service any person whose enlistment or muster in is prohibited by law, regulations, or orders shall be dismissed from the service or suffer such other punishment as a court-martial may direct.

"ART. 56. False muster: Any officer who knowingly makes a false muster of man or animal, or who signs or directs or allows the signing of any muster roll knowing the same to contain a false muster or false statement as to the absence or pay of an officer or soldier, or who wrongfully takes money or other consideration on mustering in a regiment, company, or other organization, or on signing muster rolls, or who knowingly musters as an officer or soldier a person who is not such officer or

soldier, shall be dismissed from the service and suffer such other punishment as a court-martial may direct.

"ART. 57. False returns—omission to render returns: Every officer whose duty it is to render to the War Department or other superior authority a return of the state of the troops under his command, or of the arms, ammunition, clothing, funds, or other property thereunto belonging, who knowingly makes a false return thereof shall be dismissed from the service and suffer such other punishment as a court-martial may direct. And any officer who, through neglect or design, omits to render such return shall be punished as a court-martial may direct.

"B. Desertion; absence without leave.

"ART. 58. Desertion: Any person subject to military law who deserts or attempts to desert the service of the United States shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct, and, if the offense be committed at any other time, any punishment, excepting death, that a court-martial may direct.

"ART. 59. Advising or aiding another to desert: Any person subject to military law who advises or persuades or knowingly assists another to desert the service of the United States shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct, and, if the offense be committed at any other time, any punishment, excepting death, that a court-martial may direct.

"ART. 60. Entertaining a deserter: Any officer who, after having discovered that a soldier in his command is a deserter from the military or naval service or from the Marine Corps, retains such deserter in his command without informing superior authority or the commander of the organization to which the deserter belongs, shall be punished as a court-martial may direct.

"ART. 61. Absence without leave: Any person subject to military law who fails to repair at the fixed time to the properly appointed place of duty, or goes from the same without proper leave, or absents himself from his command, guard, quarters, station, or camp without proper leave, shall be punished as a court-martial may direct.

"C. Disrespect; insubordination; mutiny.

"ART. 62. Disrespect toward the President, Vice President, Congress, Secretary of War, governors, legislatures: Any officer who uses contemptuous or disrespectful words against the President, Vice President, the Congress of the United States, the Secretary of War, or the governor or legislature of any State, Territory, or other possession of the United States in which he is quartered shall be dismissed from the service or suffer such other punishment as a court-martial may direct. Any other person subject to military law who so offends shall be punished as a court-martial may direct.

"ART. 63. Disrespect toward superior officer: Any person subject to military law who behaves himself with disrespect toward his superior officer shall be punished as a court-martial may direct.

"ART. 64. Assaulting or willfully disobeying superior officer: Any person subject to military law who, on any pretense whatsoever, strikes his superior officer or draws or lifts up any weapon or offers any violence against him, being in the execution of his office, or willfully disobeys any lawful command of his superior officer, shall suffer death or such other punishment as a court-martial may direct.

"ART. 65. Insubordinate conduct toward noncommissioned officer: Any soldier who strikes or assaults, or who attempts or threatens to strike or assault, or willfully disobeys the lawful order of a warrant officer or a noncommissioned officer while in the execution of his office, or uses threatening or insulting language, or behaves in an insubordinate or disrespectful manner toward a warrant officer or a noncommissioned officer while in the execution of his office, shall be punished as a court-martial may direct.

"ART. 66. Mutiny or sedition: Any person subject to military law who attempts to create or who begins, excites, causes, or joins in any mutiny or sedition in any company, party, post, camp, detachment, guard, or other command shall suffer death or such other punishment as a court-martial may direct.

"ART. 67. Failure to suppress mutiny or sedition: Any officer or soldier who, being present at any mutiny or sedition, does not use his utmost endeavor to suppress the same, or knowing or having reason to believe that a mutiny or sedition is to take place, does not without delay give information thereof to his commanding officer shall suffer death or such other punishment as a court-martial may direct.

"ART. 68. Quarrels; frays; disorders: All officers, members of the Army Nurse Corps, warrant officers, Army field clerks, field clerks, Quartermaster Corps, and noncommissioned officers have power to part and quell all quarrels, frays, and disorders among persons subject to military law and to order officers who take part in the same into arrest, and other persons subject to military law who take part in the same into arrest or confinement, as circumstances may require, until their proper superior officer is acquainted therewith. And whosoever, being so ordered, refuses to obey such officer, nurse, band leader, warrant officer, field clerk, or noncommissioned officer, or draws a weapon upon or otherwise threatens or does violence to him, shall be punished as a court-martial may direct.

"D. Arrest; confinement.

"ART. 69. Arrest or confinement: Any person subject to military law charged with crime or with a serious offense under these articles shall be placed in confinement or in arrest as circumstances may require; but when charged with a minor offense only such person shall not ordinarily be placed in confinement. Any person placed in arrest under the provisions of this article shall thereby be restricted to his barracks, quarters, or tent, unless such limits shall be enlarged by proper authority. Any officer or cadet who breaks his arrest or who escapes from confinement, whether before or after trial or sentence and before he is set at liberty by proper authority, shall be dismissed from the service or suffer such other punishment as a court-martial may direct; and any other person subject to military law who escapes from confinement or who breaks his arrest, whether before or after trial or sentence and before he is set at liberty by proper authority, shall be punished as a court-martial may direct.

"ART. 70. Charges; action upon: Charges and specifications must be signed by a person subject to military law, and under oath either that he has personal knowledge of, or has investigated, the matters set forth therein, and that the same are true in fact, to the best of his knowledge and belief.

"No charge will be referred for trial until after a thorough and impartial investigation thereof shall have been made. This investigation will include inquiries as to the truth of the matter set forth in said charges, form of charges, and what disposition of the case should be made in the interest of justice and discipline. At such investigation full opportunity shall be given to the accused to cross-examine witnesses against him if they are available and to present anything he may desire in his own behalf either in defense or mitigation, and the investigating officer shall examine available witnesses requested by the accused. If the charges are forwarded after such investigation, they shall be accompanied by a statement of the substance of the testimony taken on both sides.

"Before directing the trial of any charge by general court-martial the appointing authority will refer it to his staff judge advocate for consideration and advice.

"When any person subject to military law is placed in arrest or confinement immediate steps will be taken to try the person accused or to dismiss the charge and release him. Any officer who is responsible for unnecessary delay in investigating or carrying the case to a final conclusion shall be punished as a court-martial may direct. When a person is held for trial by general court-martial the commanding officer will, within eight days after the accused is arrested or confined, if practicable, forward the charges to the officer exercising general court-martial jurisdiction and furnish the accused a copy of such charges. If the same be not practicable he will report to superior authority the reasons for delay. The trial judge advocate will cause to be served upon the accused a copy of the charges upon which trial is to be had, and a failure so to serve such charges will be ground for a continuance unless the trial be had on the charges furnished the accused as hereinbefore provided. In time of peace no person shall, against his objection, be brought to trial before a general court-martial within a period of five days subsequent to the service of charges upon him.

"ART. 71. Refusal to receive and keep prisoners: No provost marshal or commander of a guard shall refuse to receive or keep any prisoner committed to his charge by an officer belonging to the forces of the United States, provided the officer committing shall, at the time, deliver an account in writing, signed by himself, of the crime or offense charged against the prisoner. Any officer or soldier so refusing shall be punished as a court-martial may direct.

"ART. 72. Report of prisoners received: Every commander of a guard to whose charge a prisoner is committed shall, within twenty-four hours after such confinement, or as soon as he is relieved from his guard, report in writing to the commanding officer the name of such prisoner, the offense charged against him, and the name of the officer committing him; and if he fails to make such report, he shall be punished as a court-martial may direct.

"ART. 73. Releasing prisoner without proper authority: Any person subject to military law who, without proper authority,

releases any prisoner duly committed to his charge, or who through neglect or design suffers any prisoner so committed to escape, shall be punished as a court-martial may direct.

"ART. 74. Delivery of offenders to civil authorities: When any person subject to military law, except one who is held by the military authorities to answer, or who is awaiting trial or result of trial, or who is undergoing sentence for a crime or offense punishable under these articles, is accused of a crime or offense committed within the geographical limits of the States of the Union and the District of Columbia, and punishable by the laws of the land, the commanding officer is required, except in time of war, upon application duly made, to use his utmost endeavor to deliver over such accused person to the civil authorities, or to aid the officers of justice in apprehending and securing him, in order that he may be brought to trial. Any commanding officer who upon such application refuses or willfully neglects, except in time of war, to deliver over such accused person to the civil authorities or to aid the officers of justice in apprehending and securing him shall be dismissed from the service or suffer such other punishment as a court-martial may direct.

"When, under the provisions of this article, delivery is made to the civil authorities of an offender undergoing sentence of a court-martial, such delivery, if followed by conviction, shall be held to interrupt the execution of the sentence of the court-martial, and the offender shall be returned to military custody, after having answered to the civil authorities for his offense, for the completion of the said court-martial sentence.

"E. War offenses.

"ART. 75. Misbehavior before the enemy: Any officer or soldier who, before the enemy, misbehaves himself, runs away, or shamefully abandons or delivers up or by any misconduct, disobedience, or neglect endangers the safety of any fort, post, camp, guard, or other command which it is his duty to defend, or speaks words inducing others to do the like, or casts away his arms or ammunition, or quits his post or colors to plunder or pillage, or by any means whatsoever occasions false alarms in camp, garrison, or quarters, shall suffer death or such other punishment as a court-martial may direct.

"ART. 76. Subordinates compelling commander to surrender: Any person subject to military law who compels or attempts to compel any commander of any garrison, fort, post, camp, guard, or other command, to give it up to the enemy or to abandon it shall be punishable with death or such other punishment as a court-martial may direct.

"ART. 77. Improper use of countersign: Any person subject to military law who makes known the parole or countersign to any person not entitled to receive it according to the rules and discipline of war, or gives a parole or countersign different from that which he received, shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct.

"ART. 78. Forcing a safeguard: Any person subject to military law who, in time of war, forces a safeguard shall suffer death or such other punishment as a court-martial may direct.

"ART. 79. Captured property to be secured for public service: All public property taken from the enemy is the property of the United States and shall be secured for the service of the United States, and any person subject to military law who neglects to secure such property or is guilty of wrongful appropriation thereof shall be punished as a court-martial may direct.

"ART. 80. Dealing in captured or abandoned property: Any person subject to military law who buys, sells, trades, or in any way deals in or disposes of captured or abandoned property, whereby he shall receive or expect any profit, benefit, or advantage to himself or to any other person directly or indirectly connected with himself, or who fails whenever such property comes into his possession or custody or within his control to give notice thereof to the proper authority and to turn over such property to the proper authority without delay, shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial, military commission, or other military tribunal may adjudge, or by any or all of said penalties.

"ART. 81. Relieving, corresponding with, or aiding the enemy: Whosoever relieves or attempts to relieve the enemy with arms, ammunition, supplies, money, or other thing, or knowingly harbors or protects or holds correspondence with or gives intelligence to the enemy, either directly or indirectly, shall suffer death or such other punishment as a court-martial or military commission may direct.

"ART. 82. Spies: Any person who in time of war shall be found lurking or acting as a spy in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States, or elsewhere, shall be tried by a general court-martial or by a military commission, and shall, on conviction thereof, suffer death.

"F. Miscellaneous crimes and offenses.

"ART. 83. Military property—Willful or negligent loss, damage, or wrongful disposition: Any person subject to military law who willfully, or through neglect, suffers to be lost, spoiled, damaged, or wrongfully disposed of, any military property belonging to the United States shall make good the loss or damage and suffer such punishment as a court-martial may direct.

"ART. 84. Waste or unlawful disposition of military property issued to soldiers: Any soldier who sells or wrongfully disposes of or willfully or through neglect injures or loses any horse, arms, ammunition, accouterments, equipment, clothing, or other property issued for use in the military service, shall be punished as a court-martial may direct.

"ART. 85. Drunk on duty: Any officer who is found drunk on duty shall, if the offense be committed in time of war, be dismissed from the service and suffer such other punishment as a court-martial may direct; and if the offense be committed in time of peace, he shall be punished as a court-martial may direct. Any person subject to military law, except an officer, who is found drunk on duty shall be punished as a court-martial may direct.

"ART. 86. Misbehavior of sentinel: Any sentinel who is found drunk or sleeping upon his post, or who leaves it before he is regularly relieved, shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct; and if the offense be committed in time of peace, he shall suffer any punishment, except death, that a court-martial may direct.

"ART. 87. Personal interest in sale of provisions: Any officer commanding in any garrison, fort, barracks, camp, or other place where troops of the United States may be serving who, for his private advantage, lays any duty or imposition upon or is interested in the sale of any victuals or other necessaries of life brought into such garrison, fort, barracks, camp, or other place for the use of the troops, shall be dismissed from the service and suffer such other punishment as a court-martial may direct.

"ART. 88. Intimidation of persons bringing provisions: Any person subject to military law who abuses, intimidates, does violence to, or wrongfully interferes with any person bringing provisions, supplies, or other necessaries to the camp, garrison, or quarters of the forces of the United States shall suffer such punishment as a court-martial may direct.

"ART. 89. Good order to be maintained and wrongs redressed: All persons subject to military law are to behave themselves orderly in quarters, garrison, camp, and on the march; and any person subject to military law who commits any waste or spoil, or willfully destroys any property whatsoever (unless by order of his commanding officer), or commits any kind of depredation or riot, shall be punished as a court-martial may direct. Any commanding officer who, upon complaint made to him, refuses or omits to see reparation made to the party injured, in so far as the offender's pay shall go toward such reparation, as provided for in article 105, shall be dismissed from the service, or otherwise punished, as a court-martial may direct.

"ART. 90. Provoking speeches or gestures: No person subject to military law shall use any reproachful or provoking speeches or gestures to another; and any person subject to military law who offends against the provisions of this article shall be punished as a court-martial may direct.

"ART. 91. Dueling: Any person subject to military law who fights or promotes or is concerned in or connives at fighting a duel, or who, having knowledge of a challenge sent or about to be sent, fails to report the fact promptly to the proper authority, shall, if an officer, be dismissed from the service or suffer such other punishment as a court-martial may direct; and if any other person subject to military law, shall suffer such punishment as a court-martial may direct.

"ART. 92. Murder—Rape: Any person subject to military law who commits murder or rape shall suffer death or imprisonment for life, as a court-martial may direct; but no person shall be tried by court-martial for murder or rape committed within the geographical limits of the States of the Union and the District of Columbia in time of peace.

"ART. 93. Various crimes: Any person subject to military law who commits manslaughter, mayhem, arson, burglary, housebreaking, robbery, larceny, embezzlement, perjury, forgery, sodomy, assault with intent to commit any felony, assault with intent to do bodily harm with a dangerous weapon, instrument,

or other thing, or assault with intent to do bodily harm, shall be punished as a court-martial may direct.

"ART. 94. Frauds against the Government: Any person subject to military law who makes or causes to be made any claim against the United States or any officer thereof, knowing such claim to be false or fraudulent; or

"Who presents or causes to be presented to any person in the civil or military service thereof, for approval or payment, any claim against the United States, or any officer thereof, knowing such claim to be false or fraudulent; or

"Who enters into any agreement or conspiracy to defraud the United States by obtaining, or aiding others to obtain, the allowance or payment of any false or fraudulent claim; or

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or against any officer thereof, makes or uses, or procures, or advises the making or use of, any writing or other paper knowing the same to contain any false or fraudulent statements; or

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, makes or procures, or advises the making of, any oath to any fact or to any writing or other paper knowing such oath to be false; or

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, forges or counterfeits, or procures, or advises the forging or counterfeiting of any signature upon any writing or other paper, or uses, or procures, or advises the use of any such signature, knowing the same to be forged or counterfeited; or

"Who, having charge, possession, custody, or control of any money or other property of the United States, furnished or intended for the military service thereof, knowingly delivers, or causes to be delivered, to any person having authority to receive the same, any amount thereof less than that for which he receives a certificate or receipt; or

"Who, being authorized to make or deliver any paper certifying the receipt of any property of the United States furnished or intended for the military service thereof, makes or delivers to any person such writing without having full knowledge of the truth of the statements therein contained and with intent to defraud the United States; or

"Who steals, embezzles, knowingly or willfully misappropriates, applies to his own use or benefit, or wrongfully or knowingly sells or disposes of any ordnance, arms, equipments, ammunition, clothing, subsistence stores, money, or other property of the United States furnished or intended for the military service thereof; or

"Who knowingly purchases or receives in pledge for any obligation or indebtedness from any soldier, officer, or other person who is a part of or employed in said forces or service, any ordnance, arms, equipment, ammunition, clothing, subsistence stores, or other property of the United States, such soldier, officer, or other person not having lawful right to sell or pledge the same;

"Shall, on conviction thereof, be punished by a fine or imprisonment, or by such other punishment as a court-martial may adjudge, or by any or all of said penalties. And if any person, being guilty of any of the offenses aforesaid while in the military service of the United States, receives his discharge or is dismissed from the service, he shall continue to be liable to be arrested and held for trial and sentence by a court-martial in the same manner and to the same extent as if he had not received such discharge nor been dismissed; and if any officer, being guilty, while in the military service of the United States, of embezzlement of ration savings, post-exchange, company, or other like funds, or of embezzlement of money or other property intrusted to his charge by an enlisted man or men, receives his discharge, or is dismissed, or is dropped from the rolls, he shall continue to be liable to be arrested and held for trial and sentence by a court-martial in the same manner and to the same extent as if he had not been so discharged, dismissed, or dropped from the rolls.

"ART. 95. Conduct unbecoming an officer and gentleman: Any officer or cadet who is convicted of conduct unbecoming an officer and a gentleman shall be dismissed from the service.

"ART. 96. General article: Though not mentioned in these articles, all disorders and neglects to the prejudice of good order and military discipline, all conduct of a nature to bring discredit upon the military service, and all crimes or offenses not capital, of which persons subject to military law may be guilty, shall be taken cognizance of by a general or special or summary court-martial, according to the nature and degree of the offense, and punished at the discretion of such court.

"IV. COURTS OF INQUIRY.

"ART. 97. When and by whom ordered: A court of inquiry to examine into the nature of any transaction of or accusation or imputation against any officer or soldier may be ordered by the President or by any commanding officer; but a court of inquiry shall not be ordered by any commanding officer except upon the request of the officer or soldier whose conduct is to be inquired into.

"ART. 98. Composition: A court of inquiry shall consist of three or more officers. For each court of inquiry the authority appointing the court shall appoint a recorder.

"ART. 99. Challenges: Members of a court of inquiry may be challenged by the party whose conduct is to be inquired into, but only for cause stated to the court. The court shall determine the relevancy and validity of any challenge, and shall not receive a challenge to more than one member at a time. The party whose conduct is being inquired into shall have the right to be represented before the court by counsel of his own selection if such counsel be reasonably available.

"ART. 100. Oath of members and recorders: The recorder of a court of inquiry shall administer to the members the following oath: 'You, A. B., do swear (or affirm) that you will well and truly examine and inquire, according to the evidence, into the matter now before you without partiality, favor, affection, prejudice, or hope of reward. So help you God.' After which the president of the court shall administer to the recorder the following oath: 'You, A. B., do swear (or affirm) that you will, according to your best abilities, accurately and impartially record the proceedings of the court and the evidence to be given in the case in hearing. So help you God.'

"In case of affirmation, the closing sentence of adjuration will be omitted.

"ART. 101. Powers; procedure: A court of inquiry and the recorder thereof shall have the same power to summon and examine witnesses as is given to courts-martial and the trial judge advocate thereof. Such witnesses shall take the same oath or affirmation that is taken by witnesses before courts-martial. A reporter or an interpreter for a court of inquiry shall, before entering upon his duties, take the oath or affirmation required of a reporter or an interperter for a court-martial. The party whose conduct is being inquired into, or his counsel, if any, shall be permitted to examine and cross-examine witnesses so as fully to investigate the circumstances in question.

"ART. 102. Opinion on merits of case: A court of inquiry shall not give an opinion on the merits of the case inquired into unless specially ordered to do so.

"ART. 103. Record of proceedings; how authenticated: Each court of inquiry shall keep a record of its proceedings, which shall be authenticated by the signature of the president and the recorder thereof and be forwarded to the convening authority. In case the record can not be authenticated by the recorder, by reason of his death, disability, or absence, it shall be signed by the president and by one other member of the court.

"V. MISCELLANEOUS PROVISIONS.

"ART. 104. Disciplinary powers of commanding officers: Under such regulations as the President may prescribe, the commanding officer of any detachment, company, or higher command may, for minor offenses impose disciplinary punishments upon persons of his command without the intervention of a court-martial, unless the accused demands trial by court-martial.

"The disciplinary punishments authorized by this article may include admonition, reprimand, withholding of privileges for not exceeding one week, extra fatigue for not exceeding one week, restriction to certain specified limits for not exceeding one week, and hard labor without confinement for not exceeding one week, but shall not include forfeiture of pay or confinement under guard; except that in time of war or grave public emergency a commanding officer of the grade of brigadier general or of higher grade may, under the provisions of this article also impose upon an officer of his command below the grade of major a forfeiture of not more than one-half of such officer's monthly pay for one month. A person punished under authority of this article, who deems his punishment unjust or disproportionate to the offense, may, through the proper channel, appeal to the next superior authority, but may in the meantime be required to undergo the punishment adjudged. The commanding officer who imposes the punishment, his successor in command, and superior authority shall have power to mitigate or remit any unexecuted portion of the punishment.

The imposition and enforcement of disciplinary punishment under authority of this article for any act or omission shall not be a bar to trial by court-martial for a crime or offense growing out of the same act or omission; but the fact that a disciplinary punishment has been enforced may be shown by the accused upon trial, and when so shown shall be considered in determining the measure of punishment to be adjudged in the event of a finding of guilty.

"ART. 105. Injuries to property—Redress of: Whenever complaint is made to any commanding officer that damage has been done to the property of any person or that his property has been wrongfully taken by persons subject to military law, such complaint shall be investigated by a board consisting of any number of officers from one to three, which board shall be convened by the commanding officer and shall have, for the purpose of such investigation, power to summon witnesses and examine them upon oath or affirmation, to receive depositions or other documentary evidence, and to assess the damages sustained against the responsible parties. The assessment of damages made by such board shall be subject to the approval of the commanding officer, and in the amount approved by him shall be stopped against the pay of the offenders. And the order of such commanding officer directing stoppages herein authorized shall be conclusive on any disbursing officer for the payment by him to the injured parties of the stoppages so ordered.

"Where the offenders can not be ascertained, but the organization or detachment to which they belong is known, stoppages to the amount of damages inflicted may be made and assessed in such proportion as may be deemed just upon the individual members thereof who are shown to have been present with such organization or detachment at the time the damages complained of were inflicted as determined by the approved findings of the board.

"ART. 106. Arrest of deserters by civil officials: It shall be lawful for any civil officer having authority under the laws of the United States, or of any State, Territory, District, or possession of the United States, to arrest offenders, summarily to arrest a deserter from the military service of the United States and deliver him into the custody of the military authorities of the United States.

"ART. 107. Soldiers to make good time lost: Every soldier who in an existing or subsequent enlistment deserts the service of the United States or without proper authority absents himself from his organization, station, or duty for more than one day, or who is confined for more than one day under sentence, or while awaiting trial and disposition of his case, if the trial results in conviction, or through the intemperate use of drugs or alcoholic liquor, or through disease or injury the result of his own misconduct, renders himself unable for more than one day to perform duty, shall be liable to serve, after his return to a full-duty status, for such period as shall, with the time he may have served prior to such desertion, unauthorized absence, confinement, or inability to perform duty, amount to the full term of that part of his enlistment period which he is required to serve with his organization before being furloughed to the Army reserve.

"ART. 108. Soldiers—Separation from the service: No enlisted man, lawfully inducted into the military service of the United States, shall be discharged from said service without a certificate of discharge, signed by a field officer of the regiment or other organization to which the enlisted man belongs or by the commanding officer when no such field officer is present; and no enlisted man shall be discharged from said service before his term of service has expired, except by order of the President, the Secretary of War, the commanding officer of a department, or by sentence of a general court-martial.

"ART. 109. Oath of enlistment: At the time of his enlistment every soldier shall take the following oath or affirmation: 'I, ———, do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America; that I will serve them honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to the Rules and Articles of War.' This oath or affirmation may be taken before any officer.

"ART. 110. Certain articles to be read and explained: Articles 1, 2, and 29, 54 to 96, inclusive, and 104 to 109, inclusive, shall be read and explained to every soldier at the time of his enlistment or muster in, or within six days thereafter, and shall be read and explained once every six months to the soldiers of every garrison, regiment, or company in the service of the United States.

"ART. 111. Copy of record of trial: Every person tried by a general court-martial shall, on demand therefor, made by himself or by any person in his behalf, be entitled to a copy of the record of the trial.

"ART. 112. Effects of deceased persons—Disposition of: In case of the death of any person subject to military law the commanding officer of the place of command will permit the legal representative or widow of the deceased, if present, to take possession of all his effects then in camp or quarters; and if no legal representative or widow be present, the commanding officer shall direct a summary court to secure all such effects, and said summary court shall have authority to collect and receive any debts due decedent's estate by local debtors and to pay the undisputed local creditors of decedent in so far as any money belonging to the deceased which may come into said summary court's possession under this article will permit, taking receipts therefor for file with said court's final report upon its transactions to the War Department; and as soon as practicable after the collection of such effects said summary court shall transmit such effects and any money collected, through the Quartermaster Department, at Government expense, to the widow or legal representative of the deceased, if such be found by said court, or to the son, daughter, father, provided the father has not abandoned the support of his family, mother, brother, sister, or the next of kin in the order named, if such be found by said court, or the beneficiary named in the will of the deceased, if such be found by said court, and said court shall thereupon make to the War Department a full report of its transactions; but if there be none of the persons hereinabove named, or such persons or their addresses are not known to or readily ascertainable by said court, and the said court shall so find, said summary court shall have authority to convert into cash, by public or private sale, not earlier than 30 days after the death of the deceased, all effects of deceased except sabers, insignia, decorations, medals, watches, trinkets, manuscripts, and other articles valuable chiefly as keepsakes; and as soon as practicable after converting such effects into cash said summary court shall deposit with the proper officer, to be designated in regulations, any cash belonging to decedent's estate, and shall transmit a receipt for such deposits, any will or other papers of value belonging to the deceased, any sabers, insignia, decorations, medals, watches, trinkets, manuscripts, and other articles valuable chiefly as keepsakes, together with an inventory of the effects secured by said summary court, and a full account of its transactions, to the War Department for transmission to the Auditor for the War Department for action as authorized by law in the settlement of accounts of deceased officers and enlisted men of the Army.

"The provisions of this article shall be applicable to inmates of the United States Soldiers' Home who die in any United States military hospital outside of the District of Columbia where sent from the home for treatment.

"ART. 113. Inquests: When at any post, fort, camp, or other place garrisoned by the military forces of the United States and under the exclusive jurisdiction of the United States, any person shall have been found dead under circumstances which appear to require investigation, the commanding officer will designate and direct a summary court-martial to investigate the circumstances attending the death; and, for this purpose, such summary court-martial shall have power to summon witnesses and examine them upon oath or affirmation. He shall promptly transmit to the post or other commander a report of his investigation and of his findings as to the cause of the death.

"ART. 114. Authority to administer oaths: Any judge advocate or acting judge advocate, the president of a general or special court-martial, any summary court-martial, the trial judge advocate or any assistant trial judge advocate of a general or special court-martial, the president or the recorder of a court of inquiry or of a military board, any officer designated to take a deposition, any officer detailed to conduct an investigation, and the adjutant of any command shall have power to administer oaths for the purposes of the administration of military justice and for other purposes of military administration; and in foreign places where the Army may be serving shall have the general powers of a notary public or of a consul of the United States in the administration of oaths, the execution and acknowledgment of legal instruments, the attestation of documents, and all other forms of notarial acts to be executed by persons subject to military law.

"ART. 115. Appointment of reporters and interpreters: Under such regulations as the Secretary of War may from time to time prescribe, the president of a court-martial or military com-

mission or a court of inquiry shall have power to appoint a reporter, who shall record the proceedings of and testimony taken before such court or commission and may set down the same, in the first instance, in shorthand. Under like regulations the president of a court-martial or military commission, or court of inquiry, or a summary court, may appoint an interpreter, who shall interpret for the court or commission.

"ART. 116. Powers of assistant trial judge advocate and of assistant defense counsel: An assistant trial judge advocate of a general court-martial shall be competent to perform any duty devolved by law, regulation, or the custom of the service upon the trial judge advocate of the court. An assistant defense counsel shall be competent likewise to perform any duty devolved by law, regulation, or the custom of the service upon counsel for the accused.

"ART. 117. Removal of civil suits: When any civil or criminal prosecution is commenced in any court of a State against any officer, soldier, or other person in the military service of the United States on account of any act done under color of his office or status, or in respect to which he claims any right, title, or authority under any law of the United States respecting the military forces thereof, or under the law of war, such suit or prosecution may at any time before the trial or final hearing thereof be removed for trial into the district court of the United States in the district where the same is pending in the manner prescribed in section 33 of the act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved March 3, 1911, and the cause shall thereupon be entered on the docket of said district court and shall proceed therein as if the cause had been originally commenced in said district court and the same proceedings had been taken in such suit or prosecution in said district court as shall have been had therein in said State court prior to its removal, and said district court shall have full power to hear and determine said cause.

"ART. 118. Officers, separation from service: No officer shall be discharged or dismissed from the service except by order of the President or by sentence of a general court-martial; and in time of peace no officer shall be dismissed except in pursuance of the sentence of a general court-martial or investigation thereof; but the President may at any time drop from the rolls of the Army any officer who has been absent from duty three months without leave or who has been absent in confinement in a prison or penitentiary for three months after final conviction by a court of competent jurisdiction.

"ART. 119. Rank and precedence among Regulars, Militia, and Volunteers: That in time of war or public danger, when two or more officers of the same grade are on duty in the same field, department, or command, or of organizations thereof, the President may assign the command of the forces of such field, department, or command, or of any organization thereof, without regard to seniority of rank in the same grade.

"ART. 120. Command when different corps or commands happen to join: When different corps or commands of the military forces of the United States happen to join or do duty together, the officer highest in rank of the line of the Regular Army, Marine Corps, forces drafted or called into the service of the United States, or Volunteers, there on duty, shall, subject to the provisions of the last preceding article, command the whole and give orders for what is needful in the service, unless otherwise directed by the President.

"ART. 121. Complaints of wrongs: Any officer or soldier who believes himself wronged by his commanding officer, and, upon due application to such commander, is refused redress, may complain to the general commanding in the locality where the officer against whom the complaint is made is stationed. The general shall examine into said complaint and take proper measures for redressing the wrong complained of; and he shall, as soon as possible, transmit to the Department of War a true statement of such complaint, with the proceedings had thereon.

"SEC. 2. That the provisions of Chapter II of this act shall take effect and be in force eight months after the approval of this act: *Provided*, That articles 2, 23, and 45 shall take effect immediately.

"SEC. 3. That all offenses committed and all penalties, forfeitures, fines, or liabilities incurred prior to the taking effect of Chapter II of this act, under any law embraced in or modified, changed, or repealed by Chapter II of this act, may be prosecuted, punished, and enforced in the same manner and with the same effect as if this act had not been passed.

"SEC. 4. That section 1342 of the Revised Statutes of the United States be, and the same is hereby, repealed, and all laws and parts of laws in so far as they are inconsistent with this act are hereby repealed."

J. W. WADSWORTH, Jr.,
HOWARD SUTHERLAND,
HARRY S. NEW,
GEORGE E. CHAMBERLAIN,
C. S. THOMAS,
Managers on the part of the Senate.

JULIUS KAHN,
D. R. ANTHONY, Jr.,
JOHN C. MCKENZIE,
S. H. DENT, Jr.,
W. J. FIELDS,
Managers on the part of the House.

Mr. RANSDELL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Louisiana?

Mr. BRANDEGEE. I do not yield.

CALLING THE ROLL.

Mr. MCCUMBER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Brandegee	Jones, Wash.	Overman	Smoot
Capper	Kendrick	Page	Thomas
Chamberlain	King	Pittman	Trammell
Colt	Lenroot	Poindexter	Underwood
Curtis	Lodge	Ransdell	Wadsworth
Dial	McCumber	Robinson	Walsh, Mont.
France	McKellar	Sheppard	Warren
Glass	McNary	Simmons	Watson
Henderson	Nelson	Smith, Ariz.	
Hitchcock	Norris	Smith, Ga.	
Jones, N. Mex.	Nugent	Smith, S. C.	

Mr. MCKELLAR. I wish to announce the absence of the Senator from Ohio [Mr. POMERENE], the Senator from Missouri [Mr. REED], the Senator from Rhode Island [Mr. GERRY], the Senator from Mississippi [Mr. HARRISON], and the Senator from Virginia [Mr. SWANSON] on official business.

The PRESIDING OFFICER. Forty-one Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

Mr. ROBINSON. Mr. President, I move that the Senate adjourn.

Mr. BRANDEGEE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. UNDERWOOD (when his name was called). I transfer my general pair with the junior Senator from Ohio [Mr. HARDING] to the senior Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. WATSON (when his name was called). I have a pair with the Senator from Delaware [Mr. WOLCOTT], which I transfer to the senior Senator from Iowa [Mr. CUMMINS] and vote "nay."

The roll call was concluded.

Mr. SIMMONS (after having voted in the affirmative). I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG], whom I do not see in the Chamber. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and allow my vote to stand.

Mr. GLASS. I transfer my pair with the senior Senator from Illinois [Mr. SHERMAN] to the senior Senator from Oklahoma [Mr. GORE] and vote "nay."

The result was announced—yeas 8, nays 35, as follows:

YEAS—8.

Dial	King	Robinson	Simmons
Kendrick	Overman	Sheppard	Trammell

NAYS—35.

Borah	Henderson	New	Sterling
Brandegee	Jones, Wash.	Norris	Thomas
Capper	Lenroot	Nugent	Underwood
Chamberlain	Lodge	Page	Wadsworth
Colt	McCormick	Pittman	Walsh, Mass.
Curtis	McCumber	Smith, Ga.	Walsh, Mont.
France	McKellar	Smith, S. C.	Warren
Frelinghuysen	McNary	Smoot	Watson
Glass	Nelson	Spencer	

NOT VOTING—53.

Ashurst	Cummins	Fletcher	Harding
Ball	Dillingham	Gay	Harris
Beckham	Edge	Gerry	Harrison
Calder	Elkins	Gore	Hitchcock
Comer	Fall	Gronna	Johnson, Calif.
Culberson	Fernald	Hale	Johnson, S. Dak.

Jones, N. Mex.	Moses	Pomerene	Sutherland
Kellogg	Myers	Ransdell	Swanson
Kenyon	Newberry	Reed	Townsend
Keyes	Owen	Sherman	Williams
Kirby	Penrose	Shields	Wolcott
Knox	Phelan	Smith, Ariz.	
La Follette	Phipps	Smith, Md.	
McLean	Poindexter	Stanley	

So the Senate refused to adjourn.

The PRESIDING OFFICER. The Secretary will proceed with the previous roll call by calling the names of the absentees.

The names of the absent Senators were called, and Mr. FRELINGHUYSEN, Mr. MCCORMICK, Mr. NEW, Mr. SPENCER, Mr. STERLING, and Mr. WALSH of Massachusetts answered to their names when called.

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. There is not a quorum present.

Mr. LODGE. I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the orders of the Senate.

Mr. COMER, Mr. WILLIAMS, Mr. SUTHERLAND, and Mr. TOWNSEND entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-one Senators having answered to their names, a quorum is present.

ARMENIAN MANDATORY.

Mr. BRANDEGEE. Mr. President, I agree with the Senator from Mississippi [Mr. WILLIAMS] in his statement that the President of the United States and the supreme council representing the associated powers abroad are entitled to an answer to their request that the United States take a mandate over Armenia. The President has considered this matter of sufficient importance to address a special message to Congress, and he has asked Congress to grant to him the power to accept such a mandate.

The Senator from Nebraska [Mr. HITCHCOCK] has read to the Senate a proposed amendment to the resolution reported by the Committee on Foreign Relations, which I do not think is germane at all to the question which was submitted to us by the President. The President has submitted a direct question, "Will you or will you not grant me the power to accept this mandate which I recommend?" It seems to me that courtesy toward a coordinate branch of the Government, as well as to the European powers, demands that we should answer that "yes" or "no" without any encumbering declarations about what we might be willing to do concerning another matter under other circumstances or under present circumstances.

The committee has reported and recommended the passage of the following concurrent resolution:

> That the Congress hereby respectfully declines to grant to the Executive the power to accept a mandate over Armenia as requested in the message of the President dated May 24, 1920.

Mr. President, I wonder if the American people understand what a mandate means or what obligations we should impose upon this Government if we accepted the mandate over Armenia as we are requested to do by foreign powers?

The President makes no attempt to define what he means by our duties as mandatory. There is no definition anywhere, so far as I know, of what constitutes a mandate. Whether there is in international law or not a definition of what in general is a mandate, there is no pretense that anywhere there exists a definition of what our duties would be as mandatory over Armenia in this instance. It seems to me to be a marvelous thing that the President of the United States should recommend to Congress that it should accept for the United States a position practically as guardian over a part of the Ottoman Empire which as yet is not defined.

The President has informed us that he has accepted the position of arbitrator to delimit the boundaries between the Ottoman Empire and Armenia, and that it affords him great pleasure to enter upon that delicate and difficult duty. Now, we are asked to accept a mandate over an undefined, floating piece of more or less—and I think principally less—valuable real estate, inhabited by a great aggregation of people of different attributes, somewhere in the Ottoman Empire, its position to be in the future delimited by the President. No information whatever is given us as to how long we are to occupy that position if we should accept it. It is a piece of territory and some millions of people "wished" upon us by the supreme council sitting in Europe.

Gentlemen stand and asseverate that it is our moral duty to civilization to accept this benefaction. Indeed, the President in his message states:

> I know from unmistakable evidences given by responsible representatives of many peoples struggling toward independence and peaceful life again that the Government of the United States is looked to with extraordinary trust and confidence, and I believe that it would do nothing less than arrest the hopeful processes of civilization if we were to refuse the request to become the helpful friends and advisers of such of these people as we may be authoritatively and formally requested to guide and assist.

"To guide and assist" is a duty which he says is incumbent upon us as mandatory. That is the phraseology he uses in his message, without defining what the duties of mandatory are in all respects.

It will be noticed that he thinks it is our duty to accept mandates for many peoples, such peoples "as we may be authoritatively and formally requested to guide and assist." What is meant by an authoritative and formal request? Does it mean that whenever the supreme council, consisting of the prime ministers of Japan, Great Britain, France, and Italy, shall decide they do not want to assume jurisdiction over peoples in the other parts of the world because they would be too troublesome for them to manage, and therefore that it would be desirable that we should act as guardians for them, that it is our duty, when formally and authoritatively requested, to take over the conservatorship of all such struggling peoples?

Mr. President, it is well enough to be altruistic, charitable, and philanthropic with our own money, but this Government was founded for the purpose of managing the people within the United States, and it is not an eleemosynary institution. Mr. Davison wants us to appropriate $500,000,000 of the taxes taken from the people of this country and hand the amount over to a committee to dispense throughout Europe amongst the needy and oppressed according to their discretion. What constitutional power have we to levy and collect taxes from the entire people of this country, and hand them over to a charity committee to bestow on Europe according to their judgment? In my opinion we have no constitutional power to levy and collect taxes for any such purpose. What constitutional power have we in time of peace to raise, equip, and maintain armies abroad, in Asia, to promote philanthropic projects or to uplift the Armenian or any other European or Asiatic or African peoples? Of course, Congress has authority to equip and maintain armies for the protection of this country; but how can anybody believe that we have authority to impose upon the people of this country taxes with which to raise armies and navies to send abroad to prevent one people from making an incursion upon another, and to keep them there nobody knows how many years?

When would our duties to civilization as mandatory of the Armenians cease? Who is to be the judge of that? Who is to decide what the duties are, whether or not they have been satisfactorily performed, or when they are to determine? Are we to decide those questions? If the Armenians have now, as I understand, organized a republic and desire to govern themselves, by what authority do we walk over there with armies and navies and proceed to govern them? We have not declared war either on Turkey or Armenia. It may be our opinion that the Armenians would be a great deal better off if they had us for a conservator, but perhaps they may have a different view as to that. Why should we go over there and take them if they do not want us to take them? What constitutional power have we to govern them whether they want us to govern them or not?

Mr. President, the Senator from Massachusetts put into the RECORD this morning a statement addressed to our State Department and formulated by Mr. Gerard, who was recently ambassador to Germany, setting forth what would be of substantial aid and assistance to the Armenian people, with whom everybody sympathizes in their troubles. There appeared before several members at least of the Foreign Relations Committee a delegation visiting the members of the committee, consisting of the bishop or archbishop of Erzerum—I suppose his jurisdiction goes over a large part of Armenia—together with the minister or ambassador or whatever his title may be from Armenia and a noted and distinguished Armenian who is a college professor in Yale University, I believe, and they said that they did not want us to be their mandatory. What they wanted was those suggestions made by Mr. Gerard, which were left with the Senator from Massachusetts [Mr. LODGE], put into the RECORD here this morning, and sent to the State Department. They want to be left to work out their own destiny as inhabitants of a free republic which they have set up, which has been recognized by the supreme council, and which has been recognized by our own Government.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Nebraska?

Mr. BRANDEGEE. I yield.

Mr. HITCHCOCK. The delegation to which the Senator refers was, however, very urgent in representing to Senators that it would be a disaster for Armenia if the Congress should curtly reject the suggestion of the President of the United States, and thus convey to the enemies of Armenia the impression that the United States had abandoned the Republic and was not disposed to render any assistance. I wish to add that as among the representations made by the delegation referred to by the Senator, because I think that is of importance, and I think that is a matter which should be kept in mind by the Congress in considering what action to take on this question.

Mr. BRANDEGEE. Mr. President, they did not tell me anything like that, but the Senator from Nebraska stated to the committee during the consideration of this matter just what he has stated on the floor. I do not know whether they desire that Congress, in answering the question submitted by the President, should interpolate or insert things similar to what they requested the State Department to do or things embodied in the amendment which the Senator from Nebraska has proposed. It is not a question of curtness, or of brusqueness, or anything of that kind. If we used more words to express our respectful declination of the request of the President which is expressed in the resolution recommended by the committee, I do not think it would have any effect in encouraging the Turks or the enemies of the Armenians any less than the resolution as it stands. The request is put up to Congress in a perfectly frank, straightforward manner, and the resolution reported by the committee is a respectful, courteous reply to it. We have got to say "yes" or "no." If we respectfully say we do not grant the power requested by the President, there is no disrespect to him in that at all; neither could it aid the Turks or any enemy of the Armenians.

If it will do any good to the Armenians, I am perfectly willing to pass another resolution at the same time that we pass this one, which is an answer to the President, to express any sentiments of friendliness, or to consider whether we can do anything toward the creation of a commission, as suggested by the Senator from Nebraska, to raise funds to purchase agricultural implements and supplies to help these people, irrespective of the Government, and without involving the Government in guaranteeing their bonds or in being responsible for them. I am perfectly willing to consider those things, which are separate things.

We are now engaged in officially communicating with the executive branch of the Government; that is all. The executive branch of the Government has sent a message to the Congress and asked us for a grant of power. It is our duty now to answer the Executive, the President of the United States, and it does not seem to me that it is wise or necessary, in answering the President about accepting a mandate, to enter into provisions about what things of a charitable nature the people of the country can do, or what other things, if anything, the Government can do, to aid the people of Armenia.

I think that this resolution reported by the committee as it stands is a perfectly proper answer to the President.

Mr. President, in agreement with the Senator from Mississippi [Mr. WILLIAMS], I think the President ought to be answered, and quickly. Here is the Turkish treaty pending, to which we are not a party. We never declared war upon Turkey nor they upon us. Here is Armenia, one of the *membra disjecta* of the Ottoman Empire, awaiting help. Here is the supreme council of Europe wanting to perfect their treaty and to make arrangements for the government of this Armenian country, and they are awaiting the answer of the President. Here is Congress going to adjourn, or recess for such a period as will be practically an adjournment, a week from to-day. Here are conference reports and appropriation bills and pension bills and a calendar of extremely important matters awaiting solution, and we have six days, probably only five—many of the Republican Members hope to get away from here at midday next Saturday—we have five days in which to anticipate the needs of this Government for the next six months, perhaps, and every minute of our time will be occupied. Under those circumstances I had hoped that the Senators on the other side of the Chamber, and especially the Senator from Nebraska [Mr. HITCHCOCK], who is the ranking Democratic member of the Foreign Relations Committee, could see their way clear to name some time early next week at which we would come to a vote upon this matter.

I think it is all important that some date should be fixed, not desiring at all to limit debate, which I do not think would be very extensive, because I think most of the Senators have made up their minds about the wisdom of accepting this mandate. The Senator from Nebraska says he is opposed to it, and it is simply a matter of method as to how it shall be declined.

But, Mr. President, this is a concurrent resolution. It is not simply a Senate resolution that we can act upon quickly and thus answer the President. It has to go to the House of Representatives after we have acted on it, and the House is in the same situation that we are as to its business. There is all sorts of pressure upon it to pass different important bills, and its calendar is crowded, and if it should happen to differ with the Senate, even to the changing of a word in our concurrent resolution, that throws the matter into conference, and then there must be a meeting of the conferees, and a conference report which must be acted upon if they can get an agreement.

So I hope that before adjournment this afternoon we can arrive at an agreement for a vote at least in the Senate upon this matter. If we put over until Monday the attempt to arrive at an agreement to vote, there probably will be no debate on it until shortly before the time arrives when we agree to vote. Certainly if we do not agree until Monday we would not agree upon a day earlier than the following day, and that means that we would not vote until Tuesday. We will be within three days of adjournment then, Mr. President.

Before we adjourn, therefore, I am going to make a request for unanimous consent to agree to vote upon this matter not later than 1 o'clock on Tuesday of next week, and I hope we can get that consent.

Mr. TOWNSEND. Mr. President, does that involve the necessity of holding this as the unfinished business to the exclusion of everything else on Monday?

Mr. BRANDEGEE. No, Mr. President. It was stated here by the Senator from Massachusetts [Mr. LODGE] that if he could only get an agreement for a time to vote, he would immediately ask unanimous consent to lay aside this matter temporarily and proceed with the consideration of other business. I should be perfectly willing to agree to that. The Senator from North Dakota [Mr. MCCUMBER] intimated that I was prepared to use time to interfere with the passage of some of his pension bills. I need hardly deny that. That is not my purpose. I know that a vote can not be had upon this Armenian mandate without some discussion of it, and so the brief discussion I am devoting to it now I do not believe is wasted, because if it were not made now it would have to be made on Monday or Tuesday. There has to be some discussion of it.

Mr. President, since saying what I have just said, the Senator from Nebraska [Mr. HITCHCOCK] has approached me, and says that he does not think we can get a quorum, which would be necessary, of course, to get a unanimous-consent agreement. We did have a quorum, but I believe under the rule we have to call for a quorum upon a unanimous-consent request.

Mr. ROBINSON. Mr. President——

Mr. BRANDEGEE. I yield.

Mr. ROBINSON. Referring to the last statement made by the Senator from Connecticut, I think the rule which he has in mind does not comprehend a concurrent resolution.

Mr. BRANDEGEE. It may be limited to bills and joint resolutions.

Mr. ROBINSON. That is my recollection.

Mr. BRANDEGEE. I have not the rule before me, but while I am speaking the Chair may have an opportunity to look it up. That is not legislation. It is simply a communication between the legislative and the executive departments.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. If the Senator from South Carolina will desist a moment, the present occupant of the chair is of the opinion that a roll call is not necessary for unanimous consent in the case of a concurrent resolution under the rule to which reference has been made.

Mr. ROBINSON. Then that obviates that difficulty.

Mr. SMITH of South Carolina. Mr. President——

Mr. BRANDEGEE. I yield.

Mr. SMITH of South Carolina. Let me ask the Senator why, at this stage, we can not have an agreement to lay aside temporarily this concurrent resolution, and on Monday take it up and decide just when we shall have a vote?

Mr. BRANDEGEE. Mr. President, I should almost be tempted to agree to that if Senators would agree that on Monday they would set a date for a final vote. All that has been said here so far is that on Monday certain Senators felt assured that they could get an agreement. Of course, no Senator can speak for his colleagues. In fact, within two minutes after the Senator from Nebraska had expressed that optimistic view, the Senator from New Mexico [Mr. JONES] was on his feet saying that this matter had not been properly considered by the Foreign

Relations Committee, and that it ought to go back there and be considered further.

Mr. SMITH of South Carolina. If the Senator will allow me, if we fail to get a unanimous-consent agreement this afternoon, of course the resolution would go over until Monday, and we would discuss it, and then lay it aside, and on Monday we would make the same effort. I think the temper on this side, as far as I have been able to get it, is that on Monday we very probably could reach an agreement as to a definite time to vote.

Mr. BRANDEGEE. I know that; but it is, just as the Senator says, a mere probability, and if there was no serious objection to fixing on some date, I did not know but that the Senator from Nebraska, who is now here, and who is the one who asked for a little more time, on a further consideration of all the pressure and embarrassment under which we are laboring now, considering the fact that the resolution has to go to the House, and possibly to conference, would view with some favor an attempt to agree upon a time now when we could vote on the resolution. In that case we can lay it aside now and proceed with the pension bills, which the Senator from North Dakota has in charge, or use up the time between now and adjournment in passing other legislation. There are conference reports pending now on the table.

Mr. HITCHCOCK. I would not feel justified in doing that, in view of the absence of a number of Senators. I will say this to the Senator, that on Monday I will be willing to ask unanimous consent for a vote some time Tuesday afternoon. I can not guarantee that everybody will consent, but I will ask for it.

Mr. BRANDEGEE. If the Senator will use his good offices to ask for a vote on Tuesday——

Mr. SMITH of South Carolina. I think the sentiment is along that line, and that is the reason why I made the suggestion I did.

Mr. BRANDEGEE. Very well. I will ask the Senator from New York if he has a conference report he desires to bring up?

Mr. WADSWORTH. Yes, Mr. President, if I have an opportunity I would like to ask unanimous consent to temporarily lay aside the Armenian resolution, in order that the Senate may consider the conference report on the Army reorganization bill.

The PRESIDING OFFICER. Is there any objection to the request made by the Senator from New York?

Mr. BRANDEGEE. I will myself make that request for the Senator from Massachusetts, the chairman of the Committee on Foreign Relations. I believe he suggested taking a recess, but I know he would not object to proceeding with other business if we can do so. I see that the Senator from Massachusetts is here. I did not know he was on the floor. I will say to him that the Senator from New York would like to have unanimous consent to temporarily lay aside the Armenian resolution, leaving it as the unfinished business.

Mr. WADSWORTH. In order to take up the conference report on the Army reorganization bill.

Mr. LODGE. That is perfectly agreeable to me, if it is understood that we shall take a recess when the consideration of the conference report is completed.

Mr. BRANDEGEE. It is my understanding that at the close of the proceedings to-day the Senate will take a recess.

Mr. FRANCE. Mr. President, do I understand it is the desire to take a recess immediately after the consideration of the conference report?

Mr. BRANDEGEE. No; when we finish the business of the day we will take a recess.

Mr. FRANCE. I wish to submit some general observations on the subject of the Armenian question, which will not take very long, but which I wish to submit to the Senate before we take a recess to-day.

Mr. BRANDEGEE. I ask unanimous consent that there be added to the request for unanimous consent made by the Senator from New York that we will take a recess until 11 o'clock Monday when we do recess.

The PRESIDING OFFICER. The Chair suggests that the requests had better be separated. The Chair understands that unanimous consent is asked that when the Senate to-day completes its business it shall take a recess until 11 o'clock Monday. Is there objection? The Chair hears none, and that course will be taken.

The Senator from Massachusetts [Mr. LODGE] now asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none, and that is agreed to.

ARMY REORGANIZATION—CONFERENCE REPORT.

Mr. WADSWORTH. I now ask unanimous consent that the Senate proceed to the consideration of the conference report on the Army reorganization bill.

There being no objection, the Senate proceeded to consider the disagreeing votes of the two Houses on the amendment of the Senate to the conference report on the bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916.

Mr. WADSWORTH. Mr. President, I may remind the Senate that there is but one amendment, and the amendment constitutes the entire bill. As it has been entirely printed in the RECORD in the House proceedings, together with the statement of the managers, it should be clear to every Senator and Member of the House who reads the RECORD.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

ARMENIAN MANDATORY.

Mr. FRANCE. I understand that the Armenian resolution is now before the Senate?

The PRESIDING OFFICER. The Armenian resolution is now before the Senate.

Mr. FRANCE. Mr. President, I desire to submit some remarks upon the general subject of which this Armenian question is but one particular aspect.

I wish to discuss, as briefly as I may, the question of the veto by the President of the United States of the joint resolution of the junior Senator from Pennsylvania [Mr. KNOX], which veto raises questions of such vital importance to the welfare and to the very life of this Nation that it may not with propriety be ignored. This veto by the President is, in my judgment, an unprecedented and improper action, for by denying peace for which the representatives of the people have declared, the President, in effect at least, arrogates to himself, in violation of the Constitution, the power to declare for war.

While I was most heartily in favor of the resolution of peace presented by the junior Senator from Pennsylvania, I would have much preferred the adoption of the resolution which I offered on February 26, 1920, which resolution provided not only for the restoration of peace but for the calling of an international conference with a view to the formation of a concert of all of the nations of the earth for rational and progressive cooperation in the solving of the stupendous world problems which now confront us, for a true and constructive cooperation for the rehabilitation of the world, for the development of its natural resources, for the elevation and ultimate liberation of the backward peoples, for the promotion of general justice and the general welfare of mankind.

Mr. President, I ask that this resolution be printed at this point as part of my remarks.

There being no objection, the joint resolution introduced by Mr. FRANCE February 26, 1920, was ordered to be printed in the RECORD, as follows:

Joint Resolution (S. J. Res. 163) providing for the reestablishment of peace and the calling of an international conference to institute a concert of nations to advise concerning international cooperation as a substitute for the League of Nations, and for a national referendum.

Whereas on the 11th day of November, 1918, the President of the United States announced the signing of an armistice between the United States and the powers with which the United States had been at war, the President at that time declaring "the war thus comes to an end"; and

Whereas it is most desirable that there shall be a prompt termination of the status of war by the formal legal reestablishment of peace between the United States and Germany; and

Whereas the peace treaty has failed to receive the advice and consent of two-thirds of the Senate; one of the reasons for the negative action being that more than one-third of the Senate hold that the Covenant of the League of Nations incorporated in said treaty, if adopted by the United States, would contravene its fundamental principles as declared in the Declaration of Independence by subjecting the external relations of the United States to the control of a foreign body not recognizing these principles, would violate the Constitution by attempting to change the form of government of the United States without a constitutional amendment, and would ignore and tend to destroy the right of States under the law of nations to defend themselves and to extend civilization in behalf of all civilized nations by means of war when other means are possible; and

Whereas there is a profound unrest throughout the world, due in large part to the failure of the Paris Peace Conference to formulate such plans for peace and for international cooperation for the advancement of justice, liberty, and the general welfare as would commend itself to the great liberal spirit of the age and the new enlightened conscience of mankind; and

Whereas the long-continued underproduction and rapid destruction during the war of the necessities and commodities of life, particularly of food, have resulted in a serious shortage, which makes imperatively necessary an immediate reorganization of all agricul-

tural, industrial, financial, and commercial activities for the maximum production in all countries and for the distribution among the nations by the normal methods of trade and commerce of such food, necessities, and commodities; and

Whereas because of the close community of financial, industrial, and commercial interests of all of the nations of the world, the industrial and financial prostration and paralysis of Germany, Austria, Russia, and other recently belligerent countries of Europe, with the necessarily ensuing unemployment, impoverishment, and starvation of their citizens, with the threatened unrest and revolution in certain of these countries, are impeding the rehabilitation and are menacing the peace of the world and the stability of all government; and

Whereas, therefore, it is desirable to bring about immediately a situation of general peace and to take measures for establishing at the earliest practicable moment a form of international organization, approved by the public sentiment of the people of the United States, to deal with the social and economic problems growing out of the present war, and to bring about as nearly peaceful relations as possible between states by judicious and carefully wrought out measures of international cooperation; and

Whereas those opposing the plan of international organization contained in the Covenant of the League of Nations recognize that it has now become necessary for the United States to cooperate methodically and permanently with the states and countries of the world and to take the lead in establishing a concert of nations to direct such cooperation by considered advice, but have heretofore been confined to an indirect and imperfect expression of their views by means of reservations to the said Covenant proposed in the Senate; and

Whereas the question of the participation of the United States in an international organization is an issue in the approaching presidential election, and it is desirable that the plan of international organization approved by those opposing the League of Nations should be formulated so that the voters, by supporting a candidate for the office of President pledged to one or the other of the two plans, may express the public sentiment concerning the policy to be pursued by the United States respecting international organization: Now, therefore, in order to promote a general pacification, to declare the plan of international organization approved by those opposed to the plan of the League of Nations, and to make provision so that at the next national election a referendum vote may be had determining the public sentiment of the United States concerning the form of international organization which the people approve, be it

Resolved, etc., That the status of war with Germany, declared by the Congress by S. J. Res. 1, on the 5th day of April, 1917, be, and it is hereby, declared to be terminated and the full status of peace be, and it is hereby, declared to be reestablished.

2. That the President be, and he is hereby, authorized and advised to make treaties of peace without annexations or indemnities and of trade and intercourse with the Republic of Germany, all matters of dispute between the two countries to be submitted for arbitration to The Hague tribunal.

3. That, in pursuance of this resolution declaring the reestablishment of peace, all American troops now upon foreign soil shall be immediately returned to the United States.

4. That the President is hereby authorized and directed, by invitations to be sent out by him during the month of May, 1921, to invite the states signatory of or adherent to the Convention for the Pacific Settlement of International Disputes, of July 24, 1899, and their successors, and all other states since recognized or which may be recognized prior to the sending out of the invitations, to send three delegates each, and also two delegates in behalf of each of the colonies, protectorates, and dependencies, respectively, of the various states having colonies, protectorates, or dependencies, to assemble at Washington, on a date in September, 1921, to be fixed in the invitation, to consult concerning the formation of a more perfect general concert and union, the establishment of general justice, the assurance of the general tranquillity, the promotion of the general welfare, and the securing generally of the blessings of liberty to the peoples now living and to their posterity.

5. That the list of said States to be invited shall include the following: Argentine Republic, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Finland, France, Germany, Great Britain, Greece, Guatemala, Haiti, Hedjaz, Hungary, India, Italy, Japan, Jugo-Slavia, Luxemburg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Persia, Peru, Poland, Portugal, Roumania, Russia, Salvador, Serbia, Siam, South Africa, Spain, Sweden, Switzerland, Turkey, Uruguay, and Venezuela.

6. That the invitations shall expressly state that the motive of the United States in issuing them is to initiate and bring about a concert of nations as a substitute for the League of Nations, and shall be expressly with the understandings as herein set forth, namely: There shall be an international conference of the States, composed of three delegates from each of the States, and an assembly of the colonies, protectorates, and dependencies, composed of two delegates from each of the colonies, protectorates, and dependencies, the international conference and the assembly of the colonies, protectorates, and dependencies to sit separately but at the same time. The assembly of the colonies, protectorates, and dependencies shall deliberate exclusively concerning social and economic measures and shall report to the international conference. The international conference and the assembly of the colonies, protectorates, and dependencies shall be the first of a series of periodical conferences and assemblies of similar character, meeting at periods of three years at places determined by the international conferences. The general object of the conferences and assemblies shall be to constitute a concert of the States and countries of the world on the general lines of the International Conference of American States and the Inter-American High Commission, by means of central and national institutions and processes adapted to carry on orderly discussion, deliberation, and judgment concerning matters of common interest, with a view to inducing such peaceful and voluntary action of the States in the common interest as may be needful to bring about international cooperation. All resolutions agreed upon either in the international conference or in the assembly of the colonies, protectorates, and dependencies shall be of an advisory character, and any international or pannational organs or processes initiated or instituted shall be of a voluntary nature and shall have only advisory powers. The international conferences shall establish and maintain a system of advisory correspondence, with continuation committees sitting in the intervals between the conferences to prepare for the international conferences and the assemblies of the colonies, protectorates, and dependencies and to carry on the system of correspondence. The more specific objects of the international conference, of the assembly of colonies, protectorates, and dependencies, and of the continuation committees, and the purpose of the correspondence between the States participating shall be—

(a) To consider the common and mutual interests and the social and economic relations of the States and peoples of the world as naturally and necessarily united for mutual aid and benefit and to recommend such projects of uniformity or reciprocity in the action of the States, respectively, as will enable them to cooperate for the general welfare.

(b) To formulate a body of international law based on the security of the fundamental rights of the individual as the prime function of all Governments and for applying as between States the analogies of the laws of partnership and cotenancy, and as between States and their respective colonies, protectorates, and dependencies the analogies of the laws of conservatorship, guardianship, and trusteeship.

(c) To devise methods for the advancement of the peoples of colonies, protectorates, or dependencies from the status of dependence to that of independence and to full participation in the international conferences.

(d) To decide concerning the admission into the international conferences of any communities claiming to be States formed by the division of existing States or by the junction of States or parts of States.

(e) To promote cooperation among the more advanced nations for the improvement and advancement of the backward countries and territories, particularly those of Africa and parts of Asia, by the formulation of plans for the reclamation of waste land, for the utilization of natural resources, including water powers, for wise colonization, for the promotion of education, and the spread of civilization throughout the world.

(f) To consider the problems of the congestion of some and the underpopulation of other nations and the unregulated competition between the more populous and industrial countries for the trade and raw products of the less populous agricultural ones.

(g) To study the problem of international finance, credits, and exchange, with a view to the prompt shipment on suitable credits, particularly into Russia, Germany, Austria, China, Africa, and any other agriculturally or industrially undeveloped or prostrated countries, of tools, agricultural implements, seeds, and other materials necessary to production, as well as foodstuffs, necessities, and commodities, for the purpose of encouraging a resumption of production which will be favorable to the rehabilitation of the world.

(h) To localize hostilities between States by cooperative policing of the high seas or otherwise and to take such action in case of such hostilities that the result of any armed conflict between States may be to increase the area within which the rights of the individual are effectively secured and to render more perfect the union of all the States for mutual aid and benefit.

(i) To make further provision for the pacific settlement of international disputes and for the settlement of such disputes according to accepted principles of law and by due process of law; and for this purpose to establish an international supreme court of justice and a system of inferior international courts having jurisdiction of controversies between States in which the parties in interest are citizens of different States, and also of such controversies between States in their own right, as may be susceptible of decision by application of accepted principles of public or private law.

(j) To encourage the establishment, where stable governments do not exist, of constitutional republics or governments of such character as would make for that national stability upon which would be based a permanently peaceful international order, and to promote the institution in each nation of appropriate national agencies of international correspondence and concert and the control by national legislatures of the appointment and instruction of national delegates to the international conferences.

(k) To promote amity and mutual understanding between the oriental and occidental peoples and to proceed with all possible means and speed to conciliate the people of Russia, China, India, Afghanistan, the Central Powers, and Turkey, in order that these nations or countries may not form against the western powers a hostile coalition which might menace the peace of the world.

7. That the functions of the United States as the initiator and host of the international conference and the assembly of the colonies, protectorates, and dependencies shall be in the charge of a committee which shall come into existence in the month of April, 1921, and shall consist of the then Secretary of State as chairman, the then Secretary of the Treasury, the then Secretary of Commerce, two Members of the Senate, to be appointed by the President of the Senate, and two Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives.

The delegation of the United States to the international conference and to the assembly shall be nominated to the President by said organization committee and said nominees when approved by the President shall be appointed by him by and with the advice and consent of the Senate. The said organization committee shall also suggest to the first international conference and to the first assembly a plan for their organization, a program of matters to be considered, a project for regulating the action of the continuation committees and a plan for organizing and regulating the central and national agencies of correspondence and concert; but nothing in the plans, project, or program so suggested shall be inconsistent with the provisions of this resolution.

8. That the general expenses of the international conference and of the assembly shall be borne by the United States, each participating State, however, paying the salaries and expenses of its own delegates and of the delegates in behalf of its colonies, protectorates, and dependencies.

9. That there is hereby appropriated, out of any sums in the Treasury not otherwise appropriated, for the carrying out of the provisions of this resolution the sum of $500,000.

10. That in case a candidate for the office of President who shall have publicly announced his adherence to the plan of the League of Nations with or without reservations shall be elected at the national election in November, 1920, this act shall expire on March 4, 1921, at noon, and shall thereafter have no force or effect.

11. That the provisions of this resolution shall take effect immediately after its passage and its approval by the President.

PERILS OF AUTOCRACY.

Mr. FRANCE. Mr. President, the plight of men and of nations becomes pitiable when they abandon high principle for base expediency, when they violate oaths and sacred obliga-

tions solemnly assumed for a shifty opportunism without conscience and without purpose, when they embrace that sinister, detestable, and destructive philosophy that the end justifies the means.

This, sirs, we did during the war when, in contravention of all sound policy and in violation of the explicit words and of the spirit of the Constitution of the United States, we created this un-American, heartless, and cruel autocracy which has become so grave a menace to our liberty and places in peril the very perpetuity of our free institutions, which, indeed, has now become a danger to the peace and progress of the world.

On previous occasions I have plead for the termination in this country of personal, irresponsible, arbitrary, and despotic government; for the return of the Government to the sovereign people; for the restoration of the Republic; for the reestablishment of government by law enacted by the representatives of the people, in strict obedience to the limitations, affirmations, and the mandates of the Constitution of our country.

HE KEPT US OUT OF WAR AND PEACE.

It has been said of the President that "he kept us out of war." In the campaign of 1916, in Maryland, there was worn by the valiant defenders of Woodrow Wilson a campaign button bearing his face and name, and these inspiring words, while a world was in agony, "Safety first." More recently they have been saying, in bitterness and in mockery born of the memory of outrageous wrong, "He has kept us out of peace." Is it true that the President of the United States has kept us out of war and that he has kept us out of peace? If your answer to that question be in the affirmative, such affirmative answer must constitute a damning indictment against all those responsible for the situation. Such an affirmative answer must rise as a wail, a violent lamentation, a piercing cry of protest above the uproar of a disordered world, to warn the American people to what wastes of uncharted seas and to what unknown and uncomputed perils the great Republic now has drifted, because those charged with her safety have failed to steer by the fixed star of her destiny, have departed from the plain path of national duty, have proved incompetent and unworthy of that high and sacred trust placed in their charge.

Bismarck will be remembered by coming centuries as one of the greatest statesmen of his age. He was great, but he was great only because he followed in the footsteps of the great. He beheld the weak, conflicting, belligerent German States and he conceived and created a mighty Empire. But he achieved this work only after he had profoundly studied the great principles of federation enunciated and applied by Washington, by Hamilton, and by the other fathers.

He fashioned that empire in accordance with the same laws that they had invoked when they builded with feeble colonies an invincible nation. The constitution of the German Empire was patterned after the Constitution of the United States. Disregarding the differences growing out of the fact that Bismarck was compelled to deal not with sovereign states only but with the royal sovereigns of sovereign states, we find between the two constitutions few essential differences, perhaps but one vital difference. The Presidency of the German Empire was given to the King of Prussia, who was called the German Emperor, and the powers conferred upon him are substantially the powers conferred upon our President. But for one clause in the German constitution he would have been a president, but by that single clause he became an emperor, a master of peace and war, and it was because of that one single clause, which gave him but a slightly greater power over peace and war than that conferred upon our President, that it was possible for William II to plunge to destruction with that mighty Empire, marvelous creation of Bismarck and of William I, and to curse with all this bloodshed, ruin, and unspeakable agony so many millions of the suffering sons of men. That single clause which placed it within the power of one weak, vain, and obstinate man to bring disaster to a world reads thus:

> For a declaration of war in the name of the Empire, the consent of the Bundesrath is required, unless an attack is made upon the Federal territory or its coasts.

That simple clause sounds quite innocent, but because of that clause, which, unlike our own Constitution, fails to lodge the power over peace and war, securely, unconditionally, absolutely, eternally, and under every condition and circumstance with the representatives of the people, the President of Germany, named after much debate and with many misgivings German Emperor, became Emperor of Germany; the President of the German Federation was created a despot, man of most tragic destiny, and bloody war lord of the world.

And yet of Woodrow Wilson now they say, he kept us out of war and he kept us out of peace. And it is true, and in that awful truth you now must face the fact, that weak, subservient, and undecided Congresses have yielded and delegated the powers intrusted to them by the people, that an Executive has arrogated to himself more and more power until, for the time being, constitutional government and constitutional liberty are here suspended, an autocracy has been created, and it has become possible for Woodrow Wilson I to do in 1920 what William Hohenzollern II did in 1914, when, in violation of the interests of the people and without consultation with their representatives, with whom in every free government must be lodged the absolute power over peace and war, he declared against peace and for war. The veto of the peace resolution is a declaration by the President for war. Are the people of the United States with President Wilson, the Commander in Chief of the Army, in his desire and determination to continue the war against the German people?

Did he keep us out of war? In the wisdom of our fathers it was written into our fundamental law that Congress shall have power to declare war, that when the people through their representatives do so declare, there shall be war, and by the same token when the representatives of the people shall fail to declare war, or do more affirmatively declare against war and for peace, there shall be peace. When the President vetoed the Knox peace resolution he attempted to arrogate to himself the power to prevent peace and the power to declare war. I shall not offer any explanation for this act, but it is true that when in violation of the Constitution you place such huge, swollen, autocratic powers, legislative, executive, and judicial, in the hands of the Chief Executive for the period of a war, considering all the frailties of our nature, you may tempt him beyond all endurance, and bribe him who loves power, with so fabulous a price paid in power, to prolong the state of war. If you contend that it was constitutional, as it was not, to confer such powers, and if you contend it constitutional, which it is not, for him to place a presidential veto upon the declaration of the people's representatives in favor of the reestablishment of peace, you then contend it possible to transform a free Republic into a permanent, intolerable despotism.

What more powerful argument could there be for the Congress to remain in session to begin immediately to mercilessly strip from the Executive every one of these enormous powers which were conferred for the period of the war, and to reduce the functions and prerogatives of the President to those which under the Constitution and under the laws enacted by the representatives of the people he should exercise as the obedient servant charged with the carrying out of these mandates of the popular will?

WE MUST NOT DRIFT.

Senators, once again in this most crucial and portentous moment in the history of mankind, when at home the spirit of unrest continues to spread fast and wide and the hearts of our countrymen are filled with anxiety over possible impending disaster, and when in Europe the very foundations of the social, economic, and political order are threatened with destruction, I plead with you, with all the earnestness born of profound convictions, that we abandon the policy of drifting, that we lay aside considerations of political expediency, and take prompt, positive, and intelligently directed action to allay the unrest at home and relieve the impossible conditions abroad.

We are confronted with this extraordinary situation, a situation unparalled in all our history. The President, who was elected on the slogan that "he kept us out of war," now stubbornly and against the will of the overwhelming majority of the elected representatives of the people persists in keeping us out of peace. The leader of this country in a war "to make the world safe for democracy" has built up in America by means of these extraordinary war powers granted to him by the Congress, and which he now, more than a year and a half after the war has actually ended, refuses to relinquish, the most powerful autocracy in the entire world.

The author of the "new freedom" has sat unmoved in the White House, while American citizens have, in violation of the law protecting inherent natural rights, been hurled into dungeons for disagreeing with the views of the majority, while the Postmaster General, renegade from the principles of Jeffersonian democracy, seized and censored the mails and wires in his autocratic clutch, while spies and secret service agents from a department which disgraces the very name of justice have prowled about as they did in the old days in Russia seeking whom they might destroy. Intimidation, search, and seizure without warrant, brutality, torture, perjury, provocation of crime, the holding of prisoners without sentence and the sentencing of prisoners without sense or the sanctions of justice, bloodshed, and, if we can credit rumors current in New York, which I can not verify, even murder, these have been their methods.

I do not know that the unfortunate victim who fell from the torture room and the unauthorized prison of the Department of Justice in Park Row, New York, to his death upon the pavement below was deliberately murdered, as has been rumored, but he was made the victim of such lawlessness and anarchy as may not longer continue if we are to preserve the instructions of free government. I hope in a few days to discuss this phase of the subject at length and to demand a full investigation.

The author of the 14 points and of the statement that "we had no quarrel with the German people," and that the only enduring peace would be a "peace without victory," connived at and consented to the destructive, vindictive, and wholly impossible peace of Versailles, which it was left to this body to reject, and by such rejection to save the escutcheon of the American people from a strain of everlasting dishonor.

THE LEAGUE OF NATIONS.

The advocate of a League of Nations which was to harmonize and tranquillize and allay the passions of the world has transmitted and stubbornly tried to force upon us under the guise of that fair sounding phrase an unholy alliance, conceived in secret, bred of the passions and hatreds of the war, from which our late enemies and Russia, one of our historic friends, are definitely, and so far as concerns any control which we have over the situation, permanently excluded, and from which, indeed, the whole world, with the exception of ourselves and the imperialistic powers whose spoils of victory the treaty would guaranty, is excluded so far as any effective participation is concerned. This so-called League of Nations would attempt to chain the newly liberated spirit of mankind to the imperial chariot of the old order and drag it in humiliation into slavery and despair. There is no liberating force and no spirit of life and hope for mankind in an institution which permits four or five old men to gather from time to time in secret conclave in vain attempt, in accordance with the outworn practices of an Old World diplomacy, to settle the destinies of a new-awakened world. In such a league America could not participate, if she was to remain true to her great ideal of liberty and to her still greater mission of liberation.

Of such a peace America could not become the guarantor, if she was to remain true to her obligations of international honor and to preserve her soul unsullied before the world. This war, sirs, has been a liberty war. We can not let its outcome be the enslavement of any part of our common humanity. This war, sirs, was a war to vindicate international honor and obligation. We can not make a peace of perfidy. The Germans laid down their arms on the solemn promise of ourselves and our associates that they should have peace on the basis of the principles enunciated in the 14 points. Does anyone familiar with the terms of this treaty seriously contend that it complies with that requirement? Specious excuses are made. It is weakly said that at Versailles the President did the best he could under the circumstances. If the circumstances were such that after we had poured out our treasure and sacrificed the priceless lives of our sons for liberty, only a new form of domination by force could be secured; if the circumstances were such that after we had fought for the sanctity of international obligations we had to become party to a great betrayal, then the President should have come home and left the statesmen who proposed such perfidy to lay for themselves, if they could, the horrible genii of disorder and destruction which the war had brought forth. But, gentlemen, do not deceive yourselves. Such was not the alternative which confronted the President. We held the key to the situation at Versailles, and, sirs, if we have the courage and the will to use it we still hold the key which will unlock the prison house of mankind. That key is our control over the economic and financial destiny of Europe. They owe us an enormous debt. They are dependent upon us as never before for the moral and economic resuscitation of Europe. Europe is falling to pieces. Europe cries out for assistance and for mercy. We will give it, but we have a price—not the price of the hard-hearted Shylock, not the price of false and faithless friends. "Faithful are the wounds of a friend," and if we wound our friends and associates in this war in refusing to ratify this peace, the wounds will be indeed the wounds of a friend; America, their great, true-hearted friend, who would save them from the destruction of their own folly. This, then, is the price, if we are to join a concert of nations, it must be a concert of all the nations for the purposes of peace and progress and the liberation of mankind. If we are to be a party to a European peace, it must be a peace framed in accordance with American ideals and in keeping with our solemn promises to friends and to foes and with the dictates of humanity and common sense. If our power and resources are to play their part in the affairs of Europe and of the world, they must play an upbuilding and restoring part. If there is to be a concert of the nations, every member of the family of nations, even though there be erring ones, must be made welcome at the common table of council and of action. The old order, with its intolerable balances of power, its sinister schemes for the aggrandizement of this nation at the expense of that, its longer intolerable system of colonial expansion and heartless human exploitation, must give way to the new order of cooperation and brotherhood and peace. America has the power, economic and moral, if she will but apply it, to beat the swords of the world into plowshares. But this treaty has not done it. This so-called League of Nations can not do it.

Are there any signs of disarmament in Europe? Are there any signs of a reconciled and better-ordered world? We alone can save mankind in this great hour of its agony; and, sirs, the spirit of our immortal sires and the great warm-hearted American people who sent us to represent them in this Chamber, haunted with its great and noble traditions and with the spirit of the mighty dead, demand that we rise equal to this great occasion. If we have faltered and hesitated, let us hesitate no longer. If we have drifted downstream in the midst of these stupendous world events, let us now breast the current; let us do our God-given duty and fulfill the inspired destiny of America. The time is here, the occasion is ripe. The resolution which I have offered and which is upon the files of the Foreign Relations Committee would meet the situation. If we present to the President a peace resolution framed on these lines and in this spirit, he must sign it, sirs, if he has any faith in his own great professions. We shall at least put him to the test. Does he desire such a peace as that which he led us to fight for? Does he desire a true concert of all the nations to start the stumbling, faltering footsteps of mankind in the pathways of a just and permanent peace or does he desire merely to work his own stubborn will to obtain a mean, paltry, political advantage at the expense of bleeding, starving, suffering humanity? I for one can not believe it. The President has departed far from the principles and practice of democracy. He has closeted himself close and closed his ears tight against the voices of the people which he professedly desires to hear. But there must still be in his breast some faint stirring of the spirit which led to those noble utterances from which he has so far departed, and if we but show him the pathway to peace which he himself lost in the wilderness of the hatreds and war passions of Paris, perhaps even yet he will walk therein.

AMERICA'S HISTORY AND DESTINY.

As we stand here in this momentous period of transition, in this great epoch between what has been and that which is to be, it would be well for every American to deeply ponder upon America's history, her destiny, her vast, unspeakable responsibility to the world. Every age has had its seer and leader among the nations. I need not call for you the roll of the mighty empires which are no more. Sometimes the leadership has been wholly bad, always stumbling and half blind, rarely almost good, but ever lacking light and insight. Great leader nations fell because they failed. If history means anything, it is a progress toward the development of a leader among the nations which should with clear vision and unfaltering steps valiantly and with commanding power lead the world on toward that better civilization which must be at once the goal of history and the fixed purpose of the ages. The world wants leadership toward liberty. Across the summer skies of August, 1914, the star of destiny moved westward to stand above America, cradle of that new liberty which must at last emancipate mankind. When the Kaiser ordered his mighty hosts to move on Belgium the center of the world moved to the Western Continent. The first roar of his giant cannon called America to the responsibility of world leadership. The beginning of this war marked the end of an age. Not the German Empire only, but imperialism itself marched to its doom with those vast armies. The final cause of this war was imperial ambition. Empire joined in bloody battle with Empire for the sovereignty of the world. This war affords the final and conclusive evidence that the ideals and system of imperialism in every age must fail. This none can dispute. The question now for America to answer is, Can the ideals and system of Americanism prevail? Can the purpose of domination and of exploitation and of imperial ambition give way before a new rededication of the world to the spirit of cooperation for the elevation and liberation of mankind? This is the question which the peoples of the world are asking, as in agony they stand waiting to see if this new youthful leader shall have the golden keys of vision, courage, and of faith to unlock the iron portals of unhappy, cruel circumstance which bar the path to the new and better land of promise. Shall we fail? The President has failed.

Shall we, as the representatives of the sovereign people and of the sovereign States, who have it in their power to make a new world, attempt once more to turn the steps of men, so eagerly and anxiously waiting upon us, into the paths of a just and permanent peace? Let us attempt it by the adoption of this resolution establishing peace and providing for a concert of the nations.

RECESS.

Mr. SMOOT. I move that the Senate take a recess until Monday next at 11 o'clock a. m.

The motion was agreed to; and (at 4 o'clock and 30 minutes p. m., Saturday, May 29) the Senate took a recess until Monday, May 31, 1920, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *May 29, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, Heavenly Father, our hearts go out in praise and gratitude to Thee for the gospel revealed in the life, character, and precepts of the Master, which is good news, glad tidings, to all people, since it reveals the heart of God, opens the door of the kingdom of heaven to all who would enter and enjoy its manifold blessings, inspiring greater faith, larger hope in the immortality of the soul, that we may press on to larger life and nobler achievements. After the manner of the Lord Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

TERCENTENARY CELEBRATION, LANDING OF THE PILGRIMS.

The SPEAKER. The Chair appoints as House members of the United States Pilgrim Tercentenary Commission Mr. WALSH, Mr. MCARTHUR, Mr. DOREMUS, and Mr. WHALEY.

POINT OF ORDER.

Mr. HICKS. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and nineteen Members are present, a quorum.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 11398. An act for the creation of the Custer State Park Game Sanctuary in the State of South Dakota, and for other purposes;

H. R. 1827. An act for the relief of Carolyn Wheeler Kobbe;

H. R. 4927. An act for the relief of Nancy A. Parsons, C. M. Parsons, D. F. Staggs, Ollie Staggs, Roas Staggs, Lena Birchfield, Alice Birchfield, Bertie Gwin, Greely Gilbert, Linville Gilbert, and Nelson Gilbert;

H. R. 5807. An act for the relief of John T. Adams.

H. R. 9583. An act for the relief of Edward A. Purdy, postmaster of the city of Minneapolis, Minn., for postage stamps, postal-savings stamps, war-savings stamps, war-tax revenue stamps, and cash from money orders stolen from the branch post office at Minneapolis, Minn., commonly known and described as the traffic station, and located at Nos. 621 and 623 First Avenue north, in said city;

H. R. 3212. An act for the relief of legal representatives of George E. Payne, deceased;

H. R. 2396. An act for the relief of John A. Gauley;

H. R. 6198. An act authorizing payment of compensation to Swanhild Sims for personal injuries;

H. R. 9048. An act for the relief of Catherina Rea, administratrix of the estate of John Rea;

H. R. 9392. An act regulating the disposition of lands formerly embraced in the grants to the Oregon & California Railroad Co., and Coos Bay Wagon Road Co.;

H. R. 11030. An act for the relief of the Woodford Bank & Trust Co., of Versailles, Ky.;

H. R. 10317. An act for the relief of Blanche Utley; and

H. R. 10115. An act for the relief of Harvey R. Butcher.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4373. An act to amend sections 207 and 210 of the transportation act of 1920;

S. 3969. An act to authorize the Secretary of the Navy to waive the age limit for admission to the United States Naval Academy;

S. 4361. An act to provide for the relief of certain officers of the Naval Reserve Force, and for other purposes;

S. 3743. An act for the relief of W. R. Grace & Co.;

S. 2791. An act to provide for the leasing of public lands in Alaska for grazing purposes;

S. 4400. An act to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia," approved March 3, 1869, as amended;

S. 4436. An act to amend the act approved December 23, 1913, known as the Federal reserve act;

S. 4324. An act for the relief of William C. Brown;

S. 4326. An act for the relief of George F. Ramsey;

S. 4327. An act for the relief of H. B. Banks;

S. 4328. An act for the relief of Roach, Stansell, Lowrance Bros. & Co.;

S. 4250. An act for the relief of John B. Elliott;

S. 2929. An act for the relief of Capt. Edward T. Hartmann, United States Army;

S. 1255. An act authorizing the Texas Co. to bring suit against the United States;

S. 4310. An act to amend an act entitled "The New Mexico enabling act";

S. 4296. An act to confer upon the Territorial courts of the Territory of Hawaii jurisdiction concurrent with the United States courts of that district of all offenses under the act of October 28, 1919, known as the national prohibition enforcement act; and

S. 804. An act authorizing the Ponca Tribe of Indians residing in the States of Oklahoma and Nebraska to submit claims to the Court of Claims.

The message also announced that the Senate had receded from its amendment numbered 93 to the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921.

The message also announced that the Senate had passed with amendments the bill (H. R. 406) amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Calif., certain public lands in California, and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland Reserve, Calif., to the city of Los Angeles, Calif.," approved June 30, 1906, in which the concurrence of the House of Representatives was requested.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2791. An act to provide for the leasing of public lands in Alaska for grazing purposes; to the Committee on the Public Lands.

S. 4326. An act for the relief of George F. Ramsey; to the Committee on Claims.

S. 1255. An act authorizing the Texas Co. to bring suit against the United States; to the Committee on Claims.

S. 4310. An act to amend an act entitled "The New Mexico enabling act"; to the Committee on the Judiciary.

S. 4250. An act for the relief of John B. Elliott; to the Committee on Claims.

S. 4327. An act for the relief of H. B. Banks; to the Committee on Claims.

S. 4373. An act to amend sections 207 and 210 of transportation act, 1920; to the Committee on Interstate and Foreign Commerce.

S. 3969. An act to authorize the Secretary of the Navy to waive the age limit for admission to the United States Naval Academy; to the Committee on Naval Affairs.

S. 4361. An act to provide for the relief of certain officers of the Naval Reserve Force, and for other purposes; to the Committee on Naval Affairs.

S. 804. An act authorizing the Ponca Tribe of Indians residing in the States of Oklahoma and Nebraska to submit claims to the Court of Claims; to the Committee on Indian Affairs.

S. 4324. An act for the relief of William C. Brown; to the Committee on Military Affairs.

S. 3743. An act for the relief of W. R. Grace & Co.; to the Committee on Claims.

S. 4328. An act for the relief of Roach, Stansell, Lowrance Bros. & Co.; to the Committee on Claims.

S. 2929. An act for the relief of Capt. Edward T. Hartmann, United States Army; to the Committee on Claims.

S. 4436. An act to amend the act approved December 23, 1913, known as the Federal reserve act; to the Committee on Banking and Currency.

S. 4400. An act to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia," approved March 3, 1869, as amended; to the Committee on the District of Columbia.

S. 4296. An act to confer upon the Territorial courts of the Territory of Hawaii jurisdiction concurrent with the United States courts of that district of all offenses under the act of October 28, 1919, known as the national prohibition enforcement act; to the Committee on the Territories.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that May 28 they had presented to the President of the United States for his approval the following bill:

H. R. 4438. An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment.

SIX DAYS' SUSPENSION OF THE RULES.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Kansas submits a privileged report, which the Clerk will read.

The Clerk reads as follows:

Resolved, That it shall be in order for six legislative days, beginning May 29, 1920, for the Speaker to entertain motions of Members of committees to suspend the rules under the provisions provided by the general rules of the House.

Mr. CAMPBELL of Kansas. Mr. Speaker——

Mr. GARRETT. Mr. Speaker, I reserve a point of order on the rule.

The SPEAKER. The gentleman will state his point of order.

Mr. GARRETT. And pending that I desire to make a parliamentary inquiry. Will it require a two-thirds vote or a majority vote to pass this rule?

The SPEAKER. The Chair knows no reason why it should require more than a majority, but the Chair is ready to be enlightened.

Mr. GARRETT. The rules of the House provide that the Committee on Rules shall not report any rule or order which shall provide that business under paragraph 7 of Rule XXIV, which is Calendar Wednesday, shall be set aside by less than a two-thirds vote. The question is whether this rule fixing six legislative days as suspension days does not set aside Calendar Wednesday?

Mr. CAMPBELL of Kansas. Will the gentleman yield?

The SPEAKER. Does the gentleman make the point of order?

Mr. GARRETT. I made a parliamentary inquiry as to whether it would take two-thirds or a majority vote to pass it.

The SPEAKER. The Chair would rather have points of order made and pass upon them as they are made rather than volunteer a ruling.

Mr. GARRETT. Well, Mr. Speaker, I make the point of order that it sets aside Calendar Wednesday. Of course, Mr. Speaker, the point of order—I do not exactly know why my parliamentary inquiry is not entitled to an answer without my making the point of order.

The SPEAKER. The Chair will state—the Chair does not mean to be discourteous, of course—that his offhand opinion would be that it would not require a two-thirds vote, but he is open to conviction.

Mr. CAMPBELL of Kansas. May I state for the information of the Chair and the gentleman from Tennessee what I have in mind with respect to this?

Mr. GARRETT. Certainly.

Mr. CAMPBELL of Kansas. It is contemplated that the House shall either recess or adjourn on Saturday, June 5.

Mr. GARNER. What are you going to do next Wednesday?

Mr. CAMPBELL of Kansas. This rule will give six legislative days for suspensions, eliminating next Wednesday.

Mr. GARRETT. Do I understand the gentleman to say that an adjournment resolution will be passed before Wednesday?

Mr. CAMPBELL of Kansas. No; not at all.

Mr. GARRETT. Then Wednesday will not be eliminated?

Mr. CAMPBELL of Kansas. But there will be six legislative days between now and Saturday besides Wednesday. There are seven legislative days between now and Saturday, and that would leave next Wednesday for the call of Calendar Wednesday.

Mr. GARNER. This rule does not say that.

Mr. WALSH. Does not the language of the rule mean six successive legislative days?

Mr. CAMPBELL of Kansas. It does not say so; that is a question to be determined next Wednesday when some chairman of a committee, on the call of Calendar Wednesday, rises and raises the question.

Mr. MANN of Illinois. Mr. Speaker, after all, that is not the question, if the gentleman will yield.

Mr. GARRETT. I will yield.

Mr. MANN of Illinois. Here is the rule:

The Committee on Rules shall not report any rule or order which shall provide that business under paragraph 7 of Rule XXIV shall be set aside by a vote of less than two-thirds of the Members present.

Now, here is an order forbidding the Committee on Rules reporting any rule which permits other business on Calendar Wednesday than Calendar Wednesday business unless it is set aside by a two-thirds vote; but when the Speaker is given the right on Calendar Wednesday to recognize for suspension of the rules he may take up the entire time recognizing for suspension of the rules, although not a single motion is even seconded by the Members of the House, and may never get to a vote in the House on any motion. It gives the right to the Speaker to dispense with the proceedings on Calendar Wednesday by recognizing Members to move to suspend the rules, and absolutely abrogates the rule. Here is a rule of the House forbidding the Committee on Rules to report any rule which sets aside Calendar Wednesday without a two-thirds vote. [Applause.] Of course, if the Committee on Rules can do that in this way they can do it in some other way. The rule does not except Calendar Wednesday. I suppose the Committee on Rules might have reported a rule making in order suspension for six legislative days except Calendar Wednesday, but they have not so reported. [Applause.] They had better take it back to the Committee on Rules and bring in a rule that is in consonance with the rules of the House.

Mr. MONDELL. Mr. Speaker, if the Chair will allow me just a moment.

This motion if adopted does not necessarily affect Calendar Wednesday business one way or the other. If adopted, it would become the duty of the Chair to determine on Calendar Wednesday whether or no the adoption of this order authorized dispensing with Calendar Wednesday business. If the order were adopted it would become the duty of the Chair on Wednesday, and not sooner, to determine whether or no the adoption of the rule authorized the recognition of anyone to suspend the rules on Wednesday.

Mr. BARKLEY. Will the gentleman yield?

Mr. MONDELL. If I may be allowed to finish just one sentence——

Mr. BARKLEY. Yes. I am perfectly willing for the gentleman to do that.

Mr. MONDELL. Furthermore, Mr. Speaker, if the Chair were to rule that the adoption of this resolution did authorize the recognition of anyone to suspend the rules on Calendar Wednesday, it would be the duty of the Chair to further determine whether or no that recognition could be for any other purpose than for a motion to suspend the rules for Calendar Wednesday business. So the Chair is not called upon at this time to determine whether the adoption of this motion affects the Calendar Wednesday rule. When he does come to pass upon the matter of Calendar Wednesday, if the question is raised, then it is for him to determine whether the rule applies to Wednesday; and if it applies to Wednesday, whether it applies only to Calendar Wednesday business.

May I further call the attention of the Chair to the fact that in any event the rules can not be suspended except by a two-thirds vote, and therefore if recognition was given on Wednesday to consider a measure that was not a Calendar Wednesday measure it would require a two-thirds vote. The vote which the rules provide must be had to set aside Calendar Wednesday business.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. MONDELL. I first yield to the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Suppose this rule should be adopted to-day by a bare majority vote, and on next Wednesday the Speaker should hold that this rule abrogated Calendar Wednesday, would that in effect be setting aside Calendar Wednesday without a two-thirds vote?

Mr. MONDELL. That is a matter to be determined on Calendar Wednesday and not now.

Mr. BARKLEY. I do not believe that.

Mr. TOWNER. Mr. Speaker, the question as it appears to me must be determined by the Chair upon this proposition: Does this rule necessarily set aside Calendar Wednesday? I think no gentleman can claim that it does, because it does not neces-

sarily set aside Calendar Wednesday; neither does it necessarily set aside any privilege or rights of any committee that has under Calendar Wednesday certain privileges. There is nothing in this rule, even if it should be made applicable to Calendar Wednesday, that interferes with the slightest with the rights accruing under Calendar Wednesday.

Mr. BLANTON. Will the gentleman yield?

Mr. TOWNER. Certainly.

Mr. BLANTON. The particular rule reported says six legislative days, without excepting Calendar Wednesday.

Mr. TOWNER. Yes.

Mr. BLANTON. The rule as cited by the gentleman from Tennessee [Mr. GARRETT] and the gentleman from Illinois [Mr. MANN] says that the Rules Committee shall not even report to the House a rule that seeks to set aside business on that day. If that is right, the Chair would have to take up at least part of Calendar Wednesday to decide the question on a point of order, and not even a part of Calendar Wednesday can be taken up as against the rule.

Mr. TOWNER. The gentleman assumes something that does not exist. There is nothing in the right that is given under the rule that sets it aside or in any way can be construed as a prior right to those that accrue under Calendar Wednesday; an additional right is not by any means a superior right.

Mr. MADDEN. Will the gentleman yield?

Mr. TOWNER. Yes.

Mr. MADDEN. Assuming that we provide that each of the six last days of the session shall be set apart for suspension business, it does not follow that because we set them apart and permit motions to be made for suspension that therefore they must be used for that purpose, does it?

Mr. TOWNER. No. The gentleman is exactly correct. It is a privilege. It does not devote the time of the House at any date to that particular business. It is only a privilege that may be exercised.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. TOWNER. I yield.

Mr. CLARK of Missouri. Now, both the gentleman from Iowa [Mr. TOWNER] and the gentleman from Wyoming [Mr. MONDELL] used the same identical language, that this rule does not "necessarily" do away with Calendar Wednesday. Does not that imply this peculiar coincidence, that in the minds of both gentlemen is the idea that it does set aside Calendar Wednesday?

Mr. TOWNER. Oh, no.

Mr. CLARK of Missouri. What is the word "necessarily" for?

Mr. TOWNER. The word "necessarily" means an additional right or an additional privilege, and does not set aside the regular or granted privilege, which is not interfered with.

Mr. CLARK of Missouri. That comes to this, then, that in the mind of the gentleman from Iowa and in the mind of the gentleman from Wyoming the persuasive part of it is that it does set aside Calendar Wednesday?

Mr. MONDELL. If the gentleman from Iowa will allow me——

Mr. TOWNER. Certainly.

Mr. MONDELL. I have not considered that very carefully, but my thought is that it does not grant the Speaker the right to entertain a motion to suspend the rules on Calendar Wednesday except for Calendar Wednesday business, but I am not so sure about that.

Mr. CLARK of Missouri. The gentleman from Wyoming has a pretty good idea of the use of the English language. Does not the use of this word "necessarily" by both these distinguished statesmen mean that Calendar Wednesday may be set aside under this rule?

Mr. MONDELL. I used that language because it is not for me to determine but for the Speaker to determine when the time comes what the effect is on Calendar Wednesday.

Mr. CLARK of Missouri. That is just exactly what I object to.

Mr. REAVIS. Mr. Speaker, will the gentleman from Iowa yield?

Mr. TOWNER. Yes; I yield.

Mr. REAVIS. The rule, as I heard it read, fixes only the procedure for six legislative days, but does not affect the legislation that will be considered under that procedure. Is there anything in the rule that will prevent Calendar Wednesday from being considered on Wednesday when the procedure alone is fixed by the rule?

Mr. TOWNER. Certainly not.

Mr. PADGETT. Mr. Speaker, will the gentleman yield for a question?

Mr. TOWNER. Just one moment. The procedure is not fixed by this rule. This rule only grants, as I tried to state unequivocally, an additional privilege. Now, if the additional privilege should be claimed on Calendar Wednesday to interfere with the business and duty and prior right of Calendar Wednesday, it certainly would not set aside, as the gentleman says, Calendar Wednesday or any other business.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield for a question?

Mr. TOWNER. Certainly.

Mr. MANN of Illinois. Does not the rule permit a motion to suspend the rules on Calendar Wednesday?

Mr. TOWNER. I say no. It does not permit it. It allows a gentleman to ask for it, and it allows, if there is no interference with other business, the Speaker to grant it on Calendar Wednesday.

Mr. MANN of Illinois. It allows the Speaker to grant to a Member the right to make a motion.

Mr. TOWNER. It does.

Mr. MANN of Illinois. That is what I wanted to bring out.

Mr. TOWNER. The gentleman is assuming, I know, something that I do not agree to, and that is that the Speaker would have the right to allow any man to claim the right to make this motion even if it interfered with Calendar Wednesday.

Mr. MANN of Illinois. It does not matter if it interferes with Calendar Wednesday or not. If the gentleman will read the rules he will see that that is so.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. TOWNER. Yes.

Mr. LONGWORTH. In the opinion of the gentleman does paragraph 1 of Rule XXVII, which provides that it shall be in order to suspend the rules during the last six days of the session, itself set aside Calendar Wednesday?

Mr. TOWNER. Certainly not.

Mr. LONGWORTH. That is all this rule does.

Mr. WALSH. This rule does set it aside.

Mr. LONGWORTH. It does?

Mr. WALSH. Yes; it does. Mr. Speaker, I desire to direct the attention of the Speaker to the further provision of this same rule:

> Nor shall it report any rule or order which shall operate to prevent the motion to recommit being made, as provided in paragraph 4 of Rule XVI.

Now, I desire to ask——

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Yes.

Mr. GARRETT. In order that I may make by own position clear, I did not make the point of order as to Calendar Wednesday but submitted a parliamentary inquiry upon this theory, that if the Chair should hold that it took a two-thirds vote—I mean that if the Chair should hold that this sets aside Calendar Wednesday—it would probably be in order if the rule should be passed by a two-thirds vote, so far as Calendar Wednesday is concerned. But after that parliamentary inquiry is disposed of I shall then insist upon the point of order, based upon the proposition that the gentleman from Massachusetts [Mr. WALSH] raised.

Mr. MADDEN. Mr. Speaker, I would like to be heard on the point of order raised by the gentleman from Massachusetts [Mr. WALSH].

The SPEAKER. The Chair will recognize the gentleman.

Mr. MADDEN. The gentleman from Massachusetts makes a point of order to the effect that——

Mr. WALSH. I did not make a point of order.

Mr. MADDEN. I thought the gentleman did.

Mr. WALSH. I directed the Chair's attention to that language.

The SPEAKER. Is no point of order pending? Does the gentleman make a point of order?

Mr. GARRETT. I will do so. I feel, Mr. Speaker, that I have not made myself clear. The reason why I made a parliamentary inquiry was this——

Mr. FREAR. Mr. Speaker, if there is no point of order pending, I call for the regular order.

The SPEAKER. The Chair will hear the gentleman from Tennessee.

Mr. GARRETT. Mr. Speaker, I am of the opinion that the Committee on Rules can bring in a rule which will permit the setting aside of Calendar Wednesday by a two-thirds vote. Therefore, if this rule should be adopted by a two-thirds vote, so far as the Calendar Wednesday part of it is concerned, I do not think a point of order would lie. Therefore I did not make the point of order on that, but made a parliamentary inquiry, so that we would know how many votes it is going to take;

but I intended, and do intend, if the parliamentary inquiry is answered, that it does take a two-thirds vote to make a point of order upon the proposition raised by the gentleman from Massachusetts [Mr. WALSH].

Mr. MANN of Illinois. I understood, when the resolution was reported, that the gentleman did reserve a point of order, and then submitted a parliamentary inquiry.

Mr. GARRETT. That is correct.

Mr. MANN of Illinois. I make the point of order that the Committee on Rules is not authorized to report this rule, regardless of the number of votes it may take to pass it. The Chair can pass upon both questions if he so desires. I read a moment ago to the Chair a rule which the Chair was already familiar with, forbidding the Committee on Rules to report a rule which sets aside Calendar Wednesday. Now, this rule as reported makes the next six days, including to-day, suspension days.

Mr. CAMPBELL of Kansas. Oh, no. Will the gentleman from Illinois observe that it makes it in order for the Speaker to recognize for six legislative days? It does not say for "the next six legislative days."

Mr. MANN of Illinois. It means the next six legislative days. Do not quibble about a thing of that sort.

Mr. FREAR. A quibble does not apply. You are quibbling.

Mr. MANN of Illinois. You sit down!

Mr. FREAR. You are quibbling.

Mr. MANN of Illinois. It does not mean next December, and it does not mean next January. How odd it would be to say that "for the next six legislative days"! It is for the Speaker to determine which six legislative days, and not the House.

Mr. CAMPBELL of Kansas. That is true.

The SPEAKER. The Chair will hear the gentleman from Illinois complete.

Mr. MANN of Illinois. It makes the next six legislative days, beginning to-day, suspension days. That is what the rule does. It authorizes a motion to suspend the rules on next Wednesday. Now, the rule not only forbids the Committee on Rules to report such a rule—that is, Rule XI—but Rule XXIV provides, in reference to Calendar Wednesday, that on Wednesday of each week no business shall be in order except as provided by paragraph 4 of this rule unless the House, by a two-thirds vote on motion to dispense therewith, shall otherwise determine.

The Speaker recalls the long fight that there was in reference to inaugurating Calendar Wednesday, the right of the House to set aside one day of the week beyond the control of the Committee on Rules, when the committees of the House should have the right to call up bills reported from those committees, whether the Speaker or the Rules Committee wanted them to come up or not, unless the House by a two-thirds vote should set it aside. They provided twice in the rules that no other business should be in order, nothing else should be in order, except Calendar Wednesday business. And then in addition to that, fearing that that rule might be set aside by a report from the Committee on Rules, they expressly provided that the Committee on Rules could not report a rule setting aside the provisions in Rule XXIV about Calendar Wednesday. That is exactly what this rule does. It does not make a particle of difference whether the Speaker on Wednesday intends to recognize anybody to move to suspend the rules or not, this gives him the authority to do it. The Committee on Rules has no authority to report such a rule. [Applause.]

Mr. MAPES rose.

The SPEAKER. Does the gentleman from Michigan rise to oppose the point of order.

Mr. MAPES. I do.

The SPEAKER. The Chair is ready to rule.

Mr. MONDELL. Mr. Speaker——

The SPEAKER. Does the gentleman from Wyoming rise to oppose the point of order?

Mr. MONDELL. I do.

The SPEAKER. The Chair is ready to rule.

Mr. GARRETT. Mr. Speaker, I desire to direct the attention of the Chair to the other clause which provides that the committee shall not report any rule or order which will operate to prevent the motion to recommit as provided in paragraph 4 of Rule XVI.

Of course, Mr. Speaker, the general rules of the House for a long while have provided for suspension days, the first and third Mondays and the last six days of the session. That existed in the rules before this provision was ever put there. Let me repeat the language:

> Nor shall it report any rule or order which shall operate to prevent a motion to recommit.

A "rule or order." What is this? It is one or the other. It is an order of business for six legislative days. It cuts off absolutely, it does operate undeniably to prevent a motion to recommit.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. GARRETT. Yes.

Mr. CAMPBELL of Kansas. Does not the gentleman from Tennessee recognize the distinction between a rule or order brought in by the Committee on Rules on a specific bill, or a concurrent or joint resolution or a conference report, that would deny a motion to recommit, and a rule or resolution amending the rules and providing for suspension of the rules for six calendar days?

Mr. GARRETT. I fear the gentleman from Kansas does not get my point of order. The point of order is that this is not a privileged rule. It can not be presented as a privileged rule. Of course, the Committee on Rules can report a resolution amending the general rules of the House and let it go to the calendar and come up in the regular order. But a rule which operates to prevent a motion to recommit, as this rule does, is not a privileged rule. It must take its place on the calendar and can not be presented from the floor as a privileged rule.

The SPEAKER. The Chair is ready to rule. The Chair naturally knew that this question would be raised and has been considering it and will not deny that it has caused him a good deal of perplexity. But the Chair has in his own mind come to a conclusion which is clear, though, of course, he may not make it so to others.

The Chair, in the first place, thinks that this rule making in order for six legislative days motions to suspend the rules does include Calendar Wednesday; that by ordinary construction it means six consecutive days; and that the Chair would have the right to entertain a motion to suspend the rules on Calendar Wednesday. The clause which creates the trouble is that "the Committee on Rules shall not report any rule or order which shall provide that business under paragraph 7 of Rule XXIV shall be set aside by a vote of less than two-thirds of the Members present; nor shall it report any rule or order which shall operate to prevent the motion to recommit being made."

It seems to the Chair that the same argument applies to both. They stand together. It seems to the Chair that this clause means that the Committee on Rules shall not bring in a rule which is aimed strictly at overthrowing either of these privileged matters. But it does not mean that the committee shall not report any resolution which may have that ultimate result. The Committee on Rules, for instance, could bring in a report repealing all the rules of the House; that would dispense with Calendar Wednesday, but that would be in order. It could bring in a rule repealing a part of the rules, including the Calendar Wednesday rule, which would, of course, produce that effect. It seems to the Chair that the Committee on Rules is not permitted to do anything which directly dispenses with Calendar Wednesday or the motion to recommit, but it can bring in a general rule, like the present one, which indirectly produces that result as a minor part of its operation.

Of course, this resolution is brought in, as we all know, on the anticipation that the House will adjourn next Saturday. If a resolution to adjourn should be brought in by the Committee on Rules and passed by the two Houses, that makes the suspension in order for the next six days; that would dispose of Calendar Wednesday and the motion to recommit. Would anyone contend that on that account it was out of order? The Chair thinks that this motion is not so directly aimed at the rule which provides for Calendar Wednesday and the motion to recommit as to make it out of order.

The argument is made that this report from the Committee on Rules is not privileged. The subject matter seems to be strictly within the language of the rule which gives the Committee on Rules jurisdiction over "rules, joint rules, and order of business," and the reports of that committee on the subjects over which they have jurisdiction are privileged under the general rule, and in addition there is a special section stating that "it shall always be in order to call up for consideration a report from the Committee on Rules."

The Chair overrules the point of order.

Mr. CAMPBELL of Kansas. Does the gentleman from Tennessee desire to make any arrangement——

Mr. GARRETT. Mr. Speaker, I respectfully appeal from the decision of the Chair.

Mr. MONDELL. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER. The gentleman from Tennessee appeals from the decision of the Chair, and the gentleman from Wyoming moves to lay that appeal on the table.

Mr. GARRETT. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 192, nays 189, answered "present" 2, not voting 44, as follows:

YEAS—192.

Anderson	Focht	Layton	Robsion, Ky.
Andrews, Md.	Fordney	Little	Rodenberg
Andrews, Nebr.	Foster	Longworth	Rose
Anthony	Frear	Luhring	Rubey
Ashbrook	French	McArthur	Sanders, Ind.
Babka	Fuller, Ill.	McCulloch	Sanders, N. Y.
Bacharach	Gallivan	McFadden	Schall
Baer	Garland	McKenzie	Scott
Barbour	Goodykoontz	McKinley	Sells
Begg	Graham, Ill.	McLaughlin, Mich.	Siegel
Benham	Green, Iowa	McLaughlin, Nebr.	Sinclair
Bland, Ind.	Greene, Mass.	MacCrate	Sinnott
Boies	Griest	MacGregor	Slemp
Bowers	Hadley	Madden	Smith, Idaho
Britten	Hamill	Maher	Smith, Ill.
Brooks, Ill.	Hamilton	Mapes	Smith, Mich.
Brooks, Pa.	Hardy, Colo.	Mead	Steenerson
Browne	Harreld	Michener	Stephens, Ohio
Burdick	Haugen	Miller	Stiness
Burke	Hawley	Monahan, Wis.	Strong, Kans.
Butler	Hays	Mondell	Strong, Pa.
Campbell, Kans.	Hersey	Mooney	Summers, Wash.
Carss	Hickey	Moore, Ohio	Sweet
Chindblom	Hill	Morgan	Swope
Christopherson	Hoch	Morin	Tague
Classon	Hull, Iowa	Mott	Taylor, Tenn.
Cooper	Hutchinson	Mudd	Temple
Copley	Ireland	Murphy	Thomas
Crago	James	Nelson, Wis.	Thompson
Cramton	Jefferis	Newton, Minn.	Timberlake
Crowther	Johnson, S. Dak.	Newton, Mo.	Tincher
Currie, Mich.	Johnson, Wash.	Nolan	Towner
Darrow	Jones, Pa.	O'Connor	Valle
Davis, Minn.	Juul	Ogden	Vare
Denison	Kearns	Olney	Vestal
Dickinson, Iowa	Keller	Osborne	Voigt
Dowell	Kelley, Mich.	Purnell	Volstead
Dunbar	Kelly, Pa.	Quin	Walters
Dunn	Kennedy, R. I.	Radcliffe	Watson
Dyer	Kiess	Ramseyer	Webster
Echols	King	Randall, Calif.	Wheeler
Elliott	Kinkaid	Randall, Wis.	White, Kans.
Emerson	Kleczka	Reavis	White, Me.
Esch	Knutson	Reber	Williams
Evans, Mont.	Kraus	Reed, N. Y.	Wilson, Ill.
Evans, Nebr.	Kreider	Reed, W. Va.	Woodyard
Fairfield	Lampert	Ricketts	Yates
Fess	Langley	Riddick	Zihlman

NAYS—189.

Ackerman	Dupré	Lehlbach	Riordan
Almon	Eagan	Lesher	Robinson, N. C.
Aswell	Eagle	Linthicum	Rogers
Ayres	Ferris	Lonergan	Romjue
Bankhead	Fields	Luce	Rouse
Barkley	Fisher	Lufkin	Rowe
Bee	Flood	McAndrews	Sabath
Bell	Freeman	McClintic	Sanders, La.
Benson	Fuller, Mass.	McDuffie	Sanford
Black	Gallagher	McGlennon	Sherwood
Blackmon	Gandy	McKeown	Sims
Bland, Mo.	Ganly	McKinley	Sisson
Bland, Va.	Gard	McLane	Smith, N. Y.
Blanton	Garner	Magee	Steagall
Box	Garrett	Major	Stedman
Brand	Glynn	Mann, S. C.	Steele
Briggs	Godwin, N. C.	Martin	Stephens, Miss.
Brumbaugh	Goldfogle	Mays	Stevenson
Buchanan	Good	Merritt	Stoll
Burroughs	Goodwin, Ark.	Milligan	Sumners, Tex.
Byrnes, S. C.	Greene, Vt.	Minahan, N. J.	Taylor, Ark.
Byrns, Tenn.	Griffin	Montague	Taylor, Colo.
Caldwell	Hardy, Tex.	Moon	Tilson
Campbell, Pa.	Harrison	Moore, Va.	Tinkham
Candler	Heflin	Moores, Ind.	Treadway
Cannon	Hersman	Neely	Upshaw
Caraway	Hicks	Nelson, Mo.	Venable
Carew	Hoey	Nicholls	Vinson
Casey	Holland	O'Connell	Walsh
Clark, Mo.	Howard	Oldfield	Ward
Coady	Huddleston	Oliver	Wason
Collier	Hudspeth	Overstreet	Watkins
Connally	Hull, Tenn.	Padgett	Weaver
Crisp	Humphreys	Paige	Welling
Cullen	Husted	Park	Welty
Dallinger	Igoe	Parker	Whaley
Davey	Jacoway	Parrish	Wilson, La.
Davis, Tenn.	Johnson, Ky.	Pell	Wilson, Pa.
Dempsey	Johnson, Miss.	Peters	Wingo
Dent	Johnston, N. Y.	Phelan	Winslow
Dewalt	Jones, Tex.	Platt	Wise
Dickinson, Mo.	Kahn	Pou	Wood, Ind.
Dominick	Kincheloe	Rainey, Ala.	Woods, Va.
Donovan	Lanham	Rainey, H. T.	Wright
Dooling	Larsen	Rainey, J. W.	Young, Tex.
Doremus	Lazaro	Raker	
Doughton	Lea, Calif.	Ramsey	
Drewry	Lee, Ga.	Rayburn	

ANSWERED "PRESENT"—2.

Mann, Ill. Snell

NOT VOTING—44.

Booher	Cole	Ellsworth	Hastings
Brinson	Costello	Elston	Hayden
Cantrill	Curry, Calif.	Evans, Nev.	Hernandez
Carter	Dale	Goodall	Houghton
Clark, Fla.	Drane	Gould	Hulings
Cleary	Edmonds	Graham, Pa.	Kendall
Kennedy, Iowa	Mansfield	Rucker	Smithwick
Kettner	Mason	Scully	Snyder
Kitchin	Porter	Sears	Sullivan
Lankford	Rhodes	Shreve	Tillman
McPherson	Rowan	Small	Young, N. Dak.

So the appeal was laid on the table.

The Clerk announced the following pairs:

Until further notice:

Mr. RHODES with Mr. TILLMAN.

Mr. SNYDER with Mr. CARTER.

Mr. COLE with Mr. HAYDEN.

Mr. HERNANDEZ with Mr. HASTINGS.

Mr. ELSTON with Mr. DRANE.

Mr. DALE with Mr. EVANS of Nevada.

Mr. MCPHERSON with Mr. KITCHIN.

Mr. COSTELLO with Mr. BOOHER.

Mr. CURRY of California with Mr. BRINSON.

Mr. HOUGHTON with Mr. SCULLY.

Mr. KENDALL with Mr. LANKFORD.

Mr. GRAHAM of Pennsylvania with Mr. SMALL.

Mr. YOUNG of North Dakota with Mr. SEARS.

Mr. HULINGS with Mr. MANSFIELD.

Mr. EDMONDS with Mr. RUCKER.

Mr. MASON with Mr. SMITHWICK.

Mr. KENNEDY of Iowa with Mr. CLEARY.

Mr. GOODALL with Mr. ROWAN.

Mr. PORTER with Mr. CLARK of Florida.

Mr. ELLSWORTH with Mr. CANTRILL.

Mr. GOULD with Mr. SULLIVAN.

Mr. SHREVE with Mr. KETTNER.

Several Members asked how they were recorded.

Mr. CLARK of Missouri. Mr. Speaker, there is no rule for a third roll call in this House.

The SPEAKER. The gentleman is correct. On this vote the yeas are 192 and the nays 189. The result is so close that the Chair thinks there ought to be a recapitulation. The Chair will ask the Clerk to recapitulate the vote.

The Clerk proceeded to recapitulate the vote.

Mr. GARD (when his name was called). Mr. Speaker, after voting on the second call I remembered that the gentleman from Pennsylvania, Mr. GRAHAM, who is detained at his home on account of illness, yesterday asked me to preserve a special pair with him on the rule to be proposed, and I desire to preserve such a pair, if I may, by withdrawing my vote of no and casting my vote as present on this motion if it be thought to be contained in my agreement to pair on the rule vote.

The SPEAKER. The Chair thinks it is too late.

Mr. MANN of Illinois. Mr. Speaker, that would be disposed of after the recapitulation.

The Clerk concluded the recapitulation of the vote.

The SPEAKER. The recapitulation shows no change.

Mr. GARRETT. Mr. Speaker, did the gentleman from Pennsylvania, Mr. COSTELLO, vote?

The SPEAKER. He is not recorded.

Mr. GARD. Mr. Speaker, the arrangement I had with the gentleman from Pennsylvania I do not think contemplated the roll call which has just been had.

The SPEAKER. The Chair thinks that it would be too late to change the vote in any event.

Mr. MANN of Illinois. Oh, no, Mr. Speaker, it is not too late to make a change of a vote. Let me call the attention of the Chair——

The SPEAKER. The gentleman does not desire to change it now.

Mr. MANN of Illinois. If the Speaker will consult the Manual, I think he will find that it is not too late.

The result of the vote was announced as above recorded.

The SPEAKER. The gentleman from Kansas [Mr. CAMPBELL] is recognized.

Mr. CAMPBELL of Kansas. Mr. Speaker, does the gentleman from Tennessee desire to make any arrangement in regard to time for debate on the adoption of the rule?

Mr. GARRETT. I suppose it would be well to do so. What does the gentleman suggest?

Mr. CAMPBELL of Kansas. Mr. Speaker, a great deal of time has been consumed already this morning, and if the previous question were ordered there would be 20 minutes of debate on a side. I suggest 20 minutes on a side now.

Mr. GARRETT. Would not the gentleman make it 30 minutes on a side? Then, so far as I am concerned, he may make the request for the previous question and I shall not object.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent that there be 30 minutes of debate on a side on the adoption of the rule, one-half to be controlled by myself and

one-half by the gentleman from Tennessee [Mr. GARRETT], and that the previous question be considered as ordered.

The SPEAKER. The gentleman from Kansas asks unanimous consent that there be 30 minutes of debate on a side, one half to be controlled by himself and the other half by the gentleman from Tennessee, and that at the end of that time the previous question shall be considered as ordered. Is there objection?

There was no objection.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I should like to know whether gentlemen desire an adjournment of Congress at the end of next week.

Mr. PADGETT. Speaking for myself, I say no.

Mr. MONDELL. A great majority of the Members do. The question now before us is important in that it has to do primarily with the question of disposing of the business of Congress within the next week, or at least disposing of it as far as it is possible to do so. At least gentlemen desire to go to the national conventions, and if the business of the Congress is not well out of the way gentlemen may not have that opportunity. Had we adopted a resolution relative to adjournment, then the adoption of that resolution, under the rules, would have given us six days during which the Speaker would be authorized to recognize Members to move to suspend the rules. Such a resolution not having been adopted, the only certain way to close up the business of this Congress, pass appropriation bills, dispose of the program, and get away the latter part of next week is by the adoption of the resolution now before us. If it fails I do not see how gentlemen can hope that important measures now on the calendar, in various stages of legislative procedure, can be disposed of to-day and next week.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. I yield.

Mr. SABATH. If the rule is adopted, then will it not be necessary that each and every bill that is called up be passed by a two-thirds vote of the Members present?

Mr. MONDELL. That is a very simple question, for it answers itself. If a measure is brought up under suspension of the rules, of course it requires a two-thirds vote to pass that measure. It does not follow, however, that all of the measures before the House will be considered under suspension of the rules. It does make possible a suspension of the rules to secure prompt action on legislation, with 40 minutes of debate. Unless we have a provision of this kind, which is quite usual in the closing days of a session of Congress, I do not see how it will be possible to dispose of the business now before us that ought to be disposed of, that must be disposed of, before we can adjourn, and that should be disposed of before we recess.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. LONGWORTH. Is not the very object of this rule to accomplish what has been for years the rule of the House, that the last six days shall be devoted to the dispatch of public business, and failing the passage of an adjournment resolution is not this absolutely necessary?

Mr. MONDELL. Absolutely necessary, ordinary, and usual. Gentlemen will remember that we are hoping to dispose of the business of the session much earlier than we have done for several years past; it therefore becomes more than ordinarily important we have suspension days.

Mr. CLARK of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. It is the sort of rule that in the absence of a definite date for the adjournment of Congress is well-nigh essential for the closing of the business of the session promptly and in good condition this early in the season. If we had voted July 1, the end of the fiscal year, to conclude our business, it would not be so important.

Mr. CLARK of Missouri. Mr. Speaker, will the gentleman yield?

The SPEAKER. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. May I have one minute more?

Mr. CAMPBELL of Kansas. My time is all gone.

Mr. CLARK of Missouri. That is a nice working machine.

Mr. GARRETT. Mr. Speaker, it seems to me that the admission which has been made by the majority leader upon this floor is one of the most remarkable which I have ever heard come from any person in a place of responsibility such as his in this House during a term of service of some 16 years. Is it possible that gentlemen upon the Republican side of the House are ready to admit that they can not do business except by suspending the rules, in addition to the regular suspension days under the general rules of the House? When this Congress met more than a year ago you had a majority of more than 40. You organized this body; you elected the committees. From that time forward the responsibility has been yours, and now, within six days of what you say is to be an adjournment, you come before the country and declare that you can not legislate under the general rules of the House, or under a special rule, but that you have got to suspend all rules.

Mr. LONGWORTH. Mr. Speaker, has the gentleman ever been a Member of any Congress, Democratic or Republican, that did not operate for the last six days under suspension of the rules?

Mr. GARRETT. Why, certainly. I think this is a most unusual——

Mr. LONGWORTH. When?

Mr. GARRETT. The last six days of a short session of a Congress are always suspension days, of course, but never have we in the midst of a session, without the adjournment day being fixed, passed any such resolution as this, never within my memory or in my experience here. [Applause on the Democratic side.] If the gentlemen who are responsible, this invisible body, the steering committee, who are responsible for the conduct of the business in this House, want suspension days in the regular way under the general rules of the House, let them bring in their resolution of adjournment, fixing the day, present it here and now, if you want to take the responsibility of adjourning, and then the question will be settled, and when you have this proposition up under the general rules of the House all men will know what to depend upon. Never, I repeat, never in the history of the Congress during my term of service has there been a resolution passed providing for setting aside six days for suspensions, except after the adjournment date had been fixed; and, in fact, it was not then necessary to pass a special resolution. There is another thought that I want to leave with the membership for a moment. The reasons given by the gentleman from Wyoming are not the reasons which have been current throughout this House and throughout this town for the bringing in of this extraordinary rule. The gentleman from Wyoming very adroitly avoided reference to that with which the thought of this House has been saturated and upon which appeals have been predicated to the minority side of the House to disregard all their own precedents and practices and aid and abet in the incompetency which the majority is willing to display to the country. [Applause on the Democratic side.] Of course, the passage of this rule opens up the floodgates, and instead of hastening adjournment, it is more calculated to defer adjournment. But there is a bill to which the gentleman did not refer, but which has been referred to in private and in public, and was referred to by the gentleman from Kansas [Mr. CAMPBELL] the other day, and that is the so-called bonus bill, or adjusted-pay bill.

Let me repeat again: There is now in the pocket of the gentleman from Kansas a rule providing for the consideration of that bill which he is welcome to call up at any moment. There are some of us who have some objections to the rule and will undertake to amend it, but I am informed, and I did not receive it in confidence—I do not know whether it is accurate, but I believe it to be so—that there was an agreement entered into on yesterday between gentlemen on the Republican side of the House that if this rule providing for six days of suspension were defeated, that rule which the gentleman has had in his pocket for days would be called up, and I would like to know before the conclusion of this discussion whether that is the fact. The gentleman from Kansas can probably inform the House on that.

Mr. CALDWELL. Ask him now.

Mr. GARRETT. And if he will take the House into his confidence upon that we will know better, all of us over here, whether or not we want to vote to support such a radical, unprecedented measure as this suspension rule, which will cut off all amendment or possibility of amendment and practically cause the House to abdicate its constitutional function of originating revenue measures. I will yield to the gentleman from Kansas now in my time if he cares to answer at this time. [Applause on the Democratic side.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I shall be governed by the votes that are cast on this resolution by what I do in the future.

Mr. GARRETT. Mr. Speaker, I reserve the remainder of my time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield two minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Speaker, it appears to me upon the performance of gentlemen on both sides of this House for the last 10 days that a smooth endeavor has been in operation to leger-

demain the bonus bill off the calendar. [Applause.] Under their work the only way that this legislation can be considered is by the adoption of this rule. No one knows it better than the leaders on both sides of this Chamber who are pulling off this performance to-day. [Applause.] I am going to support this rule, although it has many obnoxious things in it. I am going to support this rule in order to give every man on this floor a chance to vote either for or against the bonus bill. [Applause.] I wanted to get this money out of war profits. This bonus bill does not meet with my approval in its form, but I am for it rather than no compensation bill [applause], and the attempt is to keep down any type of compensation for the soldiers in the late war. [Applause.] The only way that the Members of this House are going to get an opportunity to express their votes in the RECORD is to vote this rule through. [Applause.] We know that, and I am going to put myself on record by voting for this rule. Every man who is against the bonus is going to vote against this rule. [Applause.] Some men who are for the bonus will vote against the rule, but every single one on both sides of the Chamber who are opposed to the bonus bill, or opposed to compensation to the soldiers, will vote against this rule. I am for the bonus for the ex-service men, and I am bound to vote for this rule in order to get a chance to vote for the bonus. [Applause.]

Mr. GARRETT. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman used nine minutes.

Mr. GARRETT. Will the gentleman from Kansas use some time?

Mr. CAMPBELL of Kansas. Will the gentleman from Tennessee go ahead?

Mr. GARRETT. I will yield five minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. Mr. Speaker, the gentleman from Mississippi [Mr. QUIN], who has just preceded me, has said that everyone who votes against this rule is opposed to the bonus bill. The gentleman certainly did not measure his words. There are a great many people here who would like to vote for the right kind of a bonus bill. [Applause.] There are a number of people who will vote for this rule out of fear that they will not have an opportunity to vote for the right kind of a bonus bill. I am going to vote against this rule for the reason that if it is adopted it is the intention of gentlemen who have charge of the so-called bonus bill that no occasion shall be had to make it what it should be—a bonus bill in fact. [Applause.] There is no disguising the fact that there is implanted in this so-called bonus bill the Lane-Mondell reclamation scheme, which has not 50 friends in this House if permitted to stand alone. Take and adopt a rule here giving us an opportunity to amend this bill. [Applause.] Take and give us a chance so that we may give the soldiers of this country what they want and not what they have been compelled to accept. I have before me——

Mr. COOPER rose.

Mr. WOOD of Indiana. I can not yield—I have before me here now, which every gentleman here no doubt has received, a letter from ex-service men saying that they are not in favor of this Lane-Mondell reclamation scheme and that a rule should be adopted giving a chance to eliminate it. If you give the friends of the soldiers here a chance to perfect a soldiers' bonus bill that will be acceptable to them, you will have no trouble in passing it. Every letter that you are receiving advocating the enactment of this law refers to four alternative plans. Is that true?

Mr. BLAND of Indiana rose.

Mr. WOOD of Indiana. There is not one of them that has taken into consideration the fifth alternative plan or the reclamation scheme proposed by the Mondell plan that is injected into the body of this bill, and the eyes of the people of the country are not closed to the fact as to what it means in the way of expenditure. I took occasion some time ago, on the 5th of May, if I recall rightly, to put in the RECORD what this means in a money sense. It does not mean the mere expenditure of $250,000,000. That is just simply the nose of the camel getting under the tent. It means an expenditure out of the Public Treasury of this country, if it means one dollar, of more than $12,000,000,000. That is what it means.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. WOOD of Indiana. No; I will not yield.

If you will examine the testimony submitted by the Secretary of Agriculture that is set out in the RECORD of the 5th day of May, you will find that it means an expenditure of twice more now than would have been required in prewar days, and then it would have amounted, if you please, to more than $6,000,000,000. So I say that this most extraordinary rule should not be adopted. There is no pretense that it would have been brought in here at all but for the fact that it was by this means that they are attempting to foist on the country, not a soldiers' readjustment bill, or an adjustment-pay bill, but, if you please, primarily the purpose of those who are responsible for the situation we are in here to-day, is to foist upon the country this reclamation scheme that they know they can not foist upon it in any other way.

A MEMBER. Are you in favor of the bill?

Mr. WOOD of Indiana. If you take out that reclamation scheme and amend some of the tax provisions that should be amended I will vote for it without hesitancy. There are but few here that can concede conscientiously that the Mondell plan should have any place in this measure. It has been discarded in this House for the last seven years, and this Congress time and time again, and it would have no chance to pass if it was depending on its own virtue.

We have in the sundry civil bill, which we passed the other day, 25 of these reclamation projects by which the Public Treasury is now being milked at the rate of nearly $9,000,000 to pay current expenses. If this is such a good thing, and this reclamation is so advisable, why not incorporate it in the reclamation law we have now? Because there is nothing to recommend it and it must of necessity find some subterfuge in order to have character given to it, and this is the means whereby they are attempting to use the soldier boys of this country and bills introduced for their benefit as the means to foist that on the country, which is a fraud in itself, a fraud on the soldier boys, and a drain upon the Public Treasury that is not justified now or at any other time. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield three minutes to the gentleman from Oklahoma [Mr. FERRIS].

Mr. FERRIS. Mr. Speaker, I deny that this is a partisan question in any sense of the word or that the Democratic Party is lined up against this American Legion bill. I believe that nine-tenths, if not more, of the Democratic side will vote for this bill. They are for it and I am for it, and I am in favor of it and in favor of getting it up, and getting it up now. I am not in favor of any subterfuge or of leaning on any slender technical proposition that will keep it from getting up. [Applause.] I deny that if you vote for this rule or this bill it requires any Member to say he approves of everything in it. I do not myself approve of all of its provisions. I would like to have some things in it that are not in it now, but I content myself with the fact that I will vote for the best proposition for the soldier we can get, and this is the best proposition we can get. I go further. I do not only say it is the best proposition we can get, but the only proposition we can get. It is known here, and known very well, that this Congress is going to adjourn in the immediate future. What other chance will any Member have to support any kind of soldier bill? This is the last chance—it is the only chance.

Mr. GARRETT. Will the gentleman yield? I will yield to the gentleman a minute of my time.

Mr. FERRIS. I gladly yield to my friend from Tennessee.

Mr. GARRETT. If this rule is voted down, the gentleman from Kansas, I charge, will immediately bring up the rule to consider the bonus bill.

Mr. FERRIS. If that is true, that is a difference in form only. The same bill will be brought up if we defeat this and if the other rule is voted up. I maintain it is in substance what the soldier wants, and that he is not concerned about form. I add that 4,800,000 service men are not interested in the form. They are interested in results. [Applause.] I sat in judgment on this soldier relief bill myself four or five months during hearings in the last Congress. I tried as best I could then, with those associated with me, to get this bill up. It was defeated then by men who were opposed to any relief at all. And the men who are opposed to any soldier bill at all are trying to defeat it to-day. [Applause.]

I do not like to vote for harsh rules to get this up. I wish we could have it in here open for amendment. I would be glad if you could do that. But you can not do it, and there are some pretty good reasons for not allowing it. To bring a bill in this late in the session and allow every conceivable scheme to be offered on it would again mean no bill. I want a bill. I want the best bill I can get. This is the only bill that we have. It will do some good. We can amend it later and do more good. It has been delayed too long now. It is time to act.

The SPEAKER. The time of the gentleman has expired.

Mr. GARRETT. Has the gentleman used the minute I yielded to him?

The SPEAKER. The gentleman has not.

Mr. GARRETT. I yielded one minute to the gentleman.

Mr. FERRIS. My duty, Mr. Speaker, as I understand it, is clear. This is not a partisan question. If this bill is not what it should be, the Republican side, with 44 majority, brought it in here. It is little enough for a Democrat to decide whether he will do the best thing he can for the soldier or do nothing for the soldier. If this rule is defeated the soldier gets nothing; if the second rule is defeated, the soldier gets nothing. If the soldier gets nothing, each Member will answer to himself and to his constituency for the defeat of this bill. As I understand my duty, it is to pass this bill. I am for the bill. I am going to help get it up. I am going to help get it through. I am going to help get it through, not my way, but get it through.

Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN of Illinois. Mr. Speaker, I object. I will object to all extensions.

The SPEAKER. Objection is heard.

Mr. GARRETT. Does the gentleman from Illinois [Mr. MANN] desire five minutes?

Mr. MANN of Illinois. Yes.

Mr. GARRETT. I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, it has not been the practice of Congress to pass a resolution of this character at the long session. It has not been the practice to provide for suspensions being in order in the closing days of the long session. It has not only not been the practice but it never has been done, with one exception, and that was when the Democrats were filibustering in a former Congress, and when we made suspensions in order by a majority vote.

Here is the situation: Congress has been in almost continuous session for more than a year. The Republican side of the House has had a reasonably large majority. If we say to the country, as we will if this resolution be passed, that the Republican majority in this House, with a year's time, has been unable to bring in legislation and perfect it where it is subject to amendment, it acknowledges its impotency and its incapacity. [Applause.] It will be called to your attention and to your constituents on every stump that the Republican majority of the House has not enacted much reconstructive legislation, and then it will be told in addition that the Republican majority of the House was afraid to enact legislation under the ordinary rules and was incapacitated from following the ordinary practice. What will you answer when men say to you that a Republican majority in the House passes a revenue bill raising a billion and a quarter of dollars without a chance to amend it? No party in the history of the country has ever passed a revenue bill under suspension of the rules.

No party in the history of the country has ever proposed to pass a revenue bill without the right to amend it—a bill that takes a billion and a quarter of dollars out of the pockets of the people. You can not defend it by saying that it was to pay a bonus to the soldiers, because that is separate and apart from the principle—the vital principle of legislative liberty—that the Representatives of the people shall have the right to consider and amend propositions to put taxes upon them. [Applause.]

Mr. BLAND of Indiana. Mr. Speaker, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. BLAND of Indiana. Is the gentleman against the bonus bill?

Mr. MANN of Illinois. I am against this outrageous, disgraceful, iniquitous bonus bill which carries this outrageous tax. The gentleman is in favor of any law that takes taxes out of one pocket and puts them into another pocket. I am in favor of all reasonable legislation. I do not oppose giving a preference or bonus to the soldiers, but I shall never consent freely to pass bills providing for the raising of revenue where the gag rule is applied. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, how does the time stand?

The SPEAKER. The gentleman from Kansas has 20 minutes remaining. The gentleman from Tennessee [Mr. GARRETT] has 10 minutes remaining.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from South Dakota [Mr. JOHNSON].

The SPEAKER. The gentleman from South Dakota is recognized for five minutes.

Mr. JOHNSON of South Dakota. Mr. Speaker, it is always a pleasure to any of us on either side of the House to listen to the distinguished gentleman from Illinois [Mr. MANN], who spoke so feelingly and, from his standpoint, so truthfully; but it was a surprise to me to hear him indict the steering committee of his own creation, which I was opposing some months ago. I think, perhaps, his criticism of them is unjustified, because I believe that they have recognized what the majority of this side of this House desires, and that is that the House finally be given an opportunity to vote on the adjusted compensation or soldiers' bonus bill.

Speaking of our parliamentary difficulties, we only have to go back a few years to the time when a resolution called the McLemore resolution was before this House to find an identical situation. We had motions of different kinds, and after all the votes were taken any Member on either side could go back to his constituents and claim that he voted any certain way, and then proceed to prove it; and unless we get this rule passed so that we may get this vote directly on the compensation law now, Members will be in a position where men can claim they were for it who were not for it, and men will not be able to deny that they were not against it?

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of South Dakota. I have only a short time.

Mr. GARRETT. I will try to take care of the gentleman as to any time that I may use. I would like to ask the gentleman a question, although I do not like to embarrass the gentleman. I would like to ask him if he knows anything of an agreement to the effect that if this rule giving six days' suspension is defeated they will immediately call up the rule adopted by the Committee on Rules to which the gentleman has referred?

Mr. JOHNSON of South Dakota. I will be glad to answer the gentleman. I will say to him that in my opinion the chairman of the Committee on Rules will abide by the vote of this House when this rule is brought before the House for action. If a majority of the House says that at this time they do not wish to consider this legislation that vote will be considered as final. As unfair as it may seem and may be, I believe that those voting against the rule must be considered as voting against the legislation. But I had not intended to discuss that question. [Applause.]

Now, in order to be fair to the distinguished gentleman from Tennessee [Mr. GARRETT], I ought to say that he must be referring to some negotiations or some discussions before a committee of this House of which he is a member, the proceedings of which he properly and rightfully did not touch upon, yet which I might fairly discuss, so long as I did not say what occurred in the committee room, and he might very easily have gathered the inference that there would be another vote. [Applause.] I think I should say that much in fairness to the gentleman.

Now, I am sorry to see members of the Democratic Party that I absolutely know have been and are in favor of adjusted-compensation legislation being forced to vote with, or being put in the position of voting with, the "battalion of death" on this side, who will vote against any kind of legislation, and therefore have it go out before the people of this country that you individual Democrats, like the minority leader, the distinguished gentleman from Missouri [Mr. CLARK], who I know favors this legislation or this kind of legislation—have it go out before the people of this country that you, the Democratic Party, defeated it. And yet that is just the situation that you will be placed in, because if there is going to be another vote I do not know it, and therefore I assume we will have to live or die on this particular vote, whether the rule is iniquitous or not—and I would prefer that you do not question me about that [laughter and applause]—whether the law is what it should be or not. I do not like certain features of it any more than some of you on both sides like it. I only say that the thing to do, if you are in favor of adjusted compensation, is to pass this rule and pass the bill and then come back next session, when the first revenue bill is before the House, and if you so elect to vote, we will put a reasonable war-profits tax on the revenue law. That will raise some of the money needed to be raised to pay this bill, and we will obtain legislation for the soldier at the present time. [Applause.]

The SPEAKER. The time of the gentleman from South Dakota has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, will the gentleman from Tennessee use the remainder of his time?

Mr. GARRETT. Mr. Speaker, I yield the remainder of my time to the gentleman from Missouri [Mr. CLARK].

The SPEAKER. The gentleman from Missouri is recognized for 10 minutes.

Mr. CLARK of Missouri. Mr. Speaker and gentlemen, this is one of the most outrageous rules that was ever proposed in this House. [Applause.] The gentleman from Ohio [Mr. LONG-

WORTH], who is by no manner of means a spring chicken, has been popping up here all day, asking if this is not the usual practice—that is, to pass a resolution making the last six days of the long session suspension days. It is not. I am pretty well advanced in my twenty-sixth year here. It was never done but once, and that was when the Democrats were carrying on a stubborn filibuster and were tying up the Republicans tight as a drum, and the Republicans brought in a very excruciating sort of a rule, which among other things provided that you could suspend the rules and pass a bill by a simple majority. Outside of that, it has never been done, and it is exceedingly bad practice.

I will tell the Speaker something he does not know, which he can learn only by experience: If they pass this rule, he will be nearly insane by the time the six days are up. Every man here who has got a job on hand will be after him to get a chance to pass it under suspension of the rules.

I want to get at the real substance of this whole business. I want to suggest to the gentleman from Kansas [Mr. CAMPBELL], and that on high authority, that—

> It is excellent
> To have a giant's strength; but it is tyrannous
> To use it like a giant.

Now, here is the situation. I know it as well as if I had been through the gentleman's pockets. If this rule is beaten, and it ought to be beaten, the gentleman from Kansas [Mr. CAMPBELL] will immediately bring in a rule here to take up this bonus bill. And I want to tell you gentlemen over here now, my young soldier friend from Kentucky [Mr. SWOPE], and the rest of you, the statement printed in the newspapers that the Democrats are against this compensation bill is a lie. [Applause.] I am rather inclined to think that I am a Democrat. I think I could prove it if necessary. I am in favor of a compensation bill to the soldiers and have been from the beginning and have favored it on this floor. My son would not get a cent out of it because he was a colonel, and colonels do not participate under this bill; hence nobody can claim that I am voting public money into his pocket; but I think about these poor fellows who marched in the mud and were in the trenches, half fed, and sometimes only half clothed, and I am in favor of a soldiers' compensation bill. And if I am not a Democrat, there is not one on top of the earth. [Applause.]

In the second place, these capitalistic newspapers that are accusing everybody who is in favor of a compensation bill of any kind of being a demagogue are infernal liars. I have no opposition for renomination to Congress in my district, and I am in favor of a compensation bill. And now I will tell you young people over here, the kindergarten class needs some education on this subject. The worst way to pass bills that has ever been devised in this House is by suspension of the rules. Now, where are you? If you vote for this rule, it will take a two-thirds vote to pass the bonus bill. If you beat this rule, the gentleman from Kansas [Mr. CAMPBELL] will come in here with his inside pocket full of rules, and the first one will be to take up the bonus bill in such a way that you can not amend it. If that rule is defeated, I will risk my reputation as a prophet that the next thing he will do will be to bring in a rule here to discuss the bonus business under the general rules of the House. [Applause.] And that is what we want. We want to change some of the tax features that are provided in that bonus bill. I am in favor of getting the money out of the profiteers who piled up fortunes during the war. [Applause.]

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. CLARK of Missouri. I yield to the gentleman from Indiana.

Mr. BLAND of Indiana. I will ask the gentleman if during the time he was Speaker he did not recognize Gen. SHERWOOD to move to suspend the rules on the last general pension bill passed during the last administration in order to avoid amendments?

Mr. CLARK of Missouri. I recognized him because it was suspension day and he made the motion. I have forgotten all the reasons, but I did not want his bill busted up. I will say that.

Mr. BLAND of Indiana. And we do not want this one busted up.

Mr. CLARK of Missouri. Now, if you people are so anxious for a bonus bill you do what I tell you. You vote down this rule and then when the chairman of the Committee on Rules [Mr. CAMPBELL of Kansas] brings in a rule providing that we can not amend the bonus bill you vote that down, and then public opinion in this House will force him to bring in a rule here to take it up under the general rules of this House.

I will tell you where you are headed. If this rule passes, then every bill that is taken up here in the six days will require a two-thirds majority in order to pass it. You can not recommit it, you can not amend it, and it has got to go through just as it is written.

Mr. MONDELL. Will the gentleman yield?

Mr. CLARK of Missouri. I yield to the gentleman from Wyoming.

Mr. MONDELL. The gentleman does not mean just that. He says every bill considered here in the next six days would require a two-thirds vote. Of course, the gentleman knows that is not accurate. All bills that were considered under suspension of the rules, of course, would require a two-thirds vote, but there might be few and there might be many bills so considered.

Mr. CLARK of Missouri. That is correct; but the whole time would be devoted to suspension of the rules, would it not? Every man here who has a bill will go after the Speaker to get him to recognize him to move to suspend the rules.

Now, about adjournment. Of course, the short session has six days before the 4th of March, so that there is a definite time fixed for the beginning of the six days before adjournment in the short session in which to suspend the rules; but if the gentleman from Kansas [Mr. CAMPBELL] brought in a rule here providing for adjournment in six days from now you could not pass it. I am in favor of this House staying here until the public business is transacted. [Applause.] That is what we were sent here for. I should like very well to be at home. It is a good deal more pleasant there than this place here, but I am willing to stay here clear through until the 4th of March to transact the public business that ought to be transacted for the good of the American people. [Applause.] This war legislation ought to be repealed and we ought to get back to prewar conditions.

I hope everybody understands what the situation is. I will state it again. In the first place, this rule is dangerous. Every kind of a job can be put through under it. They will form an association—the suspension of the rules fellows—and you can not beat them when they form that association. I have seen it done.

If you beat this rule, the gentleman from Kansas [Mr. CAMPBELL] will bring in a rule on the bonus bill that will not allow any amendment to it. That will either go through or it will not. If it does not go through, the public opinion of this House will drive him into bringing in a rule here to take up that bill under the general rules of the House, and that is the way it ought to be taken up, and give us a chance to amend this tax system. And my advice to everybody on both sides, and especially to the men in favor of this bonus legislation, is to vote this rule down, because it can not end in any good to you. It is very doubtful whether you can muster any two-thirds in this House for it. There are people against it on both sides. All of you who have been here paying attention to your business know that. You will get a fair chance that way, and you do not get any fair chance this way. Some people are opposed to certain features of the bill, and some people want to put other features into it.

Mr. GARRETT. Will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. GARRETT. It might be well to call attention to the fact that it only takes a majority to pass it under the general rules.

Mr. CLARK of Missouri. Yes; it will only take a majority to pass it under the Campbell rule No. 2, and it will take two-thirds to pass it under a suspension of the rules. [Applause.]

The SPEAKER pro tempore (Mr. FESS). The time of the gentleman from Missouri has expired, and the gentleman from Kansas [Mr. CAMPBELL] is recognized for 15 minutes.

Mr. CAMPBELL of Kansas. Mr. Speaker, gentlemen who oppose legislation that will in a small degree compensate the soldiers of the Great War for the losses they sustained are opposed to this resolution. [Applause.]

Every gentleman who is opposed to legislation compensating the soldiers in any degree for losses they sustained are opposed to this resolution. [Applause.]

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. CAMPBELL of Kansas. No; I can not yield now.

Mr. CLARK of Missouri. Yes; you can. [Laughter.]

Mr. CAMPBELL of Kansas. Every gentleman on this side of the House who voted against laying the appeal from the decision of the Chair on the table is opposed to compensating the soldiers of the Republic who bared their breasts to shot and shell on the fields of Flanders. [Applause.]

No gentleman who has so far discussed this question can refrain from announcing his opposition to some feature in this bill. The gentleman from Missouri [Mr. CLARK] says he is in

favor of compensating the soldiers. The soldiers in the country will take his vote upon this resolution rather than what he says about it. [Applause.]

"By their fruits ye shall know them." The time has come to unmask on this question. It is time to raise the barrage. It is time now to compel gentlemen to go over the top, to go out where they will face the foe, vote aye or no, and you who vote no against this resolution will be known to the country and known everywhere as opposed to soldiers' indemnity legislation. [Cries of "No, no!"] Gentlemen should at least not violate the rules of the House.

I say now that on this side of the House gentlemen who are opposed to this legislation did not during any time that legislation was offered here in favor of war contractors vote against any measure or any appropriation that favored them. [Applause.] No gentleman on this side of the House representing the great taxpayers objected to any legislation that would compensate every man who had a contract with the Government during the war. [Applause.] It was not then said that legislation that imposed these burdens on the country would bankrupt the Treasury. It was not then said that it would bring on a panic. It was not then said that the people could not stand additional taxation. Some of you are opposed to this legislation because it taxes certain gamblers in Wall Street and in Chicago. [Applause.] And every one of you who votes against this resolution votes to protect from taxation the gamblers on the stock exchange in New York and the grain exchange in Chicago. [Applause.]

Who are the boys for whom this legislation is intended? They are the boys who shed imperishable glory on the history of the Republic. [Applause.] They terminated the war a year or a year and a half earlier than it had been expected it would terminate. And I call the attention of you gentlemen over here to this fact, that if it had not been for the bravery and the indomitable courage and endurance of these boys the Kaiser would be levying tribute on you to-day. [Applause.] You made this statement in the opera houses and in the churches to the people you addressed in support of the bond issues during the war.

Now, I want to unmask a little further. Some of you on the Democratic side who are opposed to this legislation are opposed to it because 350,000 to 375,000 colored boys would come within its provisions. I deny now in their behalf and in behalf of every man who wore the uniform of his country and followed its colors that they will waste this money and become profligate by reason of receiving it.

Mr. STEVENSON. Will the gentleman yield?

Mr. CAMPBELL of Kansas. No. The young men who enlisted in this great war or who were drafted for the war came out of it mature and great men, and they will save this country from all enemies in the years to come. [Applause.] They are entitled to some compensation for the losses they sustained during two awful years.

Mr. UPSHAW. Give us a chance for a straight vote.

Mr. CAMPBELL of Kansas. You will have a chance in five minutes. [Applause.] If you vote it down, you must square yourselves with your consciences.

You say this is to buy the vote of the soldiers?

Mr. PELL. Yes.

Mr. CAMPBELL of Kansas. That is the most infamous charge that could be made against these brave boys, and no man who has regard for their integrity and for their place in history, would make that statement. Their votes can not be bought. No men in the history of wars suffered more from the time they entered the cantonments until the armistice was signed than these boys, and many of them suffered every agony after the armistice was signed. These boys went through a literal hell in the cantonments, and in the camps, in the trenches, in the field, and whether they were in the air, on the land, on the sea, or under the sea, they rendered great service and terminated, in glorious victory, the greatest war in history. [Applause.]

It is proposed to raise a billion and a quarter dollars in their behalf. We have already paid two and a quarter billion dollars to the contractors since the armistice was signed, and you gentlemen voted it. You never uttered a word against that legislation. You did not say that it was infamous. To-day you attempt to cover yourselves behind a barrage of an alleged drastic rule and say you can not vote for this thing. If it was not for this soldier legislation, there would scarcely be a single vote in this House against this resolution. The opposition to this resolution grows out of the fact that immediately upon its adoption the gentleman from Michigan [Mr. FORDNEY] will be recognized by the Speaker to move to suspend the rules and pass the bill that will provide some compensation for these splendid boys. Are you in favor of it?

SEVERAL MEMBERS (on the Democratic side). Yes.

Mr. CAMPBELL of Kansas. Then vote for the resolution so you can vote for the bill. If you are against this legislation, you will go on record against this resolution.

Mr. SABATH. Mr. Speaker——

Mr. CAMPBELL of Kansas. No; I can not yield. You will vote against this resolution if you are against this legislation. You can not play fast and loose, hot and cold, on this question.

The SPEAKER. Does the gentleman yield?

Mr. CAMPBELL of Kansas. No; I do not yield. You can not say in one breath that you are for the soldiers, for compensation for them, and then as soon as you have an opportunity vote against a resolution that makes it possible to consider the bill that would give them the compensation that has been agreed upon. This bill provides everything the soldiers ask for and one thing more, viz, the insurance feature. It provides for raising the revenue by taxing stock and grain gamblers, by taxing large incomes, by taxing transfers of real estate, by taxing tobacco, and by taxing stock dividends. [Applause.]

The SPEAKER. The time of the gentleman from Kansas has expired. All time has expired. By agreement the previous question is ordered. The question is on agreeing to the resolution.

The question was taken, and the Chair announced that he was in doubt.

The House proceeded to divide.

Mr. BLANTON. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 220, nays 165, answered "present" 1, not voting 41, as follows:

YEAS—220.

Anderson	Fess	Langley	Riddick
Andrews, Md.	Fields	Larsen	Robsion, Ky.
Andrews, Nebr.	Focht	Layton	Rodenberg
Ashbrook	Fordney	Little	Romjue
Babka	Foster	Longworth	Rose
Bacharach	Frear	Luhring	Rouse
Baer	French	McArthur	Rubey
Barbour	Fuller, Ill.	McCulloch	Sanders, Ind.
Begg	Gahivan	McKenzie	Sanders, N. Y.
Benham	Gandy	McKiniry	Schall
Bland, Ind.	Ganly	McKinley	Scott
Boies	Garland	McLane	Sells
Bowers	Goldfogle	McLaughlin, Mich.	Sherwood
Briggs	Goodykoontz	McLaughlin, Nebr.	Siegel
Britten	Graham, Ill.	McPherson	Sinclair
Brooks, Ill.	Green, Iowa	MacCrate	Sinnott
Brooks, Pa.	Greene, Mass.	MacGregor	Slemp
Browne	Griest	Madden	Smith, Idaho
Brumbaugh	Hadley	Maher	Smith, Ill.
Burdick	Hamill	Mapes	Smith, Mich.
Burke	Hamilton	Mays	Smith, N. Y.
Caldwell	Hardy, Colo.	Mead	Snell
Campbell, Kans.	Harreld	Michener	Steenerson
Carew	Haugen	Miller	Stephens, Ohio
Carss	Hawley	Monahan, Wis.	Stiness
Casey	Hays	Mondell	Strong, Kans.
Chindblom	Hersey	Mooney	Strong, Pa.
Christopherson	Hickey	Moore, Ohio	Summers, Wash.
Classon	Hill	Morgan	Sweet
Cooper	Hoch	Morin	Swope
Copley	Howard	Mott	Tague
Cramton	Hudspeth	Mudd	Taylor, Colo.
Crowther	Hull, Iowa	Murphy	Taylor, Tenn.
Cullen	Ireland	Neely	Thomas
Currie, Mich.	James	Nelson, Wis.	Thompson
Darrow	Jefferis	Newton, Mo.	Timberlake
Davey	Johnson, Ky.	Nolan	Tincher
Davis, Minn.	Johnson, S. Dak.	O'Connell	Towner
Denison	Johnson, Wash.	O'Connor	Vaile
Dickinson, Mo.	Jones, Pa.	Ogden	Vare
Dickinson, Iowa	Juul	Olney	Vestal
Donovan	Kearns	Osborne	Vinson
Dooling	Keller	Porter	Voigt
Dowell	Kelley, Mich.	Purnell	Volstead
Dunbar	Kelly, Pa.	Quin	Walters
Dunn	Kennedy, R. I.	Radcliffe	Watson
Dyer	Kiess	Raker	Webster
Echols	Kincheloe	Ramseyer	Wheeler
Elliott	King	Randall, Calif.	White, Kans.
Emerson	Kinkaid	Randall, Wis.	White, Me.
Esch	Kleczka	Reavis	Williams
Evans, Mont.	Knutson	Reber	Wilson, Ill.
Evans, Nebr.	Kraus	Reed, N. Y.	Wilson, Pa.
Fairfield	Kreider	Reed, W. Va.	Yates
Ferris	Lampert	Ricketts	Zihlman

NAYS—165.

Ackerman	Bland, Va.	Clark, Mo.	Doughton
Almon	Blanton	Coady	Drewry
Anthony	Box	Collier	Dupré
Aswell	Brand	Connally	Eagan
Ayres	Buchanan	Crago	Eagle
Bankhead	Burroughs	Crisp	Fisher
Barkley	Butler	Dallinger	Flood
Bee	Byrnes, S. C.	Davis, Tenn.	Freeman
Bell	Byrns, Tenn.	Dempsey	Fuller, Mass.
Benson	Campbell, Pa.	Dent	Gallagher
Black	Candler	Dewalt	Garner
Blackmon	Cannon	Dominick	Garrett
Bland, Mo.	Caraway	Doremus	Glynn

Godwin, N. C.	Lehlbach	Padgett	Stoll
Good	Linthicum	Paige	Sumners, Tex.
Goodwin, Ark.	Lonergan	Park	Taylor, Ark.
Greene, Vt.	Luce	Parker	Temple
Griffin	Lufkin	Parrish	Tilson
Hardy, Tex.	McAndrews	Pell	Tinkham
Harrison	McClintic	Peters	Treadway
Hogan	McDuffie	Phelan	Upshaw
Hersman	McFadden	Platt	Venable
Hicks	McGlennon	Pou	Walsh
Hoey	McKeown	Rainey, Ala.	Ward
Holland	Magee	Rainey, H. T.	Wason
Huddleston	Major	Rainey, J. W.	Watkins
Hull, Tenn.	Mann, Ill.	Ramsey	Weaver
Humphreys	Mann, S. C.	Rayburn	Welling
Husted	Martin	Riordan	Welty
Hutchinson	Merritt	Robinson, N. C.	Whaley
Igoe	Milligan	Rogers	Wilson, La.
Jacoway	Minahan, N. J.	Rowe	Wingo
Johnson, Miss.	Montague	Sabath	Winslow
Johnston, N. Y.	Moon	Sanders, La.	Wise
Jones, Tex.	Moore, Va.	Sanford	Wood, Ind.
Kahn	Moores, Ind.	Sims	Woods, Va.
Kennedy, Iowa	Nelson, Mo.	Sisson	Woodyard
Lanham	Newton, Minn.	Steagall	Wright
Lazaro	Nicholls	Stedman	Young, Tex.
Lea, Calif.	Oldfield	Steele	
Lee, Ga.	Oliver	Stephens, Miss.	
Lesher	Overstreet	Stevenson	

ANSWERED "PRESENT"—1.

Gard

NOT VOTING—41.

Booher	Edmonds	Hulings	Sears
Brinson	Ellsworth	Kendall	Shreve
Cantrill	Elston	Kettner	Small
Carter	Evans, Nev.	Kitchin	Smithwick
Clark, Fla.	Goodall	Lankford	Snyder
Cleary	Gould	Mansfield	Sullivan
Cole	Graham, Pa.	Mason	Tillman
Costello	Hastings	Rhodes	Young, N. Dak.
Curry, Calif.	Hayden	Rowan	
Dale	Hernandez	Rucker	
Drane	Houghton	Scully	

So the resolution was adopted.

The Clerk announced the following additional pairs:

On the vote:

Mr. GRAHAM of Pennsylvania (for) with Mr. GARD (against).

Mr. DALE (for) with Mr. HOUGHTON (against).

Mr. RHODES (for) with Mr. GOULD (against).

Mr. HAYDEN (for) with Mr. EDMONDS (against).

Mr. KENDALL (for) with Mr. KITCHIN (against).

General pairs:

Mr. SNYDER with Mr. CARTER.

Mr. HERNANDEZ with Mr. HASTINGS.

Mr. ELSTON with Mr. DRANE.

Mr. COSTELLO with Mr. BOOHER.

Mr. CURRY of California with Mr. BRINSON.

Mr. HOUGHTON with Mr. SCULLY.

Mr. YOUNG of North Dakota with Mr. SEARS.

Mr. HULINGS with Mr. MANSFIELD.

Mr. MASON with Mr. SMITHWICK.

Mr. GOODALL with Mr. ROWAN.

Mr. ELLSWORTH with Mr. CANTRILL.

Mr. SHREVE with Mr. KETTNER.

Mr. COLE with Mr. SULLIVAN.

Mr. GARD. Mr. Speaker, on the roll call I voted "no." I have a special pair with the gentleman from Pennsylvania, Mr. GRAHAM, and I desire to withdraw my vote of "no" and answer "present."

The name of Mr. GARD was called, and he answered "Present."

The result of the vote was announced as above recorded.

Mr. FORDNEY. Mr. Speaker——

The SPEAKER. The gentleman from Michigan.

Mr. FORDNEY. Mr. Speaker, I move that the rules be suspended and that the House pass the bill H. R. 14157, known as the soldiers' bonus bill. [Applause.]

The SPEAKER. The gentleman from Michigan moves to suspend the rules and pass the bill which the Clerk will report by title.

Mr. MANN of Illinois. No; report it in full.

The Clerk read as follows:

A bill (H. R. 14157) to provide adjusted compensation for veterans of the World War; to provide revenue therefor; and for other purposes.

Be it enacted, etc.—

TITLE I.—GENERAL PROVISIONS.

DEFINITIONS.

SECTION 1. This act may be cited as the "World War adjusted compensation act."

SEC. 2. As used in this act—

The term "veteran" includes any individual, a member of the military or naval forces of the United States at any time after April 5, 1917, and before November 12, 1918; but does not include (1) any individual at any time during such period or thereafter separated from such forces under other than honorable conditions, (2) any conscientious objector who performed no military duty whatever or refused to wear the uniform, or (3) any alien at any time during such period or thereafter discharged from the military or naval forces on account of his alienage; and

The term "adjusted service pay" means the amount of the payment to which the veteran would be entitled under the provisions of Title II.

OPTIONAL PLANS.

SEC. 3. Each veteran shall have the right to avail himself of any one, but only one, of the following plans:

(1) To receive "adjusted service pay" as provided in Title II;

(2) To receive an "adjusted service certificate" as provided in Title III;

(3) To receive "vocational training aid," as provided in Title IV;

(4) To receive "farm or home aid," as provided in Title V; or

(5) To receive "land settlement aid," as provided in Title VI.

APPLICATION BY VETERAN.

SEC. 4. (a) The veteran's choice among the plans enumerated in section 3 shall be made by application filed with the Secretary of War, if he is serving in, or his last service was with, the military forces; or with the Secretary of the Navy, if he is serving in, or his last service was with the naval forces.

(b) Applications for adjusted service pay shall be made within 6 months after the passage of this act.

Applications for adjusted service certificates shall be made within one year after the passage of this act.

Applications for vocational training aid or for farm or home aid, shall be made within one year after the passage of this act; except that in the case of an individual in active service in the military or naval forces at the time of the passage of this act, obligated to serve for a definite period, the application may be made within one year after the termination of such period, and in case such active service is for an indefinite period, application may be made within two years after the passage of this act.

Applications for land settlement aid shall be made within one year after the passage of this act; but if application is made within such time, the time for receiving the credits and exercising the preferences provided for in Title VI shall be as specified in such title.

Any application not made within the time provided therefor shall be held void.

(c) An application shall be made (1) personally by the veteran, or (2) in case physical or mental incapacity or absence from the continental United States prevents the making of a personal application, then by such representative of the veteran and in such manner as the Secretary of War and the Secretary of the Navy shall jointly by regulation prescribe. An application made by a representative other than one required by any such regulation shall be held void.

(d) The Secretary of War and the Secretary of the Navy shall jointly make any regulations necessary to the efficient administration of the provisions of this section.

PROOF OF VETERAN'S CHOICE OF PLAN.

SEC. 5. (a) As soon as practicable after the receipt of a valid application, the Secretary of War or the Secretary of the Navy, as the case may be, shall transmit to the Secretary of the Treasury, if the veteran has chosen an adjusted service certificate, or to the Federal Board for Vocational Education if the veteran has chosen vocational training aid, or to the National Veterans Settlement Board if the veteran has chosen farm or home aid, or land settlement aid, a certificate setting forth:

(1) That the applicant is a veteran;

(2) His name and address;

(3) The plan chosen; and

(4) The amount of adjusted service pay to which he would be entitled if he had chosen that plan.

(b) Upon receipt of such certificate, the officer or board to which it is transmitted shall proceed to extend to the veteran the benefits conferred by the plan chosen, at the time, in the manner, and under the conditions provided for in the title of this act covering such plan.

PUBLICITY.

SEC. 6. (a) The Secretary of War and the Secretary of the Navy shall, as soon as practicable after the passage of this act, jointly prepare and publish a pamphlet or pamphlets containing a digest and explanation of the provisions of this act, accompanied by such statements as to the comparative advantages of each of the plans enumerated in section 3, as may be of assistance to veterans in making their choice among such plans; and shall from time to time thereafter jointly prepare and publish such additional or supplementary information as may be found necessary.

(b) The officer or board having charge of the administration of any plan or part thereof enumerated in section 3 shall transmit to the Secretary of War and the Secretary of the Navy as soon as practicable after the passage of this act full information and explanations as to the matters of which such officer or board has charge, which shall be considered by the Secretary of War and the Secretary of the Navy in preparing the publications referred to in subdivision (a).

(c) The publications provided for in subdivision (a) shall be distributed in such manner as the Secretary of War and the Secretary of the Navy may determine to be most effective to inform veterans of their rights under this act.

STATISTICS.

SEC. 7. Immediately upon the passage of this act the Secretary of War and the Secretary of the Navy shall ascertain the individuals who are veterans as defined in section 2, and, as to each veteran, the number of days of overseas service and of home service, as defined in section 201, for which he is entitled to receive adjusted service pay; and their decisions shall not be subject to review by the accounting officers of the Treasury.

ADMINISTRATIVE REGULATIONS.

SEC. 8. Any officer or board charged with the administration of any plan under this act, or of any part thereof, shall make such regulations, not inconsistent with this act, as may be necessary to the efficient administration of the matter of which such officer or board has charge.

DEDUCTION OF OVERPAYMENTS.

SEC. 9. After computing the amount of payment to be made to the veteran under any one of the plans enumerated in section 3, or after using his adjusted service pay as the basis for any compensation under this act, there shall be deducted from the amount thus obtained the amount of any overpayment previously made in respect to the service of the veteran in the military or naval forces.

SEC. 10. Any officer or board charged with the administration of any plan under this act, or of any part thereof, shall make a full report to Congress on the first Monday of December of each year.

SEC. 11. No sum payable under this act to a veteran, or to his estate, or to any beneficiary named under Title III, shall be subject to attachment, levy, or seizure under any legal or equitable process.

TITLE II.—ADJUSTED SERVICE PAY.

SEC. 201. As used in this title—

The term "overseas service" means service on shore in Europe or Asia, exclusive of China, Japan, and the Philippine Islands; and service afloat, including the period from the date of embarkation for such service to the date of disembarkation on return from such service, both dates inclusive; and

The term "home service" means all service not overseas service.

SEC. 202. There shall be paid to any veteran, upon application in accordance with the provisions of section 4 and in addition to any other amounts due him in pursuance of law, the following sums for each day of active service, in excess of 60 days, in the military or naval forces of the United States after April 5, 1917, and before July 1, 1919, as shown by the service or other record of the veteran: $1.25 for each day of overseas service, and $1 for each day of home service; but the amount payable to a veteran who performed no overseas service shall not exceed $500, and the amount payable to a veteran who performed any overseas service shall not exceed $625.

SEC. 203. (a) No such payment shall be made to—

(1) Any commissioned officer above the grade of captain in the Army or Marine Corps, lieutenant in the Navy, first lieutenant or first lieutenant of engineers in the Coast Guard, or passed assistant surgeon in the Public Health Service, or having the pay and allowances, if not the rank, of any officer superior in rank to any of such grades; in each case for the period of service as such;

(2) Any individual holding a permanent or provisional commission or permanent or acting warrant in any branch of the military or naval forces, for the period of service under such commission or warrant after the accrual of the right to pay thereunder;

(3) Any civilian officer or employee of any branch of the military or naval forces, contract surgeon, cadet of the United States Military Academy, midshipman, cadet of the Coast Guard, member of the Reserve Officers' Training Corps, member of the Students' Army Training Corps (except an enlisted man detailed thereto), member of the United States Guards, member of a development battalion (except an officer or enlisted man detailed thereto), member of the United States Disciplinary Barracks Guard, Philippine Scout, member of the Philippine Guard, member of the Philippine Constabulary, member of the Porto Rico Regiment of Infantry, member of the National Guard of Hawaii, member of the insular force of the Navy, member of the Samoan native guard and band of the Navy, or Indian Scout—in each case for the period of service as such;

(4) Any individual entering the military or naval forces after November 11, 1918—for any period after such entrance;

(5) Any individual originally entering the service for special or limited service only—for the period of such special or limited service not overseas service;

(6) Any individual performing home service not with troops and receiving commutation of quarters or of subsistence—for the period of such service;

(7) Any member of the Public Health Service—for any period during which he was not detailed for duty with the Army or the Navy,

(8) Any individual granted a farm or industrial furlough—for the period of such furlough;

(9) Any individual detailed for work on roads or other highway construction or repair work—for the period during which his pay was equalized to conform to the compensation paid to civilian employees in the same or like employment, pursuant to the provisions of section 9 of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes," approved February 28, 1919;

(10) Any individual who has been absent from duty on account of disease resulting from his own intemperate use of drugs or alcoholic liquors or from other misconduct—for the period of such absence; or

(11) Any individual who has been absent without proper authority for more than one day, or in confinement under sentence or awaiting trial and disposition of his case, if the trial resulted in conviction—for the period of such absence or confinement.

(b) The periods referred to in paragraphs (5) and (6) of subdivision (a) may be included in the case of any individual if and to the extent that the Secretary of War and the Secretary of the Navy jointly find that such service subjected such individual to exceptional hazard. A full statement of all action under this subdivision shall be included in the reports of the Secretary of War and the Secretary of the Navy required by section 10.

(c) In computing the payments to any veteran under this title effect shall be given to all paragraphs of subdivision (a) which are applicable.

(d) If part of the service is overseas service and part is home service, the home service shall first be used in computing the 60 days' period referred to in section 202.

(e) For the purpose of computing the 60 days' period referred to in section 202, any period of service after April 5, 1917, and before July 1, 1919, in the military or naval forces in any capacity may be included, notwithstanding payment for such period, or a part thereof, is prohibited under the provisions of subdivision (a) of this section, except that the periods referred to in paragraphs (2), (3), and (4) of subdivision (a) shall not be included.

(f) For the purposes of section 202, in the case of members of the National Guard or of the National Guard Reserve called into service by the proclamation of the President dated July 3, 1917, the time of service between the date of call into the service as specified in such proclamation and August 5, 1917, both dates inclusive, shall be deemed to be active service in the military or naval forces of the United States.

SEC. 204. (a) The payments authorized by the provisions of this title shall be made in installments, beginning July 1, 1921, as follows: (1) If the total amount payable is $500 or over, in 10 equal quarterly installments; and (2) if the total amount payable is less than $500, in quarterly installments of $50; except that any installment necessary to complete the payments may be less than $50.

(b) If before the completion of the installment payments the veteran is separated from the military or naval forces under other than honorable conditions, or is discharged therefrom on account of his alienage, no further installments shall be paid. Payments shall be made by the Secretary of War if the veteran is serving in, or his last service was with, the military forces; and by the Secretary of the Navy, if he is serving in, or his last service was with, the naval forces.

SEC. 205. If the veteran dies after making application in accordance with the provisions of section 4 for adjusted service pay and before receiving all the installment payments, the payments authorized by the provisions of this title shall be made to his estate.

SEC. 206. No right to adjusted service pay under the provisions of this title shall be assignable or serve as security for any loan. Any assignment or loan made in violation of the provisions of this section shall be held void. The Secretary of War and the Secretary of the Navy shall not pay the amount of adjusted service pay to any person other than the veteran or his estate or such representative of the veteran as the Secretary of War and the Secretary of the Navy shall jointly by regulation prescribe.

TITLE III.—ADJUSTED SERVICE CERTIFICATES.

SEC. 301. When used in this title, the term "date of application" means the date upon which the application of the veteran for an adjusted service certificate, made in accordance with the provisions of section 4, is received by the Secretary of War or the Secretary of the Navy.

SEC. 302. The Secretary of the Treasury, upon certification from the Secretary of War or the Secretary of the Navy, as provided in section 5, is hereby directed to issue without cost to the veteran designated therein an adjusted service certificate (hereinafter in this title referred to as a "certificate") of a face value equal to the sum of (1) the adjusted service pay of the veteran increased by 40 per cent, plus (2) interest thereon for 20 years at the rate of 4½ per cent per annum, compounded annually (such amount being approximately equal to 3.38 times the adjusted service pay of the veteran). The certificate and all rights conferred under the provisions of this title shall take effect as of the date of application therefor. The veteran shall name the beneficiary of the certificate and may from time to time, with the approval of the Secretary of the Treasury, alter such beneficiary. The amount of the face value of the certificate shall be payable (1) to the veteran 20 years after the date of application therefor, or (2) upon the death of the veteran prior to the expiration of such 20 years, to the beneficiary named; except that if such beneficiary dies before the veteran and no new beneficiary is named, or if the beneficiary in the first instance has not yet been named, the amount of the certificate shall be paid to the estate of the veteran.

SEC. 303. There is hereby established in the Treasury a revolving fund to be known as the "adjusted service certificate loan fund" (hereinafter in this title referred to as the "fund"). The Postmaster General is authorized to make loans out of such fund upon the certificate of any veteran. The amount of such loans to any one veteran outstanding at any one time shall not exceed—

(a) If the loan is made during the third to fifth years, inclusive, after the date of application for the certificate, 90 per cent of the sum of (1) the adjusted service pay of the veteran plus (2) interest thereon, from the date of application for the certificate to the time of making of the loan, at the rate of 4½ per cent per annum, compounded annually, or

(b) If the loan is made during the sixth to twentieth years, inclusive, after the date of application for the certificate, 80 per cent of the sum of (1) the adjusted service pay of the veteran increased by 40 per cent, plus (2) interest thereon from the date of application for the certificate to the time of the making of the loan, at the rate of 4½ per cent per annum, compounded annually.

SEC. 304. Moneys in the fund shall be available to make all loans upon certificates. The Postmaster General is hereby authorized to set aside out of the fund such reserve moneys as may be required to make such loans, and the Secretary of the Treasury is authorized to invest the remainder of the moneys in the fund in interest-bearing obligations of the United States. Such obligations may at the discretion of the Secretary be sold and the proceeds reinvested in other interest-bearing obligations of the United States, and shall be sold and the proceeds made available for the purposes of the fund, whenever the Postmaster General certifies that in his opinion further amounts are required for the purposes of the fund. The fund shall be discontinued 23 years after the passage of this act and any moneys therein at such time shall be covered into the Treasury as miscellaneous receipts.

SEC. 305. No loan shall be made upon any certificate within 2 years after the date of application for the certificate. Application for loans may be made to any postmaster of a first, second, or third class post office. The veteran shall give a note for the repayment of the loan upon an amortization plan by means of a fixed number of annual installments sufficient to cover (1) interest on the unpaid principal at the rate of 4½ per cent per annum, and (2) such amount of the principal as will extinguish the debt within an agreed period not exceeding the life of the certificate. The veteran may, however, pay any or all installments of the principal previous to their due date. The Postmaster General shall by regulation prescribe the form of application, and the duration, number, and amount of installments, and such other conditions as he deems advisable, of the loan. All payments in respect to the loan shall be made through a first, second, or third class post office. Any moneys received for the repayment of the loan shall be covered into the fund. Whenever the Postmaster General finds that the borrower is in arrears for more than 2 years in his installments upon the note or has violated any other condition thereof, he shall certify such fact to the Secretary of the Treasury, who shall thereupon declare the certificate of the borrower to be forfeited.

SEC. 306. No certificate issued or right conferred under the provisions of this title shall be negotiable or assignable or serve as security for a loan other than one made under the provisions of section 303. Any loan made in violation of any provision of this section shall be held void. Whenever the Secretary of the Treasury finds that any such certificate or right has been negotiated or assigned, or has served as security, in violation of a provision of this section, the rights of the veteran under this title shall be forfeited.

SEC. 307. In the case of the death of the borrower or the forfeiture of his certificate or rights under this title, any loan made upon the certificate and the note in respect thereto shall be deemed canceled. The Secretary of the Treasury shall thereupon reimburse the Postmaster General for all unpaid installments upon any canceled loan; and in case such loan has been canceled as a result of the death of the borrower, the Secretary of the Treasury shall deduct the amount of such reimbursement from the amount of the face value of the certificate in respect to which the loan is made.

SEC. 308. Any certificate issued under the provisions of this title shall have printed upon its face the conditions and terms upon which it is issued and to which it is subject.

TITLE IV.—VOCATIONAL TRAINING AID.

SEC. 401. The Federal Board for Vocational Education (hereinafter in this title referred to as the "board") upon certification from the Secretary of War or the Secretary of the Navy, as provided in section 5, is hereby directed to pay to the veteran designated therein (if he is

not receiving the benefits of the vocational rehabilitation act, as amended) the sum of $1.75 for each day of his attendance on a course of vocational training previously approved by the board as suitable for such veteran. Such payment shall be made without deduction for Sundays, holidays, or vacations not exceeding two weeks in duration, or for absence for other cause which the board deems justifiable; but the total payment shall not exceed 140 per cent of the amount of adjusted service pay which the veteran would be entitled to receive if he had chosen that plan.

Payments under this section shall be made monthly, or at more frequent intervals, as the board may determine generally or in special cases.

SEC. 402. The board shall establish such regulations as will insure the regular attendance of the veteran on his course of training, and no sum or sums shall be payable under this title unless the board has been furnished proof of such regular attendance. For each day of unjustifiable absence the veteran shall forfeit the sum payable for that day, and shall receive no reimbursement for it in any other form.

SEC. 403. (a) If the payment under section 401 plus the amounts forfeited under section 402 is less than 140 per cent of the adjusted service pay, either by reason of the duration of the course approved, or by reason of the veteran's discontinuing, with the approval of the board, his attendance on his course of training, he shall be entitled to receive an amount equal to the difference between (1) his adjusted service pay and (2) that proportion thereof which the payments made or accrued under section 401 plus the amounts forfeited under section 402 bear to 140 per cent of his adjusted service pay: *Provided*, That from the amount thus computed there shall be deducted an amount equal to the sums forfeited under section 402.

(b) Such amount shall be paid to him by the board in such installments and at such times as will place him upon the same basis as if he had originally chosen to receive adjusted service pay as provided in Title II.

SEC. 404. If before the completion of the payments under this title the veteran is separated from the military or naval forces under other than honorable conditions, or is discharged therefrom on account of his alienage, no further payments shall be made under this title.

SEC. 405. (a) If the veteran dies, after making application in accordance with the provisions of section 4 and before any payments have been made or have accrued under this title, the amount of the adjusted service pay of the veteran shall be paid by the board to his estate.

(b) If the veteran dies, after the course of training has begun, his estate shall be paid by the board the same amount as would have been paid to the veteran under subdivision (a) of section 403, treating for such purposes the date of his death as the date of discontinuance of attendance on his course of training.

(c) The amounts payable under this section shall be payable in the same manner as provided in subdivision (b) of section 403.

SEC. 406. (a) The board is hereby authorized to cooperate with State boards for vocational education in such manner as will secure their assistance in the approval of courses of training for veterans, and other assistance in carrying out the provisions of this title.

(b) Whenever any State provides funds for assistance to veterans in attendance upon approved courses or provides for free tuition in approved educational institutions, the board is authorized and directed to cooperate with the State board for vocational education of such State in securing the maximum educational opportunities to veterans entitled to the benefits of this title.

TITLE V.—FARM OR HOME AID.

SEC. 501. The National Veterans Settlement Board created by Title VI (hereinafter in this title referred to as the "board") upon certification from the Secretary of War or the Secretary of the Navy, as provided in section 5, is hereby directed to pay to the veteran designated therein, in one payment or in installments, an amount equal to his adjusted service pay increased by 40 per cent.

Such payment shall be made for the purpose, and only for the purpose, of enabling the veteran to make improvements on a city or surban home, or a farm not selected under Title VI, or to purchase or make payments on such a home or farm.

SEC. 502. No such payment shall be made unless and until the board has approved the purpose for which it is desired by the veteran, and has suitable assurance that the money will be expended for such purpose. The board may, at the option of the veteran, or on its own motion, make the payment directly to the vendor or other person to whom such payment is due from the veteran.

SEC. 503. For the purpose of enabling it to pass upon the desirability of the investment the board may make use of the services of land bank appraisers of the Federal Farm Loan Board, to be designated by the latter board.

SEC. 504. (a) If the veteran dies, after making application in accordance with the provisions of section 4 for farm or home aid and before a contract has been entered into with the approval of the board, the amount of his adjusted service pay shall be paid by the board to his estate in such installments and at such times as will place the beneficiaries thereof upon the same basis as the veteran would have been if he had originally chosen to receive adjusted service pay as provided in Title II, but no such payment shall be made if the veteran has been separated from the military or naval forces under other than honorable conditions or discharged therefrom on account of his alienage.

(b) If before the veteran's death a contract has been entered into with the approval of the board, and payments under this title on such contract are still due, such payments shall be made by the board to the vendor or other person to whom such payments are due from the veteran.

TITLE VI.—LAND SETTLEMENT.

NATIONAL VETERANS SETTLEMENT BOARD.

SEC. 601. (a) There is hereby established a board to be known as the "National Veterans Settlement Board" (hereinafter in this title called the "board") and to be composed of five members, as follows:

(1) The Secretary of the Interior (hereinafter in this title called the "secretary"), and

(2) Four members to be appointed by the President by and with the advice and consent of the Senate. At least three of the appointed members of the board shall be veterans.

(b) No veteran retired for age or longevity of service from active service in the military or naval forces shall be eligible for appointment to, or remain eligible for membership upon, the board. Any vacancy in the office of an appointed member shall be filled in the same manner and under the same limitations as in the case of the original appointment.

(c) The secretary shall be the executive and administrative officer to carry out the plans and purposes adopted by the board under the provisions of Title V and of this title. The members of the board, except the secretary, shall receive an annual salary of $7,500. Of the members appointed to the board in the first instance, one shall be appointed for a term of two years, one for three years, one for four years, and one for five years. Their successors shall hold office for terms of five years; except that any member appointed to fill a vacancy shall be appointed only for the unexpired term of the member whom he succeeds.

ESTABLISHMENT OF PROJECTS.

SEC. 602. The board is hereby authorized to establish veteran settlement projects (hereinafter in this title called "projects") for the reclamation and settlement of lands by means of irrigation, drainage, or other manner or method of development and improvement thereof, including the building of necessary public roads within the projects. Projects shall be selected by the board with a view to the development of one or more projects in each of the several States where the establishment of a project is feasible.

SEC. 603. (a) The board may by gift, purchase, deed in trust, or otherwise, acquire lands suitable for any project; but no project shall be finally selected, and no lands shall be acquired by purchase, unless the price and other conditions of acquisition have been submitted to and approved by (1) the governor of the State in which the lands are located, (2) as to price only, a land bank appraiser to be designated by the Federal Farm Loan Board, and (3) the board. If the governor of the State fails to signify his approval or disapproval within such time as the board by regulation shall determine, the land commissioner, or if there is in the State no official of such title, then the agency which under the laws of the State is authorized to perform the functions ordinarily exercised by a land commissioner, may act in lieu of the governor.

(b) In case any project includes privately owned land, no construction work shall be commenced upon the project, until the owners of all such land in the project have each conveyed or agreed to convey to the United States title to all land owned by him in excess of a farm unit as established for the project under the provisions of section 606.

(c) The Secretary (1) may withdraw from location, sale, settlement, entry, or other disposition and place under the control of the board, such unappropriated public lands as he deems necessary for any project, and (2) shall restore to public entry lands so withdrawn, if subsequently the board finds that such lands are not so required.

(d) The board may in its discretion contract with any irrigation or drainage district or other public corporation organized under the laws of the State in which the project is located to establish, develop, improve, and otherwise cooperate (in accordance with the provisions of this title) in the execution of, and the administration of the affairs of, any project comprising only the lands of such district or corporation.

COOPERATION WITH FEDERAL AND STATE AGENCIES.

SEC. 604. The board may, in executing the provisions of this title—

(1) Make use of, cooperate with, and allot moneys appropriated for its use to any existing agency of the Federal Government which agrees to act as the agent of the board. Such agency is hereby authorized, within the limits of the moneys allotted it and under the direction of the board, to perform work in connection with any project.

(2) Whenever a State provides funds to be expended by the board in the establishment, development, and improvement of any project within the State, the board may contract with the State or any agency thereof designated by the governor to cooperate with the board, to such extent as the board deems advisable, in the work in connection with the project. The board may further establish a branch office in the State to administer matters arising in connection with projects in the State.

(3) Whenever a State provides not less than 25 per cent of the amount of the funds which are, in the opinion of the board, necessary to be expended by it in the establishment, development, and improvement of any project within the State, the board shall authorize the State, or any agency thereof designated by the governor, to undertake, subject to the general supervision of the board, (a) the selection, acquisition, and subdivision of lands for, and the improvement of farms within, any project, and (b) the development thereof after the project is open to settlement.

SEC. 605. So far as practicable, veterans shall be employed and their services utilized in the administrative and field work necessary to the establishment and development of any project by the board and all Federal agencies cooperating therewith. All contracts or other agreements of the board with any cooperating State or agency thereof, shall contain a like stipulation. At the earliest practicable date each soldier so employed upon a project shall be allowed to select and shall be allotted, as hereinafter in this title provided, a farm unit upon which he may construct a dwelling and make other improvements.

ALLOTMENT AND SALE OF LANDS.

SEC. 606. (a) The board shall establish for each project or portion thereof (1) farm units of an acreage sufficient, in the opinion of the board, for cultivation by and the support of a family, and (2) farm worker's units of a smaller acreage sufficient, in the opinion of the board, for part-time cultivation by a farm worker's family.

(b) The board may set apart and reserve tracts within any project for use free from all charge for community and other public purposes, but the title to such lands shall remain in the United States. Whenever any such tract fails to be used for the purpose for which it was set apart and reserved, the board shall, after due notice and hearing, declare the tract forfeited to the United States. Such tract shall thereupon resume its original status.

(c) The board may establish town sites within any project and develop and sell lots therein under such regulations and upon such terms as it shall prescribe. All moneys received by the board from any such sale shall be expended by the board in the development of the project.

SEC. 607. (a) When used hereinafter in this title, the term "repatriate" includes (1) any citizen of the United States who has served with the military or naval forces of any nation allied against the German Government or its allies without loss of citizenship, and (2) any former citizen of the United States who has so served with loss of such citizenship but has since been repatriated; except that such term shall not include a veteran or any individual who was separated from such forces under other than honorable conditions.

(b) Whenever in the opinion of the board farm units or farm worker's units, within any project, are available for settlement, the board shall give public notice and description thereof, together with a statement of the construction charges and other conditions incident thereto, and shall mail individual notices to any veteran whose name has been certified to the board under the provisions of section 5. The board shall allot a farm unit or a farm worker's unit to any such veteran or repa-

triate who applies therefor in such manner as the board shall by regulation prescribe. As between applicants, preference in making allotments shall be given, first, to a veteran who has been employed upon and who has rendered substantial service in the development of any project; and, second, to a veteran or repatriate who, in the opinion of the board, is least likely to fail in his enterprise or to cause the United States loss.

SEC. 608. (a) The cost of construction including the purchase price of any lands acquired for the project, but excluding administrative expenses and the expenses of maintaining general offices and exercising general supervision over projects, shall be apportioned equitably among the farm units, farm workers' units, town lots, and other tracts within the project in proportion to the selling value of each unit, lot, or tract; and the total sale price of all lands within the project shall be fixed with a view of repaying the total of such construction cost of the project.

(b) Each allottee of a farm unit or farm worker's unit shall pay to the board such price as the board shall fix for the unit in pursuance of the provisions of subdivision (a) of this section; except that in case the allottee is a veteran, there shall be deducted from such price, the amount of his adjusted service pay.

(c) A veteran or repatriate may at his option, in lieu of payment in full at the time of entry, pay all balances due upon the purchase price for his unit upon an amortization plan by means of a fixed number of annual installments sufficient to cover (1) interest on the unpaid principal at the rate of 5 per cent per annum, and (2) such amount of the principal as will extinguish the debt within an agreed period not exceeding 40 years. In the case of a veteran, his adjusted service pay shall be considered as the first installment in payment for his unit and the payment of the remaining installments shall not commence until two years thereafter. The board may in its discretion, whenever it is of the opinion that any emergency has caused default in the payment of any installment of the veteran, postpone the payment of such installment until such date as it deems expedient. Such postponed payments shall continue to bear interest on the unpaid principal at the rate of 5 per cent per annum from the date of the contract of purchase. The board shall make such regulations as to residence upon, and use or cultivation of, units by a veteran or repatriate, as in the opinion of the board will carry out the purpose of making the unit his permanent home.

SEC. 609. A patent or deed, as the case demands, shall immediately be issued to a purchaser who has paid the full price for his unit, and may be issued at any time more than five years after the date of purchase to any purchaser under the amortization plan who has met all payments then due from him to the board and has observed all conditions prescribed by regulations issued under the provisions of subdivision (c) of section 608. Each such patent or deed shall expressly reserve to the United States a prior lien on the land patented or deeded, superior to all other liens, claims, or demands whatsoever, for the repayment of all sums due or to become due to the board.

SEC. 610. (a) If the veteran dies after making application in accordance with the provisions of section 4 for land settlement aid and before having entered into a contract of purchase under section 608, the amount of his adjusted service pay shall be paid by the board to his estate in such installments and at such times as will place the beneficiaries thereof upon the same basis as the veteran would have been if he had originally chosen to receive adjusted service pay as provided in Title II, but no such payment shall be made if the veteran has been separated from the military or naval forces under other than honorable conditions or discharged therefrom on account of his alienage.

(b) If the veteran or repatriate dies, previous to the completion of his contract of purchase, the successor by law to his interest in the land, if a widow or heir at law, may assume the contract of purchase. If the successor is other than a widow or heir at law, the balance due the board under the contract of purchase shall be due immediately and shall be paid the board within such time after the death of the veteran as the board shall by regulation prescribe.

SEC. 611. No lands within any project shall in any event become liable to the satisfaction of any debt contracted prior to the issue of the deed or patent therefor. No transfer, assignment, mortgage, or lease of the interest of any purchaser of a unit shall, unless approved by the board, be valid previous to the issue of the deed or patent for the land, or within five years after the date of purchase.

SEC. 612. Prior to the issue of a deed or patent, as the case may be, for any unit, lot, or tract within a project, such unit, lot, or tract shall be subject to taxation by any State or political subdivision thereof, but only upon the appraised value of the owner's interest in the land and improvements thereon. If the owner fails to pay any such tax or assessment, the board is authorized to pay such tax or assessment and to include the amount of the payment, together with interest and penalties at the rate provided by law for delinquent taxes in the State in which the land is located, in the installments payable under the contract of purchase.

SEC. 613. Upon the default of any payment due to the board under, or upon the violation of, the provisions of subdivision (c) of section 608, or of section 610, 611, or 612, the interest of the purchaser in the unit shall revert to the United States free of all encumbrances, but subject to the right of the defaulting debtor, or any mortgagee, lien holder, judgment creditor, or subsequent purchaser, to redeem the land, within one year after the board gives notice of such default, by payment of all moneys due with interest at 8 per cent per annum from the date of default, and costs. The board, at its option, may cause the land to be sold at any time after such failure to redeem. From the proceeds of the sale the board shall retain all moneys due, with interest as provided, and costs. The balance of the proceeds, if any, shall be the property of the defaulting debtor or his assignee. In the case of sale after failure to redeem under this section, the board is authorized to bid in such land at not more than the amount in default, including interest and costs.

SEC. 614. In case a veteran has entered upon land reclaimed under the reclamation law, the board shall, upon application of the veteran, pay to the reclamation fund the amount of the adjusted service pay of the veteran, and the Secretary of the Interior shall thereupon credit such sum to the amount payable to the fund by the veteran.

RECEIPTS FROM PROJECTS.

SEC. 615. All moneys received by the board as payments in respect to lands within any project, except money received from the sale of town sites as provided in section 606, shall be covered into the Treasury of the United States as miscellaneous receipts; except that from such receipts shall be deducted the amounts required to make such repayment or reimbursement to any State or designated agency thereof, or to any district or other public corporation, as is necessary to carry into effect the provisions of subdivision (d) of section 603 and of subdivisions (2) and (3) of section 604.

APPLICABILITY OF RECLAMATION LAW.

SEC. 616. The board shall, so far as possible, in executing the provisions of this title, make use of existing agencies in the Department of the Interior and comply with the reclamation law in so far as such law is applicable and not inconsistent with the provisions of this title. Such reclamation law shall, for the purposes of this title, be deemed applicable to the reclamation of lands by drainage or by any other manner or method, as well as to reclamation by irrigation. This section shall not be construed to give the board any control over the disposition of moneys in the reclamation fund.

APPROPRIATION.

SEC. 617. The board shall for the fiscal year ending June 30, 1921, and annually thereafter, submit to Congress estimates of the amount necessary to be expended by it in executing the provisions of this title. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the aggregate sum of $250,000,000, to be available for expenditure by the board, in accordance with the provisions of this title, during a period not to exceed 10 years after the passage of this act.

TITLE VII.—VICTORY TAXES.

ADDITIONAL SURTAX ON INCOMES.

SEC. 701. In addition to the surtax imposed by subdivision (a) of section 211 of the revenue act of 1918, there shall be levied, assessed, collected, and paid for the taxable years 1920, 1921, and 1922, upon the net income of every individual, a like surtax equal to the sum of the following:

One per cent of the amount by which the net income exceeds $5,000 and does not exceed $10,000;

Two per cent of the amount by which the net income exceeds $10,000 and does not exceed $26,000; and

Three per cent of the amount by which the net income exceeds $26,000.

Such tax shall be returned, assessed, collected, and paid upon the same basis, in the same manner, and subject to the same provisions of law, including penalties, as the surtax imposed by subdivision (a) of section 211 of the revenue act of 1918.

STOCK AND BOND TAX.

SEC. 702. On and after December 1, 1920, subdivision 4 of Schedule A of Title XI of the revenue act of 1918 is amended to read as follows:

"4. Stocks and bonds, sales or transfers: On all sales, or agreements to sell, or memoranda of sales or deliveries of, or transfers of legal title to: (a) Shares or certificates of stock or of profits or of interest in property or accumulations in any corporation or trust, or rights to subscribe for or to receive such shares or certificates, or (b) bonds, debentures, certificates of indebtedness, or other instruments evidencing indebtedness, however termed, any of the foregoing issued in serial form whether or not in serial maturities (hereinafter in this subdivision called "bonds"), the tax shall be as follows:

"Between December 1, 1920, and November 30, 1923, both dates inclusive, on each $10 or fraction thereof of face value, 2 cents, unless the selling price is in excess of the face value, in which case the tax shall be 2 cents on each $10 or fraction thereof of the selling price. In case of shares without face value the tax shall be 20 cents on each share, unless the selling price is in excess of $100 per share, in which case the tax shall be 2 cents on each $10 or fraction thereof of the selling price; and

"On and after December 1, 1923, on each $100 or fraction thereof of face value, 2 cents, unless the selling price is in excess of the face value, in which case the tax shall be 2 cents on each $100 or fraction thereof of the selling price. In case of shares without face value the tax shall be 2 cents on each share, unless the selling price is in excess of $100 per share, in which case the tax shall be 2 cents on each $100 or fraction thereof of the selling price.

"The tax shall apply (a) whether the sale, agreement, memorandum, or transfer is made upon or shown by the books, or by any indorsement, or by any assignment in blank, or by any delivery, or by any paper or agreement or memorandum or other evidence of transfer or sale; and (b) whether or not it entitles the holder in any manner to the benefit of such bond, stock, profits, interest, or right.

"The tax shall not apply to transfers pursuant to a sale, where the memorandum of sale has been duly stamped.

"The tax shall not apply to an agreement evidencing a deposit of certificates or bonds as collateral security for money loaned thereon, which certificates or bonds are not actually sold, nor to the delivery or transfer for such purpose of certificates or bonds so deposited.

"The tax shall not apply to deliveries or transfers (a) to a broker for sale, or (b) by a broker to a customer for whom and upon whose order he has purchased the certificates or bonds, if such deliveries or transfers are accompanied by a certificate setting forth the facts.

"In case of sale where the evidence of transfer is shown only by the books the stamp shall be placed upon such books; and where the change of ownership is by transfer of the certificate or bond the stamp shall be placed upon the certificate or bond; and in case of an agreement to sell or where the transfer is by delivery of the certificate or bond assigned in blank the seller shall make and deliver to the buyer a bill or memorandum of sale, and shall affix the proper stamps thereto; and every such bill or memorandum of sale or agreement to sell shall show the date thereof, the name and address of the seller and buyer, the amount of the sale, and the transaction to which it refers.

"Whoever, with intent to evade the payment of the tax, violates any of the provisions of this subdivision, or receives any certificate or bond, or any bill or memorandum required by this subdivision, without having the proper stamps affixed thereto, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $1,000, or be imprisoned not more than six months, or both."

PRODUCE EXCHANGE TAX.

SEC. 703. On and after December 1, 1920, subdivision 5 of Schedule A of Title XI of the revenue act of 1918 is amended to read as follows:

"5. Produce, sales of, on exchange: On each sale or agreement of sale of, or agreement to sell (not including so-called transferred or scratch sales), any products or merchandise at, or under the rules and usages of, any exchange, or board of trade, or other similar place, for future delivery, the tax shall be as follows:

"Between December 1, 1920, and November 30, 1923, both dates inclusive, for each $10 or fraction thereof of the selling price of the products or merchandise covered by such sale or agreement, 2 cents; and

"On and after December 1, 1923, for each $100 or fraction thereof of the selling price, 2 cents.

"In the case of every such sale or agreement the seller shall at the time make and deliver to the buyer a bill, memorandum, agreement, or other evidence of such sale or agreement, and shall affix thereto the proper stamps. Such bill, memorandum, agreement, or other evidence of such sale or agreement shall show the date thereof, the name and address of the seller and buyer, the amount of the sale, and the transaction to which it refers.

"The tax shall not apply in case of cash sales of products or merchandise for immediate or prompt delivery which in good faith are actually intended to be delivered.

"The tax shall not apply to the transfer to a clearing-house corporation of an agreement in respect to which the tax has been paid, if such transfer does not vest any beneficial interest in such corporation and is made for the sole purpose of enabling such corporation to adjust and balance the accounts of its members.

"Whoever, with intent to avoid payment of the tax, violates any of the provisions of this subdivision, or receives any bill, memorandum, agreement, or other evidence of sale or agreement, required by this subdivision, without having the proper stamps affixed thereto, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $1,000, or be imprisoned for not more than six months, or both."

REAL ESTATE TAX.

SEC. 704. Schedule A of Title XI of the revenue act of 1918 is amended by adding at the end thereof a new subdivision to read as follows:

"16. Receipts for payments on sales of real estate: On each receipt, issued between December 1, 1920, and November 30, 1923, both dates inclusive, evidencing any payment made during such period on account of any sale, or contract of sale of, or contract to sell, lands, tenements, or other realty, whenever made, 5 cents for each $10 or fraction thereof of the amount of the payment.

"Any person who receives, between December 1, 1920, and November 30, 1923, both dates inclusive, any payment, whether in cash or in anything of value, on account of a sale, or contract of sale of, or contract to sell, any lands, tenements, or other realty, shall at the time give to the person making such payment a written receipt evidencing such payment and shall affix thereto the proper stamps. Such receipt shall show the date thereof, the name and address of the person giving it, the date and amount of the payment, the name and address of the person making the payment, and the transaction on account of which the payment is made.

"Whoever fails to give any receipt required by this subdivision, or to state therein correctly the amount received, or to affix the proper stamps, or whoever receives any receipt required by this subdivision without having the proper stamps affixed thereto, shall be guilty of a misdemeanor, and on conviction thereof shall be fined not more than $1,000, or be imprisoned not more than six months, or both."

TAX ON CIGARS, TOBACCO, AND MANUFACTURES THEREOF.

SEC. 705. (a) On cigars, cigarettes, tobacco, and snuff, manufactured in or imported into the United States, and sold between December 1, 1920, and November 30, 1923, both dates inclusive, by the manufacturer or importer, or removed during such period for consumption or sale, there shall be levied, collected, and paid, under the provisions of existing law, in addition to the taxes now imposed thereon by law, the following taxes to be paid by the manufacturer or importer thereof:

On cigars of all descriptions made of tobacco, or any substitute therefor, and weighing not more than 3 pounds per thousand, 25 cents per thousand.

On cigars made of tobacco, or any substitute therefor, and weighing more than 3 pounds per thousand, if manufactured or imported to retail at not more than 5 cents each, 50 cents per thousand:

If manufactured or imported to retail at more than 5 cents each, and not more than 8 cents each, $1 per thousand;

If manufactured or imported to retail at more than 8 cents each, and not more than 15 cents each, $1.50 per thousand;

If manufactured or imported to retail at more than 15 cents eacn, and not more than 20 cents each, $2 per thousand; and

If manufactured or imported to retail at more than 20 cents each, $2 per thousand.

On cigarettes made of tobacco, or any substitute therefor, and weighing not more than 3 pounds per thousand, $1 per thousand; and

Weighing more than 3 pounds per thousand, 80 cents per thousand; and

On tobacco and snuff, 2 cents per pound.

(b) The taxes imposed by this section shall be levied, assessed, collected, and paid on the same basis, in the same manner, and subject to the same provisions of law, including penalties, as the taxes imposed by sections 700 and 701 of the revenue act of 1918.

SEC. 706. Title X of the revenue act of 1918 is amended by adding at the end thereof the following new section:

"SEC. 1010. That every corporation shall pay a special excise tax with respect to all dividends declared and paid by it in its own stock or shares on or after March 15, 1920, equivalent to $10 for each $100 of the par or face value or fraction thereof. If the dividends so declared are issued without par or face value, the tax shall be computed at the rate of $10 per share, unless the actual market value is in excess of $100 per share, in which case the tax shall be computed at the rate of $10 on each $100 of such actual value or fraction thereof.

"(a) On or before 60 days after this section takes effect every corporation liable for any tax imposed by this section for the period from March 15, 1920, to and including June 30, 1920, and (b) on July 1, 1921, and thereafter on July 1 in each year, every corporation liable for any tax imposed by this section for the preceding year ending June 30 shall make a return under oath in duplicate and pay the taxes imposed by such section to the collector for the district in which is located the principal place of business. Such returns shall contain such information and be made at such times and in such manner as the commissioner, with the approval of the Secretary, may by regulations prescribe.

"The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month from the time when the tax became due."

TITLE VIII.—MISCELLANEOUS PROVISIONS.

SEC. 801. The officers and boards having charge of the administration of any of the provisions of this act are authorized to appoint such officers, employees, and agents, in the District of Columbia and elsewhere, and to make such expenditures for rent, furniture, office equipment, printing, binding, telegrams, telephone, law books, books of reference, stationery, motor-propelled vehicles or trucks used for official purposes, traveling expenses and per diem in lieu of subsistence at not exceeding $4 for officers, agents, and other employees, for the purchase of reports and materials for publications, and for other contingent and miscellaneous expenses, as may be necessary efficiently to execute the purposes of this act and as may be provided for by the Congress from time to time. With the exception of such special experts as may be found necessary for the conduct of the work, all such appointments shall be made subject to the civil-service laws, and preference shall, so far as practicable, be given to veterans.

SEC. 802. If any provision of this act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the act and of the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 803. Whoever knowingly makes any false or fraudulent statement of a material fact in any application, certificate, or document made under the provisions of Titles I, II, III, IV, V, or VI, or of any regulation made under any such titles, shall, upon conviction thereof, be fined not more than $1,000, or imprisoned not more than five years, or both.

SEC. 804. There is hereby authorized to be appropriated such amount as may be necessary to carry out the provisions of this act.

During the reading of the bill the following occurred:

Mr. WALSH. Mr. Speaker, I ask that the Clerk read the bill in full.

The SPEAKER. The Clerk will read the bill in full.

The Clerk resumed the reading of the bill.

Mr. HENRY T. RAINEY. Mr. Speaker, inasmuch as there is to be practically no debate on this bill I am going to insist that the bill be read in full from now on.

The SPEAKER. The Chair supposed it was being so read.

Mr. HENRY T. RAINEY. No, sir; it is not.

The SPEAKER. The Clerk will read the bill in full.

The Clerk resumed the reading of the bill.

Mr. HENRY T. RAINEY. Mr. Speaker, I make the point of order that the House is not in order. I can not tell whether the bill is being read or not. If no one else is paying attention to it, I desire to do so. This is the first time I have had an opportunity to read it.

Mr. FREAR. I think the gentleman ought to have an opportunity; he is a member of the committee——

Mr. HENRY T. RAINEY. But I am a Demoerat, and as such was excluded from the room.

Mr. FREAR. I believe the gentleman ought to have an opportunity of hearing it. I exactly agree with him.

The SPEAKER. The House will be in order, and the Clerk will read.

The Clerk resumed the reading of the bill.

Mr. HENRY T. RAINEY. Mr. Speaker, the House is in so much confusion that I can not hear. This bill makes a charge of $5,000,000,000, and I want to hear it, if that is the only thing that I can do about it.

The SPEAKER. The House will be in order.

The Clerk resumed and concluded the reading of the bill.

The SPEAKER. Is there a second demanded?

Mr. HENRY T. RAINEY. Mr. Speaker, I demand a second.

Mr. TREADWAY. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Illinois is the ranking minority member of the Committee on Ways and Means—is the gentleman opposed to the bill?

Mr. HENRY T. RAINEY. I am opposed to the bill in its present form. If I can not amend it, I am going to vote for it.

Mr. TREADWAY. Mr. Speaker, I am opposed to the bill, and I understand the gentleman says he is going to vote for it——

The SPEAKER. Is there anybody——

Mr. GARNER. Mr. Speaker——

The SPEAKER. Is the gentleman from Texas opposed to the bill?

Mr. GARNER. I am opposed to the bill, and I expect to vote against it.

The SPEAKER. The Chair recognizes the gentleman from Texas.

Mr. GARNER. Mr. Speaker, I demand a second.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from Michigan asks unanimous consent that a second may be considered as ordered.

Mr. MANN of Illinois. I object.

Mr. HENRY T. RAINEY. Mr. Speaker, I think we ought to have a second by tellers, and I object.

The SPEAKER. The Chair appoints the gentleman from Michigan and the gentleman from Texas as tellers.

The question was taken; and the tellers (Mr. FORDNEY and Mr. GARNER) reported that there were—ayes 175, noes 91.

So a second was ordered.

Mr. HENRY T. RAINEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. HENRY T. RAINEY. I want to see if I can prevail upon my colleague upon the committee and the other Republicans in the House, inasmuch as this bill imposes a tremendous drain

on the Treasury, to agree to a longer time than the rule provides. [Cries of "Regular order!"] I ask unanimous consent that we have an hour on a side.

Mr. FOSTER and Mr. LAYTON. Mr. Speaker, I object.

Mr. HENRY T. RAINEY. Mr. Speaker, I ask unanimous consent that we have 30 minutes on a side for debate.

Mr. SMITH of Michigan. Mr. Speaker, I object.

Mr. HENRY T. RAINEY. Mr. Speaker, I ask unanimous consent that we have 25 minutes on a side.

Mr. FOSTER. I object.

Mr. HENRY T. RAINEY. I ask unanimous consent that we have 21 minutes.

Mr. FOSTER. I object.

Mr. FORDNEY. Mr. Speaker, I yield three minutes——

Mr. HENRY T. RAINEY. Mr. Speaker, I ask unanimous consent that we have 21 minutes on a side to debate this question.

Mr. MURPHY. Mr. Speaker, I object.

Mr. FORDNEY. Mr. Speaker, I understand the gentleman from Texas wants to make a statement.

Mr. GARNER. Mr. Speaker, I just want to say for the information of the House, since I control the time, I believe, in opposition to the bill, there seems to be about equally divided opposition on each side of the House, and therefore I am going to yield—— [Cries of "Regular order!"] I do not see any impropriety in making that statement so that gentlemen may know.

Mr. KNUTSON. It is incorrect; the roll call shows it is incorrect.

Mr. GARNER. I desire to yield one-half of my time to the gentleman from Massachusetts, the ranking Republican on the committee [Mr. TREADWAY]. I merely wanted to make that statement for the information of the House.

Mr. FORDNEY. Mr. Speaker, I yield three minutes to the gentleman from Kentucky [Mr. SWOPE]. [Applause.]

Mr. SWOPE. Mr. Speaker, some time ago a few Members of this House said that the soldiers did not want this legislation and that if they did want it they would say so. Well, the answer to that challenge was that American Legion posts and other soldier organizations from coast to coast adopted resolutions indorsing this legislation and went so far as to send their delegations to Washington to appear before the Ways and Means Committee asking for this legislation. Last fall the First Division was reviewed here in this city and most of the Members of this House shouted themselves hoarse cheering those boys as they passed, but did you know that those boys sent their petition to this very Congress signed by their whole division of about 18,000, asking for the very things this bill proposes to give them? I know from personal experience and contact with my own men that they want it. The enlisted men never did feel like the pay was adequate. As a company commander it was my duty to pay off my men each month, and it was actually pitiful to see scores of men receive only $5 or $6 for their month's service after their insurance and one or more allotments, such as class A and class B, had been deducted.

And yet during all that time the slackers and profiteers were becoming rich, and the cab drivers, the hod carriers, the ditch diggers, the section hands, and all other kinds of unskilled labor were making three or four times as much every day as the American soldiers who worked, fought, bled, or died, wherever duty called or Old Glory waved. During that time we saw legislation for better wages and strikes for better wages, but the faithful old American soldier never struck for better wages—he struck for victory and at the throat of the enemy.

This Congress and the one preceding it voted a $240 bonus to Federal employees who were already getting three or four times as much pay per day as the soldiers, and about two weeks ago a civil retirement bill was passed which retires on pensions Government employees, most of whom never did a day's military service. And now our soldiers, after they have successfully helped to win this great war, come and ask that their pay be increased $1 a day for domestic service and $1.25 for foreign service. As a matter of fairness, gentlemen, they are entitled to it, and this Congress should not refuse it. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. FORDNEY. Mr. Speaker, I yield two minutes to the gentleman from Oregon [Mr. SINNOTT].

Mr. SINNOTT. Mr. Speaker, Kipling, in his poem on the survivors of the Battle of Balaklava, said:

"There were thirty million English that
talked of England's might;
There were twenty broken troopers
that lacked a bed for the night;
They had neither food nor money, they
had neither service nor trade,
They were only shiftless soldiers, the
last of the Light Brigade.

"They felt that life was fleeting; they
knew that art was long,
That though they were dying of famine
they lived in deathless song;
They asked for a little money to keep
the wolf from the door,
And the thirty million English sent
twenty pounds and four!"

We might suggest an American version:

There were one hundred million Yankees
that talked of Yankee might

[Applause.]

And sent but sixty dollars
to the boys that fought their fight;
Yes; sixty dollars; that and nothing more,
If that's to be in history America's low score—

Then—

"God of our fathers, known of old,
Lord of our far-flung battle line,
Beneath whose awful hand we hold
Dominion over palm and pine;
Lord God of Hosts be with us yet,
Lest we forget—lest we forget."

[Loud applause.]

Mr. Speaker, I yield back the balance of my time.

Mr. GARNER. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Speaker, I yield three minutes to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. Mr. Speaker, I have been a soldier myself and my natural impulses are all favorable to the soldier. I have favored legislation for his benefit and expect to favor hereafter legislation that will be of more real benefit to the soldier than any contained in this bill.

The passage of this bill at this time is a futile thing. It is so admitted by its most ardent supporters. It is not expected that it will pass the other body at this session of Congress, and it can not pass if we are to adjourn next week, as it seems to be expected we shall do.

Mr. CRAMTON. Will the gentleman yield for a question?

Mr. TILSON. Having only three minutes, I can not yield to anyone.

The gentleman from South Dakota [Mr. JOHNSON], who is recognized as one of the leading advocates of this legislation, describes the bill in such terms as ought to defeat it here to-day. He said, in substance, as an excuse for passing the bill in its present shape now that next December we can change it. In other words, he admits that this bill is bad now, but when December comes we can make its bad features good. If that is what he proposes on behalf of the service men, why not wait until December, when we in this House may have an opportunity to consider the entire matter on its merits? Who has given a single valid reason why the House should pass this bill at this time if it is to repose in a Senate committee until December? Can it be true that it must be rushed through now in order to catch the soldier vote at the approaching election? I have lived and served with soldiers and think I know something of their habits of thought. In my judgment they can not be fooled so easily.

The tax features of this bill are in many ways unsatisfactory. However, as the taxpayers seem to have but few friends here, it will be useless for me to use a single moment of my precious time in explanation of the taxation title of the bill.

The cash feature of this bill is bad and ought to go out. It is, in effect—and it can not be denied—a little pension, amounting to about $16 a month beginning more than a year from now and continuing for two and one-half years at the maximum, bringing the last payment up to January 1, 1924. That is all it is, and that is all that anyone can make out of it. Is that going to be satisfactory to the soldier? Not if I know the soldier, and I think I do.

The bill is also unfair to the long-service men. If we attempt to adjust compensation, should we pay the same to a man who has been in the service 500 days as we do to a member of the Yankee Division, for instance, who served 800 days? Is that "adjusted compensation"? Is that fair?

The soldiers themselves will be most of all dissatisfied when they discover that in passing this bill we bring them no present relief. In passing it now to take effect more than a year hence we are guilty of attempting to play what is substantially a "bunco" game upon those toward whom we should feel the highest respect, honor, and gratitude. If we pass this bill as it

is written, we shall place ourselves in the position described by Macbeth in Shakespeare's immortal tragedy as those—

> That keep the word of promise to our ear,
> And break it to our hope.

This describes what we are going to do to the veterans of the Great War if we pass this bill and it should become a law in the form in which it is proposed to pass it here to-day. I refuse to be a party to any such confidence game. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. TREADWAY. Mr. Speaker, I yield four minutes to the gentleman from Illinois [Mr. CANNON]. [Applause.]

Mr. CANNON. Mr. Speaker, there were over 600,000 men discharged for mental and physical disability that we are caring for, and the expense is increasing and will continue to increase. Then there are the dependents of the hundred thousand men, in round numbers, who died in France. Uncle Sam is to care for them as long as they live, and he is to care for the stricken soldiers until they are returned to health.

We have had many drives with which to sell bonds. The maid that worked in the kitchen, the man that labored in the field, everybody, subscribed to those bonds, and we saw many men who said, before the people subscribed, "Uncle Sam is the best and most able to pay of anybody in the world, and every bond you subscribe for is worth a hundred cents on the dollar." There were certificates galore.

We owe $25,000,000,000. We let the Allies have $10,000,000,000, and they are not paying interest, and can not for years to come. What is the result? Uncle Sam's credit is decreasing and is becoming less and less valuable, and is reflected in the high cost of living.

I have received more protests against this from the men who represent the dependents than I have requests from men that are said to desire bonuses, and if I had leave I would insert them in the RECORD. I will put in the RECORD a telegram just received, if there is no objection. [After a pause.] I hear none, Mr. Speaker. [Laughter.]

The telegram is as follows:

CHICAGO, ILL., *May 28, 1920.*

Hon. JOSEPH G. CANNON,
House of Representatives, Washington, D. C.:

As State chairman of committee for aid to disabled veterans I respectfully ask that consideration of bonus legislation for all ex-service men be deferred until adequate provision has been made for those disabled, whose numbers total over 600,000. Am an ex-service man myself and believe my views represent attitude of considerable percentage of men who served in late war.

W. M. RUTTER.

Oh, you say, "We have got to have this or we can not be renominated or reelected." I am not a prophet nor the son of a prophet, but I am against this bonus bill in the shape it is in, and for the men who came back sound and healthy I am against any bonus bill now. I shall be dead 50 years before a service bill shall have been enacted by law, such as was given under the leadership of my colleague from Illinois [Mr. FULLER] with respect to the soldiers of the Civil War. This is equivalent to a pension bill.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. CANNON. May I have just one minute more? [Cries of "Go ahead!"]

The SPEAKER. Does the gentleman from Massachusetts yield?

Mr. TREADWAY. I yield, Mr. Speaker, to the gentleman half a minute.

The SPEAKER. The gentleman from Illinois is recognized for half a minute more.

Mr. CANNON. I want to say it and say it with all the force that I can: From my acquaintance with the ordinary man—and I am an ordinary man, and I have trod every path that any poor boy has trod in the country—I want to say to you that I know the mass of the people in the Middle West and the sentiment there, and I want to say to my colleagues that they will reject the insult that you place upon them in passing this bill. [Applause.]

Mr. GARNER. Mr. Speaker, I yield two minutes to the gentleman from Mississippi [Mr. SISSON].

The SPEAKER. The gentleman from Mississippi is recognized for two minutes.

Mr. SISSON. Mr. Speaker, it is impossible, of course, to discuss this bill in two minutes. You Republicans are offering this bill as a campaign document, and you know it. In the campaign you will send out this bill and will pretend that it is the best bill that you can get. This is not true and you know it. When he gets this bill the soldier will find that when he asked you for bread you Republicans gave him a stone. He is asking for fish and you are giving him a serpent.

This bill does not go into operation until over 12 months from to-day. Every soldier will be disappointed when he looks at this sham. You can not get his vote that way.

When this bill was under consideration in the Committee on Ways and Means there was a $600 bonus in the bill. Members of that committee of the Democratic faith offered an amendment that would take the money necessary to pay that bonus from the war profiteers, and you Republicans declined to do that. These profiteers contribute the millions to your campaign fund and you Republicans will not tax them. You first reported a bill here carrying a consumption tax, taxing the wants and the needs and the necessities and the nakedness of the people, and your own side would not stand for it and you withdrew that bill. Why? Because you knew that we Democrats would offer an amendment to tax the rich war profiteers and enough Republicans would join in to amend it. Now you are presenting this sham. You know you are presenting the American soldier a gold brick, and they are going to find it out, and the demagogue can go on the stump and demagogue there as the demagogue demagogues here, but you can not get anywhere with this sort of a bill. I believe I really would insult your intelligence if I said that I thought a single one of you believed that this bill in its present form will ever become a law. [Applause.]

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. GARNER. Mr. Speaker, I yield two minutes to the gentleman from Texas [Mr. CONNALLY].

The SPEAKER. The gentleman from Texas is recognized for two minutes.

Mr. CONNALLY. Mr. Speaker and gentlemen of the House, a Republican House has put this gorgeously decorated decoy tantalizingly in front of the soldier, but a Republican Senate safely holds a string, and at the psychological moment it will be pulled. Those who designed this measure had no intention that it should ever become a law, and so they are fixing its taxing features in such a way that it is hoped the pinch and sting of them would not be felt until after the election and might be forgotten before another one.

Mr. Speaker, I have had letters from both enlisted men and officers opposing the cash bonus feature of this bill.

Here is a letter from an enlisted man:

> I left the management of a big rolling mill in my State and entered the Army as an enlisted man, and remained one up to the time of my discharge; and, looking at it strictly from the standpoint of salary, I lost money, but I had the very great pleasure of knowing I was giving something that money couldn't buy, and something in the way of a service lots of people haven't had the fortune to render the United States.

So far as I am advised, only one American Legion post in my district took any action with reference to the bonus, but I want to read to you what it said. It is the James A. Edmond Post, of McLennan County, the largest and most populous county in my district. I read from the Waco News-Tribune:

> The post unanimously adopted a resolution brought by J. D. Willis that the post go on record as opposed to the granting of any bonus by Congress to any able-bodied ex-service man.

Mr. Speaker and gentlemen of the House, I refuse to be a party to this scheme to deceive the soldiers, hastily cooked up, hastily passed under a suspension of the rules, in the closing days of the session, that can not be amended, and conceived purely for political purposes in the forthcoming election. I should like to give full expression to my views but my limited time prevents. [Applause.]

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. GARNER. Mr. Speaker, I yield two minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

The SPEAKER. The gentleman from Mississippi is recognized for two minutes.

Mr. HUMPHREYS. Mr. Speaker, I served for eight years under a Republican House, and I served for eight years under a Democratic House, and I believe I can truthfully say this has been the most hypocritical performance I have ever witnessed. [Applause.]

It is not the intention of anybody that this law shall be written upon the statute books, because we know it can not be. You have had an opportunity for a year to pass it if you really wanted to pass it, but that is not the purpose. The purpose is to pass it through the House and go out this summer and tell the boys, "Well, we voted for a bonus," and then wink the other eye at the other fellow who is opposed to it. [Laughter and applause.]

The gentleman from Kansas [Mr. CAMPBELL], the chairman of the great Committee on Rules, for 12 long months had the authority to bring into this House a bonus bill when it was pos-

sible to pass it and put it upon the statute books; but lo and behold, he waits until the very closing hour of the session. When the play is over and the curtain is just about to fall, the gentleman rushes upon the stage, his classic countenance aglow with patriotic ardor and passion for the soldier, and says, "Hold up, Mr. Speaker; do not adjourn." Another John Paul Jones has appeared upon the scene who waits until the ship is sinking before he begins to fight. [Laughter and applause and cries of "Vote!"]

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. TREADWAY. Mr. Speaker, I am opposed to this bill for three principal reasons. First, it contains a so-called cash bonus; second, it makes no special provision for the disabled, the wounded, the sick, the widows and orphans of the dead; third, it offers an unfair tax provision.

The first reason is my strongest one for disapproval. When this bill was first proposed it was called a bonus bill. That title of itself was so objectionable that it then became known as an adjusted-compensation bill. Neither title did other than insult the soldiers. My title for this bill would rather be a bill debasing patriotic service to commercial value. [Applause.] That is what it is; nothing else. You insult the soldier if you put it on a commercial basis, and say that he should only receive $1 more than the man who works in the shop. If there is any equalization, it should be at the rate of not less than $5 per day in the service. It does absolutely nothing extra for the sick or the wounded. Those are the ones, and their widows and children, the ones whose husbands and fathers lie buried on foreign soil, in whose behalf the taxpayers of this country stand ready to-day to go the limit. You can camouflage the tax argument in any way you wish. You can say that this form of taxation is most easily raised. It may be, but, nevertheless, it comes back upon the American people. They will pay this billion and a half of dollars. They are the ones who are to-day clamoring for less taxation. We here to-day are giving them more taxation. Is that the answer you make to the American people? [Applause.]

Mr. GARNER. Let me ask the gentleman from Michigan how many speeches he has on that side? There are only two more on this side, and I have only four minutes left.

Mr. FORDNEY. I will use some of my time. I yield one minute to the gentleman from Montana [Mr. EVANS].

Mr. EVANS of Montana. Mr. Speaker and gentlemen of the House, I am for a bonus for the soldiers. I am for this particular bill because I can not get any other bill. I voted for the rule. I voted to table the appeal from the ruling of the Speaker for the purpose of getting something before this House.

Here is a bill of 45 pages that nobody has read, a bill that takes a billion and a half of money from the American people; brought in under a rule that allows only 40 minutes' debate, the equivalent of six seconds to each Member on this floor, a rule that forbids amendment; not an "i" can be dotted or a "t" crossed. This bill in its present form must be passed or the whole question of a soldiers' bonus must go into the discard. Mr. Speaker, not in the history of a legislative body in the world was there ever such a display of fraud, sham, and hypocrisy as has been exhibited in this matter. It was never the intention to pass this or any other bonus bill; it is not the intention to pass it now. If the political party in control of this House was acting in good faith in this matter, this or some other bill would have been brought here in the regular way, open for debate, open for amendment, change, and perfection. Ah, the majority party leaders say, "The rules of the House would not let us bring it up that way" or "The parliamentary situation is such that it would be killed." What sham, what fraud, what hypocrisy. What buncombe you are trying to feed the American people. What do they care about your rules? What do they know or care about your parliamentary situation. They did not send us here to make gag rules or to create complex parliamentary situations. They sent us here to legislate for the welfare of the country. Who made these sacred rules that you say bind us hand and foot? Did they come down from heaven—were they written by Moses on a tablet of stone, to be obeyed and observed through all the ages?

This House made the rules and it can change them or annul them. If the political majority can not do it the numerical majority can and should do it. Is the steering committee or the Rules Committee so all powerful that they can bind and gag 435 men in this House? What a fake, what a joke, to try thus to impose on the people of the Nation. The Members of this Congress may be gullible enough to believe such a thing, but not the people of the country. The chairman of the Rules Committee says if the matter were opened for debate and amendment the opponents would defeat the measure. They might defeat this iniquitous thing you have laid before us, but I deny that they would defeat a genuine bonus bill; they would amend and change this bandy-legged hybrid sired by the steering committee and born of the Rules Committee; but they would support any bill that does justice to the soldier and the taxpayer. The distinguished chairman of the Rules Committee charges that the Democrats are hiding behind a barrage and demands that they come out. Mr. Speaker, when the final vote is taken, even under these gagged conditions and for this undigested measure, I venture the proportion of Democrats supporting this bill will be as large as Republicans. There are individual Democrats against any bonus legislation, just as there are individual Republicans, but I deny that a majority of either party is against a reasonable, just, and equitable bill. With those gentleman who openly oppose a bonus I have no quarrel, but I have only contempt for the petty political pettifogging that has been and is now being carried on by a lot of men who are publicly pretending to do something for the soldiers, when in truth they are playing a bunco game to get the soldiers' votes. It is not that they want to do something for the soldiers; they want the soldiers to do something for them. I have not the slightest doubt, Mr. Speaker, that 60 to 70 per cent of the membership of this House in each party desire and would vote for a genuine and just bonus bill if given the opportunity.

The difference between the political parties as to how to raise the money to pay such a bonus is fundamental and irreconcilable. The Democratic Party believes the money should be raised by a tax on war profits, on excess profits, on stock dividends, a system of taxes that will make the profiteers who both during the war and since have made unconscionable profits out of the American people, and who still continue to bleed the masses white, contribute a part of these profits to pay this bonus. The Democrats further believe should such a tax be laid the great American people might be relieved of the humiliating spectacle now taking place in this country of the Presidency of the United States being sold on the auction block to the highest bidder like the useless and discarded throne of the Kaiser. [Applause.] A half million dollars contributed by one multimillionaire, who says he is willing to advance as much more as necessary to nominate his favorite. What a spectacle!

Emboldened by success in the recent purchase of a seat in the Senate, they now brazenly go out to buy the Presidency. No, no; the Procters and the profiteers must be protected by the Republican Party. Where else can they look for the purchase price of the Presidency but to them? Your party first proposed a sales tax on all consumption ,hoping to get the money from the bare backs and empty bellies of the people, but be it said to the credit of a minority of your own party in this House, who joined with the Democrats, that infamous proposal was driven into outer darkness. Defeated in that nefarious proposal, you now present this measure and exclaim in mock righteousness that the Democrats are opposed to a bonus bill. You purpose to go before the country this fall and tell the people how this hybrid was born of patriotic fervor and love for the soldier, when in fact you know it is a sham and a fraud, gotten up for purposes of deception. Your first thought is to get the votes of these soldiers, and your second thought is to protect your profiteering millionaire friends that they may in turn furnish the campaign funds to get other votes. [Applause.]

Instead of declaring in mock heroic tones that the Democratic Party is opposed to a bonus bill, let the Republican steering committee and the Republican Rules Committee come out of their dugout, where, shielded by a smoke screen, they have already stupefied and paralyzed this House with poison gas. [Applause.] Their dictatorship, for the time being at least, has reduced this Congress to absolute impotency.

I want to say that I think the situation in this House is absolutely reprehensible. I think it is an outrage upon the American Congress and the American people that the situation has become such that 435 men in this House are nothing more nor less than so many eunuchs in the harem presided over by those exalted sultans—the steering committee and the Rules Committee of this House. [Applause and laughter.] I want a genuine bonus bill. I will vote for this bill because I can not get anything else. [Applause and laughter.]

The SPEAKER. The time of the gentleman has expired.

Mr. FORDNEY. Mr. Speaker, I yield one minute to the gentleman from Kentucky [Mr. LANGLEY].

Mr. LANGLEY. Mr. Speaker, my sympathies always go out to the under man in the battle of human life. There were a good many millionaires made as a result of this war. To say nothing of the hundred thousand dead who sleep across the ocean, there were many thousand human frames that were mangled and shattered, many hearts broken and many that are still bleeding as a result of this World War, and many who are

still suffering for lack of the help of those who were the victims of that awful struggle. I have the highest regard for the men whose frugality, industry, and fortunate investments acquired enough of this world's goods to make them and their dependents comfortable and happy, but I believe that these should aid in binding up the wounds and soothing the sufferings of those who made these sacrifices in order that property rights and the liberties of our people might be perpetuated, and I can not believe that there is a patriotic citizen in Kentucky who is unwilling to do something to help our soldier boys in starting life anew and getting on their feet again. We can never fully repay them for what they did, but I am going to vote for this bill, not because it does as much for them as they deserve but because it is a step in the right direction and the best that we can do under existing conditions. [Applause.]

Mr. FORDNEY. I yield one-half minute to the gentleman from Kentucky [Mr. ROBSION]

Mr. ROBSION of Kentucky. Mr. Speaker, there has been allowed only 20 minutes for debate altogether for those in favor of this bill. I thank Mr. FORDNEY, chairman of the Committee on Ways and Means, for the courtesy in granting to me a little time to say a few words in behalf of the World War soldiers and sailors. I introduced a bill something like a year ago granting relief to these soldiers and sailors. This bill does not give quite as much as my bill provided, but feeling that this is the best bill that we can get under all the circumstances I wish to say that I propose to vote for it and do all I can to secure its passage in this body and in the Senate. Who are in favor of this adjusted pay for the American soldiers and sailors? The American Legion, the World War Veterans, private soldiers and sailors' organization, the Welfare Association, a large percentage of the common people, and a big majority of the membership of this House. Who are against it? Practically every one of the 23,000 men who were made millionaires during the war and because of the war, the Tobacco Trust, the Beef Trust, the Oil Trust, the Steel Trust, the Sugar Trust, practically every big trust and interest of the country, the war profiteers, the fellows who had the cost-plus contracts and made hundreds of millions during the war, Wall Street—they are all against it. The big newspapers of the country, representing the big interests of the country, are denouncing the American soldiers and sailors as "looters of the Treasury" and "mercenary patriots." The most of the money provided for this relief will have to be paid by the big interests and men who made billions out of the war. They are kicking because of the taxes they will have to pay. This will not hurt but will benefit the common people of the country.

THEIR CLAIM IS JUST.

I favor this relief legislation, because I believe it is just and right. But for the wonderful courage, patriotism, and self-sacrifice of the World War heroes we would be paying forty times as much "bonus" to the Huns. We took these boys away from their business, their profession, their homes, and their native land and put them into the water and mud of the trenches and the dangers and perils of battle at $30 per month. They paid $7 per month for insurance, and many of them made an allotment of $15 per month, and they were left with about $8 per month. They could have made at home from four to fifteen dollars per day. Some men and concerns who are kicking against this bonus made $10,000 per day. The Government paid the same character of men in building camps, and so forth, under the cost-plus plan from six to fifteen dollars per day, and a Democratic Congress voted to the highly paid clerks and other employees of the Government who were sitting on easy chairs with short hours and receiving from one thousand to twenty-five hundred dollars per year a bonus of $240 a year. They have been receiving this for two years—$480. This is more than the soldiers will average with the bonus. We called the boys. They went forth and saved our homes and all of these big interests and protected these men and their big interests, while they were making billions of dollars. Now, I am in favor of conscripting some of these war profiteers' dollars in order that the American soldier may receive at least half what he would have received as a common laborer in this country during the war. [Applause.] When I hear the big rich newspapers, the big war profiteers, the big war contractors, and the men and concerns who were made millionaires out of the war denounce the men who saved this country at less than $1 per day as "looters of the Treasury" and "mercenary patriots" I am filled with indignation. I plead for justice and a square deal and nothing more for them. [Applause.]

Mr. FORDNEY. I yield one minute to the gentleman from Oklahoma [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, for one I shall vote for this bill with a glad heart and a clear conscience. I shall vote for it without any misgivings as to the results which will follow its enactment into law. I shall vote for it as a matter of justice to our former service men. I shall vote for it because it represents an effort on the part of Congress to give recognition to the men who fought and won our battles in the great World War, and I shall vote for it because I believe it will strengthen our Nation, contribute to the perpetuity of our free institutions, and add glory to the flag which our soldier boys carried to victory. [Applause.]

Mr. FORDNEY. I yield one-half minute to the gentleman from West Virginia [Mr. GOODYKOONTZ].

Mr. GOODYKOONTZ. Mr. Speaker, I am for this bill without reservation or secret evasion of mind.

In the spring and summer of the year of our Lord 1917, in the hamlets, villages, and cities of this broad land, the soldiers were being mustered in, leaving home, going to the war. The bands were playing and the local orators were haranguing the boys, telling them what great fellows they were. These orators, with eyes turned to heaven and swimming in tears, said, "Boys, when you come back, there will be nothing too good for you. Everything is yours. We will stand by you through thick and thin."

Well, the boys sailed away, and when the war was over we found 50,000 of them were killed in battle, 50,000 more had died of disease, 100,000 additional were wounded and maimed. Many of them must suffer for life, and now, when we bring up this little bill, we find the profiteer trying to escape with the swag, moaning and groaning, and telling us that the bill is bad.

While I am trying to speak the Members of the minority, largely from the South, are trying to drown my voice because they think that the colored soldier will take something under the bill.

In America, "the land of the free, the home of the brave," all stand equal. All, irrespective of race or religion, are equals. No stockbroker or profiteer has a halter about my neck. [Applause.]

Mr. FORDNEY. I yield one-half minute to the gentleman from Washington [Mr. MILLER].

Mr. MILLER. Mr. Speaker, I am in favor of this bill because I believe in justice to the soldier, and this bill will become a law unless it is vetoed by a Democratic President. [Applause.]

Mr. Speaker and gentlemen, it had long been my hope that real, substantial justice might be done the soldier at a time when it would do him the most good, and that still further than doing justice, the Nation might show, in at least a small degree, its appreciation of the soldier and his work. But it takes but a brief period of service here to be brought to a keen realization that no one Member can find his personal views and desires woven into the law of the land. Conflicting opinions and judgments must be reconciled and adjusted if we are to progress at all. This measure represents the best that can come out of the existing mass of varying and in some cases positively adverse and opposite views. I for one am not satisfied as to amounts, the enumeration of excepted classes, nor all forms of taxation by which the necessary funds are to be raised. Some of the sources are all right.

It is my idea that every form of war profits possible to be taxed should be taxed. Our only limit in this direction should be the legality of the taxing power. Thousands of fortunes have been made out of the profits of this war and the foundations of thousands more laid, every one of which came from the excessive gains and advantages on war contracts. I am not in favor of abolishing the rights of property of any man, but I am in favor of taking through the medium of taxation such portion of these ill-gotten gains wrung from the American people in the exigencies of war as will be sufficient to meet legitimate Government expenses. The dark pages of this war, which serve to dim the glory of the bright ones, are those which tell us of the fortunes built up during the period of the war. These profiteers who grew rich out of the Nation's stress, who took advantage of the world-wide struggle, should now be forced to the bar of justice to see what portion of their gains was right and what portion was wrong.

Every soldier who went to war returned a poorer man than when he left; everyone who stayed at home and took advantage of the high wages was better off at the close of the war than he was at the beginning. Every man with a war contract counts his profits by the millions and thousands, where in peace he counted them in dollars and cents.

Is it fair, between man and man, that the soldier, in addition to the personal hazards of war, should be made to suffer financially by reason of his service? Everybody but the soldier grew fat and financially comfortable.

We have compensated most every man who had a claim against the Government. Completed as well as incompleted contracts were liquidated; even the rushing, pushing fellow with the "informal" contract has been paid—everybody except the soldier who fired the guns and stopped the bullets.

We all know no nation can pay its soldiers full compensation for the risk of war; no nation ever did or ever will. The nation's battles must be fought by its patriotic men, who jump into the field prompted by the high call of duty. We can not pay in full even those who returned without wound or scar, but we can show our gratitude by a kindly, practical act; we can do by him a small degree of justice. I only wish the amount was more. [Applause.]

Mr. FORDNEY. I yield one-half minute to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Speaker, I voted for war. I voted for the selective draft. I saw thousands of young men, making up the manhood of America, leave our shores to go to France to fight to uphold that which we maintained must be upheld regardless of expense, namely, the freedom of the seas. Later on I saw these same boys in battle upon the other side. I had been probably the only Member of the House of Representatives who had actually seen and been on board one of the first ships which left our country to carry America's best to the other side. That was two months after we had declared war. Later, I saw thousands of other men who had either volunteered or answered the call of duty under the selective-draft law leave our shores. In Europe I saw how our boys in many instances made the supreme sacrifice, and my eyes will never forget those terrible scenes of men wounded, others crippled, and others being buried.

There are some people here whose sole and underlying thought while the war was on was the accumulation of wealth. Many of their next of kin found soft places at home. On the other hand, there were sons of great men who gave to the Nation all that they had when the war was on. Many voices were raised urging our people to buy Liberty bonds, encouraging patriotism, and arousing others to herculean efforts to help win the war. Upon the lips of men one could hear the constant cry that when the boys came back there would be nothing too good for them.

Others who went through the struggle and came back found that many of their pals, friends, and relatives who had not answered the call, or who for some reason or another had been permitted to continue work in factories and shipbuilding yards, had grown fat with prosperity, while the veteran had given even his life for a dollar a day.

Our brave boys entered the service with only one thought—that was to give their lives to save the Republic. Solemn as their duty was and fully recognizing that they might not return, they showed courageous faces when saying good-by to their next of kin. They felt that surely while they were in the dugouts of France those who were being left in America would be prepared to make sacrifices, the same as they were making.

Upon their return home what did they, our brave boys, find? They discovered that the cost of living had been permitted to rise beyond comparison; that every tax which had been laid upon a manufacturer, middleman, and retailer had been passed on to their next of kin, with an additional profit. They beheld, also, that nobody at home had had any other thought, apparently, except to see how much money could be had from the Treasury of the United States.

No wonder, then, their amazement grew into wrath! They felt that they were the only ones who had given their most to the Republic.

In addition, the Government failed lamentably in taking care of the wounded, the crippled, and the maimed. Its lack of efficiency in paying allotments had become a public scandal. All of those things made the ex-soldiers feel that they had been unjustly treated.

Not every veteran will apply for the adjusted compensation. Each man must determine this question for himself. I do not believe that this is the fairest bill either to the veteran or to the taxpayer. No one likes to pay taxes. Our method of taxation has never done justice and never will. Our methods of taxation were failures during the war, as we can readily see by the 33,000 millionaires that the war created.

I am firmly of the opinion, and I say so advisedly, that the attempt made through this legislation to satisfy in some small degree the men who are the mainstay of our country will be a very small cost compared to the feeling of dissatisfaction which the failure to enact it is bound to cause.

Let some of those who are opposing this legislation answer the question as to whether they themselves would have made the sacrifices upon the fields of France in the face of the most terrible conditions and under the grave hardships which our men underwent, and ask themselves whether they do not believe that those men are getting a small recompense compared to what men got who remained here. They did not fail us in the time when we needed them, and we must not fail them now. [Applause.]

Mr. FORDNEY. I yield one-half minute to the gentleman from Kansas [Mr. STRONG].

Mr. STRONG of Kansas. Mr. Speaker, the question that the Members of this House will be called on to decide to-day by their votes is whether or not the men who went into the service and fought for this Nation's flag are worth less per day than the men who stayed at home. This Congress drafted the young men of this country, set their salary at $30 per month, and sent them to fight its battles, and then paid out of the Treasury to the men who were not drafted from $3 to $10 a day. [Applause.] I will vote to pay additional compensation to the men who fought for us at $1 per day. [Applause.]

Mr. FORDNEY. I yield one-half minute to the gentleman from North Dakota [Mr. BAER].

Mr. BAER. Mr. Speaker, the only question that can be raised in regard to this measure is whether the service of wealth is worth more than the service of a human being. Congress voted for $3,000,000,000 for the illegal and informal contracts made during the war, and I think it is just as much of importance that we should give the soldier a fair compensation. You gave a bonus" to wealth; that side (Democratic side) of the House brought in the bill and I voted for it. Thirty-six billion dollars was the cost of war, and $18,000,000,000 went to make millionaires, 50 cents out of every dollar we spent. Can we not now tax these millionaires and give the soldiers extra pay?

The SPEAKER. The time of the gentleman has expired.

Mr. GARNER. Mr. Speaker, how many speeches does the gentleman from Michigan have remaining?

Mr. FORDNEY. I have three more speeches.

Mr. GARNER. I yield three minutes, Mr. Speaker, to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, there is not a Member in this House, in my opinion, who would not like and be very much gratified to vote for a bill that would in some way help all the service men. We have in the past taken care of the crippled, the maimed, and the disabled, and the dependents of those who died. But if I were to vote for this bill to-day I would be joining in the greatest act of hypocrisy that the Congress of the United States has ever perpetrated. They say that this is to rehabilitate the soldier. You start with the payment of this money 24 months after the soldier has been discharged from the Army, and then you insult him by paying him a paltry sum of 50 cents a day, and string it out over two years.

I want to say to you gentlemen of the South that this 50 cents a day to a man who was not disabled will not be appreciated by him and will not help him, but will keep the cheap labor of the South—the colored labor—out of the fields, and you are not doing anything that the white soldier, uncrippled and unmaimed, in all the Southland will appreciate. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. FORDNEY. Mr. Speaker, I yield half a minute to the gentleman from Missouri [Mr. HAYS].

Mr. HAYS. Mr. Speaker, I shall limit my remarks to saying that I am for this bill because, in some measure, it seeks to do justice to the American soldier. [Applause.]

Mr. FORDNEY. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Speaker, if the soldiers whom we sent to war to serve their country, to do or to die for that country, could witness the spectacle we have had here within the last half hour, I warrant you that their votes would not return a large part of the membership that we find in this House to-day. Your shouts of ridicule at other speakers do you no credit.

You have refused to give men a chance to talk for the soldier boys—men who favor this bill. Who are you that dare do that? Who sent the boys over the seas to war? You did; and a heavy responsibility is yours to-day. Gentlemen, these interruptions do not add dignity to the occasion nor to your own credit. [Applause.] We have worked in the Ways and Means Committee three months to get out the best bill that could be prepared. It is the best bill we could get and is a good measure that deserves your support. The American Legion asks for this bill. They have examined its fourfold provisions since reported by our committee and they are satisfied with it. They know it is the only bill they can get through at this session and they want it. We ask you to give it to them. The distinguished chairman of this committee [Mr. FORDNEY] has worked in season and out of season, patiently and patriotically, for many weeks to prepare this

bill; and, notwithstanding his wealth, with his heart as big as a barrel, he is willing to sacrifice his share for these boys. [Applause.] Do not let us be outdone by him, but let every man follow his example and put through this soldiers' compensation bill. Remember, we have provided a tax on those best able to pay to cover the allowance made these soldiers.

We are not giving the boys compensation. We can not compensate them for the loss of jobs, the loss of school and business plans, the loss of prospects in life, the hundreds of thousands of broken families, men who lost what money can not buy. We know that. We can not compensate them if we took all the money earned by the war profiteers and multiplied it ten times over. No amount of money could compensate for the loss of our American boys who lie buried, 100,000 of them, from far-away Archangel and all over Europe to the Pacific coast of our own country. But we can stand together, Republicans and Democrats, and let us do it on this measure. Let there be no line between us now in politics. These are your boys as well as ours, and we are trying to give them some slight recognition for their sacrifices during the war. One dollar a day in this country or a dollar and a quarter a day across seas is not compensation, but it is an expression of our gratitude for those who fought your battles and mine.

Do you not remember when we patted our boys on the back as they marched away and how we wished them Godspeed when they sailed for France? When they covered themselves with glory at Chateau-Thierry and in the Argonne and all along the battle line, when they threw back the best Prussian troops that the world had ever known, we gloried in their victories. They destroyed a world's military despotism. They did their work well and they came back, leaving thousands of their comrades buried in France—they came back, and after serving for $30 a month throughout the war, protecting your property from demands of German indemnity through winning the war, this little offering is proposed for them. We know it is not compensation, but it is the best we can offer. It is what they will and should accept, not as a matter of sympathy or gift but as a matter of simple justice.

We ask you who represent the great American people at this time, you who speak the heart of that people, you who represent the people of this the richest country in the world—a country that is able to pay and is grateful—we ask you to give these boys that to which they are entitled, not as a gratuity but as a slight acknowledgment of our debt. We wish we could give many times more, but it is the best measure we can agree upon and it expresses our gratitude. Let us all unite and pass this bill unanimously. Do not make a joke of this matter any longer, as many of you have attempted to do. Speakers have complained it is not enough to give. In nearly every case they have opposed any amount heretofore. If in the future you want to do more, you can do more; but now let us, as Members of this great House, act ungrudgingly. Let us all unite together and pass this bill. [Applause.]

Mr. GARNER. Mr. Speaker, I yield the remainder of my time to the gentleman from Illinois [Mr. HENRY T. RAINEY]. [Applause on Democratic side.]

The SPEAKER. The gentleman from Illinois is recognized for two minutes.

Mr. HENRY T. RAINEY. Mr. Speaker, during the illness of the gentleman from North Carolina [Mr. KITCHIN] I am the ranking Democratic Member on the Ways and Means Committee, and I am allowed two minutes in which to close this debate—a debate which involves a charge on the Treasury of $5,000,000,000 at the very least—the greatest taxing bill in the history of nations. This debate has been a farce in this House—a farce which only Republicans and Republican steering committees are capable of staging.

This is a service pension, as my colleague from Illinois has stated. Talk about giving the soldiers a dollar and a quarter a day or a dollar and a half a day, as they have demanded, in cash. This is what you give them: You give those who accept the cash option a service pension, commencing one year one month and two days from this date. Those who served the longest in the war will get 55 cents a day for two years and six months. Over 2,400,000 men served less than 210 days. Deduct 60 days from that service, as this bill requires, and that leaves 150 days. You give to these men for two years and a half, commencing a year from this day, 15 cents a day. Five hundred thousand of these men will get, if they accept the cash option, commencing with July 1, 1920, 7 cents a day. They will get enough money, if they buy the cheapest kind of cigarettes, to buy three cigarettes a day. That is Republican generosity for you.

This is not our baby. It is yours. You can not lay it on our doorstep. This is a gold brick that you are handing the soldiers. The Democrats have not helped to make this bill, and you know it, except the section that taxes stock dividends, and we put that in. This is a gold brick—a gold brick which will be passed upon in the elections which are about to ensue. You know the Senate is not going to pass this bill. You know it is not going to become a law. In order to keep them from leaving this baby on our doorstep and to show up the hypocrisy of the Republican Party, I ask every Democrat who conscientiously can do so to vote for this bill you can not defend in the approaching national campaign—that job belongs to the Republican Party. [Applause.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. HENRY T. RAINEY. Mr. Speaker, I have a request to propose: I ask unanimous consent that my time be extended for 10 minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that his time be extended for 10 minutes. Is there objection?

Mr. MURPHY (and others). I object.

Mr. HENRY T. RAINEY. All of the objections are from the Republican side.

Mr. MONDELL. Mr. Speaker, I demand the regular order.

Mr. HENRY T. RAINEY. Mr. Speaker, I have another request that I desire to propose; I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

Mr. MURPHY (and others). Mr. Speaker, I object.

Mr. HENRY T. RAINEY. I note that every objection is on the Republican side.

The SPEAKER. The gentleman from Michigan [Mr. FORDNEY] is recognized for four minutes. [Applause.]

Mr. FORDNEY. Mr. Speaker and gentlemen of the House, I am glad to see that so many gentlemen of the House seem to be in favor of this bill. To discredit this bill, one gentleman has said it does nothing for the wounded. He is mistaken. This bill benefits the wounded and the well alike, and is, in addition to other provisions of law, enacted for the special benefit of the disabled.

At the beginning of this war and during the time when our boys were going abroad, every man in this House accompanied some soldiers in his own home or in this city to the train, stepping to the beat of the drum and the blare of a horn, waving hats and flags and shouting, "Good-by, boys; remember we are with you as long as there is a button on your coat; give it to the enemy." That is what you said; and the boys did give the enemy a full measure and more. Let me read to you a little poem which in my opinion is timely. It is entitled "Backing up Bill."

There wan't many fellers went over th' sea,
  Along with Bill.
Th' "Dutch," they laughed, ez they seen 'em come,
With the blare uv bugle an' tap uv drum,
They kinda fergot, though th' men wuz few—
They carried th' ole Red, White, and Blue,
  An' where it waves there's follerin' still,
  Ten million men t' back up Bill.

Th' President said, ez they sailed away,
  "Hold 'em, Bill!"
Git out in front, where th' fightin's hot
Show 'em th' kind uv men we got.
Th' food is coming, an' ships an' guns—
You'll need 'em all t' beat th' Huns.
  I haven't fergot—an' I never will—
  Th' promise I made t' back up Bill.

Oh, how soon some of us forget.

You and I voted for $40,000,000 for bonuses to Government clerks who receive pay up to $2,500 per year for seven hours and fifteen minutes work a day in a cushioned chair. Are we consistent if we vote against this bill?

Did the boys who went abroad go for their own defense alone? No. They went "over there" to defend you and me from the enemy's bullets.

They went "over there" to defend your property and my property, and they did it well, and they came back with honor, honor never more deserved by any men who ever fought on any battle field. [Applause.] Can you now decline to come forward and pay a little something to those poor fellows who suffered everything? I believe not. My secretary served 368 days overseas in a combat division that participated in four major operations. In his year of service over there they were 158 days in action. They were in places for weeks at a time where the only available water was unfit to drink. There were numerous days when demolished roads and confusion prevented the bringing up of food. Often the only sleep they had was the sleep of exhaustion. For them the days were days of horror and the nights

were nights of dread. They did this for us. What can we do for them? [Applause.] Can you now, when the boys come home and find their bank account depleted, refuse to vote them this small measure of compensation when your neighbor who remained at home received from five to ten, fifteen, and twenty dollars a day working in munition factories and in the shipyards. Many of these soldier boys when mustered out did not have enough money to buy a suit of civilian clothes. Who is there within the sound of my voice or in this land of peace and plenty who can refuse to vote to give this small portion of the great wealth that the people accumulated through the sacrifices and at the expense of those boys? [Applause.]

The SPEAKER. The question is on the motion of the gentleman from Michigan to suspend the rules and pass the bill.

Mr. HENRY T. RAINEY. Mr. Speaker, I demand the yeas and nays.

Mr. MONDELL. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 289, nays 92, not voting 46, as follows:

YEAS—289.

Almon	Fairfield	Lee, Ga.	Robinson, N. C.
Anderson	Ferris	Lesher	Robsion, Ky.
Andrews, Md.	Fields	Linthicum	Rodenberg
Andrews, Nebr.	Fisher	Little	Romjue
Anthony	Focht	Lonergan	Rose
Ashbrook	Fordney	Longworth	Rouse
Aswell	Foster	Luhring	Rubey
Ayres	Frear	McAndrews	Sabath
Babka	French	McArthur	Sanders, Ind.
Bacharach	Fuller, Ill.	McClintic	Sanders, La.
Baer	Gallagher	McCulloch	Sanders, N. Y.
Bankhead	Gallivan	McGlennon	Schall
Barbour	Gandy	McKenzie	Scott
Barkley	Ganly	McKeown	Sells
Begg	Gard	McKiniry	Siegel
Bell	Garland	McKinley	Sims
Benham	Godwin, N. C.	McLane	Sinclair
Benson	Goldfogle	McLaughlin, Mich.	Sinnott
Bland, Ind.	Goodwin, Ark.	McLaughlin, Nebr.	Slemp
Bland, Mo.	Goodykoontz	McPherson	Smith, Idaho
Blanton	Graham, Ill.	MacCrate	Smith, Ill.
Boies	Green, Iowa	MacGregor	Smith, Mich.
Bowers	Greene, Mass.	Madden	Smith, N. Y.
Brand	Griest	Maher	Steagall
Briggs	Griffin	Major	Stedman
Britten	Hadley	Mapes	Steenerson
Brooks, Ill.	Hamill	Mays	Stephens, Ohio
Brooks, Pa.	Hamilton	Mead	Stiness
Browne	Hardy, Colo.	Michener	Strong, Kans.
Brumbaugh	Harreld	Miller	Strong, Pa.
Burdick	Harrison	Milligan	Summers, Wash.
Burke	Haugen	Minahan, N. J.	Sweet
Byrns, Tenn.	Hawley	Monahan, Wis.	Swope
Caldwell	Hays	Mondell	Tague
Campbell, Kans.	Hersey	Mooney	Taylor, Ark.
Candler	Hickey	Moore, Ohio	Taylor, Colo.
Caraway	Hill	Morgan	Taylor, Tenn.
Carew	Hoch	Morin	Thomas
Carss	Hoey	Mott	Thompson
Casey	Howard	Mudd	Timberlake
Chindblom	Huddleston	Murphy	Tincher
Christopherson	Hudspeth	Neely	Towner
Clark, Mo.	Hull, Iowa	Nelson, Mo.	Upshaw
Classon	Hull, Tenn.	Nelson, Wis.	Vaile
Cooper	Hutchinson	Newton, Mo.	Vare
Copley	Igoe	Nolan	Vestal
Cramton	Ireland	O'Connell	Vinson
Crisp	Jacoway	O'Connor	Voigt
Crowther	James	Ogden	Volstead
Cullen	Jefferis	Oldfield	Walters
Currie, Mich.	Johnson, Ky.	Olney	Watkins
Darrow	Johnson, S. Dak.	Osborne	Watson
Davey	Johnson, Wash.	Paige	Weaver
Davis, Minn.	Jones, Pa.	Phelan	Webster
Davis, Tenn.	Juul	Porter	Welling
Dempsey	Kearns	Pou	Welty
Denison	Keller	Purnell	Wheeler
Dickinson, Mo.	Kelley, Mich.	Quin	White, Kans.
Dickinson, Iowa	Kelly, Pa.	Radcliffe	White, Me.
Donovan	Kennedy, R. I.	Rainey, Ala.	Williams
Dooling	Kiess	Rainey, H. T.	Wilson, Ill.
Doughton	Kincheloe	Rainey, J. W.	Wilson, La.
Dowell	King	Raker	Wilson, Pa.
Dunbar	Kinkaid	Ramseyer	Wingo
Dunn	Kleczka	Randall, Calif.	Wise
Dyer	Knutson	Randall, Wis.	Wood, Ind.
Eagan	Kraus	Reavis	Woodyard
Echols	Kreider	Reber	Wright
Elliott	Lampert	Reed, N. Y.	Yates
Emerson	Langley	Reed, W. Va.	Zihlman
Esch	Larsen	Ricketts	
Evans, Mont.	Layton	Riddick	
Evans, Nebr.	Lazaro	Riordan	

NAYS—92.

Ackerman	Cannon	Dupré	Hardy, Tex.
Bee	Coady	Eagle	Hersman
Black	Collier	Fess	Hicks
Blackmon	Connally	Flood	Holland
Bland, Va.	Crago	Freeman	Humphreys
Box	Dallinger	Fuller, Mass.	Husted
Buchanan	Dent	Garner	Johnson, Miss.
Burroughs	Dewalt	Garrett	Johnston, N. Y.
Butler	Dominick	Glynn	Jones, Tex.
Byrnes, S. C.	Doremus	Good	Kahn
Campbell, Pa.	Drewry	Greene, Vt.	Lanham
Lea, Calif.	Moon	Ramsey	Temple
Lehlbach	Moore, Va.	Rayburn	Tilson
Luce	Moores, Ind.	Rogers	Tinkham
Lufkin	Newton, Minn.	Rowe	Treadway
McDuffie	Oliver	Sanford	Venable
McFadden	Overstreet	Sisson	Walsh
Magee	Padgett	Snell	Ward
Mann, Ill.	Parker	Steele	Wason
Mann, S. C.	Parrish	Stephens, Miss.	Whaley
Martin	Pell	Stevenson	Winslow
Merritt	Peters	Stoll	Woods, Va.
Montague	Platt	Sumners, Tex.	Young, Tex.

NOT VOTING—46.

Booher	Ellsworth	Kendall	Scully
Brinson	Elston	Kennedy, Iowa	Sears
Cantrill	Evans, Nev.	Kettner	Sherwood
Carter	Goodall	Kitchin	Shreve
Clark, Fla.	Gould	Lankford	Small
Cleary	Graham, Pa.	Mansfield	Smithwick
Cole	Hastings	Mason	Snyder
Costello	Hayden	Nicholls	Sullivan
Curry, Calif.	Heflin	Park	Tillman
Dale	Hernandez	Rhodes	Young, N. Dak.
Drane	Houghton	Rowan	
Edmonds	Hulings	Rucker	

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The Clerk announced the following additional pairs:

On this vote:

Mr. KENDALL and Mr. HULINGS (for) with Mr. GRAHAM of Pennsylvania (against).

Mr. RHODES and Mr. TILLMAN (for) with Mr. GOULD (against).

Mr. DALE and Mr. CURRY of California (for) with Mr. KITCHIN (against).

Mr. DRANE and Mr. YOUNG of North Dakota (for) with Mr. EDMONDS (against).

Mr. BRINSON and Mr. EVANS of Nevada (for) with Mr. HOUGHTON (against).

Mr. SHREVE and Mr. SHERWOOD (for) with Mr. GOODALL (against).

Mr. HAYDEN and Mr. SCULLY (for) with Mr. ROWAN (against).

Mr. DYER. Mr. Speaker, my colleague Mr. RHODES is absent on official business. If he were here, he would vote for this bill.

Mr. SNELL. Mr. Speaker, the gentleman from New York, Mr. GOULD, was called away on account of serious illness in his family. If he were here, he would vote against the bill.

Mr. ROUSE. Mr. Speaker, my colleague Mr. CANTRILL is away in Kentucky. He desires me to state that if he were here he would vote "aye."

The result of the vote was announced as above recorded.

Mr. GOLDFOGLE and Mr. BAER rose.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. GOLDFOGLE. Mr. Speaker, I was about to ask whether or not my colleague Mr. SULLIVAN had voted, but in the confusion that ensued I could not find out.

The SPEAKER. The gentleman did not vote.

Mr. GOLDFOGLE. I desire to say that he is necessarily detained, and that if he were here he would have voted "aye."

BRIDGE ACROSS RED RIVER OF THE NORTH, PEMBINA, N. DAK.

Mr. BAER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 4411, and ask that it be passed.

The SPEAKER. The gentleman from North Dakota asks unanimous consent to take from the Speaker's table——

Mr. GARD. What is it about?

Mr. BAER. A permit for a bridge.

The SPEAKER. The gentleman asks unanimous consent to take from the Speaker's table a bill, S. 4411, which the Clerk will report.

The Clerk read as follows:

A bill (S. 4411) granting the consent of Congress to the counties of Pembina, N. Dak., and Kittson, Minn., to construct a bridge across the Red River of the North at or near the city of Pembina, N. Dak.

The SPEAKER. Is there objection?

Mr. WALSH. I would like to have the bill reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 4411) granting the consent of Congress to the counties of Pembina, N. Dak., and Kittson, Minn., to construct a bridge across the Red River of the North at or near the city of Pembina, N. Dak.

Be it enacted, etc., That the consent of Congress is hereby granted to the counties of Pembina, N. Dak., and Kittson, Minn., to construct, maintain, and operate a bridge and approaches thereto across the Red River of the North at a point suitable to the interests of navigation at or near the city of Pembina, N. Dak., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. BAER. Mr. Speaker——

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SISSON. Mr. Speaker, reserving the right to object, let me ask my friend a question. I could not hear the reading of the bill. Is this bridge bill in the regular form? And has it been approved by the War Department?

Mr. BAER. Yes; and the bill has passed the Senate and has been reported out by the House Committee on Interstate and Foreign Commerce.

Mr. STEENERSON. Mr. Speaker, I wish to say that a part of this bridge is to be built in my district, and it is very urgent.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, is the bill on the House Calendar?

Mr. STEENERSON. Yes.

Mr. BAER. The bill is on the House Calendar.

Mr. GARD. When was it put there?

Mr. BAER. I made a motion day before yesterday to have it put on there. The material for this bridge—the steel and everything—is on the ground.

Mr. GARD. I am not objecting to the bill. I wanted to understand the parliamentary status, as to whether the gentleman is entitled to bring it up or not.

Mr. BAER. By unanimous consent I can bring it up. It is on the calendar.

The SPEAKER. The gentleman asks unanimous consent for the consideration of the bill S. 4411. Is there objection?

Mr. MANN of Illinois. Reserving the right to object—and I shall not object, of course—I would like to make a parliamentary inquiry.

The House having by rule adopted to-day set apart the next five days after this upon which motions to suspend the rules shall be in order, are not those five days Unanimous Consent Calendar days, and will not the regular order be the calling of the Unanimous Consent Calendar?

The SPEAKER. The Chair has not considered that question.

Mr. MANN of Illinois. The rule provides that on days when it shall be in order to suspend the rules the Speaker shall immediately after the approval of the Journal direct the Clerk to call the bills which have been for three days upon the Calendar for Unanimous Consent. Of course that does not interfere with conference reports, which are highly privileged under the rule. But is there any order of business which can take away the calling of the Unanimous Consent Calendar now except motions to suspend the rules? I will not ask the Chair to pass upon that question. I do not object.

The SPEAKER. The Chair will consider that.

Mr. MANN of Illinois. But that is the situation.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota [Mr. BAER]? [After a pause.] The Chair hears none. The Clerk will report the bill.

The bill was again reported.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. BAER, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

H. R. 10072. An act to provide for the punishment of officers of the United States courts wrongfully converting moneys coming into their possession, and for other purposes;

H. R. 12626. An act for the relief of certain persons to whom, or their predecessors, patents were issued to public lands along the Snake River in the State of Idaho under an erroneous survey made in 1883; and

H. R. 14100. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 3184. An act to create a Federal power commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes; and

H. R. 300. An act authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12775) to amend an act entitled "An act making further and more effectual provisions for the national defense and for other purposes," approved June 3, 1916.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2890) to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes.

The message also announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. J. Res. 336. Joint resolution authorizing the Secretary of War to loan to the Albert Sidney Johnston Camp, United Confederate Veterans, No. 1820, Fort Worth, Tex., 100 cots and blankets for the use of Confederate veterans at the reunion of said camp June 24 to 27, inclusive, 1920;

H. R. 1309. An act for the relief of Perry L. Haynes; and

H. R. 7158. An act to provide for the expenses of the government of the District of Columbia.

NATIONAL BUDGET SYSTEM—CONFERENCE REPORT.

Mr. GOOD. Mr. Speaker, I call up the conference report on the bill H. R. 9783, the budget bill.

The SPEAKER. The gentleman from Iowa calls up the conference report on the budget bill, which the Clerk will report.

The Clerk read as follows:

Conference report on the bill (H. R. 9783) to provide a national budget system and an independent audit of Government accounts, and for other purposes.

Mr. GOOD. Mr. Speaker, I ask that the report be read, as it is about the same length as the statement and will give the Members a better idea of what is in the agreement.

The SPEAKER. The Clerk will read the report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9783) to provide a national budget system and an independent audit of Government accounts, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"TITLE I.—DEFINITIONS.

"SECTION 1. This act may be cited as the 'budget and accounting act, 1920.'

"SEC. 2. When used in this act—

"The terms 'department and establishment' and 'department or establishment' mean any executive department, independent commission, board, bureau, office, agency, or other establishment of the Government, including the municipal government of the District of Columbia, but do not include the legislative branch of the Government or the Supreme Court of the United States;

"The term 'the budget' means the budget required by section 201 to be transmitted to Congress;

"The term 'bureau' means the bureau of the budget;

"The term 'director' means the director of the bureau of the budget; and

"The term 'assistant director' means the assistant director of the bureau of the budget.

"TITLE II.—THE BUDGET.

"SEC. 201. The President shall transmit to Congress on the first day of each regular session the budget, which shall set forth in summary and in detail:

"(a) Estimates of the expenditures and appropriations necessary in his judgment for the support of the Government for the ensuing fiscal year; except that the estimates for such year for the legislative branch of the Government and the Supreme Court of the United States shall be transmitted to the President on or before October 15 of each year, and shall be included by him in the budget without revision;

"(b) His estimates of the receipts of the Government during the ensuing fiscal year, under (1) laws existing at the time the budget is transmitted and also (2) under the revenue proposals, if any, contained in the budget;

"(c) The expenditures and receipts of the Government during the last completed fiscal year;

"(d) Estimates of the expenditures and receipts of the Government during the fiscal year in progress;

"(e) The amount of annual, permanent, or other appropriations, including balances of appropriations for prior fiscal years, available for expenditure during the fiscal year in progress, as of November 1 of such year;

"(f) Balanced statements of (1) the condition of the Treasury at the end of the last completed fiscal year, (2) the estimated condition of the Treasury at the end of the fiscal year in progress, and (3) the estimated condition of the Treasury at the end of the ensuing fiscal year if the financial proposals contained in the budget are adopted;

"(g) All essential facts regarding the bonded and other indebtedness of the Government; and

"(h) Such other financial statements and data as in his opinion are necessary or desirable in order to make known in all practicable detail the financial condition of the Government.

"SEC. 202. (a) If the estimated receipts for the ensuing fiscal year contained in the budget, on the basis of laws existing at the time the budget is transmitted, plus the estimated amounts in the Treasury at the close of the fiscal year in progress, available for expenditure in the ensuing fiscal year, are less than the estimated expenditures for the ensuing fiscal year contained in the budget, the President in the budget shall make recommendations to Congress for new taxes, loans, or other appropriate action to meet the deficiency.

"(b) If the aggregate of such estimated receipts and such estimated amounts in the Treasury is greater than such estimated expenditures for the ensuing fiscal year, he shall make such recommendations as in his opinion the public interests require.

"SEC. 203. (a) The President from time to time may transmit to Congress supplemental or deficiency estimates for such appropriations or expenditures as in his judgment (1) are necessary on account of laws enacted after the transmission of the budget, or (2) are otherwise in the public interest. He shall accompany such estimates with a statement of the reasons therefor, including the reasons for their omission from the budget.

"(b) Whenever they reach an aggregate which, if they had been contained in the budget, would have required the President to make a recommendation under subdivision (a) of section 202, he shall thereupon make such recommendation as he may deem necessary.

"SEC. 204. (a) Except as otherwise provided in this act, the contents, order, and arrangement of the estimates of appropriations, and the statements of expenditures and estimated expenditures contained in the budget or transmitted under section 203, and the notes and other data submitted therewith, shall conform to the requirements of existing law.

"(b) Estimates for lump-sum appropriations contained in the budget or transmitted under section 203 shall be accompanied by statements showing, in such detail and form as may be necessary to inform Congress, the manner of expenditure of such appropriations and of the corresponding appropriations for the fiscal year in progress and the last completed fiscal year. Such statements shall be in lieu of statements of like character now required by law.

"SEC. 205. The President, in addition to the budget, shall transmit to Congress on the first Monday in December, 1921, for the service of the fiscal year ending June 30, 1923, only, an alternative budget, which shall be prepared in such form and amounts and according to such system of classification and itemization as is, in his opinion, most appropriate, with such explanatory notes and tables as may be necessary to show where the various items embraced in the budget are contained in such alternative budget.

"SEC. 206. No estimate or request for an appropriation, and no request for an increase in an item of any such estimate or request, and no recommendation as to how the revenue needs of the Government should be met, shall be submitted to Congress or any committee thereof by any officer or employee of any department or establishment, unless at the request of either House of Congress.

"SEC. 207. There is created a bureau to be known as the bureau of the budget. There shall be in the bureau a director and an assistant director. The Secretary of the Treasury shall be the director, and the assistant director shall be appointed by the President. The assistant director shall receive an annual salary of $10,000 and shall perform such duties as the President may designate. During the absence or incapacity of the director or during a vacancy in the office of director, the President shall designate the Acting Secretary of the Treasury or the assistant director to act as director. The bureau, as may be directed by the President, shall prepare for him the budget, the alternative budget, and any supplemental or deficiency estimates, and to this end shall have authority to assemble, correlate, revise, reduce, or increase the estimates of the several departments or establishments.

"SEC. 208. (a) The director or assistant director, as may be determined by the President, shall appoint and fix the compensation of such attorneys and other employees and make such expenditures for rent in the District of Columbia, printing, binding, telegrams, telephone service, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, and necessary expenses of the office as Congress may from time to time provide.

"(b) No person appointed by the director or assistant director shall be paid a salary at a rate in excess of $5,000 a year, and not more than four persons so appointed shall be paid a salary at the rate of $5,000 a year.

"(c) All employees in the bureau whose compensation is at a rate less than $5,000 a year shall be appointed in accordance with the civil service laws and regulations.

"(d) The provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years shall not apply during the fiscal year ending June 30, 1921, to the transfer of employees to the bureau.

"SEC. 209. The Bureau shall make a detailed study of the departments and establishments for the purpose of enabling the President to determine what changes (with a view of securing greater economy and efficiency in the conduct of the public service) should be made in (1) the existing organization, activities, and methods of business of such departments or establishments, (2) the appropriations therefor, (3) the assignment of particular activities to particular services, or (4) the regrouping of services. The results of such study shall be embodied in a report or reports to the President, who may transmit to Congress such report or reports, or any part thereof, with his recommendations on the matters covered thereby.

"SEC. 210. The bureau shall prepare for the President a codification of all laws or parts of laws relating to the preparation and transmission to Congress of receipts and expenditures of the Government and of estimates of appropriations. The President shall transmit the same to Congress on or before January 1, 1922, with a recommendation as to the changes which, in his opinion, should be made in such laws or parts of laws.

"SEC. 211. The powers and duties relating to the compiling of estimates, now conferred and imposed upon the Division of Bookkeeping and Warrants of the Office of the Secretary of the Treasury, are transferred to the bureau. The Secretary of the Treasury may transfer to the bureau, at the rate of compensation received by them when this act takes effect, any officers or employees of such division who, in his opinion, are essential to the work of the bureau. The positions thus vacated shall not be filled and the appropriations therefor for the fiscal year ending June 30, 1921, shall lapse.

"SEC. 212. The bureau shall, at the request of any committee of either House of Congress having jurisdiction over revenue or appropriations, furnish the committee such aid and information as it may request.

"SEC. 213. Under such regulations as the President may prescribe, (1) every department and establishment shall furnish to the bureau such information as the bureau may from time to time require, and (2) the director and the assistant director, or any employee of the bureau when duly authorized, shall, for the purpose of securing such information, have access to, and the right to examine any books, documents, papers, or records of any such department or establishment.

"SEC. 214. (a) The head of each department and establishment shall designate an official thereof as budget officer therefor, who, in each year under his direction and on or before a date fixed by him, shall prepare the departmental estimates.

"(b) Such budget officer shall also prepare, under the direction of the head of the department or establishment, such supplemental and deficiency estimates as may be required for its work.

"SEC. 215. The head of each department and establishment shall revise the departmental estimates and submit them to the bureau on or before September 15 of each year. In case of his failure so to do the President shall cause to be prepared such estimates and data as are necessary to enable him to include, in the budget, estimates and statements in respect to the work of such department or establishment.

"SEC. 216. The departmental estimates and any supplemental or deficiency estimates submitted to the bureau by the head of

any department or establishment, shall be prepared and submitted in such form, manner, and detail as the President may prescribe.

"SEC. 217. For expenses of the establishment and maintenance of the bureau there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $225,000, to continue available during the fiscal year ending June 30, 1921.

"TITLE III.—GENERAL ACCOUNTING OFFICE.

"SEC. 301. There is created an establishment of the Government to be known as the general accounting office, which shall be independent of the executive departments and under the control and direction of the comptroller general of the United States. The offices of Comptroller of the Treasury and Assistant Comptroller of the Treasury are abolished, to take effect July 1, 1920. All other officers and employees of the office of the Comptroller of the Treasury shall become officers and employees in the general accounting office at their grades and salaries on July 1, 1920, and all books, records, documents, papers, furniture, office equipment, and other property of the office of the Comptroller of the Treasury shall become the property of the general accounting office. The comptroller general is authorized to adopt a seal for the general accounting office.

"SEC. 302. There shall be in the general accounting office a comptroller general of the United States and an assistant comptroller general of the United States, who shall be appointed by the President, with the advice and consent of the Senate, and shall receive salaries of $10,000 and $7,500 a year, respectively. The assistant comptroller general shall perform such duties as may be assigned to him by the comptroller general, and during the absence or incapacity of the comptroller general or during a vacancy in that office shall act as comptroller general.

"SEC. 303. The comptroller general and the assistant comptroller general shall hold office during good behavior, but may be removed at any time by concurrent resolution of Congress, after notice and hearing, when, in their judgment, the comptroller general or assistant comptroller general is incapacitated or inefficient, or has been guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment. Any comptroller general or assistant comptroller general removed in the manner herein provided shall be ineligible for appointment to either of such offices. When a comptroller general or assistant comptroller general attains the age of 70 years he shall be retired from his office.

"SEC. 304. All powers and duties now conferred or imposed by law upon the Comptroller of the Treasury or the six auditors of the Treasury Department, and the duties of the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury relating to keeping the personal ledger accounts of disbursing and collecting officers, shall, so far as not inconsistent with this act, be vested in and imposed upon the general accounting office and be exercised without direction from any other officer. The balances certified by the comptroller general shall be final and conclusive upon the executive branch of the Government. The revision by the comptroller general of settlements made by the six auditors shall be discontinued, except as to settlements made before July 1, 1920.

"SEC. 305. Section 236 of the Revised Statutes is amended to read as follows:

"'SEC. 236. All claims and demands whatever by the United States or against them, and all accounts whatever in which the United States are concerned, either as debtors or creditors, shall be settled and adjusted in the general accounting office.'

"SEC. 306. All laws relating generally to the administration of the departments and establishments shall, so far as applicable, govern the general accounting office. Copies of any books, records, papers, or documents, and transcripts from the books and proceedings of the general accounting office, when certified under its seal, shall be admitted as evidence with the same effect as the copies and transcripts referred to in sections 882 and 886 of the Revised Statutes.

"SEC. 307. The comptroller general may provide for the payment of accounts or claims adjusted and settled in the general accounting office, through disbursing officers of the several departments and establishments, instead of by warrant.

"SEC. 308. The duties now appertaining to the Division of Public Moneys of the office of the Secretary of the Treasury so far as they relate to the covering of revenues and repayments into the Treasury, the issue of duplicate checks and warrants, and the certification of outstanding liabilities for payment, shall be performed by the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury.

"SEC. 309. The comptroller general shall prescribe the forms, systems, and procedure for administrative appropriation and fund accounting in the several departments and establishments, and for the administrative examination of fiscal officers' accounts and claims against the United States. He shall submit periodically to Congress reports upon the adequacy and effectiveness of the administrative examination of accounts and claims in the respective departments and establishments and upon the adequacy and effectiveness of departmental inspection of the offices and accounts of fiscal officers.

"SEC. 310. The offices of the six auditors shall be abolished, to take effect July 1, 1920, but the then incumbents of those offices shall be transferred, at their present salaries, to become officers of the general accounting office. All other officers and employees of these offices shall become officers and employees in the general accounting office at their grades and salaries on July 1, 1920. All books, records, documents, papers, furniture, office equipment, and other property of these offices, and of the Division of Bookkeeping and Warrants, so far as they relate to the work of such division transferred by section 304, shall become the property of the general accounting office. The general accounting office shall occupy temporarily the rooms now occupied by the office of the Comptroller of the Treasury and the six auditors.

"SEC. 311. (a) The comptroller general shall appoint, remove, and fix the compensation of such attorneys and other employees in the general accounting office as may from time to time be provided for by Congress.

"(b) All such appointments, except to positions carrying a salary at a rate of more than $5,000 a year, shall be made in accordance with the civil-service laws and regulations.

"(c) No person appointed by the comptroller general shall be paid a salary at a rate of more than $6,000 a year, and not more than four persons shall be paid a salary at a rate of more than $5,000 a year.

"(d) Until March 5, 1921, no person who at the time of the passage of this act holds office as one of the six auditors, and who in pursuance of section 310 is transferred to the general accounting office, shall be removed from office or have his compensation reduced, except for cause.

"(e) All officers and employees of the general accounting office, whether transferred thereto or appointed by the comptroller general, shall perform such duties as may be assigned to them by him.

"(f) All official acts performed by such officers or employees specially designated therefor by the comptroller general shall have the same force and effect as though performed by the comptroller general in person.

"(g) The comptroller general shall make such rules and regulations as may be necessary for carrying on the work of the general accounting office, including rules and regulations concerning the admission of attorneys to practice.

"SEC. 312. (a) The comptroller general shall investigate, at the seat of government or elsewhere, all matters relating to the receipt and disbursement of public funds and shall make to the President when requested by him, and to Congress at the beginning of each regular session, a report in writing of the work of the general accounting office, containing recommendations concerning the legislation he may deem necessary to facilitate the prompt and accurate rendition and settlement of accounts and concerning such other matters relating to the receipt and disbursement of public funds as he may think advisable. In such regular report, or in special reports at any time when Congress is in session, he shall make recommendations looking to greater economy or efficiency in public expenditures.

"(b) He shall make such investigations and reports as shall be ordered by either House of Congress or by any committee of either House having jurisdiction over revenue, appropriations, or expenditures. The comptroller general shall also, at the request of any such committee, direct assistants from his office to furnish the committee such aid and information as it may request.

"(c) The comptroller general shall specially report to Congress every expenditure or contract made by any department or establishment in any year in violation of law.

"SEC. 313. All departments and establishments shall furnish to the comptroller general such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the comptroller general, or any of his assistants or employees when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department or establishment. The authority contained in this section shall not be applicable to expenditures made under the provisions of section 291 of the Revised Statutes.

"SEC. 314. The Civil Service Commission shall establish an eligible register for accountants for the general accounting office, and the examinations of applicants for entrance upon such register shall be based upon questions approved by the comptroller general.

"SEC. 315. (a) All appropriations for the fiscal year ending June 30, 1921, for the offices of the Comptroller of the Treasury and the six auditors are transferred to and made available for the general accounting office.

"(b) During such fiscal year the comptroller general, within the limit of the total appropriations available for the general accounting office, may make such changes in the number and compensation of officers and employees appointed by him or transferred to the general accounting office under this act as may be necessary.

"(c) There shall also be transferred to the general accounting office such portions of the appropriations for rent and contingent and miscellaneous expenses, including allotments for printing and binding, made for the Treasury Department for the fiscal year ending June 30, 1921, as are equal to the amounts expended from similar appropriations during the fiscal year ending June 30, 1920, by the Treasury Department for the offices of the Comptroller of the Treasury and the six auditors.

"(d) During the fiscal year ending June 30, 1921, the appropriations and portions of appropriations referred to in this section shall be available for salaries and expenses of the general accounting office, including payment for rent in the District of Columbia, traveling expenses, the purchase and exchange of law books, books of reference, and for all necessary miscellaneous and contingent expenses.

"SEC. 316. The general accounting office shall not be construed to be a bureau or office created since January 1, 1916, so as to deprive employees therein of the additional compensation allowed civilian employees under the provisions of section 6 of the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1921, if otherwise entitled thereto.

"SEC. 317. The provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years, shall not apply during the fiscal year ending June 30, 1921, to the transfer of employees to the general accounting office.

"SEC. 318. This act shall take effect July 1, 1920, but appointments to offices herein created may be made prior to that date, to take effect July 1, 1920."

And the Senate agree to the same.

JAMES W. GOOD,
P. P. CAMPBELL,
MARTIN B. MADDEN,
JOSEPH W. BYRNS,
JNO. N. GARNER,
Managers on the part of the House.

MEDILL MCCORMICK,
REED SMOOT,
HENRY W. KEYES,
F. M. SIMMONS,
ANDRIEUS A. JONES,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9783) to provide a national budget system and independent audit of Government accounts, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

The more important features of the bill, as agreed upon in conference, compared with the bill as passed by the House and as passed by the Senate, are as follows:

THE BUDGET.

It provides in section 201 that the President shall transmit the budget to Congress on the first day of each regular session and specifically defines and enumerates the contents of the budget. This enumeration of contents is in lieu of similar mandatory requirements, stated in more general terms in the House bill, and is more explicit than the requirements contained in the Senate bill.

It provides in section 202 that the President shall recommend to Congress new taxes, loans, or other appropriate action to meet the deficiency, if the budget shows a deficit, or, if it shows a surplus, he is required to make such recommendation as he believes the public interests require. This section is in lieu of corresponding matter contained in each bill but is more specific and definite than the corresponding matter in either of them.

It provides in section 203 that the President may transmit to Congress supplemental or deficiency estimates. This section is in practically the same terms as corresponding matter in both bills. A new paragraph, not in either bill, has been added to section 203, to the effect that if the aggregate or the supplemental or deficiency estimates at any time indicates a deficit, where none was shown in the budget, or increases the deficit shown by the budget, that the President shall make a recommendation to Congress for new loans, taxes, or other action to care for the estimated deficit or the estimated increase in the deficit.

It provides in section 204 that the contents, order, and arrangement of the estimates of appropriations and statements of expenditures and estimated expenditures and the data submitted therewith in the budget shall follow the requirements of existing law. This is in lieu of a similar requirement in the House bill. The Senate bill provided that the Secretary of the Treasury should by regulation prescribe a uniform method of preparing and submitting estimates of appropriations. This authority in the Senate bill superseded the principal existing statutes governing the contents, order, and arrangement of the Book of Estimates.

A new paragraph, not contained in either bill, provides that the present detailed notes of the manner of expenditure of estimates of lump-sum appropriations shall be superseded by similar notes of a more general and informatory character. The new paragraph also requires the information in these notes to be furnished for the fiscal year in progress as well as for the ensuing fiscal year and the last completed fiscal year.

It provides in section 205 that the President shall transmit to Congress on the first Monday in December, 1921, and for the service of the fiscal year ending June 30, 1923, only, an alternative budget prepared in such form and amounts and according to such system of classification and itemization as he may deem most appropriate. This section is in lieu of a similar requirement in the House bill, except that in that bill the alternative budget was required to be transmitted for the fiscal year 1922, only, and in the same amounts as the regular budget. The Senate bill did not provide for an alternative budget.

It provides in section 206 that no estimate or request for an appropriation and no request for an increase in any item of any such estimate or request, and no recommendation as to how the revenue needs of the Government should be met, shall be submitted to Congress or any committee thereof by any person in the executive branch of the Government except the President, unless upon the request of either House. This section is in lieu of a similar section in the House bill and a similar section in the Senate bill, except that the Senate bill provided that estimates of appropriations or recommendation for raising revenue could be submitted to Congress by any official or employee in the executive branch of the Government, upon request of any committee of either House having jurisdiction over appropriations or revenues.

It provides in section 207 for a bureau of the budget directly under the control of the President of the United States. The Secretary of the Treasury is made the director of the bureau. An assistant director is provided, to be appointed by the President, at a salary of $10,000 a year, and to perform such duties as the President may designate. This part of the section conforms to corresponding matter in the House bill, except that the Secretary of the Treasury is made the director. The Senate bill established a bureau of the budget in the Treasury Department with a commissioner at $10,000 a year and two assistant commissioners at $7,500 each per year, all to be appointed by the President, with the advice and consent of the Senate, and for fixed terms of office.

It further provides in section 207 that the bureau, as may be directed by the President, shall prepare for him the budget, the alternative budget, and any supplemental or deficiency estimates, and to this end shall have authority to reduce, revise, and so forth, the estimates of the various governmental agencies. This section conforms to corresponding matter more generally stated in the House bill. The Senate bill required the budget to be arranged and compiled in the budget bureau in the Treasury Department, submitted to and revised by the Secretary of the Treasury, and by him submitted to the President for final revision before its transmission to Congress by the President.

It provides in section 208 for the appointment of employees of the bureau and for its expenses. The details of the section do not differ very materially from the details of corresponding portions of the House and Senate bills, except that employees in the bureau are to be appointed by the director or assistant director, as the President may determine, instead of by the commissioner of the budget bureau as provided in the Senate bill, and instead of by the director of the bureau of the budget,

with the approval of the President, as provided in the House bill. A new paragraph, not in either bill, provides that employees of other executive departments or independent establishments may be transferred during the fiscal year 1921 to the bureau notwithstanding the provision of existing law prohibiting such transfers until after three years of service in the department or establishment from which the transfer is proposed to be made.

It provides in section 209 that the bureau shall make a detailed study of the departments and establishments to enable the President to recommend to Congress what changes he believes should be made in the methods of business and organization of the executive branch in order to secure greater economy and efficiency in the public service. This authority in the House bill was covered in the general powers given the President to prepare the budget. The Senate bill imposed this character of duty upon the budget bureau in the Treasury Department, and required it to include the results of such study in the budget for the consideration of the Secretary of the Treasury and for recommendation thereon by him to the President.

It provides in section 210 that the bureau shall prepare for the President a codification of the laws relating to the preparation and transmission to Congress of estimates of appropriations and statements of receipts and expenditures, in order that he may recommend to Congress the changes he believes should be made in such laws. This section is similar to corresponding matter in both bills, except that the codification required by the Senate bill applied only to laws relating to expenditures.

It provides in section 211 for transferring from the Division of Bookkeeping and Warrants of the Treasury Department to the bureau of the budget the duty of compiling estimates of appropriations and makes provision for the transfer of the employees engaged on that work. This provision was not incorporated in the House bill. The Senate bill provided for the transfer of those duties to the proposed budget bureau in the Treasury Department.

It provides in section 212 that the bureau shall, at the request of any committee of either House of Congress having jurisdiction over appropriations or revenue, furnish the committee such aid and information as it may request. This requirement was not specifically contained in the House bill. The corresponding requirement in the Senate bill did not limit the request to committees "having jurisdiction over appropriations or revenue."

It provides in section 213 that, under regulations prescribed by the President, all departments and establishments shall furnish the bureau such information as it may require, and authorizes the director and assistant director, or any employee, when duly authorized, to have access to the books and records of the departments and establishments for that purpose.

It provides in sections 214 and 215 for the preparation of the departmental estimates and their submission to the bureau of the budget on or before September 15 of each year. These sections, except for fixing a new date on or before which heads of departments must send in their estimates, are substantially a reenactment of the authority and duties existing under present laws. The House bill provides that such estimates should be submitted to the President on a date to be fixed by him instead of on or before October 15 of each year, as now required by law. The Senate bill provided that they should be submitted to the budget bureau in the Treasury Department on or before October 1 of each year; the budget bureau was required to send the budget to the Secretary of the Treasury on or before November 1 of each year; the Secretary of the Treasury was required to submit it to the President on or before November 20 of each year; and the President was required to submit it to Congress on or before December 10 of each year.

It provides in section 216 that the departmental estimates, including supplemental and deficiency estimates, shall be prepared in such form, manner, and detail as the President may prescribe. The House bill did not contain a corresponding section. The Senate bill gave similar authority to the Secretary of the Treasury.

It provides in section 217 for an appropriation of $225,000 for the fiscal year 1921 for the establishment and maintenance of the bureau as provided for by the Senate bill.

GENERAL ACCOUNTING OFFICE.

It provides in section 301 for the general accounting office, as designated by the Senate bill, instead of the accounting department, as designated by the House bill. The general accounting office is to be an establishment of the Government independent of the executive departments. The offices of Comptroller of the Treasury and Assistant Comptroller are abolished and all other officers and employees of the office of the Comptroller of the Treasury and the records and property of that office are transferred to the general accounting office. This section is practically identical with similar sections in both the Senate and House bills.

It provides in section 302 for the creation of the office of comptroller general and assistant comptroller general at salaries of $10,000 and $7,500 a year, respectively. This section is practically identical with similar matter in the House bill and differs from the Senate bill, which provided for a comptroller general at $10,000 and three assistant comptrollers general, two at $7,500 each and one at $5,000. Section 302 also provides that the assistant comptroller general shall perform such duties as may be assigned by the comptroller general, which corresponds to a similar provision in the House bill. The Senate bill prescribed specifically and in detail the duties which should be performed by each of the three assistant comptrollers general.

It provides in section 303 that the comptroller general and assistant comptroller general shall hold office during good behavior, but may be removed at any time by concurrent resolution of Congress for the causes enumerated in the House bill. Section 303 further provides that whenever either of them attains the age of 70 years he shall be retired from his office. This section practically is identical with similar matter in the House bill. The Senate bill provided a term of office of five years for the comptroller general and the assistant comptrollers general, with the provision that they should be removed only for cause.

It provides, in section 304, for the transfer to the general accounting office of the powers and duties now conferred or imposed by law on the Comptroller of the Treasury, the six auditors of the Treasury Department, and the duties of the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury relating to the keeping of personal ledger accounts of disbursing and collecting officers. Section 304 also provides that the balances certified by the comptroller general shall be conclusive upon the executive branch, and the revision by him of settlements made by the six auditors shall be continued, except as to settlements made before this act takes effect. This section is practically identical with a similar section in the House bill, with the exception of the transfer of the duties of the Division of Bookkeeping and Warrants just referred to.

It provides, in section 305, for the settlement and adjustment of all claims and demands by the United States or against them, and all accounts in which the United States are concerned, in the general accounting office instead of in the Treasury Department. This section is identical with a similar provision in the House bill but was not contained in the Senate bill.

It provides, in section 306, that all laws relating generally to the administration of the departments and establishments so far as applicable shall govern the general accounting office and that copies of records, and so forth, of the accounting office when certified under its seal shall be admitted as evidence. This section was not contained in either the House or Senate bill.

It provides, in section 307, that the comptroller general may provide for the payment of accounts or claims settled in the general accounting office through disbursing officers of the departments or establishments instead of by warrant. This section was not contained in either the House or Senate bill.

It provides, in section 308, that the duties of the Division of Public Moneys of the Treasury Department, so far as they relate to the covering of revenues and repayments into the Treasury, the issue of duplicate checks and warrants, and certification of outstanding liabilities for payment, shall be performed by the Division of Bookkeeping and Warrants of the Treasury Department. This section was not contained in the House bill. The duties enumerated in section 308 were proposed by the Senate bill to be transferred to the general accounting office.

It provides in section 309 that the comptroller general shall prescribe the forms and procedure for accounting in the departments and establishments and for the administrative examination of accounts and claims, and that he shall submit to Congress reports upon the effectiveness of the administrative examination of accounts and claims and upon the effectiveness of departmental inspection of the accounts of fiscal officers. This section was contained substantially in this form in the Senate bill and was not in the House bill.

It provides in section 310 for the abolishment of the offices of the six auditors of the Treasury Department and the transfer of those officers and their employees and records and other property to the general accounting office. This portion of the

section is identical with a similar section in both bills. Section 310 also provides for the transfer of employees and records of the division of bookkeeping and warrants in so far as they relate to the duties of that division which are transferred to the comptroller's office. This matter was contained in the Senate bill but not in the House bill.

It provides in section 311 for the appointment of employees by the comptroller general in practically the same manner as was provided in both bills. Section 311 further provides that all officers and employees in the accounting office shall perform such duties as may be prescribed by the comptroller general. It also provides that all official acts performed by such officers or employees specially designated therefor by the comptroller general shall have the same force as though he personally had performed such duties. This latter matter was not contained in the House or Senate bills. This section also provides that the comptroller general may make rules and regulations for carrying on the work of his office, including the admission of attorneys to practice. This matter was contained in both bills, with the exception of the part relating to the admission of attorneys to practice.

It provides in section 312 that the comptroller general shall investigate all matters relating to the receipt and disbursement of public funds and shall make to the President when requested by him and to Congress at the beginning of each regular session a report on the work of his office, containing recommendations for legislation to facilitate the settlement of accounts and other matters relating to the handling of public funds. He is also required in his regular report, or by special reports when Congress is in session, to make recommendations looking to greater economy or efficiency in public expenditures. He is also required to make investigations and reports ordered by either House of Congress or any committee of either House having jurisdiction over revenue, appropriations, or expenditures. This section is practically identical with similar sections in the House and Senate bills, with the exception that the House bill did not require him to make a report to the President and the Senate bill required him to make a report to the President on or before October 15 of each year.

It provides in section 313 that all departments and establishments shall furnish to the comptroller general such information regarding their duties, financial transactions, methods of business, and so forth, as he may require, and authorizes him or any of his assistants when authorized by him to have access to the records of departments or establishments for that purpose. The authority of the section is not applicable to the expenditures made under the emergency fund for the Diplomatic and Consular Service. This section is identical with a similar section of the Senate and House bills.

It provides in section 314 that the Civil Service Commission shall establish a civil-service register for accountants for the general accounting office and that examinations for such register shall be based upon questions approved by the comptroller general. This section is identical with similar sections in the House and Senate bills.

It provides in section 315 for the transfer of the appropriations for the fiscal year 1921 for the offices of the Comptroller of the Treasury Department and the six auditors and makes them available for the general accounting office, and it also authorizes the comptroller general within such appropriations to make such changes in the number and compensation of officers or employees as may be necessary. This section was not contained in either bill. The Senate bill carried an appropriation of $150,000 for the general accounting office.

It provides in section 316 that the general accounting office shall not be considered as an office created since January 1, 1916, so as to deprive employees of that office of the additional compensation allowed by section 6 of the legislative act for the fiscal year 1921, if the employees are otherwise entitled to receive it. This section was not contained in either bill.

It provides in section 317 that employees of other executive departments or independent establishments may be transferred during the fiscal year 1921 to the general accounting office notwithstanding the provision of existing law prohibiting such transfers until after service of three years in the department from which the transfer is proposed to be made. This section was not contained in either bill.

It provides in section 318 that the act shall take effect July 1, 1920, but that appointments to the offices created in the act may be made prior to that date to take effect on July 1, 1920.

The bill as agreed upon does not contain four of the principal features of the Senate bill. The first provided for the establishment of a board of appeals in the general accounting office. The second provided for the transfer to the jurisdiction of Congress of the Bureau of Efficiency. The third provided for the transfer to the general accounting office of all of the duties of the Division of Bookkeeping and Warrants of the Treasury Department, except those duties relating to the compilation of estimates of appropriations. The fourth provided for the transfer to the accounting office of the duties of the Division of Public Moneys of the Treasury Department in so far as they relate to the covering of revenues and repayments into the Treasury, the issue of duplicate checks and warrants, and the certification of outstanding liabilities for payment.

JAMES W. GOOD,
P. P. CAMPBELL,
MARTIN B. MADDEN,
JOSEPH W. BYRNS,
JNO. N. GARNER,
Managers on the part of the House.

Mr. GOOD. Mr. Speaker, at this late hour I shall not long detain the House explaining the conference report. This is a unanimous report, and in submitting it the managers on the part of the House believe that they have provided in it a budget system that will not only meet the demands of the public but that will be found to be a workable law that will result in great economy. All of us realize, and for a long time have realized, the defects in the present law. We believe that these defects have been cured by this measure. We believe that we have in this report not only built upon the experience of other governments but have profited by our own experience.

The bill is a combination of the measure that passed the House last October and the Senate bill. In principle, however, it maintains the provisions of the House bill.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Certainly.

Mr. GARNER. I am very glad that the gentleman from Iowa made that statement, since I see that a Member of another body has said that in all essentials it is the Senate bill. I want to agree here with the gentleman from Iowa that the essential provisions of this conference report embody the House provisions of the bill, regardless of what the statement may have been by some one else to the contrary.

May I ask the gentleman, while I am on my feet, so that I may not interrupt him again, whether, if this conference report is agreed to, it will be complete in all its details and arrangements and effectiveness unless we amend the rules of the House?

Mr. GOOD. I think, as a corollary to this measure, if we are to have real economy, if we are to appropriate with intelligence, we must have one policy as to appropriations and must maintain the budget in its form, at least, and to do that we must place the authority over appropriations in one committee and keep the budget in its entirety.

Now, what the gentleman from Texas has said with regard to the principles of the bill I agree with, and, after all, that is a naked statement, and only refutes the statement made in another body. Whether or not the bill as it is now reported is built on the principle found in the Senate bill or upon the principle laid down in the House bill will be determined not by what the gentleman from Texas may say, not by what I may say in that regard, or what somebody in another body may say, but upon a clear analysis of the provisions of the two bills.

Let us see what the chief underlying principles of the two bills are. The House bill provided that the budget should be the one submitted to the Congress by the President of the United States, and that he should have the machinery, if you please, to assist him in preparing that budget. That was the only budget referred to in the House bill. That budget would be the President's budget. The House bill gave him what was called a bureau of the budget of his own selection.

Now, the Senate bill was quite different from that. The Senate bill provided for the bureau of the budget, but it also provided that that bureau should be in the Treasury Department and that the budget bureau should be conducted by the Secretary of the Treasury; that the Secretary of the Treasury should go through the estimates of the various departments and independent establishments of the Government and revise them and correlate them or increase them, as he pleased, and on or before the 20th day of November of each year he should send his budget to the President. The President could then take it, revise it as he pleased, and on or before the 10th day of December should submit it to Congress with his revision.

The conferees' report starts with the proposition that at the beginning of each regular session of Congress the President shall submit to the Congress a budget, and then it provides that the budget shall be prepared, not by the Secretary of the Treasury but under the direction of the President of the United States. It creates the bureau of the budget, just as both House and Senate bills did. It provides that in the bureau of the budget, which is not located in the office of the Secretary of the Treasury, there shall be a director and an

assistant director. This report provides that the Secretary of the Treasury shall be the director of the bureau, and to that extent the House conferees yielded to the demand of the Senate.

It was strenuously urged that because of the intimate knowledge of the Secretary of the Treasury with regard to disbursements and receipts, the Secretary of the Treasury should be on the budget staff. The House committee felt that the House provisions were better in this regard, but in order to secure an agreement we saw no objection to placing the Secretary upon that bureau staff, so long as that bureau would perform only such work as the President directed and in the manner directed by the President. Even under the House bill the President could have appointed the Secretary of the Treasury to a position in the bureau of the budget.

Mr. MADDEN. And a provision of the bill as reported by the conferees directs the budget bureau to prepare the budget under the direction of the President?

Mr. GOOD. Yes; all the way through. We have been very careful to make the provision that the budget should be prepared as directed by the President, and that the bureau should act as directed by the President. It has no authority to act but in accordance with the President's will.

Mr. GARNER. We not only make the President responsible for the amount asked for to run the Government for the next fiscal year, but we give him the machinery by which he can ascertain any facts, regardless of the Secretary of the Treasury.

Mr. GOOD. Absolutely.

Mr. GARNER. Because we direct that he may take either the Secretary of the Treasury, who is director of the budget bureau, or he may take the assistant, and direct him to perform the duties of the budget bureau.

Mr. GOOD. Exactly. The gentleman is entirely right about that.

Mr. HAUGEN. Will the gentleman yield?

Mr. GOOD. I yield to the gentleman from Iowa.

Mr. HAUGEN. In what respect does it change the responsibility of the President from the present plan? The President has responsibility now, and the budget bureau now is the Cabinet.

First the estimates are prepared by the bureau chiefs, and then they go to the Secretary and are revised by him, and then go back to the bureaus, and from the bureaus back to the Secretary, and from the Secretary to the Cabinet, and from the Cabinet to the President; and the present budget bureau is now the Cabinet. In what respect do you change the responsibility of the President?

Mr. GARNER. Will the gentleman yield?

Mr. GOOD. Certainly.

Mr. GARNER. Under existing law the President of the United States has absolutely nothing to do with it, except as he may direct his Cabinet. The estimates are sent by the Cabinet officers to the Secretary of the Treasury, and from the Secretary of the Treasury to the Speaker of the House of Representatives, and transmitted to the various committees. Now, the President has absolutely no authority in the premises, and does not look over it, except as he may direct his Cabinet officers. Under this proposed arrangement we make him directly responsible. We make him send the budget to Congress.

Mr. HAUGEN. He has the responsibility under the Constitution. I do not know what the practice is.

Mr. GARNER. He has the responsibility now of directing his Cabinet; that is all.

Mr. GREEN of Iowa. He has the responsibility, if he will obey the law.

Mr. HAUGEN. If he will obey the law, and we know what the law is and what his responsibility is.

Mr. GOOD. There is no such law on the statute books. There is a provision on the statute books which provides that when the estimates of expenditures exceed the estimates of revenue, then, and then only, shall the President reduce estimates or suggest new taxes. Now, even under that provision President Taft found that he could not enforce that provision of the law. Why? No President has ever tried to enforce that provision of the law, because, although Congress has said he shall do so-and-so, Congress has never given him the machinery by which he can do it in an intelligent way. President Taft attempted in, I think it was, 1911 or 1912 to reduce the estimates. He found that the estimates of expenditures exceeded the estimates of revenue, and he made a horizontal cut of 10 per cent. That penalized the bureau that was honest, that made an honest estimate and estimated just what its requirements would be, and it did not take from the dishonest bureau enough of its estimate to bring about anything like a just and equitable arrangement, and so the whole thing was found to be unworkable and was cast into the discard. That was the nearest there ever was to an attempt to enforce the law.

Mr. HAUGEN. Will the gentleman yield?

Mr. GOOD. I yield for a question.

Mr. HAUGEN. Every department makes its estimates. Does the gentleman contend that the President is not responsible for the acts of the various members of his own family? The responsibility is upon the President and his own officers appointed by him. Each department submits its estimates. It is the duty of each department to submit the estimates, and the President is responsible for them. You add nothing and you detract nothing from the responsibility of the President.

Mr. GOOD. Oh, yes; we do.

Mr. HAUGEN. The whole thing is simply camouflage.

Mr. GOOD. The gentleman does not understand the English language if he does not see any difference between the provisions of the present law and the provisions found in this report. I believe the report is the greatest step forward we have taken for real economy in the United States in the last 50 years. I believe the report is founded upon principles that are absolutely correct and will meet the approval of 99 per cent of the taxpayers of the United States.

Mr. TINCHER. May I ask a question?

Mr. GOOD. I yield to the gentleman from Kansas.

Mr. TINCHER. If this becomes a law, with a President who is thoroughly familiar with budgets to enforce it, may we not look forward with some anticipation to improvements in our business conditions?

Mr. GOOD. I agree that, after all, no matter how perfect the law may be, it will not be self-executing. No matter how perfect we make the provisions of this law—and the committee reporting it believe it is a splendid piece of constructive legislation—no matter how perfect it may be if the President of the United States does not turn his attention, when he creates the bureau, to business considerations, there will be no substantial savings. If the President will not turn his attention to real economy; if he will not eliminate waste; if he shows no disposition to cut out the useless offices, to discontinue the unnecessary expenditures, then vain is any law we put on the statute books, so far as economy is concerned. Very much will depend on the enforcement of the law. Under the present law I do not care how economical the President may be, our laws are so archaic that the President, acting as he is compelled to act under the present statutes, can not enforce that degree of economy which the people of the United States have a right to expect.

Mr. BLANTON. Will the gentleman yield?

Mr. GOOD. I will yield to the gentleman.

Mr. BLANTON. If there has been a want of economy in the administration of affairs, the Government does not hold the President of the United States responsible.

Mr. GOOD. Not for everything.

Mr. BLANTON. Then they ought to stop cussing him.

Mr. GOOD. No matter how economical he may be, with these laws you can not enforce the degree of economy that the people of the United States are expecting.

Mr. MADDEN. Will the gentleman yield?

Mr. GOOD. I will.

Mr. MADDEN. If the President performs his full duty under the provisions of the law now before us, and in addition to that the controller general performs his duty, it will have a salutary effect upon the expenditures of the Government, will it not?

Mr. GOOD. There is no question about that.

Mr. MADDEN. The responsibility placed on the controller general under this law will enable him to ascertain the wisdom as well as the legality of the expenditures, and permit him from time to time to report to Congress as to what economies ought to be effected by the executive branch of the Government, and in that way attention will be called to the laxness, if laxness there be, on the part of the President to enforce economy.

Mr. GOOD. Yes.

Mr. TINCHER. Will the gentleman yield?

Mr. GOOD. I will.

Mr. TINCHER. Is not the only sensible way to get a President familiar with the budget law and the budget system to start with?

Mr. GOOD. We must have that, of course. I believe that both political parties in their conventions will give more attention to the selection of a business man than ever before, because we must have at the head of the Government, if we are to have real economy, a business man who will bring about real and genuine economy.

Mr. SABATH. I am wondering whom the gentleman has in mind when he says he must be familiar with the budget system?

Mr. GARD. Let me ask the gentleman, Is that a boom for Mr. Hoover?

Mr. GOOD. I do not care to go into personalities. I am not now thinking of individuals or parties. I believe that for the next 20 years the great question in the United States, the question that the people of the United States will be most interested in on election day, is going to be the question of domestic economy. [Applause.] We must have a man at the head of the Government, I do not care what his name is or to what political party he belongs, we must have a man with a high regard for the taxpayers of the United States and of the cost of living.

Mr. HAUGEN. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. HAUGEN. The gentleman has given this matter a good deal of thought; I would like to ask him this question: Wherever the budget system has been tried out, has it resulted in economy, or has it resulted in more waste and expenditure?

Mr. GOOD. Wherever a real budget system has been tried out, whether in the business of a man or in the business of a corporation or in the business of a State, it has resulted in real economy in every instance, and wherever a man or a corporation or a municipality or a State has not had a budget system or a business working plan that concern has been headed for bankruptcy.

Mr. HAUGEN. What has been the result in the State of Illinois, and in England and in Germany and wherever they have had a budget system?

Mr. GOOD. The State of Illinois has a budget system and a good one.

Mr. HAUGEN. How about the $30,000,000 increase?

Mr. GOOD. The gentleman will understand that in the State of Illinois by the adoption of a budget system they removed something like 127 high-priced commissions that were doing nothing but drawing fat salaries.

Mr. TOWNER. Will the gentleman yield?

Mr. GOOD. I will.

Mr. TOWNER. I want to ask the gentleman from Iowa this question. It is absolutely inevitable that these powers should be conferred upon the President. He is essentially the head of the administrative department, and the departments are required to report to him, and he must of necessity pass upon them in submitting them to Congress.

Mr. GOOD. There is no question about that. He is the only official whom all the people hold responsible for the economy in the expenditures of the Government of the United States.

Mr. KAHN. The gentleman has said, Why give this power to the President? There is no way of avoiding it. It is inevitable under our system.

Mr. GOOD. There is no question about that. What the committee desired to reach was a conclusion that would give the Government of the United States a system that is workable and that will bring about some economy. I think no one on the committee had any pride of opinion in regard to authorship. We called in men who had been writing books on the subject, men who had been administering large business concerns, State and municipal affairs. We asked their opinion, drawn from the experience of the wisest and best of men, men with the widest experience, men who have studied the question of the budget. We may be mistaken in our conclusions, but I do not believe we are. I think the system we are reporting here is a system that is based on the experience of men who have made a success in their private affairs.

It is the result of the experience of successful administrators of the law. We went further. We provided for that system of checks and balances which ought to exist in every well-regulated budget plan. The President originates the budget and he transmits it to Congress. It is up to Congress to determine whether it will accept the estimates, whether it will modify them, reduce them, or enlarge them. Congress must then assume full responsibility for its acts, just as the President assumes responsibility for his when he makes the budget. After the bill has passed, then, under the execution of the law, we provide for that independent establishment in the general accounting office, an office that will be to the appropriations made by Congress what the Supreme Court is to the construction of laws that are enacted by Congress. The opinion of the men who are working in that accounting office is that by creating that independent establishment we will save the first year over $600,000 of the $3,000,000 now appropriated for general accounting purposes.

We create this independent establishment, answerable to Congress, an establishment that has clerks and accountants, who will go through every department of the Government. When they find waste and inefficiency, when they find duplication in the service, they will come to the committee of Congress that has jurisdiction of appropriations and report that fact. That fact will also be communicated to the President of the United States. With that system of checks and balances it is believed this great overlapping of activities, this duplication that exists in every department of the Government, will cease, and that the Government of the United States will be placed upon a business basis, and that we will then administer the greatest business in all the world, the business of the United States, upon the same principles that govern the business men in the conduct of their affairs. That is the kind of system that we have tried to work out and which we believe is embodied in this bill. [Applause.]

I yield half a minute to the gentleman from Virginia [Mr. SLEMP].

Mr. SLEMP. Mr. Speaker, I ask unanimous consent to insert in the RECORD a statement on the finances of the Government that I have prepared.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, does this involve the bonus legislation?

Mr. SLEMP. It does not.

The SPEAKER. Is there objection?

There was no objection.

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. HAUGEN].

Mr. HAUGEN. Mr. Speaker, I asked the gentleman from Iowa [Mr. GOOD] about results obtained under the budget system. We have been told that in Illinois the budget system has resulted in the cutting off of a number of salaries. That may be true, but my information is that it also added $20,000,000 to the burden of the taxpayers.

I rose more particularly to refer to H. Res. 341, to provide changes in the rules of the House in connection with the establishment of a national budget, which proposes to vest entire authority to appropriate in the Committee on Appropriations, and which resolution the gentleman states is to be taken up immediately after the conference report on the budget bill has been disposed of. England has tried the budget system with practically one committee. The Kaiser tried it. He had his one committee. Later he had more. The expenditures there were more closely guarded than is suggested in the resolution to follow. I simply rise to call attention to what it has cost England. Everybody knows that England is on the verge of bankruptcy. She is staggering under the deathblow of her infamous budget system, or, more properly stated, under the autocratic power vested in one committee. She is now turning heaven and earth to do what? To get away from this one-committee system, and the suggestion now is that she should have one appropriating committee for every one of her 13 departments.

If I had the time I would read from the reports. A committee was appointed in England to investigate the matter, and as I have stated, she is now trying to get away from that vicious system. It is a system that has bankrupted England and that is keeping her down to-day. We sent over 4,000,000 men into the recent war and lost 100,000 men in stamping out autocracy in Germany. As has been stated here to-day, we have an indebtedness of $25,000,000,000. Fifty billion dollars have been expended in stamping out autocracy in Germany. And now, before peace has been declared, it is proposed to adopt the system of those bankrupt nations.

Mr. LAZARO. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. LAZARO. Does not the gentleman think that England is doing pretty well after having been through four years of war?

Mr. HAUGEN. There has been a great waste of expenditures in England. She is trying to adopt our system, the system that we have had for a number of years—of not one appropriating committee but several appropriating committees.

She is trying to copy after our system. She tried the budget system. It failed and it has bankrupted her. We have been successful under our system. We have been the most successful nation on earth. If the Congress, the head of a department, or the President is derelict in his duties, the remedy is at the polls. If we need business men with business training in Congress, if we need men with business training and experience in the department, that is the remedy, gentlemen. If Congress intends to acknowledge that it has been derelict in its duties, acknowledge that it is inefficient, of course it can adopt this autocratic system and thus shirk its duty. Are you going to practically give up the rights which you have under the Constitution? The Constitution provides that not one dollar shall be expended from the Treasury without authority of law. It

is proposed to practically surrender that authority to the President and a committee of 35 Members. The Constitution gives you and me the same right. Do you suggest that 435 Members shall surrender that authority to 35 Members? I believe that no Member on this floor has the right to surrender the duties which he has as a representative of the people. The rights of a Representative can not be surrendered without surrendering the rights of those whom he represents. If you are willing to throw it all in one pot——

The SPEAKER. The time of the gentleman has expired.

Mr. HAUGEN. I trust that I may have more time.

Mr. GOOD. I will give the gentleman one additional minute.

Mr. HAUGEN. What would be the results of the budget under your proposed change in the rules? If the budget should call for $4,000,000,000—one billion for loans to the railroads, one billion for validation of war contracts, fifty millions for the Department of Agriculture, and so on—and if it should be necessary to cut the budget one hundred million, which item would be the most likely to be cut? Search the record. If you judge by the past, the record tells the story. Where would the bonus bill be to-day if it had gone to that committee? To-day's record will tell that story. Bear in mind that under the rule no other committee can report a bill carrying one dollar of appropriation——

Mr. LONGWORTH. The gentleman refers to the bill just passed?

Mr. HAUGEN. I am speaking now of the proposed change in the rules to carry out the budget system.

With the exception of placing all authority to appropriate and pass upon appropriations in one instead of seven committees, no particular change from what we now have has been suggested except to infringe upon the rights of 400 Members. It adds nothing to nor detracts nothing from the responsibility of the Executive. It is now the function and duty of the Congress to scrutinize appropriations——

The SPEAKER. The time of the gentleman has again expired.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? [After a pause.] The Chair hears none.

Mr. HAUGEN. Under the leave granted to extend my remarks, I incorporate extracts from my remarks of October 18 on this subject, which have reference to the results of the autocratic budget systems of England and Germany:

"Sidney Webb, professor of public administration in the University of London, School of Economics and Political Science, in his reply to a question asked by the committees, favors not one committee—an autocratic power as suggested here—but states that for the purpose there should be appointed a standing committee for each of the 13 great divisions of government. So, according to the select committee and Dr. Webb, we should have not one committee, as suggested here, or eight appropriation committees, as we now have, but several committees, or one for each of the 10 departments. To that might be added others, as, for instance, one for the executive department, and so on. Undoubtedly a committee on appropriations for each department, as we now have on expenditures in each department, would result in a saving and great benefit. It goes without saying that committees having jurisdiction pertaining to the departments, committees drafting laws and who come in more frequent contact with the departments, have more intimate knowledge of their requirements than a committee giving all its time to appropriations. As to the advisability of one or more committees and as to the results of the budget system in Europe, I refer you to the ninth report from the select committee on national expenditures, together with the appendix, ordered by the House of Commons to be printed October 22, 1918. According to it, though wide difference of opinion exists in England as to whether committees should have jurisdiction over estimates and accounts, practically all agree that the present method for securing parliamentary control of expenditures is inadequate and favor the establishment of from 1 to 13 committees on expenditures.

"I have a copy of a publication entitled, 'The Nineteenth Century,' of August, 1917, in which Mr. J. A. R. Marriott refers to the vicious budget policy. On page 346 he quotes Sir Tudor Walters: 'Ministers must not imagine that they * * * are possessed of some divine and supreme power. * * * We want to restore to the House of Commons not merely the right to audit the expenses that are being incurred but to control the financial policy and expenditure of the country.' And states: 'Such language, reechoed from every quarter of the House, proceeding indifferently from conservative, radical, and labor members, possesses no inconsiderate significance.' On page 346 he quotes Mr. T. Gibson Bowles: 'A close study of British finance can not but conclude that the vast increase in our national expenditure does, on the whole, mainly arise from * * * a disregard of economies, a contempt for frugality, and a lavish, wasteful, wanton, and unnecessary expenditure all around.' Does that sound like economy? On 351 he states: 'Can it be hoped that we shall ever get back to sound methods of finance, or that we shall ever reestablish the effective control of the House of Commons over expenditure so long as financial responsibility is divorced from political power? There is, however, general agreement that unless we are to drift toward disaster that control must be reestablished.' He further states that the act of 1866, the budget policy, is a corner stone of the existing edifice. On 353 he states: 'Plainly the first step to be taken is to insure a real and not merely a formal examination of the estimates. But a real examination is not possible at the hands of the whole House, nor, indeed, at the hands of any smaller body—such as a select committee * * * the estimates should be closely scrutinized by a committee or by a series of committees—one for each class of votes—especially appointed for this purpose and charged to make a report to the House before the estimates are approved in committee of supply.' On 354: 'We want, therefore, not only an estimates committee but also a committee whose duty it shall be to examine the financial aspect of every bill which involves the expenditure of public money—a committee which shall have the power to examine ministers and permanent officials and shall make a detailed report to the House before it goes into committee on the bill. * * * Is it not demonstrably true that much of the waste of public money which we are deploring to-day is due to overhaste in legislation?' Is overhaste desired? If so, one committee. On 355 he states: 'The ancient machinery must be adapted to modern processes of production. Unless the adaptation is made, and made quickly, nothing but disaster can ensue.' And further quotes President Lowell, of Harvard, who, after referring to the 'growing practice of delegating legislative power,' adds: 'We hear much talk about the need for the devolution of the power of Parliament on subordinate representative bodies, but the tendency is not mainly in that direction. * * * The real delegation has been in favor of the administrative departments of the central Government, and this' (as Mr. Lowell justly observes) 'involves a striking departure from Anglo-Saxon traditions with a distinct approach to the practice of continental countries.'

"On 357 he states: 'Neither the existing House of Commons nor the more responsible organ of public opinion will allow matters to remain as they are. Nor is any time to be lost.' On 358: 'It is of supreme importance to them that their representatives in the House of Commons should, without delay, take the necessary steps for regaining that control over the spending departments of the Government which they have allowed to slip out of their fingers.' The article is signed by Mr. J. A. R. Marriott and is followed by a footnote, which reads as follows: 'Since this article went to press the Government have settled the terms of reference to the select committee which is to be set up immediately—the terms which follow closely the line in the above pages.'

"Here is what the press and some of England's most eminent people have to say about the inferior autocratic budget policy. I quote from the London Times, Friday, August 8, 1919:

"'ROAD TO RUIN—FINANCIAL PERIL ADMITTED—ECONOMY AND WORK THE ONLY HOPE—"DIRECT ACTION IS TREASON."

"'The House of Commons turned its attention to-day to the great and serious questions of the reestablishment of the authority and control of Parliament and the financial position of the Kingdom. Mr. Chamberlain insisted that the good will and active assistance of every class in the community were needed to save the situation. If we continued spending as we were spending now, and if we did not increase production beyond the rate at which we were producing now, the end would be national bankruptcy. He repeated that the Government as a whole were seized with the seriousness of the position and had set their minds to find a remedy. There was nothing in the situation, he added, that was beyond our control, if we tackled it as a nation with the same resolution, public spirit, and unity with which we had faced and overcome the difficulties of the war.'

"Gentlemen, there is your economy. There is the situation under a budget system. As before stated, under it, under the lump-sum appropriations, it is easier to get money out of the Public Treasury. If that is what is desired, the budget system and the reduction of the number of committees will undoubtedly do that.

"I will include a few clippings from the London Times. The Times' report of the debate in the House of Commons, June, 1919:

"'NATIONAL EXPENDITURE—THE QUESTION OF CONTROL.

"'Mr. H. Samuel stated that it was right to say at the outset that they had found the chancellor of the exchequer and the Government departments very ready to adopt the suggestions which the select committee had made. So far from resenting them, they had, as a rule, really welcomed the committee's suggestions, because they realized that the committee had not been seeking opportunities for attack, but only seeking opportunities to be of assistance. There was a small number of outstanding questions as to which the Government had not met the suggestions of the committee or had met them only in a partial and insufficient degree. * * * He complained of the war office attitude to the committee on expenditure in regard to the military staff of the war office. The committee had recommended last December that the war office should hold an inquiry of its own into the question of the increase in the staff.

"'MR. BONAR LAW'S REPLY.

"'The chancellor of the exchequer: I can assure the members of my right honorable friend's committee that it is through no feeling of discourtesy to them that I rise now before they have taken their part in the debate. * * * It is the duty of the chancellor of the exchequer, more than anyone else, to welcome any measure by which greater control and some chance of saving can be secured in this immense expenditure. For that reason I welcomed the appointment of this committee. I welcomed it on the understanding, which has been adhered to, that it would be set up for the purpose of helping in this matter and not for the purpose of finding material with which to criticize the Government. There is a real danger that in dealing with this big question we may be so lost in details that we shall not be able to see the wood on account of the trees, and it is the business of the House to look at the larger aspects as well as the smaller aspects of this question. The Government have tried to carry out the recommendations of this committee.'

"The Times, Friday, August 29, 1919:

"'WHITEHALL PURGE—RUTHLESS REDUCTION AT WAR OFFICE—NATIONAL SHIPYARD SCANDAL.

"'Our correspondent at Chepstow calls attention to the waste of between four and five millions of money there at the National Shipbuilding Yards. In two years two ships have been launched. Mr. Clynes, speaking last night at Widnes, denounced the Government's extravagance and waste. * * * On top of Mr. Lloyd-George's letter to his colleagues has come a circular from the treasury addressed to the permanent heads of each state department, asking them to look into affairs and to effect economies in every possible direction.'

"The Times, Thursday, September 4, 1919:

"'THE ENFORCEMENT OF ECONOMY.

"'To the EDITOR OF THE TIMES:

"'SIR: Mr. Mason thinks the suggestions made by Mr. Grant and myself for the control of expenditures beside the mark. His panacea is a change of Government, a remedy which suggests political partisanship rather than a genuine desire for economy. Those of us who are chiefly concerned to see good government restored look beyond the present "hustle," with its waste, its injustice, and its inevitable reaction. We want to see a system established which will insure that projected economies, as well as projected expenditures, receive careful and instructed consideration. Flying visits of inspection, letters from high places, week-end decisions on hastily thrown together reports, will not effect our objects. They can only be secured by intimate inside knowledge. But that knowledge must be independent of the department, or its possessor will inevitably be hampered by that spirit which exists in all great concerns, and which, at its best, appears as "esprit de corps"; at its worst, as departmental jealousy. I have advocated the appointment of a treasury official in each of the great spending departments, and if your correspondent is correct, something of the kind is about to be carried out. If this should be the case, the new officials should, as a matter of course, report from time to time to the select committee on national expenditure. I am, sir,

"'Your obedient servant,

"'NEVILLE CHAMBERLAIN.'

"'To the EDITOR OF THE TIMES:

"'SIR: The long and short of it is the country has got to meet a bill by March 31 next of one thousand six hundred millions and will only have six hundred millions with which to meet it. Will Lord Fisher or anyone else be kind enough to tell us how this is to be done? Will the prime minister or the chancellor of the exchequer or Mr. Bonar Law tell us? I have been looking at your columns every day for this, but "there is neither voice nor any that answered." Are the English, who have shown themselves heroes in war, to be cowards in peace? Are our statesmen and generals and admirals, who have shown themselves invincible in battle, now to cringe and to cower before the calamity of insolvency, destitution, and want, and not to be able to point a way of safety from the self-accusing conscience of the nation which will save our self-respect and at the same time honor our acceptances? * * * I was addressing a multitude in the open air upon this question the other day, and a man afterwards came up to me and said that he did not think he could draw his pension conscientiously any longer, and he had determined to seek some useful occupation. That is the spirit of noble independence and self-sacrifice which peace demands of us, and unless we, as a nation, can show the same fortitude and valor now that we did in the war we shall deserve to sink into the same infamy and disgrace as did the ancient empires of the world. Mr. Hoover's very plain speaking about the "stoppage of credit" is quite sufficient warning of what is coming upon us. * * * There is no doubt this country can pay its way in time, but if its throat is to be cut just when it is beginning to breathe, we might just as well all have been destroyed in the recent war. Is it not perfectly futile to talk about houses for the working classes when we can not get the fuel with which to make the cement or the bricks—fuel which we shall want this winter for our very existence? When the nation can not pay its way, it is pure lunacy to launch out into a national transport system and the nationalization of coal mines, which will cost many millions. A man with a bankruptcy petition on the file against him might just as well talk about buying a new house or building a yacht.

"'Yours, obediently, EDMUND KIRKER.'

"Does that indicate economy under the autocratic budget system? I leave it you, gentlemen.

"I have a number of other clippings from press reports. I shall not read from them further than their headlines:

"The Times, Tuesday, September 2, 1919: 'Control of expenditure.'

"The Times, Saturday, August 9, 1919: 'The road to ruin—State extravagance—Ministers' fears—New estimates in the autumn.'

"The Times, Wednesday, August 13, 1919: 'Extravagance: the Government's apologies.'

"The Times, Monday, September 1, 1919: 'Treasury control—A return to sound practice.'

"The Times, Saturday, September 20, 1919: 'The public purse—Responsibility for control.'

"That is what the people of England think of the budget policy and no committee, or few committees, to review an appropriation. They have tried it. They are staggering under it. England is doing all it can to get away from the vicious, autocratic system, and is patterning after our system. We are expected here to adopt a system tried, discarded, and discredited in other countries.

"I will also quote from the ninth report from the select committee on national expenditure, to which I referred a few moments ago.

"Page 2 gives the order of reference. It states that on February 19, 1918, it was ordered that a select committee be appointed—

"'To examine the current expenditure defrayed out of moneys provided by Parliament and to report what, if any, economies consistent with the execution of the policy decided by the Government may be effected therein.

"'To make recommendations in regard to the form of public accounts, the system of control within the departments and by the treasury, and the procedure of this house in relation to supply and appropriation, so as to secure more effective control by Parliament over public expenditure.'

"Page 3. It reports: 'The select committee on national expenditure have made progress in the matters to them referred so far as relates to the procedure of the House in relation to supply and appropriation and have agreed to the following ninth report. * * * The subcommittee decided to proceed by way of written question and answer. They framed a questionnaire, which was sent to Mr. Speaker, the chairman of ways and means and the deputy chairman, to the chancellor of the exchequer and the ex-chancellors, to the financial secretary to the treasury and the ex-financial secretaries, to certain other members of the house representative of parties, to the comptroller and auditor general, to certain government officials, and to a small number of others whose views it was thought desirable to ascertain. We present in the appendix to this report the questions and the replies, together with a synopsis. Those questions and replies related to the normal conditions of times of peace, and this report relates to them also. * * * The

replies show, with few exceptions, a consensus of opinion that the present system of parliamentary control over expenditures is inadequate. In that view we concur. Indeed our terms of reference themselves, inviting proposals to render control more effective, indicate that the house is not satisfied with the existing procedure. * * * Under these conditions it is not surprising that there has not been a single instance in the last 25 years when the House of Commons by its own direct action has reduced on financial grounds any estimate submitted to it. * * * Yet it can not be contended that there is never an occasion in any year or under any head on which proposals for expenditure could with advantage be reviewed and amended.'

"Page 4 states: 'We consider that the House of Commons, as the representative of the taxpayer, should reassert fully and effectively its right of restricting the amounts to be allotted for each head of the national expenditure, and we recommend the adoption of the measures to that end which we now proceed to detail.'

"Standing committees on estimates: 'The great majority of the replies to the questions which were circulated favor the principle that the estimates should be subjected to examination by a select committee. Among those who express that view are all the officers of the House who were consulted—Mr. Speaker, the chairman of Ways and Means, the deputy chairman, and the Clerk of the House. We are unanimously of the same opinion.

"'We recommend that at the beginning of each session there should be appointed by the customary procedure two standing committees on estimates, each consisting of 15 members. After some experience of the working of these committees it may be found desirable to add a third.

"'We have considered the alternative of a single committee with a larger membership, which should divide itself into a number of subcommittees, each dealing with one department or group of departments, but we have arrived at the conclusion that for the purpose in view the balance of advantage lies against this method.'

"Page 5 (S. C. on E.) states: 'The estimates committee of 1912, 1913, and 1914 was appointed in pursuance of a recommendation of the Select Committee on National Expenditures of 1902–3. It rendered useful service, but its usefulness was impaired by three causes.

"'First, the task imposed upon it was too large for a single body to perform; it was able to consider each year only a fraction of the estimates; its examination of the votes of any particular department was rather an exceptional incident than a normal part of the financial procedure. The departments knew that, once their estimates had been considered, it would probably be from 7 to 10 years before they were considered again. Our proposals for two committees—and, if experience shows it to be desirable, for the addition of a third—should go far to remove this drawback, particularly if each of the committees were expected to give as much time as might be necessary to enable it to cover each session a large part of the whole field.'

"Do you want estimates examined once in 10 years? If so, have one committee as proposed here. That is your one-committee budget system. That is your autocratic form of government proposed here.

"On page 8 the committee gives its conclusions and recommendations:

"'We are of the opinion that the existing procedure of the House of Commons is inadequate to secure proper parliamentary control over the national expenditure. We recommend that there should be appointed each session two standing committees on estimates, each consisting of 15 members, and that a third should be added if experience showed that this was desirable.'

"Page 9, Appendix. Questions relating to the procedure of the House of Commons on matters of finance and the replies received thereto. List of questions: (These questions relate to normal conditions and not to the state of war.)

"'1. Do you consider that the present methods for securing parliamentary control over expenditure are adequate?

"'2. If not, do you regard the appended proposal for the establishment of a standing committee on estimates and accounts as the right line of reform?

"'3. Have you any modifications to suggest to that proposal?'

"Page 10. Reply from Mr. Speaker:

"'1. I do not consider the present methods tend to economy. The House of Commons has become one of the chief spending departments of the State.

"'2. I believe that a committee on estimates, selected from among the real advocates of economy, would have a salutary effect.

"'3. It is a mistake to combine the public accounts committee and the estimates committee. The function of the latter is to criticize the vote of money necessary for a particular service; the function of the former is to see that the money voted has been spent in the manner intended.'

"Page 11. Reply from the Right Hon. Sir Donald McLean, K. B. E., deputy chairman of ways and means:

"'2. I think that a committee on estimates is a very good idea.'

"Page 14. Reply from the Right Hon. T. McKinnon Wood:

"'2. Yes. It is quite impossible for so large a body as the committee of the whole house adequately to consider details of estimates, and I think that it is necessary to adopt the standing committee system if anything like effective control over the spending departments is to be exercised by the House of Commons. Such control will in the future be of extreme importance.'

"Page 15. Reply from the Right Hon. Walter Runciman, M. P.:

"'In reply to your inquiry I have to say that, after considering the tentative proposal of your committee that greater economy in the expenditure of public moneys should be secured by means of a standing committee on estimates, set up as a microcosm of the House of Commons, somewhat on the lines laid down by your committee? I could not give more than general approval of this suggestion, for in some details it seems to me expedient to make modifications.

"'I do not hold the view that a committee set up for this purpose would lead to pressure for increased rather than for decreased expenditure, but if that tendency is to be feared safeguards against it can be provided from the first.'

"Page 18. Reply from the Right Hon. Arthur Henderson, M. P.:

"'With reference to question 1, the reply is definitely in the negative, and in reply to Nos. 2, 3, and 4, while not committing the party to every detail in the proposal for a standing committee, broadly it is on right lines. It may be stated, however, that in our opinion 26 members would not be sufficient to do the work contemplated.'

"Reply from the Right Hon. J. W. Gulland, M. P., page 19:

"'1. No; I think the present methods very inadequate.

"'2. The committee as proposed would be one useful line of reform.

"'3 and 4. It entirely depends on how this committee is worked. If it is energetic it could be of enormous use, but it all depends upon the work and spirit that is put into it.'

"Page 20. Reply from James Parker, Esq., M. P.:

"'If parliamentary control is to be really effective the estimates of every department should, in my opinion, be considered by a committee before they are sanctioned by the house.'

"Page 22. Note by Sir H. J. Gibson, K. C. B. (comptroller and auditor general):

"'While supporting the establishment of a standing committee on estimates as well as on accounts, I am strongly of the opinion that they should be separate and not combined, though some members should serve on both.'

"Page 24. Reply from T. Gibson Bowles, Esq.:

"'Both the expenditure to be provided for and the actual expenditure itself are uncontrolled. In the true sense there is no public finance left. Nor will there be nor can there be any restoration thereof, either during the war or for long after. The waste, the squandering, the fraud, and the terrible irregularities of all sorts now proceeding and inevitable in war will then come under review, as they did after the Boer War in the public accounts committee, whereof I was then a member.'

"Page 26. Reply from Sidney Webb, Esq., professor of public administration in the University of London (School of Economics and Political Science):

"'No one committee could set itself to control policy in general. What seems required is a series of standing committees, to be appointed by the committee of selection at the beginning of each Parliament mainly from among members interesting themselves especially in the particular subject and serving for the whole term of the Parliament—this not necessarily excluding a formal reappointment and filling of vacancies each session—each committee charged with the continuous oversight of what is actually being done in 1 of the 13 fundamental branches of our Government at its present stage, namely, foreign affairs, defense, finance, justice, the promotion of material production, communication and transport, the regulation of employment, education, health, the administration of India and that of the dominions and dependencies, supplies and research.'

"Page 27. Reply from Sidney Webb, suggesting 13 committees:

"'To sum up, I propose:

"'1. That the House of Commons should insist on a marked distinction being made between the oversight of policy and the art of technique of administration.

"'2. That the house should organize its own work so as to be able to exercise such a continuous oversight of all the ministries or departments as will enable it to secure the execution of the policy that it has prescribed, and no other.

"'3. That for this purpose there should be appointed a standing committee for each of the 13 great divisions of government, the various ministries or departments concerned with each such division being required to supply, continuously and automatically, the information necessary to enable the committee to satisfy itself that the prescribed policy is being carried out efficiently and therefore with genuine economy.'

"Page 28, Part III. Synopsis of replies received to the questions submitted by the subcommittee on procedure:

"To question 1:

"'The house "has become one of the chief spending departments of the State." (Mr. Speaker.)

"'It is impossible for the house as a whole to have any effective knowledge of the countless details of expenditure. (Sir Charles Hobhouse, Mr. McKinnon Wood.)

"'Debate in committee of the whole house is an unsuitable method. It reflects current opinion, which may be economical or the reverse. (Sir C. Ilbert.)

"'It is diffuse and inconclusive, and in any case is concerned with policy and not with the amount of expenditure. (Sir Sydney Olivier, Mr. Hayes-Fisher, Sir William Gibbons.)'

"To question 2:

"'Unqualified (or practically unqualified) approval is expressed by the chairman of ways and means, Sir Courtenay Ilbert, Mr. McKinnon Wood, Mr. Hayes-Fisher, Mr. James Parker, Mr. Arthur Henderson, Mr. Boland, Sir Sydney Olivier, Sir William Gibbons, and Mr. Harold Cox. Approval in general terms, but subject to important reservations, by Mr. Speaker, Sir Donald McLean, Mr. Runciman, Sir Charles Hobhouse, Mr. Acland, Mr. Gulland, and Sir Charles Harris. Mr. Asquith would have no objection to seeing the experiment tried.'

"Gentlemen, England has tried this since 1866. She has given it a fair trial. As a result she is on the verge of helpless bankruptcy. The report gives the conclusions of this committee, a committee that has given this matter years of thought and consideration. Are we to pattern after England? Are we not drifting into debt fast enough?

"I will also quote from the Economist.

"In the issue of November 30, 1918, page 739, George Hamilton in an article stated:

"'The nonperformance of these duties will ultimately land the country in insolvency or to infringe upon the present prerogatives of the chancellor of the exchequer and the treasury by associating with them a capable cooperation, and by obtaining effective economy preserve national solvency. * * * I further contended in my letter that it was policy and not accountancy which alone can regulate and control national expenditure. If committees were established on the lines I suggested they would very much resemble the parliamentary bureaus of the French Assembly, and these bureaus investigate expenditure before and not after it is sanctioned. My suggestions therefore would put some limitation on the powers which the chancellor of the exchequer, the treasury, and the House of Commons as a whole are now supposed to exercise, but it is because they are incompetent adequately to discharge this duty, and their incompetency is generally acknowledged, that it becomes necessary to substitute an effective machinery for that which from experience we know has failed and will continue to fail.'

"In the issue of December 7, 1918, page 776, Constitution Hill states:

"'No tinkering with the constitution of the treasury will prevent the elect of modern democracy from spending public money.'

"In the issue of May 10, 1919, page 776, under an article entitled 'This year, next year, some time——?' appears the following:

"'Neither this year nor next year nor perhaps the year after will be entirely normal, and in considering what our policy ought to be, I am driven to the hazardous experiment of casting my mind forward into the future to an imaginary normal year.' (The Chancellor of the Exchequer.)

"'We may perhaps be doing an injustice by a comparison of the chancellor's finance with an almost passive religious piety, but there is about his speech—even about his exhortations to economy—a painful suggestion that things have gone far beyond his control, and a despairing hopelessness of any rapid improvement in the attitude of Parliament toward expenditure. * * * Hesitation in assuming that Parliament will show any respect for economy is natural and indeed inevitable, but it would be much better for the chancellor, instead of saying, 'I assume, though I have no right to assume, that you will be good boys,' to say to the House of Commons, 'So long as I am at the treasury you have got to behave yourselves.' In other matters the Government has not shown much respect for the independence or the importance of this House of Commons, and if firmness and dictation are wanted anywhere it is in the realm of finance that the need is most urgent. * * * Then we have in this hypothetical budget a debt charge of £400,000,000. This figure compares with an actual estimate of £360,000,000 for the current year, leaving a difference of £40,000,000 as the charge on subsequent borrowing. Here again results must depend on exertion and economy, and until revenue covers expenditure £400,000,000 will unhappily remain a hypothetical figure. How much more the State will have to incur through housing, redemption of debt, and loss on exchange is not clear, but we shall probably be fortunate if Mr. Chamberlain's estimate is not exceeded.'

"Here you have the result of the budget policy of England. Is it what is desired in our country?

"'In the issue of May 17, 1919, page 797, under an article entitled "Waste," appears the following: "Every now and then the select committee on expenditures or the auditor general lifts the veil for a moment and shows us a few striking instances of how Government officials have played ducks and drakes with the public money. * * * But we doubt whether the public have ever been given such startling revelations of the way in which their money has been thrown in the gutter as is provided by a report on the ministry of munitions issued this week by the comptroller and auditor general. Ten columns would hardly suffice if we were to give all the paragraphs in this report which refer to extensive official delinquencies, and we advise our readers to purchase the document for themselves. It is numbered 79 and may be obtained for 6d. at His Majesty's Stationery Office or through any bookseller. * * * We have not the space to pursue further this tragic catalogue of sins against the taxpayer. * * * We can not now save these millions that have already gone down the sink. But the plea that it is no good crying over spilt milk or shutting the stable door after the horse has been stolen is as perilous as it is specious."

"'Worse and worse the further we look into it. Think it over.

"'In the issue of August 16, 1919, page 259, under an article entitled "The prime minister's chance," appears the following: "At the end of last week Mr. Chamberlain told the house that if we continue to spend as we are now spending we shall be on the road to national bankruptcy, but seemed to regard his statement as a matter of purely academic interest, not requiring any action on his part. He is apparently prepared, after giving this warning, to let things go on as they are. He also stated that on both sides of the account his budget estimates will be very wide of the mark. The expected expenditure will certainly be exceeded, and he will be some £70,000,000 short in his revenue. * * * Perhaps even more astonishing, as an indication of the Government's incapacity to see what is required of it by the country, was its defense of the charges made in the report, already referred to, by the select committee on national expenditure. A very important point, on which great emphasis has been laid by the daily press, was a reply made by the lord advocate (Mr. Clyde) to Sir John Hunter when he urged that criminal proceedings should be taken with regard to certain sums that appeared to have been wrongfully expended. * * * Such is the series of ineptitudes with which the rank and file of what is called our Government have heaped discredit on discredit. * * * We need drastic official economy and taxation. * * * We must pay our way, and since the budget is already a fallacious mockery, it must be amended so as to bring us at least as near to paying our way as we were said to be when it was brought in."

"'In the issue of August 23, 1919, page 320, under an article entitled "Controlling the departments," written by Charles John Wilson, appears the following: "Upon all hands we hear cries that if the nation would avoid bankruptcy, greater vigilance must be shown and greater control exercised over the spending departments. * * * Parliament finds it very easy to vote money—that is, to sanction expenditure—but in the present state of our finances it is necessary that much greater control should be instituted. That is wherein all Government departments fail so lamentably when brought into comparison with private enterprise. Why should it be so? Is it not that there is a fundamental difference in the methods employed? * * * Can nothing more be done to show our efficiency as a nation in controlling our spending?"'

"Mind you, all under a budget policy. Does that sound like economy?

"I next compared the bill with the German budget policy. After making a comparison I need not say that I was not only surprised but astounded to see that the German budget system more closely guards its public treasury than the one suggested here. Aside from that, the two are practically the same. First, the preparation of the German budget estimates began with the local authorities. They were then submitted to the provincial authorities who criticized, revised, and coordinated them. They were next forwarded to the appropriate ministry—there are 12 of them. There they were again scrutinized, revised, and classified, and made an integral part of the department estimates. After the estimates were revised by the heads of the respective ministries they were transmitted to the imperial ministry of the treasury for further scrutiny and revision. They were then presented to the imperial chancellor for his approval. The final preparatory step in the budget procedure was the submission of the completed estimates to the Emperor. You will note that the estimates started with the local communities, the States and cities, and step by step were closely scrutinized and reviewed as they passed up to the Emperor, after which they were finally submitted to the Bundesrath, showing in itemized form the estimates, receipts, and expenditures.

"That procedure has been characterized as autocratic.

"Here in America, under a democratic form of government, not only where we preach it but where we live up to it, where we have gone to the extent of sacrificing 100,000 lives and expending $50,000,000,000 in order to stamp out autocracy and to make the world a safer and better place in which to live, now, within 12 months after the victory achieved, it is suggested that we plunge headlong into the most autocratic form of government ever suggested; that is, so far as making expenditures are concerned.

"As was stated recently at the industrial conference by that noble champion of labor, Mr. Gompers, 'Are we in this year of grace, 1919, when we have driven political autocracy off the face of the earth, to submit to an industrial autocrat?' The words can well be applied in this case. As everybody knows, a budget system means lump-sum appropriations, which makes it easier for certain ones to get their hands into the Public Treasury. The centralization of power to appropriate the public money in one committee is undemocratic and a step toward autocracy. It deprives the membership of this House of their rights and prerogatives, and their rights can not be invaded without encroaching upon the rights of those whom they represent.

"In Germany, after passing through the various steps indicated, estimates were introduced first in the Bundesrath—the chief legislative organ of the Empire—a legislative council of instructed delegates from the several German States, appointed by the princes or kings of the States and the senate of the free cities, which council exercised the mixed function of a legislative and executive council or a court of appeals. It possessed the power of initiative and no change or amendment by the Reichstag could become valid without its approval. It was presided over by the imperial chancellor, at the head of the Prussian delegation. The Prussian members numbered 17. The total number of the Bundesrath, I believe, was 61. In Germany they had a committee of 61 representing the various States, cities, and local communities who watched over the items relating to their own States and saw to it that their rights were fully protected. Upon approval of the budget estimates the imperial chancellor of that body introduced them into the Reichstag with the budget bill, where it was debated and given consideration and then referred to the budget committee, a committee composed of representatives of various political parties, and similar to the one suggested here in this bill. Estimates were examined in detail. The commission from the Bundesrath appeared before the committee to give explanation and information. After that it was reported by the budget committee. Then the estimates were taken up for a second reading and debate. At the third reading the estimates were discussed item by item and then voted upon. As a rule, the majority of the Reichstag approved the budget upon the recommendation of the budget committee. The greatest freedom of debate was always allowed. Complaints against the departments' management were aired and criticized. After approval by the Reichstag the budget was then returned to the Bundesrath, where it was finally approved and then promulgated by the Emperor.

"Thus I have briefly compared the German policy with the one suggested here. Slack and imperfect it may be, but who will dispute the fact that the German system is more safeguarded? If autocracy was a bad thing in Germany, why here in America?

"Gentlemen, the results obtained under the budget policy in other countries do not square with the contention set forth in the report. The bill now under consideration, if enacted into law, will probably do no harm. I doubt that it will improve matters. But as this bill affects expenditures only, if it bankrupts our country as it has other countries, that may in time be overcome. But when a resolution having for its object an encroachment on the rights and privileges of the Members of the House is to be taken into consideration, that is a different matter. I for one shall oppose it. Recently our policy has been not to make this House more autocratic, but to make it more representative. Our experience with autocratic power in the past resulted in wreck and ruin. Shall we try it again? Experience, careful thought, and consideration convince me that the best interests of the people in general and of the country at large would be better served by increasing the number of appropriation committees. In my opinion we should have at least one appropriation committee for each department.

"Besides that, I am absolutely opposed to the concentration of legislative power in one man or in one committee, thus curtailing the Member's rights and personal independence. And as I have stated, the Member's rights can not be encroached upon without invading the rights of those whom he represents. I believe that the people of the United States should have full opportunity to have their desires recorded; that their Representatives may have an opportunity to record their votes according to the dictates of their consciences and their best judgment.

"Why, gentlemen, that is simply contending for that for which our forefathers fought and died. With due regard and respect to those who disagree with me and who believe in the concentration of legislative power, who believe that the best interests of the people can be served thereby better, and with due regard for and full appreciation of the charms and shrewdness of the proponents of the resolution, I can not help but believe that it is safer to trust to the judgment and integrity of 435 Members of the House representing 112,000,000 of people than to leave it to any one man or any one committee.

"We have had experience along this line in the past. It is fresh in the memory of all of us. It resulted in wreck and ruin. As you know, the day after election enough found their political carcasses outside of the breastworks to turn the power over.

"The rights and the principles for which our forefathers fought and died are as sacred to the American people to-day as they ever were. Rest assured that they are not going to yield in that respect. Our march will be onward. It will be upward. We will continue to lead all nations not only in commerce, in agriculture, and in industrial pursuits, but in honor, dignity, in morality, and everything that goes to make a nation great and grand. [Applause.]

"If I read the handwriting on the wall correctly, no autocracy or legislative subjugation for any length of time will be tolerated. Though the American people have at times submitted to autocratic rule, burdensome taxation, and inconvenience, you can put it down for a certainty that this and coming generations will ever contend for and maintain their rights. Now, as in the past, the American citizen's love for equal rights granted under the Constitution are as near and dear to him as they were to our forefathers who bled and died for them. He can at all times be counted upon true and loyal to our grand and glorious Government, with its splendid and magnificent institutions, and you may rest assured that its honor and dignity will ever be maintained.

"Patriotism, loyalty, and the principles for which our fathers fought and died are as safe to-day as they ever were. [Applause.] And any party or set of men that undertakes to interfere with them will, as in the past, forever regret it. [Applause.]"

Mr. GOOD. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Speaker, of course I am in favor of the adoption of a budget plan and therefore will vote for this conference report, but I think that the people are going to be greatly disappointed in its results if Congress does not change its own legislative policy. Now, the point I want to make is that regardless of the charges we make against the executive departments of the Government as to extravagance the fact remains that most of the expenditures are of our own making and authorization. We have this afternoon adopted a measure, the soldiers' bonus bill, containing five different settlement plans, with four or five different sorts of taxation, some of these entirely new. Some Members who spoke on the bill have said that it will entail the expenditure of $1,000,000,000 and others have said it will cost as high as $5,000,000,000, and yet——

Mr. GARRETT. Will the gentleman yield?

Mr. BLACK. Pardon me for just a minute—yes; I will yield to the gentleman.

Mr. GARRETT. The late Secretary of the Interior stated in the hearings before the Committee on Rules during the last session of Congress that the reclamation plan which was involved in the bill just passed an hour or two ago if carried out would alone cost a minimum of $4,000,000,000.

Mr. BLACK. And yet we adopted the bill in a great rush without an opportunity given us to even offer an amendment on the floor of the House. Now, the gentleman from Iowa [Mr. GOOD] in the speech which he has just made spoke of the duplication in the departments of the Government. Practically every bit of this duplication is due to legislation which Congress itself enacts with eyes wide open and full information already at hand. Let me call attention to some duplication in the bill which we have just passed this afternoon. We have now, as Members well know, the War Risk Insurance Bureau as a department of the Treasury having charge of all the insurance business pertaining to the soldiers, and it already has a very complete organization, and yet the bill we just now passed contains a provision which provides that the Postmaster General shall do the loaning of money on the paid-up insurance policies that are provided in plan 2 of the bill for ex-service men. The Post Office Department has no insurance department and it will have to create an entirely new bureau for the work. That will be duplication and performing the identical service that should be performed by the War Risk Insurance Bureau. This is a concrete illustration of the very sort of duplication that the gentleman from Iowa made mention of in his speech, and it seems to me that Congress itself must revise its legislative policies before we are to get any economy in the Federal Government. It is always a very easy pastime to shift responsibility and blame to the shoulders of somebody else, and I have never seen anybody that was more expert at the pastime than the Congress of the United States, especially this Republican Congress. It is time we had some real economy instead of so much of the lip-service sort that we have had recently.

Mr. GOOD. I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Speaker, I fear my good friend from Iowa [Mr. HAUGEN] has confused this budget bill with the proposition to change the rules of the House with respect to the number of committees which will have appropriating jurisdiction. This budget bill——

Mr. HAUGEN. I paid my respects to the budget system and then referred to the proposed rule that is to follow this bill. I understand the Committee on Rules has such a rule.

Mr. BYRNS of Tennessee. Whether or not the rules are changed, the budget bill——

Mr. HAUGEN. And as stated by the gentleman from Iowa [Mr. GOOD] the two went hand in hand.

Mr. BYRNS of Tennessee (continuing). Will undoubtedly serve a great purpose in enabling Congress to economize in the matter of making appropriations for the Government. I concur in what the gentleman from Iowa [Mr. GOOD] has said with reference to the action of the conferees upon this bill. It was stated by a distinguished Senator at the other end of the Capitol that the report of the conferees was in every respect along the lines of the Senate bill, but I submit, as the gentleman has stated, that an analysis of the bill as reported by the conferees will show that the views which the House had in passing the House bill have been absolutely maintained and preserved. The budget bill as it passed the House was passed with the particular view of placing upon the President of the United States the responsibility for the submission of estimates to the Congress, and, in order that he might properly meet that responsibility, to provide him with a sufficient force or the proper machinery in order to make proper revision of the estimates as they come to him from the various departments. That, I say, was the chief idea of the House bill in respect to the executive budget. The Senate passed a bill in which they undertook to make the Secretary of the Treasury the head of the budget, and to place upon him, rather than upon the President, the responsibility of revising and submitting these estimates. The conferees have had many meetings, and after a very thorough discussion pro and con they finally agreed upon the plan as submitted here, and this responsibility is placed upon the President, as the House first determined.

The bill, as the result of the compromise with the Senate conferees, makes the Secretary of the Treasury the director of the budget, but the bill provides that the President shall appoint the assistant director of the budget, and the President has authority to call upon this assistant, or upon the director, the Secretary of the Treasury, if he desires, for any service that he wishes either one or both of them to perform. But the point is that the President of the United States, an elective officer of the United States, is made responsible to Congress and to the country for the estimates as they come to Congress from the departments. Now, it has been said that the President of the United States already had that authority. Without discussing that feature of the matter, everyone knows that the President of the United States up to this time has been given absolutely no machinery with which he can carry out any responsibility that he may have along that line. But when we provide him with a bureau of the budget, when we give to him the proper force of experts, accountants, and clerks, then there can be no possible excuse on the part of the President for any estimates that he may submit to Congress.

Therefore, I anticipate when this bill gets into action we will have estimates which will come to Congress revised and reduced, with duplications eliminated, and not sent here as they were originally formed and framed, by some bureau chief, or even some chief of a division in the various departments. Now, we can not expect this law at the outset, possibly, to accomplish all that we intend, because as the years go by it will be improved, possibly, in form, if it needs to be improved. It will be improved so far as the administration and execution of the law is concerned. It is a constructive measure which is more badly needed now than ever before, because of the great expenses of the Government, and I am confident it will result in the saving of vast sums to the Government every year. The committee has worked diligently and earnestly to frame a proper law, and I wish particularly to commend the chairman of the committee [Mr. GOOD] for the very able manner in which he has served the Congress and the country in this matter.

The SPEAKER. The time of the gentleman has expired. [Cries of "Vote! Vote!"]

Mr. GOOD. Mr. Speaker, I yield two minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Speaker, I favor this bill, not because I believe it will accomplish everything claimed for it, but because I believe some good will result from it.

As my colleague [Mr. HAUGEN] has said, the workings of the budget system have been anything but satisfactory in England. In fact, there has been a perfect storm of complaint for many years by reason of the waste and extravagance created under the budget system as it prevailed there. But in the few moments allotted to me I have no time to discuss that.

I believe that this bill which we now have before us will prevent the Chief Executive from dodging responsibility with reference to the department estimates. The great influence of the President might be used to curb extravagance in the departments. It has not been so used by the present occupant of that position. Before he came into office a Republican President did use his influence to that end. Under the law that is still on the statute books he was able to control appropriations to a large extent, but it has never been followed by the present occupant of the White House. He was enabled under that law to hold down the department chiefs and cut down the estimates and force reductions in expenditures.

Now, whatever this bill may accomplish, be it more or less, it will at least fix the responsibility clearly on the President for the estimates that are sent to Congress. He will no longer be permitted to deny that he is responsible for it. If waste and extravagance are proposed in these estimates, he will be responsible, and I believe this bill will remedy the situation to some extent.

Mr. GOOD. Mr. Speaker, I yield two minutes to the gentleman from Colorado [Mr. TAYLOR].

Mr. TAYLOR of Colorado. Mr. Speaker, I realize that the House is anxious to vote on this report, and I only want to say a few words. First, I wish to say that neither the country at large nor even this House itself has any proper appreciation of the enormous amount of earnest, hard work and conscientious study that have been given to this budget bill by the chairman of this committee, the gentleman from Iowa [Mr. GOOD]. Notwithstanding thousands of duties as chairman of the Appropriation Committee, he especially has borne the main burden of this work. I feel that the whole country ought to have a kindly feeling for him for the energy and skill which he has exercised in bringing about the enactment of this splendid measure. [Applause.]

I do not want to disparage the work of the other members of the budget committee. We have all worked hard and are all relieved and delighted to see this final conference report adopted, because it means the enactment into law of the first great step toward a national budget system. I feared at one time that this measure was not being pressed in another body as it should be, and I submitted some inquiries and remarks on its delay, but it has been rapidly pushed since that time.

I look upon this as one of the greatest pieces of constructive legislation that we have enacted for many years. Now, if the House and Senate will only do their full duty as well as I am confident the President of the United States will do his, whoever he may be, we will be taking a great step in advance and will save hundreds of millions of dollars to the taxpayers of this country, and I know it will always be a gratification to all of us to have taken part in this splendid piece of legislation that has been talked about for so long and been needed so much.

I hope to see the Senate and House change their rules so as to make this law the efficient economy measure that we all hope and believe it will ultimately be.

The SPEAKER. The time of the gentleman from Colorado has expired.

Mr. GOOD. Mr. Speaker, I yield one minute to the gentleman from Ohio [Mr. LONGWORTH].

The SPEAKER. The gentleman from Ohio is recognized for one minute.

Mr. LONGWORTH. Mr. Speaker, I do not desire to make any ex post facto argument on the bill just passed, but statements have been made which, unless controverted, might create a misapprehension as to its details. The gentleman from Iowa [Mr. HAUGEN], as I understood him, said that if this budget were now a law the Committee on Ways and Means would not have had jurisdiction over the so-called bonus bill, because it carried an appropriation. In fact, no appropriation is carried in it.

Mr. HAUGEN. If it had not been referred to that committee, what would have become of it?

Mr. LONGWORTH. No appropriation was made. The gentleman from Tennessee [Mr. GARRETT] referred to a statement made by the Secretary of the Interior, I think, to the effect that $4,000,000,000 would be expended on the so-called land-settlement feature. It may be true that the Secretary made that statement some time ago, but that was in relation to the so-called Lane plan. If that were true, it is not true under this bill, because the limit of $250,000,000 was placed in it, which can not be exceeded.

Mr. GOOD. Mr. Speaker, I yield one minute to the gentleman from Wyoming [Mr. MONDELL].

The SPEAKER. The gentleman from Wyoming is recognized for one minute.

Mr. MONDELL. Mr. Speaker, I congratulate the chairman, the gentleman from Iowa [Mr. GOOD] and this Budget Committee on the result of their labors. I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. WALSH. Reserving the right to object, the remarks are to be made only on the budget?

Mr. MONDELL. Yes.

The SPEAKER. Is there objection?

There was no objection.

Mr. GOOD. Mr. Speaker, I move the previous question on the adoption of the conference report.

The SPEAKER. The gentleman from Wyoming moves the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. GOOD, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

USE OF ARMY COTS AND BLANKETS.

Mr. LANHAM. Mr. Speaker, I call up from the Speaker's table House joint resolution 336, with Senate amendments.

The SPEAKER. The gentleman from Texas calls up House joint resolution 336, with Senate amendments. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 336) authorizing the Secretary of War to loan to the Albert Sidney Johnston Camp, United Confederate Veterans, No. 1820, Fort Worth, Tex., 100 cots and blankets for the use of Confederate veterans at the reunion of said camp June 24 to 27, inclusive, 1920.

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

Mr. LANHAM. Mr. Speaker, I move to concur in the Senate amendments.

The SPEAKER. The gentleman from Texas moves to concur in the Senate amendments. The question is on agreeing to that motion.

The question was taken, and the Senate amendments were agreed to.

On motion of Mr. LANHAM, a motion to reconsider the last vote was laid on the table.

Mr. SABATH. Mr. Speaker, I make the point that there is no quorum present.

Mr. GOOD. Will the gentleman withhold that for a moment?

Mr. SABATH. Yes.

ORDER OF BUSINESS.

Mr. GOOD. Mr. Speaker, I desire to state that it has been arranged that the rule for changing the rules of the House providing for one Committee on Appropriations will be reported, as I understand, on Monday morning, and it is my intention to call up that resolution immediately after the House convenes.

ELECTION OF MEMBERS OF COMMITTEES.

Mr. MONDELL. Mr. Speaker, I offer the following resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Resolved, That JOHN W. HARRELD, Member of Congress from Oklahoma, be, and he is hereby, elected a member of standing committees of the House as follows: Public Buildings and Grounds; Pensions; and Expenditures in the War Department; and

That ISAAC SIEGEL be, and he is hereby, elected chairman of the Committee on the Census.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

DATE OF ADJOURNMENT OF SESSION.

Mr. MONDELL. Mr. Speaker, I want to present for the information of the House a resolution which I am placing in the basket. I ask to have that read for information.

The SPEAKER. The gentleman from Wyoming asks that there be read, for the information of the House, the following resolution, which the Clerk will report:

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 5th day of June, 1920, at 4 o'clock.

Mr. MONDELL. Mr. Speaker, I expect to call that up at some opportune time early next week.

DISTRIBUTION OF RAILROAD CARS.

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent for the immediate consideration of a resolution which I send to the Clerk's desk, and concerning which I insert the following letters:

WASHINGTON, D. C., *May 28, 1920.*

Hon. ROSCOE C. MCCULLOCH,
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: On behalf of all the bituminous miners of the United States, particularly the miners of the State of Ohio, we desire to call your attention to the fact that a large number of miners and their families in every coal-mining district of Ohio are in a deplorable condition because of their lack of work, due primarily, as we understand it, to a recent order issued by the Interstate Commerce Commission which gives preferential car assignment to certain mines, making it possible for those miners to work almost continuously, while the miners employed at other mines are working, in many cases, less than 25 per cent time.

The miners, as a rule, do not measure their earnings by the amount of money that is in their pay envelope, but rather by comparison with the earnings of their neighbors, and when the men working in one mine are making $2 more than the men working in some other mine it creates a condition of dissatisfaction and unrest at both mines. The man earning the most money is usually more dissatisfied than the fellow earning the small amount. This condition is prevalent throughout all the bituminous mining districts, and no doubt will result disastrously unless some correction is made.

The Bituminous Coal Commission, created and appointed by the President of the United States, made the recommendation in their report that the preferential car assignment be discontinued, as it was discriminatory to the mine operator and to the coal miners, as well as to the general public. The miners in accepting the award of the commission believed that this recommendation, with the other recommendations, would be complied with; and no doubt would have been had it not been for the order of the Interstate Commerce Commission to the contrary.

Our understanding of paragraph 12, section 402, of the Esch-Cummins Act is that the preferential car assignment was forever abolished, and we ask that you join with other Congressmen from our State in passing a resolution, or by some other legislative means correct the abuses as complained of above, making it so plain that the Interstate Commerce Commission will be compelled to recall the recent order.

Thanking you on behalf of all the mine workers whom we represent, we beg to remain,

Sincerely, yours,

JOHN MOORE,
President Ohio Mine Workers.
WALTER J. JAMES,
Legislative Representative United Mine Workers of America.

FEDERATED BOARDS OF TRADE OF SOUTHEASTERN OHIO,
ATHENS CHAMBER OF COMMERCE,
Athens, Ohio, May 28, 1920.

Hon. ROSCOE C. MCCULLOCH,
House Office Building, Washington, D. C.

DEAR SIR: Our commercial bodies wish to direct your attention to violations of the provisions of a recent act of Congress by the present management of the railroads under an order of the Interstate Commerce Commission. The violations are of paragraph 12, section 402, of the transportation act.

The practice now engaged in by the railroads in violation of this act is the inequitable distribution of cars known as the assigning of cars for the loading of railroad fuel, which cars so assigned are not being distributed to mines on the basis of each mine's ratable share of cars.

Many evils result from this practice; in fact, nothing has done so much injury to the people generally in the mining regions, and nothing has caused so much discontent as the assigned-car practice. It is altogether unfair and unjust.

It gives to some of the men nearly full-time employment and pay, while others are permitted to work but one or two days per week. Much suffering as a result is inevitable. It makes all of the citizens—laborers, business men, and others—of one town or community prosperous while an adjoining town or community dependent upon mines not favored with an assigned-car supply is barely able to exist. It keeps the men constantly moving from one town to another in the hope of securing work at a mine favored by the railroads only to find perhaps after securing such employment that the railroad-fuel contract and consequently the car supply had been shifted to some other mine. Such intolerable conditions can not continue.

We happen to be located at the source of the trouble, and consequently are the first to suffer. But the suffering will soon be extended to those dependent upon us for next winter's coal supply.

In this connection we are advised that 30,000,000 tons of coal must go up by way of the Lakes to the people of the Northwest for next winter. This amount is essential to their comfort under normal winter conditions and must go during the navigation season of seven months.

Due to lack of cars, but 1,500,000 tons, or 5 per cent of this amount, have been shipped to date, whereas 6,000,000 tons, or 20 per cent of the amount, should have been shipped.

While the railroads are getting their own fuel under the assigned-car practice, they are not furnishing cars to transport the winter fuel supply of the public. Those coal cars which should be carrying the public's coal are being used for transporting automobiles and various other articles and materials which produce more revenue for the carriers than the transportation of coal would produce.

The assigned-car practice has received adverse comment by every individual and group not interested in railroad revenues who have studied the question deeply. This includes the Bituminous Coal Commission, the Railroad Administration, the Fuel Administration, and both labor and commercial organizations. A perusal of the history of the practice shows it to have been universally condemned.

The writer has interviewed personally many members of both the House and the Senate who were intimately connected with all the legislative activities leading up to the passage of the act referred to. Without one single exception or shadow of doubt in the minds of any of them, all are agreed that it was the intent of Congress in this legislation to get rid of the assigned-car practice and its many evils. A correct interpretation of the language of the act is in accord with that intent.

The Interstate Commerce Commission refuses to interpret the language of the act correctly, and therefore refuses to carry out the clear and express intent of Congress. We can be heard fairly in the matter only by you who have undertaken to remedy these evils. What is to be done?

Yours, very truly, C. H. BAYSON, *Secretary.*

Mr. SABATH. Mr. Speaker, I make the point of no quorum present.

Mr. WINGO. I hope the gentleman will withdraw that for the present.

Mr. SABATH. All right; I withdraw it for the present.

The SPEAKER. The gentleman from Ohio asks unanimous consent for the present consideration of a resolution which the Clerk will report.

The Clerk read as follows:

Whereas the railroad companies are making assignments of freight cars; and

Whereas the said railroad companies, or a part of them, are making such assignment in a manner alleged to be discriminatory and prejudicial to the common public welfare; and

Whereas authority for making assignment of cars by said railroad companies is predicated upon an order of the Interstate Commerce Commission, dated April 15, 1920, and entitled "Notice to carriers and shippers," and is in the following words and figures:

"The commission recommends that until experience and careful study demonstrate——

Mr. BENSON. Mr. Speaker, I make the point of no quorum present.

The SPEAKER. The gentleman from Maryland makes the point of no quorum. Evidently no quorum is present.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 34 minutes p. m.) the House adjourned until Monday, May 31, 1920, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. LUHRING, from the Committee on Flood Control, to which was referred the bill (H. R. 13573) to make a preliminary survey of the Wabash River in Illinois and Indiana with a view to the control of its floods, reported the same without amendment, accompanied by a report (No. 1056), which said bill and report were referred to the House Calendar.

Mr. DEWALT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13976) to amend an act approved February 27, 1919, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania," reported the same with amendments, accompanied by a report (No. 1058), which said bill and report were referred to the House Calendar.

Mr. JONES of Pennsylvania, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13977) to amend an act approved February 27, 1919, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale borough, in the county of Allegheny, in the Commonwealth of Pennsylvania," reported the same with amendments, accompanied by a report (No. 1059), which said bill and report were referred to the House Calendar.

Mr. COOPER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13978) to amend an act approved February 27, 1919, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks borough, in the county of Allegheny, in the Commonwealth of Pennsylvania," reported the same with amendments, accompanied by a report (No. 1060), which said bill and report were referred to the House Calendar.

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14159) granting the consent of Congress to the city of Columbus, in the State of Georgia, to construct a bridge across the Chattahoochee River, reported the same without amendment, accompanied by a report (No. 1061), which said bill and report were referred to the House Calendar.

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14160) granting the consent of Congress to the county of Troup to construct a bridge across the Chattahoochee River at West Point, Ga., reported the same without amendment, accompanied by a report (No. 1062), which said bill and report were referred to the House Calendar.

Mr. PORTER, from the Committee on Foreign Affairs, to which was referred the concurrent resolution (H. Con. Res. 57) that Ireland have a government of its own choice, reported the same with amendments, accompanied by a report (No. 1063), which said bill and report were referred to the House Calendar.

Mr. KINKAID, from the Committee on Irrigation of Arid Lands, to which was referred the bill (H. R. 2702) to provide for the application of the reclamation law to irrigation districts, reported the same with amendments, accompanied by a report (No. 1065), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WINSLOW, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 3329) to extend the time of the Hudson River Connecting Railroad Corporation for the completion of a bridge across the Hudson River, in the State of New York, reported the same without amendment, accompanied by a report (No. 1066), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GRAHAM of Pennsylvania, from the Committee on the Judiciary, to which was referred the bill (H. R. 13162) for the relief of the Metropolitan Lumber Co., reported the same with an amendment, accompanied by a report (No. 1057), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TINKHAM: A bill (H. R. 14309) granting medals of honor for meritorious war service with the American Expeditionary Forces; to the Committee on Military Affairs.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 14310) to repeal the act entitled "The soldiers' and sailors' civil relief act"; to the Committee on the Judiciary.

By Mr. STEENERSON: A bill (H. R. 14311) to authorize the improvement of Red Lake and Red Lake River, in the State of Minnesota, for navigation, drainage, and flood-control purposes; to the Committee on Flood Control.

By Mr. KREIDER: A bill (H. R. 14312) authorizing the Secretary of War to donate to the Millersburg Gun Club, Millersburg, Pa., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. SIEGEL: A bill (H. R. 14313) to authorize the purchase of a site, preparation of plans and specifications, and the construction of a building for use as a foreign branch station for the post office at New York, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. CARAWAY: A bill (H. R. 14314) to provide for the construction, improvement, and maintenance of public post roads; to the Committee on Ways and Means.

By Mr. LANGLEY: A bill (H. R. 14315) to authorize an appropriation to enable the Secretary of the Treasury to provide medical, surgical, and hospital services and supplies for patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, suffering from neuro-psychiatric and tubercular ailments and diseases, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. RAKER: Joint resolution (H. J. Res. 368) to suspend the requirements of annual assessment work on mining claims during the year 1920; to the Committee on Mines and Mining.

By Mr. SIEGEL: Joint resolution (H. J. Res. 369) admitting Emil S. Fischer to the rights and privileges of a citizen of the United States; to the Committee on Immigration and Naturalization.

By Mr. MONDELL: Concurrent resolution (H. Con. Res. 60) providing for the adjournment of Congress on June 5, 1920, at 4 o'clock p. m.; to the Committee on Ways and Means.

By Mr. DALLINGER: Memorial of the Legislature of the State of Massachusetts, relative to the compensation of United States postal employees; to the Committee on the Post Office and Post Roads.

By Mr. TAGUE: Memorial of the Legislature of the State of Massachusetts, relative to the compensation of United States postal employees; to the Committee on the Post Office and Post Roads.

By Mr. ROGERS: Memorial of the Legislature of the State of Massachusetts, relative to the compensation of United States postal employees; to the Committee on the Post Office and Post Roads.

By Mr. LUFKIN: Memorial of the Legislature of the State of Massachusetts, relative to the compensation of United States postal employees; to the Committee on the Post Office and Post Roads.

By Mr. TREADWAY: Memorial of the Legislature of the State of Massachusetts, relative to compensation of Federal employees; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURROUGHS: A bill (H. R. 14316) granting an increase of pension to Albert Young; to the Committee on Pensions.

By Mr. CARSS: A bill (H. R. 14317) granting a pension to Lourinda McIntosh Ross; to the Committee on Invalid Pensions.

By Mr. CRISP: A bill (H. R. 14318) granting a pension to Daisy M. Tibbott; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 14319) granting a pension to Mary E. Taylor; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 14320) granting a pension to Naoma Dobie; to the Committee on Invalid Pensions.

By Mr. LUHRING: A bill (H. R. 14321) granting a pension to Levi C. Posey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14322) granting a pension to Louisa Lacer Wright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14323) granting an increase of pension to Addie Martha Blevans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14324) granting an increase of pension to Miranda Johnston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14325) granting an increase of pension to Elbert M. Deffendall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14326) granting an increase of pension to Mary L. Neville; to the committee on Invalid Pensions.

Also, a bill (H. R. 14327) granting an increase of pension to Catharine Conn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14328) granting an increase of pension to Phoebe E. Davis; to the Committee on Invalid Pensions.

By Mr. MAHER: A bill (H. R. 14329) for the relief of Tony Troncone; to the Committee on Claims.

By Mr. MICHENER: A bill (H. R. 14330) granting a pension to Rebecca Welker; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 14331) granting a pension to Orpha Conroy; to the Committee on Invalid Pensions.

By Mr. SANDERS of New York: A bill (H. R. 14332) granting a pension to Clara E. Fritcher; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 14333) granting a pension to Maryelen Gibson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14334) granting a pension to Mary B. Perkins; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3995. By the SPEAKER (by request): Petition of the Business Men's Association of Syracuse, favoring higher pay for postal employees; to the Committee on the Post Office and Post Roads.

3996. By Mr. BABKA: Three petitions of organizations of Cleveland, Ohio, favoring amnesty for political prisoners; to the Committee on the Judiciary.

3997. Also, petition of sundry citizens of Cleveland, Ohio, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

3998. By Mr. CULLEN: Petition of Amalgamated Association of Iron, Steel, and Tin Workers of North America, favoring amnesty for political prisoners; to the Committee on the Judiciary.

3999. Also, petition of Teachers' Union, of New York, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

4000. By Mr. DARROW: Petition of Typothetae of Philadelphia, Pa., urging legislation increasing salaries of postal employees; to the Committee on the Post Office and Post Roads.

4001. By Mr. EDMONDS: Petition of Philadelphia Board of Trade, favoring the passage of Senate bill 4204; to the Committee on Interstate and Foreign Commerce.

4002. By Mr. EMERSON: Petition of postal employees of Cleveland, Ohio, asking postal wage commission to report immediately to Congress; to the Committee on the Post Office and Post Roads.

4003. By Mr. FULLER of Massachusetts: Petition of H. L. Ogden, Boston, Mass., purchasing agent for 21 gas and electric lighting companies in Massachusetts, protesting against exportation of coal; to the Committee on Interstate and Foreign Commerce.

4004. By Mr. GALLIVAN: Petition of 62 residents of South Boston and Boston, Mass., favoring increases in salaries for postal employees; to the Committee on the Post Office and Post Roads.

4005. By Mr. KAHN: Petition of sundry citizens of the fourth congressional district of California, urging favorable action on House bill 10925; to the Committee on Interstate and Foreign Commerce.

4006. By Mr. LONERGAN: Petition of Capital City Lodge of International Machinists, of Hartford, Conn., for the repeal of the war-time sedition laws; to the Committee on the Judiciary.

4007. By Mr. McDUFFIE: Petition of Grand Lodge, Knights of Pythias, Montgomery, Ala., opposing the passage of House bill 12790; to the Committee on the Judiciary.

4008. By Mr. McGLENNON: Petition of New Jersey State League of Municipalities, favoring daylight-saving legislation; to the Committee on Interstate and Foreign Commerce.

4009. Also, petition of Board of Commissioners of Jersey City, and 16 school-teachers of Kearny, N. J., favoring increases in postal salaries; to the Committee on the Post Office and Post Roads.

4010. By Mr. MOONEY: Petition of National Council of Lighting Fixture Manufacturers, favoring removal of restrictions on immigration; to the Committee on Immigration and Naturalization.

4011. Also, petition of Association of Aviation Clubs of Ohio, favoring separate Air Service for Army and Navy; to the Committee on Military Affairs.

4012. Also, petition of sundry citizens of Cleveland, Ohio, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

4013. Also, petition of Bakery and Confectionery Workers of Ohio, favoring amnesty for political prisoners; to the Committee on the Judiciary.

4014. By Mr. O'CONNELL: Petition of Queens County Republican Committee and the Teachers' Union, both of New York,

favoring higher pay for postal employees; to the Committee on the Post Office and Post Roads.

4015. Also, petition of Amalgamated Association of Iron, Steel, and Tin Workers of North America, favoring amnesty to political prisoners; to the Committee on the Judiciary.

4016. Also, petition of G. E. Barton, of New York, against bonus to uninjured soldiers; to the Committee on Ways and Means.

4017. By Mr. RAKER: Petition of Waiters' Union, Local 30, favoring amnesty for political prisoners; to the Committee on the Judiciary.

4018. Also, petition of J. T. Bradley, of Grass Valley, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

4019. Also, petition of Air Reduction Sales Co., of Emeryville, Calif., protesting against Senate bill 3223 and House bill 9932; to the Committee on Patents.

4020. By Mr. SMITH of Michigan: Petition of Community Association of Charlotte, Mich., favoring increased rates on the railroads; to the Committee on Interstate and Foreign Commerce.

4021. By Mr. STINESS: Petition of Hon. J. P. Mahoney, mayor of Newport; David C. Caesar, president Newport Chamber of Commerce; H. F. Busby, secretary local No. 268, I. B. E. W., Newport; John McGrane, molders' union, Newport; O. Shea, secretary laborers' local No. 407, Newport; Oliver W. Barker, secretary local No. 15553, Newport; William P. Noonan, Newport Boilermakers' Union; James Percy, National Association of Supervisors, Narragansett Bay district; Joseph Trigueiro, secretary Machinists' Lodge No. 119, Newport; James E. Devine, local No. 703, plumbers and steamfitters, Newport; C. A. McManus, recording secretary local No. 175, sheet-metal workers and coppersmiths union, Newport; Perry B. Dawley, secretary Carpenters' District Council, Newport, all in the State of Rhode Island, protesting against the proposed elimination or reduction of the item of $200,000 for maintenance of the naval torpedo station at Newport, R. I., as contained in the naval appropriation bill; to the Committee on Naval Affairs.

4022. By Mr. TAGUE: Petition of John N. Cole, of Boston, Mass., favoring additional Federal aid for good roads; to the Committee on Roads.

4023. Also, petition of sundry citizens of Boston, Mass., in regard to higher pay for postal employees; to the Committee on the Post Office and Post Roads.

4024. By Mr. WOODYARD: Petition of Parkersburg Soldiers' Aid, of Parkersburg, W. Va., favoring enactment of law for observance, on May 30 of each year, of the services of the soldiers and sailors of the recent war; to the Committee on Military Affairs.

SENATE.

MONDAY, *May 31, 1920.*

(Legislative day of Monday, May 24, 1920.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ball	Fernald	McCumber	Sheppard
Beckham	France	McKellar	Shields
Borah	Gay	McLean	Simmons
Brandegee	Gerry	McNary	Smith, Ariz.
Calder	Hale	Nelson	Smith, Md.
Capper	Harding	New	Smith, S. C.
Chamberlain	Harris	Norris	Smoot
Colt	Harrison	Nugent	Spencer
Comer	Henderson	Page	Sutherland
Culberson	Hitchcock	Phipps	Thomas
Curtis	Jones, Wash.	Pittman	Trammell
Dial	Kendrick	Poindexter	Underwood
Dillingham	Keyes	Pomerene	Wadsworth
Edge	King	Ransdell	Walsh, Mass.
Elkins	Lodge	Reed	Walsh, Mont.
Fall	McCormick	Robinson	Warren

Mr. GERRY. The Senator from Arizona [Mr. ASHURST], the junior Senator from Virginia [Mr. GLASS], the Senator from North Carolina [Mr. OVERMAN], the Senator from California [Mr. PHELAN], and the senior Senator from Virginia [Mr. SWANSON] are absent on official business.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills:

S. 4411. An act granting the consent of Congress to the counties of Pembina, N. Dak., and Kittson, Minn., to construct a bridge across the Red River of the North at or near the city of Pembina, N. Dak.; and

S. 4431. An act to authorize the construction of a bridge across the Rock River, in Lee County, State of Illinois, at or near the city of Dixon, in said county.

The message also announced that the House agrees to the amendments of the Senate to the joint resolution (H. J. Res. 336) authorizing the Secretary of War to loan to the Albert Sidney Johnston Camp, United Confederate Veterans, No. 1820, Fort Worth, Tex., 100 cots and blankets for the use of Confederate veterans at the reunion of said camp June 24 to 27, inclusive, 1920.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9783) to provide a national budget system and an independent audit of Government accounts, and for other purposes.

The message also announced that the House had passed a bill (H. R. 14157) to provide adjusted compensation for veterans of the World War; to provide revenue therefor; and for other purposes, in which it requested the concurrence of the Senate.

The message further announced that the House agrees to the amendment of the Senate to the bill (H. R. 1309) for the relief of Perry L. Haynes.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate No. 1 to the bill (H. R. 11892) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, insists upon its disagreement to the amendment of the Senate No. 1 to the bill, agrees to the further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KENNEDY of Iowa, Mr. DEMPSEY, and Mr. GALLAGHER managers at the further conference on the part of the House.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 12272. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921; and

H. R. 12775. An act to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and to establish military justice.

PETITIONS AND MEMORIALS.

Mr. HENDERSON. I ask unanimous consent to have printed in the RECORD a certified copy of a joint resolution adopted by the Legislature of the State of Nevada, which relates to the establishment of the Tahoe National Park, and I ask that it be referred to the Committee on Public Lands.

There being no objection, the joint resolution was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Senate joint resolution relative to the establishment of the Tahoe National Park.

Whereas Lake Tahoe and the basin surrounding it constitute one of the scenic wonders of the world, and should be preserved for all time for the people; and

Whereas private ownership of said section has despoiled a large part of the surrounding basin and is a bar to development of the natural beauty and resources of that section; and

Whereas similar natural wonders in other sections of the country are under the control of the Federal Government, and receive better care and attention than is possible under private ownership: Therefore be it

Resolved by the Senate of the State of Nevada (the Assembly concurring), That the Congress of the United States is hereby petitioned to include Lake Tahoe and the Tahoe Basin in a national park under the control of the United States, and that copies of this resolution be sent to the Secretary of the Interior and to our Senators and Representative in Congress; be it further

Resolved, That copies of this resolution be transmitted to the president of the senate and speaker of the assembly of the State of California, and that the Legislature of the State of

California be requested to join with the State of Nevada in petitioning the Congress for the establishment of a national park as herein stated.

MAURICE J. SULLIVAN,
President of the Senate.
R. A. MCKAY,
Secretary of the Senate.
D. J. FITZGERALD,
Speaker of the Assembly.
J. H. CAUSTEN,
Chief Clerk of the Assembly.

Approved March 26, 1919.

EMMET D. BOYLE, *Governor.*

I certify the within and foregoing to be a true copy of the original enrolled resolution on file and of record in my office, and further that said resolution was duly passed and adopted on March 18, 1919, and was approved by the Governor on March 26, 1919, and deposited in my office.

[SEAL.]

GEORGE BRODIGAN,
Secretary of State.
By R. P. BURRIS, *Deputy.*

Mr. LODGE. I present a resolution adopted by the House of Representatives of the Commonwealth of Massachusetts, favoring increased compensation for employees of the Postal Service. I ask that the resolution be printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the resolution was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS, 1920.

An order relative to the compensation of United States postal employees:

Whereas the Post Office employees of the United States represent that their wages have not been increased in proportion to the increased cost of living; and

Whereas if many such employees leave the service of the United States, as they have signified their intention so to do, there will be a resultant decrease in the efficiency of the Postal Service with an attendant interruption of and interference with business and industrial operation: Therefore be it

Ordered, That the Massachusetts House of Representatives records itself in favor of such action by Congress as may be necessary to maintain the present efficiency of the Postal Service; and be it further

Ordered, That copies of this order be transmitted by the secretary of the Commonwealth to the presiding officers of both branches of Congress, and to the Members in Congress from Massachusetts.

In the house of representatives, adopted May 19, 1920.

A true copy.

Attest:

ALBERT I. LANGLEY,
Secretary of the Commonwealth.

Mr. CAPPER presented a petition of sundry citizens of Kansas City, Kans., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. WARREN presented a petition of sundry citizens of Platt County, Wyo., praying for the enactment of legislation to regulate the practice of chiropractic in the District of Columbia, which was referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (S. 4432) to provide for awarding decorations, devices, or insignia to the next of kin of deceased persons who would have been entitled to receive the same, and making it unlawful for anyone other than the person authorized to do so to wear such decoration, device, or insignia, reported it without amendment.

Mr. SPENCER, from the Committee on Claims, to which was referred the bill (S. 2665) for the relief of Prof. William H. H. Hart, principal of the Hart Farm School and Junior Republic for Dependent Children, to establish Hart University, and to provide for its maintenance and support, reported it with an amendment and submitted a report (No. 646) thereon.

WILLIAM H. H. HART.

Mr. SPENCER, from the Committee on Claims, reported the following resolution (S. Res. 377):

Resolved, That the bill (S. 2665) entitled "A bill for the relief of William H. H. Hart, principal of the Hart Farm School and Junior Republic for Dependent Children, now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

The VICE PRESIDENT. The resolution will be placed on the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HENDERSON:

A bill (S. 4472) to authorize loans on silver bullion, to regulate interstate shipments of ore containing silver, and for other purposes; to the Committee on Finance.

By Mr. SPENCER:

A bill (S. 4473) to revise and equalize rates of pension to the survivors of certain Indian wars, and for other purposes; to the Committee on Pensions.

By Mr. WALSH of Massachusetts:

A bill (S. 4474) granting an increase of pension to Delia Chagnon (with accompanying paper); to the Committee on Pensions.

HOUSE BILL REFERRED.

H. R. 14157. An act to provide adjusted compensation for veterans of the World War, to provide revenue therefor, and for other purposes, was read twice by its title and referred to the Committee on Finance.

ARMENIAN MANDATORY.

The Senate resumed the consideration of Senate concurrent resolution No. 27, respectfully declining to grant to the Executive the power to accept a mandate over Armenia as requested in the message of the President dated May 24, 1920.

Mr. LODGE. Mr. President, I should like now to have a formal understanding reached. I ask the Senator from Nebraska whether we can not come to an agreement as to a time to vote?

Mr. HITCHCOCK. I should like to know if the Senator from Massachusetts has any suggestion as to a time for a vote.

Mr. LODGE. So that we may have an agreement to vote I have no suggestion to make. I leave it to the Senator to make a suggestion.

Mr. HITCHCOCK. Would Wednesday at some hour be satisfactory?

Mr. LODGE. Wednesday would suit me, and, as far as I can speak for any others, I think it would suit.

Mr. HITCHCOCK. As far as I know, there is no objection to coming to a vote, and if some hour on Wednesday afternoon would suit the Senator I am willing to agree to it.

Mr. NORRIS. May I suggest that if we are to adjourn this week, it seems to me it is going to be necessary to devote less time to this measure. Unless Senators are anxious to take up the time, could we not reach a vote to-morrow? Would that shut out anyone who desires to be heard?

Mr. HITCHCOCK. It is my judgment that the difficulty will be not that there will be many speeches on the subject, but there is some difficulty with Senators in making up their minds exactly as to what they want to do. I think between now and Wednesday much other business can be transacted; I only suggested Wednesday because——

Mr. NORRIS. If we had it tacitly understood that when Senators were not ready to debate the resolution, it should be temporarily laid aside, so that we could transact other business, I would not have any objection. There is a good deal of other business that ought to be transacted before we take a recess.

Mr. LODGE. Unless Senators desire to debate it, of course we can take up other business by unanimous consent very easily. If we agree to take the vote on Wednesday, that will be satisfactory to me.

Mr. BRANDEGEE. If I may be allowed to make a suggestion to the Senator from Nebraska, in a colloquy that the Senator and I had on Saturday the Senator stated that he would to-day ask for a unanimous-consent agreement, as I understood him, to vote some time to-morrow, Tuesday. When the matter was first brought before the Senate it was stated by the Senator that he did not anticipate much debate on the question, and he announced that he was himself opposed to the acceptance of the mandate. Still he said he desired some time to prepare a proposed amendment; and it was for that reason, and also for the reason, as the Senator stated, that some of the Senators had left the Chamber and he had not had an opportunity to consult with them Saturday afternoon, that the matter went over until to-day. The mere fixing of a time to vote would not necessarily imply that we have got to devote all the time between now and the time fixed for a vote in the discussion of this question, because when no one cares to discuss this question it will be tem-

porarily laid aside and other business transacted. But inasmuch as the matter has to go to the House of Representatives, the President's communication being addressed to Congress and this being a concurrent resolution in reply, it seems to me that unless some Senator states that he wants time to debate it to a greater extent than could be afforded by voting on it to-morrow, we might agree to vote to-morrow. I am influenced in this not at all by a desire to curtail any Senator but simply by the obvious fact suggested by the Senator from Nebraska [Mr. NORRIS], that we have only four more days after to-day before the Republicans, at least many of them, must leave for their national convention, and the calendar is crowded with work. I think the President ought to have an answer to this categorical inquiry, which is very important to us and to Europe and Asia, before we adjourn for six months, and we should not leave the thing all afloat. I submit those considerations to the Senator from Nebraska.

Mr. HITCHCOCK. I think there is very little difference in the ultimate result, whether we vote to-morrow or on Wednesday. Personally, to me there is no objection to voting on to-morrow. The Senator from Massachusetts asked me to suggest a date, and I suggested 4 o'clock Wednesday. I would not object to any hour to-morrow, but I can not answer for others. There are some speeches to be made.

Mr. LODGE. Of course, I would be glad to have a vote to-morrow and get the resolution out of the way. The House ought to act upon it. I have no idea what their intentions are. If they propose to act on it they have the machinery which enables them to act on very short notice, and they would have plenty of time. I would be very glad if the Senator would assent to making it 4 o'clock to-morrow afternoon.

Mr. BRANDEGEE. Not later than 4 o'clock.

Mr. LODGE. Not later than 4 o'clock.

Mr. ROBINSON. Will the Senator from Massachusetts permit me to point out to him the fact that at half after 4 o'clock to-morrow the Senate will proceed under an order heretofore entered to hear eulogies in memory of a former Member of Congress, Gen. ESTOPINAL, of Louisiana? I do not know what length of time will be consumed in those ceremonies. So I suggest——

Mr. LODGE. We might postpone the eulogies for a few moments. I do not think that would be too late.

Mr. SMITH of South Carolina. I suggest, if we agree on some hour to-morrow afternoon, that we meet earlier in the morning, in view of the announcement made by the Senator from Arkansas, and dispose of the pending resolution before the hour set for the memorial addresses.

Mr. LODGE. I am perfectly willing to meet at any early hour. We can make it not later than 4 o'clock perfectly well.

The VICE PRESIDENT. The Secretary will read the proposed unanimous-consent agreement.

The Assistant Secretary read as follows:

It is agreed by unanimous consent that at not later than 4 o'clock p. m. on the calendar day of Tuesday, June 1, 1920, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon Senate concurrent resolution 27, a resolution respectfully declining to grant to the Executive the power to accept a mandate over Armenia, as requested in the message of the President dated May 24, 1920.

Mr. KING. May I inquire of the Senator from Massachusetts at what hour he expects to-morrow to take up the Armenian question?

Mr. LODGE. The whole time is given to it from now until to-morrow when the vote is to be taken.

Mr. KING. I have no objection to the proposed agreement.

Mr. REED. There is a question as to whether we are going to adjourn or recess.

Mr. LODGE. On Saturday?

Mr. REED. No; the question is whether we shall adjourn or take a recess this evening.

Mr. LODGE. A recess. I intend to keep the concurrent resolution before the Senate unless a time arrives when no one desires to speak upon it, and then of course we could lay it aside for other business. It is understood that it is to be kept steadily before the Senate until 4 o'clock to-morrow, and that we shall take a recess this afternoon.

Mr. McCORMICK. Will the Senator yield?

Mr. LODGE. Certainly.

Mr. McCORMICK. Since the Senator from Missouri has raised the question of a recess, I should like to ask if before the ultimate adjournment or recess the Committee on the Judiciary purposes to report a joint resolution repealing wholly or in part the so-called war acts? If we are going to give two days to the discussion of the Armenian resolution, I wonder what time we may have to consider the repeal of those acts, which no longer inure to the benefit of the country and very obviously inure in some degree to its great disadvantage.

Mr. LODGE. Mr. President, I hope the bill to which the Senator refers will soon be brought before the Senate, but we can not make a unanimous-consent agreement as to two measures; we have got to make a unanimous-consent agreement as to one bill as a preliminary. I think the matter which is now before us ought to be disposed of at once.

The VICE PRESIDENT. Is there any objection to entering into the unanimous-consent agreement?

Mr. REED. Mr. President, before the agreement is made, I desire to make a suggestion to the Senator from Massachusetts that he incorporate in the agreement the stipulation that the Senate shall meet at 10 o'clock to-morrow morning, and that no speeches made on to-morrow shall exceed one hour in length if any other Senator desires to speak.

Mr. LODGE. So far as I am concerned, I am perfectly willing to accept that suggestion.

Mr. REED. I will say not to exceed 45 minutes if any other Senator desires to speak.

Mr. BRANDEGEE. I suggest that we make it absolute. We can not tell whether or not any other Senator desires to speak until the time arrives.

Mr. SMITH of Arizona. Four or five Senators always desire to speak.

Mr. REED. I am willing to make the time limitation 45 minutes.

Mr. LODGE. I am perfectly willing to accept that addition, Mr. President.

The VICE PRESIDENT. The unanimous-consent agreement asked for by the Senator from Massachusetts will be read.

The Assistant Secretary read as follows:

It is agreed by unanimous consent that at not later than 4 o'clock p. m. on the calendar day of Tuesday, June 1, 1920, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon Senate concurrent resolution 27, a resolution proposing that Congress respectfully declines to grant to the Executive the power to accept a mandate over Armenia, as requested in the message of the President dated May 24, 1920; that upon the said calendar day of Tuesday, June 1, 1920, the Senate will meet at 10 o'clock a. m.; and, further, that on said calendar day no Senator shall speak more than once or longer than 45 minutes upon the said resolution and any amendment or amendments offered thereto.

Mr. REED. I wish to change the phraseology of the unanimous-consent agreement. The statement contained therein is "No Senator shall speak more than once or longer than 45 minutes." I think that ought to be changed so as to read: "Shall speak in all more than 45 minutes." That will give any Senator making a proposal an opportunity to advocate it and, possibly, to reply to criticisms which may be made of it.

Mr. BORAH. Mr. President, I desire to ask has the Senator from Nebraska yet submitted his proposed amendment?

Mr. HITCHCOCK. I have not yet offered the amendment; I shall ask to have it printed to-day. I desire to make some revision of it.

Mr. President, in the proposed unanimous-consent agreement I should like to have incorporated at the appropriate place, if the Senator from Massachusetts will permit, the words "and a motion to recommit shall be considered as a disposition."

Mr. LODGE. That would be in order and could not be cut out.

Mr. HITCHCOCK. I had some doubt as to whether, under the unanimous-consent agreement, that would be a disposition of the resolution.

Mr. LODGE. A motion to recommit would be in order, and if agreed to would be a disposition of the resolution.

Mr. HITCHCOCK. If that is understood, I shall be satisfied.

Mr. BORAH. Mr. President, I am just as anxious to vote on this resolution as is any other Senator, I suppose, but I do not know the nature of the amendment proposed by the Senator from Nebraska, and I dislike to agree to a proposal for unanimous consent for a final vote until I am informed as to that.

Mr. BRANDEGEE. The amendment proposed by the Senator from Nebraska has been printed in the RECORD.

Mr. BORAH. I desire to ask that the amendment may be read.

Mr. HITCHCOCK. The amendment is in the RECORD, having been read on Saturday. However, I will read it again. It is as follows:

Resolved further, That the President be, and he is hereby, empowered to appoint three American citizens to act with a like number of representatives of the Government of Armenia in the organization of a joint commission, the six so chosen to select a seventh person as chairman. Said joint commission shall be charged with the duty of supervising the preparation, issuance, offering for sale, and sale in the United States of bonds of the Armenian Government, not exceeding $50,000,000 in amount, the proceeds of which shall be available under

approval of the commission for the following purposes, to wit: To purchase in the United States agricultural implements, materials for railroad development, construction, and repair in Armenia, and other similar supplies for economic development and rehabilitation that may be designated by the Armenian Government: *Provided*, That not to exceed one-half of this amount may be used for the purpose of rehabilitating and establishing a sound banking and currency system for Armenia in case the Armenian Government may so decide under the advice and approval of this joint commission.

These bonds may be made payable in the United States, but the Government of the United States is not to be made in any sense responsible for the payment of either principal or interest.

Mr. BORAH. Are the commission and the acts which it shall perform to have any sanction on the part of our Government? Is the commission to have the Government sanction behind it? That is to say, is the Government to become responsible in any way for its actions?

Mr. HITCHCOCK. The Government does not become responsible, as is stated in the proposed amendment, for either the principal or the interest of the bonds, but it is intended that the bonds shall be issued under such official supervision as will guarantee to the American people who subscribe to them that the money derived from their sale shall be used for the purposes designated.

Mr. BORAH. In case, however, the bonds, after they are once subscribed for and taken by the American people, should not be paid, would the Government of the United States be under either a legal or moral responsibility to take care of them?

Mr. HITCHCOCK. Oh, no; I think not. It is simply a guaranty, so far as can be made, that the money which the friends of Armenia subscribe for the bonds shall be expended for useful purposes and for rehabilitating Armenia, and will not be turned over to the disposition of people far away from the United States.

The VICE PRESIDENT. Is there any objection to the proposed unanimous-consent agreement? The Chair hears none, and the agreement is entered into.

The unanimous-consent agreement as entered into is as follows:

It is agreed by unanimous consent that at not later than 4 o'clock p. m. on the calendar day of Tuesday, June 1, 1920, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon Senate concurrent resolution 27, a resolution proposing that Congress respectfully declines to grant to the Executive the power to accept a mandate over Armenia, as requested in the message of the President dated May 24, 1920; that upon the said calendar day of Tuesday, June 1, 1920, the Senate will meet at 10 o'clock a. m.; and, further, that on the said calendar day no Senator shall speak in all more than 45 minutes upon the said resolution and any amendment or amendments offered thereto.

NOMINATION OF W. L. FRIERSON.

Mr. SHIELDS. Mr. President, one day last week the nomination of Hon. W. L. Frierson to be Solicitor General was sent to the Senate. That office is vacant, Judge Alexander C. King having been appointed and confirmed circuit judge of the fifth circuit. Mr. Frierson is now acting as Assistant Attorney General. His nomination has not been referred to the committee. It is one that ought to be acted upon, and I ask that, as in open executive session, the nomination be now referred to the Committee on the Judiciary.

The VICE PRESIDENT. That order will be made unless the nomination has already been referred. The Chair has a recollection that it is in the hands of the Judiciary Committee.

Mr. SHIELDS. It had not been sent to the Judiciary Committee up to this morning, and for that reason I make the request.

The VICE PRESIDENT. The nomination will be referred to the Committee on the Judiciary.

AFFAIRS IN MEXICO (S. DOC. NO. 285).

Mr. LODGE. Mr. President, I ask unanimous consent that the Senator from New Mexico [Mr. FALL] may be permitted at this time to submit a report which he has been authorized to present by the Foreign Relations Committee. It will not lead to any debate, of course.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. FALL. From the Committee on Foreign Relations I present the report (No. 645) of the committee appointed under Senate resolution 106 for the purpose of investigating and reporting upon certain facts, matters, and suggestions with reference to Mexican affairs as affecting American citizens and American property rights.

In connection with the report it should be stated that it is accompanied by a number of documents, some of which are not entirely ready, but will be ready within the next day or two. I should like to have the report now accepted, with the accompanying documents, and ordered printed.

Mr. LODGE. I should like to ask the Senator from New Mexico whether he has requested that the report submitted by him with the accompanying evidence, which will follow later on, be made a Senate document.

The VICE PRESIDENT. The rule is that the request of a Senator is granted unless there is objection. The Chair does not always announce that there is no objection.

Mr. LODGE. I wanted to be sure that the request contemplated making the report and the accompanying papers a Senate document.

Mr. FALL. Mr. President, the Senator from Massachusetts reminds me that I did not specifically request that the report and accompanying papers be made a Senate document. It is impossible to print it all in the RECORD, as it consists of over 5,000 pages. I simply desire that the report may, with the accompanying documents, be printed as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered.

HUMBOLDT NATIONAL FOREST.

Mr. HENDERSON. Mr. President, if there is nothing now before the Senate, I ask unanimous consent for the present consideration of the bill (S. 2279) to authorize the addition of certain lands to the Humboldt National Forest. It is a local matter, and will create no discussion, I am sure.

Mr. WALSH of Montana. I desire to suggest to the Senator as a substitute for his request that the Senate proceed to the consideration of the calendar under Rule VIII; that is, if there is no Senator ready to proceed with the discussion of the pending matter.

The VICE PRESIDENT. The effect of the request of the Senator from Montana is that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of the calendar under Rule VIII. Is there objection?

Mr. REED. What is the request?

The VICE PRESIDENT. The Senator from Montana has asked that the unfinished business be temporarily laid aside and that the Senate proceed with the consideration of the calendar under Rule VIII.

Mr. REED. Mr. President, I think the understanding was that we were to take up the Armenian question.

Mr. LODGE. It was.

The VICE PRESIDENT. There was nothing being taken up, and it was thought that the Senate should take up something.

Mr. WALSH of Montana. Mr. President, I do not desire to interfere with the discussion on the Armenian question.

Mr. HENDERSON. As there appeared to be nothing before the Senate and I had a small bill which I thought I might get out of the way in a minute, I asked that it be considered. It will involve no discussion, being purely a local matter.

Mr. LODGE. It was clearly understood, under the unanimous-consent agreement, that if any Senator desired to speak upon the Armenian resolution, that would have precedence, and that we should not lay the unfinished business aside. Therefore I shall have to object if any Senator desires to speak on the Armenian question.

Mr. WALSH of Montana. I desire to say to the Senator from Massachusetts that I understood that matter thoroughly, but it seemed that no Senator desired to be heard on the subject. I would not have made the suggestion if it had been apparent that any Senator desired to speak, and I now withdraw the request.

Mr. HENDERSON. I withdraw my request also; but I waited a few moments and nothing was said by any Senator.

Mr. REED. If the Senator from Nevada has a bill which will require no discussion, I will not object to his having it considered.

Mr. HENDERSON. I am quite sure it will require no discussion; it is merely a local bill affecting the State of Nevada.

Mr. REED. I shall not object to that.

The VICE PRESIDENT. Is there objection to the consideration of the bill which the Senator from Nevada has asked may be considered?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2279) to authorize the addition of certain lands to the Humboldt National Forest, which had been reported from the Committee on Public Lands with amendments, on page 1, line 5, after the word "flow," to strike out "or the regulation and improvement of grazing thereon"; in line 6, after the word "may," to insert "with the approval of the Secretary of the Interior"; and, in line 10, after the word "Townships," to strike out "36, 37, 38, and 39 north, ranges 53 and 54 east" and insert "24 and 25 north of ranges 56 and 57 east," so as to make the bill read:

Be it enacted, etc., That any lands within the following-described areas found by the Secretary of Agriculture to be chiefly valuable for the production of timber, the protection of stream flow, may, with the approval of the Secretary of the Interior, be included within and made a part of the Humboldt National Forest by proclamation of the President, said lands to be thereafter subject to all laws affecting national forests: Townships 24 and 25 north of ranges 56 and 57 east, Mount Diablo meridian.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ACCEPTANCE OF OFFICES FROM FOREIGN COUNTRIES.

Mr. WALSH of Montana. Following the request of the Senator from Nevada, I ask unanimous consent that the Senate consider the bill (S. 4435) to authorize officers of the naval service to accept offices with compensation and emoluments from Governments of the Republics of South America. The bill has been unanimously reported from the Committee on Naval Affairs.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill which had been reported from the Committee on Naval Affairs with amendments on page 1, line 10, after the word "with," to insert "such," and on page 2, line 1, after the word "therefor," to insert "as may be first approved by the Secretary of the Navy," so as to make the bill read:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized, upon application from the foreign Governments concerned, and whenever in his discretion the public interests require, to detail officers of the United States naval service to assist the Governments of the Republics of South America in naval matters: *Provided*, That the officers so detailed be, and they are hereby, authorized to accept offices from the Government to which detailed with such compensation and emoluments therefor as may be first approved by the Secretary of the Navy: *Provided further*, That while so detailed such officers shall receive, in addition to the compensation and emoluments allowed them by such Governments, the pay and allowances of their rank in the United States naval service, and they shall be entitled to the same credit while so detailed for longevity, retirement, and for all other purposes that they would receive if they were serving with the United States naval service.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADJUSTMENT OF WAR CONTRACTS.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Washington?

Mr. POINDEXTER. I was going to ask for the consideration of a bill on the calendar which I think will involve no discussion at all. It will take only a moment for its consideration.

Mr. REED. Very well.

Mr. POINDEXTER. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 4259) to provide further for the relief of war minerals producers, and to amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919. It is a bill to supply a deficiency in the war mineral relief act. That act authorized those who supplied certain equipment and materials to the Government during the war to present claims for losses to the Secretary of War, and authorized an appeal from his decision to the Court of Claims. The same provision as to presenting claims for losses on behalf of those who produced or prepared to produce minerals authorized the presentation of those claims to the Secretary of the Interior, but failed to provide jurisdiction in the Court of Claims to hear claimants who were dissatisfied with the decision of the Secretary of the Interior. This bill supplies that deficiency.

Mr. NELSON. Mr. President, is that the only change that the bill makes?

Mr. POINDEXTER. That is the only change.

Mr. NELSON. It simply allows them to go into the Court of Claims?

Mr. POINDEXTER. That is correct.

The VICE PRESIDENT. Is there any objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Mines and Mining with amendments.

The amendments were, on page 1, line 6, after the word "approved," to strike out "March" and insert "February"; in section 2, page 2, line 4, before the word "act," to strike out "such" and insert "said"; in the same line, after the word "of," to strike out "March" and insert "February"; in line 8, after the word "after," to strike out "March" and insert "February"; in line 18, after the word "hereby," to strike out "given" and insert "vested with"; in line 19, before the word "such," to strike out "hear" and insert "determine"; in the same line, after the word "claims," to strike out "de novo" and insert "in accordance with the provisions of section 5"; in line 20, after the word "judgment," to strike out "in accordance with section 5"; in line 22, after the word "to," to strike out "the" and insert "any"; in the same line, after the word "claimant," to strike out "in adjustment, liquidation, or payment of such losses" and insert "on account of such losses under the terms of said section 5. From the final judgment of the Court of Claims in cases arising under this act an appeal shall lie to the Supreme Court of the United States in the manner provided in sections 242 and 243 of the Judicial Code," so as to make the bill read:

Be it enacted, etc., That the second paragraph of section 5 of the act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved February 2, 1919, is hereby amended by striking out the words "that the decision of said Secretary shall be conclusive and final, subject to the limitations hereinafter provided" and the semicolon following such words.

The fourth paragraph of such section is hereby amended by inserting after the words "That nothing in this section shall be construed to confer jurisdiction upon any court to entertain a suit against the United States," a comma, and the following words: "except as provided in section 6."

SEC. 2. That said act of February 2, 1919, is hereby further amended by adding at the end thereof a new section to read as follows:

"SEC. 6. (a) That any claimant who has filed a claim under section 5 within three months after February 2, 1919, whose claim has been rejected, or who is not satisfied with the decision, adjustment, liquidation, or payment of net losses by the Secretary of the Interior under such section, may file a petition in the Court of Claims for the final determination of such losses. If before this section takes effect the Secretary has made a final decision of such claim, the petition must be filed within 90 days after this section takes effect; and in all other cases within 90 days after such final decision is made.

"(b) The Court of Claims is hereby vested with jurisdiction to determine such claims in accordance with the provisions of section 5 and to render judgment for such amount as it finds to be justly and equitably due to any claimant on account of such losses under the terms of said section 5. From the final judgment of the Court of Claims in cases arising under this act an appeal shall lie to the Supreme Court of the United States in the manner provided in sections 242 and 243 of the Judicial Code.

"(c) Any payments made to the claimant under section 5 shall be certified by the Secretary of the Interior to the Court of Claims, and after judgment has been rendered by the court no further payments shall be made under section 5 unless in conformity with such judgment.

"(d) The receipt of any amount, or the giving of any acquittance or release, by the claimant under section 5 shall not be a bar to the remedy provided for by this section; but if any amount has been awarded and paid under section 5, the petition may not be considered until the petitioner executes a bond in an amount and with sureties satisfactory to the Chief Clerk of the Court of Claims, conditioned that if the court finds that a less amount is due than has been awarded by the Secretary of the Interior, the claimant will forthwith pay to the United States so much of the amount received under section 5 as is in excess of the amount found due by the court. Any amount thus paid to the United States shall be credited to the funds available for the paying of awards under section 5 and of judgments under this section.

"(e) Upon the filing of a petition in the Court of Claims under this section, the Secretary of the Interior shall forthwith certify to the court all the testimony taken in the case and all documentary evidence introduced or considered by the Secretary or any commission appointed by his authority, and such testimony and evidence shall be used and considered by the court upon the hearing and trial of the claim, and shall be given such weight as the court may determine.

"(f) Each judgment rendered by the Court of Claims under this section shall be certified by the chief clerk of the court to the Secretary of the Treasury, who is hereby authorized and directed to pay to the claimant the amount of such judgment, out of the revolving fund created by section 6 of the act entitled 'An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply,' approved October 5, 1918, which fund shall remain available for such purpose until all such judgments have been paid: *Provided*, That when the amount of such judgments so paid, plus the payments made to claimants and the expenses of administration under section 5 of this act (after allowance for amounts repaid to the United States under subdivision (d) of this section), reach the sum of $8,500,000 no further payments from such revolving fund shall be made by the Secretary of the Treasury under this section, or by the Secretary of the Interior under section 5."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide further for the relief of war minerals producers, and to amend an act entitled 'An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes,' approved February 2, 1919."

TRANSFER OF WAR MATERIAL.

Mr. OVERMAN. Will the Senator from Missouri yield to me a minute?

Mr. REED. Mr. President, I am willing to yield the floor.

Mr. OVERMAN. No; I think the Senator is interested in this bill, and it will not take any time, I think. If it does, I will withdraw it.

Mr. REED. Very well.

Mr. OVERMAN. I ask unanimous consent to call up the bill (H. R. 13329) to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes. It is a bill in which I think every Senator on this floor is interested. It proposes to authorize the Secretary of the Interior to distribute the surplus machinery that is now rusting in the country among the road commissions of the different States for the purpose of road building. The bill has passed the House and has been reported by the Military Affairs Committee of the Senate; and at this time, when the various road commissions are building roads and need this machinery, there is no reason why it should not be distributed among the States.

I ask unanimous consent to take up the bill and pass it, because, if it is going to be acted upon at all, it ought to be at this time.

Mr. KING. Mr. President, I ask the Senator not to press his request at this time.

Mr. OVERMAN. If the Senator objects——

Mr. KING. Yes; I object.

Mr. OVERMAN. Of course, I will not interfere with the Senator.

ARMENIAN MANDATORY.

The Senate resumed the consideration of Senate concurrent resolution No. 27, respectfully declining to grant to the Executive the power to accept a mandate over Armenia, as requested in the message of the President dated May 24, 1920.

Mr. HITCHCOCK. Mr. President, I send to the desk and ask to have printed in the usual form, and also printed in the RECORD, the amendment which I propose later on to offer to the pending resolution.

The VICE PRESIDENT. Without objection, it is so ordered.

The amendment is as follows:

Resolved further, That the President be, and he is hereby, empowered to appoint three American citizens, to act with a like number of representatives of the Government of Armenia, in the organization of a joint commission, the six so chosen to select a seventh person as chairman. Said joint commission shall be charged with the duty of supervising the preparation, issuance, offering for sale, and sale in the United States of bonds of the Armenian Government, not exceeding $50,000,000 in amount, the proceeds of which shall be available, under approval of the commission, for the following purposes, to wit: To purchase in the United States agricultural implements, materials for railroad development, construction, and repair in Armenia, and other similar supplies for economic development and rehabilitation that may be designated by the Armenian Government: *Provided*, That not to exceed one-half of this amount may be used for the purpose of rehabilitating and establishing a sound banking and currency system for Armenia, in case the Armenian Government may so decide, under the advice and approval of this joint commission.

These bonds may be made payable in the United States, but the Government of the United States is not to be made in any sense responsible for the payment of either principal or interest.

Mr. REED. Mr. President, it is with considerable regret that I undertake to discuss the question before the Senate, because other duties have made it impossible for me to give to the question the intimate study it deserves. I shall be obliged, in what I hope will be a very brief address, to deal with the subject matter in a general way.

This is the first practical application of the principles enunciated in the League of Nations. If I were for the League of Nations, I would be for the Armenian mandate; because the Armenian mandate is only the assumption of a part of the obligations which we are asked to undertake if we join the League of Nations. The Armenian mandate obliges us to assume the responsibility for a small section of the earth's surface lying in Asia. Its effect will be to oblige us to send our armies and our navies there to maintain peace and to hold people in subjection by armed force and to defend the country against attacks from the outside. But the obligations referred to will be directed to a specific territory. On the other hand, the League of Nations covenant obliges us to send our armies and our navies to protect every member of the league from attack. We are, in fact, to become partner in a scheme to hold all the world in subjection by armed force.

Mr. LODGE. Mr. President, will the Senator allow me to interrupt him?

Mr. REED. Certainly.

Mr. LODGE. Of course, in Armenia we are not confined to cases of exterior aggression.

Mr. REED. I made the distinction.

Mr. LODGE. I did not notice whether the Senator did or not.

Mr. REED. I made the distinction in my remarks. Let me finish my sentence.

The pending proposition undoubtedly obliges us to defend Armenia from attacks from the outside. It also imposes upon us the responsibility of maintaining order within the boundaries of Armenia; but the League of Nations imposes upon us the obligation to defend all members of the league attacked from the outside. It also imposes upon us the obligation, jointly with the other members of the league, to maintain order within States, for it is specifically provided that "any controversy affecting the peace of the world" is justiciable by the league. Notwithstanding the indisputable fact just stated, the singular situation is now presented that those who have been willing to swallow the League of Nations in its entirety when presented as a paper proposition now gag when they are put to the practical test of immediately accepting a small bite of the whole. I say this because the understanding is that many of those who advocated the league will reject the mandate. The situation serves to illustrate the difference between theory and fact, between promises and performances, between beautiful theories spun from the cobwebs of fancy and the stern business of carrying them into practical execution.

If we are to undertake the guardianship of the world, we might as well begin this Decoration Day morning by assuming the guardianship of this part of the world. If we are to assume jurisdiction over all the savages of the forests, all the Bedouins of the deserts, all the lazarone of Asia and of Europe, this is a propitious opportunity and time for a beginning, sir, for to-day we scatter flowers upon the graves of the gallant dead who yielded their lives in other wars. We might, therefore, well proceed on this Decoration Day morning to make the contract that will involve us in still greater wars and fill our cemeteries with fresh corpses.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Montana?

Mr. REED. I do.

Mr. WALSH of Montana. The Senator has asserted, and his argument proceeds upon the assumption, that if the United States assumed a mandate over Armenia it would be obliged not only to take care of internal dissensions and uprisings but also to protect that country against external aggression. That idea is one that is very prevalent—that a part of the duty of the United States would be to protect Armenia in a military way against military aggression from the outside. That is not my idea about the matter at all, and I was curious to know just exactly how that conclusion is arrived at.

In article 22 of the covenant of the League of Nations, dealing with the subject of mandates, is the following paragraph:

Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory.

It occurred to me that that would necessarily exclude military protection. Apparently military protection was not contemplated, at least at the time that paragraph of article 22 was framed.

But, Mr. President, a further provision of article 22 is to the effect that something in the nature of an organic act is to be provided for by the League of Nations. If the League of Nations should ask the United States to take this mandate, the United States, of course, could accept it conditionally, and it could insist as a condition that it would not be obliged to render any military aid toward the preservation of the integrity of Armenia; or it could enter into an arrangement to the effect that the other nations, specifically designating them, should contribute toward the military aid, and so forth. In other words, it could lay down just exactly such terms and conditions as it saw fit with respect to military aid.

I inquire of the Senator from Missouri where we get the idea that the one prime first and chief consideration is that the United States must guard Armenia against all enemies, foreign and domestic?

Mr. SHIELDS. I would like to suggest to the Senator that it has been published in the press and repeatedly stated that the President, at the time this treaty was made, and the signatories agreed that this article should go into the covenant, promised, when the treaty was ratified, to take a mandate for Armenia, and in view of that he sent Maj. Gen. Harbord there to ascertain how much it would cost and what army would be required to stabilize and control it and protect it. Did not that mean that we were to send an army there?

Mr. WALSH of Montana. I am not able to tell the Senator anything at all about the truth or want of truth in current rumors, or newspaper reports, or anything of that kind. All I can judge by is the formal, authoritative declaration which was put into the covenant. I can not see from that, unless I shall be enlightened by the Senator from Missouri, how that necessarily implies that we are obliged, as I stated, to guard Armenia against all enemies, both foreign and domestic.

Mr. REED. Mr. President, I shall take very great pleasure in replying to the Senator. But I must, in advance, say that I am astonished that the question should have been asked.

The point of the Senator from Montana is that all we agree to do under the terms of the treaty is to administer the affairs of Armenia. Will somebody please tell me how we can administer the affairs of Armenia while it is being overrun by an outside power, is being attacked, and there are armies marching across it?

Mr. WALSH of Montana. I will undertake to tell the Senator. We could not do it.

Mr. REED. Of course not.

Mr. WALSH of Montana. Of course, we could not do it. But that does not necessarily mean that the United States has to do it. Why should not an arrangement be entered into, as a condition of our accepting the mandate, under which France, Great Britain, Italy, Greece, Spain, and every other member of the league should contribute its quota of whatever military equipment and military aid is necessary in order to accomplish that end?

Mr. REED. Of course that, or almost any other thing we may imagine, is possible, but that is not what is proposed.

Mr. NORRIS. Mr. President——

Mr. REED. Just a sentence. It is proposed that the United States shall now accept the mandate, and the President has sent in a plain request that we now do accept the mandate.

Mr. WALSH of Montana. But the Senator will recognize that the mandate can not be accepted without the consent of the Congress of the United States. The President recognized that by sending his message here, and the Congress of the United States can attach just exactly such conditions as it may see fit.

Mr. REED. That is to say, we can refuse to go in at all——

Mr. WALSH of Montana. Unless these other nations aid us in the matter of the military protection of the country.

Mr. REED. Certainly we can refuse to go in at all; or we can consent to send a single individual to act as governor general or adviser, or we can send only a sergeant and a couple of privates, or we can do any other thing which would be absolutely ineffective, and we might call that a mandate, but it would only be a farce.

Mr. WALSH of Montana. Not at all. We can prescribe just exactly what we are willing to do.

Mr. REED. Yes; but that is not what is understood here; and it is not what England understands or France understands or anybody else understands.

Mr. WALSH of Montana. But what is the difference what they understand? It is what we understand. We tell them what we are willing to do; we will administer the affairs of Armenia as contemplated in this action, provided——

Mr. REED. Provided——

Mr. WALSH of Montana. Provided we get the requisite military assistance from the other powers.

Mr. REED. We might say that we would administer it provided they would furnish all the military force.

Mr WALSH of Montana. Of course, we might say that.

Mr. REED. Mr. President, I do not propose to discuss this question on the theory on which half the defense of this League of Nations has been made. Every time we have brought men face to face with the responsibilities of the League of Nations they have invariably said, "While we agree to do something, still we may hereafter repudiate that agreement. While we solemnly agree that we will protect the frontiers of every country on earth, still, because the Constitution says that we can not make war without the declaration of Congress, therefore we are safe to make such an agreement to make war, because we have the power to hereafter repudiate our obligation and most likely we will do so." I abominate such an argument; I repudiate any agreement that can only be defended upon the theory that we are to dishonor America by repudiating its plighted troth.

I do not propose to discuss a mandate in Armenia except upon the plain understanding which the world has and which we have, that whoever accepts the mandate accepts the responsibility that goes along with the mandate. I am going to discuss the question upon the basis of the report of the very man whom the President of the United States sent there, accompanied by an expensive military commission. That commission traveled 10,000 miles in inspecting Armenia and made a report. The report bears internal evidence that it is favorable as possible to the scheme of a mandate. The report declared that we must put an army of 60,000 men in Armenia to begin with. What number we must thereafter send is "in the lap of the gods."

Mr. NORRIS. Mr. President——

Mr. REED. I yield to the Senator from Nebraska.

Mr. NORRIS. I would like to suggest to the Senator from Missouri that if the proposition of the Senator from Montana were incorporated, and we accepted this mandate on condition that England, France, Italy, and all the other nations in the league should furnish part of the military force necessary, it would naturally and logically follow that in every other mandate anywhere else on the face of the earth the United States would be expected to furnish some of the soldiers. So in the end we would have armies in every country where there was a mandate.

Mr. WALSH of Montana. Mr. President, I do not see that that follows at all.

Mr. NORRIS. It would follow, it seems to me, if the United States did its duty.

Mr. WALSH of Montana. Why should it follow? Take South Africa, for instance. Great Britain is asked to take a mandate in a certain portion of South Africa. Of course, she will jump at the opportunity. She will say, "Yes; certainly we will take a mandate, and we will supply all of the military force necessary." Why should the United States be asked to furnish any military force?

Mr. NORRIS. But suppose England says, "We want the United States to send a regiment of soldiers there to help us, to be under our command," we will have to send them there if we ask England to send her troops to Armenia.

Mr. WALSH of Montana. We would be at perfect liberty to decline, just as Great Britain would be at perfect liberty to decline to send her quota to Armenia. That is a matter for herself to determine.

Mr. REED. Exactly.

Mr. WALSH of Montana. She is under no obligation whatever to do it, and no degree of reprehension can attach to her if she deems it inadvisable.

Mr. NORRIS. But in that case there would be no mandate in Armenia, if accepted on that condition. We can not ask other nations to do what we would refuse to do if they asked us.

Mr. REED. Mr. President, it is a singular situation which is presented. The United States is asked now and here to pass a resolution authorizing the President to accept the mandate. That was the request proffered to the President, and that was his request of the Congress. The Senator from Montana says, "Yes; we can accept a mandate, but upon the terms and conditions that all of the armies and all of the navies shall be furnished by others than ourselves, if we want to." Or, "We can accept the mandate upon the condition that the others shall contribute their share." That would not be an American mandate. That would be a mandate by many nations. That would be a joint agreement by many people. It would not be an American mandate.

Let us extend it. I will follow the line of thought of the Senator from Nebraska. Here is a proposition to take mandates over a large part of the earth's surface, over many millions of people. France has already accepted a mandate over Syria. She is not asking us to send troops there. She is taking care of that. She has assumed the rôle of guardian, or of boss, or of conqueror, or whatever you want to call her.

England has taken Mesopotamia. She has assumed full charge there, sent her troops there, and undertakes to control there.

Now we are asked to take charge of the so-called Republic of Armenia. The plain intendment of the whole business is that we will do in Armenia exactly what is being done by France and England, the one in Syria and the other in Mesopotamia.

What a ridiculous thing it would be for us to say under these circumstances, "Yes; we will accept a mandate in Armenia, but we will not do anything"; or "We will accept a mandate in Armenia, and you must furnish the troops and the ships"; or "We will accept a mandate in Armenia, and you must furnish two-thirds of the ships and the men, and we will call ourselves the mandatory."

Mr. President, it is useless to attempt to confuse the question. Its proponents can find no refuge in technicalities or behind imaginary possibilities that everybody knows will never occur. The proposition is that we shall assume the responsibility in Armenia, and the whole responsibility.

Let us see. England had troops in Armenia, and England withdrew them. She said, "We will take care of Mesopotamia,

and no more." France had troops in Armenia, and she withdrew them. She said, "We will take care of Syria, and no more." England took jurisdiction over Palestine. She did not take a mandate in Persia; she took Persia. Then she went north of the new territory of Armenia as mapped out, and she took Caucasus as is indicated on the map clear up to the sea of Azov. She seized that territory because it embraced the rich oil fields of Batum and Baku. There was left Armenia, a country of mountains and waste places. The question was asked in the British Parliament why England had not continued in Armenia? This is what Lloyd-George said on the 29th day of April, speaking to Parliament. I read a press account which has never been disputed:

Dealing with the Turkish treaty he (Lloyd-George) added little to what is already known from Mons. Millerand's speech, and declared that neither Great Britain, France, nor Italy was able to undertake a mandate for Armenia because it would have involved heavy military resources for a great conquest if the Armenians were to have anything more than a paper Armenia.

There are numerous other similar statements which I do not wish to put in the RECORD, because I do not want to incumber it with a vast number of statements.

But, Mr. President, the whole question of whether an armed force is necessary under the mandate to protect Armenia is settled by Gen. Harbord's report to the President, which is as follows:

(c) *The first duty of a mandatory would be to guarantee the safety of life and property through the country*, and to this end its earliest efforts should be directed to the establishment of a native rural police or constabulary for the suppression of brigandage, outlawry, and other crimes outside the towns.

(d) *Considering the uncertain character of the neighboring populations, the traditional lawlessness of migratory Kurds and Arabs, and the isolation of certain regions where the temptation to reprisals for past wrongs will be strong for at least a generation, a certain force must be kept in hand to supplement the native constabulary when needed.*

Gen. Harbord later declares that the force must be at least 60,000 men.

I shall later show how inadequate such a force may be.

Now, in view of that statement will the Senator from Montana say that does not require an army, and will he say that France and Italy and England are to furnish that army when they have already said they will not do it, and that they can not do it, that the expense is so great that they can not carry it? Will he so declare, in the face of the report of the President's representative, Gen. Harbord?

I regret having to debate a question that is so obvious and plain. I am sorry that a statement should have been made on this floor calculated to mislead the American people as to the gravity of the undertaking they are asked to assume.

Mr. President, this brings me to the question, What is the new Armenia? I have presented here a map prepared in the War College, which gives the best outline of Armenia, as proposed, which can be made under existing circumstances. Mark you, the boundaries of Armenia have not yet been definitely fixed.

The President of the United States has been asked to mark them out, I suppose upon the theory that the farther a man is away from a job the more he knows about it.

This country lies 6,000 miles from our shores. The proposed Armenia embraces a large part of what was formerly Turkey. In fact, the Turkish Empire is cut in two and a part of it is denominated Armenia. To this has been added, toward the east and northeast, another large body of land formerly under Russian control. The whole comprises a strip of land extending from the Mediterranean almost to the Caspian Sea. It lies immediately north of Syria, Mesopotamia, and Persia. As I have stated, the Turkish Empire is thus cut in two. Perhaps I can do no better service than to call attention to the facts regarding the character of this population.

I read from the bottom of page 7 of Gen. Harbord's report as printed in Senate Document No. 266, Sixty-sixth Congress, second session:

We estimate that there are probably 270,000 Armenians to-day in Turkish Armenia.

Two hundred and seventy thousand, little more than one-half the population of Washington.

Some 75,000 have been repatriated from the Syrian and Mesopotamian side, and others are slowly returning from other regions, and some from one cause or another remained in the country. There are in the Transcaucasus probably 300,000 refugees from Turkish Armenia, and some thousands more in other lands, for they have drifted to all parts of the Near East.

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We estimate a total of perhaps half a million refugee Armenians as available to eventually begin life anew in a region about the size of New York, Pennsylvania, and Ohio, to which would be added those not refugees, who might return from other lands.

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This transcaucasian region is ethnographically one of the most complicated in the world. In all ages it has been one of the great highways for mankind. Here stragglers and racial remnants have lodged during all the centuries that the tides of migration have swept the base of the great Caucasus Range, until to-day its small area contains five great racial groups, divided into some 40 distinct races. Nine of these have arrived in comparatively recent times, but the remaining 31 are more or less indigenous. There are here 25 purely Caucasian races. This racial diversity is complicated by the fact that with the exception of the fairly compact group of Georgians and one of Tartars these peoples are inextricably commingled throughout the region. Their civilization varies from the mountain savage to individuals of the highest types. Of the 40 distinct races the most important groups are the Georgians, the Azarbaijanese Tartars, and the Armenians.

A Transcaucasian confederation formed by all the peoples in that region was followed by an alignment in three small Republics, Georgia, Azarbaijan, and Armenia. Georgia is Christian, and its Iberian population are in the majority; Azarbaijan is Tartar and Moslem; Armenia is made up of the former provinces that composed Russian Armenia, less the part that went to Azarbaijan in the split, and the majority of its people are the blood brothers of the Armenians of Turkey in Asia. These Republics have been recognized by none of the powers except Turkey. The Armenian Republic seeks at the peace conference a union with the Turkish Armenians and the creation of an Armenian State, to include Russian Armenia and the six Turkish Vilayets (Van, Bitlis, Diarbekir, Kharput, Sivas, Erzerum) and Cilicia, to be governed by a mandatory of the great powers during a transition state of a term of years, in which Armenians of the dispersion may return to their homes and a constituent assembly be held to determine the form of the eventual permanent Government. Georgia and Azarbaijan ask independence at the peace conference, with certain adjustments of disputed boundaries in which all Transcaucasia is interested.

Both Georgia and Azarbaijan, living on the salvage from the wreck of Russia, have persuaded themselves that the civilization and governmental and business machinery they have taken over have been theirs from the beginning. The Georgians, with a church of their own antedating that of Russia and traditions of a Georgian dynasty of Armenian origin which reigned in Tiflis for a thousand years before Russia took over the country in 1802, are a very proud and plausible race.

I call the attention of the Senate to this:

They have been much influenced by the proximity of bolshevism, fly the red flag of revolution over their own, and have nationalized land, taking it from the original owners without compensation, to sell to peasants.

Mr. President, I shall not take time to go into details much further regarding these peoples. Already bolshevism has its fangs fastened upon them; they like the poison and have adopted it.

Already they are at war with each other. This morning's Washington Post contains the following telegram:

CONSTANTINOPLE, *May 27.*

The seven-day armistice between the republics of Georgia and Azerbaijan was broken four days after it had gone into effect, according to messages from Tiflis to-day.

The entire situation in the Caucasus has become so orientally complex that even the sharpest of Western minds here seem unable to comprehend it. Foreign observers in Georgia and Armenia, however, offer no hope that good for Armenia is coming out of it.

A message received by the nationalists from the general commanding their troops in Erzerum says the Russian bolsheviki have advised him that they are sending two divisions of Russian soviet troops to Erzerum across Persia. This message, however, is regarded as questionable by the foreign military men in Constantinople.

However that may be, if they are not now marching we may anticipate their speedy advance.

There is another dispatch, under the date of May 30, from Paris to the Temps, from Tiflis, Transcaucasia, which says:

The soviets at Baku have been removed from power by the bolshevik emissary Pankratof, who was sent from Moscow. The dispatch adds that foreigners at Baku, particularly British, have been imprisoned or detained.

The petroleum industry has been organized on a large scale in Astrakhan in order to supply soviet Russia by way of the Volga River.

The dispatch says no bolshevik attacks on Georgia or Armenia have been recorded.

Mr. LODGE. Mr. President, if it will not disturb the Senator from Missouri, I desire to ask him a question merely for information. The Senator is aware that the supreme council, the San Remo conference, the league, or some other body invited the President to delimit Armenia, to lay down its boundaries; but I understand that that is only within certain limits, that the President is not to be allowed to touch certain Provinces to which Armenia lays claim, but is to operate only within a restricted area. Has the Senator from Missouri heard anything about the President's power in that regard?

Mr. REED. I have not. The fact is we have so much secret diplomacy going on in these days of "open covenants openly arrived at" that nobody except the men in the secret knows just what is going on. Nevertheless, the Senate and the House of Representatives are invited to shut their eyes, open their mouths and swallow what is put to their lips. This, however, is what the President says in his message:

I may add for the information of the Congress that at the same sitting it was resolved to request the President of the United States to undertake to arbitrate the difficult question of the boundary between Turkey and Armenia in the Vilayets of Erzerum, Trebizond, Van, and Bitlis, and it was agreed to accept his decision thereupon, as well as any stipulation he may prescribe as to access to the sea for the independent State of Armenia.

The language seems to place a limit upon the President's authority. It is, however, so vague no man can determine with-

out further data the extent to which the President may go. I can not more definitely answer the distinguished chairman of the Committee on Foreign Relations. I take it that he does not have the information, or he would not have asked me the question; and if he does not possess the information, then I assume nobody in the Senate has it, and perhaps nobody outside the White House and the "Big Three," who are now dividing up the world, can answer the Senator's question.

Let us for a moment further consider the hornet's nest which we are invited to enter. The country over which we are asked to accept a mandate is surrounded by over 250,000,000 Mohammedans; on every side it is bounded by Mohammedans. It may be interesting to some of the Members of the Senate to know that Mohammedanism is gaining proselytes faster probably than is Christianity. Proselyting for the Mohammedan faith has been going on for a long period of time. Its activities for a decade have been enormously multiplied.

The central thought of this faith is the ultimate unity of the Moslem world. The inspiring motives are two: An adherance to the doctrines of Mahomet, constituting the spiritual impulse; the final dominance of Mohammedans over the entire earth constituting the political impulse. To this end they have organized themselves into secret societies, having a head which appears to be in absolute control. In accordance with a final and intelligent plan they are exploring Europe and Asia in search of learning in every branch of science. Especially are they keen to acquire a knowledge of military and naval science.

It must be remembered that these people are not to be despised because they have been temporarily put down by the superior arms of the white nations. No page of history is more replete with valorous military achievement than that which contains the record of the Moslems.

May I not beg you to keep in mind that statesmen in regarding world problems must not judge by the immediate present nor, indeed, by the immediate future. They must think in decades and in centuries. They must remember that a race of men to-day inert and an easy prey may to-morrow spring at the throats of their oppressors. Accordingly we must not forget that the ancestors of the present-day Mussulman once penetrated to the very heart of Europe and threatened the extinction of Christian civilization.

Let us not forget that the descendants of these conquerors are as brave as their ancestors. In recent years they have with admirable courage marched to battle. Only the superiority of British cannon and British discipline has enabled her armies to withstand the assaults of men who believed that death upon the first battle insured a life of eternal bliss.

It will not do to say that they are a people without genius. The architecture of the Moors excited the admiration of the world. It will not do to say that they are devoid of religion, for although they follow a creed which we regard as heresy, it nevertheless has stood the test of a thousand years. Embraced within it are some of the most beautiful tenets that have ever inspired the soul of man. Let those who talk about "the unspeakable Turk," who treat with contumely the Moor, who refer in scorn to the Mohammedan religion, remember that it counts as its adherents 250,000,000 of the earth's inhabitants. Will such a people thus united by religion and largely of blood kin forever submit to robbery, to plunder, and to mastery?

What has been perpetrated against them? England concluded she wanted Egypt. She took it at the point of the sword. Was there opposition? We heard but little of it; and yet, sir, in 1915 England had to withdraw enormous forces from points on the front where they were needed in order to put down the rebellions that were started.

But for a moment let me digress from that immediate thought. France, without any more title to the country than the United States had, proceeded by armed force to take possession of immense territories in Algiers. It was an act of robbery, by force major, pure and simple, and England but recently, with the hand of steel, wearing, it is true, the glove of diplomacy, has taken possession of Persia. By the sword she has seized Mesopotamia.

I think we may say that last act is justifiable as a punishment for the war, and that there is a title, a war title, a blood title, to that land. France has taken Syria. They call it a mandate, but it is an armed invasion and an armed holding. Again, that title of France, based upon this war, may have some kind of a justification in our minds. These, however, are only a few of the instances of cold-blooded and deliberate invasion and robbery that have been going on for many years.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Montana?

Mr. REED. I yield for a question.

Mr. WALSH of Montana. I am very much interested in that view expressed by the Senator, and in no little sympathy with him; but the Turkish Empire is all broken up. Now, just exactly what would the Senator do?

Mr. REED. That is a complete digression from my theme. I shall be glad to try to answer, a little later, just what I would do.

Mr. WALSH of Montana. Very well.

Mr. REED. I am discussing now not so much the question of what we have taken in the war as what had been going on before.

Mr. WALSH of Montana. But the Senator is making some rather severe charges against one of our allies—France, for instance—for taking over Syria——

Mr. REED. No; I did not. I said she possibly had a title to that through this war.

Mr. WALSH of Montana. Oh, yes; but the Senator, notwithstanding that, can not escape the suggestion that his language was rather severely condemnatory of France for having taken over Syria, and of England for taking over Mesopotamia.

Mr. REED. Oh, no, Mr. President. My language is in the RECORD, and it was expressly to the effect that they probably had a title to this land, and probably a justification for taking it. It was taken as the spoils of war.

Mr. WALSH of Montana. That is the point. The Senator was conveying the impression that as the spoils of war they had grabbed these territories.

Mr. REED. Very well. If the Senator will wait until I have reached my conclusion, I do not believe he will quarrel with the deduction I draw.

Mr. WALSH of Montana. But the Senator will bear in mind that that was all Turkey.

Mr. REED. Oh, I understand that it was Turkey.

Mr. WALSH of Montana. And it is a simple question as to whether we will allow Turkey to continue as the sovereign of that entire territory.

Mr. REED. Exactly. The doctrine of self-determination is working at full force. I am, however, discussing a theme a little different from what the Senator has in mind. I am talking particularly about the repeated acts before the war. It is true I mentioned the fact that England and France had, as the result of the war, taken Syria and Armenia. I am, however, especially inviting attention to the fact that prior to the war England, France, and Italy had invaded the territories of the Moslem people and had taken over vast stretches of territory. That was done by Great Britain in Egypt. While until recently she kept up a pretense of allowing Egyptian government, it was only a pretense. Her adviser was an autocrat whose advice Egypt was forced to accept.

Mr. LODGE. Mr. President, does the Senator know exactly where the Italian holding is? It is not shown on that map.

Mr. REED. It is in Tripoli, in Africa. It is not in the part of the world shown on the map now exhibited.

Mr. LODGE. I see.

Mr. REED. I am speaking of the Moslem world as a whole, not of Turkey. I have already said that this Moslem world is bound together by a religious tie, and I am not dreaming. I am voicing a fear that has been expressed by the statesmen of the world for many years, viz, that these continued wrongs and outrages are the seed from which a bloody crop will some day be harvested.

Returning now to a theme that I started to discuss a moment ago, I challenge attention to the fact that the Moslem world is united, and in the most dangerous way united, that the menace is present, and that at any time it may become manifested in a tremendous uprising. In proof I refer to the fact that serious uprisings actually occurred during the recent war. I am reading now from a book just from the press, entitled "The Rising Tide of Color against White World Supremacy," by Lothrop Stoddard, of Harvard, author of a number of excellent books, with an introduction by Madison Grant, author and writer on races of men.

In discussing the spirit of Moslem protest throughout the world the author states:

> Europe's conquests of Africa and central Asia toward the close of the last century, and the subsequent Anglo-French agreement mutually appropriating Egypt and Morocco, evoked murmurs of impotent fury from the Moslem world. Under such circumstances the Russo-Japanese War of 1904 sent a feverish tremor throughout Islam.

Here follows a discussion of the relation of the movement to Japan. The author continues:

> In 1911 came Italy's barefaced raid on Turkey's African dependency of Tripoli. So bitter was the anger in all Mohammedan lands at this unprovoked aggression that many European observers became seriously alarmed.
>
> "Why has Italy found 'defenseless' Tripoli such a hornet's nest?" queried Gabriel Hanotaux, a former French minister of foreign affairs,

"It is because she has to do, not merely with Turkey, but with Islam as well. Italy has set the ball rolling—so much the worse for her—and for us all." But the Tripoli expedition was only the beginning of the Christian assault, for next year came the Balkan War, which sheared away Turkey's European holdings to the walls of Constantinople and left her crippled and discredited. At these disasters a cry of wrathful anguish swept the world of Islam from end to end. Here is how a leading Indian Moslem interpreted the Balkan conflict:

"The King of Greece orders a new crusade. From the London chancelleries rise calls to Christian fanaticism, and St. Petersburg already speaks of the planting of the cross on the dome of Sant' Sophia. To-day they speak thus; to-morrow they will thus speak of Jerusalem and the Mosque of Omar. Brothers! Be ye of one mind, that it is the duty of every true believer to hasten beneath the Khalifa's banner and to sacrifice his life for the safety of the faith." And another Indian Moslem leader thus adjured the British authorities: "I appeal to the present Government to change its anti-Turkish attitude before the fury of millions of Moslem fellow subjects is kindled to a blaze and brings disaster."

Still more significant were the appeals made by the Indian Moslems to their Brahman fellow countrymen, the traditionally despised "idolators." These appeals betokened a veritable revolution in outlook, as can be gauged from the text of one of them, significantly entitled, "The Message of the East." "Spirit of the East," reads this noteworthy document, "arise and repel the swelling flood of Western aggression! Children of Hindustan, aid us with your wisdom, culture, and wealth; lend us your power, the birthright and heritage of the Hindu! Let the spirit powers hidden in the Himalayan Mountain peaks arise. Let prayers to the god of battles float upward; prayers that right may triumph over might; and call to your myriad gods to annihilate the armies of the foe!" In China also the same fraternizing spirit was visible. During the republican revolution, the Chinese Mohammedans, instead of holding jealously aloof, cooperated wholeheartedly with their Buddhist and Confucian fellow citizens, and Dr. Sun-Yat-Sen, the republican leader, announced gratefully: "The Chinese will never forget the assistance which their Moslem compatriots have rendered in the interest of order and liberty."

I am coming now to the matter that I wanted particularly to challenge attention to:

The Great War thus found Islam deeply stirred against European aggression, keenly conscious of its own solidarity and frankly reaching out for colored allies in the projected struggle against white domination.

Under these circumstances it may at first sight appear strange that no general Islamic explosion occurred when Turkey entered the lists at the close of 1914, and the Sultan-Khalifa issued a formal summons to the holy war. Of course, this summons was not the flat failure which allied reports led the west to believe at the time. As a matter of fact there was trouble in practically every Mohammedan land under allied control. To name only a few of many instances: Egypt broke into a tumult, smothered only by overwhelming British reinforcements; Tripoli burst into a flame of insurrection that drove the Italians headlong to the coast; Persia was prevented from joining Turkey only by prompt Russian intervention; and the Indian northwest frontier was the scene of fighting that required the presence of a quarter of a million Anglo-Indian troops. The British Government has officially admitted that during 1915 the Allies' Asiatic and African possessions stood within a hand's breadth of a cataclysmic insurrection.

That is the hornet's nest into which we are invited. Land after land has been taken by the sword. Peoples after peoples have been brought into subjection, a rule by martial law substantially established. The fires of hate have been set burning in the hearts of 250,000,000 people. Revolt after revolt has occurred; revolt after revolt will occur so long as these people cling to their faith, so long as they have the blood of courage in their veins.

Now, sir, the proposition is that there shall be carved out a strip of territory substantially extending from the Caspian to the Black Sea and stretching southward to the Mediterranean. That strip of territory cuts the Moslem world in two. It is proposed that America shall assume the control and the management of the country thus created. With all due respect to any critic who splits hairs and cavils at phraseology, I say that whoever accepts the mandate must defend the country.

That means, sir, that if the Moslem world shall seek to throw off the thraldom of England, France, or Italy, the soldiers of the United States will form the wall of flesh and blood which will be expected to break the force of the Moslem assault.

Gen. Harbord has been sent to Armenia to investigate conditions. I pass no reflection upon Gen. Harbord, but whoever reads his report will see that as far as possible he undertook to sustain a mandate in Armenia. I shall try to call attention to the evidence of that in a few moments.

Yet he states there must be 60,000 troops there at the present time. Now, let us see what is likely to happen if we have 60,000 American boys in this worse than a cockpit of the world, in this bloody forum every inch of which is saturated with the gore which has been poured from the veins of men for 3,000 years.

There will be an attack. These people are never at peace. I have already shown that the new republics, or so-called republics, are at war at this present hour.

But, more than that, we have great Russia to reckon with. Russia controls, and for many years has controlled, a large section of this territory. To-day she is engaged in a war within her own borders, in a war with Poland, the result of which is that practically all her energies are there concentrated; and yet it appears, from the articles I have read, that she has still time and energy to send men, if not to send troops, into this very country. Is there a sane man on this earth who believes that Russia will forever be in trouble; that 180,000,000 people, who have maintained a civilization and a strong central government for centuries of time, is now wiped out; and that it is no longer a potential factor in the world's business?

Is there a sane man anywhere who believes that when Russia has reestablished peace within her own borders she will not create a central government of strength and power? Again, is there a sane man who believes that such a power will submit to the ravishment of the lands of Russia, and that England will be permitted to keep the Caucasus without a fight?

It follows, therefore, as day follows the night, that this territory which was Russian, Russia will again demand, and our little Army of 60,000 troops will be instantly in peril. We will be the mandatory, and if we are the mandatory, the protector, it will be our business to repel an invasion by Russia. The moment a Russian soldier sets foot upon soil which is under our mandate, that soldier will be engaged by an American soldier.

Blood will be spilled, and the cry will go that we must avenge the blood of our soldiers. Thus we will be drawn into a world war because Great Britain has seized oil fields on soil under Russian territory or within its zone of influence.

What right have we to rob Russia? She lost 6,000,000 men fighting against Germany. She fought until she was exhausted and then she withdrew. Her withdrawal was not an act of dishonor to the United States, for she had no promises to us. Her withdrawal can hardly be said to be an act of dishonor to any nation, for she quit through exhaustion. Then she set up a government which we do not like, but that is not our business unless, indeed, we are to set up a league of nations and govern everybody, and whoever undertakes that is undertaking the office of God Almighty himself, for He alone has the power or is entitled to control the races of men.

But, sir, how long will it be until there will be trouble in Persia? There is a wonderful people. They were old and their civilization had adorned the earth when our ancestors were savages of the forest. They are not dead—perhaps they do not even sleep. Will Syria and Mesopotamia wear their chains always and without protest? I tell you, sirs, that those people are as certain to resist as are the Irish certain to resist until their chains are broken. No people with any pride of character will long submit to a government established over them by men of a different race and religion. Every sentiment of their souls will rebel, every impulse of their manhood will protest.

But, sir, what of the interior of this country? What do we undertake there? A very small proportion of the people of the country that we propose to take over are Armenians. What of the Armenians? I belong to that class of men who never attack a race as a race, for I know of no race that has ever attained to any degree of civilization that has not possessed many virtues and that has not produced some men of such eminence that they would adorn any other country by their presence and citizenship. But when we speak of this question, we must consider the aggregate, and what of the Armenian in the aggregate?

To begin with, if he was the right kind of man, speaking broadly, the things that have occurred never could have happened. We are told that Armenians have been slaughtered, entire families put to death, without a hand being raised. We read stories of Turkish soldiers coming to a home, murdering the entire family, including the husband and father, like so many pigs, and that no one was killed save the Armenians. That would not be possible with our race. If a massacre were proclaimed in this country by some dominant race we might be massacred, but our lives would be sold and paid for 10 to 1.

It has happened many times in our history—little frontier settlements of only a few men and women in the forest have been attacked by overwhelming hordes of savages—but whoever heard of an American frontiersman laying down his gun while the Indians slit his wife's throat and scalped his children? Always we read the story of windows barred and doors closed and of firing until the last bullet was gone; then of the battle with the clubbed rifle until the defender of the home was stretched stark upon the sward. Then, and not until then, did they get at his wife and babies.

But I step aside for a moment to call attention to the evidence of the character of this people, and as I do so I challenge your thought to the statement I made a moment ago—that Gen. Harbord wrote as favorable report as he could. I find here page after page devoted to the most pathetic accounts of the slaughter of Armenians and the cruelties of the Turks. They are painted not so much with the pen of the

military writer, who generally deals in hard, cold facts without ornamentation, but rather they are expressed by the brush of a master artist of diction, who has expended all of his ability in portraying the awful experiences of the Armenians, and then, presented in a single sentence, is a fearful statement; I give it as a picture of the Armenians by the friend of the Armenians. The author has just concluded this graphic depiction of Turkish cruelties, of women ravished, of children starved, of houses burned, of cities plundered, and of people dragged into slavery or worse than slavery by the Turks. Then comes this statement:

In the territory untouched by war from which Armenians were deported the ruined villages are undoubtedly due to Turkish deviltry, but where Armenians advanced and retired with the Russians their retaliatory cruelties unquestionably rivaled the Turks in their inhumanity.

Perhaps I was wrong in saying that this was a single sentence, for my attention was called to the fact that elsewhere Gen. Harbord makes similar statements, as for instance:

The Armenian is not guiltless of blood himself; his memory is long and reprisals are due, and will doubtless be made if opportunity offers. Racially allied to the wild Aryan Kurd, he is cordially hated by the latter. Kurds appealed to this mission with tears in their eyes to protect them from Armenians who had driven them from their villages, appealing to be allowed to go back to their homes for protection against the rigorous winter now rapidly approaching on the high interior plateau. The Kurds claim that many of their people were massacred under the most cruel circumstances by Armenian irregulars accompanying the Russian Bolshevists when the Russian Army went to pieces after the collapse of the empire.

Similar claim is made by the people of Erzerum, who point to burned buildings in which hundreds of Turks perished, and by the authorities of Hassan-Kala, who give the number of villages destroyed by the Armenians in their great plain as 43. According to British Consul Stevens, at Batum, these statements were verified by a commission which examined into the allegations and on which Armenians had a representation. In Baku the massacre of 2,000 Azarbaijanese by Armenians in March, 1918, was followed by the killing of 4,000 Armenians by Azarbaijanese in November of the same year.

So that it is a case of eastern barbarism on both sides, each of them responding to the hate of centuries, each of them pursuing the same methods and tactics. Over this cesspool of criminality, of cruelty, of villainy, of race hatred the United States is asked to assume control, and to do it because the countries that have, speaking broadly, stolen the lands of these people all over the world decline to take control because it is expensive. As usual—and I am going to use the slang expression, as much as it may be out of place in the Senate—Uncle Sam is to "hold the sack."

In summing up the reasons, pro and con, on the Armenian mandate, Gen. Harbord's report reckons the cost as follows:

13. The first duty of America is to its own people and its nearer neighbors.

Our country would be involved in this adventure for at least a generation, and in counting the cost Congress must be prepared to advance some such sums, less such amount as the Turkish and Transcaucasian revenues could afford, for the first five years, as follows:

FIRST YEAR.

General government	$100,000,000
Communications, railroads, etc	20,000,000
Relief, repatriation, education, etc	50,000,000
Army and Navy	88,500,000
Sanitation	17,000,000
Total	275,500,000

SECOND YEAR.

General government	75,000,000
Communications, railroads, etc	20,000,000
Relief, education, etc	13,000,000
Army and Navy	59,000,000
Sanitation, etc	7,264,000
Total	174,264,000

THIRD YEAR.

General government	50,000,000
Communications, railroads, etc	20,000,000
Relief, education, etc	4,500,000
Army and Navy	44,250,000
Sanitation, etc	5,000,000
Total	123,750,000

FOURTH YEAR.

General government	25,000,000
Communications, railroads, etc	20,000,000
Relief, education, etc	4,500,000
Army and Navy	44,250,000
Sanitation, etc	3,000,000
Total	96,750,000

FIFTH YEAR.

General government	15,000,000
Communications, railroads, etc	20,000,000
Relief, education, etc	4,500,000
Army and Navy	44,250,000
Sanitation, etc	2,000,000
Total	85,750,000

SUMMARY.

Total first year	$275,500,000
Total second year	174,264,000
Total third year	123,750,000
Total fourth year	96,750,000
Total fifth year	85,750,000
Grand total	756,014,000

As to the number of troops necessary for this mandatory Gen. Harbord states:

Estimates of the necessary number of mandatory troops vary greatly—from 25,000 to 200,000. Conditions change so rapidly that plans made to-day for the use of troops might be obsolete in six months. Uncertainty as to the time the mandate will be tendered and accepted makes estimates merely approximate. Under conditions as they exist to-day the undersigned believes that a force of two American divisions, with several hundred extra officers, or a total force of 59,000, would be ample. Such force would be specially organized—one aeroplane squadron; a minimum of artillery; not to exceed one regiment of 75's, motorized; a minimum of the special services; four times the usual number of sanitary troops; four regiments of Cavalry, with minor changes in organization, at the discretion of the senior general officer on duty with the mandatory government. This force should be substantially reduced at the end of two years, and by 50 per cent at the end of the third year. After that some further reduction could be slowly effected, but the irreducible minimum would be reached at about the strength of one division.

The annual cost for the force of the Army above stated would be at the maximum:

For the first year	$88,500,000
At the end of two years perhaps	59,000,000
At the end of three years	44,250,000

with thereafter a continuing appropriation of that sum less such amount as the local revenues could afford, probably a very substantial fraction of the cost.

A more monstrous proposition was never put before the American people. If you undertake it, do it with your eyes open. We are to send an army of 60,000 men; they are to hold a people in subjection who, the moment the Turkish yoke was broken, set upon each other for mutual extermination. This army will be in the center of 250,000,000 Moslems, whose hearts are filled with hate of our very race.

For my part, sir, I am not willing to send a single man, unless we send a million men. They will be far from their base of supplies, far from reinforcements. They will be liable to annihilation at the hands of overwhelming forces of fanatics, who believe that God speaks through their representatives, and that when they are called to the field of battle and to death, they are also called to the bosom of Allah.

If we send an Army, it must be strong enough to withstand all attacks. Even a million men can not do that. There are 22,000,000 Turks in Turkey alone; there are, I think, approximately 15,000,000 people in Persia; there are 22,000,000 in Egypt; there are vast numbers of Moslems inhabiting Russia, Turkestan, India, Arabia, and Western China. To send 60,000 men there may be to send them to slaughter. Certain it is that so long as they are there, there can not be anywhere in Asia a serious disturbance without imperiling their safety; there can be no attack on Armenia unless they are drawn into it. As I have said, when once they are drawn in, when once a single American soldier has shed his blood, then America must stand back of the issue.

Mr. President, what of this new madness, this "new era," this "new magic," that this country should go forth into all the world and impose its will upon millions of God's creatures everywhere? We believe that we have the best form of government; they believe that they have the best form of government. We believe we have the true religion; they believe they have the true religion. We follow the cross; they follow the crescent. We have our habits of home life; they have theirs. Shall we undertake to impose our will upon them? Why, then, pray, have they not an equal right to impose their will upon us?

If you establish the doctrine that all races of men have the right to set up their own government, if you adhere to the immortal principle that "all governments derive their just powers from the consent of the governed," then each race of men will stay at home, set up their own government, attend to their own business, insist upon it as a right, defend it with their fortunes and their lives, and the world will grow to greatness and may remain at peace; but if once you strike down that eternal principle of justice, then, sir, you have destroyed it as a defense to yourselves; you return the world to the old doctrine that caused many of the bloody wars of history, that a nation has the right to go forth to impose its form of government and its kind of religion upon other races or nations.

Then will recur the struggles and the battles—the bloody and fearsome wars—that have drenched the old earth in the blood of countless millions.

Are we to go to Armenia because some of her people—a minority of them—have our religion in some sort of form? We might as well, then, go to Russia, for they have our religion in an

equally pure form. They, too, are Christians. We might follow the church and the missionary into every land beneath the sun and proceed to take possession because there are some people there who belong to our faith. And where, pray, will that bring us? Back to the doctrine of the old Spanish conquistador. He carried the cross of Christ in one hand, but in the other was a blood-dripping sword. He pretended to make his conquests in the name of the meek and lowly and gentle Jesus, but he proceeded with the instrumentalities of hell, and he made an inferno of the earth wherever he marched.

Dare you accept the doctrine that because there are some people in a distant land who claim to belong to our religious faith we are therefore to take possession of that country? I challenge any man to accept that doctrine, for if it is accepted then we must to-morrow put the draft in execution; we must man our ships of war, start our factories making poison gases and the instrumentalities of destruction, and move upon Japan, for Japan has taken Korea, and in Korea there are many Christians. I have heretofore quoted upon the floor from the reports made by the two missionary associations to the effect that Japan with the sword overcame the ancient kingdom of Korea, and is now engaged officially in the business of persecuting the Christians; that Christian churches have been given to torch; that Christian men, because they were Christians, had steel rings forced upon their arms until the blood was driven back into the surcharged heart and they died in an agony equal to the crucifixion; that Christian women have been stripped naked and beaten with bamboo rods until the flesh dropped from their bones and they died in infinite torment.

If you are to establish this doctrine, then extend it, and let us have a mandate in Korea; let us put American soldiers in that land; let us have a religious war between Japan and the United States.

We are asked to enter upon this mandate while the gravest tasks at home remain unfulfilled. Eleven per cent of our people are unable to read and write; our school-teachers paid wages that frequently are not the equivalent of the hire of the ordinary servant girl. Our school children are insufficiently supplied with textbooks. All this in a land the government of which rests upon the intelligence of the governed.

Here, sir, are unexampled resources not yet developed, rivers to be harnessed, swamp lands to be reclaimed, desert stretches to be irrigated, wonderful natural resources not yet employed. Here are 20,000,000 acres of overflowed land in the Mississippi Valley alone as rich as is the soil of the treasured valley of the Nile, and yet when we came to the rivers and harbors appropriation we cut it to a meager $12,000,000 upon the claim that the money could not be spared. The entire sum would, in my opinion, not support an army of 60,000 men in Armenia for one month's time. Here are our people driving over dirt roads, hauling produce to market over country lanes, wasting time and energies that are of incalculable account, because we have not sufficient money to build the highways of our land; but we are asked, like the foolish crusaders of medieval times, to go into other lands to waste our energies, playing cat's-paw for the designing rulers of the great nations of Europe.

But, sir, while we do all this there are not only ignorant people in our country but there are unfortunate people. There is not a city of this land where little children are not crowded together in hovels, where women are not working in sweatshops, where mothers are not looking through eyes blinded with tears at the pinched faces of the weans they love. There is not a place in all this land but contains some brain pinched by the vise of circumstances, of some child or youth denied development because there is not money enough to go around.

While this is the case we talk about sacrificing for other people—sacrificing for people who will execrate us for coming into their land, sacrificing for people the vast majority of whom do not want our interference. Even those on whose behalf we interfere will speedily turn against us.

Have we had no lesson from this war? How proud we were when, day after day, as we saw the boys go forth, we said, "They have a double mission. They will defend us, for our rights have been invaded, but in doing so they will help other nations." How glorious it seemed when we read the accounts of how they were being employed to strengthen the English and French lines until the terrible retreat was stopped. We proudly said, "It was the Americans who did that." Again, how proud we were as the gates of Paris were about to be assailed, and the order was "Retreat! Retreat!" and still "Retreat!" when an American officer said: "We did not come here to retreat; we came to advance, and I shall give the order, Forward." How glorious it seemed as St. Mihiel and Chateau-Thierry and Belleau Wood and the Argonne recorded each day an American victory, and how we all said: "In all the flight of the years to come, the flowers of love for America will bloom in the hearts of the English, the French, the Belgians, and Italians." We fondly thought that friendship's holy bonds would forever unite us in a world fraternity.

And yet, sir, when you read the report of the British general he does not deign to mention the fact that America had anything to do with winning the war. There were three prices in France—one for the Frenchman, one for the Englishman, and one for the Yankee, who was to be plucked. There are bills rendered for the rent of the soil on which our troops stood while they beat back the Germans marching upon Paris. If you read the last few issues of the papers you will find that British statesmen and British papers and French statesmen and French papers are denouncing us because we do not stay over there forever and continue to protect them. They have the sweet philosophy that "one good turn deserves another," by which they mean that if you help them once you are obligated to help them always.

Back to the old doctrine! Back to the doctrine of Washington, whose mighty brain encompassed the philosophy of human government! Back to the doctrine of nationalism, of Americanism, to the cultivation of friendly relations with all countries and entanglements with none!

Here on this land, sea girt and isolate from all the turmoils, the disturbances, the cruelties, and the wrongs of other lands, let us build an empire of human greatness and achievement, a Republic of equality based upon manhood, constitution, and law. Here let us remain, a shining light to all the world, a teacher by example and precept. Let our sword never be unsheathed except in defense of our own land, and, once drawn, let it never be returned to its scabbard while an American right remains unprotected or a wrong unavenged. That was the doctrine of Washington; it is the American doctrine; and it will triumph, because it is the eternal right.

Mr. POINDEXTER. Mr. President, I move that the Senate proceed to the consideration of the bill (H. R. 5218) to provide revenue for the Government and to establish and maintain the production of magnesite ores and manufactures thereof in the United States.

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Washington wish to ask for unanimous consent?

Mr. POINDEXTER. My understanding is that it is not necessary to ask for unanimous consent. I am making a motion that we proceed to the consideration of this bill.

The PRESIDING OFFICER. That would displace the pending business as set by the unanimous-consent agreement. The Senator can take up his bill by unanimous consent.

Mr. POINDEXTER. May I ask the Chair what were the terms of the unanimous-consent agreement?

The PRESIDING OFFICER. The concurrent resolution affecting the Armenian matter is the unfinished business before the Senate and can be temporarily laid aside by unanimous consent.

Mr. POINDEXTER. My understanding is that unless there has been a unanimous-consent agreement to proceed to the consideration of the concurrent resolution until its conclusion it is in order at any time to move to proceed to the consideration of other business. Mere unanimous consent to take up a measure for consideration simply puts it in the place which any measure would have if taken up on a motion.

Mr. REED. Mr. President, I hope the Senator will not insist on taking up the bill. The real understanding was to take this Armenian proposition up and dispose of it. If there is no one else who wants to speak on it, I want a vote now. I want to get it out of the way. I do not wish to interfere with anything the Senator wants to do, but I hope he will not insist upon taking up another matter. Some of us have important engagements to-morrow that have to do with the business of the Senate, and we would like to have the resolution disposed of to-day.

Mr. POINDEXTER. I am very much disposed to comply with any request the Senator from Missouri makes, but I would like to have a further understanding as to just what is the situation in regard to the concurrent resolution. There was some colloquy on the floor of the Senate indicating a desire upon the part of Senators who were principally interested in the question that it should go over for a few days.

I notice now that the Senator from Nebraska [Mr. HITCHCOCK] and the Senator from Massachusetts [Mr. LODGE], and other Senators who are especially interested in it, are not present. If it is the intention to dispose of the Armenian resolution at once, I would concur with the Senator from Missouri in desiring that that be done and that the motion which I have just suggested be deferred until a conclusion of that matter. But it was my understanding that it was the expectation of Senators

that the Armenian resolution should not be pressed to a conclusion to-day.

Mr. REED. The agreement, as I remember it, is that it shall be made the unfinished business, and that at not later than 4 o'clock to-morrow we shall vote upon it. I think the spirit of the understanding was that we would adhere to this one question. For instance, it was requested, and put in the agreement, that we would meet as early as 10 o'clock to-morrow and a time limit was put upon speeches.

Mr. KENYON. I would like to ask the Senator from Washington if this is a bill the consideration of which will probably take some time?

Mr. POINDEXTER. It is a tariff bill, fixing a tariff upon magnesite.

Mr. KENYON. That probably will take some time. I suggest to the Senator from Washington that last Monday we passed what is known as the Nolan-Johnson minimum-wage bill. A motion has been made to reconsider the vote by which we passed that bill. The bill has already passed the House. If that bill is to be passed by this Congress and it has to go to conference it ought to be gotten out of the way. I do not want to oppose the Senator in bringing up his bill, but I gave notice some days ago that I would try to have that motion taken up. I do not know how much discussion it will bring about. The Senator from Colorado [Mr. THOMAS], who made the motion, is willing to have it taken up at any time, and it ought to be disposed of. Matters which are going to conference, it seems to me, should have a little right of way.

Mr. POINDEXTER. That is the situation in which this tariff bill would be in case any amendment should be added to it. If not, it would then be in a still more preferred class, of being upon final passage without amendment, the Senate agreeing to a House measure.

Mr. KENYON. It has passed the House?

Mr. POINDEXTER. It has passed the House and has been reported by the Finance Committee of the Senate without amendment. All we desire to do is to get a vote on it. I understand there will be some discussion, but certainly there ought to be an opportunity for its consideration for a reasonable length of time. The occasion for making the motion was that the appearance of the Senate indicated that there would be no further immediate discussion of the Armenian resolution.

Mr. KENYON. I had not supposed that situation was going to arise. I have been sitting here waiting for some time, but I was two rows behind the Senator, and he was recognized first.

Mr. POINDEXTER. If the Senator will give us a reasonable length of time on this bill, we will join him in getting up the motion to reconsider.

Mr. LODGE. Mr. President, of course, under the unanimous-consent agreement we can only lay aside the Armenian resolution by unanimous consent. We can not possibly displace it without a breach of the agreement.

Mr. POINDEXTER. During the absence of the Senator from Massachusetts I made some inquiry as to what is the unanimous-consent agreement. I have been unable to ascertain upon the record of the Senate any unanimous consent other than to take up for consideration the Armenian resolution. Of course, if the unanimous-consent agreement in regard to that resolution did not go to any further extent than taking it up for consideration, it can be laid aside on motion.

Mr. LODGE. That would displace it entirely.

Mr. POINDEXTER. Any measure which is under consideration can be displaced.

Mr. LODGE. There is no question about the understanding, for I stated it here, and Senators on the other side stated it. The only relaxation of it was that in case no one desired to discuss the Armenian resolution, it could be laid aside temporarily. If the Senator will read the whole of the unanimous-consent agreement, he will find that it provides—

> That upon the said calendar day of Tuesday, June 1, 1920, the Senate will meet at 10 o'clock a. m.; and, further, that on the said calendar day no Senator shall speak in all more than 45 minutes upon the said resolution and any amendment or amendments offered thereto.

Mr. POINDEXTER. I understand that relates to to-morrow.

Mr. LODGE. It does. I assure the Senator the understanding was absolute that it should not be displaced before the time of taking the vote.

Mr. KENYON. May I ask the Senator from Massachusetts, suppose no one desires to proceed?

Mr. LODGE. Then it can be laid aside by unanimous consent.

Mr. KENYON. I am anxious that we shall take up the motion to reconsider the vote on the Nolan-Johnson minimum-wage bill.

Mr. LODGE. So am I; I want very much to dispose of that motion.

Mr. KENYON. There is nothing in the unanimous-consent agreement which would prevent action on that motion.

Mr. LODGE. I fear it would not be in keeping with the unanimous-consent agreement if we did it by motion, because that would formally dispose of it. It was also understood that if no one wished to speak on the Armenian resolution, by unanimous consent, we could temporarily lay it aside.

Mr. OVERMAN. Mr. President, I think we should have a quorum. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ashurst	Gay	McKellar	Smith, Md.
Beckham	Gerry	McLean	Smith, S. C.
Brandegee	Hale	McNary	Smoot
Calder	Harding	Nelson	Spencer
Capper	Harris	New	Stanley
Chamberlain	Henderson	Norris	Sterling
Colt	Hitchcock	Overman	Sutherland
Comer	Jones, Wash.	Page	Swanson
Culberson	Kenyon	Phelan	Thomas
Curtis	Keyes	Phipps	Townsend
Dial	King	Pittman	Underwood
Dillingham	Lenroot	Poindexter	Walsh, Mass.
Edge	Lodge	Ransdell	Walsh, Mont.
Elkins	McCormick	Reed	Warren
France	McCumber	Sheppard	Williams

The PRESIDING OFFICER. Sixty Senators have answered to their names. A quorum is present.

REPEAL OF WAR-TIME LEGISLATION.

Mr. FRANCE. Mr. President, in accordance with the provisions of Rule XXVI, I move that the Committee on the Judiciary be discharged from the further consideration of the bill (S. 4388) to repeal certain war-time legislation, and for other purposes, and the bill (S. 4389) to repeal certain war-time legislation. I ask that this motion lie over under the rule.

The PRESIDING OFFICER. The motion will lie on the table.

GOOD ROADS.

Mr. GAY. Mr. President, as a member of the Committee on Post Offices and Post Roads, to which is referred all legislation pertaining to good roads throughout the United States, and in view of the fact that there is now pending before that committee a bill which has been introduced by Senator TOWNSEND, of Michigan, the chairman of the committee, which will add to the great system of roads already completed many miles through the various States of the Union, I feel, as one who is deeply interested in the question of good roads, that the present is a good time to briefly outline, for general information, what has been done in this connection and what is proposed for the future.

The question of good roads has been the keystone of civilization. The Government that perpetuated itself longer than any other in history was ancient Rome, and after the conquest of the world Augustus laid the foundation broad and deep for the continuance of Roman dominion by establishing a system of post roads. These roads were largely built by the legions, and so perfect was their construction that it is really surprising how quickly news was transmitted over the roads radiating out from Rome to the most remote Provinces. The roads were first intended for Government use alone, but in a very short period they became the means of travel and commerce by the populace and enabled such intermingling of the peoples of the various component parts of the great empire that the "Golden age of Rome," or as it was called the "Hundred years of peace," was largely due to it. Over these roads a traveler could leave Rome and go to the city of Antioch, in Syria, in less than six days. The Emperor Hadrian restored the discipline of the Roman Army by setting the legions, some 350,000 strong, to work in the construction of public roads in northern Africa, France, Spain, and Asia Minor. The rapid spread of Christianity in the first and second centuries was largely due to the facilities for traveling in every portion of the then known civilized world. Flourishing cities were built, commerce was extended to subject peoples who became reconciled to the Roman Government, so much so that they became a homogeneous part of the empire. The remains of these roads exerted a very powerful influence in the defeat of the Germans in France, as the allied troops were transported over these good old roads constructed by the Romans in the days of their supremacy in that country.

In England the almost impassable condition of the roads of 200 years ago retarded the development of British industry,

and furnished the means of outlawry so ably depicted by English authors of a later day.

The fathers of the American Republic, in building the foundation for this Government, saw the necessity of good roads. Gen. Washington, who commanded the armies of the Republic, and in his early youth as a surveyor had gone over the western portions of Virginia, impressed with the necessity for a highway to the interior, advocated the construction of a national highway, now called the old Cumberland Road, which received the first appropriation in 1806 for its construction. It was an act approved by President Jefferson providing for laying out and making a road from Cumberland through the State of Maryland and the State of Ohio.

The bill made complete specifications as to the form of road to be constructed, and appropriated $30,000 for the expense of laying out said road. President Jefferson had received the consent of the States of Pennsylvania, Maryland, and Virginia for laying out this much-desired road. By an act of Congress of April 21, 1806, authority was given to extend the road from a point near Cincinnati via Vincennes to St. Louis. From 1806 to 1844 Congress appropriated $6,824,919.33 for this purpose and the road was used for a mail road.

So much had this subject impressed itself on the statesmen of the past that we find John C. Calhoun, who was the strictest constructionist of the Constitution, expressing his belief that the Federal Government should take a hand in building and improving highways, rivers, and canals, and introduced a bill to provide a fund for the construction of roads and canals, and while Secretary of War he made a report to the House in 1819 in which he said:

> No object of the kind is more important and there is none to which State or individual capacity is more inadequate. It must be perfected by the General Government or not perfected at all.

Henry Clay advocated the building of national roads in a speech made in Congress in 1818.

Daniel Webster advocated the same proposition in 1830, in which he stated that he had arrived at the conclusion that the Government had power to accomplish this purpose.

President Jackson expressed himself in favor of public roads in a veto message in which he said that the "right of appropriation was not limited by the specified powers of the Constitution."

The Constitution itself vests Congress with the power in article 1, section 8, wherein it states—

> The Congress shall have the power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States.

This section of the Constitution has been growing in practical importance with reference to public roads. President Arthur, in a message vetoing the river and harbor bill in 1882, declared that post roads and public highways are highways of commerce as much as are railroads or rivers and harbors. They are the small arteries of our commercial body extending out into the country and gathering up and bringing into the market, the railroad station, and the wharf the raw products which are the real constituent elements of our commerce. They are equally indispensable to our commercial growth and welfare, and are equally deserving of the fostering care of our Government.

The late Senator Bankhead, of Alabama, a profound student of the post offices and post roads system of the United States, in a speech in the Senate on April 24, 1908, summed up the immense benefit to the industrial interests of the people at large in the building of public roads, and the absolute necessity of bringing the products of the farm to the city consumer and the manufacturing interests at reasonable cost, which he concluded could only be provided for by a system of good public roads. As the railroads opened the wilderness of the West to the American farmer and made possible the creation of the great Commonwealths beyond the Mississippi, by furnishing adequate facilities for transportation, so the public roads have multiplied the development of the wilderness into farms and cities.

The introduction of electricity has prepared a new and rapid method of travel and transportation of material on every highway and byway of the country that can be reached by a good road, and has emphasized the necessity of good roads, roads that can be used at all seasons of the year and under all conditions of weather.

The most recent object lesson for the absolute necessity of good roads has been the congestion on the railways in the transportation of materials throughout the country. In fact, in many of the cities people would have been reduced to dire want had it not been for the facilities for bringing in food supplies by truck over good roads. And with the development of the country it is now no longer a question that there should be an extension of the railroads to carry the material, but that the people themselves should be enabled to move their products rapidly from the farm and village to the city, and at times convenient to them and at small cost.

The most powerful interest in public roads has been stimulated by the high prices of farm lands adjacent to public roads. Not that these farms became more productive, but by reason of the decreased cost and the certainty of getting heavy material to market. Where the farmer on the ordinary country dirt road is often delayed for weeks for lack of a passable condition over the road with an ordinary team, and often when passable can only haul from a thousand to twelve hundred pounds, with a two-horse team he can now, on the good roads which are being constructed, haul from twenty-five to thirty-five hundred pounds in half the time formerly occupied. The additional saving in the wear and tear on the vehicle, harness, and team also forms a considerable factor in the decreased cost in bringing his products to market.

In Bulletin 393 of the United States Bureau of Public Roads is found an economical survey showing actual increase in values of farm lands adjacent to good roads. The variation has wide limits, but on a careful study carried on by the Government a conservative estimate shows that all of the arable lands in the United States would be enhanced in value as a result of general road improvement by at least $10 an acre. The total increase for the 1,140,000,000 acres of tillable land would amount to $5,700,000,000. Add to this total $1 to represent the increase in value of each acre of nontillable land, we have $360,000,000 more, or a grand total of over $6,000,000,000, a sufficent sum to build 300,000 miles of road on an average cost of $20,000 per mile.

Now, as an actual fact within a few miles of this Capital City farm lands along the boulevard connecting Washington and Baltimore have increased in value since its construction and use from $50 an acre to $200 per acre, while equally good lands, and probably more productive, with equal improvements, more than a mile from the boulevard can be had at from $50 to $75 per acre.

It is an undisputed fact that as soon as a good road is finished and in use the value of farm lands doubles and frequently trebles in value.

In the past many enterprising communities constructed good roads for short distances and exacted toll, but these toll roads, while they were beneficial in a small degree to a few communities, became also a very serious burden to the traveling public and a heavy tax to the contiguous users.

There is a misconception as to the part the Federal Government plays in the construction of public roads. The act of July 11, 1916, the Bankhead bill, signed by President Wilson, provided an appropriation of $75,000,000 for rural post routes, and made available at the rate of $5,000,000 for 1917; $10,000,000, for 1918; $15,000,000, for 1919; $20,000,000, for 1920; and $25,000,000, for 1921. The basis of apportionment among the States is on the area and mileage of rural routes in the State. The Federal Government funds can be expended only for construction initiated by the State at 50 per cent of the value of roads and Government aid can not exceed $20,000 per mile. There must also be a State highway commission in the State which participates in the fund. This requirement has been complied with by the States and has secured in the various States trained road engineers wherever the fund is expended and the supervision under them of the construction of the best durable available roads for the money expended. It has also secured the popular support among the people in the various States for road building by their appropriation of self-imposed taxation by popular vote wherever the subject has been thoroughly discussed and its advantages are known.

Up to 1915 the total expenditures for roads and bridges by the States and local governments in the United States are estimated at $267,000,000.

It has been estimated that the fund available for the highway improvement program by the States and the United States for the year 1920 is in excess of $600,000,000. This shows the great growth and increase in the popular demand for good roads and the confidence the people have in their highway departments, and the absolute necessity for securing good roads. Many projects have been submitted by States which the Secretary of Agriculture could not approve because of his doubt of their post-office status. The Secretary is now coöperating, through the Bureau of Public Roads, with the advisory committee of the American Association of State Highway Officials for the purpose of securing the greatest uniformity and greatest economical construction of these roads.

The Post Office appropriation bill of February 28, 1919, carried an additional appropriation of $200,000,000 for the construction of Federal-aided roads, which is made available in installments of $50,000,000 immediately; $75,000,000 for the

fiscal year ending June 30, 1920, and $75,000,000 for the fiscal year ending June 30, 1921.

From reliable sources it is now certain that a program which has definitely located roads, provided specifications for the system of construction and money appropriated for the same, will be completed in the course of the next six years at a cost of $3,000,000,000. With the increasing interest now growing into enthusiasm throughout the entire country, it is safe to predict that this immense sum will even be doubled in the course of that period of time.

During the past year there have been built 55,550,000 square yards of concrete roads; 50,000,000 square yards of bituminous macadam, and 12,000,000 square yards of brick road. The cost is from twenty to twenty-eight thousand per mile for concrete, and thirty-five to forty-five thousand per mile for brick.

In the State of Louisiana the subject of good-roads construction was taken up by the people 10 years prior to the Federal aid act, and from that time a number of the parishes began the construction of improved highways, independent of Federal or State aid by special taxation voted by the people in their local road districts and parishes. Since that date there has been expended for roads under supervision of the State highway commission the following sums:

In the year 1916, $323,983.30; in the year 1917, $369,972.64; in the year 1918, even during the war, $541,241.65; and in the year 1919, $918,047.68.

There is now under contract at present projects which will cost $5,172,411, making a total of $7,325,756.27 expended for road construction.

There is now under construction in the State 505 miles under the control of the highway and Federal authorities. And in addition to this 505 miles, a number of parishes are building roads of first-class character, independent of State and Federal aid, State aid being extremely limited. The people have taxed themselves to build these roads by popular vote of the road districts or the parishes, and every taxpayer expresses his will for incurring the expenditure.

During the year 1919 there was voted by the various parishes and road districts in the State of Louisiana $11,946,000 for highway construction. Add to this sum the Federal aid and the State aid with what is being constructed independently by the various parishes, it means the construction of 2,500 miles of good roads in the State.

The good-roads project for Louisiana embraces the building of 2,500 miles of first-class roads which will reach every parish in the State by various roads radiating from the city of New Orleans, the great metropolis of the Gulf.

The Jefferson highway, which has already been laid out from Winnipeg, Manitoba, through the States of Minnesota, Iowa, Missouri, Arkansas, Oklahoma, and Louisiana, will form the great midway continental highway of the United States, and will furnish a system of rapid transportation for travel and freight for this immense area of great production, and will lessen the cost and save time in bringing the products of the country to the ship side. A considerable portion of this highway is under construction in the various States between New Orleans and Manitoba. The State of Louisiana will build 410 miles of this highway in ample time to connect, and probably in advance of the complete construction from the Gulf to Manitoba. The Dixie highway and other great roads are in course of construction.

As an evidence of the determination of the people to have the best and most experienced engineers, it may be well to say in passing that the parish of Caddo alone, in the State of Louisiana, pays its highway engineer $7,000 per annum, which is larger than the amount now being paid by the United States Government to its director of public roads.

In that particular parish road building began some eight years ago by the levying of a $500,000 tax, which, after its expenditure, was supplemented by another vote of another $500,000, and the parish is now expending another half million, and they have a complete, durable highway from the Arkansas State line from the north to the south end of the parish, 90 miles, this being on the eastern side. Another completed road runs 45 miles to the north, through the western portion of the parish, and one from the city of Shreveport to the Texas line, 22 miles, and another to the southeast toward the city of Mansfield, 48 miles distant.

The economy in transporting products of the oil country, its heavy machinery, and vast amount of material used in construction has paid a great profit on the investment to the public and enhanced the assessable values in the parish, so that the assessment has increased more than 300 per cent in the last five years, and not a murmur against the cost of this marvelous improvement.

The spirit for public-road building has become intense throughout the entire State. People along the banks of the Mississippi River, who are subject to disastrous floods from breaks in the levees, are convinced that the construction of good roads along the banks of the river means a better insurance against crevasses and overflows, by reason of the fact that a prompt shipment of material to the weak points in the levee where the danger of a break is probable will perhaps save millions of acres from the destructive waters of the mighty river, and the saving of the great crops of sugar, rice, and cotton is worth infinitely more than the comparatively insignificant cost of good-roads construction for a road to be used in case of an emergency.

For more than 30 years the people of Louisiana have cheerfully borne heavy taxes for the building of levees in order to save the appalling losses which from time to time have visited them and destroyed the fruits of the industry and thrift of the people to the value of enormous sums.

In addition to carrying on the ordinary expense of their State government in making great improvements in their public-school system by State and local taxation, the State, from April 20, 1918, to April 20, 1920, expended $4,368,937.26 in the construction of levees.

The people of Louisiana are a great constructive people. They have been schooled by their long warfare with the greatest physical obstructions that ever confronted any people, but with manly hearts they have grappled every great problem which faced them and have successfully achieved a victory which comes only to those who have the enduring virtues of a superior race. And now having been in the vanguard of good-roads construction they are determined to remain at the head of the procession in this absorbing work, which has become nation-wide, and which means to this great country development, prosperity, and security, which will remain and abide with the Nation until the end of time.

RECLASSIFICATION OF POSTAL SALARIES.

Mr. STERLING. Mr. President, at 4 o'clock the members of the Joint Commission on the Readjustment of Postal Salaries are to meet for the purpose of signing the report and agreeing upon a bill. It is very desirable that the report and the bill accompanying it be presented to the Senate to-day and properly referred; but before the report and the bill are brought to the Senate Chamber the Senate may have taken a recess or adjourned.

I desire, therefore, to ask unanimous consent that if meanwhile, before the report and the bill are presented, the Senate has adjourned or taken a recess, they may be filed and properly referred to the Committee on Post Offices and Post Roads. I desire also to ask unanimous consent that 5,000 additional copies of the report and 1,000 additional copies of the bill be printed for the use of the joint commission. I understand that that will come within the limit of the appropriation allowed.

Mr. SMOOT. Mr. President, do I understand that the Senator asks unanimous consent that if the report comes into the Chamber after the Senate has adjourned or taken a recess——

Mr. STERLING. After adjournment or after a recess, it may be filed and referred to the Committee on Post Offices and Post Roads.

Mr. SMOOT. I do not think anything like that has ever been done before, nor do I think we could do it.

Mr. STERLING. I understand that that course has already been taken in the House. They, anticipating the same situation in the House that may arise here, have asked for and obtained unanimous consent in the House, and I thought a similar course might be taken here.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The Chair suggests that the Senator make his report now and hand it in later.

Mr. KENYON. Mr. President, I should like to ask the Senator if this bill is the one that is referred to in the correspondence which all Senators are getting about readjustment of the salaries of postal employees?

Mr. STERLING. That evidently is the very bill.

Mr. KENYON. If we adjourn, there will be no opportunity to act on that bill at this session. I should like to ask the Senator if he feels, in view of that situation, that Congress should adjourn without adjusting the question of the salaries of postal employees?

Mr. STERLING. Hardly. My impression is that the bill will be disposed of during the present week. I believe that it will be. At any rate, that is the hope and the expectation of all the members of the joint commission.

Mr. KING. Mr. President, may I ask the Senator a question? What is the additional amount of cost that will be devolved upon the Government by this bill?

Mr. STERLING. I can not tell the Senator just now what will be the additional cost. I may say, in a general way, that the increases perhaps will be disappointing to the employees and also, perhaps, disappointing to some of the officials of the Post Office Department. The commission has sought to find the safe middle ground between parsimony on the one side and extravagance on the other side in the salaries provided.

Mr. SMOOT. Mr. President, does the Senator know what 5,000 additional copies of the report will cost? I ask the question not because they should not be printed, and particularly if they are wanted, but because they must come within the $200 limit by the action of the Senate.

Mr. STERLING. I do not know just what they will cost, save that I asked the printing clerk here on the floor awhile ago, and told him about how many pages I thought would be in the report, and he said he thought it would easily come within the limit allowed.

Mr. SMOOT. If the Senator, then, will modify his request so as to ask that there shall be 5,000 copies printed, or so many thereof as will come within the limit of cost of $200, I have no objection.

Mr. STERLING. I modify the request accordingly.

The PRESIDING OFFICER. Without objection, the request as modified is agreed to.

Mr. STERLING subsequently said: By direction of the Joint Commsission on Postal Salaries, authorized by section 3 of an act approved February 28, 1919, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, I submit the preliminary report on salaries of postmasters and employees of the Postal Service with a view to the reclassification and readjustment of salaries on an equitable basis, accompanied by a bill, which I ask to have referred to the Committee on Post Offices and Post Roads.

The bill (S. 4475) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis was read twice by its title and referred to the Committee on Post Offices and Post Roads.

Mr. STERLING. I ask that 1,000 additional copies of the bill be printed for the use of the joint commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. Mr. President, I understand that there has been a unanimous-consent agreement entered into whereby we are to vote upon the Armenian resolution to-morrow at 4 o'clock. I observe nothing in that agreement which requires that we shall consider the resolution involved continuously until to-morrow. I do not know whether or not there is any Senator present who desires to speak on the subject now. If I thought there were I should not make the motion which I intend to make, but if there is no Senator now ready to speak on the resolution I wish to have the pension bill taken up.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Does the Senator from North Dakota yield to the Senator from Washington?

Mr. McCUMBER. I yield.

Mr. POINDEXTER. I call the attention of the Senator from North Dakota and also of the Chair to the fact that there is pending a motion to proceed to the consideration of the magnesite tariff bill. Some discussion arose about the matter to which the Senator from North Dakota has referred, as to the parliamentary status of the Armenian resolution, and as to whether or not it could be laid aside upon motion. I made the motion, and it was succeeded by that discussion and by the address which has just been made by the Senator from Louisiana [Mr. GAY]. If it is in order, I shall ask to have a vote upon the motion.

Mr. McCUMBER. Mr. President, I do not understand how there could be a pending motion when we are discussing the other matter, which is the unfinished business.

The PRESIDING OFFICER. The Chair is of the opinion that the regular order being Senate concurrent resolution No. 27, upon which it has been agreed to vote at 4 o'clock to-morrow, any motion to take up business at this time would displace that order and would be contrary to the spirit of the agreement. The Chair is of the opinion, however, that by unanimous consent the regular order could be temporarily laid aside and some other matter could be taken up.

Mr. McCUMBER. A parliamentary inquiry, Mr. President. Could not the same end be accomplished by a motion to temporarily lay the unfinished business aside, the effect of which would be exactly the same, merely the temporary laying aside of the pending business, so that it may be brought up again at any time?

The PRESIDING OFFICER. The Chair is of the opinion that that could not be done; that it would be a violation of the unanimous-consent agreement. If the Senator from North Dakota should ask unanimous consent to lay aside temporarily the unfinished business and to consider the measure he has in mind and it should be granted, then it would be in order to take up his bill.

Mr. McCUMBER. I will conform to the suggestion of the Chair and ask unanimous consent that the pending measure may be temporarily laid aside for the consideration of Calendar No. 528, being House bill 12530, which is the private omnibus pension bill.

The PRESIDING OFFICER. The Senator from North Dakota asks unanimous consent that the regular order be temporarily laid aside, and that the pension bill to which he refers may be taken up. Is there objection?

Mr. KENYON. Mr. President, before agreeing to the request, I should like to ask a question. What is the bill which the Senator from North Dakota desires to have taken up?

Mr. McCUMBER. It is the omnibus pension bill.

Mr. KENYON. Is it a matter which will take very much time?

Mr. McCUMBER. It will take a little time, I assume, because I understand that the Senator from Utah [Mr. KING] objects to a number of the cases which are included in the bill; desires a vote upon some of them; and wishes further to discuss others.

I wish to say to the Senator from Iowa, however, that many of the items which are included in the amended omnibus bill are items which have been on the calender since last September. We have not passed any of them during the winter or up to the present time, holding them all in abeyance until the Fuller bill should be passed, and then eliminating from the total number of cases before the Senate all that would be taken care of by the Fuller pension bill.

Mr. KENYON. I shall not object to the consideration of the bill, but a motion has been filed to reconsider the minimum wage bill, which was passed on Monday last, and I am anxious that that motion shall be disposed of.

Mr. McCUMBER. I hope that we shall be able to consider the matter referred to by the Senator, and that there will be no objection to taking up the pension bill at this time, unless some Senator may desire to speak at the present time upon the pending measure. In that event I should not, of course, urge the consideration of the pension bill.

Mr. KING. Mr. President, I shall not object to the request of the Senator from North Dakota [Mr. McCUMBER] to proceed with the consideration of the pension bill. By that I do not mean to say that I assent to the passage of the bill, and I am speaking now merely for the purpose of combating a statement made by the Senator, or at least the inference to be deduced therefrom, that the Senator from Utah objected to some of the claims contained in the bill for which the Senator from North Dakota asks consideration. I object to substantially all of the items of appropriation in that bill, carrying 600 or 700 private pension claims. I shall not ask for a vote, as I stated to the Senator the other day, upon all of the items, but only upon two or three groups, and I shall probably desire to discuss, not each item—for if I should undertake to do that it would take several days—but some of the items in each group, and to call the attention of the Senate to them. It will probably take some little time, however, to discuss the various items to which I desire to call attention.

If the Senator will pardon me, however, I should like the Senator to yield, if he will, to enable the Senator from Washington [Mr. POINDEXTER], if he desires, to call up for immediate consideration and passage the bill to which he called the attention of the Senate a few days ago and to which I then objected. I objected to the consideration of the measure because it was entirely new, I was not familiar with its terms, and, as I gathered from him, the bill contained provisions different from what upon an examination of the bill I found were contained in it. After examining the measure, I desire to say that I think it is meritorious, and I shall be glad to do anything I can to aid the Senator from Washington in securing its consideration and passage. I will add that I do not refer to the magnesite bill, but to the bill for the relief of soldiers enlisted for service in Siberia.

Mr. McCUMBER. If there is no objection to doing so, the bill to which the Senator from Utah refers may be taken up at any time, but I should like at least to call up the bill to which I refer and get the legislation started in order that the Senator may present his objections. I think he told me the other day he would probably take half an hour in discussing the matter; but I should like to have the bill considered and disposed of, if possible, for it covers a great many cases and

many of the individuals who are affected by it are in indigent circumstances and are very old and feeble. I think we ought to put the bill through at this session.

The PRESIDING OFFICER. Is there objection?

Mr. SMITH of South Carolina. I should like to ask the Senator from North Dakota a question. The cases included in the bill of which he is in charge are not covered, as I understand, by the general pension bill recently passed.

Mr. McCUMBER. They are cases that would not be covered by the general pension legislation; they are cases of an extreme and necessitous character.

Mr. SMITH of South Carolina. What is the total carried by the bill for the special cases?

Mr. McCUMBER. The total appropriation, I think, will amount to about $148,000, provided the recipients of the benefits under the bill live a year.

Mr. WARREN. Some of them have died while the bill has been pending.

Mr. McCUMBER. But experience indicates that probably half of them will pass away during the year; and the added expense to the Government would really be nothing, because, taking the number of deaths of beneficiaries of special bills in a single year, the amount saved is very much more than the amount that has ever been granted in any year under special pension acts.

Mr. SMITH of South Carolina. Am I correct in my impression that a great many of the special cases which were heretofore on the calendar were taken care of under the general pension bill recently enacted by Congress?

Mr. McCUMBER. Three-fourths of them were taken care of in that legislation.

The PRESIDING OFFICER. Is there any objection?

Mr. THOMAS. Mr. President, I shall make no objection, but I hope the Senator will follow it up by calling for the consideration of the bill which is designed to pension some of the regular soldiers and officers.

Mr. McCUMBER. I certainly intend to do so.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12530) granting pensions and increases of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, which had been reported from the Committee on Pensions with an amendment.

The Reading Clerk proceeded to read the amendment.

Mr. SMITH of South Carolina. Mr. President, I want to take this occasion, since I do not know when I may have another opportunity, to call the attention of the Senate to a condition existing throughout the country of which I am sure the Members of this body are not fully appreciative.

The so-called high cost of living has had such an effect upon the people of this country that I am sure they have not properly analyzed just what are its causes, and, not having the conditions of the problem clearly defined in their minds, they are not prepared to apply the proper solution.

It is needless for me to refer to the unprecedented influx of gold into this country, antedating our entrance into the war but immediately subsequent to the outbreak of the World War. We were in a position at that time to furnish in larger measure than any other nation, perhaps, the great necessities of the world to meet the conflict that was then raging. It was not so much a question of the price that these articles would cost as a question of getting the articles; so that the resources of the nations involved in this conflict were strained to their utmost and gold poured into America in exchange for the things that were essential to the prosecution of the war.

That there was profiteering at the expense of our European friends goes without saying. When it was known that it was a question of getting the material rather than the price of the material, when the issues of life and death, nationally speaking, were at stake, no time was left for bargaining. It was simply a question of time and not a question of cost. The consequence was that an unfortunate condition was precipitated by circumstances over which it seemed that no one had control. Labor was to be enticed to enter into the production of these things wanted abroad.

Fabulous prices, as compared with the wages they had previously received, were offered. Every vocation and avocation that employed manual labor was stripped to the bone, and these great war enterprises were fostered in order to supply the needs of those in dire distress abroad.

This went on for more than two years, prices mounting because the things that were needed for war were the basis of the things needed in the ordinary commercial pursuits in this country. Then, when we entered the war the same necessity gripped us, because the war in Europe had gone on for so long a time that those who were our allies were bled white, and when we entered the war it was only a question of time and not a question of expense. The consequence was that we entered under the same conditions that Europe had found herself, and prices mounted and mounted, and the very basis of living in this country was jeopardized, because from forest and field and factory were drafted those who were supplying the necessaries of life to the population of this country and put into the production of those things that were essential to meet the crisis impending in Europe. It is true that under the new banking and currency law every pound of available wealth, every yard, every system of measuring wealth in this country, was met adequately by our flexible system of banking and currency, so that the whole wealth of this country was mobilized under these high prices in order to carry on the war.

Now, Mr. President, the war is past. Prices for the necessaries of life have risen from two prime causes—one, the unprecedented demand for labor at these exorbitant prices and the other the consequent scarcity of the necessities of life, caused both by the season and by the drafting of the producers into the war.

Here we are now; the armistice has been declared and the high cost of living is still at its peak. Profiteering has been charged, and doubtless has gone on, but it has been more universal than those who speak of profiteering have cared to define or have defined. From the bootblack on the street corner to the most intricate form of manufacture things have risen pari passu, so that it is a question of a higher plane of prices universally. It did not happen just in a minute, because when the demand was made for labor, and the wage of the laborer rose, the thing that the laborer produced rose, and the consequence was that that which he produced in every department went up comparatively with it, so that the purchasing power of the dollar, as has been said, was cut half in two, and the shoe black who had been living on his nickel a shine found that he either had to charge a dime or go on half rations, and he charged the dime. The man who has been working for $100 a month and buying a $50 suit found that when he went with his $100 he had to do without a suit, and he must of necessity get more for his time; and, outside of a few salaried men, there was a relative rise, so that in the division of the circulating wealth that we had there was no very exceptional condition. The multimillionaire and those that were farthest removed from him just had their relative positions changed in the mounting prices.

Now, the war is over. The armistice has been declared. There is no crisis confronting us, no urgent demand for the production of anything, save one thing, and that is the bread and meat of this country. We have sufficient of manufactures to tide us over the period of reconstruction. Men can patch their old suits and patch their old shoes and make them do another day or another year, but they can not patch their breakfast and dinner and make them do for the morrow; and the cry of this country now is for the necessities of human food.

What is the condition that now confronts us? Our banking people, the Federal reserve people, seem to think that at this time it is incumbent upon them—and it doubtless is—to join in this great warfare against high prices. Now, every man in this country knows that when everything is said and done the development of this country and its prosperity depend fundamentally upon credit, and credit depends entirely upon the system by which the credit is granted and sustained. Therefore, whoever has charge of the management and the manipulation of the currency of this country has charge of its development and prosperity.

We were all proud of the fact that we had passed a law that met the stupendous strain of a World War, that financed America without impeding its progress and development domestically, that financed Europe, and during the period of that war the failures of the national banks of this country rapidly decreased until in 1919, when our banking system was put to the severest test to which a banking system could be put, there was not a single national bank failure in America involving a dollar's loss to a depositor. In addition to that, the Federal Reserve System during this period not only gradually decreased the number of bank failures, but it was the basis upon which the bank resources of this country have increased an average of over 600 per cent.

In addition to that, not only had they increased 600 per cent, but the Federal Reserve System itself, according to the best information I can get, made 108 per cent profit.

As I said, we are confronted with a condition unparalleled in the history of this country, so far as bread and meat are concerned. I interrogated the Secretary of Agriculture to know what was the supply of labor this year as compared with

last year, and his reply to me was that it was 72 per cent of normal, numerically speaking, but as to its efficiency it was impossible to tell, in that those who were left to produce the agricultural products of this country were largely women and children and old men.

Of course, young, vigorous men, who heretofore have tilled the farms, are not going to stay on the farms under the conditions which now confront us. Why should they? They, like some of us, have mistaken plenty of money for wealth, and the possibility of obtaining with ease the necessaries of life. But we are rapidly approaching the place where we will find out that wealth counted in gold and silver and in circulating money does not mean bread and meat, or the other necessaries of life.

Young, vigorous men, with scarcely any training at all, in the towns and villages and cities of this country, can command six and seven and eight and nine dollars a day, working eight hours a day, and is it to be thought that any man, governed by common sense, is going to forego that and go to a farm where the highest return is scarcely half that, if half, and then, when he has labored from 12 to 14 hours a day at half the pay he could get elsewhere, depend upon the other man for the price of the thing he produces? Is it any wonder that our farms are left tenantless, that our fields are left uncultivated, by the thrifty, the young, the enterprising, when eight hours a day and from six to eight dollars a day is beckoning to him?

Which one of us here to-day, charged with the duty of legislating when necessary, and providing means when necessary to avert a calamity which is impending, or if we have not the legislative power, agreeing to call attention to it—which one of us would advise a young man to-day to go and engage in agricultural pursuits, at $2.50 or $3 a day, or, if he is running it on his own responsibility, to incur now an indebtedness for high-priced implements to work his farm, for high-priced fertilizer to fertilize his farm, for high-priced labor to aid in cultivating his farm, and then have to wait six long months before he gets a commercial asset to meet the liabilities, then to take the proceeds, after the investment of his money in these high-priced articles, and put them on the market at the say-so of the other man? The consequence is that our agricultural labor is absolutely decimated.

Mr. BRANDEGEE. Mr. President, the Senator is discussing a very practical question, and he puts his finger on the trouble, in my opinion—that it can not be expected that agricultural products will reduce in price, or even stay where they are, if men in other lines of employment are paid double and treble what the worker on the farm is paid. Yet, if the job on the farm is made attractive enough to induce people to abandon the industries in which they are paid three or four times what they are paid on the farm, how can the owner of the farm, and the employer of farm labor at those trebled prices, hope to reduce the price of his product?

Mr. SMITH of South Carolina. That is the very point I am coming to now.

Mr. BRANDEGEE. I understand. I have simply amplified a little the subject the Senator was discussing. I am waiting in anxious anticipation, and I know I can greatly profit by listening to the Senator's remedy for this condition.

Mr. SMITH of South Carolina. Certainly the remedy is not the one which is being applied now. I said in an interview which I gave out to the press several months ago that I knew that if the patriotism of certain individuals could be appealed to—which I knew was idle to ask—if those engaged in nonessential manufacture or production, those who are engaged in the manufacture of things which are not absolutely essential, could be induced to desist, and if they could not, then if our banking and currency law were of such a form—and after reading and studying it, it seemed to me that it was in a manner amenable to that construction—there should be a restriction of accommodation to such enterprises.

But in applying what they consider the power they have, they have absolutely intensified the condition under which we are now laboring.

Mr. NORRIS. Mr. President, the Senator is now, I presume, referring to the order of the Federal Reserve Board increasing the discount rate.

Mr. SMITH of South Carolina. Yes; that is what I am coming to now.

Mr. NORRIS. I am laboring still under the impression that under section 4 of the Federal reserve act the Federal Reserve Board had it within their power to issue an order which would go down and even reach the member bank, to discriminate in the kinds of credit it could extend. For instance, it could say to a member bank, "You will not be entitled to rediscount your paper here if you are extending credit to speculators. It is your duty to extend credit," let us say, "to those who are producing food, and your duty to refuse credit, or at least any additional credit, and draw down a little of what you have extended to those who are engaging in nonessential business and who want the money for nonessential things." Does the Senator agree with me?

Mr. SMITH of South Carolina. I do.

Mr. NORRIS. If they have that power, then it seems to me that if they would exercise it, to a great extent it would remedy the condition, would it not?

Mr. SMITH of South Carolina. That was my impression.

Mr. NORRIS. If the Senator will permit me, I would like to relate an actual interview I had with a farmer on this very point. A man whom I have known for nearly 20 years, who was operating quite a large farm, engaged in the raising of wheat and corn and hogs and cattle, in a locality where it is necessary to use a great deal of fertilizer, came into my office a few weeks ago and was talking about the situation, and about this order of the Federal Reserve Board.

He told me that several weeks ago he went to his bank and tried to borrow $500 for the purpose of buying fertilizer, which the Senator will realize is one of the things the farmers have to do now, and they have to wait until their crop is marketed before they pay for it.

It is a credit which is very common at this time of the year where they use fertilizer, and it is very desirable for the good of the whole country that it should be extended. Notwithstanding the fact that the banker said the farmer was good, and I know personally that he was perfectly good, they declined to allow him anything, and told him that on account of the Federal reserve efforts to curtail loans and draw in and contract in all directions they could not let him have anything.

He was a little suspicious of it, felt that it was not quite right; he wanted to try it out and test the program. So he drove around to an automobile dealer in the same town, whom he knew very well and who knew him very well, and he said to the automobile man, "My automobile is getting old and I ought to get a new automobile. I would like to talk with you about it."

The automobile man said, "All right." He showed him an automobile, looked his old machine over, and told him how much he would allow him for it. Then the farmer said to him, "Well, I have not got the cash. I will have to wait until I harvest my crop in reality, so that I would have to buy it on time." The automobile man said, "That is all right. Your note is perfectly good. Give me your note and take out the new machine."

Then he said to the dealer, "Do you do that with everybody?" He said, "I do that with everybody who is good. I recognize that your note is good, and I do that with anyone whose note is as good as yours." The farmer said, "Are you able to carry all of us who want new automobiles?"

He said, "Oh, no; I could not carry any of you, but I will take your note to the bank as soon as I get it and get cash on it."

Of course, in reality the farmer did not want to buy an automobile, and he left the dealer; but he concluded, and it seems to me he reached the logical conclusion, that in some way, somewhere, this was worked so that if a man wanted to borrow money for the purpose of increasing production and helping to decrease the cost of living he could not get it, but if he wanted to buy something which was manufactured and handled and owned by a business man, if he wanted to buy a new automobile for a joy ride, he could get all the money he wanted.

Mr. SMITH of South Carolina. Mr. President, every man here knows that the most timid thing in the world is money, and everybody knows that when the Federal Reserve Board sent out notice that the banks must retrench they knew who would have to retrench. When they were required to reduce their line of credit, everything moving along the line of least resistance, whose line of credit would they first reduce?

Mr. NORRIS. Now, let me interrupt the Senator further with this illustration. Is there any doubt, in the judgment of the Senator, that under the law as it stands now they could have issued an order so that the banker would have run the risk of not being able to get any credit if he loaned to the man who wanted to buy an automobile, but would have no difficulty whatever in rediscounting his paper if he loaned to a man who wanted to buy fertilizer?

Mr. SMITH of South Carolina. I think not, Mr. President. The fact of the business is this, that in the attempt to lower the cost of living they have done two things, one to raise the rate of interest, so as to make borrowing as unenticing as

possible; and the other is to absolutely refuse loans, as they say, on certain characters of business.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator yield to the Senator from Utah?

Mr. SMITH of South Carolina. I yield.

Mr. SMOOT. I might recite an experience I myself had the other day with a loan in New York, which does not altogether substantiate the fact that this is the only class of loans which are being denied.

I will say to the Senator that I indorsed the note of a certain business man—a thing which I do not do very often—for $56,000. The other day the note fell due, and there was no extension on any part of it. It had to be paid that day, no matter what sacrifices might have to be made, and it was paid. These calls of loans are not only made in the case of the farmer, but every business man in the United States is suffering from the calling of loans now. When you see advertisements in the papers of a cut of from 25 to 33⅓ per cent in prices in order to induce the purchase of merchandise, you may put it down immediately that it is because loans held by the merchants have been called by the banks. There is an extension of credit beyond what they claim they ought to give.

Mr. SMITH of South Carolina. The purpose for which I call the attention of the Senate to this matter is that it does seem to me that this body of men do not clearly differentiate between artificial production and natural production. The artificial producer is a manufacturer. He has control of his seasons, he has control of his output. At the end of every 12 or 24 hours he has a commercial asset to meet his commercial liabilities in producing that asset. If danger threatens his business, he can instantly begin to retrench; he can gauge the crop he is going to produce to the pound or the yard, and the quality of it, and he can control the price of it; while the natural producer, the man who furnishes your table and mine with the bread and meat that we eat, must assume for six months liabilities that he is morally and legally bound to meet and then depend upon conditions outside of himself and beyond his control as to the quality and the quantity of the thing that he produces. In addition to that he has no voice in the price of the product.

So that in the spring, when he has contracted for all his high-priced fertilizer, all his high-priced implements to cultivate his farm, when he has contracted for his high-priced labor to help cultivate it, he has assumed a liability that he must meet, while over the assets that he produces he has no control with reference either to quantity or quality or price.

Now, in this day of readjustment, in the spring of 1920, the farmers of this country are called upon to produce foodstuffs to meet the fearful shortage not only in America but in the world. What is happening right now? I have a letter in my pocket that I wish to read, which will give some intimation as to the condition of affairs. It is from one of the best farmers in my State. I read:

MY DEAR SENATOR: You are probably familiar with the action of the Federal Reserve Board in shutting off loans and refusing to rediscount paper for the national banks. This situation will prove quite embarrassing to farmers and others as well who are depending on the banks for money to buy supplies and pay for labor. Our labor is already short and demanding high wages, and we can not hope to hold them unless we are able to pay them promptly for their work. If there is any way for us to get around the present emergency, I would thank you to suggest it, as I know quite a good many farmers who are greatly embarrassed by the present situation.

Mr. KING. Will the Senator yield?

Mr. SMITH of South Carolina. I yield.

Mr. KING. If I understand the letter which the Senator has just read, the complaint seems to be that the Federal Reserve Board, if it has not discriminated in the discounting of paper, at least has refused to encourage the making of loans to farmers and has refused to take farmers' paper when transmitted by the member bank making the loan upon that paper.

Mr. SMITH of South Carolina. I think in order to be fair to the Federal reserve bank——

Mr. KING. I wish to know if that is being done.

Mr. SMITH of South Carolina. No; I think it is not. The Federal reserve bank in its zeal to deflate—and if I had the time this afternoon I should like to discuss the misnomer of what we call inflation—in order to bring about deflation and in order to lower the cost of living, is desirous that the productive elements in the country shall receive all the assistance that they can while the nonessentials and nonproductive industries shall be curtailed. But when they send out a blanket request that the banks of the country shall retrench and shall lessen their lines of credit, the banks are going to use their discretion, and it is not likely if Mr. A. is engaged in a nonessential production and has vast wealth and vast resources and has kept a big balance in the bank from year to year that he is going to be called upon to remove his note in this emergency, while the farmer who has no resources save the little crop that he may have on hand or the prospect of making one will be the first man to feel this tightening of credit.

It is for that reason that I am making this plea. A banker down in my State who is required to retrench necessarily looks around to see where he can do it with the greatest amount of thrift to himself, and the consequence is that he eliminates those lines of credit that to him are not gilt-edged and better for him as a banker.

Mr. McCORMICK. Mr. President, will the Senator yield for a question?

Mr. SMITH of South Carolina. I yield.

Mr. McCORMICK. When would the Senator have the deflation begin? To what time would he postpone it?

Mr. SMITH of South Carolina. I would not postpone deflation at all, but I would certainly have an absolute unmistakable utterance from the Federal Reserve Board and some practical method suggested by them by which deflation would be taken along lines that would not jeopardize the fullest production of the necessaries of life in this country. I think they are like Paul said about the Jews. I think they use the zeal of God, but not according to knowledge. They ought to have some plan and put into operation some plan that would absolutely be practicable in retrenching along lines that would not reflect disastrously in the matter of production.

Mr. McCORMICK. Precisely. I am agreed with the Senator. Along what line would he have them proceed?

Mr. SMITH of South Carolina. They seem to have the power under section 4 and under an amendment which was placed on the Federal reserve law some six weeks or two months ago. I think the Senator will recall the amendment. I intended to have something to say about that amendment, how in its very workings, if applied to any considerable section, it would result disastrously on notes, drafts, or bills issued for agricultural purposes, because right now in the spring, when farmers want to pay off in cash—and you can not get your help on credit, but Saturday night you must pay, and you must meet your cash payments for fertilizers and implements, and you must discount your notes in order to get that cash—what is going to be the result if, in this general deflation, the bank says, "Our line of credit is exhausted and we are called upon to retrench, and we can not accommodate you." Then what about production in this country?

Mr. McCORMICK. Do I understand the Senator, then, to agree that the Reserve Board should exercise its influence to induce a restriction of credits now employed in the production of things not necessary to the life of the country and its people?

Mr. SMITH of South Carolina. I do; and then get a practical rule by which, in trying to do that, they do not destroy the essential production of the country.

Mr. McCORMICK. Then, does not the Senator believe that the conference held by the Reserve Board some two weeks ago ought to have been held some three months ago, in order to mobolize the credits to move the crops this year?

Mr. SMITH of South Carolina. I wish to state that the thing that alarms me now is this. My attention was called to this illustration, as it was an actual case in hand:

A merchant in a little village, my home, had contracted for supplies for the farmers. The tobacco crop will soon be moving. He wanted to lay in a supply against the harvesting and sale of the tobacco crop. He went to the bank to get his note discounted to meet the payments, the 30 or 60 day discounts, and he could not get a penny. The farmers were diversifying, under the advice of the Agricultural Department, in order to meet the ravages of the boll weevil in the planting of tobacco. Here is this merchant prepared to help them in food and in sustaining their needs in the way of extending credit, but when he goes to the bank he can not get a penny. Why?

It was because the psychological effect of this move to restrict panics is sweeping the country, and the most timid thing in commercial life is the cash, and when there is the least danger of its power being restricted it seeks cover. The Federal Reserve Board should see to it that there is issued not only a request, but they should work out some plan by which the banks of the country will be encouraged to lend as liberally as possible to the producers of the country at the lowest possible rate of interest.

The men upon whom we are depending to feed and clothe the country are the men who know the least about banking and have the least credit. Unless we give them to understand now in the spring of 1920 that the high cost of the fertilizer

which they buy, the high cost of wages that they have paid, the high cost of the implements that they have to buy will be taken care of as nearly as can be by the banks extending them loans, we need not be surprised if the farmer retrenches and says, "I will only plant so much as will take care of me and mine." He is a human being.

What kind of a business man would you call him if in this springtime he were to buy all that is necessary in order to produce his crop and compete in the market for labor to gather that crop, and then under this impulse and drive of the banking institutions of the country to drive things down he would know that in the fall, when he goes to capitalize his assets to repay for these things bought at the peak, that he may be left, as he has heretofore been left, with the privilege of going back and making another crop without any profit?

Mr. KING. Mr. President——

Mr. SMITH of South Carolina. I yield to the Senator from Utah.

Mr. KING. I was talking with a banker some weeks ago, and he stated that credit was being denied to agriculturists where it ought to be extended, and he insisted that the agriculturists of the United States had been so prosperous that ninety-nine out of every hundred of them needed no loans from banks in order to finance their operations or to aid them in planting or removing their crops. I should like to ask the Senator, because he is familiar with agricultural conditions in the United States, as much, perhaps, as any man in the Senate, whether or not that condition described by that banker is correct?

Mr. SMITH of South Carolina. No.

Mr. KING. Or whether or not their condition is such that they need credit now and need money from the banks in order to carry on their usual spring operations?

Mr. SMITH of South Carolina. Why, that answers itself. There may be here and there one or two who have sufficient to take care of themselves, but the great rank and file of the farmers to-day feel like they are rich because they have been able to pay themselves one time out of debt, but they have nothing ahead.

I wish to call the attention of the Senate to this fact: There goes out an order from the bank that we must retrench in all lines, and a merchant is called and he has to meet his 30 or 60 day paper and therefore can not get the discount. What does he do?

Every Senator here knows that practically all other business outside of agriculture is organized—perhaps not all but the bulk of it is organized. So whenever a merchant loses on a bill of goods he charges that loss on to the next bill, and thus recoups himself. Whenever you raise the interest to 7 per cent, when a merchant has been paying 5 per cent, he charges the extra 2 per cent on the shirt which he sells you and the shoes which he sells me. If there comes a loss to him by virtue of some one stealing something from him, he has the privilege of distributing it here and there over his goods, and so recoups himself for the loss. From what can the farmer recoup when he incurs a loss? It is impossible and impracticable for him, particularly so far as the great staple crops of the country are concerned, to fix the price of the product which he sells. If he could do so, I should not be on the floor of the Senate this afternoon pleading for the people who feed and clothe this country. They have no power to control the prices of that which we eat and that which we wear, which they produce.

When a bank raises the rate of interest, when the manipulator of the prices of his product puts those prices down, where does he recoup? He recoups by taking his children out of school, and thereby increasing the illiteracy of the country; he recoups by taking the conveniences out of his home and foregoing those things which make civilized life pleasant and happy; he recoups by taking up the burden of poverty and ignorance, and going back once again to mother earth to produce more bread and more meat, more food for the people.

The time is coming—I hope and trust that it is here now—when the agriculturists of this country shall demand a square deal in this important matter. When the rate of interest is raised, do you suppose the merchant is going to lose anything by it? How long would he stay in business if he did? Do you suppose the banker is going to lose anything by it? How long would he be in the banking business if he did so? Do you suppose the wholesaler, the retailer, or the jobber is going to lose one penny by it? They each charge it up in the price of the article which they have to sell, in the shape of money or merchandise, while the producer of the raw material is the man from whom it is ultimately extracted. Hence to-day, with every vocation and avocation save agriculture overrun with labor and paying labor fabulous prices, the farmer is unable to secure labor with which to cultivate the fields of America, although upon his activity and industry our prosperity depends.

Mr. President, I am standing here this afternoon to say that the last amendment which we passed to the banking and currency law giving the Federal Reserve Board the power to restrict the amount of paper which a member bank may discount to a percentage of the capital and surplus of that bank, and when that percentage is exhausted then to gradually increase the rate of interest, will operate, as it is now operating, to restrict the necessary credit and capital necessary to the industrial and agricultural centers of the country, and, in my opinion, will work a disaster that can not be calculated.

Under the law as heretofore administered a member bank was not restricted to its capital and surplus, but if it accepted a certain kind of paper it could accommodate those who were developing agriculture and the necessary industries almost without limit. Now, under the amendment of the law every bank can, with the approval of the board, be restricted, so far as credits are concerned, to an amount equal to its capital and surplus, and when it has gone beyond that be subjected to a progressive and graduated tax that may make a loan prohibitive.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Utah?

Mr. SMITH of South Carolina. I do.

Mr. KING. It is some time since I looked at the figures which show the number of State banks and private institutions that are in operation and the number of banks that belong to the Federal Reserve System, but my recollection is that the number of banks connected with the Federal Reserve System greatly exceed all other banks and organizations engaged in the loaning of money. What I want to ask the Senator from South Carolina is whether or not the action of the Federal Reserve Board in restricting loans, particularly as their action affects the agricultural interests, will not lead to an increase in the number of State banks?

Furthermore, I should like to ask the Senator whether or not, in view of the action of the Federal Reserve Board, State banks are not attempting more and more to care for their agricultural customers? Does the Senator know to what extent State banks are caring for such customers and whether or not their resources enable them to meet, or substantially to meet, the imperative needs of the agriculturists of the United States?

Mr. SMITH of South Carolina. I will state, Mr. President, that if the policy which is being at present pursued by the Federal Reserve Board were to continue, I think it would mean the decimation of the system; that the member banks would withdraw from the system, because the enticement heretofore which has called such banks into the Federal Reserve System, in my opinion, has been the privilege of almost unlimited credit, or at least credit limited to the general resources of the entire system and not to the particular member bank. If their borrowing capacity and their banking capacity are going to be limited to their capital and surplus, what inducement is there for them to enter the system? Why should they not stay out of it?

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Georgia?

Mr. SMITH of South Carolina. I yield.

Mr. SMITH of Georgia. Is it not also true, certainly in the South, that in the rural sections the State banks are not large banks?

Mr. SMITH of South Carolina. That is true.

Mr. SMITH of Georgia. And that they depend, in great measure, upon the national banks of the cities to loan them money; so when you cut off the supply of the large national banks of the cities you have taken away from the small State banks their power of making loans?

Mr. SMITH of South Carolina. That is true.

Mr. SMITH of Georgia. Furthermore this is true: Many such banks before the inauguration of the present Federal banking and currency system had associations with banks in New York City and other large centers from which they borrowed, but since the inauguration of this system they have borrowed from the national banks in their own principal cities; they have given up their arrangements with the eastern centers, and are not borrowing there; and now this cutting off of the national banks throughout the country, especially outside of the great centers, will take away from the banks in the rural sections almost their entire opportunity of obtaining credit and advancing the necessary funds to their rural constituents.

Mr. SMITH of South Carolina. One of the characteristic differences, one that is fundamental and should be maintained between the present system and the old system, is the decentralizing and liberalizing of loans and credits. Under the old system

the commerce of the country was largely dependent upon the impulse and caprice of a few leading bankers in one great city. Whenever they saw fit to extend a loan it could be extended; at what rate of interest was left to their sweet will. Under the Federal reserve law we attempted and succeeded in getting an impartial body of men who had no interest save the development of the resources of the Nation along safe lines, and gave them the power to determine what should be the character of the paper that should be hypothecated for the issuance of Federal reserve notes. The country responded in a manner that is startling.

I have here in my desk a report from the Comptroller of the Currency, which shows that within the seven years of the operation of the Federal reserve banks the banking resources of the national banks of the South increased 900 per cent, their resources having increased $590,000,000 more than they increased from 1863 to 1913. The banking resources of the national banks on the western coast within the seven-year period increased 1,300 per cent, while the resources of the New England banks increased 108 per cent, those of the Northern States 300 per cent, and those of the Middle West 300 per cent, proving conclusively to the student of economics that under the old inflexible banking and currency system the great cities of the North and East, having the capital of this country in their hands and selling money, had exhausted the resources of the other sections, so that when money was decentralized, the basis of credit changed, and the actual wealth of the country and not bonds and gold became the basis of a circulating medium, those sections whose development had been arrested by virtue of the lack of a flexible system responded marvelously to the new impulse.

The South with her enormous resources, but with no capital by which she could put them into operation, responded nine times over; the far West, new, undeveloped, and liberated from the thraldom of the money kings, responded to the extent of 1,300 per cent; but in the eastern section, where they had bartered and sold the lifeblood of the United States, the banking resources only responded to the extent of 108 per cent; proving that this very system has developed this country beyond the dreams of those who framed it.

Now, when the test is on, when the country is crying for bread and for meat, when the fields are being left fallow, is it wisdom on our part so to administer the law as to put us practically in the same position as we were under the old law of 1863 and put into the hands of a few men the power to say to one, "come," and he cometh, and to another, "go," and he goeth; and to one section of the country "prosper," and allow another section to dwindle and die for the want of the life-giving blood of money?

I am pleading here to-day for that class of people who can not influence the banking jugglers except by the soup house and the free kitchen, and, by the help of God, they will influence them; their time is coming.

Mr. KING and Mr. McCUMBER addressed the Chair.

Mr. SMITH of South Carolina. I yield to the Senator from Utah.

Mr. KING. Does the Senator from North Dakota desire to ask a question?

Mr. McCUMBER. Yes.

Mr. KING. I yield to the Senator from North Dakota.

Mr. SMITH of South Carolina. I yield.

Mr. McCUMBER. Admitting everything the Senator has said to be true, what on earth has that got to do with the case of—

Laura A. Moorhead, widow of Samuel Moorhead, late of Seventh Battery New York Volunteer Light Artillery, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving?

Mr. SMITH of South Carolina. I would rather pension the poor devil that is out on the farm, making bread and meat for the American people to eat at this time, than to pension some one who happens to be the beneficiary of a soldier.

Mr. McCUMBER. So would I; but I think we would do more for him if we would get through with the bill that is before the Senate at the present time.

Mr. SMITH of South Carolina. Mr. President, I just want to state to the Senator that, in my opinion, this is a matter of such prime importance that I felt that I should be derelict in my duty if I sat silent when I heard and read these appeals for help that are being made every day. There is no legislation that I know of that we can pass; but we can at least let the country know that we do appreciate the cry for help of those upon whose shoulders rests the feeding and the clothing of this great country, and we ought to serve notice on the bankers of this country that we demand that every legitimate credit shall be extended to those who produce the agricultural products of this country, so as to enable them to maintain a price that will educate their children, put carpets on their floors and pictures on their walls, and let them know that the country that eats their food at least appreciates the source from which its bread and meat come. That is the plea I am making.

Mr. KING. Mr. President, I should like to inquire of the Senator whether or not, in his opinion, in the administration of the law, the Federal Reserve Board would have the right to discriminate in favor of a section or a class where the material welfare of such section or such class is inseparably bound up with the welfare and prosperity of the entire people; or is the rule so ironclad and so inflexible that they must place every victim upon the same bed, Procrustean in character, and cut him off if he is too long or lengthen him if he is too short? What is their discretionary power with a view to advancing the real and substantial welfare of the people and of the country?

Mr. SMITH of South Carolina. It is unlimited. The bill to which I refer, and especially the last amendment that was passed, to which I objected and still object, gives them the power to fix the normal rate, as they call it, so low that when they progress and graduate the tax from time to time, before it became prohibitive, the bank would have borrowed maybe two or three times its capital and surplus; but I am informed that in some States, in one State in particular, they have fixed the normal rate at the usury rate in that State, so that, if that be true, they can not discount a dollar's worth of paper.

Mr. President, I want there to be no misunderstanding of the position I have taken this afternoon. To sum it up, I believe that the producers of the necessities of life in this country should be given to understand by the Government now, as far as it can do it in accordance with the genius of our Government, and by the bankers and financiers of this country, that they will be protected in every legitimate way so as to insure their receiving a profitable return for that sine qua non, the bread and meat of this country and the clothes of this country, and that though retrenchment and deflation may be necessary, that retrenchment and deflation shall be along those lines that will help the producer rather than hurt him; that the line of cleavage shall be clearly made between the essential and the nonessential, and that the most important fact should not be lost sight of that he, having incurred obligations at the very height of the market, shall be given the privilege of disposing of this crop at a price that will at least give him a reasonable profit.

The producer has no place upon which to charge off his loss and recoup himself. The Senator from Connecticut [Mr. BRANDEGEE] asked me if he went into the market and competed and paid these high prices, and he was protected in getting a profit on them, when might we ever hope for the prices to come down? I answer him that the present crop has already been pitched upon the peak of high prices, and, so far as the raw material is concerned, the American people may not and should not expect any reduction in the cost of the raw material produced this year; but if the proper care is taken when another spring comes on and another crop is projected, then, with the lowering of the price of those things that the producer must have, he can lower pari passu the things that he produces under those conditions.

Mr. BRANDEGEE. Mr. President, I know that the Senator did not intend to misquote me, but I think he drew a wrong inference from what I said some time ago. What I asked was, if agricultural labor on the farm was increased in its wage so as to make the position attractive as against that of the city laborer, who was paid three times as much, how a reduction in agricultural prices would ever come about?

Mr. SMITH of South Carolina. That is a different proposition. Of course it could never come under those conditions.

Mr. BRANDEGEE. I did not intend to criticize the Senator at all.

Mr. SMITH of South Carolina. No; I understand thoroughly, because I think the Senator from Connecticut, together with all other Senators in this Chamber, realizes the peculiar disadvantage at which the producers of the raw materials—the farmers—are at this particular time. The putting out of a general statement that we must curtail our loans without emphasizing and putting into operation a rule by which that curtailment shall not affect production is affecting it. It is affecting it disastrously.

Farmers are to-day wondering what is to become of them, having incurred this vast volume of debt, if the banks refuse credit and they are not enabled to distribute their production over a period of time which will enable them to get the best market price, but must be forced to put their stuff on the market to meet the obligations incurred in producing it. Any rational man who has a family to support will not take any such chance.

Mr. KING. Mr. President, will the Senator yield?

Mr. SMITH of South Carolina. I yield.

Mr. KING. I will ask the Senator what ought to be done in order to meet an exigency such as that to which I will call his attention?

I received this morning a telegram from some of the wool-growers of the West. As the Senator knows, they have produced their wool crop, to use his expression, at the peak of high prices. Labor has been high. All of the products and commodities utilized in the production of the wool have been exceedingly high. They have been compelled to borrow to carry their sheep over and to carry on their business during the winter months until they realized from the sale of their wool and the sale of their lambs in the spring.

The banks now are denying them credit, or at least they are curtailing the credit to such an extent that they are greatly embarrassed, and the wool buyers in the East decline to make advances, because they contend that their capacity to borrow is restricted. The result of it is that these woolen men—and the same applies to the cattlemen—are going to meet with serious financial losses unless something is done immediately to ameliorate the condition and to afford them relief. Can the Senator suggest some policy to be pursued by the Government or by the banks which will prevent this great catastrophe which threatens to overwhelm an industry so important to the development and the prosperity of the country?

Mr. SMITH of South Carolina. I think that the cattle growers and the wheat growers should be given to understand now that no such condition as the Senator has described would be tolerated a minute, and that the credit subtracted from a nonessential would be immediately placed at their disposal, to give them encouragement to go on with the production of meat and clothing for this country.

As I said a moment ago, Mr. President, I believe that the Federal Reserve System is trying to do its part to bring about a normal condition. As I heard one illustrate it, if you want to lower a house you can put jackscrews under it and let it go down gradually and in a proper manner, and you still have your house when you have it lowered. But if you attempt to lower it from the top with a sledge hammer you can lower it all right, but when you get it lowered you have not any house.

You are not going to deflate the currency in any radical manner or by the autocratic will of any set of men. You have to deflate the currency as the law of supply and demand and the delicate adjustment of commerce indicates you can do it safely. A false principle wrought into our life is going to work itself out in disaster, and no wholesale order from any man or set of men can do other than jeopardize the welfare of this country or plunge us into a panic. I am pleading for those who are going to be the first affected, those whose failure will first affect us.

In conclusion, I repeat, that we may not be mistaken, we should not mistake a plethora of money for a plethora of wealth. The two are as widely different as a gold dollar is from a biscuit. When there are plenty of biscuits you can buy them with a gold dollar, but you can not, when you have not any biscuits, eat the gold dollar.

So that wisdom would teach us to make just as much of the necessities of life with the agency of the dollar as possible, so that it will be as it is intended to be, a simple representative of wealth, and not make the mistake of considering that it is wealth.

Mr. President, I have said about all I care to say this afternoon on this question. I want the financial interests of this country to give the producers of the country to understand that in the midst of this, the most wonderful financial prosperity this country has ever seen, those who produce the necessaries of life shall be amply taken care of and be given priority in every loan which is essential for their welfare.

Mr. DIAL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ball	Keyes	Phelan	Sutherland
Brandegee	McCumber	Phipps	Thomas
Chamberlain	McNary	Sheppard	Underwood
Dial	Nelson	Smith, Ga.	Wadsworth
Edge	New	Smith, Md.	
Gerry	Norris	Smith, S. C.	
Kenyon	Page	Smoot	

Mr. GERRY. I wish to announce the absence of the Senator from Ohio [Mr. POMERENE] and the Senator from Kentucky [Mr. BECKHAM] on official business.

Mr. McNARY. I desire to announce the absence of the Senator from Washington [Mr. JONES], the Senator from Louisiana [Mr. RANSDELL], the Senator from North Carolina [Mr. SIMMONS], and the Senator from New York [Mr. CALDER] on official business.

The PRESIDING OFFICER. Twenty-five Senators have answered to their names. A quorum is not present. The Secretary will call the names of the absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. DILLINGHAM, Mr. HARRIS, Mr. LENROOT, Mr. NUGENT, Mr. OVERMAN, Mr. ROBINSON, Mr. SPENCER, Mr. SWANSON, Mr. TOWNSEND, and Mr. WALSH of Massachusetts answered to their names when called.

Mr. CALDER, Mr. CAPPER, Mr. KING, Mr. CURTIS, and Mr. SHIELDS entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty Senators have answered to their names. A quorum is not present. What is the pleasure of the Senate?

Mr. KENYON. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. WARREN, Mr. REED, Mr. COLT, Mr. FERNALD, Mr. JONES of Washington, Mr. SIMMONS, Mr. RANSDELL, Mr. FRANCE, Mr. HARRISON, and Mr. MCKELLAR entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty Senators have answered to the roll call. A quorum is present. The Secretary will continue the reading of the amendment reported from the Committee on Pensions.

The reading of the amendment was continued to line 18, page 74.

Mr. KING. Mr. President, a parliamentary inquiry, if I may have the attention of the Senator from North Dakota [Mr. MCCUMBER]. I wish to submit at the proper stage one or two motions to amend the amendment and to strike out certain items. I do not want it to be considered that by waiting until the conclusion of the reading of the amendment I have waived the offering of those amendments so that I shall have to move a reconsideration.

Mr. McCUMBER. I think the Senator can safely allow the reading to go on until we get through and then have a vote on one or more items, as he desires.

Mr. KING. I do not wish unnecessarily to delay the reading.

Mr. McCUMBER. Personally, I will consent to that.

Mr. KING. I have no objection that the reading may be concluded.

The reading of the amendment was concluded, it being, on page 1, after line 5, to strike out:

The name of John J. Kraft, late of Company A, Fiftieth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Patrick Collins, late of Company A, Fifty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Robert Sutor, late of Company I, First Regiment Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary J. Van Denbergh, widow of Jacob Van Denbergh, late of Company D, One hundred and twentieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William A. Wilson, late of Company F, One hundred and forty-eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nancy J. Clark, widow of Thomas J. Clark, late of Company K, One hundred and eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Jane McMahon, widow of Matthew McMahon, late of Company D, Second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Zora Hockman, helpless and dependent daughter of Aaron Hockman, late of Company F, Eighty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of William D. Dennison, late of Company H, Twenty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Callie B. Boatright, widow of John T. Boatright, late of Company A, First Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of George T. Baldwin, helpless and dependent son of William L. Baldwin, late of Company K, Twenty-seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Phebe E. C. Priestley, late an Army nurse, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of James Warren, late of Company B, Thirty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Ferdinand Lambert, helpless and dependent son of Andrew Lambert, late of Company A, First Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $20 per month, payable to a duly appointed guardian or conservator.

The name of Catharine Maconaughay, helpless and dependent daughter of James Maconaughay, late of Company G, Two hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Charles W. Smith, late of Company H, First Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Cynthia R. Osgood, former widow of Joseph Rudler, late of Company G, Sixty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Jesse A. Smith, helpless and dependent son of William Smith, late of Company F, Phelps Missouri Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of George W. Hollenbank, late of Company A, One hundred and eighty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary A. Slack, widow of Magnus D. Slack, late of Company K, Thirteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Franklin Harrod, late of Battery C, Kentucky Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Eva McNett, former widow of Jacob B. McNett, late assistant surgeon, First Regiment Michigan Volunteer Sharpshooters, and pay her a pension at the rate of $25 per month.

The name of Samuel Bainter, late of Company C, Eleventh Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Annie J. Page, widow of George W. Page, late of independent company, Dennison Guard, Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Thomas J. O'Harra, late of Company B, Twenty-first Regiment Ohio Volunteer Infantry, and Company E, Seventeenth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Henry Leedom, late of Company G, One hundred and thirty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William A. Middleton, late of Company B, Eightieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth Acton, former widow of John Quinn, late of Company B, Tenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Amanda B. Birch, widow of J. J. C. Birch, late acting medical cadet, United States Army, and pay her a pension at the rate of $25 per month.

The name of John Wilson, late of Company D, Third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Rebecca Horine, widow of George M. Horine, late of Company I, One hundred and thirty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Bertha Blanch Weimer, helpless and dependent daughter of John S. Weimer, late of Company F, Ninety-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of James Robison, late of Company B, Ninety-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ezra Shanks, late of Company C, Fifty-first Regiment Ohio Volunteer Infantry, and Company F, Seventh Regiment United States Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Sibria Armstrong, former widow of James M. Lawrence, late of Company I, Fourth Regiment Tennessee Volunteer Mounted Infantry, and pay her a pension at the rate of $25 per month.

The name of David Hahn, late of Company D, One hundred and twenty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Alice West, helpless and dependent daughter of Sylvester D. West, late of Company K, One hundred and sixty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Stephen H. Leonard, late of Company A, First Regiment Pennsylvania Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Max J. Alwens, late of Company E, One hundred and sixteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Colbert Ratliff, late of Company D, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edmond Harvey, late of Company A, Ninety-seventh Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Sarah J. Bates, widow of George Bates, late of Company H, Forty-eighth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Joseph R. Lawson, late of Company J, First Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $30 per month.

The name of Mary F. Lake, former widow of Joshua W. Lake, late of Company C, One hundred and twenty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of George W. Willard, late of Company A, Tenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Johanna Dowling, former widow of Owen Garvey, late of Company D, Seventy-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John Garvey, helpless and dependent son of said Owen Garvey, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Johanna Dowling the name of said John Garvey shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Johanna Dowling.

The name of Emma Park, helpless and dependent daughter of James A. Park, late of Company D, Twenty-sixth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of George Milton Frye, late of Company E, Second Regiment Massachusetts Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Isabella Gruver, widow of James A. Gruver, late of Company C, Tenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Elizabeth I. E. Duffield, helpless and dependent daughter of Thomas A. Duffield, late of Company B, Second Regiment California Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Ellen Bridge, former widow of Franklin Hart, late of Company H, Fifth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary L. Drake, former widow of John Herrington, late of Company M, Ninth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Elizabeth S. Van Pelt, former widow of Gaines Brock, late of Company G, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Lillian S. Dodds, widow of James Dodds, late second lieutenant of Company G, Fourteenth Regiment Rhode Island Colored Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The name of Harriet E. Ritter, widow of Austin Ritter, late of Company G, Sixteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Levi Welch, late of Company G, One hundred and twenty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Lazarus W. Johnson, late of Company K, Second Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth A. Tuttle, widow of Henry G. Tuttle, late of Company E, Forty-first Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Elizabeth A. Pease, widow of Dallas M. Pease, late of Company A, Second Regiment Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The name of Emily N. Wellman, widow of Norman Wellman, late of Company A, Ninth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Benjamin Jackson, late of Company B, First Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Louisa Mawhiney, widow of William I. Mawhiney, late of Company B, Eighth Regiment Missouri Volunteer State Militia Cavalry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John H. Mawhiney, helpless and dependent son of said William I. Mawhiney, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Louisa Mawhiney, the name of said John H. Mawhiney shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Louisa Mawhiney.

The name of Emma L. Lindsay, widow of David A. Lindsay, alias James D. Hamel, late of Company M, Tenth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Zachariah Allbaugh, late of Company C, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Harriett Jordan, widow of Lindsey Jordan, late of Company D, Fortieth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Cora B. Kelley, widow of James Kelley, late of Company C, Tenth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Julia A. Marugg, widow of Simon Marugg, late of Company B, Sixth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Adelia Mae Lee, widow of James E. Lee, late of Company D, First Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Maggie Dona Lloyd, helpless and dependent daughter of Joseph Lloyd, late of Company C, First Regiment Tennessee Volunteer Light Artillery, and pay her a pension at the rate of $20 per month.

The name of Israel Boyer, alias George Johnson, late of Company C, Eighth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Oscar W. Miller, helpless and dependent son of Abraham Miller, late of Company A, One hundred and sixteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Frank Haight, helpless and dependent son of Frederick G. Haight, late of Company B, Twenty-fifth Regiment Michigan Volunteer Infantry, and Company K, First Regiment Veteran Reserve Corps, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of James B. Smith, late of Company H, Forty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George H. Bowman, helpless and dependent son of Abraham Bowman, late of Company C, One hundred and ninety-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Jessie G. Gilman, helpless and dependent daughter of Elbridge P. Gilman, late of Troop G, Fifth Regiment United States Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of William H. Sumption, late of Company E, Eleventh Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Virginia Zachary, widow of John Zachary, late of Company C, First Regiment Tennessee Volunteer Mounted Infantry, and pay her a pension at the rate of $25 per month.

The name of Samuel Pryor, late of Company E, Thirteenth Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Jane M. Henderson, widow of Henry W. Henderson, late of Company I, Seventieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Joseph Buckle, late of Company E, Second Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Adolphus Sterling, late of Company D, Twentieth Regiment New York Volunteer Cavalry, and Company A, Ninety-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Peter Boyd, late of Company F, Twelfth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Felix R. Robertson, late of Company E, One hundred and eighty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Eugene Cunningham, helpless and dependent son of Moses S. Cunningham, late of Company F, Forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Margaret A. Plank, widow of George W. Plank, late of Company C, Webster County Missouri Home Guards, and pay her a pension at the rate of $35 per month.

The name of Emaline C. Lindner, helpless and dependent daughter of Samuel Lindner, late of Company D, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Jason Johnson, late of Company B, Fourth Regiment, and Company D, First Regiment, Vermont Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James D. Ash, late of Company A, Third Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Frances E. Parmater, former widow of John J. Parmater, late of Company A, Forty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lillian Brown, helpless and dependent daughter of Francis A. Brown, late of Company B, Sixteenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of George Wilson, late of Company H, Twenty-first Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James F. Smith, late of Company G, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Benjamin F. Ford, late of Company G, Seventeenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of David E. Mosholder, late of Company A, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John E. Broyles, helpless and dependent son of Henry Broyles, late of Company L, Seventh Regiment Ohio Volunteer Cavalry, and Company E, Sixth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $20 per month.

The name of Sarah E. Maurer, former widow of Isaiah Miller, late of Company G, Seventy-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Catherine Weber, former widow of Robert R. Martin, late of Company L, Fifth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Diana Lucas, former widow of Nathan Lucas, late of Company E, First Regiment Michigan Volunteer Light Artillery, and pay her a pension at the rate of $25 per month.

The name of Solomon J. Grine, late of Company C, Fifty-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John R. Garstang, late of Company D, Fremont Body Guard, Missouri Volunteer Mounted Cavalry, and pay him a pension at the rate of $40 per month.

The name of Charles S. Humphrey, late of Company F, Ninety-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nancy F. Taylor, widow of Thomas G. Taylor, late of Company I, One hundred and fifty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Murray V. Livingstone, late of Company D, First Regiment Massachusetts Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth Beach, helpless and dependent daughter of Willard O. Beach, late of Company I, One hundred and thirty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary Phillips, former widow of Orren W. Stanford, late of Company A, Ninety-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Callie Oberer, widow of John Oberer, late of Company C, Fifteenth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Sarah Cain, widow of James Cain, late of Company B, Eleventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of James Cain, helpless and dependent son of James Cain, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Sarah Cain, the name of said James Cain shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Sarah Cain.

The name of Helena Garges, helpless and dependent daughter of Amandes Garges, late of Company A, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John Horn, late of Company K, One hundred and fiftieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nancy H. Jacklin, former widow of William Jones, late of Company G, Fortieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of William E. Cheek, late of Company F, Ninety-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Ervin, late of Company D, One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Richard Herrell, late of Company M, Eleventh Regiment United States Colored Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jeremiah M. Fitger, late of band, Sixty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Lottie Baughman, widow of Isaiah Baughman, late of Company C, Thirty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Emma E. Brown, helpless and dependent daughter of Thomas Brown, late of Company H, One hundred and eighteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Loretta Hosey, helpless and dependent daughter of James R. Hosey, late of Company G, Eleventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of James R. Hann, late of Company I, Two hundred and second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Lucian Smith, late of Company A, One hundred and thirty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Hannah Brantner, widow of James S. Brantner, late of Company B, Two hundred and eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Rhoda Button, widow of James W. Button, late of Company G, Ninety-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William Cline, late of Company I, Eighteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Martha L. Elliott, widow of Salathiel Elliott pensioned as Salathiel Ellet, late of Company E, Thirty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Sarah Mowry, former widow of Jasper Lanham, late of Company M, Third Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Emma Swalls, helpless and dependent daughter of Eli Swalls, late of Company E, One hundred and thirty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Zetta Swalls, helpless and dependent daughter of Eli Swalls, late of Company E, One hundred and thirty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Jasper Stoops, late of Company H, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Sarah J. Parks, widow of Jasper N. Parks, late of Company B, Thirty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary Haremaker, widow of Peter Haremaker, late of Company A, Fifty-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Nelson Behymer, late of Company I, Thirteenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Lemuel C. Nicooson, late of Company D, One hundred and fifteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Burton Walters, helpless and dependent son of Borda Walters, late of Company K, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Fannie E. Porter, widow of Daniel P. Porter, late of Company D, Third Battalion Rifles, Massachusetts Volunteer Militia Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Charles S. Porter, helpless and dependent son of said Daniel P. Porter, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Fannie E. Porter, the name of said Charles S. Porter shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Fannie E. Porter.

The name of Jane Burton, former widow of Maurice Burton, late of Company D, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary A. McGill, helpless and dependent daughter of James McGill, late of Company B, Tenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of Eben N. Higley, late a coal heavier, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Martha J. James, widow of Leander M. James, late of Company A, One hundred and thirty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Helen James, helpless and dependent daughter of said Leander M. James, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Martha J. James, the name of said Helen James shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Martha J. James.

The name of Betsey Palmer Mason, former widow of William H. Palmer, late of Company F, Fourth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Merritt A. White, late of Companies H and K, Third Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George W. Flack, late of Company D, Sixtieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Robert W. Gibbs, late of Company E, Third Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William A. Coddington, late of Company B, Eighteenth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Christopher Wilson, late of Company A, Eighty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Samuel J. White, late of Company C, Twenty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Rebecca E. Brown, former widow of James M. M. Houston, late of Company L, First Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of James T. Jones, late of Company C, Second Regiment Missouri Volunteer Light Artillery, and pay him a pension at the rate of $35 per month in lieu of that he is now receiving.

The name of Harriett A. Lake, widow of Dewitt C. Lake, late of Company F, Third Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Thomas W. Sample, late of Company E, Twenty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Alfred Murray Ringland, late of Company D, One hundred and thirty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James D. Lafferty, late of Company K, Fifty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Martha J. Sexton, helpless and dependent daughter of Isaac Sexton, late of Company A, Tenth Regiment Iowa Volunteer Infantry, and Company E, Fourth Regiment Veteran Reserve Corps, and pay her a pension at the rate of $20 per month.

The name of John W. Mercer, late of Company G, Twenty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jonathan Wolf, late of Company D, Seventeenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Gustav Hamberger, late of Company A, Fifth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nicholas Scholl, late of Company F, One hundred and forty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William H. Hanson, late landsman, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edwin E. Warren, helpless and dependent son of Edwin A. Warren, late of Company G, Nineteenth Regiment, and Company K, Seventeenth Regiment, Maine Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Peter P. Faller, late of Company K, Forty-seventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Robison D. Maus, late of Company I, Tenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jennie L. Lewis, widow of Joseph Lewis, late of Company G, One hundred and twenty-fifth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Robert Niven, late of Companies M and H, Eighth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $60 per month in lieu of that he is now receiving, to include $10 per month special pension under medal of honor roll.

The name of Salathiel K. Wise, late of Company E, Fortieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary E. Leroy, widow of Fred, alias Frederick, Leroy, late of Company E, First Regiment United States Reserve Corps, Missouri Militia, and pay her a pension at the rate of $25 per month.

The name of Louisa Engelhardt, helpless and dependent daughter of Henry Engelhardt, late of Company A, One hundred and thirty-eighth Regiment Ohio National Guard Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Joseph S. Hall, late of Company B, Fifty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John A. Keltner, late of Company D, Twenty-fourth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles Asa Clark, late of Company I, Fourteenth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John J. Spencer, late of Company H, Forty-ninth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Dora Myers, former widow of Charles Swordes, late of Company A, Eighth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Samuel Sheline, late of Company G, First Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Frank Libby, late of Company B, First Regiment New Hampshire Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Robert Davis, late of Company C, Thirty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Luther Bedel, late of Company G, Sixty-seventh Regiment, and Company G, Twenty-fourth Regiment, Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Flavius J. Cole, late of Company B, One hundred and fortieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of David M. Haskell, late of Company A, Third Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Webster Cotton, late of Company E, Fiftieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Flora Heath, helpless and dependent daughter of Samuel A. Heath, late of Company C, Third Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Andrew Reiber, late of Company C, One hundred and fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah N. Bolinger, widow of Jacob N. Bolinger, late watchman United States ram *Fulton*, Mississippi Marine Brigade, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Thompson S. Lozaw, helpless and dependent son of Samuel Lozaw, late of Company D, Fourth Independent Battery New Jersey Volunteer Light Artillery, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Joseph J. Dalbey, late of Company H, One hundred and forty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Louise H. Thornton, widow of William H. Thornton, late of Company B, Second Regiment Pennsylvania Volunteer Heavy Artillery, and Company G, Twenty-fourth Regiment Veteran Reserve Corps, and pay her a pension at the rate of $25 per month.

The name of Peter T. McQuain, late of Company B, Second Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ephraim Whitson, late of Company E, One hundred and fifty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Daniel K. Rowe, late of Company C, Tenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Albert Waller, late of Company B, Twelfth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Kate McLaughlin, an Army nurse, Medical Department, United States Volunteers, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Martha A. Wade, former widow of John Cales, late of Company A, One hundred and eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Nancy C. Troupe, former widow of James L. Forgey, late of Company L, Fifteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Enoch K. Shackelford, late of Company G, Fourteenth Regiment, and Company L, Eighth Regiment, Missouri Volunteer State Militia Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Albert Shellhorn, late of Company E, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth Burgess, widow of George T. Burgess, late of Company G, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $25 per month, and it is also directed that the widow be paid the soldier's accrued pension.

The name of Alexander Kimbrough, late of Company K, Fourth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Garret H. Fowler, late of Company K, Sixty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Frederick A. Hart, late of Company D, Second Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Joseph E. Crow, late of Company I, One hundred and seventy-fourth Regiment, Company H, Fourth Regiment, and Company C, One hundred and forty-fifth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Cassie R. Hatch, helpless and dependent daughter of Albion L. Hatch, late of Company F, Twenty-fourth Regiment Maine Volunteer Veteran Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of William A. Karnes, late of Company E, Garrison Guards, and private, unassigned, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah E. Frost, widow of Charles L. Frost, late of Company F, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Nelson B. Hackett, late of Company C, Fourth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry H. Rowe, late of Company H, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Caroline St. Denis, widow of Gideon St. Denis, late of Companies I and A, Ninety-second Regiment, and Company G, Ninety-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Josiah C. Hancock, helpless and dependent son of Francis M. Hancock, late of Company I, Twenty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of John Wroton, late of Company D, Seventh Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles M. Taylor, late of Company F, Thirty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Julia Ruth Bartlett, helpless and dependent daughter of Sylvanus Bartlett, late of Company H, Eighteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Jesse W. Rigby, late of Company B, Twenty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jerome B. Summers, late of Company D, Sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary Werner, widow of Adam Werner, late of Capt. Knapp's company, Seventh Indiana Legion, and pay her a pension at the rate of $35 per month.

The name of Charles M. Bingham, late of Company C, Sixty-fifth Regiment Ohio Volunteer Infantry, and Company M, Thirteenth Regi-

ment Indiana Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William T. Gibbs, late of Company D, One hundred and fifty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George W. Cobb, late of Company K, Eleventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Eliza C. Ludwig, widow of Frank Ludwig, late of Company D, Third Battalion New York Volunteer Artillery; Company D, Second Regiment United States Cavalry; and Company F, Twelfth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Lafayette Van Gundy, late of Company E, Fourteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Francis M. Frazier, late of Company H, Fifty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sadie C. Steadman, former widow of Hezekiah N. Steadman, late of Company E, One hundred and twenty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Hunter C. Frampton, late of Company F, Third Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $35 per month in lieu of that he is now receiving, no deduction or rebate to be made on account of former alleged overpayment or erroneous payments of pension.

The name of Helen B. Owen, widow of Robert S. Owen, late of Company A, Third Regiment Massachusetts Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of William D. Moores, late of Company G, Second Regiment United States Sharpshooters, and landsman, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William O. Callis, late of Company F, Ninth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Franklin Bolen, late of Company C, Thirty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jesse Corn, late of Company E, One hundred and seventy-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Marion Cahall, late of Company B, Thirty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Reuben Boring, late of Company C, Sixty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Julia A. Barnss, widow of Leander P. Barnes, late of Company D, Second Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of James Doran, late of Company K, Seventh Regiment, and Company D, Thirty-ninth Regiment, Illinois Volunteer Infantry; Company A, Third Battalion, and Company F, First Battalion, Eleventh Regiment United States Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Philip A. Warner, late of Company K, Third Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah J. Pond, widow of Chandler H. Pond, late of the Twenty-ninth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Martha Williams, widow of Joseph T. Williams, late of Company F, Forty-sixth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary E. Bowen, widow of George L. Bowen, late of Company I, Fourteenth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Elizabeth M. Sager, widow of Garrett S. Sager, late of Company A, Seventh Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John W. McPherron, jr., late of Company B, Twenty-fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry J. Tinney, late of Company L, Fourth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Susan H. Orr, widow of Charles W. Orr, late of Company C, Ninth Regiment Provisional Enrolled Missouri Volunteer Militia, and pay her a pension at the rate of $25 per month.

The name of Hugo Schrottky, late of Company F, Twentieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Eva J. Plante, former widow of Louis Peipker, late of Sixth Independent Company Ohio Volunteer Sharpshooters, and pay her a pension at the rate of $25 per month.

The name of Loretta McKee, helpless and dependent daughter of Amos McKee, late unassigned, Third Regiment Pennsylvania Volunteer Heavy Artillery, and pay her a pension at the rate of $20 per month.

The name of Rosella Magee, helpless and dependent daughter of James Magee, late of Company I, Sixty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sallie A. Cox, widow of William Cox, late of Company H, Fifth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of John Foster, late of Company A, Twenty-first Regiment, and Company G, Sixtieth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edward R. Roll, late of Company F, Thirty-fifth Regiment Kentucky Volunteer Infantry, and Company B, Third Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Harriet Sillman, widow of John F. Sillman, late of Company E, Eleventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Laura Levenseler, helpless and dependent daughter of Henry Levenseler, late of Campany A, Twenty-second Regiment Masssachusetts Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of William W. Goodridge, late of Company C, Twenty-fifth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nathaniel Henry, late of Company K, Second Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah A. Christy, widow of Thomas J. Christy, late of Company C, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Sarah Keys, widow of William T. Keys, late of Company I, Seventy-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of James Bartram, late of Company C, Third Regiment United States Volunteer Artillery, and pay him a pension at the rate of $50 per month.

The name of Sarah E. Totten, widow of David R. Totten, late of Company G, First Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Isaac Edgington, late of Company K, Seventy-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Gurney E. Hall, helpless and dependent son of Elijah P. Hall, late of Company D, Seventh Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of George B. Pearl, late of Company F, Twenty-third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Margaret Burney, former widow of James M. Chapman, late of Company F, Seventy-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Robert Gilmore, late of Company C, Eightieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Thomas J. Thomas, late of Company C, Thirty-ninth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Lyman M. Sherwood, late of the United States Marines, United States ship *Saranac*, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Walker, late of Company I, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William H. Wroten, late of Company A, Thirty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nicholas S. Ward, late unassigned, Thirtieth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Harriette Skelton, widow of Samuel G. Skelton, late of Company A, First Regiment Alabama Vidette Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of William H. Willey, late of Company B, Third Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John E. Coogle, late of Company B, One hundred and forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ellis Henthorn, late of Company K, Seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Lucy J. Sheldon, widow of Charles M. Sheldon, late of Company K, Third Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Philander S. Groesbeck, late of Company F, Eighth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Marsh Smith, late of Company F, One hundred and fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Catharine Lenz, widow of Solomon Lenz, late of Company F, Fifty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Charles H. Lenz, helpless and dependent son of said Solomon Lenz, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Catharine Lenz, the name of said Charles H. Lenz shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Catharine Lenz.

The name of Solomon Morris, late of Capt. Eaton's Company, Departmental Corps, Monongahela, Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of James L. Moore, late of Company A, Eighty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Gilbert Smith, late of Company B, Third Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Harriet H. Carmical, widow of John Carmical, late of Company I, Third Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Ephraim A. Adams, late of Company D, Twelfth Regiment, and Company H, Twenty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Susan Bedell, helpless and dependent daughter of David E. Bedell, late of Company E, Twenty-second Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of George H. Pennington, late of Company E, Fifty-third Regiment, and Company K, Ninety-first Regiment, Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Louisa R. Bechtel, widow of Morgan S. Bechtel, late of Company G, One hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Joseph Guffy, late of Company A, Fifty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Joseph Johnston, late of Company B, Forty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Alida A. Marshall, widow of Joseph N. Marshall, late of Company I, Ninth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $65 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of James E. Marshall, helpless and dependent child of said Joseph N. Marshall, $20 of the additional pension granted herein shall cease and determine: *Provided further*, That in the event of the death of Armidred Marshall, helpless and dependent child of said Joseph N. Marshall, $20 of the additional pension granted herein shall cease and determine: *And provided further*, That in the event of the death of Alida A. Marshall, the names of James E. Marshall and Armidred Marshall shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month to each of them from and after the death of said Alida A. Marshall.

The name of Eliza McDaneld, widow of John McDaneld, late of Company A, Sixth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Laona Carver, widow of Andrew J. Carver, late of Company B, Sixth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Jennie L. Ramsdell, widow of Andrew S. Ramsdell, late of Company E, Fourteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Julia E. Mills, widow of Leonidas E. Mills, late of Company H, Eleventh Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Michael Kirby, late of Company D, Fifth Regiment New York Volunteer Veteran Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Anna Sheridan, widow of John Sheridan, late of Company K, One hundred and forty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of William Francis Sheridan, helpless and dependent son of said John Sheridan, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Anna Sheridan, the name of said William Francis Sheridan shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Anna Sheridan.

The name of Andrew J. Hale, late of Company I, Fiftieth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Abigail Merriman, widow of Henry L. Merriman, late of Company K, One hundred and seventy-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of James B. Erskine, late of Company B, First Regiment Maine Volunteer Heavy Artillery, and Company A, Thirty-first Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elmar K. Coppock, helpless and dependent son of Calvin Coppock, late of Company C, Eighty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Clara C. McCracken, widow of John M. McCracken, late of Company K, Forty-sixth Regument Illinois Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Mary A. McCracken, helpless and dependent daughter of said John M. McCracken, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Clara C. McCracken, the name of said Mary A. McCracken shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $24 per month from and after the date of death of said Clara C. McCracken.

The name of Elecla Rexroad, widow of Maranda H. Rexroad, late of Company A, Tenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Anna F. Willis, helpless and dependent daughter of Alfred Willis, late of Company G, Thirty-fifth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary F. Woods, widow of David Woods, late of Company I, Twenty-seventh Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Robert H. Kernan, late of Company M, Second Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George W. Thompson, helpless and dependent son of Andrew G. Thompson, late of Company B, Forty-first Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Charles H. Bothwell, late of Company A, Ninety-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William Firkins, late of Company D, Fifty-third Regiment, and Company I, One hundred and forty-first Regiment, Illinois Volunteer Infantry, and Company K, Seventh Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month.

The name of George Guilford, late of Company A, Sixty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William F. Dines, late of Company C, Twelfth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Isaiah G. Mayo, late of United States Sanitary Commission's ship *S. E. Browne*, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Ida McCoy, widow of James McCoy, late of Company E, One hundred and eighty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Sophia Schram, widow of John Schram, late of Companies H and B, Twenty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $27 per month: *Provided*, That in the event of the death of Estellia L. Schram, minor daughter of said John Schram, $2 of the pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Sophia Schram the name of said Estellia L. Schram shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 and $2 per month from and after the date of death of said Sophia Schram, until she attains the age of 16 years.

The name of Ellen S. Vestile, widow of George W. Vestile, late of Capt. Bassett's independent company, Ninth Regiment Indiana Legion, and pay her a pension at the rate of $25 per month.

The name of Mary A. Shepherd, widow of William A. Shepherd, late of Company E, Eighteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of William E. Shepherd, helpless and dependent son of said William A. Shepherd, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Mary A. Shepherd, the name of said William E. Shepherd shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary A. Shepherd.

The name of Susanna A. Johnson, widow of Eugene W. Johnson, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Elexious H. Conly, late of Company I, Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Martha J. Hopkins, widow of Calvin Hopkins, late of Company G, One hundred and fifty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Eva Whittlebery, helpless and dependent daughter of William R. Whittlebery, late of Company I, One hundred and sixteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Edward H. Bennett, helpless and dependent son of Lewis Bennett, late of Company B, One hundred and fifty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Alwilda Wheeler, widow of George H. Wheeler, late of Company H, Eleventh Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Frederick Nieutzenheizer, late of Company A, Sixteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Martin Edwards, late of Company K, Fourteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William H. Durham, helpless and dependent son of Tolford Durham, late of Company A, Fourth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

And insert:

The name of Margaret Yohe, widow of Adam Yohe, late of Company C, Second Battalion Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Charles Francis Schaeffer, helpless and dependent son of Daniel W. Schaeffer, late of Company D, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $20 per month.

The name of Juliann Fyock, widow of David Fyock, late of Company B, Eleventh Regiment Pennsylvania Reserve Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Mary Fyock, helpless and dependent daughter of said David Fyock, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Juliann Fyock, the name of said Mary Fyock shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Juliann Fyock.

The name of Addie L. Hubbard, former widow of Abijah L. Hubbard, late of Company F, Twentieth Regiment, and Company C, Second Regiment, Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ann Brooks, former widow of Garrett Gordon, late of Company K, Twenty-second Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Henry Seebers, late unassigned, Eleventh Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Nason B. Cunningham, late of Company E, Sixth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Caroline Deibert, widow of Jacob Deibert, late of Company K, One hundred and forty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ella Thatcher, widow of John W. Thatcher, late of Company H, Twenty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ann E. McGrew, widow of William T. McGrew, late of Company A, First Regiment Ohio Volunteer Light Artillery, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Elizabeth G. Young, former widow of William H. Green, late of Company F, Seventy-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Jane Cory, helpless and dependent child of Charles Cory, late of Company I, Sixtieth Regiment New York Volunteer Infantry, and pay her a pension at the rate $20 per month in lieu of that she is now receiving.

The name of Hannah Lovell, widow of Lewis Anderson, late of Company C, Thirty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth A. Queen, widow of Thomas Queen, late of Company B, Eightieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John Queen, helpless and dependent son of said Thomas Queen, the additional pension herein granted shall cease and determine: *And pro-*

vided further, That in the event of the death of Elizabeth A. Queen, the name of the said John Queen shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Elizabeth A. Queen.

The name of John I. Amy, late of unassigned Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Margaret Donahue, widow of Philip Donahue, late of Company F, One hundred and ninety-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lenora Stewart, widow of Joseph H. Stewart, late of Company E, Fifth Regiment United States Colored Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Mary E Fry, widow of William Fry, late of Company I, One hundred and thirteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Oscar Fry, helpless and dependent son of said William Fry, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Mary E. Fry, the name of said Oscar Fry shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary E. Fry.

The name of Pauline Sanders, former widow of George W. Johnson, late of Company D, Fortieth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Richard Martin, helpless and dependent child of Jackson Martin, late of Company C, Twenty-fourth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Edwin Fiske Bassett, helpless and dependent child of Edwin F. Bassett, late of Company H, Twenty-ninth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Elizabeth Moses, widow of Alonzo Moses, late of Company F, One hundred and sixty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Anna Wilcox, widow of Andrew Wilcox, late of Company C, One hundred and forty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Hanna D. Jelison, widow of George W. Jelison, late of Company K, Second Regiment Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Sarah J. Casler, widow of Henry R. Casler, late of Company K, Twelfth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Anna Greer, widow of William H. H. Greer, late of Company K, One hundred and fifty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Helen F. Wade, widow of Silas Wade, late of Company E, One hundred and twenty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Julia Shaw, widow of John Shaw, late of Company G, One hundred and fifty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Abbie H. Lewis, widow of Henry A. Lewis, late of Company B, One hundred and twenty-fourth Regiment Illinois Volunteer Infantry, and Company E, Sixty-fourth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Frances Watches, widow of Allen Watches, late of Company C, One hundred and forty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Miller, widow of Ira Miller, late of Company C, Fifteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Horace M. Miller, helpless and dependent son of said Ira Miller, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Mary Miller, the name of said Horace M. Miller shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary Miller, to continue during the period of helplessness and dependency.

The name of Nancy M. Davis, former widow of George Davis, late of Company H, First Regiment Arkansas Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Delilah Hunley, widow of Archibald Hunley, late of Company H, Thirtieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Josephine Brown, invalid and dependent daughter of William Brown, late of Company C, Second Regiment Arkansas Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Jennie A. Stephens, former widow of Ivan D. Stephens, late of Company I, Seventy-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ellen G. Frame, widow of John O. Frame, late of Company F, Forty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Rebecca H. Whiteacre, widow of William Whiteacre, late of Company B, Fortieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret E. Melson, widow of John E. Melson, late of Company D, Purnell's Legion, Maryland Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of John D. Sullivan, late of Company C, Second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving, without deduction or rebate for former alleged overpayments.

The name of Bridget Lillis, former widow of John McKeever, late of Company E, Thirty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Myrtle I. Arnold, widow of Addison C. Arnold, late of Company B, One hundred and forty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Jennie B. Duer, widow of John O. Duer, late of Company D, Forty-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Emma J. DeYoe Bassett, former widow of Newton W. DeYoe, late of Company E, Sixty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Nancy J. Pier, widow of John W. Pier, late of Company A, Twentieth Regiment Indiana Volunteer Infantry, and Fourteenth Battery, Indiana Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Blanche Bunger, helpless and dependent daughter of Aaron E. Bunger, late of Company F, Eighty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of John W. Walker, helpless and dependent child of Otis Walker, late of Company C, One hundred and Sixty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Linda Whetsel, widow of Solomon Whetsel, late of Twelfth Independent Battery Ohio Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Mary J. Bowen, widow of Russell Bowen, late of Company G, One hundred and fifty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of William Francis, helpless and dependent child of Abraham Francis, late of Companies F and G, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Henry Gass, helpless and dependent son of Andrew J. Gass, late of Company D, Sixty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Rita Shafges, former widow of Jacob D. Schilling, late of Company I, Fourth Regiment California Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Amanda J. Reynolds, former widow of Albert A. Gates, late of Company H, Eighteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Annie S. Marsh, widow of Samuel W. Marsh, late of Company G, One hundred and seventy-sixth Regiment New York Volunteer Infantry, and Company G, Second Regiment New York Mounted Volunteer Rifles, and pay her a pension at the rate of $30 per month.

The name of Nancy A. Lawther, widow of James T. Lawther, late of Company B, Ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Isabel Burge, widow of Jacob W. Burge, late of Company P, Sixth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Malissie Sands, widow of Jesse Sands, late of Company B, Ninth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Agnes Anderson, widow of James Anderson, late of Company C, One hundred and thirteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Carrie Abbitt, former widow of William Watson, late of Company C, One hundred and tenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Matilda Laswell, former widow of Samuel C. Dale, late of Company I, Eighteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month, without further deductions on account of former erroneous payments of pension.

The name of Jennie Schofield, former widow of Milton S. Hammond, late of Company E, One hundred and forty-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Isabella Kelley, widow of John Kelley, late of Company G, First Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary G. Leary, helpless and dependent daughter of Michael H. Leary, late of Company H, Thirty-second Regiment, and Company B, Ninth Regiment, Massachusetts Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Caroline Greenwold, widow of John Greenwold, late of Twelfth Battery Wisconsin Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Julia Kemper, widow of Herman Kemper, late of Company K, Fourth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of James W. Ledford, late of Company I, One hundred and forty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month, without further deductions on account of former erroneous payments of pension.

The name of Miriam C. Hone, helpless and dependent daughter of James Hone, late of Company H, One hundred and fifty-first Regiment Ohio National Guard Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Abram Brannum, helpless son of Silas Brannum or Brennam, late of Company I, Ninetieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Elizabeth A. Murphy, former widow of Henry Bisbo, late of Company C, One hundred and eighty-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lilla J. Darling, helpless and dependent child of Nelson Darling, late unassigned, Twenty-second Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of James E. McKenna, helpless and dependent son of James McKenna, late of Company G, Third Regiment Massachusetts Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Mary E. Flint, former widow of Thomas Fitzgerald, late of Companies I and C, Third Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Annie Myers, widow of George Myers, late of Company D, First Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Ione D. Bradley, widow of Luther P. Bradley, late brigadier general United States Volunteers and brigadier general United States Army, retired, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Eliza M. Martin, former widow of Samuel W. Davis, late of Company A, Thirty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month.

The name of Julia W. Nichols, widow of Henry Nichols, late of Company C, Third Regiment Missouri State Militia Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Frances Langguth, widow of John W. Langguth, late of Companies B and A, Seventeenth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Kate C. Kraig, widow of John C. Kraig, late of Company A, Twenty-ninth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Christie Fish, widow of Austin C. Fish, alias Clark A. Fish, late of Companies K and C, Second Regiment Ohio Volunteer Cavalry, and Company C, One hundred and twenty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Anna S. Christopherson, helpless and dependent daughter of Ole Christopherson, late of Company K, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary E. Bell, widow of John T. Bell, late of Company I, One hundred and fifty-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Charles H. Bell, helpless and dependent son of said Mary E. Bell, the additional pension granted herein shall cease and determine: *And provided further*, That in the event of the death of Mary E. Bell, the name of said Charles H. Bell shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary E. Bell, to continue during the period of helplessness and dependency.

The name of Martha C. Igo, widow of Daniel Igo, late of Company E, Eleventh Regiment, and Company I, Two hundred and eleventh Regiment, Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Mabel Igo, helpless and dependent daughter of said Daniel Igo, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Martha C. Igo, the name of said Mabel Igo shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Martha C. Igo, to continue during the period of helplessness and dependency.

The name of George W. Heator, helpless and dependent son of Joseph Heator, late of Company E, Twenty-seventh Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Laura A. Moorhead, widow of Samuel Moorhead, late of Seventh Battery New York Volunteer Light Artillery, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Ida A. Moorhead, helpless and dependent daughter of said Samuel Moorhead, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Laura A. Moorhead, the name of said Ida A. Moorhead shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Laura A. Moorhead, to continue during the period of helplessness and dependency.

The name of Harriet M. Godfrey, widow of Edwin J. Godfrey, late of Company B, Second Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Melissa E. Dickinson, widow of Solomon A. Dickinson, late of Company I, Sixth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Catherine Osborn, helpless and dependent daughter of Andrew J. Osborn, late of Company G, Second Regiment Provisional Enrolled Missouri Militia, and pay her a pension at the rate of $20 per month.

The name of Ella D. Madden, helpless and dependent daughter of Hosea F. Madden, late of Company B, Tenth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Kathrina Balthasar, former widow of Frederick Helmholt, late of Company K, Forty-fifth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret Elkins, widow of Joseph Elkins, late of Company B, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Annie M. Kimball, widow of Andrew J. Kimball, late of Companies A and B, First Regiment Maine Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Margaret L. Wilson, helpless child of William C. Wilson, late of Company I, Sixteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Sarah J. White, widow of William W. White, late of Company K, Fourteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Minnie E. White and Alice O. White, helpless and dependent daughters of said William W. White, or in the event of the death of either of them, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Sarah J. White, the names of said Minnie E. White and Alice O. White shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month each from and after the date of death of said Sarah J. White, to continue during the period of helplessness and dependency.

The name of Antoinette Flint, widow of Henry J. Flint, late of Company I, Twenty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Olive M. Kelly, widow of George Kelly, late of Company C, Eighty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Alice Swinford, former widow of John Swinford, late of Company C, Fourth Regiment Missouri State Militia Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary E. Watson, widow of George M. Watson, alias Martin W. Moore, late of Company C, Sixth Regiment Missouri State Militia Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Amanda C. Deal, helpless child of Henry Deal, late of Company B, Seventy-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Margaret A. Guilliams, former widow of William I. Dunfee, late of Company G, One hundred and forty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Walsh, helpless child of Michael J. Walsh, late of Company M, Tenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Margrett Mabery, widow of William Mabery, late of Company A, Sixth Regiment Tennessee Mounted Volunteer Infantry, and Company F, Eighth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Fred Hauk, late of Company C, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Elizabeth Jinkins, helpless child of William Jinkins, late of Company E, Sixth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Mary Ann Ellis, former widow of Lewis Ellis, late of Company C, Sixth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Cora Mitchell, widow of Levi Mitchell, late of Company A, Fifty-eighth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Katherine Halibaugh, former widow of John Detrick, late of Company E, Ninth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Sarah J. Mackin, widow of William A. Mackin, late of Company G, One hundred and ninety-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Martha Gibson, widow of John H. Gibson, late of Company G, Thirty-seventh Regiment, and Company E, Fifty-fifth Regiment, Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary T. Barnard, widow of John Barnard, late of Company C, Fourth Regiment Arkansas Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary Sullivan, widow of Cornelius Sullivan, late of Company L, Thirteenth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Anna E. Middleton, helpless child of James Middleton, late of Company H, Eighty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Myra E. Chapman, widow of William H. Chapman, late acting third lieutenant, United States revenue cutter *Joe Lane*, United States Navy, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Elizabeth A. Burke, widow of Michael Burke, late of Company H, First Regiment Vermont Volunteer Cavalry, and Two hundred and forty-sixth Company, First Battalion Veteran Reserve Corps, and pay her a pension at the rate of $30 per month.

The name of Angeline Latty, widow of John Latty, late of Company C, First Regiment Alabama Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary A. Strome, former widow of Alfred Hunter, late of Company C, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah A. Surface, widow of Flavius S. T. Surface, late of Company G, Seventy-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving and $6 per month additional on account of the minor child of said Flavius S. T. Surface until she reaches the age of 16 years: *Provided*, That in the event of the death of Maude L. Surface, helpless child of said Flavius S. T. Surface, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Sarah A. Surface, the name of said Maude L. Surface shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Sarah A. Surface.

The name of Fidelia A. Boyd, former widow of Volney Baker, late of Company C, Thirty-fifth Regiment Kentucky Volunteer Mounted Infantry, and pay her a pension at the rate of $30 per month.

The name of David Rushlon, enrolled as David Rushton, late of Company C, Eighty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of George Bowen, late of Second Battery, Vermont Volunteer Light Artillery, and pay him a pension at the rate of $30 per month.

The name of Elizabeth Shaffer, former widow of George W. Bennett, late of Company F, One hundred and fifty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Flora B. McCain, widow of Thomas J. McCain, late of Company L, Third Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary E. Cleveland, former widow of George A. Hull, late of Company C, First Battalion, Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Harriet L. Cobb, former widow of Jedekiah Crocker, late of Company F, One hundred and twenty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret Gress, widow of Adam Gress, late of Company H, Ninety-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rhoda A. Hunnewell, widow of John B. Hunnewell, late of Company H, Fourteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Meda E. Dodge, widow of Asa S. Dodge, late of Company G, Thirtieth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Martha Benefiel, widow of Hiram A. Benefiel, late of Company C, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Charles Waide, late of Company I, Thirty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Samuel T. H. Williams, helpless child of John Williams, late of Company G, Eighty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Mary J. Cooper, widow of James B. Cooper, late of Company D, One hundred and twenty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sabina Wade, former widow of William G. Hutton, late of Company H, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Martha Jane Griffin, helpless child of George Griffin, late of Company K, One hundred and tenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Belle Grisamore, former widow of Lewis C. Good, late of Company C, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Adelia M. Whitcomb, widow of Charles B. Whitcomb, late of Company C, First Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Lyons, widow of John Lyons, late of Companies H and A, Seventy-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Rosanna Miller, helpless child of Joseph Miller, late of Company I, Second Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Julia M. Ferry, former widow of David E. Ferry, late of Company D, Fifth Battalion, Ohio Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary Holmes, former widow of John O. Holmes, late of Company F, Forty-seventh Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Michael Fogarty, helpless child of Patrick Fogarty, late of Company G, First Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Jesse Byerly, helpless child of Benjamin Byerly, late of Company E, One hundred and thirty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Lillian M. Evans, widow of William W. Evans, late of Company C, One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Eva Shaw, widow of John J. Shaw, late captain and commissary of subsistence, United States Volunteers, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Martha J. Morrow, widow of William W. Morrow, late of Company C, Thirty-third Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Mary J. Weddel, helpless child of William P. Weddel, late of Company A, Twelfth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Emma Bridgett, widow of Sylvanus Bridgett, late of Company D, Second Regiment Ohio Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month and $6 per month additional on account of the minor child of said Sylvanus Bridgett until he reaches the age of 16 years, all such pension to be in lieu of that now being paid under minor's certificate No. 720162, on account of soldier's minor child.

The name of Louesa T. Dillen, widow of Charles M. Dillen, late of Company A, Forty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Verna Hanmore, helpless child of David Hanmore, late of Company G, Second Regiment New York Volunteer Mounted Rifles, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Rebecca J. Kohn, former widow of Obadiah Larimer, late of Company C, Sixty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of William Jones, helpless child of Uriah Jones, late of Company F, Fifty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Homer Hoover, helpless child of James Hoover, late of Company G, One hundred and seventy-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Grace M. Bacon, widow of Americus V. Bacon, late of Company B, Second Regiment Maine Volunteer Cavalry, and Company F, Eighth Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Harriet S. Parker, widow of Charles Parker, late of Company G, Twenty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah C. Wilson, widow of John Wilson, late of Company M, Third Regiment Pennsylvania Volunteer Heavy Artillery, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Louisa Jane Holmes, widow of Alfred D. Holmes, late of Company I, One hundred and twenty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Ann Gettings, helpless child of Nelson Gettings, late of Company K, First Regiment Illinois Volunteer Light Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Lucinda J. Smith, helpless child of James T. Smith, late of Company A, Fortieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Nancy A. E. Shanklin, widow of John S. Shanklin, late of Company I, Ninety-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sibba Miller, helpless child of Brice Miller, late of Company H, Third Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Catherine Varner, helpless child of Newton J. Varner, late of Company K, Eighteenth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Anna E. Hudson, widow of Minor Hudson, late of Company F, Ninetieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Gideon C. Lewis, late of Company I, Eighteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Susan M. Drake, widow of Charles B. Drake, late of Company B, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Lillie C. Marvin, former widow of Edward O. Crossman, late of Company E, First Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Joseph Ford, late of Company G, Third Regiment Potomac Home Brigade Maryland Volunteer Infantry, and pay him a pension at the rate of $50 per month, the same to be paid him without deduction or rebate on account of former alleged erroneous payments of pension.

The name of Louisiana Thompson, widow of Cyrus B. Thompson, late of Company F, Fortieth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Daisy Manore, helpless dependent daughter of Frank Manore, late of Company D, Ninety-fifth and Forty-seventh Regiments Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month, payable only to a legally appointed guardian during period of incompetency.

The name of Ann Bullard, former widow of Adam Jack, late of Company F, Twenty-eighth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Marjorie A. Baker, widow of Seldon C. Baker, late of Company K, Thirty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Jennie Lego, widow of John William Lego, alias William Lago, late of Companies L and E, Fourteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary E. Martin, widow of Andrew Martin, late of Company A, Eighty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sophia A. Lint, widow of Conrad Lint, late of Company H, Eightieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Anna Efner, widow of Henry Efner, late of Company K, Twenty-eighth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Eliza Murphy, former widow of Timothy Sullivan, late of Company I, Thirty-third Regiment, and Company K, One hundred and fortieth Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Anna Smith, former widow of Samuel Jones, late of Company B, Second Regiment New York Volunteer Mounted Rifles, and pay her a pension at the rate of $30 per month.

The name of Anna Boone, widow of John Boone, late of Company K, Thirteenth Regiment United States Colored Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Mary Ann Fuller, widow of Wilber W. Fuller, late of Company C, Twelfth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Elizabeth F. Humbert, widow of Joseph D. Humbert, late of Company I, One hundred and ninety-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Bessie M. Trenor, widow of Henry H. Trenor, late first lieutenant of Companies E and F, First Regiment New York Engineers, and pay her a pension at the rate of $30 per month.

The name of Emily Robinson, former widow of George P. Thornton, late of Company F, First Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Amanda Burlett, widow of Joseph A. Burlett, late of Company B, Seventy-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Annie Hills, widow of Francis M. Hills, late of Company M, Second Regiment Pennsylvania Volunteer Infantry, War with Mexico, and lieutenant colonel Forty-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sherman G. Johnson, helpless and dependent son of Simon P. Johnson, late of Company I, Eighth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Martha J. Sutherland, former widow of George W. Speelman, late of Company H, Second Regiment Potomac Home Brigade Maryland Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rhoda A. Beatty, widow of Samuel T. Beatty, late of Company H, Thirty-sixth Regiment, Pennsylvania Emergency Militia Infantry, and pay her a pension at the rate of $30 per month.

The name of Susarah Cooper, widow of Jesse Cooper, alias William Harris, late of Company K, Tenth Regiment, and Company G, Fifty-ninth Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Marinda E. Hays, former widow of John W. Sabin, late of Company B, Fortieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lula V. Wainwright, former widow of William T. H. Wainwright, late of Company G, Second Regiment United States Volunteer Infantry, and pay her a pension at the rate of $30 per month and $6 per month additional on account of the minor child of said William T. H. Wainwright until she reaches the age of 16 years, all such pension to be in lieu of that now being paid under minor's certificate No. 723210 on account of the soldier's minor child.

The name of Sebra Colrider, widow of William L. Colrider, late of Battery E, West Virginia Volunteer Light Artillery, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Julia S. Dunn, former widow of George W. Graham, late of Company C, Sixth Regiment West Virginia Volunteer Infantry, and Company F, First Regiment West Virginia Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Julia Agnes Held, widow of Charles W. Held, late of the United States Navy, and pay her a pension at the rate of $30 per month.

The name of Adelia E. Lindsey, widow of Joseph W. Lindsey, late first lieutenant of Company B, Forty-eighth Regiment Ohio Volunteer

Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of George S. Holbrook, late of Company K, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Rebecca B. Tooley, widow of Patrick H. Tooley, late of Company K, Tenth Regiment New York Volunteer Heavy Artillery, and Company G, Twentieth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Rebecca J. Kaylor, widow of Samuel F. Kaylor, alias Samuel Furry, late of Company B, Twenty-fourth Regiment Michigan Volunteer Infantry, and Company A, McLaughlin's squadron Ohio Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Eliza C. Spears, widow of Simon Spears, late of Company I, Tenth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Ellen Goodbrand, former widow of Charles Myers, late of Company G, One hundred and fiftieth Regiment New York Volunteer Infantry, and pay her a pension of $30 per month.

The name of Alice McDowell, widow of Charles McDowell, late of Company M, Fifteenth Regiment New York Engineers, and pay her a pension at the rate of $30 per month.

The name of Nancy Bennett, widow of James Bennett, late of Company G, One hundred and eleventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Samuel W. Hayden, late private Sixth Independent Company Ohio Volunteer Sharpshooters, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Emma A. Briles, former widow of George E. Hubbard, late second lieutenant of Company E, One hundred and fifty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary S. Frame, former widow of James A. Wyant, late of Company E, One hundred and fifteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Eliza L. Sprague, widow of Wellington G. Sprague, late major United States Army (retired), also corporal Company A, First Wisconsin Heavy Artillery, captain Company H, United States Colored Infantry, second lieutenant Sixteenth United States Infantry and Thirty-fourth United States Infantry, and pay her a pension at the rate of $30 per month.

The name of Julia A. Loyd, widow of Milton Loyd, late of Company K, Twenty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Louisa E. Prickett, widow of William W. Prickett, late of Company I, Fifty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Emma Call, helpless and dependent daughter of Cyrus T. Call, late of Company K, One hundredth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Mary C. Donley, widow of Levi Donley, late of Company B, Thirty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Atala F. Allen, widow of James A. Allen, late of Company I, Ninety-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Minna Bechtold, former widow of Frederick Dorr, late of Company C, Fourth Regiment, and Company G, Thirty-sixth Regiment, Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lillie May Fifield, helpless and dependent daughter of Henry Fifield, late of Company D, First Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Edna May Williamson, helpless and dependent daughter of Horace Williamson, late of Seventh Independent Battery Ohio Volunteer Light Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary M. Hancock, former widow of Granville S. Hancock, late of Company H, Thirtieth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary E. Harding, former widow of Laban N. Harding, alias Newton Hardin, late of Company A, One hundred and thirty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret A. Davis, widow of Wilson H. Davis, late of Company F, Second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of William Buckwheat, jr., helpless and dependent son of Benona Sarazin, alias William Buckwheat, late of Company A, One hundred and thirty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Charlotte I. Mallory, widow of John A. Mallory, late of Company B, Third Battalion, Eighteenth Regiment United States Infantry, and Company A, One hundred and eighty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary L. Lake, widow of Joseph S. Lake, late of Company F, Twentieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Lucretia A. Crum, widow of Amos Crum, late second lieutenant of Guthrie's unattached Company A, Pennsylvania Drafted Militia Infantry, and pay her a pension at the rate of $30 per month.

The name of Frances M. Venable, widow of George F. Venable, late of Company A, Second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Cynthia M. Bowles, widow of Justus C. Bowles, late of Company K, Ninety-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Elizabeth Morand, widow of Alfred L. S. Morand, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $30 per month.

The name of Cornelia F. Huckins, former widow of Jeremiah J. Hathaway, late of Company B, Forty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Matilda M. Whitaker, widow of Robert D. Whitaker, late of Company A, Twenty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Azubath Srofe, widow of John U. Srofe, late first lieutenant Company E, Seventh Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Margaret J. Cramp, widow of William N. Cramp, late of Company D, Twelfth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Carrie F. Titus, former widow of Daniel Whitman, alias David Whitman, late of United States ship *Little Ada*, United States Navy, and pay her a pension at the rate of $30 per month.

The name of Margaret W. Mitchell, widow of Walter P. Mitchell, late of Captain Thatcher's Independent Company, Pettis County Missouri Home Guard, and Company C, Fortieth Regiment Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Katharine Partridge, helpless and dependent daughter of Wesley Partridge, late of Company B, Thirty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Maria Mellinger, former widow of William K. Mellinger, late of Company G, One hundred and twenty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Harriett U. Bland, widow of George W. Bland, late of Company B, Sixth Regiment, and Company G, Forty-fourth Regiment, Indiana Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Anna A. Pearson, former widow of William Cooper, late of Company F, One hundred and fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret M. Tennant, former widow of Edward J. Cadwell, late of Company I, Twentieth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Cora F. Mitchell, helpless and dependent daughter of Seth W. Mitchell, late of Company C, Thirty-eighth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Carrie C. Washburn, helpless and dependent daughter of John Washburn, late of Company E, Twenty-ninth Regiment, and Company D, Thirty-sixth Regiment, Massachusetts Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary Redfield, widow of Daniel W. Redfield, late of Company K, One hundred and forty-eighth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth A. Snook, helpless and dependent daughter of Dunbar Snook, late of Company E, Second Regiment New Jersey Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Elizabeth J. Atherton, widow of Benjamin Atherton, late of Company B, Seventeenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Sarah C. Armstrong, former widow of James Clark, late of Companies I and D, Forty-first Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Catherine Hartless, widow of Thomas Hartless, late of Company C, Eleventh Regiment, and Company D, Fourth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Margaret J. Miller, former widow of Jacob Benson, late of Company C, Eleventh Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Ella A. Pollard, widow of Judson N. Pollard, late of Company B, One hundred and fortieth Regiment Illinois Volunteer Infantry, and scout and spy, United States Army, and pay her a pension at the rate of $30 per month.

The name of Rose E. Wicoff, widow of Joseph Wicoff, late of Company C, Cavalry Battalion, Mississippi Marine Brigade, and pay her a pension at the rate of $30 per month.

The name of Caroline Pemberton, widow of Uriah Pemberton, late of Company G, Sixth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Roberta R. Havelick, former widow of Oswald H. Rosenbaum, late of Company G, One hundred and twenty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Martha J. Hilliard, former widow of Jesse H. Hudson, late of Company A, One hundred and sixty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Huldah A. Budd, former widow of Charles W. Stewart, late of Company F, Eleventh Regiment, and Company K, One hundred and seventy-fifth Regiment, Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Jane E. Wilcox, widow of Henry F. Wilcox, late of Company H, Eighth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Luella M. Peterson, widow of Benjamin F. Peterson, late of Second Battery, First Battalion Maine Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Adell J. Squires, widow of Nelson B. Squires, late of Company K, Twenty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Charlotte I. Johnson, former widow of William M. Kist, late of Company D, One hundred and fifty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ruth Gunsallus, helpless and dependent daughter of John Gunsallus, late of Company G, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Estelle Palmer, widow of George H. Palmer, late of Company G, First Regiment Illinois Volunteer Cavalry, and Company A, Eighty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Sarah Cox, widow of James L. Cox, late of Company H, Sixty-third Regiment Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Mary J. Martin, widow of William S. Martin, late of Company H, Sixty-third Regiment Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Harriet J. Woodbury, now Dutton, former widow of Everett T. Woodbury, late of Company E, Fourteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Kittie Rickabaugh, widow of John G. Rickabaugh, late of Company I, Eighteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Laura Jane Handshy, widow of Elijah S. Handshy, late of Company B, Third Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Henry Brooks, late a nurse, United States General Hospital, West Philadelphia, Pa., and pay him a pension at the rate of $30 per month.

The name of Agnes M. Sims, widow of Lafayette Sims, late of Company G, Sixty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Diantha Barnes, widow of Andrew J. Barnes, late of Third Battery, Vermont Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Harriet E. Lightburn, widow of Joseph A. J. Lightburn, late brigadier general, Second Brigade, Second Division, Fifteenth Army Corps, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Angeline McVickers, widow of John C. McVickers, late of Company I, Twelfth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Ellen Ragan, former widow of Francis M. Ragan, late of Company G, Thirty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Permelia Reeves, widow of John D. Reeves, late of Company B, First Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Otis Henry Cook, helpless and dependent son of Frederick Cook, late of Company I, Eighth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $20 per month.

The name of Margaret A. Stobie, widow of George W. Stobie, late of Company G, Eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Louisa C. Southerland, widow of James C. Southerland, late of Capt. Gilbreath's company of Alabama Scouts and Guides, and pay her a pension at the rate of $30 per month.

The name of Amanda A. Osborn, former widow of Luther Seagrove, late of Company D, One hundred and eighteenth Regiment, Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Alice Benham, former widow of Joseph Hammel, late of Company C, Tenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Dow Edwards, helpless and dependent son of John Edwards, late of Company F, Ninety-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Etta F. Pickens, helpless and dependent daughter of John D. Pickens, late of Company C, Second Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Rachel J. Harland, widow of William J. Harland, late of Company A, Fourth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Emma J. McCumsey, widow of Isaac N. McCumsey, late of Company I, Twentieth Regiment Indiana Volunteer Infantry, and Company C, Seventh Regiment Veteran Volunteer Reserve Corps, and pay her a pension at the rate of $30 per month.

The name of F. W. Gerding, late special agent, Ordnance Department, United States Army, and pay him a pension at the rate of $30 per month.

The name of Isaac R. Rains, helpless and dependent son of John M. Rains, late of Company C, Second Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of John Speer, late of Company D, Forty-fourth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month, the same to be paid him without further deduction or rebate on account of former alleged erroneous payments or overpayments of pension.

The name of Chloe A. Bennett, helpless and dependent daughter of Rolley E. Bennett, late of Company G, Ninetieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mollie Reck, widow of William L. Reck, late of Company C, One hundred and fifty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Martha Garrett, widow of David Garrett, alias David Gard, late of Company F, Eighty-third Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Bessie Garrett, helpless and dependent daughter of said Martha and David Garrett, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Martha Garrett the name of said Bessie Garrett shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Martha Garrett.

The name of Frank R. Garland, helpless and dependent son of Sherebiah Garland, late of Company D, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of $20 per month.

The name of Hattie E. Gilliland, widow of John M. Gilliland, late of Company G, Seventh Regiment California Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Georgia Tuley, widow of David Tuley, late of Company A, Ninth Regiment, and Company A, Twelfth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Samuel Durham, helpless and dependent son of John N. Durham, late of Company B, Forty-eighth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $20 per month.

The name of Catharine Duncan, former widow of James W. Ulmer, late of Company I, Twenty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Delia T. Owen, widow of John S. Owen, late of Company C, One hundred and eighteenth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Effie Dean, former widow of Andrew Watery, late of Company K, Second Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Pauline Ette, former widow of Wolf Becht, late of Company A, Carondolet Battalion, United States Reserve Corps, Missouri Home Guards, and pay her a pension at the rate of $30 per month.

The name of Laura A. Moore, widow of William T. Moore, late of Company D, Twenty-fourth Regiment Ohio Volunteer Infantry, and U. S. S. *Allegheny* and *Chicopee*, United States Navy, and pay her a pension at the rate of $30 per month.

The name of Anna Jenkins Dennis, widow of Charles P. Dennis, late of Company F, Forty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Harriet A. Green, former widow of Francis E. Skinner, late of Company I and Company H, Ninth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Jacob H. Martz, late of Company D, Second Regiment Potomac Home Brigade, Maryland Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Sarah J. Sumpter, former widow of Carter Sumpter, late of Company C, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah E. Burkett, widow of John Burkett, late of Company C, Nineteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary Ellen R. Hatch, widow of Perry Hatch, late of Company D, Fifteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Hannah A. Clark, helpless and dependent daughter of Leander Clark, late of Company G, One hundred and twenty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Lucinda Hollowell, former widow of Washington Stroud, late of Company A, Twenty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Myrtle L. Hart, helpless and dependent daughter of Charles Hart, late of Company E, Eighty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Cynthia M. James, former widow of George E. Stone, late of Company H, One hundred and seventeenth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Sarah A. Vaughan, former widow of James E. Vaughan, late of Fifteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary L. Tarbox, widow of William W. Tarbox, late of Company G, Tenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Susannah Sprague, widow of John Sprague, late of Company A, Tenth Regiment Kansas Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Kate Bressler, widow of Martin Bressler, late of Company A, Fiftieth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret P. Black, former widow of Luther R. Black, late of Company E, One hundred and forty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Jane Jadwin, widow of Benjamin Jadwin, late of Company B, Ninetieth Regiment Ohio Volunteer Infantry, and Twenty-second Independent Battery, Ohio Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Minnie Points, helpless and dependent daughter of Abraham Points, late of Company C, Forty-second Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Susan Sewell, widow of Sanford Sewell, late of Company H, Eleventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Rosetta M. J. Tischer, helpless and dependent daughter of Christian Tischer, late of Seventeenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary E. Thomas, former widow of Benjamin F. Magner, late of Company B, Twenty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rebecca Murphy, former widow of Wilber H. Eldridge, late of Company G, First Regiment Maine Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Elizabeth May, widow of William C. May, late of Company F, Tenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Adella Easton, widow of Arago Easton, late of Company B, Eleventh Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Susan Lunger, widow of Isaac Lunger, late of Companies E and A, Eighty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah A. Burgess, former widow of Thomas Ghere, late of Company E, Ninety-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary L. Taylor, former widow of Charles W. Brickell, late of Company D, Sixty-second Regiment Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Sarah M. Doan, widow of William F. Doan, late of Company D, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary A. Ochs, widow of Joseph Ochs, late of Company C, Sixteenth Regiment, and Company I, Third Regiment, New York Volunteer Cavalry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Nellie M. Ochs, helpless and dependent daughter of said Mary A. and Joseph Ochs, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Mary A. Ochs the name of said Nellie M. Ochs shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary A. Ochs.

The name of Melissa O. Downs, widow of George Downs, late of Company D, Second Regiment Missouri Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Mary A. Nichols, widow of Edwin Nichols, late of Company C, Twenty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she

is now receiving: *Provided*, That in the event of the death of Harry A. Nichols, helpless and dependent son of said Mary A. and Edwin Nichols, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Mary A. Nichols the name of said Harry A. Nichols shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary A. Nichols.

The name of Anna Bell Wyvill, helpless and dependent daughter of Thomas G. Wyvill, late of Company G, One hundred and forty-eighth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Sylvia Hitchcock, widow of George A. Hitchcock, late of Company A, Second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rhoda A. Gambee, widow of Charles B. Gambee, late colonel Fifty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Emma F. Smyth, former widow of John A. Smyth, jr., late of Company B, One hundred and seventy-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Samuel H. Mitchell, helpless and dependent son of Richard P. Mitchell, late of First Regiment Tennessee Volunteer Light Artillery, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of John Pennington, helpless and dependent son of Eliphalet R. Pennington, late of Company F, One hundred and seventeenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Rebecca Johnson, widow of John Johnson, late of Company E, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Lucy A. Dodson, former widow of Alexander A. Holstine, late of Company F, Sixth Regiment Provisional Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Rankin, helpless and dependent daughter of John Rankin, late of Company H, Eighty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month through a duly appointed guardian.

The name of Robert C. Pollock, late of Company E, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month.

The name of Mary F. Russell, widow of Alfred W. Russell, late of Company F, First Regiment Michigan Volunteer Engineers and Mechanics, and pay her a pension at the rate of $30 per month.

The name of Nancy Summers, widow of Joseph A. Summers, late of Company E, Sixth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Phebe Morgan, widow of John H. Morgan, late of Company F, Seventy-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rosa Fitzpatrick, widow of William Fitzpatrick, alias Michael O'Brean, late of Company C, Fourth Regiment New Jersey Volunteer Infantry, and Company L, Second Regiment New Jersey Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary S. Runion, former widow of James T. Newberry, late of Company E, Forty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Weeks, widow of Samuel B. Weeks, late of Company K, Seventy-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mattie L. Wade, helpless and dependent daughter of Francis M. Loud, late of Company H, Twelfth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Esther A. Van Camp, widow of James H. Van Camp, late of Company I, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Eliza Gnatz, widow of Paul H. Gnatz, alias Paul F. Ochs, late of Company A, Fifth Regiment Pennsylvania Volunteer Cavalry, and Company H, One hundred and seventy-eighth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Joanna Gloster, widow of John Gloster, late of Company D, Eleventh Regiment Connecticut Volunteer Infantry, and Company F, First Regiment Connecticut Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Richard M. Johnson, late of Company B, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Anna D. Abel, widow of William A. Abel, late of Company E, Sixteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Oscar McPike, helpless and dependent son of John McPike, late of Company D, Fortieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Frederick S. Chamberlin, helpless and dependent son of Henry N. Chamberlin, late of Company G, Fourth Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of $20 per month.

The name of Edith Butler, widow of John Butler, late of Company A, Ninth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary A. Watts, former widow of John T. Baker, late of Company F, One hundred and fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Flora Walls, helpless and dependent daughter of George Walls, late of Company D, Eighth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of Elizabeth Cravens, former widow of Benjamin Parker, late of Company A, Eighth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Isabella Martin, former widow of William Spatch, late of Company A, Second Battalion, Sixteenth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah Prim, widow of George Prim, late of Company H, Ninety-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Amanda Trauger, widow of Paul Trauger, late of Company C, Forty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Clarissa Bell, widow of Thomas M. Bell, late of Company D, One hundred and second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Isabella Holt, former widow of Orren J. Holt, late of Company H, Twelfth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Janett Millage, widow of Abraham Millage, late landsman United States Navy, and pay her a pension at the rate of $30 per month.

The name of Alice H. Bryant, widow of Permenus Bryant, late of Company H, First Regiment Ohio Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Vasthena Burger, widow of Jacob Burger, late of Company E, Fifty-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Glennie Burger, helpless and dependent son of said Jacob and Vasthena Burger, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Vasthena Burger the name of said Glennie Burger shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Vasthena Burger.

The name of Jennie D. Matteson, former widow of David Johns, late of Company C, Nineteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Louisa Taylor, widow of Edward Taylor, late of Company K, One hundred and nineteenth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Maria L. Gill, widow of John Gill, late of Company I, One hundred and thirty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Alice G. Donze, widow of Charles F. Donze, known as Charles F. Douze, late of Company A, Thirty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lenora A. Simmons, former widow of William F. Baker, late of Company F, One hundred and thirty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of John L. B. Breighner, helpless and dependent son of Francis Breighner, late of Company F, Ninety-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Savannah Noll, widow of George Noll, late of Company G, Twelfth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Delilah J. Feist, widow of Albert Feist, late of Company B, Fifteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Euphrates Huff, widow of John A. Huff, late of the U. S. S. *Tyler*, Western Gunboat Flotilla, and pay her a pension at the rate of $30 per month.

The name of Jemima Trueax, widow of George M. Trueax, late of Company A, Ninety-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lydia L. Clark, widow of Calvin W. Clark, late of Company G, Thirtieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of William Blades, late of Company B, Permanent Battalion, Camp Russell, Wisconsin Volunteer Infantry, and unassigned, Twenty-second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Emma L. Crysler, widow of David Crysler, late of Company D, One hundred and twenty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Malinda E. Glidewell, widow of William Glidewell, late of Company B, Twenty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Elizabeth Marlatt, widow of Jacob Marlatt, late of Company A, Eleventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah Virginia Pollard, widow of Allison W. Pollard, late of Company K, Seventeenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of John Minahan, alias John Bagley, late of Company K, Eighth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $40 per month.

The name of Adam Mikle, late of Company A, First Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $30 per month.

The name of Esmeralda C. Adams, former widow of Albert H. Butrick, late landsman, United States Navy, and pay her a pension at the rate of $30 per month.

The name of Lysa B. Ringold, widow of Benjamin B. Ringold, late colonel, One hundred and third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Margaret I. Reider, widow of Emanuel Reider, late of Company C, Forty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Joseph Reider, helpless and dependent son of said Margaret I. and Emanuel Reider, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Margaret I. Reider, the name of said Joseph Reider shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Margaret I. Reider.

The name of Julia A. Birge, widow of Wilbur W. Birge, late of Company I, Second Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Peter Netz, late of Company A, Fifty-fourth Regiment, and Company D, Second Regiment, Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month.

The name of Mary J. Miller, widow of James Miller, late of Company H, Eleventh Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Kate M. Henry, widow of Charles V. Henry, late first lieutenant and regimental quartermaster, Ninety-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Alzina S. Swobe, widow of Thomas Swobe, late of Company E, Twelfth Regiment Michigan Volunteer Infantry, and late lieutenant colonel, United States Army, retired, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Idella Norton, widow of John Norton, late of Company E, Thirty-second Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Almera Norton, helpless and dependent daughter of said Idella and John Norton, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Idella Norton the name of said Almera Norton shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Idella Norton.

The name of Hannah C. Ritter, former widow of John C. Edington, late of Company E, Twenty-ninth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Annie Hoover, helpless and dependent daughter of Jacob Hoover, late of Company T, Ringold Battalion, and Company A, Twenty-second Regiment, Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of Lydia Lenora Henson, widow of Thomas J. Henson, late of Company E, Fifty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah J. Handy, widow of Edward S. Handy, late of Company I, Fourth Regiment Massachusetts Volunteer Cavalry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Florence E. Handy, helpless and dependent daughter of said Sarah J. and Edward S. Handy, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Sarah J. Handy, the name of said Florence E. Handy shall be placed on the pension roll, subject to the provisions and limitations of the pension laws at the rate of $20 per month from and after the date of death of said Sarah J. Handy.

The name of Mary M. Gunsolus, former widow of Mathew M. Gunsolus, late of Company K, Thirty-eighth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Martin McDermott, helpless and dependent son of Michael McDermott, late of Company I, One hundred and sixtieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Jay Cobb, helpless and dependent son of Charles Cobb, late of Company K, Thirteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Mary A. Kimball, former widow of James W. Kimball, late of Company B, Fifth Regiment, and Company G, Twentieth Regiment, Connecticut Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret A. Kinney, widow of Jireh Kinney, late unattached Twenty-third Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margret Osborn, widow of Henry Osborn, late of Company E, One hundred and seventeenth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Reuben E. Lawrence, late of Company G, One hundred and twenty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month.

The name of Elizabeth A. Hinman, widow of Walter C. Hinman, late of Company G, Twentieth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Cordelia D. Maynard, widow of Chauncey J. Maynard, late of Company C, Thirty-first Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Catherine E. Brinkman, helpless and dependent daughter of Joseph Brinkman, late of Company E, Fortieth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Bonus W. Fontaine, helpless and dependent son of Simon Fontaine, late of Company H, Thirty-seventh Regiment, and Company K, Twentieth Regiment, Massachusetts Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Louis K. Lewis, helpless and dependent son of Alexander Lewis, late of Company C, One hundred and forty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Letitia A. Clifford, widow of Emery W. Clifford, late of Company G, Seventeenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Emma M. Johnson, widow of Arthur M. Johnson, late of Company E, First Regiment Ohio Volunteer Light Artillery, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Tracy M. Johnson, helpless and dependent son of said Emma M. and Arthur M. Johnson, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Emma M. Johnson the name of said Tracy M. Johnson shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Emma M. Johnson.

The name of Margaret Steele, widow of Edward Steele, late of Company I, Twelfth Regiment Connecticut Volunteer Infantry, and Company G, First Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Sarah Blackburn, widow of James Blackburn, late of Company G, Twenty-fourth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Nancy J. Markham, former widow of Orville W. Smith, late of the Ninth Independent Battery, Ohio Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Anna M. Amer, former widow of Joseph Amer, late of Company K, One hundred and second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Caroline Miller, widow of Herman J. Miller, late of Company L, Eleventh Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Travis H. Stilwell, helpless and dependent son of Lewis A. Stilwell, late of Company B, Twenty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Lydia A. Gaines, former widow of Alvis Fields, late of Company C, Second Regiment Missouri Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Frederieke C. Anderson, widow of Asbury E. Anderson, late of Company B, Ninth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary J. Otto, helpless and dependent daughter of Ludwig, alias Louis, Otto, late of Company E, Seventy-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mattie Shepherd, helpless and dependent daughter of Ira Shepherd, late of Company K, One hundred and twenty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Eliza M. Keyes, former widow of Francis H. Rasey, late of Company C, Thirty-seventh Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary J. McDonald, widow of Luke McDonald, late of Company B, Second Battalion, Nineteenth Regiment United States Infantry, and pay her a pension at the rate of $30 per month.

The name of Clara A. Harlow, helpless and dependent daughter of William A. Harlow, late of Company C, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Angelia Meredith, widow of William H. Meredith, late acting chief engineer United States Navy, and pay her a pension at the rate of $30 per month.

The name of Amanda E. Buck, former widow of Elias Harvey, late of Company A, Twentieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Reynolds, widow of Levi Reynolds, late of Company F, Twelfth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Melissa S. Lee, widow of Gideon E. Lee, late of Company K, Sixteenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Lucy L. Lee, helpless and dependent daughter of said Melissa S. and Gideon E. Lee, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Melissa S. Lee, the name of said Lucy L. Lee shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Melissa S. Lee.

The name of Phebie Hamilton, widow of George W. Hamilton, late of Company F, Fortieth Regiment, and Company G, Fifty-first Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Georgie A. Hamilton, helpless and dependent daughter of said George W. Hamilton, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Phebie Hamilton, the name of the said Georgie A. Hamilton shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month, from and after the date of death of said Phebie Hamilton.

The name of William N. Bridges, helpless and dependent son of Joseph Bridges, late of Company F, Thirty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Martha J. McCleary, widow of James H. McCleary, late of Company G, Twenty-second Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rissie Swords, widow of William H. Swords, late of Company K, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of George W. Burk, late of Company F, Fifty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of John T. Fleener, helpless and dependent son of Samuel W. Fleener, late of Company G, Twenty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Cora A. Trueblood, widow of Freeland Trueblood, late of Company C, One hundred and thirty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of David Sedore, helpless and dependent child of Isaac Sedore, late of Company A, Third Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Julia E. Pierrepont, former widow of Charles A. Barnum, late of Company E, Seventh Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Maranda Stanfield, widow of Horatio C. Stanfield, late of Company G, One hundred and tenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Myrtle Stanfield, helpless and dependent daughter of said Maranda and Horatio C. Stanfield, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Maranda Stanfield, the name of said Myrtle Stanfield shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Maranda Stanfield.

The name of Sophie P. Harris, widow of James N. Harris, late of Company C, Sixty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John Edward Harris, helpless and dependent son of said James N. Harris, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Sophie P. Harris, the name of said John Edward Harris shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the death of said Sophie P. Harris.

The name of Martha Ruebel, former widow of Jacob Zeut, alias Joseph Sente, late of Company F, Twenty-ninth Regiment, and Company I,

Thirty-second Regiment, Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Maria C. Sinclair, widow of Sidney F. Sinclair, late of Company G, One hundred and eighty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Harriet L. Potter, widow of Edward E. Potter, late captain and commodore, United States Navy, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Lucy A. Leach, widow of Welcome G. Leach, late of Company E, Second Regiment United States Sharpshooters, and Company G, Fourth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Florence Maxey, helpless and dependent daughter of Henry L. Maxey, late of Company F, Twelfth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of Lulu M. Jones, helpless and dependent daughter of Samuel T. Jones, late of Company A, Eightieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Lavina Humphrey, widow of William J. Humphrey, late of Company K, One hundred and twelfth Regiment, and Company A, Sixty-fifth Regiment, Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Mary A. Moessner, widow of Christopher F. Moessner, late of Company K, Second Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of David O. Spencer, helpless and dependent son of Oliver Spencer, late of Company C, Fortieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Annie Belle Gaunt, helpless and dependent daughter of Nev Gaunt, late of Company A, Eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Martha I. McGinnis, widow of Joseph M. McGinnis, late of Company D, Ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of John E. Markley, late of Company E, Sixty-eighth Regiment, and Company K, One hundred and ninety-seventh Regiment, Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Mary J. Van Denbergh, widow of Jacob Van Denbergh, late of Company D, One hundred and twentieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Nancy J. Clark, widow of Thomas J. Clark, late of Company K, One hundred and eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Jane McMahon, widow of Matthew McMahon, late of Company D, Second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Zora Hockman, helpless and dependent daughter of Aaron Hockman, late of Company F, Eighty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Callie B. Boatright, widow of John T. Boatright, late of Company A, First Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of George T. Baldwin, helpless and dependent son of William L. Baldwin, late of Company K, Twenty-seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of James Warren, late of Company B, Thirty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Catharine Maconaughay, helpless and dependent daughter of James Maconaughay, late of Company G, Two hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Charles W. Smith, late of Company H, First Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Mary A. Slack, widow of Magnus D. Slack, late of Company K, Thirteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Eva McNett, former widow of Jacob B. McNett, late assistant surgeon, First Regiment Michigan Volunteer Sharpshooters, and pay her a pension at the rate of $30 per month.

The name of Annie J. Page, widow of George W. Page, late of independent company, Dennison Guard, Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Amanda B. Birch, widow of J. J. C. Birch, late acting medical cadet, United States Army, and pay her a pension at the rate of $30 per month.

The name of John Wilson, late of Company D, Third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Rebecca Horine, widow of George M. Horine, late of Company I, One hundred and thirty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Bertha Blanch Weimer, helpless and dependent daughter of John S. Weimer, late of Company F, Ninety-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Ezra Shanks, late of Company C, Fifty-first Regiment Ohio Volunteer Infantry, and Company F, Seventh Regiment United States Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Sibria Armstrong, former widow of James M. Lawrence, late of Company I, Fourth Regiment Tennessee Volunteer Mounted Infantry, and pay her a pension at the rate of $30 per month.

The name of Alice West, helpless and dependent daughter of Sylvester D. West, late of Company K, One hundred and sixty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Sarah J. Bates, widow of George Bates, late of Company H, Forty-eighth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary F. Lake, former widow of Joshua W. Lake, late of Company C, One hundred and twenty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Emma Park, helpless and dependent daughter of James A. Park, late of Company D, Twenty-sixth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Isabella Gruver, widow of John A. Gruver, late of Company C, Tenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth I. E. Duffield, helpless and dependent daughter of Thomas A. Duffield, late of Company B, Second Regiment California Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary L. Drake, former widow of John Herrington, late of Company M, Ninth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Elizabeth S. Van Pelt, former widow of Gaines Brock, late of Company G, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Harriet E. Ritter, widow of Austin Ritter, late of Company G, Sixteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth A. Tuttle, widow of Henry G. Tuttle, late of Company E, Forty-first Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth A. Pease, widow of Dallas M. Pease, late of Company A, Second Regiment Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Emily N. Wellman, widow of Norman Wellman, late of Company A, Ninth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Louisa Mawhiney, widow of William I. Mawhiney, late of Company B, Eighth Regiment Missouri Volunteer State Militia Cavalry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John H. Mawhiney, helpless and dependent son of said William I. Mawhiney, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Louisa Mawhiney, the name of said John H. Mawhiney shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Louisa Mawhiney.

The name of Emma L. Lindsay, widow of David A. Lindsay, alias James D. Hamel, late of Company M, Tenth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Harriett Jordan, widow of Lindsey Jordan, late of Company D, Fortieth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Cora B. Kelley, widow of James Kelley, late of Company C, Tenth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Adelia Mae Lee, widow of James E. Lee, late of Company D, First Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Maggie Dona Lloyd, helpless and dependent daughter of Joseph Lloyd, late of Company C, First Regiment Tennessee Volunteer Light Artillery, and pay her a pension at the rate of $20 per month.

The name of Israel Boyer, alias George Johnson, late of Company C, Eighth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Frank Haight, helpless and dependent son of Frederick G. Haight, late of Company B, Twenty-fifth Regiment Michigan Volunteer Infantry, and Company K, First Regiment Veteran Reserve Corps, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of George H. Bowman, helpless and dependent son of Abraham Bowman, late of Company C, One hundred and ninety-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Jessie G. Gilman, helpless and dependent daughter of Elbridge P. Gilman, late of Troop G, Fifth Regiment United States Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of Virginia Zachary, widow of John Zachary, late of Company C, First Regiment Tennessee Volunteer Mounted Infantry, and pay her a pension at the rate of $30 per month.

The name of Samuel Pryor, late of Company E, Thirteenth Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Jane M. Henderson, widow of Henry W. Henderson, late of Company I, Seventieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Peter Boyd, late of Company F, Twelfth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Eugene Cunningham, helpless and dependent son of Moses S. Cunningham, late of Company F, Forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Emaline C. Lindner, helpless and dependent daughter of Samuel Lindner, late of Company D, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Frances E. Parmater, former widow of John J. Parmater, late of Company A, Forty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lillian Brown, helpless and dependent daughter of Francis A. Brown, late of Company B, Sixteenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John E. Broyles, helpless and dependent son of Henry Broyles, late of Company L, Seventh Regiment Ohio Volunteer Cavalry, and Company E, Sixth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $20 per month.

The name of Sarah E. Maurer, former widow of Isiah Miller, late of Company G, Seventy-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Catherine Weber, former widow of Robert R. Martin, late of Company L, Fifth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Diana Lucas, former widow of Nathan Lucas, late of Company E, First Regiment Michigan Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Nancy F. Taylor, widow of Thomas G. Taylor, late of Company I, One hundred and fifty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Elizabeth Beach, helpless and dependent daughter of Williard O. Beach, late of Company I, One hundred and thirty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary Phillips, former widow of Orren W. Stanford, late of Company A, Ninety-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Callie Oberer, widow of John Oberer, late of Company C, Fifteenth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah Cain, widow of James Cain, late of Company B, Eleventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of James Cain, helpless and dependent son of said James Cain, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Sarah Cain the name of said James Cain shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Sarah Cain.

The name of Helena Garges, helpless and dependent daughter of Amandes Garges, late of Company A, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Lottie Baughman, widow of Isaiah Baughman, late of Company C, Thirty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Emma E. Brown, helpless and dependent daughter of Thomas Brown, late of Company H, One hundred and eighteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Loretta Hosey, helpless and dependent daughter of James R. Hosey, late of Company G, Eleventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Hannah Brantner, widow of James S. Brantner, late of Company B, Two hundred and eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Rhoda Button, widow of James W. Button, late of Company G, Ninety-third Regiment Ohio Volunteer Infantry, any pay her a pension at the rate of $30 per month.

The name of Martha L. Elliott, widow of Salathiel Elliott, pensioned as Salathiel Ellet, late of Company E, Thirty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah Mowry, former widow of Jasper Lanham, late of Company M, Third Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Emma Swalls, helpless and dependent daughter of Eli Swalls, late of Company E, One hundred and thirty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Zetta Swalls, helpless and dependent daughter of Eli Swalls, late of Company E, One hundred and thirty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sarah J. Parks, widow of Jasper N. Parks, late of Company B, Thirty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Haremaker, widow of Peter Haremaker, late of Company A, Fifty-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Burton Walters, helpless and dependent son of Borda Walters, late of Company K, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Fannie E. Porter, widow of Daniel P. Porter, late of Company D, Third Battalion Rifles, Massachusetts Volunteer Militia Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Charles S. Porter, helpless and dependent son of said Daniel P. Porter, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Fannie E. Porter the name of said Charles S. Porter shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Fannie E. Porter.

The name of Jane Burton, former widow of Maurice Burton, late of Company D, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary A. McGill, helpless and dependent daughter of James McGill, late of Company B, Tenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of Martha J. James, widow of Leander M. James, late of Company A, One hundred and thirty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Helen James, helpless and dependent daughter of said Leander M. James, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Martha J. James, the name of said Helen James shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Martha J. James.

The name of Betsey Palmer Mason, former widow of William H. Palmer, late of Company F, Fourth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rebecca E. Brown, former widow of James M. M. Houston, late of Company L, First Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Harriett A. Lake, widow of Dewitt C. Lake, late of Company F, Third Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Martha J. Sexton, helpless and dependent daughter of Isaac Sexton, late of Company A, Tenth Regiment Iowa Volunteer Infantry, and Company E, Fourth Regiment Veteran Reserve Corps, and pay her a pension at the rate of $20 per month.

The name of Edwin E. Warren, helpless and dependent son of Edwin A. Warren, late of Company G, Nineteenth Regiment, and Company K, Seventeenth Regiment, Maine Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Mary E. Leroy, widow of Fred, alias Frederick, Leroy, late of Company E, First Regiment United States Reserve Corps, Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Louisa Engelhardt, helpless and dependent daughter of Henry Engelhardt, late of Company A, One hundred and thirty-eighth Regiment Ohio National Guard Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Dora Myers, former widow of Charles Swordes, late of Company A, Eighth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Flora Heath, helpless and dependent daughter of Samuel Heath, late of Company C, Third Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sarah N. Bolinger, widow of Jacob N. Bolinger, late watchman U. S. ram *Fulton*, Mississippi Marine Brigade, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Thompson S. Lozaw, helpless and dependent son of Samuel Lozaw, late of Company D, Fourth Independent Battery, New Jersey Volunteer Light Artillery, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Nancy C. Troupe, former widow of James L. Forgey, late of Company L, Fifteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Burgess, widow of George T. Burgess, late of Company G, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Cassie R. Hatch, helpless and dependent daughter of Albion L. Hatch, late of Company F, Twenty-fourth Regiment Maine Volunteer Veteran Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sarah E. Frost, widow of Charles L. Frost, late of Company F, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Caroline St. Denis, widow of Gideon St. Denis, late of Companies I and A, Ninety-second Regiment, and Company G, Ninety-sixth Regiment, New York Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Josiah C. Hancock, helpless and dependent son of Francis M. Hancock, late of Company I, Twenty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Julia Ruth Bartlett, helpless and dependent daughter of Sylvanus Bartlett, late of Company H, Eighteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary Werner, widow of Adam Werner, late of Capt. Kappp's company, Seventh Indiana Legion, and pay her a pension at the rate of $30 per month.

The name of Eliza C. Ludwig, widow of Frank Ludwig, late of Company D, Third Battalion New York Volunteer Artillery, Company D, Second Regiment United States Cavalry, and Company F, Twelfth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Lafayette Van Gundy, late of Company E, Fourteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Sadie C. Steadman, former widow of Hezekiah N. Steadman, late of Company E, One hundred and twenty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Hunter C. Frampton, late of Company F, Third Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $35 per month in lieu of that he is now receiving, no deduction or rebate to be made on account of former alleged overpayment or erroneous payments of pension.

The name of Helen B. Owen, widow of Robert S. Owen, late of Company A, Third Regiment Massachusetts Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Julia A. Barnes, widow of Leander P. Barnes, late of Company D, Second Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah J. Pond, widow of Chandler H. Pond, late of the Twenty-ninth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Martha Williams, widow of Joseph T. Wiliams, late of Company F, Forty-sixth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary E. Bowen, widow of George L. Bowen, late of Company I, Fourteenth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth M. Sager, widow of Garrett S. Sager, late of Company A, Seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Susan H. Orr, widow of Charles W. Orr, late of Company C, Ninth Regiment Provisional Enrolled Missouri Volunteer Militia, and pay her a pension at the rate of $30 per month.

The name of Eva J. Plante, former widow of Louis Peipker, late of Sixth Independent Company, Ohio Volunteer Sharpshooters, and pay her a pension at the rate of $30 per month.

The name of Loretta McKee, helpless and dependent daughter of Amos McKee, late unassigned, Third Regiment Pennsylvania Volunteer Heavy Artillery, and pay her a pension at the rate of $20 per month.

The name of Rosella Magee, helpless and dependent daughter of James Magee, late of Company I, Sixty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Harriet Sillman, widow of John F. Sillman, late of Company E, Eleventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Laura Levenseler, helpless and dependent daughter of Henry Levenseler, late of Company A, Twenty-second Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sarah A. Christy, widow of Thomas J. Christy, late of Company C, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Sarah Keys, widow of William T. Keys, late of Company I, Seventy-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of James Bartram, late of Company C, Third Regiment United States Volunteer Artillery, and pay him a pension at the rate of $50 per month.

The name of Burney E. Hall, helpless and dependent son of Elijah P. Hall, late of Company D, Seventh Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Harriette Skelton, widow of Samuel G. Skelton, late of Company A, First Regiment Alabama Vidette Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Lucy J. Sheldon, widow of Charles M. Sheldon, late of Company K, Third Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Catharine Lenz, widow of Solomon Lenz, late of Company F, Fifty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Charles H. Lenz, helpless and dependent son of said Solomon Lenz, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Catharine Lenz, the name of said Charles H. Lenz shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Catharine Lenz.

The name of Harriet H. Carmical, widow of John Carmical, late of Company I, Third Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Susan Bedell, helpless and dependent daughter of David E. Bedell, late of Company E, Twenty-second Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Louisa R. Bechtel, widow of Morgan S. Bechtel, late of Company G, One hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Alida A. Marshall, widow of Joseph N. Marshall, late of Company I, Ninth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of James E. Marshall, helpless and dependent child of said Joseph N. Marshall, $10 of the additional pension granted herein shall cease and determine: *Provided further*, That in the event of the death of Armildred Marshall, helpless and dependent child of said Joseph N. Marshall, $10 of the additional pension granted herein shall cease and determine: *And provided further*, That in the event of the death of Alida A. Marshall, the names of James E. Marshall and Armildred Marshall shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month to each of them from and after the death of said Alida A. Marshall.

The name of Eliza McDaneld, widow of John McDaneld, late of Company A, Sixth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Laona Carver, widow of Andrew J. Carver, late of Company B, Sixth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Jennie L. Ransdell, widow of Andrew S. Ransdell, late of Company E, Fourteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Julia E. Mills, widow of Leonidas E. Mills, late of Company H, Eleventh Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Anna Sheridan, widow of John Sheridan, late of Company K, One hundred and forty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of William Francis Sheridan, helpless and dependent son of said John Sheridan, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Anna Sheridan, the name of said William Francis Sheridan shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Anna Sheridan.

The name of Abigail Merriman, widow of Henry L. Merriman, late of Company K, One hundred and seventy-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elmar K. Coppock, helpless and dependent son of Calvin Coppock, late of Company C, Eighty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Clara C. McCracken, widow of John M. McCracken, late of Company K, Forty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Mary A. McCracken, helpless and dependent daughter of said John M. McCracken, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Clara C. McCracken, the name of said Mary A. McCracken shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Clara C. McCracken.

The name of Electa Rexroad, widow of Maranda H. Rexroad, late of Company A, Tenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Anna F. Willis, helpless and dependent daughter of Alfred Willis, late of Company G, Thirty-fifth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary F. Woods, widow of David Woods, late of Company I, Twenty-seventh Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of George W. Thompson, helpless and dependent son of Andrew G. Thompson, late of Company B, Forty-first Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of William Firkins, late of Company D, Fifty-third Regiment, and Company I, One hundred and forty-first Regiment, Illinois Volunteer Infantry, and Company K, Seventh Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month.

The name of Ida McCoy, widow of James McCoy, late of Company E, One hundred and eighty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sophia Schram, widow of John Schram, late of Companies H and B, Twenty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month and $6 per month adidtional on account of the minor child of said John Schram until she reaches the age of 16 years, all such pension to be in lieu of that now being paid under minor's certificate No. 770933 on account of the soldier's minor child.

The name of Ellen S. Vestile, widow of George W. Vestile, late of Capt. Bassett's independent company, Ninth Regiment Indiana Legion, and pay her a pension at the rate of $30 per month.

The name of Mary A. Shepherd, widow of William A. Shepherd, late of Company E, Eighteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of William E. Shepherd, helpless and dependent son of said William A. Shepherd, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Mary A. Shepherd, the name of said William E. Shepherd shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary A. Shepherd.

The name of Susanna A. Johnson, widow of Eugene W. Johnson, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Martha J. Hopkins, widow of Calvin Hopkins, late of Company G, One hundred and fifty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Eva Whittlebery, helpless and dependent daughter of William R. Whittlebery, late of Company I, One hundred and sixteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Edward H. Bennett, helpless and dependent son of Lewis Bennett, late of Company B, One hundred and fifty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Alwilda Wheeler, widow of George H. Wheeler, late of Company H, Eleventh Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of William H. Durham, helpless and dependent son of Tolford Durham, late of Company A, Fourth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Susan E. Richardson, widow of Daniel W. Richardson, late of Company D, Ninety-fifth Regiment Illinois Volunteer Infantry, and Company H, Forty-sixth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary H. Grant, widow of Lewis A. Grant, late brigadier general and brevent major general, United States Volunteers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Joseph E. Dearborn, late unassigned, Tenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Louis M. Starring, helpless and dependent son of Rosell M. Starring, late of Company H, Forty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Jane Roberts, widow of John H. Roberts, late of Company B, Sixth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of John Bush, late of Company F, Second Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving, the same to be paid him without deduction or rebate on account of former alleged overpayments or erroneous payments of pension.

The name of Clarence S. Hall, blind son of Andrew L. Hall, late of Company C, First Battalion Maine Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Lizzie E. Hinds, widow of Josiah D. Hinds, late of Company G, First Regiment District of Columbia Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Fermon L. Botkin, helpless son of Amos H. Botkin, late of Company G, Third Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Malinda Kiniston, widow of Josiah W. Kiniston, late unassigned, One hundred and twelfth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Cassie Norman, widow of Calvin William Norman, late of Company A, Second Regiment United States Colored Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Nancy Gabrilla Anderson, helpless daughter of Peyton W. Anderson, late of Company A, Sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Elizabeth Forrest, widow of Joseph Forrest, late of Company A, Eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Jerry S. Fish, helpless and dependent son of Nathan S. Fish, late first lieutenant Company B, Twelfth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Clara Farlow, widow of Thomas Farlow, alias Thomas Jones, late of Company G, Twelfth Regiment New Hampshire Volunteer Infantry, and Company G, Eighteenth Regiment Veteran Reserve Corps, and pay her a pension at the rate of $30 per month.

The name of Alice Hingson, widow of Thomas J. Hingson, late of Company C, One hundred and fifty-sixth Regiment Indiana Volunteer Infantry, and Company A, Thirty-sixth Regiment United States Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving and $6 per month additional on account of each of the minor children of said Thomas J. Hingson until they reach the age of 16 years.

The name of Sarah E. West, widow of William P. West, late of Company C, Third Regiment North Carolina Volunteer Mounted Infantry, and pay her a pension at the rate of $30 per month.

The name of Edward D. Lockwood, alias George E. McDaniel, late of Company A, Ninth Regiment Provisional Eurolled Missouri Militia,

and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Ethel Kingsbury, helpless daughter of Le Roy W. Kingsbury, late of Company K, Fourth Regiment Wisconsin Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of Mary E. Stitt, former widow of John N. Darms, late of Company B, First Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Fannie S. Grant, helpless child of Columbus Grant, late of Companies B and C, Ninth Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Martha A. Robbins, widow of Leander C. Robbins, late of Company F, Seventy-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah A. Bryan, widow of Abner G. Bryan, late musician, Twenty-third Regiment Ohio Volunteers, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of William N. Ingersoll, late of Company F, Fifteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month.

The name of Mary J. Robb, widow of David Robb, late of Company K, Seventy-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Ross, widow of Adam Ross, late of Company D, One hundred and forty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Martha M. Childs, widow of George W. Childs, late of Company E, Fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Thibodo, widow of Stephen Thibodo, late of Troop G, United States Mounted Rifles, War with Mexico, and Company B, Twelfth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Nora B. Higgins, helpless child of James Higgins, late of Company K, One hundred and twenty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Fanny M. Jones, widow of Charles C. Jones, late acting master's mate, United States Navy, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Amelia Hubbard, widow of Lucius F. Hubbard, late colonel Fifth Regiment Minnesota Volunteer Infantry, and brevet brigadier general United States Volunteers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Edward H. Bennett, helpless son of Lewis Bennett, late of Company B, One hundred and fifty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Harriet N. Sclipp, widow of William H. Sclipp, late of Company D, Seventeenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $30 per month, such pension to cease upon proof that the soldier is still living.

The name of Emily A. Netson, widow of William J. Netson, late of Company E, Fifty-fourth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Johanna Neil, widow of John Neil, late of Company E, Forty-third Regiment New York Volunteer Infantry, and Fifty-first Company, Second Battalion Veteran Reserve Corps, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Hannah M. Kingsley, widow of Thomas G. Kingsley, late colonel Twenty-sixth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Grace M. Copeland, helpless daughter of James Copeland, late of Company F, Eighth Regiment Connecticut Volunteer Infantry, One hundred and thirty-fourth Company, Second Battalion Veteran Reserve Corps, and Company H, Ninth Regiment Veteran Reserve Corps, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Susette Noyes, widow of Cyrus S. Noyes, late of Company B, Nineteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Albert B. Lawrence, helpless son of Edward Lawrence, late of Company G, One hundred and thirty-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Martha A. Dunbar, former widow of Clark Austin, late of Company C, Third Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Mary E. Fuller, former widow of Edward E. Tracy, late first lieutenant Company D, and captain Company I, One hundred and fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Robert B. McCumber, late of Company C, Ninth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Eva Fifield, blind and helpless daughter of Leonard Fifield, late of Company D, Twelfth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Edna C. Wilson, former widow of Erwin Phifer, late of Company B, Ninety-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Miranda Green, widow of Elbridge F. Green, late of Company L, Second Regiment New York Veteran Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Frank C. Myrick, late scout, United States Army, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Emiline Hartley, widow of James R. Hartley, late of Company C, Seventh Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Nancy Cook, former widow of Alexander Cook, late unassigned Eighth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Susan J. St. John, widow of John P. St. John, late captain Company C, Sixty-eighth Regiment, and lieutenant colonel One hundred and forty-third Regiment, Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Austin L. Myers, helpless and dependent son of Thomas W. Myers, late of Company C, Thirty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Eliza A. Teters, widow of John K. Teters, late of Company E, Seventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Ellen Temperance Smith, helpless and dependent daughter of George W. Smith, late of Company C, Fifteenth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of George W. Williams, helpless and dependent son of Elias B. Williams, late of Company B, Second Regiment Kansas State Militia, and pay him a pension at the rate of $20 per month.

The name of Flora A. Nelson, widow of Paul Nelson, late of Company M, Fourth Regiment United States Reserve Corps, Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of George W. Johnson, late of Company I, One hundred and thirty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Nancy Herrald, widow of Benjamin Herrald, late of Company C, Fortieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret I. Halbert, helpless daughter of Ephraim F. Halbert, late of Company B, Eighth Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of $20 per month.

The name of Catharine A. Atkinson, former widow of Richard Watts, late of Company G, First Regiment Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Albert W. Cherry, helpless son of James M. Cherry, late of Company L, Eleventh Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $20 per month.

The name of Ella Bailey, helpless daughter of Joseph Bailey, late captain, Fourth Regiment Wisconsin Volunteer Infantry, and brevet brigadier general United States Volunteers, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sally Goins, widow of Samuel Goins, late of Company D, Seventh Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Eliza M. Miller, widow of James H. Miller, late first lieutenant Company H, Fifty-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Ella E. Pangburn, widow of William Pangburn, late of Company I, Fourth Regiment Wisconsin Volunteer Cavalry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Ralph H. Pangburn, helpless child of said William Pangburn, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Ella E. Pangburn the name of said Ralph H. Pangburn shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of the said Ella E. Pangburn.

The name of Cecelia B. Chauncey, widow of John S. Chauncey, late commodore, United States Navy, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Virginia Dodd, widow of John E. Dodd, late of Battery F, West Virginia Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Margaret Scholten, widow of Charles Scholten, late of Company E, Fifty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Capitola V. Harsh, helpless daughter of Daniel Harsh, late of Company H, Fifty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Amelia E. Drake, widow of Nathaniel S. Drake, late of Company B, Second Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Frances D. Miller, widow of John H. Miller, late of Company I, Ninety-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Pliler, widow of William Pliler, late of Company G, One hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Adah E. Allen, widow of George W. Allen, late of Company A, One hundred and tenth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Samantha Hitchcock, widow of Isaac W. Hitchcock, late of Company I, Eleventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Sarah M. Willison, widow of George W. Willison, late of Company M, Third Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Harriet L. Stone, blind and helpless daughter of James F. Stone, late of Company F, Fourth Regiment Virginia Volunteer Infantry, and Company C, Second Regiment West Virginia Veteran Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Harriett A. Erb, widow of Ira Erb, late of Company B, Forty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Augustus E. Dodds, helpless son of William A. Dodds, late of Company H, Seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Flora H. Whitney, helpless daughter of Alva S. Whitney, late of Company E, Third Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of George W. Yocum, helpless son of Samuel H. Yocum, late of Company M, Eighth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of James G. Weyant, helpless son of William B. Weyant, late of Companies M and A, Sixth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $20 per month.

The name of Chloe T. Hutchison, former widow of William T. Hutchison, late of Company G, One hundred and eighty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Minerva C. McMillan, helpless child of James W. McMillan, late colonel Twenty-first Regiment Indiana Volunteer Infantry, and brigadier general United States Volunteers, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of William H. Hayes, late acting assistant surgeon United States Army, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elizabeth H. Peggs, widow of Joseph E. E. Peggs, late of Company C, Second Regiment Minnesota Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Josephine M. Higgins, widow of Henry F. Higgins, late of Company G, Twentieth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Henrietta Magee, widow of David W. Magee, late lieutenant colonel Eighty-sixth Regiment and colonel Forty-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ann Carman, former widow of Albert Quackenbush, late of Company I, Twenty-fourth Regiment New York Volunteer Cavalry, and Company I, First Regiment New York Provisional Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Alma L. Bruce, helpless daughter of John A. Bruce, late of Company M, Sixth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Martha Griggs, widow of William M. Griggs, late of Company B, One hundred and fortieth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Rose Mercer, widow of Samuel Mercer, late of Company I, Second Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Harriet V. M. Cavenaugh, widow of Harry G. Cavenaugh, late captain Company I, First Regiment Delaware Volunteer Infantry, and colonel, United States Army, retired, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Susan W. Allison, widow of James N. Allison, late of Company C, Thirty-ninth Regiment Kentucky Volunteer Mounted Infantry, and brigadier general, United States Army, retired, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ruth A. Day, widow of Absalom N. Day, late of Company K, Twenty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Hallie N. Day, helpless and dependent child of said Absalom N. Day, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Ruth A. Day, the name of said Hallie N. Day shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Ruth A. Day.

The name of Sarah McIntire, widow of Henry McIntire, late of Company K, Twenty-seventh Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Mahala P. Berry, former widow of George W. York, late of Company K, Twenty-fifth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Ida M. Jackson, helpless and dependent daughter of Preston Jackson, alias Barrett, late of Company A, One hundredth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary S. McKibbin, widow of Chambers McKibbin, late brigadier general, United States Army, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Dollie Cosens, helpless child of Henry Clay Cosens, late of Company E, First Regiment, and Company C, Thirtieth Regiment, Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Kate M. Smith, former widow of Dan Adams, late of Company D, First Regiment Vermont Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Charles Layton, helpless son of John Layton, late of Company I, Thirty-third Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $20 per month.

Mr. KING. Mr. President, protests against the passage of the bill now under consideration will be as unavailing as those heretofore interposed to pension bills and to measures making serious drains upon the Public Treasury. No appeals to the Senate avail when bills are presented calling for Federal appropriations. Over and over again I have challenged attention to the extravagance of this Congress and to its failure to deal with constructive legislation.

Our duty following the World War was to deal with the vital problems which the war produced. The treaty of Versailles called for prompt consideration. Our international relations demanded adjustment. We had been associated with the allied nations in the titanic conflict precipitated by the mad ambitions of the German and Austro-Hungarian Empires. The defeat of the enemy devolved responsibilities upon the victorious nations and called for the highest statesmanship and also required cordial cooperation upon the part of those who had joined in the peace treaty. Domestic problems were more or less involved in the solution of our international problems. It was therefore necessary that questions involved in the settlement of the war be promptly considered and acted upon. But we have refused to ratify the treaty or to cooperate with the Allies in settling the questions resulting from the war. Neither Germany nor Austria-Hungary knows what the attitude of this Nation will be with respect to the terms of peace or the cognate questions involved. Our late allies are left in a state of bewilderment because of the uncertain and equivocal attitude of this Nation.

At the conclusion of the war the allied nations had the right to believe that this great Republic would not only participate in framing the terms of peace but would exert a powerful influence in the enforcement of such terms and in bringing peace and order to a distracted world. Our attitude, however, has been disappointing both to our allies and to our defeated foes. We have not only refused to support the treaty affirmatively, but our conduct has been the equivalent of active opposition to its enforcement.

It has been charged that our position has given encouragement to revolutionary and reactionary groups in the Central Empires to resist the terms of the treaty. Whether that be true or not, I think conditions justify the statement that our refusal to participate in the treaty, or actively associate ourselves with the allied nations in bringing about peace and stable conditions in Europe, has been an impediment to the efforts made in that direction and has postponed the advent of that period when order and peace and national and international good will shall obtain.

I concede there may be an honest difference of opinion upon the part of the American people concerning the acceptance without modification of the terms of the peace treaty, including the covenant of the League of Nations. Whether or not its provisions without modification or reservation were acceptable, there is still a duty resting upon this Nation to do its part in determining the questions which the war raised. Notwithstanding the ocean divides us from Europe, we are interested in Europe and in her people and in the problems which she has to face. We may attempt to escape the currents which carry nations in their powerful sweep, but isolation and absolute independence is impossible. Against our will and without our fault we were drawn into the World War.

The American people are demanding a merchant marine. They have willingly expended more than $3,000,000,000 in building and purchasing ships. They appreciate the fact that their prosperity depends upon foreign commerce. We want the American flag to be seen upon every sea and in every port. We realize we must trade with the peoples of the world, that our raw materials and finished products must find their way to all parts of the earth, and that our ships must return laden with the products of other lands. Europe has furnished us the most important field for our surplus products. The rehabilitation of Europe depends upon whether her people can obtain from the United States not only raw materials but our finished products. The unhappy people of the impoverished nations of Europe must have peace and stable and secure conditions before they are able to obtain from this country those commodities indispensable to the life and welfare of the people. The renaissance of Europe and the prosperity of her people will contribute to the prosperity of the American people and to the development of our resources and industries.

Our country does not occupy that high station which it should have assumed in this great world crisis. Its wealth, its power, its ideals, its great contribution to the cause of international justice, made it the commanding figure among all the nations of the world. It was not only the leader in material things but its splendid service in the great world conflict gave it the moral leadership which no nation could dispute. Unfortunately we have not held high the standard, and there be many who believe that we have permitted the symbol of leadership to drop from our grasp. Has this country occupied that high position of constructive statesmanship which our domestic problems required? Has there not been upon our part a failure to measure up to the high standard of duty in dealing with the pressing domestic problems? Has there not been failure to discharge international responsibilities?

The Republican Party has been in power in the legislative branch of the Government for more than one year. The record which has been made is disappointing to all patriotic Americans. Within a short time there will be an adjournment, and the people of the Nation will have an opportunity to weigh in the balance the achievements of this Republican Congress and determine whether its record is of such a character as to merit the confidence and support of the electorate of this Republic.

I have stated upon a number of occasions that the Republican Party assumed control in both branches of Congress promising economy and measures of reform. Pledges were made that important legislation would be enacted in the interest of domestic peace and for the welfare and prosperity of the people. There are some measures to the credit of the party in power, but the constructive measures which have been passed have been marred by serious and indeed fundamental defects and imperfections.

Instead of developing a spirit of self-reliance and independence upon the part of the people and encouraging a spirit of

local self-government, efforts have been made to further atrophy the States and destroy individual initiative and strengthen the bureaucratic and consolidating tendencies which are so powerfully operating throughout the land. People have been encouraged to subordinate their States, to weaken their powers, and to emasculate their authority.

I can perhaps be justly charged with dwelling with irritating persistency upon this note. Upon a number of occasions I have pointed to the legislation of recent years which is reducing the States to mere shadows of their former spirit and power and to the corresponding development by the Federal Government of authority not granted to it and in the exercise of which it has been guilty of unwarranted usurpations. With the termination of the war Congress was required to legislate for the restoration of peace-time conditions. The situation called for wisdom and statesmanship of the highest order. Revenue laws which were the product of the war should have been modified, revised, and some provisions repealed. A system of taxation should have been devised that did not penalize thrift and savings but which taxed extravagance and waste. The majority party has lacked the courage, if not the ability, to meet this perplexing problem of taxation, and as a result industry is hampered and the prosperity of the people menaced. Legislation has been suggested and measures have been passed which were wholly without merit, but were designed to meet appeals and demands not founded in justice or resting upon the thought of the people's welfare. There has been too much of a disposition to recognize classes and groups, and consequently to enact class and group legislation. I think it can be truthfully charged that much of the projected legislation of this Congress has been destructive of the concept of national unity and freedom from class consciousness and has fostered the dangerous heresy that legislation should be for classes and special interests. There are always many difficulties, and indeed perils, attending the transformation from war to peace.

It would not be possible, nor have I the time to enter into a discussion of the psychological processes through which a nation passes from peace to war or from war back to the spirit and habits of peace. Laws must be enacted and repealed in effectuating these changes, and sometimes constitutions and fundamental charters have been stretched or overturned. We have not approached the serious questions involved in this transition from a war status to a peace status with that broad and comprehensive vision essential to correct and statesmanlike action. I repeat, the legislative record of the majority party in Congress is disappointing. There has been too much dodging, too much equivocation, too much of the subtle and Machiavellian spirit which result in delays, compromises, illusions, false hopes, and in the end disappointment, resentment, and bitter antagonisms which undermine the faith and confidence of many in their Government and lead to secret and covert attacks upon its integrity. One culpable propensity upon the part of the majority party is to foster and encourage extravagant appropriations.

I stated a few moments ago that the policy of the Republican Party had been to weaken individuality, enervate States, and disintegrate community life, and to encourage a disposition to seek Federal assistance for individuals and States and to insist upon the assertion of unauthorized power by the Federal Government in the interests of individuals and for private advantage.

I have heretofore directed attention to the weakening of individual and State spirit and pride and to the increasing appetite for Federal benefactions. It has seemed to me that there has been a violent recrudescence of past Republican policies which brought to its support a vast army of voters. That party was supposed to be the faithful advocate and unswerving friend of bounties and pensions and tariffs and special and discriminatory legislation. I think it is not a partisan statement, but merely the recitation of a historic fact, when I say that for many years the Republican Party enacted legislation demanded by certain industries and business enterprises throughout the land. Protection became the formidable rampart behind which vested and special interests, predatory forces, corrupt and sinister organizations protected themselves, and from which they sallied forth from time to time as did the robbers and pirates of old to despoil the weak and the provident and the peaceful of the limited substance which their industry and economy had enabled them to accumulate.

So this Congress has been profligate in its expenditures and responsive to the demands for bounties, pensions, and appropriations without reference to merit or regard for the Constitution or the principles of justice and fair dealing.

A short time age we passed a bill carrying $65,000,000 per annum as additional pensions to the survivors of the Civil War and to their alleged dependents. Only a few months prior to the passage of that bill Congress had passed a measure granting large increases to the same classes. When the measure last referred to was before the House and Senate committees representatives of various organizations promoting the legislation appeared and declared that if the demands embodied in the then pending measure were granted no further requests would ever be made for pension legislation in behalf of those who had in any way been connected with the Civil War. At that time there were, as I recall, amounts being paid annually to the survivors of the Civil War aggregating more than $220,000,000. Within a few months after the bill was passed there was a nation-wide movement demanding the passage of what is known as the Fuller bill. When that measure was before the committee, representations were made that if it were passed that would satisfy the demands of the survivors of the Civil War and their families and that no further legislation would be asked for. That bill is now a law. Under it and existing legislation nearly $300,000,000 will be paid during the coming fiscal year as pensions to the survivors of the Civil War and to those who claim benefactions and Federal grants through them. It must be understood that millions and tens of millions of dollars are annually paid to widows of soldiers whose marriages were comparatively recent and though they have had numerous husbands. Notwithstanding the promises made by those who have been representatives of organizations engaged in securing pensions, we now have before us a bill that provides for pensions for a large number of individuals. A number of those who are to receive pensions under this bill are obtaining pensions under the Fuller bill and, I think, under other enactments.

It is manifest that there will be no limit to the demands for pensions. We satisfy the demands of to-day and additional ones are urged upon the morrow. And this is to be expected. We have encouraged the view that the Government has unlimited resources and that there is something honorable in obtaining contributions and appropriations from the Federal Treasury. The view is being encouraged that for any form of service under the Government a pension should be granted. Indeed, there is an active school of thought in our land that teaches that it is the duty of the Federal Government to care for the people in all parts of the land; that it should provide for the indigent and needy; care for the sick and disabled; support the derelicts and ne'er-do-wells; provide insurance without cost or, if with cost, at a price so low as to be negligible in amount to all persons; pension the aged and infirm; and generally assume control over the people, their private concerns, and business activities. We often hear of old-age pensions, and compensation for those who are injured, and the rehabilitation of all classes who have been disabled, and vocational training for men and women who have sustained injury, or who, because of their incapacity for one line of work, desire to engage in some other. The National Government is to be the father of the people, and spread its omnipotent hand over individuals, communities, and States, and rule and reign without limit or restriction. Of course, when the Constitution is broken down, and the dual form of government provided in the Constitution is no longer recognized, these views will become more or less prevalent and find strong supporters.

Let it be understood that I am discussing grants by the Federal Government, not by the States. It may well be that the latter should provide a system of pensions for the aged and indigent. Indeed there is a duty resting upon the States to provide for certain of its citizens, to afford opportunity for education to the children, and aid to the helpless and distressed.

But I will address myself to the measure before us. Let me briefly refer to some of the acts of Congress providing for pensions. The acts of July 14, 1862, and March 3, 1873, section 46937, Revised Statutes, provided pensions for former members of the Military and Naval Establishments who had incurred wounds, disease, or other disability in the service. The pensions were graduated from $6 per month to $100 per month, according to degree of disability. The disability pension act applied to all soldiers and sailors of the Union who served prior to the declaration of war against Germany.

Disability pensions are granted without regard to length or place of service or whether the service was in war or in times of peace. The beneficiary may have served but a day or an hour, and the disability claimed may have no relation to such service, but be of entirely independent origin. This disability pension is granted not only to those whose names were upon the rolls during the Civil War but those who were connected with the Indian wars or the War with Spain.

A few days ago we passed what is known as the Sells bill, which calls for millions of dollars annually for pensions for those who were in the Spanish-American War. Under that bill

pensions are granted for mere service in the Army or Navy to all persons upon reaching the age of 62 years. They are to receive pensions whether they are rich or poor, whether perfect in health and the possessors of thousands of dollars annually by way of income or otherwise. The pensions are likewise granted to all persons without attaining that age if they are suffering from a disability, though the disability has no relation whatever to such service in the Army or Navy.

Some of the bills which we have passed for pensions can not be defended, and they establish precedents that will be of serious import to our country.

A few hours ago the House of Representatives passed a measure granting service pensions the aggregate of which will probably be $2,000,000,000. There seems to be a total disregard of the theory of pensions, of the question of how the money is to be raised to meet the billions of dollars appropriated from the Public Treasury. Congress seems to be mad on the question of appropriations. We proceed as do some foolish individuals who have suddenly become the possessors of fortunes. They spend it in extravagance and riotous living and in an incredibly short time find themselves in the bankruptcy courts. Nothing seems to restrain the propensity of this Congress to spend money. I have repeatedly denounced the extravagance and the wasteful appropriations made and shall continue to protest against this insane policy, which can have but one result. It tends to undermine the morality of the people and will lead to national bankruptcy.

Mr. DIAL. I discover in the bill that pensions are granted to "former widows." Does that mean that they have married again, and we are giving them a pension because they have a second husband?

Mr. KING. The Senator from South Carolina, I am afraid, is somewhat of a novice in pension legislation. Widows to the nth degree may obtain pensions.

Mr. DIAL. I did not know the legislation was designed to take care of second husbands. I was merely trying to learn.

Mr. KING. There is no limitation. A woman may have been married 10 or 15 or 20 times, but if she at any time was the widow of some man who was entitled to a pension, if she subsequently becomes a widow, she obtains a pension.

Mr. DIAL. I was struck with the novel expression "former widow."

Mr. KING. The Fuller Act, approved May 1, 1920, was a Civil War service pension act. It grants to every surviving soldier of the Civil War who served 90 days, and who was honorably discharged or who was discharged for disability incurred in the service without having served 90 days, or is presently on the pension rolls under any general or special act, a monthly pension of $50, which is increased to a maximum of $72 in cases where the soldier is helpless and requires the attention of other persons. To the surviving widows of soldiers of the Civil War who served 90 days or who are pensionable under the act that act grants a pension of $30 per month, with the limitation that the widow shall have married the soldier prior to June 27, 1905—40 years subsequent to the close of the Civil War.

It was intended by Congress, as I understood the attitude of the chairman of the Committee on Pensions, the Senator from North Dakota [Mr. MCCUMBER], that the Fuller Act should be liberal enough to provide for all properly pensionable surviving veterans or widows of veterans who served for 90 days in the Civil War.

It is not contended that the word "service" means actual service upon the battle field or in any fighting unit. A man is in service if his name is upon the roll, though he was never within a thousand miles of a battle field and never saw a gun or participated in any skirmish or in any form of military or naval operations. It must be remembered that we have abandoned the policy of granting only "invalid" pensions; we are firmly committed to the policy of granting "service" pensions. It was intended by Congress that this act should forestall and eliminate many thousands of special pension bills which are annually offered and many of which are passed in Congress. It has been estimated that two-thirds of the bills offered in the House of Representatives in the present Congress have been special pension bills and that these have exceeded in number 10,000.

Let me add that, in my opinion, the Fuller bill and all of the preceding pension bills and this bill now before us will not prevent the introduction of a multitude of special and private pension bills in the future, thousands and tens of thousands of which will become laws. Why, Mr. President, these pension bills, like Tennyson's brook, will go on and on forever. We will not only grant pensions to those who claim to have been connected in some degree, remote or direct, with military or naval operations, but we are so obsessed with the idea of pensions that we will build up a civil pension list that will impose upon the taxpayers of this country hundreds of millions of dollars annually. Indeed, if we pass the pending pension bills in this Congress there will be imposed upon the people of the United States for the coming fiscal year not $1,000,000,000 but there will be imposed upon the people approximately $3,000,000,000 for pensions.

When a Republican Congress some years ago appropriated $1,000,000,000 for all purposes it drove the Republican Party from power at the next election. The American people are occasionally aroused to the necessity of economy and insist that waste and extravagance upon the part of their public servants shall cease. I see, I confess, no evidence at the present time of any eagerness upon the part of the American people for economy in the administration of public affairs. We can not appeal, apparently, from a Philip drunk to a Philip sober, because there is no Philip sober now. When it comes to the matter of appropriations we are all drunk with the desire for Federal assistance, for burglarizing the Treasury of the United States.

It is immaterial that the Treasury is empty, that it may be like the cupboard which is bare; there will be an insistent demand that additional taxes be imposed upon the people, and still more taxes, regardless of the fact that every dollar of taxes which is imposed ultimately must rest upon the bowed back of the laboring man and the ultimate consumer.

There are many foolish people who entertain the idea that all taxes levied will be paid by the merchant, the banker, those who have large incomes and extensive property holdings. But a little reflection will convince us that if we increase the burden of taxes upon the merchant he passes them on to the individuals who purchase his commodities, and so it is with most forms of our Federal system of taxation—the men who pay the taxes pass the burden on to the ultimate consumer, and finally the laboring man, the man of slender resources, sustains most of the burdens imposed through the profligate and wasteful appropriations made by Congresses and legislative departments of States or political subdivisions. One is led to the conclusion that the people believe there is no limit to the capacity of the Government to meet obligations.

We are crying out against high prices; we know that high prices, in part, are superinduced by the vast volume of credit money and of bonds which are the basis of credit that were issued during the war through which we have passed. Yet whenever there is an effort to contract the basis of credit to the end that prices may be reduced in a normal and perhaps in a legitimate and proper way, we are immediately confronted with the situation that some particular branch of industry or industrial activity will be unduly affected to its disadvantage and to its serious, if not permanent, injury. Nevertheless our Republican friends here in Congress on the eve of adjournment do not seem to appreciate the importance of making a record for economy, but seem to be more concerned in greater expenditures, greater profligacy in the appropriations which are made, as if they expected to derive some advantage in the coming election by reason of the fact that they have made such enormous appropriations.

It used to be urged, Mr. President, in support of pensions that if the money were appropriated it would justify the party in power in the continuation of high tariffs in order that there might be larger accretions to the Treasury of the United States, and there were many people who seemed to conceive a close connection between enormous pensions and high tariff. High tariff, it was said, brought large sums into the Treasury, and enormous pensions would dissipate those funds, and so there would be a sort of perpetual motion, a circle created in the land.

Mr. President, I want, however, to acquit my Republican friends of being the sole offenders in extravagance in appropriations made in this Congress. The minority party can not affirm that its skirts are entirely clear. The appetite for Federal appropriations is an all-consuming one, and is not restricted or confined to class or section or party. Whenever we can get money out of the Treasury of the United States the disposition is to get it, and to get it quickly, and to get it often, and to persist in getting it. It is not a picture of which we can be proud, in my humble opinion, when we witness the extent and character of the appropriations that have been made during the present Congress.

Returning to the point that I was discussing, the House at this session, if my figures are correct, has passed more than 2,926 special pension bills; and in addition, as I have stated, there have been passed through the House these other bills—the Fuller bill, the Sells bill, and omnibus bills—carrying millions and tens of millions of dollars.

I understand that it was the purpose of the Senate committee to eliminate from the bills pending before that committee those claims and those cases which were provided for in the Fuller bill. The result was that out of the 2,926 House bills and more than 1,900 Senate bills pending before that committee the Senate committee culled out 686 bills and incorporated them in the measure now before us, known as H. R. 12530. This bill was reported to the Senate a few days ago by the distinguished Senator from North Dakota [Mr. MCCUMBER], accompanied by an elaborate report containing more than 280 pages of closely printed matter. Although the committee intended, as I am advised, not to include within this bill any cases which were covered by the Fuller Act, the fact is that the bill contains the cases of more than 54 individuals alleged to be widows who have married and remarried, but are now widows, who are pensionable under the general law as construed and applied by the Bureau of Pensions in cases where the remarriage of the widow has been dissolved by death or divorce. There is therefore no reason and no purpose in having these cases included in this bill.

The bill also contains 65 cases of widows of soldiers who served for less than 90 days and are not pensionable except under disability pension laws. I submit that special legislation of this kind is discriminatory in character, is unfair, and can not be defended. If one solder who served less than 90 days is entitled to a service pension, then every soldier who has served less than 90 days is entitled to a service pension, and it is rank discrimination to approve and report favorably cases of this character.

If Congress desires to pension veterans of the Civil War who served but 60 days and who were honorably discharged it should pass an act for this purpose, so that all soldiers of this class may be treated with justice and equity as between themselves. I pause to inquire if this—if I may be pardoned the vernacular of the speech—is a "feeler" with a view ultimately to breaking down this legislative wall which for many years has held back, perhaps, an increased tide of applications for pensions. I presume there was some reason prompting Congress to fix 90 days as the limit of service before pensions would be granted merely for service. That has been, I understand, the unbroken policy in the past. I understand that that is the law, that before one is entitled to a service pension he must have had his name upon the rolls of the military or the naval branch of the Government for at least 90 days. We are breaching this rule. This bill breaks down this wall and announces now that a man need not have had his name upon the rolls for 90 days in order to obtain a pension. Of course, we all understand that he need not have been wounded; he need not have been injured; it is not necessary that he should have incurred any disability while in the service in order to obtain a pension. The mere fact that his name was upon the roll for 90 days, though he was in no camp, though he may never have gone a thousand yards from his home, entitles him to a pension, and that notwithstanding the fact that he may be worth millions and be the recipient of a large sum annually from private investments. Not satisfied with a general service pension, this bill is edging along the way of granting service pensions to men who served less than 90 days.

Mr. President, there may be reasons for breaking down this rule. There may be ample justification for the position taken by the distinguished chairman of the committee and those members of the committee who followed him in his recommendations with respect to this bill, but if so, none has been submitted.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. MCCORMICK in the chair). Does the Senator from Utah yield to the Senator from Colorado?

Mr. KING. I yield to the Senator.

Mr. THOMAS. The Senator seems to forget that the rule to which he refers was broken down long ago. This omnibus bill provides pensions for 652 persons, of whom 555 are women and 97 are men. The great bulk of the beneficiaries are women, and a great many of the women are divorced women. The bill is really designed, among other things, to pay alimony to divorced women. Now, that may be a good rule, but even that is not a new one. Of course, the pension is limited to the woman who is not to blame for the divorce; but if you can find a woman applying for a pension who has been divorced anywhere in the United States, and who is to blame for it, I should like to know what her name is.

Mr. KING. I am very glad to receive the suggestions of the Senator from Colorado; they illustrate the madness that has taken possession of Congress in its desire to give gratuities and pensions and bounties to thousands and hundreds of thousands and ultimately to millions of the people of the United States.

Mr. DIAL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from South Carolina?

Mr. KING. I do.

Mr. DIAL. I should like to ask the Senator whether he ever heard of a man who recently died worth $7,000,000 who was drawing a pension?

Mr. KING. Yes.

Mr. DIAL. I have heard of it. I did not know whether it was true or not.

Mr. KING. There is no question about it. There was a man, the value of whose property was $7,000,000, who received for services in an important position in the Government for years a large salary, and who later resigned that position to assume a legislative place of influence and honor, in which position he received a large salary, and during all that time he was the possessor of great wealth.

Why, Mr. President, for that matter, I have before me a book recently printed by the Carnegie Endowment for International Peace, coming from the Division of Economics and History, entitled "Federal Military Pensions in the United States." It was written by Prof. William H. Glasson, professor of political economy and social science at Trinity College, North Carolina.

It was edited by Prof. David Kinley, professor of political economy in the University of Illinois, and a member of the committee of research of the endowment. It was printed in 1918. If I had the time, I should be glad to invite the attention of the Senator and others who are interested to the frauds which have been perpetrated upon the Government of the United States under the name of pensions, and to the wrongs which have been committed, and to the prostitution of the pension system in the United States.

Let me read this sentence. The editor says:

> The evil influence of the above trend on the moral and patriotic character of the pensioners themselves soon became evident. Many of them came to look upon their pensions as rewards for service rather than as tokens of the country's appreciation of their patriotism. But the pension which any country can ordinarily pay is wholly inadequate if regarded as a reward for services. Naturally, therefore, the pensioners insisted on larger pensions, and, assisted by the claim agent and the politician, they pushed their claims until the financial drain on the country became a serious one. This is likely to happen in a democracy.

One great writer has stated that one of the evils to be feared in a democracy is a civil pension and a military pension system. One of the specters that appears in the pathway of our Nation is that which results from the growing disposition upon the part of the American people to establish a permanent Federal pension system. This spirit is leading to demands not only for Federal military and naval pensions but also for civil pensions, and ultimately it will extend, under this paternalistic trend of our country, to the granting of pensions to the aged and to the infirm, to the widow and to the orphan, notwithstanding the police powers of the States, and the duties and the obligations resting upon the States, if there shall be indigent people within their borders needing support, to properly care for them. The virus of socialism is spreading and destructive heresies are gaining support. States are being urged to abandon their duties and yield to the Federal Government the sovereign powers which they possess.

Mr. President, we should fight against this effort, which seeks, in the language of Marshall, to "compound the people of all the States into one mass, and to confer upon the National Government the authority which, under our form of government, is with the States and the people within the States."

Mr. DIAL. It will make mendicants and vagrants of them after a while.

Mr. KING. Mr. President, when a malignant disease attacks, its development must be arrested or it will speedily destroy its victim. There may not be a happy parallel between the illustration just given and the situation of the Government, but it nevertheless is true of any government that if evils exist which corrode or affect the body politic or the moral attributes of the people, and they are not checked, they will affect the entire body politic.

Mr. President, let me say to the Senator there is no promise of immortality to this Republic. Its duration depends upon the justice and righteousness of the people. The spirit of Locke and Milton and Montesquieu and the heroic figures who held the torch of liberty preceding the founding of this Republic rested upon the immortal men who gave us the Declaration of Independence and wrote the Constitution of these United States. No human government is perfect, nor can the finite mind conceive or execute a perfect thing. Nevertheless, there was established a government dedicated to the proposition that all men were equal and that justice should be the basis of all governmental authority. Influenced by the spirit which actuated the fathers and applying the principles of the Government which

they established, there was developed upon this continent the mightiest Nation the world has ever seen. Moreover, it is the freest Nation under which any people ever lived. It recognizes the individual as sovereign and as the source of authority and power. The spirit of independence possessed by our fathers developed strong, virile men and women and local communities in which the principles of free government found full expression. Each State was sovereign, a republic, a government exercising the powers of a sovereign government. The people protested against worn-out creeds—religious and political—and became a great force—moral and political—throughout the world. They believed that "an irreducible minimum of compulsion is the very essence of good government." They wanted no centralized authority, no autocratic power, no deadly bureaucracy, but strong individuals and local forums in which the virtues of local self-government could be exhibited.

Prof. Lieber states:

Let everything that is in favor of power be closely construed, and everything in favor of the security of the citizen and the protection of the individual comprehensively, for the simple reason that power is power; it is able to care for itself and tend by its nature to increase, while the citizen needs protection.

This liberty loving, sturdy people founded Commonwealths, built towns and cities, and, crossing a mighty continent, have builded a Nation that stands out as the highest example of a representative democracy and possesses that majesty which alone can be found in a government which is the embodiment of the people's will.

The work which the English race began when it colonized North America is destined to go on until every land on the earth's surface that is not already the seat of an old civilization shall become English in its language, in its political habits, and traditions. * * * The race thus spread over both hemispheres, and from the rising to the setting sun, will not fail to keep that sovereignty of the sea and that commercial supremacy which it began to acquire when England stretched its arm across the Atlantic to the shores of Virginia and Massachusetts. * * * The world's business will be transacted by English-speaking people to so great an extent that whatever language any man may have learned in his infancy he will find it necessary sooner or later to learn to express his thoughts in English.

Such were the words of John Fiske in his "American Political Ideals." And this statement is vindicated in the progress which this Nation has made.

But the strength of the Nation rests upon the strength of the individuals and upon the capacity of the people for local self-government. If individualism is crushed and the capacity for local self-government destroyed and the principles which constitute the basis of this Republic are departed from, then this Republic will be endangered. This movement toward paternalism must be arrested and the rights of the people and the States jealously guarded. There must be no submergence of the rights of the States, and no Federalism, drawing to itself by the gaudy trappings of power the great States which swing in their orbits along predestined and fixed paths.

Let me recur to the book I was reading from when I digressed for a moment:

The moral degeneration caused in time by the changing view of the true character of pensions led also to the evil of extending them to men whose service was brief and resulted in no injury to them. Moreover, pensions were taken without compunction by some men who, while technically entitled to them, had other means of adequate support and, indeed, were sometimes rich, to say nothing of young widows of old soldiers. For such people to take pensions is to throw a shadow of graft on the whole system.

Mr. President, there are pages in this volume which explain with more or less detail the pension system in the United States and some of the evils which have developed in the application of that system.

I have repeatedly said, and I wish to reiterate the statement, that the men who gave their lives for their country should be remembered with gratitude and their widows and their chilren should be generously treated by a grateful Nation. The men who are wounded in the service of their country, who incur disabilities in such service, should likewise be generously and liberally cared for by the Republic. I believe in generous treatment in behalf of those who are suffering from disabilities resulting from service to their country.

But I can not bring my mind to accept a policy of indiscriminate service pensions, to give pensions to everybody who may have served for a few days, notwithstanding his wealth, regardless of his physical condition, though he may be worth millions and though his health may be wholly unimpaired. I can find in my conscience no justification for the application of the pension system to cases of that character.

The bill before us contains about 170 cases of widows who can not establish in the Pension Office a legal status as the widow of the deceased soldier. These include women who at the time they claim to have married the soldier were the undivorced, legal wives of other men, and hence were guilty of bigamy in assuming marital relations with the soldier, and other women who attempted to marry the soldier at a time when the soldier himself had a living wife, and other women who have forfeited their rights to pensions by moral irregularities. The Pension Bureau seems to recognize common-law marriages and to accord the widows of such marriages a pensionable status. The cases referred to are cases where even a common-law marriage could not legally have been contracted between the parties. Congress has been liberal, indeed, in according widows who married soldiers of the Civil War within 40 years after the close of the war a pensionable status, and Congress should, therefore, insist that such marriages come within the sanction of the common law and of the marriage statutes of the several States. It is vicious, indeed, to encourage the bringing in of pension claims of this character.

The bill contains 75 cases of widows who married soldiers subsequent to June 27, 1905. Congress has fixed a 40-year limit on soldier marriages, and I can see no reason why there should be a departure from that policy and the adoption of a different one by these special acts, though they be carried in an omnibus bill of the character of the one under consideration.

If one widow has married a soldier since June 27, 1905, is to be granted a pension, then every widow of a Civil War veteran who married the soldier after June 27, 1905, should be given a pensionable status. This should be done by general act of Congress, and not by these special bills which have been so numerous. Special acts in such cases are discriminatory, improper, and unfair.

The bill contains 127 cases of widows who are presently on the pension rolls and who under the Fuller Act are entitled to be pensioned at $30 per month, who are asking to have their pensions increased to $35, $40, $50, and $72 per month on the ground that they are helpless or have helpless children. It is very much doubted if the bounty of Congress to widows ought to be extended in any case beyond $30 per month as provided in the Fuller Act. If exceptions are to be made—and I do not affirm that conditions may not be of such a character as to call for the rigid application of the rule referred to—and if Congress and the special committees of Congress approve and report claims of this character, there will be no end of the flood of bills which will be offered to increase pensions above the rates fixed by law.

Mr. McCUMBER. Do I understand the Senator to say that the bill contains the names of widows who are granted $72 a month?

Mr. KING. Yes.

Mr. McCUMBER. Will the Senator call my attention to some of them?

Mr. KING. I would have to take a few moments to do so, but I feel sure that that is true.

Mr. McCUMBER. There are some soldiers who have been granted $72 a month, but if the bill contains the names of widows who are granted $72 a month my attention has not been called to it.

Mr. KING. Let me say to the Senator from North Dakota that I think they are cases in which there may be dependent children, and the payment would go to the widow.

Mr. McCUMBER. No; I do not recall a case where such a sum would be given to the widow and dependent children. I think the Senator will find that he is in error about any widow receiving that; but I would not want to speak absolutely at this time.

Mr. KING. Mr. President, if I am in error I shall be very glad to make proper correction, and if this bill goes over until to-morrow for a final vote I will take the pains to look through the record very carefully to-night to verify the statement which I have made.

Mr. McCUMBER. I hope the Senator will allow us to get through to-day. I have tried to be accommodating to the Senator, so as to give him all the time necessary to look up matters pertaining to the bill; but realizing that to-morrow we will perhaps take all day upon the Armenian question, and this bill must pass the House after we get through, I hope the Senator will allow us to get a final vote on it this evening before adjournment. I do not think the Senator will find a case where $72 is appropriated for a widow. There have been large sums granted to the widows of generals heretofore, and rather larger sums than $72, but I do not think there are any of them in this bill.

Mr. KING. Mr. President, a limit must be set somewhere and the only thing that Congress may safely and prudently do is to halt all these cases at the threshold where they exceed the limit which has been established by general law. The purpose of the recent liberal general law was to relieve Congress of the flood of private pension bills which has inundated both branches of Congress for many years.

I have said, however, that in my opinion no pension bill that we may pass, regardless of the liberality and even prodigality of its terms, will consummate that result. There will be private pension bills by the hundreds and the thousands, as long as the Senator from North Dakota lives and very much longer, with the present views of many of the American people, and particularly of many politicians in the United States.

The bill contains 178 cases of pensions for adult sons and daughters of deceased pensioners. It is usual, and I ask the attention of Senators to this language in the committee report:

To state in such cases that no one survives who has title to pensions of soldier service—

the clear inference being that a pension under the act of Congress is to be considered as a sort of incorporeal hereditament, to pass down by succession to the soldiers' heirs. I have no doubt that after a while a pension will be considered as property which may pass by will, bequest, or devise. At any rate the impression seems to be now that it is personal property, a sort of incorporeal hereditament that may pass to the heirs of the deceased, and of course it is exempt from taxation.

There are about 27 miscellaneous cases, covering instances of soldiers whose military records show desertion, soldiers who had State service as differentiated from Federal service, and widows of Army officers who are claiming increases in pensions above those allowed by the Fuller Act.

Mr. DIAL. To illustrate the Senator's point, if the Senator will look on page 162 of the bill, line 16, and on top of the next page, he will see where it is provided that in case one dies another one's name shall be inserted, "Entail," I believe, is the legal phrase.

Mr. KING. That particular case had escaped my reading, but I have no doubt there will be found others in the bill who will be in the same situation. As I stated, it is regarded as a property right which may be transmitted.

Mr. DIAL. I am learning. I am young in the business, but I am "catching on."

Mr. KING. I wish to state to my friend that I am young in this matter, too. I have not been here long enough to become entirely familiar with the operations of the pension system.

Mr. McCUMBER. If the Senator will allow me, of course I could not hear the colloquy between the two Senators, but I have made a little further investigation with reference to the Senator's statement based upon his belief that there were provisions for granting widows $72 per month. I will say that there are none in the bill granted $72 per month.

I will call the Senator's attention to the fact that two, who are widows of brigadier generals, have been allowed $50 each. That is not in advance of what we have always allowed since I have been a member of the Committee on Pensions. A distinction has been made between widows of officers and widows of privates. I have taken the position that there should be no distinction, and that poverty meant exactly the same with one class as with the other, but I have been voted down upon that proposition by the Senate probably fifty times at least, and consequently we have allowed that as a rule. Two of them were allowed $50 each. There are two or three other cases where there were two dependent children, where the $30 had been allowed to the widow and $10 each for dependent children, where they are dependent through either physical or mental disability. Those are the only cases, as I am informed, that even reach the $50 limit.

Mr. THOMAS. Mr. President, I have just run through the bill hastily, and I find that that is the case.

Mr. KING. My recollection, though, is that there are some cases found—and these are the ones to which I alluded—where the widow and the children or the dependent children in the aggregate get $72.

Mr. McCUMBER. The Senator is mistaken. The only two cases are where there have been two dependent children, and I think probably in both instances it will be found that they are crippled or mentally defective, where the widow has been allowed her regular $30 and $10 each for the dependent children.

Mr. KING. Will the Senator state the maximum amount which has been granted by special pension to a widow?

Mr. McCUMBER. In the case of one of the doctors, for instance, who allowed himself to be bitten by a mosquito infected with yellow fever and died as a result of that experimentation, the widow was granted more than $50 a month. In all other cases we have never gone above $50 a month in a report of the committee, whether of a private or of an officer, and in this particular bill there are none of them that are granted more than $50 a month.

Mr. KING. Mr. President, my recollection is somewhat different from that of the Senator from North Dakota. I have not the time to examine in detail the bill before us or other pension measures in order to ascertain the largest amounts paid from time to time as pensions to widows.

This bill, as I have stated, is an omnibus bill carrying numerous private pension bills. I have indicated the classes into which these special claims fall. They are as follows:

1. Widows who married the ex-soldier since June 27, 1905, and whose husbands did not die from disability incurred in the service.

2. Soldiers who served less than 90 days in the Civil War and who incurred no disability in the service.

3. Widows of soldiers who served less than 90 days in the Civil War and who did not die from disability incurred in service.

4. Widows who have married and remarried one or more times since the death of the soldier under whom they claim.

5. Widows who at the time they claimed to have married the soldier were married and undivorced from other men and who were consequently guilty of bigamy.

6. Widows who claimed to have married the soldier at a time when he had another living undivorced wife, thus depriving them of the status of a wife.

7. Dependent sons and daughters of adult age of deceased soldiers who put forth a claim to succeed to the pension allowed their soldier father.

8. Deserters.

9. Widows of deserters.

10. Persons already on the pension roll who desire increase in pensions.

11. Persons who have been the benficiaries of one, two, three, or more special acts of Congress.

None of these persons are entitled to pensions under existing law. Hence this method of making them beneficiaries of appropriations from the Federal Treasury. Notwithstanding the liberal pension laws enacted by Congress, special pension bills are pressed with constant and increasing force for affirmative action by Congress.

Before the Civil War very few private pension acts were passed by Congress. But beginning with the Forty-eighth Congress the number of pension bills presented and enacted into law showed a remarkable increase. During the years from 1861 to 1863, inclusive, there were only 12 special pension acts. During the Thirty-eighth Congress there were 27 private pension acts; during the Thirty-ninth Congress there were 138 such acts; during the Fortieth Congress the number was 275; the Forty-first Congress enacted 85; the Forty-second, Forty-third, Forty-fourth, Forty-fifth, Forty-sixth, and Forty-seventh Congresses enacted an aggregate of 989 private pension bills. A large number of special acts passed in the Forty-eighth Congress, the number being 598. The Forty-ninth Congress passed 856 special pension bills and the Fiftieth Congress, 1,015. The Fifty-first increased the number to 1,388. There was a pronounced increase in the number of special acts during the Fifty-second, Fifty-third, Fifty-fourth, and Fifty-fifth Congresses, the aggregate being 1,408. With the Fifty-sixth Congress the number of special acts increased to 1,391. In the Fifty-seventh there were 2,171, and the Fifty-eighth Congress passed 3,358. The Fifty-ninth Congress enacted 6,030 special acts, and the Sixtieth, 6,600. During the Sixty-first Congress the high-water mark of special pension acts was reached, the number enacted totalling 9,649. In the Sixty-second Congress the number was 6,350, the Sixty-third enacted 5,061, and the Sixty-fourth, 5,885.

It must be apparent that special pension bills produce inequalities, result in favoritism, and exhibit rank discrimination.

President Cleveland vetoed during his first term 228 special acts. Of this number 175 were vetoed because the injuries were not received in military service and in the line of duty. Some vetoes rested upon the ground that the increases allowed over the general law were not justified, that in some cases where the basis of pension was alleged "dependency" there was no proof of the allegation, and other vetoes rested upon the ground that the applicants were deserters. In this bill and others which have become law Congress has abandoned all the grounds which were urged by President Cleveland for his refusal to give Executive approval to the same. By general law we pension those who received no injury and no disability either in the line of service or otherwise. We have broken down the safeguards erected by law to protect the Treasury against unjustifiable assaults. By special pension bills deserters are cared for; persons not dependents of those whose names were upon the military and naval branches of the United States are made recipients of grants from the Treas-

ury. Persons whose names were upon the rolls for less than 90 days receive consideration. Indeed, if there are any claims of persons who directly or indirectly were in any way connected with the Military or Naval Establishments of the Government during the Civil War who are not being pensioned, I am not aware of it.

Speaking of Mr. Cleveland's attitude upon pensions and of the evils of special pension acts, Prof. Glasson makes the following statement:

The determined stand of Mr. Cleveland against the abuse of special pension legislation had the effect of bringing to the attention of the country the recklessness of Congress in such matters and of securing for a time at least the more careful investigation of private pension claims in the congressional committees. Though the Republican Fifty-first Congress—the first of President Harrison's administration—passed 1,388 private pension acts, the party was committed to liberality in this direction by reason of its criticism of Mr. Cleveland's record. In the second half of the Harrison administration the House of Representatives was overwhelmingly Democratic and only 217 special pension acts were passed. In the four years of Cleveland's second administration 497 private pension bills became law. Mr. Cleveland's successors in the Presidency have not emulated his record of opposition to private pension bills. In the McKinley and Roosevelt administrations the number of such measures increased very largely, and in Mr. Taft's administration 15,999 pensions were granted by special act.

Congress is obviously not a suitable place for the investigation and just settlement of private pension claims. The pressure of general business is too great. There is little time for the detailed discussion of such matters on the floor of either House, and the recommendation of the Pension Committees must usually be followed without question if business is to be done. These committees can give no proper consideration to the thousands of claims presented. The passage of a certain number of pension claims upon plausible representations becomes practically a form of congressional patronage. Some Members are assiduous in seeking pensions for constituents to the exclusion of activities of a more public nature. It would be an improvement upon present methods if Congress should pass special pension bills only upon the recommendation of the Pension Bureau. The general pension laws are liberal, and the number of meritorious claims not within their scope must be very limited. The officers of the Pension Bureau have better facilities to learn the facts and form a just opinion in exceptional cases than Congress, and the history of the bureau will not convict it of bias against claimants. Under the present system there is unfair discrimination against the pensioners under the public laws by reason of the great number of increases secured by private bills for those who are able to gain the favor and aid of Senators and Representatives.

The same author submits a rather serious indictment against Congress. I express no opinion as to the justice of his criticism but submit that those who are familiar with pension legislation will have very decided views with regard to this matter.

In recent years the great majority of pensions granted by special act are in the nature of increases to rates in excess of the amounts provided for in the general laws. In such cases the claim is usually made that the circumstances of the particular applicant justify a rate higher than that normally paid. But it is fairly obvious that such increases are due more to the favor of Members of Congress than to any just and careful comparison of the merits and necessities of the applicants with those of other pensioners receiving the same allowance.

We are all familiar with the fact that a large number of special laws are for the purpose of correcting the military records of those who are shown upon the Government rolls to be deserters. There was never any thought about correcting the record upon the part of a great majority of those shown to be deserters until pensions were desired. Under the law where the records show dishonorable discharge or desertion no pension could be obtained. Accordingly, as stated, there have been for many years hundreds of special pension bills enacted to remove the charge of desertion or the record of dishonorable discharge. As soon as such acts were passed pensions were then paid to the beneficiaries.

Prof. Glasson, in speaking of the passage of private pension bills, states that:

On "pension day" there is commonly no quorum present. In the presence of a few Members, it has been a general practice to take up the pension bills reported by the committee and put them through the form of passage in a perfunctory manner and with remarkable speed. In some Congresses they have been passed at the rate of two or three a minute. Very few Members take the trouble to vote on such occasions or give any attention to the procedure, which is by general consent. Occasionally some disgusted southern Member, or some Member who has a grievance, stops the process temporarily by insisting on the presence of a quorum. Instead of passing a separate law granting each pension, Congress has in recent years followed the practice of including many grants of special pension as items in a sort of omnibus bill. Under this practice, if the President were disposed to veto some objectionable grants he could not do so without at the same time causing the failure of all the other pension provisions in the bill.

The author speaks of "no quorum" being present in the House on "pension days." During the consideration of pension bills in the Senate it is a rare occasion when more than a dozen Senators are present.

As I have stated the American people have always been desirous of dealing generously with the families of those whose lives were given for their country and those who were injured or received disabilities in the line of service. But that generous policy which met with such cordial approbation throughout the country has been departed from and disability pensions are no longer important. The announced plan is to grant service pensions without regard to extent of service or the necessity for governmental gratuities. "Arrears" pension acts have been passed to supplement the general laws, and special acts have followed where the former legislation was inadequate to meet demands for Federal contributions.

A House executive document of the Fifty-first Congress, first session, reveals some of the evils which have grown up in the pension administration. For instance, one of the principal examiners in the Pension Bureau was receiving a salary of $2,000 per year. He filed an application alleging "disability from malarial disease." An examination by the bureau's surgeon refuted his claim. Several years afterward his claim was granted and a pension allowed with arrears extending back to August, 1865, the amount paid being several thousand dollars.

It would be interesting to review in detail the legislation which has been enacted by Congress since the Civil War dealing with pensions, and the activities of the various organizations which have aided such legislation. I shall not, however, take the time of the Senate for that purpose, but will content myself with a hurried reference to these matters. The fact is, however, that local and national organizations have been potential in political parties and have influenced legislation. Demands have been made under threat of defeat of candidates for important political positions who did not signify their approval of policies projected by local organizations or representatives of those who were seeking general or special laws for pensions and governmental grants. In the House reports of the Forty-sixth Congress evidence is submitted which shows the methods employed to secure pension appropriations, which are discreditable to all concerned and constitute a dark page in the legislative experience of our country.

Mr. Bentley, when Commissioner of Pensions, directed attention to the fraudulent claims for pensions prosecuted under laws which had been secured through undue and improper influence. In his statement he uses this language:

As the law stood previous to the passage of the arrears act the temptation to fraud was very great, but since that act it is many times increased. Then the claims were comparatively few in which any considerable sum of money would be the immediate reward of a successfully prosecuted claim, but since that act every invalid claim allowed, as well as many of the other classes, will have in it from several hundred to several thousand dollars due the claimant at the first payment.

It is estimated by those best informed that there have been not less than $2,000,000 paid out annually for fraudulent pensions. In my judgment, the estimate is below rather than above the actual amount.

With the temptation to the commission of fraud so greatly increased, and the road to the Treasury easy through ex parte proceedings, the consequences can easily be foretold. Not only will the people be taxed to pay an annual tribute to the unworthy, amounting to several millions of dollars, but with so many claims pending and still to be presented and the avenues to the two or three hundred persons, more or less, who are charged with their adjustment open for the approach of interested parties, it will be little less than a miracle if extensive official corruption does not follow.

Speaking of the pension act of 1890, Prof. Glasson states that under it pensions might be received by persons who were receiving handsome incomes from their services as skilled workers, or as lawyers, physicians, public officials, business men, and bankers. While the act declared that pensions were to be granted to ex-soldiers for incapacity to perform "manual" labor, it was construed to grant pensions to persons in the lines of employment just referred to.

Pensions were provided for the highly paid but rheumatic lawyer, for the prosperous business man hurt in a street accident, for the ex-soldier public official with heart disease, and for the mechanic who had lost a hand in an industrial accident. It was well to have these ills of life provided for, but questionable whether military reasons required the provision to be made at the expense of the general taxpayer.

There was no distinction in granting pensions to those in affluent circumstances and the poor.

The act was not a national gratuity or dignified form of relief for indigent and infirm veterans, as contemplated by the advocates of a dependent pension bill, for it pensioned alike the rich and the poor, the prosperous and the unprosperous. It was not a reward for long and meritorious service in the Army, for it treated the three through the whole war. It was not a compensation for injuries and disease contracted in the camp or on the battle field, for it pensioned for mental and physical disabilities whenever and wherever incurred, except those resulting from vicious habits.

Under this act this author states that widows' pensions were granted regardless of the cause of the husband's death and to—

widows who were unborn, or merely small children when the Civil War ended. * * * This provision especially benefited young women who, long years after the war, married middle-aged or elderly ex-soldiers. It is hard to see why such widows and children born of such marriages are more deserving of national aid than the dependent widows and children of other loyal citizens who were never called upon to perform military service. The experience of the Pension Bureau has also

been that the desire on the part of young widows to retain pensions has frequently resulted in immoral alliances rather than in remarriages which would cause the loss of the pensions.

Speaking of this act and the circumstances of its passage, Prof. Glasson says:

It was a high bid for the political support of the 450,000 Grand Army of the Republic men and other ex-soldiers, with both the Republican and Democratic parties bidding. To the professional politician it was a way to spend the surplus, which appealed to the sentiment of the people and which also promised to produce votes for the candidates of the party. Undoubtedly in passing the act of 1890 the Republican Congress and national administration attached strongly to that party the great majority of the Grand Army of the Republic voters.

It was estimated that this act before it was superseded in 1907 cost the country over a billion dollars. Mr. H. Clay Evans, who was Commissioner of Pensions under the McKinley administration, in reporting the practices of the Pension Bureau in administering the act of 1890, said:

I am free to say that the practice has never been to inquire into the capacity of the claimant to earn a support. The prosperous have been pensioned alike, on application, with the less fortunate, plainly on showing disabilities or disease, without any reference to the claimant's wealth or capacity to earn a support.

I referred to the powerful influences which have secured passage of pension legislation. Gen. SHERWOOD, who has been in the House for many years, stated:

You can get anyone to vote for any pension bill you want in any legislature in the North, because the members do not dare to vote against it. (CONGRESSIONAL RECORD, 62d Cong., 2d sess., pt. 1, 127.)

Representative Dies, of Texas, indicated a concurrence in this view when he said:

I am a party Democrat and I want my party to win, but the naked truth is that the Democratic Party is just as cowardly on this pension question as ever the Republican Party dared to be. * * * Every man who votes for this pension increase indirectly votes against lower tariff taxation.

The Sherwood bill was passed in the House by a vote of 229 to 93. This measure, it is estimated, has increased the burdens to the Government of more than $75,000,000 per annum. As I recall, the distinguished chairman of the Senate committee [Mr. MCCUMBER] stated that the Sherwood bill would involve an annual increase of more than $75,000,000 and that a bond issue might be required to meet the obligations which it created.

Perhaps the reluctance of members of the National Legislature to oppose pension bills may be in part understood when it is known that on the 30th day of June, 1912, there were more than 846,000 persons on the Federal pension list.

That those receiving pensions from the Federal Government constitute a powerful force in the various States is evident when it is recalled that in 1900 there were in the District of Columbia 1 pensioner for every 22 of the population. In Maine there was 1 pensioner to every 35 of population. In Kansas it was 1 to every 36; in Indiana 1 to every 37; in Ohio 1 to every 40. Ohio in that year received in Federal pensions $15,171,000 and Indiana received $10,339,000. The population of the United States in 1900 was 75,994,575, and the number of Federal pensioners in the country was 988,446.

The Sherwood bill as it passed the House was greatly modified in the Senate. Indeed, a substitute was presented by the Senator from North Dakota which passed by an overwhelming majority and the conferees made some slight changes and accepted the Senate bill; it became a law on May 11, 1912. This act granted pensions to all whose names had been upon the roll for 90 days or more in the Civil War and were 62 years of age or over. It further provided that pensions should be paid without regard to age or length of service to persons who served in the Civil War and were honorably discharged and who were disabled from performing manual labor as the result of wounds received in battle or in the line of duty or as the result of disease or other causes incurred in the line of duty. Within a very short time after the passage of this act more than 4,600 applications for relief under it were filed in the Pension Bureau. This act superseded the service and age pension act of 1907, and within a short time all who were receiving pensions under that act were obtaining the benefits of the act of 1912. Of course, the charge upon the Treasury greatly increased, and in 1914, $172,409,600 was paid as pensions. Another pension bill was passed in September, 1916, under which the list of pensioners was greatly increased. Under its provisions a young woman who married an ex-soldier 40 years after the Civil War may be pensioned for life. She may be married a number of times after the death of the ex-soldier, but whenever she is a widow, regardless of her wealth or income, she is to be pensioned. At the end of the fiscal year of 1917 more than $2,230,000,000 had been paid to those whose names had been upon the rolls of the military and naval branches of the Government, and to their widows and their relatives, in cases where there had been no proof of disability, or injury, or any disabilty contracted while in the military service. In addition to this amount the cost of administering the law amounted to approximately $133,000,000.

Pensions have been granted without discrimination between the poor and the prosperous, and until 1912, as I recall, there was no recognition given to long military service. The 90-day men received the same pension as the soldier who served during the entire war.

The pension system and its administration has been criticized by Prof. Glasson in these words:

The administration of the laws has also been hampered by political pressure and interference. Some administrations have been vigilant to protect the Treasury from imposition and fraud; others have been "liberal" to the point of facilitating the pensioning of persons whose claims were of doubtful merit or supported by false representations. Under the pension laws, imposition has often been easy and the fruits of dishonesty great. The provisions granting pensions for disabilities not of service origin have stimulated dependence among the veterans and tended to place the service of the citizen to the State upon too mercenary a basis.

I have here a number of articles written by Burton J. Hendrick, which were reported in the World's Work, dealing with what he denominates "pork-barrel pensions." Attention is called upon the title page of the pamphlet containing the articles to the fact that for the fiscal year ending June 30, 1914, there were paid for pensions alone more than $172,000,000, and that that amount combined with the expenditures for the Army and Navy give a military budget of more than $466,000,000. We have been accustomed to speak of Prussian militarism, and yet the German Empire in the year 1913 expended only $491,000,000 for pensions and for its military and naval operations. In 1913 our national expenditures, exclusive of the Postal Service, were less than $749,000,000; but we spent more than one-half of our income on our military budget.

In these articles Mr. Burton exposes the methods by which pensions were obtained, describes how deserters were made into heroes by statute, and the methods by which pernicious private pension bills were enacted into law. These articles are a scathing indictment of the work of Congress and the sinister and improper influences which have procured legislation dealing with pensions. In a former speech I have referred to these articles and will therefore make no further reference to them at this time.

The Senator from North Dakota is anxious to have this bill passed to-night. I have no doubt his views are shared by other Senators; at least, by those who are in attendance. The great majority of the Members of this body manifest no interest in the measure, assuming, I presume, that it will encounter no successful opposition and will speedily receive the approval of the Senate. Let me repeat what I said when the so-called Sells bill was before the Senate: It is impossible to defeat any pension bill. Indeed, it is impossible to accomplish the defeat of any appropriation bill. Experience has demonstrated that Congress is impotent to cope with organizations formed in our country for the purpose of obtaining contributions from the Treasury of the United States. No matter the character of the appropriations sought, whether worthy or unworthy, whether meritorious or devoid of merit, if the organizations back of it are powerful enough and continue their efforts and pressure with sufficient zeal and pertinacity, they will in the end secure what they ask.

Mr. THOMAS. Will the Senator permit me to interrupt him for a moment on that proposition?

Mr. KING. Certainly.

Mr. THOMAS. It became my duty on Saturday to lay before the Senate the terms of an understanding between the Literary Digest and the postal employees' unions of the country, one of the most sordid arrangements for securing aid from the Treasury that has thus far come under my notice. Not a single paper in the United States, so far as I have been able to ascertain, up to this time has said a word about it; not a word. The great papers of New York yesterday morning and the Washington and other papers which I have examined all were as silent as the grave upon the proposition, and largely, I presume, because they expect to be in time the beneficiaries of the agreement, if it shall succeed to the extent of repealing the present rates of second-class postage.

Mr. KING. Mr. President, I regret to learn of the incident to which the Senator refers. Revelations of this kind are very depressing to me and I believe they must similarly affect all patriotic Americans. My information has been to the effect that the postal employees were not adequately paid. I have indicated to a number of them that I would support a measure that gave them relief and a just and fair compensation.

If it be a fact that the employees of the Government adopted methods referred to by the Senator from Colorado a few days ago, for the purpose of securing the passage of legislation, I

believe that it was improper and that it should occasion profound regret throughout the country. And if the magazine to which the Senator refers sought by the advocacy of the legislation to secure financial advantage in the form of reduced postal rates, its conduct was most reprehensible and calls for condemnation from all honest men. If other newspapers were parties to any arrangement by the terms of which they were to advocate legislation for the relief of postal employees, in consideration of which the latter were to use their influence to procure legislation beneficial to the newspapers, they have been guilty of an immoral act for which there is no extenuation. If the facts are as stated by the Senator from Colorado, it makes an ugly page in contemporaneous history.

The American people have been justly proud of the record made by the press of this country. In the pre-Revolutionary days as well as since the liberties of the American people have been ably defended by the press. Some of the greatest men of our country have been editors, and their pens have been dipped in fire, as they have led the people in mighty contests to secure political reforms, and moral victories. The press has been the bulwark of American freedom. We pronounce with reverence the illustrious names of Franklin and Greely and Bowles and Dana and Grady and Watterson and the hundreds of others who have made glorious the press of our land, and who with knightly courage have borne the torch of intellectual liberty and social justice to guide the people in the days of peace as well as in the hours of national peril.

We remember the words of Jefferson when he stated that he would rather live in a country that had no government and had newspapers, than in one where there was a government but no newspapers. He recognized the value of the press and regarded it as indispensable to liberty and progress. Unfortunately some newspapers exist only to advocate special interests or class legislation. Others are the personal organs of individuals who seek political preferment or have financial or other interests which they desire to protect. There are newspapers which are partisan and bigoted, and only intrested in the success of political organizations. The merits of political questions or the ethical principles involved are wholly without interest and receive no consideration.

Fortunate indeed is the country which possesses an independent and honest press. As long as we have men to lead us who have courage and sincerity and honesty, men who love their country and have an abiding faith in its destiny, and who believe that justice and righteousness will ultimately prevail throughout the world, our country will be safe. The American people desire the truth. They want good government. They have faith in the political principles upon which this Nation is founded. They may be misled for a time and be betrayed in an evil hour, and their feet may depart under the direction of false leaders from the paths of safety, but ultimately they will find themselves, and guided by the spirit of Washington and Jefferson and those who have preserved and glorified this Nation, they will support and defend the Constitution of the United States and rescue it and the institutions of our land from all enemies, whether foreign or domestic.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. KING. Mr. President, I desire to amend the amendment by striking out all of those paragraphs which give or grant pensions to men who served less than 90 days.

There are 65 in this category. I presume I will have to state them for the RECORD, though it will take some time, I will say to the Senator, to call attention to each of the items.

Mr. McCUMBER. I presume, Mr. President, that a motion could be made to strike out all of those items, and that then the Secretary, with the assistance of the Senator from Utah, could determine which ones fall under the motion. We could dispose of the question very much quicker, of course, in that way.

Mr. KING. If the Senator will permit me, I will say that I have numbered each item in the bill, treating it as a paragraph, the last item being 680.

The PRESIDING OFFICER. The Senator from Utah may send his amendment to the desk in order that it may appear in the RECORD.

Mr. KING. I will state that the items I move to strike out are numbered 6, 7, 15, 48, 84, 94, 101, 109, 117, 118, 127, 140, 151, 160, 163, 183, 198, 203, 212, 219, 225, 251, 252, 265, 272, 276, 289, 302, 313, 318, 326, 329, 335, 337, 338, 353, 360, 361, 362, 364, 368, 370, 420, 441, 472, 475, 480, 482, 518, 531, 542, 549, 557, 564, 574, 584, 597, 603, 605, 607, and 628.

Those are the numbers, Mr. President, which constitute the amendment as I have indicated them upon the printed bill now upon the desk of the Secretary and upon the desks of Senators, so that it is very easy by looking at the copy of the bill which I have, and which I have numbered, to determine the items which are embraced in my motion.

The PRESIDING OFFICER. If there be no objection, the Senator may present his amendment to the committee amendment as he has thus indicated it.

Mr. KING. Let me state, in order that Senators may understand what my motion is, that the present law fixes 90 days as the minimum service to entitle a soldier to a service pension. There are 65 items in the bill in which pensions are granted for a service of less than 90 days. My motion is to strike from the bill all of those items granting pensions for less than 90 days' service, because it proposes a departure from existing law; it is unfair and discriminatory, and it will establish a precedent which in the end will be utilized to secure service pensions for everyone who was enrolled in the Army or the Navy, though he served but for one day or for one hour, if his name appeared upon the rolls. That will be the result of the enactment of this bill, and it seems to me that no one can defend a departure from the existing law when the precedent to be established portends such serious consequences.

The amendment of Mr. KING to the amendment reported by the committee is as follows:

On page 59, after line 21, to strike out:

"The name of Henry Seebers, late unassigned, Eleventh Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $50 per month."

At the top of page 60, to strike out:

"The name of Nason B. Cunningham, late of Company E, Sixth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month."

On page 61, after line 14, to strike out:

"The name of John I. Amy, late of unassigned Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month."

On page 67, after line 19, to strike out:

"The name of Mary J. Bowen, widow of Russell Bowen, late of Company G, One hundred and fifty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month."

On page 75, after line 5, to strike out:

"The name of Harriet M. Godfrey, widow of Edwin J. Godfrey, late of Company B, Second Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $30 per month."

On page 77, after line 8, to strike out:

"The name of Olive M. Kelly, widow of George Kelly, late of Company C, Eighty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month."

On page 78, after line 13, to strike out:

"The name of Fred Hauk, late of Company C, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month."

On page 79, after line 21, to strike out:

"The name of Mary Sullivan, widow of Cornelius Sullivan, late of Company L, Thirteenth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $30 per month."

On page 81, after line 15, to strike out:

"The name of David Rushlon, enrolled as David Rushton, late of Company C, Eighty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month."

On the same page, after line 19, to strike out:

"The name of George Bowen, late of Second Battery, Vermont Volunteer Light Artillery, and pay him a pension at the rate of $30 per month."

On page 83, after line 4, to strike out:

"The name of Charles Waide, late of Company I, Thirty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month."

On page 85, after line 9, to strike out:

"The name of Lillian M. Evans, widow of William W. Evans, late of Company C, One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month."

On page 87, after line 8, to strike out:

"The name of Harriet S. Parker, widow of Charles Parker, late of Company G, Twenty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month."

On page 88, after line 20, to strike out:

"The name of Gideon C. Lewis, late of Company I, Eighteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month."

On page 89, after line 6, to strike out:

"The name of Joseph Ford, late of Company G, Third Regiment Potomac Home Brigade Maryland Volunteer Infantry, and pay him a pension at the rate of $50 per month, the same to be paid him without deduction or rebate on account of former alleged erroneous payments of pension."

On page 92, after line 18, to strike out:

"The name of Rhoda A. Beatty, widow of Samuel T. Beatty, late of Company H, Thirty-sixth Regiment Pennsylvania Emergency Militia Infantry, and pay her a pension at the rate of $30 per month."

On page 95, after line 12 to strike out:

"The name of Samuel W. Hayden, late private Sixth Independent Company Ohio Volunteer Sharpshooters, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

On page 96, after line 11, to strike out:

"The name of Louisa E. Prickett, widow of William W. Prickett, late of Company I, Fifty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month."

At the top of page 98, to strike out:

"The name of Margaret A. Davis, widow of Wilson H. Davis, late of Company F, Second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month."

On page 99, after line 4, to strike out:

"The name of Elizabeth Morand, widow of Alfred L. S. Morand, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $30 per month."

On page 100, after line 4, to strike out:
"The name of Margaret W. Mitchell, widow of Walter P. Mitchell, late of Capt. Thatcher's independent company, Pettis County Missouri Home Guards, and Company C, Fortieth Regiment Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month."
On page 104, after line 21, to strike out:
"The name of Sarah Cox, widow of James L. Cox, late of Company H, Sixty-third Regiment Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month."
At the top of page 105, to strike out:
"The name of Mary J. Martin, widow of William S. Martin, late of Company H, Sixty-third Regiment Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month."
On page 107, after line 2, to strike out:
"The name of Louisa C. Southerland, widow of James C. Southerland, late of Capt. Gilbreath's company of Alabama Scouts and Guides, and pay her a pension at the rate of $30 per month."
On page 108, after line 7, to strike out:
"The name of F. W. Gerding, late special agent, Ordnance Department, United States Army, and pay him a pension at the rate of $30 per month."
At the top of page 109, to strike out:
"The name of Mollie Reck, widow of William L. Reck, late of Company C, One hundred and fifty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month."
On page 111, after line 11, to strike out:
"The name of Jacob H. Martz, late of Company D, Second Regiment Potomac Home Brigade, Maryland Volunteer Infantry, and pay him a pension at the rate of $30 per month."
On page 113, after line 16, to strike out:
"The name of Jane Jadwin, widow of Benjamin Jadwin, late of Company B, Ninetieth Regiment Ohio Volunteer Infantry, and Twenty-second Independent Battery, Ohio Volunteer Light Artillery, and pay her a pension at the rate of $30 per month."
On page 115, after line 14, to strike out:
"The name of Sarah M. Doan, widow of William F. Doan, late of Company D, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month."
At the top of page 117 to strike out:
"The name of Sylvia Hitchcock, widow of George A. Hitchcock, late of Company A, Second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month."
On page 118, after line 9, to strike out:
"The name of Robert C. Pollock, late of Company E, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month."
On the same page, after line 20, to strike out:
"The name of Phebe Morgan, widow of John H. Morgan, late of Company F, Seventy-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month."
On page 119, after line 22, to strike out:
"The name of Eliza Gratz, widow of Paul H. Gnatz, alias Paul F. Ochs, late of Company A, Fifth Regiment Pennsylvania Volunteer Cavalry, and Company H, One hundred and seventy-eighth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month."
On page 120, after line 7, to strike out:
"The name of Richard M. Johnson, late of Company B, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month."
On the same page, after line 11, to strike out:
"The name of Anna D. Abel, widow of William A. Abel, late of Company E, Sixteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month."
At the top of page 123, to strike out:
"The name of Jennie D. Matteson, former widow of David Johns, late of Company C, Nineteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month."
On page 124, after line 4, to strike out:
"The name of Delilah J. Feist, widow of Albert Feist, late of Company B, Fifteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month."
On the same page, after line 8, to strike out:
"The name of Euphrates Huff, widow of John A. Huff, late of the U. S. steamship *Tyler*, Western Gunboat Flotilla, and pay her a pension at the rate of $30 per month."
On the same page, after line 12, to strike out:
"The name of Jemima Trueax, widow of George M. Trueax, late of Company A, Ninety-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month."
On the same page, after line 20, to strike out:
"The name of William Blades, late of Company B, Permanent Battalion, Camp Russell, Wisconsin Volunteer Infantry, and unassigned, Twenty-second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month."
On page 125, after line 12, strike out:
"The name of Sarah Virginia Pollard, widow of Allison W. Pollard, late of Company K, Seventeenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $30 per month."
On page 125, after line 20, to strike out:
"The name of Adam Mikle, late of Company A, First Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $30 per month."
At the top of page 136, to strike out:
"The name of George W. Burk, late of Company F, Fifty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month."
On page 140, after line 6, to strike out:
"The name of Jane McMahon, widow of Matthew McMahon, late of Company D, Second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month."
On page 145, after line 13, to strike out:
"The name of Cora B. Kelley, widow of James Kelley, late of Company C, Tenth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $30 per month."
At the top of page 146, to strike out:
"The name of Israel Boyer, alias George Johnson, late of Company C, Eighth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month."
On page 146, after line 22, to strike out:
"The name of Samuel Pryor, late of Company E, Thirteenth Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $30 per month."
On page 147, after line 4, to strike out:
"The name of Peter Boyd, late of Company F, Twelfth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $30 per month."
On page 154, after line 8, to strike out:
"The name of Mary E. Leroy, widow of Fred, alias Frederick, Leroy, late of Company E, First Regiment United States Reserve Corps, Missouri Militia, and pay her a pension at the rate of $30 per month."
On page 156, after line 17, to strike out:
"The name of Mary Werner, widow of Adam Werner, late of Captain Knapp's company, Seventh Indiana Legion, and pay her a pension at the rate of $30 per month."
On page 158, after line 12, to strike out:
"The name of Susan H. Orr, widow of Charles W. Orr, late of Company C, Ninth Regiment Provisional Enrolled Missouri Volunteer Militia, and pay her a pension at the rate of $30 per month."
On page 159, after line 17, to strike out:
"The name of Sarah Keys, widow of William T. Keys, late of Company I, Seventy-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month."
On page 161, after line 5, to strike out:
"The name of Louisa R. Bechtel, widow of Morgan S. Bechtel, late of Company G, One hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month."
On page 163, after line 3, to strike out:
"The name of Abigail Merriman, widow of Henry L. Merriman, late of Company K, One hundred and seventy-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month."
On page 165, after line 11, to strike out:
"The name of Ellen S. Vestile, widow of George W. Vestile, late of Captain Bassett's independent company, Ninth Regiment Indiana Legion, and pay her a pension at the rate of $30 per month."
On page 167, after line 13, to strike out:
"The name of Joseph E. Dearborn, late unassigned, Tenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $20 per month."
On page 169, after line 19, to strike out:
"The name of Alice Hingson, widow of Thomas J. Hingson, late of Company C, One hundred and fifty-sixth Regiment Indiana Volunteer Infantry, and Company A, Thirty-sixth Regiment United States Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving and $6 per month additional on account of each of the minor children of said Thomas J. Hingson until they reach the age of 16 years."
One page 170, after line 22, to strike out:
"The name of Martha A. Robbins, widow of Leander C. Robbins, late of Company F, Seventy-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month."
On page 171, after line 6, to strike out:
"The name of William N. Ingersoll, late of Company F, Fifteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month."
On page 171, after line 12, to strike out:
"The name of Elizabeth Ross, widow of Adam Ross, late of Company D, One hundred and forty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month."
On page 175, after line 3, to strike out:
"The name of Emiline Hartley, widow of James R. Hartley, late of Company C, Seventh Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $30 per month."

Mr. McCUMBER. Mr. President, I shall boil down what I desire to say in answer to the argument of the Senator from Utah [Mr. KING] in not to exceed three minutes of time. I can give a reason which the Senator undoubtedly has not fully considered why in certain cases it is perfectly proper to include in a special pension bill those who may have served less than 90 days.

I wish first to present to the Senate facts showing exactly what this pension bill involves. It will be recalled that the other House has been passing private pensions since last September. Those bills have come to the Senate, but we have held them in abeyance until, as the Senator from Utah has suggested, they embrace about 2,900 names, or about 3,000 altogether in the House bills. Most of those bills were passed in the House before the Fuller bill was presented to the Senate and before the Fuller bill was even passed by the House. Then, there were a number of Senate bills. It was quite certain that the Fuller bill would pass both Houses, and I therefore, on my own motion, asked that all of the special pension bills be laid aside until we should have disposed of the Fuller bill. Having disposed of the Fuller bill, we then took one of the House bills and amended it by striking out all after the enacting clause, and then inserting in lieu of the portion stricken out the names of all of those out of the three thousand or thirty-five hundred in both Senate and House bills who would not be taken care of by the Fuller pension bill. So we have practically a year of pension bills all crowded into this single omnibus bill. It is not, however, nearly as vital, I think, as the Senator from Utah would indicate it to be.

As the Senator has stated, the bill contains the names of 680 pensioners, and 379 of those cases provide for a pension of $30 a month for widows who otherwise would not be pensionable under the general law. In 160 cases a pension of $20 per month has been recommended. Those items are intended to pension helpless and dependent children of soldiers independently of the parents; that is, where the beneficiaries are orphans.

In 86 cases a pension of $35 per month is recommended. Those cases cover widows who are now receiving $30 per month under existing laws, who are over the age of 75 years, and require the constant aid and attention of other persons.

In 38 cases $40 per month is granted. Those items cover the cases of widows who have one minor child to support; and I think a careful examination will elicit the fact that the child is perfectly helpless, either mentally or physically. Where the case simply involves a minor child, of course, the extra pension of $10 a month will cease when the child becomes 16 years of age.

There are 17 cases where $50 per month is granted. This class covers the cases of widows who have two minor children to support, and also a few soldiers who can not get that rate under existing law.

There are four cases where $72 per month is granted. They are cases in which the soldier rendered long and faithful service and is now absolutely helpless and requires the constant aid and attention of another person, as, for instance, where the soldier is paralyzed. I recall one case among this number where there is not only complete paralysis but also where the soldier is dying from stomach cancer and can not last longer than a few weeks.

There are two cases where $24 a month is granted.

After all these cases are included, what is the proposed legislation going to cost the Government? If all the beneficiaries live for a single year the amount added to the pension roll will be $182,760, which is rather a mere bagatelle compared with the sums which we are almost daily voting; but as, according to present statistics, about one-half of those to whom we grant private pensions die within one year, the total expenditure involved will not amount to more than half the sum I have named. So the Treasury is not going to be looted to any great extent by taking care of the old soldiers and their widows covered by the pending bill.

Mr. President, I wish now to answer very briefly the objections upon which the pending motion of the Senator from Utah is based. He says that it has been the inflexible rule to grant no pension to a soldier who has served for less than 90 days. In that the Senator is mistaken. If a soldier incurred a disability, although he may not have served three days, he has a pensionable status. If the Senator will carefully examine the items included in this bill, I think he will find, if not in every instance, at least in nearly every instance, that the cases covered are those of soldiers who have a pensionable status, although they served less than 90 days, but are not pensionable at the rate provided in the various items. Suppose a soldier 65 or 68 years of age who served 60 days was wounded in battle, and has been drawing a pension during all of the ensuing time for that wound, but his pension will not be $72 per month. Now, let us suppose that he is suffering from total paralysis and needs the constant aid and attention of another person. In that event he is granted an additional pension because of the necessity for aid and attention. His case is not covered by the general law, but it will be covered by this bill. So the objection which the Senator from Utah urges, that these items should not be included in the pending bill, because they relate to soldiers who were not in battle, did not incur any disability, and served for less than 90 days, is untenable and arises from an erroneous understanding of the cases.

Now, in regard to the widows, I think if the Senator will examine the record very carefully he will find that the facts justify the recommendation of the committee. Take, for instance, the case of a man who was a good soldier, who fought for the preservation of the life of his country, and because of whose valor and suffering we have a United States of America to-day. He was possibly married during the war or very shortly thereafter. He died a few years ago, leaving a widow old and helpless. She was a pretty good wife to the soldier, possibly during many long years, perhaps even during the time of his service. Being helpless and old, she did not want to go to the poorhouse, but felt that, perhaps, by marrying some man he might give her a good home, so that she could live the remainder of her allotted life in peace. To get married after 75 years of age, or even 60, I think is hardly the thing to do; but old ladies are liable to make mistakes, and I am willing to forgive them under the circumstances if they did not make a good marriage after they were 60 or 70 years of age, and I am ready, in honor of this old soldier who kept the flag of his country flying through the dark days of 1861 to 1865, to take her back and give her a pension, even though she married once or twice or thrice. Of course, she was foolish to do so, but when people get in their dotage I forgive them a great many things that I would not forgive if they were young people in the vigor of manhood and womanhood; and a close examination of these cases will show that we have not been unjust in granting the little stipend to a widow who made a mistake in thinking that she could get married after she got to be an old woman and that the marriage would be a happy and a pleasant one. She made a mistake; maybe she got a divorce; and if she did, and is now penniless, I want to help her out because of the love and the gratitude I have toward the old soldier who saved this country.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the Senator from North Dakota yield to the Senator from Colorado?

Mr. McCUMBER. I do.

Mr. THOMAS. Do I understand from the Senator that all of the widows who are cared for in this bill are over 70 or 75 years of age?

Mr. McCUMBER. No; some of them are younger and were foolish enough to get married when they were 60 years of age.

Mr. THOMAS. Some were younger than that.

Mr. McCUMBER. Yes; perhaps some of them were 55 years of age. There were not many of them. They are mostly old women, however, and each case was considered upon its own merits.

Now, we are not making an exception to the rule. Let me call the Senator's attention to the fact that the law to-day is that it does not make any difference whether the widow is married once or thrice or a dozen times; upon the death of her last spouse, or upon her divorce, she is put back upon the pension roll under the present law. Therefore we are not changing that law.

Mr. THOMAS. That was the act of 1916.

Mr. McCUMBER. And the act of 1920, the Fuller bill.

Mr. THOMAS. Yes; the act of 1916, just before the last presidential election.

Mr. McCUMBER. Yes; and reiterated in the act of 1920. I was not in favor of it myself.

Now the case of the undivorced: A great many of these cases—I will not say how many now—are put upon the pension roll because they could not secure their pensions at the department. Why? Because the records showed that the husband had been married once, and they could not go back and find the proof that he got a divorce. Possibly the woman had lived with that soldier for 20 or 30 or 40 years, believing that he was divorced, and probably he was divorced in some court in which the record is gone, or he thought he was divorced, at least, and she thought the same thing. You can not always prove those cases. Some of them had trouble in proving the fact that they were the widows of the soldiers. They could not get a certificate. They were married by some justice of the peace, possibly, out in the country, and it was hard to get the records; the witnesses had died, and they had trouble in establishing even the marriage, and their continuance of living with the soldier long enough at least to call it a common-law marriage.

Those cases have been carefully considered; and remember that we have cut out the vast majority of the cases that came to us. The Senator thinks we have been liberal, and I agree that more than 10,000 bills have been introduced in the House, and we have cut them down finally, both House and Senate bills, to 682.

There are a few of those cases, I think, where the marriage was later than 1905. There was some good reason in each instance why the committees of both the House and the Senate thought that we ought to grant a pension, even though it reached beyond 1905, in these special cases. Remember, the House passed the bill fixing the year at 1915. We cut it down to 1905, the old law, I will admit, under the expectation that probably we would agree on about 1910 in conference; but the House did not want to take the chance of a conference on the bill, fearing that they might not get it through in time. Therefore they accepted the amendment, the chairman of the committee stating that they would want to take care by special bill of those cases that would come in at least under 1910. I think that should be changed, as the Senator says, by a general law; but we have not followed that rule altogether in our past legislation. We have considered each case, and if the marriage ran but a short time beyond the period fixed by law we have sometimes overlooked it and granted a pension because of some other merits that were in the case.

Mr. President, I think this covers generally the objections that have been urged.

RECESS.

Mr. CURTIS. I ask unanimous consent that the Senate take a recess until 10 o'clock to-morrow morning.

There being no objection, the Senate (at 5 o'clock and 40 minutes p. m.) took a recess until to-morrow, Tuesday, June 1, 1920, at 10 o'clock a. m.

NOMINATION.

Executive nomination received by the Senate May 31 (legislative day of May 24), 1920.

SOLICITOR GENERAL.

William L. Frierson, of Chattanooga, Tenn. (now Assistant Attorney General), to be Solicitor General, vice Alexander C. King, appointed circuit judge.

HOUSE OF REPRESENTATIVES.

MONDAY, *May 31, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

God of our fathers and our God, whose judgments are true and righteous altogether, we stand in Thy sacred presence on this holy day, with gratitude welling up in our hearts for Thee and for the brave and gallant men who gave the last full measure of devotion to the Nation they loved and which every true American loves, that it should not perish from the earth.

We bless Thee that patriotism lives and will weave garlands of flowers, tablets of roses, to strew over the silent graves of those whose tents are pitched on "fame's eternal camping ground." Long may their memories live and their deeds inspire our newborn sons with patriotic fire for liberty, freedom, justice, and truth.

So may our Government live and bear the fruits of freedom while time shall last and the Stars and Stripes of Old Glory live on forever. In the spirit of the World's Greatest Patriot who died a martyr to truth. Amen.

The Journal of the proceedings of Saturday last was read and approved.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 12272. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921; and

H. R. 12775. An act to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and to establish military justice.

ADDRESS ON LINCOLN AND GRANT.

Mr. OSBORNE. Mr. Speaker, I had the honor yesterday to deliver an address on Lincoln and Grant in the rotunda of the Capitol. I ask unanimous consent that I may be permitted to extend my remarks by publishing that address in the RECORD.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD by printing an address that he gave yesterday in the rotunda of the Capitol on Lincoln and Grant. Is there objection?

There was no objection.

CONFERENCE REPORT ON THE NAVAL APPROPRIATION BILL.

Mr. BUTLER. Mr. Speaker, I present for printing under the rule a conference report on the naval appropriation bill.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

H. R. 13108. An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes.

THE PUBLIC HEALTH SERVICE.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to address the House for two minutes. Is there objection?

Mr. BLANTON. Reserving the right to object, on what subject?

Mr. MADDEN. Some time since I received a letter from a man in Chicago by the name of Margolis, making charges against the Public Health Service. The result was an investigation. I have the report of the Surgeon General of the Public Health Service, and I would like to have it go into the RECORD. I would also like to explain the situation.

Mr. BLANTON. Is this Margolis the bolshevistic, anarchistic Margolis of Pittsburgh?

Mr. MADDEN. No; he is a Chicago man. As a matter of justice to the Public Health Service, I want to put it in the RECORD.

Mr. GARNER. Reserving the right to object, I want to say to the gentleman from Illinois that the gentleman from Massachusetts [Mr. WALSH] does not seem to be on his job and has not been for a week. There are thousands of letters like this that they wish to put in the RECORD.

Mr. MADDEN. This is a report from the Surgeon General of the Public Health Service.

Mr. GARNER. Yes; and I make a complaint to the Surgeon General, and he writes me a letter, and, as I say, there are thousands. I am not going to object to this one, but I do call the attention of the gentleman from Wyoming and the gentleman from Massachusetts that if we put one of these in the RECORD, everybody else will want to put his letter in.

Mr. MADDEN. I want to say that I think it would be unfair to the office of the Surgeon General not to give a history of this investigation, in view of the charges that have been made.

Mr. GARNER. What investigation by the Public Health Service? Nothing but a letter.

Mr. MADDEN. It was an investigation made by the Surgeon General's office, and this is a report of the result of that investigation.

Mr. GARNER. When did this man prefer the charges?

Mr. MADDEN. A couple of months ago.

Mr. GARNER. How did he make the charges?

Mr. MADDEN. By letter. It was taken up on the floor of the House, and they are published in the RECORD. I think it is only fair to have the other side of the case appear in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? The Chair hears none.

Mr. MADDEN. Mr. Speaker, some time ago a man by the name of H. J. Margolis, of Chicago, representing himself as associated with an organization called the Service Men's Union of Soldiers, Sailors, and Marines Organization, wrote a letter complaining about the treatment of ex-service men in the hospitals under the conduct of the Public Health Service, and he cited specific cases of injustice done to those men.

After I took that matter up on the floor of the House the succeeding day the Surgeon General called at my office. He said that he would make a thorough investigation. He appointed his chief inspector, who went to the hospital referred to, made a thorough investigation of each case complained of, and the report of his findings is embodied in the paper I hold in my hand.

I wish to say in this connection that the result of the investigation seems to indicate that the charges made by Mr. Margolis were not well founded, and it is because of my desire to do justice to the office of the Surgeon General of the Public Health Service that I rise in my place this morning and say what I have said and ask unanimous consent that the report of the Surgeon General's office in respect to all these cases may be made a part of the RECORD.

The SPEAKER. The gentleman from Illinois asks unanimous consent to insert the report in the RECORD. Is there objection?

There was no objection.

The report is as follows:

TREASURY DEPARTMENT,
BUREAU OF THE PUBLIC HEALTH SERVICE,
Washington, May 11, 1920.

THE SURGEON GENERAL,
United States Public Health Service, Washington, D. C.

SIR: I have the honor to submit the following synopsis from a report made by Senior Surg. (Reserve) Terriberry, the full report being now in your hands, on the letter of H. J. Margolis, of Chcago, dated April 1, and quoted by Hon. MARTIN B. MADDEN and published as a part of the CONGRESSIONAL RECORD of April 6, 1920.

Every individual who was quoted as having been the victim of neglect or ill-treatment was interviewed, together with many witnesses who were disinterested, and Senior Surg. Terriberry elicited the following facts:

1. The Margolis letter is written so as to produce an impression discrediting the service and its officers in Chicago, and at the same time to escape legal responsibility for statements not in accordance with fact. Except in the case of Hyman Margolis, the charges are indirect and based on hearsay.

2. Francisco Isaia, alleged discharged from hospital penniless and unable to work, has been receiving compensation, including back pay, at $80 per month since his discharge from the Army; now in a period of quiescence while awaiting a secondary operation; was unable to get light work, therefore remained in hospital and says he has no complaint to make against the service or any of its officers.

3. Joseph Romano, alleged to be discharged after a serious operation and before cured; suffered from a sprained thumb. War Risk Bureau unable to connect this entry with his military service, but he was operated on March 18; made a normal recovery and was discharged on April 1; was not in receipt of compensation because he was not entitled to it. The operation was for varicocele, not in line of duty.

4. William E. Schmidt, charged to be the victim of professional malpractice; shown on investigation to be the victim of delayed development and hypochondriasis; was carefully examined and carefully treated; even has his meals served to him in bed, although there was nothing the matter with him except his congenital deficiencies. Dr. Hamill, the expert in this line, testified that he was a man of retarded development and constitutional mental inferiority.

5. Arthur Shoven, alleged to be the victim of malpractice in that his wounds after operation were not properly dressed, says himself that he has never made a statement such as was attributed to him by Margolis; that he received constant attention from the time he entered the hospital, and has no complaint to make against the hospital or anybody in it.

6. Flory S. Flowers, alleged to be the victim of neglect by the medical officers; shown in Army records to have been treated for bladder trouble not in line of duty; no evidence obtained to date showing this man's present ailment connected with his service in the Army; was found to be suffering from cataract of the right eye, which he claimed resulted from a boxing match in the service. There was unavoidable delay of two months in securing glasses not chargeable to the marine hospital authority, as glasses are provided by the War Risk Insurance Bureau under the law, and this man is not a beneficiary. He is now employed in the hospital itself as an orderly, being paid $60 per month and his maintenance; prima facie evidence that he has no cause of complaint.

7. Joe Vacarro, charged to have been neglected by the medical officers. No evidence to show that his disability, which he claimed was from trouble with his back, had any connection with his Army service, and he is therefore not in receipt of compensation. While at the hospital he received treatment for his eyes, his tonsils, and for venereal disease, and is recorded as cured; testifies that he has "always been nervous," and is manifestly a case of neurasthenia. He is also employed as an orderly, doing light work, and is receiving $60 per month as an employee.

8. Hyman Margolis, alleged victim of professional maltreatment and premature discharge from the hospital, with neglect on the part of medical officers, has nothing to substantiate his claim that his ailments are in any way connected with his Army service. Dr. Ridlon and Dr. Ryerson, both famous surgeons, testify that they do not believe his bunions were caused by standing in mud and water, but by shoes and stockings either too tight or too short. He is not in receipt of compensation for the reason above alleged, and, although this matter is outside the responsibilities of the Public Health Service, it is only fair to state it. Although not entitled, he was nevertheless operated on by Dr. Ryerson on February 20, and made an uneventful recovery, and was supplied a pair of shoes by the Red Cross, which he refused to wear. He refused to leave the ward and go to the dining room for his meals, claiming inability to do so, although able to go out of the hospital on pass at this time for two days. He was not discharged until after examination by Dr. John Ridlon, orthopedic consultant, who testified that he examined Margolis on March 29, and found the incision healed, and advised Margolis to use his feet, as in private practice such cases are made to walk much earlier than was Margolis as a part of the treatment itself. Margolis was ordered to be discharged from the hospital, and refused to go, and was finally ejected by the police.

H. J. Margolis, the brother of this man and the writer of the complaint, was called into the investigation, and testimony shows that he said he would have "Cobb (J. O. Cobb, the commanding officer) thrown out on his neck, and everybody else in the hospital, and would tear the place up from roof to cellar." He said he represented a soldier and sailor organization and various newspapers, and that his influence would enable him to carry out his threats. Testimony shows that Margolis was sufficiently cured at the time of his ejection to warrant action in discharging him without harm to himself or anybody else.

9. Charles H. Decker, alleged to have been discharged from the hospital, to his harm and detriment. This case was investigated by myself on March 3, 1920, and that the man's own statement, submitted and signed by himself, is to the effect that he had been treated in a kindly and courteous manner; that his teeth had been efficiently cared for; that, despite the fact that he had stated to his Congressman that he was neglected and had not been examined, evidence is on file to show that X-ray pictures were taken as follows: One of his head, one of his shoulder, two of his lungs, two of his teeth, three or four of his abdomen, and stomach tests to the number of three were made, and every decayed tooth in his head but one, which was then in the process of treatment, had been fully treated.

10. Eva Beukinga, reported as charging Dr. Cobb, the commanding officer, with disrespectful language toward the Congress of the United States. The facts are that this woman represented herself alternately as a representative of the Red Cross and the Y. M. C. A., was disavowed by both organizations, and Dr. Cobb testifies that he has never seen her. It is presumable that an officer with 33 years of service to his credit would hardly be so indiscreet and disloyal as to be guilty of the charge, which is based entirely upon the unsupported testimony of this woman, who conducts a small candy and tobacco store, and whose veracity, as above shown, is impeached by both the Red Cross and the Y. M. C. A.

11. Suicide in hospital: The statement is made in the Margolis letter that a suicide occurred in the hospital and that rumors are that he committed suicide because during the week he was in the hospital he got no treatment and was in terrible pain. The facts, amply substantiated by testimony, are that the suicide in question, Thomas B. Delicate, was brought to the hospital by the police on March 5; was sent by a nurse at his own request to a bathroom to wash up, and a few minutes later, on hearing peculiar noises in the bathroom, the door was forced open and Delicate was seen over the bathtub hacking at his throat with a razor blade. He was immediately taken to the operating room, but died on the table. He was in the hospital less than one and one-half hours when he died.

CONCLUSIONS.

From the above charges, amply substantiated by sworn testimony submitted in the full report, it is easily seen that no one of the above charges can be sustained.

Respectfully,

J. H. WHITE,
Assistant Surgeon General.

EXTENSION OF REMARKS ON THE BONUS BILL.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent that all Members of the House may have the privilege of extending their remarks in the RECORD for three legislative days on the bonus bill.

The SPEAKER. The gentleman from Michigan asks unanimous consent that all Members of the House may have three legislative days to extend remarks on the bonus bill. Is there objection?

Mr. WALSH. Reserving the right to object, I appreciate that it is customary at the end of a session to grant general leave to extend remarks in the RECORD, but that general leave is invariably abused. Now, unless this request, if it is granted, can be restricted to the Members' own remarks, without resolutions or letters or poems or songs or editorials or any of these extraneous matters, I am going to object. If the gentleman will permit Members to give their own views, confining it to their own remarks on the bonus bill, I will not object.

Mr. BLACK. I object.

Mr. KING. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from Illinois makes the point that no quorum is present.

Mr. KING. At the request of the gentleman from Massachusetts, I will withdraw that.

Mr. BEGG. Mr. Speaker, I desire to announce that my colleague [Mr. COLE] is absent on business connected with the Committee on Indian Affairs. Had he been present Saturday and had the opportunity he would have voted "aye" on the bonus bill.

PURCHASE OF CAVALRY HORSES.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to proceed for one minute upon the subject of the Army foolishly buying unnecessary Cavalry horses in peace times.

The SPEAKER. The gentleman from Texas asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, the San Angelo Standard published last Friday and other newspapers published in Texas advised that Army agents from Fort Reno and Oklahoma City were buying Cavalry horses for the Government and had recently purchased 150 such horses. Has this Congress authorized the Army to buy horses indiscriminately over the western portion of Texas in peace time? I think it is outrageous for the War Department at this time to continue buying unnecessary horses when we have a surplus of horses in the Army now, and I think that the best thing this Congress can do before we adjourn is, through the proper committee, to bring in a resolution directing the War Department to cease buying horses in time of peace.

Mr. DYER. Why does not the gentleman ask the Secretary of War to stop that?

Mr. BLANTON. We do not have to pass the buck. We have authority here to stop it ourselves. All we have to do is to command the Secretary of War to cease.

The SPEAKER. The time of the gentleman from Texas has expired.

EXTENSION OF REMARKS.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the war-risk insurance act.

The SPEAKER. Is there objection?

There was no objection.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the development of our merchant marine.

The SPEAKER. Is there objection?

There was no objection.

Mr. FORDNEY. Mr. Speaker, I renew my request, and accept the suggestions and reservations made by the gentleman from Massachusetts [Mr. WALSH].

Mr. BEE. Mr. Speaker, reserving the right to object, does not the gentleman from Michigan think it rather remarkable on a bill where only 40 minutes of debate was had, to permit the RECORD to be lumbered up with a hundred or more alleged speeches made on the subject?

Mr. MCARTHUR. Mr. Speaker, I demand the regular order.

Mr. BLACK. Mr. Speaker, I object.

The SPEAKER. The gentleman from Texas objects.

Mr. NELSON of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the subject of the par check clearing system.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD in the manner stated. Is there objection?

Mr. KING. Mr. Speaker, reserving the right to object, may I couple with that a request to extend my remarks in the RECORD upon the same subject?

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. NELSON] and the gentleman from Illinois [Mr. KING] to so extend their remarks in the RECORD?

There was no objection.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon legislation affecting the West, principally public-land legislation.

The SPEAKER. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the agricultural situation in the country.

The SPEAKER. Is there objection?

There was no objection.

Mr. GREENE of Vermont. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the state of the Union.

The SPEAKER. Is there objection?

Mr. McARTHUR. Mr. Speaker, reserving the right to object, which state?

Mr. GREENE of Vermont. There is only one state.

Mr. BLANTON. Mr. Speaker, reserving the right to object, which Union, ours or Mr. Gompers's?

Mr. GREENE of Vermont. The old one. Some of us have been in all of the time. [Laughter.]

Mr. GARNER. Mr. Speaker, what is the request as stated by the Chair?

The SPEAKER. The gentleman from Vermont asks unanimous consent to extend his remarks in the RECORD upon the state of the Union. Is there objection?

Mr. BLACK. Mr. Speaker, reserving the right to object, the gentleman was in the House when I objected to any extension of remarks upon the bonus bill. I presume the extension he has in mind does not include the bonus bill?

Mr. GREENE of Vermont. Oh, no; it had no reference to the bonus bill. I think the less said about the bonus bill the better. [Laughter.]

The SPEAKER. Is there objection?

There was no objection.

ADDITIONAL EMPLOYEES IN ENROLLING ROOM.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That there shall be paid out of the contingent fund of the House, until and including June 5, 1920, not exceeding the sum of $100, for the employment of such additional clerical and messenger service as may be necessary in the enrolling room.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

Mr. MONDELL. Mr. Speaker, the resolution is usual at the close of a session, in order to make the necessary provision for additional assistance in the enrolling room.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

LEAVE TO ADDRESS THE HOUSE.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to address the House for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Speaker, we were all cheered this morning by the reappearance on the floor of the House of the gentleman from North Carolina [Mr. KITCHIN]. [Applause.] We are delighted to have him once more with us, and we all join in the hope for his complete restoration to health. [Applause.] We welcome him back to the House. [Applause.]

Mr. JOHNSON of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes on the river and harbor bill.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to address the House for 30 minutes on the river and harbor bill. Is there objection?

Mr. MONDELL. Mr. Speaker, I must object.

RIVER AND HARBOR BILL—CONFERENCE REPORT.

Mr. KENNEDY of Iowa. Mr. Speaker, I call up the conference report on the bill H. R. 11892, the river and harbor appropriation bill, and I ask that the statement be read in lieu of the report.

The SPEAKER. The gentleman calls up the conference report on the river and harbor bill and asks unanimous consent that the statement be read in lieu of the report. Is there objection. [After a pause.] The Chair hears none.

The statement was read.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11892) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 11, 15, 18, 20, 24, 26, 27, 32, 40, 43, 57, and 65.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 8, 9, 12, 14, 16, 17, 19, 21, 25, 28, 29, 30, 31, 33, 35, 37, 38, 41, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 58, 59, 60, 62, and 63, and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with its insertion on page 10, after line 16; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In the proposed amendment strike out the word "Sterlings" and insert in lieu thereof the word "Starlings," and strike out the word "Accomack" and insert in lieu thereof the word "Accomac"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"Charlotte Harbor, Fla., with a view to securing a channel of suitable dimensions to Punta Gorda."

And the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"Harbor at St. Petersburg, Fla."

And the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"Tennessee River and tributaries, in North Carolina, Tennessee, Alabama, and Kentucky."

And the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In the proposed amendment strike out the word "Pollocksville," in line 4, insert in lieu thereof the word "Polloksville," and transfer the item so amended to page 5, after line 5; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In line 4 of the amendment strike out the word "deep" and insert in lieu thereof the word "depth," and in line 18 of the amendment strike out the word "Ceritor" and insert in lieu thereof the word "Cerritos"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "with a view to"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: In line 7 of the proposed amendment strike out the word "appropriation"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lines 7 and 8 of the proposed amendment strike out the word "appropriation"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 6. That the laws of the United States relating to the improvement of rivers and harbors, passed between March 4, 1913, until and including the laws of the third session of the Sixty-sixth Congress, shall be compiled under the direction of the Secretary of War and printed as a document, and that 600 additional copies shall be printed for the use of the War Department."

And the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In line 2 of the proposed amendment strike out the word "appropriation"; and the Senate agree to the same.

The committee of conference have been unable to agree on the amendment of the Senate numbered 1.

C. A. KENNEDY,
S. WALLACE DEMPSEY,
THOS. GALLAGHER,
Managers on the part of the House.

W. L. JONES,
CHAS. L. MCNARY,
JOS. E. RANSDELL,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11892) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, submit the following written statement explaining the effect of the action agreed upon:

The rivers and harbors bill as it passed the House carried cash appropriations in the sum of $12,400,000. The amount added by amendment in the Senate was $12,000,000, making the total amount carried by the bill as it passed the Senate $24,400,000. As a result of the conference, the amount involved in the Senate amendments has not been changed, no agreement having been reached by the committee of conference on amendment No. 1, the only amendment proposing a change in the amount appropriated by the House.

The following statement shows the action taken by the conference on each of the Senate amendments (page numbers refer to print of bill with Senate amendments numbered):

On amendment No. 1, page 1: Item increases amount appropriated by House for maintenance and improvement of such river and harbor works heretofore authorized as may be most desirable in the interests of commerce and navigation from $12,000,000 to $24,000,000. The committee of conference have been unable to agree on this amendment.

On amendment No. 2, page 2: Item strikes out proviso in House bill directing that of the $12,000,000 appropriated for improvement and maintenance of works heretofore authorized $5,000,000 shall be expended for maintenance work and $7,000,000 for improvement work. House conferees recede. In the hearings before the Senate committee it developed that possibly more than $5,000,000 would be required for maintenance; that if left in the House form a double set of accounts would have to be kept with the Treasury Department, involving additional clerical work; and on a number of the projects it is difficult to discern between maintenance and improvement work.

On amendment No. 3, page 3: Item inserts the following paragraph to section of bill providing for examinations and surveys:

"Every report submitted to Congress in pursuance of this section or of any provision of law for a survey hereafter enacted, in addition to other information which the Congress has heretofore directed shall be given, shall contain a statement of special or local benefit which will accrue to localities affected by such improvement and a statement of general or national benefits, with recommendations as to what local cooperation should be required, if any, on account of such special or local benefit."

House conferees recede.

On amendment No. 4, page 3: Survey of Camden Harbor, Me. House conferees recede.

On amendment No. 5, page 4: Survey of South Bay, Boston Harbor, Mass. House conferees recede.

On amendment No. 6: Item transfers House provision, which was misplaced. (See amendment No. 38, p. 11.) House conferees recede.

On amendment No. 7, page 4: Survey of Delaware River from Trenton, N. J., to Easton, Pa. Senate conferees recede.

On amendment No. 8, page 4: Survey of Woodbridge Creek, N. J. House conferees recede.

On amendment No. 9, page 5: Item amends House provision for survey of Raritan River, N. J., by striking out the words "including that section above the Washington Canal." House conferees recede.

On amendment No. 10, page 5: Senate amendment amends provisos in items in river and harbor acts of 1910 and 1911 appropriating for the improvement of St. Jones River, Del. The effect of this amendment would be to allow work to proceed on the excavation of any single cut-off when the land for that cut-off is transferred to the United States free of cost, instead of delaying the prosecution of the improvement until the land required for the 16 cut-offs covered by the project is furnished free of cost by local interests. It also eliminates the following language from the items in the acts of 1910 and 1911 above referred to: "and the United States shall have been released from all claims for damages arising from the proposed diversion of the stream." House conferees recede with an amendment transferring the item to section 4 of the bill.

On amendment No. 11, page 5: Survey of lower 2 miles of Northwest River, N. C. and Va. Senate conferees recede.

On amendment No. 12, page 6: Survey of Warwick River, Va. House conferees recede.

On amendment No. 13, page 6: Survey of Starlings Creek, Accomac County, Va., and channel connecting said creek with Pocomoke Sound. House conferees recede with verbal amendment.

On amendment No. 14, page 6: Survey of channel leading from Oyster, Va., to Atlantic Ocean. House conferees recede.

On amendment No. 15, page 6: Survey of channel connecting York River, Va., with Back Creek. Senate conferees recede.

On amendment No. 16, page 6: Survey of Carters Creek, Lancaster County, Va. House conferees recede.

On amendment No. 17, page 6: Survey of Morattico Creek, Lancaster County, Va. House conferees recede.

On amendment No. 18, page 6: Item amends House provision for survey of Savannah harbor by extending the area over which survey is to be made about 4½ miles up the Savannah River to Drakies Cut. Senate conferees recede.

On amendment No. 19, page 7: Survey of St. Marks River, Wakulla County, Fla. House conferees recede.

On amendment No. 20, page 7: Survey of Charlotte harbor channel, South Boca Grande, Fla. Senate conferees recede.

On amendment No. 21, page 7: Survey of narrows between Choctawhatchee Bar and Santa Rosa Sound, Fla., including the swash channel from Camp Walton to Mary Esther. House conferees recede.

On amendment No. 22, page 7: Survey of Charlotte Harbor to Punta Gorda with a view to increasing the dimensions of the channel from Punta Gorda to the Gulf, including Boca Grande Channel. House conferees recede with an amendment confining the survey to the channel leading to Punta Gorda.

On amendment No. 23, page 7: Survey of St. Petersburg Harbor, Fla., and to deep water in Tampa Bay, with a view to increasing the dimensions of the channel and existing project from the docks to deep water in the bay. House conferees recede with an amendment making the item read as follows: "Harbor at St. Petersburg, Fla."

On amendment No. 24, page 7: To the House item providing a survey of "St. Johns River, Fla., from Jacksonville to the ocean," the Senate amendment adds the following: "and St. Johns River from Lake Harney to Indian River to create a navigable waterway from St. Johns River to Indian River." Senate conferees recede.

On amendment No. 25, page 7: Senate amendment adds word "Florida" to House item providing survey of Apalachicola Bay, Fla. House conferees recede.

On amendment No. 26, page 8: Item provides survey for Apalachicola River, at Apalachicola, Fla., and Apalachicola Bay, Fla. Senate conferees recede.

On amendment No. 27, page 8: Survey with a view to reporting whether the existing project provides sufficient depths to enable the deepest draft ships of the regular lines calling at Brunswick Harbor, Ga., to reach their docks without being delayed by waiting for the tide or using two tides to enter or leave the harbor; and, if adequate depths are not provided by the existing project, whether sufficient depths would be provided by the larger of the two projects reported in House Document No. 393, Sixty-fourth Congress, first session. Senate conferees recede.

On amendment No. 28, page 8: Survey of Gulfport Harbor and Ship Island Pass, Miss. House conferees recede.

On amendment No. 29, page 8: Survey of Mississippi River, La., with a view to securing an outlet to the Gulf of Mexico by the most practical route for a permanent channel of a depth not exceeding 35 feet. House conferees recede.

On amendment No. 30, page 8: Survey of Tensas River, La. House conferees recede.

On amendment No. 31, page 8: Survey of Galveston Channel, Tex. House conferees recede.

On amendment No. 32, page 9: Strikes out House item providing that a preliminary examination and survey shall be made of the "coast of Texas in the vicinity of Aransas Pass, Port Aransas, Corpus Christi, and Rockport, with a view to the establishment of a safe and adequate harbor," and inserts in lieu thereof an item directing that a survey of these localities shall be made by a board of engineers with a view to the establishment of a safe and adequate harbor or harbors, including protection against storms and erosions and the protection of the instrumentalities and aids of commerce located there. Senate conferees recede.

On amendment No. 33, page 9: Survey of La Grue River, Ark. House conferees recede.

On amendment No. 34, page 9: Survey of Tennessee River, Tenn., Ala., and Ky. House conferees recede with an amendment making the item read: "Tennessee River and tributaries, North Carolina, Tennessee, Alabama, and Kentucky."

On amendment No. 35, page 10: Survey of outlet of Cass Lake, Minn., with a view of securing a navigable connection with the Mississippi River. House conferees recede.

On amendment No. 36, page 10: Survey of Neuse and Trent Rivers, N. C. House conferees recede with amendment making slight verbal change.

On amendment No. 37, page 10: Survey of south fork of Kentucky River, Ky. House conferees recede.

On amendment No. 38, page 11: Transfer item inserted by the House to page 4 of bill. House conferees recede.

On amendment No. 39, page 11: House provision which ordered a survey of Los Angeles and Long Beach Harbors, Calif., is amended so as to provide for a preliminary examination and survey. House conferees recede with amendment correcting two typographical errors.

On amendment No. 40, page 13: Survey of Tillamook Bay, Oreg. Senate conferees recede.

On amendment No. 41, page 13: Survey of Tualatin River, Oreg. House conferees recede.

On amendments Nos. 42, 43, 44, 45, 46, and 47, pages 13 and 14: Items make slight verbal changes to House provisions for surveys. House conferees recede with slight verbal changes in Nos. 42 and 43.

On amendment No. 48, page 14: Survey of Wrangell Harbor, Alaska. House conferees recede.

On amendment No. 49, page 14: Survey of harbor of Christiansted, St. Croix, Virgil Islands. House conferees recede.

On amendment No. 50, page 15: Item amends House bill by combining sections 4, 5, 6, and 7 into one section (sec. 4). House conferees recede.

On amendment No. 51, page 15: Item amends House provision authorizing the Secretary of War to credit local interests in the vicinity of Yaquina Bay and Harbor, Oreg. (in requiring compliance with the conditions precedent to the prosecution of the project adopted in the river and harbor act approved Mar. 2, 1919), with the cost of work done by them which conforms to the project plans, by directing that credit shall be given at the present cost of doing the work which has been done. The act of 1919 required that local interests should pay half the cost of the work adopted, or $418,000. Under a permit from the Secretary of War and under the supervision of the Chief of Engineers, the local interests had commenced work on the project and had expended, up to June 30, 1919, the sum of $133,976. House conferees recede.

On amendments Nos. 52, 53, and 54, pages 15 and 16, strike out section numbers. House conferees recede.

On amendment No. 55, page 16: Transfers section 9 of House bill, at bottom of page 17, to section 4 of bill as amended by Senate. House conferees recede with slight verbal change.

On amendment No. 56, page 16: Item provides that the sum of $71,775, when deposited in the Treasury by local interests, shall be accepted by the Secretary of War as the total cash contribution required under the provision in the river and harbor act approved July 27, 1916, adopting a new project for the improvement of Willapa Harbor and River, Wash. Under the condition referred to local interests were required to pay half the cost, which was estimated to be $71,775. Due to increase in cost of doing the work contemplated the sum mentioned will not pay half the cost of completing the work at this time. The effect of the amendment will be to relieve local interests of the necessity of making further contribution toward the prosecution of the work covered by this project. House conferees recede with slight verbal change.

On amendment No. 57, page 17: Item provides that the Secretary of War may, in his discretion, in requiring compliance with the conditions precedent to the prosecution of the project adopted in the river and harbor act approved March 2, 1919, credit local interests with the cost of so much of the work performed by the city of Houston and the Harris County Houston ship channel navigation district in the construction of the turning basin and channel in the Houston ship channel, Tex., as conforms to the project plans and standards of the Government. Senate conferees recede.

On amendment No. 58, page 17: Item authorizes the transfer of dredge *Cumberland* from Fernandina Harbor, Fla., to Savannah Harbor, Ga., without charge. House conferees recede.

On amendment No. 59, page 17: Changes section number. House conferees recede.

On amendment No. 60, page 17: Strikes out section 9 of House bill. The language of the House section was reinserted by the Senate in section 4, amendment No. 55. House conferees recede.

On amendment No. 61, page 18: Item provides for printing the laws relating to rivers and harbors passed between March 4, 1913, and March 4, 1921. House conferees recede with an amendment directing that the compilation shall be printed as a document and 600 additional copies shall be printed for the use of the War Department.

On amendment No. 62, page 18: Item provides that appropriations heretofore made or provided in this act for improvement work on rivers and harbors may be used for maintenance work whenever from any cause they may have become seriously impaired, but prohibits the diversion of funds from one project to another. House conferees recede.

On amendment No. 63, page 18: Item authorizes the Secretary of War to transfer, free of charge, to the Chief of Engineers, for use in prosecuting civil works under his direction, such material, supplies, instruments, vehicles, machinery, or other equipment, pertaining to the Military Establishment as are or may hereafter be found to be surplus and no longer required for military purposes. House conferees recede.

On amendment No. 64, page 19: Item amends section 4 of the river and harbor act approved June 25, 1910, which authorizes the Secretary of War to adjust and settle all claims for damages by collision against vessels belonging to the United States, where the claim is not in excess of $500, if, in his judgment, after investigation, the claim is just, by authorizing the Secretary of War to settle, in like manner, whenever, in the prosecution of river and harbor works, an accident occurs, damaging or destroying property belonging to any person or corporation, and whenever personal property of employees of the United States who are employed on or in connection with river and harbor works is damaged or destroyed in connection with the loss, threatened loss, or damage to United States property, or through efforts to save life or to preserve United States property such claims as are found, in his judgment, to be just, and which do not exceed $500 in cost to the Government for a single claim. House conferees recede with slight verbal change.

On amendment No. 65, page 20: Item provides for transfer and sale of land which was made by the deposit of spoil in the prosecution of river improvement work at Alexandria, Va. The question as to whether the title to this land lies in the United States or the riparian owners is now involved in a friendly suit before the District Supreme Court. Senate conferees recede.

C. A. KENNEDY,
S. WALLACE DEMPSEY,
THOS. GALLAGHER,
Managers on the part of the House.

During the reading of the statement,

Mr. BEE. Mr. Speaker, I would be glad at this time to make an inquiry of the chairman with reference to an item, or shall I wait until the reading of the statement is finished?

The SPEAKER. The gentleman will wait until the statement is finished.

The Clerk concluded the reading of the statement.

Mr. KENNEDY of Iowa. Mr. Speaker, the Senate added 65 amendments to the House bill, and we reached an agreement on all the amendments except amendment No. 1, which raises the amount carried in the House bill from $12,000,000 to $24,000,000. Of these 65 amendments 31 were for surveys. The conferees on the part of the House agreed to all the amendments for surveys that came within the rule under which surveys are ordered by the Rivers and Harbors Committee, which is that they will not order a survey where an adverse report was made within four years. The Senate conferees receded from such survey amendments as did not come within the rule. All told, there were something like 10 legislative amendments. There is only one which affects the policy heretofore followed, and that is amendment No. 3. This amendment requires the engineers in reporting on surveys to make a statement as to

what local or special benefits will accrue to localities affected by such improvements and recommend local cooperation if the facts warrant. The conferees thought that was a very good amendment to agree to.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. KENNEDY of Iowa. I will yield to the gentleman.

Mr. JOHNSON of Mississippi. Col. Taylor in his testimony before the committee urgently recommended $42,000,000—I have the hearings before me. Along toward the latter part of his testimony he recommended $27,000,000 as the minimum. He based his recommendation upon the work that was to be done on surveys, maintenance, and other work, as mentioned in his reports. Now, I note from the hearings that he recommends $130,000 for Gulfport Harbor for maintenance and he recommends $60,000 for Pascagoula Harbor. I understand from Col. Taylor that if this appropriation is cut to $12,000,000 that it will be absolutely impossible to maintain those harbors. I want to call the attention of the gentleman to Pascagoula Harbor, that there has been for the last two years a large shipbuilding plant established there, employing several thousand men, also there are a large number of wooden-ship building plants, or have been there—most of them are being discontinued. Now, the Government has spent thousands and thousands of dollars upon this harbor. There is now a bar lying between Horn Island Pass and Pascagoula Harbor, or the Louisville & Nashville Railroad bridge, which, if removed, would give a 26-foot channel to the Gulf. Now, unless that harbor is improved, of course all the money that has been spent by the Government there will have been lost, unless Congress later on makes appropriation for it.

Mr. MONDELL. Will the gentleman yield?

Mr. JOHNSON of Mississippi. Yes.

Mr. MONDELL. How does it happen the Government spent so much money at a point where there is no water?

Mr. JOHNSON of Mississippi. The gentleman is very much mistaken about that.

Mr. MONDELL. Well, if there is an adequate supply of water it would not be necessary to have the dredging to which the gentleman refers?

Mr. JOHNSON of Mississippi. The gentleman is mistaken about that. The hearings will show that at the mouth of the Pascagoula River there are 26 feet of water between the Louisville & Nashville Railroad Co.'s line and Horn Island Pass, except a bar the Government is now working on.

The Government is now dredging that bar, cutting it out so that any ocean-going vessel can pass over it; but if this appropriation for this point is not increased, seagoing vessels carrying a heavy amount of tonnage can not pass over that bar, so I seriously urge on the committee to take this matter into consideration. Now, in respect to Gulfport Harbor, the appropriation recommended by Col. Taylor is $130,000. With a $12,000,000 appropriation for all the ports of the country, he does not see how this can be made. Of course, I appreciate there is a small sum remaining on hand—I believe he estimates about $12,000,000 to be distributed—but I call the attention of the chairman to the fact that these appropriations can not be used except for specific places mentioned in the bill. That is true, is it not, that this money can not be diverted except as the act of Congress specifies?

Mr. KENNEDY of Iowa. That is money already appropriated for specific projects. But any of the money carried in this bill under the amendment agreed to permits the use of any of the $12,000,000 for improvement or maintenance work.

Mr. SNELL. Will the gentleman yield for a question?

Mr. KENNEDY of Iowa. I will yield to the gentleman.

Mr. JOHNSON of Mississippi. If the gentleman will just permit me to finish this, I hope the gentleman and his committee will see their way clear toward increasing the appropriation.

Mr. KENNEDY of Iowa. I will say to the gentleman we had this in our minds. We just discussed at one meeting the amount to be carried in the bill. The chairman of the Commerce Committee asked that he be permitted to take that amendment back to the Senate. He seemed to feel that he had misled the Senate by a statement he made on the floor. He evidently misunderstood what Col. Taylor said.

Mr. DUPRÉ. The chairman intends to ask for a further conference on amendment No. 1, which, I take it, is the only one in dispute, covering the amount of money to be appropriated.

Mr. KENNEDY of Iowa. Yes. When the proper time comes I shall ask that the House further insist on its disagreement to that amendment and send it back to conference.

Mr. SNELL. Will the gentleman yield for a question?

Mr. KENNEDY of Iowa. I will.

Mr. SNELL. Is it not a fact that there are over $50,000,000 on hand still unexpended?

Mr. KENNEDY of Iowa. The report made by the Chief of Engineers on date of April 1 shows that on the 1st day of July there will be unexpended balances amounting to over $53,000,000 to carry the work of emergency river and harbor improvement for eight months, up to the 1st of March, 1921, without taking into consideration the amount carried in this bill.

Mr. SNELL. And if we appropriate $24,000,000 more it makes over $60,000,000 to be available next year?

Mr. KENNEDY of Iowa. It will mean that with the provisions of the House bill there will be over $65,000,000 to carry on the work of river and harbor improvement for eight months, or five times as much as was expended on all the projects during the last fiscal year.

Mr. SNELL. Under the present conditions of labor and material is it possible to spend more money than that during the coming year?

Mr. KENNEDY of Iowa. Col. Taylor told me within the last three or four days that they hoped to be able to expend about $40,000,000 next year.

Mr. SNELL. You have more money appropriated now, to say nothing of the bill that passed the House, by $12,000,000 than they can possibly spend next year?

Mr. KENNEDY of Iowa. Yes.

Mr. SNELL. Then why should we increase the amount carried in the House bill?

Mr. KENNEDY of Iowa. So far the Senate conferees have not convinced us it is needed.

Mr. SNELL. I hope that the House conferees will stick with great tenacity on the $12,000,000 in the present bill.

Mr. TREADWAY. Will the gentleman from Iowa yield?

Mr. KENNEDY of Iowa. I will.

Mr. TREADWAY. Is it not possible to give instructions to the conferees to that effect?

Mr. KENNEDY of Iowa. I do not think we ought to be instructed.

Mr. TREADWAY. In reference to this $50,000,000 that is on hand, can it be changed from one project to another at the will of the engineers?

Mr. KENNEDY of Iowa. No.

Mr. TREADWAY. That is limited to the projects for which it was appropriated?

Mr. KENNEDY of Iowa. That is true.

Mr. TREADWAY. But the $12,000,000 can be apportioned as the engineers see fit, where the needs of the service show it should be done?

Mr. KENNEDY of Iowa. That is the case; and I will state, as I said when the bill was considered in the House, that I consider this $12,000,000 as an emergency proposition.

Mr. TREADWAY. At their discretion?

Mr. KENNEDY of Iowa. Yes.

Mr. TREADWAY. I join the gentleman in thinking that the House conferees, if they do not desire further instruction from the House, should insist on keeping the item not to exceed the House appropriation of $12,000,000.

Mr. KENNEDY of Iowa. The gentleman from Mississippi [Mr. JOHNSON] asked me what was the most that has ever been spent during a fiscal year. I will say that I think about $39,000,000 is the most that has ever been spent in one year in the history of the Government, and the amount we will have on hand under the House bill on the 1st of July will be more than twice that sum.

Mr. MADDEN. Will the gentleman state how much was expended last year?

Mr. KENNEDY of Iowa. A trifle over $21,000,000 in all.

Mr. JOHNSON of Mississippi. I want to call attention to this fact: As shown by Col. Taylor, the reason why more was not spent on these projects and more improvements made was on account of war conditions. Labor and coal will be an increased item, as Col. Taylor states in his report, and that ought to be taken into consideration. A few years ago the cost of coal and labor was a great deal less than it will be at this time.

Mr. KENNEDY of Iowa. I will say to the gentleman that the expenditures for this fiscal year, estimating for May and June, will amount to just about $30,000,000.

Mr. BAER. Is it not a fact that contracts are being made now at a cost of about 300 per cent more than normal?

Mr. KENNEDY of Iowa. Cost seems to be abnormal.

Mr. VARE. They were abnormal last year, and they are still abnormal, and would it not be a good business proposition not to go too hastily with large contracts during these abnormal times?

Mr. KENNEDY of Iowa. I will say to the gentleman that Col. Taylor stated when before our committee he did not

think it advisable to make continuing contracts at this time, because there is a strong probability that the cost of doing the work would be reduced.

Mr. CLARK of Missouri. I would like to ask the gentleman a question. What objection has the gentleman to the House instructing the conferees to vote for $24,000,000 instead of $12,000,000?

Mr. KENNEDY of Iowa. I have this objection, that I do not think it is needed.

Mr. SWEET. Will the gentleman yield?

Mr. KENNEDY of Iowa. I will yield to my colleague.

Mr. SWEET. How much of the $53,000,000 that you claim is now on hand is already contracted for to complete special projects?

Mr. KENNEDY of Iowa. I will say to the gentleman that on April 1 about $27,000,000 was under contract or allotted. That means that on April 1 there was $27,000,000 in cash to pay for work under contract, to be done in the future.

Mr. SWEET. Extending over how long a time?

Mr. KENNEDY of Iowa. I will say to the gentleman that there are eight projects where the contracts total in each case more than $500,000. But in most cases, where there is a million or two million under contract they are let out under several contracts; that is, the amount covers several contracts. So that as near as we can tell the whole amount under contract will not be expended up until March 4, 1921. On such projects as are estimated for in this bill, 49 of them, there will be about $5,000,000 of the amount under contract unexpended March 1, 1921.

Mr. SWEET. How much did your bill carry for maintenance and upkeep outside of the special projects that have been contracted for?

Mr. KENNEDY of Iowa. The lump-sum provision as amended by the Senate, and to which the House conferees agreed, provides that the entire $12,000,000 can be used for maintenance or improvement work on any project that is needed.

Mr. SWEET. And that is left to the discretion of the engineers?

Mr. KENNEDY of Iowa. That is left to the discretion of the engineers, and under that provision they must use it where it is needed in the interest of commerce.

Mr. DENISON. Will the gentleman from Iowa yield?

Mr. KENNEDY of Iowa. I yield to my friend.

Mr. DENISON. Of course, I have listened with a great deal of interest to the statement of the gentleman from Massachusetts [Mr. TREADWAY], and that of the gentleman from New York [Mr. SNELL], expressing the hope that the conferees would insist upon the provision put in the House bill. I want to express the hope that the conferees will not take this instruction of these gentlemen as an instruction of the House to the conferees. The people of the Mississippi Valley are very much interested in this matter, and I am hoping that the conferees will approach the Senate conferees on this question with open minds and give it their most serious consideration.

Mr. KENNEDY of Iowa. Without doubt that will be done.

Mr. MONDELL. If there is any doubt on that question, we will have that doubt settled right here, before this conference report goes back to the Senate.

Nine-tenths of the House know—practically everyone in the House knows—that every dollar is appropriated here that is necessary for any project in the country where there is water and commerce, and that another dollar added to the sum carried in the House bill is a dollar that is unnecessary and not needed and a waste of public money; and I am sure that the House will not stand for anything of that kind. And if it requires instruction to the conferees the House will give the instruction, and if instructions are not given—definite, binding instructions—it will be because the House believes that the Senate is prepared to recede, and that the conferees on the part of the House will insist on the Senate receding.

Mr. DENISON. Mr. Speaker, will the gentleman yield further?

Mr. JOHNSON of Mississippi. Mr. Speaker, I will call the gentleman's [Mr. MONDELL] attention to the fact that there are no ports in the State of Wyoming, and if this were a reclamation scheme the gentleman would be in favor of expending every dollar in the Treasury.

Mr. DENISON. The gentleman from Wyoming is expressing his opinion about things as to which, I think, he has not full information, and I am not sure that we will do exactly what he states.

Mr. KENNEDY of Iowa. We discussed it for a few moments, and at the request of the Senate conferees we let them take it back to the Senate. We passed on these other matters.

Mr. DENISON. I want to see a river and harbor bill enacted, but if the attitude of the gentleman from Wyoming is to be insisted upon here we may not have any river and harbor bill whatever.

Mr. BLAND of Missouri. Mr. Speaker, will the gentleman yield?

Mr. KENNEDY of Iowa. Yes.

Mr. BLAND of Missouri. The gentleman is aware, is he not, of the fact that Col. Taylor, in his testimony before the Commerce Committee of the Senate, said that he recommended $24,000,000 as being the irreducible minimum if these improvement projects were to receive the proper completion and the work is to be maintained.

Mr. KENNEDY of Iowa. I think he qualified that statement before the House committee. He said that statement was based on the policy of the engineers to complete the existing projects without delay. He did not say that $24,000,000 was necessary in the interest of commerce.

Mr. BLAND of Missouri. I heard Col. Taylor's statement before the Commerce Committee of the Senate, and it was absolute, I think, that the $24,000,000 he regards as the irreducible minimum in order that the interests of the Government may be protected in the money already expended, and in order that the work may be conducted with anything like reasonable dispatch.

Mr. DEMPSEY. Col. Taylor wrote to the chairman of the committee that $18,000,000 was, in his judgment, the least amount with which they could meet the needs of commerce.

Mr. BLAND of Missouri. He may have reduced the irreducible minimum, but I would like to ask the gentleman one other question.

Mr. KENNEDY of Iowa. Very well.

Mr. BLAND of Missouri. I understand that the gentleman will not ask for positive instructions to-day?

Mr. KENNEDY of Iowa. I shall ask that the House further insist.

Mr. TREADWAY. The gentleman from Illinois [Mr. DENISON] made some reference as to what the attitude of the House might be. As I understand it, the vote of the House now stands for $12,000,000 as the appropriation. Now, I agree with the gentleman from Wyoming [Mr. MONDELL] that if there is any question about that being the limit of the amount the House desires to have go into the appropriation bill we had better instruct the conferees right now. But I yield to the superior judgment and wishes of the chairman of the committee, and the gentlemen who probably will be conferees with him, and will not ask for a vote instructing them at this time. I think, however, the House is in the attitude of being ready to pass such a vote if it felt that it was necessary in order to strengthen such support as the conferees desire to limit the amount to $12,000,000. I for one think it is ample, with the $50,000,000 already on hand, to do all that is necessary in these days of high prices; and I think, further, that as the matter now stands, the House conferees do not need an instruction to the effect that $12,000,000 is the amount that the House favors, and that we do not favor any more.

Mr. DYER. Mr. Speaker, will the gentleman yield?

Mr. KENNEDY of Iowa. Yes.

Mr. DYER. I hope that the conferees will not think that the gentleman from Massachusetts [Mr. TREADWAY] is expressing the judgment of the House upon this matter. I know the wish of this House is that the amount shall not be less than the amount that the Senate authorized. I think we ought to have an ample amount, and if any instruction is necessary I think we could get instruction to adhere to the position of the conferees on the part of the Senate.

Mr. KINCHELOE. Mr. Speaker, will the gentleman yield?

Mr. KENNEDY of Iowa. Yes.

Mr. KINCHELOE. Notwithstanding the claim of the majority leader of the House [Mr. MONDELL] in regard to rivers and harbors, in which he said that every Member knew that the amount carried in this bill was as much or more than could be expended, I want to ask this question: The amount already appropriated for the Ohio River that will be available this year is over $4,000,000, is it not?

Mr. KENNEDY of Iowa. No; over $9,000,000 is on hand. Between $4,000,000 and $5,000,000 is tied up in contracts for work to be done in the future. There is between $4,000,000 and $5,000,000 allotted that the department can "pull back," if necessary.

Mr. KINCHELOE. In view of the fact that the Congress established several years ago the policy of a 9-foot stage in the Ohio River, which we all know if completed at the 9-foot stage would be as great an artery of commerce as there is in the world, and in view of the fact that the lowest dam that is now being constructed is only at Henderson, Ky., which I believe

is about 165 miles from that point to the mouth of the Ohio, why could there not be more than this amount expended there in the year, when Congress pledged to the people along that river that the work would be speedily finished?

Mr. KENNEDY of Iowa. I do not know whether they have definitely determined as yet whether they would improve the lower reach of the river by the lock and dam system or by means of open-channel work. I do not know whether that is decided on or not; but in regard to the other question that the gentleman from Kentucky asked, Col. Taylor said they already had at work all the contractors that they could get to do that work. They could not get more bidders, because it requires an expensive plant that would be almost worthless after they had completed the contract.

Mr. KINCHELOE. You spoke of those two propositions. What other proposition could be invoked there, except locks and dams, to improve the navigation of the Ohio River? They certainly could not dredge it.

Mr. KENNEDY of Iowa. They have figured that they could probably dredge it cheaper from Henderson, Ky., down. The only difficulty that might arise by improving by open-channel work is that there might not be sufficient water in the Ohio River at certain periods of the year between Henderson, Ky., and the mouth of the Tennessee River to maintain the 9-foot channel. I think they will finally agree to improve it by the lock and dam system.

Mr. KINCHELOE. The question is, When are they going to decide that proposition?

Mr. LAYTON. Will the gentleman yield?

Mr. KENNEDY of Iowa. I yield to the gentleman from Delaware.

Mr. LAYTON. Is it not also a fact that in addition to the $53,000,000, together with the $12,000,000 of new appropriations, the engineering department of the Government is confronted with a lack of dredges for the prosecution of this work, and that one of the great handicaps under which they are now laboring is to get dredges to do this work, which dredges it takes two or three years probably to build, some of them?

Mr. KENNEDY of Iowa. That is true.

Mr. OGDEN. Can the gentleman state whether the unexpended balance for the Ohio River will be sufficient to continue these projects during the next fiscal year?

Mr. KENNEDY of Iowa. I do not think there is any doubt about it. If I were asked my idea about it, I should say there would be a hold over of several million dollars on the 4th of March, 1921.

Mr. OGDEN. Is any part of the appropriation carried in this bill to be allotted for work on any of those projects?

Mr. KENNEDY of Iowa. That will be allotted in the discretion of the Chief of Engineers and the Secretary of War. They will allot this $12,000,000 where it is most needed in the interest of commerce.

Mr. OGDEN. It has not been indicated as to how it will be allotted?

Mr. KENNEDY of Iowa. Oh, no; and will not be, until after they have figured on it.

Mr. BARKLEY. Will the gentleman yield?

Mr. KENNEDY of Iowa. I yield to the gentleman from Kentucky.

Mr. BARKLEY. The gentleman from Iowa will recall that in the last river and harbor appropriation bill, or perhaps the one before that, the Secretary of War was authorized to experiment with the open-channel work below Hendersonville with a view to determining whether a 9-foot stage could be maintained in the Ohio River in that way. Can the gentleman state what work has been done by the department in the way of experimentation on that proposition to determine whether that will be feasible?

Mr. KENNEDY of Iowa. I will say to the gentleman that two years ago, in the river and harbor appropriation bill, we gave authority to the Secretary of War to modify the Ohio River project if he thought it was more desirable to improve that reach of the river by open-channel work.

Mr. BARKLEY. The gentleman is mistaken about that. We did not go to the extent of authorizing him to modify it, but we authorized him to experiment with this modification and report back to Congress, so that Congress could determine whether it would eliminate those locks and dams in the lower river.

Mr. KENNEDY of Iowa. I think the gentleman is mistaken about that. I think we modified the project to the extent of permitting him to do that if it was more economical and desirable.

Mr. BARKLEY. We passed a provision that he must report back to Congress. I remember the colloquy which occurred at the time that the bill was amended in that way, when it was stated that if he reported back to Congress, and Congress did not authorize it, the project would go on as originally planned.

Mr. KENNEDY of Iowa. The gentleman may be correct.

Mr. BARKLEY. I want to know if anything has been done to demonstrate whether this modification can be put into effect on the lower river. My reason for asking that is that the longer the experiment is put off the longer will be the postponement of the construction of those locks and dams that are necessary to create this 9-foot channel in the lower river.

Mr. KENNEDY of Iowa. I did not suppose it required any experiment. I thought the Board of Engineers was going to pass on the proposition.

Mr. BARKLEY. I think it is in the nature of an experiment. I think the result of it must be reported back to the Congress.

Mr. KENNEDY of Iowa. That may be the case, but I think the gentleman is in error.

Mr. DEMPSEY. We will find out before the bill comes back again from the conferees.

Mr. DUNBAR. Will the gentleman yield?

Mr. KENNEDY of Iowa. I yield to the gentleman.

Mr. DUNBAR. As I understand it there is an unexpended balance of $5,000,000 available for the construction of locks and dams in the Ohio River.

Mr. KENNEDY of Iowa. There was more than $9,000,000 available on the 1st of April for lock and dam construction work on the Ohio River.

Mr. DUNBAR. More than $9,000,000?

Mr. KENNEDY of Iowa. More than $9,000,000.

Mr. DUNBAR. And during the coming fiscal year it will be impossible for the War Department, under the ordinary conditions which exist on that river, to spend more than that $9,000,000.

Mr. KENNEDY of Iowa. If I were giving a guess, I should say there would be more than half of it left at the end of the nine months' period, March 4, 1921.

Mr. DUNBAR. So that under the reduced appropriation which will be effected by your bill the improvement of the Ohio River in the construction of locks and dams will be retarded in no way.

Mr. KENNEDY of Iowa. The gentleman is correct.

Mr. DUNBAR. And the work will be prosecuted to the fullest extent, so far as the engineers of the War Department find it possible to go ahead with the work.

Mr. KENNEDY of Iowa. I think that is correct.

Mr. OGDEN. Is that the opinion of Col. Taylor?

Mr. KENNEDY of Iowa. That is my understanding. Last year they were tied up on account of high water. When the stage of the water is such that they can work, they lose no time.

Mr. DEMPSEY. Col. Taylor testified particularly as to this river work, and said it was limited only by the available plants, that they were using every plant that was in there and they could not induce contractors to move in with new plants because of the great expense of moving the plant, and because of the great volume of work offered the contractors throughout the Nation. In other words, every plant is busy to its full capacity and, as the chairman says, I do not believe you can expend half the money available for that project.

Mr. OGDEN. I will say to the gentleman that it is the purpose of Louisville to erect a pier, and it is dependent on these projects being completed and this work going forward. If the appropriation is not sufficient to permit the work to go forward it will discourage the municipal work that is contemplated.

Mr. KENNEDY of Iowa. I do not think the gentleman need have any fear on that score.

Mr. MONDELL. Will the gentleman yield me five minutes?

Mr. KENNEDY of Iowa. Mr. Speaker, I yield five minutes to the gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker, I think we ought to thoroughly understand the situation before this bill goes back to conference. The House provided a general appropriation of $12,000,000 for river and harbor work. The House passed a "porkless" river and harbor bill. The bill went to the Senate and the lump-sum appropriation of $12,000,000 was increased to $20,000,000. The House conferees were anxious to learn from the Senate conferees the reason for that increase. What was their surprise to find that not only was there no more reason for that increased appropriation than appeared when the bill was considered by the House, but that as time had passed during the interval conditions had been such that a much smaller amount of money had been contracted and spent than was anticipated.

Mr. DEMPSEY. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. DEMPSEY. To make that definite, let me say that the estimated expense was $5,000,000 a month, and when we got the report for the period elapsed it turned out to be less than two and one-half millions a month. The Senate had the information that there would be thirteen millions on hand on the 1st day of July, and it turned out to be the fact that there will be $52,000,000 entirely aside from the appropriation in this bill.

Mr. MONDELL. In other words, the Senate added $8,000,000 to this bill by reason of misinformation. Eight million dollars, wholly unnecessary, added to the bill; $8,000,000 that could not be used. As a matter of fact, unless conditions shall change and a much larger sum be spent per month than has been recently or is likely to be spent in the future, there will be a considerable sum left at the end of the fiscal year, even with the $12,000,000 appropriation.

I realize that gentlemen who live in regions where there are river and harbor improvements are constantly importuned by boards of trade, chambers of commerce, and interested citizens to boost appropriations in the hope that by so doing their communities will secure a larger expenditure. And unfortunately such citizens at home are sometimes disposed to assert their opinions in the matter against that of the Representative who is much better informed. They thus place gentlemen in a somewhat embarrassing position at home.

Let me suggest to these gentlemen who are somewhat worried by these importunities from home that the attitude for them to take is this: That we are not only appropriating in the bill as it passed the House all the money that can be used, taken together with the sums available in the Treasury, but we are appropriating more than can be used economically or advantageously, more than will be used from present appearances, and that therefore in urging further appropriations they would not be helping their constituents or their cause. They would simply be urging the House to appropriate sums that are not necessary, to increase appropriations beyond what is needed, when the Treasury is already burdened with enormous appropriations, when our expenditures exceed our income.

No gentleman wants to be in that position, and gentlemen will be in a much better position at home, in my opinion, if they will tell their constituents what the situation is—a situation which is entirely satisfactory as it stands with the appropriation made by the House.

The House is not in favor of increasing this sum a dollar, and that ought to be understood. If there was any question about its not being understood, I should be inclined to insist on instructions, but I think it is a more satisfactory proceeding for the House to further insist on its disagreement. I believe that the Senate will yield, that it expects to yield, and that it knows that it ought to yield.

Mr. KENNEDY of Iowa. Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. KENNEDY of Iowa. Now, Mr. Speaker, I move that the House further insist on its disagreement to Senate amendment No. 1 and agree to the conference asked for, and on that I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Iowa that the House further insist on its disagreement to Senate amendment No. 1 and agree to the conference asked for.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. KENNEDY of Iowa, Mr. DEMPSEY, and Mr. GALLAGHER.

GENERAL DEFICIENCY BILL.

Mr. GOOD, chairman of the Committee on Appropriations, by direction of that committee, reported the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, for prior fiscal years, and for other purposes, which was read a first and second time and referred, with accompanying papers, to the Committee of the Whole House on the state of the Union.

Mr. GARD reserved all points of order.

PERRY L. HAYNES.

Mr. MERRITT. Mr. Speaker, I call up the bill (H. R. 1309) for the relief of Perry L. Haynes, on the Speaker's table, with the Senate amendment thereto, and move to concur in the Senate amendment.

The SPEAKER. The gentleman from Connecticut calls up the bill (H. R. 1309) for the relief of Perry L. Haynes, with a Senate amendment thereto, which the Clerk will report.

The Clerk reported the Senate amendment.

Mr. GARD. Mr. Speaker, I think we ought to have the bill reported.

Mr. MANN of Illinois. That can be done only by unanimous consent.

The SPEAKER. That is true. The gentleman from Ohio asks unanimous consent that the bill be again reported. Is there objection?

There was no objection.

The Clerk reported the bill.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. MERRITT. Yes.

Mr. GARD. Is this the case of the lieutenant who was held responsible for some money intrusted to a subordinate?

Mr. MERRITT. Yes; and the Senate passed the bill and inserted the phrase "out of any money in the Treasury not otherwise appropriated."

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

BRIDGE ACROSS ROCK RIVER, ILL.

Mr. McKENZIE. Mr. Speaker, I call up the bill (S. 4431) to authorize the construction of a bridge across the Rock River in Lee County, State of Illinois, at or near the city of Dixon, in said county, which I send to the desk and ask to have read, a similar House bill having been reported favorably from the Committee on Interstate and Foreign Commerce.

The SPEAKER. The gentleman from Illinois calls up Senate bill 4431, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Illinois Central Railroad Co., a corporation organized under the laws of the State of Illinois, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Rock River at a point suitable to the interests of navigation, at or near the city of Dixon, in Lee County, Ill., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. GARD. Mr. Speaker, do I understand that this is a Senate bill?

Mr. McKENZIE. Yes.

Mr. GARD. And that a similar bill is on the House Calendar?

Mr. McKENZIE. Yes; a similar House bill has been reported favorably from the Committee on Interstate and Foreign Commerce.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. McKENZIE, a motion to reconsider the vote by which the bill was passed was laid on the table.

On motion of Mr. McKENZIE, a similar House bill, H. R. 14150, was ordered to lie on the table.

ASSOCIATION OF PRODUCERS OF AGRICULTURAL PRODUCTS.

Mr. VOLSTEAD. Mr. Speaker, I call up the bill (H. R. 13931) to authorize the Association of Producers of Agricultural Products for further consideration by the House under the rule.

The SPEAKER. The gentleman from Minnesota calls up for further consideration the bill H. R. 13931, which the Clerk will report.

The Clerk reported the title of the bill.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. MANN of Illinois. In section 2 of the bill, on page 3, there is provision that the Secretary of Agriculture shall file in the district court in which such association has its principal place of business a certified copy of the order and of all the records in the proceeding, together with a petition asking that the order be enforced, and also that he shall give notice to the Attorney General and to said association of such filing. Who will be in charge of that litigation for the Government, the Attorney General or the attorney for the Department of Agriculture?

Mr. VOLSTEAD. The Department of Justice shall have charge of such order.

Mr. SABATH. Mr. Speaker, this is a very important bill, and I think the House is entitled to hear the explanation of it by the gentleman from Minnesota. For that reason I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. Evidently there is not a quorum present.

Mr. VOLSTEAD. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

Almon	Drewry	Kahn	Rayburn
Andrews, Md.	Eagan	Kelly, Pa.	Reber
Anthony	Eagle	Kendall	Riordan
Bacharach	Edmonds	Kennedy, R. I.	Rowan
Baer	Elliott	Kettner	Rucker
Bell	Ellsworth	Kiess	Sanders, La.
Benham	Elston	Kitchin	Scully
Booher	Emerson	Kleczka	Sears
Bowers	Evans, Nev.	Kreider	Sells
Brinson	Ferris	Langley	Sherwood
Britten	Fisher	Lankford	Shreve
Brumbaugh	Fuller, Mass.	Lazaro	Sisson
Burke	Gallivan	Lehlbach	Slemp
Byrnes, S. C.	Garland	Lesher	Small
Campbell, Kans.	Godwin, N. C.	Linthicum	Smith, Ill.
Campbell, Pa.	Goldfogle	Little	Smith, Mich.
Cantrill	Goodall	McClintic	Smith, N. Y.
Caraway	Gould	McCulloch	Smithwick
Carter	Graham, Pa.	McKinley	Snyder
Casey	Greene, Mass.	McLane	Steele
Clark, Fla.	Griest	MacCrate	Strong, Pa.
Clark, Mo.	Griffin	Mansfield	Sullivan
Cole	Hamill	Mason	Tague
Cooper	Hardy, Colo.	Merritt	Taylor, Colo.
Copley	Hardy, Tex.	Moore, Ohio	Taylor, Tenn.
Costello	Harreld	Morin	Thomas
Crowther	Hastings	Mott	Tillman
Curry, Calif.	Haugen	Mudd	Tinkham
Dale	Hayden	Nelson, Wis.	Venable
Darrow	Hernandez	Nicholls	Watson
Davey	Hill	O'Connor	Williams
Dempsey	Houghton	Olney	Wilson, Ill.
Denison	Hulings	Osborne	Wingo
Dent	Hutchinson	Paige	Wood, Ind.
Dewalt	Ireland	Porter	Yates
Dooling	Johnson, S. Dak.	Radcliffe	Young, N. Dak.
Doremus	Johnston, N. Y.	Ramseyer	Zihlman
Drane	Juul	Randall, Wis.	

The SPEAKER pro tempore (Mr. MACGREGOR). On this vote 279 Members have answered to their names; a quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. LONGWORTH. Will the gentleman from Minnesota yield for a moment? I desire to ask some questions. I can postpone them or ask them now, as the gentleman prefers.

Mr. VOLSTEAD. Mr. Speaker——

Mr. LONGWORTH. Does the gentleman prefer to yield now or would the gentleman prefer to postpone the questions?

Mr. VOLSTEAD. I will use a little time to explain the bill first. Mr. Speaker, I ask that when five minutes are up I be notified. This bill seeks to give to the farmers the right to organize to sell the products of their own members. The first section is modeled upon the ordinary statute authorizing the creation of corporations. Instead of providing that any individual may become a member of a corporation upon conforming to certain regulations, this provides that the farmers may become members of certain associations, which are described and limited so as to make them actually cooperative associations for the purpose of aiding and assisting their respective members in the marketing of the crops that they produce.

Mr. PELL. Will the gentleman yield?

Mr. VOLSTEAD. No; my time will not permit it. In the Clayton Antitrust Act there is a provision authorizing associations of this kind, but they are limited so that they can not have capital stock or be organized for profit.

Mr. MOORE of Virginia. Will the gentleman permit me to ask him a question?

Mr. VOLSTEAD. I yield.

Mr. MOORE of Virginia. The present law—the Clayton antitrust law—relieves associations of agriculture not having capital stock. Why should we disturb that law; why should not this bill be confined altogether to prospective agricultural associations that are to have capital stock?

Mr. VOLSTEAD. Well, personally, I would not have any objection to that, although, as we are granting these associations much larger powers than they had under the Clayton Antitrust Act, it was thought that they ought to be put under some supervision, because there has been complaint against some of these associations, and it was for that reason section 2 was drawn. That section is modeled largely upon some of the provisions of the Clayton Antitrust Act.

Mr. MOORE of Virginia. May I suggest this to the gentleman, if I do not disturb him: To make section 2 apply to all associations, whether having or not having capital stock, would place a limitation and restriction which the Clayton law does not now contain upon the associations that have no capital stock.

Mr. VOLSTEAD. That is disputed. The contention is that these associations, if they are organized for the purpose of carrying on any business, so as to give a profit to their members, are subject to the Sherman law. That is one of the contentions that is being urged against these associations, and it is for that reason that they are asking for legislation of this kind. Now, a great many of these associations have been consulted in reference to this bill and so far as I know they are all favorable to it, and it seems to me that the situation demands that we pass something of this kind with or without the amendment suggested.

Mr. JONES of Texas. Will the gentleman yield?

Mr. VOLSTEAD. I can not yield any further. I want to say to you that in the various European countries farm associations are permitted to do the very thing we seek to authorize under this bill, and it seems to me that America ought not to lag behind in this respect. They are being authorized in a great many of the States in this country, but when they come in contact with interstate commerce they run up against threats that they are subject to prosecution under the Sherman Antitrust Act. It is necessary for them at least to have some capital on which to do business, and to make some profit that they can save for the purpose of taking care of losses that are always incident to any business, and it seems to me that we ought to give them this right. The provision in the bill that the profit must not exceed 8 per cent is intended to protect the farmers. It is designed to compel the officers of these associations to pay the proceeds from the products of the members to the members, to the farmers. Some of them insist that the dividend should not exceed 5 or 6 per cent instead of 8 per cent. These associations should make money for the members and not for the association. In these days of high money rates it was thought necessary to make the rate 8 per cent, otherwise it might not be possible to get the necessary money to do business.

The SPEAKER. The gentleman has used five minutes.

Mr. IGOE. Mr. Speaker, I yield to the gentleman from Virginia [Mr. HARRISON].

Mr. HARRISON. Mr. Speaker, I ask leave to extend my remarks in the RECORD on this bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears none.

Mr. IGOE. Mr. Speaker, I yield eight minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker and gentlemen, I fully realize in view of your past performances, it matters not what I or any other Member coming from a city may say about the unfairness of this bill, that it will be enacted, but, nevertheless, I can not refrain from calling your attention to the fact that I believe it is the most iniquitous piece of legislation that has ever been attempted to be passed by Congress.

Mr. KING. Will the gentleman yield?

Mr. SABATH. Yes; I yield.

Mr. KING. Does the gentleman think the farmers are not entitled to make 8 per cent by holding goods if the present holders are making 200, 300, and 400 per cent in the cities of Chicago and New York?

Mr. HUMPHREYS. Why limit it to 8 per cent?

Mr. SABATH. I fully agree with the gentleman from Illinois that the farmer is entitled to make 8 per cent, and I am willing that he should make 10 or even 20 per cent, but I am against his making 50 or 100 per cent. I am not any more against the farmer than I am against any other set of profiteers who are robbing the American public.

I am ready with you, sir [Mr. KING of Illinois], or you [Mr. HUMPHREYS of Mississippi], to vote to-day or any day for any bill that will force and enable the Department of Justice to stop the profiteering that is going on on the part of various combinations and special corporate interests. I grant you that they are manipulators who have made and are to-day making unreasonably high profits, but two wrongs do not make a right.

Mr. Speaker, I am satisfied that I am not overstating when I say that 99 per cent of the American people condemn the action of the Wall Street manipulators, trusts, and combinations who have, due to secret manipulations, increased the cost of all commodities and necessaries of life. I and many other Members have frequently pointed out the gouging on the part of these profiteers and the thievery they are perpetrating upon the consuming American public, and have urged criminal prosecution against them. We have bills and resolutions pending demanding the investigation and prosecution of the steel, lumber, cement, glass, paper, woolen, cotton, sugar, and many other combinations which you have refused to report, but instead of passing a bill that would put an end to this connivance and robbery you are going to vote for a bill that not only authorizes and legalizes but forces the formation of combinations, not for the purpose of lowering the present high cost of

living or encouraging production, as has been stated by some of you Republican Members, but for the purpose of increasing prices and legalizing outrageous profiteering.

Mr. Speaker, President Wilson has repeatedly recommended and requested that you enact legislation strengthening the hands of the Department of Justice to enable it to prosecute the profiteers, but no action has been taken on your part to this day. Nevertheless every day some of you Republican gentlemen, for the purpose of home consumption, will rise and inquire what the Department of Justice is doing to bring down the high cost of living, but you have failed to give the Attorney General the legislation or the funds which would enable him doing so. It is the Republican Party and the interests you are serving that are responsible and you will not succeed in placing the blame on the President or the Democratic Party as you have planned.

The President has recommended the repeal of war measures, and has recommended the enactment of many reconstructive laws, but you have failed to act. The President recommended the repeal of war-time prohibition, but instead you have enacted the outrageous Volstead prohibition act. The President has pleaded for your cooperation in the adoption of the treaty of peace which was approved by every nation, including Germany and Austria, which would mean peace and happiness to the world, but for political expediency you have refused to ratify same.

Mr. Speaker, by this bill you invite the farmer, the planter, and fruit grower to plant a small crop and secure as large a price as he will choose to charge for any of his product, giving the right to the ranchman to set the prices for his stock and, through the authorization, enter into an agreement with the packers as to the price of hogs, cattle, sheep, and so forth, and they in turn will be at liberty to continue to exact as much for meat and meat products as the public will stand for. You are authorizing the vicious system on the part of the dairymen to sell their milk only to those distributors that will pledge themselves to charge outrageous prices agreed upon months in advance. In fact, if this bill is enacted into law, it will enable the farmers and planters of this country to have the full power to exact any price the combination or organization chooses to charge. I am fearful that the 75,000,000 American people who do not belong to the farmers or other millions will not stand this continuous, terrific increase in the cost of living and will not continue to tolerate this special class legislation, which is so unfair and iniquitous to them. They may sooner than you expect realize their strength and power and drive you from control, electing men who will not be swayed and controlled by special interests or who are blind and deaf to justice, righteousness, and fair play. [Applause.]

Mr. Speaker, I have been and am now against special legislation. I have been and am for equal rights to all and special privileges to none. Unfortunately for the people, that principle and policy are not known to the Republican majority now in control, as all they have done, outside of the consideration of the appropriation bills, is to legislate for the special interests. You have given the railroad barons $300,000,000 of the people's money out of the Treasury of the United States, and in addition you have also authorized them to increase the freight rates 33 per cent, which will mean an additional tax on the public of $1,000,000,000 a year, or $10 on every man, woman, and child in the United States. You have legislated for the contractors by making it possible for them to mulct the country of hundreds of millions of dollars. Only the other day you had another bill—which I am pleased I aided in defeating—wherein you endeavored to vote another $25,000,000 to the wooden-ship builders' combination. On Friday last you passed a bill exempting from taxation millions of dollars worth of Liberty bonds which have been bought up at 82 cents on the dollar by the Wall Street speculators and large banks. Instead of enacting a real bonus bill, as requested by the soldiers, you passed a bonus bill that will come to plague you, and, instead of imposing a tax on the war profiteers to raise the needed revenue, you again place a burden on the masses by imposing a tax on cigars, cigarettes, and tobaccos. You have failed to equalize and revise the war-revenue act.

You have up to this late hour failed to provide a living wage for the thousands of Government employees, who are forced to leave the service, thereby impairing the efficiency of every branch of our Government, and all under the false pretense of economy, following the penny-wise and pound-foolish policy, but hoping that you will be able to go before the people with a cry of economy, when, in fact, for every dollar you have taken away from the departments you have given $10 to the railroads and contractors of this country.

You may be able to fool some, but you can not fool the majority of the people. They know that the Democratic Party is not responsible for the high cost of living, but that it is due to manipulation on the part of combinations, the money changers, and others, nearly all of whom are part and parcel of the Republican Party, and who, as the Senate investigation into the expenditures of the presidential candidates is disclosing, have already contributed hundreds of thousands of dollars to the different Republican candidates and who are ready to contribute millions more for the election. People know that these interests do not expend millions to help to elect a man who would be unfavorable to them, but, on the contrary, before they will let go of any of their ill-gotten fortunes they must have positive assurance that he will do their bidding and give them the protection they desire—and will have at any cost. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. IGOE. Mr. Speaker, if I may be permitted, I think the gentleman from Tennessee [Mr. MOON] wanted to ask for recognition.

Mr. MOON. Mr. Speaker, the Joint Commission on the Postal Salaries, appointed under an act of Congress, is about ready to make a preliminary report accompanied by a bill.

The SPEAKER. The Chair will state that by the rules debate is limited to this bill.

Mr. MOON. I am not going to introduce it now. The Speaker does not understand me. If he will wait a moment, I will make myself plain.

The SPEAKER. Of course, this comes out of the time of the gentleman from Missouri.

Mr. MOON. I am going to take just half a minute in which to make a request. We will be ready in a few hours to report, but we are afraid that Congress may adjourn to-day before we get the report in. It is a matter of importance, and I have been directed to make the report and introduce the bill, and I now ask unanimous consent that we may be permitted at any time up to 12 o'clock to-night to file the report and introduce the bill, and that for the information of the House the report be printed in the RECORD.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that he may have until midnight to introduce the report of the Postal Commission, and that the report may be printed in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The report referred to is as follows:

[House Report No. 1072, Sixty-sixth Congress, second session.]

Mr. MOON, from the Joint Commission on Postal Salaries, submitted the following preliminary report:

To the Senate and House of Representatives of the United States in Congress assembled:

The Joint Commission on Postal Salaries authorized by section 3 of an act approved February 28, 1919, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes," respectfully submits this preliminary report, together with the draft of a bill, to the Congress.

The commission was directed "to investigate the salaries of postmasters and employees of the Postal Service with a view to the reclassification and readjustment of such salaries on an equitable basis."

The commission discovered at the outset that various laws contained in Post Office appropriation bills and in special acts of Congress and the regulations prescribed by the Post Office Department affecting the compensation of postmasters and postal employees had not been separately compiled since the publication of the Postal Laws and Regulations in 1913, except as contained in the annual Postal Guide and supplements thereto. Legislation with reference to salaries in the Postal Service has in recent years been amended in almost every particular modifying the method of compensation and the amount paid for practically all classes of postal employees with the exception of first and second class postmasters. Considerable time and labor was expended in the compilation of all such laws and regulations made pursuant thereto and brought to date for ready reference and use of the commission, including the current law, except the temporary increases provided in House joint resolution 151, effective November 6, 1919.

The commission conducted extended hearings in New York, Boston, Chicago, St. Paul, Cincinnati, Washington, Atlanta, New Orleans, Memphis, Kansas City, and St. Louis, at which points employees from the immediate and adjacent States submitted testimony and briefs respecting salaries and the necessity for equitable readjustment and reclassification. Members of the commission have also spent considerable time personally inspecting conditions and the nature and character of duties performed by the various groups of employees in the larger post offices, postal stations, in railway mail cars and terminals. The commission feels that thereby it has been enabled to arrive at more correct conclusions respecting a fair adjustment of salaries in the Postal Service.

For the purpose of the hearings employees were grouped as follows:

Carriers in the City Delivery Service.
Clerks at first and second class post offices.
Rural carriers.
Railway postal clerks.
Supervisory officials, including special clerks in first and second class post offices.
Watchmen, messengers, and laborers.
Printers, mechanics, and chauffeurs.
Village delivery carriers.
Special delivery messengers.

Post-office inspectors.
Supervisory officials in the Railway Mail Service.
First-class postmasters.
Second-class postmasters.
Third-class postmasters.
Fourth-class postmasters.

Separate hearings were conducted in Washington for first-class postmasters, officials in the post office inspection service, supervisory officials in the Railway Mail Service, and one or two other smaller groups.

The hearings were confined to employees actually in the service. The various groups mentioned above at each of the points selected their own spokesmen. Individual employees were permitted to and have filed a number of statesments in their own behalf. Considerable interest was manifested at the various hearings, which were well attended by postal men and an immense amount of information and data submitted amounting to 2,420 printed pages, which have been helpful and valuable to the commission in the extended study given to the subject.

Early in the investigation questionnaires were prepared and distributed to 14 groups of employees as follows:

1. Clerks in first and second class post offices.
2. Letter carriers in the City Delivery Service.
3. Supervisory employees, including special clerks, at first and second class post offices.
4. Printers, mechanics, watchmen, messengers, and laborers.
5. Rural delivery carriers.
6. Third-class postmasters.
7. Second-class postmasters.
8. First-class postmasters.
9. Terminal and transfer clerks, Railway Mail Service.
10. Railway postal clerks.
11. Village delivery carriers.
12. Post-office inspectors.
13. Clerks in offices of inspectors in charge.
14. Fourth-class postmasters.

The questionnaires called for specific data and information not otherwise obtainable. More than 125,000 questionnaires were returned, which have been carefully analyzed and tabulated. A study of the analyses of the questionnaires discloses valuable and interesting information, worthy of preservation for reference in connection with future legislation affecting the Postal Service. This information will be presented in a subsequent report.

The commission has heard 537 witnesses and in addition a large number of written statements and briefs appear in the printed copies of the hearings. For the first time in the history of the Postal Service its employees and officials have been permitted to present personally their own views and reasons for needed legislation affecting the service.

In a further effort to have the benefit of suggestions from practical experienced men, about 25 postal experts were selected from various groups of postal employees, including clerks at first and second class post offices, carriers in the City Delivery Service, supervisory officials in first and second class post offices, railway postal and terminal clerks, rural delivery carriers, first-class postmasters, second-class postmasters, third-class postmasters, fourth-class postmasters, post-office inspectors, and supervisory officials of the Railway Mail Service.

They were directed to report in Washington on March 29, 1920. They had previously been provided with copies of the testimony presented to the commission, and were directed to submit for the consideration of the commission a tentative schedule of salary adjustments, with proper regard for the relative importance of each group to other groups and to the entire service, together with suggestions for a proper salary scale for each of the various groups of postal employees. This committee was in continuous session, at work night and day, for 10 days, and, with two or three exceptions, submitted a unanimous report, which has been helpful and valuable in arriving at just and proper conclusions respecting adequate and equitable salary adjustments in the Postal Service. This report was thereupon submitted to representatives of some of the groups of postal men who desired to be heard and to officials of the Post Office Department. The latter were invited, and have submitted, along with oral statements, written recommendations and suggestions, both with reference to the conclusions of the committee of postal experts and to the general subject of the investigation.

Hearings were concluded on April 23, 1920, since which date the commission has been in session almost daily in consideration and in the preparation of a salary scale and adjustments of salaries in the Postal Service.

The magnitude of the investigation will be appreciated when it is remembered that the service is composed of approximately 300,000 employees, of which 39,148 clerks at first and second class post offices, 36,105 carriers in the City Delivery Service, 19,202 clerks in the Railway Mail Service, 666 first, 2,538 second, 7,849 third, and 41,645 fourth class postmasters, 42,210 rural delivery carriers, and approximately 5,000 supervisory employees, including foremen and special clerks.

After very careful and painstaking consideration of the numerous questions invloved in an investigation affecting such a large number of persons employed in every town, city, and community in the United States and in Porto Rico, Hawaii, and Alaska, the commission presents this preliminary report and recommends what it believes to be just, equitable, and liberal provisions in the matter of compensation for postmasters and employees in the Postal Service.

The commission regrets that lack of time prevents the preparation of a comprehensive report with detailed information showing the history, growth, development, and salaries fixed from time to time with respect to the various groups of employes in the Postal Service. In a subsequent final report such information with regard to each branch of the Postal Service will be submitted.

The commission is unanimous in the recommendation to the Congress that legislation should be speedily enacted to the end that the compensation of postal men may be placed on an equitable basis, and if legislation is not enacted prior to the next fiscal year that when enacted it shall be effective as of July 1, 1920.

A number of employees are paid from lump-sum appropriations for whom no specific wage has heretofore been fixed and likewise is not fixed in the recommendations of the commission. When the law shall become effective the commission anticipates that the department will readjust the salaries of such employees to accord with the compensation recommended herein for those with similar and comparable duties and responsibilities.

Statement showing, by grades, the number of clerks at first and second class post offices and city carriers who resigned between July 1, 1919, and Mar. 31, 1920.

Grades.	Clerks.		Carriers.	
	Number in grade.	Resigned.	Number in grade.	Resigned.
$1,200	6,070	1,816	2,540	474
$1,300	8,262	954	4,825	309
$1,400	1,952	239	1,219	89
$1,450	1,659	209	1,554	106
$1,550	5,477	339	4,361	228
$1,650	15,780	655	21,502	424
$1,750	4,447	89	.....	.....
$1,700	172	4	7	.....
$1,925	3,299	45	.....	.....
$2,025	201	4	.....	.....
$2,125	201	4	.....	.....
$2,300	199	1	.....	.....
$2,500	73	2	.....	.....
$2,520	63	.....	.....	.....
$2,625	39	.....	.....	.....
$2,730	34	1	.....	.....
$2,835	25	1	.....	.....
$3,150	15	.....	.....	.....
$3,390	10	.....	.....	.....
Total	47,978	4,363	36,008	1,621

Resignations from the Railway Mail Service, July 1, 1919, to Mar. 31, 1920.

Month.	Year.	$2,125	$2,025	$1,925	$1,825	$1,750	$1,650
July	1919	.....	1	.....	11	3	10
August	1919	3	1	12	6	8	11
September	1919	2	1	14	4	6	23
October	1919	3	.....	19	5	3	28
November	1919	3	3	27	6	11	12
December	1919	4	2	14	7	7	22
January	1920	6	3	10	3	3	7
February	1920	.....	.....	10	2	5	13
March	1920	5	3	39	2	15	25
Total	.....	26	14	145	46	61	151

Month.	$1,550	$1,450	$1,400	$1,300	$900	Joint.	Total.
July	9	3	3	44	.....	1	85
August	12	1	17	54	1	1	127
September	5	3	27	61	4	.....	150
October	6	1	35	60	5	2	167
November	4	.....	30	48	4	.....	148
December	4	1	21	25	2	.....	109
January	3	.....	14	24	1	.....	74
February	6	1	28	35	3	2	105
March	2	.....	31	56	7	1	186
Total	51	10	206	407	27	7	1,151

Statement showing estimated increases and the annual rate of expenditures for salaries of regular employees under recommendations of Joint Commission on Postal Salaries, 1921.

Clerks, first and second class offices	$8,665,550
Special clerks	654,900
City letter carriers	6,837,050
Railway Mail Service	4,912,962
Post-office inspectors	326,900
Clerks, division headquarters post-office inspectors	32,050
Rural Delivery Service	5,650,000
Postmasters:	
First-class offices	148,500
Second-class offices	451,200
Third-class offices	1,104,500
Fourth-class offices	1,082,000
Village delivery carriers	99,750
Assistant postmasters, second-class offices	1,013,975
Clerk hire, third-class offices	895,750
Supervisory officers, first-class offices	2,500,000
Total	34,375,087

The additional increases for the succeeding three years will average approximately $3,700,000 per year.

The work of the joint commission was delayed for a period by the late illness and death of its able and distinguished chairman, Hon. John H. Bankhead, Senator from Alabama, the long-time chairman of the Committee on Post Offices and Post Roads, and whose great interest in the welfare of the employees in the Postal Service and in the needed readjustment of their salaries never faltered.

Respectfully submitted.

THOMAS STERLING.
GEORGE H. MOSES.
LAWRENCE C. PHIPPS.
KENNETH MCKELLAR.
EDWARD J. GAY.
JOHN A. MOON.
THOS. M. BELL.
A. B. ROUSE.
HALVOR STEENERSON.
MARTIN B. MADDEN.

STATEMENT OF THE RECOMMENDATIONS CONTAINED IN THE PRELIMINARY REPORT OF THE JOINT COMMISSION ON POSTAL SALARIES.

Clerks at first and second class post offices and carriers in City Delivery Service, five grades: Grade 1, $1,400; grade 2, $1,500; grade 3, $1,600; grade 4, $1,700; grade 5, $1,800.

Substitutes, temporaries, and auxiliaries, 60 cents per hour.

Credit for actual time served as substitute in advancement in grades when appointed regular clerk or carrier.

Special clerks, two grades, $1,900 and $2,000.

Printers, mechanics, and skilled laborers to be paid and promoted as clerks.

Watchmen, messengers, and laborers, two grades, $1,350 and $1,450.

Motor Vehicle Service to continue under lump-sum appropriation.

Railway Mail Service, six grades, as follows: Grade 1, $1,600; grade 2, $1,700; grade 3, $1,850; grade 4, $2,000; grade 5, $2,150; grade 6, $2,300.

Clerks to be in classes A and B: Railway post offices now in class A, terminal and transfer offices to be in class A; others in class B. Laborers in two grades, $1,350 and $1,450.

Progression for road clerks to grade 3 and to grade 4 for clerks in charge for class A, and to grade 5 for clerks and to grade 6 for clerks in charge in class B. Progression for terminal and transfer clerks to grade 3 when general scheme distribution not required and to grade 4 when general scheme distribution is required. Clerks in charge to grade 5 in terminals or tours or crews consisting of not more than 19 clerks or in transfer offices or tours in transfer offices of not more than 4 clerks, and to grade 6 in terminals or tours or crews in terminals of 20 or more clerks and in transfer offices or tours in transfer offices or 5 or more clerks.

Clerk in charge is defined as the clerk in charge of railway post offices, terminal or transfer offices, whether alone or in charge of a crew.

In division superintendents' offices all clerks progress to grade 3, four to grade 4, four to grade 5, four to grade 6, and in offices of chief clerks all clerks to grade 3, and one each to grades 4, 5, and 6. Progression for examiners to grade 5 and assistant examiners to grade 4. Substitutes to be paid as grade 1 clerks for actual service performed for one year and appointed unassigned clerk of grade 2 unless sooner appointed regular clerk.

Service of all clerks to be of an average of eight hours per day, 306 days per annum, including allowance for service during lay-off periods. Cash or compensatory time to be allowed for service in excess of eight hours.

Substitute and unassigned clerks to be credited with full time to and from official headquarters to an assignment, with travel allowance while on duty and also travel allowances while on duty on a line starting from official headquarters.

Division superintendents to be $4,200; assistant division superintendents, $3,200; two assistants, at $3,100 each; and one in charge of car construction, $3,000. Chief clerks, $3,000; and assistant chief clerks, $2,500; the heads of sections in such offices to be rated as assistant chief clerks.

Post-office inspectors to be divided into seven grades with progression to grade 5 and after one year's meritorious service to grade 6, and 20 per cent to grade 7 for specially meritorious service after one year's service in grade 6, as follows: Grade 1, $2,300; grade 2, $2,500; grade 3, $2,700; grade 4, $2,900; grade 5, $3,200; grade 6, $3,500; grade 7, $3,700; inspector in charge, $4,200.

Actual expenses not to exceed $5 per day when absent from home domiciles and official headquarters.

Clerks at division headquarters post-office inspection service divided into six grades, with progression to grade 5 and one to grade 6, as follows: Grade 1, $1,600; grade 2, $1,700; grade 3, $1,850; grade 4, $2,000; grade 5, $2,150; grade 6, $2,300; chief clerk, $2,600.

Substitutes are provided at offices of division headquarters post-office inspection service.

Rural delivery carriers, $1,800 for 24 miles and $30 for each mile in excess of 24 miles. Deductions for partial failure to perform service shall not exceed rate of pay per mile per day for 24 miles or less and likewise in excess of 24 miles.

Motor route carriers, 50 miles and over, not in excess of $2,600 per annum.

Village delivery carriers, from $1,000 to $1,200, under regulations to be prescribed by the department.

Fourth-class postmasters, 140 per cent on cancellations of $75 per quarter and less; 115 per cent from $75 to $100 of cancellations per quarter; and in excess of $100 per quarter, 100 per cent on first $100, 75 per cent on next $100 or less, and 60 per cent on the remainder. When compensation amounts to $1,000 and gross postal receipts amount to $1,500 within one year, fourth-class offices shall be advanced to third class.

Third-class postmasters are increased $300 from basic salaries each, the salaries ranging from $1,000 to $2,200. Clerk hire to be same as under present law, readjusted annually.

Second-class postmasters are increased from $100 to $300 each, the salary ranging from $2,300 to $3,000, and the grades according to gross receipts from $8,000 to $40,000, reduced from 10 to 8. Assistant postmasters to be in eight grades from $1,800, with increases of $50 in each grade to $2,150.

First-class postmasters to be in 14 grades, with modified schedules in each grade according to gross receipts from $40,000 to more than $7,000,000. Increases range from $200 to $300 and $400 where the salary is now $3,600 and $3,700, to $400 and $500 where the salary is now $3,700 and $3,800, and $500 and $600 where the salary is now $3,900 and $4,000. No increase is provided where the salary is now $5,000 and over.

SUPERVISORY OFFICERS IN OFFICES OF THE FIRST CLASS.

The two-division plan is approved for all post offices except those where the receipts are in excess of $20,000,000 per annum.

At offices of the first class, the annual salaries of employees, other than those of the clerical grades, shall be graded in even hundreds of dollars, based upon the postal receipts for the preceding calendar year at the post office in which they are employed, as follows:

Receipts $40,000 but less than $50,000:
- Assistant postmaster ... $2,200
- Superintendent of mails ... 2,100

Receipts $50,000 but less than $60,000:
- Assistant postmaster ... 2,200
- Superintendent of mails ... 2,100

Receipts $60,000 but less than $75,000:
- Assistant postmaster ... 2,200
- Superintendent of mails ... 2,100

Receipts $75,000 but less than $90,000:
- Assistant postmaster ... $2,300
- Superintendent of mails ... 2,200

Receipts $90,000 but less than $120,000:
- Assistant postmaster ... 2,400
- Superintendent of mails ... 2,300
- Foreman ... 2,000

Receipts $120,000 but less than $150,000:
- Assistant postmaster ... 2,500
- Superintendent of mails ... 2,400
- Foreman ... 2,000

Receipts $150,000 but less than $200,000:
- Assistant postmaster ... 2,600
- Superintendent of mails ... 2,500
- Foreman ... 2,000

Receipts $200,000 but less than $250,000;
- Assistant postmaster ... 2,700
- Superintendent of mails ... 2,600
- Foreman ... 2,000

Receipts $250,000 but less than $300,000:
- Assistant postmaster ... 2,800
- Superintendent of mails ... 2,700
- Assistant superintendent of mails ... 2,200
- Foreman ... 2,000

Receipts $300,000 but less than $400,000:
- Assistant postmaster ... 2,900
- Superintendent of mails ... 2,800
- Assistant superintendents of mails ... 2,200
- Foreman ... 2,000

Receipts $400,000 but less than $500,000:
- Assistant postmaster ... 3,000
- Superintendent of mails ... 2,900
- Assistant superintendents of mails ... 2,200
- Foreman ... 2,000

Receipts $500,000 but less than $600,000:
- Assistant postmaster ... 3,200
- Superintendent of mails ... 3,000
- Assistant superintendents of mails ... 2,300
- Foreman ... 2,000
- Postal cashier ... 2,600
- Money-order cashier ... 2,300

Receipts $600,000 but less than $1,000,000:
- Assistant postmaster ... 3,400
- Superintendent of mails ... 3,200
- Assistant superintendents of mails ... 2,500
- Foremen ... 2,000–2,100
- Postal cashier ... 2,800
- Money-order cashier ... 2,500

Receipts $1,000,000 but less than $2,000,000:
- Assistant postmaster ... 3,600
- Superintendent of mails ... 3,400
- Assistant superintendents of mails ... 2,200–2,500–2,800
- Foremen ... 2,000–2,200
- Postal cashier ... 3,000
- Assistant cashier ... 2,300
- Money-order cashiers ... 2,700
- Bookkeeper ... 2,000
- Station examiners ... 2,000

Receipts $2,000,000 but less than $3,000,000:
- Assistant postmaster ... 3,700
- Superintendent of mails ... 3,500
- Assistant superintendents of mails ... 2,300–2,500–2,700–3,000
- Foremen ... 2,000–2,200
- Postal cashier ... 3,100
- Assistant cashiers ... 2,200–2,400
- Money-order cashier ... 2,800
- Bookkeepers ... 2,000–2,200
- Station examiners ... 2,300

Receipts $3,000,000 but less than $5,000,000:
- Assistant postmaster ... 3,800
- Superintendent of mails ... 3,600
- Assistant superintendents of mails ... 2,300–2,500–2,800–3,200
- Foremen ... 2,000–2,200
- Postal cashier ... 3,300
- Assistant cashiers ... 2,200–2,400–2,800
- Money-order cashiers ... 2,000–2,200
- Bookkeepers ... 2,000–2,200
- Station examiners ... 2,300–2,500

Receipts $5,000,000 but less than $7,000,000:
- Assistant postmaster ... 4,000
- Superintendent of mails ... 3,800
- Assistant superintendents of mails ... 2,300–2,500–2,800–3,000–3,400
- Foremen ... 2,000–2,200
- Postal cashier ... 3,500
- Assistant cashiers ... 2,200–2,600–2,800
- Money-order cashier ... 3,200
- Bookkeepers ... 2,000–2,200–2,300
- Station examiners ... 2,300–2,500

Receipts $7,000,000 but less than $9,000,000:
- Assistant postmaster ... 4,300
- Superintendent of mails ... 4,000
- Assistant superintendents of mails ... 2,300–2,500–2,800–3,200–3,600
- Foremen ... 2,000–2,200
- Postal cashier ... 3,700
- Assistant cashiers ... 2,300–2,500–2,800–3,000
- Money-order cashier ... 3,300
- Bookkeepers ... 2,000–2,200–2,300
- Station examiners ... 2,300–2,500

Receipts $9,000,000 but less than $20,000,000:
- Assistant postmaster ... 4,500
- Superintendent of mails ... 4,200
- Assistant superintendent of mails ... 2,400–2,500–2,800–3,200–3,400–3,800
- Foremen ... 2,000–2,200–2,300
- Postal cashier ... 3,800
- Assistant cashiers ... 2,300–2,500–2,800–3,000
- Money-order cashier ... 3,400
- Bookkeepers ... 2,000–2,200–2,300–2,500
- Station examiners ... 2,300–2,500

Receipts $20,000,000 and upward:
- Assistant postmaster ... 4,600
- Superintendent of mails ... 4,400

Receipts $20,000,000 and upward—Continued.

Assistant superintendent of mails	$2,400–2,600–2,800–3,200–3,600–3,800
Superintendent of delivery	4,400
Assistant superintendents of delivery	2,400–2,600–2,800–3,200–3,600–3,800
Foremen	2,000–2,200–2,300
Superintendent of registry	4,000
Assistant superintendents of registry	2,400–2,600–2,800–3,200
Superintendent of money order	4,000
Assistant superintendent of money order	3,000
Auditor	3,600
Postal cashier	4,000
Assistant cashiers	2,300–2,500–2,800–3,000–3,200
Money-order cashier	3,600
Bookkeepers	2,100–2,300–2,500–3,000
Station examiners	2,300–2,500

Station superintendents to be divided into 10 grades, as follows:

4 and not over 6 employees	$2,100
7 and not over 18 employees	2,200
19 and not over 32 employees	2,300
33 and not over 44 employees	2,400
45 and not over 64 employees	2,500
65 and not over 90 employees	2,600
91 and not over 120 employees	2,700
121 and not over 150 employees	2,800
151 and not over 350 employees	3,000
351 employees and over	3,200

An assistant superintendent of stations may be appointed, as follows:

65 and not exceeding 90 employees	$2,200
91 and not exceeding 120 employees	2,300
121 and not exceeding 150 employees	2,400
151 and not exceeding 350 employees	2,600
351 and over	2,800

In addition to the number of regular employees assigned to a delivery station each $100,000 receipts to be considered one employee, and at finance stations $25,000 to be considered one employee. At stations less than four employees and less than $100,000 receipts the salary to be not more than a special clerk.

Not more than one assistant superintendent of mails, of delivery, of registry, and cashier shall receive the maximum salary provided, except where the receipts are $9,000,000 and less than $20,000,000, where two assistant superintendents of mails shall be appointed at the maximum, one to be in charge of delivery.

In offices designated State depositories and central accounting where the receipts are less than $500,000 the employee directly in charge of the work to be paid $200 additional, and $200 additional for the cashier in such offices where a postal cashier is provided.

GENERAL PROVISIONS.

Fifteen days' annual leave for all employees, with pay, and sick leave 10 days each year, to be cumulative for three years, but no sick leave granted with pay for more than 30 days in any one year.

Restoration to grade after reduction in salary shall not be construed as promotion within the law prohibiting advancement of more than one grade in one year.

Payment in money for holiday and Sunday service is denied, and compensatory time for such service must be taken within six days next succeeding Sunday service and 30 days succeeding holiday service.

Promotions in salary after July 1, 1921, to be not more than $300 per annum, except when appointed postmaster, inspector in charge, or superintendent in Railway Mail Service.

Mr. IGOE. Mr. Speaker, I hope that will not be taken out of my time. I think it is of sufficient importance outside of that. I yield 10 minutes to the gentleman from New York [Mr. HUSTED].

Mr. HUSTED. Mr. Speaker, a good deal has been said about the existence of European statutes which permit the doing in European countries of the things which are sought to be done under the provisions of this bill. I have not any desire or any right to question the statement of the gentlemen who have said that exactly the same thing can be done in European countries which they are seeking to accomplish under the provisions of this bill. But those statutes are not before us, and I doubt very much if there is any legislation which allows the doing of this thing in the way in which it is proposed to be done here. And if there is any such legislation, then I believe it is very bad legislation, and we should not adopt it in this country.

Mr. KING. Will the gentleman yield?

Mr. HUSTED. I have only a few minutes. I would rather yield later.

Mr. KING. When you get through.

Mr. HUSTED. This bill is the substitute for the Capper-Hersman bill, upon which we had a number of hearings in the Committee on the Judiciary. I attended those hearings and listened very attentively to the statements of the representatives of the various farmer organizations that appeared there. I became convinced, as the result of those hearings, that the object sought to be accomplished by this bill was not the reduction of the cost of distributing the products, because they admitted that they did not intend to do away with the middleman, but the object was to enable farmers to organize in order to get better prices. That was what they wanted, and that was what they were quite frank in asserting they wanted. They said that the farmers were at a disadvantage in dealing with the men who bought their products, and that this legislation should be enacted in order to enable them to be on better terms in dealing with the large corporations that bought food products. Now, the object of this bill is to enable farmers to associate themselves together and have a common selling agency. There is absolutely no limitation upon any price they may charge, unless the Secretary of Agriculture sees fit to hold that they have unduly enhanced the price of some product, either by restricting competition or by restraining trade.

Mr. GRAHAM of Illinois. I want to ask the gentleman one question there. Is that remedy in the Secretary of Agriculture exclusively, in your judgment?

Mr. HUSTED. That remedy is in the Secretary of Agriculture exclusively. If he does not move, absolutely nobody can move, and the bill does not give the individual, it does not give any association, any right to go into court and have these prices reviewed.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. HUSTED. Certainly.

Mr. VOLSTEAD. Is it not a fact that these men may be prosecuted for combining or conspiring with any corporation to increase prices?

Mr. HUSTED. Oh, they can organize just as big an association as they want, and the bill expressly provides that they may fix prices, any law to the contrary notwithstanding. And that includes not only the Sherman Antitrust Act, but the Clayton Act and every other act that in any way, shape, or manner attempts to control prices.

Mr. VOLSTEAD. May I ask the gentleman if that same argument can not also be made against every corporation?

Mr. HUSTED. No; not that same argument. I am not altogether in love with the Sherman Antitrust Act. I believe that the Sherman Antitrust Act favors big aggregations of capital at the expense of the little man. I do not believe in any statute which puts a shackle upon production. The recent war proved that in order to secure production we had practically to make a dead letter of the Sherman Antitrust Act, and if there is anything that we need in this country to-day to bring back normal prices it is increased production. But I do not believe in class legislation, and I do not believe in taking one class of our citizens entirely out of the operations of the antitrust act and keeping other classes in, and then putting in one man, and one man alone, the power to control the prices of the necessities of life.

Mr. KING. Mr. Speaker, will the gentleman yield now for a moment?

Mr. HUSTED. I will.

Mr. KING. Did not the gentleman vote for the bill incorporating the Edge corporations, which repealed a part of the Sherman Antitrust Act and gave them the right to operate?

Mr. HUSTED. I was opposed to the Edge bill, and I spoke against it on the floor of the House.

Mr. KING. Let me ask the gentleman another question. This amounts to forestalling the market, does it not?

Mr. HUSTED. I do not know exactly what the gentleman means.

Mr. KING. The difference between the farmers being allowed to get 8 per cent and men getting 200 per cent by hoarding wool and food in the city of New York.

Mr. HUSTED. What the gentleman says shows that he has not the remotest idea of what this bill does, because he talks about the farmers getting 8 per cent. The 8 per cent provision is for the protection of the farmers in getting higher prices, and is not in the interest of the public in any degree whatever.

Mr. KING. Let the gentleman attack the New York profiteers in foodstuffs and clothing instead of the farmers.

Mr. HUSTED. All of the farmers have not money enough to furnish the capital stock of these associations in equal amounts. There are some rich farmers that can buy $10,000 worth of stock, while another farmer may be able to buy $1,000 worth, and perhaps another who is only capable of buying $500 worth of the stock.

The bill provides that the association itself, as an association, shall not declare more than 8 per cent of dividends on its stock, and the object of that is to prevent the big farmer, who is able to put $5,000, or $10,000, or $15,000 into the capital stock of one of these associations, from running away with the profits at the expense of the other farmers. But the power of price control of products is vested in the association by its ability to get the farmers together and agree that all the farmers that belong to this association shall not sell their potatoes, or their wheat, or any other agricultural product that the association deals in, at less than the price agreed upon in the association, and the power to sell those products for the common benefit of all is vested in this selling agency; and there is not any limit—any reasonable limit—to the price they could charge unless the Secretary of Agriculture should see fit to declare that they were charging an excessive price.

Now, what are the provisions in relation to that? In the first place, the Secretary of Agriculture has got to give the offending association at least 30 days' notice before he can take any action. Then, after he has taken action, the offending association can still operate for 30 days more and absolutely nothing can be done to it, and then the Secretary of Agriculture goes into court to get an order, an injunction, and that may take 30 days more. So that it is entirely possible that the association would have 90 days, a period of time amply long enough to market a crop, before a single thing could be done to it, and it is absolutely certain that it would have at least 60 days during which absolutely nothing could be done to it to stop it from selling its products at grossly excessive prices.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. SUMNERS].

The SPEAKER. The gentleman from Texas is recognized for five minutes.

Mr. SUMNERS of Texas. Mr. Speaker and gentlemen of the House, I am very free to confess that I do not like legislation of this character. I have suggested a number of times to the House what I believe ought to be the legislation enacted to meet the existing agricultural situation. But I do not believe that this legislation is as dangerous as doing nothing.

Let us see what the situation is, and I suggest to my friends who live in the big cities that they ought to get out of their minds just as quickly as possible the idea that the economic problems of agriculture are of concern only to the man who farms. Out in the country live the agricultural producers; in the cities are the industrial producers. Each of these activities is bidding for the energy of every man and for the capital, every dollar of it, in the United States. The man who is running a manufacturing business is doing business, as compared with agriculture, upon a cost-plus basis. He charges into the price of his commodities the labor cost, whatever the price he must pay for labor, and every other item of cost in production. Do not forget that. Agriculture sells its product to the highest bidder in a restricted market. It sells in this sort of market at the price fixed by purchasers. You can readily appreciate the disadvantages of agriculture bidding against industry for any man's labor. The census reports show that, notwithstanding the fact that we have passed the danger line, we are now in the midst of the greatest residential and vocational migration sweeping in from the country upon the cities that has ever been known in the history of the ages.

Now, that means that right behind the problem of the high cost of living, gentlemen, widespread hunger is coming, and no man who has any sense can close his eyes to that. You can not maintain the balance in population as between the country and the city when you have one side tilted up by an economic advantage any more than you can control the level of water in a basin poised on a pivot unless there be equality of weight in the parts of the basin. And let us not forget that population is more fluid in this country to-day than it has ever been in the history of the world.

I repeat, this is not the right way to remedy the situation. But it is not so dangerous as doing nothing. What does this bill propose? It proposes to give the farmer the privilege of organizing and to give, under the supervision of the Secretary of Agriculture, the privilege of operating cooperatively for a profit to the joint venture of not more than 8 per cent, and thereby give to farmers a chance to make more profit than they make now. What is that? It means that we propose to help equip agriculture with the ability to bid sufficiently high for the necessary share of the productive energy of this country to enable it to raise enough food and clothing material to feed and clothe your bodies in the cities. That is all there is in it, and that is the only way it can be done.

It is foolishness to ask the country boy to go back to the farm unless the farm can bid as much for him as the factory bids. You might as well go down and appeal to the waters of the Potomac River to flow uphill, and expect them to do it because you tell them how beautiful the hills of Virginia are. It is all foolishness, and if you folks who live in big cities do not get this notion out of your heads, and if you do not help to make it possible for the American farmer to make enough money to hold his boys in the country against some automobile factory that is bidding to take them into the city, you will see, and that soon, crowds of hunger-crazed people surging through the streets of the big cities crying for bread, and anybody who has good sense ought to know it. I used to think that every big man in the city was a big man everywhere, but some of them are like the cucumbers which we boys used to put in glass bottles when they were little. They would grow and fill the bottle, but there was no cucumber on the outside. They would just stay there and turn yellow and rot. [Laughter.]

I am not trying to appeal to prejudice. I am trying to appeal to your good sense and to your instincts of self-preservation. I represent a city which largely dominates my congressional district. I represent also a part of the great agricultural section of my State. This proposed legislation is regarded as a farmers' bill. It does deal with an economic problem of agriculture, but it is incomparably of more importance to those of my constituents who live in the cities than it is to those who live in the country. It is more important to those who must have these products to live than it is to those who sell them to get money.

I am not speaking extravagantly when I say that hunger is approaching the cities of America, and even now is nigh unto their gates.

There must be given to agriculture some compensatory advantage to offset the present economic advantage which industry holds by reason of the fact that it can write into the selling price which it fixes all cost of production plus a profit.

I do not like to vote for this sort of legislation any better than you gentlemen who are opposing it. But since you will not enact the measures which I have proposed, we are driven to this alternative. We are close to the gravest sort of food crisis in this country. This bill may provide some protection and help to hold against a worse situation until we can put into operation a real constructive policy which will be free from the criticism of direct class advantage. As a matter of fact, however, under the circumstances, this is legislation directed against a common danger.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VOLSTEAD. I yield five minutes to the gentleman from Kentucky [Mr. SWOPE].

Mr. SWOPE. Mr. Speaker, I was very much impressed with the statement made by the gentleman from Texas. It seems to me it is just a question whether this Government is going to have a well-defined policy toward the farmers or not.

Mr. Speaker, the farmers of this country are to this Nation what the foundation is to the house. The life, the health, and contentment of the American people rest upon the broad shoulders of the American farmers, who feed them and, to a great extent, clothe them. Yet this great class of people which is the bone and sinew of our land has practically nothing to do with the prices of its crops, cattle, and so forth. The manufacturer buys raw material at the manufacturer's price and sells it for the manufacturer's price. The merchant sells at his own price. But the farmer toils all the year producing his crops and raising his live stock and has to sell not at his price but for the price the miller, the manufacturer, or the packer offers him. That is not fair. The farmers should have the same right to set the price upon what they produce as the merchants, the manufacturers, or the packers, as long as they are fair and reasonable. Under our present high prices some might think that the farmers are in on the profit game; but in proportion to the money invested, the increase in cost of production, and what they have to pay the merchants for what they consume, the profits of the farmers are not large. The question then arises, Why are the prices too high to the ultimate consumer? Simply because of the unnecessary middleman. I have heard it stated on the floor of this House that out of every $3 paid by the consumer the middleman gets $2 and the farmer or producer gets only $1. That system of distribution, although very old, is very objectionable and should be and can be remedied. It is unfair to the consumer, because he has to pay too much for what he needs, and it is unfair to the farmer, because he receives too little in return for his investment of time and labor expended. Mr. Hoover says:

> The whole marketing system in many of our commodities is indirect, expensive, wasteful, obsolete, and increases the margin unduly. Our manufacturing industries have developed out of pace with our agriculture, and labor is being drawn in thousands from the farm to the town at wages with which the farmer can not contend.

The problem, then, seems to be to, as nearly as possible, eliminate this intermediate speculator between the producer and the consumer, and then the producer and consumer can share the $2 that is now being levied by the middle party. The question is, How can this be done? By bringing the producer and consumer together. And then, How can that be done? It certainly can not be done as long as there is no unity of action on the part of the farmers. The farmers must lawfully organize and cooperate if they expect to have anything to say about the prices of their products and bridging the gap between themselves and the consumers. If they can do this, they can both standardize and increase their output and also stabilize their income. The consumer should also be interested in this proposition, because it would mean that the money that in the past has been absorbed in a manner that decreased production would under this plan be applied in a way that would

rather stimulate production, which ultimately means lower prices to the consumers. But there are some legal barriers at present which prevent the farmers from being able to fully organize effectively, and it is for the purpose of removing these barriers that the various collective bargaining bills have been introduced, and this bill, H. R. 13931, has been reported by the committee favorably.

Let us now examine the legal status of the situation and see why legislation along these lines is necessary.

An act of Congress of October 15, 1914, known as the Clayton Act, in section 6 provides:

That the labor of a human being is not a commodity or article of commerce. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purposes of mutual help, "and not having capital stock or conducted for" profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof. Nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade under the antitrust laws.

This policy of Congress was again expressed in the deficiency appropriation bill of October 21, 1919, in the following language:

Provided further, That no part of this appropriation shall be expended for the prosecution of farmers, producers, and associations of farmers who cooperate and work in an effort to and for the purpose of obtaining and maintaining a fair and reasonable price for their products.

The apparent intention of Congress, however, is not clearly expressed in section 6 of the Clayton Act, and it is rather uncertain what these farm organizations can lawfully do or what are "the legitimate objects thereof." Section 6 of the Clayton Act also exempts only those farm associations "not having capital stock or conducted for profit." The practical operation of that clause is that in States where there is no law permitting the organization of associations without "capital stock" and "not conducted for profit" it is impossible for the farmers to organize because if they organize with capital stock they do not come within section 6 of the Clayton Act, and if they attempt to organize without "capital stock and not conducted for profit," they violate the State laws of these certain States.

Mr. SABATH. Will the gentleman yield?

Mr. SWOPE. Not now. I have not the time.

Now, several States have enacted laws making collective sales lawful, but inasmuch as there are many of the producers' organizations whose business extends into several States, they therefore come within the Federal laws, and it is therefore proper that Congress should declare a plain, unmistakable, and fair policy with reference to them.

The Committee on the Judiciary with that purpose in view has very wisely reported out the bill H. R. 13931, which authorizes the association of producers of agricultural products. This bill, in my opinion, will be of far-reaching effect and will be of great help to both producers and consumers. The bill is as follows:

A bill (H. R. 13931) to authorize association of producers of agricultural products.

Be it enacted, etc., That persons engaged in the production of agricultural products as farmers, planters, ranchmen, dairymen, or fruit growers may act together in associations, corporate or otherwise, with or without capital stock, in collectively processing, preparing for market, handling, and marketing in interstate and foreign commerce, such products of their members; and such producers may organize and operate such associations and make the necessary contracts and agreements to effect that purpose, any law to the contrary notwithstanding: *Provided, however,* That such associations are operated for the mutual benefit of the members thereof, as such producers, and conform to one or both of the following requirements:

First. That no member of the association is allowed more than one vote because of the amount of stock or membership capital he may own therein; or,

Second. That the association does not pay dividends on stock or membership capital in excess of 8 per cent per annum.

SEC. 2. That if the Secretary of Agriculture shall have reason to believe that any such association restrains trade or lessens competition to such an extent that the price of any agricultural product is unduly enhanced by reason thereof, he shall serve upon such association a complaint stating his charge in that respect, to which complaint shall be attached, or contained therein, a notice of hearing, specifying a day and place not less than 30 days after the service thereof, requiring the association to show cause why an order should not be made directing it to cease and desist from so restraining trade or lessening competition in such article. An association so complained of may at the time and place so fixed show cause why such order should not be entered. The evidence given on such a hearing shall be reduced to writing and made a part of the record therein. If upon such hearing the Secretary of Agriculture shall be of the opinion that such association restrains trade or lessens competition to such an extent that the price of any agricultural product is, or is about to become, unduly enhanced thereby, he shall issue and cause to be served upon the association an order reciting the facts found by him, directing such association to cease and desist therefrom. If such association fails or neglects for 30 days to obey such order, the Secretary of Agriculture shall file in the district court in which such association has its principal place of business a certified copy of the order and of all the records in the proceeding, together with a petition asking that the order be enforced, and shall give notice to the Attorney General and to said association of such filing. Such district court shall thereupon have jurisdiction to affirm, set aside, or modify said order, and may make rules as to pleadings and proceedings to be had in considering such order.

The facts found by the Secretary of Agriculture and recited as set forth in said order shall be prima facie evidence of such facts, but either party may adduce additional evidence. The Department of Justice shall have charge of the enforcement of such order. After the order is so filed in such district court, and while pending for review, the district court may issue a temporary writ of injunction forbidding such association from violating such order or any part thereof. The court may upon conclusion of its hearing enforce such order by a permanent injunction or other appropriate remedy. Service of such complaint and of all notices may be made upon such association by service upon any officer or agent thereof engaged in carrying on its business, and such service shall be binding upon such association, the officers, and members thereof.

In section 1 the bill permits persons engaged in agricultural products, as farmers, planters, ranchmen, dairymen, or fruit growers, to act together in associations, corporate or otherwise, with or without capital stock, to collectively prepare and place their products upon the market. It also provides that no member shall have more than one vote regardless of the stock he may own therein. Provision is also made that the association shall not pay dividends on stock or membership capital in excess of 8 per cent per annum. Section 2 of the bill is to protect the consumer and outlines the remedy in case these organizations should restrain trade or lessen competition. My personal opinion is that the farmers will never abuse the privileges extended to them under this bill; nevertheless I think the committee has acted wisely by staying on the safe side and providing a remedy in case the privilege should be abused.

I think, Mr. Speaker, this bill will not only tend to dignify farm life but will stimulate interest in agricultural pursuits and help stop the influx of the rural population into the cities, and thereby increase production. [Applause.]

Mr. RIDDICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Montana asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SUMNERS of Texas. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Texas makes the same request. Is there objection?

There was no objection.

Mr. KING. Mr. Speaker, I make the same request.

Mr. HENRY T. RAINEY. Mr. Speaker, I make the same request.

Mr. STEENERSON. Mr. Speaker, I make the same request—to extend my remarks on this bill.

Mr. WALSH. Reserving the right to object, Mr. Speaker, are these remarks all to be confined to the bill?

Mr. BEE. Mr. Speaker, there is no probability, is there, that any of these remarks will be about the bonus bill?

The SPEAKER. The Chair understands the request to be on this bill.

Mr. TAYLOR of Colorado. I make the same request.

Mr. FIELDS. I make the same request.

The SPEAKER. The Chair thinks it is better to take them individually. The gentleman from Colorado [Mr. TAYLOR] makes the same request. Is there objection?

There was no objection.

Mr. WHITE of Kansas. I make the same request.

Mr. MANN of Illinois. I ask unanimous consent that all Members have three legislative days in which to print remarks on this bill.

Mr. KINKAID. Make it five days.

Mr. MANN of Illinois. No; let them work a little.

Mr. WALSH. I object.

Mr. KING. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Illinois makes the point of no quorum.

Mr. KING. Mr. Speaker, at the request of the gentleman from Wyoming I withdraw it.

By unanimous consent, the following Members were granted leave to extend their remarks on this bill: Mr. PELL, Mr. FIELDS, Mr. SABATH, Mr. WELLING, Mr. UPSHAW, Mr. STEENERSON, Mr. WHITE of Kansas, Mr. LAYTON, Mr. SUMMERS of Washington, Mr. RUBEY, Mr. MICHENER, Mr. CHRISTOPHERSON, Mr. FLOOD, Mr. OLIVER, and Mr. THOMPSON.

Mr. THOMAS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMAS. I desire to know if all of these gentlemen who are making requests to extend remarks on this bill are farmers?

The SPEAKER. The Chair is unable to answer the gentleman's question. [Laughter.]

Mr. VOLSTEAD. Mr. Speaker, I yield two minutes to the gentleman from Nebraska [Mr. ANDREWS].

Mr. ANDREWS of Nebraska. Mr. Speaker, I am heartily in favor of the passage of the pending bill. It reads as follows:

A bill (H. R. 13931) to authorize association of producers of agricultural products.

Be it enacted, etc., That persons engaged in the production of agricultural products as farmers, planters, ranchmen, dairymen, or fruit growers may act together in associations, corporate or otherwise, with or without capital stock, in collectively processing, preparing for market, handling, and marketing in interstate and foreign commerce, such products of their members; and such producers may organize and operate such associations and make the necessary contracts and agreements to effect that purpose, any law to the contrary notwithstanding: *Provided, however*, That such associations are operated for the mutual benefit of the members thereof, as such producers, and conform to one or both of the following requirements:

First. That no member of the association is allowed more than one vote because of the amount of stock or membership capital he may own therein; or,

Second. That the association does not pay dividends on stock or membership capital in excess of 8 per cent per annum.

SEC. 2. That if the Secretary of Agriculture shall have reason to believe that any such association restrains trade or lessens competition to such an extent that the price of any agricultural product is unduly enhanced by reason thereof, he shall serve upon such association a complaint stating his charge in that respect, to which complaint shall be attached, or contained therein, a notice of hearing, specifying a day and place not less than 30 days after the service thereof, requiring the association to show cause why an order should not be made directing it to cease and desist from so restraining trade or lessening competition in such article. An association so complained of may at the time and place so fixed show cause why such order should not be entered. The evidence given on such a hearing shall be reduced to writing and made a part of the record therein. If upon such hearing the Secretary of Agriculture shall be of the opinion that such association restrains trade or lessens competition to such an extent that the price of any agricultural product is, or is about to become, unduly enhanced thereby, he shall issue and cause to be served upon the association an order reciting the facts found by him, directing such association to cease and desist therefrom. If such association fails or neglects for 30 days to obey such order, the Secretary of Agriculture shall file in the district court in which such association has its principal place of business a certified copy of the order and of all the records in the proceeding, together with a petition asking that the order be enforced, and shall give notice to the Attorney General and to said association of such filing. Such district court shall thereupon have jurisdiction to affirm, set aside, or modify said order, and may make rules as to pleadings and proceedings to be had in considering such order.

The facts found by the Secretary of Agriculture and recited as set forth in said order shall be prima facie evidence of such facts, but either party may adduce additional evidence. The Department of Justice shall have charge of the enforcement of such order. After the order is so filed in such district court, and while pending for review, the district court may issue a temporary writ of injunction forbidding such association from violating such order or any part thereof. The court may upon conclusion of its hearing enforce such order by a permanent injunction or other appropriate remedy. Service of such complaint and of all notices may be made upon such association by service upon any officer or agent thereof engaged in carrying on its business, and such service shall be binding upon such association, the officers, and members thereof: *Provided*, That nothing contained in this section shall apply to the organizations or individual members thereof described in section 6 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, known as the Clayton Act.

If enacted into law, it would relieve farm organizations from certain embarrassments that may arise at any time under existing laws. While removing such embarrassments it safeguards in the proper manner the rights of the public. While no special prosecutions may have arisen under the existing laws, the probability of legal prosecution prevents farmers from cooperation with one another in the handling and marketing of farm products.

The provisions of the bill are clearly disclosed in the report of the committee, which shows that the dangers mentioned by some in this debate are wholly imaginary. This debate, however, has disclosed the strongest possible argument for the passage of the bill. The arguments advanced in opposition to the bill convince me more strongly than ever that this legislation is necessary in the interests of the farmers.

The statements of the gentleman from Massachusetts [Mr. WALSH] and the unwarranted precipitation of an enforced adjournment of the House last Friday evening revealed the existence and nature of the opposition to this bill. It is a challenge from the manufacturing centers against the agricultural sections of the country. It asserts an assumed right on the part of the industrial centers to dictate to the agricultural interests of the country with respect to the methods which they should employ in the management of their own business affairs. That opposition assumes the inherent right of the industrial and manufacturing centers of the country to organize among themselves for the benefit of their own affairs and at the same time deny that privilege to the producers of food throughout the country.

As a Representative of an agricultural district and State I gladly accept the challenge of the gentleman from Massachusetts and will promptly join with all the Representatives of the agricultural sections of this Nation to resist in every reasonable way the principles embodied in the speech of the gentleman from Massachusetts. He seems to assume that the cooperation made possible and safe under the terms of this bill are calculated to increase the cost of food supplies. I deny his assumption in this matter. Intelligent cooperation among the farmers of the country under the terms of this bill will increase the production of food products to such an extent as to secure reasonable prices in the markets. If the gentleman from Massachusetts means that the farmers must sell the products of their labor to the people of the industrial centers at the lowest possible prices, even at a loss to the producers, while the manufacturing centers are allowed to sell their products to the farmers at the highest possible prices, I deny his right to enforce a policy of that kind even through an unwarranted adjournment of this House at any time.

The action of last Friday evening has clearly revealed to many men in this House the latent purpose to force an "irrepressible conflict" between the industrial centers on the one hand and the agricultural centers on the other. How can Representatives discharge the full measure of their official duties to their constituents and to their country unless they stand together as one man and demand for the agricultural interests of the country equal opportunities and benefits in the open markets of the Nation? This "irrepressible conflict" is revealed by the facts that the industrial centers on the one hand are directly interested in securing the highest possible prices for their labor and paying the lowest possible prices for food products, while on the other hand the agricultural sections are interested in securing the highest possible prices for the products of their labor and paying the lowest possible prices for manufactured articles that they are compelled to use.

Then, how are we as a Nation to find a common ground on which we can all stand and share equally in the distribution of privileges and benefits? This desired and necessary result can not be secured by denying to the farmers of the country the privileges embodied in this bill. The attempted denial of those benefits was clearly foreshadowed in the unwarranted adjournment of this House last Friday evening.

Mr. Speaker, all the benefits proposed by this bill for the farmers of the country have been granted heretofore to the financial, manufacturing, and labor centers of the Nation. Then why deny these privileges to the farmers of the Nation? That denial is unwarranted and unjust. The enforcement of that denial will hasten the "irrepressible conflict" and compel the Representatives from the agricultural districts and States to oppose to the full limit like demands from the manufacturing and industrial centers.

In order that we may ward off the evil day of that "irrepressible conflict," I appeal to the gentleman from Massachusetts to withdraw his speech for repairs and join with us in the passage of this bill, and thus give legislative proof that we are ready to deal fairly and justly with the farmers of the Nation.

The agricultural communities have the same right to organize and manage their business affairs as the industrial and manufacturing communities have to organize and manage theirs. [Applause.]

The SPEAKER. The time of the gentleman from Nebraska has expired.

Mr. JOHNSON of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the river and harbor bill.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to extend his remarks on the river and harbor bill. Is there objection?

There was no objection.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. HERSMAN].

Mr. HERSMAN. Mr. Speaker, the report of the committee on this bill is very clear, persuasive, and conclusive. I would like to have time to show where the agricultural farmers' organizations that have been organized in this country have been of great benefit to the city people, to the consumers of this Nation. I would like to have time to show how they have standardized their products, greatly to the benefit of the consumer, and how, by judicious advertising, they have drawn attention to their fruits and other farm products. I would like to have time to show what the farmers have been able to get under the cooperative associations and to submit in detail figures that show they have not raised the prices to the consumer.

I picked up in my office before I left a copy of the report of the California Almond Growers' Exchange. That triangle that

you see here [indicating] represents what the farmer got before he was organized. It is one-quarter of the price that the consumer paid. The farmer got 25 cents out of the consumer's dollar. The first year after the organization he got what is represented by the second black figure, almost half of the consumer's dollar. To-day he is getting close to three-quarters of the consumer's dollar. They have cut down the tax in transit, and the consumer was not paying any more for almonds last year than he was nine years ago.

Mr. KING. The gentleman means the ultimate consumer?

Mr. HERSMAN. Yes. Now, I would like to discuss what the prune and apricot growers and the raisin growers have done for themselves. Their organizations have raised the price to the farmers and taken away the profits of the middleman, and not until last year was the price increased to the consumer. Under the stimulating influence of increased price, planting has greatly increased. The acreage in some fruits has increased 200 per cent. What does that mean? It means that the product will be greatly increased and ultimately the farmers can afford to sell them for less when the market is stabilized and a price can be reasonably assured by his association. My time is too short to consider these points at length, but I mention them in order to show to the opponents of this bill that cooperative farm associations tend to increase production.

Mr. LAYTON. Will the gentleman yield?

Mr. HERSMAN. I can not; I have but little time.

The greatness of any nation depends upon maintaining a contented and prosperous rural population. Its very life can be measured by the condition of those who till the soil. It is therefore of the greatest importance that any legislation touching the life of the farmer should be most carefully considered, and his interests must necessarily be jealously guarded. To-day the farmer finds his success in business must be governed by the same methods used by others. The economic conditions that have changed the individual to the partnership and finally to the corporate method of doing business can not be disregarded by the farmer any more than they can be disregarded by others engaged in other lines of business. Operating individually, he is helpless and falls an easy victim to the organized operators who deal in his output. The products of the farms of this Nation have been in the hands of the speculator and gambler from the very foundation of the Republic. It has been a most difficult and a very slow and expensive experience for the farmer to realize that in order to succeed he must cooperate with other farmers to achieve success in his business ventures. The very nature of his business and his mode of life has inclined him to act alone and independently, and it is only through dire necessity that he has finally realized that in order to follow his chosen occupation to provide for his family and to safeguard old age that he must adopt modern methods and cooperate with others in the marketing and distribution of his products.

The Congress of the United States when it passed the Clayton Act, realizing this important principle and the changing business methods, specifically legalized the kind of cooperative farm associations that were then in operation in the following language:

> The labor of the human being is not a commodity or article of commerce. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations instituted for the purpose of mutual help and not having capital stock or conducted for profit.

The language is not clear, and the farm organizations of to-day have been subjected to much annoyance and uncertainty because of this fact. The farmer of to-day finds that his associations must have capital stock in order to handle his business most effectively, and this bill is intended to legalize farmers' cooperative associations having capital stock. He is not asking for specific exemption; he is not asking to be considered a privileged class; he knows that in order to compete with others in business he should have capital stock, and he is simply asking this Congress to legalize his organizations that are proving such a benefit to himself and to the Nation. Let me make this point very clear, because it has bothered a number of my colleagues with whom I have talked in regard to this particular legislation. The farmer does not ask and does not want class legislation. Under the law an unlimited number of people can form a corporation and through their officers and managers can set the price on their output. This kind of corporation is considered as an individual under the law. A group of farmers can not organize with capital stock and safeguard their interests, because the law considers each one as an individual entity. The farmer has been legislated against rather than having had extended to him special privilege. The provision of the Clayton Act which permitted cooperative marketing among farmers can not under present business methods be fully taken advantage of, and this bill is framed in order to meet the situation that the farmers of this Nation are confronted with through the evolution of modern business methods. This Congress found itself in a most embarrassing position when it passed the deficiency appropriation bill. Under its provisions you appropriated $200,000 for the enforcement of the antitrust laws, but you provided that "no part of this appropriation shall be expended for the prosecution of producers of farm products and associations of farmers who cooperate and organize in an effort to and for the purpose of maintaining a fair and reasonable price for their product." It seems to me that such legislation little befits the wisdom of able statesmen. You tell the Attorney General that he must prosecute violators of the law and appropriate $200,000 for him to do it with, and at the same time you say there is one violator of the law that you can not use this money to prosecute, and that is the farmer.

It seems to me that this is legislation of the worst kind. If the farmer is in violation of the law, you ought to prosecute him and you ought to let him know that you are going to prosecute him. If his associations are necessary to his prosperity and in the interest of the public, then our laws should state that such associations are not in violation of the antitrust laws or the Clayton Act. From the position taken by this Congress the farmers of this Nation have a right to demand the enactment of a law that will clearly set forth their position. If the farmers are to receive continued protection, they should know it. If, on the other hand, they are to be adjudged criminals, the knowledge should not be withheld. After their long struggle they are entitled to know how the lawmakers are going to deal with them.

It seems to me that the right of farmers to act together in the disposition of their products is one of the simplest and most fundamental of their rights as producers. They are not asking for any special privileges and have not received any unwarranted consideration in the past. If anyone considers the provisions of the Clayton Act, as far as it relates to farmers' special legislation, it has already been done and is not the question that is now being considered in this bill. The farmers of this Nation are honestly trying to solve the problem of marketing their products and do not hesitate to accept the provisions of section 2. While supervision of this character has never been placed upon these organizations and the activities and records of farm organizations in the past would not of itself necessitate such supervision, I am persuaded from the viewpoint of the honest farmer cooperator that such supervision should not be resented. It would certainly cause the consumer to have confidence and trust in his organization, and might in the future prevent some group from bringing into disrepute cooperative methods.

The Secretary of Agriculture is at all times familiar with market conditions. His agents are scattered in every section of our country. His department is charged with the responsibility of keeping the Marketing Bureau efficient, and information is always available to him without additional expense. He is interested in encouraging increased production and has an equal interest in seeing that the consumer is able to purchase his food at a reasonable rate. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. LAYTON. And if there are to be any special privileges in the United States, should not the farmer have the first chance at it?

Mr. HERSMAN. He should have the first show. It is in the interest of the city man——

The SPEAKER. The time of the gentleman from California has expired.

By unanimous consent leave was granted to Mr. HERSMAN to extend his remarks in the RECORD.

Mr. IGOE. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Speaker, I ask unanimous consent to proceed in the allotted time out of the regular order.

The SPEAKER. The gentleman from Ohio asks unanimous consent to proceed out of order. Is there objection?

There was no objection.

Mr. GARD. Mr. Speaker, 60 years ago men of high and generous opinion entertained radically different views about the most vital essentials of our governmental life. They differed in thought, they differed in discussion, they differed in attempted compromise, they differed even to the death. In the evitable conflict which was brought upon this country, now nearly 60 years ago, after four and a half years of as brave fighting on the part of the North and on the part of the South as the world has ever seen, the god of battles determined the issues of war in favor of liberty, union, and nationality, and

there is no man I take it, North or South, who now does not appreciate the great wisdom of this stern verdict of the Civil War. [Applause.]

American men have marched to victory behind the Stars and Stripes in six great wars, and the present triumph of America is that the grandsons of Lee and the grandsons of Grant have fought side by side to protect the civilization of the world in the hour of its greatest peril. [Applause.] The forces of the flag have never met defeat. The United States of America is celebrating Memorial Day to-day—a beautiful day, a day brought to us out of the rigors and the terrors of the Civil War, but happily its purpose is now extended, and from coast to coast in the United States is recognized the valor of American arms. We pay tribute to the departed of their number with the sweet message of flowers. Self-denial, self-sacrifice, acts of heroism, are all recorded upon this one of the greatest of America's days, and now overseas, we see not alone a sympathetic regard but a recognition of the work of the men of the United States in the preservation of the great fight for human liberties in the world's greatest war. At this time, therefore, it seems to me, in this, the greatest legislative assembly in all the world, that it is meet and fitting to pay tribute to this great American day. Let us say with Webster, that we, the living, in paying honor and tribute to the heroic dead, stand besides for our country, our whole country, and nothing but our country, and in order that America, the unconquered, may remain for all time, America the unconquerable. [Applause.]

Mr. IGOE. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. HUMPHREYS. Mr. Speaker, as I understand this bill, it is an effort to give to the agricultural classes of our citizenship special privileges not enjoyed by the rest of flesh. I am opposed to it for that reason; and, contrary to the notion of the gentleman from Nebraska [Mr. ANDREWS], I do not come from a manufacturing and industrial section of the country, where he thinks all the opposition to the bill must originate. The district I represent is wholly agricultural. The fact is that I am a farmer myself. You gentlemen smile when I say that, but if I were to say it where my constituents could hear me, they would laugh. [Laughter.]

I believe that the old rule is still good—equal rights to all, special privileges to none. I do not believe that the farmers of this country want any special privileges. I think all they want is that the law should deny to the other fellow special privileges. This bill, according to my friend from California [Mr. HERSMAN] is not an attempt to give the farmer any special privilege. I do not read it that way, and that is not what the report says. I call the attention of the Members to this remarkable language in the report. Denying that this is a special privilege, it goes on to say—

Instead of granting a class privilege, it aims to equalize existing privileges by changing the law applicable to the ordinary business corporations so that farmers can take advantage of it—

Whatever that language may mean. But there is no quesiton about what this language means:

Instead of granting to farmers a special privilege, it aims to take from the business corporations a special privilege—

And how?—

by conferring a like privilege on farm organizations.

Mr. Speaker, in order to take from business a special privilege, they propose to confer a like special privilege upon the farmer. What is to become of the rest of flesh? Mr. Speaker, this is simply an effort to give to the farmer the right to do that which we deny to everyone else.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. HUMPHREYS. Well, I submit. [Laughter.]

Mr. BLACK. I would not care to ask a question unless the gentleman has the time to yield.

Mr. HERSMAN. Mr. Speaker, I would like to ask the gentleman to yield, if he does not object.

Mr. HUMPHREYS. Would not the gentlemen permit me, first, to get out what is in my head? Nobody objects to the farmers having these cooperative societies. Nobody objects to their organizing, just as they have organized in California, under the law. The gentleman from California [Mr. HERSMAN] tells us that the almond farmers have already organized under the law, and that instead of getting one-fourth of the selling price they get three-fourths. That is, under the present law; and he said that if he had more time he could tell us the same story in respect to the raisin growers. We propose now to take the farmers out of the general body of sinners and create a special class for them, and tell them to go to it and that they will not be punished.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. HUMPHREYS. I am sure the country will be greatly disappointed. [Laughter and applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, it has been said in this debate that the only remedy for a violation of the privilege granted is through the intervention of the Secretary of Agriculture. I think that statement is not warranted and is made under a misapprehension of the terms and effect of the bill. The bill provides in the first section that it applies to those—

who are to engage in collectively processing, preparing for market, handling, and marketing in interstate and foreign commerce such products of their members.

Permission is given that they may organize for that purpose, but it is also provided that they must comply with certain provisions in order to enjoy that privilege. Among these is a provision that they shall not pay dividends on their stock or membership capital of more than 8 per cent. If that or other provisions of the bill were violated by any such association, the bill would be no protection and they would be subject to prosecution under the antitrust act.

Mr. STEENERSON. Will the act apply to any except those who have capital stock?

Mr. TOWNER. No; I do not think the provision relating to the limitation on dividends would apply to any except associations issuing stock to its members, but I am not sure about it.

The provision of section 2 is only an additional security against persons organizing ostensibly as producers but in reality organizing for handling and marketing solely for profit. It provides that in any case where information comes to the Secretary of Agriculture he may institute an inquiry, have a hearing, and, if necessary, issue an order against the illegal practice. From this order the right to appeal to the courts is given.

I think I am justified in saying that never was an improper use of a privilege more carefully guarded against than in the provisions of this bill. It would even appear as if unnecessary provisions were incorporated merely to make assurance doubly sure; that the only object and purpose of the bill is to provide that when cooperative effort is necessary to facilitate and increase production it might be authorized and protected. Again, it should be emphasized this privilege is not to dealers or handlers or speculators for profit; it is limited to the producers themselves. It is to say that those who produce the necessaries of life may cooperate with each other to furnish more and better food and clothing for the use of mankind. It may be added that in doing so they voluntarily limit themselves against undue profits or any imposition.

The bill is limited in its protective features to those who organize under it who are themselves producers. There is no protection given to organizations which merely deal in or handle such products. There is no protection whatever for a mere trading corporation. The purpose is limited to collective "processing, handling, and marketing" the products of those who are members. Who can say that such organization and purpose is not in every way justifiable? Who can say that it will not be an aid to production? Can there be any question but that such organization will aid not only those who are the producing members but also the ultimate consumers?

In order to provide against excessive profits the associations are limited to 8 per cent dividends. Are the corporations which manufacture steel thus limited? Are the manufacturers of woolen and cotton goods thus limited? Everyone knows that there are literally thousands of corporations doing almost every kind of business which have been and are making many times such profits, and there is practically no limit to their profits except the income and excess-profits tax. In this case the farmers voluntarily place this moderate and reasonable limit, so as to prevent any possible appearance even of profiteering; and yet gentlemen on this floor are opposed to any recognition of the farmers to cooperate in any manner or with any limitation. In my judgment this is both unreasonable and unjust.

It is remarkable that there should be manifested a spirit of antagonism against the farmers by those who represent the cities in this House and elsewhere. The prices of farm products which the consumers in the cities pay are at least twice what the farmer who produces such products receives. This more than 100 per cent increase between the farmer and the consumer represents the unconscionable profits which their own dealers receive and impose upon their fellow citizens. But instead of trying to limit the excessive profits of their own dealers to the detriment of the great body of their own consumers,

these gentlemen blame all this high cost of living on the farmers, and when the farmers make any effort to reduce the immoderate profits of these middlemen, or desire by cooperation to increase production to the immediate benefit of the city consumer, the city representatives oppose their efforts.

It would be much wiser if those who represent city constituencies would realize that not only their prosperity but their lives are dependent on the products of the farm. Everything they eat and wear comes from the farm. Every comfort they enjoy comes from the farm. It will not be by opposition to the interests of the farmers that they can further their own interests. It will not be by discouragement, discredit, and abuse of the farmers that they will insure their own prosperity. It should be seen by all that our prosperity and the comfort and happiness of our people must depend upon the cooperation and friendly relationship of all, and that no class or portion of our citizenship can afford to build his own prosperity on the misfortune or discomfiture of others. "One country, one and indivisible," is not only a good political maxim, but it is a wise, economic, and business principle as well.

Mr. IGOE. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. DONOVAN]. [Applause.]

Mr. DONOVAN. Mr. Speaker and gentlemen, I think the real situation relative to this bill and why, in my opinion, it should not pass is expressed in the words or inquiry of the gentleman from Delaware [Mr. LAYTON] propounded to the gentleman from California [Mr. HERSMAN], in which he assented, who said if there is a class in this country that should have special privileges, that class is the farmer.

Gentlemen, there was a time not so long ago, as I recall it, when the Standard Oil Co. alone had the honor of being the premier privileged class. Then the distinction fell to the Steel Trust, then to the packers, but to-day we learn on the floor of this House from the supporters of this bill, without blush or apology, that either by divine right or by desire the farmer alone has first claim to the honor and emoluments of the privileged class. In other words, the farmer has become the American aristocrat as well as autocrat.

Now, of course, such a claim is foolishness, is undemocratic, is utterly un-American. And yet the gentleman from Delaware has made that declaration.

This bill is drawn for the protection of the farmer, the ranchman, and men of their class. And while I know all here and elsewhere will bear testimony to the great place they occupy in the hearts of the American people, and if it were not for them it would be impossible for the great cities and manufacturing centers, as well as the smallest hamlet and township to exist, it is nevertheless true that the farmer owes a reciprocal obligation, respect, and consideration to his fellow countryman, for he can not advance and prosper without his aid.

This bill has some very pernicious and un-American features, the chief of which from a legal standpoint, in my opinion, is the one proposng to exempt from the present existing law relating to unfair competition and placing these proposed farmer organizations beyond its jurisdiction.

The gentleman from Mississippi [Mr. HUMPHREYS] has cited to you and read certain sections from the report of the committee in support of the bill. He read you where the supporters of the bill claimed that the corporations with whom the farmers are commercially related as agents or distributors have now under the law an unfair advantage of the farmer.

It is not the purpose of the farmers' organizations to come here or to their individual States and ask for remedial legislation. Oh, no! It is not so much that they complain what the commission merchant and distributor does in violation of the law, but they are asking you, and say very frankly in the report, that they want to be made a partner with them, in so far as they may have equal privileges to mulct the public.

The report itself sets up a defense denying that a special privileged class will be created by the enaction into law of this bill, even before the bill was brought out and before an indictment was made against it. The bill proposes to take from the courts the right of initial proceeding, and vest a quasi judicial power in the Secretary of Agriculture, who alone is the one person to determine whether or not a violation in restraint of trade or unfair dealing is had, and the steps which ultimately may reach a court proceeding consume 60 days at least, and may, as the law is now drawn, consume even a greater length of time. During all these preliminary steps which the Secretary of Agriculture alone may employ, the right to enjoin the offending organization of farmers is denied, and even the embargoing of the product of the complained of concern is denied.

Gentlemen, I have no grudge or ill feeling against the farmer; as a matter of fact I have had great respect for him. I have never quite agreed with those of his friends and supporters who delight in picturing him as the unfortunate member of our body politic, either in education or finance. It is my observation that he is a smart, sometimes sharp, clever individual, and in most cases well heeled financially; and when you come to deal with him, whether it is for his horse, a load of hay, or for his hundred-acre farm, you will find him on the job and well able to care for himself. I think the fact that he has succeeded in having this bill reported is a convincing argument for my contention for his shrewdness and business ability. I do not believe in special legislation, whether it is for the mechanic, the banker, the professional man, or the corporation; besides being unlawful, it is not in accordance with American ideals and is unwholesome to the growth of American business and industry and a deterrent and destroyer of peace and amity to our people as a whole.

I am opposed to the extension of Federal control where there is no especial need or where, as in this situation, the several States have provided by law for the situation complained of.

The fact is we have sufficient law on the statute books to cover nearly all matters for which we are asked to legislate. The gentleman whose name this bill bears has already sponsored and managed the passage of a bill through this House which to-day has arrayed one class of our citizens against the other, and this bill, if it becomes a law, in my opinion, will ultimately have a similar effect.

Gentlemen, I believe the purpose of taking the farmer from without the jurisdiction of the antitrust and kindred laws is to avoid the scrutiny and evasion of the standards of cleanliness and the reduction of excessive profits, which the thriving communities and large cities in this country find it necessary to invoke under the law, which at present controls the situation.

In the State of New York it is almost unbelievable to think, and yet it is a solemn fact, that when the milk producers in that great State were not attaining the proper sanitary standards in their product, and coupled with this wretched condition, charging an unfair price for their product, with sick mothers and suffering, weak children dying because of the poor quality of the milk and their inability to pay the outrageous price for it, sooner than accede to the demands made by the officials charged with the responsibility of enforcement of the law to correct the evil, these farmers threw into the highways and byways, as well as into the brooks, their milk, rather than sell it at a fair and reasonable price to these people so greatly in need of it.

I am opposed to this legislation for the above reasons, and therefore shall vote against the bill. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, really the great problem of people to-day is probably, first, production, and, second, doing away with the present waste between the producer and the consumer. Everyone who has studied economics must be startled with the knowledge of the immense waste and cost to-day between the producer, either of foods or manufactured products, and the consumer. I do not know how successfully this bill may operate when it becomes a law, but it is an effort to make the producers of food products in the country, through combination and associations, which are necessary in some form, to eliminate a portion or a large part of the present admitted waste in the transportation between the producer and the consumer.

I represent the middleman. But I believe the present system is largely wasteful. While I do not know how far the farmer through association may be able to eliminate this waste, nor do I know whether he or the consumer will make the most out of the elimination of the waste, I do know that the experience of mankind is that wherever you eliminate waste between the producer and the consumer it is to the advantage of both and to the disadvantage of no one. [Applause.] Therefore I support the bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VOLSTEAD. Mr. Speaker, I yield time to the gentleman from Georgia [Mr. LARSEN].

Mr. LARSEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. LARSEN. Mr. Speaker and gentlemen of the House, I am unable to understand or to appreciate the viewpoint of gentlemen who oppose the passage of this bill.

It is not the kind of measure in many of its details that I prefer. I do not think it is as good as the Hersman or the Cap-

per bills. I am, nevertheless, for it because I think it is the best that can be obtained at this time. I am for it because the farmer wants it. I am for it because the best interest of the country demands it.

It will cost the Government nothing, it will benefit the public, and can hurt no one except the man who desires to control agricultural products for the purpose of speculation or profiteering. Its provisions simply enable those engaged in production of agricultural products, fruits, and so forth, to act together in associations, corporate or otherwise, with or without capital stock, in collectively processing, preparing for market, handling, and marketing, in interstate and foreign commerce, the agricultural products they produce. They do not handle the products of others or any commodity which they do not produce.

Some gentlemen profess to fear that such an innocent corporation, born of such humble parentage, may grow into a monster monopoly, restraining trade and lessening competition to such an extent that the public interest may suffer. It is as unreasonable as it would be to expect school-teachers to combine, withdraw their cash from deposit and circulation, and thereby precipitate a national panic. You gentlemen should know better; I fear you simply wish to protect speculation and to encourage nonproducers to act as public distributing agents when some of them would serve the public to better advantage were their energies diverted into other lines of activity.

Some of you who oppose the bill come from sections where monster corporations have grown powerful at the public expense. It might be that your time would be more profitably spent in trying to affect the passage of some law that would force them to pay into the Treasury of the country a portion of the enormous war profit which they have made during the past few years.

Gentlemen, there is no cause for alarm. Your rights are well safeguarded by the provisions of the bill. Should any association restrain trade or lessen competition to such an extent that the price of any agricultural product is unduly enhanced by reason thereof full authority for relief is provided.

The powers asked for in this bill are not unusual. Other governments have granted such rights without detriment to the public welfare. Some countries have enjoyed such rights and privileges for a quarter of a century. They still enjoy them and I have never heard of an instance where the rights of the public have been jeopardized by reason thereof. No one has ever heard of farmers forming such a monopoly as endangered the public good. If they so desired, their conditions are necessarily such that they can not do it.

Under present conditions the farmer who produces our food products sells it for about one-fourth of what it cost the ultimate consumer. The remaining three-fourths goes to the transportation companies and to the wholesale and retail merchant.

This bill provides a method whereby the producer and the ultimate consumer may be brought closer together and whereby waste may be eliminated. You can not eliminate waste without benefiting the public.

Our census reports show an enormous increase in the population of our cities. In some sections our rural population is also increasing, but nowhere in proportion to that of the cities. These conditions so alarm every thoughtful and reflective person that from every quarter there comes the demand for increased food production and the cry "Back to the farm." But, alas, no one returns! Why? You say because the city affords better social and educational advantages. This is true only in part. It is mainly because the mercantile and manufacturing interests of the country are in better financial condition than the farmer and can, therefore, afford to pay more attractive wages for labor.

I am not in favor of granting special privileges to any class; the farmer wants none. All he desires is an equal opportunity with others. He is entitled to this, and we should not withhold it from him. This bill will better his opportunity. Figuratively speaking, it will shorten the distance between the producer and the ultimate consumer. It will increase the net profits of the producer, and it will not cost the ultimate consumer a cent more. In proportion as we accomplish this it will increase production and solve the food problem for our too rapidly increasing city population. He who lives in the city should understand that one of its problems is the problem of the farmer. He is indeed blind who resides in the crowded city and has not sufficient vision to see and to understand that prosperous farms make more prosperous nations.

Mr. Speaker, it should certainly be refreshing to the American public to know that if any organizations are created under the provisions of this bill, there will be no water in the stock except that which falls from the honest brow of labor. [Applause.]

Mr. VOLSTEAD. Mr. Chairman, I yield two minutes to the gentleman from Kansas [Mr. TINCHER].

Mr. TINCHER. Mr. Speaker, I was pleased to hear the distinguished gentleman from Illinois [Mr. MANN], who admittedly represents a district of middlemen, explain to this House that collective bargaining on the part of the producer would have a tendency to benefit the producer and consumer of foodstuffs. I was tempted to compare his statesmanship with that of other Members who have appealed to Members to vote against this bill on the ground that the gentleman from Minnesota [Mr. VOLSTEAD], the author of the bill, was also the author of national prohibition. Think of the appeal to men to vote against this measure because the author of it is the author of a bill that some of your congested centers do not like. That appeal has been made twice. There is not any question in the world but that the consumer of foodstuffs to-day is suffering more from the fact that the producer has no equitable or fair system of marketing than from any other one cause, and that the producer is being hindered and stifled in the United States from that same cause no man can deny.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. IGOE. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. WATKINS].

Mr. WATKINS. Mr. Speaker, of course it is perfectly evident that in the short time allowed for the discussion of this bill its principles can hardly be enunciated, much less discussed in such way as to materially impress the membership of the House with its unfairness to the great agricultural interests of the country, especially the cotton-producing section, which I in part have the honor to represent.

The fourth congressional district of Louisiana is an agricultural section, and as a Representative from that district I have invariably endeavored to determine what was to the best interest of the people whom I represent and have so shaped my course, as their Representative, as to protect to the best of my ability those interests.

In doing this I have heretofore had occasion to call to the attention of the House of Representatives the efforts made on the part of those representing other sections of the country to measures seeking to discriminate against the interests of the southern section.

Arriving from home last September a year, I immediately took up the question of fixing a price upon cotton, as there were two bills pending, one providing for fixing the price of cotton at 15 cents per pound and another bill providing for fixing the price at 20 cents per pound.

At that time I endeavored to make it clear that it was not to the interest of the people at large and was an injustice to the cotton-growing section to have either one of these prices fixed. or, in fact, for any price to be fixed upon this staple product of the South.

Up to this time this has not been done. Section 2 of this bill now under consideration, H. R. 13931, provides:

That if the Secretary of Agriculture shall have reason to believe that any such association restrains trade or lessens competition to such an extent that the price of any agricultural product is unduly enhanced by reason thereof, he shall serve upon such association a complaint stating his charge in that respect, to which complaint shall be attached or contained therein a notice of hearing, specifying a day and place, not less than 30 days after the service thereof, requiring the association to show cause why an order should not be made directing it to cease and desist from so restraining trade or lessening competition in such article.

This simply means that when an association of farmers organized for the purpose of marketing their agricultural products, upon seeking to obtain a higher price than some individuals think they should bring, they will be cited to appear before the Secretary of Agriculture here in the city of Washington to show cause why the price is not excessive.

Section 6 of the Clayton antitrust law, approved October 15, 1914, provides:

That the labor of a human being is not a commodity or article of commerce. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations instituted for the purpose of mutual help and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations or the members thereof be held or construed to be illegal combinations or conspiracies in restraint of trade under the antitrust laws.

This section was placed in the antitrust law after extensive hearings, due consideration, and earnest efforts on the part of those representing agricultural interests to have this provision enacted into law. Since that time farmers' unions have felt free to form associations for the purpose of marketing agricultural products without restraint, and it is deemed just and proper that a person who produces an article will be left in a position where he can place the article upon the market at such

reasonable price as the public generally may be willing to pay for it.

Of course, under the antiprofiteering laws no one is allowed to sell a commodity at such an exorbitant price as to constitute an imposition upon the people.

If, as indicated, this bill shall be so amended as to recognize the right of the farmers to organize into associations not having capital stock or conducted for profit under the Clayton anti-trust law it will be greatly improved but will still have incorporated in it section 2, which provides that the Secretary of Agriculture may require agricultural associations to show cause why they should not desist from restraining trade or lessening competition on agricultural commodities, and if upon such investigation it shall be determined that they are doing so the case shall be submitted to the United States court for trial and determination.

While this bill provides for the incorporation of agricultural societies, and it is contended that it will operate to the benefit of agriculture, still in the second paragraph of section 1 it is provided that the dividends on stock or membership capital shall not exceed 8 per cent per annum.

Why this limitation to 8 per cent? Other business organizations are incorporated with full license to realize whatever per cent they deem proper in paying dividends. It is not just for this restriction to be placed upon farmers' organizations unless similar restrictions are placed upon other organizations.

For these reasons, if for no others, I can not support the measure.

As before intimated, it is my opinion that this investigation providing for the Secretary of Agriculture to make investigation is aimed principally at the great staple product of the South, cotton.

It is not meant by this to intimate that there is any prejudice against the interests of the South on the part of the Secretary of Agriculture. I believe that he is absolutely fair and impartial and will see that justice is meted out in all cases presented to him. This is clearly shown in a ruling which was made when the question came up as to quarantining the States of Louisiana and Texas on account of the appearance of the pink boll worm in some sections of these two States. Just as soon as it was known that this question would be passed upon by the Secretary of Agriculture I at once telegraphed, giving a warning to the people in the fourth congressional district of Louisiana that this quarantine would be established unless proper showing was made as to why it should not be. A strong delegation from my district came to Washington and, in cooperation with others from the State of Louisiana and the State of Texas, had a hearing before the horticultural board, at which it was shown that it was not necessary to quarantine these two States as a whole, and the Secretary of Agriculture formulated a plan by which the cotton interests could be protected and these two States be eliminated from the effect of a quarantine against the exportation of cotton, cotton seed, and its products, thus saving financial loss to these States and at the same time benefiting the cotton industry throughout the entire South.

It seems unfortunate that the spirit of sectionalism prevails in certain sections of the country and that a spirit of animosity against the South lingers in the minds of a few prejudiced persons who do not realize that the Civil War has long since ended and the animosities growing out of it are buried in the past. This animosity against our section of the country has cropped out in several instances during this Republican Congress, as is evidenced by the declaration of Mr. MADDEN, from the State of Illinois, on the floor of the House a few days ago, in which he characterized Gen. Robert E. Lee and his compatriots as traitors.

Under the rules of the House the Members have liberties which are not accorded to them in other places.

While this statement met with the reply denouncing it as false, and the word "lie" was vociferously uttered by many Members, it was not permitted under the rules of the House for the assertion to be repelled by physical blows.

The Member of the House from Illinois who made use of this uncalled-for statement in reference to Gen. Lee, the hero whom we adore, is said not to be a native American but born as a subject of England, and being adopted by this country is, no doubt, impressed in a similar way with reference to George Washington, the Father of His Country, who took up arms against England, and after a seven years' struggle succeeded, together with other patriots, in freeing America. He would, no doubt, also stigmatize Washington as a traitor if the occasion presented itself.

This spirit of sectionalism was shown when the woman-suffrage amendment was submitted to Congress. Section 2 of the amendment provides that the enforcement of the woman-suffrage amendment shall be left with Congress. This was clearly done because it was intended by the Republican Party to provide for the protection of the negroes in the South, as it has always been recognized as the policy of the Government for each State to enact and execute its own laws in matters pertaining to the right to vote, except in those instances where it has been sought to protect the negro.

As a further illustration of the statement above made in reference to the spirit of sectionalism, attention is called to the bill now pending in Congress, which has been reported from the Judiciary Committee of the House and is on the calendar for final passage, entitled:

A bill to assure to persons within the jurisdiction of every State the equal protection of the laws and to punish the crime of lynching.

That this bill is intended as an attack on the South is clearly shown by the report from the committee, which includes a list containing the names of 74 negroes and 6 white men lynched from January 1 to December 31, 1919. This list gives all these cases as having occurred in the South and not a single one of them is reported from the North, only two being reported from Colorado, one from Kansas, and one from Washington, in the West. I will submit with my remarks a list of these cases which this report claims occurred in the United States in 1919. The report on this bill contains a diatribe against the people of the South, who are charged with lynching negroes for the outrages which were committed upon the females of the South.

This list is as follows:

Lynchings, 1919.

[74 negroes and 6 white men lynched from Jan. 1 to Dec. 31, 1919.]

Name.	Date.	Place.	Manner of lynching.
Henry Thomas	Jan. 18	Grand Bayou, La	
Bragg Williams	Jan. 20	Hillsboro, Tex	Burned.
Sampson Smith	Jan. 30	Monroe, La	
John Daniels	Feb. 6	New Bern, N. C	Hanged.
Will Fortner	Feb. 14	Bossier, La	
Eugene Greene	Mar. 2	Belzoni, Miss	
Cicero Cage	Mar. 13	Tuscaloosa, Ala	Cut to pieces.
Joe Walker	do	Greenville, Fla	Shot.
Bud Johnson	Mar. 14	Castleberry, Fla	Burned.
———	Apr. 14	Millen, Ga	
Sam McIntyre	Apr. 23	Forest City, Ark	Hanged.
George Holden	Apr. 29	Monroe, La	Shot.
Tom Gwyn	do	Hickory, N. C	
Benny Richards	May 2	Warrentown, Ga	Hanged (burned after death).
Discharged soldier	May 9	Pickens, Miss	
——— (woman)	do	do	
Lloyd Clay	May 14	Vicksburg, Miss	Burned.
———	May 15	Scott, Ga	
Will Moore	May 20	Ten Mile, Miss	Hanged.
Frank Livingston	May 21	Eldorado, Ark	Burned.
Jay Lynch (white)	May 28	Lamar, Mo	Hanged.
———	do	Mineral Wells, Miss	
Berry Washington	May 30	Milan, Ga	Do.
James E. Lewis	June 6	Prichard, Ala	Shot.
Max Smith	June 7	Abbeville, S. C	
———	June 12	Furth, Ark	
Clyde Ellison	June 15	Star City, Ark	Hanged
Jim McMillan	June 18	Woodstock, Ala	Shot.
Frank Foukal (white)	June 22	Bay Minette, Ala	Do.
John Hatfield	June 26	Ellisville, Miss	Hanged (burned after death)
Lije Blake	do	Tillman, S. C	Shot.
———	June 28	Richton, Miss	Hanged.
Lemuel Walters	June 17	Longview, Tex	Do.
Robert Truett (soldier)	July 15	Louisa, Miss	
Chilton Jennings	July 24	Gilmer, Tex	Do.
Argie M. Robinson	Aug. 1	Clark County, Ala	
Charles Kelly (soldier)	Aug. —	Fayette County, Ga	Shot.
———	Aug. 5	Cochran, Ga	Hanged.
Jim Grant (soldier)	Aug. 15	Pope City, Ga	
Walter Eliot	Aug. 20	Louisburg, N. C	Shot.
Eli Cooper	Aug. 28	Ocmulgee, Ga	Shot (burned after death).
Lucius McCarty	Aug. 31	Bogalusa, La	Do.
Flinton Briggs	Sept. 3	Star City, Ark	Shot.
———	Sept. 6	Monroe, La	Do.
Bowman Cook	Sept. 8	Jacksonville, Fla	Hanged and shot.
John Morine	do	do	Do.
L. B. Reed	Sept. 10	Clarksdale, Miss	Hanged.
Obe Cox	do	Oglethorpe County, Ga	Burned.
Salvador Ortez (Mex.)	Sept. 13	Pueblo, Colo	Hanged.
Jose Gonzales (Mex.)	do	do	Do.
———	do	Jonesville, La	Shot.
Robert Croskey (soldier)	Sept. 29	Montgomery, Ala	Do.
Miles Phifer	do	do	Do.
John Temple	do	do	Do.
Will Brown	do	Omaha, Nebr	Burned.
Ernest Glenwood	Oct. 2	Americus, Ga	Drowned.
Mose Martin	Oct. 5	Washington, Ga	Shot.
Jack Gordon	Oct. 6	Lincolnton, Ga	Burned.
Will Brown	do	do	Do.
Mose Freeman	do	do	Shot.
Eugene Hamilton	do	Macon, Ga	Do.
———	Oct. 16	Buena Vista, Ga	
———	do	do	
Alex. Wilson	Oct. 21	Skidmore, Ark	Do.
Gus Jackson	Oct. 23	Shreveport, La	Beaten to death.
Henry Booth	Oct. 26	Humboldt, Tenn	Shot.
Paul Jones	Nov. 3	Macon, Ga	Burned.
——— (white)	Nov. 6	Stafford, Kans	

Lynchings, 1919—Continued.

Name.	Date.	Place.	Manner of lynching.
Robert Motley	Nov. 8	Lambert, Miss	Hanged.
Britt Smith (white)	Nov. 11	Centralia, Wash	Do.
Jordan Jameson	do	Magnolia, Ark	Burned.
——— ———	Nov. 16	Moberly	Shot.
Wallace Hayes	Nov. 19	Madison, Ga	Do.
Neville Foxworth	Nov. 28	Foxworth, Miss	Do.
Sam Moseley	do	Lake City, Fla	Hanged
——— ———	Nov. 30	Macon, Ga	Do.
E. D. Whitfield	Dec. 15	Chapmanville, W. Va	Shot.
Earl Whitney	do	do	Do.
Charles West	Dec. 21	Smithville, Ga	Do.
Powell Green	Dec. 27	Franklinton, N. C	Do.

Lynching in the United States in the year ending Dec. 31, 1919, by States.

Alabama (1 white)	8
Arkansas	10
Colorado (Mexicans)	2
Florida	5
Georgia	22
Louisiana	8
Mississippi	12
Missouri (1 white)	2
Nebraska	1
North Carolina	4
South Carolina	2
Tennessee	1
Texas	3
Washington (1 white)	1
Kansas (1 white)	1
West Virginia	2
Total (78 colored, 6 whites)	84
The manner of lynching was as follows:	
Burned (1 white)	14
Shot to death	31
Hanged	24
Beaten to death	2
Cut to pieces	1
Drowned	1
Manner unknown	11
Total	84
The alleged causes are as follows:	
Member of Non-Partisan League	1
Insulting white woman	5
Altercation with white man	1
Attempting to pull white woman from horse	1
Trouble between white and colored cotton-mill workers	1
Assault on white woman	14
Murder	27
Insulting white woman	1
Shooting white man	7
Attempted assault on white woman	5
Result of race riot	1
Talking of Chicago riot	1
Not turning out of road for white boy in auto	1
Leader among negroes	1
Circulating incendiary literature	1
Misleading mob	1
Boastful remarks re killing of sheriff	1
Intimacy with white woman	2
Found under bed in white man's house	1
Expressing himself too freely re lynching of negro	1
Causes unknown	4
Assault on white man	1
Beating and robbing white man	1
Abetting riot	4
Total	84

A man whose cowardly heart and brutal instincts will prompt him to overpower and outrage a delicate, refined, and modest woman is considered in the South as beyond the pale of the law.

This statement is not made in advocacy of lynch law, but it is made because it is a fact that in the southern country the chivalry of the men is such that they would rather take the law in their own hands than see a lady who has been outraged by a brute forced to go into the court room in the presence of the gaze of spectators who are congregated through a morbid curiosity and there have to recite in detail and live over again all of the horrible occurrences.

There are other ways in which mob violence can be avoided much better than the one suggested in this bill, which provides for the transfer of cases from the State courts to the United States court and for the severe punishment of the officials in whose custody a man happens to be when he is mobbed and the municipalities in which not only the mob occurs but through which those passed who are engaged in the mob. All these cases are to be taken out of the State courts and transferred to the United States courts on trials for damages as well as for criminal punishment.

The better way is for all such cases to be tried rapidly and under a statute which provides for every safeguard of the accused, and the punishment to be swift and sure, as it is under military court-martial. But when the ravisher is allowed to delay his case in the courts and his punishment is delayed, it is not surprising that the people become impatient and demand speedy vengeance.

About a year ago a negro in the city of Washington—the Capital of this great country of ours—entered the bedrooms of three different young ladies in three different homes in the fashionable section of the city on the same night and attacked each one of them. One of them so vigorously repelled the attack that he killed her outright. For this offense he has not yet been punished, and a strong effort is being made at this time to save his life.

Only this week here in Washington at the Highway Bridge a negro attacked a man and his fiancée, shot the man, killing him instantly, and dragged the young lady off into the bushes near by, and while it is supposed that he will ultimately be punished for this crime there is a strong sentiment seeking to defend him.

How can it be expected with such examples as these, and many others which could be enumerated, that people will patiently wait for the tardy action of the courts and the law's delays in meting out punishment.

The report on this lynching bill casually refers to an incident which happened in the city of Washington about a year ago, in which many white men were killed by negroes, and if any of them have been punished it has not been brought to my attention. They seek to dignify this occurrence by calling it a race riot. Enough has been stated with reference to this, but I do not wish to close my remarks along this line without calling attention to the fact that in the South there is a protection for the negro equal to that accorded him in any other section of the country when he obeys the laws and keeps his hands off of the pure women of the South. This statement is not an argument in favor of mob law, but is made for the purpose of showing why the people in the South in many instances are so aroused to a pitch of indignation and wrath that they do not restrain themselves, and for this reason there should be enacted a law providing for swift and sure punishment for that class of offenders who are usually held to account through mob violence.

In commenting on this antilynching bill, which provides for the transfer of cases from the State courts to the United States court, it is proper to state that it is an infringement upon the rights of the States, and it will not be tolerated with any degree of allowance.

Francis Ferdinand, the Austrian Crown Prince, was murdered at Sarajevo, Serbia, by Gavrilo Princip in 1914. Austria claimed the right to take part in the investigation and punishment for the offense. Serbia stood back on her right as a State to investigate and punish criminal offenses, and the great World War ensued as a direct result.

There are times that people, although helpless and dependent, will rise up in their might and assert their rights at all hazards, and it is in the defense of these rights of the States that I protest against such sectional measures as the Dyer bill, as well as many similar measures which are sought to be enacted by this Republican Congress.

While 40,000,000 white people died either in the late war or as a result of that war, leaving that many more colored people in proportion, still the white people of this earth are in the ascendency through their intelligence, religious characteristics, and superior refinement; but we must bear in mind that the numbers of the white race are rapidly decreasing in the proportion which they bear to the colored races of the world, although the white race has doubled in population in the last 300 years, being now about one-third of the population of the globe.

The time may come when the various colored races may decide to combine against the white race, and with their experience when Japan overcame the Russians in that clash between the yellow and the white race, it is to be presumed that they will be encouraged to believe that they are invincible in such a conflict.

The sectional statutes which are sought to be enacted will naturally array the negro against the white man, and if a final clash should come between the races it is evident what position the negro race will take.

In the South he is treated with every consideration. The laws are enforced in his behalf just the same as they are in behalf of the white man. His school and church privileges are the same; his rights of property are respected; but he does not claim or expect social equality. The white man and the negro of the South understand each other and, if left alone to work out their own destiny, will have no trouble in living peacefully and contentedly, and nothing but sectional animosity and an effort to array the negro against the white man will ever cause the negro to rise up against the white man, and I do plead with

the people of the North to lay aside any sectional feeling which they may have and reconcile themselves to the fact that no more loyal, patriotic people live on earth than those in the southern section of this great, united country of ours.

Mr. IGOE. Mr. Speaker, how much time is there remaining?

The SPEAKER pro tempore. The gentleman has 11½ minutes remaining.

Mr. IGOE. And how much on the other side?

The SPEAKER pro tempore. Seventeen and one-half minutes remaining to the gentleman from Minnesota [Mr. VOLSTEAD].

Mr. IGOE. Mr. Speaker, I yield myself 6½ minutes.

Mr. Speaker, in the first place, I want to say that I think I have supported in my service here every measure that has been proposed in the interest of the farmer. The necessity for this bill comes from the fact that in the Clayton Act the exemption is for cooperative associations without capital and not organized for profit but for the mutual benefit of the members. It was stated to the committee that the purpose in coming before them was to ask that the restriction against capital stock be removed, and if that was the question that was presented to this House to-day, then you would have the real question that is at issue between the farmers and the Government officials who are seeking to enforce the present law.

There has not been before the committee a representative who upon cross-examination was willing to admit that the farmers wanted anything more than the privilege of having capital stock in their cooperative associations. I say to this House if you want to meet that proposition all you have to do is to amend the section of the Clayton Act and strike out the words "without capital stock" and you have met it. But there are interests in this country who are hiding behind the farmers, and for some reason or other they have in their behalf the aid of the representatives of the farmers here in Washington. I believe the people who oppose the bill are more the friends of the farmer than those who are supporting it.

Now, what is the situation? If you will examine this bill, you will find in section 1 a provision which says:

> And such producers may organize and operate such associations and make the necessary contracts and agreements to effect that purpose, any law to the contrary notwithstanding.

Now, what was the situation in the California cases? It was that these associations when organized went out in competition with other business and other individuals, and sought to violate every law upon the statute books. They sought to put every competitor out of the business by price agreements. They sought to put them out of business by various unfair means and methods, and, finding themselves against the law, they come now and ask for this proposition. But when the attorney who represented them was before the committee and this proposition was put up to him plainly and he was asked whether he wanted that provision in the Hersman law, which has been incorporated in this, he said, "No; we do not. We want the right to have capital stock, and if we have that we are willing to abide by their law."

Mr. BARBOUR. Will the gentleman yield?

Mr. IGOE. No; I regret to say I can not yield.

Here is the proposition: It is not to allow these farmers to cooperate and have capital stock. It is to allow them, after they are incorporated, to go out and do anything which any other corporation or individual can not do. Now, what is the effect of it? Take, for instance, the milk situation in the big cities. These people now have their cooperative associations without capital stock, but if they get this they can violate the laws against unfair trade, and they can go to the people who deliver the milk and say, "We will sell you our milk, but on condition that you handle our milk exclusively. If you handle any other we will not sell to you." And they can control the prices the distributor may charge. They can say to the distributor, "We will allow you to sell our milk, but you must charge a certain price and give us a certain price." And so the big packers of this country under this law, if they desire to do it, could organize the ranchmen of the country and say to them, "Now, we will distribute your product and make an agreement as your agent to charge a certain price," and under this law they are absolutely free from every law on the statute books—the Sherman Act, the Clayton Act, the laws against unfair competition—and can go out in the country and take from the consumers as much as they want.

Let me tell you another thing, you friends of the farmer: If you get one of these cooperative associations in your country they can go to the farmers who do not want to come in and say to them, "If you do not come in we will break you." And I will tell you now that they are doing it in some of the States. They are doing it in the State of Michigan, where the beet farmers have gotten together——

Mr. CRAMTON. Will the gentleman yield.

Mr. IGOE. No; I can not yield.

Mr. SABATH. I want to say that what the gentleman said is true.

Mr. IGOE. I have been informed that unless they sell upon the terms of the association they have been threatened, and the gentleman can deny it in his own time.

The SPEAKER. The time of the gentleman has expired.

Mr. VOLSTEAD. Mr. Speaker, I yield two minutes to the gentleman from Pennsylvania [Mr. FOCHT].

Mr. FOCHT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. FOCHT. I understand that in the process of this legislation there will be an opportunity whereby the producer will receive some measure of protection from what might now be characterized as the biggest grafters in America, the commission merchants of New York, Philadelphia, and other cities. Nearly every Member of Congress has received word from home, from those who go among the farmers and gather up produce and send it to the cities, that they fail to get any return, and we have been overwhelmed and besieged and importuned to relieve this condition.

That is one phase of it. Another phase is the protection that the consuming public will have with respect to the products of the farm. Notwithstanding the fact that we have cold storage everywhere, the farmers, or this combination, this union, whatever it is, or whatever you call it, will not be able to so conserve the products as to fix the price to an inordinate amount, for the reason that nearly everything, in fact, everything that is produced on the farm is perishable, and the first thing that a farmer wants is a market. He must sell his product, in order to get anything, at least some time during the year. Therefore he must dispose of his products, and the people will have in that one point and feature of the bill ample protection from any such thing as profiteering on the one hand, while on the other there will be no more grafting of the huckster such as has recently been carried on by the commission men, commission merchants of Baltimore, Philadelphia, New York, Boston, Cleveland, Buffalo, Chicago, St. Louis, in fact, every city, by no means excepting Washington. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. VOLSTEAD. Mr. Speaker, I yield one minute to the gentleman from Georgia [Mr. UPSHAW].

The SPEAKER pro tempore. The gentleman from Georgia is recognized for one minute.

Mr. UPSHAW. Mr. Speaker and gentlemen of the House, the declaration during this debate that agriculture is the basic industry of the world should find a companion truth in the declaration that the principle of collective bargaining by workers and producers is the basis of a square deal for both labor and capital.

I have the honor of representing the greatest city of the Southeast. I enter into every business man's legitimate purposes and rejoice in his legitimate success. But it is as clear as the light that if merchants and manufacturers and bankers have the right to assemble their capital in order that they may buy and sell and get gain, if the workingman in the city has the righteous right to assemble his only capital of the horns on his hands and the sweat on his brow to better his condition—and no man dare deny him that right—then surely the farmer, who works from daylight to dark to feed and clothe the world, must have the same right. [Applause.]

LEGISLATING FOR RURAL HAPPINESS.

My chief reason for being in favor of this legislation in behalf of farmers is because I want to see everything done for the farmer that can possibly be done to encourage agricultural life. I want to see farm life made so attractive from every angle that the stalwart young manhood of America will be glad to elect the farm as a life vocation. The drift from the farm to the congestion of city life is a dangerous, an almost fatal tendency in our American life. Production must be increased or the high cost of living will never come down. The world must be fed, the world must be clothed, and the ever-increasing demand for these necessities that must come first-hand from the soil furnishes the basis of a marvelous prosperity for the man who determines to dedicate his energy, his enterprise, his informed genius to the many-sided opportunities of farm life.

STANTON SAYS, "STICK TO THE FARM."

So appalling is the need of greater production and so fraught with danger is the desertion of the farm for the congestion of the city that thoughtful, farseeing men are gravely concerned. The patriotic question is asked on every side, "How shall we

remedy the situation? What can be done by legislation or by general education to hold the purposeful youth of to-day on the farm? And what can be done to turn the tide of millions in the city back to the farm—literal millions who freeze in winter, faint in summer, and live from hand to mouth all the time?"

Certainly if these improvident millions who must be fed and clothed can not be induced to go to the farm and share the prosperity that would come from helping to feed and clothe the world, then it is an economic and a highly patriotic duty to legislate and educate in every possible way to make the sons and daughters of the soil "stick to the farm" and develop the farm more and more unto the fundamental prosperity of the individual and the Nation.

Frank L. Stanton, jr., of Atlanta, the gifted son of Georgia's beloved poet-laureate, the James Whitcomb Riley of the South, has inaugurated a thoroughly unique and workable plan of educational advertising, entitled "Stick to the farm."

It is suggested by him that the Department of Agriculture take charge of the movement and go after every conceivable agency in America to boost the campaign until the slogan, "Stick to the farm," articulates from every wayside fence and stump and stone and flash in blazing letters from the "burnished ceiling of the sky."

Thus the dangerous drift from the country to the city will be arrested, and by proper education, legislation, industry, and enterprise the farmer will indeed "make two grass blades grow where one was growing before" and gardens of roses shall blossom where thorns and thistles erstwhile grew. And thus the agricultural prosperity of the country will put its soothing hand on the fevered pulse of national unrest, sending from the happiness and contentment of rural life the inspiration of its schools and the purity and warmth of the "old-time religion" of its progressive country churches that splendid, God-fearing citizenship which must be the safety of America and the hope of all mankind.

DEMOCRACY AND CONSTRUCTIVE LEGISLATION.

This argument growing out of my lifetime interest in the farmer—for I was born on a farm and chiefly reared between the plowhandles—ties itself naturally to my interest and pride in the constructive legislation of the Democratic Party.

This is not said in a narrow sense, but out of simple loyalty not only to the party of my fathers but to what I honestly conceive to be the fundamental principles of Democracy and good government.

It was a notable thing that lifelong Republicans like Henry Ford and Thomas A. Edison declared in 1916 that the Democratic Party, under the first four years of President Wilson's administration, had put more laws on the statute books that really reached and helped humanity than the Republican Party had enacted during its whole lifetime, and for that reason they left their lifelong Republican affiliations and gave substantial and enthusiastic support to the Democratic ticket. And, as a matter of information and history, I give here an epitome of some of the notable and practical legislation of which the Democratic Party is justly proud and for which the whole country, irrespective of political lines, should be grateful:

CONSTRUCTIVE LEGISLATION.

1. Currency reform: By the enactment of the Federal reserve act the industrial and commercial interests of the United States have been emancipated by Democratic agency from domination by special interests. The Nation was freed from the danger of financial panics and the foundation laid for the existing wonderful prosperity of the country.

2. Rural credits: The passage of the Federal farm-loan act remedied an imperative need entirely ignored by the Republicans for years and assures adequate means of providing capital at fair rates of interest for the further development of the agricultural resources of the United States and promises an annual saving to farmers of $150,000,000 a year.

3. Good roads: In the new Federal good-roads law, approved by the President last July, the Democratic administration makes available $75,000,000 for the development of highway systems throughout the United States under safeguards which prevent wasteful use of the money.

4. Tariff revision downward: In keeping with the platform pledge of 1912 the Democratic Party revised the tariff downward and put the Underwood tariff law upon the statute books, thus unfettering industry and commerce, depriving monopoly of its former control over production, distribution, and prices, and providing adequate customs revenue for the maintenance of the Government.

5. Income tax: The income-tax law, opposed by the Republican Party for a generation, shifts the burden of taxation from those least able to pay to those best able to pay.

6. Tariff commission bill: In this measure creating a tariff commission the Wilson administration takes an important step toward eliminating the tariff from politics and affords assurance of protection to American manufacturers against any emergency which may follow the close of the war in Europe.

7. War revenue: To meet the cost of "preparedness" the Wilson program increases the income tax, provides for an inheritance tax, and levies a special tax upon munitions of war. Many Republican Members of Congress have voted for this plan.

8. The Federal Trade Commission: This new commission in the year and one-half of its operation with signal success has supplied the demand for a tribunal to arbitrate commercial disputes, to prevent "unfair competition," and to do justice between the public and the great industrial corporations.

9. Direct election of United States Senators: A reform inspired and carried into effect by Democrats, which does much to restore popular Government at Washington.

10. Seamen's act and safety at sea: By a series of laws, chief of which is the seamen's act, working conditions of sailors in the American merchant service are improved and precautions are taken to avoid the fearful loss of life at sea that accompanied the *Titanic* disaster.

11. Revision of trust laws: In the face of persistent opposition of the special interests and at a time when the greatest international questions press upon the President and Congress, a complete revision of the antitrust laws was secured and is now in force.

12. Agricultural extension: Under the Smith-Lever agricultural extension act elaborate machinery has been put into operation by Woodrow Wilson that involved the expenditure of nearly $5,000,000 during the last fiscal year, a sum which will increase automatically year by year until 1922, for the dissemination of scientific knowledge concerning farm operation and management. This law is expected to double the productiveness of American farms.

13. Workmen's compensation: A model measure has passed both Houses and will extend this protection to thousands of Government employees.

14. Labor's magna charta: Laws have been enacted preventing the abuse of the injunction in labor disputes and legally declaring the labor of a human being not a commodity open to barter and sale like inanimate things.

15. Child labor law: President Wilson's personal intervention brought about the enactment of this important social-justice measure, which uses the Federal power to emancipate children from industrial oppression.

16. Eight-hour day: To the laws passed by the Democratic majority of the House in the Sixty-second Congress applying the eight-hour day to all work done by the Government, whether directly or by contract, has been added the act requiring the eight-hour workday for women in the District of Columbia.

17. Industrial employees' arbitration act: A law secured by the President that establishes the United States Board of Mediation and Conciliation and affords the Government better facilities for preventing or settling great railway and industrial strikes.

18. Cotton futures act: Gambling in cotton is dealt a death blow by a cotton futures law enacted by Democrats after the subject had been evaded by Republicans for two decades.

19. Grain standards: A law giving the Secretary of Agriculture authority to establish official grain standards, simplifying relations between grain producers, dealers, and consumers, was enacted last August.

20. United States warehouse act: Warehouse receipts are made more acceptable collateral, which enables owners of stored products to obtain loans more nearly approximating the full value of their products.

21. Parcel post: This service has broken up an extortionate monopoly by private express companies and has been developed from a mere shell to the most gigantic, useful, and far-reaching express service in the world.

Gentlemen, you might as well "shell down the corn." That is a list of wholesome legislative achievements that will forever crown the Democratic administration that enacted them with a halo of statesmanship and practical humanitarian sympathy in action.

And then came the Great War, which we rightly tried so hard to avoid, but from which we could no longer hold ourselves aloof and preserve our national safety and our international prestige and honor. Under Democratic guidance it was a common challenge and a common victory. Let us thank God for the wonderful victory and face the burden and the future like patriotic Americans. [Applause.]

Mr. UPSHAW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

Mr. VOLSTEAD. Mr. Speaker, I yield one minute to the gentleman from Virginia [Mr. MOORE].

The SPEAKER pro tempore. The gentleman from Virginia is recognized for one minute.

Mr. MOORE of Virginia. Mr. Speaker, I understand that the chairman of the committee will offer an amendment, which I would like to take the minute in saying, in my opinion, will greatly improve the bill and render it more acceptable to the friends of the agricultural interests; and I mean by the friends of the agricultural interests those who recognize the paramount importance of doing everything properly within the scope of legislation that is possible to stimulate and encourage agricultural production.

At some future time I shall ask the privilege of addressing the House on that subject, which is of as much interest to me as any subject the House can consider. Meanwhile, I ask permission to revise and extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

Mr. VOLSTEAD. Mr. Speaker, I yield half a minute to the gentleman from Maine [Mr. HERSEY].

The SPEAKER pro tempore. The gentleman from Maine is recognized for half a minute.

Mr. HERSEY. Mr. Speaker, in order that I may give my reasons in support of this measure, I ask the privilege of extending my remarks on the bill.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

Mr. VOLSTEAD. Mr. Speaker, I yield one minute to the gentleman from Kentucky [Mr. FIELDS].

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for one minute.

Mr. FIELDS. Mr. Speaker, the bill under consideration, H. R. 13931, is designed to promote the interests of the farmers of the country by vesting in them the legal right to form associations for the marketing of their products, a privilege that is denied them under present laws. The bill is therefore correct in principle, and should receive the support of every Member of the House.

The committee's report on the bill reads as follows:

The Committee on the Judiciary, to whom was referred the bill (H. R. 13931) entitled "A bill to authorize association of producers of agricultural products," having considered the same, report it with the recommendation that it do pass.

The object of this bill is to authorize the producers of agricultural products to form associations for the purpose of collectively preparing for market and marketing their products.

Section 1 defines and limits the kind of associations to which the legislation applies. These limitations are aimed to exclude from the benefits of this legislation all but actual farmers and all associations not operated for the mutual help of their members as such producers. Unless each member has but one vote in his association, irrespective of the amount he may have invested as capital therein, the association must not pay a dividend of to exceed 8 per cent per annum. This limitation of 8 per cent is designed to compel payment to the members of as large a part of the proceeds derived from the sale of their products as possible, instead of paying it as a dividend upon the money used as capital. A number of farm associations oppose the payment of any dividend on capital, while others insist that they need a capital and must have the privilege of paying dividends. Eight per cent was fixed for the reason that in many places money can not be borrowed at a less rate, and that hence a less rate would prevent some of these associations from obtaining the necessary funds to carry on their business. The aim has been to make the provisions of the bill sufficiently liberal so that all cooperative farm associations operated in good faith for the benefit of their members might avail themselves of the provisions of this bill. The bill does not, however, compel any association to change its present organization nor does it create any new organizations. Associations will continue to be formed under State laws as heretofore. In States where it is illegal to operate an association such as the ones permitted under this bill, it will, because of the nature of such associations, be practically impossible to operate under this legislation, as the bill only grants the right to operate in interstate and foreign commerce. That is the only power that Congress can confer upon such associations.

Section 2 makes applicable to these associations in a modified form the provisions of the Clayton Act. Briefly, it gives the Secretary of Agriculture power to prevent these associations from exploiting the public. In the event that any association should refuse to comply with the order of the Secretary, a suit may be brought in the appropriate district court to enforce his order. The farmers are not asking a chance to oppress the public, but insist that they should be given a fair opportunity to meet business conditions as they exist—a condition that is very unfair under the present law. Whenever a farmer seeks to sell his products he meets in the market place the representatives of vast aggregations of organized capital that largely determine the price of his products. Personally he has very little, if anything, to say about the price. If he seeks to associate himself with his neighbors for the purpose of collectively negotiating for a fair price he is threatened with prosecution. Many of the corporations with which he is compelled to deal are each composed of from thirty to forty thousand members. These members collectively do business as one person. The officers of the corporation act as agents of these members. This bill, if it becomes a law, will allow farmers to form like associations, the officers of which will act as agents for their members.

While this bill confers on farmers certain privileges, it can not properly be said to be class legislation. Business corporations have under existing law all the powers and privileges sought to be conferred on farm organizations by this bill. Instead of granting a class privilege, it aims to equalize existing privileges by changing the law applicable to the ordinary business corporations so the farmers can take advantage of it. Instead of granting to farmers a special privilege, it aims to take from the business corporations a special privilege by conferring a like privilege on farm organizations. It is no answer that farmers may acquire the status and secure the rights of a business corporation by deeding their farms to a corporation. That is neither practical nor desirable from any standpoint. Without doing that they can not associate themselves together for the mutual profit of the members without being threatened with prosecution.

New York, Pennsylvania, Illinois, Wisconsin, Minnesota, and a number of other States have granted the right to form associations such as those contemplated in this bill. But these States can not confer any right upon their organizations to engage in interstate or foreign commerce. This bill is designed to grant that right. Associations of this kind are common in European countries and have been in operation for many years. Their effect has not been to raise prices to the consumer. In many instances the effect has been the reverse. They have tended to prevent much of the gambling in foodstuffs and to eliminate many of the useless middlemen that stand between the producers, the retailers, and the consumers. It is one of the chief problems of these associations to reach the consumer with as little expense as possible. Farmers ought to be given a chance to do that. The high cost of living can not be solved by discouraging agriculture. It must be solved by fair treatment of those engaged in that pursuit. To maintain his self-respect and the dignity of his occupation the farmer must be given an opportunity to deal in selling his products on an equal footing with those who purchase them. He should be given an opportunity to help solve in a rational and fair way the problems involved in the high cost of living.

The report, Mr. Speaker, fully explains each provision of the bill. As will be noted, the first section of the bill provides for the association of producers for the marketing of their products, which will give them protection against the gamblers in agricultural products, who rob the producer with one hand and the consuming public with the other. It also provides that the association shall not earn a dividend in excess of 8 per cent, which will protect all the members of an association against the possibility of a few of its officials getting control of it and consuming the profits to which the farmer is entitled by paying to themselves exorbitant salaries for conducting the business of the association.

Section 2 of the bill safeguards the interest of the public by giving to the Secretary of Agriculture power to go into the courts to prevent an association from exploiting the public, should an association decide to do so. Therefore, both the producers and the consumers are protected in their legitimate rights by the provisions of the bill.

Mr. Speaker, the greatest menace with which the farmer is confronted to-day is the gambler in agricultural products, who plays no part in nor contributes to the production of those products. The greatest evil with which the consuming public is confronted is the profiteer, who exacts exorbitant profits upon the necessaries which the public must consume. The country is suffering more to-day as a result of these two evils than from all other evils combined, and they should be corrected by legislation as far as it is possible to correct them in that way.

The President requested the Congress some ten months ago to immediately enact legislation to curb the profiteers and gamblers in food products and other necessaries of life, who had become entrenched by war conditions, but his request was ignored by the majority party in Congress, which controls the legislative policy of both branches of Congress.

Mr. Speaker, I venture the assertion, and do it without fear of successful contradiction, that if the Republicans in both branches of Congress, who have a majority in each branch, had devoted half the time to legislation designed to prevent gambling in agricultural products on the one hand and profiteering in the finished products on the other that they have spent in investigating and criticizing the President and the conduct of the war, all of which was done for their political advantage, the gambler in agricultural products and the profiteer in the necessaries of life would to-day be out of business so far as it is possible to put them out of business by the enactment and enforcement of law. Of course, everyone understands that it is impossible to enact any law that will totally prevent the commission of crime. Some men will commit infractions of the law regardless of the penalties for such infractions.

We have statutes against pistol toting, with penalties for violations of its provisions, but yet men carry pistols. We have statutes against murder, manslaughter, and assault and battery, and so forth, with severe penalties for the commission of those acts, yet men commit such acts. But they are not committed so frequently and so dastardly as they would be in the absence of any statute prohibiting the commission of such acts and punishing those who do so.

The bill under consideration, however, is a step in the direction requested by the President nearly a year ago, and I commend the Committee on the Judiciary for taking that step by framing and reporting to the House this bill. I only regret that we have not been given an opportunity to consider and pass other bills necessary to cure other evils in our economic system that have grown out of war conditions.

Mr. Speaker, the effects of this bill, if it becomes a law, will not be temporary, nor will its benefits be confined to the producers and consumers of the products that will be sold through the associations which the bill authorizes, but it will contribute to the life and prosperity of the Nation by increasing the production of the soil by providing for the tillers of the soil better and safer markets for their products. History will bear me out in the assertion that no nation ever ceased to exist as a nation except for one of two causes—first, by being overrun and subjugated by a superior power, or, second, by failure to produce from the soil the things essential to the life of its people. Therefore that which will increase the production of the soil is not alone of importance to the tillers of the soil but is of interest to the Nation as a whole, first, from an economic standpoint, and, last, but not least, by contributing to the life of the Nation. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Kentucky has expired. Does the gentleman from Missouri [Mr. IGOE] desire to use the balance of his time?

Mr. IGOE. How much time have I left, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has five minutes.

Mr. IGOE. I yield five minutes to the gentleman from Texas [Mr. YOUNG].

The SPEAKER pro tempore. The gentleman from Texas is recognized for five minutes.

Mr. YOUNG of Texas. Mr. Speaker and gentlemen of the House, I regret—coming from a great productive region, as I do, where my people are farmers and where a bill like this is offered on the floor of this House which is said to be a bill in the interest of farmers—that I can not see in the bill that there is anything on which the farmer may depend for any relief from the present conditions. This is, so far as the matter of government is concerned, a piece of class legislation, group legislation, pure and simple.

I have always adhered to the belief, and still adhere to the belief, that the great agricultural masses of this country do not want any special privileges, and they do not want the other fellow to have any. [Applause.] I have always felt that when the testing day came to this Nation as to whether or not it would be overthrown by virtue of legislation for groups of people and combinations of groups we should look back to the great agricultural masses which stand back there and hear them say, "We have never demanded a special privilege for ourselves, and we are going to fight special privileges to others." This bill violates that principle, and we have got to look to the farmers of this country to protect the Nation in the years to come.

Now, what does this bill do? Take section 2, where you put your power in one man. If he is a good man, he might not abuse that power; but it is a man that you are reposing upon and intrusting the power to. The Secretary of Agriculture is given the power to determine the proposition as to whether farmers are combining to profiteer in wheat, cotton, or other agricultural products. That is a power that ought not to be put in a governmental agency. It is a safe rule not to vest such a power by statute; and yet you are vesting that power here in the Secretary of Agriculture, a power over the destiny of the farmers of this Nation.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Texas. I can not yield.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. YOUNG of Texas. Let me show you where you are putting yourselves. I represent a section that clothes the world.

Cotton is the great crop in my section. Other gentlemen here come from sections where grain is produced. Both of these great crops—cotton and grain—are more or less affected by the operation of the cotton exchanges and the grain exchanges. If I were a gambler on the cotton exchange I would ask you to give this power to the Secretary of Agriculture and let there be an organization formed to handle the cotton crop. Ah, how I would lay my plans if I were a gambler on one of those exchanges, and I would come to the Secretary of Agriculture, and I would hold the cotton farmers of the South up to scorn, and I would demand a hearing, and I would have everybody who wanted to consume cotton up in the air. Nobody would know what this man to whom you give this power is going to do, or what effect it will have on the men who are growing cotton in Texas. They have no market. It destroys their market. The same would be true as to wheat and as to every other great agricultural product, and when you write it on the statute books of the country you are giving the farmer additional trouble to deal with. If this is the last vote I ever cast on a great, important agricultural proposition, my vote shall be cast against giving this power, when I know of the manipulations of the gamblers on these exchanges and elsewhere who will take advantage of this power and always keep the farmers' market in an uncertain condition. The same thing is true as to cattle and as to wheat and the other great crops of this country.

But, to go back to my text, the only thing that I, the farmer, want is that I get no special privilege, and, in the name of God, give no special privilege to the other fellow. [Applause.]

Mr. VOLSTEAD. I yield two minutes to the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. Speaker, I do not consider that this measure grants any special privilege to agriculture. It rather appears to me that it is only confirming a natural right which agriculture ought to enjoy, whose exercise is not inimical to the legitimate interests of other people. No farmer can compete alone with the conditions that surround him. We all know that it is economically impossible for any individual farmer to compete with the conditions under which he must live. When he buys from a merchant he buys at the merchant's price, and he has no power to compel the merchant to reduce the price. When he buys agricultural machinery from implement houses he has no power as an individual to exercise a voice in determining the price he pays for it.

When he sells his product, it matters not whether it be corn, wheat, live stock, tobacco, or anything else, he must sell it at a price dictated not by himself but by others who have had no part in its production. For that reason I favor the passage of laws that will enable him and encourage him to cooperate with others similarly situated in order that greater efficiency may be secured and in order that the farmer may produce that which must feed and clothe us under conditions that will encourage the greatest production and conservation. The world needs more production. It is essential. If production is to increase, the conditions of marketing the produce of the farms must be improved and simplified. This measure, we hope, will assist in accomplishing this result.

There are some things in this substitute for the Capper-Hersman bill, which is now presented by the gentleman from Minnesota [Mr. VOLSTEAD], with which I do not entirely agree. But the bill is presented under a procedure that makes its amendment impossible, and I shall vote for its passage, in the hope that as finally enacted into law it may be instrumental in greatly improving the marketing conditions under which those engaged in agricultural pursuits are now laboring.

Mr. VOLSTEAD. I yield two minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Speaker, if I construed this bill in the same manner as many Members do, especially as those who oppose it construe it, I should not be inclined to favor it. I do not believe that the provisions of this bill confer upon the farmers any privileges which they did not have before. Certainly it does not confer upon any corporation organized by farmers any power which a corporation does not now have and which corporations are every day exercising. The bill gives them the right to organize for the purpose of marketing their products and authority to do any act which is necessary for that purpose. A careful examination of the bill convinces me that beyond that the bill gives them no privileges whatever.

The question may be asked, Why enact a bill under such circumstances? The reason is that the farmers are fearful to go into these associations because some of them have already been prosecuted under the antitrust laws, although those prosecutions have failed when it has been found they were merely entering into proper associations.

There is one provision in the bill that I do not like. The farmers are authorized to enter into these associations for the purpose of marketing their products, "any law to the contrary notwithstanding." This provision ought to have been stricken out of the bill. It is wholly unnecessary, and if it had any meaning I should not vote for the bill, as it would make the bill clearly unconstitutional. No law is constitutional that punishes one man and exempts another from punishment for the same act.

Mr. Chairman, for years I have made a careful study of the antitrust laws. Some 25 or 30 years ago I was a delegate to the convention to consider the regulations of trusts, which was held at Chicago. I have never believed in lowering or relinquishing any of the antitrust regulations. If this is done for one, it will eventually have to be done for all. If it is done for one class, it will encourage another class to come in and ask for the same exemption. In the end there will be nothing left of the antitrust laws. But no act provided for in this law is made illegal by the antitrust laws. Everything that an association can do under this law has been done for years by farmers' associations all over the country. In my own district we have had for years a highly successful and very beneficial association of the grape growers for the purpose of marketing their products. No one has ever dreamed of interfering with this association, and I would have had no hesitation in guaranteeing to the association that as long as they continue doing business in the manner in which they have heretofore carried it on that they violated no provision of the antitrust law. This association has been, and I have no doubt will still continue to be, simply an association for the purpose of marketing the products of its members. It has not been an association for the purpose of forcing up prices, and it has always offered its products for sale on the same terms to everyone. Consequently, its directors have gone ahead with a clear conscience, knowing that they were complying with the law.

Unfortunately, the Sherman antitrust law has been befogged by court decisions, and the farmer has, I think, been unnecessarily alarmed as to what proceedings might be taken against him under it. Instances were given of unjustifiable prosecution of farmers under the antitrust law, but I would not regard that as a reason for enacting this law. There are unjustifiable prosecutions under every criminal law. Some of them started in good faith, and some, of course, began through malice. The real

reason for the enactment of this law is, as stated by the gentleman from Illinois [Mr. MANN], to encourage the formation of farmers' associations, in order to lessen the great cost of getting their products on the market, which is now altogether out of proportion to what it should be. I believe that when these associations are formed they will be beneficial alike to producer and consumer, and that if these associations are parties to any combination which is now unlawful, the provisions of this bill will not alter the situation in the least. If such a construction could possibly be put upon its terms—and I think it could not—then the courts would declare the bill itself unconstitutional.

Mr. BARKLEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

Mr. WALSH. Reserving the right to object, is it on this bill?

Mr. BARKLEY. I desire to revise the remarks I have just made on this bill.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent to revise and extend his remarks in the RECORD on this bill. Is there objection?

There was no objection.

Mr. MORGAN. Mr. Speaker, I made some remarks on this bill last Friday, and I wish to revise and extend them.

The SPEAKER pro tempore. The gentleman asks unanimous consent to revise and extend his remarks on this bill. Is there objection?

There was no objection.

Mr. VOLSTEAD. I yield one minute to the gentleman from Wisconsin [Mr. BROWNE].

Mr. BROWNE. Mr. Speaker, I am heartily in favor of this bill. Under it I believe farmers will cooperate and will eventually eliminate the middleman, and by so doing they will bring their products to the consumer at a much cheaper rate than the consumer now pays and with a better profit to themselves.

This bill is, in substance, the Capper-Hersman bill. The object of this bill is to authorize farmers to form associations for the purpose of collectively marketing their products. We have a law similar to the proposed law in Wisconsin. The State laws can not confer any right upon their organizations to engage in interstate or foreign commerce. This bill will confer this right.

NEED OF LEGISLATION.

In the last few months more than 30 reputable farmers of the country have been indicted and placed on trial for collectively selling their milk for city distribution. So far, five trials of these men have taken place, and in each case the men have been acquitted. Farm organizations have been prosecuted in California, Minnesota, Illinois, and Ohio. In each case middlemen were responsible for the prosecution. In each case the farmers were acquitted by juries, but after expensive trials. It is a high compliment to the American sense of justice that the juries of laboring and business men sitting in these cases, after hearing volumes of evidence, and with the city press attempting to prejudice the case of the defendants, have quickly acquitted the defendants.

WHAT THE BILL PROVIDES.

This bill has the indorsement of practically all the farm organizations of America. It does not compel any existing farm organization or society to change its present organization. Associations will continue to be formed under State laws as before. The rights of the public are in every way safeguarded. The Secretary of Agriculture is given power to prevent any association organized under this law from exploiting the public, even if it was possible or the farm organization was so inclined. The farmer in the past has never been able to fix the price of the products he produced. The same corporations that fix the prices of farm products through the boards of trade, cold-storage warehouses, and other combinations of great corporations also fix the prices of everything the farmer buys. He is thus ground between two millstones. As a result, there is a great movement away from the farms.

DECREASE IN RURAL POPULATION.

Forty years ago in the United States 70 per cent of our population was a rural population. To-day only 35 per cent of our population live on the farms. The tax returns show that for every dollar of net income returns from the farms of the United States the manufacturers have returned $72. It is natural for people to seek the most remunerative occupation. This accounts for more young men going into business than becoming farmers.

In a speech that I made in the House of Representatives on the sugar question May 25, 1920, on pages 7614 to 7617, CONGRESSIONAL RECORD, I gave a list of a great many corporations that were making over 100 per cent yearly, and I cited a case of a coal company that paid profits in a single year equal to 78 times its capitalization. If a farmer made a net income of 100 per cent in a single year, it would mean that he could buy a farm, stock, purchase machinery as good as on the farm he made the profit from, and, if he was as successful as the coal company that made profits amounting to 78 per cent, he would buy 18 farms like the one he made the profit from.

PATRIOTISM OF THE FARMER.

The farmers of this country do not forget that 90 per cent of the Revolutionary soldiers were farmers, that 75 per cent of the soldiers from the North and South in the War of the Rebellion came from the farms and plantations, and that 50 per cent of our soldiers in the World War were from the country and cities of less than 3,000 inhabitants.

PRESENT ANTITRUST LAWS INEFFECTIVE AS TO GREAT CORPORATIONS BUT OPPRESSIVE TO THE SMALLER.

Our present Clayton antitrust law is ineffective as to large corporations. This law, which was intended to prevent price fixing by corporations, is violated daily by the large corporations. The law is used, however, to oppress farm organizations doing a legitimate and lawful business. For example: The United States Steel Corporation has what is known as the Gary dinner, which is annually held in Pittsburgh or New York. The heads of all the steel companies in the United States are invited to this dinner. Judge Gary, of the United States Steel Corporation, makes a felicitous speech, and in that speech suggests that the United States Steel Corporation thinks that $50 or $60 per ton for steel rails is a fair and reasonable price. There is no other agreement, but every steel company in the United States fixes the price of steel rails and other kinds of steel at the same price as the United States Steel Corporation.

GASOLINE.

We have a great many corporations selling different kinds of gasoline, and yet without any written agreement, but by simply whispering the word between the heads of the different corporations, gasoline companies simultaneously raise the price of gasoline. This price-fixing process goes on in regard to practically all the great articles produced by the large corporations of the country. There is no competition between these large concerns. The agreed price is fixed as effectively as though these concerns had signed a written agreement.

It would be impossible for the millions of farmers scattered throughout the United States to ever form a trust that would be oppressive. If it was possible for them to do so, the Secretary of Agriculture under this bill could dissolve the association.

COOPERATION IN DAIRYING.

By cooperation and the formation of cooperative creameries Wisconsin has built up the dairy industry second to none other in the United States, an industry which in that State alone produced over $300,000,000 worth of dairy products the last year. If it was not for these cooperative creameries and cheese factories, the packers and Oleomargarine Trust would have destroyed the dairy interests. When the settlement was made by Attorney General Palmer with the packers the dairy industry was excepted, and the packers were allowed to control the cheese market and embark in the dairy business in competition with the farmer, but not with the groceryman and other industries. This illustrates one of the discriminations against the farmer.

OLEOMARGARINE.

The manufacturers of oleomargarine have a bill in Congress each year which would take off the 10 cents per pound tax on colored oleomargarine and place a tax of 1¼ cents per pound thereon. This year the bill is known as H. R. 1032, introduced by Representative SABATH, of Chicago. The advocates of this bill maintain that the Government would increase its revenue by this tax and would also bring oleomargarine to the tables of people who can not afford butter, at a much lower price than it is now sold for. As a matter of fact, this bill if enacted into law would increase the price of oleomargarine by making it a competitor of butter, and it would sell almost as high as butter. Under the existing laws, with a 10-cent tax on colored oleomargarine, the man who wants to use oleomargarine can buy the uncolored oleomargarine for almost one-half the price he can buy butter. If he desires to color it for the use of his table he can do so. The uncolored oleomargarine bears a tax of one-fourth of 1 cent per pound.

UNCOLORED OLEOMARGARINE.

Ninety-seven and one-half per cent of all oleomargarine sold is uncolored and only pays a tax of one-fourth cent per pound. Only 2½ per cent of the amount of oleomargarine manufactured

pays a tax of 10 cents per pound. If we should raise the tax to 1½ cents on all oleomargarine, as provided by the Sabath bill, it would immediately raise the price of oleomargarine 15 cents or 20 cents more per pound, because it would then all be colored and become a competitor of butter. Thus for every dollar that the consumer of oleomargarine would pay the Government in additional taxes, he would pay the large packing houses and oleomargarine factories from eight to ten dollars. When the cottonseed-oil people and the packers pose as philanthropists and ask the Government to tax them, the public should beware.

PURPOSE OF COLORING OLEOMARGARINE.

The purpose of coloring oleomargarine is to deceive the people. The same interests that are circulating an extensive propaganda attempting to popularize oleomargarine and telling of the impurities of butter, are fighting to prevent the passage of the bill allowing the farmers of the country to form cooperative societies. I have spoken against every oleomargarine bill that has been before Congress since I was in Congress, and I am going to continue to do so. Our dairy industry brings more wealth to my State than any other and demands a square deal.

FARMERS RESPOND TO CALL FOR PRODUCTION.

The farmers of the country, under the demand for greater production to supply our own people and our armies and the Allies, cultivated 32,000,000 acres more land in 1917 than in 1914. This production of food crops on an enlarged scale and at greatly increased expense of time, effort, and labor and by fewer men, did more to insure the winning of the war than any other one factor. During 1914 the United States exported 700,000,000 pounds of milk in the form of butter and cheese, and no condensed milk. During 1918 the United States shipped abroad 620,000,000 pounds of milk in the form of butter, and 160,000,000 pounds of milk in the form of cheese, and 1,770,000,000 pounds of milk in the form of condensed milk; 2,550,000,000 pounds of milk as dairy products used for foreign shipment.

In opposition to this bill I have had many petitions from the chambers of commerce of the larger cities. I have had many letters from individual farmers and farm organizations in favor of the bill. If the farmers are not given the opportunity to organize and do business collectively, they will be at the mercy of the middlemen and the large corporations that buy their products and then sell them to the consumer at an exorbitant price.

Our country is facing a serious crisis. People are flocking to the cities, and every census shows a very much larger per cent of people living in the cities than the country. The demand and need for food is constantly increasing. The labor situation on the farm also adds an additional problem. With the high price of building material, land, and machinery, it now takes a man of considerable capital to establish himself as a farmer. We should give the farmer encouragement in every way we can, to the end that our young men will find the occupation of farming profitable and offering as many advantages as business or the professions. The strength of our country depends upon its sturdy yeomanry.

EXTENSION OF RURAL ROUTES.

As an advocate for national aid for highways since I entered Congress, I have always insisted that along with the good-road movement the Federal Government should increase and extend its rural routes so as to bring mail and parcels conveniently near each farm. I have contended that there is no justification in delivering mail five or six times a day to the front doors of people living in the residential sections of the large cities, and compelling a busy farmer to walk one-half to 2 miles in order to get his mail once a day.

The parcel post has proven a great blessing to the rural population of the United States. It can not be utilized to advantage unless the rural carrier goes conveniently near to a man's house. I hope the day will not be far distant when every farmer will have a mail box in front of his home.

Mr. LARSEN. Mr. Speaker, I ask unanimus consent to extend my remarks in the RECORD on the Army reorganization bill.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD on the Army reorganization bill. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Minnesota [Mr. VOLSTEAD] has six minutes remaining.

Mr. VOLSTEAD. After consultation with a number of gentlemen on this floor, I have thought it well to offer an amendment to section 2.

The object of the amendment is to preserve to the farmers what rights they now have under the antitrust act. There is some question whether section 2 might not take away some of the rights which they now have. There is no disposition on my part, and I do not think there was on the part of anyone, to deprive them of existing rights.

The SPEAKER pro tempore (Mr. SNELL). Does the gentleman offer the amendment for information?

Mr. VOLSTEAD. Not for information; I offer the amendment.

Mr. BANKHEAD. Mr. Speaker, the bill has not begun to be read. The gentleman can not offer the amendment at this time. General debate has not been concluded.

Mr. MANN of Illinois. Mr. Speaker, this is a House Calendar bill and there is nothing but general debate.

Mr. WALSH. This bill is being considered under a special rule, which provides that in the consideration there shall be two hours of general debate. Now, under that special rule I submit that it is not proper to offer an amendment during the two hours of general debate.

Mr. MANN of Illinois. There is nothing but general debate on a House Calendar bill. It is not read for amendment under the five-minute rule. The rule uses the term "general debate," but that is all there would be anyhow unless the rule provided otherwise.

Mr. HUMPHREYS. After the general debate, will there not be an opportunity to offer amendments?

Mr. MANN of Illinois. No opportunity to offer amendments unless the House votes down the previous question. Then the gentleman could offer amendments, but not discuss them.

Mr. BARKLEY. If the previous question is not ordered, it would be in order to offer amendments?

Mr. MANN of Illinois. It would be in order to offer amendments if the House did not order the previous question.

Mr. VOLSTEAD. Mr. Speaker, I move the previous question on the bill and amendment.

Mr. IGOE. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER pro tempore. The gentleman from Missouri makes the point that no quorum is present. The Chair will count. Evidently there is no quorum present.

Mr. VOLSTEAD. Mr. Speaker, I move a call of the House.

The motion was agreed to.

Mr. DYER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DYER. Will this vote be on the previous question?

The SPEAKER pro tempore. No; it is a call of the House, a point of no quorum being made. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Echols	Kelly, Pa.	Reber
Anthony	Edmonds	Kendall	Rhodes
Bacharach	Ellsworth	Kennedy, Iowa	Riddick
Baer	Elston	Kennedy, R. I.	Riordan
Bell	Emerson	Kettner	Rowan
Bland, Mo.	Evans, Nev.	Kiess	Rowe
Booher	Ferris	Kitchin	Rucker
Bowers	Fuller, Mass.	Kleczka	Sanders, La.
Brinson	Gallivan	Kreider	Scully
Britten	Godwin, N. C.	Lankford	Sears
Brumbaugh	Goldfogle	Lazaro	Sells
Burke	Goodall	Lehlbach	Sherwood
Butler	Gould	Lesher	Shreve
Byrnes, S. C.	Graham, Pa.	Little	Slemp
Campbell, Pa.	Greene, Mass.	McClintic	Small
Cantrill	Griest	McCulloch	Smith, Mich.
Caraway	Griffin	McDuffie	Smithwick
Carter	Hamill	McKinley	Snyder
Casey	Hardy, Colo.	McLane	Steele
Clark, Fla.	Hardy, Tex.	MacCrate	Stephens, Ohio
Cole	Harreld	Mansfield	Stiness
Cooper	Hastings	Mason	Strong, Pa.
Copley	Hayden	Mays	Sullivan
Costello	Hays	Mead	Tague
Crowther	Hernandez	Moore, Ohio	Taylor, Tenn.
Curry, Calif.	Hill	Morin	Tillman
Dale	Houghton	Mott	Watson
Davey	Hulings	Newton, Minn.	Wingo
Dent	Hutchinson	Newton, Mo.	Wright
Dewalt	Ireland	Nicholls	Williams
Dooling	James	Paige	Yates
Doremus	Johnson, Miss.	Porter	Young, N. Dak.
Drane	Johnson, S. Dak.	Radcliffe	Zihlman
Dunn	Johnston, N. Y.	Ramseyer	
Eagan	Juul	Randall, Calif.	

The SPEAKER. Two hundred and eighty-nine Members have answered to their names, a quorum.

Mr. VOLSTEAD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. AYRES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon this bill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the amendment of the gentleman from Minnesota [Mr. VOLSTEAD].

The Clerk proceeded to report the amendment.

Mr. SABATH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SABATH. Under the rule that was adopted, is it in order for the gentleman from Minnesota now to offer his amendment?

The SPEAKER. The Chair thinks so.

Mr. SABATH. Are other Members permitted to offer amendments?

The SPEAKER. If they obtain the floor.

Mr. SABATH. Can the Speaker inform me how Members can secure the floor to offer amendments?

The SPEAKER. By asking for recognition, unless the gentleman from Minnesota moves the previous question.

Mr. VOLSTEAD. Mr. Speaker, I ask for the reporting of my amendment.

Mr. IGOE. Mr. Speaker, the previous question was moved by the gentleman from Minnesota after he had offered his amendment. I then made the point of order that there was no quorum present. The reason I made the point of order that there was no quorum present was because the previous question had been moved by the gentleman from Minnesota.

The SPEAKER. The Chair is informed that the gentleman had moved the previous question, but the question had not been stated by the Chair.

Mr. MANN of Illinois. Mr. Speaker, I ask to have the amendment reported.

The SPEAKER. The Clerk will report the Volstead amendment.

The Clerk read as follows:

Amendment by Mr. VOLSTEAD: At the end of section 2, add the following: *Provided*, That nothing contained in this section shall apply to the organizations or individual members thereof described in section 6 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, known as the Clayton Act.

Mr. IGOE. Mr. Speaker, I make the point of order against the amendment.

Mr. VOLSTEAD. Mr. Speaker, I move the previous question on the amendment and the bill to final passage.

The SPEAKER. The gentleman from Missouri will state his point of order.

Mr. IGOE. The amendment is not germane to the section.

Mr. MANN of Illinois. Mr. Speaker, I think the amendment is clearly germane.

The SPEAKER. The Chair will hear the gentleman from Missouri.

Mr. IGOE. Mr. Speaker, the point is that the amendment is not germane. This section has relation to the bill which provides for certain associations that are organized under section 1. Under section 2 certain acts of those associations may be investigated. There is nothing here about associations organized under the Clayton Act or any of these other acts. These associations are to be organized under this bill, and the gentleman undertakes to put some limitations upon associations in the bill. Therefore the amendment is not germane to anything in the bill. We are concerned with one particular kind of association provided for in this bill under the terms of the bill.

Mr. MANN of Illinois. Mr. Speaker, this bill relates to certain associations provided for in section 1 of the bill. Section 2 of the bill thereupon provides as to those associations that certain authority shall be granted to the Secretary of Agriculture and to Congress. The amendment is that certain of those associations can not be operated upon by the Secretary of Agriculture, because they are now excluded from the operation of the law by the Clayton antitrust law. That is an exception within an exception, wholly permissible and entirely germane.

The SPEAKER. The Chair thinks clearly that this simply limits the operation of the section and must be germane. The Chair therefore overrules the point of order.

Mr. IGOE. Mr. Chairman, I desire to offer an amendment.

The SPEAKER. The gentleman from Minnesota has the floor.

Mr. YOUNG of Texas. Mr. Speaker, a parliamentary inquiry.

Mr. VOLSTEAD. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The SPEAKER. The gentleman from Texas will state his parliamentary inquiry.

Mr. YOUNG of Texas. I am desirous of moving to strike out section 2. At this stage of the procedure, would that motion be in order?

The SPEAKER. It would be in order if the gentleman had the floor.

Mr. VOLSTEAD. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The SPEAKER. Of course, if the House does not adopt the previous question; it will be in order.

Mr. YOUNG of Texas. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. YOUNG of Texas. If the previous question is voted down then it would be in order for me to make the motion to strike out section 2?

The SPEAKER. Certainly. The question is on ordering the previous question.

The question was taken; and on a division (demanded by Mr. IGOE) there were—ayes 147, noes 62.

Mr. SABATH. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count. [After counting.] Two hundred and thirty-three Members present, a quorum.

Mr. SABATH. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The vote is on ordering the previous question.

Mr. KINCHELOE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KINCHELOE. Was the amendment offered by the gentleman from Minnesota adopted?

The SPEAKER. Not yet. The question is now on the amendment offered by the gentleman from Minnesota.

Mr. SABATH. Mr. Speaker, I demand the yeas and nays on the previous question.

Mr. BEE. Mr. Speaker, let us have the amendment reported.

The SPEAKER. By unanimous consent the amendment will be again reported.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. Is the gentleman from Illinois asking for the yeas and nays on the adoption of the amendment or on the previous question?

Mr. SABATH. On the previous question.

The SPEAKER. The Chair thinks that would be too late.

Mr. CLARK of Missouri. Oh, Mr. Speaker, the gentleman was on his feet demanding the yeas and nays on the previous question. There was a great deal of confusion in the Hall, and I have no doubt that the Speaker did not hear him.

The SPEAKER. The Chair supposed that he had demanded the yeas and nays on the amendment.

Mr. CLARK of Missouri. No; he demanded the yeas and nays on ordering the previous question.

The SPEAKER. The gentleman from Illinois demands the yeas and nays on ordering the previous question. As many as are in favor of taking this vote by the yeas and nays will rise and stand until counted. [After counting.] Thirty-three, not a sufficient number, and the yeas and nays are refused.

Mr. SABATH. Mr. Speaker, I demand the other side.

The SPEAKER. There is no other side. The Chair just a moment ago counted 233 Members present, and 33 are not one-fifth of that number.

So the previous question was ordered.

Mr. BEE. Mr. Speaker, I would like to have the amendment again read.

The SPEAKER. Without objection, the Clerk will again report the amendment.

Mr. MONAHAN of Wisconsin. Mr. Speaker, I object.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time.

Mr. GARD. Mr. Speaker, I desire to offer a motion to recommit.

The SPEAKER. The bill has not been read the third time.

Mr. YOUNG of Texas. I desire to offer a motion to recommit.

Mr. CALDWELL. Mr. Speaker, I demand a reading of the engrossed bill.

Mr. BLANTON. Mr. Speaker, I make the point of order that the request comes too late. The bill has been read.

The SPEAKER. The bill has not been read the third time.

Mr. BLANTON. I understood the bill had been read.

Mr. VOLSTEAD. Mr. Speaker, I move to suspend the rules and pass the bill.

The SPEAKER. Pass the bill with the amendment?

Mr. VOLSTEAD. I move to suspend the rules and pass the bill with the amendment.

Mr. IGOE. Mr. Speaker, I ask for a second.

Mr. VOLSTEAD. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

Mr. IGOE. Mr. Speaker, I object.

Mr. BLANTON. Mr. Speaker, I make the point of order that the request comes too late, because the bill has been already passed upon and amended.

The SPEAKER. No; the gentleman has the right to demand a second. The gentleman from Missouri [Mr. IGOE] and the gentleman from Minnesota [Mr. VOLSTEAD] will take their places as tellers.

The House divided; and the tellers reported that there were—ayes 140, noes 34.

So a second was ordered.

The SPEAKER. The gentleman from Minnesota is entitled to 20 minutes and the gentleman from Missouri is entitled to 20 minutes.

Mr. VOLSTEAD. Mr. Speaker, I reserve my time.

Mr. IGOE. Mr. Speaker, when I had the floor before I started to ask some questions about this bill, but I did not have sufficient time. The first section of the bill is one of the most curiously constructed pieces of legislation that has ever been presented to this House. It undertakes to give something, and then in the second section it takes it away. In addition to taking away what is given by the first section it takes away practically the exemptions that were given to farmers by the Clayton Act. Now, I would like to ask somebody who had anything to do with preparing this bill what becomes of an association organized under the first section where a stockholder dies and the stock comes into the hands of some one who is not a producer? I would also like to ask what becomes of an association if some one who holds a share of stock should sell it to a nonproducer? There is absolutely no provision made for safeguarding the association. If these gentlemen mean what they said when explaining this bill, then the moment a single share of stock gets into the hands of a nonproducer, whether it is by operation of law or by sale, the association becomes an illegal association and may be prosecuted under the antitrust act.

Mr. LONGWORTH. Will the gentleman yield?

Mr. IGOE. I will.

Mr. LONGWORTH. The gentleman is asking a question as to persons who are concerned in the framing of this bill. Was not the gentleman concerned in the framing of the bill?

Mr. IGOE. No; and I would like to answer that.

Mr. LONGWORTH. It seems a rather remarkable thing to some of us here that this bill should come in here with a unanimous report and should now receive such vigorous opposition from members of the committee.

Mr. IGOE. The gentleman is mistaken in saying that it comes in with a unanimous report, because there were objections to the bill, and some of us voted against it in the committee. If the gentleman served on the Committee on the Judiciary, he would be familiar with the fact that all bills reported by that committee are not framed by the committee.

Mr. HERSMAN. Will the gentleman yield to me to answer the question?

Mr. IGOE. When I answer the gentleman from Ohio I will yield to the gentleman from California. This bill as originally drawn was known as the Capper-Hersman bill, prepared or introduced, rather, by Senator CAPPER in the Senate, and in the House by the distinguished gentleman from California [Mr. HERSMAN], and a duplicate by Mr. BARBOUR. Both gentlemen from California are very much interested in the welfare of associations that are organized out in California, where they have carried this cooperative business, perhaps, to the highest point of efficiency, and also in some instances to the nearest point of monopoly. When those bills came in we had hearings on them, copies of which I hold in my hand. The next that we heard of the bill was when the gentleman from Minnesota introduced a bill, not the Capper-Hersman bill, but the Volstead bill. Three days later another bill was introduced by Mr. VOLSTEAD. That bill came into the committee, and while we can not say what happened there I can say it was but a few minutes after the bill was presented to the whole committee when it was voted out without any amendment, without any discussion, without reading for amendments, and reported to this House for consideration.

Mr. BEE. Will the gentleman yield for a question?

Mr. IGOE. Yes, sir.

Mr. BEE. Will section 2, vesting power in the Secretary of Agriculture, be of full force and effect if the amendment of the gentleman from Minnesota is adopted that takes it under the operation of the law——

Mr. IGOE. I have not examined the amendment closely enough, but in my judgment it is a strange proceeding when you distinguish between an association organized under the Clayton Act and an association organized under this act, but here is what will happen: Just the moment a clamor goes up in the country about the cost of any product of the farm, whenever you have a clamor such as we have had in the last 12 months, there is not a Secretary of Agriculture but who will be compelled to make an investigation, and then he will have to go into the business of every cooperative association in the United States, and after he has summoned the officers here and after he has examined all the books, after he has found out the nature of their operations, then he will be able to determine whether they are organized with or without capital stock. How, then, does the amendment of the gentleman from Minnesota relieve an association which is legal under existing law from being harassed under section 2?

Mr. HERSMAN. Will the gentleman yield?

Mr. IGOE. I will.

Mr. HERSMAN. I would like to ask the gentleman, first, if he is concerned for the interest of the farmer in stating that the Secretary of Agriculture will investigate these——

Mr. IGOE. Oh, I am deeply concerned about increasing production, and I am concerned about giving to the farmer a right to legitimately form cooperative associations, but I am not willing to give the farmer, the labor union, or the manufacturer a right, as you give under this bill, to violate all the laws of the United States that are binding upon other individuals and other corporations.

Mr. HERSMAN. The first question the gentleman asked was, What becomes of an association of which one member dies?

Mr. IGOE. What does become of it?

Mr. HERSMAN. I will tell you about it. In California——

Mr. IGOE. Oh, I am asking what becomes of it under this bill?

Mr. HERSMAN. I am going to tell you what becomes of it in California and under this bill.

Under the laws of California you can make an agreement to buy that stock. All the cooperative associations can preserve their entity as cooperative associations purely and have an option to buy all that stock before a man can sell it.

Mr. IGOE. What becomes of the farmer then?

Mr. HERSMAN. They have a right to buy that back.

Mr. YOUNG of Texas. Assuming that this bill was a law, and take a concrete case as to a crop with which I am familiar; suppose there is an organization of cotton farmers who produce cotton, and they are putting that cotton on the market in the fall season; now, there is another element of people who want cheap cotton through the exchanges or otherwise; what would be the effect on the local market, and what would be the effect of the price of the farmer's cotton if these people interested in beating down the price should file a sworn case before the Secretary?

Mr. IGOE. It would ruin the market.

Mr. YOUNG of Texas. Would there be any market?

Mr. IGOE. Of course there would not be.

Here is a curious thing. Some of the gentlemen who want this are milk producers—dairymen who are associated together—and they are complaining now because they say that under the Clayton Act the district attorneys ask them about their business and how they do it, and they want something written into the law to make it certain that they can not be asked about their business. And so the gentleman from Minnesota [Mr. VOLSTEAD] by section 1 assumes he meets it. But in section 2 he gives the Secretary of Agriculture the right to go and pry into their business every time he feels like it. I am objecting to the provision in this bill, gentlemen, most of all, in section 1, lines 8 to 11. That is the part I want to get this House to vote on, because there is not any question in the world but that it allows them not only to organize but after they are organized to go and violate all the laws against trusts, monopolies, and unfair trade.

Here are some questions that we had before the committee. I asked the attorney from California, Mr. Sapiro, who is a bright, clever gentleman, the following questions:

I am simply asking you if the broad exemption in Mr. HERSMAN'S bill was thought necessary by you.

Mr. SAPIRO. The only exemption should be as to contracts between the grower and the association.

Mr. IGOE. According to the language, Mr. HERSMAN is going to allow them to roam around through the United States and do anything they want in restraint of trade. That is the language of his bill.

Mr. SAPIRO. That is probably just loose language there. I am certain he had in mind the preliminary contract between the association, as such, and its growers.

Mr. IGOE. I was trying to get from you what you thought was absolutely necessary for the proper functioning of this association that you referred to.

Mr. SAPIRO. The way we have covered it is to say any such organizations or the members thereof, or the contracts made between such organizations and its members or stockholders shall not be held to be illegal.

That, however, is not what this bill says. This bill allows them to organize with capital stock, and then to go out as a corporation and do anything they want without regard to any law.

Now, let me tell you what was done out in California. The brief I have here was filed with the Federal Trade Commission and refers to the fact that one of the raisin companies went out into the trade and indulged in every sort of practice that would do credit, or discredit, to the Standard Oil Co. or any other trust. Among other things, they made a contract with a distributing company by which the distributors took the product of the raisin company at a certain price and agreed not to handle the product of any rival growers. In the course of time they could put anybody out of business.

Mr. BARBOUR. Was not that a case of fighting the devil with fire?

Mr. IGOE. I do not say they did not have a hard time. But let me tell you something. This bill affects all the people of the United States, and the people who are fighting each other with fire in California may be the same kind of people who are found throughout the United States jointly imposing upon the unprotected consumer. The consumer is not the millionaire, but he is the farmer also, and in many cases it is the farmer who will suffer by this bill. They can go to the farmer, as they did in California, and say, "You come in and join us or you can not do any business." And if this cooperative association goes to do business with the ultimate salesman or middleman, it can say to him, "You handle our stuff, but nobody else's," and they can put the independent farmer out of business.

Mr. LONGWORTH. I do not desire to criticize these gentlemen, but does not the gentleman think it bad practice for a great committee such as the Committee on the Judiciary of the House, of which he is the ranking minority member, to report a bill of this importance to the House without any suggestion that amendments would be offered? I learned from members of the Rules Committee that no suggestion was made that the bill was not unanimously reported.

Mr. IGOE. I will say that the committee never asked for any rule officially. The chairman did it himself.

Mr. LONGWORTH. The House, it seems to me, should be informed, where a bill of this importance comes in with a unanimous report, that the bill has not unanimous support.

Mr. IGOE. There is no unanimous report. We offer a good many suggestions usually, but this bill went through the committee in a great hurry. I never knew until after they went before the Rules Committee that a rule was to be asked for. I voted against the proposition to suspend the rules the other day, and you have a motion here to suspend the rules, and I am against it.

Mr. Speaker, I reserve the balance of my time.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. McLAUGHLIN].

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I am opposed to special legislation or legislation in behalf of any special class and I would oppose this measure if I believed it would operate to exempt farmers from the provisions of a just law, properly intended to include them. Organizations such as is contemplated by this measure have been considered by some as contrary to the letter of the antitrust law, but I believe that no one who knows anything about organizations of this kind or such as would be possible under this bill would consider them contrary to the spirit of that law. Those who oppose this bill say it will put farmers in a special, exempted class. I do not consider this will operate as an exemption from the antitrust law. I do not consider it as an exception at all. I consider it as a definition of what are not objectionable organizations; a definition of entirely safe and proper organizations which are not intended to be included and which are not in fact included in antitrust laws.

The gentleman from New York [Mr. DONOVAN] a few minutes ago said, as I understood him, that if this bill shall become law it will conflict with antitrust laws of the States and thereby cause confusion. In many of the States there are antitrust laws and overzealous officials in some of the States have caused the arrest of officers of farm organizations and prosecutions have followed. But in each instance, as far as my knowledge extends, the court after full trial determined that farm organizations, the same as contemplated here, are not contrary to the antitrust law of the State in which the trial was had. A trial was had in the gentleman's own State, New York. Milk producers were arrested, or rather, officers of milk producers' associations were arrested. What for? Not for combining in restraint of trade, not because they undertook to monopolize the trade, not because they tried to fix unreasonable prices, but because the farmers, acting through the officers of their associations, were carrying on business with dealers in one of the great cities of that State.

It developed on the trial that the farmers, through their dairy organizations, were asking and receiving 7 or 7½ cents a quart for their milk, while the dealers in the city were distributing and selling it to consumers at from 15 to 18 cents a quart. Consumers of the milk believed the farmers were responsible for and were receiving these improperly high prices, whereas the farmers, by negotiation through their officers with the city milk dealers, had simply obtained the best price the dealers would pay; that is, the market price. They did nothing by way of fixing the price; they sold for the available price.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Pardon me; I can not yield in my time.

The same situation developed when farmers and dairymen in the vicinity of the city of Cleveland were arrested. Officers of the association were arrested, taken from their beds at the dead of night, and thrown into jail. On the trial the dairy officials were acquitted. There was the same kind of trial with the same result in Chicago following the arrest of officers of a dairy association composed of Illinois farmers.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. VOLSTEAD. I yield to the gentleman one minute more.

Mr. McLAUGHLIN of Michigan. The chairman of the committee gives me one additional minute, in which time I wish to say that in the cities where farmers have been arrested, charged with violation of antitrust laws of the States, in each one it was determined after trial that they were not acting in violation of law. And in one or two of the States in which such organizations of farmers seemed to be a violation of law the governors promptly called special sessions of the legislatures, and the legislatures amended the law so as to permit the organization of such associations. And in other States, at the next regular session, amendments of the laws of those States along the line of this bill were passed by the legislatures. [Applause.] The gentleman from Missouri [Mr. IGOE] charges that the Committee on the Judiciary has improperly failed and refused to report out the original Capper-Hersman bill, which was so generally approved by farmers and farm organizations. The fact is, and the gentleman must know it, that after long hearings and full consideration the bill we are now considering was substituted for the Capper-Hersman bill, and substitution was with the entire approval of the authors of the original bill and with approval of farm organizations which appeared before the committee. Mr. HERSMAN has himself spoken here in support of this bill, and a few days ago, when I was before the Committee on Rules of the House urging a rule by which this bill might be considered and passed at this session, Mr. Loomis, secretary of an association representative of farmers and farm organizations, including the National Grange, was before the Rules Committee and expressed approval of this bill on behalf of the organizations he represents. So this bill is acceptable to farmers; they believe it will enable them to market their products better than they can now; and that by better marketing they will be able to get a larger part of the prices paid by consumers. They wish to operate properly and always within the law.

Mr. IGOE. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has eight minutes remaining.

Mr. IGOE. Mr. Speaker, I yield four minutes to the gentleman from Ohio [Mr. GARD].

The SPEAKER. The gentleman from Ohio is recognized for four minutes.

Mr. GARD. Mr. Speaker, a few moments ago the gentleman from Ohio [Mr. LONGWORTH] made an inquiry about this bill, and referred to the fact of there being a unanimous report upon it. I consulted Webster's Unabridged Dictionary and found under the word "prudential" this quotation:

> My lord admiral had a prudential eye to the main chance.

This explains the sudden disappearance of the Capper-Hersman bill and the Barbour bill and all other bills on which hearings were had before the Committee on the Judiciary. The only bills on which hearings were had were bills that were heard in October, 1919. No hearings were had on this bill, which now comes out "for prudential reasons" under the name of the Volstead Act. That answers the inquiry of the gentleman from Ohio [Mr. LONGWORTH].

Now, I desire to say, Mr. Speaker, that we find ourselves face to face, by the extraordinary process of the suspension of the rules, with the consideration of a bill which should be amended, and yet which under this rule we have no power to amend. We set aside the bill introduced by the gentleman from Cali-

fornia [Mr. BARBOUR] and the bill introduced by another gentleman from California [Mr. HERSMAN], and the bill of Senator CAPPER, on which hearings were had; and I pause long enough to say that I hold in my hand a motion to recommit, which I intended to offer under the parliamentary practice, which I would have offered under the ordinary rules of procedure, submitting to the House the so-called Capper-Hersman bill; a motion to recommit embodying the entire Capper-Hersman bill, which was also, I belive, the bill of the gentleman from California [Mr. BARBOUR]. And yet under the extraordinary rule—the rule which the gentleman from Illinois [Mr. MANN] so well said on Saturday was a rule that the Republican majority would find themselves facing, we are now up against just what he said would occur, and that is the consideration of measures without the power of proper amendment.

Here is a bill which should be amended. It has good features, and many Members want to vote for it. But it should be amended. Yet it is an unconsidered bill, a bill upon which no hearings were had, a bill upon which no opportunity was given for a minority report, a bill upon which the committee as a committee never asked for a rule from the Committee on Rules. None of these parliamentary processes were ever indulged in with respect to it. None has ever been asked. And yet under the extraordinary process of the suspension of all rules we now come in, we throw aside the hearings, we throw aside the considered merits of the Capper-Hersman bill and of the Barbour bill, and we present to this House an unconsidered bill, an ill-considered bill, without the slightest opportunity for amendment.

I have asked the gentleman in charge of the bill——

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. IGOE. Mr. Speaker, I yield four minutes to the gentleman from West Virginia [Mr. GOODYKOONTZ].

The SPEAKER. The gentleman from West Virginia is recognized for four minutes.

Mr. GOODYKOONTZ. Mr. Speaker, public morals, crystallized into the common law, condemned as illegal every combination and conspiracy in restraint of trade. This doctrine was recognized and reinforced by the Congress when it passed the Sherman law and the Elkins Antitrust Act. More recently there has crept into our laws an exception as to those who market foodstuff, whereby the latter are exempted from the operation of the statute, but they are subject to the provisions of the Lever Act, which gives the President power to regulate the price and distribution not only of food supplies but also of fuel and clothing. That power has not been exercised in the direction of reducing the cost of these necessaries of life. The President intervened as to coal and fixed the price of that commodity below the average cost of production. The price of wheat was also fixed by law. But as regards cotton, sugar, and rice grown in the South, there was no regulation as to price. Thus favored by the administration and immune from prosecution, the southern planters shrewdly combined, and as a result the prices of cotton goods, sugar, and rice have been quadrupled. As a further result, a great cry—the combined voice of millions—has gone up, denouncing the profiteer and calling upon Congress to do something to reduce the cost of living.

Great numbers of our people are sorely pressed from the extortions that are being practiced upon them. In the presence of the nation-wide affliction of high prices, men have the audacity to ask me to support this measure. If the bill should become law the practices denounced as immoral at common law, and made criminal under previous laws of Congress, would be legalized, and the price-fixing of food and raiment validated. The country would see organized, under the terms of the act, gigantic food and clothing trusts, vested with power to charge whatever their sweet will dictated and to grind under their iron heed every family in the land. The giants thus unchained would be harnessed up, not by farmers—the honest yeomanry of the country—but be harnessed up and manipulated by the same men—the profiteers—who now have their felonious fingers in the pockets of the people.

No farmer or farmer's organization has asked me to support this bill. I would be glad to support any measure that would encourage or assist the farmer, for his hardships are many. This I know from experience, but I will not vote to make lawful that which, by its very nature, is unlawful.

The question is, How far are we going to permit demagogy in this House to proceed? Shall we make abortive every effort of Congress, the country, and the administration to reduce the high cost of living? Shall we put into the hands of men the absolute, consummate power to charge for the necessaries of life whatever they may want to charge?

Mr. KEARNS. Will the gentleman yield?

Mr. GOODYKOONTZ. I will yield.

Mr. KEARNS. I wish the gentleman would suggest to the House what effort the Department of Justice has made to cut down the high cost of living.

Mr. GOODYKOONTZ. Well, the department has made a little headway. Recently the department caused to be indicted a grocery jobbing company organized in my State for buying six carloads of sugar at 14 cents and selling the same at 30 cents per pound.

Mr. KEARNS. When did the company buy the sugar at the price of 14 cents per pound? The Department of Justice gave the sugar producers the right to charge 18 cents per pound.

Mr. GOODYKOONTZ. The sugar was bought by the jobber long ago, but delivered and resold at a date quite recent. The Attorney General by his own hand wrote the bill to amend the Lever Act and sent the same here and we passed it—my recollection is without any change in the language. If the law does not have teeth in it, or if the law is not being enforced, it is not the fault of Congress. The blame is chargeable to the administration, of which the Department of Justice is part, and not to us. Congress can make law, but it has no power to enforce it. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I want to say just a word. It is suggested that the Capper-Hersman bill was thrown in the wastebasket. Senator CAPPER has introduced this very bill in the Senate, and Mr. HERSMAN has spoken to-day in favor of the bill. Every organization that was back of the Capper-Hersman bill is, so far as known, back of this bill. An appeal for the passage of the Capper-Hersman bill is an appeal for the defeat of all legislation.

Mr. RAKER. Will the gentleman yield for a question?

Mr. VOLSTEAD. I can not yield now. It seems to me that we ought to treat the farmers fairly instead of sneering at them, as some have done in this debate. They ought not to be prosecuted nor persecuted for doing the only thing that will give them a fair deal. We only ask that they may be given the rights that they are accorded in every other country. Congress ought to have the fairness to insist that they be given the means to protect themselves, so a few middlemen do not rob them of their profits. The commission merchants are the ones that are making the profits now and fighting this bill. Can you afford to ignore the demand of the farmers for this legislation and suffer so great and vital an industry to be exploited by these men? You are not going to do it. [Applause.]

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. What is the legislative status of the present bill if the motion to suspend the rules does not pass, it having been considered under a rule?

The SPEAKER. If the House refuses to suspend the rules and pass the bill it stands with the previous question ordered for a third reading.

Mr. IGOE. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 234, nays 58, answered "present" 3, not voting 132, as follows:

YEAS—234.

Almon	Christopherson	Foster	Jones, Pa.
Anderson	Clark, Mo.	Frear	Jones, Tex.
Andrews, Nebr.	Classon	Freeman	Kahn
Anthony	Cleary	French	Kearns
Ashbrook	Copley	Fuller, Ill.	Keller
Ayres	Crago	Gandy	Kelley, Mich.
Bankhead	Cramton	Garland	Kincheloe
Barbour	Crisp	Glynn	King
Barkley	Currie, Mich.	Goodwin, Ark.	Kinkaid
Bee	Darrow	Green, Iowa	Knutson
Begg	Davis, Minn.	Greene, Vt.	Kraus
Bell	Davis, Tenn.	Hadley	Kreider
Benham	Dempsey	Hamilton	Lampert
Benson	Denison	Harrison	Lanham
Black	Dent	Haugen	Larsen
Blackmon	Dickinson, Mo.	Hawley	Layton
Bland, Ind.	Dickinson, Iowa	Hays	Lea, Calif.
Bland, Va.	Dominick	Heflin	Lee, Ga.
Blanton	Doughton	Hersey	Lonergan
Boies	Dowell	Hersman	Longworth
Box	Drewry	Hickey	Luhring
Brand	Dunbar	Hicks	McArthur
Briggs	Dyer	Hoch	McDuffie
Brooks, Ill.	Elliott	Hoey	McFadden
Brooks, Pa.	Esch	Holland	McKenzie
Browne	Evans, Mont.	Howard	McKeown
Burdick	Evans, Nebr.	Huddleston	McLaughlin, Mich.
Burroughs	Fairfield	Hudspeth	McLaughlin, Nebr.
Butler	Fess	Hull, Iowa	McPherson
Campbell, Kans.	Fields	Hull, Tenn.	MacGregor
Candler	Fisher	Jacoway	Magee
Cannon	Flood	Johnson, Ky.	Major
Carss	Focht	Johnson, S. Dak.	Mann, Ill.
Chindblom	Fordney	Johnson, Wash.	Mann, S. C.

Mapes	Platt	Sims	Treadway
Michener	Porter	Sinclair	Upshaw
Miller	Purnell	Sinnott	Vestal
Milligan	Quin	Sisson	Vinson
Monahan, Wis.	Rainey, Ala.	Smith, Idaho	Voigt
Mondell	Rainey, H. T.	Smith, Ill.	Volstead
Montague	Raker	Snell	Ward
Moore, Va.	Ramsey	Steagall	Wason
Morgan	Randall, Calif.	Stedman	Weaver
Mott	Randall, Wis.	Steenerson	Webster
Mudd	Rayburn	Stevenson	Welling
Murphy	Reavis	Stoll	Welty
Neely	Reed, N. Y.	Strong, Kans.	Whaley
Nelson, Mo.	Reed, W. Va.	Summers, Wash.	Wheeler
Nelson, Wis.	Ricketts	Sumners, Tex.	White, Kans.
Newton, Mo.	Robsion, Ky.	Sweet	White, Me.
Nolan	Rodenberg	Swope	Williams
Oldfield	Romjue	Taylor, Ark.	Wilson, Ill.
Oliver	Rose	Taylor, Colo.	Wilson, Pa.
Osborne	Rouse	Temple	Wise
Overstreet	Rubey	Thomas	Wood, Ind.
Padgett	Sanders, Ind.	Thompson	Woods, Va.
Park	Sanders, N. Y.	Timberlake	Wright
Parker	Schall	Tincher	
Parrish	Scott	Towner	

NAYS—58.

Ackerman	Edmonds	Maher	Sabath
Aswell	Gallagher	Martin	Siegel
Babka	Ganly	Merritt	Smith, N. Y.
Buchanan	Garner	Minahan, N. J.	Stephens, Miss.
Caldwell	Garrett	Mooney	Tilson
Carew	Goodykoontz	Moores, Ind.	Tinkham
Coady	Humphreys	Newton, Minn.	Vaile
Collier	Husted	O'Connell	Walsh
Connally	Igoe	Ogden	Walters
Cullen	Lazaro	Pell	Watkins
Dallinger	Luce	Peters	Wilson, La.
Donovan	Lufkin	Phelan	Winslow
Dunn	McAndrews	Robinson, N. C.	Young, Tex.
Eagle	McGlennon	Rogers	
Echols	McKiniry	Rowe	

ANSWERED "PRESENT"—3.

Gard	Johnson, Miss.	Pou

NOT VOTING—132.

Andrews, Md.	Emerson	Kennedy, Iowa	Rhodes
Bacharach	Evans, Nev.	Kennedy, R. I.	Riddick
Baer	Ferris	Kettner	Riordan
Bland, Mo.	Fuller, Mass.	Kiess	Rowan
Booher	Gallivan	Kitchin	Rucker
Bowers	Godwin, N. C.	Kleczka	Sanders, La.
Brinson	Goldfogle	Langley	Sanford
Britten	Good	Lankford	Scully
Brumbaugh	Goodall	Lehlbach	Sears
Burke	Gould	Lesher	Sells
Byrnes, S. C.	Graham, Ill.	Linthicum	Sherwood
Byrns, Tenn.	Graham, Pa.	Little	Shreve
Campbell, Pa.	Greene, Mass.	McClintic	Slemp
Cantrill	Griest	McCulloch	Small
Caraway	Griffin	McKinley	Smith, Mich.
Carter	Hamill	McLane	Smithwick
Casey	Hardy, Colo.	MacCrate	Snyder
Clark, Fla.	Hardy, Tex.	Madden	Steele
Cole	Harreld	Mansfield	Stephens, Ohio
Cooper	Hastings	Mason	Stiness
Costello	Hayden	Mays	Strong, Pa.
Crowther	Hernandez	Mead	Sullivan
Curry, Calif.	Hill	Moon	Tague
Dale	Houghton	Moore, Ohio	Taylor, Tenn.
Davey	Hulings	Morin	Tillman
Dewalt	Hutchinson	Nicholls	Vare
Dooling	Ireland	O'Connor	Venable
Doremus	James	Olney	Watson
Drane	Jefferis	Paige	Wingo
Dupré	Johnston, N. Y.	Radcliffe	Woodyard
Eagan	Juul	Rainey, J. W.	Yates
Ellsworth	Kelly, Pa.	Ramseyer	Young, N. Dak.
Elston	Kendall	Reber	Zihlman

So, two-thirds voting in the affirmative, the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. McKINLEY and Mr. SMITH of Michigan (for) with Mr. SULLIVAN (against).

Mr. MOORE of Ohio and Mr. HARDY of Texas (for) with Mr. GREENE of Massachusetts (against).

Mr. POU and Mr. MOON (for) with Mr. WOODYARD (against).

Mr. HASTINGS and Mr. CARTER (for) with Mr. DOOLING (against).

Mr. DAVEY and Mr. CANTRILL (for) with Mr. VARE (against).

Mr. McCLINTIC and Mr. FERRIS (for) with Mr. RIORDAN (against).

Mr. HUTCHINSON and Mr. BACHARACH (for) with Mr. JOHNSTON of New York (against).

Mr. LANKFORD and Mr. COOPER (for) with Mr. ROWAN (against).

Until further notice:

Mr. RHODES with Mr. TILLMAN.

Mr. SNYDER with Mr. GRIFFIN.

Mr. COLE with Mr. HAYDEN.

Mr. HERNANDEZ with Mr. GODWIN of North Carolina.

Mr. ELSTON with Mr. DRANE.

Mr. HARRELD with Mr. BYRNS of Tennessee.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. GRAHAM of Pennsylvania with Mr. STEELE.

Mr. MACCRATE with Mr. SEARS.

Mr. KENDALL with Mr. CASEY.

Mr. HILL with Mr. DUPRÉ.

Mr. STRONG of Pennsylvania with Mr. CAMPBELL of Pennsylvania.

Mr. RADCLIFFE with Mr. MAYS.

Mr. STEPHENS of Ohio with Mr. WINGO.

Mr. RIDDICK with Mr. BLAND of Missouri.

Mr. ANDREWS of Maryland with Mr. VENABLE.

Mr. KENNEDY of Rhode Island with Mr. TAGUE.

Mr. YOUNG of North Dakota with Mr. RUCKER.

Mr. MORIN with Mr. SANDERS of Louisiana.

Mr. YATES with Mr. SMITHWICK.

Mr. BAER with Mr. MANSFIELD.

Mr. WATSON with Mr. NICHOLLS.

Mr. STINESS with Mr. MEAD.

Mr. PAIGE with Mr. KITCHIN.

Mr. McCULLOCH with Mr. BRINSON.

Mr. BOWERS with Mr. O'CONNOR.

Mr. REBER with Mr. DEWALT.

Mr. KLECZKA with Mr. SCULLY.

Mr. GOULD with Mr. SHERWOOD.

Mr. CROWTHER with Mr. GALLIVAN.

Mr. SLEMP with Mr. KETTNER.

Mr. GOOD with Mr. SMALL.

Mr. KIESS with Mr. OLNEY.

Mr. SHREVE with Mr. JOHNSON of Mississippi.

Mr. HOUGHTON with Mr. BOOHER.

Mr. SANFORD with Mr. JOHN W. RAINEY.

Mr. KELLY of Pennsylvania with Mr. LINTHICUM.

Mr. IRELAND with Mr. McLANE.

Mr. CURRY of California with Mr. LESHER.

Mr. HARDY of Colorado with Mr. DOREMUS.

Mr. DALE with Mr. BRUMBAUGH.

Mr. BURKE with Mr. CARAWAY.

Mr. GRIEST with Mr. EVANS of Nevada.

Mr. GOODALL with Mr. HAMILL.

Mr. GRAHAM of Illinois with Mr. GOLDFOGLE.

Mr. MASON with Mr. BYRNES of South Carolina.

Mr. JOHNSON of Mississippi. Mr. Speaker, I am paired on this bill, and I desire to answer "present."

Mr. POU. Mr. Speaker, I voted "yea," but was not advertent to the fact that I was paired with the gentleman from West Virginia, Mr. WOODYARD, so I desire to withdraw my vote and to answer "present."

Mr. ROUSE. Mr. Speaker, my colleague, Mr. CANTRILL, is absent, but he has authorized me to state that if he were present he would vote "yea."

The result of the vote was announced as above recorded.

LEAVE TO EXTEND REMARKS.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill just passed.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD on the bill just passed. Is there objection?

There was no objection.

Mr. HUMPHREYS. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill.

The SPEAKER. The gentleman from Mississippi makes the same request. Is there objection?

There was no objection.

Mr. YOUNG of Texas. I make the same request.

The SPEAKER. The gentleman from Texas makes the same request. Is there objection?

There was no objection.

Mr. RAKER. I ask unanimous consent to extend my remarks on the bill just passed.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD on the bill just passed. Is there objection?

There was no objection.

REVENUES OF THE DISTRICT OF COLUMBIA.

Mr. MAPES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 7158, the so-called half-and-half bill for the District of Columbia, disagree to the Senate amendment, and ask for a conference.

The SPEAKER. The gentleman from Michigan asks unanimous consent to take from the Speaker's table the half-and-half bill, disagree to the Senate amendment, and ask for a conference. The Clerk will report the bill by title.

The Clerk read the title of the bill (H. R. 7158) to provide for the expenses of the government of the District of Columbia.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I should like to ask the gentleman if this bill does not make permanent law the old half-and-half system of taxation?

Mr. MAPES. It does not.

Mr. BLANTON. Does it carry out the gentleman's idea of what taxation in the District of Columbia should be?

Mr. MAPES. The Senate amendment does not.

Mr. BLANTON. What does the Senate amendment do, if it does not restore the old half-and-half system?

Mr. MAPES. The Senate amendment repeals the existing law which limits the estimates of the commissioners to twice the estimated revenue raised by taxation in the District of Columbia and provides for a changeable tax rate, depending upon the budget.

Mr. BLANTON. If the Senate amendment should be adopted by the House conferees, then would the Government of the United States continue to pay half the expenses of running the District of Columbia, as has been done heretofore?

Mr. MAPES. If the House conferees and the House accepted the Senate amendment, it would.

Mr. BLANTON. Is there any chance of the House conferees accepting the Senate amendment without giving the House a vote on it?

Mr. MAPES. I do not imagine there is.

Mr. BLANTON. Will the gentleman agree to give the House a chance to vote on the matter before he accepts the Senate amendment?

Mr. MAPES. Oh, I do not think there is any occasion for making such an agreement. The conferees know the attitude of the membership of the House on the question, and, personally, they are as much opposed to this half-and-half principle as anyone.

Mr. BLANTON. I object, Mr. Speaker.

The SPEAKER. The gentleman from Texas objects.

Mr. PLATT. I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. PLATT. Mr. Speaker, yesterday I received a telegram announcing the death of Hon. Thomas W. Bradley, my predecessor in Congress. He was an honored Member of this House for 10 years, 1903 to 1913, and died at his home at Walden, in Orange County, N. Y., where he has been living since his retirement. Col. Bradley was a veteran of the Civil War and a medal of honor man, having received his medal of honor for gallantry on the field at Chancellorsville, where he volunteered, though only a boy of 17, to go forward toward the Confederate lines and to take from a fallen mule ammunition cases which had been strapped to the mule and bring them back under fire. According to the medal of honor book, during part of the time that he was coming back, carrying the ammunition cases, he turned around and faced the foe, walking backward. The Confederate soldiers, always admiring bravery, ceased firing at him and cheered. [Applause.] It seems particularly fitting that such a soldier should have died on Decoration Day.

Col. Bradley was born in England in 1844. He came to this country at the age of 2 years. He enlisted in the One hundred and twenty-fourth New York Infantry as a mere boy and returned a captain before he was 21 years of age. He was wounded in battle three times, at Gettysburg, at the Wilderness, and at Boylton Plank Road. He became after the Civil War a successful manufacturer of knives, and, entering politics, served several terms in the New York State Assembly before his election to Congress. In the House of Representatives he served on the Committee on Invalid Pensions and on the Committee on Military Affairs. Many Members of this House remember him, and many have spoken to me about him in terms of warm friendship and affection. He was a man of peculiarly lovable disposition, the idol of the people of his home town and county, and at the same time a man of strong convictions and sturdy character. I want to make acknowledgment here before men who know him that I personally owe much to his friendship and kindly advice.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that on May 29 they had presented to the President of the United States, for his approval, the following bills:

H. R. 11960. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921; and

H. R. 13416. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 2. An act to pension soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2279. An act to authorize the addition of certain lands to the Humboldt National Forest;

S. 4435. An act to authorize officers of the naval service to accept offices with compensation and emoluments from Governments of the Republics of South America; and

S. 4259. An act to provide further for the relief of war minerals producers and to amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war and for other purposes," approved February 2, 1919.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4435. An act to authorize officers of the naval service to accept offices with compensation and emoluments from Governments of the Republics of South America; to the Committee on Naval Affairs.

S. 4259. An act to provide further for the relief of war minerals producers and to amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved February 2, 1919; to the Committee on Mines and Mining.

S. 2279. An act to authorize the addition of certain lands to the Humboldt National Forest; to the Committee on Public Lands.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. FREEMAN, until further notice, on account of illness in his family.

EXTENSION OF REMARKS.

Mr. MACGREGOR. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill which has just been passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. MCLAUGHLIN of Nebraska. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection?

There was no objection.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. The Clerk will call the first bill on the Calendar for Unanimous Consent.

SEQUOIA NATIONAL PARK, CALIF.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 5006) to add certain lands to the Sequoia National Park, Calif., and to change the name of said park to Roosevelt National Park.

Mr. GARD. Mr. Speaker, are we now proceeding with the call of the Calendar for Unanimous Consent by virtue of the suspension rule that we passed?

The SPEAKER. We are.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice. The gentleman from California [Mr. ELSTON], in charge of the bill, is away with the Indian Committee.

The SPEAKER. The gentleman from Oregon asks unanimous consent that the bill be passed over without prejudice. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, this bill has been on the top of the calendar for a long time. Are we to continue it there, or is it going to the foot of the calendar?

Mr. SINNOTT. I would like to have it continued until the gentleman returns, as he has been negotiating with the Forestry Department and the Park Service concerning the matter.

Mr. SABATH. Mr. Speaker, will the gentleman return before the 5th?

The SPEAKER. The Chair thinks he will not.

Mr. SINNOTT. I have no information about that.

Mr. CLARK of Missouri. Mr. Speaker, if the gentleman will ask that the bill go to the foot of the calendar the chances are

that nobody will object to it, but if he is going to keep it at the head of the calendar there may be objection.

Mr. SINNOTT. Mr. Speaker, if the gentleman insists, then I ask that the bill be passed over without prejudice, to go to the foot of the calendar.

The SPEAKER. Is there objection?

There was no objection.

BUILDINGS AT CAMP FUNSTON, KANS.

The next business on the Calendar for Unanimous Consent was the bill (S. 3706) authorizing the Secretary of War to make settlement with the lessees who erected buildings on a five-year lease on the zone at Camp Funston, Kans., and for other purposes.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, this seems to be a rather important measure. I have forgotten just how much it involves. Can the gentleman from Kansas [Mr. ANTHONY] give us that information?

Mr. ANTHONY. Mr. Speaker, I do not think there will be a great amount involved in this bill. The bill as it passed the Senate authorizes the Secretary of War to adjust the damages these lessees have suffered. They are men who erected buildings on the zone at Camp Funston for mercantile pursuits and amusement enterprises for the soldiers at the camps. They were given a five-year lease. They erectsd these buildings at their own expense. After a lapse of about three years they were ordered off the reservation. The Government is now occupying the buildings, and the lessees are asking that they be recompensed for the amount they have lost, for the balance of their lease—that is, the amount they have lost in the construction of the buildings.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. McLAUGHLIN of Michigan. Under this bill will these people be permitted to claim a recovery for prospective profits?

Mr. ANTHONY. I do not think so.

Mr. McLAUGHLIN of Michigan. Is there any doubt about it?

Mr. ANTHONY. Well, the War Department——

Mr. McLAUGHLIN of Michigan. I object.

Mr. ANTHONY. Oh, I wish the gentleman would wait a moment and let me answer the question. The War Department has consistently ruled in adjusting all of the large contracts growing out of the war that they will not allow anything for prospective profits, and we assume that they will not change their policy.

Mr. McLAUGHLIN of Michigan. Will the gentleman explain why he answered my question by saying that he did not know whether they would or not?

Mr. ANTHONY. It is impossible to tell what the Secretary of War will do. It is to be assumed that he will do the sensible thing. He has not paid prospective profits to anyone, and I assume that he will adhere to that policy.

Mr. McLAUGHLIN of Michigan. Would the gentleman assent to an amendment that these profits shall not be permitted?

Mr. MANN of Illinois. Mr. Speaker, if the gentleman will permit, I do not think that this is necessarily guiding, but the following statement is made in a letter of the Secretary of War relating to this bill:

> If these expenditures were made at the instance of the commanding general of the camp and were in the interest of the soldiers at the camp, it would seem equitable to authorize the Secretary of War to pay such sums, not in excess of actual losses, as is necessary to reimburse the holders of these licenses or leases.

Mr. McLAUGHLIN of Michigan. Actual losses. Does it mean losses in construction or losses of profit which they anticipated?

Mr. MANN of Illinois. Oh, well, losses of profits would be prospective losses. Actual losses, I take it, under any construction would only relate to money actually invested and lost.

Mr. McLAUGHLIN of Michigan. Would not the gentleman from Illinois think it is safer, in view of the hands into which this is to go for construction, to have it written into the law that profits should not be allowed?

Mr. BLANTON. Mr. Speaker, in order to save time, I object.

Mr. MANN of Illinois. I do not say it would not be, but under the letter of the Secretary of War——

The SPEAKER. Objection is heard.

AMENDMENT TO HOMESTEAD LAW, ALASKA.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 10806) to provide for the abolition of the 80-rod reserved shore spaces between claims on shore waters in Alaska.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object——

Mr. MANN of Illinois. Mr. Speaker, reserving the right to object, who is in charge of this bill?

Mr. SINNOTT. The gentleman from Alaska [Mr. GRIGSBY] is not here, but probably I can answer the question.

Mr. MANN of Illinois. Mr. Speaker, I would like to ask this question: This is a reservation which was made on the shores of the Alaska coast, which was in a way the culmination of many contests and years of efforts in this House and in the Government to preserve the right of navigation, and so forth, on the shores of Alaska and to prevent monopoly there. There was a long fight over it. I believe one Secretary of the Interior went out as the result, probably, of that fight. A good many reputations were possibly made or damaged; and when the bill passed the House gave certain rights, and this reservation was made to protect the water. Now, I do not pretend to be familiar with the present situation, but I wondered whether the Committee on the Public Lands, I think possibly all the members of which have come into the House since the original legislation, were familiar with the contests and the reasons for this.

Mr. SINNOTT. I think the theory of this bill is that no one gets an entry of this kind as a matter of right. The Secretary of Agriculture will not eliminate any land from the forest for entry under the first part of the bill if it is needed for shore or dock rights. Then, under the second part of the bill the Secretary of the Interior in a proper case will permit the entry, but the applicant does not procure the entry as a matter of right.

Mr. MANN of Illinois. The original law—the gentleman has not answered the question, possibly may not have the information—was designed to protect the public by reserving certain spaces between places which were made by private individuals or by corporations or by individuals for the benefit of corporations, so no one could get a monopoly on some of these ports; at some places where navigation could be had, so no one would have the right to gain a monopoly of the shore line where vessels could come in. Now, I say I am not familiar with the present situation, but certainly the answer of the gentleman is hardly sufficient, because there was a reason for the enactment of the law. Now, if Congress made a mistake about it, and it may have made a mistake at the time, somebody ought to tell us so and why. I do not know, but it was the deliberate judgment at the time. This was not hastily enacted; it was not carelessly enacted; it was not enacted without knowledge of what they were doing.

Mr. SINNOTT. I have no knowledge of the old law except what the gentleman from Illinois has given to me. We were informed by both departments that they could protect the situation. Here is the gentleman from Alaska now, and he perhaps can answer the gentleman's question.

Mr. GRIGSBY. What is the question?

Mr. SINNOTT. The question was in reference to the original law, which the gentleman from Illinois says was designed to protect the shore rights, and he asked whether or not the matter is thrown open and unguarded by this bill?

Mr. GRIGSBY. Well, this bill is to extend the homestead laws of Alaska with reference to spaces of 80 rods along the shore line of all Alaska waters. That provision was inserted in the original act because it was thought that homesteaders might take up all the water suitable for harborage purposes. Now, there are on account of that reservation about 50,000 miles of good agricultural land which is unnecessarily reserved from entry.

This bill simply places it in the discretion of the Secretary of the Interior to waive that reservation wherever he sees fit. It does not absolutely throw the land open, but if the Secretary of the Interior deems that any particular entry will take up land that is wanted for harborage purposes he can refuse the patent. Otherwise he will grant it.

Mr. MILLER. Will the gentleman yield for a short question? It reserves to the Secretary the right to protect the harbors?

Mr. GRIGSBY. Absolutely.

Mr. CHINDBLOM. Does this proposition include any mineral rights?

Mr. GRIGSBY. It does not affect any mineral rights in any way. All the land is open for mineral entry except in the forest reserves, anyway.

Mr. CHINDBLOM. This 80-rod reserve does not affect their mineral rights at all?

Mr. GRIGSBY. It affects them in no way.

Mr. CHINDBLOM. Your bill does not affect minerals?

Mr. GRIGSBY. Not at all. It is to give the Secretary of the Interior the right to waive the 80-rod provision as to shore spaces.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the provisions of the act of May 14, 1898 (30 Stat. L., p. 409), extending the homestead laws to Alaska, and the act of March 3, 1903 (32 Stat. L., p. 1028), amendatory thereof, creating 80-rod reserve spaces between entries and claims along the shores of navigable or other waters in the Territory of Alaska, are hereby repealed, and the shore spaces created by said acts are hereby restored to the public domain, but nothing herein shall prevent the President from withdrawing such shore lands as may be deemed necessary or advisable in the public interests.

Also the following committee amendment was read:

Strike out all after the enacting clause, and insert in lieu thereof the following:

"That the provisions of the act of May 14, 1898 (30 Stat. L., p. 409), extending the homestead laws to Alaska, and of the act of March 3, 1903 (32 Stat. L., p. 1028), amendatory thereof, in so far as they reserve from sale and entry a space of at least 80 rods in width between tracts sold or entered under the provisions thereof along the shore of any navigable water, and provide that no entry shall be allowed extending more than 160 rods along the shore of any navigable water, shall not apply to lands classified and listed by the Secretary of Agriculture for entry under the act of June 11, 1906 (34 Stat., p. 233), and that the Secretary of the Interior may upon application to enter or otherwise in his discretion restore to entry and disposition such reserved spaces and may waive the restriction that no entry shall be allowed extending more than 160 rods along the shore of any navigable water as to such lands as he shall determine are not necessary for harborage uses and purposes."

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

REVENUES OF THE DISTRICT OF COLUMBIA.

Mr. MAPES. Mr. Speaker, I renew my request to take from the Speaker's table the half-and-half bill, disagree to the Senate amendments, and ask for the conference.

The SPEAKER. The gentleman from Michigan asks unanimous consent to take from the Speaker's table the bill, which the Clerk will report, disagree to the Senate amendments, and ask for a conference.

The Clerk read as follows:

A bill (H. R. 7158) to provide for the expenses of the District of Columbia.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, I withdraw the objection I made awhile ago.

The SPEAKER. The Chair hears no objection.

The SPEAKER appointed the following conferees: Mr. MAPES, Mr. FOCHT, and Mr. JOHNSON of Kentucky.

CONSTRUCTION OF CERTAIN FLOOD-CONTROL WORKS.

The SPEAKER. The Clerk will report the next bill.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13313) to authorize the construction of flood-control and improvement works in Boise de Sioux River, the Red River of the North, and Lake Traverse, between the States of Minnesota, North Dakota, and South Dakota.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I would like to know from the gentleman in charge of the bill something of the facts. As it is drawn it is in a very peculiar form. It provides that—

The drainage districts and other municipal authorities of the States of Minnesota, North Dakota, and South Dakota, or anyone or more of them now or hereafter organized, etc., are hereby authorized to construct a dam.

Suppose there are a dozen such districts and authorities now organized; suppose four of them come to-day to the War Department and ask to do this work, and next week another combination of them come; suppose their plans are conflicting. Is it not a little indefinite to say that these districts or any of them may do a certain thing?

Mr. VOLSTEAD. The situation is this: Some of those districts have not been formed, and it is difficult to determine definitely just how they will be formed. I can not see any great difficulty, because the Board of Engineers are the final judges as to what they approve, and these districts would have to comply with the requirements of the War Department in that respect. The engineers can only approve one plan.

Mr. CRAMTON. If the gentleman thinks it is all right, very well. Of course, if one or two of them, even under that option, rush in with a set of plans that the Secretary knows nothing about, and he approves them, and the other bunch is slower and get here late——

Mr. VOLSTEAD. They would have to take their chances.

Mr. CRAMTON. I understand the gentleman is familiar with the conditions, and if he thinks it will meet the case, I will not make any objection.

Mr. VOLSTEAD. I do not think there can be any difficulty at all. Those things can not be done in the dark. The organizations covering the territory affected are the only ones that could act.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, I desire to make inquiry as to whether this bill is intended to correct a condition or is it merely operating on what may be a theory as to some flood-protection business?

Mr. VOLSTEAD. There have been a great many plans made for the purpose of seeing if they could not find some way in which to relieve that country from the flood conditions that occur almost every spring.

No money is asked from the Federal Treasury. We are asking simply for power to go on and do the work. It happens to be an interstate stream, and in consequence we must have authority from the Federal Government to enable us to act.

Mr. GARD. The thing that impresses me is that there is no plan of flood protection. I would be glad to give my support to any plan of Federal acquiescence. I am happy to say that some of the States are willing to take care of their own business and not burden the Federal Government, and to that extent I appreciate what the gentleman is trying to do. But I note in the report that under a provision passed in the last river and harbor act the States were authorized to enter into an agreement to do the work, and the report states that the War Department has refused to give its approval on the ground that the legislation did not authorize the States to act through their drainage districts. What I wanted to ask was whether the river and harbor bill, which has again been sent to conference after some discussion, would carry a general provision which would allow these gentlemen to proceed?

Mr. VOLSTEAD. No provision is contained in that bill at all. This provision is intended to remedy the defect in the old authorization. Now the trouble with the old authorization was that the States of Minnesota and North and South Dakota might do the work. The State of Minnesota under its constitution has no power to spend money for internal improvements of this kind. Consequently it was held by the Board of Engineers that the authorization to the State contained in the river and harbor appropriation act was not sufficiently broad so as to permit action through the drainage districts.

Mr. GARD. Is there any agreed-upon plan of flood protection up here at the outlet of Lake Traverse, in the Boise de Sioux River?

Mr. VOLSTEAD. There has been a plan surveyed, and no doubt it will be put into effect as intended if this legislation goes through.

Mr. GARD. What is the use of getting legislation unless you know what is going through?

Mr. VOLSTEAD. They adopted a plan that we tried to put into effect under the old provision.

Mr. GARD. The trouble about it, as I see it, is that you have no agreed-upon plan.

Mr. VOLSTEAD. Oh, there has been a plan agreed upon.

Mr. GARD. You said there was not, a moment ago. You said you had tried to get it.

Mr. VOLSTEAD. There have been a number of surveys. A plan was adopted and submitted by the governors of the three States to the Secretary of War for the purpose of having the work done, but when that was submitted objection was made by the Secretary on the ground that I have suggested, and hence we come now with this bill for the purpose of obtaining permission to do the work through drainage districts.

Mr. GARD. What I wanted to be advised of was whether these were drainage districts or municipal districts having adequate authority. I think it is a very vague phrase. It should be drainage districts.

Mr. VOLSTEAD. In Minnesota the drainage districts will be formed. In South Dakota I am not sure that they have drainage districts, but they will operate through the counties. But they all have agreed, and this allows them to agree, to do the work. They have State legislation authorizing them to act under legislation of this kind. This bill has been presented to the War Department, and it has the approval of that department.

Mr. GARD. It may be said to have the War Department's approval, but the approval is not very pertinent to the issue. What I want particularly to know about is whether these drainage districts have agreed upon the plan to build a dam at the outlet of Lake Traverse in the Boise de Sioux River.

Mr. VOLSTEAD. That is the plan that has been agreed to.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. MANN of Illinois. Is not this the situation, that the States have made a plan and submitted it to the War Department for approval?

Mr. GARD. That is what I am trying to learn, whether there has been a definite plan agreed upon by the States and submitted to the Secretary of War.

Mr. MANN of Illinois. There has been a definite plan agreed upon by the States and submitted to the Secretary of War, and the States were prepared to enter upon the work, but the War Department then said that authority was only given to the States directly to do the work, whereas the States had prepared to have the work done through drainage districts. This is simply to permit the States to do the work through drainage districts, the plan having been agreed upon, and the States being prepared to go ahead with the work.

Mr. GARD. Now, there is one element in this bill that is entirely at variance, as I take it, with what should be the provision. The bill comes from the Committee on Flood Control. It has for its purpose the control of flood waters up in that country. That is a laudable purpose. I would be glad to contribute as much as I can to have that purpose thoroughly accomplished.

I shall be glad to contribute as much as I can to have that purpose thoroughly accomplished, but I note on page 2 of the bill it provides also that they—

may agree upon as necessary for the prevention and control of floods, the improvement of navigation.

Mr. VOLSTEAD. There is some navigation.

Mr. GARD. Necessarily there must be an association between navigation and flood control under the language of the bill.

Mr. MANN of Illinois. Oh, well, the gentleman will remember that when the Flood Control Committee was created the House took away certain jurisdiction theretofore conferred on the Committee on Rivers and Harbors.

Mr. GARD. Yes; I remember that.

Mr. MANN of Illinois. And we passed a bill in reference to flood control on the Mississippi River, which is directly in the interest of navigation; and it has always been the policy of Congress, wherever there was any possibility of navigation, wherever authority was given for the construction of dams or otherwise, that the War Department should require the interests of navigation to be conserved.

Mr. GARD. The flood-control act which the gentleman speaks about did not carry for its purpose the improvement of navigation.

Mr. MANN of Illinois. That was one of the purposes.

Mr. GARD. That is always carried in the river and harbor bill.

Mr. MANN of Illinois. That was one of the purposes. That was the very reason why the Committee on Rivers and Harbors fought the creation of the Flood Control Committee.

Mr. GARD. It is but an incident of flood control. The primary purpose is the control of flood waters, which is very often entirely inconsistent with navigation.

Mr. DEMPSEY. Never.

Mr. MANN of Illinois. When they start the prevention and control of floods, they ought also to consider the improvement of navigation, and we always require the War Department to do that.

Mr. GARD. Is this a navigable river?

Mr. VOLSTEAD. The dam will be built at the lower end of Lake Traverse, which has some navigation.

Mr. GARD. What sort of navigation is there?

Mr. VOLSTEAD. They have grain elevators on the lake, and some boats haul grain and other commodities to and from the upper end of it.

Mr. MANN of Illinois. There will be a great deal more navigation if they build a dam there than there will if they do not.

Mr. VOLSTEAD. It will undoubtedly increase navigation.

Mr. GARD. The previous bill carried the statement that there was no liability on the part of the United States. Is it intended that there shall be no financial liability upon the United States as a result of the passage of this bill?

Mr. VOLSTEAD. All the expense will be borne by the taxpayers in the immediate vicinity, who own land that will be benefited by the work.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the drainage districts and other municipal authorities of the States of Minnesota, North Dakota, and South Dakota, or any one or more of them now or hereafter organized and existing under the laws of said States, are hereby authorized to construct a dam at or near the outlet of Lake Traverse in the Boise de Sioux River, together with such dikes, spillways, diversion channels, and other works in said river and lake, and the Red River of the North, as such districts or municipal authorities, or any of them, may agree upon as necessary for the prevention and control of floods, the improvement of navigation, and the drainage of lands, and for that purpose may deepen and straighten any parts of said rivers: *Provided*, That plans for the work hereby authorized shall be submitted to the Secretary of War and the Chief of Engineers for their approval, and unless and until approved by them, no part of such work shall be built or commenced.

"SEC. 2. That the right to alter, amend, or repeal this act is hereby reserved.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

PATENTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9032) authorizing the Federal Trade Commission to accept and administer for the benefit of the public and the encouragement of industry inventions, patents, and patent rights, and for other purposes.

The Clerk read the title of the bill.

Mr. NOLAN. Mr. Speaker, there is considerable controversy over this measure, and I think it will be just as well off the Calendar for Unanimous Consent. I ask unanimous consent that it be stricken from that calendar.

Mr. GARD. I object to the consideration of the bill. That will take it off.

Mr. NOLAN. That automatically takes it off the Calendar for Unanimous Consent.

The SPEAKER. Objection is made. The Clerk will report the next bill.

REIMBURSEMENT OF CERTAIN COUNTIES IN NEW MEXICO FROM GRANT-LAND FUNDS OF THE STATE.

The next business on the Calendar for Unanimous Consent was the bill (S. 3867) authorizing the State of New Mexico to apply the proceeds of the grant to said State of 1,000,000 acres of land made by section 7 of the enabling act, June 20, 1910, for the reimbursement of Grant County, Luna County, Hidalgo County, Santa Fe County, and the town of Silver City, N. Mex.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. GARD. Reserving the right to object, this matter has been before considered on the calendar for unanimous consent, and I call the attention of those who may be proponents of the bill on the floor to-day to the statement contained in the letter of Secretary Lane of February 12, 1919, to the effect:

According to my understanding, however, Santa Fe County, notwithstanding the validation of the said bonds by Congress, did not at any time pay either the interest or principal and the bonds and accrued interest remained unpaid at the date of the admission of New Mexico into the Union. On the other hand, Grant County at all times paid the interest on its bonds as it became due and payable. This is likewise true of Luna County, which had been carved out of Grant County in 1901, and had assumed its proportionate share of the indebtedness evidenced by the bonds validated and confirmed by the act of 1897, supra, and at the date of admission of the State into the Union only the principal of the said bonds was outstanding, and there was no debt due by either of said counties at that date on account of accrued interest on these bonds.

So that unless we can have a report from the Secretary of the Interior as to the payment of this money which is now asked to be reimbursed I shall be compelled to object.

Mr. SINNOTT. The gentleman read from the letter of the Secretary of the Interior of February 12, 1919. Here is a letter in the report from the Secretary of the Interior of February 18, 1920, in which he says:

Should it be shown, however, to the satisfaction of your committee that Santa Fe County is entitled to be reimbursed for any moneys paid by it, I have no objection to offer to the enactment of this bill.

The Secretary, when he wrote the other letter, did not have the full information. I have a certified copy of the records of Santa Fe County showing that Santa Fe County paid $65,427.50.

Mr. GARD. I am glad to have that additional information. Still, the Secretary of the Interior says that "should it be shown to the satisfaction of your committee that Santa Fe County is entitled to be reimbursed, I have no objection to offer to the enactment of the bill." There has no affirmative evidence been shown to the department.

Mr. SINNOTT. I have the evidence here.

Mr. GARD. I say, unfortunately, that the statement the gentleman makes is not so conclusive as to carry with it the

recommendation of the department. In other words, the paper that the gentleman calls a certificate has never been presented to the department for a proper report of the matter.

Mr. SINNOTT. It has been presented to the committee by the gentleman from New Mexico [Mr. HERNANDEZ], who is always diligent and watchful for the interests of his State. He is absent on official business with the Indian Committee. Before he left he asked me to look after this bill. I have also personally conferred with Senator JONES of New Mexico, and he says the county paid this interest. I do not think we should be compelled to make a showing to the Secretary of the Interior in order to get back from him another report, inasmuch as he stated in his letter of February 18, 1920, that if it was shown to the satisfaction of the committee, and so forth, and it has been shown to the satisfaction of the committee that this county paid $65,427.50.

Mr. GARD. But the statement appearing on page 4 of the report is that it has not been shown that it was paid, or whether it has been paid, or enough of it to authorize this refund, the report does not show.

Mr. SINNOTT. The letter which the gentleman read from page 4 was dated February 12, 1919, and the letter I read is dated February 18, 1920.

Mr. GARD. My criticism is that it does not explain away the declaration of February 12, 1919.

Mr. SINNOTT. It shows absolutely that the interest has been paid.

Mr. RAKER. Will the gentleman yield?

Mr. GARD. Yes.

Mr. RAKER. As a member of the subcommittee, we took full testimony on this, and we had a certified copy of the record showing that this county had paid this money.

Mr. GARD. How much did Santa Fe County pay?

Mr. SINNOTT. Sixty-five thousand four hundred and twenty-seven dollars and fifty cents. Here is a certificate of Alfredo Lucero, the clerk of the district court of the first judicial district of the State of New Mexico, and it is also certified to by the same person as the clerk of the county of Santa Fe.

Mr. GARD. What was the amount of the interest on the principal and the accrued interest on the bonds?

Mr. SINNOTT. I have it here. It reads:

Interest paid by Santa Fe County on railroad bonds per bond register.

On bonds of 1880 and coupons amounts to $36,470.

The total interest paid by Santa Fe County on the coupons is summarized: Bonds of 1880, $36,470; bonds of 1887, $7,920; bonds of 1891–92, $21,037.50; making a total of $65,427.50. Here are the certificates:

STATE OF NEW MEXICO,
County of Santa Fe, ss:

I, Alfredo Lucero, clerk of the county of Santa Fe and State of New Mexico, do hereby certify that the foregoing three pages contain a true, correct, and complete copy of the bond register of said county, showing the payment of coupons on interest-bearing bonds, and their respective numbers as the same were paid by the county treasurer of said county.

In witness hereof I have hereunto set my hand and official seal at my office in the city of Santa Fe, county of Santa Fe, and State of New Mexico, this 4th day of March, 1920.

[SEAL.] (Signed) ALFREDO LUCERO,
County Clerk of the County of Santa Fe, State of New Mexico.

—

STATE OF NEW MEXICO,
County of Santa Fe, ss:

I, Reed Holloman, judge of the first judicial district of the State of New Mexico and judge of the district court within and for the county of Santa Fe, do hereby certify that Alfredo Lucero, by whom the above attestation was made, was, at the time and date thereof, clerk of said court, duly qualified, and that the said attestation is in due form of law and made by the proper officer.

(Signed) REED HOLLOMAN,
Judge First Judicial District, State of New Mexico, etc.

Mr. WALSH. Well, Mr. Speaker, gentlemen do not seem to make much progress in satisfying the gentleman from Ohio.

Mr. GARD. I would prefer that the matter had been finally submitted to the department, so the Secretary could explain that which he said had not been done, if it has been done. I confess it is difficult for me to learn from the reading of the certificates whether or not this has been paid. If it has been, I do not care to stand in the way of the enactment of the bill even through this extraordinary process.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. GARD. Yes.

Mr. MANN of Illinois. It would be up to the State of New Mexico to determine whether the money had been paid or not. Does not the gentleman think it wholly unlikely that the State will pay money out of the treasury to the county of Santa Fe unless perfect proof is offered, which they have on record in the State and county?

Mr. GARD. I do not know, but I should say that Congress should have some proof before acting upon it.

Mr. MANN of Illinois. All we do is to confer on the State the authority to pay the money which the State owes and which the county claims it is entitled to.

Mr. GARD. Necessarily we should have some proof to show that the county has actually paid it before we pass enabling legislation. If the gentleman is satisfied from the certificate that they did pay the amount of interest that they were chargeable with at the time and which the State desires to refund, I have no objection.

Mr. SINNOTT. I am absolutely satisfied.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the authority and consent of Congress is hereby granted to the State of New Mexico to apply any part of the proceeds of the grant to said State of 1,000,000 acres of land made by section 7 of the enabling act of June 20, 1910 (36 Stats., p. 557), for the reimbursement of Grant, Luna, and Hidalgo Counties for interest paid by said counties on the bonds of Grant County, and for the reimbursement of Santa Fe County for interest paid by said county on the bonds of Santa Fe County, which said bonds were validated, approved, and confirmed by act of Congress of January 16, 1897 (29 Stats., p. 487), and also for the payment of the principal of the bonds issued by the town of Silver City and likewise validated by said act of January 16, 1897, and to reimburse the town of Silver City for interest paid by said town on said bonds, all in addition to the obligations provided in said enabling act to be paid from the proceeds of said grant.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. SINNOTT, a motion to reconsider the vote by which the bill was passed was laid on the table.

ABANDONED PORTIONS OF RAILROADS' RIGHTS OF WAY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9899) to provide for the disposition of abandoned portions of rights of way granted to railroad companies.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Mr. Speaker, reserving the right to object, this bill was considered before, and after an interrogation by the gentleman from Illinois [Mr. MANN], it was objected to by myself. Afterwards I had the privilege of talking with the gentleman from South Dakota [Mr. CHRISTOPHERSON] about some amendments. Has the gentleman any amendments to propose to the bill?

Mr. CHRISTOPHERSON. Yes; the amendments that I propose to offer are minor amendments correcting the phraseology of the bill.

Mr. GARD. I have not the bill before me, and under the reservation of an objection I would like to have the gentleman advise me and the Members of the House what the proposed amendments are.

Mr. CHRISTOPHERSON. The amendments that I propose to offer are, in line 3, on page 2, to strike out the words "or its heirs"; in line 11, strike out the word "patent" and insert in lieu thereof the word "title"; and in line 15, to strike out the first word "or" and insert in lieu thereof the word "of."

Mr. GARD. The objection which was in my mind was that without any process by anybody, except the proof of the matter of abandonment, the title to this land vested in some subdivision which was outside a municipality, and simply because a man might own a piece of ground contiguous to this abandoned land, by virtue of the ownership and no other action he became entitled to this abandoned land. It seems to me there ought to be some approval by some one who has charge of the land rather than have the automatic addition to the man's own land.

Mr. CHRISTOPHERSON. This does not do that automatically. The bill was originally drawn so that it would automatically do it, but by the suggestion of the department there was a committee amendment which has been submitted by the committee and which I will read—

whether by forfeiture or by abandonment by said railroad company, declared or decreed by a court of competent jurisdiction or by act of Congress.

With that amendment the parties would either have to go into court and get a decree declaring the land forfeited in a competent court or by a special act of Congress. We should also bear in mind that this does not operate upon any railroad lands, excepting those that have been granted by the Government for railroad purposes alone, and the Supreme Court has said they have simply a base title, and when they abandon the lands for

railroad purposes they had no further rights in them. You are not taking anything away from the railroads by passing this act, because they have no other rights in it.

Mr. GARD. I understand they have no further rights in it by abandonment, but that which I desire to direct the attention of the gentleman to is that before these abandoned strips vest in somebody else they should be submitted so some authority rather than to have them vest in a municipality because the strips happen to be there, or vest in a legal subdivision because it is immediately next thereto.

Mr. CHRISTOPHERSON. Here is a strip of road 100 or 200 feet wide, running through a quarter section of land. It would not be suggested that the Department of the Interior would grant title to a narrow strip to some one else, but it would naturally go to the party who has the original tract or subdivision, because to grant title to some one else or grant the Interior Department the right to pass upon whether it should go to the adjoining owner or to some one else, would leave it then where they might grant title to a narrow strip running through a quarter to another party.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. CHRISTOPHERSON. Yes.

Mr. MONDELL. Did not the acts of June 26, 1906, and February 25, 1909, make the same disposition of title that is proposed in this act?

Mr. CHRISTOPHERSON. Just exactly, and the only trouble with those two acts are, as stated by the Interior Department, that they were present in their operation and did not affect rights of way that have been abandoned or changed since the passage of those two acts. Now, this question in my State is that we have a line of road that has straightened its line since the 1909 act, and consequently those two acts do not operate upon these abandoned rights of way.

Mr. MONDELL. Many years ago I introduced a bill on this subject. I think it was probably the act of June 26, 1906. I think it was the first general act of this kind, and I am informed by the gentleman who introduced this bill that the same disposition was made of the title in that bill as in this case. It is the only disposition that can logically and properly be made of the title in such cases.

Mr. GARD. These are public lands originally given as a right of way, and by act of Congress or by decree of court they became abandoned. Whether they are great or small we do not know, but it would seem to me, therefore I am asking the gentleman, that with the abandonment, either by judicial decree or act of Congress, that the land would again revert to the United States and become public land, and there should be some provision made for their revesting in title or patent or whatever it is called in some one other than going to the man or municipality simply because they owned land immediately contiguous to the abandoned strip.

Mr. MONDELL. At the time the first act referred to in the report was passed the public domain in the West was covered with almost an innumerable number of these rights of way. Many men were occupying lands that were covered by one or two rights of way, without any knowledge on their part that there was any right-of-way cloud on their title. These congressional terminations of rights of way are necessary because, while the company having failed to comply with the conditions of the law has no longer any legal right, there is still a question as to the title where a patent was obtained after the land was clouded by a right of way.

Mr. GARD. This is not an abandonment by a congressional action. This provides what may be done in the event of congressional action or in the event of a judicial decree, and has for its purpose the absolute vesting of title to land in the municipality through which the strip runs or in the owner of some legal subdivision——

Mr. BLANTON. Will the gentleman yield?

Mr. GARD. I will yield to the gentleman from Texas.

Mr. BLANTON. Does the gentleman intend to object to the bill? If he does not, I intend to object.

Mr. GARD. If the gentleman desires to object, I think possibly he can save time.

Mr. BLANTON. Well, I object.

Mr. CHRISTOPHERSON. Will the gentleman just withhold that for a moment. I am certain I can make it clear. In my State a quarter section——

Mr. BLANTON. Let me ask a question or two. The title of the railroad company was good only so long as the railroad company maintained operations, and immediately upon the cessation of operations reversion took place to the Government.

Mr. CHRISTOPHERSON. Yes.

Mr. BLANTON. Now, what is the gentleman seeking to do with this land which reverts back to the Government?

Mr. CHRISTOPHERSON. I want to give it to the man who owns a legal subdivision.

Mr. BLANTON. Why is a man who owns a legal subdivision entitled to something that he never purchased?

Mr. CHRISTOPHERSON. Because he would have received it in the first instance if the right of way had not been there.

Mr. BLANTON. And would have paid for it the same price as he paid for his other land?

Mr. CHRISTOPHERSON. Now, let me tell the gentleman this is the case I have in mind——

Mr. BLANTON. Just one point right there. The man is entitled to so many acres as a homestead?

Mr. CHRISTOPHERSON. Yes.

Mr. BLANTON. If he does not get all of his acreage in one tract he can get the balance to which he is entitled out of another vacant tract, can he not?

Mr. CHRISTOPHERSON. No. Here is a legal subdivision of 160 acres, and the railroad has gone through and taken out 100 feet of it running through——

Mr. BLANTON. Which amounts to 10 or 12 acres?

Mr. CHRISTOPHERSON. Not as much as that; only a few acres.

Mr. BLANTON. A few acres. If the man was entitled to 160 acres, was he not entitled to take up a part of his homestead——

Mr. CHRISTOPHERSON. No; he could only take a quarter of a section. Here is the point——

Mr. BLANTON. Why, does not the gentleman know the Land Office has granted patents in some cases to some three or four or five different tracts of land, each embracing the homestead of an individual?

Mr. CHRISTOPHERSON. That may be true, but not in this case. Here is a narrow strip, and the Government would not get anything for it, or sell it to anybody, and you are reducing the value of that quarter section of land by returning title in the Government to a narrow strip.

Mr. BLANTON. Suppose it has under it oil or coal or gas, or something else of value?

Mr. CHRISTOPHERSON. The land I have in mind is on the Milwaukee extension running to the coast. Later this company straightened the line and abandoned certain parts of the old line.

Mr. BLANTON. But your bill is a general bill, applicable to all public lands in the various States of the United States.

Mr. CHRISTOPHERSON. It does not contain a single right except what is contained in two acts, one passed in 1906 and one in 1909, by Congress relating to this same subject.

Mr. BLANTON. And while there may not be oil, or gas, or coal, under the gentleman's particular land in which he is interested, the gentleman may know that down in Oklahoma, Louisiana, and other places sometimes 1 acre of land might be worth ten millions of dollars, with oil wells producing on it.

Mr. CHRISTOPHERSON. Wait a minute. If I am not mistaken—I can not say positively—I think in all of the lands granted here there have been reserved the minerals. I believe they have in the lands granted to the State of South Dakota. I have no objection to an amendment if the gentleman desires that they shall be reserved.

Mr. BLANTON. I do not think this kind of a bill should be taken up and passed on Decoration Day at three minutes past 6 o'clock, with only a few of us here who have been here since 12 o'clock.

Mr. CHRISTOPHERSON. This is a bill that ought to be passed.

Mr. GANDY. Will the gentleman from Texas yield a minute?

Mr. BLANTON. I will.

Mr. GANDY. In the case of a homestead upon which there is a railroad right of way, the homesteader pays just exactly the same fee to the land office, whether there is or is not a railroad right of way.

Mr. BLANTON. Take it down in Louisiana or Oklahoma——

Mr. GANDY. Let me finish the statement. In the land involved, or in any other place in South Dakota, where the right of way might be abandoned, the homesteader in compliance with the law has already performed the requisite and necessary improvement and necessary cultivation to the necessary acreage of land to which he was entitled. He was entitled to it then and is entitled to it now.

Mr. BLANTON. I want to call the gentleman's attention to something he may have overlooked. Down on the Red River now the Government of the United States has a controversy where just one-half of the river bed alone is worth millions of dollars. And there are certain parts of the country, which I could cite the gentleman to, where the right of way of rail-

roads is worth millions of dollars by reason of oil and coal and gas found underneath the ground.

Mr. GANDY. Let me say to the gentleman there would be no objection——

Mr. BLANTON. I object, Mr. Speaker.

Mr. GARD. Mr. Speaker, is it the intention of the gentleman from Wyoming to adjourn?

Mr. MONDELL. I have been informed by one or two gentlemen that they propose making a point of no quorum about this time. While I should be very glad to go on, I realize we can not do so without a quorum.

Mr. GARD. I make the point of order——

Mr. MONDELL. I know that some Members would not wish to come in this evening in answer to a roll call, and therefore I think we better adjourn before a point of no quorum is made. I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to address the House for one minute. Is there objection? [After a pause.] The Chair hears none.

MEMORIAL DAY.

Mr. MONDELL. This is the day, Mr. Speaker——

Mr. GARD. I have pending a point of order that there is no quorum present, but I reserve it. I withdraw the point.

Mr. MONDELL. I propose making a motion to adjourn very soon.

Mr. Speaker, this is the day set aside by custom and law in memory and honor of the Nation's heroic dead. Throughout the length and breadth of the land patriotic citizens are strewing flowers on the graves and doing honor to the memory of those who have worn the Nation's uniform and upheld and defended the Nation's flag. In order to dispose of the public business, it has been necessary for the Congress to remain in session to-day. But during this time, while we have been giving attention to the people's business, our hearts have been with the patriotic citizens throughout the country who are honoring the memory and decorating the graves of the Nation's defenders. [Applause.]

Mr. Speaker, I now ask unanimous consent that when the House adjourns to-day it adjourn in honor of Memorial Day and in honor of the heroic men and women in whose memory the day was established and is celebrated.

The SPEAKER. Is there objection to the request? [After a pause.] The Chair hears none.

ORDER OF BUSINESS.

Mr. MONDELL. Will the gentleman from Ohio [Mr. GARD] withhold that just a moment?

Mr. GARD. I do not desire to make the point of order.

Mr. MONDELL. I will move to adjourn in just a moment. I want to say to the gentlemen present that from this time on it will be necessary to remain in session rather late in the evening, if we are to conclude the business and get away from here this week. I think gentlemen should so arrange their affairs as to be able to be here until quite a late hour to-morrow night and the following nights of the week until Saturday. After to-morrow I shall ask unanimous consent that when we meet we meet at 11 o'clock a. m.

Mr. CLARK of Missouri. Mr. Speaker, will the gentleman yield.

Mr. MONDELL. Yes.

Mr. CLARK of Missouri. Does not the gentleman think it would be better practice to take a recess from 6 o'clock in the evening until 8, so that Members can go and get something to eat?

Mr. MONDELL. I think that would be best. If we can secure an agreement to that effect, I will be very glad to make that arrangement.

Mr. DYER. Do it now.

Mr. BLANTON. We could hold continuously on if the gentleman from Wyoming would furnish us with a little grape juice and sandwiches and things of that kind.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 400. An act authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims;

H. R. 3184. An act to create a Federal power commission, to provide for the improvement of navigation, the development of water power, the use of the public lands in relation thereto, and to repeal section 18 of the river and harbor appropriation act approved August 8, 1917, and for other purposes;

H. R. 12272. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921; and

H. R. 12775. An act to amend an act entitled "An act making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and to establish military justice.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 9 minutes p. m.) the House adjourned until to-morrow, Tuesday, June 1, 1920, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. DENISON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 4167) to extend the time for the completion of the municipal bridge approaches, and extensions and additions thereto, by the city of St. Louis, within the States of Illinois and Missouri, reported the same without amendment, accompanied by a report (No. 1068), which said bill and report were referred to the House Calendar.

Mr. GOOD, from the Committee on Appropriations, to which was referred the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, reported the same without amendment, accompanied by a report (No. 1069), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RODENBERG, from the Committee on Flood Control, to which was referred the bill (H. R. 14311) to authorize the improvement of Red Lake and Red Lake River, in the State of Minnesota, for navigation, drainage, and flood-control purposes, reported the same without amendment, accompanied by a report (No. 1070), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PETERS, from the Committee on Naval Affairs, to which was referred the bill (H. R. 14286) to authorize officers of the naval service to accept offices with compensation and emoluments from governments of the Republic of South America, reported the same without amendment, accompanied by a report (No. 1071), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HICKS, from the Committee on Naval Affairs, to which was referred the bill (H. R. 14123) to create a Bureau of Aeronautics in the Department of the Navy, reported the same without amendment, accompanied by a report (No. 1073), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GOOD: A bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. McKEOWN: A bill (H. R. 14336) to amend an act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes; to the Committee on Roads.

By Mr. BRITTEN: A bill (H. R. 14337) authorizing the disposition of certain lands title to which was acquired by the United States for naval purposes during the war, which lands are no longer needed for naval purposes; to the Committee on Naval Affairs.

By Mr. MOON (by direction of the Joint Commission on Postal Salaries): A bill (H. R. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis; to the Committee on the Post Office and Post Roads.

By Mr. GALLIVAN: Memorial of the Legislature of the State of Massachusetts, relative to the compensation of United States postal employees; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 14339) granting an increase of pension to Roxie L. Colbert; to the Committee on Invalid Pensions.

By Mr. BLAND of Indiana: A bill (H. R. 14340) granting an increase of pension to William Homer Edwards; to the Committee on Pensions.

By Mr. BROOKS of Pennsylvania: A bill (H. R. 14341) granting an increase of pension to Mervin A. Coshun; to the Committee on Invalid Pensions.

By Mr. CONNALLY: A bill (H. R. 14342) for the relief of Mrs. John P. Hopkins; to the Committee on Claims.

By Mr. DUNBAR: A bill (H. R. 14343) granting a pension to Indiana Abbott; to the Committee on Pensions.

Also, a bill (H. R. 14344) granting a pension to Jacob Sigler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14345) granting an increase of pension to Charles Bernhart; to the Committee on Pensions.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 14346) granting a pension to Alice M. Burke; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 14347) granting a pension to William Sally; to the Committee on Pensions.

By Mr. MADDEN: A bill (H. R. 14348) for the relief of H. L. Myers; to the Committee on Claims.

By Mr. ROSE: A bill (H. R. 14349) granting a pension to Annie Beck; to the Committee on Invalid Pensions.

By Mr. ROWE: A bill (H. R. 14350) for the relief of Perley Morse & Co.; to the Committee on Claims.

Also, a bill (H. R. 14351) for the relief of A. W. Duckett & Co.; to the Committee on Claims.

By Mr. SELLS: A bill (H. R. 14352) granting an increase of pension to Charles Hurrle; to the Committee on Pensions.

By Mr. TINKHAM: A bill (H. R. 14353) granting a pension to Janie Jackson; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4025. By Mr. CAREW: Petition of trades council, Manufacturers' Club of Philadelphia, Pa., asking repeal of excess-profits tax; to the Committee on Ways and Means.

4026. By Mr. CULLEN: Petition of Our Lady of Loretto Council, Knights of Columbus, New York, favoring increases in salaries to postal employees; to the Committee on the Post Office and Post Roads.

4027. By Mr. DYER: Petition of Bottlers' Local Union No. 187, of St. Louis, Mo., favoring amnesty for political prisoners; to the Committee on the Judiciary.

4028. Also, petition of Lawton Byrne-Bruner Co., of St. Louis, Mo., and the Gustin Bacon Co., of Kansas City, Mo., favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

4029. Also, petition of Comfort Printing & Stationery Co., of St. Louis, and the Tobacco Merchants' Association of the United States, in connection with revision of tax legislation; to the Committee on Ways and Means.

4030. Also, petition of St. Louis Chamber of Commerce, protesting against enactment of bonus legislation; to the Committee on Ways and Means.

4031. Also, petition of W. Christ Bryan, of St. Louis, Mo., favoring longevity-pay legislation; to the Committee on the Judiciary.

4032. By Mr. ESCH: Petition of Amalgamated Association of Iron, Steel, and Tin Workers, favoring amnesty for political prisoners; to the Committee on the Judiciary.

4033. By Mr. FULLER of Illinois: Petition of National Convention of Tobacco Merchants, opposing any further tax on business; to the Committee on Ways and Means.

4034. Also, petition of Illinois Valley Manufacturers' Club, opposing the pending soldiers' bonus bill; to the Committee on Ways and Means.

4035. Also, petition of the Friends of our Native Landscape, opposing House bill 12466, to authorize certain irrigation privileges in Yellowstone National Park; to the Committee on the Public Lands.

4036. Also, petition of W. M. Rutler, Illinois State chairman, committee for aid to disabled veterans, urging postponement of bonus legislation until a more adequate provision is made for those who were disabled in the service; to the Committee on Ways and Means.

4037. Also, petition of J. B. Murray and D. W. Gould, urging action on bill to increase salaries of postal employees; to the Committee on the Post Office and Post Roads.

4038. By Mr. GALLIVAN: Petition of 136 residents of Dorchester and Brookline, Mass., favoring passage of the Sheppard-Towner maternity bill; to the Committee on Interstate and Foreign Commerce.

4039. Also, petition of M. J. Coe, of West Newton, Mass., and the eastern New England conference board International Molders' Union of North America, favoring Mason resolution for recognition of Ireland; to the Committee on Foreign Affairs.

4040. Also, petition of John E. Donovan, J. L. Powers, Mike Reagan, and 34 other residents of Boston and South Boston, Mass., favoring increased salaries for postal employees; to the Committee on the Post Office and Post Roads.

4041. By Mr. HADLEY: Petition of Asparo E. Beech and 12 other ex-service men, favoring a cash bonus of $500; to the Committee on Ways and Means.

4042. By Mr. O'CONNELL: Petition of the Interstate Cotton Seed Crushers' Association of Texas, opposing entrance of the Government into commercial fields; to the Committee on Appropriations.

4043. Also, petition of New York County organization of the American Legion, favoring the Darrow bill; to the Committee on Education.

4044. Also, petition of F. K. Collins, opposing the Fordney bonus bill; to the Committee on Ways and Means.

4045. Also, petition of the A. N. Palmer Co., of New York, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

4046. By Mr. SINCLAIR: Petition of certain residents of Mandan and Dickinson, N. Dak., favoring the passage of H. R. 10925; to the Committee on Interstate and Foreign Commerce.

4047. By Mr. TAGUE: Petition of 30 citizens of Boston, Mass., appealing for increased compensation for employees of the Postal Service; to the Committee on the Post Office and Post Roads.

4048. By Mr. ZIHLMAN: Petition of mayor and city councilmen of Cumberland, Md., asking for additional post-office facilities and the erection of a post-office building at Cumberland, Md.; to the Committee on Public Buildings and Grounds.

SENATE.

TUESDAY, *June 1, 1920.*

(Legislative day of Monday, May 24, 1920.)

The Senate reassembled at 10 o'clock a. m., on the expiration of the recess.

ENFORCEMENT OF PROHIBITION.

Mr. CALDER. Mr. President, my attention has been called to an article which appeared in yesterday's New York World. I bring it to the attention of the Senate, and more particularly to the members of the Committee on Appropriations who are present, that they may know the conditions prevailing in the city of New York, and I am told that they are prevailing generally throughout the large centers of population. This article indicates that dishonest men are trading in forged certificates to permit the taking from bond of whisky, and have cleaned up more than $10,000,000 in the last two months.

We have in New York City, as in the other large cities in the country, an official the title of whose office is director of prohibition. Applications are made to this official to withdraw liquor from bond or from a distillery. Applications are forwarded to the department here at Washington, and they are invariably approved. They are then returned to the place of application. Usually the permit is granted, although it is the practice in New York to hold up the permits for a considerable period for one reason or another, and some applicants insist that they are required to pay an illegal fee.

The article to which I have referred states that 11,000 permits have been issued in two months in New York City for the withdrawal of whisky from bonded warehouses or from distilleries, and of that number over 1,200 were forged. The article also indicates that the matter was called to the attention of the director, Mr. O'Connor, in New York, and that he was quite surprised, although it has been a matter of common knowledge for the past two months that forged permits were being issued. There has even been an intimation in some quarters that these fake permits were issued with the knowledge of people from the inside.

I have never in all my experience in the city of New York had my attention called to anything that was so indicative of corruption on the part of public officials. I wish to suggest to the members of the Appropriations Committee now present that when requests come to them again for the granting of appropriations for the enforcement of the prohibition law in the larger cities of the country, they ought to scrutinize them with very great care.

Mr. SMOOT. Mr. President——

Mr. CALDER. I yield to the Senator from Utah.

Mr. SMOOT. I wish to say to the Senator from New York that the Committee on Appropriations of the Senate and the Senate granted $2,500,000 more for the enforcement of the prohibition law than the House allowed. That will appear in the sundry civil appropriation bill, upon which the conferees agreed last night.

I will say to the Senator that that amount is what was asked for by the internal-revenue office, and also the amount required for the enforcement of the prohibition law affecting importations and exportations of liquor to and from the United States. It is not because Congress has not given the money asked for. The trouble comes from some other source. There is not a member of the Committee on Appropriations who does not feel that we want to appropriate every dollar necessary to enforce that law and enforce it rigidly.

The director of prohibition in the State of New York may be doing the same as the director of prohibition in the State of Utah in spending much of his time in politics. Only this morning I received a copy of a local paper from Utah in which there is an article telling just where the director of prohibition is going to reorganize the Democratic precinct committees and county committees and just where he would be upon certain days in visiting counties south of Salt Lake City. If that kind of work is being done in New York, it is no wonder that conditions exist as portrayed in the article in the New York World. I sincerely hope that it is not true. I do not understand that these directors of prohibition were appointed for political purposes. I understood that they were appointed to enforce the law and see that it was not violated, but evidently in some parts of the country that is not the fact.

Mr. CALDER. Mr. President, I make no charge that the director of prohibition in the city of New York is interfering with politics.

Mr. SMOOT. I do not charge that he is.

Mr. CALDER. But if this article is true, then we have an enforcement of the prohibition law in New York which is being taken advantage of to the personal profit of a group of men who ought to be in jail. The charge is made here that during the past two months $10,000,000 have been cleaned up by a group of men who have been handling so-called forged permits.

In New York City to-day, and I am informed it is the practice throughout the country in the larger cities, many of the liquor saloons have not given up their places of business since the constitutional amendment went into effect, and are openly selling liquor. Of course, that comes from the fact that the people are out of sympathy with the enforcement of the law. Not only that, but the charge is frequently made that they are doing this because they are paying for the privilege. That is what I object to. I seriously object to anyone violating the law, but I more seriously object to the fact that men can, without any effort to stop them, make fortunes in this way. That is the charge that comes to me.

I am not mentioning names, and I would not think of doing so without having the consent of my informants. The charges come to me that men in the employ of the United States Government are the ones who have profited by this practice. The statement appears in the article to which I have referred that it will take $20,000,000 to enforce the prohibition law in the city of New York alone. I wish to call the attention of the Committee on Appropriations to the fact that the law is not now being enforced in any degree, and that no attempt is being made to enforce it, and permits are being granted without number that are simple forgeries. Evidently some one has put a printing press to work, and if one wants a permit and can not get it legitimately he can by some inside method secure it. That is what I wish to call to the attention of the Appropriations Committee, in order that when the prohibition enforcement department comes before that committee and asks for more money to enforce the prohibition law, the committee may know that no attempt is being made to enforce it, at least in New York City.

Mr. SMOOT. Mr. President, if the officials of the Government of the United States are doing these unlawful things, the Appropriations Committee could give them an unlimited amount of money and it would not help the matter at all. I think there ought to be an investigation made of the charge in the New York World, and if there is any basis for it, it certainly will develop and the guilty parties can be found.

Mr. President, there is at this time more counterfeiting of not only money but of stamps than ever was known in the history of the United States. When Mr. Moran, of the Secret Service, called the attention of the Senate committee to the fact that it was necessary to have an additional appropriation, more than they had ever had before, to stop counterfeiting, the Committee on Appropriations granted every cent asked for.

I wish to say in conclusion that if there is the least foundation for the charge that is made in the New York World, to which the Senator from New York calls attention, there ought to be a full investigation; and it seems to me the Department of Justice, if its attention was called to it, should make an investigation on its own part to find out whether there is any truth in the charge thus made.

Mr. CALDER. I will say to the Senator that last night I addressed a communication to the Department of Justice and called attention to the facts outlined in the article. What I am objecting to and what every decent, law-abiding citizen objects to is the statement spread broadcast throughout New York City that this is an inside job, that somebody is profiting by encouraging the sale and purchase of these forged permits and permitting the sale of liquor through them.

Mr. THOMAS. Mr. President, the difficulty underlying the subject to which the Senator from New York has referred is obvious. The factor which permits these New Yorkers to garner millions of dollars in the course of a few days in the dispensation of liquor is the appetite for alcohol which has not been sensibly affected by the eighteenth amendment. The Senator, if he would remove the evil, should amend the eighteenth amendment not only to prohibit the manufacture and sale of intoxicating drinks, but to quench the appetites of men. Or the Senator might introduce another and distinct amendment to that end; indeed, he might well join forces with Mr. Bryan and draft a proposition for a constitutional amendment establishing a single standard of morals and abolishing all thirst for intoxicants. If by the Constitution we can impose standards of morality, we can also extinguish the appetite for stimulants, and if so, we will not be troubled in future with makers of fortunes overnight. Unless we do this, those who recognize the national appetite as an asset will both encourage and satisfy it.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 3867) authorizing the State of New Mexico to apply the proceeds of the grant to said State of 1,000,000 acres of land made by section 7 of the enabling act, June 20, 1910, for the reimbursement of Grant County, Luna County, Hidalgo County, Santa Fe County, and the town of Silver City, N. Mex.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H. R. 7158) to provide for the expenses of the government of the District of Columbia, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MAPES, Mr. FOCHT, and Mr. JOHNSON of Kentucky managers at the conference on the part of the House.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 10806. An act to provide for the abolition of the 80-rod reserved shore spaces between claims on shore waters in Alaska;

H. R. 13313. An act to authorize the construction of flood-control and improvement works in Boise de Sioux River, the Red River of the North, and Lake Traverse, between the States of Minnesota, North Dakota, and South Dakota;

H. R. 13931. An act to authorize association of producers of agricultural products; and

H. J. Res. 370. Joint resolution to amend an act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921," approved May 31, 1920.

The message further announced that the House had agreed to a concurrent resolution authorizing the President of the Senate and Speaker of the House of Representatives to close the present session by adjourning their respective Houses on the 5th day of June, 1920, at 4 o'clock post meridian, in which it requested the concurrence of the Senate.

HOUSE BILLS REFERRED.

H. R. 10806. An act to provide for the abolition of the 80-rod reserved shore spaces between claims on shore waters in Alaska was read twice by its title and referred to the Committee on Territories.

H. R. 13313. An act to authorize the construction of flood-control and improvement works in Boise de Sioux River, the Red River of the North, and Lake Traverse, between the States of Minnesota, North Dakota, and South Dakota, was read twice by its title and referred to the Committee on Commerce.

H. R. 13931. An act to authorize association of producers of agricultural products was read twice by its title and referred to the Committee on the Judiciary.

PROPOSED SOLDIERS' BONUS.

Mr. THOMAS. But, Mr. President, I rose this morning to refute the reflections of a letter, of date the 24th of May, from Los Angeles, which I received yesterday, which informs me that I "and the rest of the Democratic Party will oppose anything toward giving a bonus for the soldiers who served in the World War." My correspondent says:

DEAR SIR: In looking over the Los Angeles Herald this evening I noticed where you and the rest of the Democrats there would oppose anything toward giving a bonus for all soldiers that served in the World War.

I don't wish you or any of your Democrat politicians any harm, but I do wish from the bottom of my heart that if we ever have another war that they stick you and anyone else that is opposing any such measure right up in the front line.

Mr. President, here is a distinct charge that the Democratic Party is opposed to the bonus. I can not permit that slander to remain unrebuked. I know of no more unfounded reproach which can be leveled at my party.

Early last week I had a little ground to hope that within its ranks there was some sincere and serious intention to oppose this last raid upon the Treasury. Indeed, I had personal assurances to that effect which encouraged me, pessimist as I am, to believe some of the old ideas regarding the administration of our fiscal affairs still prevailed in the mind of the average Democratic legislator.

But when the House set aside its rules by a bare majority, and then introduced and demanded a roll call upon its so-called bonus proposition, the widely advertised and ostentatious virtue of more than two-thirds of its Members withered away like violets in a July sun. When the final result was announced, the remnant of the opposition was too small to be significant of anything more than that the roll call is the supreme test of moral fortitude. Yet in the face of that record this gentleman has the audacity to assert that the Democratic Party is opposed to the bonus! It is not true. I resent the imputation and deny the charge with all the fervor that I can command.

Why, Mr. President, I know of nothing more appropriate at this hour of patriotic expression than the presentation of the bonus bill to the Senate of the United States from the House of Representatives on Decoration Day. That is a day devoted to our sacred dead, to tributes and eulogies, to the recurrence to the traditions and achievements which make America so illustrious, and which inspire her people with courage for the future. It is a serious and somber time. It is therefore a stimulation that while we seek to derive inspiration from the records of the dead we should also make due provision for the demands of the living. It beguiles the grief of the Nation while laying flowers and laurel wreaths upon the graves of the dead to highly resolve at the same time to replenish the pockets of the living; thus grief and joy, despair and hope, mingle our devotions with our proposed legislation. "Tears for the dead" and greenbacks for the living. This, Mr. President, is a platform which should appeal to the patriotism and the cupidity, to the hopes and ambitions of all classes and conditions of politicians—Democratic, Republican, Socialist, and Progressive—in this good year 1920.

Here let me descant for a moment upon the pleasing contrast between legislative investigations of campaign funds and their expenditure on the one hand and proposed legislative appropriations for votes upon the other. A Senate committee is now probing into the financial records and capabilities of certain prominent candidates, both Democratic and Republican, for the Presidency. It seems that some of them have enjoyed a campaign fund raised by their friends in excess of a million dollars; that others, out of their own pockets, have expended large amounts; and that all have been collecting and distributing money for campaign purposes in promoting their claims under the primary laws of different States. This exposé, Mr. President, seems to have shocked the conscience both of the people and the Senate. The idea that a man aspiring to the high position of President of the United States should have behind him a fund of a million dollars for the corruption of the electorate is appalling to some of us. What are we coming to? The representatives of the Democratic Party are keeping record of these Republican expenditures as they are disclosed by the committee from day to day. Our Republican friends are eager for similar conditions to be revealed regarding Democratic candidates, that both may go before the people and virtuously condemn the corruptive practices of the candidate, so unmindful of the welfare of the country and so thoroughly controlled by his own ambitions as to debauch the electorate to gratify his unholy ambitions.

On the other hand, Congress proposes to give the people an object lesson in political expenditure which, if successful, will certainly take away their breath as well as their money by the levy of a special tax, amounting to some $2,000,000,000, for the benefit of and to attract the political support of 2,000,000 ex-service men. Since each party seeks to outdo the other in generosity, it is to be hoped that this support may be equally divided between them. Indeed, the service men will do this if they are wise, for that will keep both parties alive and on the job when future bonuses are to be demanded. Note the contrast. Upon the one hand is our disapproval of the expenditure of a few million dollars for the promotion of candidacies, and upon the other our own proposed lavish appropriation of an amount, variously estimated at from $1,500,000,000 to $3,000,000,000 for the promotion of our party ambitions. The hypocrisy, the clumsy exhibitions of disapprobation of the practices of the candidates when compared with our own contemplated conduct, needs no further comment from me. If it is wrong for candidates to expend money to secure a nomination, can it be right to expend money to elect him after nomination?

I do not believe in the expenditure of money for any other than legitimate purposes in elections. I have always denounced and shall so long as I live continue to denounce the use of money for the corruption of the electorate; but those who propose to appropriate these huge sums from the Treasury of the United States at the expense of the taxpayers for the indirect accomplishment of the same purpose can not with any decency or consistency direct public attention to the mote in the eyes of the candidate and overlook the larger beam in their own.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following acts:

On May 29, 1920:

S. 3897. An act to amend section 16 of the act of Congress approved July 17, 1916 known as the Federal farm-loan act.

On May 31, 1920:

S. 4163. An act to incorporate the Roosevelt Memorial Association.

CONFIRMATION OF WILLIAM L. FRIERSON.

Mr. SHIELDS. Out of order, I desire, as in open executive session, to make a report from the Committee on the Judiciary in regard to a matter which is of the utmost importance, to be acted upon before recess is taken.

The VICE PRESIDENT. Is there any objection to the report being received in open executive session? The Chair hears none.

Mr. SHIELDS. The Committee on the Judiciary reports in favor of the confirmation of William L. Frierson, of Chattanooga, Tenn., now Assistant Attorney General, to be Solicitor General, vice Alexander C. King, appointed circuit judge.

The VICE PRESIDENT. Is there any objection to the confirmation in open executive session? The Chair hears none. Mr. Frierson is confirmed, and the President of the United States will be notified thereof.

ARMENIAN MANDATORY.

Mr. THOMAS. Mr. President——

Mr. LODGE. Will the Senator allow me, since he is about to discuss the question of the mandate, to bring the resolution in regard to the mandate formally before the Senate? I think it was set aside by unanimous consent, and I ask that it be laid before the Senate.

The VICE PRESIDENT. It is before the Senate.

The Senate resumed the consideration of Senate concurrent resolution No. 27, respectfully declining to grant to the Executive the power to accept a mandate over Armenia, as requested in the message of the President dated May 24, 1920.

Mr. THOMAS. Mr. President, I desire to submit one or two observations upon the pending Armenian resolution. I shall vote for the resolution and shall vote against all amendments or substitutes offered thus far. I am conscious of the need for some strong, thoroughly systematized control of the countries in Asia Minor which for centuries have been under the domination of the Turk. I am as fully sensible as any man

can be of the deplorable conditions confronting the world from that quarter. No man has a greater horror than I of the awful and unheard of disasters and cruelties that have been visited upon these unhappy peoples, and I am free to admit that if the United States should assume a mandate over any section of the world none would appeal to me so eloquently as Armenia. Indeed, I may go further and declare myself ready and anxious to support any measure short of control through and by means of which we can intelligently work out some system of benefit to the Armenian people. Nothing of the kind, however, has thus far been outlined.

What is geographical Armenia? I have read the Harbord report and the subsidiary report of Gen. Moseley, both of which have been printed as Senate documents. But I am unable to determine what Armenia is. Of course, it has boundaries, imaginary at least, but just where the Armenian people as a nation begin and just where they end, what their geographical limitations are, I am unable to determine. There be Russian Armenians; there be Turkish Armenians; and there be thousands and thousands of Armenians scattered over Asia Minor and perhaps half a million in Rumelia, which includes Constantinople.

Mr. KING. Mr. President, will the Senator yield?

Mr. THOMAS. I yield.

Mr. KING. I presume the Senator in stating that he is unable to determine the limits of Armenia refers to the present Armenia. My reading is that the historic Armenia, the Armenia which existed centuries ago, was very clearly delimited.

Mr. THOMAS. Oh, Mr. President, I am speaking of the Armenia for which this mandate is requested. Of course, the ancient Armenia had its geographical delimitations, and they included territory subordinate to the Turk and territory subordinate to the Russians.

Mr. SMITH of South Carolina. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from South Carolina?

Mr. THOMAS. I do.

Mr. SMITH of South Carolina. If I understand the present situation, the President has already accepted the commission to define, so far as Turkey is concerned, the limitations of what will be the Armenia over which the mandate is to be exercised.

Mr. THOMAS. Yes, Mr. President; that is very true, and I am afraid that before he shall have accomplished that task satisfactorily he will regret that he ever assumed its responsibilities.

Because the political entity which we know as Armenia is indefinable; because the people of Armenia consist of as many Mohammedans as Christians, and of five or six racial divisions of people; because Armenia, bounded upon the north somewhere by Georgia and by Azarbaijan, is in controversy with these countries, and has been intermittently for centuries; because she is practically surrounded by hostile peoples differing in religion and largely in race from themselves; because hundreds of thousands of Armenians must still remain for years in these adjacent countries and other parts of Turkey, where they live and were born; because the carving out of a republic of Armenia will inevitably provoke racial and geographical controversies of tremendous proportions; because Armenia is economically dependent upon the railway systems formerly controlled by Russia, but now under the divided dominion of Azarbaijan, of Georgia, and herself; because any mandatory in Armenia must necessarily be dependent upon the continued freedom of passage through the Dardanelles; and because of the complicated military problem to which Gen. Moseley's report is devoted, Gen. Harbord suggests—indeed, he recommends—that if a mandate be taken at all it can be successful only if it includes all of Turkey, certainly Constantinople, Anatolia, and the Transcaucasus country, a section larger than Alaska in geographical dimensions.

Mr. President, I shall not weary the Senate by reading at length from these reports, but I may say parenthetically that unless we accept the conclusions of these reports without cogent reasons for their rejection we never should have sent the mission there. Its membership was selected with great care; its duties were clearly defined; it was headed by one of our ablest and most brilliant soldiers and was composed of a staff thoroughly competent to deal with the political, the industrial, the military, the ethnographic, and the geographic features of the problem.

Gen. Harbord, in his report, after setting out at considerable but not unnecessary length the conditions which he discovered there, says, on page 15:

> A power which should undertake a mandatory for Armenia and Transcaucasia without control of the contiguous territory of Asia Minor—Anatolia—and of Constantinople, with its hinterland of Roumelia, would undertake it under most unfavorable and trying conditions, so difficult as to make the cost almost prohibitive, the maintenance of law and order and the security of life and property uncertain, and ultimate success extremely doubtful.

On page 19 he asks two questions which are pregnant with possibilities—indeed, with probabilities:

> What is to be done with Turkey?
> What is Russia going to do?

Why, Mr. President, that directly confronts the Nation with two contingencies, each of which in the very nature of things must eventuate in difficulty; and the general says, in immediate reply to his questions:

> Pending the ultimate settlement of these questions the mission believes that, for reasons set forth, the power which takes a mandate from Armenia should also exercise a mandate for Anatolia, Roumelia, Constantinople, and Transcaucasia; the boundaries of the Turkish vilayets of Armenia and Anatolia and the interior boundaries of Russian Armenia, Georgia, and Azarbaijan to remain substantially as they are for the present. The divisions of such mandate are an administrative detail to be worked out by the mandatory power. Good administration indicates that there should be some intermediate authority between the provinces and the capital—

And so forth.

There is a movement in Turkey known generally as the Turkish national movement, at the head of which is Moustapha Kemal Pasha. It was born of, and is stimulated by, that national feeling which the Turk possesses in common with the other races of the world. It is an open protest against the partial partition of Turkey between the Allies, and a determination to resist to the death, if need be, not only those segregations of territory which have been made, but those also which are threatened. Since this report, the Marash massacre has been reported, and frequent conflicts occur between the French and the representatives of this national movement in Syria.

Mr. BRANDEGEE. Mr. President——

Mr. THOMAS. I yield.

Mr. BRANDEGEE. In relation to the statement in the report of the Harbord Mission that any mandate for Armenia should include Turkey and Roumelia and Transcaucasia and one or two other countries, let me call the attention of the Senator to the fact that, as I understand, the Turkish treaty, which has recently been submitted to the Turks or is about to be submitted to the Turks, puts Constantinople and the Dardanelles and some other Turkish territory under the control of Great Britain, which, I should think, breaks up the scheme of the Harbord Mission that Turkey should be in the Armenian mandate.

Mr. THOMAS. Yes; I was about to come to that. I have referred to the attitude of Turkey and the national movement, said in this report to be an extremely formidable one. Indeed, we can understand it ourselves. If any attempt were made to ravish the United States of a part of its territory, although we were a defeated nation, one can easily understand how the national spirit would react to it.

Constantinople and Roumelia, which is the hinterland, have been in possession of the Allies virtually since the day of the Turkish surrender; and under the treaty, as stated by the Senator, it is to be permanently turned over to the greatest of the Allies, which will use it, and very properly so, for the welfare of the world in general and for that of Great Britain in particular. The Bolshevist has made his appearance upon the shores of the Caspian. He has captured Batum, he has penetrated Persia, he is already within the known geographical boundaries of Armenia, and it is fair to assume that he will hold what he has taken until dispossessed by force.

Now, if it be true—and I do not think there can be any question about it—that a mandatory for Armenia alone is predoomed and predestined to miserable failure, which would seriously jeopardize American prestige, and if it be true—as this report emphasizes the fact to be—that to make the mandate effectual we must practically possess ourselves of all of Turkey, and if in addition thereto we shall follow the recommendation of Gen. Moseley and under the mandatory expel the Turk entirely from Europe, it would not tax the reflective faculties of a 10-year-old schoolboy to forecast the result of our mandate. We will be injected into one of the bitterest, most implacable, and chronic controversies that ever afflicted the world, and with every probability that all the nations of the earth will be actively or passively opposed to our policy, whatever that may be. We will bring upon our heads the denunciation, and justly so, of the inhabitants of these afflicted parts of the world, because of their disappointments consequent upon our inability to meet all their requirements; the undying hatred of the Turkish people; a direct conflict with the new Russian government, whatever its ultimate character; we will be in constant wrangle with the Kurds, the inhabitants of Azarbaijan, the Georgians; and especially, Mr. President, if, having such a mandate we fail to operate it in accord with the unchanging tendencies, the ambitions, and policies of these

people, a task impossible of accomplishment since these can not be mutually reconciled.

I have purposely refrained thus far from referring to the religious aspects of the situation. Here is the meeting place, perhaps I should better say the mingling place, of the Christian and of the Mohammedan, two religions which have contested for centuries for world supremacy, two religions comprising hundreds of millions of adherents, with Mohammedans numerically predominating, whose advocates and conflicts are a past and present testimony to the implacability of religious intolerance, two diverging theological systems filled with opposing policies and convictions relating to theological conditions of the present and of the future, of time and of immortality, two militant schools of religious thought and conception which can coexist only under the dominance of a supreme power equally tolerant of both.

Ours is a land of religious freedom, where one can worship God or refuse to worship Him, as he sees fit, and be none the worse for it, but such an attitude can be safely assumed by no man in Asia Minor. The Turk will demand protection and the right to propagate his religion under our mandate. The Armenian, pointing to the long line of atrocities and murders which have stained and disfigured his career under Turkish rule, will very properly insist upon a curtailment of Mohammedan rights and privileges.

Mr. President, no statesmanship ever existed which can grapple with and successfully solve this problem. It is a problem of the ages. The outstanding fact in the history of man is that religious fanaticism always controls it. It is sometimes dormant, sometimes seems to have entirely subsided; it smoulders through years, but it reappears upon occasion at all times and with all generations. It is fanatical, it is implacable, it is cruel beyond imagination; it finds expression in those awful conflicts which have deluged nations in blood and many times reversed the hand upon the dial of history.

I contend, Mr. President, that under these circumstances it would be little short of madness for the United States to enter upon this new and untried mission, fraught with so many terrible contingencies and bound to encourage demands for mandates elsewhere.

Now, just a word as to the probable expense of this mandatory. Gen. Harbord figures it, for five years, at approximately $750,000,000. He thinks that as conditions improve the revenues of the subject peoples will also improve, and therefore he states his estimate in diminishing quantities from year to year. But Gen. Moseley estimates that to begin with we should require an Army of 69,450, exclusive of officers. These, with the addition of about 2,000 officers, would make in round numbers a force of 72,000, 5,000 miles away from home.

Gen. Moseley estimates the annual military cost of the Army alone, for Turkey in Europe, Anatolia, and for the Transcaucasus, at $104,175,000. This does not take into consideration the expense of civil administration, which in all probability would equal the sum of the military expenditure, and thus become an additional burden upon the Treasury. We might secure a refund of it, and we might not. The chances are all against it.

Both these distinguished soldiers, Mr. President, warn us of the time which must be consumed in a successful administration of the mandate, once it is undertaken. The renovation of Asia Minor, industrially, socially, politically, and upon lines of sanitation, is a task for generations of men. These peoples must be made over, so to speak. Their old-time animosities, their centuries-old customs and conditions, their racial hatred, their religious divisions, culminating so frequently in murder, massacre, and the wholesale destruction of property, their methods of living, their education—all these things are the work of time, and if the Government of the United States should be authorized to accept this mandate, in my judgment it would remain permanently in Asia Minor, unable to end its supervision of that country, unwilling to abandon them once their embryo civilization has been constructed upon American lines, and reluctant to expose them to the ever-existing ambitions and conflicting interests of the great powers of the world.

Mr. President, this is an object lesson of what America may expect once she enters upon a league of nations. This proposed first fruit of the abandonment of our traditional policy and our identification with the affairs of distant peoples of another hemisphere with whom we have nothing in common, for the imposition upon them, through the agency of a military establishment, of American principles and American institutions, fraught, as it is and must be, with controversy, with conflict, and with vast and unlimited expenditure, bound to bring upon our devoted heads the denunciation and resentment of every people dissatisfied with our administration, justifies, as nothing else could justify, the attitude and convictions of those who, under their oaths of office, have been unable to accept this treaty.

For these reasons, Mr. President, I am unable to regard the request of the President with favor, and shall cast my vote in favor of the resolution which has been reported from the Committee on Foreign Relations.

Mr. ROBINSON. Mr. President, the remarks of the Senator from Missouri [Mr. REED] relative to the pending concurrent resolution denying authority for this Government to exercise a mandate over Armenia, delivered yesterday, and the remarks of the Senator from Colorado [Mr. THOMAS], just concluded, very forcibly and clearly set forth the difficulties associated with this problem.

No student of the subject can be unmindful of the many complicated questions involved in the exercise of a mandate for Armenia, whether that responsibility be assumed by the United States or by some other Government.

Mr. President, sentiment in the Senate indicates that the resolution reported by the Committee on Foreign Relations will be agreed to, probably without amendment. Believing that such action will be disastrous to the interests of a great, a brave, and a suffering people, who are entitled to consideration and some protection at the hands of the allied powers, who are dictating the affairs of the Near East and who are in a position to afford that deserved and necessary protection without serious menace to themselves, I ask the Senate to reject this resolution or so modify it that the United States may be permitted, either by itself, at the request and with the support of the Allies, or in conjunction with them, to give support and assistance to Armenia and the Armenians.

It is both natural and commendable that Senators, in the presence of responsibilities imposed by such an issue as the one now confronting the Senate, should proceed with caution. It is also obligatory that our conduct should be marked by a comprehensive grasp of national responsibility. This subject, like many other important issues coming before the Congress, is clouded with complications numerous and confusing, which complications tend to obscure the primary proposition and render difficult that harmony of action here so valuable in its moral influence on other Governments and peoples.

The cordial sympathy which the American people have long felt and frequently manifested for Armenia and her oppressed peoples was greatly intensified by the sacrifices and suffering of the Armenians and their loyalty to the cause of the Allies. For years generous citizens of the United States have contributed enormous sums to charitable funds designed to relieve the condition of the Armenians brought about by age-long oppression. It is the consensus of opinion of those who have investigated conditions in Armenia that such relief is only temporary in character and is in no sense adequate to the demands of the situation.

The sympathy of the people of the United States for Armenia found a recent expression in the resolution of the Senate moved by the Senator from Ohio [Mr. HARDING] and agreed to without a dissenting vote a little less than two weeks ago. That resolution recites the massacres and atrocities from which the Armenian people have suffered and the deplorable condition of insecurity, starvation, and misery now prevalent among them. It expresses the congratulations of the Senate on the achievement of Armenian independence, and the hope that a stable government may be established capable of protecting individual liberties and rights and of realizing nationalistic aspirations.

The only action suggested in that resolution is a request to the President to dispatch a United States warship and a force of marines to the port of Batum for the protection of American lives and property.

That Senate resolution admittedly has no force. It constitutes a mere expression of sympathy and opinion by the Senate, a request from a branch of the legislative department to the Executive, and is, of course, lacking in legislative authority. The Senate has no jurisdiction over the subject matter of the resolution, that being within the powers and prerogatives of the Executive under the Federal Constitution.

When the President received the resolution just referred to he responded in a message informing the Congress that the various nations with whom this Government was associated in the conduct of the war—in fact, all of the Governments represented in the peace conference—have decided that Armenia has reached the stage of development justifying the recognition of her independence, subject to administrative advice and assistance by a mandatory, and that the United States has been requested to assume that responsibility. The President believes that an invitation so unanimously extended should be accepted

and that our Government should perform the functions of a mandate for Armenia in substantial compliance with the provisions of the peace treaty.

The advice to the Executive in the resolution of the Senator from Ohio is a voluntary act on the part of the Senate, and without constitutional authority, while the recommendation of the President that Congress authorize the mandate is clearly within the constitutional functions of the Executive.

The pending concurrent resolution declining to grant the President the power to accept a mandate over Armenia is the response of Congress proposed by the majority of the Senate Committee on Foreign Relations.

While I again admit that the subject is associated with great difficulties, in my opinion acceptance of a proper mandate, even though it is attended with such difficulties, is preferable to armed occupation, such as is suggested and advised by the Senate resolution heretofore adopted.

Among the difficulties clearly set forth in the report of the American military commission relating to the exercise of a mandate over Armenia may be mentioned the scattered condition of the Armenian people, the want of definite geographical boundaries for Armenia, the existence of many hostile contiguous countries threatening the use of armed forces, the interruption of the means of communication, the remoteness of Armenia from this country, and her exposure to European quarrels. All these circumstances, as well as the expense to be incurred, justify us in seeking a better method of affording relief for Armenia, if it can be found.

If the United States proceeds in the matter at all, her action should be calculated to afford adequate relief, for this alone will justify the assumption of any responsibility. Anything less will disappoint the hopes of the Armenians and will further disgust our recent allies, who are already wondering why the United States, so determined and harmonious during hostilities, has demonstrated such division and indecision in diplomacy.

The world does not understand the details of the causes for our failure to agree on any terms of peace. It does know that for more than a year we have been disputing among ourselves. No doubt there is division abroad, as there is at home, as to whether obstinacy on the part of the Executive or political spite in the Senate is the chief cause which has rendered the treaty-making power unable to function.

The Senate is not justified in insisting that the occupation of Armenia by a small armed force of the United States for the alleged protection of the lives and property of American citizens there is the only proper procedure. Let me point out briefly the basis for this declaration.

In presenting his resolution to the Senate the Senator from Ohio [Mr. HARDING] declared that while the alleged purpose in sending armed forces to Armenia is the protection of American citizens and their property, its real purpose is to maintain an existing line of communication.

Is this country to be committed openly to a policy of equivocation in its conduct affecting other nations? I do not question that the line of communication referred to should be kept open in the interest of the Armenians and in the interest of civilization, but I do doubt the wisdom of sending ships and soldiers to Armenia for the alleged purpose of protecting our citizens there, while at the same time admitting that the real purpose is a political and a military purpose vitally affecting and inseparably associated with governmental functions. If we are to govern Armenia, if we are to take the responsibility of keeping open lines of communication through Armenian territory, which is a governmental function, had we not better perform that task as a mandate, supported, as we would be, by the opinion and force of the civilized world, than to undertake it in a clandestine manner, censured, as we ought to be, by friendly nations for our lack of frankness and condemned by others for manifest duplicity?

The number of American citizens in Armenia is inconsiderable and their property is of little value. While I recognize that this is not a controlling consideration, and that in the protection of its citizens the Government's duty is not increased by large numbers or diminished by small ones, nor is it increased by vast property values nor diminished by small property values, yet it seems to me that those who oppose any mandate or similar relief and insist upon armed occupation are liable to criticism for maintaining a similar proposition, for their principal objection to a mandate is its cost. If the avoidance of expense is to control, resort either to armed occupation or to a mandate is of doubtful propriety. Moreover, under the resolution of the Senator from Ohio, agreed to unanimously by the Senate, such forces as we send to Armenia would have no authority to protect the lives and property of Armenians or other nationals. Their duties and powers would be limited to the protection of American citizens and their property.

If we seek to assume the broader obligation of preserving order and maintaining individual rights without regard to nationality, while avowing the sole purpose to protect Americans, probably a greater military force will be required if this Government proceeds in the manner outlined by the Harding resolution than from the exercise of the powers of a mandate under proper conditions, for in the latter case we would proceed under an authority recognized and approved by the principal nations of the world, while in the case of mere armed occupation our authority would not only be open to question by the enemies of Armenia, but it would be open to doubt by all and probably would be disputed by many of our friends. If the facts set forth in the report of Gen. George Van Horn Moseley, of the American military mission, are reliable, what assurance can Senators give this country that the appearance of a small force of American marines and a single armed American vessel at Batum and marines along the line of the railroad leading to Baku would not constitute an invitation to hostilities which would make necessary our participation finally in a foreign war under the greatest difficulties and with little or no support from those powerful nations whose appeals we reject and whose opinions we disregard when we refuse to accept the responsibilities of a mandate for Armenia and adopt a policy of armed occupation.

I know that the Committee on Foreign Relations impliedly concluded that no such danger exists, otherwise they could not have reported the resolution of the Senator from Ohio, which the Senate passed; but notwithstanding the very weighty consideration to which the opinion of that committee is entitled, let me ask Senators if it be true that Armenia is constantly being desolated by her oppressors, that she is surrounded on every side by treacherous and avaricious enemies, merciless in their wrath, and eager to plunder her, what benefit commensurate with the magnitude of the Armenian problem and the sufferings of the Armenian people can be accomplished by the sending of a single war ship and a small force of marines to the port of Batum for the protection of the few Americans to be found there?

Manifestly such action would be insufficient to accomplish the restoration and preservation of order in Armenia, and if we did anything more than the resolution on its face contemplates, our policy and performance, while defying the expressed opinion of our friends, would invite the hostility of our enemies, and thus in the end compel us to engage in a foreign war or to experience humiliation and disgrace.

Numerous as appear the difficulties of a mandate for Armenia from the report of the American military mission and the debates which have occurred in the Senate, it must not be forgotten that the mission found that the mandate could be made self-supporting and that the United States should not hesitate to accept that task, gigantic though it is.

I read the language of the commission:

> The mandatory would have to finance this situation until settled conditions prevailed, when the local taxes, which have in the past been very light, could be increased to cover the outlay being made by the mandate. Unquestionably the whole mandate could be made self-supporting.

That statement is found on page 31 of Senate Document No. 281, being the report by Brig. Gen. George Van Horn Moseley to Maj. Gen. Harbord, which report has been frequently referred to throughout the debate.

On page 19 of Senate Document No. 266, the military mission, after fully discussing the subject, reaches the conclusion that a mandate is the best way to control the situation in Armenia for the protection of its innocent people against their oppressors. I find the following language:

> The conclusion of the American military mission to Armenia is that the remedy for the existing conditions in Armenia and the Transcaucasus is a mandatory control to be exercised by a single great power.

Mr. President, I do not agree with the statements that have been made on the floor of the Senate that in proceeding to exercise the powers and duties of a mandate this Government necessarily would expose itself to the wrath of the world or to serious danger of attack from countries surrounding Armenia. It is contemplated by those who advocate the acceptance of the mandate that our Government shall dictate its own terms. It would be right and fair and proper, before accepting so great and important a responsibility, that the United States should inform her recent associates in the war fully as to the terms and conditions upon which she would be willing to undertake the task, and that she should refrain from doing so until those conditions had been fully accepted.

On page 24 of Document 266, already referred to, I find the following language:

> We would again point out that if America accepts a mandate for the region visited by this mission, it will undoubtedly do so from a strong sense of international duty, and at the unanimous desire—so expressed at least—of its colleagues in the League of Nations. Accepting this difficult task without previously securing the assurance of conditions would be fatal to success. The United States should make its own conditions as a preliminary to consideration of the subject—

And so forth.

Undoubtedly when that opinion was rendered it was expected that the United States would become a member of the League of Nations, but, Mr. President, the fact that the United States has not yet entered the league does not materially modify our obligations to Armenia and to the Armenian people. We are in part responsible for their present political condition.

The Senator from Utah [Mr. KING] has submitted a proposition to the Senate which in its principal features and purposes meets with my approval. It would be wrong for the United States to adopt the pending concurrent resolution without amendment. I believe that the effect of the adoption of the resolution will be to discourage the Armenians and to signify to the world that the United States is unwilling to render any assistance or any encouragement whatever to that very deserving people. The amendment of the Senator from Utah proposes, as a substitute for the concurrent resolution, the following:

> That the President of the United States is hereby authorized and empowered to enter into arrangements with the allied powers, either through the supreme allied council or the council of the League of Nations, to cooperate on behalf of the United States with said powers or the members of the League of Nations for the proper protection of Armenia, including the advancement of supplies and commodities essential for the health and life of its people and the preservation of its political independence and territorial integrity.

Mr. President, that amendment would impose on the United States her fair share of responsibility as one of the victors in the great World War. It would not leave the United States alone to bear this burden, nor would it announce a policy on behalf of this Government of refraining to perform any act of assistance to the unfortunate Armenian people. It is a fair proposition, calculated to bring about results which the civilized world recognize should be accomplished.

I agree that the amendment of the Senator from Nebraska [Mr. HITCHCOCK] is better than the concurrent resolution. The Senate can do nothing more harmful to the standing of this Government as a Nation than to adopt without modification the concurrent resolution, for to reject these amendments, to refuse to provide any relief for Armenia, would be a clear indication that the position taken by the Senator from Missouri [Mr. REED] on yesterday that we should refrain from any assistance to our recent associates in the war which may involve the use of force is maintained by the Senate of the United States.

Mr. President, the Senator from Missouri always speaks with great force; he always makes clear his position. I can not, however, refrain from taking issue with him on some of the propositions that he argued yesterday. He arraigned in the Senate the Armenian people as unworthy of assistance from the United States. He impliedly branded them as cowards and as brutal murderers. The language of the Senator on page 7968 of the RECORD of Monday, May 31, 1920, justifies that declaration. He said:

> I belong to that class of men who never attack a race as a race, for I know of no race that has ever attained to any degree of civilization that has not possessed many virtues and that has not produced some men of such eminence that they would adorn any other country by their presence and citizenship.

Then he proceeds to do exactly what he said he would not do. Continuing, he said:

> But when we speak of this question, we must consider the aggregate, and what of the Armenian in the aggregate?
> To begin with, if he was the right kind of a man, speaking broadly, the things that have occurred never could have happened. We are told that Armenians have been slaughtered, entire families put to death without a hand being raised. We read stories of Turkish soldiers coming to a home, murdering the entire family, including the husband and father, like so many pigs, and that no one was killed save the Armenians. That would not be possible with our race.

The Senator from Missouri continues in the same strain, portraying the valor, the sacrifice, and courage of American pioneers and how they struck in defense of their homes and of their families.

Mr. President, the Armenians are arraigned in the Senate by the Senator from Missouri because they have been massacred. The explanation of their inability to make defense is found in the report of Gen. Harbord:

> Meantime—

That is, during the period of the recent and unparalleled massacres—

> Meantime the Armenian, unarmed at the time of the deportations and massacres, a brave soldier by thousands in the armies of Russia, France, and America during the war, is still unarmed in a land where every man but himself carries a rifle.

Mr. President, the story of the suffering and of the oppression of the Armenian people extends back for centuries. Throughout that time they have been without the means of defense. It is, to say the least, uncharitable to characterize Armenians as being without courage and manhood because they have been massacred. The Senator from Missouri, continuing the same argument, said:

> But I step aside for a moment to call attention to the evidence of the character of this people.

He had already said by implication that they were cowards because they had been massacred when unarmed. Now he declares that because there have been occasional acts of reprisal, occasions when they have struck back, when in blind rage they have manifested cruelty, that is conclusive evidence that the Armenians are no better than their oppressors.

It is not surprising, sir, that a people who for ages have been hounded and persecuted and brutally butchered and murdered, whose women have been outraged, whose little girls have been sold into conditions worse than human slavery, should manifest wrath when the opportunity was afforded them. I maintain, sir, that the wholesale attack upon the character of the Armenian race comprised in the remarks of the Senator from Missouri which I have quoted is not justified and constitutes an additional wrong to a brave and a suffering people.

No mind familiar with history, no heart sensitive to the appeals of the oppressed, can be indifferent to the future of Armenia. The aspirations of Armenians for nationalism and liberty invoke the cordial sympathy and appreciation of Christian peoples everywhere. Through all the centuries which have passed since Christ was crucified, the principles of Christianity have been the accepted faith of the Armenian people. More than 17 centuries ago Armenians officially adopted Christianity. Throughout subsequent history they have exercised the religious faith which dominates our civilization.

Where else than in Armenia have cruelty and outrage been so persistent? In what other land has so much innocent blood been shed? What other people have sacrificed so much on the altars of Christian faith? Massacred by hundreds of thousands, and deported into conditions worse than slavery to the number of almost a million since 1915? their lands devastated, their property seized or destroyed, their women and little girls violated and sold as slaves. This mutilation and torture of an unoffending race, this age-long persecution of a people because of its religion, is the shame of modern civilization. What wonder that Armenians have been scattered? What wonder that millions of them live in unspeakable poverty? We encouraged them to fight in the cause of the Allies, with both the express and the implied promise that if we won, their persecutions should cease.

I do not justify the demand here presented for assistance to the Armenians from the Government of the United States solely on the ground that they are a Christian and a long-suffering people. I justify it as well on the ground of political morals and common decency. We encouraged them to enlist under the banner of the Allies. In the armies of France, in the armies of all the Allies, they fought, and they were the equal of any soldiery that ever went down to battle or ever breasted the flood of death. When the war ended, when the great guns became silent, and the rivers of blood ceased to flow, we owed some duty, as a victor in that combat, to the men who had helped us win the victory. What will it mean if now, having sent millions to France to fight for France, having told the world that it is the duty of all civilized peoples to fight back the barbaric Huns, who threatened the conquest of the world, having thus induced millions to engage in that combat—if we do what the Senator from Missouri [Mr. REED] on yesterday advocated that we should do—announce to the world that never again shall the sword of the United States be unsheathed save in defense of our own land? It will mean our own dishonor. It will mean despair to the Armenians.

Not by the rules of mercy and humanity alone but by the law of justice, the Armenians are entitled to protection at the hands of other Christian peoples. Armenian men are entitled to live and to toil. Armenian women are entitled to immunity from outrage. On the frontier of Christian civilization, surrounded by the foes of Christianity, who were the foes of the Allies in the late war, Armenians fought for freedom—for civil independence and religious freedom. They dashed to battle with unrestrained fervor and unexcelled courage. Thousands fell in the conflict. The one reward which the surviving Armenians claim is the right to live, to enjoy religious freedom and civil independence.

In view of recent history, what a selfish act on our part is proposed in the resolution reported by the Committee on Foreign Relations! By its terms we deny the assistance which the civilized world has invited us to render with its support. We withhold all encouragement from the Armenian people. The Methodist Church General Conference at its session in Des Moines, Iowa, on the 27th of May, unanimously adopted a resolution urging the United States to accept the mandate for Armenia. Do you imagine that this reflects merely the sentiment of a small part of organized Christianity in the United States? Every man who believes in the Cross and the principles taught by the founder of the Christian religion believes that this Government should do something for the protection of Armenia.

If Congress in its wisdom decides that we shall not accept the mandate, then let us confer with our allies and see that the Armenian people are not destroyed by their enemies. We owe that duty to them. Nothing else will satisfy the people of the United States.

If Congress adopts this resolution, if we deny the necessary authority for this Government to afford to Armenia the advice and assistance of a mandatory and provide no form of effective relief, Christianity on its eastern frontier will receive a staggering blow and the Crescent there will be uplifted above the Cross. If we do this thing, we will signalize the most pathetic incident in history—the doom of a patient and suffering race whose loyalty to the cause of humanity deserves a better reward from us than indifference close akin to treachery. If we decide that the age-long hard fight of the Armenians must end in failure and that the Crescent must be forever uplifted above the Cross in the land of the Armenians, if we leave them at the mercy of their Mohammedan oppressors, then let crêpe drape every altar in our land and let every church bell toll the knell of a dying race.

Mr. BRANDEGEE. Mr. President, I desire in opening my remarks to call the attention of Senators to the map which hangs on the wall of the Senate Chamber, to which I am pointing. The map has an inscription on it, as follows:

Reproduced by Military Intelligence Division, General Staff.

It is an Army map. It is placed here at the request of a Senator for the purpose of showing the neighborhood of Armenia, about which the President's message is silent. I mean the President's message is silent as to the boundaries of Armenia, or what is meant by the term "Armenia."

In a general way this map shows a large portion of Asia Minor and indicates portions of Asia proper. It shows the east side of the Mediterranean Sea, the northerly portion of Africa, that portion of the Ottoman Empire known as Turkey in Europe, the Dardanelles, the Sea of Marmora, the Black Sea, Turkey in Asia, which is colored yellow on this map; then, east of Turkey in Asia, the portion of the map of a bluish lead color, which is marked "United States mandate." East of that, still, is a portion of the map of the same color as that which is marked "United States mandate," which includes Tiflis, Kars, and other Provinces. Nothing in the President's message indicates whether the latter strip is to be included in what is marked "United States mandate" or not. Then, north of the blue strip to which I have last referred is the great region, indicated on the map in white, called the Caucasus. Here is the great range of Caucasian Mountains which has been the cause for making the territory in which Armenia is located the pathway for thousands of years for the great swirls and migrations of races between Asia, running away over to China and the Yellow Sea, and from India westward through this narrow strip of land between the Caucasian Mountains and the Syrian Desert into the territory of Turkey in Asia, and thence across the narrow channels of the Dardanelles into Turkey in Europe, and then into the Balkans, and then on west through Europe.

It will be seen at a glance that this neck of land between the impassable Syrian Desert on the south and the Black Sea on the north and the Mediterranean on the west, the old Biblical, Scriptural land, has been the axis and center of the troubles of the world, occidental and oriental, ever since and prior to Biblical times.

All the races of the ancient civilizations of Italy and Greece, of Carthage and Phœnicia, of Egypt and Arabia, of Chaldea, Mesopotamia and Palestine, have mingled with the hordes of the Mongols. The Tartars, the Chinese, and the Russians, coming from the East, have all come in conflict here in this neck of land with the western civilization.

It is the site of the holy crusades, the battles of the Saracens of the desert, the ancient empires of Egypt and Syria and Assyria, the holy land of Palestine, the sacred tomb of Jesus of Nazareth, and in the Turkish land the sacred tomb of Mahomet, the prophet of Islam!

Mr. President, it is the plague spot of Europe, Asia, and Africa. It is the crossroads of the contagions and contests—moral, physical, religious, and otherwise—of the world.

Here, also, on this map is Persia, bounded on the south partially by Mesopotamia and the Persian Gulf and on the north by the Caspian Sea. Here is Mesopotamia, bounded on the south by the Syrian Desert, on the north by Persia and Armenia, and on the west by Syria. Here in green is the Syrian French mandate. I may say that in red here, in Mesopotamia and Persia, is marked on this map "British mandate." Palestine is in red—"British mandate."

Mr. McCORMICK. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Illinois?

Mr. BRANDEGEE. Just one second. All of Egypt and part of Arabia "British mandate," bounded on the north by the Mediterranean Sea. I yield to the Senator.

Mr. McCORMICK. The area of the Syrian mandate has shrunk considerably before the bayonets of the Emir of Feysal.

Mr. BRANDEGEE. Yes; of course, Mr. President, these countries now are all seething from various national, international, and religious motives, aspirations, and hopes. The loose language of the President in mentioning "self-determination" of peoples as one of the 14 points has set the whole Orient aflame. Peoples now held in leading strings, and known as more or less "subject races," are now swirling and vibrating with nationalistic movements. Egypt wants to be free; the Syrians, over whom the French have been assigned a mandate, want to be free; the Arabians want to be free. Great national movements are now being conducted to throw off the leading strings of those who presume to hold them in subjection, and to develop according to their own racial, nationalistic, and religious tendencies.

This map, I see, has attached to it a piece of paper marked "Legend," and it states:

Great Britain's territory and sphere of influence in pink and red.

I ask anybody who is within sight of the map to look at the territory marked in pink and red, over which Great Britain's influence extends, and which is controlled by Great Britain, either by treaty or special arrangement or by mandates received from the League of Nations or the supreme council. It covers Persia, Mesopotamia, Palestine, Egypt, and the island of Cyprus.

Mr. President, that gives Great Britain control of half, at least, and I should say from the look of it on the map, two-thirds, of the eastern shore of the Mediterranean Sea, the whole Egyptian coast of Africa bordering on the Mediterranean Sea, the island of Cyprus, the frontage of Persia on the Caspian Sea, the frontage of Persia and of Mesopotamia on the Persian Gulf, and by its control of Constantinople and the Dardanelles, under their treaty arrangements, the control of the entrance and exit to and from the Black Sea. Of course, Great Britain also controls the entrance and exit at the west end of the Mediterranean Sea, through its control of Gibraltar and also Malta.

Mr. President, this paper glued to the map, which is apparently clipped from a newspaper, though the name of the paper does not appear, reads as follows:

BRITAIN GRABS LION'S SHARE OF BIG BOOTY AT SAN REMO.

SAN REMO, *April 26.*

When the San Remo conference breaks up Great Britain will walk off with the lion's share of the booty—enough to give her domination of Europe and possibly Asia, together with a monopoly of the world's oil supply.

Then a headline:

WHAT BRITAIN GETS.

Palestine.
Mesopotamia.
The rich oil fields of Baku and Batum.
Control of the Caucasus.
Control of the Dardanelles, the gateway to Asia.
Absolute right over the Suez Canal through control of Egypt and Turkish recognition of her protectorate.
The Turkish section of the Bagdad railway.
Practical security from a possible holy war by the Moslem world, in view of her defense of King Faisul's rights to the Arab kingdom.

WHAT FRANCE GETS.

A mandate for Syria and the moral satisfaction of lining up Britain and Italy with a strong front toward Germany.

WHAT ITALY GETS.

Britain's economic support and prestige with central Europe through Nitti's policy of reconciliation.

WHAT THE UNITED STATES GETS.

Polite little invitation to finance and protect with armies the tiny Republic of Armenia, a job that will cost this country several millions of dollars a year and require a permanent police force of 25,000 American troops.

Now, Mr. President, I do not call attention to that map for the purpose of accentuating the reference contained on the map to the British possession of strategic positions in this section of Asia. I call the attention of those who are here now

to that map for the purpose of fixing the attention of those who are to consider this question upon the locus, upon something concrete in connection with the subject which is before us.

Mr. President, it is perfectly manifest by the physical configuration of the country, to which I have directed attention, that it is a strategic point of the world, not only as to its continental and intercontinental communications but as to the troubles which arise all over the world. It has there, and has had for countless thousands of years, every object and motive which can inspire trouble and fanaticism, bigotry, hatred, and lust in all the world. As I said, it contains the tombs of the founders of two great contending religions. What happens in Turkey or in Constantinople, what happens to the Sultan of Turkey, is not alone of moment in Turkey; it reechoes away down in East India and in China, throughout the Moslem possessions of Great Britain and other great powers all over the world.

Mr. President, it is well enough for people who are not called upon to commit this Government to any sort of policy to hold meetings and exhort us, as the Senator from Arkansas [Mr. ROBINSON] has so ably and beautifully exhorted us, to be sympathetic with human misery and distress in Armenia. That is very easy. Christian pulpits everywhere resound with the same topic. The people of America especially, and of England, too, have always sympathized with the wretched Armenians. They have always, of course, because they were brother Christians and because they seemed helpless in the hand of the Turks, sympathized with them. The House of Commons in Britain has resounded with the eloquent periods of British statesmen, before and since the time of Gladstone, denouncing the atrocities of the Turks and of the Turkish rule everywhere, and it has called upon the powers to take measures to suppress the bloody government of the Sultan. [Voices in the galleries pleading for the cause of Ireland.]

The VICE PRESIDENT. The Sergeant at Arms will see that those persons are removed from the galleries.

Mr. BRANDEGEE. As much as we sympathize with the Armenians, Congress is a responsible body in the authorization and direction of the governmental policies of this country. [Other voices in the galleries pleading for the cause of Ireland.]

The VICE PRESIDENT. The doorkeepers will remove from the galleries the persons violating the rule of the Senate.

Mr. BRANDEGEE. I was amazed, Mr. President, to have coming right out of a clear sky—and by that I do not refer to the galleries—to have coming right from the President of the United States, without any premonitory symptom or warning whatever, just as though it was a casual and to-be-expected recommendation, that we should accept a mandate for Armenia; and it must be noted that the President made no attempt whatever to define what Armenia was, because at the request of the powers he is to try to define it later on, and it can not be definitely defined now. Nor did he make any attempt to define what duties we should impose upon this country if we should give him power to accept the mandate which had been tendered.

One would think that, putting this proposition right up to Congress at this stage of the session, the President, who had participated in the Paris conference, at which time it was agreed that the countries which had formerly been under the Governments of belligerents during the war should be put under mandates, knowing all that was talked of there and what was agreed to, would have taken some pains to give us some information, so that we could decide this matter with more light than he has vouchsafed to give us. But I am particularly struck with this phrase of the President's communication:

I know—

Said the President—

from unmistakable evidences given by responsible representatives of many peoples struggling toward independence and peaceful life again that the Government of the United States is looked to with extraordinary trust and confidence, and I believe that it would do nothing less than arrest the hopeful processes of civilization if we were to refuse the request to become the helpful friends and advisers of such of these peoples as we may be authoritatively and formally requested to guide and assist.

That clearly shows that the President thinks it is not only our duty to accept a mandate for Armenia but for any other people—"many peoples," he said, such "as we may be authoritatively and formally requested to guide and assist." Just see what a vista that opens before us! If we accept this Armenian mandate, we establish the precedent. If it is our duty to be mandatary, which is guardian or international conservator, over the Armenians in Asia, and we admit that principle, then there is no people on the surface of the globe for whom we can decline to be guardian if only the supreme council, consisting of the prime ministers of Japan, Great Britain, Italy, and France, say that they want us to assume the mandate for them. There is no end to the job.

While the President does not give any definition of what would be our duties if we should accept this mandate, it will be noticed that he does say, and all he says in any part of his message is, that we should "guide and assist" them. I submit that is pretty vague.

The Senator from Colorado [Mr. THOMAS] and other Senators have quoted somewhat extensively from the report of Maj. Gen. James G. Harbord, United States Army, of the American military mission to Armenia, which was presented by the Senator from Massachusetts [Mr. LODGE] on April 13 and is known as public document 266, and also from Senate document 281, which was the report made to Maj. Gen. Harbord by Brig. Gen. George Van Horn Moseley on the same question, presented by the Senator from Massachusetts on May 24, 1920. In my opinion, no sensible man can read those two reports without standing amazed at the task which is sought to be imposed upon the Government of the United States. I challenge the constitutional power of either the President or the Congress, or of both, to tax the people of the United States of America for the purpose of guiding, assisting, uplifting, or supporting the needy peoples all over the world. It has never before been asserted that the Government of the United States had any such constitutional power, and I here and now deny that it ever has or was intended to have any such power.

Let us see about that. This is a Government deriving its powers from delegation by the States. What powers did the States delegate to Congress to accept mandates for European and Asiatic countries and for their government? I know people dislike to look closely into a thing where their sympathies are involved and where they like, perhaps, to help some one in distress. That attitude might be all right for a private person or a philanthropist, but, Mr. President, we are trustees here dealing with money wrung by taxation from the people of this country, to expend under powers given to the Federal Government, and unless the people of the States have given to the Federal Government, of whom we are trustees, authority to tax them and spend their money by accepting a mandate over Armenia, we are attempting to steal their money if we use it for any such purpose. I think the Treasurer of the United States or the proper United States official could be enjoined in a suit in equity from spending money appropriated to maintain armies and navies over in Asia for the purpose of protecting the Armenians from the Turks.

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Utah?

Mr. BRANDEGEE. For a question.

Mr. KING. Perhaps it will be a little broader than a question, but if the Senator thinks it is too broad I shall be very glad if he will so indicate.

Mr. BRANDEGEE. Of course, I only yield as long as I wish to.

Mr. KING. Permit me to ask the question of the Senator in this way: Assume that Hungary should rise from her prostrate position and make war within the next few months upon the new Jugo-Slav Republic, which has been, at least in part, organized out of the remnants of the Austrian Empire, does not the Senator think there would be a moral obligation, if not a legal one, resting upon the United States to cooperate with the leading nations for the purpose of protecting the new government which had been set up as a result of the war? Does not the Senator think that there is an analogy between the case which I have just supposed and the protection of Armenia, which has been set up as an independent government out of a part of the ruins of the Turkish Empire?

Mr. BRANDEGEE. No; I do not think it is analogous; and if it was, I do not think it would change the question at all of whether we had constitutional power to do either. If we have declared war against any foreign power, we have the right to raise an army and a navy and to send them over there to wage the war, but we have not declared war against Turkey and we have not declared war against Armenia. By what authority the Congress is to appropriate money to organize expeditions to be sent to Armenia to take possession of its territory and to govern its people, I do not know.

The President talks about our "kindly advice and assistance." What are we going to do when we get there? Read these reports, to which I have called your attention—the Harbord report and the Moseley report. What they say has to be done is to establish a military government there, and that every civil officer there must be under the control of a military chief, and they talk about a governor general of military rank, and say that our military force is the best constituted one in the world to govern them in that way. The report says these people have always been used to being governed, that they never have governed themselves, and that what they need is a

present, visible, military authority. That is not kindly assistance, to march in there like a satrap, backed by our Army and Navy, and take possession of millions of people and their territory, and proceed to govern them, and yet say it is for their benefit and for uplifting them.

Suppose after six months of enjoying the blessing of our notions of what is good for them they suddenly differ with us about the efficiency of our benevolence over there, then what are we to do? Supposing they break out in rebellion, are we to fight them, insisting upon protecting our mandate over them whether they want it or not?

Senators say that it might require a very small army there. It might at first take no more than these reports indicate, 50,000 or 60,000 men; but suppose the Kurds or the Turks come upon them and attack our army, we can not abandon them, I take it, but we have to put force enough up there to meet and suppress whatever force we encounter, or else haul down the American flag and get out.

We might as well look ahead. This sounds very harmless, as though it was a kind of Red Cross expedition to alleviate distress; but with the number of races and contentions that are concentrating upon that psychological center of trouble, we absolutely could not get out of there within a generation, according to these reports, and we would have to fight the world at every point of the circle if they came upon us.

But under whose authority are we presuming to equip these expeditions and send them over to Asia—just think of it, to Asia—to take possession of entire people? Under the authority of the covenant of the League of Nations, to which we have not subscribed! The Senate must understand that the President is presuming to operate under the covenant of the League of Nations now!

He says in his message—I read from page 2 of the message—

Early in the conferences at Paris it was agreed—

Agreed by him and the representatives of the other nations, but never by us—

that to those colonies and territories which, as a consequence of the late war, have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization, and that securities for the performance of this trust should be afforded.

Here is one of the securities that he is attempting to afford. I read from article 22 of the proposed covenant of the League of Nations incorporated in the treaty of peace with Germany, paragraph 2 on page 15 of the Senate print, Document No. 49:

The best method of giving practical effect to this principle is that the tutelage of such peoples should be intrusted to advanced nations who by reason of their resources, their experience, or their geographical position can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as mandatories on behalf of the league.

Mr. President, let nobody fool himself with the idea that we are going over there with our armies and navies and experts and advisers and helpers and uplifters to do what we think ought to be done. We are going there in behalf of the league, Great Britain and France occupying the adjoining mandatory countries. Great Britain has Persia and Mesopotamia on the east and south of the country that we are going to govern and France has Syria on the east and south. I can imagine our acting as mandatory there, putting our principles into operation and doing as we think ought to be done by those people, and trying to satisfy Great Britain and France, who may themselves be at swords' points, and have been pretty nearly for the last six months over the government of this very same country and its surroundings. If we accept this mandate we shall be in Armenia not only as a mandatory of the league under the paragraph which I have just read from the League of Nations covenant, but shall be under an additional obligation to the league, which we have declined to enter; yet the President recommends that we shall accept such a mandate from it. I now read from the paragraph near the foot of page 15, the third paragraph from the last on the page:

In every case of mandate the mandatory shall render to the council—

That is, the council of the League of Nations—

an annual report in reference to the territory committed to its charge.

Not being in the League of Nations, the President by his message asks us to accept a mandate from the League of Nations, which we decline to enter, and to agree to account to it; that is, to administer our mandate to the satisfaction of the council of the League of Nations, which we decline to join. Could international madness proceed further than that, Mr. President?

I should like to hear somebody assert that Congress has power to grant to the President power to accept this invitation to govern Armenia, which is tendered to him by the prime ministers of the Old World. Who asserts that we have the power to do it? Surely this is a serious question. I am just as much opposed to congressional invasion of the Constitution as I am opposed to Executive invasion of the Constitution. We take an oath here, Mr. President, to support the Constitution of the United States.

I consider that it will be absolutely a plain, straight usurpation of authority on the part of myself, taking the view that I do of the Constitution, to vote to expend the money of the people or to use our military forces in time of peace in foreign lands to develop and provide for the well-being of foreign nations.

Mr. President, I should like to ask any constitutional student or lawyer what he thinks would be the fate of a proposed constitutional amendment if the Congress of the United States should propose to the legislatures of the several States to grant to Congress this power in words substantially as follows: Congress shall have power to levy and collect taxes for the development and benefit of nations in Asia? Do you suppose you could get such an amendment to the United States Constitution ratified by the legislature of any one of the 48 States of America? It would not be ratified by one. The States would not give Congress any such power, and they never did give Congress any such power.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Montana?

Mr. BRANDEGEE. I yield.

Mr. WALSH of Montana. I apprehend the Senator from Connecticut would not question the right of this Government to acquire complete dominion and control over Armenia.

Mr. BRANDEGEE. I would not. We acquired complete control and dominion over the Philippines and they are now possessions of the United States.

Mr. WALSH of Montana. Exactly. That proposition seems thoroughly settled.

Mr. BRANDEGEE. Certainly.

Mr. WALSH of Montana. The United States can acquire new territory.

Mr. BRANDEGEE. Certainly.

Mr. WALSH of Montana. And, of course, if it can acquire the Philippines, it can acquire Armenia and govern and control it.

Mr. BRANDEGEE. I think so, although that is not the proposition we are considering.

Mr. WALSH of Montana. Then, if the United States could exercise absolute sovereignty over Armenia, where is the constitutional objection to exercising a limited sovereignty over it?

Mr. BRANDEGEE. If the United States can exercise absolute sovereignty over Armenia?

Mr. WALSH of Montana. Yes.

Mr. BRANDEGEE. I will discuss that question when we get Armenia.

Mr. WALSH of Montana. But the Senator from Connecticut may not understand——

Mr. BRANDEGEE. Yes; I do. We acquired the Louisiana Purchase; we added that to our territory. After we got it there was no question that we could govern it.

Mr. WALSH of Montana. So, undoubtedly, we could acquire Armenia.

Mr. BRANDEGEE. If we acquired Armenia, it would be our business to govern it.

Mr. WALSH of Montana. And to exercise complete dominion over it.

Mr. BRANDEGEE. Of course.

Mr. WALSH of Montana. Then what is the objection to exercising a limited sovereignty over it?

Mr. BRANDEGEE. Simply the objection that until we do acquire it, it is none of our business.

Mr. WALSH of Montana. If the Senator will pardon me further——

Mr. BRANDEGEE. Certainly.

Mr. WALSH of Montana. When we had the much-debated question of the constitutionality of the League of Nations before the Senate, I recall that the Senator from Pennsylvania [Mr. KNOX], whose familiarity with that branch of the law is recognized on all hands, contended quite stoutly that the league covenant offended against the Constitution in a number of particulars; but I do not now recall that he even intimated that the provisions in relation to mandates were in violation of the Constitution. I had something to say about that subject myself on the 11th day of June last——

Mr. BRANDEGEE. I would rather the Senator would discuss that in his own time, because I am very limited in time,

and I think am within five minutes or so of the expiration of my time.

Mr. WALSH of Montana. Very well.

Mr. BRANDEGEE. I admit that if we should acquire Russia, it would be our duty to govern it; but I hope that, because we would have absolute sovereignty over it after we had acquired it, nobody will contend seriously that we had partial authority over it before we had acquired it. Mr. President, we have no more right in Armenia at present than we have in China.

Mr. WALSH of Montana. Mr. President, if the Senator will pardon me for a moment further——

Mr. BRANDEGEE. I yield for a question only.

Mr. WALSH of Montana. We have not acquired Haiti; Haiti is an independent Government; and yet we exercise sovereignty over that island.

Mr. BRANDEGEE. I do not want to become involved in Haitian, San Domingan, or Costa Rican discussion. I am claiming that it is very apparent to me that if we have any right in Armenia to-day we have equal right in every country on the globe, which heretofore we have made no claim to whatever, and I hope that the fever, the spirit, I may say the malignant disease, of internationalism has not so poisoned the native American common sense as that it wants to stick its nose and inject itself into every country in the world, on the theory that its self-determination is a matter of our constitutional concern and is a mere moral issue which we can not shirk without calling down upon us the condemnation of every other Christian power in the world.

The VICE PRESIDENT. The time of the Senator from Connecticut has expired.

Mr. BRANDEGEE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Gay	McCormick	Sheppard
Beckham	Gerry	McCumber	Smith, Ariz.
Brandegee	Hale	McKellar	Smith, Ga.
Capper	Harding	McLean	Smith, Md.
Chamberlain	Harris	McNary	Smith, S. C.
Colt	Harrison	New	Smoot
Culberson	Henderson	Norris	Sutherland
Curtis	Hitchcock	Nugent	Thomas
Dial	Kendrick	Page	Underwood
Dillingham	Keyes	Phelan	Walsh, Mass.
Edge	King	Phipps	Walsh, Mont.
Elkins	Knox	Pittman	Warren
Fernald	Lenroot	Poindexter	Williams
Frelinghuysen	Lodge	Pomerene	

Mr. GERRY. The Senator from Delaware [Mr. WOLCOTT], the Senator from Virginia [Mr. GLASS], the junior Senator from North Carolina [Mr. OVERMAN], the Senator from Arkansas [Mr. ROBINSON], and the senior Senator from North Carolina [Mr. SIMMONS] are absent on official business.

Mr. EDGE. I desire to announce the absence of the senior Senator from Missouri [Mr. REED], the junior Senator from Missouri [Mr. SPENCER], and the junior Senator from Iowa [Mr. KENYON] on official committee work.

The VICE PRESIDENT. Fifty-five Senators have answered to their names. There is a quorum present.

Mr. McCORMICK obtained the floor.

Mr. BRANDEGEE. Mr. President, will the Senator yield to me?

Mr. McCORMICK. I yield to the Senator.

Mr. BRANDEGEE. I just want to offer an amendment to be pending at the proper time. I do not know whether it is in order to offer it now or not. I will ask the Chair if it is?

The VICE PRESIDENT. It is. There is no amendment pending.

Mr. BRANDEGEE. Then I offer this amendment:

In the committee resolution, strike out the words "respectfully declines to grant" and insert in lieu thereof the word "grants," so that, if amended, it will read:

That the Congress hereby grants to the Executive the power to accept a mandate over Armenia as requested in the message of the President dated May 24, 1920.

I shall not support the amendment myself; but I know there are so many of my friends who are anxious that the President shall have this power that I want to give them an opportunity to vote for it.

Mr. McCORMICK. Mr. President, the amendment offered by the Senator from Connecticut [Mr. BRANDEGEE] doubtless will put an end to the hesitation and will resolve the doubts of Senators on the other side of the Chamber, to which the Senator from Nebraska [Mr. HITCHCOCK] referred when he asked that the vote upon the concurrent resolution might be postponed because so many among his Democratic colleagues had not yet been able to make up their minds how they would vote on the resolution as reported by the committee.

It is not necessary to challenge the good faith of the tender of this mandate in order to suggest that its proffer to the United States is evidence of that cynicism which sometimes characterizes the course of diplomacy and the conduct of affairs among peoples. At intervals during the last few months candid avowals which bear the marks of inadvertence have disclosed that with the current of idealism along which statesmen have been borne there runs a current of realism as marked as that which distinguishes the waters of the Missouri from those of the Mississippi below the juncture of the rivers. The powers which at San Remo united to invite the United States to accept the mandate for Armenia were those whose armies fought and died in the Crimea to maintain the integrity of the Ottoman Empire and the dominion of the Turk over the Christian populations of his Empire.

The scepter of the Sultan long since would have fallen from his feeble and degenerate grasp if his hand had not been borne up by the very Christian powers of Europe which, having divided among themselves those parts of the Empire which have economic resources and which are strategically important, offer to the United States that part which, by the United States at least, is militarily indefensible and of which the economic resources are nil.

It is true that the Christian populations of the powers which have defended the Moslem against the Christian have time and again spoken out in protest against the actions of their governments; but the views of the governments, determined by the exigencies of oriental commerce and diplomacy, have prevailed against the emotions of the population.

In his day, sir, William E. Gladstone, in behalf of the Christian people of England, protested against the atrocities perpetrated by the unspeakable Turk, against the course of Disraeli's government, just as Robert Cecil has protested to-day. Disraeli's government successfully persisted in its support of the Turk, just as Lloyd-George's government has insisted upon the Sultan's remaining in Constantinople, because in this he dare not cross the Moslem subjects of the British Crown, who outnumber the Christian subjects of George V.

I said a moment ago that the proffer of this mandate gave evidence of that cynicism which sometimes marks the course of diplomacy. Senators will remember that when the powers met at Berlin to tear up the treaty of San Stefano, to restore to the misrule of the Sultan Christian populations made free by the Russo-Turkish War, that at the Congress of Berlin and privy from its members, Lord Beaconsfield secured, in substance, the cession of Cyprus to the British Crown in return for a British guaranty of the Turkish Empire.

During the course of the peace conference at Paris, Lord Milner consummated in secret and behind his allies' backs the Anglo-Persian treaty, which, in substance, surrenders Persia to British suzerainty, as Cyprus was surrendered to British suzerainty.

A study of the map shows that the oil-bearing area of Mesopotamia abuts on the oil-bearing area of Persia.

In the name of order and under the aegis of the league, the mandate for Mesopotamia was offered to Britain and accepted by Britain, because of the oil there, as Mr. Lloyd-George, in one of those pellucid moments of his, avowed in the House of Commons the other day. The frontier was drawn above Mosul because of the oil about Mosul, and despite the vehement, nay, the bitter, protests uttered in France.

France found her portion of the Levant, exiguous at the best, shrinking during the course of the negotiations. The Emir Faisal, the son of the King of the Hedjaz, who had come into the war under the guidance of the British Col. Lawrence, was proclaimed King of Syria, and his supporters, in an all-Syrian Congress, proceeded to demand that such part of the Levant which, under mandate, the supreme council purposed to allot to France, should be Syrian-Arab. The map on yonder wall does not show that, although France holds the littoral, it has been necessary to yield the country from Homs to Damascus to the Syrian Government of Veisal.

The cables report, too, that the French have fought their way back into Aintab, from which they were expelled by arms.

Any tyro looking at the map will realize that, as against either or any of the great powers holding strong places in the Mediterranean, whether outposts of Great Britain, like Malta or Gibraltar, or naval bases like those in peninsular Italy and on the coast of southern France—anyone will realize against any of these powers the United States in Armenia would be able to offer no resistance. Nay, more than that, the Balkan powers, united, could cut off all communication between America and her forces in Armenia; our troops would be but hostages. If it

was desired that a disinterested people, moved by no self-interest, should be intrusted with the duty of guiding the freed population of Turkey in Asia; if such a people were to be intrusted with the development of the country and its protection, why, then, was a mandate for Mesopotamia, rich in oil, and whose valleys will drive the American cotton out of the markets of Europe, why was not the mandate to Mesopotamia as well as that of Armenia offered to the United States? Was it because another power wished to drive American cotton out of the markets of Europe; that another power wished to exploit the oil resources of central Asia in its effort to secure a monopoly of the oil supply of the world?

If America was to be invited to guard the harried populations and the territories endeared to the Christians of the world, how was it that Jerusalem and the Holy Land were not offered to the United States under the form of a mandate?

Armenia is defensible by the United States only against weak surrounding populations. The presence of American armies there, of course, is sought by the diplomatists of Europe to enlist the whole strength of America if Russian armies were to descend to recover those lands which once were Russian by conquest; not only that, but to defend against Russia British interests in Persia.

Senators will have noticed how the armies of Bolshevist Russia, the other day, came down the Caspian and along the shores through Daghestan past Baku and occupied the Persian port of Enzeli, flanking the greater part of the eastern frontiers of the proposed Armenia. Here is a promise that the American troops who finally were brought out of Russia, because of the insistence of Senators in this Chamber, may yet be returned to wage the same undeclared war they waged before.

There is no end to the possibility of interminable internecine strife in hither Asia, in which diplomats seek to draw us under the dissimulation of idealism, but really to guard the material interests of other powers.

There are no illusions in Europe, sir. I have received to-day a letter from a friend of mine, sitting in one of the great parliaments of continental Europe, in which he speaks of the consequences of the partition of the Turkish Empire. I translate as I read:

> Do not forget that these peoples of the Ottoman Empire belong to 20 different races who for 25 centuries have continually quarreled and battled among themselves. When to these enduring ethnic rivalries there are added new rivalries—American, British, French, Italian, Greek rivalries—the situation can not but go from bad to worse. The society of nations—gelatinous chimera—

He calls it—

> the society of nations—gelatinous chimera—will never be able to keep the peace in that country.

There are few, if any, Senators in this Chamber who would refuse to join in furthering a voluntary movement to underwrite a loan in the interest of Armenia, to permit those who wished to volunteer in armies for the defense of Armenia, or to train Armenian armies to go hither, but if the amendment offered by the Senator from Connecticut [Mr. BRANDEGEE] is submitted for the decision of the Senate, does anyone doubt the overwhelming judgment which will be passed upon it?

Watchful waiting, Mr. President, was a policy adopted toward our turbulent neighbor. We entered Mexico on the homeopathic plan and withdrew. Now it is proposed that we enter wholly into the responsibility for the ordering, the government, and the protection of Armenia. Murder, rapine, hunger, anarchy, all are at our very doors, while we, with unctuous phrases, have turned our faces from them. Now, moved by some madness, we seek to go afield to do that which we have shrunk from doing here.

This is the promise of what may be our lot time and again if we assume the obligations of the covenant which has been submitted to the Senate.

Men hither and yon about the world will seek to send our Army on the same mission which would take them, under the proposed mandate, to Armenia. It is not only in Armenia that populations have suffered or will suffer from misrule and disorder. The revolutionary agitations which are shaking the Asiatic and African populations subject to European powers promise disorders in every quarter of the two continents during the years to come. If we put our hand to the plow now, we can never turn back. We shall plow the furrow which will be sown with salt and fertilized in the blood of our young men. The tender of this mandate brings home the reality behind the iridescent vision of the League of Nations.

Mr. LENROOT. Mr. President, I shall be very brief in my discussion of the pending resolution, because, fortunately for the country, there is no considerable sentiment anywhere in the Senate for the acceptance of the mandate.

We must assume that when the President of the United States asked the Congress to accept the mandate for Armenia, he did so with full knowledge of the contents and recommendations of the Harbord mission. This mission was organized under the authority of President Wilson and therefore we have the right to assume that when he asked the Congress to accept the mandate, it is implied that he asks the authority of Congress to send 60,000 American boys to Armenia for the maintenance of law and order there, that he asks an appropriation from this Congress to the extent of $276,000,000 for the first year for the rehabilitation of Armenia, that in the first five years he asks appropriations of $756,000,000 from Congress to carry out this mandate. That is what this implies, asking Congress to accept a mandate for territory having no valuable resources, England and France having accepted or will accept mandates for all the contiguous territory having rich oil wells, copper mines, and agricultural lands.

Mr. President, there is and there will be no considerable sentiment in the United States for the acceptance of this mandate under the circumstances. The synopsis of the report of the Harbord mission has been placed in the RECORD, but I wish to insert just two or three paragraphs from it.

Mr. BRANDEGEE. Mr. President——

Mr. LENROOT. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. If the Senator will permit me I wish to suggest that, of course, inasmuch as the boundaries of Armenia are not yet fixed, but are to be determined by the President in the future, the estimates of the Harbord mission will have to be somewhat reduced if he fixes a smaller territory than that report contemplates.

Mr. LENROOT. I may be mistaken, and if I am I shall be glad to have the Senator from Connecticut correct me, but I do not understand that the President is to fix all the boundaries of Armenia. It is only certain boundaries that he is given authority to fix.

Mr. BRANDEGEE. Yes. Of course we have no definite information about what the President intends to do, but as I understand it, there are boundaries that he is to fix between Armenia and Turkey, and if fixed in certain ways it might and probably would reduce the area of Armenia somewhat from that contemplated by the Harbord mission; but, of course, the principle remains the same.

Mr. LENROOT. That is true; and while, as the Senator says, our information is most meager, I do not believe there is any authority either vested in or requested of the President of the United States to have anything to do with the boundaries that might give to Armenia valuable resources by the action of President Wilson.

Mr. BRANDEGEE. May I suggest to the Senator also that while the powers who offered this mandate to the United States agreed that whatever the President shall say about the boundaries shall be final and conclusive, as far as they are concerned, there is no provision whatever that those boundaries shall be satisfactory to the parties concerned, the people who are to be handed about at the discretion of the President?

Mr. LENROOT. I desire to read this paragraph from the report of the Harbord mission:

> Estimates of the necessary number of mandatory troops vary greatly—from 25,000 to 200,000. Conditions change so rapidly that plans made to-day for the use of troops might be obsolete in six months. Uncertainty as to the time the mandate will be tendered and accepted make estimates merely approximate. Under conditions as they exist to-day the undersigned believes that a force of two American divisions, with several hundred extra officers, or a total force of 59,000, would be ample. Such force would be specially organized; one aeroplane squadron; a minimum of Artillery; not to exceed one regiment of 75's motorized; a minimum of the special services; four times the usual number of sanitary troops; four regiments of Cavalry, with minor changes in organization at the discretion of the senior general officer on duty with the mandatory government. This force should be substantially reduced at the end of two years, and by 50 per cent at the end of the third year. After that some further reduction could be slowly effected, but the irreducible minimum would be reached at about the strength of one division.
>
> The annual cost for the force of the Army above stated would be at the maximum:

For the first year	$88,500,000
At the end of two years, perhaps	59,000,000
At the end of three years	44,250,000

Later on in the report, where the mission gives in parallel columns the reasons for and the reasons against accepting the mandate, I read from the column giving the reasons against acceptance, the following:

> Our country would be involved in this adventure for at least a generation, and in counting the cost Congress must be prepared to advance some such sums, less such amount as the Turkish and Transcaucasian revenues could afford, for the first five years, as follows.

Then is given in detail for the first year the itemized expenditures, amounting to $275,000,000. Mr. President, I ask unani-

mous consent to place in the RECORD the complete table of the expenditures which would be involved.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to is as follows:

FIRST YEAR.	
General Government	$100,000,000
Communications, railroads, etc	20,000,000
Relief, repatriation, education, etc	50,000,000
Army and Navy	88,500,000
Sanitation	17,000,000
Total	275,000,000
SECOND YEAR.	
General Government	75,000,000
Communications, railroads, etc	20,000,000
Relief, education, etc	13,000,000
Army and Navy	59,000,000
Sanitation, etc	7,264,000
Total	174,264,000
THIRD YEAR.	
General Government	50,000,000
Communications, railroads, etc	20,000,000
Relief, education, etc	4,500,000
Army and Navy	44,250,000
Sanitation, etc	5,000,000
Total	123,750,000
FOURTH YEAR.	
General Government	25,000,000
Communications, railroads, etc	20,000,000
Relief, education, etc	4,500,000
Army and Navy	44,250,000
Sanitation, etc	3,000,000
Total	96,750,000
FIFTH YEAR.	
General Government	15,000,000
Communications, railroads, etc	20,000,000
Relief, education, etc	4,500,000
Army and Navy	44,250,000
Sanitation, etc	2,000,000
Total	85,750,000
SUMMARY.	
Total first year	275,500,000
Total second year	174,264,000
Total third year	123,750,000
Total fourth year	96,750,000
Total fifth year	85,750,000
Grand total	756,014,000

Mr. BRANDEGEE. Mr. President, I should like to call the Senator's attention to a thought which occurs to me in connection with the figures just cited. I assume that those estimates, both of men and of money, proceed upon the theory that the efforts of the American troops under an American mandatory for the pacification and stabilization of Armenia would not be interfered with in a military way by any other power; but if we should be attacked in this process of setting these people upon their feet by Turks or Kurds or other outside powers there is no knowing what the requirements of men and money might be.

Mr. LENROOT. Exactly; I was just coming to that. Where they name a maximum of 200,000 troops, it is contemplated that they may be attacked. The figure is really a minimum upon the theory that law and order will be maintained without attacks from the outside, whereas it is more reasonable to assume that if we shall go in there with our soldiers they will not act merely as policemen but they will be called upon to fight—to fight the Kurds, to fight the Turks—and we will have large losses of American life there.

Mr. SMITH of Georgia. Will the Senator permit me to interrupt him for a moment?

Mr. LENROOT. Yes.

Mr. SMITH of Georgia. Does the Senator really think that the report when it mentions 200,000 men means that as a maximum? Was it not a varying estimate of from 25,000 to 200,000 as conditions then existed? Suppose, however, there should be an invasion of Soviet Russia, would it not require a million men?

Mr. LENROOT. Exactly. I agree with the Senator as to that.

Mr. SMITH of Georgia. There are possibilities of requiring more men than we had in France.

Mr. LENROOT. When I stated that 200,000 men was the maximum estimate it was upon the theory that there would be roving attacks from the territory contiguous to Armenia; but, of course, it did not contemplate a possible attack by Soviet Russia, because in such a case we would be involved in a world-size war if we had the mandate of Armenia.

Mr. President, while, of course, Congress may have—and I do not care to discuss the question to-day—the legal right, or the Government may have the legal right to accept a mandate of this character—which, I think, is a very serious question—and, assuming that they do possess such a right, this Congress has no moral right to enter into any such an undertaking until the American people have had the opportunity to have the question fully discussed before them and have had a chance in some way to pass upon it.

I venture to say that neither political convention soon to be held will declare for a mandate for Armenia. As to the Senators upon the other side of the aisle who are following President Wilson and propose to vote for a mandate for Armenia, I would be willing to say that their convention at San Francisco will not even consider the subject, and, if it does, there will be no more votes in proportion in the Democratic national convention for the mandate than there will be Democratic votes here to-day for the mandate. That is acknowledged. Is this a Government representative of the people? If it is, we have no moral right to accept this mandate at all at this time.

Mr. President, I think we all, irrespective of party affiliations, are anxious to do those things which we may properly do for Armenia. I sympathize with Armenia, and I do not question that the Senator from Nebraska [Mr. HITCHCOCK] has offered the amendment which he has prepared with the sincere purpose of aiding Armenia without involving the United States in the European question in the form of a mandate or otherwise; but the amendment proposed by him and now pending does put the United States Government into Armenia. I think I shall be able to demonstrate that in just a moment. If I am correct in that, it puts the United States Government into Armenia, but in such a way as will not be any substantial protection to the Republic of Armenia, for, if the amendment is adopted, it will tend to deter other countries from any effort to protect Armenia; it will, in my judgment, prevent any other country from accepting a mandate for Armenia, and, if Armenia is to be governed by mandate from any country, it ought to be from some country over there in Europe. If it should not tend to keep another country from accepting a mandate, the proposed amendment of the Senator from Nebraska would be in direct conflict with any other mandatory power which may accept a mandate.

Further than that, the amendment proposes to legislate for the Republic of Armenia, which, of course, is an impossible thing.

What does it provide?

> That the President be, and he is hereby, empowered to appoint three American citizens to act with a like number of representatives of the Government of Armenia in the organization of a joint commission, the six so chosen to select a seventh person as chairman. Said joint commission shall be charged with the duty of supervising the preparation, issuance, offering for sale, and sale in the United States of bonds of the Armenian Government, not exceeding $50,000,000 in amount, the proceeds of which shall be available—

And so forth.

That is to say, under the amendment if Armenia appoints three members of a commission to join a commission of seven created by the United States, then the United States legislates as to the form of the bonds that shall be issued by the Republic of Armenia. Not only that, but it gives to the proposed joint commission the power to issue the bonds. All that is required of Armenia is to appoint three commissioners, and then the United States, with its three commissioners and the three commissioners from Armenia, with the chairman, are to issue bonds and bind the Republic of Armenia, which, of course, can not be done.

But, passing that for the moment, the authority to use the proceeds of these bonds is limited, first, to the purchase of agricultural implements, and so forth, in the United States, for the rehabilitation of Armenia, with this proviso:

> *Provided*, That not to exceed one-half of this amount may be used for the purpose of rehabilitating and establishing a sound banking and currency system for Armenia in case the Armenian Government may so decide under the advice and approval of this joint commission.

Suppose, Mr. President, that Great Britain takes a mandate for Armenia; does anyone imagine that we could enter into an arrangement, even with the consent of the Republic of Armenia, that the United States should go into Armenia through the proposed commission and advise and approve of the establishment of a banking and currency system in the Republic of Armenia? It will be the duty and the business and the responsibility of whatever nation takes the mandate to do that very thing. There can not be any question about that. What else would a mandate be for, aside from furnishing the force and the money necessary for the protection of the people?

So if the amendment is adopted we confront this situation: The Government of the United States as a Government, through

its appointive representatives, is in Armenia supervising and approving its rehabilitation and the establishment of a banking and currency system there; and if we are going into the Republic of Armenia that far, Mr. President, the situation will be hopeless for Armenia so far as protection from any other power of Europe is concerned, for it will be said, of course, that if the United States is in the Republic of Armenia, if the United States has undertaken to supervise and administer its internal affairs, the United States must take full responsibility also for the maintenance of law and order there. That would be a very reasonable position for any other power to take. On the other hand, if, notwithstanding our action, some other nation should accept the mandate for the Republic of Armenia, and that nation, carrying out its responsibilities as mandatory, should undertake, with or without the consent of the Republic of Armenia, to establish a banking and currency system there, we would have a conflict between a commission in part representing the United States of America using $25,000,000 of money raised in the United States and attempting upon its part to interfere with the duties and responsibilities of the regularly constituted mandatory.

So, Mr. President, from the standpoint of Armenia itself, from the standpoint of the future of Armenia, the amendment should not be adopted. Nor should it be adopted from the standpoint of the responsibilities and duties of the United States of America, for if it once enters upon the government in any way of the Republic of Armenia it will be followed by a well-founded demand that if we accept some of the responsibilities of government there we must accept them all. Therefore, from the standpoint both of the welfare of Armenia and the welfare of the United States the amendment proposed by the Senator from Nebraska ought not to be adopted.

Mr. President, I do not believe that this Congress should adjourn without attempting to do something for the relief of Armenia.

What I should like to see done, what I believe would be of very great help to Armenia, would be the national incorporation of a voluntary organization with authority to become the fiscal agent in the United States of the Republic of Armenia, if such agency is tendered it by Armenia. Of course, what is desired, what the Senator from Nebraska undertakes to secure, I take it, by this amendment, is to have a feeling of security upon the part of those people in the United States who may subscribe for these Armenian bonds, and to know that the money that they subscribe for them is being expended for the reconstruction and rehabilitation of the Republic of Armenia. They want to know that whoever that fiscal agent is, great profit is not being made by that fiscal agent for that purpose; and therefore if we have under national incorporation a voluntary organization whose only purpose is to aid Armenia, such as we have had in many other cases, with the power to accept from the Republic of Armenia a fiscal agency with such powers and responsibilities as the Republic of Armenia may delegate to them, then the public in the United States subscribing for the bonds would have the confidence that the Senator from Nebraska attempts to secure by his amendment.

I do not say that it should accompany this resolution, because the one thing that is being dealt with here is whether or not the United States shall accept the mandate; but I should be glad to see, either with this or as a separate resolution, such a joint resolution passed, providing for such an incorporation.

For the reasons I have given, Mr. President, I am not only opposed to the acceptance of the mandate, but I am opposed to the adoption of the amendment proposed by the Senator from Nebraska.

In conclusion, permit me to say that unless the President of the United States is utterly oblivious of public sentiment in this country, I can not understand how or why he ever asked the Congress of the United States to accept this mandate. If he is informed at all as to the sentiment of Congress, if he is informed at all as to the sentiment of the country, he must have known when he sent this message to Congress that the mandate would not be accepted. Therefore, the only result of his making this request has been to build up for the time being the hopes of European countries which he must have known could not and would not be fulfilled.

Mr. LODGE. Mr. President, I have no idea of arguing the case of the mandate. It seems to me altogether too clear to require argument. To invite this country to take charge of that crossroads of the nations in Armenia, to commit itself to sending its troops there for an indefinite period, and to bear the expenses involved for an indefinite period, is something for which I could never bring myself to vote. I doubt its constitutionality, and it seems to me in all ways the wrong thing to do; but by my vote to-day I do not want to give the impression that I have no sympathy for the Armenians, for I have the deepest possible sympathy for them, and I have tried in many ways to help them. I do not desire to have this country give the impression, through any action of Congress, that it is not sympathetic. The Armenians are a gallant people who have struggled through the centuries to maintain themselves in independence and to uphold their own religion. I think they deserve help. There are many ways in which they can be helped which would not involve the United States at all. One is the corporation proposed by the Senator from Wisconsin [Mr. LENROOT]. Another method is one which has been discussed in the Committee on Foreign Relations, to suspend the foreign enlistment act, and allow them to enlist Armenians in this country for service in Armenia, as we permitted the Polish Legion to be enlisted in this country; to furnish them, if necessary, with surplus arms, and in that way give them a real assistance, in addition to the great voluntary gifts of some $40,000,000 which have been sent there for relief.

That is all I desire to say. I wanted to take this occasion to express, as I have before, my deep sympathy with the Armenians and my desire to aid them; and that is not impaired in the least by the fact that I consider that taking a mandate for Armenia, as proposed by the President, would be a grievous wrong to the people of the United States. Even if we have the constitutional power, I do not want to send the soldiers of the United States for indefinite service in Armenia, and to give their lives in quarrels which we can not anticipate, but in quarrels not their own, and to which their own country would not summon them.

Mr. POMERENE. Mr. President, I can not permit the vote on this concurrent resolution to be taken without expressing briefly my reasons for any vote which I may hereafter be called upon to cast.

I very much regret that this resolution is now before the Senate of the United States for disposition. I very much fear the effect which a defeat of this resolution, in the form that it is proposed to amend it by the Senator from Connecticut [Mr. BRANDEGEE], may have upon the fate of the surviving Armenians. I very much regret that we are in a position where we must take some definite action either for or against this resolution at this time. I very much regret that this resolution is not now before the Committee on Foreign Relations, so that it may be further studied with a view to determining what action the Congress of the United States might take for the protection of the Armenians, and at the same time accord with the desires of the American people.

I shall be forced, if I am compelled to vote, to cast my vote against this mandate in its present form; and, Senators, if we should refuse to do anything at the present time for the aid of the Armenians, and the Turks should renew their murderous assaults upon this helpless people, could the American Government and the American people hold themselves entirely guiltless if it is to go out that the American people refuse to do anything for the aid of the Armenians?

That is the one phase of this question which troubles me very seriously; but if we are to vote in favor of a mandate now, what does it mean? Let me call the attention of the Senate to the fact that the President, in his recent message, tells us that he has been requested by the Allies to accept this mandate on behalf of the United States, and then he says to the Senate further:

> In response to the invitation of the council at San Remo, I urgently advise and request that the Congress grant the Executive power to accept for the United States a mandate over Armenia.

Before adverting to what that means permit me also to call the attention of the Senate to a provision in article 22 of the peace treaty. This says:

> Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a mandatory until such time as they are able to stand alone.

Now, let us observe how indefinite is the request which comes to the President of the United States from the council abroad. How indefinite is the President's request that he be authorized to accept this mandate! And if we accept it, what does it mean? Why, under the covenant of a League of Nations, it means that we shall be authorized to "give administrative advice and assistance." What kind of advice? What kind of assistance? To what extent shall we give assistance? Is it financial? Is it administrative? Is it military? And if we are to authorize the President of the United States, on behalf of this Government, to accept the mandate, what are we giving him? Who of us can go before our constituents and answer the question, "What did you mean when you voted to accept this

mandate? Did you mean that you were to give to them aid to the extent of twenty-five or a hundred millions? And if you were to extend this aid for one year, for how many years?"

Does it mean that we are to furnish an Army, and if so, what sized Army—10,000, 200,000? I do not know. I know nothing about it; the American people know nothing about it at the present time. All we can say is that the Harbord mission presented a report; and it is an able report; it is very comprehensive; but it is very indefinite as to the size of the Army we might have to furnish. We do not know whether it means 25,000 or 200,000. Gen. Harbord and his mission do not know.

Mr. President, let us look at this situation from another angle. The Government of the United States embraces only one part of our sovereignty. Our Congress is clothed with limited powers. Our Executive is clothed with limited powers. We look to the Constitution itself to see what these powers are, supplemented by congressional action. In other words, the Chief Executive of the United States has limited powers only, and yet those who favor this mandate seek to confer upon the Federal Government, clothed with limited powers, unlimited power when it comes to dealing with the Armenian people, if we accept that mandate.

Shall a Government with limited power be permitted to exercise unlimited power? It does seem to me that the Congress of the United States can not justify itself until we know in advance what the powers are that it is supposed to exercise.

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. PITTMAN in the chair). Does the Senator from Ohio yield to the Senator from Utah?

Mr. POMERENE. I yield.

Mr. KING. If I interpret the attitude of the Senator correctly, I dissent from his position and conclusions. I am addressing him for the purpose of ascertaining whether I have misconstrued his position. As I understood the Senator, he takes the position that if we grant the mandate as requested by the President there is a conferrence upon the President of unlimited power and that he would not be subject to congressional limitations; that any commitment which he might make would bind this Government.

I assume, if the Senator will pardon me, that if we should accede to the request of the President and grant the mandate the work of the President and the action of the President would be such that it would be determined from time to time by congressional legislation.

Mr. POMERENE. Certainly.

Mr. KING. And he could do nothing except that which Congress authorized him to do.

Mr. POMERENE. Undoubtedly the Senator is correct as to that; but I am speaking of the legislative situation as it is now. If we confer this mandate now, without any limitations, then it is unlimited power he has, until we see fit to limit it by further congressional action.

Mr. KING. It would be improper, of course, for me to trespass upon the time of the Senator, but I could not assent to that conclusion.

Mr. POMERENE. It may be that I am wrong, but I think not. However, whether I am right or wrong, I do not feel justified in conferring a power which even the Senator from Utah must agree is very indefinite and very comprehensive.

Mr. President, my heart goes out to these people. I want to do something for them. The American people want to do something for them. But what? The committee which had this in charge have not told us. I know they are not without sympathy toward these people. We had a meeting and it was discussed. I was not able to be there, because at the time I was engaged in a very important hearing on another matter. But it seems to me the committee should take jurisdiction of this subject again and work out something which would meet with the approval of the United States Senate and of the American people, and I am afraid that whatever action we take upon this resolution here will by the Turks be regarded as a finality.

It stirs one's blood when he reads this Harbord report and finds, according to the best estimate of the Harbord mission, that the dead of Armenia, due to the murderous assaults of the Turks, are variously estimated at from five hundred thousand to a million men, women, and children, the usual figure being given as 800,000.

Mr. BRANDEGEE. Mr. President——

Mr. POMERENE. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. I agree with the Senator and with all others who express sympathy with the Armenians. Of course, it goes without saying that it is horrible to contemplate the human suffering, so much of which is now going on all over Europe and in Asia. The Senator says he thinks that if this matter were recommitted to the committee, the committee could work out something which would be satisfactory all around. In view of the fact that there is no definition whatever of what constitutes a mandate, either in the treaty, in the covenant of the League of Nations, or in the President's message advising the acceptance of this particular mandate, and in view of the fact that the committee can have no access to the President, or to the supreme council which counseled the President to counsel us to accept this mandate, how in the world can the committee work out anything satisfactory all around?

Mr. POMERENE. Mr. President, that is a fair question. The position of the Senator and of the committee thus far, so far as the affirmative action of the majority of the committee is concerned, is a purely negative position, and I have such supreme confidence in the ability of the Senator from Connecticut and those who generally vote with him that I believe they can work out something of a constructive nature which will be a relief to these poor people.

Mr. BRANDEGEE. Mr. President, I will ask the Senator, in all good faith, if he can conceive how the position of the committee, left in the haze in which it is, and in which the Senator confesses himself to be, could be anything but a negative position? How can we take a positive position on this question?

The Senator started out by saying that he regretted, or words to that effect, that we were in a position where we had to say something definite. That is the position which the President puts us in.

Mr. POMERENE. No.

Mr. BRANDEGEE. He simply says: "Please advise me yes or no. Give me the authority to accept this mandate. Will you do it?" We can not do anything but say, "Yes" or "No" and be in good faith.

Mr. POMERENE. No; Mr. President, let us accept our share of this responsibility

Mr. BRANDEGEE What responsibility?

Mr POMERENE. It is true that the President came with the suggestion that he be clothed with a power to accept a mandate, but he has not attempted to limit the action of the Congress to an affirmative acceptance or a denial of the mandate. The whole subject is before the Congress of the United States.

Mr. BRANDEGEE. Mr. President, I agree that the subject is before the Congress, because the President has sent a message to Congress; but the Senator can not tell what the subject is except by saying the words "a mandate." But the subject is only before Congress for the purpose of telling the President whether it will grant him power to accept a mandate which is tendered to him by the foreign powers, and the subject before Congress is for us to advise the President whether he can give an answer to the powers who are waiting for an answer from him.

Mr. POMERENE. Well, Mr. President, I do not like to question things about which I am not certain, but it seems to me that this is the situation: The Senator from Connecticut agrees with me that something ought to be done. It comes as one of the promptings of the human heart when we see our fellow men in distress, as the Armenians are. Yet we are to content ourselves with simply saying to the President and to the world, "We will do nothing." We are not doing anything.

Mr. BRANDEGEE. Mr. President, I do not want to be put in any such position as that.

Mr. POMERENE. I knew the Senator did not want to be put in that position.

Mr. BRANDEGEE. I did not put myself there.

Mr. POMERENE. I think the Senator has, with all due respect.

Mr. BRANDEGEE. I object to the Senator from Ohio attempting to put me in the position of doing nothing about Armenia. I want to do exactly what I think we ought to do. I want to answer a civil question propounded to us by the President, so that he can give a square answer to the European powers who put it up to him.

Mr. POMERENE. What does the Senator suggest should be done, then?

Mr. BRANDEGEE. The Senator, of course, might ask me what I think ought to be done with the Bolsheviki, or to make everybody happy in Russia. I do not want to take the Senator's time in telling him all my thoughts.

Mr. POMERENE. I realize that the Senator does not.

Mr. BRANDEGEE. I want to do anything I can at the proper time for Armenia. I do not think we should attempt to make an answer to the President upon a specific request the vehicle to interpolate all our benevolent ideas about what ought to be done for Armenia, which is the question before us.

Mr. POMERENE. Mr. President, I think that if we had before us just the question as to what should be done with the Armenians, and would keep out of our minds the fact that the suggestion of a mandate comes from the President, we would be able to settle this question.

Now, Mr. President, a word further. As other Senators, I have received from time to time letters bearing on this subject from eminent divines and others who have been in close touch with Armenia for years. They want something done. They have not been able to advise, save that they would like to have us take control and be there in defense of these stricken Armenians. But in the course of some of this correspondence I have put the question before them in a very practical way, and I have reminded them that if we are to accept a mandate, and it becomes necessary to send our Army abroad, there are only two ways to raise this Army—one is by accepting volunteers and the other is by conscription—and then I put the question, "Have you any sons or are there any members of your congregation who will volunteer for this purpose; or if there is conscription and your sons or the members of your congregation are selected, will they willingly go?" I am yet to receive an answer to that suggestion.

That makes it all the more difficult. In my humble judgment the best way to meet the question is this: I have been one of those who have always wanted to have the treaty ratified, and I am willing to vote for it with any reservations that will meet the approval of two-thirds of the Senate voting. If the treaty were ratified, then there would be a community of interest among the various allies, and if the Congress in its wisdom saw fit to authorize the acceptance of this mandate, we then at least will have the moral support of all these allies; but now, if we are to accept the mandate in this form before the treaty itself is ratified, then it is our responsibility and ours alone. I can not justify myself before the American people to vote for a mandate at this time under these circumstances and under these conditions, but I shall always be ready to council with my brethren here or elsewhere to the end that we can give some protection, some relief, to this people that has suffered so much.

I do not forget that during the war we, with our allies, encouraged these people in their revolt against their masters. We led them to believe that they should have their place in the family of nations——

Mr. REED. Mr. President——

Mr. POMERENE. In just a moment I will yield. Now, shall it be said of us that we have made the promise to the ear only to break it to the hope?

I yield to the Senator from Missouri.

Mr. REED. I did not rise in any controversial spirit, but I am interested in the statement of the Senator that we encouraged the Armenians to rise, and he meant, of course, to revolt. How was that brought about?

Mr. POMERENE. When I made that statement I did not have reference particularly to the Armenian people. I had reference to all the subject nations—the Czecho-Slovaks, the Jugo-Slavs, the Poles, the Armenians as well. We joined with all these people in doing the best we could not only to fight our own battles but to demoralize the enemy's forces as well.

Mr. McCORMICK. Mr. President——

Mr. POMERENE. I yield to the Senator from Illinois.

Mr. McCORMICK. Would the Senator throw the mantle of our charity and protection over suffering peoples who were not involved in this war?

Mr. POMERENE. Mr. President, I am sure the Senator will do me the credit to believe that I only referred to the subject peoples of our enemies. It was they whom I had in mind.

Mr. McCORMICK. All others must suffer, then?

Mr. POMERENE. No, not at all; but that is a problem that we can take care of when we are in the league. We can not do it outside of the league.

Mr. McCORMICK. Let me suggest to the Senator that at our doors is a suffering people, like ourselves not in the league. Would he play the Levite to Mexico and the Samaritan to Armenia?

Mr. POMERENE. When we have the Mexican question before the Senate I shall discuss it, and I shall discuss it from the humanitarian standpoint, but not from the standpoint of landed investors in Mexico.

Mr. McCORMICK. The Senator, if I may venture the reply, has not answered my question——

Mr. POMERENE. I think I have answered it.

Mr. McCORMICK. As to whether he would distinguish between our obligation toward Armenia, not toward the landed investors in Armenia, but the people, and our obligation toward Mexico, not toward landed investors in Mexico.

Mr. POMERENE. I would take it into consideration from the standpoint of the Mexican people and what would be for their good. I realize that it is a very knotty question, and it is one that ought to be settled in some way. However, I think I am about as well advised as my good friend from Illinois, and I shall be interested at the proper time to hear what his solution of it is.

Mr. President, if anyone shall make the motion to refer this entire subject of Armenia back to the Committee on Foreign Relations, with a view to further consideration and presentation of some solution, I shall vote for that motion, and if no one else presents it and I have the opportunity, I shall present it.

Mr. WALSH of Montana. Mr. President, I am moved to say a few words on the pending resolution, like the Senator from Ohio [Mr. POMERENE], who has just spoken so pointedly on this question, by the amendment tendered by the Senator from Connecticut [Mr. BRANDEGEE], which operates as a declaration in favor of the acceptance of a mandate over Armenia. The Senator from Connecticut apprised us, at the time the amendment was tendered, that he did not propose to vote for it. It is offered, as he frankly states, for the purpose of putting some one in the hole. I am not bothered about that hole.

I shall vote against the amendment of the Senator from Connecticut and for exactly the same reason that I shall vote against the resolution offered by the committee. I am not sufficiently advised at the present time either to vote for a general declaration against the acceptance of a mandate over Armenia or to vote for a general declaration in favor of accepting such a mandate.

I said I have not the information to enable me to form a mature judgment in reference to the matter. There are a vast multitude of people in this country, animated by the highest sentiments that characterize human nature, honorable in the last degree, who are urging that the United States accept a mandate over Armenia. They have a right to be heard before the Congress of the United States upon this very important question. They have a right to come before the Committee on Foreign Relations to urge such reasons as they can assign why this mandate ought to be accepted, and they ought to be permitted to assail and defeat it, if they can, the arguments that have been advanced against the acceptance of the mandate, and support their contention by such arguments as they can advance in support of them. This right has been denied them.

For instance, it is said that the Harbord report states, among other things, that a military force consisting of 59,000 men will be necessary for the purpose of carrying out the mandate, and the Senator from Wisconsin [Mr. LENROOT] is sponsor for a statement to the effect that by that same report an expenditure of $750,000,000 upon the part of the United States is contemplated. I shall have something to say about that in a little while.

But I pause to remark that when these people who are thus desirous that this country should exercise the mandate over Armenia come to be heard before a proper committee, they will easily establish that the Harbord report, to which reference has been made, contemplates a mandate over all of Turkey and not over Armenia only. A glance at the map indicates that Armenia, as it has been delimited by the treaties of peace and as it shall eventually be established by the arbitration that is to take place, constitutes but a small fractional part of the total area of Turkey in Asia.

This matter was referred to in an article contributed to the Baltimore Sun of last Sunday morning by a well-known correspondent, Mr. Stephen Bonsal, in which he said:

> While the President's urgent request to accept the Armenian mandate by the Senate has been denied by decisive vote, the Senators are holding forth upon the subject as though they feared the popular response to the President's request would be more favorable. The senatorial quivers are being filled with arguments, mostly drawn from the Harbord report. The information drawn from the report is misused. It is really misinformation, and a value is placed upon a misinterpretation of the important document which should only be accorded, if that, to a straight reading of it. I say that advisedly, for it must be borne in mind that the report is the work of men with little or no near eastern experience beyond the three weeks' time that the mission spent in or near the countries involved.
>
> To-day all the Senators who voted against doing anything for Armenia beyond a paper resolution of good cheer are telling their constituents that Harbord said that it would take 59,000 men and $84,000,000 to police and to finance Armenia for one year. As a matter of fact, those are the figures to cover responsibility and control in the whole Turkish Empire.
>
> I have been talking with an important member of the Harbord mission within the last few hours, and I may say it is the member whose knowledge of the actual local conditions is most generally admitted, and he tells me that while the separate report on a separate mandate for Armenia was never drawn up, the responsible members of the mission were nearly unanimous in believing that the first 12 months of responsibility would only require 10,000 men and $14,000,000 in money, and this financial calculation presupposes that Armenia would produce nothing in the way of revenue, which is, of course, an exaggeration of her present poverty-stricken condition.

Now, Mr. President, I can not see why the Foreign Relations Committee, instead of returning this resolution in this inconsiderately hurried matter, did not proceed to make inquiry in the usual and orderly way as to why this mandate should be granted, and particularly to find out just exactly what is meant by a "mandate." In the first place, I should like to be advised by proper testimony taken before the committee as to how far the other nations of the earth stand ready to carry out the obligations which they have assumed in adopting the League of Nations, under which they and each of them undertake to guarantee the territorial integrity and political independence of every other member of the league. Would they be willing to admit Armenia provisionally or assume a like obligation as to that country?

We are frightened with the specter of invasion of Armenia by soviet Russia as one of the reasons why this mandate should not be accepted; but, Mr. President, I would have you bear in mind that every nation of Europe of any consequence is already bound by the provisions of article 10 of the covenant to come to the aid of Armenia, if she is admitted as a member of the league, at least; and we might be able to secure their assurances beforehand of aid in that regard; or, at any rate, we could as a condition of our acceptance of any mandate over Armenia stipulate that those nations should become bound to assist in the defense of the country against foreign aggression as if Armenia were a member of the league.

Next, Mr. President, I should like to know how far it would be possible to recruit the necessary army in Armenia for the purpose of defense against either internal dissensions and uprisings or against foreign aggression. The nations that control colonies in distant parts of the earth find no difficulty whatever in raising from the people who are governed armies for necessary defense. That is the way Great Britain governs all of her colonies; not by men sent out from Great Britain and Ireland—she sends officers out—but the armies are all recruited from the native populations. Take India, for instance. I read from the Statesman's Year Book, at page 137, as follows:

> The Imperial service troops are raised and maintained by the native States and are trained under the supervision of British officers.

The same policy is pursued by Belgium. Belgium does not send a large army, for instance, to the Belgian Kongo in order to rule that country; she recruits her armies for the maintenance of order there from the native blacks. Germany did exactly the same with respect to her colonies in South Africa. France does the same thing in northern Africa, as is well known—in Tripoli and in Algiers. I should like to know why we would not be able to recruit the necessary men for such army as is necessary in Armenia from the Armenians themselves, and so to learn just exactly how many of our own people we should be obliged to send there, if any, in case we did undertake the mandate.

In the next place, I should like to understand just exactly how extensive is the demand from the Armenian people that we shall accept this mandate, because, unless the demand is practically unanimous among the Armenian people, at least so far as they are represented by the Armenian Government, I should not think for a moment of imposing any government of our choice upon them. Who is there here to-day who is able to tell us whether the Armenian people do want us to accept a mandate or do not want us to assume the obligation it implies?

Again, Mr. President, I should like to understand just exactly what revenue may be realized by proper taxes imposed upon the Armenian people in order to meet the expenses of the Government in that country should we undertake to administer it. I confess to a predilection—a strong predilection—in favor of this mandate, but I am not prepared to vote in favor of it now, for reasons which I have advanced, as well as those which I propose to give. I should like to know just exactly how much we can raise from taxes in Armenia in order to meet the expenditures that it will be necessary to make in the governing of that territory.

My own idea about the matter is that, poverty stricken as the country may be, we shall be able to raise by taxes levied upon those people, as taxes are levied in the Philippines, an amount of money that will amply take care of all the expenses of government there; and, Mr. President, that will be only a fraction of what has been wrung annually from those people for many centuries.

Mr. President, the Senator from Wisconsin [Mr. LENROOT] told us how much it would cost to administer a mandate over Armenia.

Mr. BRANDEGEE. Mr. President, will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Connecticut?

Mr. WALSH of Montana. I yield to the Senator.

Mr. BRANDEGEE. Although I agree with the Senator from Montana that our prospective duties as mandatory are utterly undefined, I had not supposed that one of them would be to levy and collect taxes from the Armenians. Does the Senator think that we, having recognized the Armenian Republic, should, under our duty as a mandatory, as the President has said, for the purpose of giving them advice and assistance, contemplate levying taxes upon them.

Mr. WALSH of Montana. The point I am endeavoring to make is that we have not yet been informed as to what powers we are to exercise under the mandate, and consequently what our corresponding obligations may be. I was about to say that I should want, before committing myself, to be advised as to the conditions of the mandate, which have not yet in any manner whatever been defined.

Let me remark that it is clearly contemplated in the covenant that a mandate over ignorant, black savages of South Africa shall be something essentially different from a mandate, for instance, over Poland or a mandate over Armenia. If we ever assume a mandate over a body of savage Indians, who are utterly incapable of self-government, we shall be obliged to exercise a dominion over them very much stronger and more extensive than we would over educated and refined people, who, we could confidently expect, would discharge to no small extent the task of government in their country.

Mr. BRANDEGEE. I do not blame the Senator for wanting to know, of course; I am in the same boat myself; but I never contemplated in my most benevolent moments that my duty as guardian to assist these downtrodden people would be to lay taxes upon them.

Mr. WALSH of Montana. Why? Taxes must be levied, either by us or by the native Government under our supervision. We exercise, in substance, a mandate over Haiti; we control the levy of their taxes and we direct as to how the public revenues shall be expended. It is clearly contemplated by the covenant that some similar supervising power shall be exercised over the Armenian Republic should it become the subject of a mandate, both with respect to the imposition of taxes and as to the manner in which the money shall be expended after it shall have been raised. But the point is that no one has yet undertaken to define what the mandate is which we are importuned on the one hand to accept and on the other to decline.

Mr. BRANDEGEE. No; and I for one shall not undertake to define it.

Mr. WALSH of Montana. No; the Senator will not. I call your attention, Mr. President, to the fact that this proposal is opposed by all of the men who are opposed to the League of Nations under any circumstances and conditions whatever, and that the opposition comes from exactly the same source.

Mr. BRANDEGEE. Mr. President, there was only one vote in favor of it in the whole Foreign Relations Committee. Four members of the committee voted against the resolution as framed to decline the mandate, but one of the four, the Senator from Mississippi [Mr. WILLIAMS], desired to have more territory included in the mandate; he said he wanted a mandate to include all Turkey. That was his criticism of the project.

Mr. WALSH of Montana. Mr. President, the table given in the Harbord report concerning expenditures on account of this proposal for five years has been inserted in the RECORD. Lest it may not already have been included, I shall read the paragraph preceding the table, as follows:

> The first duty of America is to its own people and its nearer neighbors.
>
> Our country would be involved in this adventure for at least a generation, and in counting the cost Congress must be prepared to advance some such sums less such amount—

Note the words "less such amount"—

> as the Turkish and Transcaucasian revenues could afford for the first five years, as follows.

In other words, Mr. President, it was contemplated to take a mandate of all of Turkey in Asia, and if there was not raised in all that vast domain a single dollar for the support of the Government for a period of five years, then the expenses would be the amount to which your attention has been called, the amount to which the Senator from Wisconsin undertakes to assert the President must have intended the people of the United States should tax themselves for the purpose of establishing and maintaining orderly government in Armenia.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Colorado?

Mr. WALSH of Montana. I yield.

Mr. THOMAS. Does not the Senator know that the Turkish revenues could not be devoted to the payment of any part of

the Armenian mandate except and unless Turkey were included in the mandate, and for that the President has not asked?

Mr. WALSH of Montana. Mr. President, if the Senator will follow me he will ascertain that I am calling attention to the fact that the Harbord report contemplates what the Senator suggests—not a mandate over Armenia as it is defined upon the map on the wall before us, but a mandate over the whole of Turkey and Transcaucasia.

Mr. THOMAS. That is correct, but——

Mr. WALSH of Montana. And in order to administer that mandate, without imposing any taxes whatever upon that great territory, it would require for five years $712,000,000.

Mr. THOMAS. But the President only asked for a mandate over Armenia.

Mr. WALSH of Montana. Exactly; and, accordingly, the suggestion made that it would cost this country to administer a mandate over Armenia for five years $712,000,000 is a misrepresentation of the plain facts.

Mr. THOMAS. I do not think so, because Gen. Harbord declares that if we should confine the mandate to Armenia only it would be foredoomed to failure. He does not say exactly that, but I feel that is a fair conclusion from what he does say, and if we take a mandate over Armenia alone with the boundaries now ill-defined or undefined, in all probability it will cost more than for the mandate which Gen. Harbord had in contemplation.

Mr. WALSH of Montana. That is entirely aside from the question, as the Senator must admit. I am not venturing an opinion as to whether a mandate over Armenia would be successful or unsuccessful; I have undertaken to show that the Harbord report tells us that if we assume a mandate over all of Turkey and Transcaucasia it is going to cost $712,000,000 for five years, provided not a dollar in taxation is exacted from the entire territory.

Mr. THOMAS. In all probability it will cost several times that.

Mr. WALSH of Montana. It may cost twenty times that amount; it may cost anything, of course. To suggest that that is what the Harbord report asserts we must pay in order to maintain a mandate in Armenia with its diminished territory as now indicated is without any foundation whatever in the evidence that is before us.

But, Mr. President, more than all these things, I should want to know, as I have indicated, just exactly what this mandate means. It does not signify anything at all to say that we are going to exercise a mandate over Armenia. We are exercising a mandate over Haiti, and, in a certain sense, we are exercising a mandate over Panama. The conditions in those cases are essentially different. One might be quite willing to accept a mandate such as we have over Panama, in which there is an American financial adviser with extensive powers, but quite unwilling to assume the responsibilities of such a mandate as we exercise over Haiti. In other words, we do not know what is expected of us under this mandate, nor can the Congress say by the mere use of the term "mandate" what duties it is called upon to assume or what obligations it will be required to discharge. But, Mr. President, if a hearing were given before the committee at which all interested parties might be heard, there are a lot of other arguments that have been advanced here upon the floor that I am very sure would be dissipated and overcome.

The Senator from Illinois [Mr. MCCORMICK] this morning regaled us with an account of how the United States in its effort to supervise the government of Armenia and assist in the administration of affairs there as contemplated in article 22 of the covenant for a League of Nations would be obliged, in order to reach the seat of its operations, to go through the Mediterranean Sea, where its transports and the officers of our Government they carry on their way to administer affairs in Armenia would be subject to be intercepted by the British at Gibraltar or at Malta, by the French at Marseille, or by the Italians at some place along their peninsula. That is a mere elaboration of a possible objection to this mandate which is listed in the Harbord report. The Harbord report, I may say, has in one column arguments which support the contention in favor of the mandate in Armenia and in another column arguments which are advanced against it. It is not to be understood that the commission advances these arguments. It merely sets out the arguments that are made for and against the proposition. It says, by way of opposition:

> It would weaken and dissipate our strength which should be reserved for future responsibilities on the American continents and in the Far East. Our line of communication to Constantinople would be at the mercy of other naval powers, and especially of Great Britain, with Gibraltar and Malta, etc., on the route.

But, Mr. President, that does not disturb me at all, although apparently it is a thing that gives apprehension to distinguished Senators. Why, Mr. President, the little Kingdom of the Netherlands—according to my recollection, smaller in area than the State of Indiana—exercises a dominion over colonies in the East Indies of vast wealth and great fertility, the annual exports from which mount up into the hundreds of millions. In order to reach those colonies she is obliged to pass through the Mediterranean and the Suez Canal or to take the circuitous and dangerous route around the Cape of Good Hope. There she likewise encounters the power of Great Britain upon the seas; and yet, Mr. President, for 300 years Holland has easily exercised the necessary dominion over these colonies, and they are to-day prosperous under her care. What is the reason for imagining that we should be interrupted in our passage to and fro from Armenia any more than Holland is in passing from her home ports to those of her East Indian possessions?

Then it is suggested that there was other desirable territory in the immediate vicinity of Armenia which has been avariciously grabbed up by selfish European powers, Great Britain and France and others, leaving simply a barren and unproductive waste, now known as Armenia, which is generously tendered to the Government of the United States; and in that connection, Mr. President, we are regaled with much eloquence in denunciation of the unspeakable Turk, the conclusion to be drawn being that he is unworthy to hold dominion over any portion of God's earth; and yet when in the fullness of time his empire, long threatened with disintegration, falls away, we not only decline to assume the burden of governing any portion of the territory which was his, but abuse without restraint those who do.

The Senator from Missouri [Mr. REED] indulged in much eloquence in denunciation of the grasping nature of Great Britain with respect to the territory in question, and impliedly of our ancient ally and friend, France, as well. It would be interesting to know just what disposition he would propose of the dominions of Turkey in Asia. Would he permit the same unspeakable Turk to oppress them without interference as heretofore and would he advise that all nations act in like manner with reference to that question? The treaty of Berlin has been denounced here upon the floor this morning for continuing Turkey in possession of much territory which ought to have gone to Russia. Then why to-day object because other European powers, likely to be more considerate in their treatment of their subjects, have appropriated provisionally some portion of this territory instead of leaving it a prey to his tyranny and misrule?

But, Mr. President, I am not concerned that these other powers have appropriated, if the fact be that they have appropriated, the richest portion of the dominions of the Turk in Asia. We do not want any of their rich territory. We can not be induced to go into Asia or any other portion of the earth for the purpose of grabbing up rich territory. It is said that they have appropriated the producing oil fields of that section, leaving to us an undesirable section, which they graciously tender to us. It is a matter of no consequence to me whether they have or have not, but I should like to have the committee, if it ever undertakes to go into this matter, ascertain and determine the fact to see whether the suggestion is correct and sound that they have acted in this ungenerous manner toward the Government of the United States. It would not, however, make any difference with my decision in the matter, because I am not looking for rich and powerful countries to absorb. If we go into Armenia, we go in because we are desirous of doing something for those poor and afflicted people; and the more deeply they are sunk in poverty, the more powerful becomes the appeal to the people of this country. If it be true that they are not as rich nor their country as fertile as those of adjacent and surrounding countries, the appeal becomes all the stronger to the people of this country to help them out in their difficulties and in their trials.

Mr. President, I conclude by saying that I am not prepared to vote in favor of the amendment proposed by the Senator from Connecticut [Mr. BRANDEGEE] that we accept a mandate over Armenia; neither, sir, am I prepared to vote the other way—that we decline to accept a mandate upon any terms, under any conditions, and no matter what may be disclosed as to our liabilities and our responsibilities in the premises.

Mr. UNDERWOOD. Mr. President, I do not desire to occupy the time of the Senate at any great length on the pending concurrent resolution. I merely desire to make an explanation of the vote I intend to cast when the concurrent resolution comes before the Senate for final action.

I do not think this question can be separated from the matters to be determined in making a treaty of peace with

Germany. I think that is the main question, and the question of peace must first be settled before we can reach a proper determination on matters such as those embraced in the pending concurrent resolution.

The issue is clearly defined in the country. A large number of the Members of the Senate and a great many people in the United States believe that the treaty of Versailles should be agreed to. On the other hand, there is very strong opposition against that position. Now, one of the great problems to be decided in determining that question—and it now must be determined by the country—is the question as to whether we shall become a part of the League of Nations. If we become signatory to the treaty of Versailles and become a part of the League of Nations, I assume that no man will deny the fact that this Government should accept all the responsibilities that go with that action. On the other hand, if the country fails to ratify the treaty of Versailles, it will do so on the basis that it intends to divorce itself entirely from European affairs and occupy an isolated place among the nations of the world, so far as the covenant of the league is concerned.

If the country takes the position that we should make a separate treaty of peace with Germany, or conclude peace in some other way, aside from the treaty of Versailles, then it seems to me apparent that there is no reason why we should become a mandatory of any country in the world except where our own personal interests are involved. On the other hand, if we ultimately become a part of the League of Nations, we shall then be compelled to accept what we determine to be our share of the responsibility under that covenant.

Mr. KING. Mr. President, would it interrupt the Senator for me to ask him a question?

Mr. UNDERWOOD. Not at all.

Mr. KING. I should like to inquire of the Senator whether he does not believe that there are obligations resting upon the United States growing out of the war which it may not escape, even though it fails to become a member of the League of Nations?

For instance, if I may make my point a little clearer, I gave an illustration to the Senator from Connecticut [Mr. BRANDEGEE] when he was occupying the floor a few moments ago. Suppose that Germany—to change the form of the illustration—should witness a remarkable recrudescence of power and ambition, and make an assault upon Poland with a view to territorial annexation and aggrandizement. Notwithstanding the fact that we are not a member of the League of Nations and have not ratified the peace, so far as the treaty is concerned in connection with the other nations, does not the Senator think that the obligation would rest upon us to do our part to preserve Poland, and to that extent to cooperate with the League of Nations or the allied nations for the purpose of preserving her territorial integrity and repelling the assaults of Germany?

Mr. UNDERWOOD. I agree with the Senator from Utah that a nation that is as great and as powerful and as influential as our Nation, and our country, and our Government, can not escape its moral responsibility for the onward progress of civilization in the world, for the protection of the freedom of nations, and the upbuilding of the liberties of the peoples throughout the world. It is a responsibility which must rest on every great nation.

Mr. KING. If the Senator will pardon me a moment, so that I may not be misapprehended, I did not intend to predicate the action of the United States, which I assume it ought to take in the circumstances just indicated, upon our high position as a great world power, but I based it upon the fact that we had been in the war, and that we had said, indirectly if not directly, to those people who occupy lands carved out of the Central Empires, that we would aid them in organizing stable and independent Governments, and therefore that there was a moral obligation upon our part, if not a legal one, to aid them in the stabilization of the Government which they organized under the promise of the protection of the United States and the other nations.

Mr. UNDERWOOD. I do not want to see our Government occupy the position of a knight errant, who is riding far afield to defend every cause of right or justice which we may, as we ride along, determine lies in our course.

I will say to the Senator that I voted for the unconditional ratification of the treaty of Versailles. So far as I am concerned, I have not changed by viewpoint. I think the treaty should have been ratified; I think now it should be ratified, not because I think it is a perfect instrument, but for the very reason which the Senator has named. We went into the war for many reasons, but that is an issue which is past and gone. We are coming out of the war, and the question as to how we are coming out must be decided in the conclusion of peace.

I think we do owe some obligations. I think we manifestly owe obligations to the other nations who were involved in the war with us, and to the downtrodden people of Europe; and I think there is but one way in which those obligations can be worked out, not by ourselves alone, not by occupying an isolated position, but by the assistance, aid, help, and concurrence of the great civilized nations of the world, and I think that can only be done through the process of ratifying a league of nations, agreeing to become a member of the League of Nations, and determining these questions by the force of the league, and not as an individual nation standing by itself.

We have far more respect for the verdict of a jury composed of 12 men than we have for the verdict of one man, as a rule, because in a sense the verdict of a jury composed of 12 men divorces the proposition further from the personal equation and from selfishness. I think the decision in reference to these great international affairs is more likely to be worked out without invading the domain of selfishness if we stand within a covenant of the League of Nations, and it is the united opinion of the great nations of the world, than to have one single nation attempt to solve the problem by itself.

Therefore I feel that the question of a mandatory for Armenia is not a question which should be decided either way until the leading proposition is determined, and that is as to whether peace is going to be made by the ratification of the treaty of Versailles or whether a separate treaty of peace is going to be made with Germany. When that is determined and that is settled, then I am willing to consider the question as to whether or not we should assist in establishing a permanent and stable government in Armenia, and I think it is manifestly clear that we should not act until that time comes.

In the first place, if we act in conjunction with the other great nations of the world we will probably be able to maintain our position without conflicts and without arms, whereas if we stand alone, as one nation, outside of the league, and attempt to determine the future policies of a country lying right in the hotbed of the earth's turmoil, we may become involved in very serious difficulties.

I realize that this question was not brought before the Senate or brought before the country by our action. It came here because the signatory powers to the League of Nations invited this country to occupy the position as a mandatory for Armenia.

Mr. WILLIAMS. A mandate in Armenia for all the civilized nations of the world, to act as their agent.

Mr. UNDERWOOD. The Senator is correct. This leads me to the very point I was coming to. If we are ultimately in the League of Nations, a part of the organization, we will have a voice in the determination of how far the mandatory shall be exercised, what its powers and duties shall be, when it shall be enforced, when it shall be recalled. But if we accept the mandatory and are not in the League of Nations, then we accept it under the power of the governing board of other nations in whose counsels we have no part.

The life of a nation runs through centuries. The problems which confront them are not like the problems of every-day life which must be determined on the instant. The decision that is reached in this matter may reflect itself beyond the life of even the nations which exist to-day. There is no need for haste. We had better be sure we are right, and that we stand on sound ground fundamentally, before we act, and the question as to whether we pass this decision by this week or this month or this year is not nearly as important as is the question of determining it aright.

I think that within the course of the next year, when the turmoil on the political battle fields of the country has ceased, when the storm clouds have cleared away, the Senate of the United States will reach a final conclusion as to how and in what manner we are going to conclude our part of the peace of the world. But until that time comes, in my judgment, it is manifest that we can not properly decide the question which is now before the Senate.

I think the resolution should be recommitted to the Committee on Foreign Relations, with instructions to hold it there until a treaty of peace is concluded with Germany, regardless of how the treaty of peace is concluded. If it is concluded by the ratification of the treaty of Versailles, then we will approach the question of the consideration of a mandate from that standpoint. On the other hand, if peace with Germany is concluded by a separate peace in some way, then we will approach the consideration of that question from another standpoint.

Mr. McCORMICK. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Illinois?

Mr. UNDERWOOD. I yield.

Mr. McCORMICK. Would the Senator send no answer of any sort to the Executive as to the attitude of Congress at this time?

Mr. UNDERWOOD. I think the answer I am proposing is just as strong and just as clear an answer as that which has been proposed in the pending resolution. It is that the Senate of the United States is not prepared to reach a decision on this question, on either side of it, until the conclusion of the world peace, so far as we are concerned. I think it is just as logical an answer, just as fair an answer, and one which will be just as fully understood.

If we are going to divorce ourselves entirely from the affairs of the world we might well say, Why should we become involved in Armenia, any more than we should become involved in Mexico, or any other country of the world? On the other hand, if we ratify the treaty of Versailles we must live up to the obligations we take upon ourselves as a Nation.

I have never been one who has denied that if the treaty of Versailles is ratified we assume great obligations which we must be responsible for. But that is the issue. We assume those obligations for the purpose of attempting to preserve the peace of the world. If we do not accomplish that result by assuming the obligations, or at least take a step which will ultimately lead to the preservation of the peace of the world, then we are making a mistake.

I believe we will take that step. I know the heart pangs that were beating in the breasts of millions of people, loyal to their flag, two years ago. I have not forgotten them. I know that if this great Nation refuses to take its position in the eyes of the world for the peace of the world, for the freedom of the world, and for the liberties of the people of the world, that back we will go to barbarism; oh, it may not be barbarism in our daily lives, in our manner of life, but back to barbarism so far as the great ideals of the world are concerned, so far as preserving governments of law, so far as preserving international justice, so far as giving the weaker nations of the world an opportunity to live their own lives and pursue their own ideals.

As far as I am concerned, I am willing to take my responsibility. I think no man is worthy of the name of man who is not willing to take his responsibility and stand true to it in his family and in his neighborhood and in his State. I say that the same principle which applies to man applies to nations, and that no country is worthy of the name of a great nation that will shirk its responsibility in the life of nations, that is unwilling to pay the price, if you wish to call it that, in order that it may preserve and stand at the forefront in the progress of civilization.

Therefore, I stand for the unconditional ratification of the treaty of Versailles, and if it can not be unconditionally ratified then I hope that action may be taken that will not indicate that this Government of ours is going to deny its final responsibility in the family of the nations of the world.

But I do say, as far as the pending resolution is concerned, that I do not believe this is the time or the place for its determination. I think it would be equally as inopportune at this time to agree to become a mandate in Armenia as it would to reject it, to refuse to take any position in the matter. We are not prepared to act affirmatively. You may talk about reports before the Senate as to the military necessity and the military power that is needed, but I feel that I can say confidently that the Senate itself has not done its full duty, has not investigated the many details, and has not grasped the responsibilities that flow from this action.

On the other hand, I am not prepared to say that I will vote to reject this mandate and say to the nations of the world that we wash our hands of this man's blood, that we take no responsibility in this matter. This is a great Christian Nation and a great Christian people, and for generations back the throb of our national life has been against the barbarism of the Turk exercised over a Christian people. I am not prepared to say from my vote that I reject the thought, the sentiment, and the position of the people of America during the last five decades in that matter.

If that is the case, why should we act now? We have no right to captiously throw this great problem aside. We have no right to act now, because we are not prepared to act. If that is the correct conclusion, then I say there is but one action that the Senate can consistently take, and that is to refer the resolution back to the committee and let it stay there until the real problem, the foremost problem involved, the problem of determining peace, is first solved, and then we will solve the issues growing out of peace.

Mr. McCUMBER. Mr. President, as one who has persistently and consistently and insistently voted for a League of Nations, I feel it incumbent upon me to express in almost a single sentence the reason why I can neither support by my vote the amendment to this resolution nor agree to any mandate over Armenia under present conditions.

Mr. President, a few years ago there was created The Hague tribunal. It was hoped that this tribunal might accomplish something for the prevention of future great wars. I, for one, had little faith in its potency. I knew and pointed out at the time what I considered its weakness, namely, that no one of the great nations bound itself to submit its questions of international difficulties to that tribunal. The provision was simply that they might submit their differences, and even that was hedged about with a further proviso that no nation should be required to submit matters touching its sovereignty, its national honor, or its vital interests—and vital interests, of course, could be expanded to cover any possible question in which there might be an international dispute. That was the weakness of The Hague tribunal—no nation agreed or bound itself to submit its disputes to this court.

Now, what did we need to preserve the peace of the world? A simple agreement entered into between all the great nations of the world, to and with each other, that it would make no war of conquest upon its neighbor, that it would rob no other country of its territory, that it would not destroy the political independence of any other country. With an agreement of that kind, signed by all the great nations in the world, such a war as has lately devastated the earth never would have happened.

All I have hoped for is that we might secure such an agreement. We did not need to exercise mandates or half-sovereign powers over other nations in order to secure that result; but once we sign an agreement whereby we submit to some board or council every question touching international controversies for investigation and report to the peoples of the two countries and the world, so that the world may understand, as well as the people and the countries engaged in the quarrel may comprehend what the real difference is, we can depend upon the sense of justice and of enlightenment of the people of the world to prevent any great war.

After having refused to enter into a compact with the other great nations of the world, and after this country had stated that this country would join no other country on the face of the earth to protect the peace of the world, we are now asked to exercise a mandate over a portion of Asia. I have never been in sympathy at all with these resolutions that have from time to time passed the Senate either in favor of some particular nation as against another or censuring some other nation for its conduct. If we want to control the conduct of another nation, then let us enter into a combination with the nations of the world where we can discuss with that nation its domestic or international difficulties. If we do not want to do so, and do our part in maintaining the peace of the world, then let us keep our hands off, and where we find a condition so delicate that we must keep our hands off of it, I think we should keep our resolutions out of it.

After spurning the invitation to enter into European politics in combination with the balance of the world for world preservation, I am opposed to our sneaking in through the back door to exercise our influence over a portion of Europe or Asia. Either go in whole-heartedly and with an honest purpose to preserve the peace of the world in conjunction with the other great nations or keep out entirely. We have passed Armenian resolutions and Irish resolutions and anti-Turkish resolutions, and what have they all amounted to? The other countries of the world know what we mean. They know we are merely playing politics. I do not believe in pointing a gun that is simply loaded with political hot air, and especially where the country against which it is aimed knows the character of the charge, and that is really what we are doing in most of these resolutions of sympathy or advice.

If we want to help Ireland, if we want to help Armenia, if we want to help Egypt, then join with either one of two things. Join with the other nations of the world to see that justice is done to all of these smaller nations, or else be ready to back up our resolution with war if necessary in defense of justice for any small nation in the world.

So my policy, Mr. President, is either to go in with the other great nations of the earth to preserve the peace of the world, or, if we are to adopt a policy of isolation, then let us stay at home and attend to our own business.

Mr. HITCHCOCK. Mr. President, I move that the pending resolution and all amendments thereto be recommitted to the Committee on Foreign Relations, with instructions to report back to the Senate after the ratification of a peace treaty with the Central Powers.

Mr. McCORMICK. Mr. President, in view of the importance of the Senator's motion, let me interrupt him to suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ball	Hale	McNary	Smith, S. C.
Beckham	Harding	Myers	Smoot
Brandegee	Harris	Nelson	Spencer
Capper	Harrison	New	Sterling
Chamberlain	Henderson	Norris	Thomas
Colt	Hitchcock	Nugent	Trammell
Curtis	Kendrick	Overman	Underwood
Dial	Kenyon	Page	Wadsworth
Dillingham	Keyes	Phipps	Walsh, Mass.
Edge	King	Pittman	Walsh, Mont.
Elkins	Knox	Ransdell	Warren
Fall	Lenroot	Reed	Watson
Fernald	Lodge	Sheppard	Williams
France	McCormick	Shields	Wolcott
Frelinghuysen	McCumber	Simmons	
Gay	McKellar	Smith, Ariz.	
Gerry	McLean	Smith, Ga.	

The VICE PRESIDENT. Sixty-five Senators have answered to the roll call. There is a quorum present.

Mr. HITCHCOCK. Mr. President, I have been led to move to recommit the pending resolution to the Committee on Foreign Relations largely because of reasons stated by the Senator from Alabama [Mr. UNDERWOOD] and the Senator from Montana [Mr. WALSH]. If that motion does not prevail, I shall then as soon as possible offer the amendment of which I have heretofore spoken.

The Senator from Montana has called attention to the fact that, although the Armenian mandate involves a matter of tremendous importance, and although public opinion in the United States is known to be somewhat divided, but very earnest in the main in the desire to bring some relief to Armenia, the committee did not allow any time for hearings and made no investigation whatever on the subject, in order either to ascertain public opinion in the United States or to ascertain what a mandate, in the circumstance, means. The President has asked us for authority to take a mandate over Armenia. He has not defined what he means by a mandate. The committee could have taken opportunity to ascertain that fact and could have informed itself of the powers the President contemplated to exercise under a mandate. Instead of doing that and instead of giving the friends of Armenia in the United States an opportunity to come before the committee and to present in a concrete form the nature of the assistance which they desired the United States to extend, the committee, after one of the briefest sessions in its history, reported the pending resolution, proposing to deny to the President the acceptance of a mandate in Armenia.

It has been assumed generally that what the President meant was the right and authority to use the armed forces of the United States to maintain government there; but it would have been quite within the jurisdiction of the committee to have reported in favor of granting, as it would be quite within the jurisdiction of Congress to grant, a mandate to the President that would be far short of such an extreme use of power. No attempt, however, was made by the committee, and in the short time allowed no attempt was possible, to formulate any plan under which the President might use the moral forces of the United States and the official sanction of the Government of the United States in giving protection to this little Republic, which is composed of people who have appealed in such an extreme degree to the sympathies of the United States.

It seems to me that the committee should have held hearings; that it should have investigated the character, extent, and limitations of a mandate; that it should have done something to bring before the Senate information on the subject; that it should have even made an effort to ascertain the attitude of Armenia toward such a request, because it has been asserted here on the floor that we have no knowledge that the exercise of such a mandate would be agreeable to Armenia; but nothing of that sort was attempted. Instead, the committee has reported out this resolution, which is a peremptory refusal to give the President any power involved in the possible exercise of a mandate.

Mr. President, I have endeavored to meet that situation, because I think it is serious. I think the adoption of such a resolution would be an immense damage to the cause of self-government in Armenia. It would be a notice to Armenia that the United States does not sympathize with the President in his desire to help that country; it would be a notification to Turkey and to the Turkish people that they can continue their persecutions of the Armenian Christians without any likelihood that the United States will do anything to bring relief. So I have proposed—and I shall offer, if necessary—my amendment to create a mixed commission of Americans and Armenians to supervise the issuance and sale in the United States of $50,000,000 of bonds, the money to be used for the purpose of economic rehabilitation in Armenia and for the establishment of a sound banking and currency system there.

I drew that amendment because I had been told by Armenians and by their close friends in this country that Armenia, most of all, wants such economic aid from the United States at this time. I drew it because I believe that such bonds, if issued under the sanction of government to secure their regularity and the honest disposition of the funds, would find a market in this country and enable the people of Armenia to rehabilitate their country and resume the practice of agriculture, which, I understand, is very profitable there, and also enable them to restore their damaged railroad and other facilities. But after counsel with the Senator from Alabama, and after listening to the Senator from Montana, it has occurred to me that there are probably Senators on the other side of the Chamber, as I know there are Senators on this side of the Chamber, who hesitate to vote on this important question without a more careful investigation of it.

Why, Mr. President, the committees of the Senate devote days and weeks to investigations for the benefit of the Senate in connection with questions of infinitely small importance compared with this great question. Here we have thrown into the Senate at this time the great issue of authorizing the President to accept a mandate over Armenia, without any knowledge of what a mandate means, without any investigation as to whether a mandate would be agreeable to Armenia, without any showing as to the limitations of the mandate; and it seems to me that as reasonable men and as conscientious supporters of the idea of sympathy with Armenia we ought to refer this question back to the committee with instructions to investigate the matter and report to the Senate at a time which is proper, which I have named here as after the ratification of the peace treaties with the Central Powers.

It may seem to many that the ratification of those peace treaties is in the extreme future. I do not believe it. It seems to me that the stupendous importance of the question, the tremendous issues that wait upon the decision, will lead this country to ratify some treaty with the Central Powers at a time when this resolution can come out naturally and properly as a part of the perfecting act.

I therefore move, Mr. President, that the pending concurrent resolution be recommitted to the Committee on Foreign Relations with instructions to report at that time.

Mr. WILLIAMS. Mr. President, I am somewhat notorious, I believe, in this body, and have been in the other, for doing teamwork; and therefore when I contemplate casting a vote that will be in clash with the recommendations of the minority leader and the senior Democratic member of the Foreign Relations Committee it is due to myself that I should make some explanation of it.

Mr. President, if this resolution is sent back to the Committee on Foreign Relations, it will lie there until the first Monday in December; and that is the object of the motion as well as the effect of making it, because we all know that we are going to adjourn very soon until that date, and that the committee will not have time to report nor the Senate to act before our adjournment.

Mr. President, it is out of all reason, it is out of all courtesy, it is out of all comity of nations, that the United States should receive, through its Executive, from the great civilized powers of the world an international invitation and deliberately send it to a committee to sleep "until after the conventions." That will not do. We can not afford to take that position in the eyes of the world. We have played a good deal of politics, but that is carrying it too far. The civilized world, through the President of the United States, requests the United States to accept a mandate in Armenia for the League of Nations, for that is what it is, and the nations party to the league are behind it. Instead of returning a reply, "We will" or "We will not," we pass a resolution upon the floor of the Senate to recommit to the Committee on Foreign Relations, with the effect of holding it over until the first Monday in December, while in the meanwhile all Europe is seething and France and Italy and Great Britain and the Armenians themselves are awaiting a reply, and we, forsooth, *can not* make it; we, forsooth, at least *will not* make it.

Talk about not having the facts upon which to proceed and not knowing what a mandate means! The language of the covenant tells what a mandate means; it means taking over as trustees for the League of Nations the task of "advising and assisting" the country in question until it can stand alone. All of that language is in the covenant. Now, let us not shirk this. We have shirked a plenty of things—enough of that; let us meet it. If America is going to measure itself up to its obligations and its burdens, then let us here and now measure ourselves up to them. If we are not going to measure up, let us say so, and let us not commit the great discourtesy—to express it in the most charitable terms—of asking the whole world to wait on us until the 1st of December next, while we may think and hold conventions and play politics. The world takes for granted that as Members of the most august deliberative body in the world, and all that, we Senators have already thought about great international questions like this.

I therefore am opposed to sending this resolution back to the committee, if for no other reason than because it is, in the first place, a discourtesy to the President on our part, and, in the second place, a discourtesy to the civilized powers of the world upon our country's part.

Mr. LODGE. Mr. President, I think the Senator from Nebraska [Mr. HITCHCOCK] spoke without recollection, perhaps, when he said that there had been no hearings whatever in the Foreign Relations Committee. There was a special committee appointed upon this question of Armenia. They held many sessions. They considered the resolution very elaborately. They had hearings, which are printed, and they reported a resolution, which was subsequently passed by the Senate. When we took up the matter in the committee no one at that moment recollected how important it was to hear the President or how important it was to know what he meant by the word "mandate." The committee at that stage thought they knew what was meant by a mandate. There was no suggestion of taking evidence. We have more evidence in the Harbord report than could be collected by the Senate in a year.

Mr. President, of course the object of the motion to recommit is obvious enough, and the great objection to it has been stated by the Senator from Mississippi [Mr. WILLIAMS]. The President has asked a most important authority. He has asked it at the request of the allied and associated powers. They wish to know what we mean to do about Armenia. The President has a right to know, the country has a right to know, and Europe has a right to know what our decision is to be. This is not a question that can be met by evading a vote, which simply means that the resolution will sleep untouched in the Foreign Relations Committee for a long time at least.

We are on the eve of adjournment. The only proper thing to do now is to deal with this question and answer it, one way or the other, as the Senate thinks best. I do not believe myself that there is the slightest doubt in the mind of any Senator at this moment as to his own views about the mandate and what a mandate may imply, what a mandate necessarily must imply. It has been discussed at the greatest possible length in the Harbord report on the very basis of a mandate; and I trust, whatever the Senate does, whether it votes for the resolution reported by the committee or whether it votes against it, that at least it will not, for the purpose of avoiding a decision—and there is nothing else in it—vote to recommit.

The VICE PRESIDENT. The question is on the motion of the Senator from Nebraska [Mr. HITCHCOCK] to recommit with instructions.

Mr. HITCHCOCK. I ask for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. BALL (when his name was called). I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. I transfer that pair to the senior Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. EDGE (when his name was called). I have a general pair with the junior Senator from Oklahoma [Mr. OWEN]. I transfer that pair to the junior Senator from California [Mr. JOHNSON] and vote "nay."

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. For the present I withhold my vote.

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG], who is absent from the Chamber. I transfer that pair to the junior Senator from Alabama [Mr. COMER] and vote "yea."

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is absent on account of sickness. I transfer that pair to the Senator from Texas [Mr. CULBERSON] and vote "nay."

The roll call was concluded.

Mr. JONES of Washington. The senior Senator from Virginia [Mr. SWANSON] is necessarily absent this afternoon, and I have agreed to take care of him with a pair. I find that I can transfer my pair to the Senator from Iowa [Mr. CUMMINS], and I will vote. I vote "nay."

Mr. FERNALD. I transfer my pair with the Senator from South Dakota [Mr. JOHNSON] to the junior Senator from North Dakota [Mr. GRONNA] and vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY]; and

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS].

Mr. GAY. I have a general pair with the senior Senator from New Hampshire [Mr. MOSES]. I transfer that pair to the junior Senator from New Mexico [Mr. JONES] and vote "yea."

Mr. SPENCER. I have a general pair with the Senator from New Mexico [Mr. JONES]. I transfer that pair to the Senator from New Hampshire [Mr. MOSES] and vote "nay."

The result was announced—yeas 34, nays 43, as follows:

YEAS—34.

Ashurst	Hitchcock	Pittman	Smith, S. C.
Beckham	Kendrick	Pomerene	Stanley
Chamberlain	Kenyon	Ransdell	Trammell
Dial	King	Robinson	Underwood
Gay	McKellar	Sheppard	Walsh, Mass.
Gerry	Myers	Simmons	Walsh, Mont.
Harris	Nugent	Smith, Ariz.	Wolcott
Harrison	Overman	Smith, Ga.	
Henderson	Phelan	Smith, Md.	

NAYS—43.

Ball	Fernald	McCumber	Smoot
Borah	France	McLean	Spencer
Brandegee	Frelinghuysen	McNary	Sterling
Calder	Hale	Nelson	Sutherland
Capper	Harding	New	Thomas
Colt	Jones, Wash.	Norris	Townsend
Curtis	Keyes	Page	Wadsworth
Dillingham	Knox	Phipps	Warren
Edge	Lenroot	Poindexter	Watson
Elkins	Lodge	Reed	Williams
Fall	McCormick	Shields	

NOT VOTING—19.

Comer	Gore	Kellogg	Owen
Culberson	Gronna	Kirby	Penrose
Cummins	Johnson, Calif.	La Follette	Sherman
Fletcher	Johnson, S. Dak.	Moses	Swanson
Glass	Jones, N. Mex.	Newberry	

So the Senate refused to recommit the concurrent resolution with instructions.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Connecticut [Mr. BRANDEGEE], which the Secretary will state.

The ASSISTANT SECRETARY. On lines 2 and 3, strike out the words "respectfully declines to grant" and insert the word "grants," so that if amended the resolution will read:

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby grants to the Executive the power to accept the mandate over Armenia, as requested in the message of the President dated May 24, 1920.

Mr. BRANDEGEE. I ask for the yeas and nays.

Mr. SMITH of Arizona. Mr. President, the hour of 4 o'clock not having arrived yet, is it in order to make any remarks at this time?

The VICE PRESIDENT. The Senator has 10 minutes.

Mr. SMITH of Arizona. I do not want to take 10 minutes, Mr. President, but I do wish to say, on this particular amendment to the resolution, that I understand from its author the purpose of it, which is, as already stated, to put somebody in a political hole in this matter.

I am not in favor of a mandate for all it means right now. I expressed to the committee, as some of the members will remember, that I lacked information. I was quite modest in that statement, knowing the Senatorial desire and expectation that whatever they did not already know they would acquire in a few minutes from some of their colleagues. Placed in this attitude, and with the statement that I have made, I would not have the Government say to the world that this great Nation has forgotten what I conceive to be its obligations; I would not have it say to the Turk to invade Armenia when he pleases; I would not have it say to that disturbed portion of the world that the United States, no matter how much blood is spilled, has little care so long as it fills its coffers with the coin. That will be considered demagogic; it is sentimental with me; and I

shall, on this amendment, offered for the avowed purpose for which it has been offered, vote against it.

Mr. KING. Mr. President, I offer the following as a substitute for the amendment offered by the Senator from Connecticut [Mr. BRANDEGEE].

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. The Senator from Utah offers the following as a substitute for the amendment of the Senator from Connecticut:

Resolved by the Senate (the House of Representatives concurring), That the President of the United States is hereby authorized and empowered to enter into arrangements with the allied powers, either through the supreme allied council, or the council of the League of Nations, to cooperate on behalf of the United States with said powers, or the members of the League of Nations, for the proper protection of Armenia, including the advancement of supplies and commodities essential for the health and life of its people, and the preservation of its political independence and territorial integrity.

Mr. BRANDEGEE. Mr. President, I rise to a question of order. I make the point of order that an amendment is open to amendment, but that that is not an amendment.

The VICE PRESIDENT. It is not in order yet.

Mr. KING. A parliamentary inquiry, Mr. President. My understanding was that the amendment offered by the Senator from Connecticut was offered as a substitute for the pending resolution, and therefore that an amendment in the nature of a substitute was within the rule.

Mr. BRANDEGEE. My amendment is to strike out certain words and insert.

The VICE PRESIDENT. This is perfectly plain. The amendment of the Senator from Connecticut is in order.

Mr. BRANDEGEE. It is the pending amendment, and is to strike out and insert certain words.

The VICE PRESIDENT. The amendment of the Senator from Utah will be in order after the original resolution is perfected.

Mr. MYERS. Mr. President, I shall vote against the amendment offered by the Senator from Connecticut [Mr. BRANDEGEE], and I intend to vote for the committee amendment offered by the Senator from Massachusetts [Mr. LODGE]. I think we should be in a League of Nations before we begin to consider taking mandates over foreign countries. I am in favor of our being in the League of Nations. I have voted to ratify the peace treaty and League of Nations with reservations and without reservations. I hope we may enter the League of Nations on proper conditions, and after that I might be in favor of our taking a mandate over Armenia, with whose people I sympathize. I do not say that I would, but I think I would probably look upon it with favor. However, until we do get into the League of Nations, I do not think we should be accepting mandates over foreign countries nor getting into foreign matters and complications which the League of Nations is supposed to handle and control and which, in my opinion, can only be handled properly by concerted action of the leading nations of the earth—in other words, by the League of Nations.

Mr. PHELAN. Mr. President, the Vice President has handed to me, as one of the Senators from California, a telegram addressed to the Senate of the United States from the Sacramento Church Federation. The right of petition, of course, can not be denied, and it has been the practice of the Chair to send to Senators resolutions and petitions originating in their States, and to give nothing from the desk, as I understand it, which does not proceed from some public body. I therefore will read the telegram:

SACRAMENTO, CALIF., *May 26, 1920.*

The UNITED STATES SENATE,
Washington, D. C.:

Sacramento Church Federation, representing thousands Sacramento Protestants, most earnestly petition you to carefully consider moral effect of any refusal to accept the mandate for Armenia. This is one of the great moral opportunities of all history. If America fails here, the blot upon her escutcheon can never be removed.

SACRAMENTO CHURCH FEDERATION.

I voted for recommitment, Mr. President, because I think it is a question which should be solved by careful consideration of our duty in the premises, and with the view of securing the cooperation of the powers who have partitioned among themselves the productive lands of Palestine, Mesopotamia, and Syria, and who, by this device, I think, are imposing upon the good nature of the United States by allocating a mandate over a country which in itself is not self-supporting. I can conceive some arrangement by which those rich countries may, by development, become so resourceful that they will support their own governments, under the wise direction of a mandate, exercised not by one country alone but by several countries sharing the responsibility and the direction.

Therefore I am not prepared to reject the request of the President, and yet I do not consider that a mandate without qualifications would be a wise movement at this time. I regret that the matter has not been recommitted.

The VICE PRESIDENT. The hour of 4 o'clock having arrived, the Senate will proceed to vote upon the amendment offered by the Senator from Connecticut [Mr. BRANDEGEE]. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On lines 2 and 3 of the concurrent resolution it is proposed to strike out the words "respectfully declines to grant" and insert the single word "grants," so that it will read:

That the Congress hereby grants to the Executive the power to accept a mandate over Armenia, as requested in the message of the President dated May 24, 1920.

The VICE PRESIDENT. The Senator from Connecticut [Mr. BRANDEGEE] has requested the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. BALL (when his name was called). Making the same announcement as before with reference to my pair and its transfer, I vote "nay."

Mr. EDGE (when his name was called). Making the same announcement as to my pair and its transfer, I vote "nay."

Mr. FERNALD (when his name was called). Making the same announcement as before of my pair and its transfer, I vote "nay."

Mr. SIMMONS (when his name was called). Making the same transfer of my pair that I made on the last vote, I vote "yea."

Mr. SPENCER (when his name was called). I have a pair with the junior Senator from New Mexico [Mr. JONES]. The junior Senator from Louisiana [Mr. GAY] has a pair with the senior Senator from New Hampshire [Mr. MOSES]. By agreement I transfer my pair with the junior Senator from New Mexico [Mr. JONES] to the Senator from New Hampshire [Mr. MOSES] and I vote "nay."

Mr. WILLIAMS (when his name was called). Repeating the announcement made upon the last roll call, I vote "yea."

The roll call was concluded.

Mr. GAY. I transfer my pair with the senior Senator from New Hampshire [Mr. MOSES] to the junior Senator from New Mexico [Mr. JONES] and vote "nay."

Mr. OVERMAN. I desire to announce my pair with the senior Senator from Wyoming [Mr. WARREN], who is absent on official business.

Mr. JONES of Washington. Again announcing my pair and its transfer as before, I vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY]; and

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS].

The result was announced—yeas 12, nays 62, as follows:

YEAS—12.

Ashurst	McKellar	Robinson	Smith, Ariz.
Beckham	Phelan	Sheppard	Smith, S. C.
King	Ransdell	Simmons	Williams

NAYS—62.

Ball	Gay	McLean	Smoot
Borah	Gerry	McNary	Spencer
Brandegee	Hale	Myers	Stanley
Calder	Harding	Nelson	Sterling
Capper	Harris	New	Sutherland
Chamberlain	Harrison	Norris	Thomas
Colt	Henderson	Nugent	Townsend
Curtis	Jones, Wash.	Page	Trammell
Dial	Kendrick	Phipps	Underwood
Dillingham	Kenyon	Pittman	Wadsworth
Edge	Keyes	Poindexter	Walsh, Mass.
Elkins	Knox	Pomerene	Walsh, Mont.
Fall	Lenroot	Reed	Watson
Fernald	Lodge	Shields	Wolcott
France	McCormick	Smith, Ga.	
Frelinghuysen	McCumber	Smith, Md.	

NOT VOTING—22.

Comer	Gronna	Kirby	Penrose
Culberson	Hitchcock	La Follette	Sherman
Cummins	Johnson, Calif.	Moses	Swanson
Fletcher	Johnson, S. Dak.	Newberry	Warren
Glass	Jones, N. Mex.	Overman	
Gore	Kellogg	Owen	

So Mr. BRANDEGEE's amendment was rejected.

Mr. HITCHCOCK. Mr. President, I offer the following amendment to the pending resolution.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. At the end of the concurrent resolution add the following:

Resolved further, That the President be, and he is hereby, empowered to appoint three American citizens to act with a like number of representatives of the Government of Armenia in the organization of a joint commission, the six so chosen to select a seventh person as chairman. Said joint commission shall be charged with the duty of

supervising the preparation, issuance, offering for sale, and sale in the United States of bonds of the Armenian Government, not exceeding $50,000,000 in amount, the proceeds of which shall be available under approval of the commission for the following purposes, to wit: To purchase in the United States agricultural implements, materials for railroad development, construction, and repair in Armenia, and other similar supplies for economic development and rehabilitation that may be designated by the Armenian Government: *Provided*, That not to exceed one-half of this amount may be used for the purpose of rehabilitating and establishing a sound banking and currency system for Armenia, in case the Armenian Government may so decide, under the advice and approval of this joint commission. These bonds may be made payable in the United States, but the Government of the United States is not to be made in any sense responsible for the payment of either principal or interest.

Mr. LODGE. Mr. President, I rise to a question of order. I make the point of order that this is a concurrent resolution, and under the practice of the two Houses a concurrent resolution does not go to the President and never carries legislation. The concurrent resolution now before us carries no legislation and does not go to the President. The proposed amendment clearly is legislation requiring the assent of the President, and therefore would not be in order on a resolution which does not go to the President.

Mr. UNDERWOOD. Mr. President, I do not think the position the Senator from Massachusetts has taken in reference to the proposed amendment is correct. The Senate may have a concurrent resolution before it, and what the Senator says may be true, that there is language in the amendment that would require the action of the President to carry it into effect. It seems to me that while that may be an argument against the adoption of the amendment it clearly does not make it subject to a point of order. I know of no rule which would prevent the Senate as a body from changing a concurrent resolution into a joint resolution if it desires to do so.

Mr. WILLIAMS. By amendment.

Mr. UNDERWOOD. By amendment or otherwise. Suppose that during the consideration of the pending concurrent resolution the Senate in its wisdom should reach the conclusion that it was a proposal that had better go to the President and have the sanction of the President, would it not be in order to strike out the word "concur" in the resolving clause and insert words that would make it a joint resolution instead of a concurrent resolution? It seems to me manifestly that would be true. If we amend the resolving clause so as to change the form of the resolution, clearly we could put in an amendment that might have the effect of requiring the action of the President to carry it into effect, because is the Chair to assume that the Senate, in its wisdom, at a later time may not amend the resolving clause?

I think the Senator from Massachusetts might possibly advance his argument as a reason against the adoption of the amendment if he desires to do so, but it seems to me clear that it does not go to the question of order. The rules of the Senate are made for the orderly transaction of business, and it appears to me that any rule which is interpreted to prevent the reflection of the views of the Senate into the pending resolution or into a bill is against the spirit of this body, the spirit of the times, when it is not necessary for the orderly conduct of business. Surely there is nothing in the proposed amendment that goes further than to reflect the will and the wish of the Senate, if it is agreed to.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator desire to discuss the point of order?

Mr. BRANDEGEE. I wish to make a remark about the question of order raised by the Senator from Massachusetts. Of course, it is true, as the Senator from Alabama [Mr. UNDERWOOD] suggests, that it is perfectly within the power of the Senate to amend the title of the pending resolution by changing it from a concurrent to a joint resolution. If the Senate shall desire to make that change and then it is proposed as a joint resolution, of course it is amendable. The point of order made by the Senator from Massachusetts is that, inasmuch as the pending resolution is a concurrent resolution, not requiring the signature of the President, and being in its essence simply a reply by Congress to a question put by a coordinate department of the Government, it would be out of order to impose legislation upon it, which would require the signature of the President.

Mr. ASHURST. Will the Senator from Connecticut yield for a question?

Mr. BRANDEGEE. Yes.

Mr. ASHURST. My view of the Constitution is that every order, resolution, or vote in which the concurrence of the House and Senate may be necessary must be presented to the President.

Mr. BRANDEGEE. That is not a question.

Mr. ASHURST. On what does the Senator base the suggestion that a concurrent resolution need not be presented to the President?

Mr. LODGE. It is the universal practice not to do so.

Mr. BRANDEGEE. Mr. President, as I said, this is simply the answer of Congress to an inquiry addressed to Congress by the executive branch of the Government, involving no legislation, but inquiring whether we will grant the President power to accept a mandate to which it is now proposed to affix a piece of legislation authorizing a general international commission to set up a currency system in Armenia, which does not seem to me to be very closely germane to the inquiry which was made by the President, which can be affirmatively answered by a concurrent resolution.

The VICE PRESIDENT. The Chair is aware of the fact that there have been a great many opinions expressed as to what resolutions under the Constitution should properly go to the President, and what should not go to him. If any Senator can present to the Chair an opinion of the Supreme Court of the United States to the effect that a concurrent resolution need not go to the President, the Chair will be glad to be guided by it. So far as the Chair is aware, no such decision of the Supreme Court of the United States has ever been rendered; certainly none has ever been cited to the Chair. The Chair is therefore of the opinion that the amendment proposed by the Senator from Nebraska is in order, and overrules the point of order which has been made against it.

Mr. HITCHCOCK. Question!

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Nebraska.

Mr. LODGE and Mr. HITCHCOCK called for the yeas and nays, and they were ordered.

The Reading Clerk proceeded to call the roll.

Mr. BALL (when his name was called). Making the same announcement as to the transfer of my pair which I made on the previous vote, I vote "nay."

Mr. FERNALD (when his name was called). Making the same announcement in reference to my pair and its transfer as I previously made, I vote "nay."

Mr. GAY (when his name was called). Making the same announcement as to my pair and transfer that I made on the previous vote, I vote "yea."

Mr. JONES of Washington (when his name was called). Announcing my pair and its transfer as on the previous vote, I vote "nay."

Mr. OVERMAN (when his name was called). Making the same announcement in reference to my pair as on the previous vote and not being able to get a transfer, I withhold my vote.

Mr. SIMMONS (when his name was called). Making the same announcement of my pair and its transfer as on the previous vote, I vote "yea."

Mr. SPENCER (when his name was called). Making the same announcement in regard to my pair and its transfer as I previously made, I vote "nay."

Mr. WILLIAMS (when his name was called). Reiterating the announcement made by me on the last roll call in reference to my pair and its transfer, I wish to be recorded as voting "yea."

The roll call having been concluded, the result was announced—yeas 34, nays 41, as follows:

YEAS—34.

Ashurst	Kendrick	Ransdell	Thomas
Beckham	Kenyon	Robinson	Townsend
Dial	King	Sheppard	Trammell
Gay	McKellar	Simmons	Underwood
Gerry	Myers	Smith, Ariz.	Walsh, Mont.
Harris	Nugent	Smith, Ga.	Williams
Harrison	Phelan	Smith, Md.	Wolcott
Henderson	Pittman	Smith, S. C.	
Hitchcock	Pomerene	Stanley	

NAYS—41.

Ball	Fall	McCormick	Shields
Borah	Fernald	McCumber	Smoot
Brandegee	France	McLean	Spencer
Calder	Frelinghuysen	McNary	Sterling
Capper	Hale	Nelson	Sutherland
Chamberlain	Harding	New	Wadsworth
Colt	Jones, Wash.	Norris	Walsh, Mass.
Curtis	Keyes	Page	Watson
Dillingham	Knox	Phipps	
Edge	Lenroot	Poindexter	
Elkins	Lodge	Reed	

NOT VOTING—21.

Comer	Gronna	La Follette	Sherman
Culberson	Johnson, Calif.	Moses	Swanson
Cummins	Johnson, S. Dak.	Newberry	Warren
Fletcher	Jones, N. Mex.	Overman	
Glass	Kellogg	Owen	
Gore	Kirby	Penrose	

So Mr. HITCHCOCK's amendment was rejected.

Mr. PITTMAN. I offer the amendment which I send to the desk as a substitute for the resolution reported by the committee.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to strike out all after the resolving clause and insert the following:

That the President of the United States is authorized to render administrative advice and assistance to Armenia, and for such purposes he is empowered to appoint and employ such agencies as he may consider necessary: *Provided*, That such assistance shall not extend to nor include military assistance, nor shall said authority permit the use of the Army and the Navy for the protection of the territorial integrity or the political independence of Armenia without further act of Congress.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Nevada.

The amendment was rejected.

Mr. KING. I offer an amendment as a substitute for the resolution offered by the Senator from Massachusetts.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to strike out all after the resolving clause and insert the following:

That the President of the United States is hereby authorized and empowered to enter into arrangements, subject to the approval of Congress, with the allied powers, either through the supreme allied council or the council of the League of Nations, or otherwise, to cooperate on behalf of the United States with said powers, or the members of the League of Nations, for the proper protection of Armenia, including the advancement of supplies and commodities essential for the health and life of its people and the preservation of its political independence and territorial integrity.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Utah.

Mr. KING. I ask for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. BALL (when his name was called). Making the same announcement as to my pair and its transfer as heretofore, I vote "nay."

Mr. EDGE (when his name was called). Making the same announcement concerning my pair and its transfer as on the last roll call, I vote "nay."

Mr. FERNALD (when his name was called). Making the same announcement as to my pair and its transfer as previously, I vote "nay."

Mr. JONES of Washington (when his name was called). Making the same announcement with reference to my pair and its transfer as on the last vote, I vote "nay."

Mr. SIMMONS (when his name was called). Making the same announcement as to my pair and its transfer as heretofore, I vote "yea."

Mr. SPENCER (when his name was called). Making the same announcement with regard to my pair and its transfer as on the last vote, I vote "nay."

Mr. WILLIAMS (when his name was called). Once more repeating the announcement made upon the previous roll call, I vote "yea."

The roll call was concluded.

Mr. GAY. Making the same announcement as to my pair and its transfer as on the previous vote, I vote "yea."

Mr. OVERMAN. Making the same announcement that I made on the previous vote regarding my pair, I withhold my vote.

The roll call having been concluded, the result was announced—yeas 28, nays 46, as follows:

YEAS—28.

Ashurst	Henderson	Pomerene	Smith, S. C.
Beckham	Kendrick	Ransdell	Stanley
Chamberlain	King	Robinson	Trammell
Dial	McKellar	Sheppard	Underwood
Gay	Nugent	Simmons	Walsh, Mont.
Harris	Phelan	Smith, Ariz.	Williams
Harrison	Pittman	Smith, Md.	Wolcott

NAYS—46.

Ball	France	McCumber	Smith, Ga.
Borah	Frelinghuysen	McLean	Smoot
Brandegee	Gerry	McNary	Spencer
Calder	Hale	Myers	Sterling
Capper	Harding	Nelson	Sutherland
Colt	Hitchcock	New	Thomas
Curtis	Jones, Wash.	Norris	Townsend
Dillingham	Keyes	Page	Wadsworth
Edge	Knox	Phipps	Walsh, Mass.
Elkins	Lenroot	Poindexter	Watson
Fall	Lodge	Reed	
Fernald	McCormick	Shields	

NOT VOTING—22.

Comer	Gronna	Kirby	Penrose
Culberson	Johnson, Calif.	La Follette	Sherman
Cummins	Johnson, S. Dak.	Moses	Swanson
Fletcher	Jones, N. Mex.	Newberry	Warren
Glass	Kellogg	Overman	
Gore	Kenyon	Owen	

So Mr. KING's amendment was rejected.

The VICE PRESIDENT. The question now recurs on the original resolution.

Mr. REED and Mr. THOMAS called for the yeas and nays, and they were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

The Reading Clerk proceeded to call the roll.

Mr. BALL (when his name was called). Making the same announcement as to a transfer as before, I vote "yea."

Mr. EDGE (when his name was called). Making the same announcement as before, I vote "yea."

Mr. FERNALD (when his name was called). Making the same announcement, I vote "yea."

Mr. GAY (when his name was called). Making the same announcement as on the previous roll call, I vote "nay."

Mr. JONES of Washington (when his name was called). Making the same announcement as before regarding my pair and its transfer, I vote "yea."

Mr. OVERMAN (when his name was called). Making the same announcement as on the previous roll call, I withhold my vote.

Mr. SIMMONS (when his name was called). Making the same announcement as to my pair and its transfer as on the previous roll call, I vote "nay."

Mr. SPENCER (when his name was called). Making the same announcement with regard to my pair, I vote "yea."

Mr. WILLIAMS (when his name was called). Repeating the explanation given upon the previous roll call, I vote "nay."

The roll call was concluded.

Mr. GERRY. I desire to announce the absence on important business of the junior Senator from Virginia [Mr. GLASS]. He is paired with the senior Senator from Illinois [Mr. SHERMAN].

Mr. CURTIS. I wish to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is paired with the Senator from Arkansas [Mr. KIRBY].

The result was announced—yeas 52, nays 23, as follows:

YEAS—52.

Ball	Fall	Lodge	Pomerene
Beckham	Fernald	McCormick	Reed
Borah	France	McCumber	Shields
Brandegee	Frelinghuysen	McLean	Smith, Ga.
Calder	Gerry	McNary	Smoot
Capper	Hale	Myers	Spencer
Chamberlain	Harding	Nelson	Sterling
Colt	Harris	New	Sutherland
Curtis	Jones, Wash.	Norris	Thomas
Dial	Kenyon	Nugent	Townsend
Dillingham	Keyes	Page	Wadsworth
Edge	Knox	Phipps	Walsh, Mass.
Elkins	Lenroot	Poindexter	Watson

NAYS—23.

Ashurst	King	Sheppard	Trammell
Gay	McKellar	Simmons	Underwood
Harrison	Phelan	Smith, Ariz.	Walsh, Mont.
Henderson	Pittman	Smith, Md.	Williams
Hitchcock	Ransdell	Smith, S. C.	Wolcott
Kendrick	Robinson	Stanley	

NOT VOTING—21.

Comer	Gronna	Fa Follette	Sherman
Culberson	Johnson, Calif.	Moses	Swanson
Cummins	Johnson, S. Dak.	Newberry	Warren
Fletcher	Jones, N. Mex.	Overman	
Glass	Kellogg	Owen	
Gore	Kirby	Penrose	

So concurrent resolution No. 27, as reported from the Committee on Foreign Relations, was agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby respectfully declines to grant to the Executive the power to accept a mandate over Armenia as requested in the message of the President dated May 24, 1920.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented resolutions adopted by the General Assembly of the Presbyterian Church in the United States of America, which were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

"The following resolutions, unanimously passed by the General Assembly of the Presbyterian Church in the United States of America, were ordered sent to you with the request that they be given consideration when the question of the mandate for Armenia is taken up:

"'Whereas the General Assembly of the Presbyterian Church in the United States of America has had brought to its attention the serious condition now developing in the Near East which menaces the peace of the world; and

"'Whereas America's delay in signing the peace treaty and entering the League of Nations is a contributing factor in these conditions: Therefore be it

"'*Resolved*, That we urge upon our Government the necessity of immediate affirmative action which will permit America

to join the League of Nations with such reservations as righteousness requires, for the following reasons:

"'First. That America may bear her share of the responsibility in bringing to an end the suffering and wrong that still continues within the borders of these eastern countries.

"'Second. That America's prestige as a nation, which stands for open diplomacy and the rights of smaller nations, may be preserved.

"'Third. That the charge that America is failing to keep faith with the Allies be disproved.

"'Fourth. That the tendency now manifest among the nations to abandon the high ideals embodied in the League of Nations and to return to the methods of force and selfishness be checked.

"'Fifth. That America may take advantage of the opportunity providentially thrust upon her to aid in establishing peace of the world that righteousness which alone can exalt a nation.

"'Secondly. That in regard to America assuming responsibility for securing a stable government in the Near East, and especially in Armenia, which matter is now before Congress, we urge that our Government approach this question not from the viewpoint of political expediency, self-interest, or past tradition, but from the viewpoint of the service which our peculiar position makes possible. We call attention to the fact that the purpose which led America into the war was not fulfilled with the cessation of hostilities, and that the statement that "the war will not be over until the eastern question has been disposed of, and disposed of rightly," is becoming increasingly evident, for this reason: The assembly, while recognizing the widely diverse opinions held on this subject and the exceedingly delicate questions involved, heartily indorsed the action of the Federal Council of the Churches in America, as follows:

"'First. That it is well-nigh, if not actually, impossible for Great Britain and France to meet their present responsibilities, which can not be avoided, and much more to assume new ones without America's aid.

"'That cable dispatches from Lord Bryce and other British leaders interested in the Christian peoples of the Near East declare that unless America joins to help bear the burdens we see no hope of delivering the subject races of Turkey.

"'That the King-Crane, the Harbord, the Near East Relief, and other commissions, public and private, as well as a large number of Americans in the Near East, all agree that America alone is in a position to do with comparative ease what ought to be done in that country for its pacification, for the protecting of the people there, and for the setting up of a safe and righteous government.

"'"We therefore appeal to the Government at Washington to recognize America's peculiar opportunity and obligation to help in the solution of this problem, because she, better than any other nation, can take up its consideration with nothing to gain for herself, that without arousing suspicion in others, and in answer to the practically unanimous call of all the nations concerned, especially those smaller nations that are now awaking to a desire for national independence.

"'"We believe that we express the opinion of the large majority of those whom we represent when we say that the Christian people of our country are not coveting for America the responsibility of an advisory or mandatory position, feel that she should not shrink from declaring her willingness to take such an advisory or mandatory responsibility if the allied nations and the peoples of the east should make strong representation that by doing so she could effectively aid them in bringing order out of the chaotic conditions that now exist."

"'Thirdly.

"'*Resolved further*, That we urge America to take this more intimate part in eastern affairs, so that the peaceful work of missions may continue to render its helping hand, and that those now in exile from Armenia and Persia may return to their homes and the pursuit of their ordinary vocations unmolested.

"'Fourth. That copies of these resolutions signed by the moderator be sent to the President and to our Representatives in Washington, and that they be printed and put into the hands of all ministers in the Presbyterian Church, with a request that they use them as may seem wise, either by presenting to their congregations or to mass meetings or in approaching their Representatives in Congress.

"'That the expense of printing and distributing these resolutions be met by the assembly.'

"SAMUEL S. PALMER, *Moderator*."

Mr. LODGE presented resolutions adopted by the General Assembly of the Presbyterian Church in the United States of America, praying for the ratification of the treaty of peace with Germany with suitable reservations, and the acceptance by the United States of the mandate over Armenia, which were referred to the Committee on Foreign Relations.

He also presented resolutions adopted at a mass meeting of citizens of Philadelphia, Pa., expressing sympathy for the people of Korea and urging the United States to amicably adjust relations between Japan and Korea, which were referred to the Committee on Foreign Relations.

Mr. CAPPER presented a memorial of Shawnee County Pomona Grange, Patrons of Husbandry, of Wakarusa, Kans., and a memorial of Claypool Grange, No. 1770, Patrons of Husbandry, of Whitewater, Kans., remonstrating against the passage of the so-called Nolan land tax bill, which were referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. SMITH of South Carolina. From the Committee on Agriculture and Forestry I report back favorably with an amendment the bill (S. 3390) to provide for the national defense; to establish a self-sustaining Federal agency for the manufacture, production, and development of the products of atmospheric nitrogen for military, experimental, and other purposes; to provide research laboratories and experimental plants for the development of fixed-nitrogen production; and for other purposes.

I ask permission to file a report on the bill later in the day.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. BALL, from the Committee on the District of Columbia, to which was referred the bill (H. R. 8067) to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes, reported it with amendments and submitted a report (No. 647) thereon.

Mr. SMOOT, from the Committee on Public Lands, to which was referred the bill (H. R. 1024) authorizing the Secretary of the Interior to issue a patent to John Zimmerman for certain lands in the Colorado National Forest upon the surrender of other lands of an equal acreage also located in the Colorado National Forest, Colo., reported it without amendment.

Mr. McKELLAR, from the Committee on Military Affairs, to which was referred the bill (H. R. 12502) providing for a report on the cost of improving and maintaining the Government boulevard on Missionary Ridge, in the Chickamauga and Chattanooga National Military Park, reported it without amendment.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 4476) to consolidate certain forest lands within the Fishlake National Forest, in the State of Utah, and for other purposes; to the Committee on Public Lands.

By Mr. LENROOT:

A bill (S. 4477) to incorporate Armenian Relief; to the Committee on Foreign Relations.

CONDITIONS IN WEST VIRGINIA.

Mr. FRANCE. I introduce a joint resolution and ask that it lie on the table for the present.

The joint resolution (S. J. Res. 208) requesting the President of the United States to consider the advisability to proceed to suppress domestic violence and prevent the outbreak of organized armed civil conflict in West Virginia was read twice by its title.

The VICE PRESIDENT. The resolution will lie on the table and be printed.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. THOMAS submitted an amendment proposing to appropriate $192,278.83 to pay to the agency of the Canadian Car Foundry Co. (Ltd.), as a refund on import duties paid on certain materials to be manufactured in the United States for shipment abroad, but which were destroyed by fire, intended to be proposed by him to the general deficiency appropriation bill, which was ordered to be printed and, with accompanying paper, referred to the Committee on Appropriations.

REPUBLIC OF ARMENIA.

Mr. KING. I submit a concurrent resolution, which I ask may be printed and lie on the table.

The concurrent resolution (S. Con. Res. 29) was ordered to lie on the table and be printed, as follows:

Resolved by the Senate (the House of Representatives concurring), That the President of the United States is hereby authorized and empowered to enter into arrangements with the allied powers, either through the supreme allied council or the council of the League of

Nations, to cooperate on behalf of the United States with said powers or the members of the League of Nations for the proper protection of Armenia, including the advancement of supplies and commodities essential for the health and life of its people and the preservation of its political independence and territorial integrity.

PROPOSED INVESTIGATION OF DEPARTMENT OF JUSTICE.

Mr. FRANCE submitted the following resolution (S. Res. 378), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Whereas there is evidence to indicate that some of the funds appropriated by the Congress for the use by the Department of Justice in upholding the Constitution of the United States and the Federal statutes are being employed by the Department of Justice in such a manner as to cause an increase of lawlessness, disorder, and resort to violence, and in open defiance by the Department of Justice of the statutes and of the Constitution of the United States; and

Whereas it is reported that the Department of Justice, through its spies, secret agents, and officers, have been employing methods comparable to those employed by the Czar in Russia before the days of the revolution, methods which have always been employed by autocratic and tyrannical governments and which are repugnant to and can no longer be tolerated by the liberty-loving people of America; and

Whereas it is stated that such immoral, illegal, and unconstitutional methods as threats, intimidation, provocation by Government agents to crime, search, seizure, and arrest without warrant, brutal beatings and torture of prisoners, the holding of prisoners without trial, without access to friends or counsel, the fabrication of testimony and perjury by Government agents, the inflicting of cruel and unusual punishments, the compelling of persons to be witnesses against themselves, with the squandering of funds for the carrying on of propaganda to prejudice the public in favor of a Department of Justice which would permit such criminal methods, have been employed; and

Whereas there can be no return to orderly, legal, and constitutional government in the United States while the Department of Justice is employing, as the evidence would indicate it is, such methods in open violation of the laws, of the Constitution, and of the principles of humanity and justice: Now, therefore, be it

Resolved, That the Committee on Expenditures in the Department of Justice, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to hold hearings, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not to exceed $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee; to sit and act at such times as it may deem necessary during the sessions or recesses of the Senate, the expenses thereof to be paid out of the contingent fund of the Senate, in order to determine whether these allegations of illegal and criminal actions on the part of the Department of Justice are well founded, said committee or subcommittee to report its findings to the Senate in order that the Senate may take such action as would seem to be justified, such as a recommendation to the President of the summary dismissal from the public service of all of those who might be found to be guilty and a prosecution of them for their crimes.

RUSSIAN RAILWAY SERVICE CORPS.

Mr. POINDEXTER. Mr. President, the other day, on the call of the calendar, when the bill (S. 3865) providing for the men and officers in the Russian Railway Service Corps the status of enlisted men and officers of the United States Army when discharged was reached, its consideration was objected to by the Senator from Utah [Mr. KING]. The Senator from Utah announced yesterday on the floor that, after having examined the bill and the report, he desired to withdraw his objection. There was no other objection at the time. That being the case, I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause and insert:

That the officers who are or have been in the Russian Railway Service Corps, organized by the War Department in 1917 under the authority of the President of the United States, shall henceforth have the status as to honorable discharge, when they are or if they have been honorably discharged from such service, of officers honorably discharged from the Army of the United States.

That all officers of this corps, active and honorably discharged, shall be entitled to receive all benefits under the war-risk and war-compensation acts, with all amendments thereto: *Provided*, That applications for war-risk insurance shall not be granted unless the applications therefor shall be made within 120 days from and after the passage of this act.

That any officer of the Russian Railway Service Corps who, while in active service and before the expiration of 120 days from and after the passage of this act, becomes or has become totally or permanently disabled, or dies, or has died, without having applied for insurance, shall be deemed to have applied for and to have been granted insurance in the manner provided for in section 401 of the war-risk insurance act.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill providing for the officers in the Russian Railway Service Corps the status of officers of the United States Army when discharged."

AGRICULTURAL APPROPRIATIONS.

Mr. NORRIS. I should like to state that in the Agricultural appropriation act, which the President has approved, there is a provision which was not in the bill as passed by the two Houses. The House has passed a joint resolution correcting that error, and it is now on the desk of the Vice President. I wish the Senator would yield to me so that I can have that joint resolution taken up and passed.

Mr. McCORMICK. For the correction of a typographical error?

Mr. NORRIS. For the correction of an error made in the House.

Mr. McCORMICK. I yield to the Senator.

The VICE PRESIDENT. The Chair lays before the Senate a joint resolution from the House of Representatives.

The joint resolution (H. J. Res. 370) to amend an act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921," approved May 31, 1920, was read twice by its title.

Mr. NORRIS. Mr. President, the particular language that is repealed was known as the Comer amendment in the Senate. It was stricken out in conference and agreed to by both Houses. All that this joint resolution does is to repeal that part which was put in by mistake.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole, and it was read, as follows:

Resolved, etc, That the provisions of the act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921," approved May 31, 1920, which reads as follows: "That hereafter each lot of cotton classified as tenderable in whole or in part on a section 5 contract of said act as amended, shall give to the buyer the right to demand that one half of the contract shall be delivered in the official cotton standard grades of the United States from the grades of middling fair, strict good middling, good middling, strict middling, and middling, and that the seller shall have the option of delivering the other half of said contract from any of the official cotton standard grades as established in said act," be, and the same is hereby, repealed.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUNDRY CIVIL APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. Mr. President, I ask unanimous consent to present the conference report on the sundry civil appropriation bill.

Mr. BORAH. I should like to ask the Senator if he will not permit the report to go over for to-day. There is a matter in it in which some of the people of my State feel a very deep interest, and I should like to have an opportunity to communicate with them by wire to know whether the present terms of the bill reach the situation at all as they desire to have it covered. In my opinion they do not, but I may be in error. I certainly have no desire to delay the matter, but I wish an opportunity to communicate with them. I can do that between now and to-morrow morning.

Mr. WARREN. Would it serve the Senator's purpose to have me submit the report without moving its adoption, because until we do that the House is unable to move toward action on the report?

Mr. BORAH. I have no objection to the making of the report, if action on the report is to go over until to-morrow.

Mr. WARREN. Very well. I ask that the report may be received.

The PRESIDING OFFICER (Mr. CAPPER in the chair). The report will be received, lie on the table, and be printed.

NAVAL APPROPRIATIONS—CONFERENCE REPORT.

Mr. PAGE. I submit the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes. In view of the conditions that confront us, I ask that the report may lie on the table for the present, and I give notice that to-morrow morning at 11 o'clock I shall ask that it be taken up for consideration.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes, having met,

after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 7, 8, 12, 14, 17, 19, 21, 25, 26, 27, 29, 35, 36, 55, 56, 57, 58, 68, 69, 72, 74, 75, 77, 81, 86, 88, 91, 92, 93, 100, 102, 103, 104.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 15, 16, 18, 20, 23, 34, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 59, 60, 61, 62, 63, 64, 66, 70, 71, 73, 76, 79, 83, 84, 89, 90, 94, 96, 97, 98, 101, 105, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In the first line of said amendment strike out the figures "$50,000" and reinsert in lieu thereof the following: "$30,000"; and, in the fourteenth line of said amendment, after the word "oil," occurring in the phrase "and those from all royalty oil," insert the following: "from lands in the naval reserves"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "$30,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "$3,883,400"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "$4,962,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"The Bureau of Navigation, Navy Department, is hereby directed to furnish to the proper officers in the several States, Territories, insular possessions, and the District of Columbia of the United States, on or before June 30, 1921, statements of the services of all persons from those several places who served in the Navy during the War with Germany, and for that purpose a sum not to exceed $200,000 is hereby appropriated for obtaining the necessary material and the employment of the necessary clerical force, and the further sum of $100,000 shall be allotted of the appropriation of $404,140 for temporary employees, Bureau of Navigation, contained in the legislative, executive, and judicial appropriation act for the fiscal year 1921: *Provided*, That no part of the said appropriation of $404,140, or of the appropriation of $200,000 herein made, shall be used for the pay of any employee who is engaged on other than work of the Bureau of Navigation."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "two persons"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: Strike out "$1,200,000" and in lieu thereof insert the following: "$850,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: Strike out "$300,000" and in lieu thereof insert the following: "$275,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: Strike out "$600,000" and in lieu thereof insert the following: "$575,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: Strike out "$500,000" and in lieu thereof insert the following: "$375,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"The Secretary of the Navy is hereby authorized, in his discretion, to establish at two of the permanent naval training stations experimental summer schools for boys between the ages of 16 and 20 years. For this purpose he is authorized to use such buildings, or other accommodations, at such training stations; to loan any naval equipment necessary for such purposes, and to give instructions which will fit them for service in the Navy of the United States. He is empowered to establish and enforce such rules within the camp as may be necessary and to detail such members of the naval personnel as may be required in order to encourage and execute the spirit of this act. The Secretary of the Navy is further authorized to loan the necessary naval uniforms during the period of training and to furnish subsistence, medical attendance, and other necessary incidental expenses for those attending these schools: *Provided*, That those under instruction, with the consent of their parents or their guardians, shall enroll in the Naval Reserve Force for not less than three months, and no person not so enrolled shall be admitted to said training schools. For carrying out the provisions of this paragraph the sum of $200,000 is appropriated."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"*Provided further*, That, until June 30, 1922, of the Organized Militia as provided by law, such part as may be duly prescribed in any State, Territory, or the District of Columbia shall constitute a Naval Militia; and, until June 30, 1922, such of the Naval Militia as now is in existence, and as now organized and prescribed by the Secretary of the Navy under authority of the act of Congress approved February 16, 1914, shall be a part of the Naval Reserve Force, and the Secretary of the Navy is authorized to maintain and provide for said Naval Militia as provided in said act: *Provided further*, That upon their enrollment in the Naval Reserve Force, and not otherwise, until June 30, 1922, the members of said Naval Militia shall have all the benefits, gratuities, privileges, and emoluments provided by law for other members of the Naval Reserve Force; and that, with the approval of the Secretary of the Navy, duty performed in the Naval Militia may be counted as active service for the maintenance of efficiency required by law for members of the Naval Reserve Force: *And provided further*, That all moneys appropriated for the Naval Reserve Force or for the Naval Militia shall constitute one fund and hereby are made available, under the direction of the Secretary of the Navy, for both."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: Strike out "$200,000" and in lieu thereof insert the following: "$100,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 65, 67, 78, 80, and agree to the same with an amendment as follows: Strike out all of said amendments and in lieu thereof insert, on page 20, after line 6, the following:

"That a special joint committee is hereby created, to be composed of five Members of the Senate to be appointed by the President of the Senate, and five Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. The committee shall investigate the advisability of establishing, developing, and maintaining a naval base on San Francisco Bay or the waters tributary thereto. The committee shall prepare comparative estimates of the cost of acquiring, establishing, developing, and maintaining such sites and shall report to the Congress of the United States not later than December 31, 1920, the result of its investigation, together with such other recommendations, estimates, and information as it deems proper, including information concerning a deeper channel to Mare Island Navy Yard and a sufficient water basin at Mare Island.

"That said committee shall also investigate and report in like manner as to the advisability and cost of establishing an aviation base at Sand Point, King County, Wash.; a submarine base at Los Angeles Harbor (San Pedro), Calif.; and a submarine, destroyer, and aviation base at Port Angeles, Wash.

"That the Secretary of the Navy is hereby directed to detail such technical experts to assist the committee as the committee may request.

"That the expenses of said committee shall be paid, one-half from the contingent fund of the House of Representatives and one-half from the contingent fund of the Senate, upon vouchers authorized by the committee and signed by the chairman thereof; and for the cost of borings and the procuring and collating of all other technical data in connection with such investigation, there is hereby appropriated out of any moneys in the Treasury not otherwise appropriated the sum of $50,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an

amendment as follows: In lieu of said amendment insert the following: "$10,751,950"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"That hereafter, immediately upon official notification of the death from wounds or disease, not the result of his or her own misconduct, of any officer, enlisted man, or nurse on the active list of the Regular Navy or Regular Marine Corps, or on the retired list when on active duty, the Paymaster General of the Navy shall cause to be paid to the widow, and if there be no widow to the child or children, and if there be no widow or child, to any other dependent relative of such officer, enlisted man, or nurse previously designated by him or her, an amount equal to six months' pay at the rate received by such officer, enlisted man, or nurse at the date of his or her death. The Secretary of the Navy shall establish regulations requiring each officer and enlisted man or nurse having no wife or child to designate the proper dependent relative to whom this amount shall be paid in case of his or her death. Said amount shall be paid from funds appropriated for the pay of the Navy and pay of the Marine Corps, respectively: *Provided*, That nothing in this section or in other existing legislation shall be construed as making the provisions of this section applicable to officers, enlisted men, or nurses of any forces of the Navy of the United States other than those of the Regular Navy and Marine Corps, and nothing in this section shall be construed to apply in commissioned grades to any officers except those holding permanent or probationary appointments in the Regular Navy or Marine Corps: *Provided*, That the provisions of this section shall apply to the officers and enlisted men of the Coast Guard, and the Secretary of the Treasury will cause payment to be made accordingly."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"That the Superintendent of the Coast and Geodetic Survey shall have the relative rank, pay, and allowances of a captain in the Navy, and that hereafter he shall be appointed by the President, by and with the advice and consent of the Senate, from the list of commissioned officers of the Coast and Geodetic Survey not below the rank of commander for a term of four years, and may be reappointed for further periods of four years each."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "including not to exceed $20,000 for the purchase of land necessary for radio shore stations"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"The authorized enlisted strength of the active list of the Marine Corps is hereby permanently established at 27,400, distribution in the various grades to be made in the same proportion as provided under existing law: *Provided*, That all officers serving temporarily in the grades of captain and below upon the date of the passage of this act shall be eligible to fill existing vacancies and those hereby created in the permanent authorized strength in said grades by transfer to or reappointment in the permanent Marine Corps in the grades not above that of captain. Transfers so made shall be without regard to age, and if found not qualified for transfer to the same grade as that held by them on the date of transfer then to lower grades after qualification. All officers so transferred shall establish to the satisfaction of the Secretary of the Navy, under such rules as he may prescribe, their mental, moral, professional, and physical qualifications to perform the duties of the grade to which transferred or reappointed and shall take precedence with each other and with other officers of the Marine Corps in such order as may be recommended by a board of marine officers and approved by the Secretary of the Navy: *Provided*, That all persons who served honorably as officers in the Marine Corps or Marine Corps Reserve on active duty at any time between April 6, 1917, and the date of the passage of this act and who have been honorably discharged or assigned to inactive duty shall be eligible for permanent appointment in the same or a lower rank than that held on discharge or assignment to inactive duty, but not above the rank of captain, to fill vacancies existing or hereby created in the permanent authorized strength of the Marine Corps under the same conditions as those above prescribed for officers now in the service: *Provided further*, That officers now holding temporary commissions in the Marine Corps and who have had more than 10 years' service therein, if not found qualified for permanent commissions, and who are recommended by the board herein provided for, may be appointed warrant officers in the Marine Corps; and the authorized number of warrant officers is hereby increased by a number not to exceed 50 to provide for the appointment of the aforesaid officers: *Provided further*, That all transfers and appointments made in accordance with the provisions of this section shall be accomplished by June 30, 1921: *Provided further*, That the officers now holding temporary appointments as commissioned officers in the Marine Corps may retain their temporary commissions until the permanent appointments provided for in the foregoing section shall have been made."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"SEC. 2. That the Secretary of the Navy is hereby authorized to employ on active duty, with their own consent, members of the Naval Reserve Force in enlisted ratings, the number so employed not to exceed during any fiscal year the average of 20,000 men: *Provided*, That the number of naval reservists, so employed on active duty, together with the total number of enlisted men in the Regular Navy, shall not exceed the total enlisted strength of the Navy as authorized by law: *Provided further*, That such members of the Naval Reserve Force so employed shall serve on active duty for not less than 12 nor more than 18 months unless sooner released: *Provided further*, That hereafter no person shall be enrolled in the Naval Reserve Force except for general service: *And provided further*, That the number of commissioned officers of the line, permanent, temporary, and reserve on active duty shall not exceed 4 per cent of the total authorized enlisted strength of the Regular Navy, and the number of staff officers on active duty of whatever kind shall be in the same proportions as authorized by existing law: *Provided further*, That 500 reserve officers are also authorized to be employed in the aviation and auxiliary service: *And provided further*, That until December 31, 1921, temporary appointments now existing may be continued in force in any grade or rank, not to exceed the number allowed in any grade or rank based upon the total permanent authorized commissioned strength of the line or of any staff corps; and, within the limitations herein prescribed, officers of the Naval Reserve Force may, with their own consent, be continued on active duty ashore or afloat, including three on shore duty in the Historical Section of the Office of Naval Intelligence, who may be retained on active duty beyond the age of disenrollment but not beyond June 30, 1922: *And provided further*, That nothing herein shall be construed as reducing the permanent commissioned or enlisted strength of the Regular Navy as authorized by existing law.

"That all officers of the Naval Reserve Force and temporary officers of the Navy who have heretofore incurred or may hereafter incur physical disability in line of duty shall be eligible for retirement under the same conditions as now provided by law for officers of the Regular Navy who have incurred physical disability in line of duty.

"SEC. 3. That officers holding temporary commissioned and warrant ranks in the Navy and members of the Naval Reserve Force of commissioned and warrant ranks shall be eligible for transfer to an appointment in the permanent grades or ranks in the Navy for which they may be found qualified not above that held by them on the date of transfer, but not to exceed a total of 1,200 commissioned officers in the line, of which number 500 may be appointed from class 5, Naval Reserve Flying Corps, with proportionate number in all Staff Corps as now authorized by law, except that the Medical, Dental, and Supply Corps shall be entitled to such additional numbers as are necessary to make up the full quota of officers in those corps, as now authorized by law: *Provided*, That officers so appointed to the line of the Navy shall take rank in accordance with their precedence while holding temporary rank, and members of the Naval Reserve Force of commissioned and warrant ranks found qualified for a given rank shall be arranged according to their precedence among themselves and commissioned in the permanent service next after the lowest temporary officer who qualifies for the same rank and is appointed in accordance with the provisions of this act:

"*Provided further*, That included in the number of transfers and appointments hereinbefore allowed, commissioned officers of

the Coast Guard, who have served creditably under the Navy Department in the war with the German Government, upon suitable application approved by the Secretary of the Navy and the Secretary of the Treasury, may be appointed to a permanent rank or grade in the Navy for which found qualified by a board of naval officers under the provisions of existing law, but not above the rank of lieutenant commander, and shall take such precedence therein as the Secretary of the Navy may determine: *Provided further*, That for the purposes of computing longevity pay and retirement privileges of officers and enlisted men of the Navy, all creditable service in the Coast Guard and former Revenue-Cutter Service shall be counted.

"SEC. 4. That in addition to the number of transfers and appointments hereinbefore allowed, commissioned warrant officers of more than 15 years' service since date of warrant or date of first appointment as paymaster's clerk, pharmacist, or mate, who have creditably served in the war with the German Government in temporary commissioned ranks or grades in the regular Navy, shall be appointed to a permanent rank or grade for which they may be qualified as established and shown by their records of service during their term of service not above the temporary rank or grade held by them at the time of transfer: *Provided*, That officers so transferred to the line of the Navy shall take rank therein in accordance with their precedence while holding temporary rank: *Provided further*, That all officers so transferred in accordance with sections 3 and 4 of this act to the Staff Corps of the Navy shall take precedence with each other and with other officers in the Navy in such order as may be recommended by a board of naval officers and approved by the Secretary of the Navy: *Provided further*, That no transfers or appointments made in accordance with sections 3 and 4 of this act shall be to a higher grade or rank than lieutenant in the Navy: *And provided further*, That officers appointed to the permanent Navy in accordance with the foregoing sections who now hold permanent warrant or permanent commissioned warrant rank in the United States Navy shall, if they thereafter fail professionally on examination for promotion, revert to such permanent warrant or permanent commissioned warrant status.

"SEC. 5. That officers appointed under any of the foregoing provisions shall be not more than 35 years of age when so appointed to the line of the Navy, Construction Corps, or Supply Corps, and not more than 43 years of age when so appointed to the Corps of Chaplains, or to the Medical, Dental, or Civil Engineering Corps: *Provided*, That said age limits shall be increased in the cases of officers who have rendered prior service as paymaster's clerks, or as mates, or as warrant or commissioned officers in the naval service to the extent of all prior naval service: *Provided further*, That officers originally appointed to the Dental Corps above the said age limits shall be eligible for appointment and promotion under this act irrespective of age: *And provided further*, That officers of the line of the Navy who are appointed thereto pursuant to this act from sources other than the Naval Academy shall not be ineligible for promotion by reason of age as prescribed by the act of August 29, 1916 (39 Stat., p. 579), until they have rendered 10 years' service in the grade of lieutenant commander, 6 years' service in the grade of commander, or 8 years' service in the grade of captain, respectively, upon the completion of which service such officers, if then ineligible for promotion by reason of age, shall be retired in accordance with said act: *And provided further*, That until June 30, 1923, promotions to lieutenant (junior grade) and lieutenant may be made without regard to length of service: *And provided further*, That until June 30, 1923, officers of the permanent Navy who have served satisfactorily during the war with the German Government in a temporary grade or rank shall be eligible under the provisions of existing law for selection for promotion or for promotion to the same permanent grade or rank without regard to statutory requirements other than age and professional and physical examination: *And provided further*, That in making reductions in rank as may be required by this act, officers holding temporary appointments may be given temporary appointments in lower grades, and officers so appointed shall take precedence from the dates of their original appointments in such lower grades.

"SEC. 6. That in case any enlisted man or enrolled man who, since the 11th day of November, 1918, has been or hereafter shall be discharged from any branch or class of the naval service for the purpose of reenlisting in the Navy or Marine Corps or heretofore has extended or hereafter shall extend his enlistment therein, he shall be entitled to the payment of the $60 bonus provided in section 1406 of the act entitled 'An act to provide revenue, and for other purposes,' approved February 24, 1919, and to travel pay as authorized in section 3 of the act entitled 'An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment and to wear the same under certain conditions,' approved February 28, 1919: *Provided*, That only one bonus shall be paid to the same person.

"SEC. 7. That hereafter enlistments in the Navy and in the Marine Corps may be for terms of two, three, or four years, and all laws now applicable to four-year enlistments shall apply, under such regulations as may be prescribed by the Secretary of the Navy, to enlistments for a shorter period with proportionate benefits upon discharge and reenlistment: *Provided*, That hereafter the Secretary of the Navy is authorized, in his discretion, to establish such grades and ratings as may be necessary for the proper administration of the enlisted personnel of the Navy and Marine Corps.

"SEC. 8. That section 125 of the act entitled 'An act for making further and more effectual provisions for the national defense, and for other purposes,' approved June 3, 1916, shall hereafter be in full force and effect as originally enacted, notwithstanding anything contained in the act entitled 'An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment and to wear the same under certain conditions,' approved February 28, 1919: *Provided*, That the words 'or the Secretary of the Navy,' shall be inserted immediately after the words 'the Secretary of War' wherever those words appear in section 125 of the act approved June 3, 1916, hereinbefore referred to.

"SEC. 9. That hereafter the Secretary of the Navy may, in his discretion, withhold any part or all of the retainer pay which may be due a member of the Naval Reserve Force where such members fail to perform such duty as may be prescribed by law for the maintenance of the efficiency of the Naval Reserve Force: *Provided*, That any money so withheld shall be credited to the appropriation for organizing and administering the Naval Reserve Force to be used for any purpose that the Secretary of the Navy may consider proper to increase the efficiency of the Naval Reserve Force: *Provided further*, That hereafter the minimum amount of active service required for the maintenance of the efficiency of the Fleet Naval Reserve shall be the same as for the Naval Reserve.

"SEC. 10. That the age limits for promotion by selection, which, under existing law, will become effective on June 30, 1920, are hereby deferred until June 30, 1921, in the cases only of those officers who may request such deferment."

And the Senate agree to the same.

CARROLL S. PAGE,
L. HEISLER BALL,
MEDILL MCCORMICK,
CLAUDE A. SWANSON,
JOHN WALTER SMITH,
Managers on the part of the Senate.

THOMAS S. BUTLER,
PATRICK H. KELLEY,
FRED A. BRITTEN,
L. P. PADGETT,
D. J. RIORDAN,
Managers on the part of the House.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE ESTOPINAL.

The VICE PRESIDENT laid before the Senate the following resolutions of the House of Representatives, which were read:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES.

FEBRUARY 29, 1920.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. ALBERT ESTOPINAL, late a Representative from the State of Louisiana.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of these exercises, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

Mr. RANSDELL. Mr. President, I offer the resolutions which I send to the desk, and ask for their immediate consideration.

The resolutions (S. Res. 379) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate expresses its profound sorrow on account of the death of the Hon. ALBERT ESTOPINAL, late a Member of the House of Representatives from the State of Louisiana.

Resolved, That the business of the Senate be now suspended in order that fitting tribute may be paid to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. RANSDELL. Mr. President, the death on April 28, 1919, of Gen. ALBERT ESTOPINAL, a distinguished Member of the House

from Louisiana, my friend and colleague, has left an ineffaceable imprint on the hearts and minds of his beloved people. The late Congressman was no offshoot of fate, nor the result of political accident. Neither was he the product of an artificially prepared career for a fixed purpose. He won the affection of his community naturally, and grew and developed amidst the friends and neighbors he served. They loved and revered him, and he was the personification of what they stood for. Gen. ESTOPINAL always reflected the views and aspirations of his constituency; his glory was their glory; their interests and desires his.

Born on January 30, 1845, in the Parish of St. Bernard, just below the city of New Orleans, young ESTOPINAL was reared on his father's sugar plantation. He received his early education in the public schools of his parish and at New Orleans, but like the other youth of his enshrined Southland renounced a scholastic career to enlist in 1862, at the age of 17, in the Confederate Army, as an orderly seregant in Company G, Twenty-eighth Louisiana Regiment. He was at the siege of Vicksburg, where he commanded the little squad which took the Union prisoners from the captured gunboat *Indianola* to Libby Prison, Va. It will be remembered that the fall of Vicksburg had a potent effect on the fortunes of the Confederacy. Generals Grant and Sherman were extremely anxious to capture that city in order to control the Mississippi River and cut off supplies from the West. After much preliminary maneuvering in conjunction with Admiral Porter, who performed very valuable service with his fleet of gunboats, Grant finally took the city. It was a long, bloody siege, and the men in gray held out courageously until the end, July 4, 1863, but the Union victory was complete and the Confederacy cut in two.

After the fall of Vicksburg young ESTOPINAL joined the Twenty-second Louisiana Regiment, participating in the Mobile campaign, and later surrendered at Cuba Station.

Following the war ALBERT ESTOPINAL engaged in merchandising at New Orleans for five years, but being conscious of the necessity for public service to restore order and good government, he had already begun to turn his mind to the problems of reconstruction. The South was torn and bleeding, and the tribulations and disappointments of her people taxed beyond expression the strength and fortitude of her sons. Louisiana suffered particularly from the war, as some of her soil had been held by Federal troops through a great part of the conflict, and in consequence the plantations drained of live stock, farm implements, food for man and beast, and a large part of their labor. Taxable property had been reduced almost two-thirds. The returning soldier found his plantation in the worst possible state of repair, and his title subject to dispute under the confiscation laws, while much had been seized by Treasury agents or dishonest speculators.

A blighted cotton crop in 1866 was followed the next year by an almost complete failure, while the Mississippi exacted the penalty of neglected and broken levees by devastating floods. Only in 1868 after two crop failures did the planters obtain an average crop in the great staples—sugar and cotton. Grinding necessity, as well as remorseless political ostracism, drove the better class of young men into indifference to public concerns and engrossment in their private affairs. Moreover, ignorant, unprincipled legislation bred a certain temporary apathy even to their own interests. Already the finances of the State were in a sad condition; back taxes were in arrears, and Louisiana could not even meet the interest on current debt. There was such a saturnalia of extravagance and corruption in public affairs as to demoralize the strongest men.

It was to battle with conditions like these, Mr. President, that ESTOPINAL and his brothers in arms returned. And as the real caliber of a man is fathomed only in time of distress and disappointment, so was the stability and future of the new Southland tested in this dark era of reconstruction. Her final triumph after years of toil and steadfast courage is the best and most convincing evidence of the metal of men like ALBERT ESTOPINAL. They were the bedrock and invigorating influence which inspired and guided those who came after, and it is to these benefactors—these great pioneers—we of the flourishing and prosperous South owe our everlasting gratitude.

ESTOPINAL'S election as sheriff in 1872, a responsible and competitive political office in rural affairs, and his reelection in 1874, followed by service in the lower house of the Louisiana Legislature in 1876 and again in 1878, demonstrated his early hold on the affections of St. Bernard. His public career then began to assume a more liberal and comprehensive mold. He was chosen in 1879 as a delegate to the constitutional convention to assist in framing Louisiana's organic law, and in 1880 was sent to the State senate, where he served creditably for 20 years—until 1900. During this period, in 1898, he was again a member of the constitutional convention of that year and served with distinction. In 1900, as running mate to Gov. William Wright Heard, he was elected lieutenant governor and contributed largely to the stability and constructiveness of that administration, one of the very best ever enjoyed by the State of Louisiana. He was elected to Congress in 1908 from the first district as successor to Gen. Adolph Meyer, which place he held continuously until his untimely death in April, 1919.

Mr. President, the elevation of Gen. ESTOPINAL from the local sphere, wherein he served so well, to the broader and far-reaching field of national legislator combined admirably the character of soldier—the epitome of service and self-denial—with that of an already experienced and ripe public servant. He was immediately assigned to the important Committee on Naval Affairs of the House and entered upon his congressional duties with vim and enthusiasm, laboring zealously for a large and well-equipped Navy as our first line of national defense, and the wisdom of this course was fully demonstrated by the wonderful record of our Navy during the recent World War.

The general was not local or provincial in viewpoint nor selfish in demands. He contributed to the development of our Navy and the formation of a national maritime policy the sound intellect and mental assiduity typical of his whole career. Gen. ESTOPINAL was a progressive and stable, deliberate, and comprehensive, decisive, and rational statesman. He was not an opportunist; men always knew where he stood. And knowing was sufficient. No measure of mere persuasion or glamor of personal or political expediency could swerve this soldier-statesman from the path of principle. Honesty, political courage, and a scrupulous regard for justice were the mainsprings of his very nature.

Mr. President, people were struck with the happiness and charm of Gen. ESTOPINAL'S family life; it was inspiring and ideal. In February, 1868, he married Miss Eliska Legier, which felicitous union was blessed with 16 children, 10 of whom grew to maturity and endeared his later life. Nine sons and one daughter were blessed with the proud possession of this noble father, and four sons served faithfully during the last Great War, as the general had done before them in the Civil War. The Congressman told me he had once umpired a baseball game in which all nine boys participated, several on each side. What an extraordinary and unusual spectacle! In the intricate and devious game of life these nine sons are all substantial players, and the memory of their forebear's work and accomplishment, I know, will mark their courses in his footpath. Imitation of his good work will be some recompense for his unstinted service to State and Nation.

Mr. President, this father's solicitude for his 10 children—one of them a lovely girl who preceded him to the grave by a few years—was only exceeded by his husbandly devotion. He was tender and kind in the extreme—a faithful and devoted husband—and the hearts of Mrs. Ransdell and myself are full of sympathy for his dear wife and children in their great bereavement. May the memory of his good works and the deep gratitude of his people in a measure help to assuage their grief.

I was deeply impressed when attending the funeral of Gen. ESTOPINAL that his nine sons and three nephews performed the entire pallbearer service. They carried the coffin from the beautiful courthouse in St. Bernard, where it had lain in state, to the train en route to New Orleans. Reaching there these nine sons and nephews conveyed the coffin to the hearse, from the hearse to the church, thence from the church back to the hearse, and at the graveyard they put it into his last resting place. I think this a most beautiful custom and regret that it can be emulated in very few instances, for not many men have nine sons to perform this last sad office for them. It must have been a proud satisfaction to them and their dear mother to render this last service of love to their honored father.

I wintessed something similar in the late fall of 1881 while a student at Union College, Schenectady, N. Y., of which Dr. Eliphalet Nott Potter was then president. One of his brothers, Mr. Clarkson N. Potter, a very prominent man of the Empire State, had died, and his remains were brought to the college burial place for interment. It was a cold, beautiful day and the ground was covered deep in snow. The graveyard was an ideal spot, in which there were many fine trees. Union being a quasi military institution, a number of the students were in full uniform. The coffin was laid in the grave by six brothers, each of whom held high position, one being Rev. Henry C. Potter, subsequently Episcopal bishop of the city of New York, and another president of the college, as stated. As a college boy I was very much struck by the beauty of that service and have often thought what a privilege it was for six brothers to

lay their beloved dead in his grave. Never again did I view a like spectacle until 38 years later I stood at the bier of Gen. ESTOPINAL.

His funeral was a most impressive sight, and everyone was attracted by the universal tribute of honor and respect to his memory by the entire community. The poor people of his district, many of them of foreign extraction, were particularly in evidence. He had been their loyal and sympathetic friend and counselor; had continually striven for their welfare and consistently guided them in their trials and misfortunes. He even assisted his neighbors in their every-day personal affairs, and often importuned the less-fortunate classes to properly educate their children for life's battle. In fact, I have heard it said that the general had the reputation of christening, marrying, and burying his people. He was especially active during the yellow-fever epidemic of 1878 in ministering to friends stricken with that fatal disease and nursing them back to health at the risk of his own life.

Mr. President, since ALBERT ESTOPINAL first essayed a man's part on the stage of life 60 years ago, the world has passed through its most progressive and interesting period. We now live in an age of steel, steam, and electricity; but 60 years ago they were little known and less used. The great ocean fleets of that time were principally of wood, and the large buildings were of brick, stone, and concrete. To-day nearly all the ships plying the deep are made of steel, and steel enters into the construction of practically every building, bridge, and mechanical instrument of any magnitude, besides constituting the principal part in our immense railway trackage.

Many of the greatest inventive, scientific, mechanical, and business geniuses were contemporary with ESTOPINAL—such men, for instance, as Thomas A. Edison, Alexander Graham Bell, Andrew Carnegie, and John D. Rockefeller. ESTOPINAL saw the wonderful advance of iron and steel in all their ramifications; the marvels of oil and its sister element, coal; the discoveries and uses of electricity; the origin and growth of the telephone. In fact, he witnessed the development and perfection of sleeping and dining cars, refrigeration, the phonograph, submarine, X ray, and innumerable improvements in chemistry, surgery, medicine, metallurgy, and many other arts and sciences.

As a child ALBERT ESTOPINAL read Mother Shipton's prophecy that "carriages without horses shall go." He lived to see that prophecy a reality. He saw countless automobiles and trucks speeding over good roads and streets from one end of the Nation to the other, carrying passengers and freight at a speed several times as great as the swiftest horse team; also steam tractors plowing and seeding the fields and harvesting the crops.

When he entered Congress 12 years ago Marconi was beginning to perfect the wireless telegraphy which, in conjunction with the telephone, permits us to converse from this city with friends in London or Paris; in fact, to girdle the globe with the human voice. The flying machine was then one of the fond hopes of science, but very few believed it possible. Gen. ESTOPINAL saw the first successful demonstration of that greatest of all modern inventions illustrated by the Wright brothers at Fort Myer in this city with a heavier-than-air plane. Since then navigation of the air has become almost an exact science.

Mr. President, it is impossible to enumerate the truly remarkable progress in every branch which science and industry have made during the past 60 years—an era which witnessed greater advances, more material benefits, more forward steps for the comfort, convenience, and happiness of mankind than the world experienced during the previous three centuries. And ALBERT ESTOPINAL was an intelligent and contributing factor toward this improvement during this wondrous span of little more than half a century crowded with so many human miracles and great ideas.

The State of Louisiana has kept pace with the general advance of mankind during this enlightened period. Its agricultural, mineral, and commercial growth has been almost fabulous. Much of its natural resource and general industrial potentiality of the sixties has been transformed into a great and glorious reality, and Louisiana is proud of that progress which has come from the industry and statesmanship of her people, in all of which ALBERT ESTOPINAL bore a man's part.

This many-sided man, Mr. President, possessed one of the most unusual and exceptional gifts that could be bestowed on anyone. He was a versatile and accomplished linguist, speaking English, French, and Spanish fluently, and friends versed in these languages often lauded him about his facility in them with pen and tongue. Fellow Members of the House frequently called on the general to translate their French communications, and in this work he always acquitted himself well. When the old French war horse, Marshal Joffre, hero of the Marne, paid his memorable visit to our land as a national tribute of the respect and gratitude France felt for our contribution to victory and world peace, honoring the Halls of Congress with his presence, Gen. ESTOPINAL acted as interpreter in the interchange of felicitations between the great French soldier patriot and Members of the House. In this mercenary age of opportunism I dare say we shall find very few practical men of any rank and consequence who have mastered in so superior a way these very difficult romance languages in addition to their mother tongue. Knowledge of a foreign language by men of affairs in this country is slight indeed, and that fact is largely responsible for the lack of assimilation of American business men with our foreign competitors in the development of the world trade so essential to our national prosperity in future years. It is the incapacity of our citizen to deal directly and adequately with the French, Spanish, Italian, and German trader which unfortunately hampers our commercial relations to the decided advantage of other countries. Germany's enterprising efforts in this direction were bearing rich fruit at the outbreak of the last war and are worth imitation.

Mr. President, Gen. ESTOPINAL was my warm personal friend, and I knew something of his character. Different traits attract different men, but his uniform courtliness and charm of manner attracted me most. He was mild and graceful and pleasant, yet withal as firm as any man I have ever known. Cowper has said:

> A moral, sensible, and well-bred man
> Will not affront me, and no other can.

Courtesy was one of the component parts of his nature, and even strangers admired and respected his demeanor. But there was nothing cold or haughty about his make-up. He was modest and unassuming, never boastful, and, in fact, reticent until the time was propitious for expressing his conviction. In truth, I never knew a more thorough gentleman, with all that attribute implies. He was indeed a Chesterfield.

The dead Congressman was a devout Catholic, was nurtured in the faith, believed firmly in its tenets, and revered its teachings. Even in the days of his last painful illness he was apparently a happy man, patient and uncomplaining. Philosophers have wondered "that the Christian religion, which seems to have no other object than the felicity of another life, should also constitute the happiness of this." I am confident that the contentment of our departed friend came not alone from satisfaction of material accomplishment, but in a superior degree from an unsullied conscience, for he must have drunk unquenchably from that fathomless spring of Christian rectitude whence our earthly happiness alone can come. The sincerity of his profession and the practice of his faith was an inspiration in this day of careless modernism, utter indifference to all religious practices, and general worship of mammon.

Mr. President, it is not material what one says on an occasion like this, but how he feels. To be acquainted with Gen. ESTOPINAL was to love him, and my wife and I were deeply grieved when he was called to the "unknown and silent shore whence no one has ever returned." Friendship for him and his loved ones was a source of joy to us, and its memory will be one of our sweetest pleasures.

> There is no death! What seems so is transition;
> This life of mortal breath
> Is but a suburb of the life elysian
> Whose portal we call death.

Mr. ROBINSON. Mr. President, pressure of public duties has deprived me of the opportunity to prepare a formal address. Nevertheless I avail myself of the privilege of taking a humble part in these ceremonies commemorating the life and the character of a great and a good man.

Gen. ALBERT ESTOPINAL experienced a long and useful career. Throughout that career, whether as a soldier, an officer in his State government, a Member of the National Congress, or as a private citizen, he maintained the highest standard of American manhood.

One who performs military service in a great war can not fail to be influenced throughout his life by that experience. The men who served in the Civil War, in the ranks of the Union armies or in the armies of the Confederacy, and who survived that conflict, as a rule regarded their service in that war as the greatest experience of their lives.

Mr. President, among the forces of the Union and among the soldiers of the Confederacy there were entire regiments in which every officer and every private earned the crown of a hero. In the great list of the Civil War heroes there was no braver soldier than ALBERT ESTOPINAL. At the age of 18 he entered the ranks of the Confederate Army and served throughout the conflict. When the war had ended and it became his duty and his

privilege to resume the obligations of citizenship, like thousands of other soldiers who fought in the armies of the South, he found the tasks and the burdens that confronted him as great or even greater than those which he had borne during hostilities.

With a calmness and a confidence that only brave men manifest, he discharged the duties of private citizenship in Louisiana in a time when those duties taxed the energy, exhausted the resources, and tested the courage of the bravest of the brave. Throughout the long and bitter experiences of reconstruction he showed his courage as he had proved it when performing military duties.

As a Representative in Congress, which position he was filling at the time of his departure, he reflected the best traditions and memories as well as the most sacred obligations devolving upon men who serve in that great legislative body. In an experience of almost 18 years in Congress I have never known a man of either body who in my opinion possessed and displayed in all his thoughts and activities a more fully developed consciousness of duty or who has made a readier response to the exacting demands of public life. He was prominent in the deliberations and in the legislation of Congress, always manifesting a willingness and a desire to avail himself of the knowledge and the experience of his associates.

Louisiana has given to Congress and to the service of the Nation many great men. It has never known a more capable or faithful servant than Gen. ESTOPINAL. In public life we form many attachments but few lasting friendships; indeed, I think it is the experience of most men who are fortunate enough to live to old age that they enjoy few permanent friendships during life. No man whom I have known in public or private life deserved more friends than Mr. ESTOPINAL enjoyed. He never betrayed a confidence, never manifested overbearing or even thoughtlessness, for, as said by the Senator from Louisiana [Mr. RANSDELL], he was the embodiment of knightly courtesy.

He was representative in his character and conduct of what has sometimes been termed the old style "Southern gentleman." I have never believed that there is any fundamental difference in gentlemen. Gentlemen are alike whether living in one section or another, whether born in one country or another, in all the essential attributes and characteristics which combine to make a noble man; but Gen. ESTOPINAL in his habits, his mannerisms, and his personal appearance was representative of that type of citizenship we have come to know as the "Southern gentleman."

I have said that he was a brave Confederate soldier. He retained, however, no prejudice as a result of his experience in the Civil War, or as a result of his experience during the period of reconstruction. Congress since the Civil War has had the benefit of the wisdom of many brave men who performed military service during that war. As a rule, indeed I believe I may say almost without exception, those men have represented the highest types of public servants. It is regrettable that the hour is approaching when the Union can no longer hope to enjoy the experience and the efforts of men who fought in the Civil War. Within the last few weeks the sole representative in the Senate during this Congress who had served in the Confederate Army passed away. The late Senator from Alabama, Mr. BANKHEAD, was a great officer, a loyal citizen, a patriotic statesman. There now remain in this Chamber but two Senators who were soldiers in the Civil War, and those two were in the Union Army. The Senator from Wyoming [Mr. WARREN] and the Senator from Minnesota [Mr. NELSON] are both vigorous and active. All their colleagues hope that they may live long to honor their people and to serve their Nation.

In character Gen. ESTOPINAL combined all the attributes of well-balanced, thoughtful manhood. He was as gentle and as tender as a woman; as brave and as chivalrous as a knight of old; as loyal to duty as any man who ever rendered public service.

I have referred to the fact that one who engages in military service during a great war is impressed in character and in thought throughout life with that experience. When his last hour was approaching and the good man who had been called to offer religious consolation for the dying Representative reminded him of his approaching end, Mr. ESTOPINAL replied, "You know I am an old fighter," thus exemplifying in death that courage which never failed him in the conflicts of life.

In his death the public lost an able and faithful servant, his wife a devoted husband, his children an affectionate father. His acts and his characteristics will inspire those who knew him and who survive him to better living.

Mr. KING. Mr. President, the eloquent words of the Senator from Louisiana [Mr. RANSDELL] reviewing the life and services of Gen. ESTOPINAL, and the able and sympathetic address just concluded by the Senator from Arkansas [Mr. ROBINSON], leave but little for me to add upon this occasion.

The pressing duties incident to the closing hours of this prolonged as well as exacting session have denied me opportunity to prepare an address which, so far as I am competent, would adequately deal with the illustrious career and splendid services of our deceased friend in whose honor these memorial services are held. My words therefore will come haltingly and will perforce imperfectly traverse fields so completely appropriated by the preceding speakers.

I have always felt a profound interest in the great Commonwealth of Louisiana, resting largely, perhaps, upon sentimental reasons, it being the State of my mother's birth. But to all Americans Louisiana is rich in historic interest and important in contributions made to our Nation's growth and development. There is a fascination and spirit of romance and chivalry connected with Louisiana that seem to be peculiarly her own, and which are denied in such fullness and rich perfection to any other State. She seems to breathe the spirit of poetry and music and song, and to carry us into the atmosphere of heroic and knightly men, and gracious, beauteous women; to a land of sunshine and flowers; a land of peace and perpetual delight; a land of beauty and charm and laughter; a land upon which nature has lavished her choicest gifts and with prodigality poured out her choicest blessings upon all things possessing life. When we speak of Louisiana we think of Spain and her conquest of the New World. We remember France, glorious and beautiful France, and the standard of beauty and greatness and power which through the centuries she has proudly held aloft. We remember Jefferson and his prophetic mind, and qualities of statesmanship unsurpassed in any age, and his wise and prudent course which detached an empire from an empire beyond the seas and gave to the Republic of the New World a territory stretching into lands of fable from which Commonwealths have been carved, now finding their places under the starry banner of this puissant Nation.

When we speak of Louisiana we remember the great men who have sprung from her loins, and whose lives and services have added to the imperishable glory of this Republic.

This historic and glorious Commonwealth was the mother of our departed friend who for so many years gave her loyal service, and in the National Congress, with patriotic zeal, sought the advancement of his country and the honor of his State and Nation. He lived up to the highest traditions of his State, and embodied in his life those ideals which have given to this Nation a preeminence to which no other country can aspire.

We have learned from the historical review of his life and services the important part which he played in his own State and the fidelity with which he served his parish, his county, and his Commonwealth. We have learned of his supreme love of home, and that compelling force which ever drew him to the place of his birth, and restrained his feet from wandering into other lands or climes. There was a fixity, a tenacity of purpose, a spirit of devotion that was almost religious in its fervor which bound him to the place of his birth and to the spot which constituted his home during his entire life. Too much can not be said in praise of the qualities which bind individuals to home and to State in the fluid and unrestful conditions to which individuals and society are subject. We turn for guidance and inspiration to the lives of those who possess the highest virtues, and the characteristics which find expression in the home builders and in the construction of community life and the protection of State integrity.

Of such characters great States are made. The family is the foundation of the State, and the family life reproduces itself in the community and in the State life. Men and women who build enduring homes, whose affections bind them to home, and who invest that home with a spirit of sacredness, as if it were a veritable altar erected to a holy cause, become the standard bearers of true civilization and upholders of moral and spiritual freedom which must be maintained if liberty shall endure and Christian civilization persist.

The family life of Gen. ESTOPINAL was beautiful and inspirational. It attracted the attention of all who knew him. It was an example to be followed in an age of materialism and of unbridled ambition for wealth and place and power. We may with profit examine the life and the services of this noble man. He was not rich measured by the swollen fortunes which have been accumulated by some of the Napoleons of finance whose names are known throughout our land. He did not have the power to control States or Nation; nor did he, like a flaming

comet, pass through the political firmament of our land; and yet measured by the true standard, the enduring standard, he was a great man and a great American, and a citizen in the kingdom which rises higher and asserts increasing power and glory—the kingdom of righteousness, the kingdom of the Father of all. We need not despair of the future of this Republic when it gives to us men of the virtues and qualities possessed by Gen. ESTOPINAL. They will provide our country defenders when its liberties are menaced or its civilization is threatened.

Those who knew him best spoke of his chivalry; his knightly courage; his gentleness and the serenity of his soul; his devotion to duty; his love of home and State and country; his loyalty to the truth as he understood it, and to his ideals, political and moral; his devotion to wife and children; his unfailing friendships; his rich and splendid attainments; of all these fine and splendid qualities which were so molded and integrated as to make of him a truly great and heroic figure; and yet having thus spoken all willingly and lovingly attest the fact that the crown thus fashioned was worthily worn by him.

When I think of men like Gen. ESTOPINAL, I am reminded of the words of President Faunce, who impresses the lesson upon us that the true Christian and the loyal soldier in life's battle is the one who renders service and still greater service. These are his words:

> The good man of the fifteenth century was Thomas á Kempis, whose "Imitation of Christ" has no faintest allusion to any wrongs in this world to be righted. The good man of Bunyan's dream was one who thrust his fingers in his ears to stop the cry of wife and children while he started on his long flight through the world to the celestial abode. But the good man of our time is the one who turns back into the city of destruction and resolves never to leave it until he transforms some portion of it, at least, into the enduring city of God.

And so our friend in the long years of valiant service sought the welfare and the moral advancement of community, State, and Nation. Modest and unassuming, yet he never shrank from responsibility, and with fine courage attacked evils and wrongs intrenched, possessing supreme confidence in the result and in the triumph of the moral forces that in the end will rule the world. There was nothing ostentatious in any of his undertakings, and no protestations of superiority of thought or action, and yet in all that he did he had before his eyes the thought that every duty performed well, every service rendered in the interest of justice, was "ad majorem gloriam Dei."

The Senator from Louisiana has in felicitous terms referred to the family life of Gen. ESTOPINAL, and to his religious faith and his identification with a great religious organization whose influence is felt throughout the world.

I make bold to state that the beauty of the life of this man resulted from his religious faith and from the constant inspiration which it gave to him in all the duties and responsibilities of life. There is something remarkable in the religious faith of the Catholic Church, the faith with which our departed friend was identified. We may not agree with its creed, we may not concur in its doctrines, but there is something commanding and appealing in its record and in its attitude toward the great problems of life, and the soul's welfare, and the momentous issues affecting society, and the present and the future. With sublime faith in its future this great church builds for the ages.

Man is a child of God destined to enjoy immortality and eternal life. The church is God's instrument to lead the erring footsteps of man through sin and over precipitous heights to the kingdom of righteousness and the throne of God.

The home according to the spirit of this faith is a sacred place. The hearthstone is an altar which should be erected to God. Marriage is a sacred union—a religious sacrament which is cognized by God and upon which His benediction is bestowed.

Men and women who sincerely believe they are a part of God, that this life is preparatory to an eternal and glorious one, that it is a part of the eternal plan of an omnipotent and omniscient Father, that marriage is ordained of God, and that the home should be the temple of God, a sanctuary in which purity and righteousness find refuge, that humanity should be bound together in affection as the children of one everlasting Father, that the teachings of the Nazarene should be the rule of conduct and the law of life, that the path of man has always been forward and onward, and that though the processes which evolve a higher civilization are slow, they are persisting—I say men and women who have this faith and who believe that they are linked to this eternal everlasting Father will become and could not be otherwise than forces for righteousness and truth and justice. And societies founded by them of necessity become the repositories of higher forms of justice and righteousness and those spiritual forces which promote civilization. And when throughout the world men and women possess a faith of this character and manifest it in their lives, the millennial day will dawn and "righteousness will cover the earth as waters the mighty deep."

Communities and nations survive only when there is a proper conception of the responsibilities resting upon the individuals and a proper appreciation of the sacredness of marriage and the purity of the home. It is the glory of Christianity that it regards marriage as a sacred ceremonial and a divine union; that it apotheosizes the home life and enjoins upon all within its sacred walls that it is to be a temple erected to the living God from whose sacred precincts are to go forth the young men and women prepared for the serious and solemn responsibilities of life.

There are some in this age of materialism who regard such views as the product of a provincial faith, an intolerable anachronism shocking in this scientific day. Yet, Mr. President, I believe that it were better for mankind if the spirit of Christianity dwelt in the hearts of men, and the divinity of Christ were recognized throughout all the world. Mere intellectualism may not save a people or perpetuate a State. The intellectuals of Greece did not preserve their civilization; yet it has been said that they were as far above the Anglo-Saxon race intellectually as that race is above the African race. Mere intellectualism may go hand in hand with the grossest form of materialism and which eventuates in darkness and moral degradation. Religious pyrrhonism seeks the demolition of the Christian faith, and will inevitably destroy those altruistic qualities which owe their origin and manifestation to spiritual forces which abide in the universe.

Lives of men like Gen. ESTOPINAL bring us back to the fountains of faith and to an appreciation of the teachings of Christ and the faith which He gave to the world. Our departed friend could say with Emerson:

> When I am stretched beneath the pines,
> And the evening star so holy shines,
> I'll laugh at the pomp and the pride of man,
> At the sophist's school, and the learned clan;
> For what are they all, in their high conceit,
> When man in the bush with God may meet?

Mr. HARRISON. Mr. President, I was a student at the Louisiana State University when I became acquainted with the courtly and attractive Gen. ESTOPINAL. He was then a candidate for lieutenant governor of his State, to which office his people very generously called him. Some of his sons were my schoolmates, and it was during his frequent visits to the university that I first met him. I at once thought him one of the most attractive men I had ever known. Tall, graceful, handsome, and with a countenance always radiant with kindliness and intelligence, with neatness and becoming modesty he dressed, and moved among his fellows with ease and dignity. No matter in what crowd he chanced to be, he was a commanding figure, and these graces grew and remained with him to the end.

I recall now the last time I saw him, leaning upon the sturdy arms of two of his devoted sons. It seemed to me that he was sensitive of even being compelled to accept assistance in carrying himself in his usual and gallant way.

Mr. President, when the silent messenger called Gen. ESTOPINAL from us, earth was made poorer and heaven richer.

When I came to Congress as a young man, representing a district almost adjoining his, with mutual friends and common interests, he immediately took me into his confidence and became, as it were, a father to me. Throughout my career in the other House I was especially fond of him, and frequently sought his counsel. He was never too busy to give it nor so selfish as to withhold it.

Not because he thought too little of women did he love men so much, but his every environment seemed to be with men. Of his 10 children, 9 were boys, as fine a lot of young men as ever sprang from the loins of an illustrious father. No more beautiful picture now comes to me than the constant and devoted care administered by these boys to their father. In his latter years they were his companions, and he was perfectly contented in their company.

I shall not speak of the great services Gen. ESTOPINAL rendered his people, not only in the American Congress but in other high and exalted positions which he had so ably filled; nor shall I speak of the high estimate in which he was held by all his associates who had served with him here, nor of the unbounded love of his constituents. I shall not speak of his undaunted efforts in combating the obstacles of life, nor his heroic acts in peace as well as in war in behalf of the section he loved so well. Suffice to say he, like many another gallant

southern gentleman, was as brave as Achilles in time of war and as strong as Hercules in time of peace.

He was as loyal a friend as ever breathed the breath of life, and was as unselfish a patriot as ever served his country. Gentle as a babe and as amiable as any man ought to be, he was yet as firm against those who undertook to do what his conscience would not permit as any man I have ever known. Within his breast beat a heart as true as heaven, as gentle as a woman's, yet as brave as a lion's. True as steel to principle, he was always ready to lift his hand for the oppressed and to strike down the oppressor. But the outstanding characteristics of this gallant man were his courtly manner, his attractive and charming personality, his true and unflagging loyalty.

He was a gentleman; and no higher compliment can be paid any man than to be able to say of him that he was a "gentleman." Next to "mother" and "father" there are no words in all the English language that hold more meaning than "gentleman" and "lady." Customs and behavior change, but a gentleman, in the true acceptation of the term, must always and everywhere and at all times have been the same, for the word could not otherwise fulfill the idea which it conveys and which has been slowly formed throughout the centuries of time.

It is impossible in language to define all that the word "gentleman" embraces, and yet it is clear in its meaning. The farmer's boy may be a gentleman, and so may the earl, but not because one happens to be a peer and the other a lad from the furrow. Cæsar and Napoleon were two of the world's greatest military geniuses. The Roman was a gentleman, the Corsican was not. The Duke of Marlborough and the Father of our Country were two of the world's greatest diplomats. George Washington was a gentleman, but the duke was not.

I like the word "gentleman," and in my humble conception of the word I apply it to my departed friend as the highest compliment that one can pay to another.

Mr. President, Louisiana has a right to be proud of her great men of the past—great statesmen, great soldiers, great jurists, great scientists, great preachers—but she will never boast of any more genial gentleman or loyal son than ALBERT ESTOPINAL, whose dust will enrich her history as the dust of the true and loyal ever does.

Mr. GAY. Mr. President, in accordance with a Senate resolution, to-day has been dedicated for memorial services in honor of Gen. ALBERT ESTOPINAL, deceased, late Member of the House of Representatives, who ended a 10-year service and passed to the realms of light on April 28, 1919, at his home in St. Bernard Parish, La. He died surrounded by his family of nine children and the loving companion of more than 50 years.

Four of his sons had volunteered for service on the battle fields of France to uphold the honor of this Republic.

It was a home rich in affection and devotion to the noblest ideals of the great Commonwealth of Louisiana and the Nation.

As a diligent student preparing for a life of usefulness he heard the call to arms. He rushed to a battle whose great aim and scope he little cared to know save that it was for the defense of home and the principles held dear by his kindred. For four long and weary years he endured the hardships, privations, and danger of the private soldier, with the same unflinching courage and fidelity which was the dominating influence that inspired his long, faithful, and worthy service to State and country, and only ended by the call of the Divine Master to come up higher to the endless peace of immortality.

When he returned home at the close of the Civil War he returned among a people many of whom were mourning for the loved ones buried on the battle field. All had become impoverished by the destruction of war. Wreck and ruin were on every hand. He faced a condition which appalled the stoutest hearts. For him it was not to mourn and repine over the calamities and misfortunes which confronted a ruined people. The trying ordeals of the weary march and the dangers of battle had disciplined that unconquerable spirit for the struggle of reconstruction. To rebuild the waste places, to set in orderly fashion a government for the protection of life and property, to insure the peaceful development of the land so blessed by nature, found him a willing soldier and a ready leader.

The people promptly recognized this unflinching courage, sterling integrity, and executive ability, and he was elected sheriff of the parish of St. Bernard. The position in those days was indeed a trying and difficult one. It was no easy task to restore the reign of law and orderly government where chaos and misrule had been the order of the day. His courageous, wise, and efficient administration so impressed the people that he was reelected.

The call for a constitutional convention in 1879 was the absorbing public question. Character, ability, experience in public affairs was needed to frame an organic law for the State under which the energies and thrift of the people, their enterprise and industry, would receive ample protection, security, and incentive to rear a Commonwealth worthy of the great natural resources and the intelligence of a progressive people.

The problems with which the convention was to deal were difficult, more trying than those of ordinary constitutional conventions. The people of St. Bernard, well knowing the experience of their leader, his unselfish devotion to the common welfare, elected him to that convention, which produced a charter of rights, which freed the State from misrule, waste of public finances, abolished special privileges, and provided a safe, economical, and righteous government.

He was a worthy member of that great body of patriots who worked out a beneficial instrument for good government. It was the beginning of Louisiana's rehabilitation, and began that splendid career of prosperity which has made Louisiana one of the brightest stars in the constellation of the Union. He was elected to the State senate, and by his practical and wise counsel aided the adoption of laws for the public welfare. No legislation that was not for the common good ever secured his support. He believed in a government for the people and by the people. He loved children. He believed that a sound system of education was a necessity for the perpetuation of a democracy. He freely gave his services for many years as a member of the board of school directors, a work which required sound discretion and aggressive action to secure funds and to enlist the general public in its behalf.

As lieutenant governor he presided with dignity and courtesy over the deliberations of the senate, and it was while he was serving in that capacity that I became acquainted with him and learned to know the splendid qualities that he possessed. He not only held the esteem and confidence of that body, but their sincere affection. He represented his people in the constitutional convention of 1898.

In 1908 he was chosen as a worthy successor of the faithful and efficient Representative, Gen. Adolph Meyer, who died in the service of his people.

Gen. ESTOPINAL came to the broader field of legislation exceedingly well equipped. The great metropolis of the South, its business affairs, its port, and the legislation for the system of protection from the destructive floods of the mighty Mississippi, were familiar subjects. He had lived with the people; a man of generous mold, he had been in constant contact with the people of every class and condition. He knew well what national legislation had been enacted which touched particularly the people of his district, and what were the greatest needs for further aid to the development of the great seaport whose business interests and whose success were intimately interwoven with the prosperity and development of the Nation.

Gen. Meyer, his predecessor, had for many years been the constant champion of the navy yard at Algiers. It had been closed and dismantled when Gen. ESTOPINAL came to Congress. Fortunately for the Republic, Gen. ESTOPINAL was assigned to the Committee on Naval Affairs. He began immediately with that tact and diplomacy which characterized him to insist not from the mere sectional view that New Orleans must have a navy yard for the benefit of its business interest, but from that broad national viewpoint that the country needed a naval station on the Gulf; that it was necessary for the Navy itself. Gen. ESTOPINAL was not a sectionalist. He loved every inch of soil covered by the Stars and Stripes. The welfare of the Nation was his chief concern. He had a vision that America needed a large Navy. To the south of New Orleans there was an awakening of development among the countries on the Gulf and southern seas. His comprehensive mind saw that maritime commercial development required a large Navy as its helpmate. His wealth of information, his unceasing and forceful presentation, and a persuasive and modest manner convinced his associates on the committee. It was his greatest service to the Nation, for it was indeed a necessity. Shortly afterwards this navy yard became an active factor in the Nation's equipment for the American Navy, which did its full share to bring about the glorious victory that set the millions of Europe free from the oppressive yoke of autocracy.

That kindly, modest, and courtly gentleman late in life won a high place in the esteem, confidence, and affection of his fellow Members in that great popular branch of the foremost legislative body in the world. It is so well expressed by that profound judge of men whose position as Speaker for many

years qualified him to give a just appraisement of its Members that I quote here:

He was one of the most dependable of the sons of Adam, and dependableness is one of the most valuable of human characteristics. What he was, he was—honest, honorable, kind, courteous, industrious, faithful as the needle to the pole. He did his duty and did it well in all the relations of life. In every position he ever held he enjoyed the confidence of all who knew him and won both their respect and affection.

At home he was the friend and counselor of those in trouble. His charity and sympathy for those in suffering and distress were only measured by his opportunity and power to aid. For him friendship was more than a name—it meant in his case the noblest impulse of a brave and generous heart. It meant, as expressed by President Wilson in his Manchester speech, "service in the hour of need." Truly he exemplified the words of one of earth's greatest men, "A faithful friend is the true image of the Deity."

His tender affection for his old comrades in arms in the Confederate armies found constant expression in his solicitude for their comfort and pleasure in their declining years. His guiding star in life was the performance of duty to God, home, and country, and that "a good name is rather to be chosen than great riches and loving favor rather than silver and gold."

He has gone to his reward. He leaves for his family, friends, and country a precious legacy more enduring than brass or marble; an inspiration to the youth of the land, that devotion to country, to the betterment of the world, to the building of character is the noblest achievement of man. Louisiana and the Nation have lost a statesman and a gentleman in all that these words imply.

Mr. President, as a further mark of respect, I move that the Senate now adjourn until 8 o'clock to-night.

The motion was unanimously agreed to; and (at 6 o'clock p. m., Tuesday, June 1, 1920) the Senate adjourned until 8 o'clock p. m., Tuesday, June 1, 1920.

CONFIRMATION.

Executive nomination confirmed by the Senate June 1 (legislative day of May 24), 1920.

SOLICITOR GENERAL.

William L. Frierson to be Solicitor General.

SENATE.

TUESDAY, *June 1, 1920.*

The Senate met at 8 o'clock p. m.

Rev. John Paul Tyler, of the city of Washington, D. C., offered the following prayer:

Let us pray. Command upon us at this time, we beseech Thee, Almighty God, Thou King eternal, immortal, invisible, Thy holy spirit of wisdom in all the affairs that shall come before us at this time. May we be guided by Thy spirit, that with unselfish and full devotion to Thy truth in the life and to the triumph of Thy righteousness we may give ourselves to the tasks before us. We pray Thy forgiveness wherein we fail Thee, wherein we sin by blindness, by deafness, by refusing to see and to hear Thy voice and Thy word. Lord, forgive us; guide and bless us. Bless our Nation. Bless the nations of the earth. Bless their leaders. Let Thy mercy, O Lord, be upon the President of our United States. Keep and preserve and bless him, we pray Thee. We commit us to Thee. Lead us, guide us, and at last when the end of life shall come for us upon earth, grant that we may have so lived that we shall receive Thine own blessed "well done." And this we ask, for Jesus' sake. Amen.

The Reading Clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, May 24, 1920, when, on request of Mr. KENYON and by unanimous consent, the further reading was dispensed with and the Journal was approved.

FOREST RESOURCES OF THE UNITED STATES.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of Agriculture transmitting, in response to a resolution of February 21, 1920, certain information relative to timber depletion, lumber prices, lumber exports, and concentration of timber ownership. The Chair will not direct that the communication and accompanying papers shall be printed in the RECORD, or to be printed as a document, unless it is ordered by the Senate.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolutions, and they were thereupon signed by the Vice President:

H. R. 1309. An act for the relief of Perry L. Haynes;

H. R. 1827. An act for the relief of Carolyn Wheeler Kobbe;

H. R. 2396. An act for the relief of John A. Gauley;

H. R. 3212. An act for the relief of legal representatives of George E. Payne, deceased;

H. R. 4927. An act for the relief of Nancy A. Parsons, C. M. Parsons, D. F. Staggs, Ollie Staggs, Roas Staggs, Lena Birchfield, Alice Birchfield, Bertie Gwin, Greely Gilbert, Linville Gilbert, and Nelson Gilbert;

H. R. 5807. An act for the relief of John T. Adams;

H. R. 6198. An act authorizing payment of compensation to Swanhild Sims for personal injuries;

H. R. 9048. An act for the relief of Catherina Rea, administratrix of the estate of John Rea;

H. R. 9392. An act regulating the disposition of lands formerly embraced in the grants to the Oregon & California Railroad Co. and Coos Bay Wagon Road Co.;

H. R. 9583. An act for the relief of Edward A. Purdy, postmaster of the city of Minneapolis, Minn., for postage stamps, postal-savings stamps, war-savings stamps, war-tax revenue stamps, and cash from money orders stolen from the branch post office at Minneapolis, Minn., commonly known and described as the traffic station, and located at Nos. 621 and 623 First Avenue north, in said city;

H. R. 9783. An act to provide a national budget system and an independent audit of Government accounts, and for other purposes;

H. R. 10115. An act for the relief of Harvey R. Butcher;

H. R. 10317. An act for the relief of Blanche Utley;

H. R. 11030. An act for the relief of the Woodford Bank & Trust Co., of Versailles, Ky.;

H. R. 11398. An act for the creation of the Custer State Park Game Sanctuary, in the State of South Dakota, and for other purposes;

H. J. Res. 336. Joint resolution authorizing the Secretary of War to loan to the Albert Sidney Johnston Camp, United Confederate Veterans, No. 1820, Fort Worth, Tex., 100 tents and cots for the use of Confederate veterans at the reunion of said camp June 24 to 27, inclusive, 1920; and

H. J. Res. 370. Joint resolution to amend an act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921," approved May 31, 1920.

REPORTS OF COMMITTEE ON IMMIGRATION.

Mr. KEYES, from the Committee on Immigration, to which was referred the bill (H. R. 7930) to provide for the treatment in hospital of diseased alien seamen, reported it with amendments.

Mr. STERLING, from the Committee on Immigration, to which was referred the bill (H. R. 11224) to amend the act entitled "An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," approved October 16, 1918, reported it with amendments and submitted a report (No. 648) thereon.

BILL INTRODUCED.

Mr. KEYES introduced a bill (S. 4478) to create a Bureau of Aeronautics in the Department of the Navy, which was read twice by its title and referred to the Committee on Naval Affairs.

HOUR OF MEETING TO-MORROW.

Mr. CURTIS. I ask unanimous consent that when the Senate adjourns to-night it shall adjourn to meet at 11 o'clock to-morrow morning.

The VICE PRESIDENT. Is there objection?

Mr. UNDERWOOD. I did not hear the request.

The VICE PRESIDENT. That when the Senate adjourns to-night it shall adjourn to meet at 11 o'clock to-morrow morning. Is there objection? The Chair hears none, and it is so ordered.

EXPENSES OF THE DISTRICT OF COLUMBIA.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 7158) to provide for the expenses of the government of the District of Columbia, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. DILLINGHAM. I move that the Senate insist upon its amendment, request a conference with the House on the disa-

greeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. DILLINGHAM, Mr. JONES of Washington, and Mr. KING conferees on the part of the Senate.

DISTRICT OF COLUMBIA APPROPRIATIONS—CONFERENCE REPORT.

Mr. CURTIS submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference have been unable to agree.

CHARLES CURTIS,
LAWRENCE C. PHIPPS,
JOHN WALTER SMITH,
Managers on the part of the Senate.

C. R. DAVIS,
LOUIS C. CRAMTON,
J. P. BUCHANAN,
Managers on the part of the House.

The report was agreed to.

WOMEN'S BUREAU.

Mr. KENYON. I move that the Senate proceed to the consideration of the bill (H. R. 13229) to establish in the Department of Labor a bureau to be known as the women's bureau.

Mr. THOMAS. Will the Senator allow me to call up a bill? If it causes any discussion I shall not press it.

Mr. KENYON. Let my motion be first put.

Mr. THOMAS. Very good.

The VICE PRESIDENT. The question is on the motion of the Senator from Iowa.

Mr. KING. With the understanding that with the bill before the Senate no other business except by unanimous consent shall be undertaken this evening, I have no objection to the Senate proceeding to the consideration of the measure.

The motion was agreed to.

Mr. KENYON. I now yield to the Senator from Colorado.

LANDS IN COLORADO.

Mr. THOMAS. There is a small personal bill relating to certain lands in Colorado which was favorably reported from the Committee on Public Lands this morning and placed on the calendar. It is a bill which for some reason has been overlooked for several months. Representative TIMBERLAKE of my State, who secured its passage in the House, is very anxious to secure its passage here before final adjournment.

I ask unanimous consent for the immediate consideration of the bill (H. R. 1024) authorizing the Secretary of the Interior to issue a patent to John Zimmerman for certain lands in the Colorado National Forest upon the surrender of other lands of an equal acreage also located in the Colorado National Forest, Colo. If it causes any discussion I will withdraw it.

There being no objection, the bill was considered as in Committee of the Whole, and it was read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to issue a patent to John Zimmerman for the following-described lands: The north half of the southwest quarter of the southeast quarter of section 32; the south half of the southeast quarter of the southeast quarter of section 33, township 9 north, range 74 west of the sixth principal meridian; and the north half of the north half of the northeast quarter of the northwest quarter of section 4, township 8 north, range 74 west of the sixth principal meridian, upon the transfer by the said John Zimmerman to the United States of the following-described lands: The northeast quarter of the northeast quarter, and the north half of the north half of the southeast quarter of the northeast quarter of section 31, township 9 north, range 74 west of the sixth principal meridian: *Provided*, That upon the reconveyance of the surrendered lands they will become part of the Colorado National Forest, Colo.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WOMEN'S BUREAU.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13229) to establish in the Department of Labor a bureau to be known as the women's bureau, which had been reported from the Committee on Education and Labor with an amendment.

Mr. KENYON. On the bill before the Senate the Senator from Utah [Mr. KING] agreed with me that he would not speak if I would not do so. Therefore I will refrain, and ask that the bill may be read.

The VICE PRESIDENT. The bill will be read.

The Assistant Secretary read the bill, as follows:

Be it enacted, etc., That there shall be established in the Department of Labor a bureau to be known as the women's bureau.

SEC. 2. That the said bureau shall be in charge of a director, a woman, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive an annual compensation of $5,000. It shall be the duty of said bureau to formulate standards and policies which shall promote the welfare of wage-earning women, improve their working conditions, increase their efficiency, and advance their opportunities for profitable employment. The said bureau shall investigate and report to the said department upon all matters pertaining to the welfare of women in industry. The director of said bureau may from time to time publish the results of these investigations in such a manner and to such extent as the Secretary of Labor may prescribe.

SEC. 3. That there shall be in said bureau an assistant director, to be appointed by the Secretary of Labor, who shall receive an annual compensation of $3,500 and shall perform such duties as shall be prescribed by the director and approved by the Secretary of Labor.

SEC. 4. That there is hereby authorized to be employed by said bureau a chief clerk and such special agents, assistants, clerks, and other employees at such rates of compensation and in such numbers as Congress may from time to time provide by appropriations.

SEC. 5. That the Secretary of Labor is hereby directed to furnish sufficient quarters, office furniture, and equipment, etc., for the work of this bureau.

SEC. 6. That this act shall take effect and be in force from and after its passage.

The amendment of the Committee on Education and Labor was, in section 5, on page 2, line 19, after the word "equipment," to strike out the words "and so forth," so as to make the section read:

SEC. 5. That the Secretary of Labor is hereby directed to furnish sufficient quarters, office furniture, and equipment for the work of this bureau.

The amendment was agreed to.

Mr. THOMAS. Let me ask the Senator having charge of the bill what is the estimated cost to the people of the establishment of this bureau?

Mr. KENYON. If I am not violating my agreement with the Senator from Utah, I will say that there is now a bureau known as the Women's Bureau, in the Department of Labor, established during the war.

Mr. THOMAS. What is the agreement with the Senator from Utah?

Mr. KENYON. That if I will not make a speech he will not.

Mr. THOMAS. I would not have the Senator violate that agreement for anything.

Mr. KENYON. I will make the same agreement with the Senator from Colorado.

Mr. THOMAS. I merely want some information.

Mr. KENYON. The sundry civil appropriation bill carries an appropriation of $75,000 for the Women's Bureau. The pending bill carries $8,500, which comes out of the appropriation of $75,000.

Mr. KING. May I inquire of the Senator whether it is clear that this $8,500 comes out of the appropriation of $75,000?

Mr. KENYON. It is clear to me.

Mr. KING. Has the Senator any objection to making that manifest by an amendment?

Mr. KENYON. That is up to the Committee on Appropriations. The pending bill does not appropriate anything at all. It simply establishes the two offices at $8,500.

Mr. WARREN. As I am not under a promise not to talk, I should like to ask the Senator a question or two.

Mr. KENYON. I should like to make a speech on the bill.

Mr. WARREN. The question propounded by the Senator from Colorado [Mr. THOMAS] interests me because, as the Senator has stated, appropriations have to be made and some one has to take some responsibility and know what is expected and what can be furnished. I remember that we had a children's bureau established on a direct promise—I am glad it was not kept completely, but I should have liked to have had it kept a little nearer—that it would not cost more than $25,000 a year. It now costs us three or four hundred thousand dollars a year, and we have to refuse several hundred thousand dollars more which is each year asked for.

Mr. KENYON. Does not the Senator think the work the Children's Bureau is doing for the children of the country can hardly be estimated in money?

Mr. WARREN. Yes; I think they are doing very well.

Mr. KENYON. We appropriate a good deal more for the hog cholera, the boll weevil, and all such things, and it seems to me we ought to take care of the children.

Mr. WARREN. I do not think because they are doing that kind of good work that they should send committees all over the country on junkets.

Mr. KENYON. I agree with the Senator on that.

Mr. WARREN. Of course, I expected the Senator to agree with me on that. I wish, as the Senator does, to furnish every facility possible to take care of the young, and certainly we

need the assistance of the women, but I should like to have the women themselves, and I should like to have this department, and I should like to have those who propose this, if they can, give us some idea what it is to cost and how broadly this is to be opened up and whether it is to be one of these institutions of entertainment rather than pure, straight instruction.

Mr. KENYON. I know, of course, that every one of these bureaus can be abused. There are nearly 12,000,000 women engaged in this country as wage earners. This is a bureau to study the problems of the women wage earners. I can not say, of course, to what extent it will go.

Mr. OVERMAN. Will the Senator yield to me?

Mr. KENYON. Certainly.

Mr. OVERMAN. We appropriated in the sundry civil appropriation bill $75,000 for a division for women under the Labor Department. They have the money and they are doing the work and, I have no doubt, good work. Why is it that they desire to make this a bureau?

Mr. KENYON. The bureau, if you may call it that, which now exists, has no fixed status. This is to give it a status.

Mr. OVERMAN. Why has it not had a status before this time?

Mr. KENYON. It has no status. It just runs from year to year. This makes it a permanent bureau. What it will cost will depend upon the recommendations of the Committee on Appropriations.

Mr. OVERMAN. The question is as to having some chief there?

Mr. KENYON. There is a chief there now.

Mr. OVERMAN. There is a head of the division, but I do not know that there is a chief.

Mr. KENYON. I do not know that you would call her a chief. There is a most accomplished woman in charge of it.

Mr. OVERMAN. I admit that. We can not criticize it at all, but I wish to know why they want to make it a bureau, because bureaus are very costly. Whenever we create a bureau it quickly expands; and I think in this instance that we could get along better probably and do the work which is necessary to be done more cheaply without establishing a bureau. That is my idea.

Mr. KENYON. The thought of the women is that this legislation will give the bureau a status and a dignity and a standing which is in keeping with their rights and condition in the country. If the Senator will read in the hearings the testimony of Mrs. Bass, who is connected, I think, with the Democratic National Committee in some capacity, he will find a very clear exposition of why the women of the country are asking for the establishment of this bureau. Representatives were at the hearings who claimed that they spoke for about 9,000,000 women in this country. I do not know that they did; but I know that the national committees of the two great parties were represented. The Women's Voters' League, which has a tremendous membership in this country, were represented and they felt that it would give the bureau a status and dignity to make it permanent. That is all there is to it.

Mr. WARREN. If the Senator from Iowa will yield further, the Senator from North Carolina [Mr. OVERMAN], who has just spoken, worked with me up to a late hour last night in connection with the conference committee on the sundry civil bill, which, as he states, and as the Senator from Iowa has stated, carries $75,000 to carry on this work, although not, perhaps, for this particular purpose; yet that amount is wholly for the woman's division.

Mr. KENYON. It would be used for this purpose.

Mr. WARREN. It would be used for the same general purpose. The House bill did not contain that provision when it came to the Senate. It had been placed in the bill there, but went out, I believe, on a point of order.

Mr. KENYON. I think the House passed this particular bill almost unanimously. There were only a few votes against it.

Mr. WARREN. As to the amount of money provided for the bureau, of course, it can hardly be compared to the appropriations for certain divisions, we will say, of the office of the Commissioner of Indian Affairs or of the Commissioner of the General Land Office, and the amount of money appropriated would hardly be sufficient to justify making it a bureau, with a $5,000 chief and a $3,500 subchief.

Mr. KENYON. It would have to, because it is all the money that has been appropriated.

Mr. WARREN. One moment. I am simply saying that the salaries proposed to be paid for this particular bureau are greater than those in other services of the same size.

Mr. KENYON. The salaries are exactly the same as those paid in the Children's Bureau.

Mr. WARREN. Taking that view of it, I know that was done as to the Children's Bureau, and therefore we have had to appropriate a little more money for it than for any other bureau, because, having paid $5,000 at the top, we had to raise the dignity of that bureau and appropriate many hundreds of thousands of dollars a year more than we had any idea of doing, at least until we knew something of its work and worth.

This bill provides that the bureau shall have a chief clerk, special agents, assistant clerks, and other employees. There is no statement as to what they will cost, but all of them, I assume, the Senator from Iowa expects to cover with the $75,000 that is appropriated.

Mr. KENYON. Section 4 of the bill reads:

> And in such numbers as Congress may from time to time provide by appropriations.

Mr. WARREN. But as appropriations for the bureau will come up every year, and the Senator himself is an honored member of the committee, I think the Senate ought to understand something of what the prospects and expectations are, so that when we want to provide for all needful things under the bureau it may not be held up as something about which we are unduly stingy, if we do not appropriate as much money for it as some other bureau is receiving with a head and with a subhead receiving like salaries.

Mr. KENYON. The Senator from Wyoming will have to rely on their reasonableness.

Mr. WARREN. I should like to have the Senator state, if he will, what his expectations are as to what will be necessary to conduct this bureau hereafter along the line that he has outlined in his mind.

Mr. KENYON. In the way of employees?

Mr. WARREN. Yes; altogether. The Senator has provided for rather more than employees in the bill, because other expenses will be incurred.

Mr. KENYON. I suppose the amount of the appropriation will increase; it would be idle to claim anything else. The problems with which they will deal will increase. I am unable to say, of course, what the women will ask for this bureau. The Senator from Wyoming has had as much experience as I have as to the reasonableness or unreasonableness of women, but I think he will find them reasonable.

Mr. WARREN. That is the reason why I should like, in the very incipiency of this movement, to know for those who have to provide the means, what the expectation may be; that is all.

Mr. KENYON. I could go ahead and point out what they expect to do and what they have been doing under the bureau as it now exists. In answer to the Senator's question I go back to the language of the bill, which provides:

> It shall be the duty of said bureau to formulate standards and policies which shall promote the welfare of wage-earning women, improve their working conditions, increase their efficiency, and advance their opportunities for profitable employment.

That is the kernel of the bill—anything they can do to promote the welfare of wage-earning women. Here are some of the things they have worked out: The question of seats in industrial establishments, where there are thousands of women working; the question of toilets, of sanitation, of rest rooms, of drinking facilities; guarding against dangerous machinery; protection against dust; fire escapes, and hundreds of other things which enter into the welfare of the wage-earning women.

This bureau has made studies at the request of various States, for instance, a study on wages and conditions of candy makers in Philadelphia; also as to the eight-hour day in Federal and State legislation; night work for women in various factories; women in the Government service. They made a special investigation of the wage-earning women in the factories in Bridgeport, Conn. They also made a similar investigation at the request of the State of Virginia as to the hours and conditions of work for women in industries in Virginia. That is the general line of work which they have been doing. They have not had very large appropriations in the past up to this time; I think they have had only $40,000. The general purpose of the bill is to help in all the problems that may affect at least 12,000,000 wage-earning women in this country and to provide a bureau having in view their welfare. What it will cost will depend upon the Appropriations Committee.

Mr. WADSWORTH. Mr. President, if the Senator will pardon me, as a matter of fact, is it not true that this bureau is to do just what they have been doing?

Mr. KENYON. Undoubtedly. They will also standardize the work.

Mr. OVERMAN. Mr. President, the Senator says that the amount of the appropriations for this bureau will depend on the Appropriations Committee. I have had some little experience

with bureaus of the Government. I have heard promises made on their behalf upon the floor of the Senate as to the amount of appropriations they would require. I recall that it was said of one bureau that it would not cost over $25,000 a year, but it is now costing $400,000.

Mr. REED. Which one is that?

Mr. OVERMAN. I refer to the Children's Bureau. So far as the Appropriations Committee is concerned, if the Senator depends on them, I am afraid the reliance will not be a strong one, for when we tried to hold down the Children's Bureau, for instance, to an appropriation of $200,000, I think, the Senator from Iowa fought that effort of the committee——

Mr. KENYON. Yes, sir; I fought it and tried to get the appropriation increased, and I am proud of that action.

Mr. OVERMAN. So that the appropriation was increased beyond what the Committee on Appropriations had recommended by $125,000.

Mr. KENYON. Yes, sir; and it should have been raised.

Mr. OVERMAN. I am not criticizing the Senator; I am merely telling him of my experience and what has happened heretofore. I am not fighting this bill, although I do not see why the organization covered by it should be made a bureau, for I know how all bureaus after their creation are quickly expanded, as evidenced by the estimates they send in. The budget system may change conditions somewhat; I hope it will; but the Appropriations Committee can not hold these items down, for when the children or the women appeal to the Senate, the Senate will always override the Appropriations Committee. So what the appropriations for the women's bureau will be, no man knows. It is proposed to appropriate $75,000 now. I hope they are doing good work; I think they are, and, I repeat, I am not opposing the bureau; but I wish to warn the Senate that there will be an estimate here next year for over $200,000, and probably some Senator will get up and appeal for the women, and the Senate is just as apt as not to make the appropriation $500,000.

Mr. REED. Mr. President, may I ask the Senator a question?

Mr. OVERMAN. Yes.

Mr. REED. Does the Senator think they are likely to appropriate any more money for the benefit of the women of this country than some gentlemen are anxious to appropriate for the benefit of the women of Armenia, Europe, Asia, and Africa?

Mr. OVERMAN. I am ready to appropriate any money that may be necessary for the welfare of the children or, if necessary, for the welfare of the women of Armenia to help them; but I do not want extravagance in the governmental departments; and I think there is extravagance in various bureaus, indeed, a great deal of extravagance. The estimates which they send to Congress show that to be the fact, but we can not hold them down. I am just telling the Senator of the experience we have had. I am not fighting the bill of the Senator from Iowa; I stand for the women everywhere—in Armenia and everywhere else—and I want to help them so far as I am concerned——

Mr. KENYON. I hope the women of North Carolina will appreciate the attitude of the Senator.

Mr. OVERMAN. But I want some expression from the Senator so that we may have the benefit of it in the future when it comes to making appropriations for the women's bureau.

Mr. KENYON. The Senator will get no expression from me to be used in the future as to limiting the cost of any work for the welfare of the women or the children of this country. I will vote for appropriations for such a purpose quite as quickly as for appropriations to eradicate the boll weevil in the South or hog cholera or many similar appropriations which we vote. When the Senate has just voted about $250,000 for free seeds, it ought not to say much about $75,000 for the women of the country.

Mr. OVERMAN. The Senator can not estimate, then, from the provisions of this bill, in view of the powers it confers and the duties it imposes on the women's bureau, how much that bureau is going to cost?

Mr. KENYON. It is going to cost $75,000 this year, and I think it is going to cost more next year, and will eventually cost considerably more.

Mr. OVERMAN. I am glad the Senator is so candid, and I have endeavored also to be candid in discussing this question, because I am a member of the committee.

Mr. KENYON. If the bureau does not do good work, I will join the Senator in abolishing it, but if it does good work for the women of the country, especially for the women who are toiling in industry and who have not any particular friends to take care of their interests, I shall be here urging that money be appropriated for its maintenance.

Mr. WADSWORTH. Mr. President, will the Senator yield?

Mr. KENYON. Yes.

Mr. WADSWORTH. The Senator upon one or two occasions has been rather severe on the steering committee, of which I am an unfortunate member. I am sure the Senator will recollect that the much-abused steering committee has done its best to see that the women's bureau bill shall be one of the measures to be considered at this session.

Mr. KENYON. I congratulate the steering committee for having given the bill a place on the program, and I thank the Senator from New York for what he has done.

Mr. THOMAS. Mr. President, I shall not oppose the passage of this bill, although I shall vote against it. The number of bureaus and other agencies in the various departments is steadily multiplying. Whenever any particular activity reaches a certain stage, application is almost immediately made for its creation as a bureau. They have small beginnings, but it is not long before these bureaus have developed into full bedroom sets. They are the prolific source of other bureaus. I have no doubt this will be the basis for a number of subsidiary bureaus; that is, subsidiary at the commencement, but, as time passes on, each will have a distinct individuality of its own. We are a bureau-governed country. The world may have been made safe for democracy, but this country was long ago made safe for bureaucracy; and the activities of the bureaus are becoming so numerous, and the statutes regulating them and defining the penalty for disregard of their requirements are increasing so rapidly, that it is extremely difficult for the average man to avoid all of the various rules, regulations, and penalties that have been crystallized into statutes by Congress during the progress from the simpler forms of republican government to a bureaucracy.

When I was a boy the old Anglo-Saxon faculty of self-reliance, confidence of the individual in himself, and the assumption that the Government was created by the people for their security and prosperity was the prevailing sentiment. Nowadays the Government is regarded as an institution created and existing for the purpose of doing something for others, and as a consequence every agency and every enterprise which meets with any obstacles during the course of private development now appeals to the United States of America either to take it over or for that amount of assistance which is more than equivalent to the difference between success and failure.

I do not care to say anything more upon the subject, but I want to ascertain, if I can, if there is anybody here who is authorized to speak for the steering committee of the majority, whether it is intended to hold any more night sessions.

Mr. KENYON. Mr. President, the Senator looks at me. I have no right to speak for the steering committee.

Mr. THOMAS. I am looking at the Senator because I always like to look at him.

Mr. KENYON. I hope there will be more night sessions if we are going to adjourn, so that we can complete the business of the Senate.

Mr. THOMAS. Mr. President, at the close of a session and during the haste which must attend the transaction of legislative business advantage is always taken, if possible, to jam legislation through Congress which opportunity for a more careful investigation would have made impossible; and I am satisfied that the closing hours of this session will not differ materially from others. I know of a number of measures that are upon the calendar that are very important and perhaps they should be summarily disposed of; but, speaking for one, I do not propose to permit that sort of thing to go on between now and next Saturday night if I can help it, and I sincerely trust that night sessions will not be held. It is difficult to secure quorums. It is very difficult to secure quorums in this body at any time. It is extremely difficult to secure the average attendance of more than 15 or 20 Members of this body at any time. These night sessions interfere very materially with social and other engagements of Senators, who necessarily prefer their enjoyment to the dry and more prosaic duties or senatorial life; and that is just the time when a Senator who has some bill—and I am casting no reflection either upon his motives or upon his bill—finds an opportunity to accomplish legislation which, upon a more careful inspection, we might not feel justified in approving.

Mr. President, I never like to take advantage of people, and so I take this opportunity to say that if I am called here tomorrow night or the next night or the night after the chances are that Senators will find that "I am from Missouri."

Mr. REED. Mr. President, I want to say just a word on this bill.

I have not agreed with some of the demands that have been made by women; but here is a bill which proposes to establish a machinery which may be of very great assistance to those women of the country who are obliged to earn their living or who do work at various vocations. The objection urged to it is that the organization is to be called a bureau, and that, having been given that name, expense may be attached in the future to carrying on the work.

I am as much opposed to government by bureaucracy as any other man; but is this bureau a bureaucracy within the common acceptation of that term? I think not. I have had occasion to criticize the Department of Labor. I think it far from perfect; and yet I believe the Department of Labor has been a great benefit to this country, taken as a whole, and that if it is properly run and managed it is capable of infinite blessing for the people of the United States—not only for the laborer but for the capitalist and for all classes of people.

When that organization originated, there was merely a commissioner of labor; and when it was proposed to make the head of the Department of Labor a Cabinet position, it was insisted that the expenses would become very great and burdensome. It is true that the expenses have increased enormously, but it is also true that the work of the department has increased enormously; and I repeat that properly managed and run it is capable of infinite blessing.

We are running a Department of Labor; and if we run a Department of Labor, I can not understand why, under modern economic conditions, there should not be a subdepartment or bureau devoting its energies for the benefit of the woman wage earner.

The question of woman's place in the industrial world is one of growing importance. Under old conditions almost every woman lived in her father's house until she was married. Her energies were almost entirely directed to domestic affairs. There was but a small percentage of women who went out into the world to buffet with its tasks. I am not sure but that it would be a very good thing if we could return to old conditions, but that can not be done. I believe most healthy-minded women would vote in favor of it if they could control it by their votes. The fact is, whether it be a pleasant or an unpleasant fact, that ten or twelve million women in the United States are wage earners. The fact further is that because they are women they have at least in some instances been discriminated against. With this vast body of women engaged in industrial employments of various kinds, and with the policy established of a Labor Department, it seems to me beyond reasonable dispute that there should be an organization within the Labor Department headed by a woman to look after those matters which particularly affect the women of the country who are obliged to earn their living.

I have no question but that this is one of the tasks which can be performed better by a woman than by a man. I do not mean, necessarily, that a woman can do better than a man all of the things incident to the protection of the woman worker; but there are some of the duties which she can undoubtedly perform better, simply because she is a woman, and knows woman's nature and woman's disposition and woman's wants.

Now, it will cost some money; but that can be said of every place we create, of every duty we impose, of everything we attempt. The question as to the amount of cost is within the control of the Congresses of the future.

Mr. President, this bill appeals to me because it proposes to do something for the people of the United States. It was suggested by the Senator from North Carolina [Mr. OVERMAN] that another bureau, to look after children, which only asked the modest sum, I think he said, of $40,000 to begin with, is now demanding $400,000 a year, and he held it up before us as a sort of horrible example of expense and waste. Yet I saw the Senator from North Carolina vote, without batting an eye, for an appropriation of a hundred million dollars to be given as an outright benefaction to the people of Europe. I do not criticize him for it, but charity which extends to Europe ought to lap over in this country far enough to cover the necessities of our own people.

I have seen the same distinguished Senator sit here day after day and vote for a League of Nations, the central thought of which is that the United States shall expend its blood, its treasure, and its energies for the benefit of peoples thousands of miles from our coasts, in order to protect them, it may be, against their own wrongs and their own weaknesses.

I saw him vote to-day for an amendment to the Armenian resolution. I think he voted for it; if he did not, many others did, and I am not singling him out as a horrible example, but as a type. I believe he was paired. That amendment proposed to raise $50,000,000 in this country to lend to Armenia to look after Armenian women and children and men. We are constantly told that it is our duty to go out and democratize the world, to reform humanity, to feed the hungry of every land, to clothe the naked of every country, to educate them, and, finally, to force our system of government, or something akin to it, upon them.

All of this is to cost millions of money, thousands of millions of money, and many thousands of millions of money. It is to be done without the slightest hesitation by some of our friends. The spirit of sacrifice is upon them. They anxiously seek the opportunity to take the treasure of the United States and employ it five or six thousand miles from here.

But the minute it is proposed to spend something for the folks at home, for the white women who struggle against adversity and who battle with want, they become very backward and hesitant and economical and parsimonious and impecunious, and each sets himself up as the watchdog of the Treasury and fills the air with the loudest and most inharmonious bayings.

Mr. KENYON. Mr. President, was there not an amendment suggested to-day, which received quite a substantial vote, to give the President practically a blank check, to spend any amount of money in Armenia?

Mr. REED. I so understood it.

Mr. President, in a moment I shall conclude. Here is a country of 110,000,000 people, growing all too fast. Immense populations have been poured in through our ports. We have not had time to assimilate them. The native population has increased with remarkable rapidity. At the close of the Civil War we had about 38,000,000 people in this country; to-day we have 110,000,000 people. Then the vast area almost from the Mississippi River to the Pacific was unoccupied and unpeopled.

The virgin prairie invited the plowshare of the farmer. The untouched forest stood where it had always stood, free from the ax of man. All these resources were there to draw from. We did not need to observe the care and prudence which is now an absolute necessity.

Then, probably, there were 30 per cent more farmers in proportion to the whole population than there are to-day. Now we have vast cities, with many of the evils arising from congested populations. The time has come in this country to look after the development of the American citizen. The time has come to begin spending money to see to it that children do not go hungry and are not reared in vice, ignorance, and crime. The time has come to make the condition of the wage earner as pleasant, as agreeable, as healthful as possible. The time has come to spend money to teach people how to earn a living and how to live. This bill is framed in the hope that it may assist in producing some of these beneficent results.

It may not work. It will depend altogether upon the character of people who are placed at the head of the bureau. The Department of Agriculture would have been a failure if it had not been originally placed in the hands of men who were wiser in their day and generation than most of the farmer folk. The United States Army will be a failure if the general at its head and the General Staff are incompetent. The Congress will be a failure if there are not some men of ability and some men of patriotism in the Congress.

So it is with every activity we set up. All will depend upon the method of execution. But we can not hope to succeed unless the effort is made, and, Mr. President, I intend to vote for this bill.

Mr. KING. Mr. President, I offer the following amendment, on page 2, line 1, after the word "shall," to insert "have authority to," so that the sentence will read:

The said bureau shall have authority to investigate and report to the said department upon all matters pertaining to the welfare of women in industry.

Mr. KENYON. I have no objection whatever to that amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. KENYON. I move that the Senate request a conference with the House of Representatives on the bill and amendments and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. KENYON, Mr. BORAH, and Mr. WALSH of Massachusetts conferees on the part of the Senate.

Mr. KING obtained the floor.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. KING. I will yield to the Senator for a question.

Mr. NORRIS. I was going to ask unanimous consent to call up a bill.

Mr. KING. I think I shall have to object. I move that the Senate adjourn.

The motion was agreed to; and (at 9 o'clock p. m.) the Senate adjourned until to-morrow, Wednesday, June 2, 1920, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *June 1, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father of light and life, justice and mercy, love and purity, let Thy spirit, we beseech Thee, possess our souls, to guide us in the closing days of the first regular session of the Sixty-sixth Congress, that, with patience, urbanity, efficiency, these Thy servants may discharge the duties devolving upon them to the good of the common weal. In the name of the Father, and the Son, and the Holy Ghost. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 370. Joint resolution to amend an act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920," approved May 31, 1920.

The message also announced that the Senate had passed with amendment the bill (H. R. 6222) to remove a certain tract or lots of land in Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, pursuant to the act of Congress of August 24, 1912 (37 Stat., ch. 390, p. 565), in which the concurrence of the House of Representatives was requested.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on May 31, 1920, approved and signed bill of the following title:

H. R. 12272. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921.

RIGHT TO EXTEND REMARKS.

Mr. BLACK. Mr. Speaker, in the Appendix to the CONGRESSIONAL RECORD is an extension of remarks by the gentleman from North Dakota [Mr. BAER] on the adjusted pay for service men.

The House so far has refused to give to anyone leave to extend remarks on that subject, but I presume the gentleman from North Dakota [Mr. BAER] left the city under the impression that general leave would be given. For that reason I shall not at this time move to correct the RECORD, but I expect to endeavor to get into communication with the gentleman from North Dakota with a view to having the RECORD corrected; and I want to say now——

Mr. SINNOTT. Will the gentleman yield?

Mr. BLACK. In just a moment. I want to say now that Members ought not to extend their remarks when specific objection has been made.

Mr. SINNOTT. Will the gentleman yield?

Mr. BLACK. Yes; I yield.

Mr. SINNOTT. In justice to the gentleman from North Dakota [Mr. BAER], I wish to state that I had a talk with him the other day and he informed me that he intended to extend under leave given him some time ago. As he is not present, I wish to make that statement.

Mr. BLANTON. Will the gentleman yield?

Mr. BLACK. I yield.

Mr. BLANTON. I will state that not so very long ago I heard the gentleman from North Dakota ask leave to extend his remarks, and leave was granted. I remember that distinctly, because I told him afterwards that I did not object on account of a certain matter.

Mr. BLACK. I do not wish to do the gentleman from North Dakota any injustice, and if these gentlemen remember the facts correctly, of course I gladly stand corrected. I was assuming that the gentleman from North Dakota had extended his remarks after the speech that he made Saturday afternoon on the bill then before the House, and that was what I called attention to.

Mr. SINNOTT. The gentleman from North Dakota casually mentioned the matter to me.

Mr. BLACK. I am glad the gentleman has made that statement.

Mr. MANN of Illinois. The gentleman will notice that this extension is of a speech delivered in the House on Saturday, May 29. It could not as a matter of right be printed as of that date under a prior leave given.

Mr. BLACK. I think the gentleman from Illinois is correct as to his statement of the rules of the House.

Mr. BEE. May I ask the gentleman from Texas also whether he thinks the word "applause" at the close of the speech should be stricken from the RECORD. I doubt if there was any applause.

Mr. BLACK. Without taking the time of the House any further, I will look into the matter and later bring it to the attention of the House.

Mr. GARRETT. Mr. Speaker, I do not think it would be in accord with the proprieties for gentlemen who obtained general leave prior to consideration of the bonus bill to extend their remarks now on that bill. There is objection to it. There is determined objection that there shall not be unanimous consent for the extension of remarks upon the bonus bill. It would be unfair to Members of the House who desire to extend their remarks upon that bill for those who heretofore have obtained general leave to utilize that leave and extend upon a subject that was not then before the House, and had not been considered.

Mr. MANN of Illinois. The gentleman will readily see that, whether they extend or not, they can not extend under date of last Saturday.

Mr. GARRETT. Certainly not. Furthermore, Mr. Speaker, in view of the known opposition to the extension of remarks upon this subject, I think that gentlemen hereafter who ask permission to extend their remarks in the RECORD should make it perfectly clear that they are not seeking, either directly or indirectly, to print remarks on the bonus bill. I am not accustomed to making objections to gentlemen extending their remarks. Very few times have I ever done so; but I do intend to object, and I wish I could now make an objection which would remain throughout the rest of this session to any extension of remarks upon that bonus bill. I intend to object to that, and a number of other gentlemen do; and, in order to avoid any embarrassment of having to inquire of gentlemen what they desire to extend upon, I wish to say that I hope Members who ask consent to extend their remarks will state on what subject they propose to extend them, and will distinctly understand that if they do extend upon this bonus bill, directly or indirectly, without specific authority, they will subject themselves to the proposition of a motion to strike their remarks from the RECORD.

Mr. CRAMTON. Will the gentleman from Texas yield for a moment?

Mr. BLACK. If I have the floor, yes.

Mr. CRAMTON. I want to suggest that this matter of extension seems to give rise to abuse unless there is constant objection made. Within a few days I have noticed an extension in the RECORD of a purely personal political document by a Member of this House. Owing to his absence, I will not mention his name, but it is a purely political document, that never should have any place in the RECORD. I investigated the RECORD of the date assigned to that document and I was unable to find under that date any permission given the gentleman to extend for any purpose. Now, it would seem to me that at least the House has the right to have a date assigned that will enable us to verify the leave given. In the case I have in mind I have not been able to find that any leave was given. The insertion was a gross abuse of the privileges of the House.

Mr. BLACK. I agree with the gentleman that Members ought to get specific leave before they take the liberty of extending.

The SPEAKER. The Chair would like to suggest that the Chair thinks whenever a Member extends remarks he should extend them as of the date when the permission was granted.

AGRICULTURAL APPROPRIATION BILL.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent for the present consideration of a joint resolution.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of a joint resolution, which the Clerk will report.

The Clerk read as follows:

House joint resolution (H. J. Res. 370) to amend the act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921," approved May 31, 1920.

Resolved, etc., That the provision of the act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921," approved May 31, 1920, which reads as follows: "That hereafter each lot of cotton classified as tenderable in whole or in part on a section 5 contract of said act as amended shall give to the buyer the right to demand that one-half of the contract shall be delivered in the official cotton standard grades of the United States from the grades of middling fair, strict good middling, good middling, strict middling, and middling, and that the seller shall have the option of delivering the other half of said contract from any of the official cotton standard grades as established in said act," be, and the same is, hereby repealed.

Mr. HAUGEN. Mr. Speaker, the resolution has reference to the so-called Comer amendment. Through some oversight or error in enrolling the bill, that amendment was included in the bill as it was signed by the Speaker and the Vice President and approved by the President. As will be recalled, the Senate receded from its disagreement on their amendment to the bill. As I have stated, through some oversight or error in the enrollment of the bill, this Comer amendment was included, when it had no place there. This joint resolution is offered simply to repeal that part of the bill.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

NAVAL APPROPRIATION BILL—CONFERENCE REPORT.

Mr. BUTLER. Mr. Speaker, I call up for consideration the conference report on the bill H. R. 13108, the naval appropriation bill, and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Pennsylvania calls up the conference report on the naval appropriation bill and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 7, 8, 12, 14, 17, 19, 21, 25, 26, 27, 29, 35, 36, 55, 56, 57, 58, 68, 69, 72, 74, 75, 77, 81, 86, 88, 91, 92, 93, 100, 102, 103, 104.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 15, 16, 18, 20, 23, 34, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 59, 60, 61, 62, 63, 64, 66, 70, 71, 73, 76, 79, 83, 84, 89, 90, 94, 96, 97, 98, 101, 105, and agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In the first line of said amendment strike out the figures "$50,000" and reinsert in lieu thereof the following: "$30,000"; and, in the fourteenth line of said amendment, after the word "oil," occurring in the phrase "and those from all royalty oil," insert the following: "from lands in the naval reserves"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "$20,000,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "$3,883,400"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "$4,962,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"The Bureau of Navigation, Navy Department, is hereby directed to furnish to the proper officers in the several States, Territories, insular possessions, and the District of Columbia of the United States, on or before June 30, 1921, statements of the services of all persons from those several places who served in the Navy during the War with Germany, and for that purpose a sum not to exceed $200,000 is hereby appropriated for obtaining the necessary material and the employment of the necessary clerical force, and the further sum of $100,000 shall be allotted of the appropriation of $404,140 for temporary employees, Bureau of Navigation, contained in the legislative, executive, and judicial appropriation act for the fiscal year 1921: *Provided*, That no part of the said appropriation of $404,140, or of the appropriation of $200,000 herein made, shall be used for the pay of any employee who is engaged on other than work of the Bureau of Navigation."

And the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "two persons"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: Strike out "$1,200,000" and in lieu thereof insert the following: "$850,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: Strike out "$300,000" and in lieu thereof insert the following "$275,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: Strike out "$600,000" and in lieu thereof insert the following: "$575,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: Strike out "$500,000" and in lieu thereof insert the following, "$375,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"The Secretary of the Navy is hereby authorized, in his discretion, to establish at two of the permanent naval training stations experimental summer schools for boys between the ages of 16 and 20 years. For this purpose he is authorized to use such buildings, or other accommodations, at such training stations; to loan any naval equipment necessary for such purposes, and to give instructions which will fit them for service in the Navy of the United States. He is empowered to establish and enforce such rules within the camp as may be necessary and to detail such members of the naval personnel as may be required in order to encourage and execute the spirit of this act. The Secretary of the Navy is further authorized to loan the necessary naval uniforms during the period of training and to furnish subsistence, medical attendance, and other necessary incidental expenses for those attending these schools: *Provided*, That those under instruction, with the consent of their parents or their guardians, shall enroll in the Naval Reserve Force for not less than three months, and no person not so enrolled shall be admitted to said training schools. For carrying out the provisions of this paragraph the sum of $200,000 is appropriated."

And the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"*Provided further*, That, until June 30, 1922, of the Organized Militia as provided by law, such part as may be duly prescribed in any State, Territory, or the District of Columbia shall constitute a Naval Militia; and, until June 30, 1922, such of the Naval Militia as now is in existence, and as now organized and prescribed by the Secretary of the Navy under authority of the act of Congress approved February 16, 1914, shall be a part of the Naval Reserve Force, and the Secretary of the Navy is authorized to maintain and provide for said Naval Militia as provided in said act: *Provided further*, That upon their enrollment in the Naval Reserve Force, and not otherwise, until June 30, 1922, the members of said Naval Militia shall have all the benefits, gratuities, privileges, and emoluments provided by law for other members of the Naval Reserve Force; and that, with the approval of the Secretary of the Navy, duty performed in the Naval Militia may be counted as active service for the maintenance of efficiency required by law for members

of the Naval Reserve Force: *And provided further*, That all moneys appropriated for the Naval Reserve Force or for the Naval Militia shall constitute one fund and hereby are made available, under the direction of the Secretary of the Navy, for both."

And the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: Strike out "$200,000" and in lieu thereof insert the following: "$100,000"; and the Senate agree to the same.

Amendments numbered 65, 67, 78, 80: That the House recede from its disagreement to the amendments of the Senate numbered 65, 67, 78, 80, and agree to the same with an amendment as follows: Strike out all of said amendments and in lieu thereof insert, on page 20, after line 6, the following:

"That a special joint committee is hereby created, to be composed of five Members of the Senate to be appointed by the President of the Senate, and five Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. The committee shall investigate the advisability of establishing, developing and maintaining a naval base on San Francisco Bay or the waters tributary thereto. The committee shall prepare comparative estimates of the cost of acquiring, establishing, developing, and maintaining such sites and shall report to the Congress of the United States not later than December 31, 1920, the result of its investigation, together with such other recommendations, estimates, and information as it deems proper, including information concerning a deeper channel to Mare Island Navy Yard and a sufficient water basin at Mare Island.

"That said committee shall also investigate and report in like manner as to the advisability and cost of establishing an aviation base at Sand Point, King County, Wash.; a submarine base at Los Angeles Harbor (San Pedro), Calif.; and a submarine, destroyer and aviation base at Port Angeles, Wash.

"That the Secretary of the Navy is hereby directed to detail such technical experts to assist the committee as the committee may request.

"That the expenses of said committee shall be paid, one-half from the contingent fund of the House of Representatives and one-half from the contingent fund of the Senate, upon vouchers authorized by the committee and signed by the chairman thereof; and for the cost of borings and the procuring and collating of all other technical data in connection with such investigation, there is hereby appropriated out of any moneys in the Treasury not otherwise appropriated the sum of $50,000."

And the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "$10,751,950"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"That hereafter, immediately upon official notification of the death from wounds or disease, not the result of his or her own misconduct, of any officer, enlisted man, or nurse on the active list of the Regular Navy or Regular Marine Corps, or on the retired list when on active duty, the Paymaster General of the Navy shall cause to be paid to the widow, and if there be no widow to the child or children, and if there be no widow or child, to any other dependent relative of such officer, enlisted man, or nurse previously designated by him or her, an amount equal to six months' pay at the rate received by such officer, enlisted man, or nurse at the date of his or her death. The Secretary of the Navy shall establish regulations requiring each officer and enlisted man or nurse having no wife or child to designate the proper dependent relative to whom this amount shall be paid in case of his or her death. Said amount shall be paid from funds appropriated for the pay of the Navy and pay of the Marine Corps, respectively: *Provided*, That nothing in this section or in other existing legislation shall be construed as making the provisions of this section applicable to officers, enlisted men, or nurses of any forces of the Navy of the United States other than those of the Regular Navy and Marine Corps, and nothing in this section shall be construed to apply in commissioned grades to any officers except those holding permanent or probationary appointments in the Regular Navy or Marine Corps: *Provided*, That the provisions of this section shall apply to the officers and enlisted men of the Coast Guard, and the Secretary of the Treasury will cause payment to be made accordingly."

And the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"That the Superintendent of the Coast and Geodetic Survey shall have the relative rank, pay, and allowances of a captain in the Navy, and that hereafter he shall be appointed by the President, by and with the advice and consent of the Senate, from the list of commissioned officers of the Coast and Geodetic Survey not below the rank of commander for a term of four years, and may be reappointed for further periods of four years each."

And the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "including not to exceed $20,000 for the purchase of land necessary for radio shore stations"; and the Senate agree to the same.

Amendment numbered 99: That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"The authorized enlisted strength of the active list of the Marine Corps is hereby permanently established at 27,400, distribution in the various grades to be made in the same proportion as provided under existing law: *Provided*, That all officers serving temporarily in the grades of captain and below upon the date of the passage of this act shall be eligible to fill existing vacancies and those hereby created in the permanent authorized strength in said grades by transfer to or reappointment in the permanent Marine Corps in the grades not above that of captain. Transfers so made shall be without regard to age, and if found not qualified for transfer to the same grade as that held by them on the date of transfer then to lower grades after qualification. All officers so transferred shall establish to the satisfaction of the Secretary of the Navy, under such rules as he may prescribe, their mental, moral, professional, and physical qualifications to perform the duties of the grade to which transferred or reappointed and shall take precedence with each other and with other officers of the Marine Corps in such order as may be recommended by a board of marine officers and approved by the Secretary of the Navy: *Provided*, That all persons who served honorably as officers in the Marine Corps or Marine Corps Reserve on active duty at any time between April 6, 1917, and the date of the passage of this act and who have been honorably discharged or assigned to inactive duty shall be eligible for permanent appointment in the same or a lower rank than that held on discharge or assignment to inactive duty, but not above the rank of captain, to fill vacancies existing or hereby created in the permanent authorized strength of the Marine Corps under the same conditions as those above prescribed for officers now in the service: *Provided further*, That officers now holding temporary commissions in the Marine Corps and who have had more than 10 years' service therein, if not found qualified for permanent commissions, and who are recommended by the board herein provided for, may be appointed warrant officers in the Marine Corps; and the authorized number of warrant officers is hereby increased by a number not to exceed 50 to provide for the appointment of the aforesaid officers: *Provided further*, That all transfers and appointments made in accordance with the provisions of this section shall be accomplished by June 30, 1921: *Provided further*, That the officers now holding temporary appointments as commissioned officers in the Marine Corps may retain their temporary commissions until the permanent appointments provided for in the foregoing section shall have been made."

And the Senate agree to the same.

Amendment numbered 106: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"SEC. 2. That the Secretary of the Navy is hereby authorized to employ on active duty, with their own consent, members of the Naval Reserve Force in enlisted ratings, the number so employed not to exceed during any fiscal year the average of 20,000 men: *Provided*, That the number of naval reservists, so employed on active duty, together with the total number of enlisted men in the Regular Navy, shall not exceed the total enlisted strength of the Navy as authorized by law: *Provided further*, That such members of the Naval Reserve Force so employed shall serve on active duty for not less than 12 nor more than 18 months unless sooner released: *Provided further*, That hereafter no person shall be enrolled in the Naval Reserve Force except for general service: *And provided further*, That the number of commissioned officers of the line, permanent, temporary, and reserve on active duty shall not exceed 4 per

cent of the total authorized enlisted strength of the Regular Navy, and the number of staff officers on active duty of whatever kind shall be in the same proportions as authorized by existing law: *Provided further*, That 500 reserve officers are also authorized to be employed in the aviation and auxiliary service: *And provided further*, That, until December 31, 1921, temporary appointments now existing may be continued in force in any grade or rank, not to exceed the number allowed in any grade or rank based upon the total permanent authorized commissioned strength of the line or of any staff corps; and, within the limitations herein prescribed, officers of the Naval Reserve Force may, with their own consent, be continued on active duty ashore or afloat, including three on shore duty in the Historical Section of the Office of Naval Intelligence, who may be retained on active duty beyond the age of disenrollment but not beyond June 30, 1922: *And provided further*, That nothing herein shall be construed as reducing the permanent commissioned or enlisted strength of the Regular Navy as authorized by existing law.

"That all officers of the Naval Reserve Force and temporary officers of the Navy who have heretofore incurred or may hereafter incur physical disability in line of duty shall be eligible for retirement under the same conditions as now provided by law for officers of the Regular Navy who have incurred physical disability in line of duty.

"SEC. 3. That officers holding temporary commissioned and warrant ranks in the Navy and members of the Naval Reserve Force of commissioned and warrant ranks shall be eligible for transfer to an appointment in the permanent grades or ranks in the Navy for which they may be found qualified not above that held by them on the date of transfer, but not to exceed a total of 1,200 commissioned officers in the line, of which number 500 may be appointed from class 5, Naval Reserve Flying Corps, with proportionate number in all Staff Corps as now authorized by law, except that the Medical, Dental, and Supply Corps shall be entitled to such additional numbers as are necessary to make up the full quota of officers in those corps, as now authorized by law: *Provided*, That officers so appointed to the line of the Navy shall take rank in accordance with their precedence while holding temporary rank, and members of the Naval Reserve Force of commissioned and warrant ranks found qualified for a given rank shall be arranged according to their precedence among themselves and commissioned in the permanent service next after the lowest temporary officer who qualifies for the same rank and is appointed in accordance with the provisions of this act:

"*Provided further*, That included in the number of transfers and appointments hereinbefore allowed, commissioned officers of the Coast Guard, who have served creditably under the Navy Department in the War with the German Government, upon suitable application approved by the Secretary of the Navy and the Secretary of the Treasury, may be appointed to a permanent rank or grade in the Navy for which found qualified by a board of naval officers under the provisions of existing law, but not above the rank of lieutenant commander, and shall take such precedence therein as the Secretary of the Navy may determine: *Provided further*, That for the purposes of computing longevity pay and retirement privileges of officers and enlisted men of the Navy, all creditable service in the Coast Guard and former Revenue-Cutter Service shall be counted.

"SEC. 4. That in addition to the number of transfers and appointments hereinbefore allowed, commissioned warrant officers of more than 15 years' service since date of warrant or date of first appointment as paymaster's clerk, pharmacist or mate, who have creditably served in the war with the German Government in temporary commissioned ranks or grades in the regular Navy, shall be appointed to a permament rank or grade for which they may be qualified as established and shown by their records of service during their term of service not above the temporary rank or grade held by them at the time of transfer: *Provided*, That officers so transferred to the line of the Navy shall take rank therein in accordance with their precedence while holding temporary rank: *Provided further*, That all officers so transferred in accordance with sections 3 and 4 of this act to the staff corps of the Navy shall take precedence with each other and with other officers in the Navy in such order as may be recommended by a board of naval officers and approved by the Secretary of the Navy: *Provided further*, That no transfers or appointments made in accordance with sections 3 and 4 of this act shall be to a higher grade or rank than lieutenant in the Navy: *And provided further*, That officers appointed to the permanent Navy in accordance with the foregoing sections who now hold permanent warrant or permanent commissioned warrant rank in the United States Navy shall, if they thereafter fail professionally on examination for promotion, revert to such permanent warrant or permanent commissioned warrant status.

"SEC. 5. That officers appointed under any of the foregoing provisions shall be not more than 35 years of age when so appointed to the line of the Navy, Construction Corps, or Supply Corps, and not more than 43 years of age when so appointed to the Corps of Chaplains, or to the Medical, Dental, or Civil Engineering Corps: *Provided*, That said age limits shall be increased in the cases of officers who have rendered prior service as paymaster's clerks, or as mates, or as warrant or commissioned officers in the naval service to the extent of all prior naval service: *Provided further*, That officers originally appointed to the Dental Corps above the said age limits shall be eligible for appointment and promotion under this act irrespective of age: *And provided further*, That officers of the line of the Navy who are appointed thereto pursuant to this act from sources other than the Naval Academy shall not be ineligible for promotion by reason of age as prescribed by the act of August 29, 1916 (39 Stat., p. 579), until they have rendered 10 years' service in the grade of lieutenant commander, 6 years' service in the grade of commander, or 8 years' service in the grade of captain, respectively, upon the completion of which service such officers, if then ineligible for promotion by reason of age, shall be retired in accordance with said act: *And provided further*, That until June 30, 1923, promotions to lieutenant (junior grade) and lieutenant may be made without regard to length of service: *And provided further*, That until June 30, 1923, officers of the permanent Navy who have served satisfactorily during the war with the German Government in a temporary grade or rank shall be eligible under the provisions of existing law for selection for promotion or for promotion to the same permanent grade or rank without regard to statutory requirements other than age and professional and physical examination: *And provided further*, That in making reductions in rank as may be required by this act, officers holding temporary appointments may be given temporary appointments in lower grades, and officers so appointed shall take precedence from the dates of their original appointments in such lower grades.

"SEC. 6. That in case any enlisted man or enrolled man who, since the 11th day of November, 1918, has been or hereafter shall be discharged from any branch or class of the naval service for the purpose of reenlisting in the Navy or Marine Corps or heretofore has extended or hereafter shall extend his enlistment therein, he shall be entitled to the payment of the $60 bonus provided in section 1406 of the act entitled 'An act to provide revenue, and for other purposes,' approved February 24, 1919, and to travel pay as authorized in section 3 of the act enitled 'An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment and to wear the same under certain conditions,' approved February 28, 1919: *Provided*, That only one bonus shall be paid to the same person.

"SEC. 7. That hereafter enlistments in the Navy and in the Marine Corps may be for terms of two, three, or four years, and all laws now applicable to four-year enlistments shall apply, under such regulations as may be prescribed by the Secretary of the Navy, to enlistments for a shorter period with proportionate benefits upon discharge and reenlistment: *Provided*, That hereafter the Secretary of the Navy is authorized, in his discretion, to establish such grades and ratings as may be necessary for the proper administration of the enlisted personnel of the Navy and Marine Corps.

"SEC. 8. That section 125 of the act entitled 'An act for making further and more effectual provisions for the national defense, and for other purposes,' approved June 3, 1916, shall hereafter be in full force and effect as originally enacted, notwithstanding anything contained in the act entitled 'An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment and to wear the same under certain conditions,' approved February 28, 1918: *Provided*, That the words 'or the Secretary of the Navy' shall be inserted immediately after the words 'the Secretary of War' wherever those words appear in section 125 of the act approved June 3, 1916, hereinbefore referred to.

"SEC. 9. That hereafter the Secretary of the Navy may, in his discretion, withhold any part or all of the retainer pay which may be due a member of the Naval Reserve Force where such members fail to perform such duty as may be prescribed by law for the maintenance of the efficiency of the Naval Reserve Force: *Provided*, That any money so withheld shall be credited to the appropriation for organizing and administering the Naval Reserve Force to be used for any purpose that the Secretary of the Navy may consider proper to increase the efficiency of the Naval Reserve Force: *Provided further*, That

hereafter the minimum amount of active service required for the maintenance of the efficiency of the Fleet Naval Reserve shall be the same as for the Naval Reserve.

"SEC. 10. That the age limits for promotion by selection, which, under existing law, will become effective on June 30, 1920, are hereby deferred until June 30, 1921, in the cases only of those officers who may request such deferment."

And the Senate agree to the same.

THOMAS S. BUTLER,
PATRICK H. KELLEY,
FRED A. BRITTEN,
L. P. PADGETT,
D. J. RIORDAN,
Managers on the part of the House.

CARROLL S. PAGE,
L. HEISLER BALL,
MEDILL MCCORMICK,
CLAUDE A. SWANSON,
JOHN WALTER SMITH,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes, submit the following statement explaining the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report, namely:

Of the Senate amendments agreed to by the managers on the part of the House, the following are merely changes of totals, namely: 51, 53, 60, 62, and 82.

Of the amendments of the Senate agreed to by the managers on the part of the House, the following involve simply the clarification of language, or the correction of clerical errors, and do not materially change the substance of the bill, to wit: 1, 2, 4, 5, 6, 15, 16, 18, 20, 23, 54, 83, 84, 89, and 90.

On amendment No. 3: Increases the appropriation "Pay, miscellaneous," from $3,550,000 to $5,332,000; and the Senate recedes.

On amendments Nos. 7 and 8: In the item "Investigation of fuel oil," alter the phrase "and the temporary employment of civilian experts and assistants" to read "and the employment of civilian experts and assistants at Washington, D. C., and elsewhere"; and the Senate recedes.

On amendment No. 9: Increases from $30,000 to $50,000 the appropriation for "Investigation of fuel oil," and contains a proviso designed to provide the necessary machinery for the operation of the naval oil reserves, so that offset wells may be drilled for the protection of the Government's reserves against drainage from adjacent lands and to supply oil for the Government's needs; and the House recedes with an amendment, reinserting the original figures in the appropriation, $30,000, and also inserting a minor change in the language of the proviso.

On amendments Nos. 10, 11, 12, 13, 14, 17, and 19: These amendments concern the appropriation for naval aviation, and increase the same by $9,124,000 (or to $25,000,0000). The House recedes from its disagreement to amendments Nos. 10, 11, and 13 and agrees with amendments, the effect of which is to provide a total increase of $4,124,000, making the appropriation for naval aviation $20,000,000. This increase is itemized as follaws: For necessary aircraft, $419,000; for new construction of facilities at stations, to be expended largely upon development on the west coast and in Hawaii, $3,705,000. The Senate recedes from amendments 12, 14, 17, and 19.

On amendment No. 21: Adds to the items specified under the appropriation, "Bureau of Navigation, transportation and recruiting," the following: "rental, maintenance, operation, exchange, and repair of motor-propelled passenger-carrying vehicles for official use"; and the Senate recedes.

On amendment No. 22: Directs the Bureau of Navigation, Navy Department, to furnish to the several States the records of services of all persons from those States who served in the Navy during the late war, and carries an appropriation of $300,000 for that purpose. The House recedes with an amendment reducing the amount of the appropriation to $200,000, but making available additionally $100,000 from the appropriation for temporary employees, Bureau of Navigation, contained in the legislative, executive, and judicial appropriation act for the fiscal year 1921; also inserting a minor change in language.

On amendment No. 23: In the appropriation "Recreation for enlisted men": Strikes out the item "and for such other purposes of like character as the Secretary of the Navy may deem advisable"; and the House recedes.

On amendment No. 24: Provides, under the appropriation "Recreation for enlisted men," that not more than five persons shall be employed at a rate of compensation exceeding $1,800 per annum; and the House recedes with an amendment placing the limitation at "two" persons, instead of five, as authorized in the Senate amendment.

On amendment No. 25: Increases the appropriation for "Gunnery and engineering exercises" from $100,000 to $150,000; and the Senate recedes.

On amendments Nos. 26 and 27: In the provisions relating to "Outfits on first enlistment," these amendments change the phrase covering "the uniform gratuity paid to officers of the Naval Reserve Force" to read as follows: "and the uniform gratuity paid to members of the Naval Reserve Force, which shall not exceed $100 for the first enrollment or $30 for any subsequent enrollment of enrolled (enlisted) men." This would change existing law and very materially enlarge the gratuities thereby provided; and the Senate recedes.

On amendment No. 28: Increases from $500,000 to $1,200,000 the appropriation "Instruments and supplies," which includes gyrocompasses on ships and similar equipment; and the House recedes with an amendment making the amount of the appropriation $850,000 instead.

On amendment No. 29: Increases from $125,000 to $250,000 the appropriation for maintenance of the naval training station at Goat Island, Calif.; and the Senate recedes.

On amendment No. 30: Increases the appropriation for maintenance of the naval training station, Newport, R. I., from $250,000 to $300,000; and the House recedes with an amendment reducing the figure to $275,000.

On amendment No. 31: Increases the appropriation for maintenance of the naval training station, Great Lakes, from $500,000 to $600,000; and the House recedes with an amendment reducing the amount to $575,000.

On amendment No. 32: Increases the appropriation for maintenance of the naval training station, Hampton Roads, Va., from $300,000 to $500,000; and the House recedes with an amendment reducing the amount to $375,000.

On amendment No. 33: Authorizes the Secretary of the Navy to establish at each of the four permanent naval training stations summer schools for boys between the ages of 16 and 20 years, and appropriates $375,000 for that purpose; and the House recedes with an amendment permitting the establishment of such schools at two of said training stations as an experiment, and reducing the amount of the appropriation therefor to $200,000.

On amendments Nos. 34 and 37: Include the Naval Militia within the appropriation for the expenses of organizing, administering, and recruiting the Naval Reserve Force; and provide also that, until June 30, 1922, such of the Naval Militia as now is in existence and as now organized under the act approved February 16, 1914, shall be a part of the Naval Reserve Force and shall be maintained and provided for as prescribed in said act. As to amendment No. 34, the House recedes; and as to amendment No. 37, the House recedes from its disagreement and agrees with an amendment which changes the phraseology, but does not alter the substance of the proviso.

On amendment No. 35: Increases the appropriation for organizing, administering, and recruiting the Naval Reserve Force from $50,000 to $500,000; and the Senate recedes.

On amendment No. 36: Qualifies with the expression "except in case of emergency" the provision prohibiting the use of any money for the training of any member of the Naval Reserve Force except with his own consent; and the Senate recedes.

On amendment No. 38: Inserts an appropriation of $200,000 for the maintenance of receiving barracks; and the House recedes with an amendment reducing the amount appropriated to $100,000.

On amendments Nos. 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, and 52: Increase, severally, the pay of the various employees at the Naval Home, Philadelphia, Pa., and alter the number employed in certain classes of employees; and also increase, by $5,000, the amount authorized for the maintenance of the home. All sums provided for in these amendments are paid out of the income from the naval pension fund, and do not in any way affect the amount of the appropriations carried in the bill. The House recedes.

On amendment No. 55: Authorizes the use of $100,000 of the appropriation for "Ordnance and ordnance stores" for drafting and technical force to be employed in the Bureau of Ordnance, Navy Department at Washington, D. C.; and the Senate recedes.

On amendment No. 56: Inserts an appropriation of $200,000 for the torpedo station, Newport, R. I., for labor and material, general care, etc; and the Senate recedes.

On amendment No. 57: Increases the appropriation for "Maintenance, Bureau of Yards and Docks" from $6,500,000 to $9,000,000; and the Senate recedes.

On amendment No. 58: Inserts an appropriation of $300,000 for accessories and equipment for the Commonwealth dry dock at the navy yard, Boston, Mass.; and the Senate recedes.

On amendment No. 59: Inserts an appropriation of $100,000 for two cranes for building slips at the New York Navy Yard; and the House recedes.

On amendment No. 61: Inserts an appropriation of $100,000 for two cranes for building slips at the Philadelphia Navy Yard; and the House recedes.

On amendment No. 63: Inserts appropriation of $50,000 for crane for building slip, and appropriation of $250,000 to continue water-front improvements at the Norfolk Navy Yard; and the House recedes.

On amendment No. 64: Inserts an appropriation of $75,000 for a distilling plant at the naval station, Key West, Fla.; and the House recedes.

On amendment No. 65. Inserts an appropriation of $1,000,000 toward the establishment of a docking and repair plant on San Francisco Bay, and provides that a naval board, to be appointed by the Secretary of the Navy, shall advise and report to Congress not later than November 15, 1920, as to which of three proposed sites should be selected therefor; and the House recedes with an amendment eliminating the appropriation and providing for a special joint committee, composed of five Members of the Senate appointed by the President of the Senate, and five members of the House of Representatives appointed by the Speaker, to investigate the entire matter as well as the desirability of the several proposed sites, and to report thereon to Congress not later than December 31, 1920; and the said committee is also to investigate and report upon other projects on the west coast proposed in the Senate amendments numbered 67, 78, and 80; the expenses of said committee to be paid from the contingent funds of Senate and House, and for the cost of borings and the procuring and collating of all other technical data in connection with the investigation an appropriation of $50,000 is made.

On amendment No. 66: Authorizes the Secretary of the Navy to make an exchange of certain lands heretofore used in connection with the naval radio station at South San Francisco, Calif., and provides an appropriation of $6,000 to cover the necessary expenses, including compensation for dismantling the radio mast and terminating existing lease; and the House recedes.

On amendment No. 67: Authorizes the Secretary of the Navy to accept from King County, Wash., a certain tract of land for use as an aviation base at Sand Point, Wash.; and the House recedes with the amendment set forth under amendment No. 65, providing for an investigation and report on the proposal.

On amendment No. 68: Inserts an appropriation of $190,000 for joint Army and Navy water-supply system for Fort Kamehameha and Ford Island, Hawii; and the Senate recedes.

On amendment No. 69: A change in totals, made unnecessary by the action on amendment No. 68; and the Senate recedes.

On amendment No. 70: Authorizes the Secretary of the Navy to make an exchange of lands at the Puuloa Rifle Range Reservation, Pearl Habor, Hawaii; and the House recedes.

On amendment No. 71: Authorizes the Secretary of the Navy to exchange certain land now part of naval station property at Honolulu for land northeast of naval station, Pearl Harbor, Hawaii; and the House recedes.

On amendment No. 72: Inserts an appropriation of $50,000 for pontoon for floating derrick at naval station, Olongapo, P. I.; and the Senate recedes.

On amendment No. 73: Authorizes the Secretary of the Navy to construct a hospital building at Olongapo, P. I., at a cost not exceeding $75,000, to provide which amount the proceeds to be derived from the sale of the U. S. S. *Repose* are made available to that extent; and the House recedes.

On amendment No. 74: Inserts an appropriation of $1,050,000 for fuel-oil storage at Puget Sound, Wash., and an appropriation of $1,000,000 for fuel-oil storage at Pearl Harbor, Hawaii; and the Senate recedes.

On amendment No. 75: Change of total, made unnecessary by action on No. 74; and the Senate recedes.

On amendment No. 76: Makes immediately available the sum appropriated for sanitation purposes at the naval operating base, Hampton Roads, Va.; and the House recedes.

On amendment No. 77: Inserts an appropriation of $60,000 for railroad connections at naval hospital, Las Animas, Colo.; and the Senate recedes.

On amendment No. 78: Provides an appropriation of $500,000 toward the development of a submarine base in Los Angeles Harbor (San Pedro), Calif., and authorizes the Secretary of the Navy to accept title to certain land for use in connection therewith; and the House recedes with an amendment eliminating the appropriation and proviso and providing for an investigation and report on the proposal as set forth under amendment No. 65.

On amendment No. 79: Inserts an appropriation of $50,000 toward the completion of a submarine base at New London, Conn.; and the House recedes.

On amendment No. 80: Provides an appropriation of $100,000 toward the development of a submarine, destroyer, and aviation base at Port Angeles, Wash., and the House recedes with an amendment eliminating the item and providing for an investigation and report on the project, as set forth under amendment No. 65.

On amendment No. 81: Increases the appropriation for "Repairs and preservation at navy yards" from $3,000,000 to $4,000,000; and the Senate recedes.

On amendment No. 85: Restores the law repealed by the war-risk insurance act of October 6, 1917, providing for the payment of a gratuity equal to six months' pay to the widow or dependent relatives of any officer or enlisted man dying in the service from wounds or disease incurred in line of duty, and the House recedes with amendments making minor changes in language and adding the proviso (shown in amendment No. 88) extending the benefits of the section to officers and enlisted men of the Coast Guard.

On amendment No. 86: Provides for the restoration to active duty with full pay and allowances and on his own application of any officer or enlisted man on the retired list, and the Senate recedes.

On amendment No. 87: Provides that the Superintendent of the Coast and Geodetic Survey shall receive the rank and pay of a captain in the Navy and be appointed for a term of four years, and the House recedes with amendment making minor change in wording.

On amendment No. 88: Inserted here through clerical error and is covered in the House amendment to amendment No. 85. The Senate recedes.

On amendment No. 91: Under the appropriation for "Maintenance, Bureau of Supplies and Accounts," provides for the use of $95,000 from the "Proceeds of sales" for pay of necessary employees in the Navy Department in connection with salvage and disposition of excess stocks; and the Senate recedes.

On amendment No. 92: Increase the appropriation for "Maintenance, Bureau of Supplies and Accounts," from $10,500,000 to $12,500,000; and the Senate recedes.

On amendment No. 93: Authorizes the use of $75,000 of the appropriations provided under the item "Fuel and transportation" for "technical and clerical assistance in the District of Columbia and elsewhere"; and the Senate recedes.

On amendment No. 94: Increases the appropriation for "Construction and repair of vessels" from $30,000,000 to $31,000,000; and the House recedes.

On amendment No. 95: Under the appropriation for "Engineering" enlarges the item "Maintenance and operation of coast-signal service" so as to include the purchase of land necessary for radio shore stations; and the House recedes with an amendment altering the phraseology and placing a limit of $20,000 on such expenditures.

On amendment No. 96: Increases from $2,250,000 to $2,500,000 the limitation upon expenditures for clerical, drafting, inspection, and messenger service in navy yards, naval stations, etc., under the Bureau of Steam Engineering; and the House recedes.

On amendment No. 97: Increases from $28,000,000 to $29,050,000 the appropriation for repairs, preservation, and renewal of machinery on naval vessels, etc.; and the House recedes.

On amendment No. 98: Increases from $275,000 to $385,000 the appropriation for the pay of professors and others at the Naval Academy, which increase was provided in the pay bill (H. R. 11927) approved May 18, 1920; and the House recedes.

On amendment No. 99: Provides for the establishment at 27,400 of the authorized, permanent strength of the Marine Corps and also provides legislation necessary for the transfer to the permanent service, up to the authorized strength, of those officers who served in temporary grades or as reserves during the late war; and the House recedes with an amendment inserting qualifying provisos, but retaining the substance of the original provisions.

On amendment No. 100: Increases the appropriation for temporary employees at Marine Corps headquarters and at Marine Corps posts from $100,000 to $145,852; and the Senate recedes.

On amendment No. 101: Provides for the use of $318,000 of the unexpended balances in existing appropriations for the current fiscal year, for "Maintenance, Quartermaster's Department, Marine Corps," to replace with cast-iron piping the wood

conduit which furnishes the Marine Corps base at Quantico, Va., with its water supply; and the House recedes.

On amendment No. 102: Increases from $48,000,000 to $52,000,000 the appropriation for "Increase of the Navy, construction and machinery"; and the Senate recedes.

On amendment No. 103: Inserts an appropriation of $11,700,000 for the completion and fitting out, from fabricated material on hand at the Hog Island plant of the United States Shipping Board Emergency Fleet Corporation, of seven type B vessels as aviation and destroyer tenders; and the Senate recedes.

On amendment No. 104: Change in totals, rendered unnecessary by the action on amendment No. 102; and the Senate recedes.

On amendment No. 105: Increases the limit of cost of hospital ship *No. 1* from $3,250,000 to $4,355,000, but does not affect the amount of the appropriation carried in the bill; and the House recedes.

On amendment No. 106: Embodies sections numbered 2 to 10, inclusive, authorizing the employment on active duty, with their own consent, of members of the Naval Reserve Force, to a number not exceeding 20,000, and in no event exceeding the total authorized enlisted strength of the Navy; providing for the transfer to the permanent Navy, but within the total authorized limit in numbers, of certain temporary and reserve officers; providing for the payment of the $60 bonus and travel pay to persons in the naval service to whom it had been denied because of their immediate enlistment therein; making permanent the provisions of the act of July 11, 1919, relating to the terms of enlistment in the Navy; amending section 125 of the national defense act of June 3, 1916, so as to make it applicable to naval matters of similar import; providing for the withholding of the retainer pay of members of the Naval Reserve Force who fail to perform the duty prescribed for them by law; and providing, lastly, that the age limits for promotion by selection which under existing law become effective on June 30, 1920, are deferred until June 30, 1921; and the House recedes with divers amendments inserting qualifying provisos and clarifying the phraseology, but retaining the substance of the legislation.

The bill as originally passed carried appropriations aggregating $425,289,574. The amendments of the Senate added to this amount $41,962,852; but in conference the amount of this increase was reduced to $7,990,000, so that, as agreed to by the committee of the conference, the bill carries appropriations totaling $433,279,574.

THOMAS S. BUTLER,
PATRICK H. KELLEY,
FRED A. BRITTEN,
L. P. PADGETT,
D. J. RIORDAN,
Managers on the part of the House.

Mr. BUTLER. Mr. Speaker, may I call the attention of the House to the last paragraph of the statement? The Senate amendments increased the appropriations for the naval service by something over $42,000,000. After six days of hard work we succeeded in reaching an agreement with the Senate conferees. The Senate amendments to the bill as it passed the House increased the amount by seven or eight millions of dollars. That increase, in my judgment, is very large. If you gentlemen have ever been in a conference, you will know the difficulty one has in enforcing upon others his own views; and, indeed, he may be wrong and those differing with him right.

I think your conferees on the part of the House felt that seven or eight million dollars was a good deal of money to add to the bill. It is made up of four items. There is $4,000,000 for aviation. The Senate asked for an increase of $10,000,000, and we receded on $4,000,000 for aviation. That is one of the subjects of which I know but little about, and I deal largely with it as I do with the sick and disabled people—rather lean toward its side in order that aviation may be developed.

Gentlemen will see that that largely accounts for the increase—$4,000,000 for aviation, and that is to be employed largely on the west coast, together with the improvement of aviation in the Sandwich Islands.

Mr. LINTHICUM. Will the gentleman yield?

Mr. BUTLER. I will.

Mr. LINTHICUM. To what particular part of aviation development is the $4,000,000 to be devoted? I am somewhat interested in that.

Mr. BUTLER. I will ask the gentleman to turn to the House bill, where the items under the leadership of the gentleman from New York [Mr. HICKS] are made for the appropriation for aviation. [At this point some disturbance occurred in the galleries.]

Mr. BLANTON. A point of order, Mr. Speaker. I think the Speaker ought to order the galleries absolutely cleared.

The SPEAKER. Gentlemen of the House will take their seats.

Mr. WALSH. Mr. Speaker, I move that the Speaker be authorized to order the Sergeant at Arms to clear the galleries.

The SPEAKER. The Chair thinks that the Speaker already has that authority.

Mr. MONDELL. The regular order.

Mr. GARD. Mr. Speaker, I think we can proceed with the business of the House.

Mr. BLANTON. I think, Mr. Speaker, we ought to have the galleries cleared.

Mr. TAGUE. I protest against the clearing of the galleries.

The SPEAKER. The Chair will suggest that the Members of the House preserve order, and the Chair notifies the galleries that in case there is any further disturbance the galleries will be cleared.

Mr. BUTLER. Mr. Speaker, in response to the inquiry of the gentleman from Maryland [Mr. LINTHICUM], if he will turn to the disposition of the moneys appropriated by the House in its bill as originally reported, he will find the distribution of the amount of money appropriated for aviation in items which were added to in the bill, made largely in accordance with the directions laid down by the House.

I have accounted for $4,000,000 of the amount of money which the conferees have agreed to. We also agreed to increase the construction and repair of vessels by $1,000,000 and to give to the Bureau of Steam Engineering for further construction of machinery in these vessels $1,000,000. That accounts for $6,000,000. The balance of the fund is distributed largely through items a list of which I hold here in my hand, and to which I would be very glad to speak if gentlemen desire to make an inquiry.

Mr. WOOD of Indiana. Mr. Speaker, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. WOOD of Indiana. Mr. Speaker, I wish to call the attention of the chairman to Senate amendment No. 22, and in doing so to commend the conferees upon the excellent work they have done. If my calculation is correct, you have succeeded in causing a recession upon the part of the Senate in an amount equal to $500,000, which was placed in the bill by the Senate for additional clerical hire more than the amount appropriated for clerical hire in the legislative appropriation bill. I notice you do appropriate $200,000, and authorize $100,000 appropriated by the legislative bill to be used for the purpose of making a statement concerning sailors, seamen, and marines. I call the attention of the House to the fact that in the hearings before the Legislative Committee on the legislative appropriation bill this item was given consideration. The Legislative Committee gave the Navy every penny that they asked for this service, but notwithstanding that fact I understand that they asked for about $700,000 additional. The bill finally gives them $300,000. Is that correct?

Mr. BUTLER. I do wish the House would listen while the gentleman from Indiana is commending the conferees. I do not care to have them listen so particularly when he scolds us. The gentleman is exactly right. An estimate was made for $750,000 to do this work. We objected to appropriating the money. This money is appropriated for the purpose of making up the records of the sailors in the naval service during the war. Those of the marines are already made up. Every State in the Union, so far as I know, asked to have these records made and they should be made. In the judgment of the Naval Affairs Committee of the House $750,000 was entirely too much. There came to us later an offer to make these records for $300,000 and we concluded that we would agree to the Senate amendment, provided $100,000 of the amount was used—as provided for in the legislative appropriation bill—and expended for this purpose. I would say to my friend that we could do no better than that.

Mr. WOOD of Indiana. I commend the members of the conference committee very heartily. With this exception they should be highly commended. This is but another demonstration of what a duplication of appropriations from different committees will do. The Navy Department was given every cent that they asked for for this item.

Mr. BUTLER. There is no question about that.

Mr. WOOD of Indiana. The hearings were full with reference to the amount necessary to complete the records, but notwithstanding that fact they are now seeking to obtain $300,000 more than they said was necessary.

Mr. BUTLER. And aside from the $500,000 saved there, as I calculate, we have saved between four and five hundred thousand dollars asked for clerk hire.

Mr. OLIVER. Mr. Speaker, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. OLIVER. The gentleman is entirely too modest in calling the attention of the House to what the conferees have actually accomplished. I desire him to briefly state the amount the conferees have saved from the amount the Senate recommended.

Mr. BUTLER. Between $34,000,000 and $35,000,000 out of the $42,000,000 which the Senate added. I am endeavoring not to excuse but to explain to the House why your conferees permitted an addition of $7,000,000 over what the House appropriated.

Mr. HICKS. Mr. Speaker, will my friend yield?

Mr. BUTLER. Yes.

Mr. HICKS. I think the gentleman from Maryland [Mr. LINTHICUM] asked the gentleman from Pennsylvania [Mr. BUTLER] a question in regard to aviation, which, perhaps, I can answer a little more fully.

Mr. BUTLER. Yes.

Mr. HICKS. Merely for the information of the gentleman, I wish to say that in the House bill we carried for aviation, exclusive, of course, of pay, a trifle under $16,000,000. The conferees have agreed upon $20,000,000. The difference is made up in items of this kind: A proposition, if the conference report is accepted, to erect at San Diego, Calif., a great dirigible station costing $2,775,000; another to erect in Hawaii an aviation base for the Navy, costing about $900,000. The difference of some $450,000 will be expended in the procurement of different types of aircraft, both lighter than air and heavier than air. In view of the importance of aviation and its ultimate growth, I am very glad the increases have been made.

Mr. BURDICK. Mr. Speaker, will the gentleman yield?

Mr. BUTLER. Certainly.

Mr. BURDICK. I call the attention of the gentleman to amendment No. 56, striking out $200,000 for labor, material, and general care of the torpedo station at Newport. I am told that that means that the grounds and buildings will not be kept up during the coming year. Can the gentleman inform me in regard to that?

Mr. BUTLER. That opens a very large question. We discovered that the department has expended for the Navy on the land within the last three years more than $334,000,000. The Naval Affairs Committee of the House has resolved that the end is here. It is true that it is very likely that these buildings will be abandoned.

Mr. BURDICK. At the torpedo station?

Mr. BUTLER. Yes.

Mr. KELLEY of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BUTLER. Certainly.

Mr. KELLEY of Michigan. The item of $200,000 for the torpedo station, or whatever the item provides for, was eliminated for the reason that the item of $20,000,000 for all stations of similar character will take care of it. Plenty of money has been appropriated to take care of the torpedo station at Newport.

Mr. BURDICK. Then it is not a fact that the grounds and buildings will be allowed to deteriorate?

Mr. KELLEY of Michigan. Oh, no; there is ample money in the sum appropriated covering all of these stations to take care of this particular station and there was no need of particularizing this particular one.

Mr. BUTLER. Mr. Speaker, of course, it is probably true that when the Navy Department begins to smear the butter over the bread there will be a part of the bread that will not have much butter on it. I do not know whether this station will be bread under the butter or not.

Mr. KELLEY of Michigan. There was no need of carrying this as a separate item.

Mr. BRITTEN. I would suggest that a large appropriation is carried in the bill now for the maintenance of proving grounds, torpedo stations, gun factory, and other stations under the Bureau of Ordnance, which, of course, includes the expenditure necessary for the maintenance of this torpedo station.

Mr. Speaker, with the assistance of the Office of Naval Intelligence, I have made a very careful comparison between the first-line battleships and battle cruisers of Great Britain, and the same character of ships of the American Navy, and I think I can prove without fear of successful contradiction that in first-line 20,000-ton ships of at least 20-knot speed, the United States now has in built and building the most powerful navy in all the world.

It is interesting to note that with the launching of our first 20,000-ton battleship, *North Dakota*, immediately followed by the *Delaware* and *Utah*, in 1909, Great Britain launched her *Neptune*, of 20,200 tons, so that we each started to build dreadnaughts about 11 years ago.

In subsequent years, when the United States was laying down but one ship or two per annum, Great Britain was launching from five to eight ships whose tonnage varied from 20,600 to 28,500.

During the years 1916, 1917, and 1918, the United States has made tremendous strides in battleship authorizations, with the result that 1923 will see the American Navy the predominant navy of the world and capable of defeating the navies of any three nations combined, excepting, of course, Great Britain.

Beginning with the *North Dakota*, *Delaware*, and *Utah* (leaving out the *South Carolina* and *Michigan* because of their light tonnage, although they each carry eight big guns), I find that we have 33 battleships and battle cruisers built and building, all of which will be available for action in 1923, while Great Britain has 35 first-line ships of the same character, thus giving England an advantage of two ships, which we immediately offset by greater speed and tonnage, bigger guns, superior muzzle velocity, heavier armor, and more modern construction.

It will be noted in my figures that the American ships have a total tonnage of 1,118,650 tons as against the British of 884,100 tons, showing a superiority of 234,550 tons, or an advantage of 8,638 tons per ship, equaling 34.2 per cent.

In average speed of all vessels we are practically the same, showing a fraction less than 23.7 knots average per ship.

In main batteries we show 340 guns to 314 for the British, with an average of 10.3 big guns per ship to the British 8.97 guns per ship, while our guns will average 14½-inch caliber as against the British 13⅝-inch, and this would appear to give us a tremendous advantage in weight of cold steel thrown by one broadside when we will hurl 548,400 pounds as against 452,000 pounds by all British big guns. It will be shown that our ships will average 16,618 pounds of projectiles as against 12,914 pounds for a British broadside of main guns, thus proving that our ships will throw 3,704 pounds more steel than the British, ship for ship, or 28.7 per cent superiority.

In the secondary battery our percentage of superiority is even greater than in the main battery, where our 494 guns average 5.4-inch caliber as against the British of 526 guns, with an average of 4.9 inches, showing our guns to average one-half inch larger in caliber and throwing 40,158 pounds of projectiles as against 32,080 for the British secondary battery, which means that our ships will average 1,216½ pounds as against 916½ pounds for the British, or more than 33 per cent superiority in our favor.

It is shown that one volley from all guns on our 33 ships will throw 588,638 pounds of steel as against 484,080 pounds from all British guns, or an excess in our favor of 104,558 pounds, or 4,006 pounds per ship, or a superiority of 29 per cent.

We find ourselves confronted with positive figures showing 34.2 per cent more tonnage, carrying larger guns, throwing 28.7 per cent more long-range steel, more modern ships, with greater radius of action and power than England has ever possessed in first-line fighting ships.

Great Britain has 350 destroyers built and building, while we have 322, but as ours are a little larger than theirs, faster and more modern, it is not unreasonable to assume that our superiority in destroyers is even greater than in first-line battleships and cruisers.

In submarines it will be observed that England has 150 built and building, while we also have 150 built and building, and I am willing to take my chances with American mechanical ingenuity on our underwater ships performing at least as good, if not better, than the British subs.

It is argued by friends of Great Britain that she simply will not allow us to supersede her on the high seas, and to these I can only reply that England is now completing but one battle cruiser of the *Hood* type of 41,200 tons displacement with a 31-knot speed, carrying eight 15-inch guns, which is in no direction the equal of our *Indiana* type of superdreadnaught of 43,200 tons and 23-knot speed, carrying twelve 16-inch guns, and that during the past 12 months Great Britain has destroyed the form works and keel of at least one sister ship of the *Hood* type in the interest of economy, and I maintain that until she can pay interest on her bonded indebtedness, at least to her foreign creditors, she would not be justified in going ahead with a costly competitive battleship program, and particularly so not with us, when she realizes fully that we have no designs upon anything she may have.

While the pride of England may be hurt by her slide into second place among the naval powers of the world, she certainly can not hope to successfully compete against us if we are really determined to take the place we are entitled to on the seas as the world's foremost Nation and where American commerce can receive the protection it failed to get prior to our entrance into the World War.

The phrase "the freedom of the seas" will mean just exactly what it says, and our supremacy thereon will never justify the control and regulation of the commerce of all nations merely because we have the power to do so, as England has done in the past, much to our disappointment and, at times, humiliation.

Mr. Speaker, I will here insert in the RECORD a couple of sheets prepared by the Office of Naval Intelligence of the Navy Department, which will give a detailed description in fighting value, at least, of the first-line ships of Great Britain and the United States:

Comparison of United States and British Navies, capital ships launched 1908 to 1920, inclusive, and ships building or authorized, 1920.

GREAT BRITAIN.

No.	Year and name.	Type.	Normal displacement.	Speed.	Main battery.	Secondary battery.	Weight of one main broadside.	Weight of secondary broadside.	Total weight of broadside.
	1909.			*Knots.*			*Pounds.*	*Pounds*	*Pounds*
1	Neptune	Battleship	20,200	21.00	10 12-inch	20 4-inch	8,500	500	9,000
	1910.								
2	Colossus	Battleship	20,600	21.00	10 12-inch	16 4-inch	8,500	400	8,900
3	Hercules	do	20,600	21.00	do	do	8,500	400	8,900
4	Orion	do	22,500	21.00	10 13.5-inch	do	12,500	400	12,900
5	Lion	Battle cruiser	26,350	28.00	8 13.5-inch	do	10,000	400	10,400
	1911.								
6	Thunderer	Battleship	22,500	21.00	10 13.5-inch	16 4-inch	12,500	400	12,900
7	Monarch	do	22,500	21.00	do	do	12,500	400	12,900
8	Conqueror	do	22,500	21.00	do	do	12,500	400	12,900
9	King George V	do	25,000	21.00	do	20 4-inch	14,000	500	14,500
10	Centurian	do	25,000	21.00	do	do	14,000	500	14,500
11	New Zealand	Battle cruiser	18,750	26.00	8 12-inch	do	6,800	500	7,300
12	Princess Royal	do	26,350	28.00	8 13.5-inch	16 4-inch	10,000	400	10,409
13	Australia	do	18,800	26.00	8 12-inch	14 4-inch	6,800	350	7,150
	1912.								
14	Ajax	Battleship	25,000	21.00	10 13.5-inch	20 4-inch	14,000	500	14,500
15	Marlborough	do	25,000	21.00	do	12 6-inch	14,000	1,200	15,200
16	Iron Duke	do	25,000	21.00	do	do	14,000	1,200	15,200
	1913.								
17	Agincourt	Battleship	27,500	22.00	14 12-inch	20 6-inch	11,900	2,000	13,900
18	Erin	do	23,000	21.00	10 13.5 inch	16 6-inch	14,000	1,600	15,600
19	Canada	do	28,000	22.75	10 14-inch	12 6-inch	14,000	1,200	15,200
20	Benbow	do	25,000	21.00	10 13.5-inch	do	14,000	1,200	15,200
21	Emperor of India	do	25,000	21.00	do	do	14,000	1,200	15,200
22	Warspite	do	27,500	25.00	8 15-inch	do	15,600	1,200	16,800
23	Queen Elizabeth	do	27,500	25.00	do	do	15,600	1,200	16,800
24	Tiger	Battle cruiser	28,500	28.00	8 13.5-inch	do	10,000	1,200	11,200
	1914.								
25	Valiant	Battleship	27,500	25.00	8 15-inch	12 6-inch	15,600	1,200	16,800
26	Barham	do	27,500	25.00	do	do	15,600	1,200	16,800
27	Royal Oak	do	25,750	23.00	do	14 6-inch	15,600	1,400	17,000
	1915.								
28	Revenge	Battleship	25,750	23.00	8 15-inch	14 6-inch	15,600	1,400	17,000
29	Royal Sovereign	do	25,750	23.00	do	do	15,600	1,400	17,000
30	Malaya	do	27,500	25.00	do	12 6-inch	15,600	1,200	16,800
	1916.								
31	Resolution	Battleship	25,750	23.00	8 15-inch	14 6-inch	15,600	1,400	17,000
32	Ramillies	do	25,750	23.00	do	do	15,600	1,400	17,000
33	Repulse	Battle cruiser	26,500	31.00	6 15-inch	17 4-inch	11,700	425	12,125
34	Renown	do	26,500	31.00	do	do	11,700	425	12,125
	1918.								
35	Hood	do	41,200	31.00	8 15-inch	12 5.5 inch	15,600	1,380	16,980

The term "broadside" as used here signifies one discharge from all guns and not from the guns of one side only.
The year given is the year in which the ships were launched.

UNITED STATES.

	1908.			*Knots.*			*Pounds.*	*Pounds.*	*Pounds.*
1	North Dakota	Battleship	20,000	21.01	10 12-inch, 45 caliber	14 5-inch, 51 caliber	8,700	1,080	9,780
	1909.								
2	Delaware	Battleship	20,000	21.56	10 12-inch, 45 caliber	16 5-inch, 51 caliber	8,700	1,080	9,780
3	Utah	do	21,825	21.04	do	do	8,700	1,008	9,708
	1910.								
4	Florida	Battleship	21,825	22.08	10 12-inch, 45 caliber	16 5-inch, 51 caliber	8,700	1,008	9,708
	1911.								
5	Arkansas	Battleship	26,000	21.05	12 12-inch, 50 caliber	16 5-inch, 51 caliber	10,440	1,008	11,448
6	Wyoming	do	26,000	21.22	do	do	10,440	1,008	11,448
	1912.								
7	New York	Battleship	27,000	21.47	10 14-inch, 45 caliber	16 6-inch, 51 caliber	14,000	1,008	15,008
8	Texas	do	27,000	21.05	do	do	14,000	1,008	15,008
	1914.								
9	Nevada	Battleship	27,500	20.53	10 14-inch, 45 caliber	12 5-inch, 51 caliber	14,000	756	14,756
10	Oklahoma	do	27,500	20.58	do	do	14,000	756	14,756
	1915.								
11	Arizona	Battleship	31,400	21.00	12 14-inch, 45 caliber	14 5-inch, 51 caliber	16,800	882	17,682
12	Pennsylvania	do	31,400	21.05	do	do	16,800	882	17,682
	1917.								
13	Mississippi	Battleship	32,000	21.00	12 14-inch, 50 caliber	14 5-inch, 51 caliber	16,800	882	17,682
14	Idaho	do	32,000	21.00	do	do	16,800	882	17,682
15	New Mexico	do	32,000	21.08	do	do	16,800	882	17,682

Comparison of United States and British Navies, capital ships launched 1908 to 1920, inclusive, and ships building or authorized, 1920—Continued.

UNITED STATES—Continued.

No.	Year and name.	Type.	Normal displacement.	Speed.	Main battery.	Secondary battery.	Weight of one main broadside.	Weight of secondary broadside.	Total weight of broadside.
	1919.			*Knots.*			*Pounds.*	*Pounds.*	*Pounds.*
16	California	Battleship	32,300	21.00	12 14-inch, 50 caliber	14 5-inch, 51 caliber	16,800	882	17,682
17	Tennessee	do	32,300	21.00	do	do	16,800	882	17,682
	1920.								
18	Maryland	Battleship	32,600	21.00	8 16-inch, 45 caliber	14 5-inch, 51 caliber	16,800	882	17,682
	NOT YET LAUNCHED—AUTHORIZED 1916.								
19	Colorado	Battleship	32,600	21.00	8 16-inch, 45 caliber	14 5-inch, 51 caliber	16,800	882	17,682
20	Washington	do	32,600	21.00	do	do	16,800	882	17,682
21	West Virginia	do	32,600	21.00	do	do	16,800	882	17,682
22	Constellation	Battle cruiser	43,500	33.25	8 16-inch, 50 caliber	16 6-inch, 53 caliber	16,800	1,728	18,528
23	Lexington	do	43,500	33.25	do	do	16,800	1,728	18,528
24	Ranger	do	43,500	33.25	do	do	16,800	1,728	18,528
25	Saratoga	do	43,500	33.25	do	do	16,800	1,728	18,528
26	Indiana	Battleship	43,200	23.00	12 16-inch, 50 caliber	do	25,200	1,728	26,928
27	Montana	do	43,200	23.00	do	do	25,200	1,728	26,928
28	South Dakota	do	43,200	23.00	do	do	25,200	1,728	26,928
29	Constitution	Battle cruiser	43,500	33.25	8 16-inch, 50 caliber	do	16,800	1,728	18,528
30	Iowa	Battleship	43,200	23.00	12 16-inch, 50 caliber	do	25,200	1,728	26,928
31	Massachusetts	do	43,200	23.00	do	do	25,200	1,728	26,928
32	North Carolina	do	43,200	23.00	do	do	25,200	1,728	26,928
33	United States	Battle cruiser	43,500	33.25	8 16-inch, 50 caliber	do	16,800	1,728	18,528

Mr. Speaker, I have reduced the voluminous figures of the Office of Naval Intelligence to a concrete percentage basis and will insert my figures in the RECORD for future reference:

	United States.		Great Britain.		United States over Great Britain.			
	Total.	Average per ship.	Total	Average per ship.	Total.	Per cent.	Average per ship.	Per cent.
Number of ships	33		35					
Tonnage	1,118,650	33,898½	884,100	25,260	234,550	26.5	8,638	34.2
Speed, knots, average		23.64		23.68				
Main battery:								
Size—								
12-inch guns	64		60					
13½-inch guns			144					
14-inch guns	124		10					
15-inch guns			100					
16-inch guns	152							
Guns	340	10.3	314	8.97	26			
Size per gun, inches		14.5		13½				
Weight, in pounds, of 1 main broadside	548,400	16,618	452,060	12,914	96,400	21.3	3,704	28.7
Secondary battery:								
Size—								
4-inch guns			276					
5-inch guns	302							
5½-inch guns			12					
6-inch guns	192		238					
Guns	494	14.9	526	15.0				
Size per gun, inches		5.4		4.9				
Weight, in pounds, of 1 secondary broadside	40,158	1,216½	32,080	916½	8,078	25.2	300	33.7
Combined weight, in pounds, of 1 broadside	588,638	17,837½	484,080	13,831	104,558	21.6	4,006	29.0

Mr. Speaker, I am sincerely sorry and disappointed that the Senate and House conferees could not have agreed on the establishment of certain necessary naval establishments on the Pacific coast, where we have heretofore never had even so much as a single battleship based and where from now on we will probably always maintain the greater portion of the American Navy.

If the naval establishments on the Pacific coast prior to the last year were but adequate for a few obsolete cruisers and gunboats, they certainly are now thoroughly inadequate to supply the wants of that portion of the American Navy which must in the future base on the Pacific coast for the protection of American commerce and diplomacy, and it is quite hard to explain just why a great naval base in San Francisco Bay is not now in course of construction.

Mr. Speaker, some years ago the Helm Commission was appointed by act of Congress to make a thorough study of conditions on the Pacific coast and to report its findings to Congress.

Among other things, the commission said that in order to be as effectively operated in the Pacific as in the Atlantic the size of the fleet now existing and authorized makes desirable immediate provision for a marked extension in berthing, docking, and repair facilities on the Pacific coast.

For strategic reasons it was found necessary and desirable that there should be at least two navy yards of the first class on the Pacific coast of the United States; that the strategic location, physical characteristics, industrial advantages, and defensibility of the navy yard at Puget Sound are of such character as to make its development as one of these yards not only necessary and desirable but imperative, in view of the requirements of that region for national defense; that the extension of the present navy yard at Mare Island adjacent to San Francisco Bay to meet the requirements of one of two main navy yards on the Pacific coast is impracticable, due to physical limitations, but that its development within certain restrictions is desirable, practicable, and recommended.

In view of the limitations of the Mare Island yard, an additional navy yard capable of accommodating the largest vessels of the fleet is suggested, and that strategic advantages, physical characteristics, industrial development, and defensibility of the San Francisco Bay region makes that location the most desirable for the establishment of another navy yard of the first class on the Pacific coast.

It has been suggested that the capacity of the Pacific coast yards for the maintenance and repair of the fleet should be at least treble that now provided and that development of navy yard facilities to the above requirements should be undertaken without delay and should subsequently keep pace with the development of the Pacific fleet.

Mr. Speaker, the principal objection to the immediate development of a great naval base in San Francisco Bay seems to be the fact that the Government has already expended some $29,000,000 in land and permanent improvements at Mare Island, and it is feared that this vast expenditure will be nullified by the establishment of another base.

Of course, I do not concur in these views and am sure that experts in the Navy Department all agree that the Mare Island yard will always be a first-class repair and construction yard, and the money heretofore expended there will certainly not have been wasted.

Friends of the Mare Island yard have said that if a great base is established on the Pacific that this yard should be the favored one, not because of its desirable location but because of the fact that the Government has already spent so much money upon it.

From my point of view—and I have visited there several times—I feel that it can never be developed into a first-class base because of its physical limitations and its location at the end of a long, narrow channel, which can only be maintained at great expense and with considerable uncertainty.

I question whether a channel of greater depth than 30 feet could be maintained, to say nothing of the other physical limitations at Mare Island which seriously affect its development as a navy yard of the first order. Among these may be mention narrowness and limited area of water adjacent to the

navy yard and swift current in Mare Island Strait; wholly inadequate berthing space and no possibility of obtaining such berthing space within reasonable range of repair shops in amounts sufficient for the accommodation of a large number of vessels of the fleet necessarily based thereon if there were no other navy yard in the vicinity; difficulties of navigation to and from the yard during foggy weather, especially for large vessels; the effect of silt in the water in clogging condensers and flushing systems of larger vessels where the injections are low down; insufficiency and undesirability of anchorage ground, even beyond Mare Island Strait; the question of getting a damaged heavy-draft vessel to the yard at any time.

Mr. Speaker, the Helm Commission considered everything in connection with the Mare Island yard and was of the opinion that economical and physical limitations prevent the development of that yard to any extent beyond that necessary for building operations and the maintenance and repair of vessels for the fleet, which could be based and maintained there under conditions of a 30-foot channel approach and of the practical development of berthing space, and because of these circumstances Mare Island could not be considered for development as a naval base suitable for the largest vessels in the Navy.

Mare Island has many advantages due to the defensible location, climate, labor supply, existing dry docks and shops, plant equipment, and various navy-yard accessories of great value and possible service to the fleet; and for these reasons its retention and use for shipbuilding and the repair and maintenance of the fleet within the limitations imposed by the 30-foot channel approaches will always be a desirable yard.

San Francisco Bay must and will be the home of the Pacific fleet, and there will sooner or later be established in that bay one of the greatest naval bases of the world, and the quicker the better.

Mr. Speaker, some three years after the Helm Commission reported on Pacific coast projects the Secretary of the Navy appointed a board known as the "McKean Board," which made a special study of Pacific coast naval projects, and it was in full agreement with the Helm Commission as to the necessity of establishing a first-class naval base on deep water in San Francisco Bay and recommended that the necessary appropriations be obtained from the last Congress to undertake or to begin that project, but up to the present time nothing substantial has come of that recommendation.

With the appointment of the commission provided for in the conference report now pending in the House, final borings will be made at the Alameda and Hunters Point sites before the present Congress ceases to exist, and I hope that we may then pass a suitable appropriation looking toward immediate construction of a naval base of the first class, which is so urgently necessary on the Pacific coast at this time.

Mr. BURDICK. That is what I understood.

Mr. BUTLER. There is no necessity——

Mr. BURDICK. The gentleman understands that I am talking about the torpedo station, not the training station, and that the torpedo station is a very important station?

Mr. BRITTEN. We understand that thoroughly, and there is plenty of money under "Ordnance" to care for maintenance and provide for all of the factories and stations we have.

Mr. BURDICK. I so understood, but the folks at home do not.

Mr. BUTLER. Mr. Speaker, I propose to yield now to my colleague [Mr. PADGETT], but the gentleman will understand that it is not the purpose of Congress, so far as we understand it, to provide for the repair and preservation of buildings and shops erected purely for war purposes. We can not afford it, but this permanent establishment at Newport will be provided for out of the general fund.

Mr. KENNEDY of Rhode Island. Is there any assurance that any portion of this money out of the general fund will be so used?

Mr. BUTLER. We have the assurances given us by the Chief of Bureau of Ordnance, and I have no doubt it will be provided for in some way. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. PADGETT]. He says that length of time will be sufficient.

Mr. PADGETT. Mr. Speaker, I shall not discuss at length the conference report. The Senate amendments, in round numbers, amounted to about $41,000,000 or a little more, and the conferees of the House have agreed to a little more than $7,000,000. I want to say that in my judgment if the conferees have made any mistake it has been in too big a cut upon some of the Senate amendments. It is in the line of economy and reduction by cutting too closely, if we have made any mistake at all. I do not think that we can be charged with any element of extravagance in what we have done.

Mr. Speaker, I state it as a fundamental proposition that the administration is entitled to credit for what is accomplished during its term and likewise is responsible for what it fails to accomplish. In other words, the administration is to be judged by results and be known by the fruits of its labors. If success crowns its efforts, it should have commendation; if failure is the result of its efforts or inaction, it should be held responsible. By these principles let the Democratic administration be tested.

In view of the fact that the Sixty-sixth Congress met in extra session May 19, 1919, and has been almost continuously in session since, and the Republicans in control of the Congress have devoted their time and energy to criticizing the Democratic administration and have appointed numerous investigating committees for the purpose of and in an effort to discredit the Democratic administration, I deem it appropriate to compare the achievements and accomplishments of the Democratic administration in the management and upbuilding of the Navy during the seven years of President Wilson's administration, since March 4, 1913, with the Republican administrations from March 4, 1897, to March 3, 1913, under Presidents McKinley, Roosevelt, and Taft. This comparison will clearly show that the Democratic Party has been the real friend and true builder of the American Navy. History also shows that the Democratic Party in the past has been the real friend and builder of the American Navy.

For weeks past there has been exhibited in the lobby of the House prominent placards, placed there by Republicans, showing a comparison between the Navy of the United States and the Navy of Great Britain and setting forth comparative figures showing the superiority of the Navy of the United States. This statement placed on public exhibition in the lobby of the House by Republicans is so illustrating and such a positive commendation and proof of the splendid and successful administration of the Navy by the Democratic administration under President Wilson and Secretary Daniels that I wish to set it forth herein.

This statement makes a comparison of the condition of the American Navy and the British Navy in the year 1923, by which time it is expected that the 1916 building program authorized by a Democratic Congress, upon the recommendation of President Wilson, will be completed. The American Navy total broadside fire 588,638 pounds, as compared with the British broadside fire of 484,080 pounds. Actual superiority in total weight of broadside projectiles: United States Navy 22 per cent, and in weight of broadside projectiles per ship 29 per cent. First-line battleship comparison, 1923, shows United States superiority in total displacement 26.5 per cent; superiority in displacement of average ship 34.2 per cent. United States Navy total displacement 1,118,650 tons; average per ship, 33,898 tons; average speed, 23.64 knots. British Navy: Total displacement 884,100 tons; average per ship, 25,260 tons; average speed, 23.68 knots:

United States Navy:	
Main battery guns, total	340
Average caliber, inches	14½
Average number of guns per ship	10.3
British Navy:	
Main battery guns, total	314
Average caliber, inches	13⅝
Average number of guns per ship	8.97

As I have stated, these placards were placed on public exhibition in the lobby of the House by Republicans, and they bear testimony of the remarkable and successful administration of the Navy by the present Democratic administration.

Mr. Meyer, when Secretary of the Navy under President Taft, in his annual report says:

> Germany is now second among the principal naval powers in warship tonnage built and building, and the United States is third.

I could cite other official statements showing that the Navy of the United States was No. 3 when the Democratic Party came into power in 1913, and now Republicans are proudly advertising and boasting that it is superior to the British Navy, and citing in support thereof the comparisons above given. It should also be remembered that in 1909 the Navy of the United States held second place but under the Republican administration it soon fell to the third place.

I feel justified in calling attention to this matter and emphasizing it because it has been the policy, practice, and delight of the Republicans in Congress to criticize and find fault with and seek to disparage the Democratic administration in every conceivable manner, and yet they have unwittingly borne testimony to the splendid administration and successful upbuilding of the Navy by placing and keeping these placards for weeks on public exhibition in the lobby of the House. It should be

remembered that it was the Democratic administration in 1916, for the first time in the history of this country, passed the great constructive legislation authorizing the three-year building program, comprising a total of 157 ships, the result of which was to bring the Navy of the United States from its position of third to its present position of superiority in fighting efficiency and military value as shown by the placards posted by Republicans in the lobby of the House.

It should also be borne in mind and emphasized that the Republicans since they gained control of the Senate and the House in March, 1919, have not added one single ship or authorized the addition of one single ship to the Navy of the United States. Its present preeminent position is due to the present Democratic administration.

It was also the Democratic administration and the Democratic Congress which in 1915 created the office of Naval Operations in the Navy Department, thereby creating for the first time in the history of the Navy a systematic and coherent organization of the Navy for the successful and scientific operation of ships. It was because of this legislation, as well as the other personnel legislation, embraced in the act of August 29, 1916, that the Navy was such a capable, efficient, and coordinated organization when we entered the war in April, 1917. All that was necessary for the Navy to do was to add men and material in order to expand and meet all the demands and emergencies of the war. It was also the Democratic administration and the Democratic Congress which in 1916, for the first time in the history of the Navy, gave proper and necessary rank and title to the officers of the several staff corps of the Navy and created and established in time of peace the rank and title of admiral and vice admiral for the commanders of our naval fleets, thereby relieving the Navy of the United States from the embarrassment and humiliation under which it had been suffering for years.

I should also call attention to the fact that, under the legislation of the Democratic administration and the Democratic Congress, when we entered the war the Navy was splendidly equipped and prepared with powder, projectiles, mines, and other equipment necessary for the successful operation of the ships of the various fleets.

The manufacture of 100,000 mines and the laying of a mine barrage from the north end of Scotland to the southern boundaries of Norway—about 230 miles across the North Sea—thereby bottling up the German submarines and preventing their entrance into the Atlantic Ocean, was a marvelous and most wonderful feat of naval strategy and naval accomplishment and reflects credit upon the American Navy and the Democratic administration in charge of the Navy.

The convoying of almost 2,000,000 soldiers 3,000 miles overseas without the loss of a soldier under American convoy challenges the admiration of the world and entitles the American Navy to the love and affection of all those who esteem courage and cherish patriotic duty, and commands the plaudits not alone of the people of the United States but of the world. This is another splendid achievement of the Democratic administration.

It was a Democratic Congress, upon the recommendation of a Democratic administration, that in 1916, by legislation, authorized and provided for a Naval Reserve personnel for the first time in the history of the Government, and under the operation of this Democratic legislation, when the war came on, the Navy was enabled to enroll in the Naval Reserve and use in the active operation of the war something like 500,000 Naval Reserves. These Naval Reserves did splendid service during the war, and this legislation, provided for by a Democratic Congress and a Democratic administration prior to our entrance into the war, enabled the Navy to expand in an orderly and organized way and utilize this vast Naval Reserve Force in the naval operations of the war. Had it not been for this Democratic legislation authorizing and establishing the Naval Reserves the Navy would have been at a great disadvantage and badly crippled in its effort to meet the requirements of the war. This is another evidence of wise legislation of the Democratic administration and the Democratic Congress.

I might cite many other instances of wise legislation and of the splendid ministrations of the Democratic administration and of the Democratic Congress to show the foresight in having the Navy prepared for times of emergency, and how splendidly it was operated during the war, and how justly and well it earned and received the plaudits and affection of the American people, but I deem it useless to do so. The splendid conduct and great work and achievements of the Navy are known and recognized by all the world. It was the Democratic administration and Democratic Congress which made it so and it is entitled to and should receive the approbation of all the people who believe credit should be given when and where due.

I feel justified in calling attention to the fact that not only during the Democratic administration since 1913, but all through the history of our country, the Democratic Party has been the real friend and builder of the American Navy. After the War of the Revolution the American Navy was allowed to disintegrate and largely go to pieces, and it was Thomas Jefferson who, in 1786, urged the establishment of a naval service for this country in order that there might be put an end to the depredations that were being committed upon our commerce by Barbary pirates. At that time it was being urged that there was no money in the Treasury to be used for the purpose of a naval force, to which Jefferson replied:

> There never will be money in the Treasury until the Confederacy shows its teeth, and a naval force can never endanger our liberties nor occasion bloodshed.

It was during the administration of President James K. Polk and Mr. Bancroft, then Secretary of the Navy, both Democrats, that the Naval Academy at Annapolis was established, thereby providing the means for the education and training of the commissioned personnel of the Navy, which time has shown to be the most efficient and best equipped naval commissioned personnel in all the world. Later again the Navy had been neglected, and Franklin Pierce, another Democratic President, took active steps to have it rehabilitated and remove from it the stigma of being the "Rip Van Winkle of our national defense." At the close of the Civil War the United States possessed a creditable and capable Navy judged by the standards of that period. The Republican Party remained in power and control of the Government from 1860 through 1884, and we find the good Navy that we had at the close of the Civil War was neglected, disintegrated, and became in such a condition that no one would do it reverence. President Cleveland, a Democratic President, came into control in March, 1885, and under Mr. Whitney, a Democratic Secretary of the Navy, new life and vigor were imparted to the Navy and the foundation was laid for the creation of a modern, up-to-date Navy. The Republicans again came into control in March, 1887, and we find that the Navy was again neglected and began to retrograde and to lower its standards and efficiency until the second administration of President Cleveland, in 1892, when, under the administration of Hilary A. Herbert, a Democratic Secretary of the Navy, new life and vigor were imparted into the Navy and its restoration to its proper place was again undertaken. In 1897 the Republicans again came into power and control of the Government, and the Republican administration continued until March, 1913. During these 16 years the American Navy lagged behind and the German Navy progressed, developed, and passed the American Navy, until we find at the close of the administration of President Taft the Navy of the United States occupied the third position among the navies of the world. President Wilson and a Democratic Congress began to give considerate attention to the rehabilitation and upbuilding of the Navy. The President, in his recommendations to Congress and in his addresses to the public, recommended and advocated the importance and necessity of rehabilitating the Navy, and the Secretary of the Navy cordially seconded and cooperated with the recommendations of the President, and the Democratic Congress enacted legislation, so that during the seven years of Democratic administration the Navy has risen from third place to have, receive, and enjoy the distinction of having Republicans publicly placard in large letters in the lobby of the House of Representatives in parallel positions the statements quoted above, showing that in ships, tonnage, speed, gunpower, and projectiles the superiority of the American Navy over that of the British Navy, which has always heretofore been recognized as the ruler of the seas, the splendid and well-deserved testimonial from Republicans of the great success and wonderful achievements of the Democratic administration in the management and upbuilding of the Navy of the United States. These placards silence criticism and proclaim the splendid success of the Democratic administration.

Mr. BRITTEN. Mr. Speaker, I make the same request, to extend my remarks on the Navy.

Mr. McARTHUR. Mr. Speaker, I make the same request.

Mr. OLIVER. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. BUTLER. Mr. Speaker, I yield two minutes to the gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker, I congratulate the conferees on the part of the House for the very great reductions which were made in the Senate amendments. The bill as now agreed

to is some $34,000,000 less in amount than as passed by the Senate. I believe that the service would not have suffered had there been still further reductions. I think the bill is overliberal, but with the present extravagant management of the Navy Department, with the constant pressure of the administration for increases, this bill is as low as we could hope to have it, and I congratulate the House, the members of the House committee, and the conferees on the part of the House on the successful efforts they have made to cut this bill as low as it is. The bill as it now goes to the President carries $433,279,574; this is $139,851,680.80 less than the estimates. In other words, the Congress has saved this sum in appropriating for the Navy, and yet the sum appropriated is overgenerous. What a commentary this is on the reckless and extravagant estimates of the departments!

Mr. BUTLER. Mr. Speaker, I move the adoption of the conference report, and move the previous question on that motion.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

On motion of Mr. PADGETT, a motion to reconsider the motion by which the conference report was agreed to was laid on the table.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that I may extend my remarks on the subject of general legislation.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to extend his remarks on general legislation. Is there objection?

Mr. MONDELL. And, Mr. Speaker, if I refer to the bonus legislation at all it will be simply a reference to the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Wyoming if he is to show us exactly how much we will save?

Mr. MONDELL. I shall try to do so.

Mr. BLANTON. Has the gentleman gotten us out of debt yet?

Mr. MONDELL. Not quite.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

FINAL ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I call up a privileged resolution.

The SPEAKER. The gentleman from Wyoming calls up a privileged resolution, which the Clerk will report.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 5th day of June, 1920, at 4 o'clock.

Mr. KINCHELOE. Mr. Speaker, I think in the consideration of this important resolution there ought to be more Members here than there are, and I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Kentucky makes the point of order that there is no quorum present. There is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The SPEAKER. The Doorkeeper will close the doors, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Ellsworth	Kahn	Riddick
Anthony	Elston	Kendall	Rowan,
Bacharach	Emerson	Kettner	Rowe,
Baer	Evans, Nev.	Kiess	Rucker
Booher	Ferris	Kitchin	Sanders, La.
Bowers	Frear	Kreider	Sanford
Brinson	Fuller, Mass.	Langley	Scully
Brooks, Ill.	Garland	Lankford	Sears
Brumbaugh	Godwin	Lazaro	Sherwood
Campbell, Pa.	Goodall	Lehlbach	Shreve
Cantrill	Gould	Lesher	Slemp
Caraway	Graham, Pa.	McClintic	Small
Carss	Greene, Mass.	McCulloch	Smith, Ill.
Carter	Griffin	McKeown	Smith, Mich.
Clark, Fla.	Hamill	McKinley	Smithwick
Cole	Hardy, Colo.	McLane	Snyder
Cooper	Hardy, Tex.	McPherson	Steele
Copley	Harreld	Mason	Strong, Pa.
Costello	Hastings	Moore, Ohio	Sullivan
Crowther	Hayden	Morin	Taylor, Tenn.
Curry, Calif.	Heflin	Nelson, Wis.	Tillman
Dale	Hernandez	Newton, Minn.	Towner
Dempsey	Hill	Nicholls	Upshaw
Dewalt	Houghton	Paige	Vare
Doremus	Howard	Parker	Venable
Drane	Hulings	Randall, Calif.	Ward
Drewry	Hutchinson	Randall, Wis.	Watson
Echols	Ireland	Reber	Yates
Edmonds	Jefferis	Rhodes	Young, N. Dak.

The SPEAKER. On this call 303 Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Wyoming moves to dispense with further proceedings under the call.

The motion was agreed to.

Mr. MONDELL. Mr. Speaker, I ask leave to amend the resolution which I presented by adding at the end of it the letters "p. m."

The SPEAKER. The gentleman from Wyoming asks leave to add the letters "p. m." Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. I do not think amendment is necessary, but some gentlemen thought it was, and so we will make assurance doubly sure.

Mr. Speaker, Congress has been in session almost continuously for more than a year. During that time it has considered a very great volume of highly important business. We have passed or will have passed before we adjourn all of the regular appropriation bills of this session and eight of the regular appropriation bills that should have been passed by the former session. We have had some of the most important questions and problems before us that any legislative body has ever considered. All the more important legislation has been disposed of. We have not and we will not by Saturday night have considered and settled all of the questions that have been brought to the attention of the Congress, possibly not all of the questions that ought to be passed upon one way or another; but we shall have disposed of, so far at least as the House is concerned, practically every important matter before us for consideration.

Congress is a very important body in America, and yet there are times when the country is just as well off and just as happy with the Congress in adjournment. [Applause.] We might remain in session all summer, and possibly if we did we might settle some questions not wholly, fully, and completely settled now. But, after all, I know of none and I think of none that we can settle that is so important that it can not wait until December. The Members of the Congress have earned a vacation—have abundantly earned it. [Applause.] In my opinion the country will justify and approve our standing in adjournment when the regular appropriation bills are passed and the other measures now immediately before us are disposed of.

Mr. BRIGGS. Will the gentleman yield for a question?

Mr. MONDELL. In just a moment.

I realize that in a matter of this kind there is always an opportunity, or at least a temptation, to play politics. I know personally that practically every man in the House—well, there are some exceptions, but they are negligible in number—practically every man in the House desires and hopes for an adjournment. [Applause.] I want to express the hope that gentlemen feeling that way will not make the effort to secure a little possible political advantage at home by voting against this adjournment resolution and praying at the same time that it will pass. [Applause.] If we vote our convictions on this resolution, convictions as I know them, for I have taken the trouble to talk with Members on both sides about this matter, we will vote for the adjournment.

I have not brought this resolution in hurriedly, without consideration, without consultation with gentlemen on both sides of the aisle; I have brought it in only after I was satisfied that the overwhelming majority of the Members of this House desire an adjournment, and I have only brought it in in this form because I believed that it embodied and proposed the action which gentlemen desire. I have presented it here for the purpose of meeting the view, accomplishing the hope and the expectation, of gentlemen on both sides. Therefore I trust there will be few, if any, votes against it.

I believe, Mr. Speaker, the country realizes that whether or not this Congress has lived up to the best expectations of the American people, whether or not it has accomplished all that might have been accomplished, it has been earnest, it has been industrious, and it has been devoted to the public service. It has, or will have by the time the hour of adjournment comes, provided fully for the public service in the matter of appropriations and in the matter of legislation.

Mr. BLANTON. Will the gentleman yield?

Mr. MONDELL. In just a moment. And in that state of affairs I think the people will indorse the good judgment of the Congress in adjourning.

Mr. BLANTON. Unfortunately, the Congress has not pleased Mr. Gompers.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. MONDELL. I yield.

Mr. WOOD of Indiana. I agree with what the gentleman has said as to the desire of this Congress to adjourn. However, there is a matter, I think, if we are to adjourn, should receive attention before we do so. A great many of the Congressmen here, no doubt a majority of them, know something about the very serious condition that is prevailing throughout the country with reference to coal. Many manufacturing institutions in Indiana are now shutting down; some of the very largest will have to shut down in a very few days. They can not get coal because of the fact that they say when they go to the mines to get it they can not get it because the mines are filling export contracts.

Mr. MONDELL. As I understand it, the gentleman thinks we ought to have a coal embargo—an embargo on exports?

Mr. WOOD of Indiana. If it is necessary in order to take care of our coal, I will say, yes.

Mr. MONDELL. That is a very large question, a question that has very many sides to it, and on which there would be a very great diversity of opinion.

As I said a moment ago, Mr. Speaker, we shall not have settled all of the questions and all of the problems that all of the people of the country have in their thoughts and on their minds, and we never will, and no Congress ever will, no matter when the hour of adjournment shall come. The work of a Congress, like the work of a housewife, is never done, and the time will never come when it can be said that every question and every problem that anyone may think should be disposed of has been disposed of when a Congress adjourned. If we were here a month or two or three months, for every matter settled two would arise.

Mr. OLIVER. The small city and country newspapers are vitally interested in certain legislation now pending before a Senate committee in reference to print paper. Is the gentleman informed as to whether any legislation on that subject will be considered before adjournment?

Mr. MONDELL. I think it is rather doubtful, because I do not think that the majority of the Congress now has in mind very clearly any legislation that Congress should enact that would cure the situation, but if there is anything we can do we should and before we adjourn.

Mr. OLIVER. My information is that definite recommendations have been made to the Senate committee on the subject, and it is thought that if legislation following such recommendations is now enacted it will be of material help to a most distressing situation.

Mr. BRIGGS. I want to ask the gentleman if it is contemplated to take any definite action in the way of passing legislation in connection with the recommendations of the joint commission on postal salaries at this session?

Mr. MONDELL. I can not say definitely but I hope so.

Mr. MADDEN. I will say in reply to the question of the gentleman, if the gentleman will permit, that the joint commission has made its report, that the report is unanimous, and it was accompanied by a bill, which bill was referred to the Committee on the Post Office and Post Roads last night; that bill has been reported to the House to-day, and it is contemplated that we shall ask for its consideration on Thursday morning. [Applause.]

Mr. PADGETT. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes; I yield.

Mr. PADGETT. There is a very pressing and important matter in which the farmers of the country are interested, and for lack of which they are suffering; that is, nitrates. I wanted to know if there is any purpose to relieve that situation by legislation? There are bills pending, one introduced by the gentleman for California [Mr. KAHN].

Mr. MONDELL. I think there is no one who knows better than my friend who just interrupted that there is nothing that this Congress can do at this time that will aid in securing at any time in the near future an additional supply of nitrates for the farmer. There are bills pending which would allow the expenditure of a very great amount of public money in the hope on the part of some gentlemen that out of that very great expenditure, some time in the very distant future, we might have an increased supply of nitrates.

Mr. PADGETT. Will the gentleman permit a further question?

Mr. MONDELL. Yes.

Mr. PADGETT. There is legislation pending which, if enacted, would relieve the situation, in my opinion, by operating plants that the Government has already constructed and that are ready for operation.

Mr. MONDELL. We will try to take care of all these matters that can be cared for.

Mr. Speaker, I reserve the balance of my time.

Mr. EAGAN. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. EAGAN. In view of the statement of the gentleman from Illinois [Mr. MADDEN], is it the gentleman's opinion that we will have definite legislative action on the report of the Joint Commission on Postal Salaries?

Mr. MONDELL. That is my understanding.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BUTLER. Mr. Speaker, I ask for a division.

Mr. BLANTON. I ask for the yeas and nays, Mr. Speaker.

The SPEAKER. The yeas and nays are demanded. Those who desire taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Thirty-six gentlemen have risen—not a sufficient number. The yeas and nays are refused.

So the resolution was agreed to.

Mr. BLANTON. Mr. Speaker, I move to reconsider the vote by which the resolution was passed and move to lay that motion on the table.

The SPEAKER. The gentleman from Texas moves to reconsider the vote whereby the resolution was passed and to lay that motion on the table. Without objection, the motion will be agreed to.

Mr. WINGO. I object, Mr. Speaker. I objected to the motion of the gentleman from Texas.

The SPEAKER. The Chair did not hear the gentleman. The question is on the motion of the gentleman from Texas [Mr. BLANTON] to reconsider the vote and to lay that motion on the table.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. WINGO. Mr. Speaker, I ask for a division.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 125, noes 52.

Mr. WINGO. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Arkansas makes the point that there is no quorum present. The Chair will count. [After counting.] Two hundred and twenty-five Members are present—a quorum. The ayes have it, and the motion to lay on the table prevails.

CHANGE IN THE RULES OF THE HOUSE.

Mr. FESS. Mr. Speaker, I offer a privileged resolution.

The SPEAKER. The gentleman from Ohio offers a privileged resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That immediately on the adoption of this resolution the House shall proceed to consider House resolution 324, under the general rules of the House.

Mr. MANN of Illinois. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN of Illinois. Has this resolution been reported to the House?

Mr. FESS. It has been. Does the gentleman mean from the Committee on Rules?

Mr. MANN of Illinois. The other committee.

Mr. FESS. Yes. The rule makes in order for immediate consideration resolution 324, which provides for a change in the rules of the House on matters pertaining to appropriations.

Mr. GARRETT. Mr. Speaker, before the gentleman from Ohio [Mr. FESS] begins will he yield to me for a question?

Mr. FESS. Yes; I yield.

Mr. GARRETT. It occurs to me that it might be desirable, if the gentleman is agreeable, to see about the arrangement for time. I suspect there are a number of gentlemen who do not know just what this is. This is the budget rule that provides for an appropriation committee of 35 members. I want to say now that I have at this time no request for time on the rule, and I am not opposed to the rule, but some gentlemen have indicated that they desire time on the rule which comes from the Budget Committee; and under the practice of this rule, if it is adopted, there will be just an hour, which, of course, will be held within the control of the gentleman from Iowa [Mr. GOOD]; and it just occurred to me that perhaps we might couple the two propositions together and agree upon time.

Mr. MANN of Illinois. There is no limit upon the time.

Mr. GARRETT. So far as the rule is concerned there is not.

Mr. FESS. I understood that the chairman of the Committee on Appropriations [Mr. GOOD] would try to get an agreement as to time as soon as we have disposed of the rule.

I yield to my friend from Tennessee for any suggestion he might make.

Mr. GARRETT. Let us for the moment couple the two propositions together and see if the gentleman from Iowa can help us out of the situation. Has the gentleman from Iowa any proposition in mind as to time?

Mr. GOOD. I have conferred with those who are opposed to the proposition and with those who are in favor of the proposition, and I am frank to say to the gentleman that when the rule is adopted I shall ask that my time be extended for one hour, and then I will yield one-half of that time to those who are opposed to the proposition, and if additional time is required the gentleman from Tennessee [Mr. GARRETT], the ranking member on that side, will be entitled to one hour. The matter is technical, and I understand a motion to recommit has been prepared and that it will be offered as a substitute at the close.

Mr. GARRETT. Well, Mr. Speaker, if I may, I will call the matter to the attention of the gentleman now. I had not heard of that motion to recommit before, but I doubt if that motion would be in order if anybody would make a point of order. It is not in order to move to recommit a report from the Committee on Rules. It is true that this is not a report from the Committee on Rules, but this is the report of a rule, and I doubt if it would be in order to recommit it.

Mr. GOOD. I wanted to make this suggestion to the gentleman, that it is the character of the committee that reports it which determines. The Budget Committee is a legislative committee, and while it reports out the rule, so far as I am concerned I have no objection to the motion to recommit, and will not raise that question, and I hope no one else will.

Mr. GARRETT. I do not know. I just merely suggested that question. I presume that the arrangement which the gentleman from Iowa has suggested will be carried out, and that he will request an hour additional; that is to say, two hours in all.

Mr. GOOD. Yes.

Mr. GARRETT. And will divide that time equally between those for and those against. I presume that will be adhered to by the House when the time comes to make the request; and with that statement I have no requests for time on the rule.

Mr. GOOD. I want to suggest that the time which I yield will be only for debate and not for the offering of amendments, and it is to be equally divided.

Mr. GARRETT. As I understand, it is the purpose of the gentleman himself to offer one amendment.

Mr. GOOD. I am going to offer one amendment suggested by the gentleman from Tennessee [Mr. GARRETT] and another amendment to correct a typographical error only.

Mr. BANKHEAD. Is it the purpose to confine the debate exclusively to the subject matter of the budget proposition?

Mr. FESS. Yes.

Mr. GOOD. Absolutely.

Mr. HAUGEN. Will the gentleman yield?

Mr. FESS. I yield to the gentleman from Iowa.

Mr. HAUGEN. Is it the understanding that H. Res. 324 is to be read by sections, that each section is subject to amendment to be read under the five-minute rule?

Mr. FESS. It is to be considered as a House bill.

Mr. MANN of Illinois. It will not be read for amendment—not read under the five-minute rule.

Mr. HAUGEN. And what is the arrangement as to the general debate?

Mr. FESS. That will be reached after the adoption of the rule. The understanding is that we are to have two hours, to be equally divided between those for and those against the resolution.

Now, Mr. Speaker, the new rule would eliminate the numerous appropriating committees as appropriating committees, leaving them simply as legislative committees, and confining the appropriations to one committee, which, I think, it is quite apparent was the original idea when the Committee on Appropriations was first established, in order to centralize all the appropriations under one committee and thus avoid duplication and waste of public funds. But since that date the appropriating function has been so extended that as you now recognize, instead of one Committee on Appropriations, as originally planned, we have at least eight appropriation committees. The purpose of this resolution is to confine the appropriations to one committee, to be created under the authority of this resolution now before us, which the rule makes in order for immediate consideration. The committee is to be composed of 35 members, so that evidently it will permit subcommittees representing all of the committees which now are appropriation committees.

I have noted that there has been a good deal of opposition to that suggestion from individual Members, but I feel that the opposition is not tenable, for the reason that we are trying to get away from the one position of making the committee which reports a bill purely a committee of advocacy, giving it a trading position, which has come to be known as pork-barrel legislation. We are trying to get away from the practice of providing for a particular activity of the Government with no relation at all to the other activities of the Government. Under the present system we find not only duplication but that the committee reporting one of these bills is anxious not to hold down the estimates, but rather to get a larger appropriation to meet the alleged needs of that particular branch of the service as estimated by the spokesman of the service. Another committee is equally anxious, indeed it may be said that every committee is ambitious for funds, and we see eight committees working, not together, but each working for itself with no relationship whatever to one another, and with small regard to the sum total of all the committees. This proposed rule is intended to cure that, to make all of the appropriating agencies in one committee, so that every part of that committee will be making its appropriations with reference, not only to each part, but especially to what the whole committee will ultimately make. The committees of the present Congress have made a splendid record in economies, but it is largely due to the general demand. As soon as this demand passes we will be back to the old order.

It seems to me that among all the constructive and reconstructive measures of this Congress or any other Congress that has sat in the past years, here is a proposal that is going to meet not only with the approval of the business of the country, but also with the approval of the people at large.

I think the passage of the budget bill almost unanimously showed the universal demand for it. That bill is now before the President, and is likely to be signed very shortly. This resolution is the last step to make the budget system a reality. It is supplemental to the budget bill, and is necessary to make it workable. I want to say to my friends who have spoken to me in antagonism to it that I think that to refuse this proposed change of rule would be to adopt a plan and then emasculate it by denying the power of making the plan workable. To me it would be totally inconsistent to go to the extent to which we have already gone, to adopt the budget system in response to an almost universal demand of the country and then refuse to do the one thing necessary to make the system operative. The refusal to make it workable leads to the conviction that those who refrain from openly opposing the system so universally demanded have seized upon this plan to conceal their opposition most effectively.

Mr. BUTLER. Will the gentleman yield?

Mr. FESS. I yield to the chairman of the Committee on Naval Affairs.

Mr. BUTLER. The gentleman has stated his view as to how this committee of 35 would be made up. Is that just the gentleman's notion? There is certainly nothing in the resolution to provide how this enlarged Committee on Appropriations shall be made up.

Mr. FESS. The gentleman from Ohio has expressed only his individual opinion. I should think that would be a very reasonable statement to make.

Mr. BUTLER. Does the gentleman refer to the reasonableness of my statement? It was not a statement, but a question.

Mr. FESS. I refer to both of them—the reasonableness of my statement and the reasonableness of the gentleman's inquiry. Both are rational.

Mr. BUTLER. The gentleman knows that this committee of 35 can be made up just as the House shall direct how it shall be made up, and perhaps the gentlemen connected with other committees will not be consulted when this committee is made up. The gentleman gives me only his personal opinion as to the composition of this committee.

Mr. FESS. I have no right whatever to say how a committee of this sort will be made up, first because I have no information on the matter.

Mr. BUTLER. Would it not have been well to have obtained some information?

Mr. FESS. But it strikes me that in making up the committee certainly the men who from long service on the committees have been informed on the various activities of the Government would be recognized in the appointments which are to be made.

Mr. BUTLER. Would there have been anything really objectionable in having the gentleman's views incorporated into this resolution, so that the resolution itself should state how the committee should be composed? That would have given us some information to go upon.

Mr. FESS. Speaking for myself, I do not think that would be at all essential.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. FESS. I yield to the gentleman from Michigan.

Mr. McLAUGHLIN of Michigan. The gentleman says that in carrying out the budget plan this is the one thing that remains to be done. Is this the only plan that the committee recommending the proposition has considered and is able to tell us about, or has it considered other plans, so that perhaps we might be able to choose between different plans?

Mr. FESS. This is the one plan that has come from the Budget Committee to the Committee on Rules, and it seems to me that it is a most rational proposal and sufficiently valuable that no other plan would need to be submitted. at least I have not thought of any other plan, and the committee submitted it, or at least has reported no other plan.

Mr. McLAUGHLIN of Michigan. Was no other plan discussed by the committee?

Mr. FESS. I am not a member of the Budget Committee and I do not know whether there was or not.

Mr. McLAUGHLIN of Michigan. It seems to me that there was room for some difference of opinion as to the proposition, and some members of the committee might have had other views in the way of carrying out the budget proposition beside this.

Mr. FESS. I am not a member of the Budget Committee and therefore could not speak as to whether there was any other suggestion or not. I am satisfied, however, with this proposition as far as I am personally concerned.

Mr. TAYLOR of Colorado. If the gentleman from Ohio will yield, the Budget Committee considered every plan presented to it, and we had a large number of the most distinguished people in the United States before us.

Mr. McLAUGHLIN of Michigan. Will we be able to hear what other plans were considered, so that we can intelligently decide in regard to it?

Mr. TAYLOR of Colorado. Undoubtedly the chairman of the committee will answer that question fully.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. FESS. I will.

Mr. SMITH of Idaho. In the event that this rule is adopted what will be the functions of committees that have heretofore been appropriation committees?

Mr. FESS. They will be legislative committees only, just as the other committees of the House.

Mr. SMITH of Idaho. And they will not have the right to recommend appropriations?

Mr. FESS. Yes, they can recommend appropriations but can not make appropriations.

Mr. CANNON. Will the gentleman yield?

Mr. FESS. I will.

Mr. CANNON. Under the Constitution the House organizes itself. You may adopt this rule now, and if it goes into effect the budget system will be carried out so far as the recommendations are concerned. But when a new Congress is elected it makes its own rules and it may adopt this rule or it may adopt another rule.

Mr. FESS. Yes, if they do not want this they can eliminate it and adopt other rules. Rules of the House are limited to the Congress which adopts them.

Mr. HAUGEN. Will the gentleman yield?

Mr. FESS. I will.

Mr. HAUGEN. I understood the gentleman to say that these other committees that have heretofore had jurisdiction of appropriations would be permitted to legislate.

Mr. FESS. Yes.

Mr. HAUGEN. Does not the gentleman understand that all legislation is dependent on appropriations? As stated by the gentleman from Ohio the other day, the bonus bill carried no appropriation. What becomes of a bonus bill unless you have an appropriation for it? So all along the line. We passed the Army bill the other day with the contention that there were three times as many men provided for as there ought to be, but it was said that it would be regulated by the appropriations. Why not be fair and say that if this rule is adopted it means that 435 Members surrender their power and jurisdiction to 35 Members? Why not be honest with the House and state the facts?

Mr. FESS. I was trying to state the facts. We do not eliminate any committees. Committees are still in existence and have all the power they had before save the one and only power of appropriation that we take away from them and put in one committee.

Mr. JUUL. Will the gentleman yield?

Mr. FESS. I will.

Mr. JUUL. May I state a concrete case to the gentleman from Ohio?

Mr. FESS. I will yield.

Mr. JUUL. The Committee on Agriculture came in here with a bill on which the Senate had put 202 amendments, and every one of them was a matter of finance. Does the gentleman mean to tell me that if we pass this bill a committee of 35 will sit to pass final judgment on all those amendments?

Mr. FESS. No; I do not mean anything of the kind. When any committee other than the Appropriation Committee brings in any appropriation it is not authorized to bring in it will be subject to a point of order which anybody can make.

Mr. JUUL. I am favorably disposed to a budget system. But the gentleman knows that the committee just mentioned has spent weeks and months perfecting a bill, and that the committee of conference has sat some weeks, and how can 35 Members split themselves up so as to settle the differences that it has taken all nine committees days and days to settle?

Mr. FESS. It will be a continuous performance. The 35 men will sit in subdivisions, if you put it that way. Each subdivision considering its particular subject must consult with all other interests, and in this way will be better able to subserve the interests of the country at large than could be done with seven or eight committees running at cross purposes, each getting what it can with no regard for the others. Mr. Speaker, in view of the fact that there will be plenty of time for general debate, I will move the previous question.

Mr. BANKHEAD. If the gentleman will withhold that, the gentleman from Tennessee [Mr. GARRETT] said that there was no request for time on the rule, but since he left—and he had to go away to attend another meeting of the Committee on Rules—he requested me to say that if there was any request for time on his side to yield it for him.

Mr. FESS. Does the gentleman want time?

Mr. BANKHEAD. Yes; the gentleman from Missouri [Mr. RUBEY] wants five minutes, and the gentleman from Oklahoma [Mr. MCKEOWN] wants five minutes.

Mr. FESS. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has 38 minutes.

Mr. FESS. I will yield five minutes to the gentleman from Missouri.

Mr. BANKHEAD. Mr. Speaker, would not the minority, under the rule, be entitled to 20 minutes?

The SPEAKER. The previous question has not been ordered.

Mr. FESS. We are proceeding under the rules of the House.

The SPEAKER. If the previous question had originally been ordered, there would be 20 minutes on a side, but the Chair understands that the gentleman from Ohio will yield.

Mr. FESS. Mr. Speaker, if it is considered the better plan, I yield 15 minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. RUBEY].

Mr. RUBEY. Mr. Speaker, I have been trying to find out just what this rule provides for. It seems to me that Members of the House ought to have the opportunity to give a matter of this importance very careful and candid consideration. Here is a rule brought in to make in order another proposition to change the rules of the House. The principal point of the proposed change in the rules of the House, as I understand it, is to put into the hands of 35 Members of this House the right to report any and all appropriation bills. It takes away from the Committee on Agriculture, from the Committee on Naval Affairs, from the Committee on Military Affairs, from the Committee on Rivers and Harbors, and from every other committee that now has the authority of appropriation the right to do so, and vests that power in one committee composed of 35 Members. I believe the place to defeat this resolution changing these rules is to vote down the rule that makes it in order to consider it, and that is the reason I am discussing the matter now. I am going to oppose the change in the rules. I am opposed to this one big committee that takes charge of all of the appropriations, and I believe the time to beat that proposition is to beat it right now, when we vote on this resolution that comes from the Committee on Rules.

I happen to have been a member of the Committee on Agriculture every year since I have been here, and I will have been here 10 years when I finish this term. I say to you that with 10 years of service on that committee I am in a better position to say what shall be appropriated for the various things that relate to agriculture than any two or three members on a subcommittee from an appropriation committee of 35 members. I say to you that there are gentlemen here who have been on the Military Affairs Committee for years and years, gentlemen who

have been on the Naval Affairs Committee for years and years, and they are acquainted with all of the intricacies that relate to the affairs of their committees and are in better position to say how much shall be appropriated and how it shall be apportioned in the Committee on Military Affairs and in the Committee on Naval Affairs, and so on, than a subcommittee of a committee of 35 members composing this proposed new appropriation committee. I believe you are going to make a mistake if you adopt this rule and if you go ahead and adopt the change in the rules of the House, and I hope that the resolution from the Committee on Rules will not be agreed to. Let us make the test vote on the adoption of the rule.

Mr. ALMON. Mr. Speaker, I have been a Member of this House for some years, and I never yet have made a point of no quorum, but I think a quorum ought to be present to listen to these remarks.

Mr. RUBEY. I think the gentleman should not make that point now.

Mr. ALMON. Very well. I withdraw the point for the present.

Mr. BANKHEAD. Mr. Speaker, I yield five minutes to the gentleman from Oklahoma [Mr. McKEOWN].

Mr. McKEOWN. Mr. Speaker, this is a very important matter and will affect every Member of the House. It is going to affect the future policy of the House. I take it that every Member has at heart the welfare of the country and is in favor of economical appropriations, but I want to say this: It took 40 years' fight in the House of Representatives to obtain the present system of appropriating committees. It was under Hon. John H. Reagan, of Texas, who became chairman of the Rivers and Harbors Committee, that we broke away from the power and tyranny of the great appropriations committee. As everyone familiar with the history of the procedure of the House of Representatives knows, the Ways and Means Committee for a long time raised the taxes and made the appropriations until 1865, when Thaddeus Stevens was appointed chairman of the Committee on Appropriations, and Justin Morrill was left as chairman of the Committee on Ways and Means. It was until 1885 before the jurisdiction of the Committee on Appropriations was taken away and distributed to the various committees of the House. It was done with the Rivers and Harbors Committee, and I refer you to the language in the RECORD of the great Speaker Reed, who was quoted in this report as being in favor of an appropriation committee having all of the jurisdiction. I refer you to his speech at the time they broke away in 1885 from the power of this great committee.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. CANNON. Speaker Reed did say that, but Speaker Reed also said that he made the greatest legislative mistake in his career when he did so.

Mr. McKEOWN. Mr. Speaker, I concede that the gentleman from Illinois is correct in his statement as to what Speaker Reed said, and I want to say to you that when you put all the power of appropriating money in the hands of one committee of this House, the rest of you may just as well pack up your trunks and go back home and stay there, for they will not have any use for you then.

What brought about the reform? It was the absolute power that was exercised by this Appropriations Committee. I have no fault to find with the personnel of the Committee on Appropriations of this House. They are fine men, they are high-class citizens, and they are alert to their duties as Members. Here is what we ought to have: You ought to have an excise committee in this House, composed of a man from every State in the Union, consisting of 48 members, who will sit and determine what the total amount is that shall be appropriated for the different purposes, and permit the various appropriating committees to make their own selections as to how the amount shall be appropriated in conformity with the budget system that you are going to put into effect. If you do as is proposed here, you will turn back the House 40 years and fix upon us a system that you will regret to the longest day you spend here.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. BLANTON. The gentleman from Oklahoma knows as well as any man in the House, because he is one of the distinguished Members of the House, that there must be a stop to this indiscriminate spending of the public money, and it will never stop as long as this committee and that committee and the other committee has appropriating power, because they all come to believe that they are compelled to introduce a bill and pass it appropriating large sums of money.

Mr. McKEOWN. The gentleman knows that the whole matter is referred to the Congress, and oftentimes when an appropriating committee comes in with a bill the House raises the appropriations or lowers them over the protests of the appropriating committee and its chairman. The matter is all left to the House. We talk a lot about economy, but many do not practice what they preach.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. McKEOWN. May I have two minutes more, in order to finish?

Mr. BANKHEAD. I yield the gentleman two additional minutes.

Mr. McKEOWN. I am in favor of economy. I have undertaken to vote on every occasion in favor of economy, but what I want to say to you is this: You should not take away from these committees their power to assemble and make appropriations for the different purposes for which the amount is to be appropriated. If you want to regulate the amount, have your excise committee fix the total which can be appropriated by any committee, and let that committee then appropriate as their needs from the hearings show they are entitled to be appropriated. I want to say to you I am not on any of these committees which appropriate money, and I have no selfish interest in making this fight, but I simply want to call attention to what is going to happen, that when you put the power of appropriating money in this one committee, the personnel of the committee will change as times go on, and they will become the sole power in this House, and the other committees will be mere nonentities without power to do anything, and this House will have one committee, which will be the Appropriations Committee. [Applause.]

Mr. BANKHEAD. Mr. Speaker, I yield the remaining time at my disposal to the gentleman from Texas [Mr. BLANTON].

The SPEAKER pro tempore. The gentleman from Texas is recognized for three minutes.

Mr. BLANTON. Mr. Speaker, I am willing to take my chances with one appropriating committee that is to have all possible authority in the House. I am not afraid, like my colleague from Oklahoma, that they will treat the other Members of Congress with indifference. If they do not treat us right, we can devil the very life out of them, and my friend ought to know that. But the time has come when this Congress has got to stop spending the people's money indiscriminately. That time will never come until the appropriating power is put in the hands of an appropriating committee. Where every committee here and there indiscriminately has power of appropriation extravagance will never stop. This Nation, as has been said so many times by the distinguished gentleman from Illinois [Mr. CANNON], has not any money of its own. Every dollar that it has it gets out of the pockets of the people through taxation. We hear so much about reducing taxes. Taxes will never be reduced until we quit spending so much money, because when we spend less money we have to take less money from the people. That is the way to reduce taxes, to quit spending, and we are not going to quit spending until we have some new system of economy in Congress, and I am glad to see this proposition come before the House. It is not any big bugaboo anyhow, and I hope both the rule and the resolution will pass. It will save at least $100,000,000 per annum.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FESS. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. BUTLER]. [Applause.]

Mr. BUTLER. Mr. Speaker, what I have to say here is impersonal. It matters not to me what you may do. I do not expect to take part in making appropriations very much longer for the support of the Naval Establishment, and therefore what I say has nothing in it that is personal or selfish. Permit me to say I have done the best I could do to be economical. Within the last half hour gentlemen of the House have commended the Committee on Naval Affairs of the House for its economy. Now you propose to take from this committee authority which you have said your servants have well exercised. I want, however, to join, if it can be possible to them, enough gentlemen having a similar view; that we should have further assistance in the way of reducing appropriations—that is, keeping them down to the minimum and as much restraint as may be necessary—I will join with you in obtaining, but to take from these committees the work of distributing and allotting these sums after the sums have been fixed, I think, is unfair to them and the great work they have been doing. I believe you will dwarf the membership of the House if you do it and destroy the usefulness of Members of the House. This committee of 35 men to

be selected from the body of the House should have authority given it, in my judgment, to fix what the appropriations should be for the different bureaus and departments of the Government. Having once fixed the amount, even if it goes down to the appropriations for the different bureaus, that fixed sum should be handed over to these technical committees for the purpose of allotment, if I use the proper expression, for its distribution. Having once made the distribution the result should be reported back to this committee for its approval. That far I will go and I will be very glad if such a provision as that could be made.

Mr. KAHN. Will the gentleman yield?

Mr. BUTLER. Of course, I will yield to the gentleman.

Mr. KAHN. How long does it take the Committee on Naval Affairs to hear the testimony regarding the appropriations for the naval appropriation bills? Weeks, does it not?

Mr. BUTLER. It takes from 10 to 12 weeks.

Mr. KAHN. Does the gentleman think that if one committee has charge of all these appropriations proper care and attention would be paid to the details?

Mr. BUTLER. Mr. Speaker, I am not holding out as an example anything I have done in 24 years upon the Committee on Naval Affairs, for I do not. Other men must succeed us. We are growing old. I have known men who sat at the foot of the table finally come to the head on several occasions. I only ask that the right may be given to these men to make the distribution of the fund after another body has determined what the amount should be. I will go that far, but I do not think, as I said a while ago, it is worth while for me to make any suggestions.

Mr. CANNON. Will the gentleman yield for a question?

Mr. BUTLER. You have to beg for time in order to express yourself in this House, and the time has certainly come when the membership of the House will assert itself.

Mr. HICKS. Will the gentleman yield?

Mr. BUTLER. I will.

Mr. HICKS. Can a subcommittee of the Committee on Appropriations handle naval affairs as well or better than 21 men who give all their time to it?

Mr. BUTLER. I should think not. I have had many years of experience, and I know the time and patience required of men to sit and act intelligently on this committee.

Mr. FESS. Mr. Speaker, I yield one minute to the gentleman from New York [Mr. MAGEE].

Mr. MAGEE. Mr. Speaker, I am most heartily in favor of House resolution 324. The very essence of a budgetary system is concentration of appropriations in one committee. Having voted for the budget bill, we are in honor bound to adopt this resolution. In no other way can we consummate an effective national budget system.

Mr. HICKS. Will the gentleman yield?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FESS. I yield five minutes to the gentleman from New York [Mr. DEMPSEY].

The SPEAKER pro tempore. The gentleman from New York is recognized for five minutes.

Mr. DEMPSEY. Mr. Speaker, I am not exercised over the question of who shall wield the power in this House. It is not a question of who shall do the business of this House. The sole question is how the business of the House can best be done, and to that I intend, and to that alone, to address myself.

Now, let me give an illustration. I am at present one of the conferees on the rivers and harbors bill. The Senate is smaller than we are. They have 96 Members as against our 435. Their duties on committees are, consequently, very much greater. Take the situation: We found when we went over in conference that the members of the Senate committee did not know the facts, because they did not have the time to learn the facts. Now, how is it going to be humanly possible for the members of one committee to take all the proof that is required in order to learn, with patience and with diligence and with care, the basic facts upon which your appropriations ought to be made? Any man who has studied the work of these various committees knows that that can not be done.

Now, I want to go with the management of the House; I want to do what is the right thing to do. I am in favor of a budget plan, but it does seem to me that you do not, because you are going to take the step, have to jump at once from the top of a 17-story building down to the street. Why can you not try it out, at least, in this way—why can not you have the central committee determine the amount that can be spent by these various committees, and have the various committees take evidence, and then distribute those amounts? They can find the facts infinitely better than one committee can. And it is well said, too, that when you permit this central committee to put on it one or two men from these other committees, you are delegating to 2 men the work that is now performed by 21. And any man who has sat in these hearings knows that each one of the 21 contributes some individual thought. These men represent various parts of this Union. One man may not know about New Orleans, but another man may come from that vicinity and may understand the situation there. Another man may know about the California coast and about the situation there.

Mr. HICKS. Our colleague from New York [Mr. MAGEE] made a statement a moment ago that he felt the House was in honor bound to vote for this rule, because they voted for the budget system a day or two ago. My other colleague from New York can not agree with that suggestion, can he?

Mr. DEMPSEY. Why, I am in favor of the budget system which was adopted, as I have just said——

Mr. MAGEE. Will the gentleman yield?

Mr. DEMPSEY. Allow me to finish the sentence, please. But I am not in favor of the gentleman's method of carrying it out. I agree with him in principle. I do not think his plan is practical. I do not think it will work.

The SPEAKER pro tempore (Mr. CRAGO). The time of the gentleman has expired.

Mr. DEMPSEY. I ask for one minute more.

Mr. FESS. I yield one minute more to the gentleman.

Mr. DEMPSEY. I do think that the modified plan which I have suggested, the plan of allowing the central committee to determine and allot the amount, and then allow these several committees to distribute that amount, is practical. I believe that it will work. I believe it will bring the combined intellect, and combined effort, and combined knowledge of a large number, nearly 150 men, where otherwise you will have the judgment of only two or three men. And I think we want that combined intellect, that combined effort; I think we want that combined knowledge; and for that reason I am in favor of a modification of this rule.

Mr. FESS. Mr. Speaker, in view of the fact that if the resolution is adopted there will be two hours, at least, of debate on the merits of it, I therefore move the previous question.

The SPEAKER pro tempore. The gentleman from Ohio moves the previous question on the resolution.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Michigan makes the point of no quorum. Evidently there is no quorum present.

Mr. HICKS. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Andrews, Md.	Elston	Kiess	Rhodes
Bacharach	Emerson	Kitchin	Riddick
Baer	Evans, Nev.	Kreider	Riordan
Booher	Ferris	Langley	Rowan
Brinson	Fisher	Lankford	Rucker
Britten	Freeman	Lehlbach	Sanders, La.
Brooks, Ill.	Fuller, Mass.	Lesher	Scully
Burke	Garland	Lufkin	Sears
Campbell, Kans.	Garrett	Luhring	Sherwood
Campbell, Pa.	Godwin	McClintic	Shreve
Cantrill	Goodall	McCulloch	Slemp
Caraway	Gould	McKenzie	Small
Carss	Graham, Pa.	McKinley	Smith, Ill.
Carter	Greene, Mass.	McLane	Smith, Mich.
Clark, Fla.	Hamill	Mansfield	Smith, N. Y.
Cole	Hardy, Colo.	Mason	Smithwick
Cooper	Harreld	Moore, Ohio	Snyder
Copley	Hastings	Morgan	Steele
Costello	Hayden	Morin	Stephens, Miss.
Crisp	Hays	Nelson, Wis.	Strong, Pa.
Crowther	Hernandez	Newton, Minn.	Sullivan
Curry, Calif.	Houghton	Olney	Taylor, Tenn.
Dale	Hulings	Paige	Tillman
Dent	Hull, Tenn.	Parker	Towner
Dewalt	Hutchinson	Pou	Upshaw
Donovan	Ireland	Ramseyer	Vare
Drane	Kendall	Randall, Calif.	Watson
Echols	Kennedy, Iowa	Randall, Wis.	Yates
Ellsworth	Kettner	Reber	Young, N. Dak.

The SPEAKER. Three hundred and eleven Members have answered to their names. A quorum is present.

Mr. LONGWORTH. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Ohio moves to dispense with further proceedings under the call. The question is on agreeing to that motion.

The motion was agreed to.

The doors were opened.

The SPEAKER. The previous question is pending.

Mr. HAUGEN rose.

The SPEAKER. For what purpose does the gentleman from Iowa rise?

Mr. HAUGEN. I ask unanimous consent that the time be extended one hour on the discussion of the rule, and that the time be equally divided between those for and against.

Mr. GOOD. I object, Mr. Speaker.

The SPEAKER. Objection is made. The question is on the motion of the gentleman from Ohio [Mr. FESS] for the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution reported from the Committee on Rules.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. CALDWELL. A division, Mr. Speaker.

The SPEAKER. The gentleman from New York demands a division.

The House divided; and there were—ayes 69, noes 69.

Mr. LONGWORTH. Mr. Speaker, I ask for tellers.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present.

Mr. GOOD. Mr. Speaker, I demand the yeas and nays.

The SPEAKER (after counting). One hundred and eighty-seven Members are present—not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. As many as are in favor of agreeing to the rule will, when their names are called, vote "yea"; those opposed will vote "nay."

The question was taken; and there were—yeas 158, nays 154, not voting 115, as follows:

YEAS—158.

Ackerman	Fairfield	Kreider	Ricketts
Ashbrook	Fess	Lonergan	Robinson, N. C.
Babka	Foster	Longworth	Rose
Barbour	Frear	Luce	Sabath
Barkley	French	Luhring	Sanders, Ind.
Bee	Fuller, Ill.	McAndrews	Sanders, N. Y.
Benson	Gallagher	McFadden	Sanford
Black	Gallivan	McKenzie	Schall
Bland, Ind.	Garner	MacCrate	Scott
Bland, Mo.	Glynn	Madden	Siegel
Bland, Va.	Good	Magee	Sims
Blanton	Goodykoontz	Maher	Sisson
Box	Graham, Ill.	Mann, S. C.	Snell
Buchanan	Green, Iowa	Mapes	Stiness
Burdick	Griest	Mays	Stoll
Burroughs	Hadley	Merritt	Strong, Kans.
Byrnes, S. C.	Hamilton	Michener	Sumners, Tex.
Byrns, Tenn.	Hersey	Miller	Sweet
Cannon	Hersman	Minahan, N. J.	Taylor, Colo.
Casey	Hickey	Monahan, Wis.	Temple
Chindblom	Hill	Mondell	Thompson
Christopherson	Hoch	Montague	Tilson
Classon	Howard	Mooney	Timberlake
Connally	Huddleston	Moore, Va.	Tincher
Cramton	Humphreys	Moores, Ind.	Tinkham
Currie, Mich.	Igoe	Morgan	Treadway
Dallinger	James	Murphy	Valle
Davis, Minn.	Jefferis	Ogden	Vestal
Davis, Tenn.	Johnson, Ky.	Parrish	Walsh
Denison	Johnson, S. Dak.	Phelan	Walters
Doremus	Johnson, Wash.	Platt	Wason
Dowell	Johnston, N. Y.	Porter	Webster
Drewry	Jones, Pa.	Purnell	Wheeler
Dunbar	Juul	Quin	White, Me.
Dunn	Kelley, Mich.	Radcliffe	Wilson, Ill.
Dyer	Kelly, Pa.	Rainey, J. W.	Wood, Ind.
Eagan	Kennedy, R. I.	Ramsey	Young, Tex.
Elliott	Kinkaid	Rayburn	Zihlman
Esch	Kleczka	Reavis	
Evans, Mont.	Kraus	Reed, W. Va.	

NAYS—154.

Almon	Crisp	Griffin	Lee, Ga.
Anderson	Cullen	Hamill	Linthicum
Anthony	Darrow	Harrison	Little
Aswell	Davey	Haugen	Lufkin
Ayres	Dempsey	Hawley	McArthur
Bankhead	Dent	Heflin	McDuffie
Begg	Dickinson, Mo.	Hicks	McGlennon
Bell	Dickinson, Iowa	Hoey	McKeown
Benham	Dominick	Holland	McKinley
Blackmon	Donovan	Hudspeth	McLaughlin, Mich.
Boies	Dooling	Hull, Iowa	McLaughlin, Nebr.
Bowers	Doughton	Hull, Tenn.	McPherson
Brand	Dupré	Jacoway	MacGregor
Briggs	Eagle	Jones, Tex.	Major
Britten	Edmonds	Kahn	Mann, Ill.
Brooks, Pa.	Evans, Nebr.	Kearns	Martin
Browne	Fields	Keller	Mead
Butler	Fisher	Kincheloe	Milligan
Caldwell	Focht	King	Moon
Candler	Fordney	Lampert	Mudd
Carew	Gandy	Lanham	Neely
Clark, Mo.	Ganly	Larsen	Nelson, Mo.
Cleary	Goldfogle	Layton	Newton, Mo.
Collier	Goodwin, Ark.	Lazaro	Nicholls
Crago	Greene, Vt.	Lea, Calif.	Nolan
O'Connell	Reed, N. Y.	Steenerson	Weaver
O'Connor	Riordan	Stephens, Ohio	Welling
Oldfield	Robsion, Ky.	Stevenson	Welty
Oliver	Rogers	Summers, Wash.	Whaley
Olney	Romjue	Swope	White, Kans.
Osborne	Rouse	Tague	Williams
Overstreet	Rubey	Taylor, Ark.	Wilson, La.
Padgett	Sells	Thomas	Wilson, Pa.
Park	Sinclair	Venable	Wingo
Pell	Sinnott	Vinson	Wise
Peters	Smith, Idaho	Voigt	Woods, Va.
Rainey, Ala.	Smith, N. Y.	Volstead	Wright
Rainey, H. T.	Steagall	Ward	
Raker	Stedman	Watkins	

NOT VOTING—115.

Andrews, Md.	Emerson	Kettner	Rowan
Andrews, Nebr.	Evans, Nev.	Kiess	Rowe
Bacharach	Ferris	Kitchin	Rucker
Baer	Flood	Knutson	Sanders, La.
Booher	Freeman	Langley	Scully
Brinson	Fuller, Mass.	Lankford	Sears
Brooks, Ill.	Gard	Lehlbach	Sherwood
Brumbaugh	Garland	Lesher	Shreve
Burke	Garrett	McClintic	Slemp
Campbell, Kans.	Godwin, N. C.	McCulloch	Small
Campbell, Pa.	Goodall	McKinley	Smith, Ill.
Cantrill	Gould	McLane	Smith, Mich.
Caraway	Graham, Pa	Mansfield	Smithwick
Carss	Greene, Mass.	Mason	Snyder
Carter	Hardy, Colo.	Moore, Ohio	Steele
Clark, Fla.	Hardy, Tex.	Morin	Stephens, Miss.
Coady	Harreld	Mott	Strong, Pa.
Cole	Hastings	Nelson, Wis.	Sullivan
Cooper	Hayden	Newton, Minn.	Taylor, Tenn.
Copley	Hays	Paige	Tillman
Costello	Hernandez	Parker	Towner
Crowther	Houghton	Pou	Upshaw
Curry, Calif.	Hulings	Ramseyer	Vare
Dale	Husted	Randall, Calif.	Watson
Dewalt	Hutchinson	Randall, Wis.	Winslow
Drane	Ireland	Reber	Woodyard
Echols	Johnson, Miss.	Rhodes	Yates
Ellsworth	Kendall	Riddick	Young, N. Dak.
Elston	Kennedy, Iowa	Rodenberg	

So the resolution was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. SLEMP (for) with Mr. RANDALL of California (against).

Mr. NEWTON of Minnesota (for) with Mr. HASTINGS (against).

Until further notice:

Mr. GREENE of Massachusetts with Mr. HARDY of Texas.

Mr. RODENBERG with Mr. SANDERS of Louisiana.

Mr. HARRELD with Mr. MCCLINTIC.

Mr. GRAHAM of Pennsylvania with Mr. STEELE.

Mr. ELSTON with Mr. DRANE.

Mr. COLE with Mr. HAYDEN.

Mr. SNYDER with Mr. CARTER.

Mr. RHODES with Mr. TILLMAN.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. GOODALL with Mr. SHERWOOD.

Mr. YOUNG of North Dakota with Mr. SULLIVAN.

Mr. MASON with Mr. POU.

Mr. GARLAND with Mr. CARSS.

Mr. BACHARACH with Mr. SEARS.

Mr. WATSON with Mr. SMITHWICK.

Mr. RANDALL of Wisconsin with Mr. UPSHAW.

Mr. PAIGE with Mr. SMALL.

Mr. HUTCHINSON with Mr. SCULLY.

Mr. VARE with Mr. STEPHENS of Mississippi.

Mr. FREEMAN with Mr. MCLANE.

Mr. KNUTSON with Mr. LESHER.

Mr. DALE with Mr. BRUMBAUGH.

Mr. MORAN with Mr. DEWALT.

Mr. STRONG of Pennsylvania with Mr. FERRIS.

Mr. MOORE of Ohio with Mr. RUCKER.

Mr. SMITH of Michigan with Mr. KETTNER.

Mr. NELSON of Wisconsin with Mr. JONES of Texas.

Mr. CAMPBELL of Kansas with Mr. GARRETT.

Mr. MCKINLEY with Mr. FLOOD.

Mr. SHREVE with Mr. ROWAN.

Mr. KIESS with Mr. KITCHIN.

Mr. HOUGHTON with Mr. COADY.

Mr. IRELAND with Mr. GARD.

Mr. BURKE with Mr. MANSFIELD.

Mr. HERNANDEZ with Mr. BOOHER.

Mr. KENDALL with Mr. CAMPBELL of Pennsylvania.

Mr. CROWTHER with Mr. BRINSON.

Mr. HUSTED with Mr. EVANS of Nevada.

Mr. CURRY of California with Mr. GOODWIN of Arkansas.

Mr. ECHOLS with Mr. CANTRILL.

Mr. RIDDICK with Mr. LANKFORD.

Mr. COOPER with Mr. JOHNSON of Mississippi.

Mr. WALSH. Mr. Speaker, I desire to inquire if the gentleman from New York, Mr. HOUGHTON, is recorded as having voted on this roll call.

The SPEAKER. He is recorded as voting "nay."

Mr. PLATT. He is not present. He is out of town.

Mr. HICKS. He is not present. He went home Saturday night.

The SPEAKER. Is the gentleman from New York, Mr. HOUGHTON, present? The Chair being informed that he is not in the city, his vote will be stricken from the roll call. On this vote the yeas are 158, the nays 154, and the rule is agreed to.

Mr. CLARK of Missouri. Mr. Speaker, this vote is so close that I ask for a recapitulation.

The SPEAKER. The Chair thinks that is a reasonable request. The Chair will direct a recapitulation of the vote.

Mr. CALDWELL. Mr. Speaker, a parliamentary inquiry: On the recapitulation, can any Member change his vote?

The SPEAKER. The Chair thinks he can.

The Clerk recapitulated the names of those voting.

The result of the vote was announced as above recorded.

DISTRICT OF COLUMBIA APPROPRIATIONS—CONFERENCE REPORT.

Mr. DAVIS of Minnesota. Mr. Speaker, on behalf of the conferees on the District of Columbia appropriation bill (H. R. 13266), I desire to report that the conferees have been unable to agree.

The SPEAKER. The gentleman from Minnesota presents a conference report for printing under the rule.

APPROPRIATIONS.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that my time may be extended one hour, and if that consent is granted I shall yield that amount of time to those opposed to the resolution.

The SPEAKER. The gentleman from Iowa asks unanimous consent that his time be extended one hour. Is there objection?

Mr. CALDWELL. Reserving the right to object, will the gentleman designate to whom he is going to distribute the hour on the other side?

Mr. GOOD. I will yield to such persons as may be indicated, if gentlemen will have a list made.

Mr. CALDWELL. I will ask the gentleman to change his request, so as to have the gentleman from Tennessee [Mr. PADGETT] handle one-half of the time.

Mr. GOOD. I desire to retain the floor and the control of the resolution, but have no desire to yield the time during that hour to anyone except to those persons who are opposed to the resolution, and who may be agreed upon.

Mr. PADGETT. Will the gentleman yield a moment?

Mr. GOOD. Certainly.

Mr. PADGETT. Will not the gentleman yield one lump hour to some one who is opposed, so that he can distribute the time, and the gentleman from Iowa retain the other hour?

Mr. GOOD. I will say that if the gentleman from Tennessee [Mr. BYRNS] will ask recognition for one hour—he is the ranking Member on that side—and he will yield, I understand, one-half of his time to some one on that side.

Mr. RUBEY. In addition to the amount you are asking for?

Mr. GOOD. Yes; so that we may have three hours.

Mr. MANN of Illinois. The gentleman from Tennessee [Mr. BYRNS] would not be entitled to recognition.

Mr. GOOD. He is the ranking Member on that side.

Mr. MANN of Illinois. But he is not opposed to the resolution.

Mr. CLARK of Missouri. How much time would that give on the rule?

Mr. GOOD. That would give us two hours. Does the gentleman want further time?

Mr. CLARK of Missouri. No; I just wanted to know what it was.

Mr. PADGETT. I understood the gentleman to say three hours a moment ago.

Mr. GOOD. The gentleman from Illinois [Mr. MANN] has made the suggestion that the gentleman from Tennessee, not being opposed to the resolution, would not be entitled to the floor. I desire to retain the floor for obvious reasons which the gentleman can well understand, but do not desire to cut off the debate in any way.

Mr. FIELDS. Then is not somebody who is opposed to the resolution entitled to that hour?

Mr. CALDWELL. Instead of yielding five minutes to one Member and six minutes to another Member, and so on, will not the gentleman yield one hour of his time to the gentleman from Tennessee [Mr. PADGETT]?

Mr. MANN of Illinois. If the gentleman from Iowa [Mr. GOOD] controls the time, either one hour or two hours, and should yield to anyone to offer an amendment, would he not lose the floor?

The SPEAKER. He would.

Mr. MANN of Illinois. So that evidently the gentleman from Iowa [Mr. GOOD] does not intend to permit anyone to offer an amendment?

Mr. GOOD. I understand there will be a motion to recommit which will embody the ideas of those opposed to the resolution.

Mr. MANN of Illinois. Somebody's ideas. I do not know whose.

Mr. PELL. Are you going to have two hours anyhow?

Mr. GOOD. I do not know whether there will be two hours general debate.

Mr. WALSH. Mr. Speaker, I demand the regular order.

Mr. GOOD. Mr. Speaker, I modify my request, that my time be extended by two hours, and with that understanding I will yield one-half of the time for debate to the gentleman from Tennessee [Mr. PADGETT], but not for offering amendments.

The SPEAKER. The gentleman from Iowa asks unanimous consent that his time be extended two hours. Is there objection?

Mr. MANN of Illinois. Unless it carries with it the opportunity to offer amendments, I shall object. I do not think we should pass this resolution without the opportunity of offering amendments.

Mr. HAUGEN. Will the gentleman yield?

Mr. GOOD. I will.

Mr. HAUGEN. This matter was discussed 12 years ago, and we spent months in the discussion, and now are we to dispose of this matter in a few minutes?

Mr. GOOD. I have tried to get three hours.

Mr. HAUGEN. And we considered it before for nearly three months.

Mr. BUTLER. The gentleman had better be thankful for what they will give him.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the time be extended two hours. Is there objection?

Mr. MANN of Illinois. I shall object unless that carries with it the right to offer amendments.

The SPEAKER. Objection is made.

Mr. GOOD. Mr. Speaker, I ask that my time be extended one hour, and I will yield one-half of that to the gentleman from Tennessee for discussion.

The SPEAKER. The gentleman from Iowa asks that his time be extended one hour. Is there objection?

Mr. MANN of Illinois. If it is to be simply for debate, I object.

Mr. GOOD. May I ask the gentleman from Illinois if he knows of any amendment that will be offered which will aid in perfecting the resolution.

Mr. MANN of Illinois. I think most any amendment would aid in perfecting it. [Laughter and applause.]

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 324.

Resolved, That the rules governing the procedure of the House of Representatives are hereby amended in the following manner:

Rule X: Clause 3 shall read as follows:

"3. On appropriations, to consist of 35 members."

Rule XI: Clauses 3, 10, 11, 12, 13, 14, 16, and 56 shall read as follows:

"3. To appropriation of the revenue for the support of the Government—to the Committee on Appropriations.

"10. To agriculture and forestry—to the Committee on Agriculture.

"11. To the relations of the United States with foreign nations—to the Committee on Foreign Affairs.

"12. To the Military Establishment, including the increase or reduction of commissioned officers and enlisted men and their pay and allowances, the militia, and the public defense—to the Committee on Military Affairs.

"13. To the Naval Establishment, including the increase or reduction of commissioned officers and enlisted men and their pay and allowances and the increase of ships or vessels of all classes of the Navy—to the Committee on Naval Affairs.

"14. To the post office and post roads—to the Committee on the Post Office and Post Roads.

"16. To the relations of the United States with the Indians and the Indian tribes—to the Committee on Indian Affairs.

"56. The following-named committees shall have leave to report at any time on the matters herein stated, namely: The Committee on Rules, on rules, joint rules, and order of business; the Committee on Elections, on the right of a Member to his seat; the Committee on Ways and Means, on bills raising revenue; the Committee on Appropriations, the general appropriation bills; the Committee on Rivers and Harbors, bills authorizing the improvement of rivers and harbors; the Committee on the Public Lands, bills for the forfeiture of land grants to railroad and other corporations, bills preventing speculation in the public lands, and bills for the reservation of the public lands for the benefit of actual and bona fide settlers; the Committee on the Territories, bills for the admission of new States; the Committee on Enrolled Bills, enrolled bills; the Committee on Invalid Pensions, general pension bills; the Committee on Printing, on all matters referred to them of printing for the use of the House or two Houses; and the Committee on Accounts, on all matters of expenditure of the contingent fund of the House."

Rule XX: Add an additional clause, as follows:

"2. Any amendment of the Senate to a general appropriation bill which would be in violation of the provisions of clause 2 of Rule XXI, if said amendment had originated in the House, shall not be agreed to by the managers on the part of the House unless specific authority to agree to such amendment shall be first given by the House by a separate vote on every such amendment."

Rule XXI: Add an additional clause, as follows:

"5. No bill or joint resolution carrying appropriations shall be reported by any committee not having jurisdiction to report appropriations, nor shall an amendment proposing an appropriation be in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction. A question of order on an appropriation in any such bill, joint resolution, or amendment thereto may be raised at any time."

This resolution shall take effect on July 1, 1920.

Mr. GOOD. Mr. Speaker, I desire to renew my request that my time be extended for two hours, and if this is granted I will yield one half of the time to the gentleman from Tennessee. I make no reservation as to the right to amend. While I think it is ill advised, I do not want to be accused of taking snap judgment on a matter of so much importance.

Mr. MANN of Illinois. Mr. Speaker, if the gentleman yields for an amendment, does he not lose the floor?

The SPEAKER. That is the rule—if he yields for an amendment he loses the floor, unless some agreement is made to the contrary.

Mr. GOOD. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. GOOD. If I yield an hour and a half to the gentleman from Tennessee and he offers an amendment, do I lose the balance of the time I have reserved?

Mr. MANN of Illinois. The gentleman can not yield an hour and a half for he only has an hour.

Mr. GOOD. I am proceeding upon the theory that my time is extended two hours.

The SPEAKER. The Chair thinks that if the gentleman yields one-half of his time and says that he makes no reservation as to amendments and an amendment is offered, he would lose the floor.

Mr. GOOD. Mr. Speaker, I couple with that the further request that I shall not lose the floor by reason of the fact that any Member may offer an amendment during the time that he is occupying the floor.

Mr. ANDERSON. Reserving the right to object, we are considering this legislation——

Mr. MANN of Illinois. Mr. Speaker, I object.

Mr. CLARK of Missouri. Mr. Speaker, it seems to me that this matter might be straightened out. I suggest that we have three hours' debate; that the gentleman yield an hour and a half of it to those opposed to it; that they can offer an amendment if they wish; and that the gentleman from Iowa have the right to move the previous question at the end of the three hours.

The SPEAKER. The gentleman from Minnesota objected to that proposition, as the Chair understood.

Mr. CLARK of Missouri. I did not hear the proposition put before the House.

Mr. GOOD. What is the request the gentleman from Missouri makes?

Mr. CLARK of Missouri. The same request that was made before; that the gentleman from Iowa have his time extended to three hours for debate; that he yield one-half of it to those opposed; and that he have the right at the end of the three hours to move the previous question.

Mr. GOOD. That would be entirely satisfactory to me.

The SPEAKER. The Chair understands that the gentleman from Missouri asks unanimous consent that the time be extended to three hours for debate, and during that time amendments may be offered, and that the gentleman from Iowa shall have the right at the end of the three hours to move the previous question on the amendments and resolution. Is there objection?

Mr. MANN of Illinois. Reserving the right to object, the Committee on Rules could have put that in the rule, but they did not do it. They put the rule through, now let them live up to it. I object.

Mr. MADDEN. Mr. Speaker, the time has come when there should be some centralization of power in the legislative branch of the Government to regulate expenditures. We have just passed what is known as a budget law. We propose to regulate the conduct of the executive branch of the Government. That compels the executive branch of the Government to give to the Congress of the United States a photograph, if I may so speak, of its program for the entire year. Now, that program as photographed in the budget as presented by the President should be visualized by some central body in the Congress which will be able to prevent extravagant expenditures, and it will not do for us to say that we have performed our full duty when we have placed upon the executive branch of the Government obligations to show their entire program and at the same time say that we will not reform the legislative branch of the Government in such a way as to compel it to show its full program or policy.

Mr. CLARK of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I can not yield in five minutes.

Mr. CLARK of Missouri. Have the gentleman from Iowa grant you more time.

Mr. MADDEN. I do not believe he will; he can not in an hour. I maintain that it is an impossibility with eight great appropriating committees, which travel in different directions, to visualize the financial situation of the Nation and to correlate the great work of reform which must be recognized as needed to keep the expenses of the Government within the revenues.

Mr. WILLIAMS. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I can not yield in five minutes. I maintain, further, that unless this resolution be adopted, we will have failed in the performance of one of the most important duties ever imposed upon Congress. The time has come when economy must be the watchword, and that watchword must be maintained through some central organization of this House which will be able to write the word economy into law, and you will not be able to do that unless you adopt this resolution. Thirty-five men working through subcommittees will be able to get all the information from the various departments which will enable them to so appropriate the money paid into the Treasury by the people as to work out the best possible means of economy. Only a few years ago we had but 300,000 taxpayers who paid money directly into the Treasury of the United States. To-day we have 3,400,000, and it will not be long before we have 5,000,000, and these 5,000,000 taxpayers are all alert to the need for economy. Extravagance such as has never been known before has existed throughout the Nation for a long period, and to-day we are confronted with a deficit now carried in Treasury certificates of more than $3,500,000,000. It is only by the most rigid system of economy that we can hope to pay this deficit with the revenues at our command. We can not afford to add to the further burdens of the taxpaying public. We must give them assurance of our sincerity in the claim that we are for an economical, efficient conduct of Government affairs, and unless we register our votes in favor of this resolution we will have said by our action that we are not in favor of economical reform in Government. [Applause.]

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. HAUGEN].

Mr. HAUGEN. Mr. Speaker, I had cherished the hope and belief that the question of autocracy, either by way of a change in the rules of this House or otherwise, a proposition thrashed out on this floor, voted on by the people, fought out 140 years ago, and again recently in France, one universally repudiated by the American people, had been forgotten. To my surprise, notwithstanding the fact that autocracy is generally looked upon with scorn and contempt, it appears here in a more malignant form than ever.

First, the stepping stone, the camouflage, the so-called budget bill, which, of course, has nothing to do with this proposition—the change in rules. The budget bill is one thing. It has reference to the preparation of the estimates or a budget by the executive branch of the Government. This is another. This change in the rules of the House has reference to the legislative branch; that is, it has reference to how appropriations shall be disposed of in the House. The question is, Shall 35 Members be given jurisdiction over appropriations instead of the 153 Members that now have jurisdiction over them? That is autocracy as against democracy, pure and simple.

My colleague, Mr. GOOD, stated:

We not only make the President responsible for the amount asked for to run the Government, but we give the machinery.

When asked the question as to what extent it changes the responsibility of the President, the gentleman avoided the question. The Constitution defines the duties of Congress as well as the duties of the President. It is the duty of Congress to enact laws and to appropriate money. As everybody knows, not one dollar can be legally taken from the Treasury without authority by law. It is the duty of the President to administer the law, to expend the money in accordance with the acts of Congress, and from time to time to give the Congress information and recommend to its consideration such measure as he shall judge necessary and expedient. Thus the duties have been defined. It is unnecessary to say that Congress has not the sole power to change the Constitution, so nothing has been added to nor detracted from the prerogatives of either by the proposed legislation. All there is to it, is that a simple duty has

been performed. If the necessary machinery has not been provided for in the past, this is an acknowledgment of a dereliction of duty imposed upon Congress. It is either that, or it is camouflage, pure and simple. In the past the budgets, or the estimates, it matters not by which name you call them, have been made up and submitted, first, by the bureau chiefs; next, scrutinized and passed upon by the Secretaries for their respective departments; then by the Cabinet, including the President of the United States; and finally submitted to Congress. It is now proposed that one Secretary shall be given jurisdiction in the matter. If one Secretary can do better than ten Secretaries in preparing them, well and good. Nobody cares particularly whether estimates or budgets are prepared by one or ten Secretaries, just so that they are prepared properly. If the machinery proposed would improve upon the present system, nobody can nor should object. But here we have another question—the change in rules—one which has nothing to do with what has been done. It is now proposed to give 35 Members absolute jurisdiction over practically all the appropriations. The resolution provides that—

No bill or joint resolution carrying appropriations shall be reported by any committee not having jurisdiction to report appropriations, nor shall an amendment proposing an appropriation be in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction; that a point of order may be raised against it at any time.

That simply means that the membership of the House surrenders its jurisdiction and power over appropriations.

There can be no question about the meaning of the resolution. The question then is, Can one committee of 35 members do or accomplish more in the direction of economy, justice, and a businesslike administration of the affairs of this Government than the seven committees with a membership of 22 members each now provided for by the present rules? If it is to be admitted that the committees to be dispensed with, consisting of 154, including the great Committee on Appropriations, have failed in their effort to properly and judiciously appropriate public money, I do not believe that anyone is egotistical enough to claim that a committee with a membership of 35, in all probabilities made up largely from the membership of the Committee on Appropriations, can accomplish more than the 154 members on the seven committees at present. If the Congress is guilty of dereliction of its duty, incompetency, prejudice, or discrimination in appropriating public money, what should be done to correct it? If guilty of one or the other or all, the only remedy, of course, is at the polls. It is then for the public to elect men of the highest type of character; men with business training and experience. I for one do not subscribe to the insinuation conveyed in the resolution, for in my opinion the remedy is in providing for the adequate number of committees, thus making it possible to carefully scrutinize and pass upon every item, so that every dollar of the public funds may be properly appropriated and expended.

In my opinion we should have cooperation. Representatives of appropriating committees should confer and fix the limit of appropriations to be made by each committee. Or the steering committee should be given authority, under the rules, to do what it is doing. As you know, the steering committee during the present session gave consideration to the estimates submitted and after taking into consideration the condition of the Treasury and the heavy demands upon it recommended large decreases—I believe an average of 27 per cent in all estimates made.

A decrease of 20 per cent in the estimates for the Department of Agriculture was suggested. This was carried out by the committee and the House. Larger decreases were suggested to other committees, which I believe were carried out. As a result, a systematic, business way of handling appropriations has not only been worked out but has been effectively carried out.

In my opinion, we should have at least one appropriating committee for each of the 10 executive departments of our Government; besides, the committee having jurisdiction over pensions, whose members are naturally more familiar with the laws and administration of the laws of the Pension Bureau than any others, should be given authority to appropriate for pensions. What is true of the Committee on Pensions is also true as to the Committee on Rivers and Harbors, Merchant Marine and Fisheries, Public Buildings and Grounds, Claims, War Claims, the District of Columbia, and others. Under such arrangement or rules we could look forward to appropriations being dealt with intelligently and in a comprehensive manner, instead of by lump-sum appropriations which the proposed plan necessarily will force Congress to resort to. We could look for legislation which would specify how and where money was to be expended, the salaries, and the number of employees to be employed.

To illustrate, not to reflect upon any committee nor to take any credit to myself, but to point out results obtained, the Agricultural appropriation bill, which I recently reported, appropriated $33,900,211 for the current year and carried 6,033 positions on the statutory roll. Twenty-two industrious members of the Committee on Agriculture gave not only days and weeks but months in most careful consideration of that bill. Every item was carefully scrutinized and considered by the full committee, by a subcommittee, and again by the full committee. Reported to the House; considered by the Committee of the Whole; passed by the House; considered by the Senate committee, a subcommittee, the full committee; considered and passed by the Senate; considered in conference; again passed by the two Houses and finally approved by the President.

Compare it with bills reported by the Appropriations Committee. Seven bills under its jurisdiction—fortification, pension, sundry civil, second deficiency, third deficiency, railroad deficiency, war-risk insurance, and pension deficiency—appropriated $1,945,489,013.06. The total number of clerks carried on the statutory rolls in those bills was only 2,281. The amount of appropriation carried in the Agricultural appropriation bill was only 1.7 per cent of the appropriation carried in the seven bills reported by the Committee on Appropriations, yet the number of clerks carried on the statutory roll of the Agricultural bill was nearly three times the number of clerks carried on the statutory rolls of the seven bills reported by the Committee on Appropriations. We have spent weeks, yes, months, in fighting lump-sum appropriations in an effort to safeguard the Treasury, to exercise our rights and power, to specify and direct where and how the money should be expended, and to determine what salaries should be paid and the number of employees to be employed.

The failure of the Appropriations Committee is not a subject for adverse criticism. The fault is not with the committee; the fault is with Congress in overloading that committee with work. Its members have undoubtedly worked night and day. Its members possess industry, intelligence, and ability, but they are overworked. As everybody knows, it is a physical and mental impossibility for them to give due and proper consideration to all the matters that come under their jurisdiction. It is unnecessary to say that it is further imposing upon them by adding these innumerable responsibilities. The proper safeguarding of the Treasury and the wise expenditure of public moneys can not be expected under the proposed system. It will spell ruin and disaster, as it has in every country where it has been tried. I refer you to the results obtained in England, Germany, and other places where it has been tried.

The natural instinct of mankind is greed for power. True, it manifests itself more in some than in others, but as a general thing all are inflicted with the same disease; all are made out of the same clay. That unfortunate trait of character, that greed for power and usurpation of power, has caused more wars and trouble than any other thing. That was true in the days of barbarism; it is true in our day—and always will be true. It was true of the pirates of old. By the might of their sword they conquered and dethroned rulers, dictated terms to popes and emperors, they fought both for and against the liberty of man. People who had been Christianized fled in terror. England, Ireland, Scotland, France, Spain, Italy—yes, all the European nations—suffered. I need not refer to the constant warfare in Mexico, south of us, nor to the lives and property sacrificed recently in France as the result of that irresistible greed for power. Nor to Washington and his band of noble patriots who fought and died that there might be freedom of thought and action, that we might enjoy the blessings of independence and personal freedom.

Fortunately or unfortunately, I am a descendant of a people recorded in history as possessed of great love for freedom and personal independence. History tells us that to be free and independent has always been their greatest desire and ambition; that they would endure the rigid climate of the north; that they would suffer inconvenience, privation, poverty, and distress; that they would make the forest their habitation; but that they would never give up one inch of their right as freemen. Their love for personal independence amounted to passion. No king or ruler has ever been able for any length of time to be absolute master over them. No foreign nation has been powerful enough to subjugate them. They dethroned their obstinate monarchs. They dared to draw the sword against Europe and demand national independence, and it was given them. In their dispute of only a few years ago let it be said to their honor and credit that differences were amicably adjusted without drawing a sword, firing a gun, or the spilling of a drop of blood. It may be that I am too sensitive about the surrender of my personal rights and the rights of those whom I have the honor to represent, but when I think of the sacrifices made to establish and maintain a democratic form of Government, of which we all boast, the sacrifices

made to stamp out autocracy in the world; when I think of the fierce fight that took place in this Chamber some 12 years ago over autocracy; when I think of those excellent men that contended for one-man rule, who, as a result, found their political carcasses outside of the breastwork the morning after election; when I think of the universal condemnation and repudiation of autocratic rules at the polls; when I think of our good friend Uncle JOE out in the cold and Speaker CLARK ushered into the Speaker's chair, in full control, with his able lieutenant, the distinguished gentleman from Alabama, Mr. UNDERWOOD; when I think of the Republican Party shorn of power eight long and lean years, all as a result of autocratic rule and concentration of one-man power, which, by the way, was insignificant with what is proposed to-day, for all the evil things committed or possible to commit under autocratic rules were, in my opinion, only a drop in the bucket as compared with the rule suggested to-day; and when I think of our sad experience as a result of the error made then, need I say that I feel justified in raising my voice in opposition, and that I am surprised and dumfounded to find that after 15 short months of Republican control of Congress it is suggested by members of my party to repeat the error? I have been told that there are Democratic Members who profited so much by the error previously made that they are contemplating aiding in the adoption of the proposed autocratic rule. Can it be that the heroic fight made by the distinguished Member from Missouri [Mr. CLARK] and his associates was a mere sham?

If an autocratic rule was bad then, why should it be tolerated now? What has taken place? Why should our form of government be changed? Why should 435 Members surrender their rights, power, and prerogatives to 35 Members now? Is it for the purpose, as stated by one Member, to put the Republican Members in the hole? The fight over the rule put not only Republicans but Democrats as well in the hole before. Republicans and Democrats alike will, of course, have to answer to their constituents for this change of heart, and the voter at the polls will, as in the past, record his solemn judgment in the matter. If we judge the present by the past, personal independence and the principle for which our forefathers fought and died are as sacred to the American voter to-day as ever. He will understand that we, as representatives of the people, in surrendering our rights, surrender the rights of those whom we have the honor to represent. He will determine and insist that his Representative and every Member of this House have and exercise the right granted under our Constitution, not only in respect to appropriations but in every other matter affecting the welfare of the American people.

If this change in the rules of the House should be adopted and jurisdiction over all appropriations given to one committee with a membership of 35, what would be the result? The committee would, undoubtedly, be made up of most capable and excellent members. I assume that the committee on committees would assert its rights to make the appointments, and would follow the usual rule of reappointing at least most of the members of the present Appropriations Committee. If so, and if we judge by the past, there is danger of important matters being overlooked. Take, for instance, the Department of Agriculture. I speak of that department because I am more familiar with it than other departments. Under the present rules of the House deficiencies go to the Committee on Appropriations. According to a statement furnished me by that department, the following deficiency estimates were submitted to the Committee on Appropriations and action taken as indicated:

	Estimates.	Amount reported.
Japanese beetle	$200,000.00	(1)
Cold-storage items	253,000.00	(1)
Corn borer	500,000.00	(1)
Printing and binding	125,000.00	$75,000.00
Crop estimates, for envelopes	1,382.56	1,382.56
Fighting and preventing fires	2,500,000.00	(1)
Biological Survey, general expenses	36,271.50	(1)
States Relations Service, station at Guam	5,000.00	(1)
Relief J. W. Harrold, for building rent	111.42	111.42
Total	3,620,765.48	76,493.98

[1] Nothing.

Other departments submitted estimates. Mr. Hines asked for $700,000,000 deficit for the Railroad Administration, an amount twenty times as great as the total annual appropriation for the Department of Agriculture. Only $76,493.98 of the $3,620,765.48 asked for was granted to the Department of Agriculture, but the $700,000,000 was not only cheerfully granted the Railroad Administration but rushed through with the greatest speed, and thus $700,000,000 was extracted from the Treasury. On the other hand, we have the meager sum of $76,493.98 out of the $3,620,765.48 asked for in the interest of 6,000,000 farmers and 6,000,000 laborers tilling 6,000,000 farms, producing 3,000,000,000 bushels of corn and 5,600,000,000 bushels of cereals, which is about one-third of the production of cereals in the world, to feed not only our people but the people of the world. That was swept aside, but when it came to the item of paying profits, under the guise of compensation, to the railroads—as, for instance, to the Chicago, Burlington & Quincy, more than 22 per cent; the Chicago & Erie, more than 70 per cent; the Duluth, Missabe & Northern Railway Co., more than 114 per cent; the Colorado & Wyoming Railroad Co., more than 162 per cent; and the Bessemer & Lake Erie Railroad Co., more than 647 per cent—they paid in many instances annual profits, or so-called compensation, many times the railroad's capital stock and all the water added. If we are to judge by the past, it is unnecessary to prophesy what will become of the farmer, whom all profess to admire and praise just before election.

Under the proposed rule a number of committees are given jurisdiction over legislation but not over appropriations to enforce or execute legislation. Legislation is dependent upon appropriations. Without appropriations to enforce laws they are of no value. For instance, a number of years ago we enacted laws providing for meat inspection, but the committees failed to appropriate for their enforcement. As a result of this failure the small and independent packers were idle. Without the Federal inspection they were unable to operate their plants. Later a three million permanent annual appropriation was provided for, and the number of plants have since increased more than 1,000 per cent. As stated by the gentleman from Ohio [Mr. LONGWORTH], the bonus bill carried no appropriation. Of what value will the law be unless the money is made available? The debate and vote on the bonus bill recorded in the CONGRESSIONAL RECORD sets lights on that. Thus I might go on.

Reference has been made to work of the committees. Acting upon suggestions made, I desire to refer, briefly, to the work done by the Committee on Agriculture, of which I have the honor to be chairman, not in a spirit of boasting but merely to state facts.

In addition to the two appropriation bills enacted, the committee has reported, amended, and had passed more legislation during this Congress, in a period of 13 months, than that committee has done in the preceding 13 years. The fact is it has amended in this Congress practically every bill enacted by that committee in the past 13 years.

The committee reported the Agricultural appropriation bill for 1920 which has been enacted (Public, No. 22, 66th Cong., H. R. 7413), left over from the Sixty-fifth Congress. It carried $33,900,211 appropriation and considerable new legislation, as, for instance, the following clauses: A clause amending the pure food and drugs act so as to require the marking of the net weight on wrapped hams and bacon, which guarantees full weight to the consumer and obviates much deception. A clause requiring the inspection and marking of horse meat shipped in interstate commerce, which brings horse meat under the meat-inspection law and affords protection to the consumer using it. A clause amending the United States warehouse act. A clause extending the Weeks Act by providing appropriation to purchase forest lands under that act. A clause providing for the enforcement of the Government regulations and the handling of the wool clip of 1918, under which large sums unjustly withheld have been collected by the Government and are being distributed among the producers of the wool who are justly entitled to the same. And probably the most important, the clause repealing the so-called daylight-saving law. As you will recall after a long and fierce contest the so-called daylight-saving law, which worked such an inconvenience, hardship, and injustice to the farmers and city people as well, was repealed, the repeal vetoed by the President and finally passed over the President's veto.

The committee reported the so-called food-control amendments and the District of Columbia rents act, which has been enacted (Public, No. 63, 66th Cong., H. R. 8624). The amendments, though to a temporary measure, permit collective bargaining by any cooperative association or other association of farmers, dairymen, gardeners, or other producers of farm products with respect to the farm products produced or raised by its members upon land owned, leased, or cultivated by them, which relieves farmers from persecution and unwarranted prosecution so unjustly imposed on them from coast to coast. This right to collective bargaining by farmers it is now proposed by the Volstead bill to make permanent legislation. True, the prosecution was generally instigated by State prosecuting attorneys, but in a few instances Federal authorities joined with them. Farmers have been compelled to fight lawsuits, at great expense, to justify or

defend their right to make collective sales. For instance, farmers in California engaged in making collective sales of milk were arrested and indicted. They were tried and were promptly acquitted. They were not prosecuted for profiteering, but for simply disposing of their farm products by collective sales. In the fall of 1917 the organization of farmers in Illinois that supplied the Chicago district with milk were indicted and, after being put to a large expense in defending their rights, were acquitted. We find that in instances the third degree was applied in police circles, evidently for the purpose of frightening and embarrassing the farmers hauled into court. In Ohio men of standing, occupying high positions in their localities, were taken out of their beds in the middle of the night, placed in jail, and, as stated by Mr. John Miller in his testimony, they were put into a hospital ward reeking with vermin. In the morning they had breakfast brought in that, both from its quality and from the containers in which it was brought, they could not taste or touch. In January, 1918, officers of farm organizations were indicted, though more courteously treated; they were required to give bail at a premium of $200 or $300 to the surety company. It cost them $15,000 to fight their way out of the trouble. What was true in the cases referred to was also true in others. So far as I know, in every instance all were acquitted. Evidently the prosecution was not to prevent profiteering but simply to persecute.

The amendments reported by the committee also brought wearing apparel and containers of food, feeds, and fertilizers under the provisions of the food-control act, and also attached a penalty for the violation of section 4 of the act, which makes profiteering, hoarding, and destruction of necessities unlawful. The amendments in addition carried the District of Columbia rents act, which created a rent commission to regulate rents in the District of Columbia. This commission has heard hundreds of complaints and has adjusted numerous rent controversies within the District of Columbia, thus saving the tenants from the clutches of the profiteers.

The committee has reported a bill dealing with the supply and price of sugar, which has been enacted (Public, No. 109, 66th Cong., S. 3284). As you will recall, the President had the power and money to control the price and supply of sugar through the United States Sugar Equalization Board, incorporated in the State of Delaware, with a capital stock of $5,000,000, subscribed and paid for out of the President's fund. You will also recall that the Sugar Equalization Board procured the 1919 crop at $5.50 a hundred, $1.54 added for refining, which allowed the sale of sugar on the part of the refiners at 9 cents a pound, less 38 cents per hundred pounds retained by the Sugar Equalization Board. The result of the functioning of this board brought about the staple price to the consumer of 10 cents per pound and a fairly equitable distribution of sugar. You will further recall that on July 29 the Cuban sugar producers offered to sell the Cuban crop for 1920 at a moderate price, a proposition which was given consideration by the Sugar Equalization Board; that on August 14, 1919, the board addressed the President by letter and memorandum recommending that negotiations be entered into to procure the Cuban sugar crop of 1920; that no action was taken by the President; that the board, again on September 20, addressed another communication to the Chief Executive, stating that the time was fast approaching, if it had not arrived, when we would be unable to control the Cuban crop of sugar for 1920 unless action was taken, also calling attention to the fact that a considerable tonnage of Cuban sugar had already been sold and recommending prompt action; that the communication was acknowledged September 22; that on the following day the board again transmitted a letter to the President, advising him that inasmuch as no action had been taken by him concerning these negotiations, the situation was then being called to the attention of Congress. It is needless to say that had the President availed himself of the opportunity to buy the Cuban crop at the price offered with the money and organization made available and at his command he would have saved the consumer from paying the exorbitant prices exacted, and had he purchased the Cuban crop instead of permitting the establishment of zones—one along the Atlantic coast, where the price of sugar was fixed at 9 cents to wholesalers; another in the beet-sugar district, where the price was fixed at 10½ cents a pound; and another down South in the cane-sugar district, where the price was fixed at 18 cents and where the Attorney General, on November 8, 1919, gave his official approval to the establishment of a price of 17 cents per pound for Louisiana prime yellow clarified sugar, and 18 cents per pound for Louisiana clear granulated sugar, net the plantation, which price it was held would eliminate any possibility of successful prosecution—the situation would be different. It is unnecessary to say that had the President exercised his power, what seems to have been a plain duty, and had it not been for the apparent discrimination permitted in favor of the Louisiana cane growers, we would have had not only an ample supply of sugar but sugar at half the price the consumer has been compelled to pay. But inasmuch as the President did not exercise a power which he has had all the time since July 15, 1918, nor follow the recommendations and suggestions made by the Sugar Equalization Board, and also conveyed in the bill passed, of course, no relief was obtained. Nevertheless, the legislation was timely and proper, and should have been carried out, so that the many millions in profit exacted by the profiteers would have been saved to the consumer.

The committee reported the cold-storage bill (H. R. 9521), which has been passed both by the House and Senate, which limits the time foods can be held in cold storage to one year by prohibiting the shipment in interstate commerce of any food that has been held in cold storage for a longer period. It also contains a number of admirable features, such as the one regulating the sanitary conditions of the cold-storage warehouses, and provisions requiring a report on all foods held in cold storage, which will afford accurate information as to the food supply on hand, information as to hoarding, holding, and manipulation of prices, and will permit the officials enforcing the act to secure strict compliance with its provisions.

The committee has reported a bill amending the pure food and drugs act, known as the slack package bill (H. R. 10311), so as to prohibit the use of slack-filled or other deceptive forms of packages. The bill when enacted will remove from the market the type of slack-filled packages used in the marketing of spices, cereals, and like articles which are only partly filled with food—in some instances but one-third of their true capacity. These containers mislead the consumer by exacting from him a price based on the appearance rather than the true quantity thus packaged. They also promote unfair competition, in that the trade dealing with honestly filled packages is, of course, detrimentally affected. Another type of fraudulent package or container which it will do away with is the type which gives the purchaser a false impression as to the quantity, quality, size, kind, or origin of the food contained therein, as, for instance, bottles with inverted bottoms, bottles made of thickened glass for olives or fruit, especially designed to magnify the size of the individual olive. Other forms of deception which will also be removed are the containers of canned foods which contain an excess of liquid, such as water or sirup, and types that contain foreign matter and a deficiency of food material, and also those that by means of pictures or representations printed on the outside convey a false impression to the purchaser as to their contents.

The committee has reported a bill to loan to farmers in drought and storm-stricken sections $2,000,000 for the purchase of seed (H. R. 11312). It authorizes loans through national or State banks not to exceed $300 to one farmer, the loan to be secured, as far as practicable, by a first lien on the crop planted with the seed so secured.

The committee has reported a bill authorizing the acquisition of the experiment vineyards near Fresno and Oakville, Calif. (H. R. 13402), which vineyards contain valuable plantings.

The committee has reported a resolution defining what constitutes a crop failure under the rules and regulations issued by departments of the Government in making loans of seed wheat to farmers for crop purposes (H. J. Res. 307). The contract made in making these loans by the Federal farm-loan banks shows that it was the intention of the contract, although it does not clearly state the fact, that those who produced less than 5 bushels per acre were to have their notes returned, but in the absence of specific language to that effect the farmer could not be relieved. This resolution was incorporated in the Agricultural appropriation bill for 1921, which has been enacted and is now law.

The committee reported the Agricultural appropriation bill for 1921, which has been enacted (Public, No. 234, 66th Cong., H. R. 12272). It appropriates $31,714,784 for the Department of Agriculture. The bill for 1921 eliminates and reduces many useless appropriations, while, on the other hand, it increases many items of importance under which valuable work is being done by the department. As a whole it carries a reduction of $2,185,327 under the bill for 1920. This economy is manifestly in the interest of the country's welfare and proper during this period of critical stress. The bill carries important legislation, as, for instance, the following clauses: The extension of the plant quarantine act to the District of Columbia. Amendments to the cotton-futures act, making permanent the amendments to that act reducing the number of grades deliverable on a contract which were carried in the

wheat-guaranty act, a temporary measure. The transfer to the Department of Agriculture of the reindeer work in Alaska, which is the chief source of food supply of Alaska and is fast becoming its chief industry. The transfer from the Department of the Treasury to the Department of Agriculture of the duty of enforcing the tea-importation act, which properly lodges it under the jurisdiction of the Department of Agriculture, under whose jurisdiction comes the enforcement of legislation affecting all food, as well as that affecting and assisting the farmer in production. The bill also creates a short-time rural credits committee, consisting of the chairman of the Senate Committee on Agriculture and Forestry, the chairman of the House Committee on Agriculture, and the chairman of the Committee on Banking and Currency of the two Houses, and two other members of each of said committees, to investigate and report on the practicability of establishing a system of short-time rural credits in the United States, which, it is needless to say, would be of great benefit, especially to certain sections of the country.

The committee has held hearings on the subject of meat-packing legislation, covering a period of a month and a half, and since the hearings a subcommittee has drafted a bill which proposes to regulate the meat-packing industry, as well as the stockyards, commission men, and traders, which it has reported back to the full committee. The full committee has taken action making the bill reported by the subcommittee the unfinished business of the committee, and has determined that it shall take precedence over other legislation before it until finally disposed of by the committee. In view of the action taken, the legislation should be reported to the House early in the forthcoming session.

The committee has before it a number of other important matters. I have prepared a commercial feed bill which will, if enacted into law, give to the purchaser full and accurate information as to the composition and ingredients of all commercial feed, its nutritive value, and protect him against deception and fraud. I have also prepared a fertilizer bill which will, if enacted into law, accomplish similar results in respect to fertilizers. These bills will be called up for consideration at the earliest opportunity. There are various other important measures pending, too numerous to refer to here.

The committee has held 86 days of reported hearings during the past year, and has been in session, with practically full attendance, from 9 or 10 o'clock in the morning until 6 or 7 o'clock in the evening nearly every day since the convening of the present Congress, except when it has had bills up for consideration on the floor, which accounts for the failure of any of its members to answer to all roll calls. The printed hearings on 20 different subjects before the committee up to date cover 5,891 pages.

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Speaker, I have heard a number of reasons presented in opposition to the adoption of this resolution. I have heard none more earnestly presented than those presented by my distinguished friend from Iowa, Mr. HAUGEN, who has just taken his seat. He seems to have worked himself into a condition of mind where he thinks this is a question which involves the absolute liberty and freedom of the membership of the House. That to me is a novel proposition. My idea is that a committee is simply the servant of the House, and the House always has jurisdiction and authority over its committees. After all, the House names the membership of its various committees, and I can not see where any question of the freedom of individual membership in this body is involved in this proposition. Your Budget Committee has presented the resolution as its final recommendation in order to carry out what it believes is the wish of the House and the wish of the people of the country, to have a complete, rounded budget system, and in the very limited time that I have I wish to call the attention of my Democratic friends to a declaration made in the national Democratic platform which was adopted at St. Louis in 1916. I may say to my Republican friends that their national convention adopted a plank in its platform very similar to it. The Democratic plank reads as follows:

> We demand careful economy in all expenditures for the support of the Government and to that end favor a return by the House of Representatives to its former practice of initiating and preparing all appropriation bills through a single committee chosen from its membership, in order that responsibility may be centered, expenditures standardized and made uniform, and waste and duplication in the public service as much as possible avoided. We favor this as a practicable first step toward a budget system.

Mr. McKEOWN. Will the gentleman yield?

Mr. BYRNS of Tennessee. No; I have not the time, I am sorry to say. This resolution simply carries out that plank in the platform adopted at St. Louis in 1916, and unless we vote for this resolution I respectfully submit to my Democratic friends that we will not be supporting the platform upon which we were elected and to which we pledged allegiance. Now, under this resolution all of these appropriation bills would be presented to the House as a part of one great budget bill. In other words, instead of having 13 regular annual supply bills brought in here from time to time, we will have one great bill proposed by whatever committee this House may select to prepare and present it, and the House will have before it in one bill and at one time all of the proposed expenditures of the Government during the next fiscal year. The House, in addition to that, under the law previously passed, will have before it a statement from the President of the United States showing just what revenues are expected to be derived during the coming fiscal year and what revenues it will be necessary to raise in order to meet those proposed expenditures, and I wish to say, gentlemen, that in my judgment you will never have real, true economy until we get all of these appropriation bills in one committee. That does not mean that every member of an appropriating committee, whether he is on the Committee on Appropriations or any other appropriating committee, believes in economy, nor does it mean that those who are not on appropriating committees do not believe in economy, but I insist that you should have one appropriating committee with no legislative power in order to bring about the greatest amount of economy—a committee which is not predisposed by association or otherwise in favor of any particular department, but with the duty of taking all the departments into consideration at one and the same time. I think you will then have that sort of a situation whereby you will have a budget that will really amount to something. [Applause.]

The SPEAKER pro tempore (Mr. SANFORD). The time of the gentleman has expired.

Mr. GOOD. Mr. Speaker, I will yield three minutes to the gentleman from New York [Mr. HICKS].

Mr. McKEOWN. Mr. Speaker, I make the point of order that there is no quorum present. We ought to have a quorum here for the consideration of this bill.

The SPEAKER pro tempore. Evidently there is no quorum present.

Mr. LONGWORTH. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Ellsworth	Lankford	Scully
Anthony	Elston	Lehlbach	Sears
Ayres	Emerson	Lesher	Sherwood
Bacharach	Evans, Nev.	Little	Shreve
Baer	Ferris	Luhring	Sims
Booher	Freeman	McArthur	Slemp
Bowers	Fuller, Mass.	McClintic	Small
Brinson	Gallivan	McCulloch	Smith, Ill.
Brooks, Ill.	Godwin, N. C.	McKinley	Smith, Mich.
Brumbaugh	Goodall	Mason	Smithwick
Burke	Gould	Merritt	Snyder
Campbell, Pa.	Graham, Pa.	Moore, Ohio	Steele
Cantrill	Greene, Mass.	Morin	Stephens, Miss.
Caraway	Hamill	Neely	Strong, Pa.
Carss	Hardy, Colo.	Newton, Minn.	Sullivan
Carter	Hardy, Tex.	Paige	Thomas
Clark, Fla.	Harreld	Parker	Tillman
Classon	Hastings	Platt	Towner
Cole	Hayden	Radcliffe	Upshaw
Cooper	Hernandez	Ramseyer	Vare
Copley	Houghton	Randall, Calif.	Voigt
Costello	Hulings	Randall, Wis.	Watson
Curry, Calif.	Hutchinson	Reavis	Weaver
Dale	Ireland	Reber	Williams
Denison	Johnson, S. Dak.	Rhodes	Woodyard
Dent	Kendall	Riddick	Yates
Dewalt	Kennedy, Iowa	Robinson, N. C.	Young, N. Dak.
Drane	Kettner	Rowan	Zihlman
Dunn	Kiess	Rucker	
Echols	Kitchin	Sanders, La.	
Edmonds	Kleczka	Schall	

The SPEAKER pro tempore. On this roll call 297 Members have responded to their names. A quorum is present.

Mr. SNELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will open the doors.

Mr. GOOD. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. HICKS].

Mr. HICKS. Mr. Speaker, I feel every one in the House is actuated with a desire to economize in Federal expenditures and in favor of a budget system, but I think in viewing this matter, as all other matters, we should look to the practical side

as well as the theoretical side of the particular proposition submitted. Let us take one phase of the situation, and that is all I can take up in the short time allotted to me. Let me state emphatically that I favor a budget system. My difference is not with the principle involved, but in the method of accomplishing it. This rule provides for the creation of an appropriation committee consisting of 35 members. The Committee on Appropriations, as now constituted, deals with six different propositions and reports six different bills. If this rule prevails, there will be given to that appropriation committee 6 additional bills, making 12 altogether, over which they will have jurisdiction with power to consider and report to this House. If the membership of the committee is made 35 in number, then we have got two mathematical propositions before us. If each subcommitteeman is to serve on but one committee, then with 12 bills to be considered and 35 members to be divided up it is clear that the subcommittees could not have more than three members. If the subcommittees are to be larger, then each member of the Appropriation Committee will have to serve on *more* than one subcommittee and be conversant with more than one subject, and I respectfully submit that it will be a physical and mental impossibility for that man to consider properly the subject under advisement, with the result that the amounts will largely be directed and controlled by the departments, which already possess too much power.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. HICKS. In a moment. Therefore it resolves itself into this proposition, as I see it: That each subcommittee will be composed of three members only, and we commit ourselves, if this rule prevails, to saying that three members of the Appropriations Committee are more competent and more able to determine on these great appropriation matters than are 21 members who now constitute these committees. I respectfully submit, Mr. Speaker, it is not practicable and is not feasible to suppose that 3 members are superior in intellect to 21 members. I doubt also the advisability of concentrating into a small body of men the great power exercised by the independent committees as they now exist, and whose membership gives its entire time to the subject with which they have long been familiar.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. HICKS. Yes; for a question.

Mr. SMITH of Idaho. Is it not true if this rule is adopted that the commissioner of the budget in the Treasury Department will frame the bills so that this appropriation committee will have very little to do except simply to approve the estimates as made up by an executive officer, thus affording no opportunity for a Member to present the claims of the people of his district to a committee, as he can do at present?

Mr. HICKS. Yes, probably; and I wish to make this further observation: If I have the time, I imagine—I do not want to make that statement positively—but I imagine these subcommittees of the Committee on Appropriations are now, in practice, separate and independent committees, that have very little to do with each other in making up the various bills reported from the Committee on Appropriations, and therefore do not coordinate appropriations as claimed. [Applause.]

Do not misunderstand me, Mr. Speaker, that I am opposed to the budget system. Let me repeat that I am heartily in favor of changing the present method in the interest of economy and efficiency, but I am opposed to the plan as suggested and think a better one can be devised. I understand that the gentleman from Minnesota will offer a motion to recommit, which embodies a proposition which I feel will accomplish the desired result without losing the advantages now possessed in having the present committee.

Mr. GOOD. Mr. Speaker, I yield four minutes to the gentleman from Virginia [Mr. MOORE].

Mr. MOORE of Virginia. Mr. Speaker, I do not belong to any committee that has the power of making appropriations. In fact, I do not belong to any important committee except the Committee on Revision of the Laws, which is performing a single task. I think, therefore, that being in a detached position, I am perhaps able to take an unprejudiced and, I hope, a somewhat judicial view of this subject.

There seem to be two arguments against the bill: First, that the proposed committee will be physically unable to perform the work assigned it. Having kept up to some extent with the business handled by the various committees that are entitled to report appropriations, I do not believe that there is any force at all in that argument. Another argument is that the Committee on Appropriations constituted as proposed will be in position to exercise autocratic authority. But it will be a mere agent of the House and within the control of the House, and it will be much easier to recall the action now contemplated, if that should hereafter be thought desirable, than it is now to pass this bill and concentrate all of the work of appropriations in the hands of a single committee. A committee of 35 will be so completely under the dominion of the House that the House can make at any time any change it may think proper.

It has seemed to me during my short service in Congress that there is great necessity for the concentration of administrative work, and while, of course, appropriations have technically a legislative character, they are in substance administrative in a large sense. The Ways and Means Committee provide for raising the revenue and appropriations simply represent the disposition of the revenue.

We have passed a budget bill which not only recognizes the necessity of consolidating but which actually consolidates. It consolidates the estimates and it consolidates the audit transactions. That is done in the interest of economy. Why should we stop and hesitate when in the interest of economy it is proposed we shall centralize the appropriation transactions? I believe if we stop short of doing that we will have an imperfect and incongruous budget system, and deviate from everything that has been done in the way of budget legislation in other bodies. Nearly all the States have adopted budget plans, and they have thrown appropriations into the hands of single committees.

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired.

Mr. DUPRÉ. And there are 48 States in the Union.

Mr. MOORE of Virginia. I ask for one minute further.

Mr. GOOD. I yield one minute more to the gentleman.

Mr. MOORE of Virginia. The man who gave the strongest testimony, based upon his own study and investigation, before the special budget committee was Mr. Willoughby. He has favorably commented upon the Virginia plan recently adopted. In forming that plan there was no thought whatever of centralizing as to estimates and centralizing as to audits and not centralizing as to the work of the general assembly. And I may say—this illustration may not be impressive, because the difference, of course, is very great between the House of Representatives and one of the branches of a State legislature—that some years ago I happened to serve in the Senate of Virginia, and as a member of the committee that dealt with finances and appropriations, if we had diffused instead of concentrating, we could not have gotten through the difficulties confronting us at that time. Why, it is a common-sense proposition, which, it seems to me, the man in the street will recognize, and everybody ought to recognize, that the diffusion here tends against economy and to that extravagance we all are so anxious to avoid and so constantly endeavoring to eliminate.

This is one of the important bills the House ought to pass, and if it should be found later that a mistake has been made it will be in the province of the House to go back to the old system, which almost everybody admits is a bad one. It is a bad system and here is the chance to correct it.

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON. Mr. Speaker, what is the object of a legislative budget? It is to permit a coordination of the expenditures of the Government and at the same time to enable a majority to carry out a party policy, whether that policy be one of retrenchment or expansion. Now, is it necessary, in order to carry out that general principle, to go as far as this proposition proposes to go? I am in favor of a scheme which will permit that thing to be done, but I do not believe that it is necessary in order to do it to hand to a single committee of the House the entire appropriating jurisdiction of the Congress of the United States. What do we do in this House? How do we spend the most of our time? Seventy per cent of all the time you and I spend in this House is spent on appropriation bills.

If this resolution is adopted, 35 men out of 435 will be in charge of bills on the floor of this House 70 per cent of all the time that we are here. This resolution proposes to increase the Appropriations Committee from 21 members to 35 members. At present the Appropriations Committee reports about 40 per cent of the total appropriations. This resolution proposes that 14 additional men shall consider the other 60 per cent. That means that 35 men will do 50 per cent more work than 21 do now; that 35 men will do the work which is now done by 189 Members of the House. I submit that that is a centralization of authority which is both unwise and unnecessary. If this new appropriation committee is created and divided up into subcommittees, it can not very well be divided into subcommittees larger than three or five. I submit these subcommittees can not be representative either of party division or of the difference of opinion over a country as large as this, nor can it be representative of the viewpoints of 435

Members. Whenever these subcommittees report to the main committee that committee will be so large that it can not possibly give to the details of appropriation the consideration which the appropriation committees of the House now give them.

Mr. CANNON. Will the gentleman yield for a question?

Mr. ANDERSON. I have only five minutes.

If I have an opportunity, I shall offer a motion to recommit, which I think will accomplish all that is desirable or necessary to accomplish in the way of coordination or economy. The motion which I shall offer creates a budget committee composed of the chairman and ranking majority member of each of the appropriating committees, and the ranking minority member of each of the appropriating committees. This committee is clothed with the power to consider the budget in its aggregate and to apportion the aggregate amount of expenditures among the appropriating committees. The rule prohibits any of the committees having the authority to report appropriations from reporting an amount in excess of the amount which they are authorized to report by the budget committee. That will give an opportunity for the chairman and the ranking members of each appropriating committee to get together with the chairman and ranking member of the Appropriations Committee and to consider the whole situation. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CANNON. Will the gentleman allow me to ask him one question?

Mr. GOOD. My time is all taken.

Mr. CANNON. I was going to ask unanimous consent to ask one question.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to ask a question. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. If it be good policy to make these committees recommend appropriations, why should not we equalize the 40 committees and let us have a genuine democracy?

Mr. ANDERSON. I do not know what the gentleman is talking about.

Mr. CANNON. I am talking about making all the committees appropriating committees.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that my time may be extended one hour.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent to extend his time one hour. Is there objection?

Mr. ANDERSON. I object.

Mr. GOLDFOGLE. Mr. Speaker, I reserve the right to object.

The SPEAKER pro tempore. Objection is made.

Mr. GOOD. I wanted to do it in behalf of men who wanted to speak in opposition. I ask unanimous consent, Mr. Speaker, that my time be extended 30 minutes.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent that his time be extended 30 minutes. Is there objection?

Mr. ANDERSON. Mr. Speaker, in view of the fact that this matter has been brought in here under a rule which might very well have provided what the gentleman now proposes, I shall have to object.

The SPEAKER pro tempore. Objection is heard.

Mr. BLANTON. Mr. Speaker, I call for the regular order.

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. PADGETT].

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for five minutes.

Mr. PADGETT. Mr. Speaker, I shall try to condense what I have to say on this matter. I think this proposal is entirely impracticable and unworkable from the practical standpoint of legislation. I think it will lead to inefficiency instead of efficiency. I believe that it is absolutely impossible for any one committee, however able it may be, thoroughly and fully and completely to investigate all of the various appropriations from the multiplied angles that they are presented for consideration, and the result will be that the committee will be divided into a large number of subcommittees of 3, or maybe 5 members at the most. It would simply transfer the jurisdiction for the investigations and the examinations that are now being made by committees of 21 members, representatives of the country at large, seeing matters from different viewpoints, and concentrate it in the hands of 3 or 5 members, and they will conduct the investigations, and conduct them from their limited and circumscribed viewpoints. These committees that have been handling these appropriations during these years are familiar with the whole subject, and they investigate and report to the House.

Another thing that I wish to call attention to is that appropriations and legislation must be coordinated and must go together. Let me illustrate. Under this proposal the appropriation will be taken away from the Committee on Naval Affairs and be given to the Committee on Appropriations, but the legislation would remain with the Committee on Naval Affairs. The increase of the Navy, the providing of additional ships, the providing of additional guns, the providing of docks and improvements at yards, would have to be authorized by legislation before they could be appropriated for by this new committee. Under this proposed resolution the privileged status of all these committees is taken away. Suppose the Naval Committee reports a building program of ships, a program for docks, and other necessary improvements. It goes to the calendar. It has no privileged status, and the only way it could be called up would be when the call of the committee might come, perhaps once or twice in a session, or by getting a special rule. It is apparent that neither one nor the other plan is practicable or workable. But assume, for the sake of the argument, that you got your bill acted upon. It goes to the Senate. It has no privileged status there. But suppose that in the Senate it is enacted and becomes a law. In the meantime the appropriation bill has passed, and all of this matter would have to wait until the next session of Congress in order to have an appropriation made following the authorization; and the result will be, since these appropriations are effective only after the 1st of July for the ensuing fiscal year, they would not be available until after the 1st day of July, and you would have innumerable delays and inefficiency instead of efficiency. [Applause.]

Mr. McKEOWN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Oklahoma makes the point of order that there is no quorum present. The Chair will count. [After counting.] Evidently there is not a quorum present.

Mr. McKEOWN. Mr. Speaker, I withdraw the point.

Mr. BUTLER. No; you can not do it. The Speaker has made the announcement.

Mr. GOOD. Mr. Speaker, I move a call of the House.

The SPEAKER pro tempore. The gentleman from Iowa moves a call of the House. The question is on agreeing to that motion.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. GOOD. A division, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Iowa asks for a division.

The House divided; and there were—ayes 98, noes 12.

So the motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Andrews, Md.	Edmonds	Kettner	Rowan
Anthony	Ellsworth	Kiess	Rowe
Ayres	Elston	Kitchin	Rucker
Bacharach	Emerson	Langley	Sanders, La.
Baer	Evans, Nev.	Lankford	Sanders, N. Y.
Bland, Ind.	Ferris	Lehlbach	Scully
Booher	Freeman	Lesher	Sears
Bowers	Fuller, Mass.	Little	Sherwood
Brinson	Godwin, N. C.	Luhring	Shreve
Britten	Goodall	McClintic	Slemp
Brooks, Ill.	Goodykoontz	McCulloch	Small
Browne	Gould	McKinley	Smith, Ill.
Brumbaugh	Graham, Pa.	Mason	Smith, Mich.
Burke	Greene, Mass.	Merritt	Smith, N. Y.
Campbell, Pa.	Hamill	Moore, Ohio	Smithwick
Cantrill	Hardy, Colo.	Morin	Snyder
Caraway	Hardy, Tex.	Newton, Minn.	Steele
Carss	Harreld	Paige	Stephens, Miss.
Carter	Hastings	Parker	Strong, Pa.
Clark, Fla.	Hayden	Platt	Sullivan
Cole	Hays	Porter	Taylor, Tenn.
Cooper	Heflin	Pou	Thomas
Copley	Hernandez	Ramseyer	Tillman
Costello	Hill	Randall, Calif.	Towner
Curry, Calif.	Hoey	Randall, Wis.	Upshaw
Dale	Houghton	Reavis	Vare
Dent	Hulings	Reber	Walters
Dewalt	Hutchinson	Reed, N. Y.	Watson
Drane	Ireland	Rhodes	Woodyard
Dunn	Johnson, S. Dak.	Riddick	Yates
Dyer	Kendall	Riordan	Young, N. Dak.
Echols	Kennedy, Iowa	Robinson, N. C.	

The SPEAKER. On this roll call 300 Members have answered to their names. A quorum is present.

Mr. GOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. GOOD. Mr. Speaker, in 1789 the Ways and Means Committee was created, with authority to report revenue and appropriation bills. This jurisdiction of one committee over revenue and expenditures continued for 76 years.

In 1865 the Committee on Appropriations was created, with authority to report all appropriation bills, and this arrangement continued without interruption until 1880, when the Committee on Agriculture was created and given authority to report appropriation bills for the Department of Agriculture.

This plan continued for five years more, when jurisdiction was given to the Committee on Military Affairs to report appropriation bills for the military; jurisdiction was also given to the Committee on Naval Affairs to report appropriations for the Navy; jurisdiction was also given to the Committee on Indian Affairs to report appropriations for the Indians; and jurisdiction was likewise given to the Committee on the Post Office and Post Roads to report appropriations for the Post Office Department.

There was a lively fight in 1865 when jurisdiction was taken from the Committee on Appropriations to report appropriations for these various branches of the Government service, and when that jurisdiction was divided among these other committees.

We have now determined in this Congress, by a vote almost unanimous, only three persons having voted in the negative, to establish a budget system. We have determined to carry on the business affairs of the Government in a businesslike way. We have decided that the Chief Executive shall make a budget which shall be an estimate of the necessary sums to carry on the Government, and we have determined upon that policy because there is a growing demand throughout the country that we must practice real economy, that we must reduce the high cost of living; that to do that we must reduce taxation; and that to do that we must reduce expenditure; and to reduce expenditure we must have a budget system.

The Select Committee on the Budget, which have reported the resolution, went very carefully into the question as to how far we should go by legislation to amend the rules of the House. The committee, I think wisely, took the position that the law creating the budget ought not to attempt to bind future Congresses, the Constitution of the United States containing, as it does, the provision that each House shall prescribe the rules for its procedure.

Inasmuch as the Constitution guarantees to the next Congress that it shall prescribe its own rules to govern its procedure, it was thought unwise for this Congress to attempt to adopt rules for the next Congress by an act of Congress, and so we determined to take two steps, first, to bring out the budget bill creating the budget, and second, this resolution, which amends the rules of the House by providing a single committee on appropriations.

Congress has taken the first steps and passed the budget and accounting act. But, vain is a budget law, all in vain the legislation demanded by the American people for budgetary reform, if we only clean the executive departments and do not correct the evils existing in this House. [Applause.]

A great deal has been said to-day about the Committee on Appropriations seeking to extend its autocratic authority. I want to say for myself, and I think for other members of that committee, that if this resolution is adopted the House will be free and unfettered to select a committee of 35 Members for the Committee on Appropriations. My resignation as chairman of the committee and as a member of the committee will be at the disposal of the committee on committees. I feel that the question is so important that it so far transcends any individual ambition, and that we must, in order to make this budget law a workable law, sacrifice our personal ambition for the public good. [Applause.] I am perfectly willing to make the sacrifice, and shall gladly accept a demotion if that is thought desirable in order that this resolution shall be adopted.

If the resolution we have reported does not stand on its merits, if it does not have the real merit that it should have to secure your support, then do not vote for it; but I beg of you to-day to vote your intelligence, your convictions, and not your prejudice toward the committee or any member of any committee, and I realize that the committee is not popular, and when it becomes popular I for one shall question the quality of its work. Again, this resolution should not suffer because it gives additional power to a committee that must produce strict economy. If you want real economy, if you want a reduction in the high cost of living, a reduction in expenditures, a reduction in taxation, if you want a real budget, you will vote for this resolution.

I want to say a word to the Democratic side of the House. The gentleman from Tennessee [Mr. BYRNS] has wisely called your attention to the Democratic national platform of 1916, in which you said:

> We demand careful economy in all expenditures for the support of the Government, and to that end favor a return by the House of Representatives to its former practice of initiating and preparing all appropriation bills through a single committee chosen from its membership, in order that responsibility may be centered, expenditures standardized and made uniform, and waste and duplication in the public service as much as possible avoided.

Mr. Bryan, speaking in support of that platform, said:

> The Representative who secures office on a platform and then betrays the people who elected him is a criminal worse than he who embezzles money.

I do not say that; that is your platform and that is the measure of your responsibility upon that platform, as fixed by a man who was three times your candidate for the Presidency. You may do as you please, now that a real test has come, vote to repudiate your platform or vote to carry out its provisions. But I want to assure you that those Democrats who vote to repudiate their platform in this respect will, I believe, live to regret that action, and your deserts may come sooner than you think.

And I want to say to this side of the House that we are responsible for the legislation of the Congress. We are responsible now in this House for everything that goes through the House, and we are responsible for the things that we bring forward that fail of passage. Let us to-day assume that responsibility like true Americans, mindful of the fact that we have pledged ourselves in the last platform to a budget system. Let us remember that every man who appeared before the select committee on the budget said that a budget system was useless, that it was worse than folly to attempt it if we simply cleaned the executive household and refused to clean our own house.

An amendment will be offered in the way of a motion to recommit to provide that the Committee on Appropriations shall allot to these several committees the amounts they should appropriate and leave to those committees the determination of how much should be given to each object.

That proposition is like putting the roof on a house before you have laid the foundation or constructed the side walls. Just before we reported out the sundry civil bill the gentleman from Wyoming [Mr. MONDELL] came to me and wanted to know what we were going to do with the appropriations. There was a billion and thirty-six million dollars of estimates. I told him there would be no appropriation for the Shipping Board, but that organization would be given authority to use balances. I want to say that no man in the House has a better knowledge of the sundry civil bill than the gentleman from Wyoming [Mr. MONDELL]. With that knowledge the gentleman gave to the press the fact that the sundry civil bill would be cut to $600,000,000. If I had been asked at that time to give an estimate, I could not have estimated much, if any, nearer, for the reason that while we had had hearings on 2,000 items or more estimated to be carried in the bill, it was not until after we had used the adding machines one night until 2 o'clock in the morning that we were gratified to learn that we had pared down the estimates of that bill to $428,000,000, or $200,000,000 less than the estimate of the gentleman from Wyoming. [Applause.]

If we had made the allotment as suggested before hearings, it would have been $600,000,000 instead of $428,000,000.

I say to you with all earnestness that it is altogether impracticable to try to fix the total of a bill until you have fixed the exact amount of every single item of the bill. The gentleman from Michigan [Mr. KELLEY], who has served so ably upon the Committee on Naval Affairs, I see nods his head time and again to what I have said on that proposition. He knows it is so, and every man working on an appropriation bill knows that it is so. It is folly to contend otherwise.

Mr. HUSTED. Will the gentleman yield?

Mr. GOOD. I regret that I can not in the little time I have.

We sometimes hear it said that this is a Government by political parties, and, in a sense, this is true. But in a stricter and more limited sense, Congress enacts its legislation through the committees of the House and the committees of the Senate. So far as legislation is concerned, therefore, ours is a Government by legislative committees. When in 1885 this House committed the folly of decentralizing the power of the Committee on Appropriations by giving to the Committee on Military Affairs, the Committee on Naval Affairs, the Committee on Indian Affairs, the Committee on Foreign Affairs, and the Committee on the Post Office and Post Roads jurisdiction to report appropriation bills for their respective services, Mr. Blackburn, of Kentucky, gave the true philosophy of committee government

and the real functions of legislative and appropriating committees. He said:

They (the committees) are appointed that they may guard the interests of the particular department committed to their care. That is the theory of the construction of the committees of the House; and it is a proper theory. The Committee on Appropriations stands in a very different attitude. Because of no special relation to any department, selected as a fair and impartial arbiter, with no more concern for the Navy or the Army than for the Interior Department or the Post Office Department, it has been selected as the one grand reservoir into which all these proposed disbursements of money should pour, in order that fairly, judiciously, impartially it may make its recommendations to the House.

Mr. Blackburn was opposed to the decentralization that took place at that time, and in the words I have quoted most forcefully pointed out the folly of intrusting to a legislative committee the power of making appropriations on matters in which he was vitally and deeply interested.

To prove that his philosophy was true and his judgment sound I desire to quote somewhat at length from the article written by Dr. Harlan Updegraft, of the Bureau of Education, that appeared in the American Schoolboard Journal for May, 1912. Dr. Updegraft was pleading for a further decentralization of the power of the Committee on Appropriations, to the extent that the Committee on Education should have jurisdiction to report all appropriation bills for educational purposes. Unwittingly he admits the soundness of the logic of Mr. Blackburn and the correctness of the position which the Committee on the Budget has taken in reporting out this resolution. He said:

CONGRESSIONAL PROCEDURE A HINDRANCE.

If during the past 40 years the Commissioner of Education had been granted lump-sum appropriations from which he could have paid salaries fairly commensurate with those paid by local public and private agencies throughout the United States, and had it been possible for him to set aside proper amounts for traveling expenses, the bureau would have made a far greater impress upon educational policy and practice. In consequence of the higher appreciation which would have resulted it is also quite probable that the Congress would have increased its appropriations from year to year until their magnitude would have become more nearly commensurate with the high regard in which all Americans hold their public schools.

However, there is an underlying cause for this situation in the business procedure of each of the two Houses of Congress. Under this procedure the estimates for some departments are acted upon by their friends at court, while the estimates for other departments are passed on by a tribunal whose main object is economy. All appropriation bills for the Department of Agriculture are prepared in the House Committee on Agriculture and are reviewed in the Senate by the Committee on Agriculture and Forestry. This same practice also holds with the appropriations for the Diplomatic Service, the military service, the naval service, and the Postal Service. On the other hand, the appropriations for the other branches of the executive departments are prepared by the Committee on Appropriations of the House and are referred in the Senate to its committee of like name. Quite naturally the attitude of these Committees on Appropriations toward the estimates submitted by their respective branches of the executive department is distinctly different from that shown by the committees which recommend the appropriations for a single department or bureau.

Members of the latter class of committees have their attention centered on one particular set of governmental activities, which they hold in growing appreciation as their knowledge of the work increases. On the other hand, members of the Committees on Appropriations have their attention divided among several departments and independent offices and commissions, all of which are more or less desirous of increased funds. Strong attachment to the work of any branch of the Government service is not fostered by such a condition. Moreover, the numerous insistent demands that come upon them develop a controlling idea in the minds of these Appropriations Committees—not the great good that may come to the people through any branch of the service, but rather the desirability of cutting appropriations to the lowest possible limit in order that the party in power will not be held accountable for large expenditures. In brief, all the appropriations for the Department of Agriculture, and the principal appropriations for the War, Navy, and Post Office Departments, are in the hands of their friends, while those of the remaining Government offices must come before a tribunal the chief aim of which is to keep the total appropriations, including those framed by the special committees, within certain fixed limits. It follows from this that the liberal appropriations recommended by the special committees have a tendency to lower the appropriations for the other departments, which are drawn directly by the Appropriations Committees. Had the estimates of the Commissioner of Education during the past 40 years been referred in the House to the Committee on Education and in the Senate to the Committee on Education and Labor there would undoubtedly be to-day a far different story to tell. If such a reform in the procedure of the Houses could be carried out to-day, an increased participation of the National Government in the educational development of the country would probably result.

It is, indeed, true that a legislative committee is appointed to guard the interests of a particular department committed to its care. That committee is appointed to defend that department and to assist in every worthy ambition for the growth and development of that department, even to the extent of taking up new projects that involve additional expenditures at a time when there should be rigid economy and a retrenchment in expenditures. This is not true of the Committee on Appropriations. It has no particular department to defend, no particular project to advance. It stands as the impartial arbiter of all the legislative committees, so far as appropriations are concerned, and at a time when retrenchment is necessary can say to each that it is necessary to retrench, and can lay down the rule by which the retrenchment shall be brought about. It applies to all committees alike. It is the grand reservoir to which all these departments must come and the appropriations for each will be measured by the necessities and national importance of the service appropriated for. At present there is a competition between these various committees that have this dual function to perform to see which department can grow the most rapidly, and nowhere does any one committee of the House exercise a controlling influence over the several committees that have appropriating jurisdiction.

In the report accompanying this bill I have quoted at length from the splendid speeches made by James A. Garfield, James A. Tawney, John J. Fitzgerald, and Swagar Sherley, all former chairmen of the Committee on Appropriations, and Hon. Thomas B. Reed, Samuel J. Randall, Warren J. Kiefer, and JOSEPH G. CANNON, all former Speakers of the House, and other eminent statesmen, to prove that real economy in appropriations and Government expenditure can not be effected unless all appropriation bills originate in a single committee. No one familiar with the working of Congress, and especially the committees of Congress, seriously questions this contention. It is the almost unanimous verdict of the men who have studied the problem and who have arrived at a conclusion unaffected by their position in the House or on a committee of the House.

Let us not attempt to deceive the American people on the question of budgetary legislation. Let us not attempt to deceive ourselves by the claim that by voting for the House bill, which provides for a budget system, we have done all that is necessary to do to bring about real economy through a budget system. That bill is a great step in advance. The bill which we have passed and which has gone to the President for his signature is the vehicle for the budget. The resolution which is pending before the House to-day is to put in the power that will make that vehicle move. By voting against this resolution you may deceive yourselves into believing that you have voted for all that is necessary in budgetary legislation, but you will not be able to deceive the voter in this regard.

It is said that the Committee on Appropriations would have great power. It has great power now, and always will have great power, and, in my opinion, its usefulness will be increased in proportion to the increased power granted it, assuming always, of course, the proper exercise of that power.

I do not have the time to explain this chart which is before you. It is, in a large measure, self-explanatory. It shows the present plan and not the proposed plan. The colored lines show the items appropriated through bills reported by the Committee on Appropriations. These from the bottom show the appropriations that go to the various departments and are carried in bills reported by the other committees. Here are the executive or spending departments. For example, take the Committee on Military Affairs. It reports two bills—one the Army bill and one the Military Academy bill; but the Committee on Appropriations reports out a bill carrying all of the clerk hire for employees in the War Department in the District of Columbia, and also reports the fortifications bill, which carries not only for works of fortification but also field artillery and ammunition for field artillery.

Mr. FIELDS rose.

Mr. GOOD. I can not yield. It also reports the sundry civil bill, which carries all of the appropriations for buildings and repair and maintenance of buildings at the Government arsenals. It reports all of the deficiency bills for the War and other departments. Stop and think of it and see how ridiculous and unbusinesslike this plan is. During the Sixty-fifth Congress and the first session of the Sixty-sixth Congress the Committee on Appropriations reported appropriation bills appropriating $13,313,000,000 to carry on the war, and during that same period the Committee on Military Affairs reported out bills carrying $11,000,000,000 for carrying on the war. A great part of the work, especially in time of war, must by the very nature of things be proposed in bills reported by the Committee on Appropriations, but the great trouble lies in this divided authority. One committee is working one way and another committee is working another way. The right hand does not know what the left hand doeth, and we find through all of our appropriation bills duplications in the service, we find waste and extravagance. We see great departments going to one committee for an appropriation, and if the funds are not granted they go to another, and not infrequently they succeed. How are you going to eliminate waste under this plan of divided authority? The resolution which we have offered is the solution. It creates one committee on appropriations of 35 members. That committee will be selected, not by the Committee on Appropriations but by the membership of this House. The Democratic

Members determine their personnel, and we will determine our personnel.

The SPEAKER. The gentleman has used 14 minutes.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman be given 30 minutes additional time. This is an important matter, and we ought to understand it.

Mr. GREENE of Vermont. Mr. Speaker, reserving the right to object, that question has been debated several times, and those who would like to express themselves to the contrary on this resolution have had no opportunity. It seems to me it would be rather rubbing it in to have the time extended only to the affirmative side. I object.

Mr. GOOD. I will take one minute more. We are right up now to the proposition of determining whether we are going to make the budget law which we have enacted, which every man believes in, a real, workable thing, or whether we shall tear the budget, when it reaches us, into eight parts and send it to eight committees of this House and let them wrangle as they have wrangled before, duplicate expenditures as they have duplicated before, waste as they have wasted before. Shall we not rather adopt a plan of conducting the biggest business in all the world along business lines, unmindful of the ambitions of men? I plead in the interest of economy, I plead in the interest of the taxpayers, that you adopt this business plan. Let us finish the work we have started, and let the chips fall as they may. Take the committee assignments and go with them. I shall ask no man for my retention on the Committee on Appropriations. I want, if possible, to eliminate personalities from this consideration; to eliminate myself, if necessary. And I know the other members on the Committee on Appropriations would eliminate themselves, if necessary, in order that we might enact and carry into execution a piece of constructive legislation that will redound to the credit of this Congress and that will lighten the burdens of the taxpayers in the United States. [Applause.]

I yield four minutes to the gentleman from Kentucky [Mr. FIELDS].

Mr. FIELDS. Mr. Speaker, the gentleman from Iowa [Mr. GOOD] has referred to the declaration in the Democratic platform pledging the party to a budget system. I stand upon that platform; but it does not follow that the plan presented by the gentleman from Iowa is the only plan by which a budget system can be administered. There are evils in our present system, due to the fact that the Committee on Appropriations is exercising jurisdiction now that it should not exercise. If we want to cure the system, first vote down this proposition, which is not as good as the one under which we are now operating, and then let them consult with the other appropriating committees of the House and work out a budget system that will meet the requirements of the country. [Applause.]

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. No; I can not in five minutes.

Mr. MONDELL. I merely wanted to remind the gentleman of the words of the Democratic platform.

Mr. FIELDS. I am standing on the Democratic platform, and I shall not ask the gentleman from Wyoming to construe that platform for me. The gentleman from Iowa refers to the fact that during the war the Military Affairs Committee reported out bills carrying $11,000,000,000 for the support of the Army while the Committee on Appropriations reported out bills carrying $13,000,000,000 for the support of the Army. Let me tell you what happened: The War Department came to the Committee on Military Affairs with their estimates. We studied the propositions before us and allowed them what was necessary, and in many instances before one dollar of that money was expended they went before the Committee on Appropriations with a so-called deficiency and got additional funds there for the identical items for which we had appropriated.

With regard to the budget, I am for it; but the question is, Can a subcommittee of three, five, or seven members from the Committee on Appropriations better determine what the Military Establishment should have than 21 members as a military committee who have studied the legislation that makes the appropriations necessary? Can three, five, or seven members, constituting a subcommittee of the Committee on Appropriations, better determine the needs of the Military Establishment than 21 members who devote their entire thought and energy to that proposition? If a subcommittee of five members of the Committee on Appropriations are more capable of passing upon the needs of the Military Establishment than are the 21 members of the Committee on Military Affairs, why have a military committee at all? The man who makes the contention must also contend that they are superior in mentality and business qualifications, and the man on the military committee or on any other committee who agrees with him admits by his agreement that that contention is well founded.

Now, if you want to correct this evil in regard to military appropriations to which the gentleman from Iowa has referred, vote down this proposition. Then come in with a budget system that will confine each appropriating committee within the limits prescribed by the budget committee and keep the hands of the Appropriations Committee out of all appropriations not properly under its jurisdiction. Let the Military Establishment go to the Military Committee for every dollar of their expenses, including deficiencies, and then there will be no room for duplication. Let the Navy Department go to the Naval Committee for its entire appropriation; the Post Office Department to the Committee on the Post Office and Post Roads for its entire appropriation; the Department of Agriculture to the Committee on Agriculture for its entire appropriations, including deficiencies. Confine each department to a specific committee for its entire appropriations. Have a budget committee cooperating with the Executive to determine the maximum amount that may be appropriated for each department and make it out of order for the committee having jurisdiction to exceed the maximum allowed by the budget committee for any department. By that method you will insure economy through the budget committee, prevent duplications by confining the appropriations of a given department to a single committee, and insure efficiency in the distribution of the amount appropriated among the various items of the bill by having it distributed by a committee that has an intimate knowledge of the department, acquired through legislative experience, which will enable it to know where reductions can be made and where they can not be made without impairing the service.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. GOOD. I yield two minutes to the gentleman from Kansas [Mr. TINCHER].

Mr. TINCHER. Mr. Speaker, for several years there has been considerable talk among folks on the street about a budget. I hope the fact that I am on one of the big appropriating committees will not make me forget in the short time since I came here to vote for a budget. [Applause.] There is not a plainer or better understood fact in this Congress than the fact that the legislative committees should not appropriate and that the appropriation committees should not legislate. I have heard hundreds of men say that, but to-day a lot of you are going to forget it because you are on a big legislative committee that has authority now to appropriate money. I say it is beneath the dignity of a Congressman to forget his duty to his constituents simply because he is on one of these committees and to vote against our solemn pledge to the people of the United States in both platforms for the last 10 years. I shall vote for this resolution. [Applause.]

Mr. GOOD. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. HUSTED].

Mr. HUSTED. Mr. Speaker, I have long been in favor of the adoption of a budget system because I realize that this Congress must do business in a businesslike way if we are to reduce expenditures, and that is what we want and that is what the people want. Being in favor of the adoption of a budget system I want to see it made effective, and we all know that it can not be made effective unless we change our rules. There are two plans suggested. One is the plan of the committee that vests in a budget committee of 35 Members acting through its subcommittees all appropriative authority. The other proposition is that we allow this budget committee to allocate the money and then permit the appropriating committees of the House to make up their appropriation bills. Now, there is, it seems to me, a fatal objection to this second plan. The fatal objection is that this money can not be allocated in an arbitrary way. It must be allocated in accordance with the national need. If it is to be allocated in accordance with national need the budget committee——

Mr. CALDWELL. Will the gentleman yield?

Mr. HUSTED (continuing). Will have to do all the work which is done by the separate appropriating committees of the House—I can not yield to the gentleman in the limited time—and we would thus have a duplication which economy forbids and which time will not allow. I sincerely hope that this Congress will do the patriotic thing, will do the thing that this country wants it to do, and that is to adopt this resolution. [Applause.]

Mr. GOOD. Mr. Speaker, I have an amendment to correct a mistake that was made in the numbering and also to add to the provision as suggested by the Rules Committee, so as to provide that when the Senate added an amendment which would

be subject to a point of order if offered on the floor of the House, if that amendment was offered to a legislative bill and carried an appropriation, when it comes back the House should have a chance to vote. I ask for a reading of the amendment.

The Clerk read as follows:

On page 2, in line 15, strike out the figures "16" and insert in lieu thereof the figures "56."
On page 3, line 10, strike out the word "any" and insert in lieu thereof the word "no."
On page 3, line 13, after the word "House" insert "nor any amendment of the Senate providing an appropriation upon any bill other than a general appropriation bill."
In line 13, strike out the word "not."

Mr. GOOD. Mr. Speaker, I move the previous question on the amendment and resolution to final passage.

The SPEAKER. The gentleman moves the previous question on the amendment and resolution to final passage.

Mr. ANDERSON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. ANDERSON. I desire to offer a motion to recommit.

The SPEAKER. That will come later.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

The SPEAKER. The gentleman from Minnesota offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Motion to recommit offered by Mr. ANDERSON: I move to commit the resolution to the Select Committee on the Budget, with instructions to that committee to strike out all after the resolving clause down to and including line 8 on page 3, and insert in lieu thereof the following:
"Rule X: By adding after clause 1a the following:
"'1b. There shall be a committee on the budget, to consist of the chairman and ranking member of the majority party and the ranking member of the minority party on the following committees: Appropriations, Ways and Means, Rivers and Harbors, Agriculture, Foreign Affairs, Military Affairs, Naval Affairs, Post Office and Post Roads, Indian Affairs, Public Buildings and Grounds, and the District of Columbia. The chairman of the Committee on Appropriations shall be the chairman of the budget committee.
"'It shall be the duty of the budget committee to consider the budget transmitted by the President at the beginning of each regular session of Congress, and from time to time to determine the aggregate amount of appropriations which may be reported by any committee having authority to report appropriations under the rules. No committee shall report appropriations in excess of the total amount authorized by the budget committee for such committee for the ensuing fiscal year.'"
Strike out, on page 3, all of lines 17 to 25, inclusive.

Mr. ANDERSON. Mr. Speaker, I move the previous question on the amendment.

Mr. GOOD. I make the point of order that the motion to recommit is not germane. It does a great deal in a different way than anything we have reported.

Mr. CALDWELL. Mr. Speaker, I understood the gentleman to say in his opening remarks that there would not be this motion. The demand for the previous question has been made without any opportunity to understand it. Surely the gentleman will not take the House unawares and press the point of order at this time when he led us to believe that we would have a vote on it.

Mr. GOOD. I have no objection to a motion to recommit that is germane and in order.

The SPEAKER. It occurs to the Chair at first blush that this resolution is a motion to amend the rules in many particulars.

Mr. GOOD. It is a motion to amend the rules in only those particulars that have to do with authority to report appropriation bills and increase the size of one committee, and under Rule XXII to provide that as to an amendment of the Senate that would not be in order if offered on the floor of the House, the conferees should bring back such amendment before agreeing to it. That is practically all that the resolution that we have offered does.

Mr. GARRETT. This creates a new committee.

Mr. GOOD. As I understood the reading of it, it creates a new committee altogether.

Mr. ANDERSON. Mr. Speaker, the resolution offered by the gentleman from Iowa seeks among other things to amend Rule X of the rules of the House. Now, Rule X of the rules of the House is a very comprehensive rule. It provides that "there shall be elected by the House at the commencement of each Congress the following standing committees," and then proceeds with enumeration of the committees of the House in detail, and Rule XI provides for the jurisdiction of these committees. It is true that the amendment of the gentleman from Iowa [Mr. GOOD] does not create a new committee. It does, however, increase the membership of the Committee on Appropriations and does increase the jurisdiction of that committee. It is a very general amendment of Rules X and XI, and it seems to me it would be a very strict construction of the rules of the House which would hold that where you amend six or seven sections of a rule of the House you can not amend the same identical rule by another provision calculated to accomplish identically the same results.

Mr. GREENE of Vermont. Will the gentleman yield? Is it not also a fact that if you extend the jurisdiction of a committee you have to that extent created a new committee?

Mr. GOOD. Oh, no; not at all.

Mr. GREENE of Vermont. You have given it territory to occupy that another special committee might have occupied.

Mr. ANDERSON. Not only does this rule proposed by the gentleman from Iowa amend Rule X and Rule XI of the House, but it adds an additional section, Rule XX, which I preserve in the amendment which I offer. It seems to me that under the rules of the House under which it has generally been held that where a bill undertakes to amend one section or a number of sections of a law it is germane to offer to amend other sections of the law my amendment is clearly in order. If this resolution of the gentleman from Iowa were confined to Rule X, perhaps it might then be contended that it would not be germane to amend the rules in another particular, but the resolution offered by the gentleman from Iowa goes far beyond that and proposes additional rules which have no relation to Rule X, and under that resolution, in my judgment, it is in order to amend any rule of the House. Surely it is in order to further amend the same rule amended by the resolution.

Mr. WALSH. Does the gentleman from Minnesota contend that the rule relating to a motion to recommit operates upon a proposal to change the rules of the House, which is ordinarily done by the Committee on Rules, and if this rule was brought in by the Committee on Rules you could not recommit it to the Committee on Rules? Now, it is brought in by another committee, but it pertains to changing the rules of the House. Does the gentleman think you can recommit a proposition of that sort?

Mr. ANDERSON. I submit that this proposition as it now stands before the House stands exactly on the same footing as legislative proposals. This matter as here proposed is not privileged. The Committee on Rules, if it had reported this matter, would not have reported a privileged rule, and certainly it is not privileged when reported by the Committee on the Budget. If it had been it would not have been necessary to pass the rule which we passed to consider it. And the very reason which prohibits the motion to recommit on the rule reported by the Committee on Rules is based on the proposition that that committee has the right to report at any time and its reports are privileged.

Mr. WALSH. If the gentleman will permit, according to a precedent recently established, a report of the Committee on Rules changing the rules of the House has been held privileged under a rule which permits them to report at any time.

Mr. ANDERSON. That is true, I think, as to a rule providing for the order of business. I think it is not in order in reference to an amendment to a rule brought in in this way, which, I think, must stand exactly on the same footing as a legislative proposition. It is not privileged as coming from the Committee on the Budget; it has no privileged status in the House under the rules coming from that committee; it has no other status, no different status, than a legislative proposal, when reported by the Committee on the Budget or by any other committee, except the Committee on Rules.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. WALSH. Does not the adoption of the rule which was reported by the Committee on Rules give it a privileged status, just the same as if it were reported by the Committee on Rules instead of by the Budget Committee?

Mr. ANDERSON. I think not.

Mr. WALSH. Then what is the need of the rule?

Mr. ANDERSON. The resolution is given a privileged status by the rule, but does not otherwise have the privileged status of a rule or order of business reported by the Committee on Rules. It is not a privileged bill or a privileged rule under the general rules of the House. If it were, then clearly no rule would be necessary to provide for its consideration, because then the gentleman from Iowa [Mr. GOOD] could have risen in his place at any time and moved the adoption of this resolution. He did not do that. He did not do it because it was not a privileged resolution. On the contrary, he asked for a rule to make it in order, and to provide for its consideration, and by doing that it seems to me the gentleman from Iowa himself took the position that this resolution did not have the same privilege or the same standing before the House as a rule reported by the Committee on Rules.

Mr. GREEN of Iowa. Mr. Speaker, the question of whether a new rule has been made does not depend on the name, but on the substance of the rule. If we adopt a rule which takes away substantially all the powers from half a dozen or more of the great committees of the House and transfers them all to the Committee on Appropriations, if that does not make a new rule, I do not know how you would make one. It utterly changes the rules in that respect. It creates a new committee, with new powers, and it deprives other committees of powers they had before, and all in the most important particulars.

But, Mr. Speaker, that is not all. The question is can we amend this resolution? And what is the object and purpose of the resolution? It is to determine the manner in which appropriations shall be controlled. It is for the purpose of determining what committees shall set the limit upon appropriations. As this rule now provides, the Committee on Appropriations will fix the limit upon all appropriations. The amendment offered by the gentleman from Minnesota [Mr. ANDERSON] in his motion to recommit provides that the Budget Committee will set the limit on appropriations. Can anything be more germane or more material to the purpose and object of the resolution? I maintain clearly not, Mr. Speaker. [Applause.]

Mr. BARKLEY. Mr. Speaker, the resolution which we have under consideration, in so far as it seeks to amend Rule X, only amends it by increasing the size of the Committee on Appropriations from 21 members to 35 members.

Mr. ANDERSON. Mr. Speaker, will the gentleman yield right there?

Mr. BARKLEY. I yield.

Mr. ANDERSON. Does not the rule, in addition to what the gentleman has stated, also take away from the jurisdiction of the various committees now making appropriations the power which they now have?

Mr. BARKLEY. That is Rule XI. I am speaking now of Rule X.

Mr. ANDERSON. It takes it out of Rule X.

Mr. BARKLEY. Rule X in the rules of the House merely prescribes the number of committees that are to be elected by the House and prescribes the number of members on each committee.

Now, the resolution under consideration only changes Rule X by increasing the membership of the Committee on Appropriations from 21 members to 35 members. Therefore the motion by the gentleman from Minnesota to recommit, in which he seeks to amend Rule X by adding another committee, must be germane to Rule X or to the resolution amending Rule X, and the fact that this original resolution seeks to amend Rule XI and Rule XX and Rule XXII should have no bearing on the germaneness of the motion to recommit on the part of the resolution bearing on Rule X. Therefore it is my opinion, Mr. Speaker, inasmuch as Rule X only applies to the number of committees, and the resolution under consideration only amends that rule as it applies to the Committee on Appropriations, it is not in order and it is not germane to the resolution as a whole to offer an amendment to Rule X which adds another committee to those already provided for in the existing rule; and the mere fact that subsequent provisions of this rule under consideration seek to take away jurisdiction from other committees and put that jurisdiction into the Committee on Appropriations that is created under Rule X does not make the motion in order to amend Rule X, which affects the provisions of the rule as it now exists. Therefore it seems to me very clear that this motion to recommit is not in order, as not being germane to the proposition contained in the resolution dealing with Rule X.

The SPEAKER. The original resolution amends the rules of the House in various ways, all applying to the one general subject. Now the gentleman from Minnesota [Mr. ANDERSON] offers his motion to recommit, and the objection is made that it is not germane. This proposition has been for years one of the alternative programs for establishing the budget system. It has been advocated as accomplishing the same result as the main resolution. It has been associated constantly with the subject and is substantially akin to it and is certainly in order unless it is technically not by precedents germane. The Chair would be disposed consequently to hold it in order unless very clearly it were out of order, inasmuch as it affords the House an opportunity to express its preference as to the different budget methods. The original resolution covers several rules, and the Chair thinks that the fact that this motion to recommit does authorize under Rule X a new committee does not make it out of order, because the Chair thinks it is germane to the whole resolution. The Chair, therefore, overrules the point of order.

Mr. GOOD. Mr. Speaker, I move the previous question on the motion to recommit.

The SPEAKER. The gentleman moves the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Minnesota [Mr. ANDERSON] to recommit the bill with instructions.

Mr. CALDWELL. Let us have the yeas and nays.

The SPEAKER. The gentleman from New York demands the yeas and nays.

The yeas and nays were refused, 9 Members, not a sufficient number, seconding the demand.

Mr. CALDWELL. I withdraw the request.

Mr. RUBEY. Mr. Speaker, the gentleman from New York has withdrawn his request for the yeas and nays.

The SPEAKER. The yeas and nays have been refused.

The question being taken, on a division (demanded by Mr. PADGETT) there were—ayes 79, noes 121.

Accordingly the motion to recommit was rejected.

The SPEAKER. The question is on agreeing to the resolution.

Mr. HAUGEN. Mr. Speaker, I make the point of no quorum present.

The SPEAKER. The gentleman from Iowa makes the point of no quorum present. The Chair will count.

SEVERAL MEMBERS. Do not make the point now.

Mr. HAUGEN. I withdraw the point of no quorum.

The SPEAKER. The gentleman withdraws the point. The question is on agreeing to the resolution.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. PADGETT. The yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 200, nays 117, answered "present" 1, not voting 109, as follows:

YEAS—200.

Ackerman	Fairfield	Kleczka	Rayburn
Andrews, Nebr.	Fess	Kraus	Reavis
Ashbrook	Foster	Kreider	Reed, N. Y.
Aswell	Frear	Lanham	Reed, W. Va.
Babka	French	Larsen	Ricketts
Barkley	Fuller, Ill.	Lazaro	Rogers
Bee	Gallagher	Linthicum	Romjue
Benham	Gallivan	Lonergan	Rose
Benson	Ganly	Luce	Sabath
Bland, Ind.	Gard	Luhring	Sanders, Ind.
Bland, Mo.	Garner	McAndrews	Sanford
Bland, Va.	Garrett	McFadden	Schall
Blanton	Good	McGlennon	Scott
Boies	Goodwin, Ark.	McKenzie	Siegel
Bowers	Goodykoontz	MacCrate	Sims
Box	Graham, Ill.	MacGregor	Sisson
Briggs	Green, Iowa	Madden	Snell
Browne	Hadley	Magee	Stoll
Buchanan	Hamilton	Maher	Strong, Kans.
Burdick	Hays	Major	Sumners, Tex.
Burroughs	Heflin	Mann, S. C.	Sweet
Byrnes, S. C.	Hersey	Mansfield	Swope
Byrns, Tenn.	Hersman	Mapes	Taylor, Colo.
Campbell, Kans.	Hickey	Michener	Temple
Cannon	Hill	Miller	Thompson
Casey	Hoch	Minahan, N. J.	Tilson
Chindblom	Howard	Monahan, Wis.	Timberlake
Christopherson	Huddleston	Mondell	Tincher
Clark, Mo.	Tull, Tenn.	Montague	Tinkham
Classon	Humphreys	Mooney	Towner
Coady	Husted	Moore, Va.	Treadway
Connally	Igoe	Moores, Ind.	Vaile
Cramton	Jacoway	Morgan	Vestal
Crowther	James	Mott	Voigt
Currie, Mich.	Jefferis	Murphy	Volstead
Dallinger	Johnson, Ky.	Neely	Walsh
Davey	Johnson, Miss.	Nelson, Mo.	Walters
Davis, Minn.	Johnson, S. Dak.	Nelson, Wis.	Wason
Davis, Tenn.	Johnson, Wash.	Ogden	Watkins
Dempsey	Johnston, N. Y.	Oldfield	Webster
Denison	Jones, Pa.	Parrish	Welling
Dickinson, Iowa	Jones, Tex.	Phelan	Wheeler
Doremus	Juul	Platt	White, Kans.
Dowell	Kearns	Porter	White, Me.
Drewry	Kelley, Mich.	Purnell	Wilson, Ill.
Dunn	Kelly, Pa.	Quin	Wilson, La.
Dyer	Kennedy, Iowa	Radcliffe	Winslow
Eagan	Kennedy, R. I.	Rainey, H. T.	Wood, Ind.
Elliott	Kincheloe	Rainey, J. W.	Young, Tex.
Esch	Kinkaid	Ramsey	Zihlman

NAYS—117.

Almon	Butler	Dooling	Glynn
Anderson	Caldwell	Doughton	Goldfogle
Anthony	Candler	Dunbar	Greene, Vt.
Ayres	Carew	Dupré	Griest
Bankhead	Cleary	Eagle	Griffin
Barbour	Collier	Edmonds	Harrison
Begg	Crago	Evans, Nebr.	Haugen
Bell	Crisp	Fields	Hawley
Black	Cullen	Fisher	Hicks
Blackmon	Darrow	Flood	Hoey
Brand	Dent	Focht	Holland
Britten	Dominick	Fordney	Hudspeth
Brooks, Pa.	Donovan	Gandy	Hull, Iowa

Kahn	Mead	Pou	Stephens, Ohio
Keller	Milligan	Rainey, Ala.	Stevenson
King	Moon	Raker	Summers, Wash.
Knutson	Mudd	Riordan	Tague
Langley	Newton, Mo.	Robinson, N. C.	Taylor, Ark.
Layton	Nicholls	Robsion, Ky.	Thomas
Lea, Calif.	Nolan	Rouse	Venable
Lee, Ga.	O'Connell	Rowe	Vinson
Little	O'Connor	Rubey	Weaver
Lufkin	Oliver	Sells	Welty
McDuffie	Olney	Sinclair	Whaley
McKeown	Osborne	Sinnott	Wise
McKinley	Overstreet	Smith, Idaho	Woods, Va.
McLaughlin, Mich.	Padgett	Smith, N. Y.	Wright
McLaughlin, Nebr.	Park	Steagall	
Mann, Ill.	Pell	Stedman	
Martin	Peters	Steenerson	

ANSWERED "PRESENT"—1.

Wingo

NOT VOTING—109.

Andrews, Md.	Evans, Nev.	Lesher	Sears
Bacharach	Ferris	Longworth	Sherwood
Baer	Freeman	McArthur	Shreve
Booher	Fuller, Mass.	McClintic	Slemp
Brinson	Garland	McCulloch	Small
Brooks, Ill.	Godwin, N. C.	McKinley	Smith, Ill.
Brumbaugh	Goodall	McLane	Smith, Mich.
Burke	Gould	McPherson	Smithwick
Campbell, Pa.	Graham, Pa.	Mason	Snyder
Cantrill	Greene, Mass.	Mays	Steele
Caraway	Hamill	Merritt	Stephens, Miss.
Carss	Hardy, Colo.	Moore, Ohio	Stiness
Carter	Hardy, Tex.	Morin	Strong, Pa.
Clark, Fla.	Harreld	Newton, Minn.	Sullivan
Cole	Hastings	Paige	Taylor, Tenn.
Cooper	Hayden	Parker	Tillman
Copley	Hernandez	Ramseyer	Upshaw
Costello	Houghton	Randall, Calif.	Vare
Curry, Calif.	Hulings	Randall, Wis.	Ward
Dale	Hutchinson	Reber	Watson
Dewalt	Ireland	Rhodes	Williams
Dickinson, Mo.	Kendall	Riddick	Wilson, Pa.
Drane	Kettner	Rodenberg	Woodyard
Echols	Kiess	Rowan	Yates
Ellsworth	Kitchin	Rucker	Young, N. Dak.
Elston	Lampert	Sanders, La.	
Emerson	Lankford	Sanders, N. Y.	
Evans, Mont.	Lehlbach	Scully	

So the resolution was agreed to.

The following additional pairs were announced:

Until further notice:

Mr. STINESS with Mr. EVANS of Nevada.

Mr. COOPER with Mr. DICKINSON of Missouri.

Mr. MASON with Mr. RUCKER.

Mr. YATES with Mr. BRINSON.

Mr. REBER with Mr. CAMPBELL of Pennsylvania.

Mr. ELLSWORTH with Mr. LESHER.

Mr. MCKINLEY with Mr. CARAWAY.

Mr. WOODYARD with Mr. HAMILL.

Mr. HARDY of Colorado with Mr. CARTER.

Mr. TAYLOR of Tennessee with Mr. MAYS.

Mr. YOUNG of North Dakota with Mr. CLARK of Florida.

Mr. IRELAND with Mr. EVANS of Montana.

Mr. HOUGHTON with Mr. WILSON of Pennsylvania.

On this vote:

Mr. LONGWORTH (for) with Mr. WINGO (against).

Mr. FULLER of Massachusetts (for) with Mr. GOODALL (against).

Mr. WILLIAMS (for) with Mr. MCPHERSON (against).

Mr. GREENE of Massachusetts (for) with Mr. HARDY of Texas (against).

Mr. MOORE of Ohio (for) with Mr. ROWAN (against).

Mr. KENDALL (for) with Mr. SULLIVAN (against).

Mr. SNYDER (for) with Mr. MCARTHUR (against).

Mr. NEWTON of Minnesota (for) with Mr. HASTINGS (against).

Mr. SLEMP (for) with Mr. RANDALL of California (against).

The result of the vote was announced as above recorded.

On motion of Mr. GOOD, a motion to reconsider the vote whereby the resolution was passed was laid on the table.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

Mr. GARLAND. Mr. Speaker, am I here in time to vote?

The SPEAKER. The gentleman is too late. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. MONDELL. Mr. Speaker, the gentleman from Iowa [Mr. GOOD] informs me that he intends to call up the deficiency bill and begin general debate on that bill. It is not anticipated that there will be anything further than general debate this evening. I announced on yesterday that I expected to-day to ask for a recess from 6 until 8 o'clock, but it has occurred to me that in view of the fact that there will be no roll call this evening, no vote, it will be quite as well to continue the session and continue as long as gentlemen may desire and consider it profitable to address the House. Gentlemen are invited to remain to an evening of unrestrained and delightful oratory, and I trust that no one will be so ungracious as to make the point of no quorum during the procedure. If this is done we must adjourn, for I shall not call for a quorum. Just how long we will continue in session will be determined by events as they transpire, but in any event there will be no roll call.

Mr. BRIGGS. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BRIGGS. How long will the general debate last?

Mr. MONDELL. That can not be decided now, but if there is something of an attendance here and gentlemen desire to go on, we might be here as late as 10 o'clock. But there will be no vote, there will be no record made. So if gentlemen can not be here they can have no reasonable objection to the session continuing.

Mr. BLACKMON. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BLACKMON. Under what rule will we proceed this evening?

Mr. MONDELL. Under the rule of the House governing general debate.

CALENDAR WEDNESDAY.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to dispense with Calendar Wednesday business to-morrow.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to dispense with Calendar Wednesday business to-morrow. Is there objection?

Mr. GARD. Reserving the right to object, is it desired that the House shall first act on the gentleman's request for unanimous consent?

Mr. MONDELL. I made no unanimous-consent request; I made a statement of the business that will be taken up. Of course, it is for the House to determine how long it will continue this evening.

Mr. GARD. What is the purpose of the gentleman's request? What is the legislative program to-morrow?

Mr. MONDELL. There are a number of matters that will come up to-morrow.

Mr. BLACKMON. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BLACKMON. I want to know if this evening, under the the discussion, there will be any procedure that may be open for the people to nail the last tack in the State rights coffin?

The SPEAKER. The gentleman from Wyoming asks unanimous consent to dispense with the business of Calendar Wednesday to-morrow. Is there objection?

Mr. GOLDFOGLE. Reserving the right to object, the gentleman was asked what might be the business for to-morrow and he was interrupted and did not state. May I ask whether the gentleman is in a position to tell us what business will come up to-morrow?

Mr. MONDELL. That will depend upon whether a conference report is filed on the shipping bill to-night. The gentleman from Kansas [Mr. CAMPBELL] informs me that he desires to take up a bill relative to the taking of the census on leather and hides. Matters that would have the right of way to-morrow are conference reports.

Mr. SISSON. I suppose we will go on with the deficiency bill?

Mr. MONDELL. We will finish the deficiency bill to-morrow.

Mr. SISSON. And there will be nothing but general debate on that to-night?

Mr. GOOD. We will have general debate to-night.

Mr. PELL. How long does the gentleman think the deficiency bill will take,

Mr. MONDELL. I could not tell.

Mr. GARD. Mr. Speaker, I desire to know what the gentleman intends to bring up to-morrow.

Mr. MONDELL. The measure now before the House, the deficiency appropriation bill, has to be disposed of, and there are a number of conference reports that will have to be considered.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

Mr. GARD. Mr. Speaker, what is the advantage in doing away with Calendar Wednesday when the whole calendar is subject to suspension of the rules? I object.

HOUR OF MEETING TO-MORROW.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. Is there objection?

Mr. PELL. Reserving the right to object, how much does the deficiency appropriation bill carry?

Mr. MONDELL. I do not know.

Mr. GOOD. About $52,000,000.

Mr. PELL. At the rate we worked the other day on the bonus bill, for a billion and a half, I should say the deficiency bill should occupy about 10 minutes.

Mr. MONDELL. Perhaps so.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

EXTENSION OF REMARKS.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent to revise my remarks in the RECORD upon the budget.

The SPEAKER. Is there objection?

There was no objection.

Mr. SWEET. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon war risk insurance legislation.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD a Memorial Day address delivered yesterday by the gentleman from New York [Mr. GRIFFIN] at Arlington National Cemetery.

The SPEAKER. Is there objection?

There was no objection.

Mr. GOODYKOONTZ. Mr. Speaker, I ask unanimous consent to extend and revise my remarks in the RECORD made yesterday concerning the agricultural bill.

The SPEAKER. Is there objection?

There was no objection.

LAYING CERTAIN BILLS ON THE TABLE.

Mr. PLATT. Mr. Speaker, I ask unanimous consent to strike from the calendar the bill (H. R. 12721) to abolish the Subtreasuries and to provide for the transfer of the coins, currency, and bullion, and for other purposes, as an exactly similar bill has been passed as a part of the legislative appropriation act and signed by the President.

The SPEAKER. Is there objection?

There was no objection.

Mr. PLATT. Mr. Speaker, I also ask unanimous consent to lay on the table the bill H. R. 13908, in respect to the farm-loan act, an identical Senate bill having been passed.

The SPEAKER. Without objection it is so ordered.

There was no objection.

CONFERENCE REPORT—SUNDRY CIVIL APPROPRIATION BILL.

Mr. GOOD. Mr. Speaker, I present a conference report for printing under the rule on the bill (H. R. 13870) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes.

DEFICIENCY APPROPRIATION BILL.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes. Pending that I ask unanimous consent that the time for general debate be equally divided, to be controlled one-half by the gentleman from South Carolina [Mr. BYRNES] and one-half by myself.

The SPEAKER. The gentleman from Iowa asks unanimous consent that general debate be equally divided, to be controlled one half by the gentleman from South Carolina [Mr. BYRNES] and the other half by himself. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Iowa that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the deficiency appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the deficiency appropriation bill, with Mr. TILSON in the chair.

The Clerk reported the title of the bill.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, I yield 20 minutes to the gentleman from Massachusetts [Mr. TINKHAM].

Mr. TINKHAM. Mr. Chairman, in American history never has there been such scandal and incompetence as has been displayed by the present administration in relation to the sugar problem of the United States for 1920.

Never has there been an addition to the cost of living to the American people of a billion to a billion and a half dollars per annum, without excuse, without reason, and without apology, directly traceable to the gross neglect of any other administration.

Never have officials of the Government sought with such audacity and mendacity to mislead the American people by false and grossly misleading statements whose very utterance is their own refutation than in relation to the present price of sugar and its scarcity in the United States.

The Attorney General has twice stated that the President and he himself are not responsible for the increase of 100 to 150 per cent for 1920 in the cost of sugar at retail to the American people, that being an addition in the price of sugar per annum of a billion to a billion and a half dollars.

The first of these statements was made by the Attorney General April 29 before the committee investigating the Louisiana sugar action of the Attorney General. The second statement was made by the Attorney General to the public press shortly thereafter. These statements by the Attorney General are false and grossly misleading.

Sugar was sold during most of 1919 throughout the United States for 10 to 11 cents per pound at retail. This result was obtained through the action of the Sugar Equalization Board, a Government corporation, in purchasing the Cuban crop for 1919 with the assent of the President.

The Sugar Equalization Board is, has been, and can be in legal existence until 1923 under its charter. All laws in force in relation to the control of sugar in 1918 were in force through 1919, and are in force to-day and under them the same control over sugar could be exercised. This would be a short answer to the Attorney General's contention that Congress and not the President was responsible for the present sugar situation.

But assuming that some legislation was in fact necessary, it is obvious that Congress could in no wise be held responsible, if, as was the fact, the purchase of the 1920 crop was first a matter for presidential decision, and not only was that decision never made but Congress was never informed by the President of the facts involved.

The record has been made up and the record is very clear.

Mr. Herbert Hoover testified before the subcommittee of the Judiciary Committee of the House of Representatives that as early as last July in Paris he had made a world survey of the food situation and had cabled to the President that there would be a sugar shortage in 1920 in the United States, with attendant speculation and profiteering, unless action was taken. The cable, as shown by the Sugar Equalization Board records, pressed for an immediate decision by the President as to the purchase of the 1920 Cuban crop and recommended a council with the members of the Sugar Equalization Board, stating that "determination of the sugar policies requires immediate consideration."

Mr. CONNALLY. Will the gentleman yield?

Mr. TINKHAM. I can not in my short time.

With this information in his possession, the President on August 8 addressed Congress in relation to the high cost of living, but made no mention whatever of sugar, although he did mention fresh eggs, frozen fowls, creamery butter, salted beef, canned corn, canned tomatoes, leather, coal, lumber, and textiles. In this message the President urged that the present food-control act should be extended both as to time and as to commodities to which it should apply, but not only was this recommendation made without any reference to the sugar situation, but as elaborated by him related to a wholly different subject.

It is the usual practice for the heads of departments to prepare and present to Congress bills to carry out recommendations of the President. Following this practice the Attorney General himself prepared and presented in August a bill to Congress amending the food-control act. In this bill there was no mention of sugar nor any provision for its control beyond 1919. In all of the hearings upon this bill at which the Attorney General appeared there was no mention made of the Cuban crop of 1920 nor any intimation that the food-control act should be extended so as to provide for its control. His later statement of November 7 to the Committee on Agriculture of the House of Representatives that he had in August recommended the extension of the Lever Act is, as shown by the printed hearings, wholly false.

August 20, before the Agricultural Committee of the House, the Attorney General said:

> The draft which I sent to the committee makes only two changes in the food-control act, the first including wearing apparel and certain containers in the meaning of the word "necessaries," and the second was to put a penalty of $5,000 fine and two years' imprisonment upon all of the acts prohibited by section 4.

The Attorney General at all of these hearings opposed as impracticable the use or the extension of the licensing system for

food control, which, as it afterwards appeared, was the one point insisted upon by the Sugar Equalization Board if the Cuban crop was to be purchased. This bill was passed by Congress substantially as drawn by the Attorney General.

In the meantime, on August 14, the Sugar Equalization Board privately sent to the President the Cuban Government's offer to sell the 1920 crop, accompanied by a detailed memorandum of the situation. This memorandum again called attention to the probability that the world sugar shortage for 1920 would be more acute than for 1919.

Even Prof. Taussig, who dissented as to the policy of buying the Cuban crop, concurred in the fact that indications pointed to a sugar shortage in 1920. These facts and these recommendations were never laid before Congress by the President. No answer whatever was vouchsafed even to the Sugar Equalization Board, except that the President had the matter under consideration. Thus not only was the Sugar Equalization Board prevented from taking any steps toward the acquisition of the 1920 Cuban crop but the American refiners were kept out of the market pending the decision, which was never made. Meanwhile, however, other countries began to contract for the coming crop, until by the latter part of September one-third of it had already been bought by foreign nations.

In all this matter the distinction between the then current 1919 crop and the prospective crop of 1920 must be kept in mind. The 1919 crop was under control, and while, as early as July, it was apparent that there were some difficulties in the sugar situation for that year, and there had been some resolutions introduced upon this subject, the situation was wholly independent of the prospect for 1920, which, so far as Congress had been informed, might indicate complete restoration of normal conditions. It was this situation for 1920 that remained in the keeping of those who had reported it as in duty bound to the President only to have it secreted and withheld from Congress.

On September 22 the Cuban offer was withdrawn, and the Sugar Equalization Board sent privately the following letter to the President:

SEPTEMBER 23, 1919.

The PRESIDENT OF THE UNITED STATES,
The White House, Washington, D. C.

MY DEAR MR. PRESIDENT: The inclosed copy of a letter from Messrs. Hawley and Rionda, representing the sugar producers of Cuba, is self-explanatory, and in view of the fact that about one-third of the Cuban crop of next year has since been disposed of for export to countries other than the United States, we believe that the situation is out of hand.

Therefore, in order to protect the interests of the American consumer, we have advised American refiners as to conditions, so that they may purchase raw sugar as per prewar times.

Very respectfully,

GEORGE A. ZABRISKIE,
President United States Sugar Equalization Board (Inc.).

On September 27 Congress, on its own initiative, began an inquiry into the sugar question, and on October 3 the subcommittee of the Agricultural Committee of the Senate summoned the Sugar Equalization Board before it.

During the Senate hearings on that day for the first time the information was given to Congress that the Sugar Equalization Board had sent, in August and September, communications to the President concerning the coming shortage in sugar for 1920 and its recommendation that an offer of sale of the Cuban crop had been made by the Cuban Government, and finally that that offer had been withdrawn. All of these facts, with great reluctance, were testified to by the Sugar Equalization Board. Upon that same day the attorney for the Sugar Equalization Board was asked what legislation should be enacted, if any, and he replied, "I have not figured that out."

The legislation which, at the request of the Senate committee, he prepared the latter part of October as necessary was quite elaborate and very different from a simple extension of the Lever Act. Though isolated sentences may be wrenched from their context, the whole record shows that all concerned considered the President's decision to purchase the crop to be the first requisite step, and pending that decision, which was never made, even the Sugar Equalization Board itself had not considered the details of the legislation which it testified would be necessary to enable it adequately to control the distribution.

On October 30 the Attorney General first sent a communication to Congress that he desired an extension of the food-control act, and in his testimony on the bill he submitted on November 7 sugar or its control still was never mentioned. At this time it was absolutely impossible to purchase the Cuban crop; there was no offer pending from anyone in Cuba; the situation had been officially reported out of hand for over a month; the coming scarcity was manifest, and a large portion of the new crop had been purchased on private account. The opportunity had gone, never to return.

This shameful record places where it belongs the responsibility for the most unbridled extortion, unrestrained profiteering, and the wildest speculation in foodstuffs that has ever occurred upon the American continent. [Applause on the Republican side.]

The real explanation of the present sugar situation is too much League of Nations. It is the answer to the American consumers' sugar burden to-day. If the President had counted "America first" last July, August, and September, as he has since been compelled to do by the United States Senate, the sugar bill of the American people would have been less by hundreds of millions.

What, if anything, can still be done? This question was asked Mr. Hoover, whose recommendations of last July would, if followed, have averted the entire catastrophe. Mr. Hoover was of the opinion that two measures might even now greatly ameliorate the situation. The first of these as outlined to the House committee consisted of an international agreement regulating the purchase and distribution of sugar, thereby preventing the present excessive competition in neutral countries. The second was the rationing of nonessential manufacturers of sugar products. These suggestions were made on May 14. What will the President and the Attorney General do with these suggestions? The Attorney General will continue, as heretofore, with investigations and prosecutions which, however commendable, will have little effect whatever on the price of sugar. The President—I shall say no more. [Applause.]

Mr. Chairman, by unanimous consent, I desire to incorporate in the RECORD as an extension the cablegram received from Mr. Hoover July 23, 1919.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to incorporate in his remarks the cablegram described by him. Is there objection? [After a pause.] The Chair hears none.

The cablegram referred to is as follows:

PARIS, *July 23, 1919.*

Fruit 354 for Barnes, July 23. Please transmit the following to the President as a cable from me:

"It is necessary to take important decisions as to the sugar control in the United States in order to anticipate the marketing of a new beet harvest and to settle policy with Cuba for the next year. You will recollect that last July I presented to you the view that either in event of continued war and the consequent shipping isolation of the East Indies sugar, or in the event of peace and the opening of new demands, there would be a world shortage in the year nineteen. I recommended that we inform the Sugar Equalization Board to purchase the Cuban sugar crop jointly with the Allies and to arrange for equalization in marketing with the domestic sugar in order to assure American supplies at reasonable prices and to eliminate speculation and profiteering, and that the board should secure a small margin in handling Cuban sugar to cover losses in the event of reverse on Atlantic shipping and to equalize freight and distribution costs. These things were done, and to-day the United States is the only large Nation possessing liberal supplies for the entire year and at a saving of 4 cents per pound under the world price, or equal to about $25,000,000 per month saving to the consumer. These courses of action grew out of war disruption of supply and distribution. Decision must now be made as to whether Congress should be recommended to legislate authority for the continuation of these measures over the year 1920, providing again for the purchase of the Cuban crop and the control of domestic production, stabilization of price, and distribution. The intrinsic situation is by no means clear as to the prospect of supplies, and it is argued by many that there will be a continued shortage over the year 1920, with attendant speculation and profiteering, unless action is taken.

"The matters to be considered are (a) the crop prospects of the world, in which there is undoubtedly an increase over prewar in the Western Hemisphere and East Indies, but the European beet production (outside Russia) will be apparently 25 per cent short of prewar average, and although the Russian situation is unknown there are no exports likely; (b) the probable consumption of the world, as to which there is an undoubted increase in Europe, especially in the United States, but with regard to Europe the limited buying power during the next year (unless there is very rapid economic recovery) will tend to restrain the nonessential use of sugar.

"The problem is also affected by (a) whether European Governments will continue their national buying with national finance and be in position to contract for national supplies for long periods in advance to the prejudice of a free market and the ability of normal commerce to purchase on the same terms. This will probably depend upon whether the United States will allow credits to foreign countries to be used for such form of purchase; (b) whether in the long view the adjustment of production to world necessity will not be more rapid under free operation of supply and demand, although there may be great fluctuations in the process of readjustment; (c) whether, from a social point of view, it is desirable to perpetuate a great governmental control in commerce now that the war interference of supply through short shipping, the necessity of control of cargoes, etc., has largely disappeared, even though speculation and profiteering may result. Any continuation of control will require action by Congress, and it must embrace appropriations, the continuation of power and embargo, control of speculation, profiteering, and distribution. The alternative course to any action of the above character is for the Sugar Equalization Board to announce its cessation of control at an early date prior to the marketing season of domestic beet and cane sugars and to dispose of the remaining stocks from the old crop purchased by them at the market prices from day to day until they are exhausted. Owing to the delays in the Austrian treaty, it seems impossible for me to withdraw American control of railways, coal mines, and transport of food in central Europe before the middle of September, without producing absolute chaos in that area, and therefore I will not be able to arrive home before that date. The

determination of the sugar policies requires immediate consideration, and my lack of intimate knowledge of American situation after eight months' absence, and my inability to leave here, renders it impossible for me to be of useful service in the matter. I therefore suggest you request Prof. Taussig, Mr. Zabriskie, and the other members of the Sugar Equalization Board to present you their recommendations in the matter independent of myself. If, as a result of your councils, you should decide to propose to Congress that the control be continued, it is imperative that a new chairman should be chosen in my place at once, in order that he may be of assistance to Congress in legislation, and that he should be in charge from the beginning, as I must, in any event, retire this autumn. If it be decided that there should be no extension of control, I would be glad to be relieved anyway, as I wish a rest, but if this should be inconvenient to you I would, of course, continue until the board is wound up this fall."

HOOVER.

The CHAIRMAN. The gentleman from Massachusetts yields back five minutes.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield 20 minutes to the gentleman from Tennessee [Mr. BYRNS]. [Applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, on March 4, 1919, as a result of the preceding election in November, the control of both Houses of Congress passed to the Republican Party. In the last session of the preceding Congress a Republican filibuster in the Senate prevented the passage of the following annual supply bills: Sundry civil expenses, District of Columbia, the Army, the Navy, Agriculture, the Indian, and the deficiency appropriation bill pending at the time. The Republican Senators who conducted the filibuster during the closing days of that session frankly stated that it was their purpose to defeat a number of the supply bills so that the President would be compelled to call an extra session of the present, or Sixty-sixth, Congress early in the spring of 1919, in order to provide the necessary appropriations for the fiscal year beginning July 1, 1919. They insisted that an early extra session was important because of the great need for the immediate consideration of reconstruction legislation which it was impossible to consider during the short session of the preceding Congress. Republican leaders of both branches of Congress solemnly assured the public that as soon as the new Republican Congress was assembled it would speedily get to work and pass necessary and important measures of relief.

Accordingly, on May 19, 1919, Congress was assembled in special session on the call of the President, and in a strong, earnest message he directed its attention not only to the necessity of the passage of the remaining supply bills before the following July 1, but to various other important measures which should be immediately passed in the interest of the country. He also gave notice that not later than January 1, 1920, he would direct the return of the railroads to their owners, and asked that necessary legislation be passed in order to enable him to do this. He urged "an early reconsideration of Federal taxes, in order to make our system of taxation more simple and easy of administration and the taxes themselves as little burdensome as they can be made and yet suffice to support the Government and meet all its obligations," calling particular attention to needed changes in the income and excess-profits tax to the end that there might be relief from certain inequalities and unequal burdens, existing on account of having been imposed during the stress and exigencies of war needs. He urged the enactment of a budget system, which has become vitally important on account of the enormous expenditures growing out of the war, and he and the Attorney General repeatedly requested Congress to pass certain amendments to the Lever Food Control Act, in order that profiteers might be proceeded against criminally and in aid of the efforts of the administration to reduce the high cost of living. The importance of these and other recommendations were strongly emphasized.

In what spirit did this Congress meet these wise recommendations of the President? Was it in a spirit of mutual service to the country? The record has been made and speaks for itself. From the very moment it convened in extraordinary session it began to play politics in the interest of the presidential election in 1920. [Applause on the Democratic side.] Instead of promptly devoting itself to the passing of wholesome laws it forthwith provided for a great number of investigating committees, which have spent their whole time in investigating Army expenditures during the war and every phase of its conduct. It is estimated that these investigations will cost the Government more than $1,000,000 for high-salaried employees, travel, and other expenses and the time of Government clerks and employees consumed in supplying data and information. And as a result these committees have discovered that an enormous amount of money was spent during the war, which everyone knew and approved at the time, and that the war was brought to a triumphant and successful conclusion earlier than was anticipated and with a minimum loss of life and expenditure, under a Democratic administration. Although Congress convened on May 19, it failed to pass the legislation necessary to enable the President to return the railroads on January 1, as he had announced, and on account of this delay he was compelled to postpone their return until March 1, 1920. Of this delay Assistant Secretary of the Treasury Leffingwell said in a recent address:

While Congress deliberated the Government held control of the railroad systems of the country for a year and a quarter after fighting stopped, and furnished transportation at less than cost. Then Congress ordered the railroads returned to their owners, with a new expenditure of $1,000,000,000 by the Government for their account and the deferment for years of $1,000,000,000 the railroads owe the Government.

It was not until a few days ago that the Senate passed the House bill which has for its object the establishment of a permanent shipping policy, which was also urged by the President in the interest of a permanent American merchant marine. In referring to this, and the expenditures of the United States Shipping Board, Mr. Leffingwell in the address referred to said:

The actual cash expenditures since armistice day amounted to approximately $1,600,000,000, while Congress deliberated as to our shipping policy. Notwithstanding the fact that it has been engaged in commercial shipping at a time when it is exceptionally profitable, the Shipping Board has made as yet no net return to the Treasury, its expenditures still exceeding its receipts.

It was more than four months before an amendment to the Lever Food Control Act was adopted, and only after repeated requests from the Attorney General. Congress has given no consideration to a revision of Federal taxes. It was nearly six months before the House passed the act creating the budget system, and another six months elapsed before the Senate passed it with amendments, and it is only now in process of finally becoming law. Estimates for the ensuing fiscal year must be prepared in September and October, and it is now too late for an organization to be fully perfected under this law and to obtain the greatest measure of benefit from it in so far as the appropriations for the next fiscal year are concerned, inasmuch as these appropriations must be made at the short session, which ends on March 4 next. It is impossible to estimate the loss which will accrue to the Treasury on account of this delay, but it will amount to many millions of dollars if the claims which are made by its advocates of savings as a result of the budget system are true. The Congress has failed to repeal any of the war-time legislation, much of which has become burdensome and oppressive to the people, since the war has come to an end.

What has been the record of this Congress as to retrenchment in expenditures? As I have said, it was necessary at the extra session to make appropriations for sundry civil expenses, Agriculture, the Army, the Navy, the District of Columbia, and the Indian. All of these bills had been passed by a Democratic House at the last session of the Sixty-fifth Congress, but had failed of passage in the Senate on account of the filibuster referred to. At the extra session the appropriations for the Army and the Navy and the Shipping Board were greatly reduced from what they were when they passed the House, due solely to the fact that in the interim, as a result of Democratic efficiency, the Army and Navy had been more speedily demobilized than it was originally thought could be done, and on account of the reduction in the shipbuilding program and the beginning of the process of liquidation. The gentleman from Virginia [Mr. SLEMP], in his remarks which appear in the RECORD of May 31, claims credit for a reduction of $940,000,000 of the estimates submitted for these appropriations, but he fails to state that these reductions appear entirely in the estimates for the Army, the Navy, and the United States Shipping Board. The facts are that at the time the Army bill passed the House in the last session of the Sixty-fifth Congress there were a million and a half men in the Army in France and a half million or more men here. These men had to be brought back to this country and then demobilized, and everyone, both Republicans and Democrats, in committee and in the House concluded that by as rapid a demobilization as then seemed possible the Army would average during the ensuing fiscal year 500,000 men.

But four months later, when the new Army bill was passed, Congress found that owing to the diligent and efficient administration by the War Department and the Navy Department in bringing back the boys from Europe and demobilizing the Army so much more rapidly than was anticipated at the preceding session, the average Army, instead of being 500,000 for the ensuing fiscal year, would be only 300,000, and hence the amount of the appropriation was reduced to provide for this size of an Army instead of the 500,000 men as it appeared to the committee and House was necessary in the preceding session. That was the cause of the difference in the appropriation figures, and Mr. KAHN, the Republican chairman of the Commit-

tee on Military Affairs, stated on the floor that the work of demobilization had progressed faster than was anticipated by the War Department, and that—

> The committee was justified at that time in appropriating for that number because it seemed to the committee that it would not be possible to demobilize our forces as rapidly as they have been demobilized.

This is a splendid tribute from a high Republican source to Democratic efficiency. The same is true of the reductions made in the estimates for the Navy. Mr. BUTLER, the Republican chairman of the Committee on Naval Affairs, stated that these reductions were caused by "conditions, plans, or events occurring subsequent to the adjournment of Congress." These reductions were made possible solely by reason of Democratic efficiency in demobilizing the Navy more rapidly than had been anticipated at the preceding session, and deferring certain construction until a later appropriation bill. And yet in the face of this record the gentleman from Virginia claims that the Republican House reduced these particular estimates in the sum of $940,000,000 and fails to give credit to the War and Navy Departments, who alone made it possible. The Republican members of these two committees will not sustain him in that contention.

Leaving out, therefore, the appropriations made for these three purposes it will be found that the appropriations made in the bills referred to exceeded by more than $62,000,000 the amount previously appropriated by a Democratic House for the same fiscal year and for the same purpose. That is a part of what the Republican filibuster in the Senate and this Republican Congress cost the Treasury in the first six weeks of its first or extraordinary session. In view of this record is it any wonder that the Republican majority leader in his numerous statements on the floor and in the press carefully refrained from referring to the record of retrenchment made by this Congress at the extra session? [Applause on the Democratic side.]

It should be stated, Mr. Chairman, that in addition to the appropriations previously made for the fiscal year, there has been passed at this session of Congress a railroad deficiency bill carrying the sum of $309,717,285.79, representing only in part the loss accruing to the Government in the operation and control of the railroads during the war, and also three deficiency bills carrying appropriations aggregating the sum of about $176,771,889. The third deficiency bill also carries for the next fiscal year in appropriations and authority to settle certain claims the amount of $80,271,810.63. This additional sum was in very large part made necessary by obligations growing out of the war, and I have referred to it for the purpose of showing the great demand which has been made on the Treasury during this fiscal year, and to emphasize the importance of the most rigid economy in future appropriations.

Excessive expenditures by the Government means necessarily high taxes, and it must be remembered that these taxes are not only passed on to the consumer in the price of what he has to buy, but that they are multiplied many times in the process. Governmental extravagance is one of the great factors which contributes to the high cost of living by reason of the high taxes imposed, and it is highly pertinent to inquire as to just what this Congress has done toward reducing the expenditures of the next fiscal year, bearing in mind that the true test of economy is not a mere reduction of such estimates as may be submitted by the department, but that it must be determined by a comparison of the appropriations made with those heretofore made for like purposes and under similar conditions, and also whether or not Congress has refrained from creating new activities and imposing new obligations for which there was no pressing and immediate necessity. [Applause on the Democratic side.]

The total appropriations carried in the 13 supply bills for the next fiscal year amount to $2,212,126,298.78. This is exclusive of the permanent appropriations amounting to $1,363,768,980.29 and also of the amounts carried in special acts passed at this and the previous session to which I shall refer hereafter. Neither does it include the amount necessary to provide for the bonus which has been provided for employees whose salaries are less than $2,500, and which it is estimated will amount to something like $35,000,000. The appropriations carried in the annual or regular supply bills are $1,384,917,650.39 less than the estimates which were originally submitted by the various departments.

However, it should be said just here, Mr. Chairman, that some of these estimates were voluntarily withdrawn and for which credit should be given in the reductions above referred to, but to which neither the majority leader nor the chairman of the Committee on Appropriations have referred in the statements which they have made. For instance, there was withdrawn by the departments from the estimates for the sundry civil bill sums amounting to more than $225,000,000. Eighty-five million dollars was withdrawn from the naval estimates and $51,000,000 from the estimates for fortifications, and there were similar withdrawals from estimates considered in other appropriation bills, but in less amounts.

The reductions made are principally in the estimates submitted for the Army, the Navy, and the United States Shipping Board. Congress has the authority and must establish the policy as to the size of the Army and Navy to be maintained, and the reduction in the Army estimates is due to fewer men and correspondingly less supplies than was originally estimated for. The reorganization bill which has just been adopted provides for an Army to be maintained in peace time of a maximum strength of 300,000 men and 18,000 officers, and which if enlisted to full strength will cost the Government $650,000,000 annually to maintain in times of peace. The Army appropriations for the next fiscal year provide for 175,000 men and 17,000 officers, resulting in the reduction of the estimates in the sum of $590,563,755. Just why this appropriation was increased to make provision for over 90 per cent of the maximum officer personnel, when provision is made for less than 60 per cent of the maximum enlisted personnel, has not been explained. The appropriation for the Navy is $433,279,574, which is a reduction of $149,351,680.80 in the estimates, but this reduction has also been brought about entirely by fewer men, fewer ships, and a liberal draft on unexpended balances and reserve supplies.

There is also a reduction in the estimates for the emergency ship fund of $446,270,652, which was voluntarily reduced by the Shipping Board to $261,000,000 on account of developments subsequent to the time when the original estimates were submitted. This great reduction was made on paper by making no direct appropriation for this purpose but reappropriating the unexpended balance on hand and authorizing the Shipping Board to draw on its receipts for sales of ships, surplus material, operations, and so forth, to an amount of at least $225,000,000 in the aggregate.

Too much can not be said, Mr. Chairman, in condemnation of such a policy. It misleads the public as to just how much money has been appropriated for governmental needs, inasmuch as these sums do not appear as a part of the sum total appropriated in the statements which have been made. [Applause on the Democratic side.] Good business and sound economical administration and policy requires that all receipts for Government operations shall be covered into the Treasury and direct appropriations made, in order that there may be no uncertainty as to just what amounts have been made available for Government expenditures. There has been reappropriated large unexpended balances which do not appear in the stated sum totals of appropriations, but which nevertheless constitute a direct charge on the Treasury for the next fiscal year.

It is impossible at this time to accurately determine the exact amount of these reappropriations, but it can be safely said that they will amount to more than $350,000,000, and the very fact that one can not pick up an appropriation bill and quickly ascertain the full amount of appropriations carried is a strong and compelling argument against this method of making appropriations. It has, however, no doubt served its purpose in that it has made possible an apparent reduction of the estimates in these sums and thus enable gentlemen on the other side to boast of a reduction which appears on the surface but which in reality does not exist. [Applause on the Democratic side.] If the reductions made in the estimates for the Army, the Navy, and the Shipping Board are excluded, and the amount of reappropriations and expenditures authorized out of governmental receipts are taken into consideration, it will be observed that there have been very slight, if any, actual reductions made in the sum total of the estimates.

Gentlemen on the majority side of the Chamber have referred to these reductions as savings and as showing great economy on the part of Congress. With all due respect, Mr. Chairman, to those gentlemen who have made this claim, such an insistence is nothing short of ridiculous. It is sheer nonsense. If that is to be the rule by which the economy and the saving of a Congress is to be determined let me call their attention to the fact that for the fiscal year 1918 a Democratic Congress reduced the estimates in the sum of $5,554,161,598.31, and that during the eight years while the Democrats were in the majority on the Appropriations Committee estimates for the bills over which it had jurisdiction were reduced in the sum of $9,275,684,891.55. [Applause on the Democratic side.]

Mr. Chairman, the facts are that Congress invariably reduces the estimates submitted by the departments. The record during all previous administrations demonstrates this fact, and no one heretofore has ever claimed that such reductions of themselves constituted an evidence of economy on the part

of Congress. A comparison of the estimates submitted with the appropriations made in order to establish a record for retrenchment is clearly a false basis of computation and comparison, for real legislative economy or retrenchment consists in cutting down the amount of fixed or normal expenditures as made during previous years. The only correct way by which to determine whether a Congress has practiced economy and retrenched expenditures is to compare its appropriations with those made by preceding Congresses for similar services to be performed under like conditions. When judged by this standard the present Congress has not reduced but has actually increased expenses. [Applause on the Democratic side.] It is entirely proper to compare the appropriations made for the fiscal year 1921, two years after the signing of the armistice, with appropriations made for the fiscal year 1916, the last full fiscal year preceding the war. I will append a comparative statement showing the amounts carried in the various appropriation bills for these two fiscal years. It will be observed that *these bills* carry appropriations for 1921 amounting to $2,212,126,298.78, while the same bills for the fiscal year 1916 carry $978,722,857.78. In addition there was carried permanent and miscellaneous appropriations for each year, making the total sum appropriated for the year 1921, $4,859,690,327.30, as compared with $1,114,937,012.02 for 1916, or an increase of $3,744,753,315.28. It is true that there are certain large obligations and activities growing out of the war and which may be called war hang overs which have to be taken care of during the next fiscal year, and for which there were, of course, no appropriations made in 1916, but these additional obligations and activities are principally provided for in the Army, Navy, and sundry civil bills, and also in the legislative, executive, and judicial appropriation bill, which carries appropriations, among other things, for the pay of Government employees in the District of Columbia.

That bill carries for 1921, $104,735,726.11, as compared with $36,904,799.75 for the year 1916. I submit that these figures do not indicate any very great tendency toward reducing the number of employees necessary during the war and returning to a normal basis. If you deduct from the appropriations in the sundry civil bill for 1921 the amounts carried for compensation, hospital treatment, and training of soldiers and other services growing out of the war it will be found that it carries $154,866,881.92, as compared with $126,922,750.79 which was carried in 1916 for the same purpose. An analysis of the appropriations made in the other bills which can not be said to have any connection with obligations arising out of the war and which appear in the table which will be appended shows that there have been like increases made in those bills for these strictly prewar activities. Thus it will be noted that there was appropriated for pensions for military service rendered prior to the World War the sum of $279,150,000 for 1921, as compared with $164,100,000 for 1916; for the Postal Service, $462,575,190 for 1921, as compared with $313,364,667 for 1916; for the Indian Service, $10,040,655.27 for 1921, as compared with $9,771,902.76 for 1916; for Agriculture, $31,712,784 for 1921, as compared with $22,971,782 for 1916; for the Diplomatic and Consular Service, $9,218,537.91 for 1921, as compared with $4,061,280.01 for 1916; for fortifications, $18,833,442 for 1921, as compared with $6,060,216.90 for 1916; for the Military Academy, $2,142,212.70 for 1921, as compared with $1,069,813.37 for 1916; and for District of Columbia, $18,373,004.87 for 1921, as compared with $11,859,584.45 for 1916, an increase of $326,730,701.49 for 1921 over the amount appropriated in 1916 in these nine regular appropriation bills, or more than one-third of the total amount appropriated in the 13 regular annual supply bills for 1916.

And let me say again that it can not be claimed that these increases have been brought about as the result of activities growing out of the war, or "war hang overs." And this does not take into consideration the increased drafts on the Treasury made by special acts passed at this and the extra session, and to which I will refer hereafter. The record clearly refutes the claim that this Congress has reduced and retrenched expenditures or that it has given consideration to the condition of the Treasury and the burdens of an already heavily taxed people. [Applause on the Democratic side.]

In addition, Mr. Chairman, this Congress has enacted a great number of laws carrying appropriations in varying amounts and which were not asked for by the administration and do not appear either in the estimates or the amounts carried in the various appropriation bills. It is not my purpose in the time allowed me to discuss the wisdom of these measures, nor can I refer to them all specifically. Perhaps the greater number of them are highly deserving measures; but desirable as some of them may be, it may be said that a number of them could and should have been postponed until the people have been relieved of at least a portion of the burdens under which they are now staggering. [Applause on the Democratic side.]

A law has been passed providing for industrial rehabilitation and imposing during the future years an annual charge upon the Treasury of $75,000 for administration expenses and $1,000,000 to be used in cooperation with the States. Everyone knows that this is just a starter, and that this sum must be increased to many millions of dollars each year if all of our industrial cripples are to be given like treatment.

There is a matter of sentiment about such a law which must and does appeal very strongly to everyone, but such a law was never proposed in the years that have passed when our revenue was plentiful, and, to say the least, it is significant that it should have been passed at this session, under present revenue conditions, but in time to continue and perpetuate the existence of the Vocational Board and its large administrative force, which was created primarily and solely to train the gallant soldiers and sailors and marines of the late war who have disabilities growing out of their service, and for whom a grateful Government and people are willing to provide every dollar necessary for their comfort and future happiness and prosperity. The people are now being taxed to a degree never before dreamed of to meet the enormous expenses of the Government, and to take care of interest charges and obligations growing out of the war, and in addition thereto we are told that $8,000,000,000 will have to be raised in the next three years to meet outstanding obligations which will fall due. Why, therefore, was not this service left to the industries or to the States for at least a few years longer? It was in this spirit and with this idea that the chairman of the Committee on Appropriations [Mr. GOOD], who, it must be said, has endeavored to bring about real economy, remarked in the course of the debate on the bill:

> We are going to talk about economy, but no man—I care not which side of the aisle he sits on—can in the next election say anything about economy or criticize the lack of economy if he votes for a bill of this kind, which absolutely requires annual appropriations.

This is a severe indictment by one of the Republican leaders of the chairman of the Republican congressional campaign committee, who proposed and fathered the bill, and of the Republican majority leader, who championed it on the floor of the House, and of the chairman of the Republican national committee, who, it was charged by a prominent and veteran Republican Member and leader, intervened in favor of its passage—presumably for political purposes—and of the Republican majority in this Congress, which placed the law upon the statute books.

Laws have been passed increasing the pension of those who were in the military service prior to the late war. These laws will add at least $77,500,000 to the present pension appropriation, and as a result there has been appropriated for the next fiscal year the sum of $279,150,000, which is nearly $56,000,000 more than has ever been paid in any one year and $123,714,708.97 more than was paid eight years ago. Lest I be misunderstood, let me say, as one coming from the South, that I do not begrudge one dollar that is necessary to provide for the dependent Civil War veterans. [Applause.] The Union which he fought so bravely to preserve owes him that; but I do insist that particularly at this time there should not have been included those who have comfortable and, in many cases, large private fortunes and incomes, nor those who years ago left our country and who during all these years have lived in foreign lands, holding allegiance to other flags, but who are now drawing pensions from our Government. It would have been far better and more in keeping with the debt which the Government owes to the dependent Union soldier to have applied the increased sums which will be paid to these two classes to still further increase the pension of the brave Civil War veteran who in the evening of his life finds himself dependent upon his pension for a living.

The railroad transportation act recently passed carries an appropriation of $200,000,000 to wind up claims and $300,000,000 as a revolving fund for loans to railroads. While these sums will eventually be returned, nevertheless they constitute a present charge on the Treasury and are not included in the regular appropriation bills. This act also provides for an indefinite appropriation to take care of the six months' guaranty of income to the railroads, which it is stated will amount to at least $200,000,000, and an indefinite appropriation for the short-line railroads, which it is estimated will amount to $25,000,000. These sums do not appear in the act creating this liability of the Government, but they nevertheless constitute a direct charge upon the Treasury. In addition, this act increases the membership of the Interstate Commerce Commission from 9 to 11 and raises their salaries from $10,000 to $12,000 and the salary of the secretary from $5,000 to $7,500 per annum. It also provides

for nine members of a labor board, at a salary of $10,000 each, and $50,000 for expenses.

A number of other laws have been passed carrying appropriations to which I have not the time to refer. It may be said, however, that they add many millions of dollars to the annual expenses of the Government which were not included in any request of estimate submitted by the administration.

It should be stated that none of the appropriation bills carry the appropriations necessary to cover the increased pay of officers in the Navy, the Coast Guard, and the Public Health Service and which were authorized at this session. These increases will amount to $25,000,000, and will have to be provided for in a deficiency bill at the December session. The same is true of the additional sum required for the increase of the pensions of Spanish-American War soldiers under an act recently passed, and which it is stated will amount to $12,500,000. This is in line with the policy of this Congress to defer appropriations for undisputed obligations of the Government and to provide for them in deficiency bills for the plain purpose of bolstering up a spurious claim for economy. [Applause on the Democratic side.]

It will be observed that despite assurances of the most rigid economy this Congress has imposed financial obligations and charges on the Treasury for the next fiscal year amounting to more than $4,800,000,000. This is a startling fact when it is remembered that these appropriations are made for a period two years after the signing of the armistice, and when we should at least be approaching prewar conditions in governmental expenditures.

The gentleman from Virginia [Mr. SLEMP] in the remarks referred to states that the total of the obligations imposed upon the Treasury by this Congress for the next fiscal year amounts to $4,094,100,897. An examination of the figures submitted by him clearly shows the error of his statement. For instance, he states that the total amount of the appropriations carried in the annual appropriation measures is $1,753,340,897, whereas the facts are that these appropriations amount to $2,212,126,298.78. In addition to this he has failed to take into account more than $350,000,000 which is carried in reappropriations for the next fiscal year and which are as much a part of the charges upon the Treasury as the direct appropriations made. In addition to this he has totally failed to even refer to the millions of dollars which have been appropriated in special acts at this session and the preceding session of Congress. It will thus be seen that, taking Mr. SLEMP's figures and adding thereto these items which he has omitted, the total charges upon the Treasury for the next fiscal year will amount to more than $4,800,000,000. Mr. SLEMP is one of the ablest Members in Congress, and, of course, knew better, and his failure to include these very large sums as a part of the sum total of appropriations for the next fiscal year is an evidence of what is in his mind and in the minds of the Republican leaders as to what will be said by the American people when they learn that this Congress has placed upon their shoulders such a staggering burden of expenditures for the next fiscal year. [Applause on the Democratic side.]

Such, in part, is the record made by this Congress. A lamentable record of broken promises, false claims of economy, and failure of performance. This Congress can truly make the confession, "We have left undone those things which we ought to have done, and we have done those things which we ought not to have done." It is not strange that there is criticism throughout the country on account of its failure to retrench, as was so often promised by its leaders, and that the Washington Post, a paper of well-known Republican sympathies and strongly antiadministration in its policy, should have said in an editorial published on Saturday, May 15:

> Do the Republicans of Congress suppose that the people approve of the record made since March 4, 1919? Why are not the taxes reduced? Or, if there must be heavy taxes, why have not the Republicans readjusted the burden according to the tested Republican tax policy, which seeks to protect both American industry and American labor, instead of sweating it for purposes of governmental extravagance? * * * The chief offender against economy and cheaper living is the Government, and the Republicans are responsible for the failure to retrench. They have only a little time left in which to make good.

And yet in a few short days we are to abandon the work of this session with this duty and service unperformed. In conclusion, let me say to my Republican friends on the other side of the aisle, that when the record of this Congress is laid before the American people, and when it has been fully examined and understood by them, they will at the November election write for you what was written by the specter hand for Belshazzar, the Babylonian king, high on the wall of his magnificent and costly palace, built and maintained by an overburdened people, "Mene mene, tekel, upharsin," "Thou art weighed in the balance and found wanting." [Applause on the Democratic side.]

Comparison of amounts carried in the 13 regular annual appropriation bills for 1916 and 1921.

	1916	1921
Agriculture	$22,971,782.00	$31,712,784.00
Army	101,974,195.87	392,558,365.00
Diplomatic and Consular	4,061,280.01	9,218,537.91
District of Columbia	11,859,584.45	18,373,004.87
Fortifications	6,080,216.90	18,833,442.00
Indian	9,771,902.76	10,040,655.27
Legislative, executive, and judicial	36,904,799.75	104,735,726.11
Military Academy	1,069,813.37	2,142,212.70
Navy	149,661,864.88	433,279,574.00
Pension	164,100,000.00	279,150,000.00
Post Office	313,364,667.00	462,575,190.00
River and harbor	30,000,000.00	12,400,000.00
Sundry civil	126,922,750.79	437,106,806.92
Total, regular appropriation bills	978,722,857.78	2,212,126,298.78
Permanent annual appropriations	121,567,207.00	1,363,768,980.29
Miscellaneous	2,330,603.34	797,500,000.00
Deficiencies	12,316,343.90	486,495,048.23
Total, permanent annual, miscellaneous, and deficiency appropriations	136,214,154.24	2,647,764,028.52
Grand total	1,114,937,012.02	4,859,890,327.30

Mr. GOOD. Mr. Chairman, I yield 15 minutes to the gentleman from Kansas [Mr. TINCHER].

Mr. TINCHER. Mr. Chairman, I ask leave at this time to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas? [After a pause.] The Chair hears none.

Mr. TINCHER. Mr. Chairman, I think I shall finish the remarks I have prepared within the 15 minutes allotted me.

"LEST WE FORGET."

The Sixty-sixth Congress, elected in November, 1918, would, under the law, have met December 1, 1919; however, by reason of the failure of the Sixty-fifth Congress to pass the greater part of the supply bills for 1920, the President convened the Congress May 19, 1919, with only the time from then until July 1 to complete the work left over from the Sixty-fifth Congress.

Now, the Sixty-fifth Congress had the experience of meeting in December, 1918, after the election, and after the signing of the armistice which ended the war, and after a lot of the Members had been defeated for reelection. Many of these Members did not work at all; some very little; and the work in the committees progressed very slowly. So while the House passed all of the regular supply bills, it did not do so until just at the end of the Congress; that left the Senate only the choice of taking the bills as they came to them or letting them fail of passage through that body. The Senate allowed most of them to fail, as there was no time to properly consider them. Thus, it is easy to see that the Sixty-sixth Congress has had two years of regular routine work to do in one year.

The Sixty-fifth Congress was Democratic; the Sixty-sixth Republican, so far as the House is concerned; the Senate being practically a tie. The Democrats criticized the Republican Members of the Senate for the failure of the supply bills in the spring of 1919, and called that failure a filibuster. It was not a party filibuster; however, some Senators did filibuster at the end, claiming there was no time to consider these important bills. We have heard nothing of this filibuster for more than a year now. Why? I will tell you. The Congress convening May 19, 1919, passed these supply bills before July 1, reducing them in amount more than $1,000,000,000. It was not intended that we should be called together in time to do anything but pass the bills just as the departments wanted them, but every Member of the new Congress came here in February, 1919, got his committee assignment, got copies of the supply bills and went to work. So, when we were called here on the 19th of May we knew something of the work ahead.

The members of the important committees worked day and night for those first few weeks. I want to say to you that it looked to a new Member as if law-making was the hardest work in the world.

I had been insistent on getting a place on one of the large committees, and had told the leaders in the House that I wanted to work. They took me at my word and I am proud to be able to state that I have helped shape some of the legislation passed by this House. To be able to have these bills passed by July 1 and have them carry a billion dollars less than the ones passed by the old Congress was worth while. That is the reason why

you have not lately heard, and will never again hear, much about that filibuster of 1919.

Now, remember this, we have only claimed credit for saving a billion dollars over the old bills when, as a matter of fact, as we passed the bills, the saving was one and one-half billion. The reason I say one billion is that the departments have made us appropriate one-half billion since; so that the real saving on the first year was only a little over one billion. You ask how can the departments make Congress appropriate money, and I want to explain that. Let us take two examples: One in the Department of Agriculture and one in the Department of the Treasury. First, say we give the Bureau of Animal Industry one and one-half million dollars to fight tuberculosis in cattle; providing one-half million for administration and one million to be used to pay for cattle destroyed. That looks as if Congress had guarded that appropriation fairly well. Now, under the law any man in any department can be punished for creating a deficiency. So they will not create any, but here is what they will do: They will hire enough men to spend this one-half million dollars in eight months. Then, at the end of seven months they will serve notice that all work in that department will stop at the end of the eighth month unless Congress gives them additional money. Now, this is an important work; if you stop it you lose the money already spent; the people want the disease wiped out in that portion of the country where the population is congested, and it is necessary to keep the milk cows up all the year round, as we call it in the West. It is important to human life that this work be continued; and Congress is practically forced to give this executive officer of the department more money. We can not even remove him for abuse of discretion. He has his office by appointment of the President, who was elected by the people; and no matter how strong a Member of Congress may believe he has absolutely wasted one-half of this money, no matter how strong he may believe that he has three men doing one man's work, he will have to acquiesce in the deficiency appropriation. We can not waste all that former Congresses have spent in the work, so his demands must be met; all we do is to pare them down as low as we can and go ahead.

Second, say Congress gives the Bureau of War Risk Insurance only enough money to keep 7,500 clerks employed. They come before the committee and agree to do the work with about that number. The appropriation is made for only that number. The law is that they can not create a deficiency; but they are not in sympathy with Congress, and while probably not over 5,000 of them actually work, they keep 10,000 on the pay roll, and claim they all work. Then at the end of seven months, the executive officer in charge goes to the Appropriations Committee and says: We will have to close the bureau on the first of next month if you don't give us more money. Now, no matter how much you may know concerning the fact that they are not trying to help, but are, on the other hand, trying to show that you can't save, Congress can not let them shut down. Let me call your attention to this, the department heads never pick an unimportant thing to shut down. So I say, in a way, the executive departments of the Government can force the legislative branch to some extent. I am sure it is best to have both branches of Government, but right now I am just as sure that it is unfortunate, indeed, that the executive branch is not in sympathy with the legislative in matters of economy as well as policy. Take the veto of the President on the administrative bill that provided that the Joint Committee of the House and Senate should decide about Government publications; the President says we are encroaching on the executive powers; we could not pass that over his veto, as the vote was nearly a straight party vote. That veto simply said to Congress you have got to let my departments waste more than a million dollars; if you don't we will cut out the necessary printing and blame you for it. In my judgment he made a sad mistake in this; nearly every one is now familiar with the printing waste in his departments. So I say we are extremely fortunate in keeping them down $1,000,000,000.

Now, while I am talking of the appropriations, let me discuss the appropriations for the year 1921, which we have just passed. These bills carry about one and one-half billion dollars less than demanded by the departments; and they carry sufficient to run the Government in such times as these. However, let me call your attention to the statement of the chairman of the Democratic national committee, in which he says we can not save that amount "as there will be deficiencies." He surely doesn't mean that, as that would be criminal, and carry some of them to jail.

Now, the heads of the several departments have agreed to get along with these appropriations. Of course I was suspicious they would not try it, even before the national chairman spoke, but for him as the selected leader of his party to openly boast that they are not going to get along, but will force more, seems to me to be audacious, to say the least.

This Congress has tried to get the country back to normal. Let me show you how this year's appropriations are made up. They total $3,500,000,000, of which $1,000,000,000 is to pay interest on the national debt caused by the war; $278,000,000 is for a sinking fund to retire the national debt, as provided for by law when the same was created; $450,000,000 of it is to pay obligations such as war-risk insurance and obligations to soldiers occasioned by the war. Congress has no choice in these matters; they must be paid. Now, on the running expenses of the Government we have $1,772,000,000. If you deduct from this the finishing of some ships and the payment for some lands and hospitals occasioned by the war you have a prewar basis.

So far I have only mentioned this regular routine work of the Congress, and while this is just twice the amount of work confronting an ordinary Congress, this one has had some other things to do.

I want to enumerate some of these things. First, one of the very first things this Congress did was to extend suffrage to the women. Kansas women have had this right a long time, and I was glad to get here in time to help a Republican Congress give all the women the same right. Remember, the ranking minority—Democratic—member of the Committee on Suffrage fought this measure on the floor of the House. Second, remember when this Congress convened we were not even going on God's time; the sun no longer ruled the day; the moon had no control over the night; we had a new deal called McAdoodle, or some other kind of a donkey time. We have changed this and now have God's time. Please do not forget we secured this return to normal over the objection of the Executive, and over his second veto, and after our friends across the aisle had heard from home after the first veto. Third, Burleson had, for some reason known only to himself and his boss, after the signing of the armistice and before the famous Creel trip to France—where we paid so much rent and also damages to the buildings—taken over and was operating the cables, telephones, and telegraph. I repeat, no one knows why this was done, unless it was to prevent the American people from knowing what was going on in France. At any rate, it was done, and rates had been raised and service was getting bad. We returned them to their owners by a law, and I was glad to help in this. This adventure cost the Government $15,000,000.

When this Congress convened, the War Department had on hand a food supply for 3,000,000 more men than were in the Army for one year. They tried to get out of selling this food to hungry people, because some of the high-up officials had agreed with canneries and packers not to do so. We finally made them sell some of this before it spoiled, and this was no easy task, as they were the most determined bunch on letting this spoil I had ever encountered. They refused a long time to obey the law we passed making them sell it. I am proud to have voted for that resolution, which saved the Government more than the total cost of the whole congressional investigation.

Now, while I am on the subject of food I want to give you a fair, square statement on sugar. At the beginning of the war Congress appropriated money and authorized the organization of the Sugar Equalization Board. This was a corporation. The President of the United States was its president and held all the stock; there were eight directors. The President appointed all of them in 1918. They bought all the raw sugar, and, I must say, controlled the price, so that perhaps no one has ever complained to speak of. Now, in July, 1919, the Cuban raw sugar was for sale at 6¼ cents per pound. This corporation had the money belonging to our Government with which to buy it. They had a meeting, and seven of the directors wrote the President advising its purchase. One man wrote and advised against it. Now, the individuals and corporations engaged in this business would take no steps until the board decided what it wanted to do. The President ignored that letter; the board later wrote again; no answer. Do not misunderstand me. I do not think it was important which way he answered the letter. "Yes" would have been all right; "no" would have been just as good. "Yes," the board would have gone ahead; "no," and regular dealers would have bought it. Still up to this time no answer. Some one says the President was sick, but he was not sick then. He made his famous western trip after this. Now, what happened? Louisiana produces a little sugar. Their crop was poor; so we must get our sugar from Cuba. The so-called Department of Justice, intrusted with the duty of prosecuting profiteers, without any suit being brought, without any moral or legal right to do so, issued its now famous order that no Louisianian would be prosecuted for profiteering if he

did not charge over 18 cents per pound for sugar. Result of failure of the Executive, with our money and the power to act, to make any move whatever, the department, his law-enforcing arm, nullifying the antiprofiteering law for all the people just to help a few friends in Louisiana.

Every householder in America is to-day paying as much as 10 cents a pound more than he should pay for every pound of sugar consumed by his family. Blame the Cubans? No. They held their raw sugar for four months on a reasonable price. Of course, when the head of our Government decided that 18 cents was not profiteering, they simply raised their price. This transaction will be known and designated by future generations as the sugar outrage.

This Congress has passed an Army reorganization bill, made necessary by the war. Now, the President, the Secretary of War, and the General Staff demanded that we have compulsory military training and compulsory military service of all boys between the ages of 19 and 21—three months' training and service for two years, subject to the call of the President. This bill, prepared by the executive officers, was introduced in both the Senate and House just as the President started West on the League of Nations speaking trip. It has as much to do with the defeat of the League of Nations as anything that happened. Congressmen and Senators who had not studied that feature of the league began to study. As a result, most all agreed, first, the President should not have power to send our troops abroad without Congress declaring war; that while a few Congressmen and some Senators favored compulsory military training, no one favored compulsory military service. So the Lodge reservations were agreed to by a large majority in the Senate; and the President, not then willing to have the treaty Americanized, had his trusted lieutenants in the Senate defeat it, though a majority voted for it, and he was able only to prevent its getting a two-thirds vote.

The House passed an Army reorganization bill; cut out both compulsory training and compulsory service; provided for an American Army; refused to adopt the Prussian system; kept intact the teaching of our forefathers; and left this a civil government, and not a military government; also, reduced the amount of money this bill would call for by more than $1,000,000,000 per year.

I want to be fair in this. Not only did the Republicans turn this down; the Democratic Members of the House had a caucus, and though they had a letter from the President begging them to take no action, they passed a resolution condemning the proposition. I congratulated them on it the next day. Mr. MONDELL had condemned it in public statements for weeks; I had written a letter, which was printed in most every paper in the seventh district, condemning it; this was within a week after the bill was sent down to this end of Pennsylvania Avenue. I congratulated the Democrats on the proposition that they had decided to follow Mr. MONDELL. Some of my good friends on the Democratic side said they had not voted to follow MONDELL but just refused to follow President Wilson's letter. However, the result was the same; it showed that a large majority, regardless of politics, were good Americans.

Mr. PARRISH. They did not follow some of the recommendations made at the other end of the Capitol.

Mr. TINCHER. No. There were three or four Republicans in the Senate and half a dozen in this House who are willing to follow President Wilson and Secretary Baker and the other fellows. It is outrageous. I have no apologies for them. I have the greatest confidence that a good friend of mine, like the gentleman from Texas, stood by the people and helped us pass a reorganization bill that did not have any Prussianism in it, and left our Government a civil Government. I do not think the gentleman from Tennessee should overlook a measure of this kind in discussing what Congress has or has not done.

The first message this Congress had from the Chief Executive asked us to repeal the then war-time prohibition on wine and beer. This in the face of the fact that a sufficient number of States had adopted the eighteenth amendment, which clearly made it our duty to pass a permanent national prohibition law instead of repealing any of the then existing laws. Congress's answer to that message was "No." But, on the other hand, we passed the Volstead law, a permanent national bone-dry prohibition law. True, the President vetoed this law, and, true, Congress had to pass it over his veto, but this is as it should be. The President has always been against prohibition; the Republican Party has been for it; and the record is now correct. It shows the truth, and future generations should know the truth.

I can not refrain here from telling you a true joke that I know will sound like a fairy story. The Democratic State convention which met last month in my home State, at Wichita, Kans., in their resolutions pointed "with pride to the fact that under a Democratic President we had obtained national prohibition." These resolutions said nothing of its being a law over the protest and veto of the President. These same resolutions did, however, indorse the succession of the son-in-law to the throne.

This Congress found the railroads operated by the Government, the rates as high or higher than ever known in history, many, many men drawing from $15,000 to $25,000 a year in the Railroad Administration. Most of these men had no qualifications, except that they were deserving Democrats. Half of them would not know a switch frog from a bull frog. [Laughter.] Some were, no doubt, there to keep from going to war. Some had been defeated for Congress. Many were distantly related by blood or marriage to some of the high-ups; but they were all getting pay for their part in demoralizing the railroads and business. One of the first things I did was to try to get a harvest rate for the farmers. One of these golf-playing high brows made a statement to me of one-half hour that according to his view of economics this would not do. The next morning I saw in the papers where he had put in a one-half rate to points such as Atlantic City. I was angry. I went to see him again. I will not repeat what I said; he ordered me out. [Laughter.] Now he is out, but he and his kind stayed long enough to cost this Government $1,500,000,000. This at a time when every privately managed industry in the United States was worrying over excess profits. [Laughter.]

I never complained of the fact that these high brows didn't work but about one hour each day. What in the world would have happened if they had indulged in their mismanagement for a reasonable number of hours? [Laughter.] We have turned the roads back to their owners. I will not take time to go into detail on that law, but it is a good one, and in time under it we will get back to normal. It would take a week to enumerate the outrages this crowd committed while they held the roads. Every man knows enough to keep any man talking a whole day.

Gompers, who misrepresents labor on all occasions, says we are a "No Congress"; and I admit we have had to say no to the old gentleman several times. The first time I ever heard him was on the Capitol steps talking to the crowd of mostly foreigners who demanded that we nullify the eighteenth amendment instead of passing a prohibition law. I heard him say that day that if we did not repeal prohibition his followers would ignore the law. Of course, Congress said "No." [Applause.] Then I heard him advocate the Plumb plan, and again we had to say "No"; but while I could spend a day on the things we have had to say "No" to Gompers on, we have said "Yes" where justice spoke. [Applause.] I must not discuss here in detail all the things we have said "Yes" to, but let me mention a few in passing, any one of which one could make a whole speech about.

First, the American people asked for a reduction in appropriations. We gave them economy. This Congress passed the budget law, the most forward step for economic government in a century. The leasing bill, one of the most constructive pieces of legislation passed by any Congress. The water-power bill, important in its section. The cold-storage bill. The Sweet bill for soldiers of the late war. The Fuller pension bill for the benefit of the soldiers of the Civil War. The Sells pension bill for the relief of the soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition.

I know that some good business men are wondering why this Congress does not repeal more tax laws—and I notice Mr. McAdoo is advocating something of that kind. Some of us can remember how in 1916 the Congress repealed some revenue measures on the eve of a presidential election, right in the face of a deficiency. That was a Democratic, demagogue Congress; that act was a political one. Now, everyone knows we have to have money to pay expenses, and to cover Democratic deficiencies. True, Republicans and Democrats do now and always have disagreed as to how to raise that money. We have not a two-thirds majority even in the House. We have a free trader for an Executive, and more than one-third of the House is made up of free traders. To repeal tax laws and not arrange for the revenue by other laws would be hypocrisy of the worst type. The revenue laws Republicans believe in would be fought hard in both branches of Congress, and vetoed at the White House.

Everyone in Congress, regardless of politics, admits we would be wasting our time in trying to pass these laws over the veto. The Republican Party was successful in keeping down Government expenses and taxes in the past; wait until that party has a chance to pass a good, old-fashioned Republican protective tariff law, and you will see not only a change in our present unfair, unwieldy, unjust tax laws, but then, and not until then, will there be rest in labor circles, equity in the cost of living.

A return to normal government with the Republican Party in charge of the executive and legislative branches of our Government is normal government. It is the kind under which we have made all our progress.

Congress can pass laws, but there is an executive department of our Government to execute laws. The Sixty-fifth Congress passed a law that was supposed to curb profiteers, and that created what is known as the Grain Corporation. I do not know of anything wrong with that law, but it is an open secret that the law enforcers and administrators have used it to make it the most unpopular, and unworthy, and unjust law that was perhaps ever put on the statute books. Instead of prosecuting profiteers, they have encouraged them. The Grain Corporation has actually tried to show big millers how to fix up their statements and avoid taxes; and I have made the statement in committee, I have made it on the floor of the House, and made it before coming to Congress, and I now want to repeat it, that the only mills they have prosecuted have been those which, first, paid the farmer too much for his wheat, and, second, sold the flour too cheap to the consumer. Long before coming here I went with a miller before the Grain Corporation's representatives at Wichita, Kans. They were about to close his mill, and that was the only charge they had against him. Right to-day a mill in my district is closed because this man refused to be a liar, and a profiteer, and a crook. He insisted on paying the farmer more for wheat than other millers were, and insisted on selling his flour for less than it was being sold by other millers. And still this great Grain Corporation singles him out and have closed his mill.

I do not know this man personally. There may be some things wrong with him, but this is certainly a glaring example of how a law, no matter how meritorious, needs the just and fair enforcement by the enforcing officers. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 20 minutes to the gentleman from Massachusetts [Mr. GALLIVAN].

The CHAIRMAN. The gentleman from Massachusetts is recognized for 20 minutes.

Mr. GALLIVAN. Mr. Chairman, the tadpole is an ugly little wiggletail, but it is the beginning of the bullfrog, the loudest croaker and the greatest long-distance jumper ever developed in the gymnasium of nature.

A dignified inquisitorial committee of this House, directed by the distinguished gentleman from Illinois [Mr. GRAHAM], has for more than a year been engaged in investigating the tadpole profiteers who developed during the war, and it has been chasing the tadpoles that secured "cost-plus" contracts all over the country from Maine to California and then to Washington. All this, mark you, in total disregard of the commonest fact in natural history—that the tadpoles long ago developed into bullfrogs that have spread their spawn to produce millions more of tadpoles to grow into millions more of bullfrogs until, like the plague of Egypt, these bullfrogs have spread over the whole land "into the houses, the bedchambers, the beds, and even the kneading troughs" of the people to wring their profits from everything we use from the cradle to the grave, including the staff of life.

The curse of profiteering has become standardized until it not only robs the people but boasts of it. The war profiteers were confined to war contracts, were circumscribed by the needs of the Government in munitions and supplies; the profiteers of peace have no limitations on their genius and gall. They rob the people from dawn to dark and spend the night in jumping up prices to give us new sensations of indigestion at breakfast. Peace profiteering is confined to no section and to no class, but opportunity is the gauge of robbery, and he that has the best opportunity for profiteering makes the most of it and the most money.

When will the distinguished gentleman from Illinois and his inquisitorial colleagues catch up with the procession of bullfrog profiteers which is not simply marching on the bellies of the people, but is jumping from pinnacle to pinnacle of high prices while the committee is still digging into the records of war contracts where the tadpole profiteers were fattening off the Government? [Applause.] The waste of Government money was criminal and should be punished. I have no defense of any Government agent or any contractor who might participate in any revel of robbery, and I will support the committee in any recommendation it may make backed up by competent evidence; but I do not want to dwell in that alleged wallow of Government contracts while the peace profiteers are spreading their spawn over everything in this country and taking unrighteous toll from every necessity of the people. [Applause.]

The war ended nearly two years ago and so ended the opportunity of the war profiteers; but the prices of necessities of life have doubled those of the war time, but we are still digging into the war contracts to find the tadpoles of profiteering. The profiteers are nearly two years ahead of Congress and they are planning new methods for robbing the whole people. What are we going to do about it? Continue to trail behind the profiteers and only encourage them to greater effort to get while the getting is good, and outdistance the Government and the people?

One Senator complains of the Wall Street melon patch, but that is not the only melon patch in the country. There are others, and they take in the farms of the West and the cotton plantations of the South, where the hardy-handed tillers of the soil are demanding and securing big profits from the necessities of the dwellers in the cities of the East.

Have you followed the play of the Sugar Trust? Do you know that the Sugar Trust is the oldest, the most experienced, and probably the most unscrupulous profiteer we have, and its advances in prices are so fantastic as to suggest that Get Rich Quick Wallingford is the director of the operations, which will, it is said, net the trust a billion dollars in profits this year? The Sugar Trust has no limitations on its profiteering, because it controls the sugar production of Cuba, Porto Rico, Hawaii, and has its tentacles on other places that produce a surplus of sugar; and it has already made a cut-loaf cube of sugar for your coffee look like the pearl that Cleopatra dissolved in the glass of wine for her lover. [Laughter.] Can anyone here tell when the Sugar Trust was only a tadpole? I doubt it. Why, Uncle JOE CANNON, the Nestor of this House, was doing battle with this giant bullfrog nearly half a century ago, and I fancy that Uncle JOE could give us some interesting reminiscences of his early experiences if he would review the tariff fights of 30 and 40 years ago. I once saw a cartoon of Uncle JOE as St. George choking the dragon, and it seemed to me that it ought to represent his contest with the Sugar Trust at the time when he secured the adoption of an amendment to the celebrated McKinley bill placing sugar on the free list and giving a bounty to the domestic product. The trust did not want sugar made free, because it controlled the sugar market here and the production in Hawaii, from which islands sugar was free under a reciprocity agreement, and in Cuba, which was near enough to make the freight of little importance in holding the market against the beet sugar of Germany and Russia. There was little beet sugar made in this country at that time. But notwithstanding the opposition of the trust, Uncle JOE secured the adoption of his amendment after a battle like that between St. George and the dragon; and, incidentally, Uncle JOE was defeated for reelection that year, and I wonder how much the Sugar Trust contributed to that defeat. But sugar began to tumble in price from the enactment of that law, and within a year we could buy 20 pounds of sugar for a dollar, and as Uncle JOE's constituents carried home a dollar's worth of sugar and told the tale their wives declared that Uncle JOE should come back, and he did, to fight more dragons, as he has been doing for 30 years. [Applause.]

Twenty pounds of sugar for a dollar! To-day the price of sugar to the ultimate consumer is 30 cents a pound, more than double the price last January, and it is still advancing each week because the Sugar Trust has so long practiced profiteering that it has grown confident that it is bigger than the Government and can rob the people at will to swell its profits.

When sugar sold for 5 cents a pound we produced only one-sixth of our consumption, but when sugar is selling at 30 cents a pound we produce one-half of our total consumption. The tentacles of the trust appear to have entwined not only Cuba, Porto Rico, the Philippines, and Hawaii, but the cane sugar of the South and the beet sugar of the West, and to-day the cost of sugar to the American people is estimated at nearly $3,000,000,000 a year and one billion of it goes to the profiteers in sugar. In other words, the Sugar Trust is permitted to tax the American people more than the Federal Government taxed them for all its activities and expenditures before the war with Germany.

The sugar profiteers glibly tell us that the increased price of sugar is due to the laws of supply and demand; to the decreased production and the enormous increase in consumption by the people of the United States, and they indulge in that old, familiar puzzle of per capita consumption; that the per capita consumption has increased from 40 pounds in 1880 to 89 pounds in 1914 and to 93 pounds last year. Now, who of you is conscious of having consumed 93 pounds of sugar last year, or used 16 pounds more than in 1918, when the per

capita consumption was 77 pounds, or 15 pounds more than in 1916, the year before the war, when the retail price of sugar was 8 cents a pound?

The sugar profiteers would have us believe that we consume more sugar when we have to beg, bribe, and almost steal enough to sweeten our coffee at breakfast time than we did before the war, when the price was about one-fourth what it is now, or double the amount we consumed in 1890, when we could buy 20 pounds of sugar for a dollar.

But, gentlemen, these figures of per capita consumption of sugar represent the consumption of the candy makers and the sugar-water makers, who are more than suspected of close affiliation with the Sugar Trust and are adding to the profits of both ends of the combination. The experts of the Department of Labor nearly 20 years ago estimated that one-third of the sugar consumed in this country went into confectionery and soft drinks, and other estimates later increased this consumption of the manufacturers to one-half and two-thirds.

The collector of internal revenue in one district in New York City collected nearly a million dollars of taxes on candy and soft drinks in the months of February and March of this year, and estimated that these taxes represented sales of these luxuries amounting to $10,000,000. This was in one collection district and for two months—two months in which the people were trying in every way to secure enough sugar at any price to sweeten their breakfast coffee. Why, Barnum himself did not so presume on faking the whole people as have the affiliated industries of the Sugar Trust in fooling the Congress.

The gall of the profiteer is well illustrated by our master baker of the National Capital, Mr. Corby, who frankly admits that he made profits of $225,000 on bread last year after taking out $30,000 as his own salary; that he has not only several times advanced the price of bread this year but has indulged in short-weight practices in defiance of law to increase his profits. His only defense of his illegal practices is that he has the approval of a fair price committee composed of his fellow profiteers here in the District of Columbia. If I am not mistaken, this is the same Corby who financed and promoted the campaign against a referendum on the Sheppard bill to enable the people of Washington to vote their sentiments on prohibition. His recent developments explain his opposition to popular government by the vote of the people most concerned about their police regulations and local law for their government and control. When the Sheppard bill was finally enacted and the referendum defeated, Mr. Corby was given a monopoly in the manufacture of alcohol in the District of Columbia, probably in recognition of his valuable services in suppressing the American aspiration for self-government.

Mr. Corby is an excellent example of the self-righteous benefactor who casts his bread upon the waters of life to reap a profit for himself and proclaim it as a humanitarian plan for the benefit and elevation of the moral standards of the people. It pays to advertise even your roguery and defiance of the law.

It is an old saying that it costs as much to sell an article as to produce it. Ten years ago the Tariff Board analyzed the cost of producing and selling a suit of clothes. The wool grower received $2,32 for his product; the woolen manufacturer received $4.78 for the cloth; the cost of all materials entering into the suit, except the labor, was $7.55; the cost of making the clothes, $3.74; and the entire cost, from the woolgrower to and through the factory and the tailor shop, was $12.41. The suit sold for $25 to $30; and the profits of the jobber, the wholesaler, and retailer amounted to more than the entire cost of producing the suit of clothes.

That condition has been aggravated since the war with Germany; and to-day, apparently, it costs from two to three times as much to sell things as to produce them. President Wood of the American Woolen Co. protests that while his company earned big profits last year and is still earning big profits it has added only 75 cents to the cost of the cloth for a suit of clothes; but the $25 suit of five years ago has become a $75 suit now; and if Mr. Wood is correct, somebody else has absorbed $49.25 in getting the cloth into the suit and then to the ultimate consumer, and it would be interesting to find out who got the profits and who was the real profiteer. But the big combinations in the game protest that they are not profiteers, even though they admit to earning dividends ranging from 30 to 100 per cent and more. The retailers deny that they are profiteering, and we are left to puzzle over where the extra cost goes.

Mr. B. F. Yoakum, the celebrated railroad man, some years ago estimated that in the year 1911 the farmers received $6,000,000,000 for their products and that the consumers paid $13,000,000,000 for the same products. The railroads received $495,000,000 for transportation, and the entire cost of producing and transporting those products to market was less than half the cost to the consumer. That was in normal times. How much does the middleman get now?

A side light may be thrown on the situation by the increased danger to the ordinary citizen on the streets and roads from automobiles. We are told that the automobiles sold last year brought more money to the manufacturers than the entire cost of clothing the people, or furnishing the whole population with boots and shoes, or more than the cost of all the newspapers and magazines, or more than the entire cost of all the breadstuffs in the country. The passenger cars sold last year were double the number sold in 1918 and cost a billion and a half dollars. The profiteers were all riding in limousines or touring cars or electrics or Fords, according to their share of the profits; and while there were enough motor cars in the country to make 1 for every 14 of the population, out in Iowa and Nebraska, South Dakota and Kansas there was 1 automobile to each 6 of the population, while in Massachusetts there was 1 car to each 16 of population. So, measuring profits by joy riding, our farmer population in the West, where the Nonpartisan League flourishes, had a greater share of the profiteering than the industrial States of the East, which, by the way, contributed the largest part of the revenues of the Federal Government to pay the cost of the war, the cost of building good roads all over the country, killing off the chinch bugs, tobacco beetles, boll weevils, and teach the farmers how to make cottage cheese. New York, Massachusetts, Pennsylvania, Ohio, and Illinois contributed last year more than one-half of all the revenues of the Government, or $2,196,139,071.65 out of the $3,839,950,612.05 which the Government collected in internal revenue.

So, while I admit there has been profiteering in the old Commonwealth which I, in part, represent, as I see the evidence of joy riding out on the prairies and plains among the hardy-handed farmers and see how little they contribute to the common welfare named in the Constitution, my heart does not respond to all the wails that come from the farming sections of the country as it did before I looked into the statistics of food cost and the meager revenues they contributed to Uncle Sam last year.

The tadpole has grown into a bullfrog all over the country in every line of endeavor and every class of citizen, and the question still is how to catch up with the bullfrog. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GALLIVAN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. TINKHAM. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, I yield 30 minutes to the gentleman from Indiana [Mr. SANDERS].

Mr. GOLDFOGLE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SANDERS of Indiana. Mr. Chairman, it is frequently assumed that after the declaration of war Congress, by legislative enactment, directed the President to take over the operation of the railroads. This is an error. In pursuance of a provision in the national defense act of 1916 the President on the 1st day of January, 1918, without legislative direction took over the railroads, and it was not until March 21, 1918, almost three months thereafter, that the act of Congress was approved, which is commonly known as the Federal-control act. This act recited the fact that the President had taken over the operation of railroads, made provision for the compensation for their use, and appropriated $500,000,000 as a revolving fund to pay the expenses of Federal control.

The question is often raised as to the advisability of the act of the President in taking over the railroads. It is urged with much force that the same or better results so far as war service was concerned could have easily been brought about by providing by law that transportation for war purposes should have preference and by suspending such restrictive laws as hindered unified action by the carriers.

All the inherent evils of Government ownership and paternalistic legislation accompanied governmental operation of railroads, and these evils not only crippled the railroad service

but reached out into every other governmental activity. The vast additional expense of Government operation is frequently cited as proof of the error in taking over the roads. It must be remembered, however, that the real purpose of taking over the transportation facilities was to permit their unhindered and unrestricted use as a part of the machinery of war, and if this purpose was better served than it could have been under private operation without accompanying evils that outweighed the benefits the course was, of course, justified. A discussion of this controverted question would now be academic. One should form his opinion on the subject from a study of the facts.

It is unfortunate, however, that there has been such an extensive organized propaganda to create the impression that Government operation of railroads was a financial success and that it had no attending evils. It is much more in keeping with sound statesmanship to frankly acknowledge the faults so that the actual virtues, if any, may not also be discredited.

Power was conferred by Congress upon the President to disregard *all laws* which he might find in the way of the efficient and economical operation of the railroads. He was given power to increase rates without limit. He was given power to disregard the antitrust laws; to disregard the directions of shippers as to the routing of traffic; to pool facilities; to coordinate and unify operations; and, generally, without regard to existing laws or legislative policies, to do all the things which were, in his judgment, necessary to the most efficient and economical operation.

He promptly, through the agencies he had created, proceeded to the exercise of these powers. He increased wages and he increased rates.

The Director General stated to the House Committee on Appropriations on June 3, 1919, that employees' wages per hour had increased 50 or 52 per cent since 1917, the year before Federal control, and unit costs of materials and supplies from 20 to 35 per cent. Yet the operating expenses for the first six months of 1919 showed an increase over the corresponding months of 1917 amounting to $735,000,000, or nearly 55 per cent.

The Railroad Administration reports that the total ton-miles of roads in class 1 during the first six months of 1917 were 207,631 millions, while during the first six months of 1919 there were only 178,083 millions, a decrease of 29,548 millions, or 14.2 per cent. Passenger traffic statistics for the same periods are not available, but it is beyond doubt that any increase in passenger traffic was not sufficient to offset the decline in freight traffic. Thus, with a reduced traffic in the first six months of 1919 as compared with the same period of 1917, increases in unit costs of 20, 35, and 51 to 52 per cent produced an increase in total cost amounting to 55 per cent.

Similarly, ton-miles for the whole of the year 1919 were 394,804 millions, as compared with 427,342 millions in 1917, which was a decrease of 32,538 millions, or 7.6 per cent. Passenger miles increased from 39,361 millions in 1917 to 46,145 millions in 1919, the increase being 6,784 millions, or 17.2 per cent. This increase of 6,784 millions passenger miles was not sufficient to offset the decline of 32,538 millions ton-miles in freight traffic. Yet with a smaller traffic in 1919 than in 1917, and with unit costs of labor and material showing lower rates of increases than the increase in operating expenses, the latter was greater in 1919 than in 1917 by $1,519,000,000, or nearly 54 per cent.

The conclusion seems to be inevitable that the Government plant was operated less efficiently and less economically than was the same plant in private hands.

This doubtless is to a large degree explained by the weakness in organization and the comparatively small output of labor and wastage in materials, all of which are inseparable from the transaction of all business of whatever kind by governmental agencies.

Large amounts paid out to appointees of the administration dispel the expectation that operation by the Government would end large salaries. The report of the Director General containing a list of all officers and employees as of date, January 1, 1919, shows, among thousands of others under $10,000, that the following salaries were paid, ranging from $10,000 to $50,000 per year:

General office:	
Assistant Director General	25,000
Assistant to Assistant Director General	12,000
Finance and purchases treasurer	10,000
Finance and purchases treasurer	10,000
Capital expenditures director	25,000
Capital expenditures assistant to director	10,600
Division of operation (proper) director	25,000
Division of operation assistant director	15,000
Division of operation assistant director	14,000
Division of operation assistant director	12,000
Division of operation (2) assistant directors (each)	10,000
Division of operation (car service), manager	10,000
Division of traffic, director	25,000
Division of traffic:	
Assistant director	$15,000
Assistant director	12,500
Manager Food Administration	20,000
Manager War Industry Board	18,500
Manager inland traffic, War Department	18,000
Manager Fuel Administration	13,200
Manager express and mail	12,000
Division of labor, director	25,000
Division of assistant directors (2), each	10,000
Division of law, general counsel	25,000
Division of law, assistant general counsel (3), each	10,000
Division of inland waterways, director	25,000
Board of railroad wages and working conditions, 6 members of board (each)	10,000
Eastern region:	
Regional director	50,000
Assistant regional director	35,000
District director	35,000
District director	30,000
Chairman budget committee	25,000
Traffic assistant	20,000
Mechanical assistant	20,000
Resident traffic assistant	15,000
Marine director	15,000
Assistant mail and express	10,000
Allegheny region:	
Regional director	50,000
Assistant regional director	20,000
Traffic assistant	20,000
Operating assistant	20,000
Mechanical assistant	10,000
Transportation assistant	10,000
Engineering assistant	10,000
Terminal manager (3), each	10,000
Pocahontas Region:	
Regional director	40,000
Traffic assistant	17,500
Transportation assistant	10,800
Chairman regional purchasing committee	10,000
Southern Region:	
Regional director	40,000
Traffic assistant	15,000
Operating assistant	10,000
Northwestern Region:	
Regional director	50,000
Assistant regional director	20,000
District director	25,000
Traffic assistant	20,000
District manager	10,000
Terminal manager	10,000
Central Western Region:	
Regional director	50,000
Assistant regional director	20,000
District director	35,000
Traffic assistant	20,000
Engineering assistant	12,000
Southwestern Region:	
Regional director	50,000
Assistant regional director	15,000
District director	30,000
Traffic assistant	20,000
Engineering assistant	12,000

In February, 1919, the Director General submitted a statement to the Senate Committee on Interstate Commerce (Hearings, pt. 12, p. 1719) showing that the total number of railroad employees had increased from 1,703,684 in December, 1917, to 1,843,530 in January, 1919, an increase of 139,846. A recent report issued by the Director General gives the number of employees in January, 1920, as 1,953,571, a further increase of 110,000 employees, or a total increase of approximately 250,000 during the period of Government operation.

The traffic handled was only slightly greater in January, 1920, than in December, 1917, the freight traffic being greater by 8.8 per cent and the passenger traffic smaller by 6.5 per cent. Yet Government operation in the latter month utilized 250,000 more employees than did private operation in the former month.

Notwithstanding these facts, this was a period of poorest service from the standpoint of the public—shippers could not get cars, people were suffering for lack of coal because it could not be shipped, and many industrial plants had been closed because of lack of transportation service.

Reference has been made to increases of wages made by the Government; these increases aggregated about one thousand millions of dollars per annum. It is also claimed that the railroads under private operation would have been obliged to have put this same charge on the public. This latter statement has something in it of conjecture, but there is one feature of the situation that may be emphasized without fear of successful contradiction.

To-day the railway employee in Maine or in Florida or in California is given the same rate of wages as the employee doing the same class of work in New York, Pennsylvania, Massachusetts, or Indiana, regardless of the differences in the levels of living costs in different localities, in rural or urban communities, or in conditions of labor as between different railways.

This standardization of wages without regard to differences in conditions between different communities, and without regard to the scale of wages in other industries in these communities, has tended to unsettle the industrial equilibrium.

It has also been a distressing thing to the employees to witness the great injustice in the payment of wages. The amount of wages paid has not been governed by the nature of the work, the difficulty and responsibility of the task, and the skill required in its performance. Workers of great skill and experience, performing work for which they were thus peculiarly fitted and which could not have been done except for such skill and experience, have seen untrained and unskilled men working near them rewarded by higher wages. Such discrimination had a very depressing effect upon the employees and furnished no incentive to the employee to excel in order that he might be given more important duties.

If any student of political economy had been asked prior to Government operation of the railroads what danger he considered the most likely, he probably would have given this answer: "The Executive of the Nation as the head of a political party will probably be ready to make vast expenditures and deal generously in paying out money, but because of the political effect of the unpleasant task he may fail to collect sufficient money in rates to pay the bill."

This administration failed at this point of greatest danger, failed completely and miserably. Knowing that it was running behind over $1,000,000 a day, the administration lacked the courage to put on the necessary freight and passenger rates to pay the bill. When this point is made against the administration they at once hurl back the answer, "Do you want to increase freight rates?" There is but one answer to this question. The railroad business should pay its own way and no part of the freight rate should be paid by taxation. If a milliner in Kansas City wants Parisian hats that have been shipped to the New York ports, she and her customers should pay the freight and no part of it should be taxed upon the farmer in Indiana and the cotton grower of Alabama. If a jockey club in Maryland wants to ship race horses from Kentucky, those interested in that transfer should pay the freight and the grape growers of California and the sheep growers of Montana should not be taxed to help pay the bill. It is an easy and pleasant task to advance wages, and I am glad to know that needed advances were made; but if this made it necessary to initiate greater freight rates and greater passenger rates, the mere fact that the task was unpleasant should not have deterred the administration.

This weakness of the administration accounts for our great money loss. The cost in money of Government operation has mounted higher and higher until the total stupendous sum has gone far beyond the highest predictions from any source. The grand total of the Government's obligations during the period of operations reached the sum of $2,275,000,000, as estimated by the Railroad Administration. Of this sum it is expected that the Government will in time be made whole for sums advanced, investments made, and loans to the railroads to the amount of $1,146,000,000. In detail the items are as follows:

Total expenditures and obligations of Railroad Administration		$2,275,000,000
Indebtedness of railroads and other properties, including express companies, to Government at termination of Federal control, estimated by Director General	$861,963,932	
Investment of Railroad Administration in additions and betterments to inland waterways	14,581,126	
New loans to railroads for period of 26 months following Federal control	270,000,000	
Total		1,146,000,000
Net loss to the Government		1,129,000,000

It is estimated by the chairman of the Appropriations Committee in his report accompanying the deficiency appropriation bill that there is a loss of something like $250,000,000 in decreased value of railroad and Government securities which the Railroad Administration took over. This amount can at best be only an estimate, but if it is an accurate estimate the irretrievable loss for 26 months' operation is brought up to $1,379,000,000.

One could speak for hours and point out specific concrete instances of great and unnecessary waste by this Railroad Administration. For instance, everyone is familiar with the course of personal publicity industriously pursued by Director General McAdoo from the time he was made Director General until he resigned. He sought in every conceivable way almost regardless of cost to bring his own name before the public. Rubber stamps for office use throughout the country were first issued, marked "United States Railroad Administration." When Mr. McAdoo got in full swing he had those rubber stamps piled in the waste baskets, and new ones marked "United States Railroad Administration, W. G. McAdoo, Director General," were provided. He posted up conspicuously in railroad cars, in stations, in shops, and other public places large placards frequently containing information of little value, but always at the top in bold letters was "W. G. McAdoo, Director General"; and then, to make assurance doubly sure, you would find at the bottom "W. G. McAdoo, Director General of Railroads." I hold in my hand a sample of one of many dozens of bulletins printed and sent out. It contains but one page and but a very small amount of reading matter. Nevertheless the name "W. G. McAdoo, Director General," is near the top, and again near the bottom I find "W. G. McAdoo, Director General of Railroads." When the advance in wages was made by Director General McAdoo he issued thousands upon thousands of useless bulletins calling the attention of the employees to the total amount of additional wages paid them by the Railroad Administration. These announcements were usually coupled with some other incidental appeal to furnish the body and excuse for the advertisements, but to any observing man the whole plan was a transparent publicity scheme. The total loss of the Railroad Administration in operating the railroads was approximately $50,000,000 per month during 26 months.

"Where ignorance is bliss 'tis folly to be wise." The hundred millions of our people during this squandering period were lulled, Creeled, and McAdooed into a false sense of security and trust. They watched with great contentment the glowing sun as it set in the west day after day. They did not know that every time the golden disk went down in the western horizon this profligate Railroad Administration had taken from their already flattened purses the enormous sum of $1,666,666.66. It would not have added to their comfort to know that part of this enormous sum was used as personal propaganda to advance the personal political ambitions of the Director General of Railroads, over whose head came the voice from the White House saying, "This is my beloved son-in-law, in whom I am well pleased." [Laughter.]

It is claimed in defense of the enormous amount of the deficit that the amount paid to the railroads as compensation amounted to a great sum, and that the Railroad Administration had no responsibility, so far as the payment of rent to the railroads was concerned, and that this was fixed by Congress. Without meaning in the least to assert that the amount paid the railroads for rental compensation was excessive, I want to dispel the illusion that the amount was fixed by Congress.

The Federal control act passed by Congress contained this unequivocal provision:

> The President * * * is hereby authorized to agree with and to guarantee to any such carrier making operating returns to the Interstate Commerce Commission, that during the period of such Federal control it shall receive as just compensation an annual sum, payable from time to time in reasonable installments for each year and pro rata for any fractional year of such Federal control, not exceeding a sum equivalent as nearly as may be to its average annual railway operating income for the three years ended June 30, 1917.

The amount fixed by Congress was merely the maximum over which the President could not go, and he went the full limit allowed by Congress. I am merely calling attention to this law so that it may be known that the entire responsibility for the amount of the rental lies with the President and with the Railroad Administration.

It is also claimed that a considerable part of the transportation service was for the War and Navy Departments of the Government, and hence that this furnished an excuse for the deficit. The fallacy of that argument lies in the false assumption that this was performed without cost. As a matter of fact this was paid for by these departments and was a most profitable source of revenue. The carriage of immense numbers of soldiers riding second class was done at great profit. The Treasury Department's statement from January 1, 1919, to March 31, 1920, contains these illuminating items:

Transportation charges collected:	
War Department	$183,536,691.92
Navy Department	10,031,241.66

This is in addition to the immense amounts paid directly for transportation by the soldiers and sailors themselves and takes no account of the amounts received during 1918.

The freight and passenger rates were increased, and the first schedule of freight rates, because of its great inequalities and lack of notice, wrought havoc with the industries of the country. In some cases there was a percentage increase of a little over 25 per cent, and in other cases there was a flat increase of so much per ton, which reached as high as 200 per cent. The power over freight rates was used to prevent the movement of certain commodities. For instance, rates on gravel and sand were increased, and the reason given was that it was hoped to cut down the amount of the shipment. Important differentials for different shipping localities established on an equitable basis, after careful hearings and in force for many years, were destroyed almost without notice and the industries of important

industrial centers were completely shut down, and in some instances monopolies were thus permitted. The Illinois Traffic League in a letter to me, dated July 30, referring to these rates, said:

At the time of the passage of the Federal control act, in March, 1918, the power was given to the President of the United States to initiate rates on all railroads under Federal control, and the Interstate Commerce Commission was by the same act deprived of its powers to pass upon such rates, except in the way of review, after the rate should become effective. For 30 years the shippers of this country had striven to establish the authority of the Interstate Commerce Commission to review, suspend, and otherwise pass upon the establishment of transportation rates before such rates became effective, this being necessary for the protection of the shipping interests of this country, and their efforts were finally rewarded.

It was understood and clearly so stated at the time this power was taken away from the commission and placed in the hands of the President, that it would only be used in case of extreme emergency and as a matter of war necessity, but as soon as the Railroad Administration took hold of the situation these promises were disregarded and the power thus given to the President was used indiscriminately by the Director General of Railroads to change any and every rate he saw fit, at his own pleasure, anywhere in the United States, sometimes on one day's notice, thus leaving the shipping interests of the country entirely at the mercy of the Railroad Administration and without adequate recourse of any character. It is true that traffic committees were formed and consideration given to many rate changes, but in the majority of cases this consideration was only perfunctory and very little real benefit to the shippers.

The Illinois Sand & Gravel Co., in a resolution passed August 23, 1919, stated:

The general effect of this arbitrary action of the Director General has been more or less disastrous, former rate relationships having been destroyed in many instances and undue burdens having been forced upon many commodities, particularly basic materials used in building and construction.

Instance after instance could be cited to show how the rate-making power was so abused and disadvantageously used that the shippers were placed in desperate straits to carry on their business.

As to the maintenance of railroad property, provided for by the railroad-control act and by the standard contract with each railway corporation, it is conceded by everyone who is familiar with the situation that the facilities and equipment of the railroads were permitted to deteriorate to an alarming extent and that numerous replacements imperatively required were not authorized; even toward the end of Federal control, when arrangements to do so could have been made with considerably less difficulty than during the war, practically no extensions or new tracks were constructed; only sufficient maintenance to enable continued operation was performed; less than 50 per cent of the normal average wastage in freight cars and locomotives was replaced, and practically no passenger cars were purchased by the Government, although the railroads require approximately 2,000 new units of such equipment each year in order to render adequate service. To the argument that perhaps the railroad corporations could not have done better, the reply is that prior to 1918 most of them gave maintenance and replacements preferred attention and turned over to the Government plants in comparatively up-to-date operating condition; and the difficulties encountered by the Government during the period of Federal control that followed the armistice, which covered 16 of the 26 months that the railroads were operated by the Government, are fairly comparable to those that had to be contended with by the railroads when they had charge of their properties, most of the differences being due to causes resulting from the policies of the Government. The great body of splendid Americans composing the railroad employees are not resopnsible for the disastrous results of Government operation.

But, Mr. Chairman, these great disadvantages and these great financial losses pale into insignificance when compared with the disastrous effect upon the political life of our Republic. Politics was not adjourned during the war nor after its close. It was found that some 2,000,000 voters were directly and pecuniarily interested in every important step taken by the Railroad Administration. I have illustrated how the Director General advertised and emphasized the increases in wages by numerous unnecessary bulletins; but it must be remembered that he had been an active politician before securing this political plum, and he soon saw in the dependency of this great class of voters upon his every action the golden opportunity to capitalize for political purposes the policies he pursued. He early issued his statement that the policy under private operation had been "The public be damned," by which he sought to stir up sentiment against private operation. He followed up his policy of undertaking to take personal and political credit for advances in railroad wages. I quote the following newspaper report of a speech made by Director General McAdoo in El Paso, Tex., on April 17, 1918.

He asked the men not to become impatient because of the delay of the fixing of the new wage schedule, adding that if a raise was granted to the railroad men it would be retroactive, and they would then be able to buy Liberty bonds. "You are all my boys, and I don't intend to let anyone kick you around, for I will defend you to the limit when you are right, and you won't go wrong, I am sure," he said.

After the war a drive was determined upon to create sentiment in favor of retaining the railroads, and the administration forces were prime movers in this drive. The first objective was to secure an extension of the period of Government operation for an additional five years, and, once agreed upon, a propaganda was started through railroad labor circles such as the country has rarely ever before witnessed, and this was the signal for renewing exaggerated claims of efficiency and economy in the railroad administration and for new efforts to convince the railroad employees that Government operation had been to their benefit. This extension, of course, would have kept the railroads beyond the presidential campaign.

On January 3, 1919, after the signing of the armistice and when every consideration should have been looking toward the ending of Government control, Mr. McAdoo appeared before the Committee on Interstate Commerce of the Senate and urged the passage of a law continuing the Government control for five years longer. In his speech, which was given wide publicity, he made great claims concerning economies and reforms under Government control. He then laid the basis for an extension of five years in the following language:

In view of the far-reaching importance of any solution of the railroad question which may be adopted, the public is entitled to have, before the present Federal control shall be terminated, a reasonably fair test under peace conditions of the advantages to be derived from these reforms. * * * This is why I have urged that Federal control be extended until January 1, 1924.

Mr. McAdoo's successor, Director General Hines, an estimable gentleman and able executive, also similarly urged Government control of the railroads for a period of five years, and his argument was so nearly like that of Mr. McAdoo that it suggested a meeting of minds on the question. On February 3, 1919, before the Senate committee, Director General Hines very strongly urged the five-year extension. He said:

But I believe the five-year extension would be much better, because it would give added stability. Of course, there can be no guaranty that there will be a permanent solution in the three-year period, and the additional two years will give a margin of safety which will remove the uncertainty which would arise if the end of the three-year period approached and there appeared danger that no legislation would be accomplished. * * * We know that a large body of the people of this country has a settled conviction that this question can not be successfully disposed of except through Government ownership. The arguments of the Government ownership advocates are temporarily at a discount by reason of a reaction from all forms of Government control, this being a perfectly natural aftermath of the war. Now, is it the part of statesmanship for anyone to recommend a hasty settlement of this question in a period when the permanent convictions of a large part of the public are for the time being suffering a partial eclipse by reason of a purely temporary state of mind? (Hearings, pp. 893–895.)

Mr. BARKLEY. Will the gentleman yield?

Mr. SANDERS of Indiana. No; I decline to yield.

It is inconceivable that both of these gentlemen made these urgent recommendations without the approval of the appointing power. The end of the war, however, marked the beginning of the time when the public was heard. The people had patriotically and very patiently borne what were thought to be necessary evils during war time, but in peace times, through the press over the country, through resolutions of thousands of organizations, the public demanded that Government operation should cease. After the Republican organization in Congress had gone on record in favor of their speedy return, the President, reading his ouija board aright, yielded to this insistent public demand and in a message stated that the railroads should be returned. However, there had been set in motion an organization among the railroad employees for the retention of the railroads which did not terminate when the President changed his mind. The amiable gentleman from Tennessee, ranking Democratic member of the Interstate and Foreign Commerce Committee of the House, which had charge of railroad legislation, had caught the fever, and it never abated with him. On May 19, 1919, the gentleman from Tennessee [Mr. SIMS] introduced a bill in this House to continue the Federal control of railroads until January 1, 1924. On November 5, 1919, he introduced a bill to continue Government control and operation of railroads until December 31, 1921. On December 2, 1919, he introduced an additional bill to continue Government operation of railroads until December 31, 1921, and on August 2, 1919, by request, he introduced another bill, known as the Plumb plan, which would require the Government to purchase the railroads for all time to come and turn them over to a corporation to be run on the soviet plan for 100 years.

And, Mr. Chairman, all of this clamor for extension of Government operation of the railroads and for the Plumb plan can be traced directly to the political effect of Government operation of railroads, and the exaggerated claims that were drummed into the employees' ears during that time that they

were receiving special favors from the administration in power. The effect on our body politic of Government operation of railroads was to accentuate the studied effort by the radicals of to-day to bring about class consciousness.

Mr. Chairman, the claim that this Government is for one class and against another is an infamous falsehood and an imposition. Our Government is seeking to promote the welfare of the Nation as a whole.

But if class shall be arrayed against class we may well tremble for the future.

A republic differs essentially from other forms of government. The character of the government depends not alone upon the high average of intelligence of the individual, but upon the manner in which that intelligence is crystallized through popular representation into the laws of the country. If there shall develop strong conscious jealous classes, then the member of the classes will more and more be guided by selfish purposes. The part which he takes in shaping the affairs of the nation will be to carry out his selfish ends, and the Government shall no longer reflect the sum total of intelligent statesmanship of its people, but there will be reflected in the country's government, in the turn of their respective ascendancies, the sum total of their efforts for class advancement. [Applause.]

Let us hold to the fundamental truths that have made us great. This is the day for steady, unbiased, thoughtful action. We must not indorse every fanciful scheme nor embrace every novel proposal, but rather cling to those things which are tried and true and march steadily on in our progress to the high destiny which is within our reach.

The Republic at war and the Republic in peace require the same sort of patriotism, but that does not mean that the governmental policy shall be the same. In fact, that policy should just be reversed. The distinctive feature of the Government of these United States has been freedom of action for the individual; freedom of action, to be sure, in an orderly way with careful recognition of the rights of others. The great industries of the country, the vast business of the Nation, the phenomenal prosperity of our people, the wonderful happiness in our land have all been brought about because of the recognition of this principle. Whereas other countries united business and the State, it has been the purpose of our statesmanship to separate the two. We have been most happy and contented during the times when the Government least touched business affairs. Take our transportation system, for instance. The Republic of the United States, because of its vast contiguous territory and its diversified industries, has become a great transportation country. We have one-third of the railroads of the entire world. We give the best rates and the best service of any transportation system in the wide world, and it has all been built up and developed by private initiative, by private capital, by private ingenuity, and private genius. Our great network of electric railways, our other great public utilities, have all been developed in the same way.

During that time of great development the Government has dealt with distinctly governmental affairs. It has not undertaken to carry on the business of the country. By legislation it prevented evil practices in business, but that is a governmental function. It provided proper rules of conduct and stayed the hand of the transgressor, but that was a governmental function.

Now, when the war came on it required the united strength of the Nation against a foreign foe and hence required an entirely different governmental policy. The interest of industry as industry, the interest of business as business, the interest of the railroads as such, all became secondary to the necessary use of all these elements of strength in assembling the might of the Nation to strike effective blows against our foe. The freedom of action of the individual had to give way to the all-absorbing demand for the force of the individual's action as a unit in our national force which we applied against the enemy.

The marvelous way in which the American people submitted to this change in governmental policy and the phenomenal result of that achievement have taught the world that individual freedom in peace time does not prevent the mastery of the Nation in war time.

But now we have another problem. Having made this radical change in governmental policy during war time, will the genius of our statesmanship be able to shift the gears and return us to our normal status? The problem is a simple one so far as rules are concerned. No deep study is required to know that the Government must once more return to purely governmental functions. Rapid strides have been made toward this end. We have returned the telegraph and telephone wires to private operation; we have returned the cables to their private owners. Some of our commissions and bureaus have been disbanded and all others which are unnecessary should be abolished. Private operation of railroads has been restored. We must continue this course until there is a complete divorcement of business and Government. [Applause.] And in keeping with this policy the Congress passed the Esch-Cummins railroad bill, which the President said, in signing, "marked a new era."

The one man who is entitled more than anyone else to the credit for this great constructive measure is the chairman of the Interstate and Foreign Commerce Committee of the House, the gentleman from Wisconsin [Mr. ESCH]. [Applause.] He recognized the drafting of this railroad bill as a big task. He brought to the accomplishment of the task his many years of experience in legislation affecting transportation. He devoted practically his entire time for many months to the work on the railroad bill. His rich knowledge of railroad affairs did not hinder him in the least from studying ideas suggested by others. He recognized, as every practical legislator recognizes, that no important bill can meet the entire approval of all of the legislators who must necessarily take part in its passage. Ready to yield to convincing argument of others, yet firm in his own convictions, he easily became the master mind in the drafting of the bill. He is entitled to the congratulations of his colleagues in the House upon the passage of this bill which bears his name. [Applause.]

Let us examine the provisions of this act. After the enactment of certain provisions made necessary by Government control, it so amends the former act to regulate commerce as to give complete Federal regulation in every respect where the public may have an interest and provides the machinery for the voluntary adjustment of railway disputes. It then provides a rule of rate making so arranged as to provide sufficient revenue to adequately sustain transportation and yet not produce unconscionable returns to the strong roads.

The act proceeds upon the assumption that transportation is a necessity; that it is a public function; that it is the duty of the Government to see that it does properly function; that this duty not only requires restrictive provisions by which the public is protected from any imposition on the part of the carriers but also requires provisions which shall foster and encourage the business of transportation by the quasi public corporations.

The restrictive features fix the rates that may be charged, control the practices and regulations that may be made effective, prescribe in great detail and with minute exaction how the roads must be financed, the manner in which securities may be issued, and the way in which the capital shall be expended so that watering stock is made impossible. Consent of the Interstate Commerce Commission must be obtained to construct new lines of railroad, to extend the old lines, or to acquire or operate any line. No line or part of line can be abandoned without the consent of the commission. The railroad may be required to furnish facilities for transportation, including cars, locomotives, and other necessary equipment, and, if it does not possess them, to provide itself with adequate facilities to properly serve the public. It must distribute cars in the manner prescribed by the commission. It must permit other roads to use its terminals, under proper terms including reasonable compensation, when directed by the commission to do so. These instances are merely illustrative of the restrictive regulations by which complete control is given to the Government over the instruments of transportation.

Having given to the Interstate Commerce Commission the fullest authority to supervise the charges that shall be made and to determine the manner in which capital may be secured, and having granted to the commission the power to fix rates, we have determined as a legislative policy that the roads in any given rate group, considered as a whole, which are honestly, efficiently, and economically managed, shall have such rates as will yield a fair return on the aggregate property value. For a period of two years this return is to be fixed by the commission as nearly as may be at 5½ per cent, and with permission for an additional one-half of 1 per cent under certain specified conditions.

This function of the commission does not differ materially from the function already exercised by the commission, except that the bill adopts the 5½ per cent for two years as a matter of legislative policy rather than leaving it to the commission. This is based upon property value and not one cent is to be paid on "watered" stock. The story that the bill authorizes freight rates upon $8,000,000,000 of watered stock is made out of the whole cloth; the rates must be based upon the actual value of the property and the amount of the stock does not enter into it.

The charge that the rule of rate making is a 6 per cent guaranty is just as untrue. The Government does not make good

if the property does not yield 6 per cent. The loss is borne entirely by the railroads.

The clearest illustration of meeting the railroad problem in a constructive way is found in the provision for a recapture by the Government, to be used for transportation purposes, of one-half the amount earned by any road above 6 per cent. Where you have two competing roads between two shipping points these roads of necessity must charge the same rate, otherwise the road charging the lesser rate would get all the traffic. Yet a rate fixed for the carriage of freight and passengers between those points might yield an unconscionably large return to one road which by reason of a better route, roadbed, or other similar causes was able to operate at less cost; and yet the yield for the other road under this rate might not be large enough to even approach a fair return. This is the problem of the strong and the weak road, and that has been called by many students of the subject the real railroad problem.

The greatest confusion has arisen over the labor provisions of the act. The Senate bill contained an antistrike clause; the House bill contained provisions for the voluntary adjustment of railway disputes. The bill as it passed rejected the antistrike features entirely and left merely the machinery for the voluntary settlement of railway disputes, although with some modifications of the original provisions of the House bill. Many railroad men and other union-labor men had written Members to vote against the bill when it was thought it would contain the antistrike provision, but since the bill has passed and a clear study has been afforded the labor provisions have been highly commended in many labor circles.

Title III embraces the labor provisions. It provides first that the railroad companies and their officers on the one hand and the employees and agents on the other hand shall hold conferences and try to make an amicable adjustment of their disputes. This is a most wise provision. For many years these hundreds of thousands of employees have been able, through negotiations in most cases, to effect satisfactory settlements with their employers. Very seldom have they reached a deadlock. When they sit down at a table together and frankly discuss their differences the solution frequently can be easily found. And this bill does not undertake to compel the men to litigate their troubles before the boards; in fact, it is hoped and expected that the majority of the disputes will be settled between the parties themselves.

It is recognized, however, that it is extremely important to avoid any interruption of our transportation system, and hence there are to be organized "railroad boards of labor adjustment," known as "adjustment boards," made up wholly of the representatives of the railroads interested and the employees interested, in order that a dispute assuming discomforting proportions may be submitted in an orderly way to a tribunal ready for its consideration. This board will decide disputes involving only "grievances, rules, or working conditions."

There is also established what is known as the "labor board," composed of nine members appointed by the President and confirmed by the Senate.

Three members representing the employees and subordinate officials are appointed from a list of not less than six named by the employees.

Three representing the management group are appointed from a list of not less than six named by the railroads.

Three representing the public are named by the President upon his own initiative. Vacancies are filled in the same manner as the original appointment.

The members hold office for a term of five years, except that shorter terms of varying length are provided in the first organization, so that only one-third of the board will leave in one year.

This labor board has two functions. One is to hear disputes involving grievances, rules, or working conditions, where a decision can not be reached by the adjustment board. The other function is the original consideration of "all disputes with respect to the wages or salaries of employees or subordinate officials of carriers" not amicably decided between the parties themselves. Five of the nine members must concur, and this must include at least one of the public group in order for their deliberation to amount to a decision.

The employees are not compelled to submit their grievances to the board, and there is no compulsory arbitration, and there is nothing in the law making a strike unlawful.

In reaching their determination the board shall consider:

(1) The scales of wages paid for similar kinds of work in other industries;

(2) The relation between wages and the cost of living;

(3) The hazards of the employment;

(4) The training and skill required;

(5) The degree of responsibility;

(6) The character and regularity of the employment; and

(7) Inequalities of increases in wages or of treatment, the result of previous wage orders or adjustments.

The main office of the labor board is in Chicago, but, if necessary, it may meet at other places. The board is given the usual powers granted to commissions for the issuance of subpœnas and securing the attendance of witnesses.

The act does not provide for the enforcement of the decisions, but ample provision is made for giving notice to the parties and publishing the decisions to acquaint the public with the result.

Thus the Congress rejected the antistrike provision and substituted in its place the machinery for the amicable adjustment of disputes and a Government tribunal in which those interested, the employees, the railroads, and the public, have representation. No one claims that the millennium has come in the matter of railroad labor disputes, but it is the firm belief of those who have studied this perplexing problem that this will reduce friction to the very minimum and assure to all interested the "even-handed justice" and square deal to which every American is entitled.

The act is now effective. The Labor Board has been created, consisting of the following personnel:

FOR THE PUBLIC.

R. M. Barton, of Tennessee, for many years a member of the Tennessee Court of Appeals.

G. W. W. Hanger, of the District of Columbia, Assistant Commissioner of the United States Board of Mediation and Conciliation.

Henry Hunt, formerly mayor of Cincinnati, Ohio.

FOR THE RAILWAY EXECUTIVES.

Horace Baker, of Ohio, former general manager of the Queen & Crescent Lines.

J. H. Elliott, of Texas, former general manager of the Texas & Pacific.

William L. Park, of Illinois, former vice president of the Chicago Great Western.

FOR THE EMPLOYEES.

Albert Phillips, of Ohio, vice president of the Brotherhood of Locomotive Firemen and Enginemen.

A. C. Wharton, of Missouri, president of the railroad employees' department of the American Federation of Labor.

J. J. Forrester, president of the Brotherhood of Railway Clerks.

The board in an orderly way is now considering the railroad-wage question, involving practically every employee of the railroads and a stupendous sum of money, and practically everyone now agrees that the amount of money involved and the importance of the question was too great to be settled in any way except by the Government tribunal.

The Interstate Commerce Commission has provided the necessary groups, and is now holding hearings on the rate schedule. The beneficent provisions of the bill, which gives complete control by the commission in any emergency created by congestion, have been invoked.

It will take many years, Mr. Chairman, for our transportation system to return to normal, but this great measure has marked the pathway to take us out of chaos into the realm of order, and the menace to our well-ordered Government has been removed. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. WALSH having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed the following Senate concurrent resolution:

Senate concurrent resolution 27.

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby respectfully declines to grant to the Executive the power to accept a mandate over Armenia as requested in the message of the President dated May 24, 1920.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Senate expresses its profound sorrow on account of the death of the Hon. ALBERT ESTOPINAL, late a Member of the House of Representatives from the State of Louisiana.

Resolved, That the business of the Senate be now suspended in order that fitting tribute may be made to his high character and distinguished public service.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

Mr. GOOD. Mr. Chairman, I yield one minute to the gentleman from Maryland [Mr. ZIHLMAN].

Mr. ZIHLMAN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting an address delivered by our colleague, Hon. EDWARD T. LITTLE, in the city of Pittsburgh yesterday, Memorial Day.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD by printing an address of the gentleman from Kansas [Mr. LITTLE]. Is there objection?

Mr. WALSH. Reserving the right to object, is this distinctly a Memorial Day address?

Mr. ZIHLMAN. Yes; delivered in the city of Pittsburgh yesterday.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SINNOTT. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the land and water power legislation of this Congress.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. GOOD. I ask unanimous consent to revise and extend my remarks on the budget.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to extend his remarks on the budget bill. Is there objection?

There was no objection.

Mr. WELTY. I ask unanimous consent to extend my remarks in the RECORD by printing a short extract from a speech delivered by ex-President Taft to the Ohio Society of this city.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The extract referred to is as follows:

VALUE OF LONG SERVICE IN CONGRESS—SPEECH OF PRESIDENT TAFT BEFORE THE OHIO SOCIETY OF WASHINGTON.

There is a truth as profound as political experience can make it in the following passage from the speech of President Taft before the Ohio Society of Washington:

"Why is it that the small States of the East exercise so much power in Congress? It isn't because an eastern man has any more capacity in the matter of legislation than a western man—certainly not more than an Ohio man. It is because when they get a good Representative they keep him as long as he 'lives,' and then he has the influence that vastly exceeds the more numerical representation of pupulation."

Though a man were Hazlitt and Macaulay combined, he would not be a great writer unless he had been of the guild a while. We are told by Edmund Burke himself that it was by slow degrees and constant discussion that Charles James Fox became the greatest parliamentary debater the world ever saw. Fox entered the British Commons before he was 20 years old. He remained a member of that body until his death, at the age of 57. In opposition he did as much to advance the cause of good government as Pitt did in power, for he kept Pitt not only on the alert but on his good behavior.

Had Fox been an American and a Member of our Congress, he would have been fortunate if he had been chosen to and served in 10 Congresses—20 years. Sam Randall was not bred a statesman, but he became one of four great parliamentary leaders by reason of his long service. Had John G. Carlisle been English born, he would have served in the House of Commons at the least 50 years. Gladstone was in the Commons 60 years. Had he been an American, it is doubtful if the whim of a single constituency would have allowed him 12 Congresses.

Matt Carpenter was a more powerful intellect than William B. Allison, but Allison exercised an infinitely more powerful influence on our parliamentary policies than Carpenter. One served less than 12 years, the other more than 30.

Mr. LEA of California. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

Mr. WALSH. Reserving the right to object, on what subject?

Mr. LEA of California. Concerning the legislation of this session.

Mr. WALSH. Any particular legislation, or generally?

Mr. LEA of California. I did not want to confine it to one subject, but the high cost of living is the subject on which I desire to extend my remarks.

Mr. WALSH. Does the gentleman intend to devote any portion of it to the bonus legislation?

Mr. LEA of California. No.

Mr. WALSH. I have no objection.

The CHAIRMAN. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed without amendment the bill (H. R. 1024) authorizing the Secretary of the Interior to issue a patent to John Zimmerman for certain lands in the Colorado National Forest upon the surrender of other lands of an equal acreage also located in the Colorado National Forest, Colorado.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 7158) to provide for the expenses of the government of the District of Columbia disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. DILLINGHAM, Mr. JONES of Washington, and Mr. KING as the conferrees on the part of the Senate.

DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

Mr. BYRNES of South Carolina. I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, I want to state to my good friend from Indiana [Mr. SANDERS] that the people of the United States just now are less concerned about the manner in which William G. McAdoo signed railroad orders when he was Director General than they are with regard to the kind of service they are going to get out of the railroads from now on. In other words, they are more concerned about railroad service in the future than they are with regard to water which has passed over the wheel already.

Do you know that in a large measure we are responsible for the poor railroad service now given the people? Do you know that there is not a single railroad in this land that can to-morrow discharge a shiftless, lazy, careless, inefficient employee and get away with it? A strike would occur tying up every railroad in the land. They have got to take just exactly what the railroad employees give them, and the people have to put up with it. Why, the expectation of a business man making a railroad connection is a dream of the past. Buy your ticket to St. Louis for connections out of there. Take the fast 4.50 Pennsylvania train that used to get you in there on the minute years ago or pay you back your money, and you will get into St. Louis to-morrow from three to six hours late, missing every connection. Who is to blame? The railroad crews who handle the trains are almost solely to blame. Do you know that trains get in and out of a station just as is willed by the crew in charge of the train?

Do you know that the Adamson law which you permitted to go on the statute books and which you on the other side of the aisle have still permitted to rest there ever since you have been in power in this House, places a premium on bad service, rewarding every member of the crew, fireman, engineer, mail clerk, conductor, and brakeman for getting in late and running the trains late? If they get into their destination 31 minutes late they get paid for a whole extra hour and they know it.

I was going to Texas last December. I was very much interested in this vital movement of the open shop because the open shop means the only kind of policy on God's green earth that gives every man a fair, square deal in this country. I was trying to get some of our Texas cities waked up on the open shop, cities like Houston, San Antonio, Austin, Fort Worth, Dallas, and Beaumont, and other cities, nearly every one of them now having live open-shop associations, to which cities they invite the laboring men of the United States to come, and it makes no difference whether they belong to an organization or not, they say "Come to our city and we will give you a fair, square deal."

I wanted to get to San Antonio on time, because I had every moment of my time mapped out to use to best advantage. I bought my reservations at Washington by the way of St. Louis, intending to catch one of the fast Texas trains, and in order to be sure I ordered reservations on three different trains out of St. Louis. I got in four and a half hours late and missed every one of them. [Laughter.] I finally got out of there on a slow train at 12 o'clock at night. I got down to Texarkana and I had a whole hour and a half there, waiting for them to make up the train.

Mr. WALSH. Did the train crew know that the gentleman was aboard? [Laughter.]

Mr. BLANTON. I waited an hour and a half for them to make up the train. The time came for the train to leave, but not a single move had been made to start the train. I waited three-quarters of an hour past the train time. I then hunted the conductor up and said, "Look a here, what is the matter with this train? Why don't you get out? You are three-quarters of an hour late." He looked at me and said, "Oh, what is the hurry?" I said, "I want to get to San Antonio." And he said, "We have got to throw all that mail and baggage on." I said, "Why haven't you been doing that for the last hour and a half?" He said, "Oh, what is the hurry?" And I then winked at him and I called him to one side. You know you can do a whole lot with a wink, the same as a woman can. [Laughter.] I said, "Look a here. I want to be frank with you. I am from Washington and I am going to have to report on this very service when I get back to Washington and the kind of service you furnished with this train to San Antonio. The porter and the conductor back there in the sleeping car told me that for three months this train has never reached San Antonio on time. That it has been from four to five hours late every trip. I said I know it is all with you boys whether it gets in on time or not. I said I am going to tell Mr. Hines about this service when I

get back and I am going to report on it." I did not tell him I was an inspector, because I was not, but he thought I was an inspector and I wanted him to think so [laughter], and he thought it. I said, "Now, what kind of a report are you going to cause me to make when I go back?" He said, "You go back and rest easy; we will get you in all right." He passed it down the line from division to division that there was a Washington inspector on board of that train. Every new crew that came aboard at every division knew that some one was on there looking out for the service, and the conductor worried the life out of me and my boy by coming back to the sleeper and reporting every little while on how he was making up time. [Laughter.]

Well, we got into San Antonio right on the dot. [Laughter.]

It demonstrated that it all depends on the train crew whether you get good service. Now, instead of you Republicans here bellyaching about Mr. McAdoo signing his name to orders, you get busy and let the superintendents of the Baltimore & Ohio, the Pennsylvania system, the New York Central, and other railroad systems of this country know that you are going to demand service of them, and if their train crews do not give good service we want them to discharge them, and we will back them up.

You had a chance to pass an antistrike measure that would have protected the country, but what did you do? You let our good friend from Minnesota [Mr. ANDERSON] introduce what was known as the Anderson amendment, which was written and framed by the railroad brotherhoods of this country, every word of it, and you passed it without giving us a chance to debate it. When our good and great Democratic leader in this House, CLAUDE KITCHIN, asked you for a little time to debate it you would hardly let him open his mouth. You made us take it without the dotting of an "i" or the crossing of a "t." That is the kind of service you fellows have given the American people; and it does not behoove you to get up here and talk about William G. McAdoo signing his name twice to a railroad order. Every one of you bankers in this House have signed your names to bank notes. I can probably find Brother FORDNEY'S name on more bank notes than anything else he has signed. Have not you signed them when you were in the banking business? Why, the bank cashiers have got their names on every little dollar bill and two dollar bill and five or ten or twenty dollar bill that comes out of the bank. It had to have Mr. McAdoo's name on it to make the railroad orders good. The people would not have paid attention to it if it had not had the Director General's name upon it. Now, what are you going to do? You can give good service to the country. Let us wake up, and when we get back here after the recess, after you have gone home and talked with your people and find out that they have been thinking and talking just about as you have heard BLANTON talk here on the floor of this House—after you come back let us pass an antistrike law, and the railroads will be all right and they will give us good service again.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I will ask the gentleman to yield me three minutes more.

Mr. BYRNES of South Carolina. I yield the gentleman three minutes more.

Mr. KELLER. Is this speech made for campaign purposes, for campaign funds?

Mr. BLANTON. No; it is not a speech for campaign funds. But let me tell the gentleman something. I have had campaign funds offered me from Tampa, Fla., to Seattle, Wash., and do you know why? It is because I have been giving some service worth while to all the people of the United States, while you have been at home attending to private business. You can not get the campaign funds that I get because you have not been doing anything for the people of the country. I never used a dollar of campaign funds in my whole life until this campaign, but I am taking some now, and why? Because your labor unions are spending money in my district like water, and I want to tell you this: When I get through with my campaign and I get 15,000 majority, which I am going to get, all told I will not have expended $2,000 in my campaign. Now, do you want to ask me any more questions about campaign funds? [Laughter.] Maybe there is somebody else here who would like to bob up and ask me a question? Getting back to the question of the railroad service, let us come back here after the recess and protect this country from New York to the Gulf of Mexico with an antistrike clause that will prevent women and little children from being starved to death. Take the great southern port of Galveston. It is almost ruined to-day with a longshoremen's strike. Ships of the Mallory Line and of the Margan Line are changing their courses and are going to other ports to unload and take on cargo. A little bunch of longshoremen, just as there are here in the East, are absolutely ruining that port, and we sit here like a bunch of ninnies and have not the courage and the manhood to protect the business interests of this country. You vote with me when we get back here and we will stop this foolishness——

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. MONDELL. Why do not those good folks down there protect those people?

Mr. BLANTON. With shotguns?

Mr. MONDELL. Oh, no.

Mr. BLANTON. That is what it would take. It would take shotguns and pitchforks and trench knives and bombs to protect themselves against these striking thugs, who will not work themselves and will not let anybody else work. That is what it would take. Why does not the gentleman from Wyoming [Mr. MONDELL] give them a law that will protect them? This is a law-abiding country. The gentleman is the chief lawmaker of this country. He has the lawmaking power in the hollow of his hand. Why do not you do something for the people of this country, instead of coming here almost daily and talking about how you are getting us out of debt at the rate of from $500,000,000 to $1,000,000,000 a week on savings on estimates? [Laughter.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GOOD. Mr. Chairman, I yield 20 minutes to the gentleman from Indiana [Mr. FAIRFIELD].

Mr. FAIRFIELD. Mr. Chairman and gentlemen of the committee, I think scarcely two weeks had elapsed after the assembling of this Congress before the Democratic papers throughout the country began to say that we had done nothing, and in a month, again and again from gentlemen on the Democratic side, not infrequently one would hear that we had done absolutely nothing. I do not question at all the veracity of the gentlemen who have again and again thus expressed themselves, for they are most estimable gentlemen.

But to one who has been unaccustomed to hear men in responsible positions talk that way, naturally the question arises as to whether it is a matter of crass ignorance or purposeful political capital. One is inclined, of course, to believe that we have not done everything that you gentlemen on the other side have asked us to do, many of those things, perhaps, that you did not really want us to do; but, after all, there has been a creditable showing, and one's mind naturally goes back over the political situation, and as a member of the Republican Party very naturally the thought came to me: Well, after all, what can you say and say truthfully in connection with the legislation of this Congress? I am one of those Republicans who as a part of the Republican Party believe still in the Constitution. The Republican Party believes in the Constitution. It still thinks that we have not outgrown the wisdom of the fathers. The three departments of the Government—legislative, executive, and judicial—ought to function. For several years the executive department has been dominating the legislative. The exigencies of war made necessary the further extension of executive power. This extension made the President of the United States the most autocratic ruler on the face of the earth. Congress gave evidence of its good faith in supporting the President by the granting of every power that he asked, by the appropriation of money without stint, and by the calling of the young manhood of the Nation without limit. There was no effort to interfere in any way with the direction or the use of materials and men for the winning of the war. The Congress reserved to itself only the constitutional right to impeach.

The levying of taxes to carry on these expenditures was in the hands of a Democratic administration. They controlled the Senate and the House and had the President and officers subordinate to him for the execution of these laws. The Democratic Party levied the war taxes for the fiscal years of 1918, 1919, and 1920. Notwithstanding the excessive levying, the expenditures have been far in excess of the income. Three billions of dollars in short-time loans, maturing with deadly certainty, only to be reissued, has been the policy by which the Democratic administration has pushed forward what it has expended in excess of what it has collected. So that to-day we face a current expenditure of six billions and a hang-over of three billions. Now, our Democratic friends are crying out: "Reduce the taxes in order that the people may be satisfied and pay the obligations in order that the Nation's honor may be protected."

By verdict of the people, on November 7, 1918, the Republican Party was given absolute control in the lower House and nominal control only in the Senate. The Democratic Congress continued until the 4th of March, 1919. Up to that day, March 4,

1919, every department of the Government was in absolute control of the Democratic Party. In early December, 1919, the President left for Europe. He knew, and all public men and most private citizens in this country knew, that the Constitution gave the Senate equal power in the making of treaties. It expressly says that the President "shall have the power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senate present concur." He did not take the advice of the Senate, not even of the Senators of his own party. Senator HITCHCOCK, of Nebraska, was at that time chairman of the Foreign Relations Committee and a Democrat. In an address in Omaha, Nebr., April 19 of this year, he said:

I became chairman of the Foreign Relations Committee in the Senate when the Democrats controlled the Senate. Before the President left the United States to go to Paris he did not call me into consultation any more than he did any other Senator, although I was still chairman of the Committee on Foreign Relations, and had not been superseded by Senator LODGE.

In the same address he said:

Of course, Woodrow Wilson made mistakes. He made a mistake when he proceeded to negotiate a treaty of peace without taking a few leading Members of the Senate into his confidence.

Just before the President left he had asked for a vote of confidence in him personally, and the American people had replied by voting a want of confidence and returning a large Republican majority to the lower House.

Just before sailing and after the war was over, after the fighting was done, when there was no reason save a political one, through his Postmaster General he seized the cables to every country in the world and kept Europe uninformed as to the situation in America, and kept us ignorant of what was common knowledge on the Continent of Europe, by such a censorship of news concerning the progress of the Paris conference as has never been exercised by any autocrat in the world. Thus he went upon his self-appointed mission.

The men whom he chose to go with him in no sense fully represented the people of this great country. They were very excellent gentlemen, willing to subordinate themselves, however, to whatever the President might propose. He held them so utterly incapable that the one man among them fitted above all others for taking a useful part in the negotiations stated upon the witness stand before a congressional committee that he was kept in utter ignorance of all the essential features until they had been passed upon. He further stated upon the witness stand that if the American people knew what was in the treaty they would never ratify it.

The President was in Europe for eight months. The Democratic Congress, which ended March 4, 1919, had failed to make the appropriations necessary to conduct the Government for the fiscal year 1920. The Republican Congress could not constitutionally meet until December 1920. The President, therefore, was under the necessity of calling an extra session. This extra session began May 19. This new Congress was Republican. Its first work was to provide the means for carrying on the ordinary work of the Government. The fiscal year expired June 30. It had but six weeks to review all the appropriation bills that had failed of passage through the incapacity of the preceding Democratic Congress. Yet in that six weeks it made a reduction in those bills of $800,000,000.

It addressed itself immediately to finding out how the money collected for the war had been expended. There was, of course, necessary waste and extravagance in the prosecution of a war, but such appalling waste and such appalling extravagance has never been equaled in any country or in any age. There was waste and extravagance and hoarding in vast quantities of foodstuffs. And that was still going on six months after the armistice had been signed. There was vast waste and extravagance in the building of the cantonments, fully known to every carpenter and plumber and water boy that worked upon them. There was vast waste and extravagance in the buying of materials, from safety razors to limousines for the officers through all the list of trucks and Fords. The airplane industry alone netted a loss of a billion dollars.

The Government found itself at the time the armistice was declared in the possession of a great quantity of material which it has not wisely conserved. I do not question the constitutional right of President Wilson going in person to Paris, but that at the time when the country needed an Executive to salvage what might be possible out of the waste of war, it was nothing short of the highest unwisdom for the Chief Executive to be absent from this country eight months.

There have been three distinct attitudes of mind among the people on this League of Nations; first, for the league before they knew what was in it; second, in doubt when the mandates were understood; third, for it with safe-guarding reservations. It was heralded as a panacea for all wars. There was to be ushered in the golden age of peace on earth, good will toward men; but, unlike that golden age which the Master would bring to the world, it was to be secured not by putting into the minds and hearts of men everywhere the principles of righteousness, justice, and mercy, but it was to come down by dictation by a few great powers that undertook to settle the distribution of territory among themselves and then to force all the nations of the world into a league of nations to preserve forevermore that distribution. So Africa was to be divided among three nations—Italy, England, and France. Asia was to be parceled out to Great Britain and Japan. The islands of the seas were assigned to their respective masters. The world was to be placed in a strait-jacket and all movements toward liberty by any people anywhere were to be determined by the imperial government to whom their people had been assigned. No other interpretation of the League of Nations is possible when it is remembered that under article 10 the high contracting powers agree to most solemnly protect the territorial integrity of every nation signatory to the league.

At first thought the whole American people were favorable to a league of nations, and, without knowledge, assuming that the league born of the deliberations at Paris would meet their approval. This attitude of mind grew out of a sincere desire of every humane man that reason and conscience might control the destinies of the world. So long as the masses were not thinking as to what was in the treaty and the league, but intent only on what its authors insisted it would do for them, they were for it. A closer view revealed, however, that in the making of the treaty the secret conferences entered into between Italy, Japan, England, and France had displaced the 14 points advocated by President Wilson, and that the league had its birth in the nations given to secret diplomacy. It is clear to any thoughtful man that the terms of the treaty were determined by lust of power and extension of territory; that hate and avarice and malice and unholy ambition and cold, calculating diplomacy of the old school sought to give to the victors all the spoils of war and assigned the mandatories to the nations which could exploit them best in their own interest.

When the subject of mandatories was examined it was found that the United States was expected to take over Armenia and Turkey. In harmony with that plan, the administration, through its pacifist Secretary of War, Newton D. Baker, recommended the organizing of a standing Army of 576,000 men, four times as big as our standing Army was before the war. One of the leading generals of the Army, when questioned as to the need of an Army of that size, said very frankly that it would require 200,000 men in Europe to take care of our obligations under the treaty. When it is remembered that the President of the United States under the Constitution is Commander in Chief of the Army and Navy and can order them anywhere at any time when he thinks it necessary for the preservation of the rights of the American people, it begins to be understood by the American people that should we ratify the treaty without reservations the American Army could be ordered to Turkey, Armenia, Russia, or any part of the Balkans, to Asia or Africa, to any place on the face of the earth where the President thought we were morally obligated to send them. This is not an unusual interpretation of his power. President Wilson himself has sent the Army into Haiti, into Santo Domingo. He landed troops at Vera Cruz and made war on Mexico, with whom we were at peace. He sent the Army after Villa. He sent a contingent against Russia. I am not now discussing the wisdom or unwisdom of these acts of the President, but only call attention to the fact that he has the power and exercises it.

I doubt not that the effort of this administration to secure a standing Army of 576,000 men had for its purpose a large contingent to be used in the settlement of the difficulties in Europe, Asia, and Africa. The Congress of the United States believes that in matters concerning the territorial integrity of the nations, the dissensions and squabbles and insurrections and revolutions of the Balkans and other peoples, there should be some limits placed on the power of the President if we should enter the League of Nations.

That is the only contention between the Senate and the President concerning article 10. He wants the power on his own mere motion to determine when and how and where the Army and Navy of the United States shall be used in the maintaining of world peace by force of arms, and not by a moral power. There can be no other interpretation of his statement that the reservation to article 10 which expressly provides that the Army and Navy shall not be used in foreign wars or in foreign countries under the League of Nations except by the express approval of Congress will take the heart out of the treaty.

This Nation is too big to be run by one man, however great or good he may be. The Diety alone possesses such all wisdom,

all power, and all goodness. The President is not yet all wise, for he did not see that the gulf current of events was inevitably bearing us on toward war in 1916. He is not all good, for he refuses to receive any advice from a coordinate power of the Government whose constitutional rights are as sacred as his own. He is not all powerful, for a majority of the Senate will not consent that he usurp the powers of that body and take the destinies of the Nation into his own hands.

The President was in Europe eight months. He returned to find that the Senate still held to the Constitution and insisted on its constitutional rights; that the people still believed that the Declaration of Independence was intended to secure the people of this country their own freedom from force both within and without. He found that the Senate still believed that the wisdom of the fathers has not been outgrown. Obsessed by the idea of his own greatness, intoxicated by the air of sycophancy and subserviency which he breathes from his own satellites who are themselves obsessed by the idea that the king can do no wrong, he appealed to the people to compel the Senate to surrender its reason, its conscience, its constitutional duties to his autocratic will.

Unfortunately for him, and grieviously unfortunate for the country at large, he broke in health and since then has been unable to perform his duties under the Constitution.

For seven months the Government of the United States has had no efficient Executive. I speak advisedly. Senator HITCHCOCK, leader for President Wilson, in his effort to ratify the treaty, speaking at Omaha, Nebr., April 19, 1920, says:

> To-day the President is an invalid, broken in health, depressed in spirit, and bitterly disappointed at the failure of the United States Senate to permit the United States to enter the League of Nations. Since last September, when he broke down, he has known nothing but weakness and weariness and pain.

No man having the common instincts of humanity can but deplore this unofrtunate condition physically and mentally to which the President has been brought. But so vast, so important, so vital to the Republic are these mighty issues that the facts in all their glaring inconsistency must be placed before the people of this great country. When this has been done fully, I have no doubt that the American people will thank God again that through the wise restraint put upon the President by the framers of the Constitution the Republic has been saved from unreservedly placing its stamp of approval upon all the iniquities that may be in the treaty of peace.

It would seem that at the close of the Great War the Executive of a hundred and ten millions of people might have found it within the province of his duties to look after the interests of his own people in those things which he alone under the Constitution has the power to direct. And while thus looking after the needs of the Republic he might have been able to find some man, at least in his own party, to whom he could have intrusted the diplomatic mission that kept him away from his duties at a critical time for months, and when we add to this fact that on his return he gave his whole attention to the same subject until he broke in health in September, and that since that time he has known only "weakness and weariness and pain," then we can begin to understand that the Government of the United States has been without a Chief Executive since December, 1919, when he sailed away and transplanted the seat of government to Paris, France.

Domestic questions have arisen, questions of finance, of industry, of taxes, of immigration, of social unrest, repeal of war-time legislation, of the return of the railroads to their owners, of the return of the wires and the telephones and cables to private control. The Republican Congress addressed itself first to the cutting down of appropriations in the sum of $800,000,000 for 1920. It has reduced the demands of the executive departments for appropriations in 1921, $1,200,000,000. Thus already it has refused appropriations to the Government in the amount of $2,000,000,000 that a Democratic Congress would have appropriated. The reduction of the clerical force of the Government has been undertaken and great numbers have been taken off the pay rolls. However, the President is the head of the executive departments. It was his duty to see to it that there was as rapid reductions in the number of clerks in each department as was consistent with the efficient conduct of the business of the Government. He has lent no assistance in this matter. The heads of every department and bureau and extra organization taken on during the war have fought every attempt to reduce the clerical force. The Republicans at times have had to cut blindly, and yet they have been anxious to do the right thing and give the Government the money that is absolutely needed to clean up its war work and run the necessary departments with efficiency.

The Republican Party has revealed extravagance and waste, and discovered evidences of fraud that further savings might be secured. Its committees have put into the hands of the Department of Justice facts upon which prosecutions may be entered and convictions secured connected with the building of the cantonments, shipbuilding, and vast expenditures in many lines. The Department of Justice has had ample funds allotted to it for the enforcement of the laws against profiteering and hoarding. Congress has done all that it could do, but it was discovered that the Government itself was the principal hoarder of foodstuffs and various manufactured articles, and that the Government itself had entered into an agreement with manufacturers and wholesalers of foodstuffs not to place the Government surplus upon the market; the Government itself is a party and has been continuously a party to the continued high cost of living.

There is a storm in finance, in industry, in social unrest. Its center is in Europe. Its causes are foreign. Many of them can not be reached by legislation; work, and more work, alone can reduce the high cost of living. Production and greater production alone will relieve the necessities of the poor.

The Congress is not an executive. It can not enforce the laws; it can only make them. The President, and he alone, through the various executive departments, is the one who can reduce the high cost of living, if it can be reduced by governmental action. I do not say that it can so be reduced, but at any rate the responsibility is with the Executive and not with Congress. There is ample power to do all that may be done already granted to the President and his subordinates.

"Why does not Congress do something?" many ask. This is a pertinent question. Just as pertinent is the question, "What more can it do than has been done?" Congress is not responsible for the causes of economic, social, or industrial unrest. These causes are the natural laws, social and economic, laws of supply and demand, which legislation can not control and which every effort to control has resulted in failure. It is the function of Congress, which is the crew of the ship of state, to steer the ship and keep it off the rocks. It is the province of Congress to see to it that the ship keeps true to her course. It is not the province of Congress to quell the storm. It is not within the province of Congress to say, "Peace, be still," when the elements are at war. It is the function of those who have in charge the ship freighted with a hundred and ten millions of people to see to it that she does not founder in the sea of socialism; that she does not go to pieces upon the rocks of anarchy and bolshevism or enter into an unknown sea without chart and no signal lights along the shore. We have a captain who has been attempting to sail the ship by the light of his own genius and not by the fixed stars. The chief mate, the Secretary of State, Mr. Lansing, did not agree with him. The captain has been sick for seven months and confined to his stateroom. His chief mate took the liberty to hold a council. The captain dismissed him.

The Government was losing a million dollars a day by Government operation of the railroads. This was not due to the increase in wages for the railway employees, for their wages were not increased unduly or in the same proportion as the wages in other industries. It was due to the inefficiency in Government management. The new railroad legislation for the first time in the history of this country fully recognizes the rights of labor, of the people, and of the railroad owners by giving each of the three interested parties equal representation on a permanent board for the adjustment of grievances. That legislation will receive the approval of the people of this country and will be finally recognized by the railroad workers themselves as eminently fair and for their own best interests.

Ample provision has been made for the rehabilitation of our wounded soldiers. Congress has done its full duty in their interest. If there is cause for complaint the responsibility is with the department organized under the direction of the President for carrying out the law of Congress. Adequate provision is being made for compensation to all the soldiers of the late war. This measure is not partisan in any sense, for Democrats and Republicans alike are anxious to do the right thing by the boys.

The Constitution of the United States was adopted 133 years ago for a people three and one-half millions in number and occupying only a narrow fringe along the Atlantic seaboard. It is now the basic law for one hundred and ten millions of people, covering a continent in area. This Government is unique in development. There has come to be known in the world the term "Americanism." It was essentially a new government, differing in character from any then known in the world. Our fathers presented their grievances against usurpation, their protests against tyranny, and their basic form of government in such a wise, efficient, and practical way that their state papers are the classics of the ages on free government and the hope

of every people struggling toward liberty. By following the course which they followed, by heeding the admonitions of those who fought for our liberty, who framed our Constitution, and who set up our form of government, this country has had an unparalleled career of happiness and prosperity.

The Republican Party came into being to preserve the Union that had been handed down to us from the fathers. For 50 years it controlled the destiny of this Nation by a wise adherence to those sane and conservative and proved principles that had given birth to the Nation. The Republican Party believes in the Declaration of Independence, in the Constitution of the United States, in the wisdom of the judicial decisions of John Marshall, in the wise argumentation of Webster, and in the wisdom and patience and self-sacrifice of the immortal Lincoln.

Following this course through the years, this country has become not only the mightiest physical power in the world but its greatest moral power. We have been great by example, not by dictation to other people. We are willing to take our just share in the responsibility of the world, but we are not willing to try to be the arbiter of the destiny of every other nation. Asking neither glory nor honor nor fame nor indemnity nor territorial expansion, we entered the Great War in defense of our own rights that had been violated by reason of causes for which we were not responsible. The Republican Party wants no great standing Army of 576,000 men that at the will of the President may be projected into any European quarrel. The Republican Party will provide for an Army of 175,000 men, which will adequately answer all domestic problems and take care of any sudden emergency that may arise.

The program of the Republican Party is saving wherever possible, constructive legislation in harmony with the Constitution to take care of all new and vital questions that may arise, the restoration of the ordinary functions of government by the repeal of war-time legislation. That can not be fully accomplished until the Republican Party has been given complete control of the Government. With a sick President, bent on having his own way, contrary to the judgment of a majority of the people of this country, it is impossible to realize the full measure of that program thus outlined until after March 4, 1921. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FAIRFIELD. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield 20 minutes to the gentleman from Missouri [Mr. NELSON]. [Applause.]

Mr. NELSON of Missouri. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

Mr. NELSON of Missouri. Mr. Chairman and gentlemen of the committee, a few weeks ago I received a letter from one of my constituents, who asked, "What is the matter with the present Congress? Is it going to put the farmer out of business?"

I might merely have replied to the effect that the Republican Party is in absolute control of this Congress. The Republican majority in the House of Representatives is almost 50. In the Senate the Republican majority, while small, was made safe through the purchase of one seat. I might have stated this and stopped. But, actuated by a desire to get at all the facts in the case, and knowing my correspondent to be a farmer and stockman who has carefully followed the proceedings of this and other Congresses, his questions were counted worthy of more than cursory consideration. Other letters along similar lines further influenced me, in this day of investigations, to begin a one-man investigation. This investigation, differing greatly from many authorized by Congress, inasmuch as it was conducted without cost to the country, has been concluded. To-day in the time allotted me and having replied to my constituent, I wish now to report to the Congress.

Permit me first to state, if you please, that having been born and reared on a farm, having come of an unbroken—but sometimes "near broke"—line of farmers, and having devoted my life thus far to the cause of agriculture, I can in truth say that I know the American farmer. I know him as one knows the members of his own family. My knowledge of him is such as comes of sympathy and understanding. His problems are my problems and the problems of my people.

The farmer is no fool. While looking for results he will not be satisfied with rhetoric. He is a judge of measures and of men, and next November, I suspect, many a politician will learn that the telephone girl is not the only human who has "got his number." Busy in the field, the farmer has not devoted much time to the forum, yet as his hands have been employed so has his head. He has watched while he worked. He has been doing his own thinking in his own way. With a mind that is clear and living a life that is clean, he is capable of arriving at conclusions that are correct. Seldom does he mistake the shadow for the substance or confuse promises with performances. He distinguishes between friend and foe and between politics and patriotism.

So to-day when from farmers in every section of the country there come appeals and prayers, when men who throughout our Nation's history have quietly and unassumingly rendered signal and unselfish service while the more garrulous, and frequently the more greedy, have secured recognition, ask "What is the matter with Congress?" well may we pause to answer. Dare we do less? Dare we fail to do more?

Legislation may have a more direct effect upon farm profits and losses than does the use of clover, stable manure, or lime upon the land. So the farmer is concerned with what Congress does for him—or, sometimes, to him. Conscious of this truth, I have given considerable time to searching out those congressional acts which have a direct bearing upon agriculture. The result of my labors has served to call to mind one of the most interesting stories contained in the Bible, the greatest agricultural textbook ever written, and to further stress the significance of the numeral 7 as it appears in history, profane and sacred.

In the forty-first chapter of Genesis we read of Pharaoh's dream and its interpretation, of the "seven kine, well favored and fat fleshed that fed in the meadow," and of "seven ears of corn upon one stalk, rank and good." "And behold there came seven years of great plenty throughout all the land."

Mr. Chairman, in considering agricultural legislation my attention has been directed to another seven-year period of great plenty. Having in mind this period, Secretary of Agriculture Edwin T. Meredith recently said, "More has been accomplished in aid of American agriculture during the past seven years than in all the previous history of the Government." That is a broad statement, but it is true. The greater part of all the legislation now on the statute books of the United States which has for its purpose the development and aid of agriculture has been enacted within the past seven years.

Now, it is interesting to note that these seven good legislative years, years of the well-favored kine and the seven ears of corn upon one stalk, years of farm fatness, were also Democratic years. [Applause on the Democratic side.] Eight years ago a Democrat, Woodrow Wilson, was elected President. Until one year ago he had cooperating with him a Democratic Congress. Under these conditions it is not surprising to note the passage of many acts favorable to the farmer and incidentally to all. I say all, for when ill fares the producer, the worker in the field, soon must suffer the consumer, the toiler in the factory. I repeat that it is not a matter of surprise to find the Democratic Party actively engaged in promoting a great constructive program in the cause of agriculture. It is no more to be marveled at than that good seed falling in good soil should bring forth a bountiful harvest.

The Democratic Party, true to tradition and to the principle that parties like plants must draw their strength from below rather than from above, has throughout its history fought the battles of the farmer. It was under a Democratic administration, that of Grover Cleveland, that the farmers of the United States were first given representation in the President's Cabinet, the first Secretary of Agriculture being Norman J. Colman, of Missouri. The creation of this place in the Cabinet, while proving Democracy's interest in the producer, is, in effect, of secondary importance to the benefits resulting from the many agricultural acts written into the national statutes during the recent seven-year period.

Strenuous as is the life of the farmer, perplexing as are his problems, and hard as is his fight—and I dare anyone deny that conditions in the country are now extremely critical—the struggle would to-day be more unequal and more discouraging but for the passage of some of the friendly and helpful legislation of the seven good years.

Let us here hastily consider some of this legislation, all of which was enacted by Democratic Congresses and approved by a Democratic President.

For many years the American farmer, while offering the best security known, was paying the highest rate of interest of any class of borrowers. To-day, when practically everything is higher in price, the farmer is able as a result of the passage of the Federal farm loan act to borrow money at a 5½ per cent

interest rate without commission and without the necessity of having to renew his loan every few years with its accompanying uncertainties and costs. Through the working of this law, the act being approved July 17, 1916, one of the chief handicaps of agriculture has been removed.

Not only does the farmer secure money on the most favorable terms, but it is his own institution from which he is borrowing. This institution is largely managed by himself and for its stability he is personally responsible. This increases his self-respect, gives him valuable experience in cooperating with his neighbors, and at the same time greatly helps him in the conduct of his business.

May I say here that the greatest need of agriculture is agricultural leaders. If the farmer is ever going to be uplifted it will be by the men who actually do the work of feeding the world.

Since the passage of the farm loan act $344,721,366 has been loaned to 124,492 farmers through the national farm loan associations and the Federal land banks. During April an aggregate of $2,078,675 was loaned to 513 farmers of the United States. Loans totaling $79,259,971 have also been made through the joint-stock land banks, another character of institution provided in the law.

Large as are the benefits which have come through direct borrowing under the farm loan act, perhaps larger benefits resulting through the indirect influence of this act have come to borrowers patronizing land mortgage banks and other institutions which lowered their rates as a result of the rate provided through the farm loan act. The lower interest rates thus provided have made it possible for a larger number of producers to stay on the farms at a time when production has been paramount to all other problems. So the consumer has been benefited. Had the farmer been compelled to pay the old interest rates of 8 and 10 per cent, food, if it could have been produced in quantities sufficient to meet the demand, must have been practically prohibitive in price.

Another act of far-reaching importance and one which has served the Nation so admirably in these years of financial test and disturbance is the Federal reserve act of December 23, 1913.

In addition to providing a system of currency free from the domination of big business and directly benefiting all the people, provision is made under section 13 of this act whereby for the first time farm paper with six months' maturity becomes satisfactory collateral in the channels of finance. Only the imagination can measure the benefits of this section of the reserve act to the farmers of this country. It is a recognition long due the farmer and far too long deferred.

Mr. HUDSPETH. Will the gentleman yield?

Mr. NELSON of Missouri. I will.

Mr. HUDSPETH. Will it disturb the gentleman if I ask a question?

Mr. NELSON of Missouri. No, sir.

Mr. HUDSPETH. I would like to have the gentleman's idea of the joint-stock land bank. I want to state to the gentleman it is a Democratic measure and has brought down the rate of interest in my State of Texas from 10 to 5½ per cent to the farmer and stock raiser.

Mr. NELSON of Missouri. Answering the gentleman, I might say that the loans coming through this particular act have amounted to $79,000,000 since the passage of the law.

As everyone familiar with the subject knows, the farmer is a heavy borrower for current expenses. It frequently happens that the local banks are unable fully to meet his demands when the crop season opens or when he is feeding or grazing cattle heavily. Through the Federal reserve bank, which came into being in the period of the seven good years, years of the well-favored kine, and the seven years of corn upon one stalk, the local banks can rediscount the farmer's paper and accommodate him without difficulty and without excessive costs.

Especially has the Federal reserve banking system been helpful to the cattle interests, which before the establishment of the Federal reserve bank were without adquate financial support, and every few years were forced to refinance, often at great loss, and always with uncertainty and expense.

Heavy as have been the losses sustained by live-stock feeders during the last few months, these losses would have been greater but for the limited relief afforded through the Federal reserve act.

The farmer is also interested in that feature of the Federal reserve act which authorizes national banks to lend money on farm mortgages.

That the farmer must be afforded still further relief as a matter of justice, and in order to enable him to feed his fellows, is a fact that some future Congress, more friendly to the farmer than is this body, is sure to concede. In the meantime former Congresses are to be congratulated.

Referring again to the Federal reserve act, when we couple with it the proper utilization of the Federal warehouse act we at once recognize a measure of far-reaching possibilities in production and marketing. Under the Federal warehouse act there is proposed a system of Federally regulated warehouses for agricultural products issuing uniform warehouse receipts. These receipts, when issued by a licensed warehouse company on standard farm products, are like meal in the bin or money in the bank.

The cotton-futures act, which is the first successful attempt to regulate the operations of futures exchanges and which has enhanced the value of cotton to the grower, the man entitled to the returns, represents other forward-looking legislation.

Early in the period of the seven good years, years of the well-favored kine and the seven ears of corn upon one stalk, rank and good, came the passage of the agricultural cooperative extension act of May 8, 1914. This act, frequently referred to as the Smith-Lever Act, represents the most important movement ever attempted in direct popular education along a given line. Providing as it does a method of itinerant agricultural teaching of home economics and agriculture, it is perhaps not too much to say of the Smith-Lever Act that it is the greatest single contribution to the cause of farming anywhere in the world. [Applause on the Democratic side.]

The amount of money now available for extension work will be increased from year to year until it reaches its full development in 1922–23. At that time the Federal Government alone will appropriate $4,500,000, which, with the States matching all amounts above $10,000 a year each, will make available through this single source $8,680,000 a year.

Designed to help solve the problems of the farm as they developed in peace times, the Smith-Lever Act yet proved the most effective piece of war machinery in the entire Government when America threw her strength into the great struggle. Three days after war was declared Hon. David F. Houston, then Secretary of Agriculture and a Missourian, participated in a great conference in St. Louis, where there was worked out a far-reaching program of food production and conservation. So under this act, which represented agricultural preparedness, there were mobilized the tremendous resources which in the months that followed made of the farmer an effective fighting force second only to that on the front.

But it is not sufficient that it be made easier for the farmer to finance his business, and that the best agricultural information, the result of the experiences of the practical farmer and the findings of the scientist, be made available. There are other problems, including those of marketing and transportation.

The Bureau of Markets, created in 1913 as the Office of Markets and Rural Organizations, had by 1917 grown to such proportions that it was designated as the Bureau of Markets. This bureau provides an agency for furnishing information as to crop movements and prices. While designed primarily for the consumer, this bureau confers benefits directly upon the producers.

The ship-purchase act, a measure necessary to the commerce of the country and of prime importance to agriculture as well, and the marine-insurance act, which under war conditions was necessary to insure transportation of farm products, both represent legislation directly affecting the farmer.

The progressive income tax and the progressive inheritance tax are other measures designed to place the burden of taxation upon those most able to pay. It has been held that it is only proper that great wealth should meet its due obligation in the matter of taxes. Immense fortunes are not found among rural folk. No farmer made a fortune out of the war. In the country we find practically no millionaires, no mendicants, just men.

Lastly, in referring to the legislative acts of the seven good years, I mention the Federal aid road act approved July 11, 1916, and amended February 28, 1919. When we bear in mind how the highways offer infinite possibilities of local communication while linking together widely separated farms and cities, when we think of the hundreds of thousands of miles of roadway in the United States, and when we pause to consider that the highways in truth represent the arteries of trade through which flows the rich red blood of commerce, when it is known that every bushel of grain and every pound of beef and pork must pass over a country road before it reaches the consumer in the city, we better appreciate the meaning of the Federal aid road act.

Think of what it means. It appropriates from the Federal Treasury, to be expended in cooperation with the States in the construction and improvement of rural post roads, a total of $75,000,000. Just as truly does it influence the development of road building along right lines, promote a fuller and more attractive rural life, and add to the happiness and well-being of all the people. It also helps lighten one of the heaviest taxes the farmer pays and from which he receives no protection—the mud tax.

Does anybody believe that with such a record, covering a period of years when Democrats were in power, there would at its completion come the question, "What is the matter with Congress? Is it trying to put the farmer out of business?" Of course not. Nor was such a question asked—not then.

Turning again to the forty-first chapter of Genesis, we read of seven other kine, "ill-favored and lean fleshed," and of seven ears of corn, thin, empty, and blasted with the east wind. And we are told that when the seven good years were past famine followed.

Changes come, changes not alone in cattle and in corn but in Congresses.

In November, 1918, the country, impressed with the promises freely made in many districts that a Republican Congress would support the President, and, ignoring politics but prompted by the loftiest of patriotism, would intelligently and earnestly seek to solve the after-war problems, placed the Republican Party in power.

Mr. DAVEY. Will the gentleman yield?

Mr. NELSON of Missouri. I will.

Mr. DAVEY. The gentleman does not believe, I am sure, that the people are going to accept and welcome seven Republican famine years?

Mr. NELSON of Missouri. I think we will get our answer, and it will be satisfactory, next November. [Applause on the Democratic side.]

So, on May 19, 1919, the new Congress convened. With the reorganization of the House of Representatives there came many changes. The Speakership, long held by the beloved CHAMP CLARK, passed from Missouri to Massachusetts, from the great corn-belt country with its farms to New England with her factories. Complete were the changes made in committee chairmen. Agriculture, charged with having received more than its just deserts under Democrats, was disciplined. While Maine and Massachusetts were each given three committee chairmanships, such agricultural States as Missouri, with 155,000,000 bushels of corn and 57,000,000 bushels of wheat to her credit in 1919; Oklahoma, with 74,000,000 bushels of corn, 52,000,000 bushels of wheat, and 930,000 bales of cotton; and Texas, with 202,000,000 bushels of corn, 31,000,000 bushels of wheat, and 2,700,000 bales of cotton [applause] are unrepresented at the head of any committee in the present Congress. Vermont, a pygmy State in agricultural production, is given a committee chairmanship, but not so Virginia, land of corn and cotton. So might we continue as to committee chairmen.

Time forbids an analysis of the membership of the many committees. We may, though, pause to inquire as to how fares the farmer in that master committee—or should we say "his-master's-voice-committee"—the steering committee? Surely, on this committee we shall find farmers—"horny-handed sons of toil"—or if not, then those whose training and environment have been such as to enlist their every sympathy with the man who struggles to wrest a living from the land. Unfortunately, I do not find in the Congressional Directory official information concerning this committee. In lieu of this, I turn to the CONGRESSIONAL RECORD of April 22, 1920, and to page 5997. Here, in the report of a speech by Representative HENRY T. RAINEY, there appear the names of four Members of this House declared to constitute the steering committee, and whose respective home addresses are Chicago, Cincinnati, Rochester, N. Y., and Worcester, Mass. After calling this roll, to which no farmer or near farmer could answer, Mr. RAINEY said: "These gentlemen whose names I have read are reputed to be millionaires, every one of them, and they have never been heard to deny it." So the farmer, whose work places him in closest partnership with the Master of the Vineyard, is unrepresented on the master committee of this Congress.

And, again, I want to say in the country you will find no millionaires, few mendicants—just men.

But let us look to legislation, let us review the work of this body during the last 12 months. As our inquiry is one concerning agriculture, we turn to the Agricultural appropriation bill. What do we find? What does the debate, continuing over several days, disclose?

Strange as it may seem, and at a time when farmers are engaged in a supreme struggle against discouraging odds, a constant fight, directed by Members on the Republican side of this Chamber, was waged to prevent any increase, and in various instances to force a reduction in, this bill, which carried a little more than $30,000,000, only two-thirds of which is for agriculture proper, and at a time when appropriations made and expenditures authorized by this Congress will total more than four thousand million dollars.

But let us not deal in generalities. Who, when the bill was under consideration, fought the farmer? For answer, read the CONGRESSIONAL RECORD. Do so, and you will find where a Member on the majority side of this Chamber offered an amendment to cut $100,000 from the appropriation for hog-cholera control, notwithstanding it is estimated that the loss from this disease in the year ending May 1, 1919, amounted to 2,800,000 head of hogs, worth twice the entire amount carried in the Agricultural appropriation bill. The amendment, which was adopted over the protest of Democratic Members, was voted on in the House February 14, at which time 164 Members voted for it. Of these there were but 8 Democrats.

We lead the world in number and value of registered and pure-bred animals, more than 60 pure breeds of live stock being found in the United States. Argentina, Brazil, Uruguay, and other South American countries are, or soon will be, actively in the market for breeding stock. With this thought in view, a representative was last year sent by the Bureau of Markets to South America to look into conditions. This man, a practical farmer and extensive breeder of live stock, reported and recommended that special live-stock representatives be placed in South America to assist in turning trade to the live-stock breeders of the United States, as England now has her representatives on the ground. Strange as it may seem, the proposed appropriation, amounting to but $25,000, was stricken from the bill on a point of order made by a Republican Member.

Again, during the consideration of the Agricultural bill, a Republican Member from New York offered an amendment to take $500,000 from the cooperative agricultural extension work. In contrast, we find Mr. RUBEY, Democrat, of Missouri, making a fight for an appropriation for $300,000 to provide means to protect the corn crop of the United States, worth $3,934,000,000, from the European corn borer, which threatens to cause losses amounting to millions. On the roll call by which this amendment was defeated in the House, after being adopted in committee, practically the entire support came from the Democratic membership. In fact, as the records show, during all the time this bill, which more than any other affects the farmer, was being considered by this body, Members of the majority party were constantly engaged in an effort to reduce the appropriation or to prevent increases, however worthy.

Mr. Chairman, a few months ago, while speaking on the Agricultural appropriation bill, then before Congress, I took occasion to express my approval of an investigation made by Fourth Assistant Postmaster General Blakslee. Thousands of farmers reported a great shortage of help, with consequent increased cost of production and with greatly decreased acreages. This information, which was given wide publicity, opened the eyes of a lot of city people who needed to have their eyes opened. I feel that Mr. Blakslee rendered a great service to the farmer and to the entire country, yet I find him criticized. I can not understand it. I can no more understand it than I can understand why on February 13 an amendment to increase by less than $5,000 an appropriation to provide for the better distribution of agricultural food products was so vigorously opposed by the gentleman from Illinois [Mr. MADDEN], and who during the debate was referred to by the gentleman from Ohio [Mr. GARD] as "the leader of the steering committee on the majority side and * * * who is always loud in his opposition to anything of interest to the farmer."

I can not understand why the gentleman from Ohio [Mr. FESS], chairman of the Republican congressional committee, should on February 19, 1919, have spoken at length in an effort to strike from a bill a provision relating to organizations of farmers.

While the congressional legislative mill has ground out about the usual amount of grist, some of it designed to fatten special interests at the expense of the farmer, not one big constructive measure to aid agriculture has been written to the credit of this Congress. While the farmer is calling for laborers to till acres which otherwise must remain idle, Congress has through legislation made it more difficult for him to secure the help he must have if we are to avert world hunger. Because the ground does not plow itself, because the seed of the plants upon which we depend for food or clothing are not self-sown, because corn and cotton can not be cultivated by the magic waving of a wand, because wheat and a hundred other crops can not be humanized and cafeteriaized, there comes from the country the Macedonian cry for help—first of all, help in the form of workers, help through legislation which will guarantee to the farmer that he will not be less favored than are men in other callings.

This Congress passed the railroad bill which guarantees the roads a profit, but there is no such provision for the farmer. Instead, Congress has refused to provide adequate appropriations for the continued improvement of the great inland waterways of the country which, if given deserved support, will become carriers of an ever-increasing amount of farm produce and at reduced rates.

As the result of an investigation which President Wilson ordered made by the Federal Trade Commission, and also an

investigation made by the Bureau of Markets under authority granted by the food-control act of 1917, startling disclosures as to the immense profits and indefensible practices of the big meat packers have been made during the last year. Yet a year and a day after this Congress convened, we find Senator KENYON complaining that the packers' bill has been given no place by the steering committee and hear him making a plea for a "square test on whether the packers' bill is to have any consideration at this session of the Senate." In the House, after extensive hearings have been had before the Agricultural Committee, no bill to curb the packers, who have not only been skinning cattle but "skinning" producer and consumer, has yet been reported for passage.

While it is true that not until the passage of needed legislation, including the food-control act which gave to a branch of the Department of Agriculture power to go into the market and make a close-up study of conditions, were there provisions for securing such evidence as has been recently made available, the question has heretofore claimed the attention of Congress. As long ago as 1888, Senator George G. Vest, the beloved "Little Giant," at one time a citizen of the district I now represent, was made chairman of a committee to investigate the question of the transportation and sale of meat products. In its report, this committee referred to "an abnormal and ruinous centralization of the cattle market and its domination by a few men and railroad corporations."

To-day, with the cost of pork production practically doubled, largely because gamblers and speculators have been playing with corn, just as a cat plays with a mouse, hogs are selling at six to seven dollars a hundredweight less than when this Congress convened, while the slump in cattle prices amounts to from 30 to 40 per cent. This condition means ruin and failure for thousands of farmers and feeders.

I quote from a recent letter written by one who is connected with the Missouri Agricultural Experiment Station.

Mr. HUDSPETH. Will the gentleman yield?

Mr. NELSON of Missouri. I will.

Mr. HUDSPETH. The slump in feeder cattle now is over 100 per cent, I would like to state to my friend.

Mr. NELSON of Missouri. I think that is true. I am referring to cattle finished for market.

He says, "Our cattle will go to market within the next 10 days; they are good cattle, have been fed sufficient rations, and have made satisfactory gains. They will lose between $12 and $35 a head. It may be argued that the State is in a better shape to lose than are some others, but it is not a very satisfactory situation to face. You can announce to Congress that the farmers who fed cattle this winter are pretty well 'fed up' on it."

With lower prices prevailing for almost all farm produce of which there is at this season any surplus, the cost of almost everything that the farmer and his family must buy is unreasonably high, and in many cases is still advancing. Wool is lower, but clippers and shears used in removing the wool from the sheep cost more money, as do the twine with which to tie it and the sack to hold it. While the live-stock market is lower, the price of wire to fence the feed lot or pasture in which hogs or cattle are held is priced out of all reason.

Under these conditions is it to be wondered that men out on the farms are asking, "What is the matter with the present Congress? Is it going to put the farmer out of business?" These are pertinent questions. They are proper questions, and, like Banquo's ghost, they will not down. In fact, in the language of one of the Nation's great farm leaders:

> I can conceive of nothing of more overwhelming importance than the deliverance of the farmer from the conditions which hang like a galling yoke about his neck at this time.

But the question may be asked, "Has the House passed no measures which would affect prices?" Oh, yes. There have been passed over the protest of Members on this side of the House several protective-tariff measures, including one calculated to increase the cost of every ax, every scythe, every edged tool used by the farmer. The tariff bills forced through the House do not represent large items, but they do indicate a dangerous tendency. They stand for activity in the wrong direction. Of such action the farmer will say, as said the live-stock shipper who read "Market active and 25 to 40 lower," "Darn such activity."

Mr. Chairman, I do not believe that any farmer, regardless of what his politics may be, will approve of the record of this Congress. I do not believe that any farmer Member, if such there be, sitting on the Republican side of this House, will "point with pride" to such performances. I am frank to say that as a Democrat, but first of all interested in the welfare of the farmer, I would not attempt to defend such a record if made by my own party. I might apologize for it, but defend it, never. No man can do that.

Let me not be misunderstood. Among the Republican Members of this House there are as patriotic citizens, as lovable characters, as genial gentlemen as on this side of the Chamber. Some of the warmest friendships I have formed here are with those of opposite political faith. Some of the truest and best friends I have in the world are Republicans. Differences between Members of this House are not personal. They represent differences of principles, of platform, and procedure.

As a rule the official action of Members represents a response to the interests and people responsible for their election. In most of the rock-ribbed Republican States manufacturing is a leading industry, just as in the dependably Democratic States farming comes first. So, in the very nature of things, we expect to find agriculture receiving the fullest recognition not only in organization but in legislation at the hands of a Democratic Congress.

In justice to individual Members of the majority I want to say it is my belief that had the present House organization been more friendly to the farmer, had the steering committee been differently constituted, there are Republicans who sometimes would have voted differently. It is therefore unfortunate not only for the farmer—whether Democrat or Republican—and for the country as a whole, but for many rightly disposed Republican Members representing rural districts, that conditions in this Congress are such as they are. Individual Congressmen have been crushed by the machine they helped make.

The farmer is warning this Congress that it can not eternally temporize. He is telling us that the worm will turn; that without remedy, without relief, want will come. He has since the convening of this body hoped and waited in vain. Daily he has seen the situation grow more serious; seen values of what he had to sell slump, while what he must buy goes skyrocketing. Under these critical conditions party names mean less than ever before—promises but little, performances everything.

Political platforms, like the pink and perfumed buds and blossoms of this month of roses, while attractive, will not satisfy this matter-of-fact farmer. Next November he will measure the result of his year's work in garnered grain, in the plenty of field, crib, and granary. So, too, will he next November weigh the work of this and other Congresses. He will be fair. With works, not words, as his standard of measure, this man to whom has been reserved the gigantic task of feeding the world, and who asks only that it be made possible for him to play his part, will seek the truth. Seeking it sincerely and unselfishly, he will not fail to find it. [Applause.]

Mr. GOOD. Mr. Chairman, I yield 20 minutes to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Chairman, I ask leave to revise and extend my remarks?

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. GRAHAM of Illinois. Mr. Chairman, on the 14th of May last, in my absence from the floor of the House, the gentleman from South Carolina, Mr. BYRNES, in a 20-minute speech, which was afterwards extended by leave in the RECORD, indulged in considerable criticism of the policy of the Republican majority in the Sixty-sixth Congress in so far as it has appointed various investigating committees. Most of his criticism is not founded on sufficient information, and all of it is violently partisan and manifestly offered for political purposes only.

In those matters attacking the committee of which I am chairman, I think I am fully advised and take this occasion to correct the gentleman from South Carolina, and to call attention to the incorrect and misleading character of his remarks.

The Select Committee on Expenditures in the War Department was created by House resolution 78, adopted by the House on June 4, 1919. The vote by which this committee was authorized was 340 yeas and no nays. One of those voting for it was the gentleman from South Carolina. On the discussion of the question, Mr. POU, of North Carolina, upon the minority on the Committee on Rules, said:

> If there has been extravagance, the minority party wishes that extravagance exposed. If there has been rascality, no one is more earnestly in favor of exposing the rascal than the Democratic minority on this floor.

The gentleman from Virginia, also speaking for the minority, stated that the Democratic minority desired the investigation, wanted it to be thorough, and would support it.

Thereafer, on June 11, on House resolution 98, authorizing the select committee to hire clerks, accountants, attorneys, and so forth, the gentleman from Missouri, Mr. CLARK, minority leader, said:

> It is absolutely necessary for these gentlemen to have clerical help. It is absolutely necessary for them to have accountants. It is absolutely necessary for them to have stenographers.

Mr. CLARK of Missouri also said, in these remarks:

My suggestion is that everybody quit nagging and criticizing and lampooning until we ascertain the truth as the result of this investigation which we are undertaking and which is going to cost a good deal of money.

And this sentiment was greatly applauded on the Democratic side. Since that time the minority leader has scrupulously followed his own advice; it remained, however, for the gentleman from South Carolina to do the very thing the gentleman from Missouri has said ought not to be done, and this apparently for political purposes.

The select committee began its investigations almost immediately, and has for the past year been continuously employed in this work. In its work its subcommittees have taken evidence in 13 different States, and one of them has had extensive hearings in France. Its printed hearings comprise approximately 20,000 pages. The work has been arduous and constant, and has practically taken every man on the committee out of active participation in the other legislative business of the House for a year. Some reports have been made, some are pending, and many are yet to be made. No one who has not been a member of the committee can have any comprehension of the magnitude of the task. While the committee has labored for a year, it has as yet but scratched the surface. The immense bulk of the business of the War Department during the war will forever remain a closed book, except in so far as this and other investigations may partially disclose the facts and as the historian may unearth some parts of it.

The War Department spent from April 6, 1917, the date of the declaration of war, to September 1, 1919, $18,501,177,099.12, a sum so vast as to stagger the comprehension. A slight idea is gathered when I tell you that this represents more than $180 for each man, woman, and child in the United States. What we got for it I shall hereinafter refer to. The War Department itself does not know how many war contracts it made. I have here a volume consisting of 1,116 pages, filled completely with a list of contracts of over $100,000 in face value. It is probable there were more than 50,000 war contracts made, both formal and informal. There were over 22,000 contracts in the Ordnance Department alone.

The gentleman from South Carolina, in his zeal, criticizes the employment by the committee of certain employees. He speaks of an employee named Bennett, whom he says controls the committee. Mr. Bennett was a man of independent means, too old to enter the war. Knowing this, he came to Washington and offered his services, without compensation. He was finally hired at $1,800 a year in the Quartermaster's Department. He saw practices that outraged him in the allowances of war claims, and went to his Member of Congress, who sent him to the select committee. He was offered employment with the committee. As soon as the War Department found this had been done, Maj. Holder, of the War Claims Board, offered to double his wages and appoint him an examiner for the War Claims Board if he would stay. He declined to do so, and until recently has been employed by the committee. By his fearless investigation of the War Claims Board work, I have no doubt this one patriotic and right-minded man has saved the country millions of dollars. [Applause on the Republican side.]

Criticism is made of some moneys paid an accountant, George W. Storck. Storck is a registered accountant and was employed four days at $50 a day. The account on file with the Committee on Accounts shows that there was no duplication of accounts in his case, as the gentleman from South Carolina could have seen had he been desiring to state the exact facts instead of his political conclusions.

The committee had very few accountants employed. When Storck was paid $50 a day, he was trying to get from the Attorney General an inspection of certain audits that had been made of the Muscle Shoals expenditures, and was attempting single-handed to deal with the Attorney General, one of his asistants, and the secret service of the Department of Justice. It will be conceded, I assume, that this required the efforts of a man of ability.

Criticism is made of one C. D. Worley, a leather investigator. Although not so expressly stated, it is intimated he came from the district I represent. Such is not the case. This man lives in Iowa, and was entirely unknown to me when he came to Washington. As a matter of fact, there is not and has not been a single employee of this committee or any of its subcommittees that ever lived in my district, to my knowledge, except one man by the name of H. W. Thoreson, who assisted for a while in the Muscle Shoals investigation. Worley was employed because for 10 years or more he had worked in leather at an arsenal of the United States. The officers in the Quartermaster Department in charge of leather were almost all men who were or had been manufacturers of leather goods for the Government. We had to have some one who knew leather and who would also tell the truth about what he saw. Worley was such a man. He may have been a shop workman, but he was honest, knew what the Government ought to get for a dollar, and you could rely upon him. Practically all the facts that have appeared in the record about the leather deals of the Government during the war and the overproduction that was so pronounced were developed by this one quiet, unassuming shop workman. Incidentally, when he, a civil-service employee on leave, went back to his work at the Rock Island Arsenal he was refused employment by the Ordnance Department.

Such criticism is trivial and puerile. No one who has the slightest comprehension of what such an investigation means could for an instant indulge in it. When one thinks of the modest sums this committee has expended, he must compare it mentally with the machinery it had to investigate. He speaks of the enormity of hiring one accountant four days at $25 a day. From the outbreak of the war to this date the War Department, especially the War Claims Board, has had 78 men employed, each of whom drew more than $50 a day and many of whom are still employed. I insert the list here. Some of them get $100 a day. Experts and advisers on anything and everything. From my experience with them, the thing they do best is to draw their salaries.

Civilian employees of the Ordnance Department receiving $25 per day and above (covering period of 1918, 1919 and 1920).

Name.	Designation.	Rate of pay.
Rogers, George V.	Boston district ordnance office	$25 per day.
Watkins, Arthur M.	Bridgeport district ordnance office.	$50 per day.
Kennedy, George W.	do	May 26 to June 4, 1919; total amount paid, $200.
Strimple, Theo. H.	Cleveland district ordnance office	$25 per day.
Chase, E. M.	Cincinnati district ordnance office	$50 per day.
Drach, Gustav W.	do	$25 per day.
Doolittle, Fred A.	Detroit district ordnance office	Do.
Miller, Benjamin	New York district ordnance office	Do.
Brown, E. W.	Philadelphia district ordnance office.	$35 per day.
Hampton, John W.	do	Do.
Turner, C. L.	do	Do.
Coughlan, Edw. A.	do	Do.
McHenry, Wm. E.	do	Do.
Whitaker, S. Edgar	do	Do.
Gantt, Henry L.	Frankford Arsenal	$100 per day.
Barth, Carl G.	Watertown Arsenal	$70 per day.
Holcomb, Roger	do	Do.
Smith, Robert H.	do	$50 per day.
Whitmore, John	do	Do.
Leach, F. R.	Administration Division	$25 per day.
Teele, A. W.	do	$50 per day.
Chase, Aurin M.	Office of Chief of Manufacture	$25 per day.
Faber, Henry B.	do	$30 per day.

Purchase and storage.

Name.	Designation.	Rate of pay.
Charles L. Depollier	Technical advisor	$200 per 5-day period.
L. W. Holder	Legal expert	$10,000 per annum.

Transportation service.

Name.	Designation.	Rate of pay (Mar. 1 to date).
Noble, H. S.	Federal manager at New York City	$10,000
Sanders, M. J.	Federal Manager at New Orleans	15,000
Brent, Theodore	Traffic Manager at New Orleans	10,000

These employees are engaged on work in connection with the Division of Inland Waterways and were transferred to the Secretary of War in accordance with section 201, paragraph A, act of Congress, February 28, 1920, effective March 1, 1920.

Sales branch, purchase, storage, and traffic.

C. Willing Hare	per annum		$25,000
Do	do		12,000
E. C. Morse	do		10,000
Do	do		12,000
W. G. Sloan	do		9,000
G. H. Dorr	do		12,000
Guy Hutchinson	do		12,000
Alfred Lamar	do		10,000
*A. J. Bruff	do		12,000
*C. Y. Smith	do		10,000
*L. I. Harvey	do		12,000
*Henry Doerr, jr	do		12,000
G. M. Chambers	per diem, including commutation		35

In the case of the names starred (*) on this list the employment was in France and exact records as to periods have not yet reached this office.

Report of civilian personnel employed by War Department Claims Board at salaries of $25 per diem or over from Aug. 1, 1919, to Feb. 29, 1920.

Name.	Designation.	Rate per diem.
Bush, Lincoln [1]	Special adviser	$50.00
Clark, Alfred E.[1]	Special technical adviser	50.00
Davis, Charles [1]	Special adviser	40.00
Davis, William H	Special adviser to Secretary of War upon appeals from board of contract adjustment.	50.00
Dorr, G. H	do	50.00
Ennis, Wm. D	Special technical adviser	50.00
Ewing, Thomas [2]	Special adviser to the Secretary of War.	135.00
Goodale, R. C	Special adviser to Secretary of War upon appeals from board of contract adjustment and member War Department Claims Board.	50.00
Goodrich, E. P	Special technical adviser	75.00
Greenfield, J. A	do	30.00
Haveron, F. L	Special assistant	35.00
Hewins, G. S.[1]	Special technical adviser	58.41
Hixson, A. W	do	50.00
Hodge, Henry W.[1]	do	50.00
Lacombe, Henry	Special adviser to Secretary of War upon appeals from Board of Contract Adjustment.	75.00
Lehman, Herbert H	do	50.00
March, Robert McC	Special technical adviser	50.00
Marshall, C. A	Special assistant	40.00
Miller, Fred J.[1]	Special technical adviser	50.00
Neville, Charles	do	50.00
Pettee, E. E	do	40.00
Rautenstrauch, W.[1]	do	50.00
Reece, W. R	do	25.00
Rogers, Fred E	do	50.00
Scott, Campbell	do	50.00
Skene, W. H	do	40.00
Van Winkle, Edward [1]	do	78.45

[1] No longer in service.

[2] Thomas Ewing is engaged as chairman, Munitions Patents Board, including both the Army and Navy activities as affecting patents and patent rights. The Navy Department has agreed to contribute $2,500 toward the payment of his salary. He is engaged approximately four days a month.

Employees engaged on monthly basis.

Name.	Designation.	Rate per month.
Clark, Alfred E.[1]	Special technical adviser	$1,000.00
Fairbanks, Joseph	Special assistant	750.00
	Vice chairman	1,000.00
Frazer, J. P	Special assistant	750.00
Marshall, C. A	do	750.00
Safberg, B. F	Special technical adviser	833.33
Steever, M. D	Special assistant	750.00
Goodale, R. C	do	750.00

[1] No longer in service.

Medical Corps.

Name.	Designation.	Rate.
Dr. John S. Shearer	X-ray expert	$25 per day.

Air Service.

Name.	Designation.	Rate.
Alexander Klemin	Expert	$40 per day.
Guy Leonard	do	$12,000 per annum.
Dr. J. E. Teeple	do	Do.

Engineer Corps.

Name.	Designation.	Rate.
S. M. Felton	Director general military railways.	$1,000 per month.

No one will ever know just how much the War Department squandered on accountants and other similar help during the war. During the settlement of the Dent bill claims as many as 7,000 people—accountants, lawyers, and so forth—were employed by the War Department in their settlement. During the war and while the Ordnance Department was contracting with thousands of people and building and running countless factories, the Ordnance Department alone had in the field at one time as many as 30,000 accountants, inspectors, and the like. During the war, in the war bureaus and branches at Washington, there were employed 1,395 accountants, 385 lawyers, and 37,406 other civilian employees. The consistency of a man who votes to set a committee to work investigating the work of such an army of employees and then captiously carps and quibbles when they employ one accountant four days at $50 a day is but to be wondered at. [Applause on the Republican side.]

It is said the amounts expended by the investigating committees of the House in this Congress are extravagant. It is alleged that a million dollars have been spent in the investigations. Mr. Cummings, of the Democratic National Committee, makes it $2,000,000. This is reported in the Democratic platform in Virginia and probably will serve as the model of a plank in the Democratic national platform. The fact is there has been spent by the House in all its investigations in this Congress $147,278.27. The Select Committee on Expenditures in the War Department has spent $116,124.32. The Senate, to May 31, 1920, on all investigations—eight in number—has spent $75,497.69. The total, therefore, for the Congress is $222,775.96. This is said to be exorbitant and unusual. What shall be said of committees which the Democratic House appointed after it came into power in 1910 and which expended from the contingent fund $288,794.60, and this in times of peace? I insert a list of them here.

The statement requested by the chairman of the committee, showing the expenditures incurred by certain committees, i. e., the committees appointed in the Sixty-second, Sixty-third, Sixty-fourth, and Sixty-fifth Congresses, 1911–1919, to investigate the United States Steel Corporation, the American Sugar Refining Co., the so-called Money Trust, the "Taylor system," the Manufacturers' Association (Mulhall), the shipping industry, the affairs of the District of Columbia, the so-called "leak" investigation, investigations by the several standing committees on expenditures in the executive departments, and the so-called Ballinger-Pinchot investigation in the Sixty-first Congress (1909–1911), follows:

Investigation of the United States Steel Corporation	$4,643.91
Investigation of the American Sugar Refining Co	7,556.83

The resolutions authorizing these investigations were in identically the same language and authorized, respectively, investigations of alleged violations of the antitrust and other acts. Vouchers covering expenses of both committees were submitted in practically the same form, so that it is impossible to differentiate them and identify those relating to the sugar investigation and those relating to the steel investigation. Therefore, except to the extent above indicated by the figures set opposite the respective headings, they are included as expenses of the—

Investigation of alleged violations of the antitrust and other acts	37,408.89
Total for sugar and steel investigations	49,609.63
Investigation by the Committee on Banking and Currency of the so-called Money Trust	61,277.12
Investigation of the "Taylor system"	4,287.00
Investigation of the Manufacturers' Association	4,119.56
Investigation of the shipping industry	15,284.00
Investigation of the affairs of the District of Columbia	51,191.03
Investigation of charges by F. T. Lawson (leak)	22,883.76
Investigation of expenditures in the Interior Department	13,503.16
Investigation of expenditures in the Post Office Department	10,639.96
Investigation of expenditures in the Departments of Commerce and Labor	6,175.34
Investigation of expenditures in the Department of Agriculture	5,461.95
Investigation of expenditures in the Treasury Department	3,682.78
Investigation of expenditures in the Department of Justice	3,834.48
Investigation of expenditures in the War Department	3,665.13
Investigation of expenditures in the Navy Department	3,074.60
Investigation of expenditures in the State Department	2,969.20
Investigation of expenditures on public buildings	2,135.90
Investigation of the Forestry Service (Ballinger-Pinchot)	[1] 25,000.00
Grand total	288,794.60

As a matter of fact, about one-third of the amount expended by the select committee, of which I am chairman, has been for stenographic work. It is said the War Department has been put to great expense in preparing material for the committee. If so, it is due to the fault and lack of system of the War Department. The committee made but few requests, and these requests were such as should have been speedily answered. For instance, we inquired what the War Department had spent during the war, and the War Department was asked for a list of war contracts in face value over $100,000. Aside from these matters, almost all the requests were for specific papers or for witnesses who could tell us of particular matters. As a matter of fact, the utmost confusion prevailed in the War Department. When requests were made, sometimes it seemed to be necessary for them to hire experts to hunt it. Information given the committee was frequently erroneous. For instance, the Secretary of War informed the committee on June 20, 1919, as to the total expenditures of the War Department during the war, divided into departments. The figures he gave were afterwards found by a committee accountant to be erroneous in some items as much as $184,945,938.47. The Director of Finance, Gen. Lord, was asked on January 6, 1920, what the cost of the nitrate plant at Muscle Shoals was. He gave $42,570,000 as the figure. On March 23, 1920, after testimony had been brought out by the committee showing the expense to have been approximately $60,000,000, The Adjutant General communicated to the committee that he had been in error, and

[1] The appropriation was disbursed by the Senate.

that the correct amount was approximately $70,000,000. An officer, Lieut. Col. T. N. Gimperling, of the Quartermaster's Department, sent by the War Department to the committee for that purpose, testified the Government had purchased 28,000,000 pairs of shoes during the war.

Our own investigators developed that 32,227,450 pairs had been bought. In one case the chief of manufacture in the Ordnance Department informed the committee that 3,600 machines of a certain type had been moved into a certain storehouse. It developed that the correct number was 2,100. Almost as soon as the committee was appointed, June 18, 1919, it directed 27 questions in writing to the Secretary of War, seeking certain information, and particularly the amounts expended during the war. The last of these questions was answered September 18, 1919. Whenever the committee asked about any particular thing, it seemed to be necessary to build up a staff of experts to get the information, information which ought to have been easily available from the books of the department. When one of the subcommittees began an investigation of some small claims in the War Department Claims Board, employees were brought in from outlying districts to defend the department. In one case the committee room would hardly hold the Government representatives, both military and civilian, brought from Boston, New York, Chicago, and elsewhere, and who remained for weeks, defending the board. When the committee took testimony in other places military officers were sent with the committee at Government expense, but where they were required by the committee the War Department required them to be paid from the contingent funds of the House.

It is said the investigation has been futile from a money standpoint.

Mr. BYRNES of South Carolina. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from South Carolina?

Mr. GRAHAM of Illinois. No. I have not the time.

It is hard to discern exactly what effect the investigations of the committee have had. It will be remembered that the committee has been investigating departments that must necessarily reflect upon themselves if they give credit to the criticisms of the committee. However, some tangible effects are noticeable.

The committee reported out House resolution No. 212 from subcommittee No. 4, requesting the Secretary of War to sell to the people the surplus Army food held by it and valued at approximately $100,000,000. The War Department had entered into tentative agreements with the packers and canners not to put this food upon the market, and were using every method to dispose of it by feeding it to soldiers or otherwise, so that it should not be sold to the people. As a result of the passage of this resolution by almost a unanimous vote of the House, this food was placed upon the market. Up to this time $57,000,000 of this food has been sold, and that much money has gone into the Treasury that would otherwise have not been there.

The committee reported out House resolution No. 362 from subcommittee No. 4, requesting the Secretary of War to distribute through the Agricultural Department for distribution among highway departments of the States 22,195 motor vehicles and to sell the balance. The House passed the resolution by almost a unanimous vote. Thereupon the Secretary of War, who had theretofore failed to distribute any of these motor vehicles to the highway departments, began the distribution and has thus distributed machines to the value of $67,341,479. In addition to this, $2,800,000 has been paid into the Treasury for machines sold. If it had not been for the report of this committee, in all probability these machines would now be rusting in storage.

The committee made an oral report to the House on October 14, 1919, relative to the sale of the Government powder plant at Nitro, W. Va. At that time bids had been received for this plant, the highest being $5,800,000. The committee called the attention of the House forcibly to the matter, and also advised the director of sales that it be informed of the nature of the bids received before any sale was made. Thereafter all bids were rejected, and the property readvertised. At this resale it brought $8,551,000.

The committee began an investigation of war claims filed with the War Department Claims Board under the Dent Act. It reported its investigations to the House on November 11, 1919. In this report it specifically insisted on the necessity of an audit of war claims. As a result of this report, the War Department Claims Board has been demanding and receiving greatly advanced salvaged prices for goods turned over to contractors, and millions have been saved to the Government thereby. As an example, tin plate, which was before this report considered as worth only $33 a ton, was revalued at $110 a ton, and the Government received this price. Contractors' claims were rigidly inspected and an immense sum saved thereby.

The committee began a vigorous examination of the allowance of contractors' war claims by the War Department Claims Board on September 8, 1919. Doubtless influenced by the disclosures of loose practices developed by the committee, on November 7, 1919, the War Department Claims Board adopted a rule requiring an audit to accompany all claims from district and zone claims boards, a practice that had not obtained theretofore. This resulted in an immense saving to the Government in the settlement of claims under the Dent Act.

In addition to the above, on October 3, 1919, a special auditing committee was appointed by the War Department to audit these war claims, a practice that never before had obtained. This committee is engaged in the audit of about 350 claims that have been allowed and paid, and expects to recover approximately $10,000,000.

How many criminals have been uncovered? Asks the gentleman from South Carolina. It matters not how many have been uncovered, it goes without saying that none will be prosecuted while the present administration continues. During the war hundreds of people were prosecuted by the vigilant Attorney General for violation of the espionage act; but who has heard of a prosecution of a war profiteer? I say to you, with a full comprehension of the nature of the charge, that there are thousands of men who have violated the law during the war, of whom the Attorney General's Department has full knowledge, and none of whom has been or will be prosecuted. You talk of prosecution! You might as well submit to the prisoner in the dock the question of his own guilt. There will be no prosecutions, no court-martials. What this committee uncovers will be laughed to scorn by the War Department and Department of Justice. But I take considerable hope in the thought that after the 4th of next March another Secretary of War and another Attorney General will have something to say about the administration of these matters if, happily, anything is left to administer upon.

While time and space will permit mention only of a few of the instances disclosed by the record, it will be instructive to here indicate a few of the instances which indicate the faulty nature of both the language and the facts of the gentleman from South Carolina.

Col. Edward A. Deeds, while in charge of the aviation section of the Signal Corps, let about $50,000,000 worth of contracts to his friends in Dayton, Ohio, acted as confidential adviser to his former business associate, H. E. Talbot, of the Dayton-Wright Airplane Co., in respect to business between that company and the division over which he was the head; he also gave to the representatives of the Committee on Public Information false and misleading statements with respect to the progress of aircraft production for the purpose of publication, with the authority of the Secretary of War. Ex-Justice Hughes, acting by appointment of the President, recommended him for court-martial; the Attorney General and Judge Advocate General concurred. Secretary Baker intervened, ordered him retried, and, as a result, he was whitewashed, and immediately thereafter was tendered a banquet at Washington by Gen. Squier, head of the Signal Corps, where he was joyously acclaimed as one of the heroes of the war.

Director of Aircraft John D. Ryan, while director, ordered the continued manufacture of De Haviland 4 observation planes at a time when it had been called to his attention by responsible officials and a committee from the United States Senate that these machines were "flaming coffins," were killing our aviators, and were entirely unsuited to their purposes, and that the public moneys were being squandered in their production.

Director Ryan, while director and the responsible head of the department, consented to and was fully cognizant of the construction, by his subordinate officers, of a so-called spruce railroad in Oregon, 38 miles long and costing $4,000,000 or $110,000 a mile, connecting with the Milwaukee Railroad, of which Mr. Ryan was then a director.

This railroad was of no value as a logging road, and was only of value as an extension of Mr. Ryan's railroad. Mr. Ryan was given the distinguished-service medal for his services by the Secretary of War.

Colonel, afterwards brigadier general, Brice P. Disque, formerly a captain at $3,000 a year, then warden of the Michigan Penitentiary, then called to the War Department during the war as a colonel in the Spruce Production Division of Aviation, built 13 railroads for spruce operations at an average cost

of $107,000 per mile, and over which no logs were hauled, and one of which roads was the road built connecting with Mr. Ryan's Milwaukee road. He caused large numbers of soldiers to be sent to him, and these he paid civilian wages while other soldiers in France served for $1 a day. This was in direct violation of statutory law; $4,500,000 was expended in this way. For his services Col. Disque was made brigadier general, given the distinguished-service medal by the Secretary of War, and was taken from the War Department on the signing of the armistice and given a position by Mr. John D. Ryan as president of one of Mr. Ryan's companies, the Amsinck Co., at a salary of $30,000 a year, a salary twice that of the Chief Justice of the Supreme Court, a position which he now holds.

Gen. G. O. Squier, Chief of the Signal Corps, with the consent of Secretary of War Baker, permitted the waste of over a billion dollars of public funds, knew and consented to the construction of American flying machines that were deadly and inefficient, and to the purchase in France for our aviators of Sopwith planes which had been abandoned and considered obsolete by the French for over a year and a half before they were purchased by us. He was condemned by ex-Justice Hughes, in his report to the Department of Justice, as inefficient and incompetent. He was given the distinguished service medal by Secretary Baker, and is still at the head of the Signal Corps of the Army.

William A. Starret, an architect and chairman of the subcommittee on emergency construction from the Council of National Defense, contrived the system of cost-plus contracts that was used during the war in the building of camps and cantonments. In the making of this plan and the contracts under it the interests of the Government were ignored and all safeguards for the Government were omitted, principally by direction and consent of Mr. Starret, who was supposed to be guarding and representing the Government in these matters.

Thousands of dollars paid as automobile hire by the United States was received by representatives of A. Bentley & Sons Co., in charge of transportation, for the contractors at Camp Sherman, Ohio, fraudulently, and which are recoverable by the Government from the contractor.

Favored contractors, some of which were former friends or clients, were selected or designated by William A. Starret, and these contractors were, in turn, given by contract large fees for supervision, far in excess of any sums which they would otherwise, or by open bidding, have received.

Scores of foremen and superintendents and others in positions of authority are named in the report of the subcommittee on camps, who have personally caused, ordered, aided, or abetted waste and wanton destruction of property, paid for with Government funds. All this was done with the apparent knowledge and consent of the contractors. Such acts constitute frauds against the Government, and every man who was a party to this violated the law and is personally and criminally responsible. The names of these men are plainly evident to anyone who reads the record.

The contractors responsible for this waste and destruction of property are liable to the Government for the amount of such waste, and civil suit may be maintained against them, unless the Government is estopped by the acts of its agents.

Millions of dollars were paid out to owners of by-product coke oven projects on a so-called Falk chart, a chart that was false and fraudulent, and was prepared for the purpose of permitting these claimants to receive greater sums of money from the Government on their settlements. This money could be recovered. The names of every officer and man connected with this matter are in the record.

Thousands of claims were adjusted by the War Claims Board where insufficient salvage values were allowed the Government by means of the intent or ignorance of the persons having to do with the settlement on the part of the Government. Millions of dollars improperly paid might be recovered under the Dent Act on these claims.

Officers resigned from the military service and took employment with contractors who had claims against the Government. In some instances these officers represented the claimant. This was in direct violation of law. The names are in the record.

Large numbers of officers in the War Department were drawing salaries from the Government and from private employers at the same time, and in most instances their duties as officers had to do with contracts which their business associates had with the Government. This was in direct violation of law. The names of such officers appear in the record.

Officers were authorized to make purchases of military supplies. In some instances these contracts were made with firms or companies in which the officer had a financial interest. This was in direct violation of law. The names of such officers are to be found in the record.

Scores of foremen and superintendents employed by the contractors at Nitro, W. Va., and Muscle Shoals, Ala., directed loafing of men and ordered wanton and deliberate destruction of materials and property. Their names are in the record. Every man who did this committed a crime.

The administration building at Nitro, W. Va., was burned on the night of November 9, 1918, after news of a supposed armistice had been received, destroying many records of the Thompson-Starret Co. Every fact seemed to indicate arson. The special representative of the Department of Justice there requested that an investigation be made. Nothing was done.

The chief of police at Nitro was reported by the Government's agent as stealing blankets at wholesale for sale. When it was reported to the Bureau of Investigation, Department of Justice, the agent was reprimanded for sending the telegram, and nothing was done.

Hundreds of workmen at Muscle Shoals were arrested, taken to jail, or fined by men without warrants, and without a trace of legal authority, in open violation of law.

The wanton waste of materials constituted crime that would be punished by any court having jurisdiction. To illustrate: On one occasion, the Secretary of War was to make a Liberty loan speech at Nitro, W. Va. In order to clear a place for the erection of a small platform from which he could speak, they set a large force of men to work the night before, hauled off a large pile of good lumber covering an acre and a half and piled 10 feet high, and before morning burned every foot of it. The names of the men responsible for this are in the record.

Hundreds of horses having nothing wrong except, perhaps, a temporary lameness or sore back were killed and burned with the finest lumber provided by the Government. The names of those directing this brutality and waste are in the record.

Approximately $2,000,000 was paid to the Standard Steel Car Co., of Hammond, Ind., which was pronounced by the Government accountants to be absolutely without justice or foundation; the award was approved by the fraudulent practices of Col. E. S. Hughes and other officers of the military service whose names are in the record. Civil and criminal proceedings might well be brought in this case.

To attempt with any economy of time and space to give the names of individuals who have committed crimes or to direct specific attention to civil suits which might be instituted would be impossible. The committee has gathered the testimony in great volume. It suffices to say that the record bristles with such names and instances. The bulk, however, of the business transactions of the Government during the war were so vast as to stagger comprehension. There were probably 50,000 war contracts made. To examine them is the labor of a lifetime. Only a cursory glimpse of the entire field can be had, and an occasional contract inspected. The investigation of each such contract is a long and involved proceeding and requires months of effort and study. For example, the contracts of Jones & Laughlin Co., American Can Co., Standard Steel Car Co., and American Brake Shoe & Foundry Co. each required extended investigation and time. A typical example is the contract for purchase of canned salmon for the Army, the facts being furnished me by Mr. REAVIS, chairman of the subcommittee on quartermaster supplies:

The War Department, through the Quartermaster Corps, between the 6th of April, 1917, and the 11th of November, 1918, purchased 208,681,244 1-pound cans of salmon, at a total cost of $38,814,703.91. This salmon was purchased by commandeering the output, with the Food Administration to fix the price upon an investigation of cost to be made by the Federal Trade Commission. The first cost was fixed at $6 per case of 48 cans for tall pink salmon, $6.50 per case for tall medium red, and $7 per case for tall red. This was considered a tentative price that was subject to revision, either by being increased or lowered when the Federal Trade Commission made its report of cost. Before the Federal Trade Commission made its report of cost, the War Department, on its own motion, increased the price of the better grade of salmon to $7.50 per case. A great deal of this salmon was found to be spoiled salmon. The list of spoiled salmon will be found on pages 919, 920, 921, 922, 923, 924, 925, and 926 of serial 5, part 19.

The contract of purchase guaranteed the Government against all loss because of spoiled salmon. The Government purchased this salmon f. o. b. Seattle, and then shipped it to its eastern warehouses, the Government, of course, paying the freight. Some of this salmon was stored for many months, during which time the Government kept it insured. In many instances the spoiled salmon was spoiled at the time it was canned, and this fact was known to the canners (pp. 878, 879, 880, and 885, ser. 5, pt. 18). Most of the salmon found to be spoiled by the Bureau of Chemistry was in cans which were not swells. This, according to the testimony of the experts, conclusively shows that the fish was spoiled at the time it was canned (p. 904, ser. 5, p. 19, and p. 917 of the same serial and part). Notwithstanding the Government was fully protected on the spoiled salmon and was entitled not only to the money paid to the canners for the salmon, but was entitled to return of the freight from Seattle to the eastern warehouses, the storage and insurance charges, and the interest on the money, the War Department executed a contract, shown on page 351, part 17, serial 5, whereby it agreed to keep this salmon stored for six months without charge to the canners (this storage was in commercial storage, for which we paid 2 cents a case per month. Some of it is still in storage at our expense. We paid the canners 2 cents per month storage for all salmon of ours held by them awaiting delivery orders) to keep it insured

at the expense of the Government, to pay the freight charges to wherever the canners wanted it shipped, and to make a reduction of from 31 to 47½ cents a case for what they called "reconditioning." We also sold all the good salmon under this contract back to the packers for the price that we paid for it, agreed to keep it stored for six months, to pay the insurance on it, and to pay the cartage charges and the freight charges to any point that the packers ordered it shipped. We lost under this contract $3,000,000 (p. 857, ser. 5, pt. 17). At the time we were selling this salmon back to them for the original price, less than the reductions noted, the same salmon was worth on the open market $12.60 a case. If we figure the loss sustained by not selling it on the open market, it will approximate $15,000,000 (p. 891, ser. 5, pt. 28). It is shown in the testimony by the officers of the War Department, and is not disputed anywhere, that notwithstanding we allowed a reduction of from 31 to 47½ cents a case for reconditioning, not a single case was ever reconditioned by the packers, and this reduction was simply a gift.

The Navy Department purchased its salmon in the same way and of the same people. The Navy Department returned a very small proportion of its salmon to the packers, but compelled them to pay, in addition to the original price paid by the Navy Department, the freight from Seattle to the warehouse, all storage and insurance charges, together with interest on the money, and then made the canners pay the freight from the warehouse to wherever they wanted it shipped. The most of the Navy Department's surplus salmon was sold, for which they received $9.32 a case. (P. 1093, ser. 5, pt. 20.) This was the same kind of salmon that the War Department at the same time was turning back to the canners at less than $7 a case.

The War Department refused an offer made by McCord & Brady and Paxton & Gallagher, of Omaha, Nebr., two of the most reliable jobbing firms in the world, of $10 a case for the same salmon, which they put back in the hands of the canners for about $7 a case. (P. 867, ser. 5, pt. 17.) The Omaha warehouse was filled with salmon. By consulting serial 5, part 20, on pages 1021 to 1056, it will show the packers sold this Army salmon, which the Government was holding for it, among others to McCord & Brady and Paxton & Gallagher, for which the Government received, it being an inferior grade of salmon, but $6 a case, and the salmon was shipped to these jobber firms, together with firms in Lincoln, Nebr., Kansas City, Mo., Atchison, Kans., and other places in the vicinity of Omaha, from New York and Baltimore to these places, with the Government paying the freight, while the salmon that was in the Omaha warehouse, instead of being turned over to the Omaha firms, was shipped from Omaha to the eastern market, the Government paying the freight that way. The total freight paid by the Government on this salmon was shown on page 982, serial 5, part 20, to have amounted to $205,768.19. The salmon that was sold back to the packers for the original price, ranging from $6 to $7.75, depending on the class of the salmon, less storage, interest, insurance, reconditioning, and freight, was selling on the open market at a part of the time when these sales were made as high as $16 a case, and the Government could more than have doubled its money if it had sold on the open market instead of turning it back to the canners. The salmon was sold by the canners to the jobbers at the prevailing market price, which was from $9.50 to $16 per case, and the consumer did not benefit a penny in the premises.

The testimony shows conclusively that the War Department and the Bureau of Chemistry knew that the canners were willfully and knowingly packing spoiled fish and selling it to the Government. They knew it not alone from an inspection of the cans in which the absence of swelling showed it to be spoiled but they knew it by a personal inspection of the fish and the canneries at the time it was being canned, and yet no presecution has ever been instituted for this violation of the food law, even though soldiers might have been poisoned and killed by eating this spoiled food.

It is said the chairman of the committee has maligned and abused the Council of National Defense. Here again the gentleman from South Carolina has not been careful in his criticism. But he is not alone in this.

Attention has been repeatedly called by Democratic Members to the alleged fact that the committee has sought to criticize the Council of National Defense for making secret preparations for war months before the war began. A careful reading of the record of the committee will disclose that the criticism is not so much directed against the Council of National Defense as against the policy of the administration that created the council. On August 26, 1916, the act authorizing the creation of a Council of National Defense became the law. A political campaign was in full swing. Not a step was taken toward the meeting of the Council of National Defense for three months and until after the election. Meantime the President and his party went about the country telling the people they had been kept out of war and telling them we would continue at peace. The campaign textbook of the Democratic Party in 1916 bore on its cover in bold letters these words: "Peace with honor, preparedness, prosperity." They circulated about the country, showing pictures in colors of the President, with this legend upon it: "Peace with honor, he kept us out of war." And then at the bottom, to signify verity, his signature, "Yours, Woodrow Wilson." With this miserable deceit the American people were deluded. The statements that were being made to the country were not true and were circulated only for political effect. Almost before the votes at the election were counted, on November 11, 1916, Secretary Baker called the Council of National Defense to meet at Washington on December 6. They met there, and less than a month after President Wilson and his party had solemnly assured the country there would be no war this council were meeting in secret session and beginning their consideration of measures to draft the young men of the country, to put a censorship on the press, and for a daylight-saving law.

The German Government did not notify us it intended to resume its unrestricted submarine warfare until January 31, 1917, almost a month afterwards. The criticism is not directed, gentlemen, at the plans, but at the administration that knows the truth and calls its ministers together to confer about it while it deludes and deceives the Congress of the United States and the people.

Permit me, however, to say that the preparedness that was the slogan of the Democratic campaign textbook and the plans of the Council of National Defense were paper preparedness and paper plans only. Not a single additional gun was bought or made, not an additional pound of powder prepared, not a ship built, not a flying machine ordered. Not a single blue print or specification was made, not a contract entered into, not an inventory of our industrial resources made, not a thing but secret plans to have Congress pass a draft act, a daylight-saving law, and a carefully prepared plan by which the Government might buy supplies from the manufacturers and fix prices for the producer.

WHAT WE GOT FOR OUR MONEY.

The gentleman from South Carolina says, as do many other gentlemen from the Democratic side of the House, that, while there was necessarily some waste in our war expenditures, in the main the funds so lavishly taken from the Treasury and from the pockets of the people went far toward "winning the war." In view of such contentions it is well to briefly inspect some of the more salient features of these expenditures and the results accomplished, as shown by the hearings.

We expended $1,051,511,988 for aviation and airplanes, and up to the time of signing of the armistice not a single fighting plane was at the American front.

As a result of our entire aviation program we obtained 213 De Haviland 4 observation planes, all of which were illy designed and constructed and extremely dangerous, and 527 second-hand foreign planes, which we either bought or borrowed from our associates in the war.

We expended $50,000,000 on a spruce-production program, building elaborate railroads, camps, and facilities, and then were forced to buy 92.6 per cent of our spruce lumber from private independent spruce lumbermen.

We spent approximately $10,000,000 on spruce railroads that never hauled a log of lumber.

We spent $20,000,000 for 4,608 Curtiss motors, 1,616 Curtiss-type aeroplanes, and 1,100 Standard JN–1 aeroplanes, which we purchased from the Curtiss Aeroplane & Motor Corporation, then sold them back to this company for $2,720,000. The War Department refused to sell these machines to aviators for less than $3,500 each, and provided in the contract by which they were sold to the Curtiss Co. that the Curtiss Co. should have the first opportunity to buy any other aeroplanes which the War Department might thereafter declare surplus.

We spent $6,000,000 on Bristol planes and $17,500,000 on Standard-J planes, and got not a single machine that could be used for any purpose.

We spent $206,632,920 for 16 National Army cantonments, built by the cost-plus system. These could have been built for $128,101,399, or $78,531,521 less.

We expended $1,200,000,000 for the construction of camps and cantonments, largely by the cost-plus system, a system adopted by the War Department. By this system costs were increased, labor demoralized, the completion of the camps was delayed, soldiers called to the colors were subjected to conditions that induced disease and death, and from 40 to 60 per cent of the money was wasted.

Twenty-two million dollars was spent for fees to favored contractors on camps and cantonments, most of which would have been saved had this work been let by bids.

We spent $60,100,000 to build a powder plant at Nitro, W. Va. It never produced a pound of powder for the war. After the armistice there was stored at Nitro personal property worth at a fair cash value $10,000,000. Both plant and property were sold after the armistice for $8,551,000, most of which is in deferred payments.

We paid the Hercules Powder Co. for operating the Nitro plant $11,293,737.11. They produced no powder that we could use in the war.

We spent $2,900,000 in furnishing electrical machinery and building electric lines for the Virginia Power Co. at Nitro, W. Va., and after we had built them a first-class system, giving them a practical monopoly of the Kanawha Valley, the Government settled with them for $81,000 and in addition gave them a long-time contract to furnish electric power for the naval armor plant at Charleston, W. Va.

We spent approximately $90,000,000 in the construction and operation of a powder plant at Nashville, Tenn., called Old

Hickory, and which produced no powder that could be used in the war.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAHAM of Illinois. May I have some more time?

Mr. GOOD. How much more times does the gentleman wish?

Mr. GRAHAM of Illinois. If I have 10 minutes, I can finish what I have to say.

Mr. GOOD. I yield 10 minutes to the gentleman.

Mr. GRAHAM of Illinois. We spent man ymillions, the exact amount being unknown, for the production of tanks, and did not produce a single tank that reached the front before the armistice. To complete our tank program we needed 1,200 tanks, which were to cost $25,000 each. To build these we started an immense steel and concrete factory in France, which was to assembl and turn out 100 of these tanks a day, or the entire supply in 12 days. The British were to furnish the guns and armor and ship them to France for assembly, while we were to furnish the engines and running gear, and ship them to France for assembly. The British supplied their part, but we supplied nothing. The factory was unfinished at the armitice and never produced anything.

We spent $116,194,974.37 on nitrate plants at Sheffield, Ala.; Muscle Shoals, Ala.; Toledo, Ohio; and Cincinnati, Ohio. These plants did not produce a pound of nitrates that could be used in the war.

We spent for poison gas $116,000,000. Not a pound of American gas was ever fired in an American shell, and only about 100 tons of American gas loaded in shells ever reached the field dumps.

The Government built three picric-acid plants and seven plants to make phenol and acid required by them. This was to furnish picric acid for the French, who desired it for explosives. None of these plants produced a pound of anything that was used in the war. The plants cost us $35,000,000. The French were to pay the whole bill, but the War Department settled with France for $14,000,000.

We spent $17,116,000 in constructing a port terminal at Charleston, S. C. It was built in an isolated swamp 10 miles up the Cooper River, where it was necessary to dredge to reach it. There never was a pound of produce, a man, or an animal shipped either out of or in to this terminal during the war.

We spent $127,661,000 for port terminals at Boston, Brooklyn, Newark, Philadelphia, Norfolk, Charleston, and New Orleans. Some of them were not finished and none of them were used for anything except storage during the war.

The Ordnance Department spent $3,991,489,570.48 from the beginning of the war until June 1, 1919, as much as it cost to finance the Civil War. A large part of it was spent in a program of manufacturing artillery and ammunition. This is what we got for it:

We had 53 contracts for 37-millimeter shells, on which we expended $9,134,582. Not one of these shells ever reached our firing line.

We had 689 contracts for 75-millimeter shells, on which we expended $301,941,459. Of these shells we fired 6,000.

We had 142 contracts for 3-inch shells, on which we expended $44,841,844. None of these shells reached the firing line.

We had 439 contracts for 4.7 shells, on which we expended $41,716,051. Of these shells 14,000 were fired by our forces.

We had 305 contracts for 6-inch shells, on which we expended $24,189,075. None of these ever reached the firing line.

We had 617 contracts for 155-millimeter shells, on which we expended $264,955,387. None of these ever reached the firing line.

We had 301 contracts for 8-inch shells, on which we expended $51,371,207. None of these ever reached the firing line.

We had 152 contracts for 240-millimeter shells, on which we expended $24,136,867. None of these ever reached the firing line.

We had 239 contracts for 9.2 shells, on which we expended $54,389,377. None of these ever reached the firing line.

We had 71 contracts for 12-inch shells, on which we expended $9,507,878. None of these ever reached the firing line.

We had 6 contracts for 14-inch shells, on which we spent $1,266,477. None of these reached the firing line.

We let 111 contracts, to the amount of $478,828,345, for the construction of artillery of all calibers, guns, howitzers, gun carriages, limbers, and recuperators. Of this immense program of expenditures there reached our troops and were actually used in combat thirty-nine 75-millimeter antiaircraft mount trucks, forty-eight 4.7-inch guns of the 1906 model, forty-eight 4.7-inch gun carriages of the same model, twenty-four 8-inch howitzers, and twenty-four 8-inch gun carriages. The details are shown in a table furnished by the War Department and attached as an appendix hereto.

To sum up, we furnished our troops for use six thousand 75-millimeter shells, fourteen thousand 4.7 shells, forty-eight 4.7 guns, and twenty-four 8-inch howitzers.

Mr. DAVEY. Will the gentleman yield?

Mr. GRAHAM of Illinois. No; I have not the time.

These are the principal things soldiers need to fight with—guns and shells, gas, aeroplanes, and tanks. And while there was such a failure to produce these essential things, it is amazing to know what excessive orders and expenditures there were on other less essential things. A few instances will indicate this:

We ordered 41,100,152 pairs of shoes and received deliveries of 32,227,450 pairs for 3,513,837 men.

We bought and received 500,326 double sets of harness and 110,828 single sets. We had, in all, during the period of the war 580,182 horses, of which only 67,948 were shipped overseas and 96,000 died.

We bought 945,000 saddles and had, in all, 86,418 Cavalry horses.

We bought 2,850,853 halters.

We bought 585,615 saddle bags.

We bought 1,637,199 horse brushes.

We bought 2,033,204 nose bags.

We bought 1,148,364 horse covers.

We bought for our Ordnance officers 712,510 complete sets of spur straps, about 36 sets for each officer. We proposed to have our Ordnance officers properly spurred. [Laughter.]

We bought 8,781,516 horseshoes.

We bought 195,000 branding irons.

We ordered 149,456,611 hard-bread cans and used 31,500,000 during the war.

Mr. DAVEY. Will the gentleman yield?

Mr. GRAHAM of Illinois. No; I can not.

Who won the war? Not the present administration. It has but little ground for self-congratulation. It failed in preparedness. It failed in accomplishment. It filled the air with fine phrases and spent the people's money. But I will tell you who won the war. The people, whose great heart was stirred to sacrifice and whose funds flowed out in a golden stream. But above all, it was the man with the gun, the American soldier, the best in the world. He won the war. [Loud applause on the Republican side.]

APPENDIX.

Caliber.	Model.	Number of contracts.	Quantity under contract before suspension.	Value original contract.	Quantity complete and to be completed under contract.	Quantity canceled.	Amount finished and transported to front prior to Nov. 11, 1918.		Number used in combat prior to Nov. 11, 1918.
							Finished.	Transported.	
37-mm. gun	Infantry	6	4,025	$2,251,315	1,200	2,825	826	122	.....
Do	Tank	5	5,083	2,012,910	1,200	3,883	50	.....	.....
3-inch A. A. gun	1918	1	633	2,357,925	169	464	88	.....	.....
3-inch A. A. mounts trailer	1917	2	612	4,896,000	120	492	1	.....	.....
75-mm. A. A. gun	1916	1	51	331,500	51	.....	51	26	.....
75-mm. A. A. mounts truck	.....	2	51	408,000	51	.....	44	26	39
75-mm. gun	1916 (American)	4	1,402	2,264,000	810	592	695	31	.....
75-mm. carriage	.....do.....	5	1,327	8,126,400	363	964	206	26	.....
75-mm. gun	British (1917)	4	2,868	3,030,000	909	1,959	724	124	.....
75-mm. carriage	.....do.....	5	2,927	14,239,500	921	2,006	724	124	.....
75-mm. gun	1897 (French)	2	6,550	14,056,995	1,050	5,500	74	.....	.....

APPENDIX—Continued.

Caliber.	Model.	Number of contracts.	Quantity under contract before suspension.	Value original contract.	Quantity complete and to be completed under contract.	Quantity canceled.	Amount finished and transported to front prior to Nov. 11, 1918.		Number used in combat prior to Nov. 11, 1918.
							Finished.	Transported.	
75-mm. carriage	1897 (French)	1	3,049	$8,521,650	1,300	1,749	291		
75-mm. recuperator	1897	2	3,500	11,392,500	795	2,705	1		
75-mm. carriage limbers	All models	10	5,112	5,623,200	5,112		4,434	980	
75-mm. caissons	1916 and 1918	8	22,587	23,923,060	19,132	3,455	11,954	4,448	
75-mm. limbers	1918	6	22,591	28,125,795	22,591		17,702	4,084	
75-mm. store wagon	1917	4	1,737	2,340,606	860	877	495	109	
75-mm. store limbers	1902 MI	5	1,737	1,737,000	1,737		1,701	109	
75-mm. battery wagon	1917	6	1,746	2,562,799	1,323	423	615	144	
75-mm. forge limber	1902 MI	6	2,320	2,320,000	2,320		1,926	144	
75-mm. battery reel	1917	1	1,904	1,210,944	1,300	1,604	964	456	
75-mm. combined battery and store wagons	1917	2	[1] 327				38		
75-mm. reels (regiment or battalion 1909 MI)	1909 MI	3	2,396	$7,350,928	1,950	446	1,084	739	
75-mm. carts (regiment or battalion)	1918	3	2,396		1,950	446	1,084	739	
4.7-inch guns	1906	4	1,244	6,990,000	417	827	157	64	48
4.7-inch carriage	1906	6	933	7,036,500	425	508	309	64	48
4.7-inch limbers	1905	4	1,059	529,500	683	376	516	64	
4.7-inch caisson	1916 and 1917	2	2,749	4,041,030	1,248	1,501	373	64	
155-mm. gun	1918	2	2,160	33,358,318	562	1,598	71	16	
155-mm. gun carriage	1918	1	1,446	10,266,600	800	646	368	16	
155-mm. gun recuperator	1918	2	1,756	9,896,000	881	875	1		
155-mm. gun carriage limber	1918	1	1,446	723,000	800	646	370		
155-mm. howitzer	1918	3	3,000	20,392,907	1,789	1,211	1,172	2	
155-mm. howitzer carriage	1918	5	2,641	24,927,000	676	1,965	144		
155-mm. howitzer recuperator	1918	1	3,714	14,071,000	1,601	2,113	854		
155-mm. howitzer carriage limber	1918	4	2,575	843,500	700	1,875	207		
155-mm. howitzer caisson	1918	1	8,937	16,389,446	8,937		4,373	552	
8-inch howitzer	M VI and VIII½	7	295	$16,225,000	245	50	173	96	24
8-inch howitzer carriage	M VI and VII	7	295		245	50	173	96	24
9.2-inch howitzer	MI and II	6	100	$7,000,000	1	99			
9.2-inch howitzer carriage	do		100		1	99			
240-mm. howitzer		2	1,160	16,196,745	330	830	1		
240-mm. howitzer carriage, including transportation vehicles.	1918 schedule	2	1,265	50,920,400	320	945	1		
240-mm. howitzer recuperator	do	3	1,571	23,023,000	427	1,144	1		
5-inch S. C. guns		1	28	170,800	28		28	26	
5-inch gun carriage	M1917	1	28	539,000	28		28	26	
6-inch S. C. guns (modification of)		1	78	40,092	77	1	77	74	
6-inch S. C. gun carriage	M1917 and 1917A	3	92	2,024,300	92		92	74	
6-inch limbers		1	37	40,700	1	36			
Firing platform for 6-inch mounts		1	157	800,700		157			
6-inch Navy guns		1	46	133,400	6	40	1		
6-inch gun carriage	M1917, Type B	1	37	647,500	2	35			
7-inch Navy guns		1	12	$240,000	12		12		
7-inch Navy carriages		1	12		12		12		
195-mm. guns		1	2	39,620	2				
8-inch S. C. guns (modification of)		1	77	154,000	62	15	58	6	
8-inch barbette carriage	1918 and 1918 Mk-1	5	47	1,645,000	47		19	3	
8-inch Navy gun (modification of)		1	14	57,400	14				
8-inch, 50-caliber gun	1919 M1	2	25	1,467,500		25			
10-inch S. C. guns (without modification)		1	40	1,020,880	40		40	15	
10-inch S. C. gun (modification)		1	36	108,000		36			
305-mm. railway mounts (sch.):									
Fabricated parts		1	36	$1,248,000	36		16	4	
Additional fabricated parts		1	36		36		8		
10-inch batignolles mounts	1918	1	18	2,772,000		18			
N. G. shell cars		1	180	216,000		180			
N. G. 12-wheel trucks		1	[1] 110	223,850		[2] 110			
N. G. gun transport cars			90	269,100		90			
10-inch ammunition cars		1	36	118,800		36			
12-inch railway carriage	M1918	1	12	1,848,000	12				
12-inch S. C. mortars (without modification)		2	91	531,094	91		91	6	
12-inch mortar carriages	1918	2	91	6,051,000	91		1		
12-inch Chilean guns (caliber 50)		1	6	1,464,906	6		1		
12-inch and 14-inch sliding railway mounts	1918	1	3	621,000	3		1		
12-inch, 20 caliber howitzers	1918	2	121	21,100,000	1	120			
12-inch, 20 caliber howitzer mounts	1919	1	1	106,000	1				
12-inch barbette carriage	1917	4	32	3,200,000	32		20		
14-inch Navy guns	1909 and 1920	4	48	6,190,080	48		6	3	
14-inch mounts		1	6	960,000	6		6	3	
14-inch sch. carriage		1	16	3,600,000		16			
16-inch howitzer	1919	1	62	6,200,000		62			
16-inch howitzer mounts	1918 and E	1	2	167,900	2				

[1] Pair.

[2] Included in completion of battery and store wagon.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield to the gentleman from New York [Mr. SMITH].

Mr. SMITH of New York. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. WELLING. Mr. Chairman, I ask unanimous consent to extend my remarks on the question of the investigation now being conducted by the Federal Trade Commission in dealing with the sugar situation in the West, and in that connection I wish to print a very brief letter from the acting chairman of the commission, Mr. Huston Thompson.

The CHAIRMAN. The gentleman from Utah asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. KINKAID. If the gentleman from New York will further yield, I ask unanimous consent to extend my remarks in the RECORD on the budget scheme.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. GREEN of Iowa. If the gentleman from New York will further yield, Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the subject of national taxation.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD on the subject of national taxation. Is there objection? [After a pause.] The Chair hears none.

Mr. DONOVAN. Mr. Chairman, I ask unanimous consent to extend my remarks on the question of war expenditures pertaining to the Subcommittee on Quartermasters, of which I am a member.

The CHAIRMAN. The gentleman from New York [Mr. DONOVAN] asks unanimous consent to extend his remarks in the RECORD in the manner indicated by him. Is there objection? [After a pause.] The Chair hears none.

The gentleman from New York [Mr. SMITH] is recognized.

Mr. SMITH of New York. Mr. Chairman, as an American and an American Congressman I can not ignore Ireland's just plea in her struggle for independence. To my mind for us to view with unconcern her pleadings for freedom, to permit her to stand out as the only white country barred from the family of nations, would be the basest sort of ingratitude—a reflection on our national honor and a violation of American ideals and traditions.

We have gloried always in the distinction, and rightly so, of being universally regarded as the champion of popular rights and the friend and advocate of oppressed and liberty-seeking peoples. And we have the consolation of knowing that our actions in the past justify that gratifying distinction. Hence it is but natural that the Irish people should turn to us in their hour of stress as our forefathers turned to theirs for aid in Revolutionary days.

And what are we asked to do? To extend to Ireland the same whole-hearted American support which under similar circumstances we gave the South American colonies; Cuba and the Philippines when they rose against Spain; and the Greeks rose against the Turks, the French against the Bourbons, the Poles against the Russians, and the Hungarians against the Austrians. And let us remember that this just appeal comes to us at a time when we rejoice to see the territories that were once Poland's resurrected by the Allies, the Czechoslavs and the Jugoslavs restored to their own, and Palestine freed from the clutches of the unspeakable Turks.

In view of all these events, who in this House, at a time like this, hesitates to extend a helping hand to the red-blooded white people of Ireland, whose sons for centuries have been fighting and bleeding for right and justice, who have poured out their blood on American battle fields as a free offering to the cause of American independence, and who have done the same in every war in every land where the issue was the sacred one of human freedom?

Let us not forget that Ireland is demanding the same rights from England that our ancestors demanded from that Government in 1776—the right to government only by the consent of the governed; that she asks only for the application of the principles embodied in the American Declaration of Independence, principles that won the Revolutionary War, principles for which Irishmen fought and died in that war.

Whether you will or not, the Irish question stands out boldly as a problem of the hour, a problem that not only concerns the welfare of America, but the welfare of the world. It stands out as a question of justice, right, and humanity. And manifestly, if the application of these principles is denied Ireland, there can be no lasting peace in the world, either within or without a League of Nations, so long as she or any other nationality is denied the right of self-government.

The world is weary of war and weary, too, of political hypocrisy and sham. In the present crisis the best friend England would have is the one that would solve the Irish problem by convincing her that a war which fails to bring justice will certainly fail to bring peace.

Let us contemplate the situation on the other side. The British Empire, one of the Allies for whose preservation America sacrificed her sons, expended billions, supplied the bulk of material resources, incurred a staggering debt, now begs us, in the name of a bankrupt world, a starving humanity, to feed the population of Europe, to postpone payment of their debts, to accept mandates, to support newly created independent nationalities, while at the same time she hurls into Ireland an army of soldiers with all the deadly engines of destruction and implements of war to destroy an unarmed, God-fearing, civilized, patriotic race of white men, whose demand for the right of self-government has ever been asserted and will continue to be asserted, until, with or without the assistance of the United States, they will create a free and independent Ireland among the nations of the earth.

Twelve months ago the gentleman from Illinois introduced a bill designed to help Ireland, known as the Mason bill, which was referred to the Committee on Foreign Affairs.

Why in the name of American straightforwardness have the Republicans, as sponsors for that bill, evaded the performance of their duty and broken their word by failing to report it?

Single-handed and alone, on the Republican side, the gentleman from Illinois fought a desperate fight for his original resolution. We aided him at every turn. Driven back by the Tories on his side, he never yielded, but extorted from his party friends the resolution which was finally reported. They yielded it only in fear of the consequences of their refusal of his first proposition, and knowing they had in the Speaker's hands the weapon which would torpedo the bill by a refusal to recognize anyone to move it. The gentleman from Illinois did not fear to brook the wrath of his party organization and machine. He demanded recognition of the Speaker and met a blunt, positive refusal. Let him tell the tale of how the Republican Speaker of a Republican House strangled the resolution to express sympathy with Ireland in the idle hours it recessed on its last day.

Mr. MASON says for publication:

Speaker GILLETT has informed me that a motion to bring up the Irish resolution will not be considered at this session. As the Speaker's decision, under the rules, is final, and I can see no way to change his views, it is a waste of effort to struggle further against the influences which have caused delay upon delay, and postponed a report to the House until the closing hours of the session, when there is a tremendous pressure of business.

For months I have labored to secure action. The hearing was held December 12; the chairman never issued a call for a committee meeting to vote on my bill until May 24, and the meeting was then continued to May 27. Those American citizens interested in securing definite action have a right to feel aggrieved. It is not fair to avoid responsibility by delaying action until it becomes plausible to plead too much business to consider the cause of freedom for an oppressed people.

My original bill provided for a direct appropriation for diplomatic representatives to the Republic of Ireland. Mr. FLOOD, the leading Democratic Member, stated, in substance, that he could not support that form of resolution, and in fact a majority of the committee was clearly against me, although we have had no roll call on that question.

With the approval of the real friends of Irish freedom, I consented to adopt practically the Texas resolution, and we could not be sure of a majority for that.

Afterwards we agreed on a very modest resolution which expressed the hope of Congress that Ireland would have a government of its own choice and this was reported favorably. I think the vote was 11 to 7.

The resolution is not dead, but will have to sleep until the reconvening of Congress. Two-thirds of both Houses have shown by past votes favor toward this resolution, in substance. The House, in the last Congress, by an overwhelming two-thirds vote, expressed the hope that the peace conference would favorably consider independence for Ireland, and the Senate, by a unanimous vote, lacking one, has approved this thought.

For months I have realized and stated in the committee that my resolution was being chloroformed, but there is a favorable report now and I am thankful for being able to go as far as we have, and we are just beginning.

The real friends of Irish freedom here, represented by the National Bureau of Information, supported by American citizens, have been very fair, have conducted their affairs in a dignified and respectful way, and have always acted in accordance with the laws and customs of the country in presenting their petitions, in which they were entirely within their legal rights.

I confess I am leaving disappointed at the ruling of the Speaker, but whatever is done by this Congress, at the next session of Congress, in my opinion, the American people who believe in self-government will elect representatives who will express their opinion for the benefit of all the world. It will be done repeatedly as it has in the past entirely under the American policy established for more than 100 years to peacefully and respectfully give recognition without intervention.

I used to get discouraged at times when so many of our people were opposed to a Cuban Republic. But it has come through, and Cuba is one of our best friends. So, in my humble opinion the Irish Republic will come through without bloodshed and take its place among the nations friendly to Great Britain and to all the world, and men living now will wonder how and why it was delayed so long.

You may search, if you will, the records of the proceedings of this House from the time the first Congress assembled to legislate for the United States and nowhere in its archives will you find such an exhibition of craven mind, of ungrateful soul, of disregard of the principles of right and justice, of hypocrisy and sham, and of such shameful treatment of a great race as you have in the story of the Mason resolution and the efforts of the friends of Ireland to obtain congressional assistance.

Well might the disillusioned men and women of Irish blood now say:

> Be these juggling fiends no more believed
> That palter with us in a doube sense,
> That keep the word of promise to our ear
> And break it to our hope.

The Republican majority should have long since reported and passed the Mason bill or a similar one for the relief of Ireland. By so doing it would have followed one of its few worthy traditions.

Let me remind you that Daniel Webster, the great Secretary of State of the Whig Party, the ancestor of the Republican Party, met a situation almost parallel to Ireland's and did not hestitate to act and to proclaim bold, courageous American principles. It was in 1848, in the controversy between the United States and Austria, when Webster declared that Austria could have no grievance if the United States should see fit to recognize the independence of Hungary.

During the revolutionary movement in Hungary President Taylor sent a confidential agent to Vienna to ascertain the progress and probable result of the movement and the true state of affairs by personal observation. Learning of this action, the Austrian Government protested on the ground that it was an interference in the domestic affairs of that empire, disrespectful towards her, and that it was impossible to reconcile such a mission with the principle of nonintervention announced

by the United States as the basis of American policy. Objections were made generally against all interference in the internal affairs of the Austrian Government. Austria went so far as to threaten retaliation if this country continued to take an indirect part in the political movements of Europe.

In his reply to the Austrian note Daniel Webster maintained that the steps taken by President Taylor were consistent with the neutral policy which had invariably guided our Government in its foreign relations as well as with the established and settled principles of national intercourse and the doctrine of public law.

In the light of current events it may be interesting to quote Mr. Webster in full. This is taken from the correspondence between him and the Chevalier Hulsemann, chargé d'affaires of his Majesty the Emperor of Austria, and may be found in the writings and speeches of Daniel Webster. Mr. Webster declared:

The Government and people of the United States, like other intelligent governments and communities, take a lively interest in the movements and events of this remarkable age, in whatever part of the world they may be exhibited. But the interest taken by the United States in those events has not proceeded from any disposition to depart from that neutrality toward foreign powers which is among the deepest principles of the most cherished traditions of the political history of the Union. It has been the necessary effect of the unexampled character of the events themselves which could not fail to arrest the attention of the contemporary world, as they will doubtless fill a memorable page in history. But I go further and freely admit that, in proportion as these extraordinary events appeared to have their origin and those great ideas of popular and responsible government, on which the American constitutions themselves are wholly founded, they could not but command the warm sympathy of our people. Well-known circumstances in their history, indeed their whole country, have made them the representatives of purely popular principles of government. In this light they now stand before the world. They could not, if they would, conceal their character, their condition, or their destiny. They could not, if they desired it, suppress either the thoughts or the hopes which rise in men's minds, in other countries, from contemplating their successful example of free government. True, indeed, it is that the prevalence on the other continent of sentiments favorable to republican liberty is the result of the reaction of America upon Europe; and the source and center of this reaction has doubtless been, and now is, in these United States. Certainly the United States may be pardoned, even by those who profess adherence to the principles of absolute government, if they entertain an ardent affection for those popular forms of political organization which have so rapidly advanced their own prosperity and happiness and enabled them to bring their country and the hemisphere to which it belongs to the notice and respectful regard, not to say the admiration, of the civilized world. Nevertheless, the United States have abstained, at all times, from acts of interference with the political changes of Europe. They can not, however, fail to cherish always a lively interest in the fortunes of nations struggling for institutions like their own. But this sympathy, so far from being necessarily a hostile feeling toward any of the parties to these great national struggles, is quite consistent with amicable relations with them all.

The Hungarian people are three or four times as numerous as the inhabitants of the United States were when the American Revolution broke out. They possessed, in a distinct language and in other respects, important elements of a separate nationality which the Anglo-Saxon race in this country did not possess, and if the United States wish success to other countries contending for popular constitutions and national independence, it is only because they regard such constitutions not as imaginary but as real blessings. When the people of the United States behold the people of foreign countries spontaneously moving toward the adoption of institutions like their own, it surely can not be expected of them to remain wholly indifferent spectators.

Mr. Webster then went on to explain that in the year 1848 a number of Hungarians came to the United States, among them individuals representing the revolutionary government, to urge the President to recognize the existence of that government. Mr. Webster continued:

In these applications and in the manner in which they were viewed by the President, there was nothing unusual; still less was there anything unauthorized by the law of nations. It is the right of every independent State to enter into friendly relations with every other independent State. Of course, questions of prudence arise in reference to new States, brought by successful revolutions into the family of nations; but it is not to be required of neutral powers that they should await the recognition of a new government by the parent State. No principle of public law has been more frequently acted upon within the last 30 years by the great powers of the world than this. Within that period 8 or 10 new States have established independent governments within the limits of the colonial dominions of Spain, upon this continent; and in Europe the same thing has been done by Belgium and Greece.

The existence of all these governments was recognized by some of the leading powers of Europe as well as by the United States before it was acknowledged by the States from which they had separated themselves. If, therefore, the United States has gone so far as to acknowledge the independence of Hungary although, as the result has proved, it would have been a precipitate step, and one from which no benefit would have resulted to either party, it would not, nevertheless, have been an act against the law of nations, provided they took no part in her contest with Austria.

In closing his letter Mr. Webster added:

You may be assured that while performing with strict and exact fidelity all their neutral duties, nothing will deter either the Government or the people of the United States in exercising, at their discretion, the rights belonging to them as an independent Nation, and of forming an expression of their own opinion freely, at all times, upon the great political events which may transpire among the civilized nations of the earth. Their own institutions stand upon the broadest principles of civil liberty, and believing those principles and the fundamental law in which they are embodied to be eminently favorable to the prosperity of States, to be, in fact, the only principles of government which meet the demands of the present enlightened age, it may be regarded as certain that our principles and policy will not be abandoned from until some extraordinary change shall take place in the general current of human affairs.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back four minutes.

Mr. SMITH of Idaho. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the subject of the public-land laws.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. CHINDBLOM. Mr. Chairman, I ask unanimous consent to extend my remarks on the cost of the war.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CANDLER. Mr. Chairman, a few days ago I obtained unanimous consent to extend my remarks on the subject of the Tombigbee River, but I fail to find it in the RECORD and I can not locate the date. I therefore ask unanimous consent again.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to extend his remarks in the RECORD on the subject of the Tombigbee River. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, I yield 20 minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WILSON of Louisiana. Mr. Chairman, will the gentleman from Indiana yield a moment?

Mr. WOOD of Indiana. Yes.

Mr. WILSON of Louisiana. I ask unanimous consent, Mr. Chairman, to extend my remarks upon past legislation and pending legislation at this session.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to extend his remarks as indicated. Is there objection?

Mr. WALSH. Reserving the right to object, Mr. Chairman, what particular legislation? Does that include the soldiers' bonus?

Mr. WILSON of Louisiana. No; nothing about the bonus.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Indiana [Mr. WOOD] is recognized for 20 minutes.

Mr. WOOD of Indiana. Mr. Chairman and gentlemen of the committee, when Mr. Herbert Hoover, expatriated American, condescended to come back from the home of his adoption to the land of his birth he brought back a great number of pat and catchy phrases. He came here, as you remember, as the purchasing agent of the Allies. He remained the purchasing agent of the Allies until the close of the war, notwithstanding the fact that during all of the time after we entered the war he was the food conservator of the United States.

Amongst other things, during the war he said that we should save more in order that we might help to feed the Allies. After the war was over he said that we should save more to help feed starving Europe. That was the slogan that went from one end of the country to the other. It is the slogan that is now going from one end of the country to the other. The invention of Mr. Hoover, it has found its place upon every billboard throughout the United States. It has found its place in almost every passenger car on all the railroads throughout the country.

I wish very briefly to call your attention to some of the results of the propaganda instituted by Mr. Hoover, which is now still being promulgated. As a result of this propaganda we find this spectacle presented at this time: That there are millions and millions and millions of pounds of bacon and ham and frozen meat taken away from the United States and from those who need it here for the purpose of feeding people across on the other side of the sea, food that is now being sold, if you please, at a penny a pound to the soap boilers of Europe. That is not all of it. There are millions and millions of pounds in cold storage upon this side awaiting shipping vessels to go over and still further glut the market on the other side. Yet we are told that there is a shortage over there.

I wish to call attention very briefly to some corroboration of the facts that I have just stated. I call your attention to a copy of the Liverpool Daily Post and Mercury of April 27, 1920, and wish very briefly to read you some extracts from that paper. I read:

FOOD MINISTRY PROFITEERING—THE EVILS OF CONTROL—CONCLUDING ARTICLE.

(By Boyd Cable.)

The frozen-meat scandal has been fairly well exposed, and the public know to some extent the appalling waste of good food which has resulted from control, is still resulting, and is going to continue to result.

The cold storage is crammed and packed with meat; ships are arriving every day with more cargoes for which there is absolutely no room; meat is going bad and being sent to the soap-boiling works; and yet the price is held up to an average 9d., at which it does not sell. Meat is being pushed onto the retailers to-day which has been anything up to two years in store; and the excuse for not reducing prices to a level at which the meat might sell and clear the glut is that there is a "world shortage."

Here are some facts of the "world shortage" bogey in the frozen-meat trade. There is more of this meat available for export to-day than ever there was; there is greater frozen storage capacity; there is greater refrigerator steamer capacity. And consumption is much less. In 1913 world production of frozen meat was 767,000 tons. In 1919 it had risen to 1,078,000 tons—nearly 40 per cent increase. Consumption has fallen. In 1913 the consumption in the United Kingdom was 720,000 tons (out of the world's 767,000 tons), but in 1919 we consumed only 500,000 tons.

There is no world shortage of frozen meat; there is not the faintest prospect of a shortage within present-day reckoning of any experts in the trade. The cry of "world shortage" is only useful as an excuse for maintaining high prices.

THE BACON BUNGLE.

The bacon business again has been another horrible example of official muddling and waste. Bacon was decontrolled in March last year. Prices, after decontrol, rose for the good and sufficient reason that the value of the English pound had fallen in American exchange by about a corresponding amount of the increased price of bacon. The ministry took the rising price as an excuse to requisition the arriving supplies and resume control. The price had then risen to 2s. 8d. a pound, and that price, after nearly a year's control, remains to-day. If the private traders were, as the ministry asserted, profiteering at this price of 2s. 8d., is the ministry profiteering to-day at the same price? If the ministry is not profiteering because the fallen value of the English pound maintains the higher price, the same excuse would have held good for the traders.

But under control there has been heavy loss and waste. I know that the ministry blame the bacon going bad on the traders and say it is the requisitioned supplies which are being destroyed. But there are 40,000 boxes of this bacon still in store—bacon seized here last August and which the trade intended to have on the market in a few weeks. Little wonder it is going bad. Only a few days ago the Press reported a case of a box of bacon being issued to the trade bearing the date it went into cold storage—June, 1919. Is it surprising that the imported bacon we are forced to buy is unfit to eat?

MORE STALE BACON TO COME.

The Government have been so harried by complaints of the glut of bacon in the country that they have been restricting imports, and now point proudly to the fact that there is only about three or four weeks' supply in the country. One might imagine from this that in a month from now we shall be getting only fresh imported bacon to eat. The fact is that the bacon is lying in cold storage in America instead of here. There are 450,000 quarter-ton boxes of bacon belonging to the ministry lying in America to-day. So we shall go on eating months-old stale and unpalatable controlled bacon for many months to come.

A few weeks ago a statement was published by the Liverpool Provision Trade Association and the Home and Foreign Produce Exchange, in which they said that in August last, when the Government "commandeered" the supplies, bacon was on the spot and arriving to an extent of about 100,000 tons, at an average price of £185 per ton; and that "thousands of boxes (weighing four to the ton) have been sold by authority of the ministry to soap boilers and others at a loss of about £160 per ton." Other thousands of tons had been sold to the Continent and buyers here for about £45 a ton, and more hundreds of tons were still waiting to be sold and boiled down.

Under private trading bacon importers took their own risks in importing. If the goods did not sell quickly enough, the prices had to be lowered until the bacon sold freely. If the trader was fool enough to hold his stocks until they went bad and had to be sold to the soap boiler, the trader had to pay the loss. Under control we get bacon so inferior and salt-saturated that people will hardly buy it, and if stocks go bad and are condemned as unfit for human food, the taxpayer bears the loss.

RICE PROFITEERING.

Every now and then you may have read nice, plausible paragraphs in the press giving reasons for the rising price of rice—how the crop in this place or that had failed, how freight had risen, and so on. There is a strong suspicion that these paragraphs emanate from the ministry of food's publicity department, and certainly they have never made any mention of other and sounder reasons for the rising price—the profiteering of the ministry, for instance.

In 1918 the Government bought rice from Burma shippers at £8 a ton. Freight, insurance, etc., added, say, £3 10s. a ton, making purchase cost of about £11 10s. a ton. The same rice was sold to the trade at £26 10s. a ton—£15 profit to the Government on its purchase price of £11 10s. The Government is said by those who ought to know to have made £12,000,000 profit on one season's dealing in rice.

Now, the purchase price has risen, and, averaging the price they paid for the old and for the new rice, the Government will be paying about £37 10s. a ton. But the price has been put up to 7d., and the Government is still making about £11 a ton profit.

We are told nowadays that there is going to be a shortage of potatoes, and with the increased price of bread and the relief on the poor-class purse that might have been afforded by the substitution of more potatoes for bread, this is a very serious matter. The shortage can be traced distinctly to the evil effects of past control methods, the waste that resulted, and the unfair dealing of the Government.

During the last shortage the Government urged farmers to grow more potatoes, promising to take these over at a good price, and ordering them to hold them for instructions as to where and when they were to be sold. As a result thousands of tons of potatoes were grown, and the farmers obediently put these in pits and awaited instructions. In many an instance the instructions never came, and when the farmers wrote the ministry, pointing out that the potatoes were likely to go bad unless lifted soon, they were simply told to hold on to the crop and "wait instructions." To cut a long story short, there are thousands of tons of potatoes scattered over the length and breadth of the country rotted in the pits because the ministry would not allow the owners to sell them. In many other cases the ministry took over the potatoes, but have not yet paid the farmer for them, and in the last week or two committees of farmers have been forming to press the ministry for payment of potatoes taken over in 1918 and for others which were never taken over but rotted where they lay because the farmer was forbidden to sell them.

Now, when potatoes are again being controlled and the farmers are being asked to increase their potato crop it is hardly surprising that they turn a deaf ear to the urging, remembering their past treatment. So we are going to be short of potatoes this year, thanks in large part to control. And this time not even the pigs benefited by the control bungle, because the potatoes were left to rot in the pits, and are still there.

SOCIALIST SUPPORT OF CONTROL.

One finds it hard to understand why the Labor Socialists should be doing their utmost to support this system of control and to favor fastening it on the country for another term of years. One explanation is to be found in the craze of a section of the socialists for any form of "nationalization" and State trading at any price. Another apparently is in the desire of the Labor Party to make a profitable alliance with the Cooperative Party, the State buying and selling all food and the cooperatives distributing it—for the sound reason that in the past the "co-ops" have supported strikes by grants of money, by distribution of goods, and by other valuable means. This may be good business for the labor and socialist extremists, and the aim of the cooperative parties may well be to gain the support of the labor vote; but there are many sound members of the societies who view with alarm the swallowing of the co-ops by the socialists and the use of co-op funds to foster and help strikes and spread socialist propaganda, and certainly the public may jib at being made to pay extortionate food prices because of the whims and the aims of either socialist, cooperative, or any other section of the community.

The excuse given by the socialists for backing control is that it is the preventive of private profiteering. I hope I have shown clearly where this is wrong and how control opens doors to retailers profiteering, and how the food ministry is amongst the worst and most voracious of the food profiteers. I have been told that it can not be called profiteering if the Government makes ten millions on sugar or £7 on an £8 case of eggs, because this profit comes back to the country and helps to relieve taxation. It does not. It is relief to no one if dates and bacon and frozen meat go by the hundred and thousand of tons to the manure works, the pigs, and the destructors.

WASTED PROFITS.

Instead of profits coming back to the country, they are wasted in bad and inefficient methods of ministry business ways or swallowed up in the millions spent on salaries and expenses and official "publicity" to persuade the public that control is beneficial, and that the ministry bureaucrats must be kept in their comfortable jobs. And even if the profits come back to the country the principle is unsound and bad, because the public don't know that high food prices are due to Government profiteering, because, as I have shown, control hits hardest the poorer classes, who can't afford high prices, and because by fostering a belief that private traders and retailers are making the high prices and extortionate profits, the workers are being goaded into rebellion, angered beyond forbearance, and spurred harder into the class war that is such a menace to-day.

There are few who will not admit that control was a necessity during the war. There are few (except those whose persons or pockets would suffer by decontrol) who are not convinced that the sooner control is abolished now the better for the public.

Even the belief that control prevents private profiteering is not sufficient excuse for keeping it on food, because it would be perfectly simple to devise and work a scheme cheaply and efficiently whereby control could be kept over profits and traders prevented from making too high prices and profits. The first thing we want to abolish is the system of Government buying and selling of food—buying badly in many cases, handling inefficiently and wastefully, and selling dearly. Until we get rid of the system there can be little hope of lower food prices.

Mr. BLANTON. How is that—45 pounds a ton? Is that pounds sterling?

Mr. WOOD of Indiana. Yes.

Now, that is the situation existing to-day, so far as frozen meat and bacon are concerned in England; and notwithstanding that fact we find this in the public press—I cut this out of the Washington Times of Sunday last:

BEEF WAITS SHIPMENT.

PORTLAND, ME., *May 30.*

Six million pounds of frozen beef will be shipped to Germany and other countries of central Europe on the British steamship *Armagh*, which arrived here yesterday from Boston on her way to Hamburg. The beef was sent here by western packers.

And what is true with reference to Portland is also true with reference to the millions of pounds that are stored in other cold-storage houses awaiting shipment to Europe.

Now, what is the result? We find here one of the great reasons for the high cost of living, and it is an absolute waste, for the reason that it is benefiting no one. We are sacrificing, to the detriment of the American consumer, the meat of this country to be sent across upon the other side, there to be sold to the soap boilers of Europe.

There is another thing to which I wish to call the attention of the committee. We are going to have the greatest shortage of food next year that we have had since long before the war, by reason of the shortage of labor. The great agricultural sections of the West—Iowa, Indiana, and Illinois—will produce from 20 to 25 per cent less cereal products this year than they have produced in the last five years. And what is true of the section I have mentioned is also true throughout the southland, and it is true throughout the northland. There are 18,000 farms in Michigan to-day that are idle because no one can be found to tend them.

With that condition confronting us, what is going to be the result to this country within the next nine months and during the next winter?

And here is another thing to which I wish to call attention: We have this day in every commercial center factories closing by the score for the lack of coal. One of the great universities in Indiana, unless it speedily finds relief, must close down in a very short time because it can not get coal. A gentleman telephoned to me to-day who came all the way from Indiana down to West Virginia to see if he could get coal there, and he told me this is the condition that he found: The proprietors of the coal mines say, "We can not get cars sufficient to satisfy our export trade, but if you will pay us the export price we will see to it that you get a little coal to tide you over," the export price being for smokeless coal from $8 to $12 per ton.

Mr. BLANTON. Mr. Chairman, right there will the distinguished gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. BLANTON. I heard the distinguished gentleman this morning ask the majority leader whether an opportunity would be given him to go into this question by considering a certain resolution which he had. Is the gentleman going to let it stop there? Is he going to let the women and children of this country freeze to death next winter?

Mr. WOOD of Indiana. I wish to call attention to the condition that is confronting us and to what the probable result will be; and if I felt that I could get sufficient support I would introduce to-morrow morning into this House a bill putting an embargo upon the shipment of coal out of this country until our domestic demands could be supplied.

Mr. BLANTON. I will give the gentleman one vote on it.

Mr. WOOD of Indiana. I am glad to have that much encouragement. The Interstate Commerce Commission tell me that they are powerless to remedy this condition. I asked them whether it was not within their province to say to these coal-mine owners, "You shall not receive cars or have any cars unless you use them to satisfy the domestic demand." The Interstate Commerce Commission say that there is no law authorizing them to put that kind of a condition upon their furnishing these cars. What is the result? We find that every eastern terminal to-day is crowded with cars, all the sidetracks taken up with cars awaiting a chance to ship coal abroad; and I am informed by the Interstate Commerce Commission that when they say to them that the demurrage charge will be enforced against them they simply smile and say, "It will be added to the export price," and they are getting, if you please, $30 a ton for coal in London. That is the condition that is confronting the American people—with our factories closing down and men being thrown out of employment, and with the winter not so far off, contracts for the delivery of coal to fill the bins of the American consumers next winter are being evaded. Where dealers have held off in the hope that there would be a reduction in price they can not get a contract to-day of any character. That is especially true throughout the Northwest, and I am informed that it is equally true throughout the East.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. CHINDBLOM. Is not the gentleman aware that foreign buyers are bidding against American buyers and offering large bonuses?

Mr. WOOD of Indiana. There is not a bit of doubt about it. They are sending checks here in blank to be filled out by the sellers of coal at any price they see fit. So we have this trouble. There is not only a shortage of coal cars in this country, but the miners are taking advantage of that fact, and they say to the domestic buyer, "We can not get the cars," but when they do get the cars then they say to the domestic buyers, "We have not sufficient cars to satisfy our foreign trade, but if you will pay us the export price we will see that you get a little."

Mr. VAILE. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. VAILE. By way of confirmation of what the gentleman says, I will say that two or three days ago I talked with a gentleman representing the Dutch Government, and he told me that he was buying $2,000,000 worth of coal a month in the United States for use in Holland.

Mr. BLANTON. For the Kaiser to burn?

Mr. WOOD of Indiana. Take the price of American coal to-day in London, and it is $30 a ton, and these gentlemen, as long as they are permitted without some affirmative law whereby they will be compelled to satisfy domestic trade, will continue to take this export price. So I say that, we being cognizant of the facts, the responsibility is on us.

Somebody says that the President of the United States, in the exercise of his good offices, can call us back if this thing is not relieved in a short time. We all know that the President is in a very precarious condition. God will and I hope he may recover from his affliction, but what his condition may be in a few weeks or months immediately ahead of us none of us can predict.

If he keeps constantly growing worse and gets in that condition where he can not exercise his presidential will, and not being officially disqualified so that the Vice President can act in his stead, the American people will hold the American Congress responsible for this condition that is now confronting us. While we are still in session we should not allow the opportunity to pass without at least placing ourselves in a position whereby we can remedy this situation. It is the American Congress to whom the people of this country are looking for relief, and we will fall short of the duty resting upon us unless we afford some remedy for relief.

What is true of coal is likewise true of provisions and meats, as I have shown you from the article I have read from Mercury.

The trades people of Europe are calling attention to the fact that millions and millions of pounds of beef and various other products are going to waste there and that they are all being brought from the United States in large quantities.

I have told you the facts as I have gleaned them, corroborated by evidence not only on this side as to what is going on but by evidence that comes back to us from the other side, and I dare say that the statement I have read to you you have not seen in a single American paper. The papers that I have in my hand were received from a gentleman just back from the other side, who wondered because these things had not been brought to the attention of the American people. That they are true there is no doubt.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back one minute.

Mr. BLANTON. Mr. Chairman, I make the point of no quorum. We have been here 10 hours and 23 minutes on a stretch.

Mr. GOOD. Will the gentleman withhold that for one more speech?

Mr. BLANTON. I will withdraw the point.

Mr. BYRNES of South Carolina. I yield 10 minutes to the gentleman from Oklahoma [Mr. HOWARD].

Mr. LUHRING. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing a review of some legislation I have supported and some work I have done here.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. HOWARD. Mr. Chairman, some of you may think that I arise to criticize the speech just made by the gentleman from Indiana, but realizing that Mr. Hoover might be the nominee of the great Republican convention in Chicago next week the only suggestion that I have is that the gentleman do not print his speech condemning Mr. Hoover and the hundreds of thousands of Republicans in this country who want to see Hoover nominated until after the results of that convention have been announced, and then if he is not nominated I assure the gentleman that the Democrats will gladly welcome any criticism of Mr. Hoover and his Republican followers that he and his stand-pat Republican friends see fit to make.

Mr. Chairman, I have listened with interest to the plea in behalf of the agricultural interests of this country just made by the distinguished gentleman from Missouri [Mr. NELSON], and I can not proceed, in the time allotted me to-day, after listening to his discourse and realizing his knowledge of and interest in agriculture, without congratulating the people of his district and those of the United States upon sending him to Congress and of indulging the hope that every man or woman in the United States interested in agriculture will recognize his ability and interest in agriculture and see to it that he is continued as a Member of the United States Congress. [Applause.]

Mr. Chairman, a few days ago the distinguished gentleman from Massachusetts [Mr. TREADWAY] called attention to the lack of legislation on the part of this Congress in behalf of the postal employees of the country and plead with the Congress for favorable action on a measure looking to their relief before the contemplated adjournment on June 5.

I arise to add my plea in behalf of the faithful, overworked, and underpaid postal employees of the United States Government. It seems to me that this Congress, having been in session practically all the time since May 19, 1919, has had ample time to have taken action on this matter.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. Yes.

Mr. HUDSPETH. Has the gentleman read the bill which has been reported out from the Committee on the Post Office and Post Roads?

Mr. HOWARD. I have not; but I understand a bill has been reported. But I am also aware of the fact that there are thousands of other bills on the calendar which will not pass, and it is my interest in this bill that causes me to rise and make the plea that I have.

Mr. HUDSPETH. I have read the bill, and it gives a slight increase to postal employees, but in my judgment not a sufficient increase to meet the high cost of living.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. Yes.

Mr. MONDELL. The gentleman is aware that this Congress has twice increased the pay of postal employees, is he not?

Mr. HOWARD. Yes.

Mr. MONDELL. Why does the gentleman express surprise that Congress has not paid any attention to their demands?

Mr. HOWARD. Because this increase made for the benefit of our postal employees is only of a temporary nature, and I think the conditions of the service are such that permanent relief should be extended and that postal employees should know, as you and I know, what is going to be their fate in the future.

Mr. MONDELL. On the contrary, the increases that have been made are not temporary.

Mr. HOWARD. I must decline to yield further.

No member of Congress and no citizen of the United States who has given any thought at all to the matter denies but what the postal employees are entitled to relief.

It is a reflection on the Congress that these employees who have been faithful throughout it all have been neglected by this Congress as they have been. I can not see any excuse for this neglect. This Congress has found time to appropriate millions of dollars to settle war claims of wealthy manufacturers and contractors. It has found plenty of time to waste many dollars of the people's money investigating the actions of the administration and our soldiers during the war. It has found time to pass many measures not as meritorious as the claims of these postal employees. It has found time to waste hundreds of pages of the CONGRESSIONAL RECORD and many, many hours of time in making political speeches and playing politics, and yet it has been unable to find time to take up and pass measures allowing to these postal employees the justice and equity to which they are entitled.

Our Postal Service is one of the most efficient departments of our Government. It is one of the most necessary departments to the benefit and convenience of the entire people. It has been through the faithfulness of these employees, whose families have been and are suffering by reason of the neglect of this Congress, that this efficiency and convenience has been brought about. They work for us faithfully throughout the day and throughout the night, under any and all circumstances and in any and all weather. It is now contemplated that on Saturday this Congress shall adjourn. Some are to hie themselves away on pleasure trips and foreign junkets; others will spend vacations at the seashore and in the mountains; others of us will content ourselves in our districts working for and urging our own interests. During all this time these faithful employees, still suffering by lack of recognition unless we act at once, will continue to serve us in their well-known faithful manner. And, Mr. Speaker, I urge and plead with this Congress that before the gavel of the Speaker shall finally fall upon this session that we stop long enough to take up and pass some measure extending to these faithful and neglected employees of the Postal Service the equity and justice to which they are entitled. [Applause.]

Mr. GOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the general deficiency appropriation bill, H. R. 14335, and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. GANDY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the subjects of Indian legislation and affairs, also inserting a personal statement relative to my service in Congress and on the subject of necessity for legislation regarding peyote or mescale, and in connection therewith to include a short editorial from the Outlook.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

SENATE CONCURRENT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, the following resolution was taken from the Speaker's table and referred to its appropriate committee as indicated below:

Senate concurrent resolution 27.

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby respectfully declines to grant to the Executive the power to accept a mandate over Armenia as requested in the message of the President dated May 24, 1920—

to the Committee on Foreign Affairs.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles, when the Speaker signed the same:

H. R. 4927. An act for the relief of Nancy A. Parsons, C. M. Parsons, D. F. Staggs, Ollie Staggs, Rosa Staggs, Lena Birchfield, Alice Birchfield, Bertie Gwin, Greely Gilbert, Linville Gilbert, and Nelson Gilbert;

H. R. 5807. An act for the relief of John T. Adams;

H. R. 10115. An act for the relief of Harvey R. Butcher;

H. R. 11030. An act for the relief of the Woodford Bank & Trust Co., of Versailles, Ky.; and

H. J. Res. 336. Joint resolution authorizing the Secretary of War to loan to the Albert Sidney Johnston Camp, United Confederate Veterans, No. 1820, Fort Worth, Tex., 100 tents and cots for the use of Confederate Veterans at the reunion of said camp June 24 to 27, inclusive, 1920.

H. R. 10317. An act for the relief of Blanche Utley;

H. R. 1827. An act for the relief of Carolyn Wheeler Kobbe;

H. R. 2396. An act for the relief of John A. Gauley;

H. R. 6198. An act authorizing payment of compensation to Swanhild Sims for personal injuries;

H. R. 9048. An act for the relief of Catherina Rea, administratrix of the estate of John Rea;

H. R. 9583. An act for the relief of Edward A. Purdy, postmaster of the city of Minneapolis, Minn., for postage stamps, postal-savings stamps, war-savings stamps, war-tax revenue stamps, and cash from money orders stolen from the branch post office at Minneapolis, Minn., commonly known and described as the traffic station and located at No. 621–623 First Avenue North, in said city;

H. R. 1309. An act for the relief of Perry L. Haynes;

H. R. 11398. An act for the creation of the Custer State Park Game Sanctuary, in the State of South Dakota, and for other purposes;

H. R. 9392. An act regulating the disposition of lands formerly embraced in the grants to the Oregon & California Railroad Co. and Coos Bay Wagon Road Co.;

H. R. 9783. An act to provide a national budget system and an independent audit of Government accounts, and for other purposes;

H. R. 3212. An act for the relief of legal representative of George E. Payne, deceased; and

H. J. Res. 370. Joint resolution to amend an act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921," approved May 31, 1920.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. J. Res. 170. Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes;

S. 4411. An act granting the consent of Congress to the counties of Pembina, N. Dak., and Kittson, Minn., to construct a bridge across the Red River of the North at or near the city of Pembina, N. Dak.; and

S. 2890. An act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes.

ORDER OF BUSINESS—CALENDAR WEDNESDAY.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to dispense with Calendar Wednesday business to-morrow.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 35 minutes p. m.) in accordance with the order heretofore made the House adjourned until to-morrow, Wednesday, June 2, 1920, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV a letter from the Federal Trade Commission, transmitting report in response to House resolution 501, directing the commission to make immediate inquiry into the cause of the recent advance in the prices of all petroleum products, was taken from the Speaker's table and referred to the Committee on the Judiciary and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 11228) to authorize the establishment of a Coast Guard station on the coast of Green Bay, at or in the vicinity of Strawberry Passage, in Door County, Wis., reported the same without amendment, accompanied by a report (No. 1074), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Idaho, from the Committee on the Public Lands, to which was referred the bill (S. 3994) validating certain applications for and entries of public lands, and for other purposes, reported the same with amendments, accompanied by a report (No. 1075), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BARKLEY, from the Committee on Interstate and Foreign Commerce, to which was referred the resolution (H. Res. 533) requesting the Federal Trade Commission to make certain inquiries into the prices of loose-leaf tobacco, reported the same with amendments, accompanied by a report (No. 1077), which said resolution and report were referred to the House Calendar.

Mr. HARDY of Colorado, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 14119) fixing rates of postage on certain kinds of printed matter, reported the same without amendment, accompanied by a report (No. 1078), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WINSLOW, from the Committee on Interstate and Foreign Commerce, to which was referred the joint resolution (H. J. Res. 311) authorizing the President of the United States to manage and operate Cape Cod Canal, in the State of Massachusetts, reported the same with amendments, accompanied by a report (No. 1080), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEENERSON, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, reported the same with an amendment, accompanied by a report (No. 1081), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PETERS, from the Committee on Naval Affairs, to which was referred the bill (S. 4435) to authorize officers of the Naval Service to accept offices with compensation and emoluments from Governments of the Republics of South America, reported the same without amendment, accompanied by a report (No. 1082), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SANFORD, from the Committee on Military Affairs, to which was referred the bill (H. R. 14148) to correct the military record of A. J. Henry, reported the same with an amendment, accompanied by a report (No. 1076), which said bill and report were referred to the Private Calendar.

Mr. PETERS, from the Committee on Naval Affairs, to which was referred the bill (H. R. 13662) for the relief of Stanley Mitchell, reported the same without amendments, accompanied by a report (No. 1085), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. McKINLEY: A bill (H. R. 14354) to provide for the alterations for the present post-office building at Champaign, Ill., and for the purchase of additional ground adjoining same; to the Committee on Public Buildings and Grounds.

By Mr. LAYTON: A bill (H. R. 14355) to revise and equalize rates of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows, dependent parents and children of such soldiers, sailors, and marines, and to certain Army nurses, and granting pensions and increases of pension in certain cases; to the Committee on Invalid Pensions.

By Mr. DOMINICK: A bill (H. R. 14356) granting the consent of Congress for the construction of a bridge across the Savannah River at or near Sanders Ferry and between the counties of Anderson, S. C., and Elbert, Ga.; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMPSON (by request): Resolution (H. Res. 578) authorizing the installation of an electrical mechanical voting machine in the House of Representatives; to the Committee on Accounts.

By Mr. BEE: Joint resolution (H. J. Res. 371) permitting Chinese to register under certain provisions and conditions; to the Committee on Immigration and Naturalization.

By Mr. PELL: Joint resolution (H. J. Res. 372) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to Jeanne d'Arc; to the Committee on the Library.

By Mr. VOLSTEAD: Joint resolution (H. J. Res. 373) declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired; to the Committee on the Judiciary.

By Mr. DOMINICK: Memorial of the Legislature of the State of South Carolina, urging immediate steps by the United States as may be necessary to safeguard the future of the Armenian people; to the Committee on Foreign Affairs.

By the SPEAKER (by request): Memorial of the Legislature of the State of South Carolina, favoring an American mandate for Armenia; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 14357) granting an increase of pension to Henry M. Lemons; to the Committee on Pensions.

By Mr. CHINDBLOM: A bill (H. R. 14358) granting an increase of pension to Lena Derl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14359) granting an increase of pension to Elvira M. Anderson; to the Committee on Invalid Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 14360) granting a pension to Martha P. Malcomson; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 14361) granting an increase of pension to J. S. Dickinson; to the Committee on Pensions.

By Mr. LONERGAN: A bill (H. R. 14362) to remove the charge of desertion against Lucius F. Norton; to the Committee on Military Affairs.

By Mr. MEAD: A bill (H. R. 14363) for the relief of A. O. White; to the Committee on Claims.

By Mr. OLNEY: A bill (H. R. 14364) granting an increase of pension to Amelia J. Barnard; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 14365) granting an increase of pension to Elizabeth J. Deakyne; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4049. By the SPEAKER (by request): Petition of sundry citizens of New York City, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

4050. By Mr. FULLER of Illinois: Petition of the National League of Postmasters of the United States, for increased compensation for postmasters; to the Committee on the Post Office and Post Roads.

4051. Also, petition of the Chicago Federation of Labor, favoring Senate joint resolution 171 and Senate bill 1233; to the Committee on the Judiciary.

4052. Also, petition of the E. & W. Clothing House, of Rockford, Ill., opposing the McNary bill for stamping the manufacturers' sale price on shoes; to the Committee on Interstate and Foreign Commerce.

4053. Also, petition of the American Medical Association, favoring appropriation of $150,000 to publish a medical history of the part played by the United States in the World War; to the Committee on Appropriations.

4054. By Mr. O'CONNELL: Petition of New Lots Citizens' League (Inc.), of Brooklyn, N. Y., urging legislation for increased wages; to the Committee on the Judiciary.

4055. By Mr. ROWAN: Petition of Teachers' Union of the City of New York, favoring increased pay for postal employees; to the Committee on the Post Office and Post Roads.

4056. By Mr. VARE: Petition of Republican Club of Philadelphia, Pa., urging immediate action on postal clerks' increased salary proposals as to be recommended by the Postal Salaries Commission; to the Committee on the Post Office and Post Roads.

4057. By Mr. WEBSTER: Petition of numerous residents of the fifth district of Washington, indorsing Senate bill 3259 and House bill 10925, offering the aid of the National Government to the several States in maternal and infant-welfare work; to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, *June 2, 1920.*

The Senate met at 11 o'clock a. m.

Rev. E. O. Watson, secretary of the Council of the Churches of Christ in America, offered the following prayer:

Our Father and our God, humbly, reverently, with grateful hearts, we bow before Thee; humbly as we think of our unworthiness, reverently as we think of Thy goodness and of Thy glory, gratefully as we think upon Thy loving kindness and tender mercies that have been ever held toward us. We acknowledge Thy hand, our Father, in our individual lives and the destiny of our Nation and of all nations. We pray that Thou wilt guide and bless each one of us as on this new day we come before Thee thanking Thee for life, for liberty, and for service; that Thou wilt guide us, that we may have wisdom to know and grace to respond to the calls of duty, and strength faithfully to discharge every obligation and meet every responsibility in this great day. Bless, we pray Thee, this great body, the Senate of our Nation, its President, and every Senator. Bless our great Nation, and guide us in all things that we may work out our high place to the glory of God and for the blessing of mankind. All this we ask, we humbly ask, in Jesus' name. Amen.

The Reading Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

LEGISLATIVE RECORD—PERSONAL EXPLANATION.

Mr. THOMAS. Mr. President, I have just been honored with a copy of what purports to be my legislative record during my service in this body since 1914, bearing the signatures of Samuel Gompers, Frank Morrison, and James O'Connell, executive committee. I shall ask at the end of my comments to place this document in the RECORD. It is too important not to have a place in our proceedings, so that my conduct here may serve as a warning both to my successor, whether Democratic or Republican, and to those of my colleagues whose terms extend over the next Congress. This document is to be read at every meeting of the organizations of the Federation of Labor until election day. I shall therefore receive some publicity between now and the 2d day of November, which is gratifying even though it may prove disagreeable.

This record begins with the 27th day of February, 1915. I presume that date fixes the limitation upon my official misconduct. Consequently offenses preceding that date are lost and forgotten in the oblivion of time.

I am recorded as voting unfavorably on a number of occasions upon the motion to strike out what is called a "vicious" provision prohibiting the stop-watch and bonus system from the military bill. In some instances I am recorded as not voting. I can not understand it. I do not think that Mr. Gompers has treated me fairly. I am entitled to a correct and complete record of all my misdeeds here, and if I at any time failed to vote to strike out what is called the stop-watch and bonus system it should be explained that I was absent from the Chamber at the time or because no record vote was taken. I voted to strike out these provisions upon every opportunity that offered itself, and surely I am entitled to some credit for having myself interposed a motion to strike out on a number of occasions. It is said that everything is fair in love and war, and I am sure Mr. Gompers intends to play the game according to that rule, so that all my misdeeds may receive the publicity to which they are entitled.

Let me proceed. I voted unfavorably once on the Borland amendment increasing the hours of Government employees and I failed to vote once upon it. Here again is a strangely unaccountable hiatus in my unfortunate record. I tried here to get rid of the system which permits some employees to work less than eight hours while others are required to work eight hours and more. I acted upon the assumption that a full day's wage entitled the Government to a full day's service, and I voted accordingly. I shall repeat the vote if given the opportunity. Again, if I failed to vote on the 21st of March, 1918, it is a lapse for which I owe the Senate an explanation. I am accused on the 27th day of August, 1918, of voting unfavorably on the "work-or-fight amendment" to the draft bill. I did vote against striking out the provision, but it is unfair to me not to record the fact that I was the author of that provision. It was I who offered it in the Committee on Military Affairs and it is I who am responsible for it, and I protest, Mr. President, that that fact should appear in this record of condemnation. I entertained the idea that a man relieved from duty at the front because of his need in the manufactures at home ought to work just as hard in the vocation to which he had been assigned as though he were in the trenches. Consequently my amendment was designed to take men who, having been thus detailed, refused or declined to work and put them in the trenches. It was known as the work-or-fight amendment. Mr. Gompers opposed it, to use his expression, viciously. We had quite a spirited correspondence about it. I got the best of the argument, but unfortunately he had the votes. My argument, albeit conclusive, was ineffectual, and Mr. Gompers's argument, however inconclusive, was very triumphant. Hence men relieved from military service and detailed to work in munitions production were permitted to work or shirk as they pleased, while their pay continued in any event.

I could read, if I were so disposed, the RECORD giving the names of the Senators who voted to strike out that provision. Unfortunately some of them have since incurred the displeasure of King Samuel, and are therefore upon his blacklist along with me.

I am sorry for them; I am very, very sorry for them; but "I can not cry for laughing."

Unconsciously, perhaps, these gentlemen have since given offense to Mr. Gompers. Unconsciously they have done things which put them out of favor at court. Unconsciously, perhaps, they have been unmindful of those requirements, the observance of which is absolutely essential to reelection.

So, while the fate now confronting me looms large and disagreeable, I shall have the melancholy pleasure of enjoying the company of a number of my associates here, who then passed under Mr. Gompers's rod, and who next November will have to pass under it again.

I am recorded as casting an unfavorable vote upon the motion to strike out the antistrike clause of the Cummins bill. Upon that I seem to have voted unfavorably three times, but upon the 23d of February, 1920, when the Cummins-Esch railroad bill conference report, containing the obnoxious antilabor and other objectionable provisions was accepted, I am recorded as not voting. I did not; that is a fact. I was not here. Unfortunately I was in New York, engaged in making an antistrike speech. I could not be here and cast my vote in favor of that obnoxious provision and at the same time be addressing an audience in New York in favor of antistrike legislation. Had it been possible for a man of my dimensions to have been at two places on the same date, I should have made my record good upon the last vote that was taken upon that bill, although I did not approve of the conference report. We had not the sand to stand by our convictions and retain the antistrike clauses of the bill, and consequently I was not at all enamored of the conference committee report.

Upon the 3d of April, 1920, that being my last recorded offense, I am charged with voting unfavorably upon the Myers amendment prohibiting the affiliation of Federal employees with organized labor. I did. I voted once since upon the same subject. My recollection is that the only votes favoring the Myers amendment were his and my own. On a subsequent occasion, however, 3 votes for were cast. So we gained 50 per cent; and when it comes up again, as it certainly will, I hope that we will record 4 votes for it, which will be 100 per cent gain. Then, after the election, when it again recurs, as I trust it will, with no election to be held for two years, I hope we will secure a dozen votes for it. That is perhaps a very extravagant anticipation, but I am sometimes overextravagant, generally, however, in a

pessimistic way. However, nothing in the world so stiffens the official vertebræ as the fact that an election has just been passed and one will not be confronted with another for two years.

So, if Mr. Gompers, in justice to me, will please amend this record with the explanation which I have made, so that if hung at all I may be hung for an old sheep and not for a lamb, he will for the first time in our pleasant association together place me under lasting obligation.

I ask unanimous consent, although perhaps modesty should suggest that some one else should do so, to print my record in the RECORD. I may add, as suggested by the Senator from Utah [Mr. SMOOT], that it may save others from the disagreeable necessity of making similar requests.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

AMERICAN FEDERATION OF LABOR,
NATIONAL NONPARTISAN POLITICAL
CAMPAIGN COMMITTEE,
May 13, 1920.

To the secretaries of all local unions and central bodies in Colorado:

DEAR SIRS AND BROTHERS: We are inclosing a copy of the legislative record of Senator CHARLES SPALDING THOMAS, of Colorado, on measures of interest to labor that have come before the United States Senate for a record vote during his membership therein.

Conforming to a suggestion by the executive committee of the American Federation of Labor's national nonpartisan political campaign committee, the unions which have received these labor records of their public officials have adopted the method of reading them at every meeting of their organizations, the object being to keep their members advised continually until election day of the position taken on labor matters by their legislators. We have been advised that this has been a very effective and instructive method of publicity.

Yours, fraternally,

SAMUEL GOMPERS,
FRANK MORRISON,
JAMES O'CONNELL,
Executive Committee.

SENATOR CHARLES SPALDING THOMAS—ATTITUDE TOWARD LABOR.

[Sixty-third Congress.]

February 27, 1915: Motion to reconsider passage of seamen's bill. Favorable.

[Sixty-fourth Congress.]

June 30, 1916: Motion to strike out Tavenner amendment prohibiting vicious stop-watch and bonus systems from fortification bill. Not voting.

July 25, 1916: Motion to strike out Tavenner amendment prohibiting vicious stop-watch and bonus systems from military bill. Unfavorable.

July 26, 1916: Gallinger's amendment to nullify Tavenner amendment prohibiting vicious stop-watch and bonus systems. Unfavorable.

August 8, 1916: Federal child-labor bill. Not voting.

December 14, 1916: Passage immigration restriction bill. Favorable.

January 8, 1917: Conference report immigration restriction bill. Favorable.

February 5, 1917: Immigration restriction bill over President's veto. Favorable.

[Sixty-fifth Congress.]

September 25, 1917: Appropriation for Employment Bureau, Department of Labor. Not voting.

October 4, 1917: War-risk insurance—soldiers and sailors. Not voting.

February 6, 1918: Civil rights bill—soldiers and sailors. Favorable.

March 15, 1918: Borland amendment increasing hours of Government employees. Unfavorable.

March 21, 1918: Borland amendment increasing hours of Government employees, motion to strike out. Not voting.

May 22, 1918: Motion to strike out Tavenner amendment prohibiting vicious stop-watch and bonus systems from naval appropriation bill. Unfavorable.

August 27, 1918: Motion to strike out "work or fight" amendment from draft bill. Unfavorable.

December 5, 1918: Retirement bill—objectionable substitute by POMERENE. Not voting.

December 18, 1918: Child labor—revenue bill to tax products in interstate commerce. Unfavorable.

[Sixty-sixth Congress.]

June 4, 1919: Woman suffrage. Favorable.

October 21, 1919: Amendment to strike out antitrust clause favoring labor in first deficiency bill. Unfavorable.

November 5, 1919: Motion to strike out labor charter from League of Nations. Unfavorable.

December 18, 1919: Motion to strike clause making strikes unlawful from Cummins railroad bill. Unfavorable.

December 19, 1919: Motion to strike clause making strikes unlawful from Cummins railroad bill. Unfavorable.

December 20, 1919: Final passage of Cummins railroad bill making strikes unlawful. Unfavorable.

January 26, 1920: Americanization bill—education of illiterates. Not voting.

February 23, 1920: Cummins-Esch railroad bill—acceptance of conference report containing the obnoxious antilabor and other objectionable provisions. Not voting.

April 1, 1920: Motion by Senator PHELAN to increase the appropriation for the Bureau of Conciliation, Department of Labor. Not voting.

April 3, 1920: Retirement bill—Myers amendment prohibiting affiliation of Federal employees with organized labor. Unfavorable.

Favorable	12
Unfavorable	17
Not voting	11
Total	40

SCHEDULES OF CLAIMS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, schedules of claims amounting to $863,568.91, allowed by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund, etc. (S. Doc. No. 286), which, with accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

ESTIMATES OF APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War, submitting a supplemental estimate of appropriation in the sum of $500,000 required by the War Department for expenses incident to the settlement of war claims arising out of Ordnance Department contracts (S. Doc. No. 289), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior submitting a supplemental estimate of appropriation in the sum of $15,000, required by the Bureau of Education for "Register of Teachers, Bureau of Education," for the remainder of the current fiscal year and to remain available until December 31, 1920 (S. Doc. No. 294), which, with accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting estimates of appropriations for the Public Health Service to be available for expenditure during the fiscal year ending June 30, 1921 (S. Doc. No. 290), which was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of Agriculture, submitting an estimate of appropriation in the sum of $5,000 required by the Department of Agriculture during the fiscal year 1921 for necessary expenses to repair damage by typhoon at the Agricultural Experiment Station on the island of Guam (S. Doc. No. 288), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the president of the Civil Service Commission, submitting a supplemental estimate of appropriation in the sum of $7,500, required by the commission for printing and binding, fiscal year 1920 (S. Doc. No. 291), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting an estimate of appropriation in the sum of $292,000, required by the Treasury Department for expenses incident to the transfer of duties and function of the several subtreasuries when discontinued as provided for by law (S. Doc. No. 292), which, with the accom-

panying papers, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting an estimate of appropriation in the sum of $104,050 for general expenses, public buildings, which was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of State, submitting a supplemental estimate of appropriation in the sum of $35,000, required by the Department of State in connection with foreign intercourse, for the relief and protection of American seamen, fiscal year 1920 (S. Doc. No. 287), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of State, submitting an estimate of appropriation in the sum of $19,000, required for alterations incidental to discontinuance of the electric generating plant in the State, War, and Navy Building, and to provide for the purchase of electric current for operation of that building during the fiscal year 1921 (S. Doc. No. 293), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the amendment of the Senate to the bill (H. R. 6222) to remove a certain tract or lots of lands in Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, pursuant to the act of Congress of August 24, 1912 (37 Stats., ch. 390, p. 565).

The message also announced that the House agrees to the amendments of the Senate to the bill (H. R. 4311) to authorize the addition of certain lands to the Caribou National Forest.

The message further announced that the House agrees to the amendments of the Senate to the bill (H. R. 406) amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Calif., certain public lands in California; and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland Reserve, Calif., to the city of Los Angeles, Calif.," approved June 30, 1906, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

S. 2890. An act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes;

S. 4411. An act granting the consent of Congress to the counties of Pembina, N. Dak., and Kittson, Minn., to construct a bridge across the Red River of the North at or near the city of Pembina, N. Dak.;

S. 4431. An act to authorize the construction of a bridge across the Rock River, in Lee County, State of Illinois, at or near the city of Dixon, in said county; and

S. J. Res. 170. Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the General Conference of the Methodist Episcopal Church, praying for the enforcement of the prohibition law in the Philippine Islands, which was referred to the Committee on the Philippines.

He also presented a petition of the General Synod of the Reformed Church of the United States, praying for the ratification of the treaty of peace and the participation by the United States in the League of Nations, which was referred to the Committee on Foreign Relations.

Mr. SPENCER. I present a statement issued by Daniel T. O'Connell, director of the Friends of Irish Freedom, which I ask to have printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

"Daniel T. O'Connell, director, Friends of Irish Freedom, National Bureau of Information, to-day issued the following statement in relation to interruptions of the proceedings of the Senate and the House of Representatives:

"'The acts of the small group of women who to-day interrupted the proceedings of the Senate and the House of Representatives are disavowed by those intrusted with the responsibility of guiding the activities of the Americans of Irish blood striving to aid Ireland in establishing her independence. The interruptions were wholly without authority and without the knowledge of any responsible officer or representative of the National Council of the Friends of Irish Freedom or associated organizations.

"'Fair-minded people of America will, I am sure, realize that these women acted as individuals and not in any representative capacity. In view of these circumstances it would seem but proper that the Friends of Irish Freedom as an organized body, representing 20,000,000 of Americans of Irish blood should not be misjudged by the acts referred to and that in the spirit of fairness pending legislation, namely, the Mason resolution, should in no way be affected thereby.'"

Mr. SPENCER. I also present resolutions adopted at a mass meeting of citizens of Philadelphia, Pa., which I ask to have printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

"Whereas the official records and reports from unimpeachable sources reveal the fact that in 1905 Japan forced the protectorate treaty upon Korea against the wish of the Korean ruler and her people, Korea having been an independent kingdom for 40 centuries, and five years later annexed her as a Province of the Japanese Empire in violation of her treaty stipulations with Korea; and

"Whereas since the annexation Japan has pursued a most oppressive policy in Korea with a view to denationalize the Korean people as a race, Japan has taken the agricultural lands of the Koreans by force and fraudulent methods, Japan has prevented the Koreans from obtaining a higher education, and by arbitrary rules and regulations the Koreans have been hindered from pursuing commercial or industrial activities, thus bringing their condition politically, economically, and educationally to a most pitiful state; and

"Whereas Japan has persistently attempted to check the spread of Christianity in Korea, because Christianity demands a spirit of individual liberty, education, and moral and material improvement among the Korean people; the native Christian leaders have been constantly persecuted on false and foolish charges, and often without any charge, and even the American missionaries have been insulted, maltreated, and imprisoned without just cause; and

"Whereas on March 1, 1919, the united Korean people peacefully declared their independence from Japan, but did not commit any act of violence, but the Japanese soldiers and gendarmes used the most inhuman and barbarous methods in suppressing them; in this brutal treatment of these defenseless people who aspire to be free the Japanese singled out the Christian element of the Korean population, killed them by thousands, tortured them, and incarcerated them in the foulest dungeons for indefinite periods without trial, even women and girls being subjected to the most barbarous treatment; and

"Whereas the Japanese Government endeavored to suppress the news of these outrages for several months by sending out false and misleading official statements, but failed in their attempt; and now the same officials are trying to assuage the just indignation of the civilized world by making various promises of reforms which so far have not been fulfilled, nor have the ruthless methods of repression ceased; and

"Whereas the only remedy for this intolerable condition lies in the withdrawal of Japanese domination from Korea; by removing this fundamental wrong of the strong nation oppressing and exploiting the weak for selfish greed peace will be permanently restored in the world: Therefore be it

"*Resolved by the mass meeting of the people of Philadelphia, held on the 23d day of May, 1920, at the Academy of Music, city of Philadelphia*, That we strongly protest against Japan's imperialistic policy in Korea, and we urge the Japanese people to persuade their Government to adopt a just and humane course toward their Korean neighbors; be it further

"*Resolved*, That we sympathize with the Korean people in their hour of struggle for the principle of political and religious freedom, and we admire their firm and uncompromising attitude for their ideals and their abiding faith in the ultimate triumph of righteousness over brute force; be it further

"*Resolved*, That we request our Government to use its good offices to bring about an amicable adjustment between Japan and Korea in fulfillment of our pledge to Korea in the treaty of 1882 between the United States and Korea; be it further

"*Resolved*, That a copy of these resolutions be sent to the President and Senate of the United States.

"Proposed by Joseph M. Steele.

"Meeting was presided by Floyd W. Tomkin."

Mr. PHELAN presented a petition of the Building Trades Council of Contra Costa County, Calif., praying for the enactment of legislation to prevent gambling in the necessaries of life and speculating in stocks and bonds, which was referred to the Committee on the Judiciary.

Mr. WALSH of Massachusetts. I have received a large number of telegrams relating to the coal situation in New England, upon which I submitted some remarks a few days ago. I ask that the telegrams may be inserted in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

LYNN, MASS., *June 1, 1920.*

Senator DAVID I. WALSH,
Senate Office Building, Washington, D. C.:

Our industrial interests urge upon you the need for immediate action on bituminous-coal situation. Export through Virginia ports, which we depend upon for our major supply by water, are far above normal, resulting in New England movement so small that hand-to-mouth existence is now necessary. If wheels of industry are to be kept moving next winter, now is the time we must accumulate reserve supply, which must come by water, as railroads never have, and in our judgment can not, move enough bituminous coal to supply New England needs. We believe temporary embargo on foreign shipments only solution of problem.

LYNN CHAMBER OF COMMERCE.

—

BOSTON, MASS., *May 29, 1920.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.:

Supplementing information which you already have with respect to the present deplorable and ruinous coal prices. Eastern Massachusetts Street Railway Co., operating over 800 miles of street railway, under direction of five public trustees in the interest of preserving transportation facilities at reasonable rates throughout the greater part of eastern Massachusetts, is now compelled to pay $15.25 per ton for tidewater bituminous coal, with assurances that price will advance to $16 next week. Under all known facts as to the fair and profitable cost, including Shipping Board water and rail rates, price should not exceed $8.75 per ton. We are unable to obtain any reasonably firm price contracts and are compelled to buy coal at arbitrary and at prohibitive prices to keep our 10 power plants running. This company uses thousands of tons per annum. Coal bunkers are practically empty. Fifteen to sixteen dollar coal will add $1,000,000 per year to operating expenses, which are now so inflated that many miles of track on this system, serving thousands of citizens, must be shut down if these prices continue. We can not too strongly support all the statements you have made as to this shameful coal situation, and are ready to urge our complaint with evidence when and where the same will be of value.

R. B. STEARNS,
Vice President and General Manager Eastern Massachusetts Street Railway Co., by direction of Public Trustees.

—

SALEM, MASS., *May 29, 1920.*

Senator D. I. WALSH,
United States Senate, Washington, D. C.:

Our board commends and thanks you for coal embargo resolution.

R. A. GODDARD,
Secretary Salem Chamber of Commerce.

—

LEE, MASS., *May 29, 1920.*

DAVID I. WALSH,
United States Senate, Washington, D. C.:

We urge immediate passage of bill prohibiting exportation of coal. New England industries, including ourselves, are closing down, due to inability to get coal. Prices here trebled, and coal is impossible to secure.

LEE LIME CO.
CONNECTICUT LIME CO.
WHITE MARBLE & TERRAZZA CO.
WEST STOCKBRIDGE MARBLE WORKS.

Mr. SMITH of South Carolina. I have received a copy of a resolution passed unanimously by the South Carolina executive committee of the American Legion, which I ask to have printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

THE AMERICAN LEGION OF SOUTH CAROLINA,
Columbia, S. C., May 29, 1920.

Senator E. D. SMITH,
Washington, D. C.

DEAR SIR: Inclosed herewith is a copy of a resolution passed unanimously by the South Carolina executive committee of the American Legion.

Yours, very truly, JULIUS H. WALKER,
State Commander.

"Whereas it appears from statements made by Dr. W. C. Rucker, chief medical adviser of the Bureau of War Risk Insurance, and other Government officers, that 641,900 men were discharged from the Army and Navy with disabilities, of whom 276,327 were seriously disabled, and that less than 5 per cent of the disabled have been cared for by the Federal Board of Vocational Education; and

"Whereas it is estimated by qualified experts that the proper and adequate care of those who have been disabled may cost the Government annually from $325,000,000 to $500,000,000: Now, therefore, be it

"Resolved by the executive committee of the American Legion of South Carolina, That we strongly condemn any legislation designed to give a cash bonus to the able-bodied ex-service men at this time, when it appears that no adequate provision has been made for the disabled, who are really entitled to assistance; and

"That a copy of this resolution be sent to each Representative in the United States Senate and Congress and published in the State newspapers."

Mr. SMITH of South Carolina. I also ask to have printed in the RECORD a letter I have received from Irvine F. Belser, of Columbia, S. C., relative to the soldiers' bonus bill now before Congress. I ask to have the letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MELTON & BELSER.
Columbia, S. C., May 29, 1920.

Senator E. D. SMITH,
Washington, D. C.

DEAR SIR: I am taking the liberty of calling your attention to a matter which vitally affects the soldier bonus bill now before Congress.

Dr. W. C. Rucker, chief medical adviser of the Bureau of War Risk Insurance, in a recent statement says that 641,900 men were discharged from the service for disability, of whom 276,327 were seriously disabled, and that less than 5 per cent of these men have been cared for by the Federal Board. Also it is estimated by Dr. Rucker and others qualified that the proper care of these wounded and disabled will cost the Government annually from $325,000,000 to $500,000,000.

Regardless of how much it should cost, the disabled are certainly entitled to preferential treatment over the able-bodied; and there must be some limit to taxation. For this and other reasons I urge you to vote and use your influence against the proposed blanket bonus bill now before Congress.

I am writing this letter simply as a citizen and taxpayer of the United States and as an ex-service man who spent 20 of the most valuable months of his life in the Army. I trust that we can count on the South Carolina Representatives to take a statesmanlike view of the matter.

Yours, very truly, IRVINE F. BELSER.

REPORTS OF COMMITTEES.

Mr. FRANCE, from the Committee on Public Health and National Quarantine, to which was referred the bill (S. 3259) for the public protection of maternity and infancy and providing a method of cooperation between the Government of the United States and the several States, reported it with an amendment and submitted a report (No. 650) thereon.

He also, from the same committee, to which was referred the bill (S. 4357) to authorize the Secretary of the Treasury to provide medical, surgical, and hospital services and supplies for discharged soldiers, sailors, marines, Army and Navy nurses (male and female), and for other purposes, reported it with amendments and submitted a report (No. 651) thereon.

Mr. FRANCE. For the chairman of the Committee on Public Buildings and Grounds, the Senator from Maine [Mr. FERNALD], I report back favorably without amendment the bill (H. R. 13627) to amend paragraph (e) of section 7 of the act approved March 3, 1919, entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines."

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. SPENCER, from the Committee on Claims, to which was referred the bill (H. R. 6407) for the relief of Michael MacGarvey, reported it without amendment and submitted a report (No. 649) thereon.

JAMES L. VAI.

Mr. SPENCER, from the Committee on Claims, reported the following resolution:

Resolved, That the bill (S. 2673) entitled "A bill for the relief of James L. Vai," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

The VICE PRESIDENT. The resolution will be placed on the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RANSDELL:

A bill (S. 4479) authorizing the Postmaster General to cancel or readjust the screen-wagon contract of Thomas A., Henry P., and Joseph F. Eagan, and the parcel-post and collection-wagon contract of the estate of Thomas Eagan; to the Committee on Post Offices and Post Roads.

By Mr. SMITH of Georgia:

A bill (S. 4480) granting a pension to Sadie Judith Tharp (with accompanying papers); to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 4482) to provide for the addition of certain public lands to the Lewis and Clark National Forest in Montana; to the Committee on Public Lands.

By Mr. WADSWORTH:

A bill (S. 4483) for the relief of the Lambert Transportation Co. (Inc.); to the Committee on Claims.

By Mr. PHELAN:

A bill (S. 4484) granting an increase of pension to Mary B. Graham; to the Committee on Pensions.

By Mr. BRANDEGEE:

A bill (S. 4485) to enlarge the area of lands authorized to be taken for the reclamation of the Anacostia River Flats; to the Committee on the Library.

BUREAU OF SUPPLY.

Mr. FRELINGHUYSEN. I introduce the bill which I send to the desk, in order that it may be printed and the subject discussed and studied during the recess.

It provides for the creation of a central purchasing bureau for the purchase of Government supplies, and is intended to systematize the purchase of supplies, and to avoid the present extensive duplication that exists, and to bring about a more orderly and economical system of purchasing supplies.

The bill (S. 4481) to establish in the District of Columbia a Government bureau of supply, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. LODGE submitted an amendment proposing to appropriate $19,084.59 for continuing the extension of the quay wall at the navy yard, Portsmouth, N. H., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. MYERS submitted an amendment proposing to appropriate $9,819 to pay Katherine Macdonald, of Butte, Mont., for work and services performed on or supplies furnished for the construction of the Corbett Tunnel, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. NORRIS submitted an amendment proposing to appropriate $117,735.31 for the payment of the judgment of the Court of Claims affirmed by the Supreme Court of the United States in the case of the Omaha Tribe of Indians against the United States, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

WITHDRAWAL OF PAPERS.

On motion of Mr. HALE, it was

Ordered, That the papers accompanying the bill S. 2265, Sixty-sixth Congress, first session, be withdrawn from the files of the Senate, no adverse report having been made thereon.

WALTER B. HENRETTY.

Mr. LODGE submitted the following resolution (S. Res. 381), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay out of the appropriation for expenses of inquiries and investigations, contingent fund of the Senate, to Walter B. Henretty the sum of $1,208.33 for clerical services rendered the subcommittee of the Committee on Naval Affairs appointed to investigate the question of awards in the Navy under authority of Senate resolution of June 6, 1919.

FOREST RESOURCES OF THE UNITED STATES.

Mr. CAPPER. Yesterday there was received a communication from the Secretary of Agriculture relative to timber depletion, lumber prices, lumber exports, and concentration of timber ownership, which was in response to a resolution submitted by me on February 21, 1920. The Chair ordered the communication and accompanying papers to lie on the table. I move that the communication and accompanying papers be taken from the table and referred to the Committee on Printing.

The motion was agreed to.

LAND IN CALIFORNIA.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to amendment No. 7 of the Senate to the bill (H. R. 406) amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Calif., certain public lands in California, and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland Reserve, Calif., to the city of Los Angeles, Calif.," approved June 30, 1906, which was, in Senate amendment No. 7, line 1, after "page," to strike out "5" and insert "6."

Mr. SMOOT. I move that the Senate concur in the amendment of the House to the amendment of the Senate.

The motion was agreed to.

NAVAL APPROPRIATIONS—CONFERENCE REPORT.

Mr. PAGE. I ask that the Senate proceed to the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes.

The VICE PRESIDENT. Is there objection to the consideration of the conference report?

Mr. SMOOT. I am positive that the Senator from Washington [Mr. POINDEXTER] notified the chairman of the committee that he would desire to speak upon the conference report.

Mr. THOMAS. That being the case, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ball	Gerry	McNary	Smith, Ga.
Brandegee	Hale	Norris	Smith, S. C.
Calder	Henderson	Nugent	Smoot
Capper	Jones, Wash.	Overman	Thomas
Culberson	Keyes	Page	Underwood
Curtis	King	Pittman	Wadsworth
Dial	Lodge	Robinson	Warren
Dillingham	McCormick	Sheppard	Wolcott
Elkins	McCumber	Simmons	
Fernald	McLean	Smith, Ariz.	

The VICE PRESIDENT. Thirty-eight Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. GAY, Mr. KNOX, Mr. NELSON, Mr. PHIPPS, Mr. RANSDELL, Mr. SPENCER, Mr. STANLEY, Mr. TRAMMELL, Mr. WALSH of Massachusetts, Mr. WALSH of Montana, and Mr. WATSON answered to their names when called.

Mr. KENDRICK, Mr. HARRIS, Mr. CHAMBERLAIN, Mr. LENROOT, Mr. HARRISON, Mr. NEW, Mr. FRELINGHUYSEN, Mr. POINDEXTER, Mr. FRANCE, Mr. MCKELLAR, Mr. EDGE, Mr. POMERENE, Mr. PHELAN, Mr. ASHURST, and Mr. HARDING entered the Chamber and answered to their names.

Mr. SPENCER. I desire to announce that the senior Senator from Missouri [Mr. REED] and the junior Senator from Iowa [Mr. KENYON] are engaged on the business of the Senate in connection with an investigating committee.

Mr. GERRY. The Senator from Kentucky [Mr. BECKHAM] and the senior Senator from Virginia [Mr. SWANSON] are necessarily detained from the Senate on official business.

Mr. UNDERWOOD. I wish to announce that the junior Senator from Virginia [Mr. GLASS] is necessarily detained from the Senate.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the conference report.

Mr. GERRY. Mr. President, I realize that at this late time it is practically impossible to remedy a defect in the pending naval appropriation bill which involves the abandonment of a policy followed heretofore for many years. When the naval appropriation bill came over from the House I found that no appropriation had been made for carrying on the work of the torpedo station at Newport, R. I. I suggested to the Naval Affairs Committee of the Senate an amendment appropriating $200,000 for that station, which would have afforded an adequate amount to carry on their work for the next fiscal year. The committee agreed to my amendment, as did also the Senate, but when the bill went to conference the House conferees objected, I understand, on the ground that the necessary amount could be obtained from the general appropriation for ordnance and ordnance stores. They insisted on disagreeing to the amendment, and the Senate conferees, to insure the passage of the naval appropriation bill at this session, finally yielded.

I have no fault to find with the Senate conferees, for I know they did all they could to maintain my amendment in the bill. Mr. President, the Senate was right in inserting this amendment, and for this reason: The work of the naval torpedo station at Newport is of the most important character. With the development of the submarine, with the increased number of destroyers we have lately built, and with the lessons we have learned in the war, there can be no question that the torpedo is becoming a more and more important weapon of naval attack; and I am proud to say that the American torpedo is probably the best in the world.

That such is the case is due to the efficiency and the ability of not only our naval experts but of the men in the torpedo station. The Newport torpedo station has been in existence for something like 50 years; there has been built up a skilled, able, and loyal personnel. Its record before the war was excellent and during the war it was magnificent. The employees take a pride in their work, and the results prove their great efficiency.

I do not believe, therefore, Mr. President, that it is a wise policy in any way to curtail or cut down such an important appropriation as the one to which I refer. The argument that it is covered, as I have said, by the general appropriation for ordnance and ordnance stores, I do not think is sound. Admiral Earle, when he came before the committee, asked for $20,000,000. The House Naval Affairs Committee considered that sum too great, and they cut the appropriation down to $17,500,000. Admiral Earle's first estimate was conservative, and it was a mistake, in my judgment, to cut down the appropriation $2,500,000, for it may mean the curtailing to a considerable extent of naval endeavors which should be carried on.

I am an advocate of economy, but I do not believe that it is possible always wisely to economize by cutting down appropriations. Sometimes that is false economy. A good example of this was the failure of this Congress to provide increased pay for the Army, Navy, and Marine Corps, and the Coast and Geodetic Survey last fall, and delaying action until late this spring, because of a cry of economy, with the result that the Navy lost between 70,000 and 80,000 of its most efficient men.

I trust and believe that the department will see that no injury is done to the station at Newport. I know that the Secretary of the Navy is interested in it and will do what he can to see that it is carried on in its present efficiency, but I do not believe that Congress should allow any department to decide how little is to be spent in such a vital naval matter. It was for that reason that I offered the amendment in the Senate Naval Affairs Committee, which was adopted by the Senate, and it is for that reason that I am protesting now against the action of the conferees in not sustaining the Senate contention.

As I said before, however, I realize that at a time like this, at the end of the session, it is practically impossible to rectify an injury of this sort, and all that I can do is to voice my protest.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The question is on agreeing to the conference report.

The report was agreed to.

TEMPORARY RED CROSS BUILDINGS.

Mr. FERNALD. From the Committee on Public Buildings and Grounds I report back favorably without amendment the joint resolution (S. J. Res. 200) to grant authority to continue the use of the temporary buildings of the American Red Cross headquarters in the city of Washington, D. C., and I ask unanimous consent for its immediate consideration.

Mr. SMOOT. Mr. President, let the joint resolution be read first.

The joint resolution was read, as follows:

Whereas by joint resolution of Congress approved the 22d day of May, 1917, authority was granted to the American National Red Cross to erect temporary structures upon square No. 172 in the city of Washington, District of Columbia, for use in connection with its work in cooperation with the United States Government, provided said buildings erected under said authority should be removed and the site or sites thereof placed in good condition within three years from the date of said resolution; and

Whereas the buildings erected pursuant to said resolution are still needed for use in connection with its work in cooperation with the United States Government: Therefore be it

Resolved, etc., That authority be and is hereby given to the central committee of the American National Red Cross to continue the use of such temporary buildings as are now erected upon square 172 in the city of Washington, for the use of the American Red Cross in connection with its work in cooperation with the Government of the United States: *Provided*, That any building or buildings, the use of which is extended under this authority, shall be removed and the site or sites thereof placed in good condition within three years from the date of the approval of this resolution, unless otherwise especially provided by Congress: *Provided further*, That the United States shall be put to no expense of any kind by reason of the exercise of the authority hereby conferred.

Mr. SMOOT. Mr. President, I should like the Senator from Maine to explain in detail, if he will, the reasons for the passage of the legislation.

Mr. FERNALD. The explanation is simply this:

Three years ago authority was given to the American Red Cross Association to erect some buildings in the rear of the Red Cross building, and those buildings were built largely by charity. They cost in the neighborhood of $300,000. The time has expired within which they should be removed, but the buildings are still in use, and they ask that the time may be extended for another three years. They ask for no appropriation, but simply for an extension of the time that the buildings may remain on this lot. I understand that there is no objection from any source.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. KING. Mr. President, I should like to ask the Senator from Maine whether or not there is any provision now upon the statute books in regard to the time when these buildings are to be removed and at whose expense?

Mr. FERNALD. It is so stated in the joint resolution.

Mr. KING. No; the joint resolution states, as I understand, that they may be removed. There is nothing in the joint resolution to require their removal.

Mr. FERNALD. The purpose of the joint resolution is simply to extend the time under the same law, and to say that they may remain there for another three years.

Mr. KING. But is it the purpose of the Senator to keep these buildings in their present situation for three years?

Mr. FERNALD. Not unless it is necessary. That, I assume, would be left to the Red Cross Association.

Mr. SMOOT. Mr. President, I will say to my colleague that the joint resolution is mandatory, for it provides that these buildings shall be removed, and the site or sites thereof shall be placed in good condition, within three years. So it is left entirely to the judgment of the Red Cross officials as to whether they shall be removed within a year or two years, but not to exceed three years. At the end of three years the joint resolution says they shall be removed.

Mr. KING. I should like to ask the Senator from Utah or the Senator from Maine whether or not the Government, prior to the expiration of the three-year period of limitation, might remove the buildings if the Government required the land?

Mr. FERNALD. I should think they might.

Mr. KING. Will any expense be devolved upon the Government in the maintenance of these buildings?

Mr. FERNALD. Not at all.

Mr. KING. Nothing for insurance?

Mr. FERNALD. Not at all, as I understand.

Mr. KING. Are there no Government officials in charge of the buildings?

Mr. FERNALD. I think not.

Mr. KING. But the entire cost of the maintenance of the buildings will be met by the Red Cross organization?

Mr. FERNALD. Yes; I assume so.

Mr. KING. I should like to ask the Senator whether or not there are any employees of the Government who are engaged in service in these buildings?

Mr. FERNALD. I do not know about that. I think they are used entirely by the Red Cross Association.

Mr. KING. The reason why I am making the inquiry is that I have been told that in some quasi public organizations now, organizations which ought to be conducted entirely by private individuals or by corporations, Government employees give their services at the cost of the Government.

Mr. FERNALD. My understanding is that the Government has no employees in this Red Cross work.

Mr. KING. I have no objection to the consideration of the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THE MERCHANT MARINE—CONFERENCE REPORT.

Mr. JONES of Washington. Mr. President, out of order I present a conference report on the merchant-marine bill, and ask that it may lie on the table until action is taken by the House.

Mr. FRELINGHUYSEN. I desire to ask the Senator from Washington a question in regard to the conference report. As I understand it, the Senator simply wishes to have the conference report printed, and intends to ask to have it taken up, and it will be taken up, by unanimous consent?

Mr. JONES of Washington. As I understand it, under the rule I can not ask that it be taken up until it is acted upon by the House. When the House has informed the Senate that it has acted upon the report I shall ask that it be taken up.

Mr. FRELINGHUYSEN. A parliamentary inquiry, Mr. President. When the conference report is taken up, will it be taken up under unanimous consent?

The PRESIDING OFFICER. The Chair is unable to inform the Senator from New Jersey what action the Senate will take respecting the conference report. The Senator from Washing-

ton merely asks that it lie on the table for the present, and it is in the province of the Senate to determine when it will proceed to the consideration of the conference report. There is no request whatever pending for the consideration of the report. So the Chair can not tell the Senator from New Jersey what action the Senate may hereafter take in regard to the report.

Mr. NELSON. I suppose the conference report can be taken up at the proper time either by unanimous consent or on motion.

The PRESIDING OFFICER. Certainly. Any Senator can make a request for unanimous consent to consider the report, and if that is not secured he may at the proper time move to consider the report. The Senator from New Jersey must appreciate the fact that the Chair can not anticipate what the Senate may do in the matter.

Mr. JONES of Washington. I submit the report, and ask that it lie on the table for the present.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 35, 44, 47, 49, 122, 125, and 149.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 43, 45, 46, 50, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 80, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 140, 143, and 148, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: ", in this act"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: ", and shall have authority to adjust, settle, and liquidate all agreements, express or implied, on a fair and equitable basis"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 3. (a) That section 3 of the 'Shipping act, 1916,' is amended to read as follows:

"'SEC. 3. That a board is hereby created to be known as the United States Shipping Board and hereinafter referred to as the board. The board shall be composed of seven commissioners, to be appointed by the President, by and with the advice and consent of the Senate; and the President shall designate the member to act as chairman of the board, and the board may elect one of its members as vice chairman. Such commissioners shall be appointed as soon as practicable after the enactment of this act and shall continue in office two for a term of one year, and the remaining five for terms of two, three, four, five and six years, respectively, from the date of their appointment, the term of each to be designated by the President, but their successors shall be appointed for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he succeeds.

"'The commissioners shall be appointed with due regard to their fitness for the efficient discharge of the duties imposed on them by this act, and two shall be appointed from the States touching the Pacific Ocean, two from the States touching the Atlantic Ocean, one from the States touching the Gulf of Mexico, one from the States touching the Great Lakes, and one from the interior, but not more than one shall be appointed from the same State. Not more than four of the commissioners shall be appointed from the same political party. A vacancy in the board shall be filled in the same manner as the original appointments. No commissioner shall take any part in the consideration or decision of any claim or particular controversy in which he has a pecuniary interest.

"'Each commissioner shall devote his time to the duties of his office, and shall not be in the employ of or hold any official relation to any common carrier or other person subject to this act, nor while holding such office acquire any stock or bonds thereof or become pecuniarily interested in any such carrier.

"'The duties of the board may be so divided that under its supervision the directorship of various activities may be assigned to one or more commissioners. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the board shall not impair the right of the remaining members of the board to exercise all its powers. The board shall have an official seal, which shall be judicially noticed.

"'The board may adopt rules and regulations in regard to its procedure and the conduct of its business. The board may employ within the limits of appropriations made therefor by Congress such attorneys as it finds necessary for proper legal service to the board in the conduct of its work, or for proper representation of the public interest in investigations made by it or proceedings pending before it whether at the board's own instance or upon complaint, or to appear for or represent the board in any case in court or other tribunal. The board shall have such other rights and perform such other duties not inconsistent with the merchant marine act, 1920, as are conferred by existing law upon the board in existence at the time this section as amended takes effect.

"'The commissioners in office at the time this section as amended takes effect shall hold office until all the commissioners provided for in this section as amended are appointed and qualify.'

"(b) The first sentence of section 4 of the 'Shipping act, 1916,' is amended to read as follows:

"'SEC. 4. That each member of the board shall receive a salary of $12,000 per annum.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: " : *Provided*, That all vessels assigned to river and harbor work or inland waterways, and vessels now in the course of construction or under contract by the War Department or the Navy Department, shall be exempt from the provisions of this act"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "consistent with good business methods and the objects and purposes to be attained by this act, at public or private competitive sale after appraisement and due advertisement, to"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "existing freight rates and prospects of their maintenance,"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "and any other facts or conditions that would influence a prudent, solvent business man in the sale of similar vessels or property which he is not forced to sell"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "not inconsistent with the provisions of section 5 (except that completion of the payment of the purchase price and interest shall not be deferred more than 10 years after the making of the contract of sale)"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: " ; but no such sale shall be made unless the board, after diligent effort, has been unable to sell, in accordance with the terms and conditions of section 5, such vessels to persons citizens of the United States, and has, upon an affirmative vote of not less than five of its members, spread upon the minutes of the board, determined to make such sale; and it shall make as a part of its records a full statement of its reasons for making such sale. De-

ferred payments of purchase price of vessels under this section shall bear interest at the rate of not less than 5½ per cent per annum, payable semiannually"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lines 6 and 7 of the matter proposed by the Senate amendment strike out the following words: "Where adequate terminal connections with rail carriers can and will be made or already exist"; in line 17 of the matter proposed by the Senate amendment strike out the words "of the United States" and insert in lieu thereof the following: "Referred to in section 4 of this act or otherwise acquired by the board"; in line 30 of the matter proposed by the Senate amendment, after the word "authorized," insert the following: "Notwithstanding the act entitled 'An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891"; at the end of the matter proposed by the Senate amendment change the period to a colon and add the following: "*And provided further*, That whenever the board shall determine, as provided in this act, that trade conditions warrant the establishment of a service or additional service under Government administration where a service is already being given by persons, citizens of the United States, the rates and charges for such Government service shall not be less than the cost thereof, including a proper interest and depreciation charge on the value of Government vessels and equipment employed therein"; in line 8 of the matter proposed by the Senate amendment after the word "world," insert the words "and domestic"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment, after the word "board," insert a comma and the following: "in cooperation with the Secretary of War"; in line 6 of the matter proposed by the Senate amendment, after the word "rail," insert a comma and the word "water"; omit the proviso at the end of the matter proposed by the Senate amendment and insert in lieu thereof the following: "*Provided*, That if after such investigation the board shall be of the opinion that rates, fares, charges, classifications, regulations or practices of common carriers by railroad subject to the interstate commerce act are detrimental to the object declared in this section, or that new rates, fares, charges, classifications, regulations or practices, new or additional port terminal facilities, or action on the part of such common carriers by railroad are or any of them is necessary or desirable to promote such declared object, the board may file its application or complaint with the Interstate Commerce Commission praying for such relief and order as the commission may deem proper under the law then existing. In connection with such application or complaint the board may submit to the commission its findings together with the record or records on which they are based and the commission is hereby empowered to issue such order or orders relative thereto as it may deem proper without further investigation, but the commission may augment or supplement the record or records submitted to it by the board by such further investigation as the commission deems appropriate"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In line 4 of the matter proposed by the Senate amendment strike out "$50,000,000" and insert in lieu "$25,000,000"; in line 21 of the matter proposed by the Senate amendment strike out everything after the word "built," down to and including the word "semiannually," at the end of the matter proposed by such Senate amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "may be reconditioned and kept in suitable repair and until"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "pursuant to the policy and purposes declared in sections 1 and 5 of this act; and the United States Shipping Board Emergency Fleet Corporation shall continue in existence and have authority to operate vessels, unless otherwise directed by law, until all vessels are sold in accordance with the provisions of this act, the provision"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 17. That the board is authorized and directed to take over on January 1, 1921, the possession and control of, and to maintain and develop, all docks, piers, warehouses, wharves and terminal equipment and facilities, including all leasehold easements, rights of way, riparian rights and other rights, estates and interests therein or appurtenant thereto, acquired by the President by or under the act entitled 'An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes,' approved March 28, 1918.

"The possession and control of such other docks, piers, warehouses, wharves and terminal equipment and facilities or parts thereof, including all leasehold easements, rights of way, riparian rights and other rights, estates or interests therein or appurtenant thereto which were acquired by the War Department or the Navy Department for military or naval purposes during the war emergency may be transferred by the President to the board whenever the President deems such transfer to be for the best interests of the United States.

"The President may at any time he deems it necessary, by order setting out the need therefor and fixing the period of such need, permit or transfer the possession and control of any part of the property taken over by or transferred to the board under this section to the War Department or the Navy Department for their needs, and when in the opinion of the President such need therefor ceases the possession and control of such property shall revert to the board. None of such property shall be sold except as may be hereafter provided by law."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: In line 12 of the matter proposed by the Senate amendment after the word "chartered" at the end of the line preceding and the beginning of said line 12 insert the words "by the board"; in lieu of the last two paragraphs of the matter proposed by the Senate amendment insert the following:

"It shall be unlawful to sell, transfer or mortgage, or, except under regulations prescribed by the board, to charter, any vessel purchased from the board or documented under the laws of the United States to any person not a citizen of the United States, or to put the same under a foreign registry or flag, without first obtaining the board's approval.

"Any vessel chartered, sold, transferred or mortgaged to a person not a citizen of the United States or placed under a foreign registry or flag, or operated, in violation of any provision of this section shall be forfeited to the United States, and whoever violates any provision of this section shall be guilty of a misdemeanor and subject to a fine of not more than $5,000, or to imprisonment for not more than five years, or both."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 19. (1) The board is authorized and directed in aid of the accomplishment of the purposes of this act (a) to make all necessary rules and regulations to carry out the provisions of this act;

"(b) To make rules and regulations affecting shipping in the foreign trade not in conflict with law in order to adjust or meet general or special conditions unfavorable to shipping in the foreign trade, whether in any particular trade or upon any particular route or in commerce generally and which arise out of or result from foreign laws, rules or regulations or from competitive methods or practices employed by owners, operators, agents, or masters of vessels of a foreign country; and

"(c) To request the head of any department, board, bureau, or agency of the Government to suspend, modify, or annul rules or regulations which have been established by such department, board, bureau, or agency, or to make new rules or regulations affecting shipping in the foreign trade other than such rules or regulations relating to the Public Health Service, the Consular Service, and the Steamboat-Inspection Service.

"(2) No rule or regulation shall hereafter be established by any department, board, bureau, or agency of the Government

which affect shipping in the foreign trade, except rules or regulations affecting the Public Health Service, the Consular Service, and the Steamboat-Inspection Service, until such rule or regulation has been submitted to the board for its approval and final action has been taken thereon by the board or the President.

"(3) Whenever the head of any department, board, bureau, or agency of the Government refuses to suspend, modify, or annul any rule or regulation, or make a new rule or regulation upon request of the board, as provided in subdivision (c) of paragraph (1) of this section, or objects to the decision of the board in respect to the approval of any rule or regulation, as provided in paragraph (2) of this section, either the board or the head of the department, board, bureau, or agency which has established or is attempting to establish the rule or regulation in question may submit the facts to the President, who is hereby authorized to establish or suspend, modify, or annul such rule or regulation.

"(4) No rule or regulation shall be established which in any manner gives vessels owned by the United States any preference or favor over those vessels documented under the laws of the United States and owned by persons who are citizens of the United States."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 20. (1) That section 14 of the shipping act, 1916, as amended, is amended to read as follows:

"'SEC. 14. That no common carrier by water shall, directly or indirectly, in respect to the transportation by water of passengers or property between a port of a State, Territory, District, or possession of the United States and any other such port or a port of a foreign country,—

"'First. Pay, or allow, or enter into any combination, agreement, or understanding, express or implied, to pay or allow, a deferred rebate to any shipper. The term "deferred rebate" in this act means a return of any portion of the freight money by a carrier to any shipper as a consideration for the giving of all or any portion of his shipments to the same or any other carrier, or for any other purpose, the payment of which is deferred beyond the completion of the service for which it is paid, and is made only if, during both the period for which computed and the period of deferment, the shipper has complied with the terms of the rebate agreement or arrangement.

"'Second. Use a fighting ship either separately or in conjunction with any other carrier, through agreement or otherwise. The term "fighting ship" in this act means a vessel used in a particular trade by a carrier or group of carriers for the purpose of excluding, preventing or reducing competition by driving another carrier out of said trade.

"'Third. Retaliate against any shipper by refusing, or threatening to refuse, space accommodations when such are available, or resort to other discriminating or unfair methods, because such shipper has patronized any other carrier or has filed a complaint charging unfair treatment, or for any other reason.

"'Fourth. Make any unfair or unjustly discriminatory contract with any shipper based on the volume of freight offered, or unfairly treat or unjustly discriminate against any shipper in the matter of (a) cargo space accommodations or other facilities, due regard being had for the proper loading of the vessel and the available tonnage; (b) the loading and landing of freight in proper condition; or (c) the adjustment and settlement of claims.

"'Any carrier who violates any provision of this section shall be guilty of a misdemeanor punishable by a fine of not more than $25,000 for each offense.'

"(2) The shipping act, 1916, as amended, is amended by inserting after section 14 a new section to read as follows:

"'SEC. 14a. The board upon its own initiative may, or upon complaint shall, after due notice to all parties in interest and hearing, determine whether any person, not a citizen of the United States and engaged in transportation by water of passengers or property—

"'(1) Has violated any provision of section 14, or

"'(2) Is a party to any combination, agreement, or understanding, express or implied, that involves in respect to transportation of passengers or property between foreign ports, deferred rebates or any other unfair practice designated in section 14, and that excludes from admission upon equal terms with all other parties thereto, a common carrier by water which is a citizen of the United States and which has applied for such admission.

"'If the board determines that any such person has violated any such provision or is a party to any such combination, agreement, or understanding, the board shall thereupon certify such fact to the Secretary of Commerce. The Secretary shall thereafter refuse such person the right of entry for any ship owned or operated by him or by any carrier directly or indirectly controlled by him, into any port of the United States, or any Territory, District, or possession thereof, until the board certifies that the violation has ceased or such combination, agreement, or understanding has been terminated.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lines 1 and 2 of the matter proposed by the Senate amendment strike out "one year from the enactment of this act" and insert in lieu "February 1, 1922"; in line 11 of the matter proposed by the Senate amendment strike out the words "within a year" and insert the words "by February 1, 1922"; at the end of the matter proposed by the Senate amendment change the period to a colon and insert the following: "*And provided further*, That the foregoing provisions of this section shall not take effect with reference to the Philippine Islands until the President of the United States after a full investigation of the local needs and conditions shall, by proclamation, declare that an adequate shipping service has been established as herein provided and fix a date for the going into effect of the same"; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 23" and insert in lieu "Sec. 21"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 127 and agree to the same with an amendment as follows: In line 10 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 13 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 15 of the matter proposed by the Senate amendment strike out the words "wholly in American" and insert in lieu thereof the words "in such" and after the word "ownership" in said line 15 insert the following: "Subject to the rules and regulations of such trade: *Provided*, That the board is authorized to issue permits for the carrying of passengers in foreign ships if it deems it necessary so to do, operating between the Territory of Hawaii and the Pacific coast up to February 1, 1922"; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 24" and insert in lieu "Sec. 22"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 23. That the revenue act of 1918 is amended by inserting after section 206, a new section to read as follows:

"'SEC. 207. (a) That the owner of a vessel registered, enrolled or licensed under the laws of the United States and operated only in foreign trade shall for each of the 10 taxable years while so operated, beginning with the taxable year 1920, be allowed as a deduction for the purpose of ascertaining his net income subject to the war-profits and excess-profits taxes imposed by Title III an amount equivalent to the net earnings of such vessel during such taxable year, determined in accordance with rules and regulations to be made by the United States Shipping Board. Such owner shall not be entitled to such deduction unless during such taxable year he invested, or set aside under rules and regulations to be made by such board in a fund (to be known as a "replacement fund") for investment, in the building in shipyards in the United States of new vessels of a type and kind approved by such board, an amount to be determined by the commissioner, with the approval of the Secretary, and certified by him to such board, equivalent to the war-profits and excess-profits taxes that would have been payable by such owner on account of the net earnings of such vessels but for the deduction allowed under the provisions of this section; but at least two-thirds of the cost of any new vessel so constructed shall be paid for out of the ordinary funds or capital of the person having such vessel constructed.

"'The "invested capital" of the taxpayer attributable to any vessel, the net income from which is exempt from the taxes imposed by Title III shall be regarded as an "inadmissible asset" in computing the taxes due under such title upon the remainder of the taxpayer's net income for the taxable year.

"'(b) After January 1, 1920, upon the sale of a vessel registered, enrolled or licensed under the laws of the United States

and built prior to January 1, 1914, the vendor may upon application, under oath made in such form as the commissioner shall by regulation prescribe, establish a fund to be known as a "replacement fund." The vendor shall cover into such fund the entire amount received from the sale of such vessel in excess of its value on March 1, 1913, or its cost if acquired on or after that date. Such fund shall be used exclusively for the building by the vendor in shipyards in the United States of a new vessel of a type approved by the United States Shipping Board.

"'Upon the completion of the new vessel it shall not be valued in the accounts of the taxpayer at an amount in excess of that at which the vessel sold was carried in such account at the time of the sale, except and to the extent that the productive capacity of such new vessel is greater than that of such old vessel.

"'(c) Accounting for gain or loss upon the entire amount placed in the fund under the provision of paragraphs (a) or (b) may be deferred for a reasonable period of time to be determined in each case by the commissioner, with the approval of the Secretary. If the new vessel is built within the time so determined, the moneys in the fund provided for (1) under paragraph (a) shall not be subject to the taxes imposed by Title III, and (2) under paragraph (b) shall not be subject to the taxes imposed in Titles II and III.

"'(d) The taxpayer shall be required to furnish a bond with such security or surety as the commissioner, with the approval of the Secretary, shall require for an amount not less than the estimated income, war-profits, and excess-profits taxes not paid upon the income so covered into the replacement fund. In lieu of such bond the taxpayer may at his option deposit as security for such estimated amount of taxes, obligations of the United States to be held in trust as such security in a bank or trust company designated by the commissioner, with the approval of the Secretary.

"'(e) In case a new vessel is not built within the time determined under this section, the taxes imposed (1) by Title III for the taxable year upon the amount set aside in such year under the provisions of paragraph (a), and (2) by Titles II and III for the taxable year in which the vessel built prior to January 1, 1914, was sold, shall be immediately due and payable, but no penalty or interest shall be added with respect to the time which has elapsed between the time that such taxes would have been due, but for the provisions of this section and the due date.

"'(f) The Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Shipping Board, or a majority thereof, are hereby authorized and directed to determine from time to time what shall be allowed for annual depreciation of vessels documented under the laws of the United States engaged in foreign trade and owned by persons citizens of the United States, in order that the owners of such vessels shall be put as nearly as may be on a parity for taxation purposes with the owners of vessels under the flag of our foreign competitors in the world's carrying trade, and such allowances shall be embraced in the deductions allowed by law in determining the net income subject to income taxes and war-profits and excess-profits taxes.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Nothing herein shall be affected by the act entitled 'An act to provide for ocean-mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891"; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 26" and insert in lieu thereof "Sec. 24"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: Beginning in line 6 of the matter proposed by the Senate amendment, strike out everything after the word "shipping" down to and including "citizens," in line 9 of the matter proposed by the Senate amendment; in lines 10 and 11 of the matter proposed by the Senate amendment strike out the words "or such approved organization"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In line 2 of the matter proposed by the Senate amendment strike out the word "twelve" and insert in lieu thereof the word "sixteen"; between the first and second paragraphs of the matter proposed by the Senate amendment insert a separate paragraph as follows:

"The privilege bestowed by this section on vessels of the United States shall be extended in so far as the foreign trade is concerned to the cargo vessels of any nation which allows the like privilege to cargo vessels of the United States in trades not restricted to vessels under its own flag."

In line 1 of the matter proposed by the Senate amendment strike out "Sec. 28" and insert in lieu thereof "Sec. 26."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In line 8 of the matter proposed by the Senate amendment strike out the word "wholly," and in line 11 of the matter proposed by the Senate amendment strike out the figures "24" and insert in lieu thereof the figures "22"; at the end of the matter proposed by the Senate amendment insert the following: ": *Provided*, That this section shall not apply to merchandise transported between points within the continental United States, excluding Alaska, over through routes heretofore or hereafter recognized by the Interstate Commerce Commission for which routes rate tariffs have been or shall hereafter be filed with said commission when such routes are in part over Canadian rail lines and their own or other connecting water facilities: *Provided further*, That this section shall not become effective upon the Yukon River until the Alaska Railroad shall be completed and the Shipping Board shall find that proper facilities will be furnished for transportation by persons citizens of the United States for properly handling the traffic"; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 29" and insert in lieu thereof "Sec. 27"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 133, and agree to the same with an amendment as follows: In lines 17 and 18 of the matter proposed by the Senate amendment strike out ", and owned by persons who are citizens of the United States"; in line 22 of the matter proposed by the Senate amendment strike out the words "and owned"; in line 30 of the matter proposed by the Senate amendment strike out the word "shall" and insert in lieu thereof the word "may"; in line 1 of the proposed amendment strike out the numerals "30" and insert in lieu thereof the numerals "28"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 29. (a) That whenever used in this section—

"(1) The term 'association' means any association, exchange, pool, combination, or other arrangement for concerted action; and

"(2) The term 'marine insurance companies' means any persons, companies, or associations authorized to write marine insurance or reinsurance under the laws of the United States or of a State, Territory, District, or possession thereof.

"(b) Nothing contained in the 'antitrust laws' as designated in section 1 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, shall be construed as declaring illegal an association entered into by marine insurance companies for the following purposes: To transact a marine insurance and reinsurance business in the United States and in foreign countries and to reinsure or otherwise apportion among its membership the risks undertaken by such association or any of the component members."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 30. SUBSEC. A. That this section may be cited as the 'Ship mortgage act, 1920.'

"DEFINITIONS.

"SUBSEC. B. When used in this section—

"(1) The term 'document' includes registry and enrollment and license;

"(2) The term 'documented' means registered or enrolled or licensed under the laws of the United States, whether permanently or temporarily;

"(3) The term 'port of documentation' means the port at which the vessel is documented in accordance with law;

"(4) The term 'vessel of the United States' means any vessel documented under the laws of the United States and such vessel shall be held to continue to be so documented until its documents are surrendered with the approval of the board; and

"(5) The term 'mortgagee,' in the case of a mortgage involving a trust deed and a bond issue thereunder, means the trustee designated in such deed.

"RECORDING OF SALES, CONVEYANCES, AND MORTGAGES OF VESSELS OF THE UNITED STATES.

"SUBSEC. C. (a) No sale, conveyance, or mortgage which, at the time such sale, conveyance, or mortgage is made, includes a vessel of the United States, or any portion thereof, as the whole or any part of the property sold, conveyed, or mortgaged shall be valid, in respect to such vessel, against any person other than the grantor or mortgagor, his heir or devisee, and a person having actual notice thereof, until such bill of sale, conveyance, or mortgage is recorded in the office of the collector of customs of the port of documentation of such vessel, as provided in subdivision (b) of this subsection.

"(b) Such collector of customs shall record bills of sale, conveyances, and mortgages, delivered to him, in the order of their reception, in books to be kept for that purpose and indexed to show—

"(1) The name of the vessel;

"(2) The names of the parties to the sale, conveyance, or mortgage;

"(3) The time and date of reception of the instrument;

"(4) The interest in the vessel so sold, conveyed, or mortgaged; and

"(5) The amount and date of maturity of the mortgage.

"SUBSEC. D. (a) A valid mortgage which, at the time it is made includes the whole of any vessel of the United States of 200 gross tons and upward, shall in addition have, in respect to such vessel and as of the date of the compliance with all the provisions of this subdivision, the preferred status given by the provisions of subsection M, if—

"(1) The mortgage is indorsed upon the vessel's documents in accordance with the provisions of this section;

"(2) The mortgage is recorded as provided in subsection C, together with the time and date when the mortgage is so indorsed;

"(3) An affidavit is filed with the record of such mortgage to the effect that the mortgage is made in good faith and without any design to hinder, delay, or defraud any existing or future creditor of the mortgagor or any lienor of the mortgaged vessel;

"(4) The mortgage does not stipulate that the mortgagee waives the preferred status thereof; and

"(5) The mortgagee is a citizen of the United States.

"(b) Any mortgage which complies in respect to any vessel with the conditions enumerated in this subsection is hereafter in this section called a 'preferred mortgage' as to such vessel.

"(c) There shall be indorsed upon the documents of a vessel covered by a preferred mortgage—

"(1) The names of the mortgagor and mortgagee;

"(2) The time and date the indorsement is made;

"(3) The amount and date of maturity of the mortgage; and

"(4) Any amount required to be indorsed by the provisions of subdivisions (e) or (f) of this subsection.

"(d) Such indorsement shall be made (1) by the collector of customs of the port of documentation of the mortgaged vessel, or (2) by the collector of customs of any port in which the vessel is found, if such collector is directed to make the indorsement by the collector of customs of the port of documentation; and no clearance shall be issued to the vessel until such indorsement is made. The collector of customs of the port of documentation shall give such direction by wire or letter at the request of the mortgagee and upon the tender of the cost of communication of such direction. Whenever any new document is issued for the vessel, such indorsement shall be transferred to and indorsed upon the new document by the collector of customs.

"(e) A mortgage which includes property other than a vessel shall not be held a preferred mortgage unless the mortgage provides for the separate discharge of such property by the payment of a specified portion of the mortgage indebtedness. If a preferred mortgage so provides for the separate discharge, the amount of the portion of such payment shall be indorsed upon the documents of the vessel.

"(f) If a preferred mortgage includes more than one vessel and provides for the separate discharge of each vessel by the payment of a portion of the mortgage indebtedness, the amount of such portion of such payment shall be indorsed upon the documents of the vessel. In case such mortgage does not provide for the separate discharge of a vessel and the vessel is to be sold upon the order of a district court of the United States in a suit in rem in admiralty, the court shall determine the portion of the mortgage indebtedness increased by 20 per cent (1) which, in the opinion of the court, the approximate value of the vessel bears to the approximate value of all the vessels covered by the mortgage, and (2) upon the payment of which the vessel shall be discharged from the mortgage.

"SUBSEC. E. The collector of customs upon the recording of a preferred mortgage shall deliver two certified copies thereof to the mortgagor who shall place, and use due diligence to retain, one copy on board the mortgaged vessel and cause such copy and the documents of the vessel to be exhibited by the master to any person having business with the vessel, which may give rise to a maritime lien upon the vessel or to the sale, conveyance, or mortgage thereof. The master of the vessel shall, upon the request of any such person, exhibit to him the documents of the vessel and the copy of any preferred mortgage of the vessel placed on board thereof.

"SUBSEC. F. The mortgagor (1) shall, upon request of the mortgagee, disclose in writing to him prior to the execution of any preferred mortgage, the existence of any maritime lien, prior mortgage, or other obligation or liability upon the vessel to be mortgaged, that is known to the mortgagor, and (2), without the consent of the mortgagee, shall not incur, after the execution of such mortgage and before the mortgagee has had a reasonable time in which to record the mortgage and have indorsements in respect thereto made upon the documents of the vessel, any contractual obligation creating a lien upon the vessel other than a lien for wages of stevedores when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, or for salvage, including contract salvage, in respect to the vessel.

"SUBSEC. G. (a) The collector of customs of the port of documentation shall, upon the request of any person, record notice of his claim of a lien upon a vessel covered by a preferred mortgage, together with the nature, date of creation, and amount of the lien, and the name and address of the person. Any person who has caused notice of his claim of lien to be so recorded shall, upon a discharge in whole or in part of the indebtedness, forthwith file with the collector of customs a certificate of such discharge. The collector of customs shall thereupon record the certificate.

"(b) The mortagor, upon a discharge in whole or in part of the mortgage indebtedness, shall forthwith file with the collector of customs for the port of documentation of the vessel, a certificate of such discharge. Such collector of customs shall thereupon record the certificate. In case of a vessel covered by a preferred mortgage, the collector of customs at the port of documentation shall (1) indorse upon the documents of the vessel, or direct the collector of customs at any port in which the vessel is found, to so indorse, the fact of such discharge, and (2) shall deny clearance to the vessel until such indorsement is made.

"SUBSEC. H. (a) No bill of sale, conveyance, or mortgage shall be recorded unless it states the interest of the grantor or mortgagor in the vessel, and the interest so sold, conveyed, or mortgaged.

"(b) No bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge thereof, shall be recorded unless previously acknowledged before a notary public or other officer authorized by a law of the United States, or of a State, Territory, District, or possession thereof, to take acknowledgment of deeds.

"(c) In case of a change in the port of documentation of a vessel of the United States, no bill of sale, conveyance, or mortgage shall be recorded at the new port of documentation unless there is furnished to the collector of customs of such port, together with the copy of the bill of sale, conveyance, or mortgage to be recorded, a certified copy of the record of the vessel at the former port of documentation furnished by the collector of such port. The collector of customs at the new port of documentation is authorized and directed to record such certified copy.

"(d) A preferred mortgage may bear such rate of interest as is agreed by the parties thereto.

"SUBSEC. I. Each collector of customs shall permit records made under the provisions of this section to be inspected during office hours, under such reasonable regulations as the collector may establish. Upon the request of any person the collector of customs shall furnish him from the records of the collector's office (1) a certificate setting forth the names of the owners of any vessel, the interest held by each owner, and the material facts as to any bill of sale or conveyance of, any mortgage covering, or any lien or other incumbrance upon, a specified vessel, (2) a certified copy of any bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge in

respect to such vessel, or (3) a certified copy as required by subdivision (c) of subsection H. The collector of customs shall collect a fee for any bill of sale, conveyance, or mortgage recorded, or any certificate or certified copy furnished, by him, in the amount of 20 cents a folio with a minimum charge of $1. All such fees shall be covered into the Treasury of the United States as miscellaneous receipts.

"PENALTIES.

"SUBSEC. J. (a) If the master of the vessel willfully fails to exhibit the documents of the vessel or the copy of any preferred mortgage thereof, as required by subsection E, the board of local inspectors of vessels having jurisdiction of the license of the master, may suspend or cancel such license, subject to the provisions of 'An act to provide for appeals from decision of boards of local inspectors of vessels and for other purposes,' approved June 10, 1918.

"(b) A mortgagor who, with intent to defraud, violates any provision of subsection F, and if the mortgagor is a corporation or association, the president or other principal executive officer of the corporation or association, shall upon conviction thereof be held guilty of a misdemeanor and shall be fined not more than 1,000 or imprisoned not more than two years, or both. The mortgaged indebtedness shall thereupon become immediately due and payable at the election of the mortgagee.

"(c) If any person enters into any contract secured by, or upon the credit of, a vessel of the United States covered by a preferred mortgage, and suffers pecuniary loss by reason of the failure of the collector of customs, or any officer, employee, or agent thereof, properly to perform any duty required of the collector under the provisions of this section, the collector of customs shall be liable to such person for damages in the amount of such loss. If any such person is caused any such loss by reason of the failure of the mortgagor, or master of the mortgaged vessel, or any officer, employee, or agent thereof, to comply with any provision of subsection E or F or to file an affidavit as required by subdivision (a) of subsection D, correct in each particular thereof, the mortgagor shall be liable to such person for damages in the amount of such loss. The district courts of the United States are given jurisdiction (but not to the exclusion of the courts of the several States, Territories, Districts, or possessions) of suits for the recovery of such damages, irrespective of the amount involved in the suit or the citizenship of the parties thereto. Such suit shall be begun by personal service upon the defendant within the limits of the district. Upon judgment for the plaintiff in any such suit, the court shall include in the judgment an additional amount for costs of the action and a reasonable counsel's fee, to be fixed by the court.

"FORECLOSURE OF PREFERRED MORTGAGES.

"SUBSEC. K. A preferred mortgage shall constitute a lien upon the mortgaged vessel in the amount of the outstanding mortgage indebtedness secured by such vessel. Upon the default of any term or condition of the mortgage, such lien may be enforced by the mortgagee by suit in rem in admiralty. Original jurisdiction of all such suits is granted to the district courts of the United States exclusively. In addition to any notice by publication, actual notice of the commencement of any such suit shall be given by the libellant, in such manner as the court shall direct, to (1) the master, other ranking officer, or caretaker of the vessel, and (2) any person who has recorded a notice of claim of an undischarged lien upon the vessel, as provided in subsection G, unless after search by the libellant satisfactory to the court, such mortgagor, master, other ranking officer, caretaker, or claimant is not found within the United States. Failure to give notice to any such person, as required by this subsection, shall not constitute a jurisdictional defect; but the libellant shall be liable to such person for damages in the amount of his interest in the vessel terminated by the suit. Suit in personam for the recovery of such damages may be brought in accordance with the provisions of subdivision (c) of subsection J.

"SUBSEC. L. In any suit in rem in admiralty for the enforcement of the preferred mortgage lien, the court may appoint a receiver and, in its discretion, authorize the receiver to operate the mortgaged vessel. The marshal may be authorized and directed by the court to take possession of the mortgaged vessel notwithstanding the fact that the vessel is in the possession or under the control of any person claiming a possessory common-law lien.

"SUBSEC. M. (a) When used hereinafter in this section, the term 'preferred maritime lien' means (1) a lien arising prior in time to the recording and indorsement of a preferred mortgage in accordance with the provisions of this section; or (2) a lien for damages arising out of tort, for wages of a stevedore when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, and for salvage, including contract salvage.

"(b) Upon the sale of any mortgaged vessel by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a preferred mortgage lien thereon, all preexisting claims in the vessel, including any possessory common-law lien of which a lienor is deprived under the provisions of subsection L shall be held terminated and shall thereafter attach, in like amount and in accordance with their respective priorities, to the proceeds of the sale; except that the preferred mortgage lien shall have priority over all claims against the vessel, except (1) preferred maritime liens, and (2) expenses and fees allowed and costs taxed, by the court.

"SUBSEC. N. (a) Upon the default of any term or condition of a preferred mortgage upon a vessel, the mortgagee may, in addition to all other remedies granted by this section, bring suit in personam in admiralty in a district court of the United States, against the mortgagor for the amount of the outstanding mortgage indebtedness secured by such vessel or any deficiency in the full payment thereof.

"(b) This section shall not be construed, in the case of a mortgage covering, in addition to vessels, realty or personalty other than vessels, or both, to authorize the enforcement by suit in rem in admiralty of the rights of the mortgagee in respect to such realty or personalty other than vessels.

"TRANSFERS OF MORTGAGED VESSELS AND ASSIGNMENT OF VESSEL MORTGAGES.

"SUBSEC. O. (a) The documents of a vessel of the United States covered by a preferred mortgage may not be surrendered (except in the case of the forfeiture of the vessel or its sale by the order of any court of the United States or any foreign country) without the approval of the board. The board shall refuse such approval unless the mortgagee consents to such surrender.

"(b) The interest of the mortgagee in a vessel of the United States covered by a mortgage shall not be terminated by the forfeiture of the vessel for a violation of any law of the United States, unless the mortgagee authorized, consented, or conspired to effect the illegal act, failure, or omission which constituted such violation.

"(c) Upon the sale of any vessel of the United States covered by a preferred mortgage, by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a maritime lien other than a preferred maritime lien, the vessel shall be sold free from all preexisting claims thereon; but the court shall, upon the request of the mortgagee, the libellant, or any intervenor, require the purchaser at such sale to give and the mortgagor to accept a new mortgage of the vessel for the balance of the term of the original mortgage. The conditions of such new mortgage shall be the same, so far as practicable, as those of the original mortgage and shall be subject to the approval of the court. If such new mortgage is given, the mortgagee shall not be paid from the proceeds of the sale and the amount payable as the purchase price shall be held diminished in the amount of the new mortgage indebtedness.

"(d) No rights under a mortgage of a vessel of the United States shall be assigned to any person not a citizen of the United States without the approval of the board. Any assignment in violation of any provision of this section shall be void.

"(e) No vessel of the United States shall be sold by order of a district court of the United States in any suit in rem in admiralty to any person not a citizen of the United States.

"MARITIME LIENS FOR NECESSARIES.

"SUBSEC. P. Any person furnishing repairs, supplies, towage, use of dry dock or marine railway, or other necessaries, to any vessel, whether foreign or domestic, upon the order of the owner of such vessel, or of a person authorized by the owner, shall have a maritime lien on the vessel, which may be enforced by suit in rem, and it shall not be necessary to allege or prove that credit was given to the vessel.

"SUBSEC. Q. The following persons shall be presumed to have authority from the owner to procure repairs, supplies, towage, use of dry dock or marine railway, and other necessaries for the vessel: The managing owner, ship's husband, master, or any person to whom the management of the vessel at the port of supply is intrusted. No person tortiously or unlawfully in possession or charge of a vessel shall have authority to bind the vessel.

"SUBSEC. R. The officers and agents of a vessel specified in subsection Q shall be taken to include such officers and agents when appointed by a charterer, by an owner pro hac vice, or by an agreed purchaser in possession of the vessel; but nothing in this section shall be construed to confer a lien when the furnisher knew, or by exercise of reasonable diligence could have ascertained, that because of the terms of a charter party, agreement for sale of the vessel, or for any other reason, the person ordering the repairs, supplies, or other necessaries was without authority to bind the vessel therefor.

"SUBSEC. S. Nothing in this section shall be construed to prevent the furnisher of repairs, supplies, towage, use of dry dock or marine railway, or other necessaries, or the mortgagee, from waiving his right to a lien, or in the case of a preferred mortgage lien, to the preferred status of such lien, at any time, by agreement or otherwise; and this section shall not be construed to affect the rules of law now existing in regard to (1) the right to proceed against the vessel for advances, (2) laches in the enforcement of liens upon vessels, (3) the right to proceed in personam, (4) the rank of preferred maritime liens among themselves, or (5) priorities between maritime liens and mortgages, other than preferred mortgages, upon vessels of the United States.

"SUBSEC. T. This section shall supersede the provisions of all State statutes conferring liens on vessels, in so far as such statutes purport to create rights of action to be enforced by suits in rem in admiralty against vessels for repairs, supplies, towage, use of dry dock or marine railway, and other necessaries.

"MISCELLANEOUS PROVISIONS.

"SUBSEC. U. This section shall not apply (1) to any existing mortgage, or (2) to any mortgage hereafter placed on any vessel now under an existing mortgage, so long as such existing mortgage remains undischarged.

"SUBSEC. V. The Secretary of Commerce is authorized and directed to furnish collectors of customs with all necessary books and records, and with certificates of registry and of enrollment and license in such form as provides for the making of all indorsements thereon required by this section.

"SUBSEC. W. The Secretary of Commerce is authorized to make such regulations, in respect to the recording and indorsing of mortgages covering vessels of the United States, as he deems necessary to the efficient execution of the provisions of this section.

"SUBSEC. X. Sections 4192 to 4196, inclusive, of the Revised Statutes of the United States, as amended, and the act entitled 'An act relating to liens on vessels for repairs, supplies, or other necessaries,' approved June 23, 1910, are repealed. This section, however, so far as not inconsistent with any of the provisions of law so repealed, shall be held a reenactment of such repealed law, and any right or obligation based upon any provision of such law and accruing prior to such repeal, may be prosecuted in the same manner and to the same effect as if this act had not been passed."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out "Sec. 33" and insert in lieu thereof "Sec. 31." In lines 8 and 9 of the matter proposed by the Senate amendment strike out the words "or take in fuel"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the figure "11" and insert in lieu the figure "10" and change the section number from "34" to "32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 33. That the requirements provided in section 14 of the act entitled 'An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea,' approved March 4, 1915, to be observed on the Great Lakes in the intervals from May 15 to September 15, inclusive, and from September 15 to May 15, inclusive, shall be required to be observed instead in the intervals from May 1 to October 15, inclusive, and from October 15 to May 1, inclusive, respectively."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Jurisdiction in such actions shall be under the court of the district in which the defendant employer resides or in which his principal office is located"; in line 1 of the matter proposed by the Senate amendment, strike out the section number "36" and insert in lieu thereof the number "34"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "36"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "specifically"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the section number "39" and insert in lieu thereof the number "37"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment change the period to a semicolon and add the following: "the term 'board' means the United States Shipping Board; and the term 'alien' means any person not a citizen of the United States"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 39. That section 2 of the shipping act, 1916, is amended to read as follows:

"'SEC. 2. (a) That within the meaning of this act no corporation, partnership, or association shall be deemed a citizen of the United States unless the controlling interest therein is owned by citizens of the United States, and, in the case of a corporation, unless its president and managing directors are citizens of the United States and the corporation itself is organized under the laws of the United States or of a State, Territory, District, or possession thereof; but in the case of a corporation, association, or partnership operating any vessel in the coastwise trade the amount of interest required to be owned by citizens of the United States shall be 75 per cent.

"'(b) The controlling interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to a majority of the stock thereof is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if the majority of the voting power in such corporation is not vested in citizens of the United States; or (c) if through any contract or understanding it is so arranged that the majority of the voting power may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of the corporation is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"'(c) Seventy-five per cent of the interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to 75 per cent of its stock is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if 75 per cent of the voting power in such corporation is not vested in citizens of the United States; or (c) if, through any contract or understanding it is so arranged that more than 25 per cent of the voting power in such corporation may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of any interest in the corporation in excess of 25 per cent is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"'(d) The provisions of this act shall apply to receivers and trustees of all persons to whom the act applies, and to the successors or assignees of such persons.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with

an amendment, as follows: In lieu of the matter proposed by the Senate amendment insert the following: "40"; and the Senate agree to the same.

W. L. JONES,
WILLIAM M. CALDER,
CHAS. L. MCNARY,
JOS. E. RANSDELL,
F. M. SIMMONS,
Managers on the part of the Senate.

WILLIAM S. GREENE,
G. W. EDMONDS,
FREDERICK W. ROWE,
L. LAZARO,

I sign this report because as a whole I favor the bill, but there are parts of the bill to which I strongly object.

RUFUS HARDY,
Managers on the part of the House.

SUNDRY CIVIL APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. Mr. President, the sundry civil appropriation conference report is on the table, and I ask unanimous consent to take it up for consideration.

The PRESIDING OFFICER. The Senator from Wyoming asks unanimous consent that the Senate proceed to the consideration of the conference report on the sundry civil appropriation bill. Is there objection?

There being no objection, the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13870) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes.

The Reading Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13870) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 11, 14, 27, 36, 37, 38, 42, 43, 47, 50, 52, 54, 56, 62, 63, 71, 79, 80, 90, 91, 92, 93, 94, 97, 103, 104, 105, 106, 107, 118, 119, and 124.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5½, 6, 8, 10, 13, 15, 16, 18, 20, 21, 22, 23, 24, 25, 28, 29, 30, 33, 35, 39, 41, 45, 46, 48, 49, 51, 55, 58, 61, 64, 65, 66, 67, 68, 69, 72, 73, 74, 75, 76, 77, 78, 81, 83, 86, 87, 88, 89, 100, 101, 102, 108, 109, 112, 113, 114, 115, 116, 117, 121, 125, and 126, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The Lighthouse Service shall cooperate with the Coast Guard in marking anchorage grounds in the harbors of New York and Hampton Roads by furnishing and maintaining buoys necessary for such purposes. Appropriations for the Lighthouse Service for the fiscal year 1921 are made available therefor."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment strike out the word "in" and insert in lieu thereof the word "to"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$11,300,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$1,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"CIVIL SERVICE COMMISSION.

"To carry out the provisions of section 13 of the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, including personal services in the District of Columbia, stationery, printing, purchase of books, office equipment and other supplies, $50,000, of which sum $4,000 shall be immediately available: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,740 per annum except one at $2,000 and four at $1,800 each."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "except that there may be employed during the fiscal year 1921, in addition to this limitation, employees at annual rates of compensation as follows: One at not to exceed $6,500, 1 at not to exceed $5,000, 2 at not to exceed $4,000 each, 10 at not to exceed $3,500 each, 10 at not to exceed $3,250 each, and 10 at not to exceed $3,000 each"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In line 9 of the matter inserted by said amendment strike out the following: "not to exceed $7"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$183,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$150,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$250,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Medical and surgical history of the war with Germany: Toward the preparation for publication under the direction of the Secretary of War of a medical and surgical history of the war with Germany, including printing and binding at the Government Printing Office and the necessary engravings and illustrations, $50,000: *Provided*, That the total cost of such history shall not exceed $150,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In line 12 of the matter inserted by said amendment strike out "$4,436,297.60" and insert in lieu thereof "$4,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"BUREAU OF PENSIONS.

"To enable the Bureau of Pensions to perform the duties imposed upon it by the act entitled 'An act for retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, including personal services, purchase of books, office equipment, stationery and other supplies, printing, traveling expenses, and expenses of medical and other examinations, $50,000, of which sum $4,000 shall be immediately available: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,740 per annum except one at $2,000 and four at $1,800 each."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$200,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,302,642"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: ": *Provided*, That no part of this appropriation shall be expended for drainage except in irrigation districts formed under State laws and upon the execution of agreements for the repayment to the United States of the costs thereof: *Provided further*, That the fore-

going proviso shall not be construed as an expression of opinion by the Congress upon the litigation pending between the Government and the settlers on such project or in any manner prejudice such litigation"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$8,463,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out "$2,500" and insert in lieu thereof "$1,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$278,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$300,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with amendments as follows: In line 13 of the matter inserted by said amendment strike out "$525,326" and insert in lieu thereof "$510,797"; on page 135 of the bill, in line 12, strike out "$121,600" and insert in lieu thereof "$104,000"; on page 135 of the bill, in line 15, strike out "$280,500" and insert in lieu thereof "$255,570"; on page 136 of the bill, in line 13, strike out "$147,100" and insert in lieu thereof "$134,560"; on page 136 of the bill, in line 16, strike out "$5,000" and insert in lieu thereof "$4,550"; on page 137 of the bill, in line 8," strike out "$579,800" and insert in lieu thereof "$524,280"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$308,270"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The Bureau of Standards is authorized and directed to make an investigation as to the standard, quality, and cost of production and distribution of gas furnished the Government and private consumers in the District of Columbia and report the result of such investigation to Congress on or before the first Monday in December, 1920."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out "$50,000" and insert in lieu thereof "$25,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$4,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$9,281,851, to be available until expended"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment after the word "discontinued" in line 8 down to and including the word "advertisements" in line 16; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: Add at the end of the matter inserted by said amendment the following paragraph:

"The loans for equipment authorized by section 210, transportation act, 1920, may be made to or through such organization, car trust or other agency as may be determined upon or approved or organized for the purpose by the commission as most appropriate in the public interest for the construction, and sale or lease of equipment to carriers, upon such general terms as to security and payment or lease as provided in this section or in subsections 11 and 13 of section 422 of the transportation act, 1920."

And the Senate agree to the same.

F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,
Managers on the part of the Senate.
JAMES W. GOOD,
WILLIAM S. VARE,
JOSEPH W. BYRNS,
Managers on the part of the House.

Mr. BORAH. Mr. President, I should like to ask the chairman of the committee in regard to the amendment which I offered in the Senate, and which was adopted, striking out the proviso with reference to the appropriation which is, I think, amendment numbered 60 of the Senate. As the matter appeared in the bill in the first instance, after the appropriation, it said:

Provided, That no part of this appropriation shall be expended for drainage except in irrigation districts formed under State laws and upon the execution of agreements for the repayment to the United States of the costs thereof.

This was stricken out in the Senate. I should like a statement on the part of the chairman of the committee as to why this amendment was receded from.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Wyoming?

Mr. BORAH. I do.

Mr. WARREN. Of course, the Senator does not expect me to allege a particular reason why that particular amendment was stricken out as apart from all the other amendments. That was not the case. I was entirely agreeable to its going in, and sought to protect it in conference; but we met very sturdy opposition from the other side, and in the final settlement of the bill we were compelled to recede from that amendment, with some others, in this case with an amendment, as we did in many other cases, believing that we had at least approached as near the Senator's wish as we could and get the consent of the House. It was because of no neglect on the part of the conferees of the Senate, and it was with no joy, of course, that we were compelled to recede from any of the amendments; but that, with others, we were unable to retain in the bill.

Mr. BORAH. Mr. President, I do not know just what the rules of conferences are with reference to stating the specific objections which the House conferees had to the amendment. I do not know whether that is proper or not; but I am at a loss to know what argument could be advanced for retaining this proviso.

As I stated when the matter was before the Senate, the subject matter covered by the proviso is now in litigation. It is a matter of contention between the water users and the Government, and it has been taken into the courts. This proviso is in effect passing judgment upon that question in controversy, and the judgment is being rendered without any hearing upon the part of the water users. In other words, it deprives them of an opportunity of presenting their view of the matter before the Congress—in effect says that "you must do what the Government has asked you to do."

The matter arises out of a controversy over the items of expense with reference to a certain irrigation project which have been charged up to the water users, they contending that a number of the items of expense, constituting a large portion of the expenditure, ought not to be charged, under the reclamation law, to the water users.

As I said, the matter has gone into the courts. The question of the organization of the district depends alone upon the settlement of it within the courts, and yet the Congress has declared that the appropriation for drainage purposes shall not be used until the district is organized, which is in effect declaring that judgment is rendered against the contention of the water users.

As I said, I do not know why that should be insisted upon by the House, and I should like to know if I am permitted to know?

Mr. WARREN. There is no secrecy about it. May I ask if the addition which the conferees believed would take care of the situation, as nearly as it could be taken care of—that is, that there should be no prejudice on account of this appropriation, and that the finding of the court should, of course, prevail—relieve the situation more than it would have been relieved by striking this out and not including anything?

Mr. BORAH. I do not see, Mr. President, that the second proviso really changes the effect of the first proviso. It reads:

Provided further, That the foregoing proviso shall not be construed as an expression of opinion by the Congress upon the litigation pending between the Government and the settlers of such project or in any manner prejudice such litigation.

But, Mr. President, the effect of saying that the money shall not be used until the irrigation district is formed is to declare that the water users must surrender and organize the district before they can get the benefit of the bill. So, notwithstanding the proviso that it shall not be considered to prejudice, it really does prejudice it. It is like striking a man in the face and then saying that you did not intend any insult or any injury to him; although I have no doubt that this proviso was added in the utmost good faith upon the part of the representatives of the Senate. But the fact is that as a legal proposition it does not save the effect of the first proviso. I dislike very much, Mr. President, to see that kind of a judgment rendered. It seems to me its injustice must be apparent to all.

I think the House conferees understood, probably, that unless this first proviso was in the bill there would be no method by which to get back the money which was appropriated for drainage purposes; but that is not true. The water users are responsible for the amount which would be charged to their separate lands, respectively, for all the money which would be used for drainage purposes. The contention is over the question of organizing the district and making them responsible collectively as a district organization, and in order to organize the district they must agree upon the contract between them and the Government, and they can not agree upon the contract until the items which go into the contract have been settled by the court.

So the result of it is, Mr. President, that Congress is really passing judgment upon this contention, and doing so under such conditions that they will practically, in my judgment, have to abandon the contention, or else get no benefit from this appropriation at all. I urge the injustice of such a proceeding. These people should be heard before the committee. Only one side has been heard.

Mr. NUGENT. Mr. President, I trust the conference report on the sundry civil bill will not be agreed to, for the reasons advanced by my colleague.

When that bill was reported to the Senate by the Committee on Appropriations it contained, on page 106, an item appropriating certain sums of money for the Boise reclamation project, and there was incorporated in it the following proviso:

Provided, That no part of this appropriation shall be expended for drainage except in irrigation districts formed under State laws and upon the execution of agreements for the repayment to the United States of the costs thereof.

When the bill was considered by the Senate my colleague moved as an amendment to strike out the proviso just read, and that amendment was accepted by the chairman of the committee. In conference, however, the proviso was again incorporated in the item. I believe it is absolutely unfair; I think it is not right or proper that it should remain there, and I am opposed to the acceptance by the Senate of the conference report for that reason.

The Boise project, Mr. President, is one of the largest in the United States. It is one of the garden spots of the United States. It contains approximately 265,000 acres of land. About 124,000 are under canals owned by the Government, and the remainder is in irrigation districts or is being supplied with water from canals the owners of which acquired water rights in the Boise River long prior to the time the Reclamation Service commenced operations in that section.

In 1906 the Reclamation Service commenced the irrigation of irrigated land in the Boise project. In 1915 the Arrow Lake dam was completed, at a cost to the Government of approximately four and a third million dollars. It is 349 feet in height, the second highest dam in the United States.

Last year, of the entire project, 216,348 acres were harvested and the crops produced on that acreage were of the value of $14,458,453.62. The land lying under the Government canals was supplied with water by the Government, as was also about 38 per cent of the other land in the project, and the total value of the crops produced last year on land irrigated with water supplied by the Government was $9,372,252.62.

There are more than 3,900 farms within the project, with a population of more than 15,000. There are also 10 towns, with a population of 40,000, or a total population of 55,000.

There are 24 public schoolhouses; 54 churches; 15 banks, with a capital stock of more than $2,000,000, with deposits aggregating $13,500,000, and 28,000 depositors.

Those people, Mr. President, are entitled to an absolutely fair, square deal at the hands of the Congress, and I have not the least doubt in the world that the Congress will accord it to them in the event the Members are familiar with all the facts and circumstances connected with this matter.

So far as I am concerned, I have no personal knowledge of the facts relative to the controversy in which the settlers on the project, or, rather, certain of them, are now involved with the Reclamation Service, but I am in receipt of a copy of certain preambles and resolutions which were adopted by the water users at a meeting held recently, from which I quote the following:

Whereas the Secretary of the Interior * * * did, on July 2, 1917, issue and promulgate a "public notice" violative of the terms of said contract and violative of the laws of the United States; and

Whereas said public notice was based upon and prepared from false and fraudulent data supplied and furnished to said Secretary of the Interior by said D. W. Cole, project manager of the Boise project and other officers of the Reclamation Service under his direction, and said Arthur Powell Davis; and

Whereas said Arthur Powell Davis and the project managers of the Boise project and the local counsel for said project have for a great many years, to wit, more than 10 years, used their official position unlawfully, arbitrarily, and oppressively to influence, induce, and to force the stockholders of the Payette-Boise Water Users' Association to abandon said association and to refuse to pay the assessments levied against their stock and to form and establish an irrigation district instead, and to abandon and surrender their established rights under said contract of February 13, 1906; and

Whereas the settlers under said Boise project have, through their proper officers, requested of said reclamation officials a copy of the proposed contract which would be acceptable in case an irrigation district should be formed, and said officials have persistently refused to furnish such copy or to guarantee the preservation of the rights as provided in the existing contract.

It appears from these resolutions that prior to the time of the organization of the Water Users' Association under the laws of the State of Idaho the then Secretary of the Interior requested that such organization be formed, and it was organized in accordance with his request. It also appears that the constitution and by-laws of the association were submitted to and approved by the Secretary of the Interior and that a contract was actually entered into, executed in 1906, under which the settlers have from that day to the present time been operating.

It further appears from the resolutions that every effort has been made during the past several years to induce the settlers to abandon the contracts under which they have established rights and to organize an irrigation district under the laws of Idaho; and it is stated that the Director of the Reclamation Service has persistently and insistently demanded that the settlers take such action; and that they have, as they say, requested that a copy of the contract they will be called upon to enter into with the Government, in the event they organize an irrigation district, be submitted to them, and that it has never been submitted for their consideration.

As was said by my colleague, the matters in dispute between the water users and the Reclamation Service are in litigation, and have been for a number of years. The settlers, who are members of the Water Users' Association, are litigating their rights in a court of justice. The suit, if my recollection serves me right, has been pending for more than a year—possibly two years—and the questions in controversy are now before the Federal court for the district of Idaho for determination. I earnestly insist that they should be settled by the courts, and not by this Congress. So far as the Congress as a whole is concerned, it has no knowledge concerning the facts connected with this matter, and it follows, as a matter of course, that it has no knowledge of the law applicable to those facts. Therefore, how can it decide the questions that are at issue?

Mr. President, I deny that the Congress has any right to in any way, shape, or form determine the question of the validity or invalidity of the contracts now in litigation, and I challenge the right of the Congress to condemn, either directly or indirectly, 10,000 of the people of my State without affording them an opportunity to be heard, and upon the absolutely uncorroborated statement of one man, namely, the Director of the Reclamation Service.

I reside at Boise and have resided there for many years. I know this project, and I know the people who reside on it, and I am proud to say that they will compare most favorably with an equal number of citizens in any other section of the country. They are good Americans. They are honest, industrious, hard-working people, and in the event the court determines the suit now pending adversely to them they will pay every dollar that may be assessed against them.

Again I say that they are entitled as of right to a square deal, they are entitled to fair treatment at the hands of the Congress, and in order to accord them that square deal and such fair treatment the conference report should be rejected and other conferees should be appointed on behalf of the Senate, and they should be instructed to insist on the Senate amendment striking out the proviso which I have read.

Mr. CHAMBERLAIN. Mr. President——

Mr. NUGENT. I yield to the Senator from Oregon.

Mr. CHAMBERLAIN. Does the Senator think that the proviso added by the conferees would save the legal situation?

Mr. NUGENT. Not at all. While I do not believe for a single solitary moment that the proviso would have the slightest effect on the mind of Judge Dietrich, the judge of the court in which these controverted matters are pending, at the same time it may have the effect of placing the 10,000 water users in an awkward position in the minds of other people. In other words, other people may assume, because of the proviso, that the Congress of the United States has held that the settlers are wrong in their contentions, and that they are seeking to defraud the Government of the United States of money which they owe to it, which is not true.

Mr. WALSH of Montana. Mr. President, I have listened with no little sympathy to the statement of the Senator from Idaho [Mr. NUGENT] on this item in the conference report under consideration. We have trouble with the Reclamation Service in our State. I have followed them with a sincere desire to accept their views with respect to this, but I must confess I am at an entire loss to understand the point which they make in connection with the matter.

As I understand the matter, the water users' association was organized and was necessary by reason of the fact that much of the land under the reclamation project was without any private ownership, and an agreement was entered into with that association under which the association agreed to reimburse the Government for whatever expense it incurred in the construction of the irrigation plant, the ordinary contract entered into with water users' associations. Now, a controversy arises as to how much should be paid to the Government of the United States—that is to say, how much the thing actually did cost—it being contended, as I suppose, that items had been incorporated in the total charge not properly chargeable against these particular water users; and that controversy as to how much should be paid apparently is pending before the Federal courts in the State of Idaho.

Now comes on an application for a further appropriation for the project, to be used for the purpose of drainage, and now the Reclamation Service does not care to bring that appropriation under the contract by which the cost was to be reimbursed through the water users' association, and insists that that shall be taken care of under an irrigation district organization. In other words, the Reclamation Service, for some reason or other, is dissatisfied with further negotiations and further transactions with reference to the matter with the water users' association, and insists that hereafter it will deal only, so far as it can help itself, with the district organization, and insists that before this appropriation has its approval the district organization should be effected.

Now, I am utterly at a loss to understand the contention that this provision predetermines anything whatever in the lawsuit. The lawsuit will go on just the same as before, and the amount which the water users' association is required to pay will, of course, be determined. It is simply a question, as it seems to me, as to the reasonableness of the contention now made by the Reclamation Service that hereafter it will not, unless Congress requires it, deal with the water users' association, but will insist upon an irrigation district organization. If I am in error about this, I should be very glad to be corrected by the Senator.

Mr. BORAH. Mr. President——

Mr. WALSH of Montana. I yield to the Senator from Idaho.

Mr. BORAH. The proviso is inserted at the earnest insistence of the department. It seems to believe—and I think correctly—that it would help to effectuate their purpose. It desires, in other words, to withhold any appropriation from these people until they shall have formed this irrigation district. One of the things that these people contend that they do not desire to do and will not do is to form an irrigation district until the terms of the agreement which the district is asked to sign shall have been agreed upon and the amount of it shall have been disposed of between the representatives of the water users' association and the Government. If the conference report is agreed to, with the proviso that no amount of the appropriation shall be used for drainage until they shall have formed the district and shall have executed this contract, of course it is a powerful club in the hands of the department to compel them to come to their terms. It is an attempt to withhold what they are entitled to have, to wit, drainage, until they agree to something which the users claim to be unjust. All this takes place in an appropriation bill. I know how anxious you all are to pass these supply bills and how difficult it is to delay them, but certainly we ought not to do a wrong to these people, even under such urgent conditions.

Mr. WALSH of Montana. I am unable to follow the Senator at all. We will say the district organization is effected and it agrees to pay the actual cost——

Mr. BORAH. But the department will not let them do that.

Mr. WALSH of Montana. If after the irrigation district is formed the Reclamation Service declines to enter into a fair and reasonable agreement with them, then they would, of course, appeal to Congress and the appropriation would be made accordingly.

Mr. BORAH. I know, but the Senator does not take into consideration—and he knows, of course, quite as well as the Senator from Idaho—that it is a considerable task to organize an irrigation district for the purpose of effectuating a contract or concluding a contract, and then if it turns out that the contract is not acceptable to the district they have a large amount of expenses on their hands for nothing.

If the Senator will pardon me, they have asked the department, as I am informed, time and time again to submit to them the contract which they will be asked to sign in case the district is formed. I am also informed that the department has declined to do this. Although the contract is withheld, so I am informed, nevertheless the department asks that all drainage and all protection to these people by the Government be withheld until they form the district and sign this contract, the terms of which they do not know.

Mr. WALSH of Montana. Of course, it occurs to me that the position taken by the local users is a very reasonable one and that they should know beforehand what kind of a contract they are expected to enter into after they effect their organization. If it should appear here that that is the situation of affairs and that they have asked the Reclamation Service to designate the kind of contract that they will be expected to enter into when they do organize, and the Reclamation Service declines even to intimate to them what kind of contract they will have to sign, I should say this is an unreasonable provision.

Mr. NUGENT. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Idaho?

Mr. WALSH of Montana. I yield.

Mr. NUGENT. I quoted at some length from the resolutions recently adopted by the water users' association, in which it was stated, the Senator will remember, among other things, that they had frequently requested that they be advised as to the character of contract they would be called upon to enter into with the Government in the event they complied with the wishes of the Director of the Reclamation Service and organized an irrigation district, and that as a matter of fact a copy of such contract has not at any time been presented to them. I will read a telegram which is dated at Caldwell, Idaho, May 21, and is as follows:

CALDWELL, IDAHO, *May 21, 1920.*

HON. J. F. NUGENT,
Washington, D. C.:

Whereas a bill having been passed by the lower House of Congress appropriating a sum of money for drainage in the Boise Valley, the said bill now being before the Senate for consideration; and

Whereas a provision of the bill being to the effect that the appropriation shall not be available to the Boise project until an irrigation district shall have been formed; and

Whereas a mass meeting having been called to consider the advisability of so organizing: Be it

Resolved, That we, the settlers under the Boise project, in mass meeting assembled, hereby reaffirm our desire to promote harmonious cooperation between the Reclamation Service and ourselves and concerning the formation of an irrigation district we invite the Reclamation Service to submit a copy of the contract which we would be required to execute under such an organization.

L. J. MAGEE, *Secretary.*

It appears not only from this telegram but from the resolutions which I have read that requests have been made in the past and are now made by the water users for a copy of the contract, which they will be urged to execute in the event they organize an irrigation district, and that it has never been presented to them.

I believe that the Senator from Montana desires to be entirely fair in this matter, and I again call his attention to the fact that the rights of the people on the Boise project became established in 1906, when, at the request of the then Secretary of the Interior, they organized a water-users' association and entered into a contract with the Government, which was executed by all parties concerned. Now, it is sought, indirectly, if you please, to deprive them by this proviso of certain of those rights and without affording them an opportunity to be heard.

Mr. WALSH of Montana. That is why I rose, because I am utterly unable to see that it has that effect, nor how it is going to operate to affect that legislation in the slightest degree.

Mr. NUGENT. I am not familiar with the provisions of the contract, but I assume that the difficulty that has arisen between the Reclamation Service and the settlers' association relates to the construction to be placed on certain sections of the contract. The dispute has been submitted to a court for settlement. It does seem to me that, notwithstanding the pending litigation, the settlers should not be deprived of an appropriation for the purpose of drainage or for any other purpose connected with the reclamation work on the ipse dixit of one man.

Mr. WALSH of Montana. Of course, everybody will agree to that, but that is not the proposition. Here is the amendment:

Provided, That no part of this appropriation—

That is, the $774,000—

shall be expended for drainage except in irrigation districts formed under State laws and upon the execution of agreements for the repayment to the United States of the costs thereof.

That is to say, for reimbursement to the United States of this $774,000, or so much thereof as shall be expended in connection with irrigation. That is the condition. The costs of the reclamation project are in controversy in the lawsuit, and that lawsuit will go on just exactly the same. The proviso does not affect that contract in any way whatever, but simply provides that this appropriation of $774,000 shall not be available for irrigation unless an irrigation district shall be formed, which irrigation district shall enter into the contract with the United States, not to pay the whole cost of the irrigation project—that is already taken care of by the water-users' contract—but to repay the $774,000.

Mr. BORAH. Mr. President, the Senator from Montana is in error.

Mr. NUGENT. Then the Senator's contention is that it matters not what the legal rights of those settlers may be under their contract, the Congress can deprive them of those rights by refusing to appropriate money for reclamation purposes?

Mr. WALSH of Montana. Not at all. It simply provides that the money we now appropriate, $774,000, can not be made available unless an irrigation district is formed, which irrigation district will agree to pay not the costs already incurred but to pay back the $774,000.

Mr. BORAH. Mr. President, if the Senator from Montana could separate expenditures heretofore incurred in the building of the project from the appropriation of $774,000 and have in mind the proposition of organizing a district merely to take care of the $774,000, of course, he would be entirely correct; but, entering into the question of the organization of the district, as to whether the people will vote to organize a district, whether or not they can act intelligently at all, they must have before them the contract which the district is to sign, and that contract must cover not only the items of expense under the appropriation of $774,000, but the contract must also cover the items of expense which are involved in all previous relationships between the settlers on the project and the Reclamation Service.

Mr. WALSH of Montana. Let me call the attention of the Senator to the fact that that is not what the law says.

Mr. BORAH. I beg the Senator's pardon; that is what it says in its practical workings. It is that—

No part of this appropriation shall be expended for drainage except in irrigation districts formed under State laws.

In other words, they can not get any part of this drainage money until they organize a district, and they can not organize a district in the State until they know the terms of the contract, and that contract must include all previous expenses as well as the $774,000.

Mr. WALSH of Montana. That is where the Senator from Idaho and I differ as to the language of the bill. It provides not that the irrigation district shall be required to pay the cost of the entire reclamation project, but the "costs thereof"; that is to say, to reimburse the $774,000.

Mr. BORAH. But, Mr. President, if the Senator will go to the telephone and call up Mr. Davis, who is doubtless the author of the language, I will venture to say that he will not contend for a moment that he is asking for the organization of the district to make sure the repayment of the $774,000, but he is asking for the organization of a district which will enter into an agreement for the repayment of all costs which have been assessed against that entire project from its original inception to the present day.

Mr. WALSH of Montana. The Senator from Idaho will understand, of course, that I am desirous of voting with him on this matter; I am desirous of accommodating my views to those of the Senators from Idaho.

Mr. BORAH. I understand that exactly, and the Senator and I do not disagree upon the law at all. We simply disagree upon the facts, which facts construe the law in this instance, and necessarily so.

Now, let us bear in mind that under no possible conditions can the Government lose one dollar by this transaction that it ought to have. Even if the $774,000, or any of it, is utilized for drainage prior to the organization of an irrigation district, nevertheless every dollar of it is just as secure as if it were a first mortgage upon all that land, because the water users' association, already formed, and the respective farmers, with their individual responsibility, are liable for every dollar that is expended for drainage or anything else. Therefore, the Government can not lose a dollar.

I have no doubt the House conferees honestly thought that without the formation of the irrigation district there would be no security for the $774,000. That assumption probably arose from the fact that they were not entirely familiar with the operations of an irrigation district; but, as a matter of fact, every dollar of it is perfectly well secured, because the liability is there in another form. The department, however, requires that before the amount be expended the liability be placed in a different form, to wit, by the organization of an irrigation district instead of a water users' association.

The organization of the irrigation district involves, if there is to be intelligent action upon the part of the people, knowledge of what their contract is to be. The knowledge of that contract, they say, is withheld from them, so that they can not even proceed intelligently to cast their votes in favor of an irrigation district, because they do not know what it will be. Nevertheless, they are asked to proceed to organize an irrigation district without knowledge, and when it is organized, then the contract will be presented to them in such form and including such amounts as the department sees fit to suggest; in other words, the people are asked to vote for a district the obligations of which they do not know before they vote.

What is the object of the proviso? The object of the proviso is to withhold the drainage that is necessary and essential and which they will need until they comply with the demands of the Reclamation Service and organize a district, and do so without knowledge of the terms of the contract. That is the object of the proviso. It is not necessarily to affect the litigation but to drive them into the organization of an irrigation district before they can get relief from the extra flow of water upon their lands, which relief is very necessary for their purposes. In other words, they have got to do without drainage until they organize a district, and they have got to organize a district regardless of whether the contract suits them or not, and they have got to organize it regardless of whether they know the contents of the contract. That is the manner in which judgment is being passed upon these people.

I say again that I must believe that the House did not understand that every dollar of this money is perfectly secure.

Mr. WARREN. Mr. President, the measure which we are considering is the sundry civil appropriation bill, which provides very largely for running the Government during the next fiscal year. We are now under the shadow of a proposed adjournment. The bill covers some 200 pages, and there were 126 differences for the conferees to adjust.

When the bill originally came to the Appropriations Committee from the House it received at the hands of the Senate committee very urgent and continued attention. We took up everything that was offered, heard everyone who wished to be heard, and came on to the floor of the Senate with the bill. Of course, those not especially interested received their first knowledge from the terms of the bill as it was being read; I can understand that; and there is nothing more natural in the world than that the Senator from Idaho should offer the amendment, with his view of the case, which is doubtless correct; and there is nothing more reasonable, I think, than that the chairman of the committee in charge of the bill should accept the amendment, as it related to an Idaho matter, and was presented by an Idaho Senator. This incident, however, proves, I think better than almost anything else, the danger of legislating on the floor and placing amendments in a bill which the chairman or the committee has had no opportunity to investigate because of the lack of time. The amendment went in the bill with no one knowing of the circumstances of the case except as they appeared here.

The original provision coming as it did from the House, where the two Idaho Representatives are very active, it was natural to assume that the provision was satisfactory to them or else they had overlooked its significance. However, the Senate struck out the House provision and the bill went to conference, where the Senate conferees met with very decided resistance. In the meantime, the only information we have

been able to obtain has been from the Reclamation Service, which seemed to think the House provision was all right, and from statements of Members of the other House. Now in the very last moment of the session we are met with this difference, which I regret exceedingly, because I know that Senators in States where irrigation projects are located are the best authority we can have in such matters; but here is a condition confronting us.

When I say it is impossible, it is impossible in all reason to say that we can amend it now. Of course we can destroy the bill; we can vote against the conference report and send it back, and on account of the time that it would take for a further struggle with opposing elements and enrollment and the signatures of the presiding officers and all of that we probably would lose the bill. On the other hand, I may say without any secrecy about it that we met with the most determined resistance to this amendment on the part of the House conferees, and we did not receive any help from any Members of the House to maintain our amendment as it was offered and accepted in the Senate. It was one of the very last matters to be settled in conference, and I regretted very much, as I know my colleagues did, that we were compelled to recede in part, and, as we thought, to better it somewhat by the additional language.

I wish to assure the Senators from Idaho that if the matter were not in this extremity I should certainly offer to cooperate with them in obtaining in some substantial way a reconsideration; but I regret to say that it is now simply a matter of taking it as it is or losing the bill, this particular appropriation and all the others in it.

Mr. NUGENT. Mr. President, there are three days of the session remaining; and I fail to appreciate the reason why, in the event this conference report is rejected, another conference can not be had and the matter amicably adjusted in the three days. I suggest to the chairman of the committee that that course be taken.

Mr. WARREN. Mr. President, my sympathies were with the Senator, but I say to him that it can not be done at this hour. There is too much to be done. In fact, the men who are conferees on this bill have other bills following this one, so that their time is occupied; but, even if they met, the fact that we send the bill back does not take from the other side any of their steadfastness in regard to this amendment. They get no contradiction other than from us here on this side of the Capitol concerning this amendment.

I move the adoption of the report.

Mr. PITTMAN. Mr. President, I realize, as the chairman of the committee [Mr. WARREN] has said, that the shadow of adjournment is hanging over the Congress. It is rather a fog of adjournment. Everything that is being done now is being done blindly, apparently. I should like to vote for this conference report, because I entertain the hope that there is something in it that is founded upon reason and not upon haste. I have not found it yet, but I am sure it is there somewhere.

A case like that cited by the Senator from Idaho appeals very strongly to western men who know something about irrigation. I can very readily conceive that it is a matter of no importance whatever to the great majority of the Congress. I conceive, however, that it is of importance to the whole country. It is one of the chief sources to which we must look in the future for the production of food.

The methods used in the legislation to which the Senator from Idaho refers constitute the same character of coercion that was used to force the water-power companies to submit to a voluntary and revocable permit under the Forestry Service. They would drive a little wedge of a forest reserve across a line of ditch or power, and then they would say, "You have got to cease work unless you accept a revocable permit under such terms as we want." This legislation is intended to accomplish the same thing; that is all. They say, "You do not have to take this money for drainage unless you want to." They know they have to take it. Then they attach terms to it which these people do not want; that is all. It is a method of coercion. I am referring, of course, to the matter affecting Idaho.

Now, I want to turn to another matter. I refer to amendments numbered 62 and 63, on page 109 of the bill, under the title "Reclamation Service." The Government has expended over $10,000,000 on the Newlands project in Nevada. They have taken that money and they have dumped $10,000,000 worth of water on a flat country, and then they have not spent a cent to drain it off. They have not spent anything to drain it off, because Congress will not give them the money. Congress is in the shadow of adjournment. Congress is in the shadow of a convention which is apparently of more importance than any legislation for the West. That is the truth about the thing.

I do not blame Congress for knowing nothing about irrigation. I would not blame the conference committee for not knowing anything about the Newlands project, except that it was argued on this floor before it went to conference. We tried with all of the information we had to convince the members of the conference committee on the part of the Senate that drainage is as essential to irrigation as placing water on the ground. I am satisfied that the members of this committee from the West ought to have understood that. The Reclamation Service made an estimate of $300,000 to drain the Newlands project. They stated that the land was being swamped with water; that a project that had cost the Government over $10,000,000 was being destroyed for the lack of drainage; that the Government was losing money upon its investment by reason of the failure to appropriate this insignificant sum by comparison with the great investment that had been made; yet, in spite of that estimate, and in spite of that assurance by the Reclamation Service, in spite of the pleas by the 10,000 people who live on that project, this conference committee treat this matter as cavalierly as they would treat some foreign question.

Mr. WARREN. Mr. President, I have no desire to object to any pleasure that the Senator may get from alluding to the conferees in that manner; but I assure him that when men go into conference they go in to compose the differences between the two bodies, and I have never yet seen the time when the conferees of the Senate could obtain for every single Senator everything that he desired, not even the Senator from Nevada. The conferees did their duty, and did it, I think, as well as conferees usually do, and stuck to every one of their additions here in the way of amendments as long as it seemed as if there was a chance of winning.

The Senator certainly must know that in a bill of this size, and with this number of amendments, some of them have to be yielded; and the Senator knows, as I told him the other day, that every single project mentioned here had estimates of twice or nearly twice as much as we gave them, because there is not enough money to give the full amount, and the law protects the money that there is by providing that it must be divided equally.

The Senator knows, although he skips it in his remarks, that that large statement or computation was made upon the expectation of this free oil money, or that we should borrow $5,000,000, which we have not done, and the oil money is not yet free, so that that talk about the estimate being more than the appropriation cuts no figure whatever unless you should prefer that one project as against all the others, and take the money that belongs to others for that one.

Mr. PITTMAN. Why did the conference committee strike out the word "drainage"?

Mr. WARREN. For two reasons. In the first place, the House insisted that it should go out. In the next place, the Senator knows—or if he does not know he can find out by inquiring—that while in making up an estimate they may put in drainage at so much, and reservoirs at so much, as a matter of fact they can use that amount for drainage or they can use it for the other purpose, as they have done in the other States. There is no question about that.

Mr. PITTMAN. It did not do any harm in the provision, then, if that is the case, did it?

Mr. WARREN. It did not.

Mr. PITTMAN. There is a difference of opinion among lawyers, the Senator understands, as to whether the word "drainage" is necessary or not.

Mr. WARREN. There was no difference of opinion on the part of the conferees of the Senate that would cause them not to stand by it.

Mr. OVERMAN. Mr. President, let me say to the Senator from Nevada, since he has spoken of this matter as having been treated cavalierly, that I am not a western man and know very little about western matters and reclamation. I find, however, that the western Senators do not always agree. When they do agree, they will find me agreeing with them; but when they differ about these matters I have to exercise my best judgment, and I generally listen to the heads of the great departments of the Government who investigate these matters and are expected to know all about them.

The views of the head of a department whose business it is to watch over these things are what really govern me when the western men differ, and they do not always agree. If they agree, they will find me agreeing with them. Therefore the Senator must appreciate the fact that there has to be some way for me to make up my mind, and in such cases it seems to me

that the best thing for me to do is to go to the head of the department.

Mr. PITTMAN. Mr. President, I am very glad to hear the Senator say that, because I know now how he stood on the conference committee, because the head of the department stood for these amendments that I introduced, and in fact recommended them before they were adopted, and every western Senator stood for them. Therefore, there is no question about where the Senator from North Carolina stood; but I realize that the Senator from North Carolina would have no very powerful control over that conference committee, or any other conference committee, under the shadow that has been spoken of. There is a shadow on this Congress and has been for some time, that has obstructed all common-sense reasonable legislation.

I know well enough that things are being jammed through here because Senators and Members of the House of Representatives are seeking to go to a political convention. I do not blame them. It is a matter of great interest. It is a matter of importance to them; but there is no reason why legislation vital to the interests of this country should be sacrificed by reason of any of those desires or political ambitions. So far as I am concerned, there is not any three days left at all; there is an illimitable number of years left to stand here and legislate properly on this matter. I will not vote for a conference report so made up.

Mr. HENDERSON. Mr. President, do I understand that there is no significance to be attached to the action of the Senate conferees in receding from the amendment offered by the Senator from Nevada [Mr. PITTMAN], and adopted by the Senate, in regard to the drainage on the Newlands project?

Mr. WARREN. Mr. President, the Senator asks if there is any significance about it. First the objection came, and we were not able to overcome it. It stood separate and apart from the raising of the appropriation—that is, we treated it separately—and the House would not consent to it. On the other hand, the Senate conferees knew, as I know and as the Senator, I think, knows, that that money could be expended whether that was in it or not; so they felt more comfortable about that, naturally, than they would about cutting down the amount of money to be expended.

The conferees, like every Senate conferee that acts his part conscientiously, undertook to maintain exactly what the Senate instructed them to maintain; and although the chairman of a committee or Members may say on the floor that they object to the incorporation in the bill of an amendment, and may vote against it, when the Senate has voted to put in the amendment the conferees, so far as I know, never fail to sustain that amendment on its merits, exactly as they do the others.

The word "drainage," as I have stated, was objected to because it was a distinguishment that was not carried in the other cases, and, as they believed, because it was a dangerous precedent to make to affect the belief or in any way insinuate that it was possible that we had to take up the divisions of drainage and irrigation and specify in each case how much should go to drainage and how much should go to irrigation, because, since we are giving them the sum, it is to be presumed that the department and also the settlers will decide among themselves what amount of it should go first to drainage and what amount should go to the other purpose.

In my own case, whatever may be the observation about western Senators, I have been here some time and I am from the West, and I recall that I was chairman of the joint committee of 17 which brought in the original bill that was afterwards passed and that created this whole system of Government irrigation. I take no particular pride in it, because it was imperfect, but my first efforts in the United States Senate were along the lines of irrigation and reclamation, and I have spent 40 years, the best years of my life, in assisting in building up our system of reclamation and irrigation.

It ill becomes anybody to say that a thing of this kind is mistreated because there is not some particular western Senator on the conference. This conference was of three men, two of whom had had long experience in irrigation matters. One of the three was the junior Senator from North Carolina [Mr. OVERMAN], and I can say nothing to add to his glory, for we all know he is one of the fairest men who ever occupied a seat in this body.

Mr. HENDERSON. Mr. President, is it the opinion of the Senator from Wyoming—and I will ask him whether it was the opinion of the members of the conference—that the department could use any part of this $664,000 they saw fit for drainage purposes in the Newlands district?

Mr. WARREN. We understand it is entirely in their hands to do as they please about it.

Mr. HENDERSON. And the mere fact that the word "drainage" now goes out of this section of the bill does not preclude the Reclamation Service from spending whatever amount they think necessary to put in a drainage system?

Mr. WARREN. It cuts no figure. The language here in the bill as to all these projects is the language as it was sent up by the department. They did not consider it necessary to put the word "drainage" in. As the Senator remembers, that was put in on the floor.

Mr. HENDERSON. Mr. President, all I want to be assured of is that the fact that the Senate conferees receded from their position in this matter could not be taken as precluding the Reclamation Service from expending whatever amount it saw fit of the $664,000 for drainage on that project.

Mr. WARREN. It should in no way prejudice the matter, either here on this floor, or with the department, or anywhere.

Mr. NORRIS. Mr. President, I wanted to ask a question of the Senator from Nevada, but he declined to yield to me, and I will ask it of the chairman of the committee. As I understand it, on amendments numbered 62 and 63 the Senate conferees receded?

Mr. WARREN. Yes; those are the amendments which have just been under discussion.

Mr. NORRIS. So that that paragraph is just the same as it originally passed the House?

Mr. WARREN. It is.

Mr. NORRIS. I thought I understood it that way; but this question has been raised by this amendment: In all these other irrigation projects, where drainage systems have been put in—for instance, the one mentioned just above that, the North Platte project—they have systems of drainage. In the appropriation was drainage specifically provided for?

Mr. WARREN. I do not recall any instance of that kind.

Mr. NORRIS. I was under the impression, as the chairman of the committee is, that it was not necessary, in appropriating for these different projects, to stipulate in the law—although Congress would have the power to do it, I concede—that some of the money should be used for drainage. In other words, if they made the appropriation just as it came from the House, the reclamation officials could use any part of it they saw fit.

Mr. WARREN. They could.

Mr. NORRIS. If that be true, then it seems to me the Senators from Nevada can have no complaint, at least as to amendment numbered 62. Amendment 63, it is true, reduces the amount. I understand in that particular project a drainage system has never been put in, and that it is absolutely necessary or the entire amount of money spent there will be of no consequence.

Mr. WARREN. The Senator will notice that the word "drainage" is not used.

Mr. NORRIS. I have not found it anywhere else.

Mr. WARREN. And yet there is drainage going on, as the Senator knows. The Shoshone project in Wyoming has a system of drainage and is expected, I think, to have drainage put in this year out of this money, but the word "drainage" is not used.

Mr. NORRIS. I happen to know that on some of these projects of which I have personal knowledge they are putting in drainage systems, some of them not until after the system itself had been put in and it was discovered that drainage was absolutely necessary when the water gradually rose to the top. As I understand it, it is not every system that requires a drainage addition to the system of irrigation.

Mr. WARREN. The Senator is correct about that; and sometimes it is impossible to say whether there should be drainage.

Mr. NORRIS. I understand that sometimes it is impossible to say until it is tried. In that case they naturally would not spend any money for drainage until they found out that water was coming up toward the surface and drainage was going to be necessary sooner or later. In other words, as far as amendment 62 is concerned, it looks as though the conferees have not really given up anything. It is just the same without the amendment as it would be with it; and if it is not customary to put it in in other cases, I do not see why the conferees should be criticized for receding on the amendment and letting the language be the same as to every one of these particular items.

Mr. SMITH of Arizona. Mr. President, the colloquy this morning demonstrates the unwisdom, to use a polite word, of having transferred the irrigation money and put its direction under the committees of Congress. If this were framed as such items used to be, with all its defects, the question of drainage would be handled by the department just as easily as the question of irrigation. One is as essential after so long a time as the other was essential in its inception, and Congress took care

of it, and refused as reasonable an amendment as the Senator from Idaho attempted to place on this bill. He knows something about the conditions, they are under his daily observation, and he has been met by people who never were in that country or saw an irrigation ditch in their lives, who evidently are in the great majority in both Houses of Congress. If this should be left to men who know something about it—not I, not he, but any man who knows—there would be much less difficulty in getting some sort of development of those arid lands.

I shall vote against the report as a protest against this system of congressional action. I know the conferees have done all they could, but I have no other way of recording the protest of one great irrigation district than to say that, as was done in our case, they are asking the constituents of the Senator from Idaho to go into a contract which they know nothing about; to form a district when they do not know what is going to be the condition of its formation; and they tell them to do all this in order to drain the land of water that is drowning out the crops on it.

Why should there be any objection to it? There would be none with men who knew the conditions. The House never would have insisted except as a result of the bulldozing plan, if you please to so term it, of the irrigation service forcing the citizens to take the contract before they have read it.

The first contract, I think, was entered into in my State, and it was estimated that it would cost $35 an acre. Everybody signed it. My colleague can tell better than I to what extent that cost finally rose, and I would say that in round numbers they still owe at least $85 or $90 an acre, as against $35 estimated when the contracts were first made. That has been done by the same department. The whip handle is in their hands, and they do not spare the lash, dancing to the music of those who want to put men in power over this business, and they keep them constantly employed in finding some fault with what the people are trying to do for the reclamation of the arid lands.

Mr. President, I shall vote against the conference report for the reasons stated, but I want the conferees to know that, so far as my vote is concerned, it is no sort of criticism of their action in the matter.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. WARREN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. SIMMONS (when his name was called). I transfer my pair with the junior Senator from Minnesota [Mr. KELLOGG] to the junior Senator from Alabama [Mr. COMER] and vote "yea."

Mr. WOLCOTT (when his name was called). I have a general pair with the Senator from Indiana [Mr. WATSON]. I notice that he is absent, and I am therefore not at liberty to vote. If at liberty to vote, I would vote "yea."

The roll call was concluded.

Mr. GAY. I have a general pair with the senior Senator from New Hampshire [Mr. MOSES]. I transfer that to the Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. BECKHAM. I have a general pair with the senior Senator from West Virginia [Mr. SUTHERLAND]. In his absence I withhold my vote.

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. I am informed that if he were present he would vote as I am about to vote, and I therefore vote. I vote "yea."

Mr. JONES of Washington. The senior Senator from Virginia [Mr. SWANSON] is necessarily absent from the Chamber, and I have agreed to take care of him during that absence with a pair. I therefore withhold my vote.

Mr. WILLIAMS. I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is unfortunately absent on account of sickness, to the Senator from Kentucky [Mr. STANLEY] and vote "yea."

Mr. McLEAN. Has the senior Senator from Montana [Mr. MYERS] voted?

The VICE PRESIDENT. He has not.

Mr. McLEAN. I have a pair with that Senator, and in his absence I withhold my vote.

Mr. EDGE. I transfer my general pair with the junior Senator from Oklahoma [Mr. OWEN] to the Senator from New Hampshire [Mr. KEYES] and vote "yea."

Mr. SPENCER. I have a pair with the Senator from New Mexico [Mr. JONES], but on this question I am free to vote. I vote "yea."

Mr. BALL. I transfer my general pair with the Senator from Florida [Mr. FLETCHER] to the Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Florida [Mr. TRAMMELL];

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON];

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY]; and

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS].

The result was announced—yeas 39, nays 14, as follows:

YEAS—39.

Ball	France	Lodge	Smoot
Brandegee	Frelinghuysen	McCumber	Spencer
Calder	Gay	McNary	Sterling
Capper	Gerry	Nelson	Townsend
Chamberlain	Hale	New	Underwood
Curtis	Harding	Overman	Wadsworth
Dial	Harris	Phipps	Walsh, Mass.
Dillingham	Kendrick	Poindexter	Warren
Edge	King	Pomerene	Williams
Elkins	Lenroot	Simmons	

NAYS—14.

Ashurst	Hitchcock	Pittman	Thomas
Borah	McKellar	Sheppard	Walsh, Mont.
Harrison	Norris	Smith, Ariz.	
Henderson	Nugent	Smith, Ga.	

NOT VOTING—43.

Beckham	Johnson, Calif.	McLean	Sherman
Colt	Johnson, S. Dak.	Moses	Shields
Comer	Jones, N. Mex.	Myers	Smith, Md.
Culberson	Jones, Wash.	Newberry	Smith, S. C.
Cummins	Kellogg	Owen	Stanley
Fall	Kenyon	Page	Sutherland
Fernald	Keyes	Penrose	Swanson
Fletcher	Kirby	Phelan	Trammell
Glass	Knox	Ransdell	Watson
Gore	La Follette	Reed	Wolcott
Gronna	McCormick	Robinson	

So the conference report was agreed to.

ARMY APPROPRIATIONS—CONFERENCE REPORT.

Mr. WADSWORTH. Mr. President, I present the report of the conferees on the Army appropriation bill and ask for its present consideration.

There being no objection, the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13587) making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13587) making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 12, 22, 33, 48, 53, 54, 82, 83, 92, 93.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 19, 21, 23, 28, 29, 31, 32, 34, 35, 36, 39, 40, 41, 43, 44, 45, 46, 51, 52, 55, 56, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 77, 79, 80, 81, 86, 87, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of said amendment insert "$300,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "$250,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"*Provided further*, That the Secretary of War be, and he is hereby, authorized, in his discretion, to sell to any State or foreign government with which the United States is at peace at the time of the passage of this act, upon such terms as he may deem expedient, any matériel, supplies, or equipment pertaining to the Military Establishment, except foodstuffs, as or may hereafter be found to be surplus, which are not needed for

military purposes and for which there is no adequate domestic market."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "$300,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "and the Signal Corps at Camp Alfred Vail, N. J."; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$33,000,000: *Provided*, That not less than $5,250,000 thereof shall be expended for experimental and research work with airplanes or lighter-than-air craft and their equipment: *Provided further*, That not less than $6,000,000 shall be expended for the production and purchase of new airplanes and their equipment, spare parts, and accessories: *Provided further*"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: " : *And provided further*, That hereafter the Army Air Service shall control all aerial operations from land bases, and Naval Aviation shall have control of all aerial operations attached to a fleet, including shore stations whose maintenance is necessary for operations connected with the fleet, for construction and experimentation and for the training of personnel"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$23,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$17,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$60,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$18,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "That, commencing January 1, 1920, warrant officers, Army Mine Planter Service, shall be paid, in addition to all pay and allowances now authorized by law, an increase at the rate of $240 per annum: *Provided*, That this increase shall remain effective until the close of the fiscal year ending June 30, 1922, unless sooner amended or repealed"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: " ; for the purchase and hire of draft and pack animals in such numbers as are actually required for the service, including reasonable provision for replacing unserviceable animals; for the purchase, hire, operation, maintenance, and repair of such harness, wagons, carts, drays, other vehicles, and horse-drawn passenger-carrying vehicles as are required for the transportation of troops and supplies and for official, military, and garrison purposes; for drayage and cartage at the several depots; for the purchase and repair of ships, boats, and other vessels required for the transportation of troops and supplies and for official, military, and garrison purposes; for expenses of sailing public transports and other vessels on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific Oceans"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "40,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "*Provided further*, That hereafter when, in the opinion of the Secretary of War, accommodations are available, transportation on Army transports may be provided for the members and employees of the Porto Rican Government and their families without expense to the United States: *Provided further*, That in the joint discretion of the Secretary of War and chairman of the Shipping Board, and when space is available, civilian passengers and shipments of commercial cargo may be transported on Army transports in the trans-Atlantic service, at such times as space is not available on commercial lines, at rates not less than those charged by commercial steamship companies, between the same ports, for the same class of accommodations, the receipts from which shall be covered into the Treasury of the United States to the credit of miscellaneous receipts: *Provided further*, That authority is hereby granted the Secretary of War to sell or otherwise dispose of, in accordance with law and regulations, the United States Army transports *Sherman, Sheridan, Thomas, Logan, Buford, Kilpatrick, Crook*, and *Warren;* and the proceeds of such sales shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts; and such vessels, if sold to citizens of the United States, may engage in the coastwise trade so long as they remain wholly the property of citizens of the United States:"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$8,500,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "That the Secretary of War may, in his discretion, transfer to the Secretary of the Treasury, for the use of the Public Health Service, the military reservation of Whipple Barracks, Ariz., now occupied by said service for hospital purposes"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$500,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$3,500,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: " : *Provided further*, That farm products and the increase in live stock (including fowls) which accrue as incidental to vocational training in agricultural and animal husbandry, may be sold under such regulations as the Secretary of War may prescribe, and the proceeds of such sales shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$200,000: *Provided*, That the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the office of the Chief of Engineers to carry into effect the various appropriations for 'Engineer equipment of troops,' 'Engineer operations in the field,' and other military appropriations, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1921 shall not exceed $150,000. The Secretary of War shall each year, in the annual estimates, report to Congress the number of persons who are employed, their duties, and amount paid to each"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "*Provided further*, That so much of this appropriation as is necessary to provide facilities for Engineer training of troops may be expended for military construction work of a temporary character at camps and cantonments and in training areas, for training purposes only"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$350,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an

amendment as follows: In lieu of the amendment insert the following: "$5,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "For the purchase, manufacture, and test of chemical warfare gases or other toxic substances, gas masks or other offensive or defensive materials or appliances required for gas-warfare purposes, including all necessary investigation, experimentation, and operations connected therewith, construction and repair of buildings and equipment and the machinery therefor, expenses incidental to the organization and training of gas troops not otherwise provided for, $2,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"For the expense of maintaining upon military reservations, camps for military instruction and training of such citizens as may be selected and under such regulations as may be prescribed by the Secretary of War pursuant to section 54 of the act of June 3, 1916, as amended by the act of May 12, 1917, and for furnishing said citizens at the expense of the United States, uniforms, subsistence, and transportation by the most usual and direct routes within such limits as to territory as may be prescribed; for such expenditures as are authorized by said section and may be necessary for the establishment and maintenance of said camps; for furnishing such equipment, tentage, field equipage, and transportation belonging to the United States as may be necessary; for arms and ordnance equipment, including overhauling and repairing of personal equipment, machine-gun outfits, horse equipment, ammunition, targets and their accessories for target practice, and for overhauling and repairing arms for issue and use in connection with said camps, $250,000: *Provided*, That the funds herein appropriated shall not be used for the training of any person who is over 45 years of age."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"REPAIRING ROAD DAMAGED BY GOVERNMENT MOTOR TRUCKS, TENAFLY, N. J.

"That the Secretary of War be, and he is hereby, authorized to complete the work of grading and paving that portion of Hickory Avenue lying between Knickerbocker Street and Jefferson Street in the borough of Tenafly, of the county of Bergen, and State of New Jersey, begun but not completed by the Government during the war with Germany: *Provided*, That the said borough shall bear one-half or more of the cost of the above work and the Government shall bear not over one-half of the cost of said work: *Provided further*, That the share to be borne by the Government shall not exceed $5,200; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,200 for said work, to be paid on the completion of the work: *Provided further*, That the said borough shall contract to assume to pay and discharge all claims arising out of the present uncompleted condition of said Hickory Avenue."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"RIFLES AND ACCESSORIES FOR ORGANIZATIONS OF WAR VETERANS.

"That the act entitled 'An act authorizing the Secretary of War to loan Army rifles to posts of the American Legion,' approved February 10, 1920, be, and the same is hereby, amended to read as follows:

"'That the Secretary of War is hereby authorized, under rules, limitations, and regulations to be prescribed by him, to loan obsolete or condemned Army rifles, slings, and cartridge belts to posts or camps of organizations composed of honorably discharged soldiers, sailors, or marines, for use by them in connection with the funeral ceremonies of deceased soldiers, sailors, and marines, and for other post ceremonial purposes; and to sell such posts and camps blank ammunition in suitable amounts for said rifles at cost price, plus cost of packing and transportation: *Provided, however*, That not to exceed 10 such rifles shall be issued to any one post or camp.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"EMERGENCY COMMISSIONED PERSONNEL.

"That the President is authorized to retain temporarily in service, under their present commissions, or to discharge and recommission temporarily in lower grades, such emergency officers as he may deem necessary; but the total number of officers on active duty, exclusive of retired officers and disabled emergency officers undergoing treatment for physical reconstruction, shall at no time exceed 17,823. Any emergency officer may be discharged when his services are no longer required, and all such officers shall be discharged not later than December 31, 1920. Any emergency officer retained in service having special scientific, technical, or professional qualifications, and who is otherwise eligible for appointment to a field grade may, upon the recommendation of the chief of a staff corps or department of the service and the concurrence of the board of general officers provided for in section 24 of the national defense act as amended at this session of Congress by H. R. 12775, be appointed to the grade of colonel, lieutenant colonel, or major in the Regular Army as therein provided without reference to the minimum age limits therein prescribed for appointments in such grades; but no person under 34 years of age shall be appointed to any field grade. All officers of the Regular Army holding commissions granted for the period of the existing emergency, in whatever grade, shall be discharged therefrom not later than June 30, 1920."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"MEDAL OF HONOR FOR VERDUN.

"That the President be, and he is hereby, authorized, in the name of the Congress and people of the United States, to present to the city of Verdun, France, a suitable memorial medal or tablet as a mark of America's appreciation of the valor of its defenders, the cost to be paid from the appropriation for contingencies of the Army."

And the Senate agree to the same.

JAMES W. WADSWORTH, Jr.,
HARRY S. NEW,
JOS. S. FRELINGHUYSEN,
GEORGE E. CHAMBERLAIN,
CHARLES S. THOMAS,
Managers on the part of the Senate.

JULIUS KAHN,
DANIEL R. ANTHONY, Jr.,
S. H. DENT,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. KING. I should like to ask the Senator having the report in charge what items were in disagreement and what conclusion was reached by the conferees?

Mr. WADSWORTH. There were 93 amendments adopted by the Senate to the bill as passed by the House. I am sure the Senator does not want me to describe all 93 of them and what conclusion was reached on them all.

I may say that the bill as it passed the Senate carried appropriations totaling $418,000,000. As reported from the conference the amount has been reduced to $383,000,000. May I call the attention of the Senator from Utah to the fact that that amount, $393,000,000, is in contrast with the estimates of the War Department of, in round figures, $1,000,000,000. I am sure the Senator from Utah will not contend that the Senate itself or the conference committee has been extravagant in view of what the department has been asking. We believe, however, that the Army can be supported for the ensuing fiscal year with the sum of money provided.

The principal items of increase over the bill as passed by the House, as the Senator will remember, were the appropriations for aviation and also for pay of the Army, the latter increase being due almost entirely to the Army and Navy pay increase bill, which is now a law.

Mr. KING. Will the Senator state what was done with respect to the appropriation for aviation?

Mr. WADSWORTH. The House, as the Senator will remember, appropriated $27,250,000. The Senate increased that amount to $40,000,000. The conferees have compromised at $33,000,000, with a proviso that not less than $6,000,000 of the $33,000,000 shall be spent in the procurement of new aeroplanes and not less than $5,250,000 shall be spent in research and experimentation.

Mr. KING. Will the residue be expended in overhead expenses?

Mr. WADSWORTH. The residue will be spent in training fliers, in the maintenance of aviation fields, and various items that go to the maintenance of the aviation service. This is the first time that the Congress has decreed that a certain amount must be spent for building aeroplanes or in research work. Those are the two items that the conferees and the Congress generally regard as the most important work, and we insist that they shall be taken care of before other things.

Mr. KING. I think the conferees have made some improvement in regard to that item, but I regret that they have not required that a larger proportion of the amount should be used in the production of machines, because, as everyone knows, the overhead expense in the Aircraft Division of the Army has been something that has been extravagant in the highest degree and calls for severe condemnation.

Mr. SMITH of Arizona. Mr. President, I should like to ask the Senator in charge of the bill what was done in conference with the amendment which I offered with reference to the matter of the transfer of Whipple Barracks to the Public Health Service?

Mr. WADSWORTH. The Senator from Arizona will remember, of course, that the amendment, agreed to upon the floor of the Senate, made it mandatory upon the War Department to transfer Whipple Barracks to the Public Health Service permanently. The House conferees insisted that they would not accept that in a mandatory form, and finally, after a great deal of discussion, it was agreed in conference that the Secretary of War should be authorized, in his discretion, to make the transfer.

Mr. SMITH of Arizona. That is, the conference report leaves it within the power of the Secretary of War to make the transfer without further action by Congress?

Mr. WADSWORTH. It does.

Mr. SMITH of Arizona. Mr. President, I wish to say only a word. I am sorry that the conferees made this amendment. I shall raise no question as to the report, but I wish to say for the enlightenment of the Secretary of War, that for 25 years we have struggled to prevent the transfer of Whipple Barracks to the Department of the Interior to be sold under the law applicable in such cases.

Whipple Barracks is of no more advantage to the Army now than any other abandoned post in the Army. When it was first established it was essential, because we were at war with different tribes of Indians, and it was made safe there. Through whatever efforts I could use, I was partially instrumental in keeping it there as long as there was any use for it. There is not a soldier there now. It costs the War Department thousands of dollars every year to maintain and keep in repair those empty buildings.

It is an ideal place for a hospital. Some 300 patients are there now. Those suffering from having been gassed, and especially tuberculosis patients, are there in the most delightful climate in the world. As the Presiding Officer of this body knows, and as many others know who have visited it, there is salubrious, healthy sunshine all the time. A patient can sit out in the fresh air among the pine trees, high enough to be out of the intense heat of the desert; and if you hunted America over you could not find a place better adapted or having as many buildings available for this purpose as at the Whipple Barracks.

I thank the Senator from New York for saving as much as he could of the amendment, and I trust the Secretary of War, when he shall have looked further into the history of this matter and the expense that it will be to the War Department as a military reservation, will soon see the necessity of a permanent transfer to the Public Health Service.

Mr. PHELAN. Mr. President, I desire to ask the Senator presenting the conference report what disposition was made of the proceeds of the sale proposed to be authorized of the unused and abandoned arsenals. The Senator will recall that I suggested an amendment, and it was placed on the bill, requiring the proceeds to be used for improvements at Watervliet and at Aberdeen.

Mr. WADSWORTH. They were both stricken from the bill. The House conferees refused to accept either of those provisions.

Mr. PHELAN. I probably can not get the information from the Senator, but the Secretary has the power, as I understand, to dispose of these unused arsenals, and the money will be covered into the Treasury.

Mr. WADSWORTH. The War Department has the power to sell them, I understand.

Mr. PHELAN. They only have the power; they are not required to sell.

Mr. WADSWORTH. They are not required to sell.

Mr. PHELAN. Mr. President, out of order, I request unanimous consent for the taking up of a bill that has just been reported unanimously from the Committee on Military Affairs.

Mr. McCUMBER. Mr. President, can we not have a vote on this conference report first?

The VICE PRESIDENT. The Senator's request is not in order at this time.

Mr. PHELAN. I will renew the request later, then.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. KING. Mr. President, if I may have the attention of the chairman of the Senate committee, Senate amendment numbered 30, as I understand, was changed by the conferees. That amendment relates to certain pay of warrant officers; and apparently, as I hastily glance at the report of the conferees, $240 annually is given to the warrant officers.

Mr. WADSWORTH. Yes.

Mr. KING. My recollection is that in the bill which we recently passed, which increased the compensation of all officers, it was intended fully and fairly to care for the compensation not only of officers but of privates in the Army. This seems to be an addition to the amount allowed in the former bill.

Mr. WADSWORTH. No; it is not an addition, because in the Army and Navy pay-increase bill the warrant officers were not covered at all, and on the floor of the Senate when the Army appropriation bill was under consideration the Senator from Wisconsin [Mr. LENROOT] offered an amendment to take care of the warrant officers of the Army Mine Planter Service. That amendment was adopted, with the understanding with me and other members of the Military Affairs Committee that if it was not properly drawn to accomplish the purpose in view it could be redrafted in conference to accomplish the same purpose.

The amendment adopted on the floor of the Senate read as follows:

> That warrant officers of the Army Mine Planter Service shall receive the same pay and increases as now are or hereafter may be prescribed for warrant officers in the Navy.

It turns out, on examination, that the warrant officers in the Mine Planter Service and the warrant officers in the Navy are not comparable as to status and pay, and so we submitted the matter to the War Department, and as a result an amendment was adopted which reads, as the Senator has found in the report:

> That, commencing January 1, 1920, warrant officers, Army Mine Planter Service, shall be paid, in addition to all pay and allowances now authorized by law, an increase at the rate of $240 per annum: *Provided*, That this increase shall remain effective until the close of the fiscal year ending June 30, 1922, unless sooner amended or repealed.

And I may say to the Senator that that limitation of June 30, 1922, is the same limitation as to date which was carried in the Army and Navy pay-increase bill.

Mr. KING. Mr. President, for information, I should like to ask the Senator whether this is a permanent branch of the service?

Mr. WADSWORTH. It is, and has been for several years.

Mr. KING. What is the number, approximately?

Mr. WADSWORTH. There are 125 warrant officers in the Army Mine Planter Service.

Mr. KING. Was there any reason why a provision could not have been incorporated in the bill giving increased compensation to care for them?

Mr. WADSWORTH. None at all. It was simply forgotten. It was purely an accident that they were not mentioned in the list of persons or officers or enlisted men to receive the benefit of the increase.

Mr. KING. May I inquire of the Senator why a different standard of compensation, or of determining the advance in compensation, should be adopted in this instance from that which prevailed in respect to other officers? There, it was a given rate. Here, it is a specific sum.

Mr. WADSWORTH. The Senator is mistaken about the Army and Navy pay-increase bill as finally passed. When it passed the Senate the increases were fixed by percentages.

Mr. KING. Yes; by percentages.

Mr. WADSWORTH. But when it was finally passed by Congress, the House of Representatives refusing to take the percentage method, lump-sum additions to the base pay were given to officers; so this is exactly in line with what was actually done.

Mr. KING. And this will be a fair rate for these officers, measured by the increased compensation allowed to others?

Mr. WADSWORTH. Yes.

Mr. KING. I should like to ask the Senator with respect to amendment numbered 38. The House, as I recall, allowed $38,000,000 for transportation of the Army, and a number of

items embraced within that. I observe here that the amount is $40,000,000. Was it essential to make that increase?

Mr. WADSWORTH. The House appropriated $38,000,000. The Senate passed a bill appropriating $45,000,000, and in conference the amount was reduced to $40,000,000, which we think will barely cover the cost of transportation of the Army.

Mr. KING. I have no further objection.

Mr. McCUMBER. Mr. President, are we going to have a vote upon the conference report?

Mr. WADSWORTH. I suppose when the Chair gets an opportunity to put the question we will.

The PRESIDING OFFICER (Mr. CAPPER in the chair). The question is on agreeing to the conference report.

The report was agreed to.

Mr. WADSWORTH subsequently said: I enter a motion to reconsider the vote by which the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13587) making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes, was adopted.

The VICE PRESIDENT. The motion to reconsider will be entered.

Mr. WADSWORTH. I move that the House of Representatives be requested to return the conference report to the Senate.

The motion was agreed to.

ARMY REORGANIZATION.

Mr. McKELLAR. Mr. President, I have just a few words to say at this time upon the subject of the conference report on the Army reorganization bill.

When that bill was being considered in the Senate I offered amendments seeking (1) to strike out those provisions in the bill providing for universal military training or conscription in time of peace; (2) to strike out the various "services" provided for in the bill; (3) to strike out the provisions creating an Undersecretary of War; (4) to strike out the provision creating separate services out of the old Quartermaster Corps; (5) to strike out the provisions abolishing the various National Guards of the various States; (6) to curtail the numbers and powers of the General Staff given by the proposed bill; (7) and generally to cut down the enormous cost of the proposed measure, estimated by its proponents at something like $600,000,000, but believed by me to entail, if adopted as proposed, a cost of more than twice that much.

In the Senate the only one of these amendments that was adopted was the one striking out the universal military training feature, and thereupon, over my strong protest, a voluntary training feature was placed in the bill.

I am happy to say, however, Mr. President, that all of these contentions made by me in the Senate have been substantially agreed to in conference and constitute a part of the conference report on the bill. There were a number of other provisions of the bill that I objected to that are still in the bill, but the greatest evils contained in the so-called Wadsworth Army reorganization bill have been eliminated.

It is true that the cost of the bill has been reduced to about $400,000,000—which, by the way, is about twice as much as Germany, in the heyday of her militarism, ever expended on her army in times of peace—but when we remember that the various estimates of the Wadsworth bill were from $600,000,000 to more than twice that sum—Mr. MONDELL, of the House, put it at something like $800,000,000 and the War Department at a billion—I feel that we have accomplished something in the way of reduced cost.

I want to congratulate my colleagues on both sides of the aisle in the House who served as members of the conference committee for the splendid work that they have done in conference on the Army reorganization bill. They are entitled to the thanks of the American people. I am glad that my colleagues of the Senate on the conference agreed to these very wise amendments. I wish they could have gone further and reduced the cost of the Military Establishment even more. I think the bill, even as now agreed to, creates a top-heavy organization, but it is wonderfully better than it was when it passed the Senate.

The House conferees have made the Army reorganization bill an American measure, and while the pending appropriation bill, in order to carry out the terms of the Army reorganization bill, appropriates about $400,000,000, when we compare it with the un-American, vicious militaristic bill that was reported and passed by the Senate, I say all honor to those splendid men on the conference committee on the part of the House who prevented the passage of such a bill as that. I again say they are entitled to the grateful thanks of the American people.

THE MERCHANT MARINE—HOBOKEN DOCKS.

Mr. EDGE. Mr. President, I desire to occupy a very few moments—I will endeavor to limit my remarks to five minutes—to say a few words in regard to the conference report on the shipping bill.

I understand that the conferees on that measure, in reporting an agreement, recommend the elimination of a portion of section 17, which, in a few words, provides recompense to the city of Hoboken, in the State of New Jersey, for taxes lost because of certain conditions. I understand that that report, in the ordinary course, can not be considered until to-morrow. Unfortunately I can not be here to-morrow, and I simply wish to take advantage of the present opportunity to enter my very emphatic protest against the elimination of the paragraph referred to from the bill.

Briefly the situation is this: The city of Hoboken, a thriving community of New Jersey, has located within its limits, as is well known generally, the American docks of the Hamburg-American and North German Lloyd Steamship Lines. When we entered the war very properly the Government took over that property, as alien property, and proceeded to use it for war purposes. The city of Hoboken made absolutely no complaint. Far from doing so, they furnished police protection, fire protection, and all of the other municipal protection that would be supplied by any city. Of course, the taxes that the city had theretofore received immediately ceased. However, when the war closed the War Department still retained control of the docks, and we having constructed a merchant marine, the docks were very properly used for the purposes of a merchant marine, as well as for Army transport purposes. At the present time the docks are being used by the Government of the United States as a commercial proposition. The Government is leasing the docks to private interests, and is receiving whatever income can be derived from that business. At the same time the city of Hoboken is denied any income from that great property, which in the old days represented approximately, as I recall, one-sixth of the entire taxable income of the city.

I thoroughly appreciate that the Government of the United States whenever it needs property at any time or anywhere, in time of peace as well as in time of war—and we are not now discussing the question as it affects conditions in time of war—has a perfect right to take it, and should take it and use it for any purpose for which the Government sees fit and proper to use it; but there is a great difference between the Government occupying property to carry out the usual functions of government, such as the housing of departments or the development of some activity that may be authorized by Congress, and taking over a going concern, as it were, or the property of such a concern, and using it for commercial purposes, receiving income and making a profit on it, as, in this instance, is shown by the report of the Shipping Board, and then deny the city where the property is located the ordinary taxable income which it would otherwise receive. In my opinion, if we can not get an amendment of this character through on a bill which directly relates to the future of the docks at Hoboken, it is incumbent upon Congress to make a clear distinction between the Government in its ordinary functions taking over what has been private property and the Government running a business, and then taking from the city any possible opportunity of receiving a proper income under its tax laws.

Personally, as I have often said, I do not believe in the Government being in business outside of the great business of Government in cooperation with the business of the land; but I do agree that the Government has certain responsibilities in developing the merchant marine, and I am in entire accord with the general fundamental purposes of the bill which will be brought before the Senate for consideration under the terms of the conference report. So long as the Government is going to conduct a business, although it may gradually, as is contemplated, dispose of the merchant marine, in competition with private business interests of the country which pay taxes on whatever docks they own, then I think that the Government is in duty bound, in fairness to the city, in fairness to its own citizens with whom it may be in competition, to pay a reasonable average tax to the city where it conducts the business and where the property is located.

Mr. NORRIS. Mr. President, may I ask the Senator a question?

Mr. EDGE. I will be very glad to answer the Senator, if I can.

Mr. NORRIS. The Senator does not object to the Government leasing this property, does he; or is that his objection?

Mr. EDGE. No; I have no objection in the slightest degree to the Government, so long as it continues to administer this business to carry it on in a businesslike manner, leasing the property and receiving all the income it can and running it on business principles.

Mr. NORRIS. If the Government had not leased the property and it were not used at all, so that no income was derived from it, would the Senator still think the Government ought to pay taxes on it?

Mr. EDGE. Absolutely no. I, perhaps, have not made myself clear.

Mr. NORRIS. Would not the Senator rather have the Government use the property and get the incidental benefit that might come from its use than to have the property lie idle and not be used?

Mr. EDGE. There is not the least question possible before us of the property lying idle, for the docks referred to are to-day perhaps the most important docks at any port in the United States from the standpoint of our export commerce and for the receipt of imports.

Mr. CALDER. Mr. President, will the Senator yield right there?

Mr. EDGE. I yield.

Mr. CALDER. In connection with the inquiry of the Senator from Nebraska, I should like to state that my information is that three of the six piers are rented by the Government to commercial steamship lines, the Government receiving for the three piers, constituting one-half of the property available, $540,000 a year.

Mr. EDGE. I thank the Senator for giving me the figures. I am aware that the property is rented at this time. I desire to repeat, so that I may not be misunderstood, that so long as the Government is in business I want it to make all the money it properly can in fair competition with the citizens of the country; but in making this protest I am particularly interested in bringing out the difference between the Government occupying property to administer the affairs of the Government and occupying property and conducting a business for gain. I think the distinction is perfectly clear, and in the latter case I believe that any city wherein lies property so used should receive the same income from it which it receives from a private dock or a dock owned by some steamship corporation which may be located within the city limits. In this case I understand that several of the docks at least are located within the city limits and others immediately adjoining in the city of Jersey City.

I bring up this matter now for the reason I have stated. I can not move that the report be rejected because it is not officially before us, but I wish my protest to be as emphatic as I can make it that it is the duty of Congress, so long as the Government is going to continue in business, to recognize that it shall not have or should not have an advantage over private business in the first place, and, at best, should not take from a municipality—and in the aggregate the municipalities to a large extent form the great Union—an income which, it seems to me from every standpoint, they should have. Certainly in this instance there can be no question that the city of Hoboken is entitled to the relief which the provision in the merchant marine bill was designed to afford.

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. I move that the Senate proceed to the consideration of House bill 12530. It is a matter which we have already had up, and we were ready to vote upon the amendment offered by the Senator from Utah [Mr. KING].

Mr. PHELAN. Mr. President, may I inquire what the bill is?

Mr. McCUMBER. The pension bill.

Mr. PHELAN. I ask the Senator to yield to me for a moment to make a motion while the chairman of the Military Affairs Committee is in the Chamber.

Mr. McCUMBER. A motion for what?

Mr. PHELAN. Before the Senator rose I had asked, out of order, unanimous consent to take up a bill reported from the Military Affairs Committee protecting the Victory button and other war decorations given to soldiers against unauthorized use. It is known as Senate bill 4432. I do not think there is any opposition to it.

Mr. McCUMBER. Will there be any discussion at all on it?

Mr. PHELAN. If there is any discussion, I will withdraw the request.

Mr. McCUMBER. Very well.

Mr. OVERMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Harding	McNary	Smith, S. C.
Ball	Harris	Nelson	Smoot
Borah	Henderson	New	Spencer
Brandegee	Hitchcock	Norris	Stanley
Calder	Jones, Wash.	Nugent	Thomas
Capper	Kendrick	Overman	Trammell
Chamberlain	Kenyon	Page	Underwood
Curtis	Keyes	Phelan	Wadsworth
Dial	King	Phipps	Walsh, Mass.
Dillingham	Lenroot	Pittman	Watson
Edge	Lodge	Pomerene	Williams
Elkins	McCormick	Ransdell	Wolcott
France	McCumber	Sheppard	
Gay	McKellar	Smith, Ariz.	
Hale	McLean	Smith, Ga.	

The PRESIDING OFFICER. Fifty-seven Senators having answered to their names, a quorum is present. The question is on the motion of the Senator from North Dakota [Mr. McCUMBER] that the Senate proceed to the consideration of House bill 12530, the pension bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12530) granting pensions and increases of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. McCUMBER. The question, I believe, is upon the amendment offered by the Senator from Utah.

The PRESIDING OFFICER. Yes; the question is on the amendment offered by the Senator from Utah [Mr. KING].

Mr. THOMAS. Mr. President, the Senator from Utah is absent from the Chamber. I do not know whether he has anything further to submit on his motion or not; but, in view of his absence from the Chamber, I shall have to ask for the yeas and nays upon his amendment.

Mr. ASHURST. Let it be stated.

Mr. SMOOT. Let the amendment be stated.

Mr. McCUMBER. Let me say that the Senator from Utah in order to facilitate the passage of this bill had agreed to submit his amendment to cover certain cases, and this amendment which he offered covers some twenty or thirty cases, I think.

Mr. SMOOT. Let it be stated, Mr. President.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. The Senator from Utah moves to strike out items numbered 6, 7, 15, 48, 84, 94, 101, 109, 117, 118, 127, 140, 151, 160, 163, 183, 198, 203, 212, 219, 225, 251, 252, 265, 272, 276, 289, 302, 313, 318, 326, 329, 335, 337, 338, 353, 360, 361, 362, 364, 368, 370, 420, 441, 472, 475, 480, 482, 518, 531, 542, 549, 557, 564, 574, 584, 597, 603, 605, 607, and 628.

Mr. THOMAS. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ASHURST. Will the chairman of the committee explain in a moment what this amendment means and what it will do?

Mr. McCUMBER. Mr. President, there are some 686 cases on the omnibus pension bill. The Senator from Utah [Mr. KING] selected a certain class of those cases. I think those which he mentioned as the class were those who had served less than 90 days, and he asked for a vote upon those which fell within that class. I explained at the time that those who had served less than 90 days, included in this bill, were those who had already received pensions because of injuries resulting from service.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah [Mr. KING], on which the yeas and nays have been ordered. The roll will be called.

The Assistant Secretary proceeded to call the roll.

Mr. WILLIAMS (when his name was called). I transfer my pair, with the same explanation that I made yesterday, to the Senator from Texas [Mr. CULBERSON] and vote "nay."

The roll call was concluded.

Mr. BALL. I transfer my pair with the Senator from Florida [Mr. FLETCHER] to the Senator from California [Mr. JOHNSON] and vote "nay."

Mr. JONES of Washington. Has the senior Senator from Virginia [Mr. SWANSON] voted?

The PRESIDING OFFICER. He has not.

Mr. JONES of Washington. That Senator is necessarily absent from the Chamber, and as I agreed to pair with him to-day I withhold my vote.

Mr. BECKHAM. I have a general pair with the Senator from West Virginia [Mr. SUTHERLAND], and in his absence I withhold my vote.

Mr. GAY. I have a general pair with the senior Senator from New Hampshire [Mr. MOSES], and in his absence I withhold my vote.

Mr. TRAMMELL. I have a pair with the Senator from Rhode Island [Mr. COLT]. I transfer that pair to the Senator from Alabama [Mr. COMER] and vote "yea."

Mr. DILLINGHAM (after having voted in the negative). I have a general pair with the Senator from Maryland [Mr. SMITH], but I understand that I am released from that pair on this question, and I will let my vote stand.

Mr. LODGE (after having voted in the negative). I notice that the senior Senator from Georgia [Mr. SMITH] has not voted. I have a general pair with that Senator, which I transfer to the Senator from Wisconsin [Mr. LENROOT], and let my vote stand.

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the senior Senator from Iowa [Mr. CUMMINS] and vote "nay."

Mr. OVERMAN. I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. As he is not present I withhold my vote.

The result was announced—yeas 4, nays 45, as follows:

YEAS—4.

Dial	King	Thomas	Trammell

NAYS—45.

Ashurst	Harding	New	Spencer
Ball	Harris	Norris	Sterling
Brandegee	Henderson	Nugent	Townsend
Calder	Kendrick	Page	Underwood
Capper	Keyes	Phelan	Wadsworth
Curtis	Lodge	Phipps	Walsh, Mass.
Dillingham	McCormick	Pittman	Walsh, Mont.
Elkins	McCumber	Poindexter	Watson
Fernald	McKellar	Ransdell	Williams
France	McLean	Sheppard	
Frelinghuysen	McNary	Smith, Ariz.	
Hale	Nelson	Smoot	

NOT VOTING—47.

Beckham	Glass	Knox	Sherman
Borah	Gore	La Follette	Shields
Chamberlain	Gronna	Lenroot	Simmons
Colt	Harrison	Moses	Smith, Ga.
Comer	Hitchcock	Myers	Smith, Md.
Culberson	Johnson, Calif.	Newberry	Smith, S. C.
Cummins	Johnson, S. Dak.	Overman	Stanley
Edge	Jones, N. Mex.	Owen	Sutherland
Fall	Jones, Wash.	Penrose	Swanson
Fletcher	Kellogg	Pomerene	Warren
Gay	Kenyon	Reed	Wolcott
Gerry	Kirby	Robinson	

So Mr. KING's amendment was rejected.

The bill was reported to the Senate as amended.

Mr. KING. I have several other amendments to offer.

Mr. LODGE. The Senator can offer them in the Senate.

Mr. DIAL. Mr. President, pensions and bonuses are closely linked together, and I have a few remarks I desire to make on the subject of the bonus bill.

Mr. President, the blanket soldier bonus bill which the House passed last Saturday is not at present before the Senate, but is in committee, where not improbably it will remain. Senators therefore may properly refrain if they like from committing themselves on the subject, and may defer the expression of their views until the measure is presented on the floor. I prefer for my own part to say plainly here and now, as I have already many times said in reply to constituents, that I am opposed altogether to an indiscriminate cash bonus to able-bodied service men, either at this time or later, and that I regard any other form of bonus to men who emerged whole from the war as inopportune, unnecessary, and unjustifiable. It is a most important question, concerning which I have many inquiries, and I think that my correspondents are entitled to a straight, explicit answer, without hedging or evasion. I shall for this reason discuss the matter in some detail, and I trust in such fashion as will make clear the grounds of my conclusion, although I shall not undertake to go into all the phases of the problem.

Let me say first of all that I shall be found ready and anxious always to extend the utmost liberality in every way to the dependents of our soldier dead and to the men disabled in our defense. Our very first duty and obligation is to these. Their number is much greater than the public is aware. We are told by the chief medical adviser of the War Risk Insurance Bureau that 641,900 men were discharged for physical disability, of whom 276,327 were held to be disabled seriously, and that the proper care of our wounded and otherwise disabled will cost the Government annually from $325,000,000 to $500,000,000. We have expended on their vocational education during the fiscal year now closing the sum of $37,000,000, but the outlay for that purpose during the fiscal year of 1921 will be $90,000,000. We must have no stinting of the disabled, however much it may cost to provide for their necessities and rebuild them physically and mentally so far as may be possible. But there must be a limit somewhere to the demands on the Public Treasury; and since we have neither the right nor the disposition to slight the disabled, the economies which it is absolutely imperative we shall practice must be effected in other directions.

EXISTING LIBERAL PROVISIONS.

So far as the service men are concerned who emerged physically unimpaired, it is often overlooked that we have already provided for them benefits which neither this country nor any other had ever before offered soldiers likewise circumstanced. Every soldier so long as he continued in uniform had the protection of the generous compensation plan, whereby monthly payments were assured his dependents if he died or himself if he became totally disabled, either permanently or temporarily. We made every service man a cash donation of $60, a straight gratuity, without regard to rank, on his discharge. We provided for him life insurance up to $10,000 the man at rates which were barely sufficient to pay the face of the premiums, the Government assuming the entire administrative expense. Gentlemen who suppose this to be a small item may be surprised to learn that the total amount of premiums collected from service men from the establishment of the system to April 1, 1920, was only $325,000,000, while the claims accruing during the same period aggregate $1,200,300,000. The compensation protection, furthermore, has cost the Government so far upward of $65,000,000—and more claims are being approved every day.

I yield to no man in admiration of the gallantry of our soldiers and sailors. I did my very utmost in every way open to me to support them during the war, and I would give my right arm to have the satisfaction that is rightly theirs. It is to me a matter of the deepest regret that with some of them I am obliged to disagree. But I should unworthily represent my State if I did not weigh in my mind all the factors involved in every question presented for my decision as a public man, and I am constrained by my conscience and my own understanding to take a positive stand against the bonus proposals which a minority of the service men have caused to be offered in Congress. My conception of the duty that a Senator owes his constituents also requires that, having arrived at a settled conclusion in a matter of such general interest, I shall make it known without delay and in unmistakable terms, regardless of the effect.

I am proud to say, Mr. President, that when this iniquitous measure was on its passage through the House last Saturday everyone of the six South Carolina Members present voted against it, and I congratulate them upon their manly stand in the face of a terrific propaganda.

HYPOCRISY—OR RECKLESSNESS?

We have it from no less an authority than a Republican ex-President that much of the clamor for bonus legislation which comes at this time from politicians of his own party is rank hypocrisy. It is hardly possible to believe that these self-proclaimed saviors of the soldier either expect or desire in their hearts to see the actual enactment of their bonus bills into law. They can not but know that such measures have little chance of passing the Senate at this session, and that even if they should pass, either now or later, they will almost certainly be vetoed. But they figure that by rushing the bills through the House they will be in position to go to the country with the argument that a grateful Republican Party did its utmost, in fact put the bills through one branch of Congress, but was obstructed in its benevolence by a Democratic minority and the Democratic administration. In other words, they would take credit for trying to get the soldier a bonus, at the same time escaping the inconvenient consequences that actual fulfillment of their proposals would involve. I do not believe the country can be so easily bamboozled.

Bonus advocates in Congress are caught between the two horns of a dilemma. Either they do not in good faith expect to carry into effect their bonus bills, in which event they are trying to put over what President Taft calls a most contemptible piece of hypocritical political jobbery to capture the soldier vote, or, on the other hand, if they do seriously contemplate imposing this enormous burden on a people already taxed beyond all reason, they are guilty of an amazing exhibition of irresponsibility and an almost criminal recklessness.

They have before them the solemn warnings of the two men who, more than all others, are entitled to speak authoritatively regarding the finances of this country. Secretary Houston tells us that even without bonus legislation there is no prospect of reducing Federal tax burdens before 1923. And his predecessor, the Hon. CARTER GLASS, serving now as a Senator from Virginia, with the same distinction which made him an ornament to the Cabinet, has declared that "in these fateful days of readjustment, with the people bearing the most extraordinary tax burdens since the world was created, it would be a

frightful misuse and abuse of power for Congress to vote an indiscriminate bonus to able-bodied ex-service men." Can sober and responsible public men of either party disregard warnings so grave and impressive?

CRIPPLING OUR INDUSTRIES.

Let us consider for a moment what it will mean to withdraw from the available capital of the country the great sum that the bonus project would call for. It will mean that the amount of working funds in the money market with which to finance business and industry would be decreased by some $2,000,000,000, and this, too, at a time when legitimate, productive enterprise is restricted as never before by a scarcity of such funds. The soundest and most useful of our concerns are paying exorbitant rates for the capital which is their lifeblood. Our transportation system, for example, must have money and a great deal of it at once if our fuel and our foodstuffs and the products of our industries are to be moved, otherwise will the cost of living mount quickly to levels never before attained. Yet we find so great a railway as the Pennsylvania unable to borrow on 10 years' time at less than 7½ per cent. A child can perceive what that means for weaker roads.

Now, what is to be done with the vast fund so withdrawn from the market? Is it to continue in useful, productive employment, financing our farmers, our merchants, our manufacturers, our utilities? No; it is to be distributed over the country, among a special class, in $500 lots, and undoubtedly in most instances will be at once expended to the temporary profit of nonessential enterprises. This will mean incidentally a raising of prices to everybody. The very beneficiaries themselves will suffer by the resulting further increase in the general cost of living.

Nor is to be doubted that the taxes for raising the bonus money, whatever form they may take, will be promptly relayed on to the ultimate consumer. In fact the Associated Press, in reporting the decision of the House committee to offer the bills, said that members who had participated in drawing them declared that whatever system was followed the consumer would pay.

EFFECT ON LIBERTY BOND VALUES.

We have an inescapable obligation, Mr. President, to protect our citizens who subscribed to the several Liberty bond issues for the purpose of backing up our soldiers. Many of these citizens, as we all know, bought bonds to an extent beyond their means. Many thousands of them have been unable for this reason to hold these securities to maturity, and in all such cases the original patriotic purchasers have already suffered losses which they had no reason to expect. I have a special feeling of responsibility in this matter, because I, like many brother Senators, was active and insistent in persuading my home people to buy bonds. We have the absolute assurance of the Secretary of the Treasury and the governor of the Federal Reserve Board that a soldier bonus means further considerable depreciation in the value of Liberty bonds, and of other Government paper as well. It would humiliate me, Mr. President, to see my own note sell below par, and likewise it is humiliating to us all and damaging to our national prestige to see our bonds, which may be called our joint notes, going at less than face value. Another factor in the situation which all the more constrains us to protect these bonds is that the Federal Reserve Board, in order to release funds needed for other purposes, has felt obliged to force out of the banks a large proportion of Liberty bonds which they have been carrying for their customers.

RETROACTIVE TAXES ARE VICIOUS.

Unfortunately for the ready comprehension by the public of the issues involved, the discussion of the bonus matter has been muddled and confused by the repetition of certain superficially plausible catchwords, of which the misleading phrase "adjusted compensation" is a fair sample. Another instance is the argument so often heard that the vast revenue required can and should be raised in large part by levying a drastic business tax retroactive for three or four years.

Persons urging such legislation display a childlike ignorance of business management. They apparently assume that every man who has derived profit from his operations has laid up in a napkin somewhere every dollar so acquired, and kept the sum total intact and idle—for reasons which our amateur statesmen do not trouble themselves to expound. On the contrary, as anyone acquainted at all with affairs is aware, such earnings have been long since laid out in improvements and extensions, or otherwise put back into production.

Likewise, the stock dividends, which also have excited the cupidity of these gentlemen, are in many cases mere paper distributions of intangible values. Our amateur politico-financial experts conveniently forget the long lean years that went before, in which stockholders derived from their investments only the lowest dividends or none at all. They forget with an equal facility that in most enterprises which have lately been enabled, by reason of abnormal, fortuitous, and temporary conditions, to declare stock dividends, the distribution falls short of averaging up net returns sufficiently to offset preceding years of inadequate returns or none.

STRAIN ON MONEY MARKET.

War-time earnings could not now be retroactively taxed without immeasurably distressing and demoralizing business throughout the country. The funds which it is proposed thus to tax have been, as I have said, long since expended or tied up in current operations, not put by in a napkin. Business men would simply have to go into the market and borrow the money with which to meet the tax. The sudden and extraordinary demand upon a money market already overstrained would enormously increase the cost of money for financing the community and thus directly increase the cost of living. Therefore, the plan for raising by this means the funds for a gigantic bonus payment is impracticable on the physical facts, even if it were not also open, as it is, to conclusive objections on other grounds.

Retroactive legislation, especially in fiscal matters, is vicious in itself, altogether repugnant to American principles, and destructive of American organization. I should oppose retroactive taxation for this reason, regardless of the particular ends in view. If the question was asked me, "What feature in congressional practice is more hampering, irritating, and burdensome to legitimate private business than any other?" I should unhesitatingly answer that it is impermanence, uncertainty, and capriciousness in regard to taxes and restrictions. Constant changes and fear of changes are fatal to prosperity, paralyzing to initiative, and enervating to the spirit of enterprise. Nobody knows what absurdities in this field a new Congress may perpetuate—and our House of Representatives is renewed every two years. Business is kept continuously disturbed by dread of new and radical legislation or of new interpretations of existing laws. Let us give the American once more at least a fighting chance of working out his own temporal salvation.

HAVE THE SOLDIERS SPOKEN?

I do not undertake to express an opinion regarding the propriety or the good taste of the soldiers themselves demanding at the hands of the country, through Congress, a bonus, "adjusted compensation," arrears of pay, or whatever it is they choose to call it. That is a question for soldiers to decide, each for himself. But as a matter of cold fact, such demand has not yet been presented by anything like a majority of the service men. The American Legion, great and potentially useful organization though it is, comprises so far only a minority of the 4,800,000 men called to the colors and for whom it is often presumed to speak; furthermore, within the legion itself there is anything but unanimity on this subject, and the executive committee, which framed and presented these demands, without a mandate from the rank and file, has found it convenient to ignore the reasonable suggestion that the only way of learning accurately the wishes of the membership is to hold a referendum. I am proud to say that the South Carolina department of the legion has repudiated openly the grab policy of the national executive committee. I have heard, and with deep regret, that in some localities here and there through the country the high position taken when the legion was founded has been forgotten and that membership campaigns are being waged under the slogan, "Join the legion and get a bonus." Certainly that was not the idea which prevailed in the three general sessions of the American Legion which have been held to date, and if such an idea has crept into the organization it has originated from the mistaken and, I believe, misrepresentative policy developed by the executive committee. The South Carolina branch, Mr. President, I am glad to state, is considering withdrawing from the legion if the organization adheres to the policy declared by the committee.

SERVICE NOT COMPENSABLE.

"Adjusted compensation" is a good mouth-filling phrase, and I note with regret that some tried and true soldiers make use of it, without troubling to look into its full meaning. Service men who base their demand for a donation of Government funds on the compensation theory place themselves in very doubtful company. Free countries hold military service in time of war to be a privilege, open only to the able-bodied and honorable. Such service has at no time been regarded as compensable, and the pay of the citizen soldier has been intended merely to cover reasonable incidental requirements not provided for by issue or otherwise, not at all to square accounts between him and his country, for no amount of money could do that. Let those who talk of "adjusted compensation" remember that in

our history only two classes of soldiers have put a price on their courage. The Hessians, whom it is sufficient merely to name, and the substitutes of Civil War days, men who cold-bloodedly calculated their chances of survival against the sums they could extort from the men in whose stead they fought. No man who wore the American uniform in the World War would knowingly class himself alongside either the Hessians or those later mercenaries, the substitutes of the sixties. Yet they do so class themselves, although unintentionally, whenever and to the extent that they put their demands on a compensation basis. I can only believe that service men who make use of the compensation argument do so without following it out to its logical conclusion.

WAR WORKERS' WAGES.

Some advocates of a soldier bonus bear down hard on the contention that civilian laborers, notably the shipyard workers, were overpaid during the war. They will not hear any argument to the contrary from me. Let us consider that fact, however, in relation to soldier-bonus proposals. The soldier, privileged as he is to confront the enemy face to face, has properly the major share of glory and honor, and no free country has dreamed of tendering its soldiers cash settlement for their services, or, in other words, commuting in cash its obligation of gratitude. But unquestionably the cause in which the soldier fights is also very largely dependent on unremitting, arduous, and skillful labor by thousands of men in the shipyards, munition plants, and other establishments, which have been aptly called sectors of the home front. I can see how it might plausibly be argued that the wages of the men held back for this unglamorous though necessary duty may be properly called compensatory and adjusted accordingly.

My own idea about handling the problem is, however, that in time of war, and if necessary, labor should be conscripted precisely as troops are conscripted—which, of course, implies careful advance classification of our man power by special qualifications—and that a man who is exempt from military duty by reason of his skill in some trade, as a shipfitter, for instance, should be quite as firmly held to perform his particular function as the soldier; and I believe the skilled workman of our country will be found as ready as the soldier to subordinate his personal preferences and freedom of action to the welfare of the Nation. It follows, of course, that the Government must then assume the responsibility for safeguarding his rights and not leave this to private or corporate judgment. Let us hope that if we have another great war we shall profit by the lessons the World War has taught and manage better this home labor problem. Meanwhile the overpayment of war workers during the late war may as well be dismissed from further consideration as water that his flowed under the bridge. Whether or not the wages allowed were scandalously high, the plain fact is that we were not organized to handle our skilled labor on a scientific basis, and that, as a practical matter, the pay question had to be treated as secondary to the supreme issue of quantity production at maximum speed.

I do not concede that because we fell into error in this field we must now therefore commit another and a greater error. Nor is it any valid argument for a tremendous bonus payment at this time that extravagant expenditures arose out of the cost-plus contract system, under which of necessity much of the war construction was accomplished. I think, however, that was a pernicious system; it led us into temptation, and it should be abolished as soon as possible in all enterprises.

THE NEGRO AND THE BONUS.

Recklessness and irresponsibility have characterized this cash bonus campaign in Congress from first to last. That is well illustrated by the fact that its relation to the negro problem has been considered only in the most superficial and careless way, if at all. I might go further, and say that its effect on the labor situation generally, profound though it must be, has also been lightly ignored. The labor situation in the South, however, is aggravated immeasurably by reason of its being complicated with the negro problem in all its many phases. We ought not to expect, perhaps, that Members of Congress from other sections shall understand altogether what it will mean to place a windfall of several hundred dollars each in the hands of the negroes who as soldiers, or much more numerously as laborers and stevedores, wore the uniform at some time during the war. But enough is known throughout the country concerning the organization of life in the South to make it reasonable that we should expect of Congressmen, from whatever section they come, at least a sober, candid facing of probable consequences, and a conscientious endeavor to ascertain what those consequences may be.

Gentlemen are much mistaken who think this is a sectional question only. Disorganize southern industry and agriculture and the effect will be quickly and seriously felt in every home in the land. The South not only comprises the cotton belt, although this fact in itself should suffice to make judicious men pause to think, but it is also a vast producer of foodstuffs. The negroes are already very badly demoralized. The man is exceptional among them who will put in a full week's work at prevailing high wages. No man doubts, who knows negro character at all, that every one of them who receives the cash bonus will cease work altogether until every dollar of the several payments is spent. The certain results of such a distribution of money will be general and complete idleness, demoralization, and an unparalleled orgy of short-lived extravagance. Certain gentlemen who have led the fight for the bonus profess to be great friends of the negro. But it is no kindness to the negro to expose him to such temptations in a time of unrest and of unprecedented need for maintaining and increasing those productive activities in which he is most largely involved. The country at large has finally concluded that southern white men really know a trifle more than others about the handling of the negro problem, and the country will remember that this bonus was voted over the solemn objection of many southern Members, who confront the situation which it raises not as a theory or abstraction but as a grave, actual condition of the utmost practical concern. I have dealt with colored people all my life and in the various capacities of employer, attorney, and banker; I think I am a true friend of the race, and that I am so known among the negroes of my State; but my friendship is grounded on intimate knowledge, not on abstractions; and I say in all earnestness that I see no good to the race in this project, but, on the contrary, immeasurable harm, and a setting back in many lines of the progress which the negro in the South has been making.

I have advocated, Mr. President, during all my business life, fair treatment of the negro. I believe in paying him what you promise and when you promise it, and treating him like a human being. Then, of course, he will stay in his place. It is not brave to impose on him nor is it smart to cheat him, as I have observed so many times in the courthouse and on the stump at home.

WATCH THE LAND LOBBY.

Much propaganda has centered around the land-settlement features in the bonus proposals. I think the country should be extremely distrustful of these features. Some good men are associated with them undoubtedly. But I have not failed to observe that lobbyists have swarmed to Washington to sing the praises of some hopelessly desolate wastes and that these gentlemen continue to hang about the Capitol, with mouths watering over the wholesale hand-out which they confidently expect. I am not particularly concerned with the sectional aspect, but the fact is manifest that the bulk of any funds allotted for soldier settlement will go to the West. It is true that a bid is made for southern support by promises that a quota of the money allowed will be expended in the reclamation of cut-over and swamp lands in the South. The South, I am sure, would pay dearly in other ways for every dollar that might accrue to her under this interesting frame-up. I may add, also, with regard to the attitude of service men themselves, that I have a rather extensive correspondence with those in my own State, and I believe that not more than five altogether have indicated to me that they had the slightest interest in the settlement of service men on reclaimed lands, whether these be alkali deserts or canyon sides in the West or old pine fields or cypress swamps in the South. It can hardly be a mere coincidence that the most rampant demanders of "something for the soldier" happen to be also interested in waste lands.

A BETRAYAL OF TRUST.

Bonus advocates will find interesting reading in the New York Sun. This newspaper, Republican organ though it is, points out that the Republican Party is in control of Congress; it therefore holds that party to direct and full responsibility, and declares that the party will and should be repudiated by the country if it shall permit what it calls this wicked raid on the Treasury. Going further, the Sun asserts:

It is reported that in the present critical condition of the Nation's finances, with debt and taxation piling up so high and heavy that the people can scarcely stagger along under the growing load, there are Congressmen willing and getting ready to vote for the indiscriminate soldier-bonus grab of a billion and a half dollars or thereabouts; and this because congressional elections occur next November and they hope thus to profit politically in their districts. Surely—

Concludes the Sun—

the word traitor has been applied over and over again in history and in fiction to betrayals of trust less shameful in the alleged motive, less disastrous in the consequences, than such a betrayal of trust by the sworn guardians of the public interest, charged with the protection of the Public Treasury.

Since one of the foremost of Republican journals has so severely spoken the bonus bill has been passed in one House of Congress by a vast majority of Republican votes.

A CORRUPTING DONATION.

I think that this matter has been very well summed up by a great authority on government, Dr. Theodore S. Woolsey, professor of international law at Yale. Dr. Woolsey is quoted as saying:

There are two distinct questions involved in the cash bonus proposal. One is simple: Can the finances of the Government stand such a strain without grave disturbances? The Secretary of the Treasury, the governor of the Federal Reserve Board, the writers on finance all say no. In the face of this expert evidence only the reckless could advocate the measure.

The other question is even more serious. It relates to the effect upon our system of government and upon the character of our people. When a huge gratuity is given the members of an army for doing their duty, this gratuity being offered by one political party, or by each party bidding against the other, it then becomes not a gift of gratitude but a corruption fund, debauching both those who give it and those who receive it.

Mr. President, it is not only the soldiers who helped win this war, although, of course, they are entitled to the greatest praise; but the people at home, all good, loyal American people, did all they could. It was a pleasure, while the soldiers were in the trenches abroad, to see our ladies and children get together and make garments for them unceasingly. Even little tots knitted sweaters, wrist warmers, and various articles of comfort that the soldiers needed.

I remember, Mr. President, the particular case of a poor white man in my county who came into my office and wanted to buy a Liberty bond. His means were exceedingly limited. He had rented a little farm on the outskirts of the town, and his horse had recently died, and he had to buy another one on credit. He came in and wanted to buy a bond. I asked him how much he could pay down. He said he could not pay anything. I said to him, "Well, my friend, of course, I am trying to help the Government sell bonds, and we want everybody to buy them that can; but there is no use of your buying a bond if you can not pay anything on it, and I must be candid with you and say that I do not think it is your duty to buy a bond." He was about the only man I told that to during the whole campaign, and the bank with which I am connected raised its quota every time the Government called. That man sat there, and tears ran down his cheeks, and he insisted on my helping him. He said he wanted his name on the honor roll, and I told him his name should be there, and helped him get that bond.

I feel that if the soldiers realized the feeling that existed at home they would not come back here and want us now almost to bankrupt this Government by voting a bonus on the people of this country.

Mr. President, I ask unanimous consent that a resolution of the South Carolina Branch of the American Legion be inserted in the RECORD as a part of my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From the Columbia (S. C.) State, May 30, 1920.]

SECESSION PROPOSED FOR CAROLINA LEGION—STATE CONVENTION CALLED TO CONSIDER ACTION OF NATIONAL COMMITTEE—FIGHT FOR BONUS CAUSE OF BREACH—WITHDRAWAL MAY FOLLOW NATIONAL CONVENTION SHOULD EXECUTIVE COMMITTEE'S ACTION BE RATIFIED—SOUTH CAROLINA MEETING IN SPARTANBURG SET FOR JUNE 15.

For the purpose of considering the advisability of withdrawal from the national organization, in case the national convention should ratify the action of the national executive committee in agitating the bonus, the annual convention of the American Legion of South Carolina will be held in Spartanburg June 15, instead of next fall. This decision was reached yesterday at a meeting of the State executive committee held in Columbia. The resolution calling the convention at the earlier date characterizes the action of the national executive committee as "harmful to the best interests of the National and State organizations." The resolution says in part, in speaking of the national executive committee's fight for a cash bonus: "Its action tarnishes the honor and glory which the American soldier and sailor won on the field of battle, and its action, if ratified by the next national convention, renders the further affiliation of the South Carolina department with the national organization harmful to the future of the said department."

On Friday the executive committee decided to hold the annual State convention in Spartanburg one month prior to the national convention, but at the meeting yesterday, which was attended by the entire committee, the decision was reached to move up the annual convention to June 15.

The resolution sets forth that, among other things, the national executive committeeman from this State has not been duly notified twice of meetings of the national committee.

AGAINST BONUS AGITATION.

The South Carolina department has throughout voted that the American Legion should not take part in a bonus agitation.

The resolution says that the national executive committee disregarded the express orders of the national convention, the governing body of the legion, and the basic principles on which the legion was founded.

The resolution follows:

"Whereas the American Legion was formed with the express purpose of furthering all patriotic causes and not for selfish or political reasons; and

"Whereas the granting of a cash bonus to able-bodied veterans of the Great War would be admittedly harmful to the welfare of the American public; and

"Whereas a request from the American Legion for a cash bonus rightly renders that organization liable to suspicions as to its sincerity and unselfishness of motive and is debasing and inconsistent with the high ideals on which it was founded; and

"Whereas the national convention of the American Legion assembled at Minneapolis, Minn., November 10, 11, and 12, 1919, went on record as disapproving any attempt by the legion to ask or demand of Congress a cash bonus; and

"Whereas the national executive committee of the American Legion has demanded the payment of such a bonus by Congress, thereby disregarding the express orders of the governing body of the American Legion and the basic principles on which the American Legion was founded; and

"ATTEMPT TO IGNORE STATE.

"Whereas the national headquarters of the American Legion has shown a desire to disregard the wishes of the South Carolina department of the American Legion by twice failing to give due notice to the national executive committeeman from South Carolina of meetings to be held, thereby endeavoring to deprive the said department of its legal voice in the councils of the national organization: Now, therefore, be it

"Resolved by the executive committee of the South Carolina department of the American Legion, That we disapprove the action of the said national executive committee and that we view their motives with suspicion; and

"Resolved, That in our opinion the action of the national executive committee is harmful to the best interests of the National and State organizations, its action tarnishes the honor and glory which the American soldier and sailor won on the field of battle, and its action if ratified by the next national convention renders the further affiliation of the South Carolina department with the national organization harmful to the future of the said department; and

"Resolved, That the adjutant, South Carolina department of the American Legion, be authorized and directed to call upon the various posts of the American Legion in South Carolina to elect delegates to the annual State convention to be held in Spartanburg, S. C., June 15, 1920, for the purpose of considering the advisability of withdrawal of the South Carolina department of the American Legion from association with the national organization."

DISABLED NEED ASSISTANCE.

The committee in a second resolution, adopted yesterday, also strongly condemned any legislation designed to give a cash bonus to the able-bodied ex-service men at this time, when it appears, the committee members thought, that no adequate provision has been made for the disabled who are really entitled to assistance. The resolution follows in full:

"Whereas it appears from statements made by Dr. W. G. Rucker, chief medical adviser of the Bureau of War Risk Insurance, and other Government officers that 641,900 men were discharged from the Army and Navy with disabilities, of whom 276,327 were seriously disabled, and that less than 5 per cent of the disabled have been cared for by the Federal Board for Vocational Education; and

"Whereas it is estimated by qualified experts that the proper and adequate care of those who have been disabled may cost the Government annually from $325,000,000 to $500,000,000: Now, therefore, be it

"Resolved by the executive committee of the American Legion of South Carolina, That we strongly condemn any legislation designed to give a cash bonus to the able-bodied ex-service men at this time, when it appears that no adequate provision has been made for the disabled, who are really entitled to assistance.

"That a copy of this resolution be sent to each Representative in the United States Senate and Congress and published in the State newspapers."

Mr. SPENCER. Mr. President, I should like to call the attention of the Senate to Senate bill 4166, which provides a method for conducting contests in regard to the United States Senate. It was reported unanimously by the Committee on Privileges and Elections. I think there will be no possible objection to the bill. It was felt that it would be desirable, if possible, to have that bill acted upon at this time, if there is no objection.

Mr. SMOOT. Mr. President, I should like to have the pension bill which is before the Senate disposed of in some way, and then I am going to ask to take up the calendar and go through the calendar, so that the bills that may be passed here will reach the House in time to be passed upon before adjournment.

Mr. SPENCER. Very well.

The PRESIDING OFFICER (Mr. FERNALD in the chair). The bill is in the Senate. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. TRAMMELL. Mr. President, I would not state that there are not more or less justifiable and probably meritorious increases of pensions provided in the pending bill. Probably some of the items in the bill would receive my approval were I familiar with the facts which were presented to the committee; but this measure seeks to inject into our pension system a policy with which I am not in sympathy, and for that reason, if the items embracing this objectionable policy remain in the measure, I shall be compelled to vote against it, regardless of the fact that it may have some meritorious increases or some new names that possess merit to be added to the pension roll.

I find, Mr. President, that the Government seeks through this bill to reward and care not only for the soldier who fought for his country and to care for his widow, his helpmeet, but it goes a step further and provides pensions for the sons and daughters of the soldiers who served this country during the Civil War. We find, Mr. President, that the bill is filled from beginning to end with items that provide pensions for the sons and for the daughters of late soldiers.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from North Dakota?

Mr. TRAMMELL. I do.

Mr. McCUMBER. Does the Senator claim that that has not been the policy of the pension laws ever since we enacted them?

Mr. TRAMMELL. I think probably there has been some policy along this line, but I think this bill seeks to carry it still further and to enlarge on it; and the first thing you know the granddaughters and the grandsons of soldiers will be pensioned by the people of this country at the hands of Congress.

Mr. McCUMBER. If the Senator will allow me, I think if he will examine the bill a little more carefully he will ascertain that these children are all helpless and dependent children or minors under 16 years of age, and they are those cases that have been provided for from the very initiation of the pension legislation for veterans of the Civil War. Every pension bill we have had has dealt with minors and with helpless and dependent children, and we have not expanded it a single inch for 50 years.

Mr. TRAMMELL. Mr. President, I admit that I am not as familiar with the pension laws as the distinguished chairman of the committee and others who have been more directly in touch with it, but my impression is that there is an effort to enlarge this policy, and I am opposed to the policy.

We find in the bill, for instance, on page 64, an item of this kind:

> The name of Mary Miller, widow of Ira Miller, late of Company C, Fifteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving: *Provided,* That in the event of the death of Horace M. Miller, helpless and dependent son of said Ira Miller, the additional pension herein granted shall cease and determine: *And provided further,* That in the event of the death of Mary Miller the name of said Horace M. Miller shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary Miller, to continue during the period of helplessness and dependency.

This provision of the bill provides an increase of $20 per month to the widow on account of dependence; and it does not stop there, but it provides, further, that in the event of the death of the widow the son shall succeed to the pension at the rate of $20 per month.

We find other items in the bill wherein a pension is granted directly to the son. On page 67 we find this case:

> The name of John W. Walker, helpless and dependent child of Otis Walker, late of Company C, One hundred and sixty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

I have not been able to go over the entire measure and ascertain how many pensions of this character are granted, but I find that the bill, from the very beginning of it to its conclusion, is full of items providing for increases of pension or providing pensions that will go directly to the son or the daughter of a late soldier.

Mr. President, how far are we going with this? I appreciate the services of any person who serves his country, serves it faithfully, loyally, and patriotically. I believe that the Government, in all justice, should recognize that service, and I am not objecting to the pensioning of the soldiers or their widows. I might object to the amount, as far as the monthly sum that is fixed is concerned. It is growing and pyramiding and pyramiding until now it is an enormous burden upon the taxpayers of this country.

But I think, Mr. President, there is some place where we should stop. If we are going to go to the sons and to the daughters, then why not later go to the grandsons and the granddaughters? I dare say, Mr. President, if this policy is perpetuated and continued, after a while, as we look out over the field and see the numerous grandsons and numerous granddaughters, and think about what a wonderful force they will be in the elections of this country, we are likely to reach out and get them.

But I tell you, Mr. President, we can go too far with that proposition. The people of this country who have the tax burden to bear, the people who pay the bills while the fiddling is going on, are entitled to some consideration. I do not for a moment believe that the American people will withhold, or that they desire to withhold, a reasonable expression of gratitude to those who have defended their country in the hour of peril, but I say, Mr. President, that I believe the people of this country will object if we keep extending and enlarging this pension policy and reaching out and gathering in all of the members of the family of some man who, perchance, in years gone by, has served his country, and I can not support a bill which contains items in it reaching to the sons and to the daughters. However pathetic their cases may be, however much I may personally sympathize with them, I can not, as a Government policy, go beyond the granting of pensions to the soldiers and to their widows.

Back in my State legislature we dealt as liberally and as lavishly as we could with the patriotic heroes of the Civil War who fought upon the Confederate side, and I felt a peculiar pride and an intense interest in trying to foster their interest in the way of making acknowledgment of my State's gratitude to those boys. But now, Mr. President, when it came to a question of pensioning the sons and the daughters, I then challenged my colleagues that if they wanted to extend charity—and that was an extension of charity; I did not consider it an acknowledgment of the State's gratitude—then the legislators should individually contribute that charity, and not, on account of their strong arm as lawmakers, force the taxpayers of that State to be burdened for the purpose of extending the pensions even to the sons and daughters, regardless of however much we may sympathize with those who are helpless or afflicted.

In this country there are a number of loyal, patriotic citizens who are helpless, who need the aid and assistance of charity; but the National Government does not assume the burden, nor does it feel that it is the obligation of the National Government to place them upon the pension roll.

Mr. President, on account of these objectionable features, if the bill is not amended—and it will not be, I am sure—so as to strike out the pensions to the sons and to the daughters, I shall be compelled to vote against it, although I am heartily in sympathy with the idea of the Nation paying tribute of recognition and esteem to the men who served their country in the hour of peril and to their widows. But I do not believe that that service justifies the Congress of the United States in extending pensions to the sons and the daughters, and I am opposed to the policy.

VOCATIONAL TRAINING OF DISABLED SOLDIERS.

Mr. SMITH of Georgia. Mr. President, I have never been enthusiastic about service pensions, but there is a class of pensions to which I do give my most intense support, the pension or compensation to the man who is really hurt.

We have pending before the Senate a bill which has passed the House, which ought to receive the attention of the Senate before we adjourn next Saturday, to increase the allowance to the injured men who are taking vocational training. It proposes to increase their allowance $20 a month; to give those without responsibilities $100 a month and those with responsibilities $120 a month.

There are now in training, or there were a short time ago—I believe it has increased a little since then—33,600 such men. Of that number 6,300 are in cities of a million inhabitants or more; 5,500 are in cities of 500,000 up to 1,000,000; 5,600 are in training in cities of from 250,000 to 500,000 inhabitants; 3,700 are in training in cities of 100,000 to 250,000 inhabitants. The balance, 12,500, are in cities of less than 100,000 inhabitants.

I understand the objection has been made to this bill that a large number of negroes would receive this increased compensation. In all, there are only 952 colored men who have accepted the invitation and are taking training.

We have the report of the House committee, which shows us that the evidence before them disclosed that it is utterly impossible for a large number of these men to pay their expenses on the present allowances. I have personally seen a number of them. I have personally visited some of these institutions and know the character of men who are receiving the training. They are men with one arm; they are men with one leg; they are men who have received serious injuries in their bodies; they are men who are entirely disqualified from pursuing the vocations which they followed before the wounds or the injuries were received.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. SMITH of Georgia. I yield.

Mr. SMOOT. I think the Senator's statement must have been misunderstood, or at least I misunderstood the Senator. I understood the Senator to say that it was impossible for them to pay their expenses.

Mr. SMITH of Georgia. Yes.

Mr. SMOOT. The Senator does not mean the expenses of the soldier?

Mr. SMITH of Georgia. Yes.

Mr. SMOOT. Does not the Senator mean the expenses of those who are dependent upon the soldier?

Mr. SMITH of Georgia. I mean that in the cities and in many other places the average soldier can not take care of himself on $80 a month and have anything like a decent living. He pays for his clothes, he pays for his food, he pays for his room, he pays all of his personal expenses, and even in Washington, a man going to the George Washington University, for instance, can not take care of himself on $80 a month.

Mr. SMOOT. I was thinking that the Senator had reference to the soldiers who were in hospitals, and taking training there.

Mr. SMITH of Georgia. Oh, no; this does not apply to them at all.

Mr. SMOOT. The soldier there, of course, gets all the care.

Mr. SMITH of Georgia. None of those provided for by this bill are at a hospital.

Mr. McCUMBER. Mr. President, I want to ask the Senator from Georgia a question. The Senator gave a class of people who are attending these schools, such as people who lost an arm, or lost a leg, or have been crippled in some other way. We all feel that we ought to give good support and care to those who have been so injured in service. But does the department discriminate as carefully as the Senator has indicated in determining who may have the benefit of this law? I am going to say candidly that I have been informed that there is practically no discrimination whatever, and from a very reliable source I was informed only the other day of a person who is now taking a postgraduate course in medicine at the expense of the Government, whose only injury during the war was to one of his fingers. I do not know how many such cases there are.

Mr. SMITH of Georgia. Then his occupation must have been one which required that finger, and the loss of the finger must have disqualified him from pursuing his former occupation.

Mr. McCUMBER. I do not think the finger was even lost. I think it was injured somewhat and the joint was stiffened.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. SMITH of Georgia. I will yield to the Senator, but I would like to answer the Senator from North Dakota first.

Mr. KING. I will call attention to matters of the same character. I have seen a number of individuals who are receiving large contributions from the Government for injuries such as described, and they are working and earning large sums, probably a thousand or more dollars per annum, and receiving large sums from the Government, and are taking an education, of course, at the same time. My information is the same as that of the Senator from North Dakota [Mr. McCUMBER], that there is no proper discrimination, and that people with insignificant injuries are receiving nearly as large sums, if not quite as large, as some who have lost an arm.

Mr. SMITH of Georgia. The Senator must be mistaken. The total number who are receiving training is 33,600. The number who were injured is over 100,000. My own trouble has been from finding cases where I thought men were entitled to the training but were not receiving the training. Naturally there will be a few passed and admitted to training who perhaps ought not strictly to have been passed, but the Government even then is helping prepare an injured soldier for a useful life. I fear there have been a number rejected who ought to have received the training.

I have visited a number of these schools. I have seen the average student at the school, and I have found them entirely disqualified in their existing condition to pursue the calling which they followed before the war.

I have furthermore found that the average student at these schools was a man who, without his injury, would earn from $150 to $200 a month. I know that a large number of these men but for their injuries would be earning much more than $120 a month.

What are we undertaking to do by this training? By giving them from one to three years' opportunity to fit themselves for some other calling we expect to find them able to relieve the Government of what otherwise would be a permanent charge upon the Government.

I maintain that the soldier who was injured and thereby made unable to earn a livelihood or to earn what he could have earned before is entitled from the balance of us who stayed at home to have made up to him his financial losses. If we make a man go to the front and fight our battles and he is shot or cut or otherwise wounded, we can not afford to question the proposition that we ought, so far as money goes, to make him whole.

Now what are the facts? We find from the testimony brought before the committee that charitable institutions have been called upon—and necessarily called upon—to make up to these men a sufficient amount to pay their expenses. I do not think any of us want to have that done. There may be some question about service pay, giving money from taxation to men who were not hurt, and to widows of men who were not hurt, and to children of men who were not hurt—I do not enthuse over any of these pensions—but when it comes to the boy who was wounded, who was injured at the front, I do not believe there is anyone who questions the responsibility of the Government—that is, all of us—to make him in a measure sound.

We are too free with service pensions, and that causes us to be too close with compensation to those suffering from injuries of service origin.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Colorado?

Mr. SMITH of Georgia. Certainly.

Mr. THOMAS. I am in hearty sympathy with that side of the pension problem, and I am willing to go as far as the needs of the men require, the disabled men and the families of those who lost their lives in the service, but I am informed that our present appropriations in behalf of that class of pensioners is but little short of $500,000,000 a year.

Mr. SMITH of Georgia. I am confident that is a mistake.

Mr. THOMAS. My authority is, I think, reliable, that it is somewhere between $450,000,000 and $500,000,000 a year.

Mr. SMITH of Georgia. Thirty-three thousand men at $80 to $100 a month would be about $32,000,000.

Mr. THOMAS. There are over 600,000 men who are disabled on the pension roll.

Mr. SMITH of Georgia. There are only 33,000 of those to whom I am referring.

Mr. THOMAS. My statement is not confined to the class of disabilities covered by the Senator's bill but to the entire number of those who have suffered disabilities of some sort in consequence of services in the last war.

Mr. SMITH of Georgia. That I have not followed out. I have been especially interested in those whom we were fitting to relieve us of our responsibility.

Mr. THOMAS. If the Senator will permit, I find that I have a clipping upon the subject, dated the 8th of May, stating that there are 641,900 veterans of the World War dependent upon the bounty of the United States for future existence, at an annual cost of $325,000,000. I stated the figure too high.

Mr. SMITH of Georgia. There can not be 600,000 who are a charge upon the Government.

Mr. THOMAS. This is from Dr. W. C. Rucker, chief medical adviser of the Bureau of War Risk Insurance, who reports this number discharged from the Army and Navy with disabilities, and he then gives the number suffering under different disabilities. One of the chief objections to the bonus for all soldiers regardless of their condition is that it will deprive the men whom the Government should take care of of this support to which they are entitled because of their disabilities.

Mr. SMITH of Georgia. I am not advocating the bonus.

Mr. THOMAS. I am very glad the Senator is not.

Mr. SMITH of Georgia. I am not advocating the bonus. I am only pressing upon the Senate that here are 33,000 men who will relieve the Government in a year or two of responsibility for them, who no longer can do what they did before, whose physical injuries have disqualified them from continuing in their former avocation, but who are now going through some other course of instruction which, with their remaining physical qualities, will enable them to earn a livelihood.

Mr. THOMAS. If the Senator thinks $80 a month is not enough for that class of men, I am willing to join with him in giving them what is deemed a sufficient sum.

Mr. SMITH of Georgia. What I am asking for under the evidence is to give them enough to pay their expenses, which is $20 a month more than is provided in the bill.

Mr. THOMAS. That is the sort of pensions that the Government's largess should be confined to.

Mr. SMITH of Georgia. And especially when by helping those men out we are helping them to relieve the Government from any further responsibility for their care and making it possible for them to return to the pursuits of life as valued citizens.

Mr. KING. Mr. President, will the Senator yield?

Mr. SMITH of Georgia. Certainly.

Mr. KING. I am in entire sympathy with the statement made by the Senator that we should properly care for those who have received wounds or injuries, and should afford them every opportunity for vocational rehabilitation, but I wish

to ask the Senator what justification he has for the statement that after they have been rehabilitated and after they have received education or training in some profession that will enable them to earn a livelihood, the Government will be relieved for all time of caring for them.

Let me make this further observation. The Senator will remember that we are now passing pension bills and have passed them calling for millions and tens of millions of dollars, and that large amounts have been paid and are still being paid to men who are worth millions and whose earning capacity has never been impaired at all by any injury received. The Senator will remember that there are many lawyers, many merchants, many bankers, men who have been in the Senate of the United States, who fought in the Civil War, and yet who drew large pensions. A man recently died leaving an estate of $7,000,000, and yet he was a pensioner receiving $70 or $80 a month. At one time for many years he held an important position in the Government, from which he received from $5,000 to $7,000 or $8,090 a year. The Senator's experiences will call to his mind numerous cases where men received large pensions, notwithstanding the fact that they were wealthy and were not in need of them.

Mr. SMITH of Georgia. And the Senator from Utah has never heard me open my lips in behalf of them, whether they were Spanish-War veterans or any other war veterans. I have never cast a vote in favor of any of that class of pensions.

Mr. KING. I was interested in knowing why the Senator thought that any person who may be educated now by the Government and relieved from their distressing situation and put in a position where they may earn a competent livelihood, will not in the future, under pension policies which I have no doubt in the world will be forced through the Congress, receive large gratuities and pensions from the Government.

Mr. SMITH of Georgia. I had no assurance on the subject. I only feel that if they are put in a position where they can follow successfully an occupation, this should be their compensation, and our case is certainly very much stronger, if we brought before us a man with his leg off or his arm off who had made $150 or $200 a month before, and who was not now able to make anything, if we could say to him, "We educated you and you now have a profession from which you make as much or more than you did before." We have then a very much stronger case to resist the claims of the men if they were asking for pensions. Those of us who do not believe in the service pensions and do not believe in piling them up in such large quantities will have a far stronger ground of reply than we otherwise would have. I believe that as a matter of investment it will save our Government millions of dollars. Of course the much higher reason is the joy we should all feel to help make these boys in a measure again successful men.

I only intended to speak for a moment. I beg the pardon of the Senator from North Dakota [Mr. MCCUMBER], because I did not intend to inject a speech on some other subject than his pension bill, but this just seemed to be a good chance to say a word for the boys who are injured. I do hope we will dispose of this matter before the Senate adjourns.

Mr. KENYON. Mr. President, may I ask the Senator a question?

Mr. SMITH of Georgia. Certainly.

Mr. KENYON. The Senator knows the general situation with reference to the bill to which he has referred. It passed the House and has been reported out in the Senate by the committee of which the Senator is a member. I had intended to move to take up that bill, but the chairman of the Committee on Appropriations felt that the matter could be remedied in the deficiency appropriation bill. We have been working on an amendment which has been submitted to the Senator from Georgia, and of which I think he probably does not entirely approve, but if that can not be worked out in some form that will take care of these boys in cases where they should be taken care of, then I hope the Senator from Georgia, if I am not present, will move to take up this bill, although I shall move to take it up before the close of the session. I believe the other way is really better for all concerned.

Mr. SMITH of Georgia. I understood, of course, the position of the chairman of our committee. He reported the bill out favorably, and he has been very busy with official work during the past week and has been kept away from the Senate much of the time. He expressed perfect willingness for me in his absence to refer to it. I just thought that this was a proper time to get the matter before those Senators who are here present. Whether it comes up on an appropriation bill or whether we find it goes out of the appropriation bill, one objection would take it out of the appropriation bill, because it would be legislation upon an appropriation bill. In that event we hope that the House bill, which requires a very simple amendment, will be adopted with an amendment by the Senate and sent back to the House, and there passed and become a law. If it comes up on the appropriation bill, I hope the Senate will broaden the provision so that it will give the $20 to each of the 33,000 boys.

EXECUTIVE CONFIRMATIONS.

Mr. GAY. Mr. President, I desire, as in open executive session, to report from the Committee on Post Offices and Post Roads the nomination of Lillian P. Witherow, to be postmaster at Lake Providence, La. I am authorized by the committee to report the nomination favorably, and I ask that it be now confirmed and that the President be notified.

The PRESIDING OFFICER (Mr. BALL in the chair). Is there any objection to the confirmation in open executive session? The Chair hears none. The nomination is confirmed, and the President of the United States will be notified thereof.

Mr. NELSON. I ask unanimous consent to consider as in open executive session the nominations which I send to the desk. There is no opposition to them. They are unanimously reported from the Committee on the Judiciary, and I should like to have them acted upon now.

The PRESIDING OFFICER. The nominations will be reported.

The ASSISTANT SECRETARY. As in open executive session from the Committee on the Judiciary the Senator from Minnesota reports the following:

J. Warren Davis, of Trenton, N. J., to be United States circuit judge, third judicial circuit;

J. Warren Davis, of Trenton, N. J. (now United States district judge), to be United States circuit judge, third judicial circuit;

James L. Bodine, of Trenton, N. J. (now United States attorney), to be United States district judge, district of New Jersey;

James E. Carroll, of St. Louis, Mo., to be United States attorney, eastern district of Missouri; and

Elmer H. Geran, of Matawan, N. J., to be United States attorney, district of New Jersey.

Mr. SHEPPARD. I ask as in open executive session to make a report from the Committee on Commerce relative to the confirmation of Charles Eldred Herring, to be First Assistant Director of the Bureau of Foreign and Domestic Commerce.

The PRESIDING OFFICER. Is there any objection to the confirmation in open executive session? The Chair hears none. Mr. Herring is confirmed, and the President of the United States will be notified thereof.

Mr. KING. I desire, as in open executive session, to make a report from the Committee on Immigration of Charles L. Hughes, of Pennsylvania, to be commissioner of immigration at the port of Philadelphia, Pa.

The PRESIDING OFFICER. Is there any objection to the confirmation in open executive session? The Chair hears none. Mr. Hughes is confirmed, and the President of the United States will be notified thereof.

Mr. ASHURST. Mr. President, I can not help thinking that the Senate is falling into a very slouchy habit if it begins to do executive business in this way. I am going to serve notice that from this date forward, so long as I am a Member of the Senate, we must go into executive session to transact executive business. I shall not object at this time, of course, but I say, here and now, that I shall object hereafter for this reason. Perchance my desk is loaded with similar matters. Perchance the desks of some of the other Senators have the same sort of matter. The first thing we know we will be unable as a body to pursue a course consecutively for five minutes without interruptions of this sort. We ought to take up one thing and dispose of it, and then go to another thing and dispose of it, and not run around and with a forked stick pick up a rag and put it in the basket and run over here and pick up with a forked stick another rag and put it in the basket, and spend all our time jumping from one thing to another. I hope the Senate will not fall into the bad practice of doing executive business in legislative session.

Mr. MCCUMBER. Mr. President, I rise to say that I concur most heartily and earnestly in the suggestion of the Senator that we should dispose of one thing at a time, and the one thing that I should like to have disposed of at this time is the pending pension bill.

Mr. THOMAS. I was about to ask unanimous consent for the confirmation of John Skelton Williams as Comptroller of the Treasury, but in view of the remarks of the Senator from Arizona I shall defer doing so.

PENSIONS AND INCREASE OF PENSIONS.

The Senate resumed the consideration of the bill (H. R. 12530) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. KING. Mr. President, I heartily agree with the Senator from Georgia [Mr. SMITH] that ample provision should be made to care for those who rendered military or naval service during the great war through which our country has just passed, and who received injuries or are suffering from disabilities incurred therein, and liberal appropriations should be made to afford them every opportunity for vocational training and to prepare them to assume the responsibilities of life. Upon numerous occasions I have urged a policy which would deal generously with those who have been injured, not only in the great World War but in all the wars in which the United States has participated. While I have insisted that those persons who were injured and who suffered disabilities in the line of service should be cared for and that the widows and children of those who lost their lives in their country's service should likewise be liberally cared for, I have not been able to bring my mind to approve of what has been generally denominated mere service pension bills.

The bill before us, in many respects, does not even rise to the dignity of a service pension bill. As I stated a day or two ago during the debate upon this measure, it contains provisions for pensioning deserters, women who have been married many times but who at one time were married to soldiers, women whose marriages to soldiers were bigamous, women who were married more than 40 years after the close of the Civil War and after the date fixed by general law as the limit beyond which Congress would not go in granting pensions to widows of soldiers, men who served less than 90 days and saw no real service and were neither injured nor incurred any disability; and it also contains increases in pension now enjoyed by some who are recipients of mere service pensions.

The amendment which I offered yesterday, which aimed at the elimination from the bill of the items carrying service pensions for men whose names were upon the rolls for less than 90 days, has just been defeated.

The existing law denies service pensions to those who served less than 90 days. The pending bill has within it 65 names where the service was less than 90 days, and, as I stated in arguing for my motion when it was presented, the purpose evidently of this bill is to try the temper of Congress and the country. If in 65 cases we can break down the law which forbids the payment of service pensions to men who have served less than 90 days, we can supersede or repeal it, and at the next session of Congress, without doubt, there will be hundreds if not thousands, of private pension bills, and perhaps a general law proposed to allow service pensions to men who served for 10 days or 20 days or 30 days or any other number of days less than 90. This proposed legislation is experimental; it is a "feeler" to sound public sentiment, and, if not attacked, to be followed by legislation which will carry millions of dollars more in pensions, and grant them to classes heretofore not considered as being entitled to consideration under any principle of justice or patriotism.

I submit that there should be some strong reason advanced to justify this radical departure and this abandonment of accepted laws and standards as a basis for Government pensions. This bill will prove a dangerous and expensive precedent, and will cost the United States tens of millions of dollars.

Mr. President, it has just been stated by the Senator from Colorado that 641,000 of our boys who participated in the recent World War received injuries or incurred disabilities which either incapacitated them wholly or in part for the discharge of their usual vocations in life. What proportion of that vast number will require aid from the Government I am unable to state. Doubtless many of them under any humane and just pension system will be entitled to receive liberal grants from the Treasury of the United States.

The Senator from Colorado has also called attention to the fact that $340,000,000 will be required annually to meet the requirements of these injured soldiers and sailors. In my opinion, Mr. President, we will be called upon to meet a larger appropriation than the sum named. In addition, there will be the families of a great number who were killed and their dependents, who should receive generous treatment at the hands of the Government, so that it is quite likely the Government will appropriate annually for years to come to those who were injured or suffered disabilities in the Great War and to the families and dependents of the dead from $350,000,000 to $400,000,000. Of course that excludes service pensions. If that policy should be adopted, the expenditure would be so huge as to defy determination at this time.

During the fiscal year ending June 30, 1920, we appropriated considerably more than $200,000,000 as Civil War pensions; the sum appropriated to meet the claims for pension, compensation, and so forth, of those who served in the war with Germany amounts to several hundred millions of dollars. It is quite likely, Mr. President, that the United States will be called upon to pay pensions within the next few years, perhaps next year, from $500,000,000 to $700,000,000 per annum. I saw a statement a short time ago to the effect that 1 out of every 30 in the United States was drawing a pension. I make the prophecy, Mr. President, that within the next two or three years there will be a pensioner for every three or four wage earners. This will be a burden upon the producer; it will weigh heavily upon the toilers of our land.

It is a fallacy to suppose that the taxes levied and collected are paid by the possessor of what is called capital. In the final analysis the ultimate consumer and the producer must meet the tax demands of the Government. The wage earners in the United States will be carrying upon their backs the great army of pensioners who will fill the land. This inevitable condition which is upon us should prompt Senators to a serious consideration of all measures which call for appropriations from the Treasury of the United States. If I may be pardoned for so saying, I do not believe that any threatened financial cataclysm would lead us to economy in this lurid hour of private and national extravagance.

Then, in addition to the national pension system, there are State pensions, including municipal, and school pensions, which are constantly increasing. Nor must we forget the civil pension system which the United States has now adopted. This will become more formidable each year, and no one can predict what obligations it will entail upon the Government. The farmer, the miner, the producer of wealth, is not the beneficiary of these pension systems. These creators of wealth bear us all upon their shoulders. It is not too much to say that the pension system will prove a drain upon the financial vitality and vigor and upon the resources of the country.

Prosperity does not result from collecting billions from the people, to be distributed among a part or all of them in the form of pensions or gratuities. Indeed, this policy would soon produce stagnation and disaster.

The wealth of the country does not consist so much of houses and lands, banks and railroads; it depends rather upon the production of its people. Wealth is labor translated into material form; and if there is placed upon the broad, bowed shoulders of labor a vast army of pensioners, obviously the prosperity of the Nation will be impaired and our financial progress will be materially retarded.

Of course, there must be some who should be the recipients of the Government's bounty and justly entitled to its consideration. Justice and humanity demand that certain ones be cared for by the Government, and whether the burden be great or small those persons who are justly entitled to pensions should receive them.

Mr. President, I read a few moments ago a statement to which I desire to call the attention of the Senate. It was made by Comrade Burdett, a member of the Grand Army of the Republic, in a discussion of the question of pensions. He said:

> I can see no other answer than that it is setting up our patriotism against pay.

He was speaking of service pensions, of the proposal to give a pension to everybody who had his name upon the rolls of the military or the naval branches of the Government.

> When Abraham Lincoln—whose name be blessed forever—cried, "To your tents, O Israel!" the roads and the byways were thronged with the feet of them who rushed to the recruiting stations, and thousands were turned away. That was the grandest sight the sun ever shone upon. A nation of gentlemen and patriots, not asking what the pay should be, came rushing to the front. I protest against spoiling that immortal picture by now calling the remnant of that great host again around the money-changers' table to receive a pittance of $8 a month. * * * This is a great Republic, and if it lives it is to live upon the unpaid patriotism of its sons. And I protest that the Grand Army, last of all, should set an example for future times of seeking to set a money value upon its services.

These eloquent and patriotic words should be an admonition to proper procedure and conduct not only upon the part of those who have a duty to discharge to their country under their oaths of office, but to those who may be tempted to seek largesses and bounties and pensions at the hands of the Government.

Mr. President, I discussed this bill at some length on the 31st of May, and it is not my purpose to again enter into an analysis of its provisions. At that time I directed attention to the fact that there were 65 items in the bill affecting soldiers, or the dependents of soldiers, who saw less than 90 days' service, and to the fact that we were breaking down the law in

granting pensions to them. I moved to eliminate those items from the bill, and four Members of the Senate supported that motion. We have so far succumbed to the spirit of pensions, to this consuming demand for pensions and subsidies and bounties from the Government, that four Senators only support a meritorious proposition which is founded on justice and on existing law.

I confess that, perhaps, I ought not to be surprised at such a proposal receiving but four votes. It is unusual to receive any votes in this august assembly in the interest of economy or in support of measures aimed at reducing the burdens resting upon the people. If an appropriation is proposed that will take thousands and millions and hundreds of millions and billions out of the Treasury, it will command votes and votes to spare. The unanimity with which we approach the Treasury of the United States and put our hands into it is a picture that is delightful, as it shows the beautiful harmony which exists in our midst and binds and ties us together.

Mr. President, our protestations for economy are in vain. They rise to mock us, and to challenge our sincerity, when we affirm our devotion to the principles of economy in the administration of public affairs. There is not such a thing as economy in the national public service. Executive officials are extravagant; legislative branches of the Government are extravagant; and there is no halting this mad rush to secure appropriations from the Treasury of the United States.

Mr. ASHURST. Mr. President, will the Senator yield to me?

Mr. KING. I yield.

Mr. ASHURST. The Senator has made a series of able speeches regarding the expenditures of public money. His speeches will be noble parts of the contemporaneous history of our times; but he is making his speeches in the wrong forum. He should be talking to the people.

I have been in the Senate 98 months. During that 98 months I have received an average, so my secretaries say, of 100 telegrams a month, and half of them, or 4,400, are dispatches demanding that I vote for this or that appropriation; and, so far as my office force is able to ascertain, we have never received a telegram urging me to vote against an appropriation.

Is there a Senator here who in his lifetime received a telegram or a letter urging him to oppose an appropriation?

Mr. TRAMMELL and Mr. McKELLAR addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield? And if so, to whom?

Mr. KING. I yield first to the Senator from Florida.

Mr. TRAMMELL. Mr. President, the Senator makes a rather pertinent inquiry in regard to protestations against voting for appropriations, and says that no one has responded in the negative. I should like to have the Senator answer the question as to whether he has not received some protestations occasionally where he has voted for appropriations?

Mr. ASHURST. Not that I recall.

Mr. TRAMMELL. I have.

Mr. McKELLAR. Mr. President, I want to say that I have received many, many protests against appropriations.

Mr. McCORMICK. Mr. President——

The PRESIDING OFFICER (Mr. FRELINGHUYSEN in the chair). To whom does the Senator yield?

Mr. KING. I yield to the Senator from Tennessee.

Mr. McKELLAR. I have finished. I merely wanted to let the Senator know that I have received many protests; and when he said that he did not believe any Senator had, I wanted to set him right.

Mr. McCORMICK. Mr. President——

Mr. KING. I yield to the Senator from Illinois.

Mr. McCUMBER. Mr. President, I wish we could have order. I can not tell whether this is a personal experience meeting or whether we are discussing a pension bill.

Mr. KING. We are discussing a pension bill, and it has been my pleasure to yield first to the Senator from Arizona. I then yielded to the Senator from Florida and the Senator from Tennessee, and I yield now to the Senator from Illinois.

Mr. McCORMICK. Mr. President, since the testimony so far has served only to reflect upon our several constituencies, let me bear witness to the self-denying quality of the people of Illinois; for I have received telegrams from them protesting not only against appropriations but against appropriations to be expended in my own State.

Mr. ASHURST. Mr. President, that is refreshing——

Mr. KING. I yield for a moment.

Mr. ASHURST. I want to say that generally, when a Senator goes home, the people of his State say: "How much did you succeed in getting out of the Treasury for us?" When the people of the United States say to us, "Sir, we shall repudiate you at the polls because you voted for such appropriations," we will then vote against appropriations. We will cease to be extravagant when the people no longer demand that we be extravagant.

We reflect public sentiment here. I am swamped every day by telegrams from my own State threatening, imploring, pleading that I vote for some appropriation. How do the people of my State come to overwhelm me with demands for appropriations? Departments here are sending out telegrams and letters in the shape of propaganda, saying, "Wire your Senator for this appropriation"; and we reach our desks in the morning and there is a yellow sheaf of telegrams from all parts of our States urging this and that appropriation. The departments and bureaus here have wired them asking them to wire us. I think the Senator knows that that is true.

Mr. KING. Mr. President, let me say to the Senator, apropos of his last statement, that he mentions an evil so palpable that it calls for correction; and I can assure the Senator that if he and others will support me, it will be corrected. Some time ago I prepared a bill, and shall ask the Senate to consider it at an early date, making it an offense for Federal officials to seek to obtain appropriations in the indirect and corrupt way referred to by the Senator.

Mr. ASHURST. The Senator will perform a public service if he will do that. Now, while we are on the subject of appropriations, if the Senator will yield to me further, I am only going to take a minute.

This is the people's Government. They seem to want us to spend their money, and we seem to be able to do it; but, I repeat, we will stop squandering public money only when we are rebuked at the polls for squandering public money. So long as there are votes in pensions, pension bills will pass. There are votes in pension bills; hence, we all vote for pensions.

Mr. KING. Mr. President, the Senator from Arizona has the faculty—and it is a very happy one—of saying truthful things in a semihumorous way; but, nevertheless, they cut to the quick, as his remarks now have done.

Mr. ASHURST. Will the Senator yield to me further?

The PRESIDING OFFICER. Does the Senator from Utah further yield to the Senator from Arizona?

Mr. KING. I yield to the Senator from Arizona.

Mr. ASHURST. I want here to say that my good friend the Senator from Illinois [Mr. McCORMICK] will perform a public service if he succeeds in putting through and galvanizing into law his budget bill. I believe we should have but one committee in Congress to handle the appropriations, one committee in each House.

Bonus for the soldiers? Bonus for the soldiers? Who is going to look 2,000,000 ex-soldiers in the face and say, "No"? Not this Senate——

Mr. THOMAS. Nor any other Senate.

Mr. KING. Mr. President, an honest confession is good for the soul. I shall have to put myself upon a different platform from my distinguished friend from Arizona.

The Senator from Arizona, though, has called attention to one evil, and I have adverted to it upon a former occasion, namely, the propensity of executive agencies of the Government to carry on a propaganda throughout the States to secure Federal appropriations. Mr. President, as an illustration of the plan pursued, let me cite the following: Several months ago, when we were discussing an Agricultural appropriation bill, I opposed an item, and, as I recall, a majority of the Senate voted to strike it from the bill. Within a short time some person in the Agricultural Department communicated with constituents of mine, and I received telegrams criticizing my course.

The executive departments and instrumentalities of the Government seek to extend their authority; they clamor for huge appropriations. The condition of the country and the Treasury do not influence them. During this Congress we have witnessed demands from executive officers for billions of dollars, when they should have asked but for hundreds of millions. Often, in order to get through appropriations desired, officials of an executive branch of the Government will send letters and telegrams to remote parts of the land for the purpose of organizing movements to force Congress to yield to their demands. In this way they debauch the people, exceed their rights, and pervert our form of government. The executive departments are organized for the purpose of executing the law, administering the law, but they are not satisfied with that. They want to make the law. They want Congress to become a rubber stamp, a passive body, to register their wishes and grant their fiscal demands. So long as executive officials do that, and send their emissaries out through the States—as they are doing and have done for years—organizing the people for the purpose

of having them ask and demand appropriations, we will have a condition such as that to which the Senator from Arizona referred.

Mr. President, I hope some measure will be enacted into law that will make it an offense for any executive official, big or little, high or low, Cabinet officer or otherwise, to carry on campaigns throughout the country to compel Congress to appropriate money to place in their hands for expenditure or to increase their power and jurisdiction. It is indecent. It is against the spirit and form of our Government.

Mr. President, the experience of the Senator from Arizona [Mr. ASHURST] is regrettable. It is unfortunate that the American people are not at all moments guided by that high sense of civic duty which sooner or later asserts itself and leads them along the paths of safety and righteousness. It is to be regretted that they at times support measures calling for unwise and extravagant and sometimes unauthorized appropriations.

There are numerous and persistent requests made by constituents of Senators and Representatives for appropriations. Unfortunately there are many who sign requests for aid from the Federal Government without due consideration. They do not always appreciate the situation or the effects of compelling the legislation which they urge to be enacted. There are many "busybodies" and some "ne'er-do-wells" who are always finding pretexts for Federal aid, and they carry on extensive campaigns for the purpose of securing support in behalf of unworthy schemes and chimerical and foolish undertakings as well as measures which are wholly without Federal constitutional authority.

But men in public positions should exercise their independent judgments conscientiously and with due regard to the oaths of office, and determine whether the requests should be complied with, and then act courageously and with sincere devotion to their country and the welfare of the people. This is a representative Government; the President himself must observe the oath of office of his high position in harmony with the Constitution of the United States, and supported by a quickened conscience and a patriotic love of country. Judges may not be swayed from their duty or controlled in their judgments by appeals, petitions, or threats.

The legislative branch of the Government is charged with solemn responsibilities. These responsibilities ought not to be shirked, and they can not with honor be abdicated. There should be the utmost consideration shown for the wishes of the people, and when a great issue has been presented for their consideration and they have spoken, their wishes must be carried into effect.

But in my opinion the American people desire good government and expect their Representatives in Congress to support only those measures which find warrant in the fundamental law and which make for the welfare, prosperity, and happiness of all the people. Thoughtlessly, there are many who will give their support to unwise and dangerous policies and urge measures which invade the Treasury of the United States and lead to extravagance and improper and unwise expedients. But Senators and Representatives are in possession of information which is not always available to the people. They are charged with the responsibility of guarding the Constitution, preserving the honor of our country, and defending all of the people of our great land. We should therefore unflinchingly pursue the patriotic, the courageous, and, above all, the right course. In the long run the Senator or Representative who stands for the right, for justice, for the cause of good government, and for legislation which embodies the high principles of equal and exact justice for all and special privileges for none will be vindicated; and he will receive the gratitude of thoughtful, patriotic, and genuine Americans.

The Senator from Arizona has referred to the extravagance of this Republican Congress. Mr. President, by the time we adjourn this Republican Congress will have appropriated more than $5,000,000,000, and if we remain in session for two weeks more it will amount, in my opinion, to more than $7,000,000,000; and I make the prophecy now that at the end of the fiscal year 1921 the Republican Congress will have appropriated or incurred liabilities and obligations that will exceed $7,000,000,000—an amount so stupendous that we can scarcely conceive of its magnitude. Let me say to my Republican friends you came into power in Congress promising economy; you made pledges that inasmuch as the war was over the Government would be speedily placed on a peace basis and a peace budget adopted. You have forgotten your pledges and promises. You are now, day by day, putting your hands into the Treasury and taking out millions that are not needed, thus increasing the burdens of taxation which will be imposed upon the American people. I wish that upon this side of the aisle the members of the Democratic Party would pursue an uninterrupted course of opposition to the many wasteful and unnecessary appropriations carried by legislation enacted since the 4th of March, 1919.

The passion for Federal aid is so strong that it often influences members of that party which has always stood for economy and efficiency in public affairs. Jefferson, in the early days of this Republic, laid down the maxims which have guided the great party founded by him. At times we have turned away from our immortal teacher and philosopher.

But his influence pervades the people to-day. His voice, not stilled by death, is vibrant in the land, and those who seek the perpetuity of this Republic and the prosperity and freedom of the people are renewing their faith in the principles of democracy and seeking guidance from the creed which will survive so long as men love liberty and justice.

It may be, as the Senator from Arizona says, that this is the wrong forum in which to appeal for economy. He has had 98 months of experience, as I recall his statement, in pleading for economy. My service in this body is limited to three years. I confess that my efforts in behalf of economy have not been very satisfactory, and probably my future efforts will be as ineffective. It is probable Congress will refuse to practice economy and will continue to make stupendous appropriations and maintain heavy burdens of taxes upon the people; but I want to warn Senators—not only Republican Senators but Democratic Senators—that the zenith of prosperity has been reached. With our contracting foreign commerce, with our diminished domestic commerce, quantitatively at least, there is bound to be a subsidence in the earnings of the people and in the taxable revenues of the people.

At the end of the next year, unless the burdens of taxation are materially increased, we will be compelled to resort to a bond issue, and I want to warn Republicans that when they issue bonds in time of peace they will receive a flagellation at the hands of the American people which they will long remember, and which will result, if the next election does not result in continuing in power the Democratic Party, in the restoration to power of that party in all branches of the Government.

But I believe, Mr. President, that the record of the Republican Party during this year is such that when the people are called to vote in November next they will place the Democratic Party in the control of both branches of Congress. And Democrat as I am, if a Democratic Congress failed to give a just and economical administration I would not regret its defeat at the next election. I would rather have a Republican Congress and a Republican administration that is honest and fair and economical and carries out the spirit of the Constitution and observes its mandates than a Democratic administration which departed from the principles of Jefferson, crippled and impaired the integrity of the States, and burdened the people with taxes to be expended in riotous and extravagant excesses.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Nebraska?

Mr. KING. I yield.

Mr. NORRIS. I am very much interested in the Senator's analysis, and I was wondering just where the people came in. The Senator said that he hoped if the Republican party are not more economical that the Democrats will come in, and then if the Democrats are not more economical that the Republicans will come in, and then if the Republicans are not more economical that the Democrats may come in. Where do the people come in?

Mr. KING. Mr. President, of course parties are merely organizations for the purpose of representing and carrying into effect in governmental affairs the will of the people, and if they defy public sentiment, betray the people, and become sinister and corrupt agencies which threaten the stability of the Government and menace the welfare and safety of the people, there will be organized parties which will stand for good government, for economy, for justice, for the preservation of this Republic, which must be a Government of and for and by the people.

I believe in political parties. I have belonged to the Democratic Party ever since I was old enough to understand politics, and yet the older I grow the less partisan I am and the more I apprehend the fact that too often men and women vote because of party labels rather than because of their own honest convictions and their abiding faith in the political principles and practices of the parties to which they give allegiance.

Mr. NORRIS. Will the Senator yield?

Mr. KING. I yield.

Mr. NORRIS. With the statement which the Senator has just made I most heartily agree, and I believe that most people

who want to be fair, and are intelligent enough to be fair, must agree that the party label, in all parties whichever have existed up to this time, has meant too much. People have been inclined to follow it regardless of what it might really mean. If the Senator is doing as he says he is, and as he gets older paying less attention to party, since he is such a young man now, I have great hopes that in 40 or 50 years from now, if he keeps on in that course, he will have thrown off this awful party spirit which I think sometimes handles the Senator, as well as the rest of us, and he will have reached a point where he will be a great deal more useful than he is now.

Mr. KING. Mr. President, I regret that the Senator from Nebraska does not show the same liberal and progressive spirit that I have exhibited.

Mr. NORRIS. I have been at it so much longer and am so much older, I am so far ahead of the Senator on the nonpartisan score, that I can not look back and see him for the dust.

Mr. McCUMBER. Mr. President, we are not showing much progress with this bill.

Mr. KING. Mr. President, of course I respectfully dissent from the Senator from Nebraska, and he will pardon me for being personal, as he has alluded to my votes here. I have watched the Senator's proceedings here, and I have found but very slight indication of an abatement on his part of the strongest attachment and devotion to the Republican Party, with all of its manifest heresies and reactionary propensities. Whether his partisan action has impaired his usefulness as a Senator I leave that for others to determine. I recall that when I had the honor to serve in the House I as often voted with the Republicans as I did with the Democrats; and I recall that since I have been a Member of the Senate I have often voted with my friends upon the other side of the aisle. As a matter of fact, there are few really partisan matters arising in the course of a session, so that many votes find party lines broken or at least not observed.

Let me say, before returning to the bill which is before us, that I believe that the American people will have a new baptism, and then will be purged away much of the political selfishness that has too often been exhibited; they will with patriotic fervor seek to apply the principles of justice and liberty in the administration of the affairs of State and Nation. More and more they will feel that they are the source and fountain of light and power and that they must maintain that fountain incorruptible and undefiled.

They are going to vote for principles and for men, not for mere party labels, and they will do it more in the future than they have ever done in the past. They will call to account more and more all public servants; the public conscience will be quickened, and a passionate desire for good government will be developed. The American people are making progress. Some of us at times are pessimistic. We see the muddy stream, not the pellucid depths of the mighty ocean. The tide of civic righteousness and justice will mount higher as the days go by, and to-morrow will be brighter than to-day, and the coming years will bring more and more of justice and righteousness, until the sun of liberty shall shine for all the world.

Mr. MYERS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Montana?

Mr. KING. If the Senator from North Dakota [Mr. McCUMBER] will permit me, I shall do so, but I shall be governed by his wishes.

Mr. McCUMBER. I had considerable talk with the Senator from Utah, who I knew was opposed to this bill.

Mr. KING. I am ready to submit my amendment now, and I will not yield if the Senator objects.

Mr. McCUMBER. The Senator said that he wanted to talk about half an hour the other day, but I did not object if he ran into an hour. However, I really want to get a vote upon this bill, and I hope the Senator will allow us to get a vote this afternoon, and that other Senators will wait for these outside matters until we can get a vote.

Mr. KING. I shall be through in a moment. I suggest to the Senator from North Dakota that I be permitted to yield for one moment to these Senators who desire to make reports.

Mr. McCUMBER. Mr. President, I want to be accommodating, and I will do so if the Senator from Utah will try to help me out all he can.

Mr. KING. I will be glad to do all I can to aid the Senator. I yield to the Senator from Michigan [Mr. TOWNSEND].

RECLASSIFICATION OF POSTAL EMPLOYEES.

Mr. TOWNSEND. I desire to present a report from the Committee on Post Offices and Post Roads, which I propose to call up and ask to have considered as soon as opportunity presents itself. I report back favorably the bill (S. 4475) to reclassify postmasters and employees of the Postal Service.

I desire to say further that I am going to ask for a night session to consider this bill, in order that we may pass upon it before we adjourn.

Mr. HARRISON. I ask the Senator if the bill provides for a decrease for fourth-class postmasters? I ask the question for the reason that if it does provide a decrease for fourth-class postmasters, or for any other postal employees, I propose to vote against that provision, and if there should be a night session, I would want a quorum to pass on the committee's recommendation.

Mr. KING. I want to say to my friend from Michigan that I do not think he ought to ask for a night session to-night. This bill is just reported, none of us will have a chance to examine it, and it ought to be printed. We ought to have before us a bill which appropriates millions. I think the Senator ought not to press it with that undue haste. I have no objection to its being brought up to-morrow.

Mr. TOWNSEND. I would not think of pressing the bill for consideration at this time if I did not believe that a great majority of the Senate are favorable to action, and that no action can be taken unless we commence at once to consider the bill. I should hope to have the majority of the Senate present. I do not ask that the bill shall be passed without an understanding. It is not a long bill, but it is a bill which we ought to consider before we adjourn, and if we do not commence the consideration of it at once, we are not going to be able to give it that attention which its merits deserve.

I did not intend to inject anything at this time, but I want to say, in answer to the Senator from Mississippi, that there may be some fourth-class postmasters who get a little less salary, a few dollars a year, than they do under existing law; but there will not be over 2,000 out of 44,000. The majority of them get more, and I think the Senator will be convinced that the bill is founded on justice and equity, having in view a classification of salaries which we have never had in the Postal Service, and which means for the betterment of the service and more contentment among the employees. There are some provisions in this bill which seem to deal rather unjustly as compared with others, due to the fact that we granted level bonuses, we granted level emergency increases, without any regard to the offices themselves, or the work which the men did, and in a very few cases in making this adjustment it is possible that a little less salary will be paid to some of the fourth-class postmasters than they receive now. But I repeat that the great majority of them—all, with the exception, possibly, of 2,000—will get more under this bill than they are at present receiving.

Mr. HARRISON. May I say to the Senator that I am in sympathy with the purpose of the bill, and I want to cooperate with the Senator. I had understood that perhaps the commission had proposed some decreases unintentionally and was in hopes, perhaps, if it did show a decrease either for fourth-class postmasters or other employees, it could be remedied, and that amendments would be offered whereby that situation would be taken care of.

Mr. TOWNSEND. I desire to state to the Senator that I have the same sympathy he has with fourth-class postmasters. I have been working all the forenoon on some kind of a plan, hoping that I might thereby relieve even the exceptional cases. But I submit, Mr. President, it can not be done without throwing out of joint the system which has been adopted by this commission in establishing the salaries, and I think I can convince the Senator that is true.

Mr. HARRISON. I hope so.

Mr. KING. Mr. President, I am trespassing upon the goodness of the Senator from North Dakota [Mr. McCUMBER] and shall have to object to any further discussion, much as I should like to hear it.

PENSIONS AND INCREASE OF PENSIONS.

The Senate resumed consideration of the bill (H. R. 12530) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. KING. Mr. President, during the discussion yesterday I invited attention to the fact that under existing law those women who were married to soldiers since July 27, 1905, were not beneficiaries of the pension system.

I find in the bill, notwithstanding, as I stated then, that we recently passed the Fuller bill carrying $65,000,000, notwithstanding the fact that we are appropriating more than $220,000,000 for the survivors of the Civil War, for persons who were pensioned therein, 65 of whom have contracted marriages since that time; and I am submitting now, Mr. President, a motion to strike from the pending bill those items which indi-

cate that appropriations are made for widows who have been married since July 27, 1905, and I have adopted the same system with respect to this motion as that which I suggested yesterday with respect to the other motion.

Mr. McCUMBER. How many are covered?

Mr. KING. Sixty-five. I have numbered the paragraphs in the bill from 1 to 680, and I submit upon a separate sheet the numbers corresponding with the same numbers, or the numbers carrying those items in the bill, and they run from 2 to 653; that is, No. 2, No. 8, No. 23, and so forth. Without reading them all, I shall submit the list to the Secretary and ask that in reporting the motion due reference be made to the appropriate items in the bill. Is there any objection to that?

Mr. McCUMBER. None at all. I think that greatly facilitates progress.

Mr. KING. So I move to strike out from the bill all those items which are shown by the figures which I send to the desk and which cover the items carrying appropriations for persons who have been married since 1905.

Mr. WALSH of Massachusetts. What will be the annual saving to the country if these items are stricken from this bill?

Mr. KING. These particular items?

Mr. WALSH of Massachusetts. Yes.

Mr. KING. I am not able to state, but let me say this to my friend, that this is a precedent, just as the other was. The present law denies service pensions to those who served less than 90 days. Of course, if they only served one day and were injured or sustained any disability, they receive a pension, but under the present law, if they receive no injury, if they are not in need of support, if they are suffering from no disability, they may not obtain a pension unless they served 90 days; and yet we have deliberately now changed that law and permit pensions for persons serving less than 90 days. The amount is not very great for these 65 names, but at the next session there may be hundreds and thousands; no one knows.

An evil precedent, the Senator knows as a lawyer, may sometimes disturb not only an industrial system but the system respecting property, and, indeed, it may affect lives. Here is an evil precedent now that we are about to vote upon, to sanctify or to repudiate it.

Mr. KING's amendment was to strike from the bill the items granting pensions to the following persons, married since July 27, 1905:

Charles Francis Schaeffer.
Caroline Deibert.
Anna Wilcox.
Helen F. Wade.
Abbie H. Lewis.
Frances Watches.
Myrtie I. Arnold.
Nancy J. Pier.
Malissie Sands.
Caroline Greenwold.
Annie Myers.
Julia W. Nichols.
Annie M. Kimball.
Martha Gibson.
Angeline Latty.
Flora B. McCain.
Meda E. Dodge.
Margaret Gress.
Rhoda A. Hunnewell.
Adelia M. Whitcomb.
Louesa T. Dillen.
Grace M. Bacon.
Louisa Jane Holmes.
Nancy A. E. Shanklin.
Anna E. Hudson.
Mary E. Martin.
Elizabeth F. Humbert.
Anna Efner.
Anna Smith.
Bessie M. Trenor.
Julia Agnes Held.
Nancy Bennett.
Eliza L. Sprague.
Mary C. Donley.
Atala F. Allen.
Katherine Hartleff.
Laura Jane Handshy.
Angeline McVickers.
Delia T. Owen.
Anna Jenkins Dennis.
Melissa O. Downs.
Mary F. Russell.
Isabella Holt.
Lydia Lenora Henson.
Margaret Steele.
Angelia Meredith.
Cora A. Trueblood.
Annie J. Page.
Isabella Gruber.
Elizabeth A. Tuttle.
Elizabeth A. Pease.
Harriett Jordan.
George H. Bowman.
Rhoda Button.
Sarah J. Parks.
Elizabeth Burgess.
Eliza McDaneld.
Ida McCoy.
Malinda Kinniston.
Flora A. Nelson.
Samantha Hitchcock.

The VICE PRESIDENT. The question is upon the amendment offered by the Senator from Utah [Mr. KING].

The amendment was rejected.

Mr. KING. I shall not ask for a record vote for several reasons, but I shall offer another amendment. I offer the following amendment, to strike from the bill certain items, being 170 in number, which, I take it, carry appropriations for some individual, and the numbers of which are found upon the paper which I send to the desk, starting with No. 1 and the last number being 438, and the corresponding number being found in the paragraphs of the bill which I have before me and which I have shown to the Senator from North Dakota.

Let me state that those items cover cases where there is no valid marriage, or bigamous marriages, cases in which the beneficiary under the law is not entitled to a pension.

Mr. KING's amendment was to strike from the bill the items granting pensions to the following persons, on account of illegal marital relations—can not prove legal marriage:

Margaret Yohe.
Addie L. Hubbard.
Ella Thatcher.
Margaret Donahue.
Leonora Stewart.
Elizabeth Moses.
Hannah D. Jelison.
Sarah J. Casler.
Anna Greer.
Julia Shaw.
Rebecca H. Whiteacre.
Linda Whetsel.
Rita Shafges.
Isabel Burge.
Agnes Anderson.
Matilda Lafwell.
Isabella Kelley.
Christie Fish.
Margaret Elkins.
Alice Swinford.
Mary Ann Ellis.
Cora Mitchell.
Katherine Hallbaugh.
Mary T. Barnard.
Fidelia A. Baker-Boyd.
Elizabeth Shaffer.
Mary J. Cooper.
Harriet L. Cobb.
Belle Crisamore.
Lilie C. Marvin.
Louisiana Thompson.
Margery A. Baker.
Elizabeth F. Humbert.
Amanda Burlett.
Anna Hills.
Marinda E. Hayes.
Rebecca B. Tooley.
Eliza C. Spears.
Ella Goodbrand.
Alice McDowell.
Julia A. Loyd.
Mary E. Harding.
Lucretia A. Crum.
Cornelia F. Huckins.
Maria Mellinger.
Margaret M. Tennant.

Mary Redfield.
Sarah C. Armstrong.
Catherine Harless.
Margaret J. Miller.
Rose E. Wicoff.
Roberta R. Havelick.
Martha J. Hilliard.
Huldah A. Budd.
Jane E. Wilcox.
Luella M. Peterson.
Adell J. Squires.
Charlotte I. Johnson.
Harriet J. Woodbury.
Kitty Rickabaugh.
Diantha Barnes.
Ella Ragan.
Permelia Reeves.
Alice Benham.
Amanda A. Osborn.
Catherine Duncan.
Effie Dean.
Sarah J. Sumpter.
Sarah E. Burkett.
Lucinda Hollowell.
Sarah A. Vaughan.
Kate Bressler.
Mary E. Thomas.
Elizabeth May.
Sarah A. Burgess.
Mary L. Taylor.
Emma F. Smyth.
Elizabeth Weeks.
Esther A. Van Camp.
Edith Butler.
Elizabeth Cravens.
Isabella Martin.
Janet Millage.
Alice H. Bryant.
Lenora A. Simmons.
Elizabeth Marlatt.
Esmeralda C. Adams.
Hannah C. Ritter.
Mary M. Gunzolus.
Mary A. Kimball.
Margaret A. Kinney.
Sarah Blackburn.
Nancy J. Markham.
Anna M. Amer.
Lydia A. Gaines.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Utah [Mr. KING].

The amendment was rejected.

Mr. KING. I do not ask for a division on that amendment either. The two amendments which I have offered I think received probably three or four votes, evincing the profound interest which Senators take in the matter.

Mr. ASHURST. Mr. President——

Mr. KING. I yield to the Senator from Arizona.

Mr. ASHURST. How could the Senator expect an amendment to get three or four votes when there are no votes in his amendment? He could not make any votes for the amendment.

Mr. KING. I can not answer the pertinent question of my friend from Arizona. I am trying to save a little money for the Treasury and trying to establish a pension list so far as I can upon a standard of justice.

I now offer another amendment. I move to strike from the bill Nos. 11 to 629, as found upon the list which I send to the desk, the corresponding numbers of which are found in the bill itself. Those items relate to cases where widows have been married, remarried, and remarried again, and who are not, because of the multitudinous marriages, entitled to pensions. I move to strike from the bill those items.

Mr. KING's amendment was to strike from the bill the items granting pensions to the following persons, widows who have remarried one or more times but are pensionable under the present general law:

Elizabeth G. Young.
Jennie A. Stephens.
Emma J. De Yoe Bassett.
Amanada J. Reynolds.
Annie S. Marsh.
Carrie Abbitt.
Jennie Schoefield.
Elizabeth A. Murphy.
Mary E. Flint.
Kate C. Kraig.
Catherina Balthasar.
Margaret A. Gruilliams.
Mary A. Strome.
Mary E. Cleveland.
Martha Jane Griffin.
Martha Benefiel.
Belle Grisamore.
Julia M. Ferry.
Mary Holmes.
Rebecca J. Kohn.
Jennie Lego.
Eliza Murphy.
Anna Boone.
Mary Ann Fuller.
Emily Robinson.
Martha J. Sutherland.
Susanah Cooper.
Julia S. Dunne.
Rebecca J. Kaylor.
Emma A. Briles.
Mary S. Frame.
Minna Bechtold.
Mary M. Hancock.
Margaret A. Stobie.
Laura A. Moore.
Lucy A. Dodson.
Mary A. Watts.
Amanda Trauger.
Alice G. Donze.
Caroline Miller.
Lucy A. Leach.
Callie B. Boatright.
Amanda B. Birch.
Sibria Armstrong.
Mary F. Lake.
Frances E. Parmater.
Diana Lucas.
Sarah N. Bolinger.
Eliza C. Ludwig.
Sadie C. Steadman.
Mary E. Bowen.
Lucy J. Sheldon.
Nancy Cook.

The VICE PRESIDENT. The question is on the amendment of the Senator from Utah.

The amendment was rejected.

Mr. KING. I am satisfied that I will please my friend the Senator from North Dakota [Mr. MCCUMBER] by assuring him that I have no further amendments.

The amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and, on a division, was passed.

Mr. TOWNSEND obtained the floor.

Mr. MCCUMBER. Will the Senator yield to me for just a moment to have certain pension bills indefinitely postponed?

Mr. TOWNSEND. I yield to the Senator for that purpose.

Mr. MCCUMBER. I move that the following bills be indefinitely postponed:

The bill (H. R. 7657) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

The bill (H. R. 8536) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

The bill (H. R. 9448) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

The bill (H. R. 10107) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

The bill (H. R. 11310) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

The bill (S. 3746) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The bills were postponed indefinitely.

Mr. KING. Mr. President, I should like to inquire of the Senator from North Dakota if there are any other omnibus bills now pending before the Committee on Pensions?

Mr. McCUMBER. There is; and I want to get it up at the present time.

Mr. KING. Another one?

Mr. McCUMBER. Another one; covering not the Civil War but the Regular Establishment. It will take only a few moments.

Mr. THOMAS. I hope the Senator will insist upon the present consideration of that bill.

Mr. McCUMBER. I should like to make the motion at this time, but I do not know whom the Chair has recognized.

The VICE PRESIDENT. The Chair recognized the Senator from Michigan [Mr. TOWNSEND].

RECLASSIFICATION OF POSTAL EMPLOYEES.

Mr. TOWNSEND. Mr. President, I move that the Senate proceed to the consideration of the bill (S. 4475) to reclassify postmasters and employees of the Postal Service.

Mr. THOMAS. When was the bill reported from the committee?

Mr. TOWNSEND. A few minutes ago. I reported it to the Senate a few minutes ago. It was reported out from the committee yesterday.

Mr. THOMAS. I hope this motion will not be agreed to. I took occasion last night at the evening session to protest against the abuse of the remainder of this session being devoted to passing bills of tremendous importance without due consideration.

This is a bill whose importance I recognize. I know nothing about it except from the hundreds of pounds of propaganda that have reached my office in behalf of it. I have not had time to consider it. None of the Senators here, in my judgment, outside of the members of the committee, have had time to consider it, and now to take up the bill and make it the unfinished business of the Senate for the purpose of rushing it through in the dying hours of this session is, in my judgment, neither wisdom nor good legislation. If it be true, as the Senator says, that the majority of the Senators are in favor of it and ready to push it through, I suppose it will go through.

The VICE PRESIDENT. Does the Senator from Colorado object?

Mr. THOMAS. I shall have to object at the present time.

The VICE PRESIDENT. Then it goes over until to-morrow, under the rule.

COMPENSATION OF CERTAIN UNITED STATES EMPLOYEES.

Mr. KENYON. Mr. President, I move that the Senate proceed to the consideration of the motion to reconsider the vote by which the bill (H. R. 5726) to fix the compensation of certain employees of the United States was passed.

Mr. KING. Will not the Senator from Iowa consent to take that up to-morrow?

Mr. KENYON. No. The motion was filed to reconsider this bill. It passed the Senate a week ago Monday and the motion was filed either Tuesday or Wednesday. The parties who filed the motion have not tried at all to take it up, which, I suppose, is not customary when a motion is filed to reconsider, and I have been trying for two or three days to get the matter up. I am not willing to wait any longer. I have been waiting to get the bill up, and if it is not taken up now it will probably result in the failure of this relief, where the Senate has once passed it and the House has passed it.

Mr. THOMAS. Mr. President, I made the motion to reconsider. I told the Senator from Iowa when he first spoke to me about it that I should not object to his taking it up at any time if I did not do so, but the motion was made largely at the request of Senators who know more about the question than I do. In fact, without violating confidence, I may say that I filed it at the instance of one or two other Senators, and perhaps but for their insistence I should not have done so. Consequently I do not feel at liberty to interpose any objection whatever to its consideration.

The Senator from Wyoming [Mr. WARREN], I think, would like to be heard upon it, and it would be only fair to take the time to send to the Committee on Appropriations, where, I understand he is hard at work, and apprise him of the fact of the motion to take it up. That is the only suggestion I have to make.

Mr. KENYON. After the motion is taken up, I shall be glad to have a quorum.

Mr. KING. Would the Senator object to making it the unfinished business and taking it up to-morrow?

Mr. KENYON. I think it ought to be disposed of to-day.

Mr. KING. The only reason why I make the suggestion is that I know that several Senators, one of whom, I understand, is out of the city, desire to make some observations in regard to the matter; at least that is my understanding. I have no objection to its being made the unfinished business to be taken up to-morrow morning, to give them an opportunity to be heard.

Mr. KENYON. The Senator knows the bill will have to go to conference, and that is why it seems to me it should be disposed of. It has not been brought up yet.

Mr. KING. I have no objection to its being made the unfinished business and the Senator can take it up the first thing in the morning, and I will join with him in that effort.

Mr. KENYON. I will not now make any agreement about it. The motion to reconsider has been here for 10 days. If the Senator wants to have it reconsidered, he is welcome to it. It passed the Senate and passed the House and it ought to be disposed of. If the Senator from Utah knows of Senators who are desirous of speaking on it, and if he wishes to speak himself for the purpose of delay, of course, I can not prevent him.

Mr. KING. I can assure the Senator that one of the Senators who spoke to me about it stated that he desired to be heard, and it is one who is very familiar with the subject. Speaking for myself, I know nothing at all about the matter.

Mr. KENYON. I have made the motion, Mr. President.

The VICE PRESIDENT. The Chair does not think any motion is necessary. There is nothing pending before the Senate. A motion has been entered to reconsider the vote whereby House bill 5726 was passed, and the Chair thinks any Senator has a right to call for the submission of that motion to the Senate at any time when some other matter is not before the Senate. The Chair believes that the motion is now before the Senate, if the Senator from Iowa wants it there.

Mr. KENYON. I ask, then, that the motion be submitted to the Senate.

Mr. WARREN entered the Chamber.

Mr. THOMAS. The Senator from Wyoming is now present.

Mr. DIAL. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Hale	Lodge	Sheppard
Ball	Harding	McCumber	Simmons
Calder	Harris	McLean	Smoot
Capper	Harrison	McNary	Sutherland
Chamberlain	Jones, Wash.	Nelson	Thomas
Dial	Kendrick	New	Townsend
Dillingham	Kenyon	Page	Trammell
Elkins	Keyes	Phelan	Walsh, Mass.
Frelinghuysen	King	Phipps	Warren
Gay	Lenroot	Ransdell	Watson

Mr. HARRISON. I wish to announce the absence of the Senator from Nevada [Mr. HENDERSON], the Senator from Virginia [Mr. SWANSON], and the Senator from North Carolina [Mr. OVERMAN] on official business.

The VICE PRESIDENT. Forty Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. POINDEXTER and Mr. WADSWORTH answered to their names when called.

Mr. BECKHAM, Mr. NORRIS, Mr. CURTIS, Mr. UNDERWOOD, Mr. BRANDEGEE, Mr. SMITH of South Carolina, Mr. WOLCOTT, Mr. MCCORMICK, Mr. MCKELLAR, Mr. STERLING, and Mr. ROBINSON answered to their names when called.

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present. The pending question is the motion to reconsider the vote whereby House bill 5726 was passed.

Mr. WARREN. Mr. President, I do not attack the bill altogether because it is called a minimum-wage bill or because of the principle it embodies; but there are reasons why, in my opinion, we ought to consider this subject more fully than we have had an opportunity to do. The bill as it has passed reaches some points, I think, in the ordinary affairs of life which it was not expected and perhaps not intended should be reached. The bill passed the Senate, as I understand, in regular order on the call of the calendar, but I have not yet been able to find a single Senator who knew when it passed; certainly I do not know, for I was not in the Chamber at the time. Probably the few Senators present at the time were occupied with other legislative matters.

Immediately after the passage of the bill I was approached, among others, by the general manager of the National Home for Disabled Volunteer Soldiers, who stated the conditions that the bill would bring about in the various branch homes. The law creating the National Home for Disabled Volunteer Soldiers, applying originally to Civil War soldiers, but subsequently extended to the veterans of the World War, provides that the soldiers living at the home shall have furnished them board

and clothing and general supplies as a matter of right. The law does not entail on the members of the homes any duties in the way of labor, but, of course, they are supposed to be obedient and to respect the disciplinary rules provided for the institution.

In the Army, as all of those who are familiar with military matters know, the private soldier is not expected to perform manual labor, except in cases of great exigency, and when he labors he can draw extra pay at 50 cents a day for all over 10 days so employed. So in the various branches of the National Home for Disabled Volunteer Soldiers many of the inmates of those homes, men who have defended the country, and many of whom have been wounded and still more of whom have lost their health, do not feel called upon to perform any labor unless they are rewarded therefor. Consequently, the custom has been—and certainly it is a very good one—for the governors of the homes to employ members of the homes to perform very light labor, at, say, $15 a month, possibly at $10 a month, running as high, I believe, in some cases as $20 a month. They perform the light duties that appertain to the home; for instance, the care of the lawn and of the cows and other live stock, and, particularly, in connection with the firing squads, which, unfortunately, are called into rather frequent service to officiate at the burials which so frequently take place at the homes. The men who perform these services have been very happy with the small stipend which they receive, which, as I have said, on the average is $15 per month. This added to their pensions, and so forth.

I am informed that the bill, if passed in its present form, will be construed by the auditors or comptroller who would be compelled to pass upon it as compelling the Government to pay $90 to those men, in addition to the living which is provided for them at the homes. It does not strike me that it is the intention, or that it ought to be the intention, at the present time, when we are endeavoring to economize, to provide the minimum wage required by the bill for those men for the light work they are allowed to perform during part of the day. I would not hesitate to provide liberally for the soldiers who have served the country, for those who are decrepit or who have been wounded and are suffering; but I do not think the bill should pass in its present form, under which it may be construed to include, according to the statements of the comptroller or the auditors, the men to whom I have referred.

Passing that for a moment——

Mr. FRELINGHUYSEN. Mr. President, will the Senator suffer an interruption?

Mr. WARREN. I yield.

Mr. FRELINGHUYSEN. Has any estimate been made of the increased cost to the Government from the passage of this measure? Will it increase the annual expenditure for civil-service employees—those in the public service?

Mr. WARREN. I do not know that it will increase in a general way very, very many, but, of course, it does increase those who may be not competent to do a full day's work but who are employed at a lesser sum to do, perhaps, a quarter or a half of the work that an able-bodied person could perform. In the case of such people as that the Government is at liberty, through the heads of its departments, to fix the price of their labor, and not be confined to this minimum, such as forty or fifty dollars, to some who may have responsibilities but who are really unfitted to do other than very light work. Now, it cuts out persons of that kind. It cuts out a great many women—young women and, for that matter, very elderly women—who are unable to perform heavy duties but can satisfactorily perform light duties at a much less wage; and the result will be that all those persons will suffer discharge, and, instead of receiving a benefit, that class of employees will suffer by this legislation which may be of benefit to others.

Mr. FRELINGHUYSEN. Is the Senator willing to state that it will reduce the expenses of the Government?

Mr. WARREN. I do not think it will. It will have the opposite effect.

Mr. KING. Mr. President, will the Senator yield?

Mr. WARREN. Certainly.

Mr. KING. I should like to say to the Senator from Wyoming that I saw some figures the other day which showed that it increased the expenses of the Government more than $5,000,000 a year, and that was just the rough estimate of those who were favorable to the bill.

Mr. WARREN. I might have said that those who favor the bill have stated that the expense would be confined to $5,000,000 annually. It is possible that counting beforehand on the direct expense, that might be true; but the influence of that bill will not only make it cost $5,000,000 but a great deal more, because of its effect outside of the Government service, as well as in such service.

Mr. KING. In view of the fact that a reclassification report has been made reclassifying the employees of the Government and recommending their compensation, may I ask the Senator why this measure should be taken up now in advance of the consideration of that general measure?

Mr. WARREN. Mr. President, that is a fair question, and requires a fair answer. I think it is entirely out of place at this time, when we are about to take up this reclassification and carry out what has been accomplished along that line, to undertake to pluck out of the hands of the legislators the power of equalizing salaries with the information which has been brought to us by our special Joint Committee of Classification. I think it will mar the general proposition of starting from the bottom and building up to final completion a system of employment which is just and equitable, and which, I believe, will be satisfactory. It is for the very reason that I have been repeatedly compelled, in conducting the appropriation bills, to refuse to entertain an amendment to increase the salaries of men that I believe ought to be increased; but it was not then the time to do it piecemeal, as we have been doing heretofore, and I contended that we should wait and take up this reclassification.

This proposed law is one of the steps that will lead to the same condition that called for the appointment of this commission to bring in a scheme of reclassification. It has run along here for years. This Senator and that would rise in his place and move an increase for somebody that he was acquainted with, and tell of the hardships that that person was enduring, and have his salary increased, and Members of the House would do the same thing, and it instilled into the minds of the employees the idea that it was all a matter of "pull" as to what recognition they should receive. The consequence was that notwithstanding the civil-service law, notwithstanding they had to submit to these examinations, yet in the case of promotions they beset Senators and Members of Congress as before, not exactly on the line that it was all patronage but that it was a question of "pull," nevertheless, as to promotions and increases of salary.

This is not a large minimum. I think probably there will be few salaries, as conditions are now and as we shall proceed with the reclassification, that would go below the minimum that this bill provides for; but to make that straight line, and say that every one below that line must either be paid that amount or quit, so far as the Government is concerned, or else have the Government pay an uncalled-for and unearned bonus, as would be the case in these soldiers' homes, is that which is not expected and that which I believe is not desirable for us to allow.

Mr. KENYON. Mr. President, I only want to say a word about this bill.

This bill passed the House, as I understand, by nearly a unanimous vote. There were 8 votes cast against it. The fundamental of this bill is that the Government shall pay a living wage to those who work for the Government.

When the bill came to the Senate, and came to the Committee on Education and Labor——

Mr. WARREN. Mr. President, will the Senator yield for a question?

Mr. KENYON. Certainly.

Mr. WARREN. The Senator only last night had, I will not say a colloquy, but some exchange of sentiments here on the women's bureau bill. Does the Senator know—and I think he must know—that the mere fact that this bill has passed, and is supposed to be on its way for approval, has caused I do not know how many but a good many women to be discharged from their places and men put in their places?

Mr. KENYON. I think the Senator has in mind what is called the District of Columbia Minimum Wage Commission. Congress some time ago passed a bill providing for a commission in the District of Columbia to fix a minimum wage. They have done that, and it is true, as the Senator has said, that many young women who have been working have lost their positions. We are not talking about that, however. That has nothing to do with the bill passed last night.

Mr. WARREN. I understand that perfectly; but I wanted to call the attention of the Senator to the fact that he, like myself, has stood for the rights of women to the extreme in all cases——

Mr. KENYON. I will not say to the extreme. The Senator can speak for himself.

Mr. WARREN. And I presume he does not want to favor legislation that directly affects them in the adverse way that I think this legislation does. For instance, the Senator speaks

of the District of Columbia having a minimum wage. That is a considerably lower wage than this——

Mr. KENYON. That was fixed by the commission.

Mr. WARREN. And yet that is high enough so that it results in the discharge of women and men being put in their places.

Mr. KENYON. Yes; but that is not limited as this bill is limited at all.

Mr. WARREN. I know; it is not limited entirely to the Government.

Mr. KENYON. It is not limited as to age.

Mr. WARREN. But does not the Senator believe that these salaries that are paid here in Washington, surrounded as we are with Government employees, will affect wages all through, outside of the Government service?

Mr. KENYON. Mr. President, I do not know. I am merely contending about this bill that the Government should pay its employees a living wage, and there are 66,000 employees of the Government who at this time really are not receiving a living wage, according to the testimony before the committee.

I do not know what to do about the matter. I realize, as the Senator from Wyoming does, the expense of all these matters, and if the Congress feels that it can run the Government without paying to its employees wages that they can live on, of course that is the business of the Congress. That, anyway, is the theory of this bill.

The Senate committee provided in the bill which has passed that a bonus should not be included. I think that is a mistake, but I think there was a feeling that it could not pass without that provision, so that the Senate bill does not affect anything like the number of employees that the House bill affects. Then the Senate also raised the age from 18 to 20 years, so that the provisions of the bill will apply only to those persons who shall have attained the age of 20 years. That lessens very much the number that are affected by the bill.

I come now to the point which the Senator from Wyoming made, the question of the old soldiers at some of the soldiers' homes. I always feel like deferring to the Senator's judgment on those matters, but I think in this instance he is in error. Bear in mind that this bill provides that if employed by the hour the pay shall not be less than 37½ cents an hour. I understand that these soldiers now are paid 50 cents a day, and they do not work many hours. There is a proviso to this bill which reads:

Provided further, That in the case of an employee receiving quarters and subsistence—

As in the case of the old soldiers—

in addition to his compensation, the value of such quarters and subsistence shall be determined by the head of the department, and the compensation of such employees, plus the value of quarters and subsistence, shall in no event be less than the rate fixed by this act.

So that in every case where an employee is receiving quarters and subsistence, that is deducted. That is the point which I understood the Senator from Wyoming to make, and I really believe it is entirely covered in that proviso. It will cost more money. There is no doubt about that. You can not increase the pay of employees without its costing money.

Mr WARREN. Mr. President, if the Senator will yield, I did not pass my own judgment on that. I stated that I had received information from a man who said he had knowledge concerning it, and it seemed reasonable to me from my remembrance of this legislation. I think Gen. Wood had some conversation with the Senator from New York, the chairman of the Military Affairs Committee, about the conditions. I do not know that the Senator has the papers here.

Mr. KENYON. I do not know how anybody could hold that the parties would be entitled to less than 37½ cents an hour.

Mr. WARREN. They do not work by the hour. They work by the month.

Mr. KENYON. Well, they work so many hours a day.

Mr. WARREN. Oh, no. Some days they work all day, and some days they may not work at all.

Mr. KENYON. How many of these persons are there?

Mr. WADSWORTH. Two thousand.

Mr. WARREN. About 2,000.

Mr. WADSWORTH. Mr. President, I think I can make the matter clear to the Senator.

I desire to read an extract from a letter which I received from Gen. George W. Wood, chairman of the Board of Managers of the National Home for Disabled Volunteer Soldiers, which describes the situation which that institution would be in were the Nolan bill to pass without amendment.

I quote from the letter:

If the Senate reconsiders and takes the bill up, it would surely be to the interest of the members of the home, who number over 2,000 of our employees, to have them excluded from the terms of the bill, because, under the last clause of the bill, it is distinctly provided that the head of a department can consider food and quarters, where granted, as an element in fixing compensation; but with us, our members receive food and quarters, not by virtue of their employment but by virtue of being members of the home; and, therefore, if we were to employ members under the terms of the Nolan bill as passed we would have to pay them the full pay of $90 per month, giving them, in addition, food, quarters, and clothing, which would practically give them, say, $130 to $135 per month.

Most of these men are old Civil War soldiers.

In addition to all this, many of them receive pensions under the new law of $50 or $60 per month.

Now, here is the situation. A member of the home is any soldier who is admitted, his eligibility having been established under the law laid down by Congress. There are nine of these great homes. They have something like 20,000 of these veterans as members living at the homes. They have rights. One of their rights is quarters and subsistence as members, not as employees. The management of each of these homes employ a limited number of them for some of the light work around the reservation. As the Senator from Wyoming said, one of the employments is as a member of the firing squad, rather a sad duty and function to perform. Two or three times a week there is a funeral at each of these homes; some poor old soldier dies and his comrades escort his casket to the cemetery and give him a military funeral, a very pretty and touching ceremony, one which the management of the home sees is carried out with all regard to the proprieties and the solemnities of the occasion. The members of the firing squad are members of the home. They get a little compensation for performing that function. Under the Nolan bill they get $90 a month for it. They work by the month.

Mr. KENYON. Do they not work by the hour?

Mr. WADSWORTH. No; they work by the month, and plus that they get their quarters and subsistence.

Mr. THOMAS. And a pension besides.

Mr. WADSWORTH. And they also receive their ordinary pensions. The pensions do not lapse when men are living at the home. The management of the home fear that if such a cost is piled upon the management of these homes they will in the very nature of things be compelled to go outside of the membership and secure the help of people who will work 8, 10, or 12 hours a day and not take care of some of these old soldiers who can work but are not expected to work perhaps more than 1 hour or 2 or 4 hours a day.

Mr. KENYON. I would like to ask the Senator if the old soldiers themselves desire to be excluded from this bill?

Mr. WADSWORTH. I do not know; but it is obvious that the drafters of the bill did not realize what it was going to do in the old soldiers' homes.

Mr. KENYON. If it will do what the Senator says, I think that is absolutely true.

Mr. WADSWORTH. That is what it does. This comes from the president of the board of managers, Gen. Wood.

Mr. KENYON. I am anxious to know whether they are desirous of being excluded or not.

Mr. SMOOT. I can not say whether there has been any action by the organizations in the District of Columbia, but I can say that delegations of old soldiers have called upon me and asked to be excluded from the provisions of the bill. They have called my attention to numerous cases in the District where old soldiers are employed around private homes to care for the lawns and to do the chores around the place. They are receiving about $50 a month. Many times those old soldiers are given places just out of consideration of the fact that they are old soldiers. Under the bill they will be excluded from taking such employment; and I will say to the Senator that they ask to be excluded from the provisions of the bill.

Mr. WADSWORTH. I want to read another paragraph from Gen. Wood's letter, which amplifies what I have just read. He continues:

Now, many—the majority—of these positions now filled by members are such as company commanders, company sergeants, headquarters orderlies, firing squad (who several times a week march to the cemetery and fire three volleys over the graves of comrades), and do not require an able-bodied man in any sense of the word, but which are of great help in enabling us to run the home on an economical basis and also give a certain amount of employment to crippled men, thereby rendering them much more contented with the home life and give them a little extra money. All this system is completely wiped out by the terms of the Nolan bill.

I purpose, Mr. President, if the vote to reconsider is adopted, to offer an amendment.

Mr. KENYON. Under the statement made by the Senator from New York, I would not resist the motion to reconsider. I think this matter should be straightened out, and straightened out properly.

Mr. WADSWORTH. I have an amendment prepared.

Mr. NELSON. Mr. President——

Mr. WADSWORTH. I yield to the Senator.

Mr. NELSON. There is one other question. As I understand it, the Home of the Regular Army here in this city is self-supporting. There is no appropriation made at all by the Government.

Mr. WADSWORTH. That is another kind of a home. I have not referred to that.

Mr. NELSON. These other homes are supported by public appropriations?

Mr. WADSWORTH. They are.

Mr. NELSON. The effect of this measure would be to take more money out of the resources of this Regular Army home, and make them pay more than they are now paying out of their own funds, would it not?

Mr. WADSWORTH. I am not sure that it would, Mr. President. As I understand it, the Soldiers' Home here in the District of Columbia is for the soldiers of the Regular Army only.

Mr. NELSON. It is.

Mr. WADSWORTH. And the home is supported by 25 cents a month withdrawn from the pay of soldiers in the Regular Army; or, at least, that used to be the case.

Mr. WARREN. There used to be a draft made on them years ago, but we did away with that because they had a sufficient reserve fund; so that unless the law has been reenacted there is now nothing taken. But this home is in command of a general of the Army, and is a United States establishment. As the Senator from Minnesota says, it supports itself. First there was a gift of the property where it is located, then they received all fines imposed by courts-martial for little misdemeanors in the Regular Army. They all go to that fund. The last provision was, I think, for 10 or 12 cents a month from the pay of Regular Army soldiers—probably it was 25 cents in the first place—but finally we dropped that out, and to my knowledge it has not been since imposed.

Mr. NELSON. The Senator is correct. The resources of the home, aside from the two hundred thousand or so which Gen. Scott brought back from Mexico, have come from the old soldiers of the Regular Army.

Mr. WADSWORTH. They come from the soldiers on active duty, the soldiers in the Army.

Mr. NELSON. From court-martial fines and a certain monthly deduction. But that deduction from the pay of the men has been obsolete for a good many years, repealed, because they had funds enough. The institution is supported, not by the Federal Government but by the accumulated resources of the old soldiers, which they have furnished themselves.

Mr. WADSWORTH. While they were in the Army.

Mr. NELSON. While they were in the Army.

Mr. UNDERWOOD. Mr. President——

Mr. KENYON. Will not the Senator let us act on the motion to reconsider, and then let the Senator from New York offer his amendment?

Mr. UNDERWOOD. I will be glad to have the motion to reconsider passed. I was just going to say that we ought to reconsider it.

The VICE PRESIDENT. The question is on the motion to reconsider the vote by which the bill ordered to a third reading and was passed.

The motion to reconsider was agreed to.

Mr. WADSWORTH. Mr. President, I am not sure that I have the last print of the bill, but I offer this amendment: On page 2, line 3, after the word "Panama Canal Zone," I move to insert the words "nor to members of the National Home for Disabled Volunteer Soldiers employed at or in connection with the home."

Mr. SMOOT. I would like to add a clause to that so as to exclude the veterans of the Civil War.

Mr. WARREN. Why the veterans of the Civil War alone? Why not the veterans of any war?

Mr. SMOOT. I do not know how far that would go.

Mr. KENYON. We would not want to exclude the old veterans from the benefits of this act.

Mr. UNDERWOOD. If the Senator will allow me, I think this bill is of very grave importance. It passed the other day without consideration of this matter, and there are other matters which may be involved that were not considered. I am very much afraid the bill would turn people out of their jobs instead of giving them more money. That is what it amounts to, and I think it ought to be looked into further. I hope it will not be pressed to-night.

Mr. KENYON. No, Mr. President; it will not be pressed to-night. The Senator from New York desires to offer his amendment to-night, and then it will be the unfinished business.

Mr. WADSWORTH. I think the Senator from Alabama will admit that the necessity of the amendment I offered is very obvious.

Mr. UNDERWOOD. I am not opposing the Senator's amendment.

Mr. SMOOT. I will say to the Senator that I will think this subject over to-night, and see if I can not cover the case of old soldiers who are working in the District for private individuals who would be affected. My attention was called to this matter only night before last, and my informant said to me, "I have an old soldier who works for me. All he does is cut the grass on the lawn and look after the flowers." He said, "Senator SMOOT, if the bill passes, I can not employ that old man any longer." I know the Senator from Iowa would not want to put that old soldier out of his position.

Mr. KENYON. Not at all. I will be very glad to talk to the Senator about it and agree on an amendment.

The VICE PRESIDENT. Is there any objection to the introduction of this amendment? The Chair hears none. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 2, line 3, after the words "Panama Canal Zone," insert the words "nor to members of the National Home for Disabled Volunteer Soldiers employed at or in connection with said home."

Mr. SMOOT. There are a number of Senators who desire an executive session, and if there is no other business——

Mr. NORRIS. I ask unanimous consent to call up House bill 11984, to increase the force and salaries in the Patent Office, and for other purposes.

TRANSFER OF SURPLUS WAR MATERIAL.

Mr. SIMMONS. Mr. President, the chairman of the Committee on Military Affairs is in the Chamber, and I was going to ask him if he would not call up House bill 13329, to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes. I yield to him for the purpose of calling up that bill.

Mr. WADSWORTH. The Senator from North Carolina called my attention to a bill which was reported from the Committee on Military Affairs at its last meeting. It has to do with the transfer of certain surplus material, machinery, and equipment to the Department of Agriculture; that is, the transfer to come from the War Department.

It seems that under a decision of the auditor or the comptroller or some one who makes decisions and interprets the statute, under the provisions of the bill which passed many months ago authorizing the War Department to turn over to the Agricultural Department machinery useful and valuable in road making——

Mr. SIMMONS. Tractors.

Mr. WADSWORTH. Tractors and mobile repair shops were not deemed to be included, although it was the expectation of the Congress, and certainly of the Senate Committee on Military Affairs, that a tractor was just as fit to be included in that definition as a traction engine and various other kinds of heavy machinery which are used in road building. This bill passed the House and was referred to the Senate Committee on Military Affairs, and was reported from the committee with two amendments. It is that bill for which I ask unanimous consent for present consideration.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. Mr. President, the same subject matter was called to the attention of the Committee on Appropriations, and an amendment was offered to the legislative, executive, and judicial appropriation bill. In the hearings upon that amendment it developed by testimony from officials of the War Department that they did not have tractors now, other than those that they want to use for the Army, and therefore the amendment was not put upon the legislative, executive, and judicial appropriation bill as far as it affected tractors.

I do not know just what the effect of the passage of the bill would be. I would not want it to take tractors away from the War Department that they claim they must keep for the use of the Army.

Mr. WADSWORTH. It does not do that.

Mr. SIMMONS. The bill merely provides for turning over such motor tractors as are now in the possession of the department. Undoubtedly they have some. I think there must be some mistake about that.

Mr. SMOOT. There is no question about it.

Mr. SIMMONS. If they have no surplus machines of this sort the bill would be absolutely ineffective.

Mr. SMOOT. I do not know how many they have. All I am stating is what was stated before the Committee on Appropriations.

Mr. SIMMONS. The bill provides for the turning over only of such as the Army does not need for its use.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13329) to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes, which had been reported from the Committee on Military Affairs with amendments on page 2, line 3, to strike out the word "five" and insert the words "not to exceed five"; in line 4, after the word "parts," to insert the words "not to exceed"; in line 5, page 2, to strike out the words "shop machinery and machine tools and equipment suitable for repairs and rebuilding shops for motor-propelled vehicles"; and on page 3, line 12, to strike out section 4 in the following words:

SEC. 4. That the Department of Agriculture is hereby authorized and directed to procure or provide suitable and adequate storage facilities for the proper storage and care of all road-building materials, equipment, and supplies transferred to it by the War Department for use in the improvement of highways and roads under the provisions of section 7 of the act approved February 28, 1919, and that the cost of procuring or providing such storage facilities may be paid from any funds available from appropriations heretofore made for the Department of Agriculture.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to transfer to the Department of Agriculture, under the provisions of section 7 of the act approved February 28, 1919, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year 1920, and for other purposes," for use in the improvement of highways and roads as therein provided, the following war materials, machinery, and equipment pertaining to the Military Establishment as are or may hereafter be found to be surplus and not required for military purposes, to wit: Not to exceed 500 10-ton caterpillar tractors complete with spare parts; not to exceed 200 mobile machine shop units complete with spare parts.

SEC. 2. That freight charges incurred in the transfer of the property provided for in this act shall not be defrayed by the War Department, and if the War Department shall load any of the said property for shipment the expense of said loading shall be reimbursed the War Department by the Department of Agriculture by an adjustment of the appropriations of the two departments: *Provided, however*, That any State receiving any of said property for use in connection with the improvement of public highways shall, as to the property it receives, pay to the Department of Agriculture the amount of 20 per cent of the estimated value of said property as fixed by the Secretary of Agriculture or under his direction, against which sum the said State may set off all freight charges paid by it on the shipment of said property, not to exceed, however, 20 per cent.

SEC. 3. That any State highway department to which is assigned such materials, machinery, and equipment transferred herein to the Department of Agriculture may, in its discretion, arrange for the use of such materials, machinery, and equipment for the purpose of constructing or maintaining public highways, with any State agency or municipal corporation at a fair rental, which shall not be less than the cost of maintenance and repair of said materials, machinery, and equipment. The title to said materials, machinery, and equipment shall be and remain vested in the State for use in the improvement of the public highways, and no such materials, machinery, and equipment in serviceable condition shall be sold or the title to same transferred to any individual, company, copartnership, or corporation.

The amendments were agreed to.

Mr. NORRIS. Mr. President, I offer the following amendment: On page 2, line 1, after the word "Establishment," I move to strike out down to and including the word "and," in line 2, the words proposed to be stricken out being "as are or may hereafter be found to be surplus, and," so that the sentence will read "and equipment pertaining to the Military Establishment not required for military purposes, to wit," and so forth.

Mr. WADSWORTH. Does the Senator want to make it mandatory that tractors shall be turned over whether the Army needs them or not?

Mr. NORRIS. I want to take away the fiction that I understand has been existing for some time about declaring something to be surplus. This does not make it mandatory. It does not take anything away that is required for military purposes, but it makes it unnecessary to go through the formality of declaring something surplus.

As I understand it, practically this same provision was included in the Army appropriation bill and nothing has ever been done about it, because they do not declare anything to be surplus. My amendment only strikes out the declaring of a surplus, which is only a fiction anyway.

Mr. SIMMONS. I do not think that would impair the effectiveness of the bill.

Mr. NORRIS. I have talked with the Senator's colleague about it, who is not now in the Chamber, and he is very much in favor of the amendment. I have also talked with the author of the bill in the House in regard to it. I have his letter in my hands now.

Mr. SIMMONS. I hope the Senator from New York will accept the amendment.

Mr. WADSWORTH. It brings up a rather important matter of policy. It seems to me the War Department should take official action first.

Mr. NORRIS. They would do so if the amendment were agreed to.

Mr. WADSWORTH. I doubt it. I think the things should be definitely and officially declared surplus.

Mr. SMOOT. And then divided in the way the War Department decides that they should be distributed.

Mr. WADSWORTH. The language "hereafter found to be surplus" has been used in all such bills, and they have declared as surplus millions and millions of dollars worth of material. They have declared surplus $1,250,000,000 worth, and to my knowledge there are $600,000,000 worth more on the way to be declared a surplus within the next two or three weeks. I think it should be officially declared surplus, because then you can center upon the War Department the responsibility for saying yes or no, this thing is surplus or it is not.

Mr. SMOOT. Not only that, but they would know exactly how many tractors there were that were surplus, and not take out one to-day and one to-morrow and two next week. The whole number, when it is declared surplus, is known, and then the distribution can be made equitably to all the States, and not allow one State to get all that they may have as surplus.

Mr. WADSWORTH. If the language left is only "not required for military purposes" the material could be dribbled out.

Mr. SMOOT. Not only that, but they may not require them to-day for military purposes, and they might take all of them, and then, perhaps in the future, we would have to buy those same machines back.

Mr. NORRIS. I do not believe this brings the question down to where it is going to be dribbled out, as the Senator from New York suggests. The matter would still remain in the control of the War Department as to what they needed for military purposes. They would pass on that.

Mr. SMOOT. They may not need many of them to-day, and with the wording of the bill as it would be with those words stricken out it would apply to the number of tractors that the War Department needs to-day and that may not be needed at all to-morrow.

Mr. NORRIS. I submit to the Senator that the same thing might happen if the words "as are or may hereafter be found surplus" were left in the bill. They would declare surplus what existed to-day, and if they decided they did not want to dispose of them they would decide as of to-day probably, but I assume that they would take into consideration the future needs of the Army and what they were going to use them for to-morrow. If they did want them for to-morrow they would still be required for military purposes and they would not turn them over.

Mr. SMOOT. There is quite a difference between the number of tractors that will be required for military purposes and a surplus.

Mr. NORRIS. I should like to state that the Member of the House who introduced the bill referred me to the hearings where the evidence is to be found, but I have not had time to read the hearings. However, he states in his letter to me that—

There are 6,800 of five and ten caterpillar tractors in the possession of the War Department which are exposed to the elements and have been in open storage since November, 1918. They are scattered throughout the various camps in all parts of the United States and have not been disposed of because of a contract made by the Hope Manufacturing Co., of Illinois, from whom they were originally purchased, which prevents disposition of the same.

Does the Senator from New York know whether that is true or not? Did the Government make a contract with the manufacturers of these tractors by which they agreed they would not sell them?

Mr. WADSWORTH. I never heard of it. I do not know about it.

Mr. NORRIS. That is what this Member of the House said in his letter.

Mr. WADSWORTH. It is a most unusual thing. I never heard of any such contract.

Mr. NORRIS. It is an unusual thing; but the man who writes this is a careful man, and he is one of the men who has been making an investigation on the part of the House.

Mr. SMOOT. But the department has already made disposition of a number of tractors.

Mr. NORRIS. Of course, turning them over to the Agricultural Department or to the States, I presume, would not be a violation of the contract; but he says that it ought to be made mandatory, because of that provision in the contract, which probably would cause the War Department not to comply with the request as freely as it otherwise would.

Mr. WADSWORTH. It seems to me that if we follow the bill as reported it will accomplish that very purpose.

Mr. NORRIS. I think if these words were out it would help considerably. The Senator is going to be a member of the conference committee. This does not enact it into law. I do

not want to cripple the War Department any more than the Senator does. The Senator will still have it within his control.

I have faith not only in his ability but in his honesty to carry out the wishes of the Senate if he thinks he is able to carry them out. What is the objection to letting the amendment be made in the Senate, and then the conferees can consider it as fully as they see fit; and if they find that this language is necessary, which I do not believe they will—and I think if the Senator investigates it he will agree that it ought to go out—there will be no objection on my part nor, I presume, on the part of any other Senator to having it stricken out.

Mr. WADSWORTH. I had hoped, let me say in reply to the Senator from Nebraska, that the amendments which the committee inserted in the bill would be concurred in by the House without a conference. They are quite harmless with respect to the purpose of the bill itself. They are simply perfecting, except as to section 4, which we have stricken out, and which, to my mind, is indefensible.

Mr. NORRIS. Is that the 20 per cent provision?

Mr. WADSWORTH. No; section 4, which we strike out, is the section which authorizes the Department of Agriculture to procure and provide suitable and adequate storage facilities for all this material. There is a duplication of storage, and we struck out that section.

Mr. NORRIS. I hope the Senator will accept this amendment and let it go to conference, and if the amendment is not agreed to there I shall have no objection.

Mr. SMOOT. The House may yield on the Senate amendments, and then the Senator from New York could not do a thing.

Mr. NORRIS. That is what the Senator has been saying. In my judgment, the House will not yield, but they will ask for a conference and we will grant it.

Mr. WADSWORTH. It is this way, let me say to the Senator: I fear his amendment. If it is put in, it is done by the Senate. The Senator from Nebraska says that I will be a member of the conference committee. If so, I shall have to stand up for what the Senate has done. That is why I oppose the amendment now. If the amendment is agreed to, of course the Senate conferees will do their duty.

Mr. SIMMONS. I do not think the amendment is a dangerous one, as the Senator from New York has stated, because I think if the language sought to be stricken out by the Senator from Nebraska were eliminated from the bill the War Department would have the decision of the question as to how many of these tractors were needed for military purposes, and would have to turn over under the legislation only such as in their judgment were held not to be necessary for military purposes.

However, I think the Senator from New York is probably correct, that the adoption of the amendment offered by the Senator from Nebraska might jeopardize the passage of the bill at this session of Congress. I think the House will accept the amendments which the committee has reported, but it may not accept without a conference if the additional amendment proposed by the Senator from Nebraska is attached to the bill.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Nebraska.

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMERICAN LEGION ENCAMPMENT, VINCENNES, IND.

Mr. NEW. From the Committee on Military Affairs, I report favorably without amendment the joint resolution (H. J. Res. 359) authorizing the Secretary of War to loan to the American Legion Post, No. 73, Vincennes, Ind., necessary cots for use at the State encampment of the American Legion to be held at Vincennes, Ind., on June 28 and 29, 1920. I ask unanimous consent for the immediate consideration of the joint resolution. I do not think it will require a moment.

Mr. KENYON. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KENYON. Is House bill 5720 still before the Senate, and if so, will it lose its place if the request of the Senator from Indiana is granted?

The VICE PRESIDENT. The bill referred to by the Senator from Iowa has been temporarily laid aside, as the Chair understands.

Mr. KENYON. Was it laid aside as the unfinished business?

The VICE PRESIDENT. If the Senate does not take up some other measure and adjourn while such measure is under consideration, the bill of the Senator from Iowa will be the unfinished business.

Mr. NEW. Mr. President, I will state the facts in connection with the joint resolution reported by me, which has already passed the House. The American Legion of Indiana is to hold its State encampment on the 28th and 29th of June at Vincennes, and the resolution provides for the loaning of cots to the American Legion post there for the accommodation of the men who will attend the encampment. The War Department has the equipment on hand, as it has officially stated, and approves of the request.

The VICE PRESIDENT. Is there any objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MAGNESITE ORES.

Mr. POINDEXTER. I move that the Senate proceed to the consideration of Calendar No. 414, being the bill (H. R. 5218) to provide revenue for the Government and to establish and maintain the production of magnesite ores and manufactures thereof in the United States.

Mr. KENYON. Mr. President, I think the Senator from Washington was not present when the action was taken, but there is a bill before the Senate which has been temporarily laid aside for the various matters which have intervened, and the motion of the Senator would supplant that bill. Is that the Senator's desire?

Mr. POINDEXTER. To what bill does the Senator refer?

Mr. KENYON. The motion to reconsider the vote whereby what is known as the minimum-wage bill was passed was agreed to. The bill is before the Senate with an amendment, which has been offered, with the understanding that it shall be taken up to-morrow. I do not want to have that bill displaced, and if the Senate now adjourns or takes a recess it will become the unfinished business.

Mr. THOMAS. I may say that if the magnesite bill is taken up it will give rise to extended discussion.

Mr. POINDEXTER. I have no objection to that; I rather anticipated that it would. My object is to get the bill up.

Mr. KENYON. If that bill goes up the other bill goes down.

EXECUTIVE SESSION.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

RECESS.

Mr. LODGE. I move that the Senate take a recess until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate took a recess until to-morrow, Thursday, June 3, 1920, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 2, 1920.

CONSULAR SERVICE.

CLASS 3.

Charles D. Westcott, of Philadelphia, Pa., to be consul of class 3.

Arthur N. Young, of Princeton, N. J., to be consul of class 3.

CLASS 4.

Dana G. Munro, of Princeton, N. J., to be consul of class 4.

Frederic E. Lee, of Hyattsville, Md., to be consul of class 4.

Maurice Parmelee, of New York City, to be consul of class 4.

CLASS 7.

W. M. Parker Mitchell, of Richmond, Va., to be consul of class 7.

Winthrop R. Scott, of Cleveland, Ohio, to be consul of class 7.

Avra M. Warren, of Ellicott City, Md., to be consul of class 7.

Chester W. Davis, of Utica, N. Y., to be consul of class 7.

Monnett B. Davis, of Sterling, Colo., to be consul of class 7.

Renwick S. McNiece, of Salt Lake City, Utah, to be consul of class 7.

Herbert O. Williams, of Sacramento, Calif., to be consul of class 7.

Edgar C. Soule, of Dallas, Tex., to be consul of class 7.

William F. Burns, of Evanston, Ill., to be consul of class 7.

John Corrigan, jr., of Atlanta, Ga., to be consul of class 7.

George Orr, of Atlantic City, N. J., to be consul of class 7.

Newton Adams, of Summit, N. J., to be consul of class 7.

Sanford Griffith, of Chicago, Ill., to be consul of class 7.

Philip D. Wesson, of Worcester, Mass., to be consul of class 7.
Leighton Hope, of Oxford, Miss., to be consul of class 7.
Robert W. Jones, of Columbia, Mo., to be consul of class 7.
George J. Crosby, of Phillipsburg, N. J., to be consul of class 7.
John Douglas Wise, of Warrenton, Va., to be consul of class 7.

Promotions.

CLASS 3.

Carlton Bailey Hurst, of the District of Columbia, from consul general of class 4 to consul general of class 3.
William Coffin, of Kentucky, from consul general of class 4 to consul general of class 3.
Edwin S. Cunningham, of Tennessee, from consul general of class 4 to consul general of class 3.
David F. Wilber, of New York, from consul general of class 4 to consul general of class 3.
Evan E. Young, of South Dakota, from consul general of class 4 to consul general of class 3.
Carl F. Deichman, of Missouri, from consul of class 4 to consul general of class 4.
George H. Pickerell, of Ohio, from consul of class 4 to consul of class 3.
Charles S. Winans, of Michigan, from consul of class 4 to consul of class 3.
Arminius T. Haeberle, of Missouri, from consul of class 4 to consul of class 3.
Calvin Milton Hitch, of Georgia, from consul of class 4 to consul of class 3.
John E. Kehl, of Ohio, from consul of class 4 to consul of class 3.
William P. Kent, of Virginia, from consul of class 4 to consul of class 3.
Hernando de Soto, of California, from consul of class 4 to consul of class 3.
North Winship, of Georgia, from consul of class 4 to consul of class 3.
George E. Chamberlin, of New York, from consul of class 4 to consul of class 3.
Roger Culver Tredwell, of Indiana, from consul of class 4 to consul of class 3.
Wesley Frost, of Kentucky, from consul of class 4 to consul of class 3.
De Witt C. Poole, jr., of Illinois, from consul of class 4 to consul of class 3.
Chester W. Martin, of Michigan, from consul of class 4 to consul of class 3.
Philip Holland, of Tennessee, from consul of class 4 to consul of class 3.
John Q. Wood, of Hawaii, from consul of class 5 to consul of class 3.
Frederick Simpich, of Washington, from consul of class 5 to consul of class 3.
Maxwell K. Moorhead, of Pennsylvania, from consul of class 5 to consul of class 3.
William Dawson, of Minnesota, from consul of class 5 to consul of class 3.
Edward J. Warton, of Tennessee, from consul of class 5 to consul of class 3.
Cornelius Ferris, jr., of Colorado, from consul of class 5 to consul of class 3.
Nelson T. Johnson, of Oklahoma, from consul of class 5 to consul of class 3.
Henry S. Culver, of Ohio, from consul of class 5 to consul of class 3.
Frederick T. F. Dumont, of Pennsylvania, from consul of class 5 to consul of class 3.
Otis A. Glazebrook, of New Jersey, from consul of class 5 to consul of class 3.
Lewis W. Haskell, of South Carolina, from consul of class 5 to consul of class 3.
Douglas Jenkins, of South Carolina, from consul of class 5 to consul of class 3.
Claude I. Dawson, of South Carolina, from consul of class 5 to consul of class 3.

CLASS 4.

John K. Caldwell, of Kentucky, from consul of class 5 to consul of class 4.
Stuart K. Lupton, of Tennessee, from consul of class 5 to consul of class 4.
William W. Masterson, of Kentucky, from consul of class 5 to consul of class 4.
Emil Sauer, of Texas, from consul of class 5 to consul of class 4.
Jesse B. Jackson, of Ohio, from consul of class 5 to consul of class 4.
Wilbur T. Gracey, of California, from consul of class 5 to consul of class 4.
Ralph C. Busser, of Pennsylvania, from consul of class 5 to consul of class 4.
Clarence E. Gauss, of Connecticut, from consul of class 5 to consul of class 4.
Joseph E. Haven, of Illinois, from consul of class 5 to consul of class 4.
Edwin L. Neville, of Ohio, from consul of class 5 to consul of class 4.
José de Olivares, of Missouri, from consul of class 5 to consul of class 4.
John A. Gamon, of Illinois, from consul of class 5 to consul of class 4.
Charles M. Freeman, of New Hampshire, from consul of class 5 to consul of class 4.
Harold D. Clum, of New York, from consul of class 5 to consul of class 4.
Clarence Carrigan, of California, from consul of class 5 to consul of class 4.
Alfred W. Donegan, of Alabama, from consul of class 5 to consul of class 4.
Homer M. Byington, of Connecticut, from consul of class 5 to consul of class 4.
W. Roderick Dorsey, of Maryland, from consul of class 5 to consul of class 4.
Ross Hazeltine, of Indiana, from consul of class 5 to consul of class 4.
Mahlon Fay Perkins, of California, from consul of class 5 to consul of class 4.
Leslie A. Davis, of New York, from consul of class 5 to consul of class 4.
David J. D. Myers, of Georgia, from consul of class 5 to consul of class 4.
Wallace J. Young, of Illinois, from consul of class 5 to consul of class 4.
Graham H. Kemper, of Kentucky, from consul of class 5 to consul of class 4.
Ezra M. Lawton, of Ohio, from consul of class 5 to consul of class 4.
Ely E. Palmer, of Rhode Island, from consul of class 5 to consul of class 4.
Tracy Lay, of Alabama, from consul of class 5 to consul of class 4.
Harry A. McBride, of Michigan, from consul of class 5 to consul of class 4.

CLASS 5.

Mason Mitchell, of New York, from consul of class 6 to consul of class 5.
Benjamin F. Chase, of Pennsylvania, from consul of class 6 to consul of class 5.
John M. Savage, of New Jersey, from consul of class 6 to consul of class 5.
Lucien N. Sullivan, of Pennsylvania, from consul of class 6 to consul of class 5.
Henry C. A. Damm, of Tennessee, from consul of class 6 to consul of class 5.
Claude E. Guyant, of Illinois, from consul of class 6 to consul of class 5.
Edward I. Nathan, of Pennsylvania, from consul of class 6 to consul of class 5.
Bertil M. Rasmusen, of Iowa, from consul of class 6 to consul of class 5.
Henry P. Starrett, of Florida, from consul of class 6 to consul of class 5.
Henry M. Wolcott, of New York, from consul of class 6 to consul of class 5.
Charles M. Hathaway, jr., of Pennsylvania, from consul of class 6 to consul of class 5.
Henry H. Balch, of Alabama, from consul of class 6 to consul of class 5.
Kenneth S. Patton, of Virginia, from consul of class 6 to consul of class 5.
Arthur C. Frost, of Massachusetts, from consul of class 6 to consul of class 5.
Wilbur Keblinger, of Virginia, from consul of class 6 to consul of class 5.
Oscar S. Heizer, of Iowa, from consul of class 6 to consul of class 5.
Theodore Jaeckel, of New York, from consul of class 6 to consul of class 5.
James B. Young, of Pennsylvania, from consul of class 6 to consul of class 5.

John K. Davis, of Ohio, from consul of class 6 to consul of class 5.
John R. Putnam, of Oregon, from consul of class 6 to consul of class 5.
Walter F. Boyle, of Georgia, from consul of class 6 to consul of class 5.
Louis G. Dreyfus, jr., of California, from consul of class 6 to consul of class 5.
John W. Dye, of Minnesota, from consul of class 6 to consul of class 5.
Edwin Carl Kemp, of Florida, from consul of class 6 to consul of class 5.
Albro L. Burnell, of Maine, from consul of class 6 to consul of class 5.
O. Gaylord Marsh, of Washington, from consul of class 6 to consul of class 5.
George S. Messersmith, of Delaware, from consul of class 6 to consul of class 5.
Thomas B. L. Layton, of Louisiana, from consul of class 6 to consul of class 5.
Thomas D. Bowman, of Missouri, from consul of class 6 to consul of class 5.
Harry Campbell, of Kansas, from consul of class 6 to consul of class 5.
Edward A. Dow, of Nebraska, from consul of class 6 to consul of class 5.
Charles H. Albrecht, of Pennsylvania, from consul of class 6 to consul of class 5.
Addison E. Southard, of Kentucky, from consul of class 6 to consul of class 5.
Thornwell Haynes, of Alabama, from consul of class 6 to consul of class 5.
Alfred R. Thomson, of Maryland, from consul of class 6 to consul of class 5.
Hasell H. Dick, of South Carolina, from consul of class 6 to consul of class 5.
Charles E. Asbury, of Indiana, from consul of class 6 to consul of class 5.

CLASS 6.

William J. Yerby, of Tennessee, from consul of class 7 to consul of class 6.
Robertson Honey, of New York, from consul of class 7 to consul of class 6.
Henry C. Von Struve, of Texas, from consul of class 7 to consul of class 6.
John J. C. Watson, of Kentucky, from consul of class 7 to consul of class 6.
G. Russell Taggart, of New Jersey, from consul of class 7 to consul of class 6.
Bartley F. Yost, of Kansas, from consul of class 7 to consul of class 6.
Frank Bohr, of Kansas, from consul of class 7 to consul of class 6.
Keith Merrill, of Minnesota, from consul of class 7 to consul of class 6.
Leslie E. Reed, of Minnesota, from consul of class 7 to consul of class 6.
Hamilton C. Claiborne, of Virginia, from consul of class 7 to consul of class 6.
J. Klahr Huddle, of Ohio, from consul of class 7 to consul of class 6.
Donald D. Shepard, of the District of Columbia, from consul of class 7 to consul of class 6.
W. Duval Brown, of Virginia, from consul of class 7 to consul of class 6.
Dana C. Sycks, of Ohio, from consul of class 7 to consul of class 6.
Frank C. Lee, of Colorado, from consul of class 7 to consul of class 6.
Ernest L. Ives, of Virginia, from consul of class 7 to consul of class 6.
Lowell C. Pinkerton, of Missouri, from consul of class 7 to consul of class 6.
Charles E. Allen, of Kentucky, from consul of class 7 to consul of class 6.
William H. Hunt, of New York, from consul of class 8 to consul of class 6.
James G. Carter, of Georgia, from consul of class 8 to consul of class 6.

UNITED STATES ATTORNEY.

Mrs. Annette Abbott Adams, of San Francisco, Calif. (now United States attorney, northern district of California), to be Assistant Attorney General, vice William L. Frierson, nominated to be Solicitor General.

PROMOTIONS IN THE ARMY.

QUARTERMASTER CORPS.

To be colonel.

Lieut. Col. Theodore B. Hacker, Quartermaster Corps, from May 26, 1920.

MEDICAL CORPS.

To be majors.

Capt. Haskett L. Conner, Medical Corps, from April 6, 1920, subject to examination required by law.
Capt. Edward B. Macon, Medical Corps, from April 27, 1920, subject to examination by law.
Capt. Percy J. Carroll, Medical Corps, from May 10, 1920.
Capt. James V. Falisi, Medical Corps, from May 16, 1920.

CORPS OF ENGINEERS.

To be colonels.

Lieut. Col. Charles W. Kutz, Corps of Engineers, from June 1, 1920.

To be lieutenant colonel.

Maj. Gilbert A. Youngberg, Corps of Engineers, from June 1, 1920.

To be majors.

Capt. Donald H. Connolly, Corps of Engineers (General Staff), from June 1, 1920.
Capt. Raymond F. Fowler, Corps of Engineers, from June 1, 1920.

To be captains.

First Lieut. Lucius Du B. Clay, Corps of Engineers, from February 27, 1920.
First Lieut. Lloyd E. Mielenz, Corps of Engineers, from February 28, 1920.
First Lieut. Pierre A. Agnew, Corps of Engineers, from March 16, 1920.
First Lieut. Alexander M. Neilson, Corps of Engineers, from April 2, 1920.
First Lieut. Hoel S. Bishop, jr., Corps of Engineers, from April 2, 1920.
First Lieut. Charles E. McKee, Corps of Engineers, from April 4, 1920.
First Lieut. Robert H. Elliott, Corps of Engineers, from April 12, 1920.
First Lieut. Samuel D. Sturgis, jr., Corps of Engineers, from April 17, 1920.
First Lieut. Thomas H. Nixon, Corps of Engineers, from April 18, 1920.
First Lieut. Anderson T. W. Moore, Corps of Engineers, from April 21, 1920
First Lieut. Reginald Whitaker, Corps of Engineers, from May 1, 1920.
First Lieut. Eugene M. Caffey, Corps of Engineers, from May 4, 1920.

PROVISIONAL APPOINTMENTS (BY PROMOTION) IN THE ARMY.

CORPS OF ENGINEERS.

To be captains.

Provisional First Lieut. Leonard B. Gallagher, Corps of Engineers, from May 11, 1920, subject to examination required by law.
Provisional First Lieut. F. Russel Lyons, Corps of Engineers, from May 12, 1920, subject to examination required by law.
Provisional First Lieut. Fernando T. Norcross, Corps of Engineers, from May 25, 1920, subject to examination required by law.
Provisional First Lieut. William N. Thomas, jr., Corps of Engineers, from June 1, 1920, subject to examination required by law.

CAVALRY ARM.

To be captains.

First Lieut. Joseph S. Tate, Cavalry, from April 26, 1920, subject to examination required by law.
First Lieut. Arthur M. Harper, Cavalry, from May 5, 1920, subject to examination required by law.
First Lieut. John W. Confer, jr., Cavalry, from May 8, 1920, subject to examination required by law.
First Lieut. Herbert N. Schwarzkopf, Cavalry, from May 8, 1920, subject to examination required by law.
First Lieut. Robert N. Kunz, Cavalry, from May 8, 1920, subject to examination required by law.
First Lieut. Charles S. Kilburn, Cavalry (Signal Corps), from May 11, 1920, subject to examination required by law.
First Lieut. Charles R. Johnson, jr., Cavalry, from May 11, 1920, subject to examination required by law.
First Lieut. Bertrand Morrow, Cavalry (Ammunition Train), from May 21, 1920.

First Lieut. Wallace J. Redner, Cavalry, from May 21, 1920, subject to examination required by law.
First Lieut. Guy H. Dosher, Cavalry, from May 21, 1920, subject to examination required by law.
First Lieut. Myer S. Silven, Cavalry, from May 22, 1920, subject to examination required by law.

To be first lieutenants.

Second Lieut. William F. H. Godson, jr., Cavalry, from October 9, 1919, subject to examination required by law.
Second Lieut. William L. Barriger, Cavalry, from October 12, 1919.
Second Lieut. Frederick W. Fenn, Cavalry (Ordnance Department), from October 13, 1919.
Second Lieut. Elmer Q. Oliphant, Cavalry, from October 13, 1919.
Second Lieut. Jonathan L. Holman, Cavalry, from October 15, 1919.
Second Lieut. Francis E. Rundell, Cavalry, from October 24, 1919.
Second Lieut. George B. Hudson, Cavalry, from October 25, 1919.
Second Lieut. Harry C. Mewshaw, Cavalry, from October 26, 1919.
Second Lieut. Peter L. A. Dye, Cavalry, from October 26, 1919.
Second Lieut. Frank T. Turner, Cavalry, from October 28, 1919.
Second Lieut. George G. Eddy, Cavalry, from October 30, 1919.
Second Lieut. Charles E. Morrison, Cavalry, from November 1, 1919.
Second Lieut. Christian Knudsen, Cavalry, from November 1, 1919.
Second Lieut. Francis B. Valentine, Cavalry, from November 2, 1919.
Second Lieut. Thomas T. Thornburgh, Cavalry, from November 4, 1919.
Second Lieut. David A. Taylor, Cavalry, from November 4, 1919.
Second Lieut. Ronald A. Hicks, Cavalry, from November 4, 1919.
Second Lieut. Elmer V. Stansbury, Cavalry, from November 4, 1919.
Second Lieut. Edwin L. Hogan, Cavalry, from November 4, 1919.
Second Lieut. John C. Hamilton, Cavalry, from November 4, 1919.
Second Lieut. Mark Rhoads, Cavalry, from November 4, 1919.
Second Lieut. Joseph K. Baker, Cavalry, from November 4, 1919.
Second Lieut. Charles W. Leng, jr., Cavalry, from November 4, 1919.
Second Lieut. Albert W. Johnson, Cavalry, from November 4, 1919.
Second Lieut. Willard A. Holbrook, jr., Cavalry, from November 4, 1919.
Second Lieut. James C. Styron, Cavalry, from November 4, 1919.
Second Lieut. Samuel P. Walker, jr., Cavalry, from November 4, 1919.
Second Lieut. Fred G. Sherrill, Cavalry, from November 4, 1919.
Second Lieut. Sol M. Lipman, Cavalry, from November 4, 1919.
Second Lieut. Ira P. Swift, Cavalry, from November 8, 1919.
Second Lieut. Harris F. Scherer, Cavalry, from November 12, 1919.
Second Lieut. James B. Rivers, Cavalry, from November 14, 1919.
Second Lieut. Harrison H. D. Heiberg, Cavalry, from November 14, 1919.
Second Lieut. Paul A. Donnally, Cavalry, from November 15, 1919.
Second Lieut. William W. Jervey, Cavalry, from November 19, 1919.
Second Lieut. William H. Wenstrom, Cavalry, from November 19, 1919.
Second Lieut. Hugh B. Waddell, Cavalry, from November 24, 1919.
Second Lieut. James H. Phillips, Cavalry, from November 24, 1919.
Second Lieut. John E. Leahy, Cavalry, from November 25, 1919.
Second Lieut. Frederick W. Drury, Cavalry, from November 26, 1919.
Second Lieut. Virgil F. Shaw, Cavalry, from November 27, 1919.
Second Lieut. Paul A. Noel, Cavalry, from December 3, 1919.
Second Lieut. Hugh F. T. Hoffman, Cavalry, from December 4, 1919.
Second Lieut. David S. Holbrook, Cavalry, from December 6, 1919.
Second Lieut. William D. McNair, Cavalry, from December 14, 1919.
Second Lieut. William J. Crowe, Cavalry, from December 16, 1919.
Second Lieut. Charles H. Noble, Cavalry, from December 17, 1919.
Second Lieut. Charles H. Bryan, Cavalry, from December 17, 1919.
Second Lieut. John H. Collier, Cavalry, from December 20, 1919.
Second Lieut. Vincent C. McAlevy, Cavalry, from December 21, 1919, subject to examination required by law.
Second Lieut. George G. Elms, Cavalry, from December 21, 1919.
Second. Lieut. Ralph F. Stearley, Cavalry, from December 27, 1919.
Second Lieut. Donald H. Nelson, Cavalry, from January 5, 1920.
Second Lieut. Horace P. Sampson, Cavalry, from January 5, 1920.
Second Lieut. Dale W. Maher, Cavalry, from January 5, 1920.
Second Lieut. Robert J. Merrick, Cavalry, from January 9, 1920.
Second Lieut. William L. McEnery, Cavalry, from January 10, 1920.
Second Lieut. Martin A. Fennell, Cavalry, from January 11, 1920.
Second Lieut. Albert S. J. Stovall, jr., Cavalry, from January 23, 1920.
Second Lieut. Daniel P. Buckland, Cavalry, from January 24, 1920.
Second Lieut. Fred W. Makinney, jr., Cavalry, from January 25, 1920.
Second Lieut. Robert W. Child, Cavalry, from January 26, 1920.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. Woodrow W. Woodbridge, Field Artillery, from September 28, 1919, subject to examination required by law.
First Lieut. Wilbur C. Carlan, Field Artillery, from October 2, 1919.
First Lieut. Edmund B. Edwards, Field Artillery, from November 1, 1919.
First Lieut. John H. Carriker, Field Artillery, from December 2, 1919.
First Lieut. William G. Gough, Field Artillery, from December 3, 1919.
First Lieut. Azel W. McNeal, Field Artillery, from December 12, 1919.
First Lieut. William B. Wright, jr., Field Artillery, from January 3, 1920.
First Lieut. Wendell L. Beven, Field Artillery, from January 20, 1920.
First Lieut. Richard T. Guthrie, Field Artillery, from January 25, 1920.
First Lieut. Ittai A. Luke, Field Artillery, from February 4, 1920.
First Lieut. Alan A. Campbell, Field Artillery, from February 5, 1920.
First Lieut. Oscar B. Ralls, jr., Field Artillery, from February 11, 1920.
First Lieut. John H. Larkin, Field Artillery, from February 24, 1920, subject to examination required by law.
First Lieut. George J. Downing, Field Artillery, from February 25, 1920.
First Lieut. Wallace W. Crawford, Field Artillery, from March 19, 1920.
First Lieut. Christiancy Pickett, Field Artillery, from April 20, 1920, subject to examination required by law.

To be first lieutenants.

Second Lieut. William H. Barlow, Field Artillery, from September 9, 1919, subject to examination required by law.
Second Lieut. Ernest C. Norman, Field Artillery, from September 10, 1919.
Second Lieut. Charles R. Gildart, Field Artillery, from September 11, 1919, subject to examination required by law.
Second Lieut. Gerald A. O'Rouark, Field Artillery, from September 11, 1919.

Second Lieut. Charles E. Hixon, Field Artillery, from September 13, 1919, subject to examination required by law.
Second Lieut. Bryan Evans, Field Artillery, from September 14, 1919.
Second Lieut. Francis A. March 3d, Field Artillery, from September 14, 1919.
Second Lieut. John S. Winn, jr., Field Artillery, from September 14, 1919, subject to examination required by law.
Second Lieut. Roger W. Autry, Field Artillery, from September 15, 1919.
Second Lieut. Myrl M. Miller, Field Artillery, from September 16, 1919, subject to examination required by law.
Second Lieut. Alfred N. Bergman, Field Artillery, from September 16, 1919.
Second Lieut. Stuart M. Bevans, Field Artillery, from September 16, 1919.
Second Lieut. John H. Lewis, jr., Field Artillery, from September 16, 1919, subject to examination required by law.
Second Lieut. Alfred M. Gruenther, Field Artillery, from September 17, 1919, subject to examination required by law.
Second Lieut. Benjamin M. Hedrick, Field Artillery, from September 20, 1919, subject to examination required by law.
Second Lieut. Williston B. Palmer, Field Artillery, from September 20, 1919, subject to examination required by law.
Second Lieut. Robert G. Gard, Field Artillery, from September 21, 1919, subject to examination required by law.
Second Lieut. Herbert M. Jones, Field Artillery, from September 23, 1919, subject to examination required by law.
Second Lieut. Orville W. Martin, Field Artillery, from September 23, 1919, subject to examination required by law.
Second Lieut. John P. Kennedy, Field Artillery, from September 23, 1919, subject to examination required by law.
Second Lieut. Alexander S. Bennet, Field Artillery, from September 24, 1919, subject to examination required by law.
Second Lieut. George S. Price, Field Artillery, from September 25, 1919, subject to examination required by law.
Second Lieut. Philip S. Lauben, Field Artillery, from September 25, 1919, subject to examination required by law.
Second Lieut. Wyburn D. Brown, Field Artillery, from September 26, 1919, subject to examination required by law.
Second Lieut. Robert M. Montague, Field Artillery, from September 27, 1919, subject to examination required by law.
Second Lieut. Charles P. Jones, Field Artillery, from September 28, 1919, subject to examination required by law.
Second Lieut. Anthony C. McAuliffe, Field Artillery, from September 29, 1919, subject to examination required by law.
Second Lieut. Robert L. Johnson, Field Artillery, from October 1, 1919, subject to examination required by law.
Second Lieut. Albert R. S. Barden, Field Artillery, from October 1, 1919, subject to examination required by law.
Second Lieut. Romeo F. Regnier, Field Artillery, from October 2, 1919, subject to examination required by law.
Second Lieut. Louis B. Ely, Field Artillery, from October 2, 1919, subject to examination required by law.
Second Lieut. Julius E. Slack, Field Artillery, from October 2, 1919, subject to examination required by law.
Second Lieut. Bertram F. Hayford, Field Artillery, from October 3, 1919, subject to examination required by law.
Second Lieut. Ernest A. Bixby, Field Artillery, from October 3, 1919, subject to examination required by law.
Second Lieut. Robert R. Raymond, jr., Field Artillery, from October 4, 1919, subject to examination required by law.
Second Lieut. Ernest J. Riley, Field Artillery, from October 4, 1919, subject to examination required by law.
Second Lieut. Thomas B. Hedekin, Field Artillery, from October 6, 1919, subject to examination required by law.
Second Lieut. Joseph V. Phelps, Field Artillery, from October 7, 1919, subject to examination required by law.
Second Lieut. Charles N. McFarland, Field Artillery, from October 7, 1919, subject to examination required by law.
Second Lieut. Charles A. Pyle, Field Artillery, from October 9, 1919, subject to examination required by law.
Second Lieut. Alexander G. Kirby, Field Artillery, from October 10, 1919, subject to examination required by law.
Second Lieut. Herbert W. Semmelmeyer, Field Artillery, from October 10, 1919, subject to examination required by law.
Second Lieut. William W. Barton, Field Artillery, from October 12, 1919, subject to examination required by law.
Second Lieut. Maurice P. Chadwick, Field Artillery, from October 14, 1919, subject to examination required by law.
Second Lieut. Foster J. Tate, Field Artillery, from October 15, 1919, subject to examination required by law.
Second Lieut. Richard T. Bennison, Field Artillery, from October 15, 1919, subject to examination required by law.
Second Lieut. Henry J. D. Meyer, Field Artillery, from October 16, 1919, subject to examination required by law.
Second Lieut. Elton F. Hammond, Field Artillery, from October 19, 1919, subject to examination required by law.
Second Lieut. Francis G. McGill, Field Artillery, from October 21, 1919, subject to examination required by law.
Second Lieut. Oscar A. Saunders, Field Artillery, from October 21, 1919, subject to examination required by law.
Second Lieut. John J. Burns, Field Artillery, from October 25, 1919, subject to examination required by law.
Second Lieut. Leslie E. Jacoby, Field Artillery, from October 28, 1919, subject to examination required by law.
Second Lieut. Clarence J. Kanaga, Field Artillery, from November 1, 1919, subject to examination required by law.
Second Lieut. Edwin V. Kerr, Field Artillery, from November 2, 1919, subject to examination required by law.
Second Lieut. Thomas McGregor, Field Artillery, from November 3, 1919, subject to examination required by law.
Second Lieut. James E. Parker, Field Artillery, from November 3, 1919, subject to examination required by law.
Second Lieut. Edward L. Strohbehn, Field Artillery, from November 5, 1919, subject to examination required by law.
Second Lieut. Maurice K. Kurtz, Field Artillery, from November 6, 1919, subject to examination required by law.
Second Lieut. Eugene McGinley, Field Artillery, from November 6, 1919, subject to examination required by law.
Second Lieut. Augustine F. Shea, Field Artillery, from November 11, 1919, subject to examination required by law.
Second Lieut. Marion P. Echols, Field Artillery, from November 12, 1919, subject to examination required by law.
Second Lieut. Francis O. Wood, Field Artillery, from November 14, 1919, subject to examination required by law.
Second Lieut. Ellis V. Williamson, Field Artillery, from November 14, 1919, subject to examination required by law.
Second Lieut. John B. Murphy, Field Artillery, from November 18, 1919, subject to examination required by law.
Second Lieut. Michael G. Smith, Field Artillery, from November 18, 1919, subject to examination required by law.
Second Lieut. Henry E. Sanderson, jr., Field Artillery, from November 30, 1919, subject to examination required by law.
Second Lieut. Hugh G. Elliott, jr., Field Artillery, from November 30, 1919, subject to examination required by law.
Second Lieut. Douglas A. Olcott, Field Artillery, from November 30, 1919, subject to examination required by law.
Second Lieut. Walter T. O'Reilly, Field Artillery, from December 3, 1919, subject to examination required by law.
Second Lieut. Edward O. Hopkins, Field Artillery, from December 3, 1919, subject to examination required by law.
Second Lieut. Urban Niblo, Field Artillery, from December 3, 1919, subject to examination required by law.
Second Lieut. John M. Works, Field Artillery, from December 7, 1919, subject to examination required by law.

COAST ARTILLERY CORPS.

To be captains.

First Lieut. Clarence E. Cotter, Coast Artillery Corps, from October 15, 1919.
First Lieut. Gordon B. Welch, Coast Artillery Corps, from October 15, 1919.
First Lieut. Cedric F. Maguire, Coast Artillery Corps, from October 15, 1919.
First Lieut. Edward E. Murphy, Coast Artillery Corps, from November 2, 1919.
First Lieut. Marshall M. Williams, jr., Coast Artillery Corps, from November 11, 1919.
First Lieut. Edward C. Seeds, Coast Artillery Corps, from December 4, 1919.
First Lieut. Edison A. Lynn, Coast Artillery Corps, from December 15, 1919.
First Lieut. Guy H. Drewry, Coast Artillery Corps, from December 15, 1919.
First Lieut. Raphael S. Chavin, Coast Artillery Corps (Ordnance Department), from December 15, 1919.
First Lieut. John L. Scott, Coast Artillery Corps, from December 15, 1919.
First Lieut. Alva F. Englehart, Coast Artillery Corps, from December 20, 1919.
First Lieut. Harold R. Jackson, Coast Artillery Corps (Ammunition Train), from December 23, 1919.
First Lieut. Morris K. Barroll, jr., Coast Artillery Corps, from December 23, 1919.
First Lieut. Walter W. Warner, Coast Artillery Corps, from December 23, 1919.

First Lieut. Walter F. Vander Hyden, Coast Artillery Corps (Ordnance Department), from December 29, 1919.
First Lieut. Ira A. Crump, Coast Artillery Corps (Ordnance Department), from December 29, 1919.
First Lieut. Elbert L. Ford, jr., Coast Artillery Corps (Ordnance Department), from December 29, 1919.
First Lieut. James L. Hayden, Coast Artillery Corps, from December 29, 1919.
First Lieut. Scott B. Ritchie, Coast Artillery Corps, from December 31, 1919.
First Lieut. George S. Beurket, Coast Artillery Corps, from January 1, 1920.
First Lieut. Burnett R. Olmsted, Coast Artillery Corps, from January 17, 1920.
First Lieut. Joel G. Holmes, Coast Artillery Corps, from January 17, 1920.
First Lieut. James A. Code, jr., Coast Artillery Corps (Signal Corps), from February 11, 1920.
First Lieut. William Sackville, Coast Artillery Corps, from February 11, 1920.
First Lieut. Leroy H. Lohmann, Coast Artillery Corps, from March 10, 1920.
First Lieut. Christian G. Foltz, Coast Artillery Corps, from March 11, 1920.
First Lieut. Aaron Bradshaw, jr., Coast Artillery Corps, from April 7, 1920, subject to examination required by law.
First Lieut. Harry R. Pierce, Coast Artillery Corps, from April 20, 1920.
First Lieut. Lawrence C. Mitchell, Coast Artillery Corps, from April 21, 1920.
First Lieut. Alexander H. Campbell, Coast Artillery Corps, from April 22, 1920.
First Lieut. Marvil G. Armstrong, Coast Artillery Corps, from April 24, 1920.
First Lieut. John R. Nygaard, Coast Artillery Corps, from April 25, 1920.
First Lieut. James L. Keane, Coast Artillery Corps, from April 29, 1920.
First Lieut. Albert A. Allen, Coast Artillery Corps, from May 7, 1920.

To be first lieutenants.

Second Lieut. David H. Whittier, Coast Artillery Corps, from October 15, 1919.
Second Lieut. Clarence E. Burgher, Coast Artillery Corps, from October 15, 1919.
Second Lieut. Walter E. Bullock, Coast Artillery Corps, from October 16, 1919.
Second Lieut. Rollin F. Risen, Coast Artillery Corps, from October 18, 1919.
Second Lieut. William I. Allen, Coast Artillery Corps, from October 18, 1919.
Second Lieut. George R. Burgess, Coast Artillery Corps, from October 18, 1919.
Second Lieut. Paul L. Harter, Coast Artillery Corps, from October 19, 1919.
Second Lieut. Lester DeL. Flory, Coast Artillery Corps, from October 21, 1919.
Second Lieut. Isaac H. Ritchie, Coast Artillery Corps, from October 21, 1919.
Second Lieut. Roy A. Moore, Coast Artillery Corps, from October 22, 1919.
Second Lieut. Hobart Hewett, Coast Artillery Corps, from October 26, 1919.
Second Lieut. Richard T. Rick, Coast Artillery Corps, from October 27, 1919.
Second Lieut. Waldemar S. Broberg, Coast Artillery Corps, from October 28, 1919.
Second Lieut. Nathaniel A. Burnell, 2d, Coast Artillery Corps, from October 28, 1919.
Second Lieut. James L. Harbaugh, jr., Coast Artillery Corps, from October 30, 1919.
Second Lieut. Willard G. Wyman, Coast Artillery Corps, from October 30, 1919.
Second Lieut. John L. Whitelaw, Coast Artillery Corps, from November 1, 1919.
Second Lieut. Henry B. Nichols, Coast Artillery Corps, from November 1, 1919.
Second Lieut. Charles F. Wilson, Coast Artillery Corps, from November 1, 1919.
Second Lieut. George W. MacMillan, Coast Artillery Corps, from November 1, 1919.
Second Lieut. Dean Luce, Coast Artillery Corps, from November 2, 1919.
Second Lieut. Frederick B. Dodge, jr., Coast Artillery Corps, from November 8, 1919.
Second Lieut. William H. J. Dunham, Coast Artillery Corps, from November 11, 1919.
Second Lieut. Raymond F. Kilroy, Coast Artillery Corps, from November 11, 1919.
Second Lieut. Thomas L. Waters, Coast Artillery Corps, from November 21, 1919.
Second Lieut. Charles M. Wolff, Coast Artillery Corps, from November 23, 1919.
Second Lieut. Robert W. Crichlow, jr., Coast Artillery Corps, from December 2, 1919.
Second Lieut. James W. Boyd, Coast Artillery Corps, from December 3, 1919.
Second Lieut. Galen M. Taylor, Coast Artillery Corps, from December 4, 1919.
Second Lieut. Edgar M. Gregory, Coast Artillery Corps, from December 5, 1919.
Second Lieut. William R. Bready, Coast Artillery Corps, from December 5, 1919.
Second Lieut. John C. Hyland, jr., Coast Artillery Corps, from December 7, 1919.
Second Lieut. Thomas G. Cranford, jr., Coast Artillery Corps, from December 9, 1919.
Second Lieut. Edwin R. Samsey, Coast Artillery Corps, from December 9, 1919, subject to examination required by law.
Second Lieut. Horace Speed, jr., Coast Artillery Corps, from December 10, 1919.
Second Lieut. John H. Madison, Coast Artillery Corps, from December 15, 1919.
Second Lieut. Halvor H. Myrah, Coast Artillery Corps, from December 17, 1919.
Second Lieut. David B. Latimer, Coast Artillery Corps, from December 17, 1919.
Second Lieut. Gordon L. Chapline, Coast Artillery Corps, from December 23, 1919.

INFANTRY ARM.

To be colonels.

Lieut. Col. William Wallace, Infantry, from May 27, 1920.
Lieut. Col. Ferdinand W. Kobbe, Infantry, from May 27, 1920.

To be lieutenant colonels.

Maj. George L. Byroade, Infantry, from May 27, 1920.
Maj. Edward S. Walton, Infantry (Quartermaster Corps), from May 27, 1920.
Maj. Alfred T. Smith, Infantry, from May 27, 1920.
Maj. Fred L. Munson, Infantry, from May 27, 1920.

To be major.

Capt. Gustave A. Wieser, Infantry, from May 27, 1920.

To be captains.

First Lieut. Hugh P. Schively, Infantry, from January 24, 1920, subject to examination required by law.
First Lieut. John D. Joanidy, Infantry, from January 27, 1920.
First Lieut. Gilmer M. Bell, Infantry, from January 29, 1920.
First Lieut. Roy Sloan, Infantry, from January 31, 1920.
First Lieut. Bryce F. Martin, Infantry, from February 2, 1920.
First Lieut. Glenn D. Hufford, Infantry, from February 6, 1920.
First Lieut. Paul R. Hudson, Infantry, from February 7, 1920.
First Lieut. Ralph Hall, Infantry, from February 11, 1920.
First Lieut. Benjamin H. Hensley, Infantry, from February 19, 1920.
First Lieut. Hawthorne C. Gray, Infantry, from February 21, 1920.
First Lieut. Donald J. Neumuller, Infantry, from February 24, 1920.
First Lieut. Jerome Pickett, Infantry, from February 24, 1920, subject to examination required by law.
First Lieut. Lebbeus M. Cornish, Infantry, from February 25, 1920.
First Lieut. William S. Rumbough, Infantry (Signal Corps), from February 26, 1920.
First Lieut. George A. Murray, Infantry, from February 26, 1920.
First Lieut. Joseph E. Young, Infantry, from March 1, 1920.
First Lieut. Henry T. J. Weishaar, Infantry, from March 7, 1920.
First Lieut. John E. Stullken, Infantry, from March 8, 1920.
First Lieut. Herman H. Meyer, Infantry, from March 9, 1920.
First Lieut. Carleton More, Infantry, from March 11, 1920, subject to examination required by law.
First Lieut. Edward P. Sheppard, Infantry, from March 15, 1920.

First Lieut. Henry J. Matchett, Infantry, from March 19, 1920.
First Lieut. Vincent S. Burton, Infantry, from March 24, 1920.
First Lieut. Griffith Wight, Infantry, from March 25, 1920.
First Lieut. Curtis P. Miller, Infantry, from March 27, 1920.
First Lieut. John W. Bulger, Infantry, from March 30, 1920.
First Lieut. Roy W. Voege, Infantry, from April 5, 1920.
First Lieut. Vernon L. Burge, Infantry, from April 9, 1920, subject to examination required by law.
First Lieut. Simon Fostiak, Infantry, from April 15, 1920, subject to examination required by law.
First Lieut. Edwin L. Dittmar, Infantry, from April 16, 1920, subject to examination required by law.
First Lieut. Frank M. Child, Infantry, from April 18, 1920.
First Lieut. Frederic M. Lee, Infantry, from April 20, 1920.
First Lieut. Hurley E. Fuller, Infantry, from April 21, 1920.
First Lieut. Larry McHale, Infantry, from April 22, 1920.
First Lieut. John P. Horan, Infantry, from April 28, 1920.
First Lieut. Augustus B. O'Connell, Infantry, from May 1, 1920.
First Lieut. Charles C. Fitzhugh, Infantry, from May 3, 1920, subject to examination required by law.
First Lieut. Hiram G. Fry, Infantry, from May 8, 1920, subject to examination required by law.
First Lieut. Richard W. Cooksey, Infantry, from May 13, 1920, subject to examination required by law.
First Lieut. Edwin W. Grimmer, Infantry, from May 15, 1920, subject to examination required by law.
First Lieut. Frank E. Haskell, Infantry, from May 28, 1920.

To be first lieutenants.

Second Lieut. Harold W. Gould, Infantry, from October 9, 1919.
Second Lieut. George B. Barth, Infantry, from October 9, 1919.
Second Lieut. Harry B. Sherman, Infantry, from October 11, 1919, subject to examination required by law.
Second Lieut. John T. Newland, Infantry, from October 12, 1919.
Second Lieut. Carroll Tye, Infantry, from October 12, 1919, subject to examination required by law.
Second Lieut. Benjamin R. McBride, Infantry, from October 13, 1919.
Second Lieut. Thomas Q. Donaldson, jr., Infantry, from October 15, 1919.
Second Lieut. Philip E. Gallagher, Infantry, from October 16, 1919.
Second Lieut. Carroll K. Leeper, Infantry, from October 16, 1919.
Second Lieut. Edward N. Jones, 3d, Infantry, from October 17, 1919.
Second Lieut. Harold B. Lewis, Infantry, from October 17, 1919.
Second Lieut. Charles Q. Lifsey, Infantry, from October 17, 1919, subject to examination required by law.
Second Lieut. Hugh McC. Wilson, jr., Infantry, from October 18, 1919.
Second Lieut. Dwight T. Francis, Infantry, from October 19, 1919.
Second Lieut. William N. Davis, Infantry, from October 20, 1919.
Second Lieut. Dorr Hazlehurst, Infantry, from October 20, 1919.
Second Lieut. Robert T. Foster, Infantry, from October 20, 1919.
Second Lieut. Edwin D. Dando, Infantry, from October 21, 1919, subject to examination required by law.
Second Lieut. Frederick von H. Kimble, Infantry, from October 22, 1919.
Second Lieut. Charles M. Wells, Infantry, from October 23, 1919.
Second Lieut. William B. Miller, Infantry, from October 25, 1919.
Second Lieut. Richard C. Babbitt, Infantry, from October 25, 1919.
Second Lieut. Hammond McD. Monroe, Infantry, from October 25, 1919.
Second Lieut. John W. Middleton, Infantry, from October 26, 1919.
Second Lieut. Frank J. Cunningham, Infantry, from October 28, 1919.
Second Lieut. Edward W. Smith, Infantry, from October 29, 1919.
Second Lieut. John B. Sherman, Infantry, from October 29, 1919.
Second Lieut. John J. Breen, Infantry, from October 30, 1919.
Second Lieut. James A. Kehoe, Infantry, from October 30, 1919, subject to examination required by law.
Second Lieut. Frederick Pearson, Infantry, from October 30, 1919.
Second Lieut. Charles F. Colson, Infantry, from October 30, 1919.
Second Lieut. Donald F. Carroll, Infantry, from November 1, 1919, subject to examination required by law.
Second Lieut. Robert A. Schow, Infantry, from November 1, 1919.
Second Lieut. John H. Stokes, jr., Infantry, from November 1, 1919.
Second Lieut. Jesse E. Graham, Infantry, from November 1, 1919.
Second Lieut. Jerome D. Cambre, Infantry, from November 1, 1919, subject to examination required by law.
Second Lieut. Burrowes G. Stevens, Infantry, from November 2, 1919.
Second Lieut. Alexander T. McCone, Infantry, from November 5, 1919.
Second Lieut. Thomas M. Brinkley, Infantry, from November 5, 1919.
Second Lieut. John K. Buchanan, Infantry, from November 5, 1919, subject to examination required by law.
Second Lieut. Ivins LaR. Browne, Infantry, from November 7, 1919.
Second Lieut. Kenneth W. Leslie, Infantry, from November 7, 1919, subject to examination required by law.
Second Lieut. Beverly St. G. Tucker, Infantry, from November 10, 1919.
Second Lieut. Vincent J Conrad, Infantry, from November 10, 1919.
Second Lieut. Reginald W. Hubbell, Infantry, from November 11, 1919.
Second Lieut. John M. Tatum, Infantry, from November 11, 1919, subject to examination required by law.
Second Lieut. Paul W. Kendall, Infantry, from November 11, 1919, subject to examination required by law.
Second Lieut. John F. Farley, Infantry, from November 11, 1919.
Second Lieut. Charles H. Moore, jr., Infantry, from November 12, 1919, subject to examination required by law.
Second Lieut. James W. Freeman, Infantry, from November 13, 1919.
Second Lieut. Alexander J. Mackenzie, Infantry, from November 14, 1919.
Second Lieut. Wiley V. Carter, Infantry, from November 15, 1919, subject to examination required by law.
Second Lieut. Wilbur E. Dunkelberg, Infantry, from November 15, 1919, subject to examination required by law.
Second Lieut. James H. C. Hill, Infantry, from November 15, 1919.
Second Lieut. Victor C. Broome, Infantry, from November 15, 1919.
Second Lieut. Thomas R. Denny, Infantry, from November 18, 1919.
Second Lieut. Frank M. Corzelius, Infantry, from November 18, 1919.
Second Lieut. Julius L. Piland, Infantry, from November 18, 1919, subject to examination required by law.
Second Lieut. Arthur Pulsifer, Infantry, from November 18, 1919.
Second Lieut. Farrin A. Hillard, Infantry, from November 18, 1919, subject to examination required by law.
Second Lieut. William J. Mason, Infantry, from November 21, 1919, subject to examination required by law.
Second Lieut. Elliott Watkins, Infantry, from November 22, 1919.
Second Lieut. Francis J. Gillespie, Infantry, from November 22, 1919.
Second Lieut. Jessie L. Gibney, Infantry, from November 23, 1919, subject to examination required by law.
Second Lieut. Robert H. Vesey, Infantry, from November 24, 1919.
Second Lieut. Clarence M. Mendenhall, jr., Infantry, from November 24, 1919.
Second Lieut. Kester L. Hastings, Infantry, from November 25, 1919.
Second Lieut. George McK. Williamson, jr., Infantry, from November 26, 1919.
Second Lieut. Howard W. Brimmer, Infantry, from December 1, 1919.
Second Lieut. Charles M. Smith, jr., Infantry, from December 1, 1919, subject to examination required by law.

Second Lieut. Albert B. Goodin, Infantry, from December 1, 1919, subject to examination required by law.
Second Lieut. Walter J. Muller, Infantry, from December 2, 1919.
Second Lieut. Harry L. Rogers, jr., Infantry, from December 2, 1919.
Second Lieut. George B. Conrad, Infantry, from December 2, 1919.
Second Lieut. William S. Murray, Infantry, from December 2, 1919, subject to examination required by law.
Second Lieut. Harry Krieger, Infantry, from December 2, 1919, subject to examination required by law.
Second Lieut. Raymond W. Odor, Infantry, from December 4, 1919, subject to examination required by law.
Second Lieut. James C. Welch, Infantry, from December 4, 1919.
Second Lieut. Miner W. Bonwell, Infantry, from December 4, 1919, subject to examination required by law.
Second Lieut. John P. Pence, Infantry, from December 4, 1919.
Second Lieut. Joseph M. Glasgow, Infantry, from December 5, 1919.
Second Lieut. Elmer M. Jenkins, Infantry, from December 5, 1919, subject to examination required by law.
Second Lieut. James L. Keasler, Infantry, from December 5, 1919.
Second Lieut. Rutherford D. McGiffert, Infantry, from December 5, 1919, subject to examination required by law.
Second Lieut. Richard B. Wheeler, Infantry, from December 5, 1919.
Second Lieut. Thomas R. Aaron, Infantry, from December 5, 1919, subject to examination required by law.
Second Lieut. Charles L. Gorman, Infantry, from December 5, 1919, subject to examination required by law.
Second Lieut. Forrest E. Cookson, Infantry, from December 6, 1919.
Second Lieut. Carl S. Molitor, Infantry, from December 7, 1919.
Second Lieut. Harlan N. Hartness, Infantry, from December 9, 1919.
Second Lieut. Carl Robinson, Infantry, from December 15, 1919.
Second Lieut. Ernest M. Brannon, Infantry, from December 15, 1919.
Second Lieut. Luther L. Hill, Infantry, from December 15, 1919.
Second Lieut. John W. Sheehy, Infantry, from December 15, 1919.
Second Lieut. John R. Vance, Infantry, from December 15, 1919.
Second Lieut. Richard P. Ovenshine, Infantry, from December 16, 1919.
Second Lieut. Leo C. Paquet, Infantry, from December 16, 1919.
Second Lieut. Thomas M. Crawford, Infantry, from December 17, 1919.
Second Lieut. Carlisle V. Allan, Infantry, from December 17, 1919.
Second Lieut. John E. McCarthy, Infantry, from December 17, 1919.
Second Lieut. Leander D. Syme, Infantry, from December 19, 1919.
Second Lieut. Leroy C. Wilson, Infantry, from December 20, 1919.
Second Lieut. Syril E. Faine, Infantry, from December 20, 1919.
Second Lieut. Arthur M. Parsons, Infantry, from December 21, 1919.
Second Lieut. Harry W. Barrick, Infantry, from December 23, 1919.
Second Lieut. William T. Van de Graaff, Infantry, from December 23, 1919.
Second Lieut. Howard R. Perry, jr., Infantry, from December 24, 1919.
Second Lieut. Edwin H. Young, Infantry, from December 29, 1919.
Second Lieut. Nathan A. Smith, Infantry, from December 29, 1919.
Second Lieut. Gerald St. C. Mickle, Infantry, from December 29, 1919.
Second Lieut. Benjamin R. Farrar, Infantry, from December 29, 1919.
Second Lieut. Walter S. Winn, jr., Infantry, from December 29, 1919.
Second Lieut. Edward H. Bowes, Infantry, from December 29, 1919.
Second Lieut. Edwin M. Sutherland, Infantry, from December 29, 1919.
Second Lieut. Joseph A. Holly, Infantry, from January 1, 1920.
Second Lieut. Robert F. Carter, Infantry, from January 1, 1920.
Second Lieut. Nathan F. Twining, Infantry, from January 1, 1920.
Second Lieut. L. Hoyt Rockafellow, Infantry, from January 5, 1920.
Second Lieut. Percy E. Hunt, Infantry, from January 5, 1920.
Second Lieut. Roland W. McNamee, Infantry, from January 8, 1920.
Second Lieut. John C. Raaen, Infantry, from January 8, 1920.
Second Lieut. Winfred G. Skelton, Infantry, from January 8, 1920.
Second Lieut. Lambert B. Cain, Infantry, from January 9, 1920.
Second Lieut. Edmund B. Sebree, Infantry, from January 11, 1920.
Second Lieut. Ignatius L. Donnelly, Infantry, from January 12, 1920.
Second Lieut. Merritt B. Booth, Infantry, from January 12, 1920.
Second Lieut. Raymond C. Barlow, Infantry, from January 12, 1920.
Second Lieut. Frank G. Davis, Infantry, from January 12, 1920.
Second Lieut. Emmett J. Bean, Infantry, from January 13, 1920.
Second Lieut. Donald A. Fay, Infantry, from January 13, 1920.
Second Lieut. Kenneth Pierce, Infantry, from January 13, 1920.
Second Lieut. John Endler, Infantry, from January 13, 1920.
Second Lieut. John D. Armstrong, Infantry, from January 15, 1920.
Second Lieut. John V. Domminey, Infantry, from January 15, 1920.
Second Lieut. James V. Cole, Infantry, from January 15, 1920.
Second Lieut. Ralph B. Kindley, Infantry, from January 15, 1920.
Second Lieut. John A. Bruckner, jr., Infantry, from January 16, 1920.
Second Lieut. Clarence A. Frank, Infantry, from January 21, 1920.
Second Lieut. Clarkson D. McNary, Infantry, from January 21, 1920.
Second Lieut. Bernard A. Byrne, jr., Infantry, from January 21, 1920.
Second Lieut. George L. Dillaway, jr., Infantry, from January 23, 1920.
Second Lieut. Warren W. Christian, Infantry, from January 24, 1920.
Second Lieut. Robert B. Hutchins, Infantry, from January 24, 1920.
Second Lieut. Joseph W. Kullman, Infantry, from January 24, 1920.
Second Lieut. George D. Rogers, Infantry, from January 24, 1920.
Second Lieut. Landon G. Daniel, Infantry, from January 24, 1920.
Second Lieut. Irvin Alexander, Infantry, from January 24, 1920.
Second Lieut. George E. Bruner, Infantry, from January 24, 1920.
Second Lieut. Thomas H. Dameron, Infantry, from January 24, 1920.
Second Lieut. Roger S. Evarts, Infantry, from January 24, 1920.
Second Lieut. Kenneth S. Olson, Infantry, from January 24, 1920.
Second Lieut. Robert M. Springer, Infantry, from January 24, 1920.
Second Lieut. Russell J. Nelson, Infantry, from January 24, 1920.
Second Lieut. Simon Foss, Infantry, from January 24, 1920.
Second Lieut. Edward M. Starr, Infantry, from January 25, 1920.
Second Lieut. Joseph S. Bradley, Infantry, from January 26, 1920.
Second Lieut. Arthur L. Moore, Infantry, from January 28, 1920.
Second Lieut. Ralph H. Bassett, Infantry, from January 28, 1920.

Second Lieut. Harold A. Brown, Infantry, from February 1, 1920.
Second Lieut. Donald C. Hardin, Infantry, from February 1, 1920.
Second Lieut. Wayne C. Zimmerman, Infantry, from February 1, 1920.
Second Lieut. John T. Keeley, Infantry, from February 1, 1920.
Second Lieut. Joseph C. Odell, Infantry, from February 1, 1920.
Second Lieut. Josiah T. Dalbey, Infantry, from February 2, 1920.
Second Lieut. Logan O. Shutt, Infantry, from February 3, 1920.
Second Lieut. Stuart Little, Infantry, from February 3, 1920.
Second Lieut. Hilton E. Heineke, Infantry, from February 3, 1920.
Second Lieut. John F. Lavagnino, Infantry, from February 3, 1920.
Second Lieut. Royal W. Park, Infantry, from February 3, 1920.
Second Lieut. Philip McI. Whitney, Infantry, from February 3, 1920.
Second Lieut. Christopher Hildebrand, Infantry, from February 3, 1920.
Second Lieut. Joseph H. Warren, Infantry, from February 3, 1920.
Second Lieut. John D. Frederick, Infantry, from February 3, 1920.
Second Lieut. Richard R. Coursey, Infantry, from February 3, 1920.
Second Lieut. Dwight L. Adams, Infantry, from February 4, 1920.
Second Lieut. Lester G. Degnan, Infantry, from February 4, 1920.
Second Lieut. Henry B. Sheets, Infantry, from February 5, 1920.
Second Lieut. Archie W. Cooey, Infantry, from February 8, 1920.
Second Lieut. William R. McMaster, Infantry, from February 8, 1920.
Second Lieut. Paul R. Carl, Infantry, from February 8, 1920, subject to examination required by law.
Second Lieut. Cornelius E. O'Connor, Infantry, from February 10, 1920.
Second Lieut. Joseph A. Cranston, jr., Infantry, from February 11, 1920.
Second Lieut. Maurice L. Rosenthal, Infantry, from February 12, 1920, subject to examination required by law.
Second Lieut. Willard L. Isaacs, Infantry, from February 12, 1920.
Second Lieut. William B. Kean, jr., Infantry, from February 14, 1920.
Second Lieut. Harold R. Emery, Infantry, from February 16, 1920.
Second Lieut. David S. McLean, Infantry, from February 17, 1920.
Second Lieut. William J. Moroney, Infantry, from February 18, 1920.
Second Lieut. Russell L. Williamson, Infantry, from February 19, 1920.
Second Lieut. Howard D. Johnston, Infantry, from February 20, 1920.
Second Lieut. Franklin L. Rash, Infantry, from February 20, 1920.
Second Lieut. Edgar H. Snodgrass, Infantry, from February 20, 1920.
Second Lieut. Claude D. Ferenbaugh, Infantry, from February 21, 1920.
Second Lieut. Adna C. Hamilton, Infantry, from February 24, 1920.
Second Lieut. Harold S. Ruth, Infantry, from February 24, 1920.
Second Lieut. Sterling E. Whitesides, jr., Infantry, from February 25, 1920.
Second Lieut. Lewis S. Sorley, jr., Infantry, from February 26, 1920.
Second Lieut. Albert C. Wedemeyer, Infantry, from February 27, 1920.
Second Lieut. John L. Denny, Infantry, from February 27, 1920.
Second Lieut. Roswell B. Hart, Infantry, from February 28, 1920.
Second Lieut. Herbert J. Riess, Infantry, from February 29, 1920.
Second Lieut. Henry I. Szymanski, Infantry, from March 1, 1920.
Second Lieut. Ulric L. Fomby, Infantry, from March 1, 1920.
Second Lieut. Frederick B. Porter, Infantry, from March 2, 1920.
Second Lieut. Bryan S. Halter, Infantry, from March 2, 1920.
Second Lieut. Hughes Steele, Infantry, from March 2, 1920.

POSTMASTERS.

ALABAMA.

James B. Harwic to be postmaster at Midland City, Ala. Office became presidential January 1, 1920.
Sophie Harris to be postmaster at Childersburg, Ala. Office became presidential January 1, 1920.
Walter Gaines to be postmaster at Wetumpka, Ala., in place of M. E. Cain, resigned.
Otis O. Bayles to be postmaster at Monroeville, Ala., in place of S. M. Roberts, resigned.
William C. Starnes to be postmaster at Lanett, Ala., in place of D. M. Swint, resigned. Office became presidential October 1, 1918.
James W. Snipes to be postmaster at Florala, Ala., in place of M. A. George, jr., resigned.
William W. Perry to be postmaster at West Blocton, Ala., in place of W. W. Perry. Incumbent's commission expired January 17, 1920.
Sidney A. Borom to be postmaster at Hurtsboro, Ala., in place of S. A. Borom. Incumbent's commission expired April 13, 1920.
James F. Manley to be postmaster at Citronville, Ala., in place of J. F. Manley. Incumbent's commission expired May 15, 1920.
James F. Hodge to be postmaster at Carrollton, Ala., in place of J. F. Hodge. Incumbent's commission expired January 5, 1920.
Hortense Rowe to be postmaster at Camp Hill, Ala., in place of Hortense Rowe. Incumbent's commission expired February 15, 1920.
Ernest A. Townsend to be postmaster at Tuscaloosa, Ala., in place of S. F. Clabaugh, resigned.
Rush S. Hickman to be postmaster at Ensley, Ala., in place of D. F. Sugg, resigned.
Oscar Sheffield to be postmaster at Pine Hill, Ala., in place of Oscar Sheffield. Office became presidential January 1, 1920.

ALASKA.

William E. Root to be postmaster at Seward, Alaska, in place of W. E. Root. Incumbent's commission expired January 5, 1920.
Martin Conway to be postmaster at Skagway, Alaska, in place of Martin Conway. Incumbent's commission expired January 7, 1920.
Zina M. Bradford to be postmaster at Juneau, Alaska, in place of Z. M. Bradford. Incumbent's commission expired March 23, 1920.
Charles H. Scheffler to be postmaster at Cordova, Alaska, in place of C. H. Scheffler. Incumbent's commission expired February 15, 1920.

ARIZONA.

Ethel M. Lacy to be postmaster at Gilbert, Ariz. Office became presidential January 1, 1920.
Otellia E. Buchanan to be postmaster at Fort Huachuca, Ariz., in place of I. E. Carty, deceased.
Hugh E. Laird to be postmaster at Tempe, Ariz., in place of H. E. Laird. Incumbent's commission expired May 17, 1920.
Charles Metcalfe to be postmaster at Kingman, Ariz., in place of Charles Metcalfe. Incumbent's commission expired March 9, 1920.
Lannes L. Ferrall to be postmaster at Grand Canyon, Ariz., in place of L. L. Ferrall. Incumbent's commission expired April 27, 1920.
Milville C. Hankins to be postmaster at Douglas, Ariz., in place of M. C. Hankins. Incumbent's commission expired May 17, 1920.
William B. Kelly to be postmaster at Clifton, Ariz., in place of W. B. Kelly. Incumbent's commission expired April 27, 1920.

ARKANSAS.

Roy Wilson to be postmaster at Tyronza, Ark. Office became presidential January 1, 1920.
Bertha E. Millian to be postmaster at Lexa, Ark. Office became presidential April 1, 1920.
Lulu Brown to be postmaster at Stephens, Ark., in place of Fred Smith, resigned.
John W. Pinnell to be postmaster at Walnut Ridge, Ark., in place of J. W. Pinnell. Incumbent's commission expired March 9, 1920.

Whitley L. Jarman to be postmaster at Helena, Ark., in place of W. L. Jarman. Incumbent's commission expired January 20, 1920.

Red Thomas to be postmaster at Fordyce, Ark., in place of Red Thomas. Incumbent's commission expired January 18, 1920.

Isham V. Echols to be postmaster at Cotton Plant, Ark., in place of I. V. Echols. Incumbent's commission expired February 24, 1920.

Logan Ruppel to be postmaster at Truman, Ark., in place of L. N. Douglas, removed.

Stephen I. Garrett to be postmaster at Altheimer, Ark., in place of Anne Patton, resigned.

CALIFORNIA.

Edna M. Sheridan to be postmaster at Montrio, Calif. Office became presidential January 1, 1920.

Charles C. Taylor to be postmaster at Kernville, Calif. Office became presidential April 1, 1920.

Nell M. Ellis to be postmaster at El Segundo, Calif. Office became presidential January 1, 1920.

Eileen J. Shrieve to be postmaster at Engelmine, Calif. Office became presidential April 1, 1920.

Harry E. Meyers to be postmaster at Yuba City, Calif., in place of H. E. Meyers. Incumbent's commission expired April 27, 1920.

Earle R. Hawley to be postmaster at Stockton, Calif., in place of L. F. Kuhn, resigned.

Ora A. Woods to be postmaster at Winters, Calif., in place of O. A. Woods. Incumbent's commission expired March 29, 1920.

Isidore J. Proulx to be postmaster at Willows, Calif., in place of I. J. Proulx. Incumbent's commission expired May 15, 1920.

Virginia Mason to be postmaster at Suisun City, Calif., in place of Virginia Mason. Incumbent's commission expired April 27, 1920.

Mary G. Mails to be postmaster at San Quentin, Calif., in place of M. G. Mails. Incumbent's commission expired January 27, 1920.

John J. McGrath to be postmaster at San Mateo, Calif., in place of J. J. McGrath. Incumbent's commission expired January 11, 1920.

Ernest R. Rhymes to be postmaster at Sanitarium, Calif., in place of E. R. Rhymes. Incumbent's commission expired April 13, 1920.

Louis P. Miller to be postmaster at Rio Vista, Calif., in place of L. P. Miller. Incumbent's commission expired February 15, 1920.

Edgar J. Murphy to be postmaster at Redondo Beach, Calif., in place of E. J. Murphy. Incumbent's commission expired January 11, 1920.

William H. Kelly to be postmaster at Palo Alto, Calif., in place of W. H. Kelly. Incumbent's commission expired January 5, 1920.

John B. Barnard to be postmaster at Niles, Calif., in place of J. B. Barnard. Incumbent's commission expired May 15, 1920.

Richard L. Dixon to be postmaster at Newman, Calif., in place of R. L. Dixon. Incumbent's commission expired January 5, 1920.

Lee Darneal to be postmaster at Los Gatos, Calif., in place of Lee Darneal. Incumbent's commission expired January 11, 1920.

Michael G. Gallaghan to be postmaster at Livermore, Calif., in place of M. G. Gallaghan. Incumbent's commission expired February 15, 1920.

John E. Nolan to be postmaster at Jamestown, Calif., in place of J. E. Nolan. Incumbent's commission expired January 17, 1920.

Merton Blackford to be postmaster at Fullerton, Calif., in place of Merton Blackford. Incumbent's commission expired February 15, 1920.

Fleming J. Mathews to be postmaster at Fort Jones, Calif., in place of F. J. Mathews. Incumbent's commission expired January 5, 1920.

John H. Bacon to be postmaster at Fellows, Calif., in place of J. H. Bacon. Incumbent's commission expired March 9, 1920.

Cary D. McNeil to be postmaster at Corona, Calif., in place of C. D. McNeil. Incumbent's commission expired March 4, 1920.

Joseph C. Beard to be postmaster at Burlingame, Calif., in place of J. C. Beard. Incumbent's commission expired May 15, 1920.

Rufus A. Berry to be postmaster at Berkeley, Calif., in place of R. A. Berry. Incumbent's commission expired March 4, 1920.

Ralph Cole to be postmaster at Ross, Calif., in place of L. E. Green, resigned. Office became presidential October 1, 1918.

George W. Nygren to be postmaster at Parlier, Calif., in place of C. E. Tabler, deceased.

Melissa B. Wilson to be postmaster at Dixon, Calif., in place of G. E. McElroy, resigned.

Arthur F. Donaldson to be postmaster at Byron, Calif., in place of May Lent, resigned.

George B. Morgridge to be postmaster at Sierra Madre, Calif., in place of G. B. Morgridge. Incumbent's commission expired January 11, 1920.

Edward M. Drury to be postmaster at Fowler, Calif., in place of E. M. Drury. Incumbent's commission expired January 11, 1920.

Charles F. Evers to be postmaster at Fortuna, Calif., in place of C. F. Evers. Incumbent's commission expired May 24, 1920.

COLORADO.

Edna A. Gates to be postmaster at Sedgwick, Colo. Office became presidential January 1, 1920.

Andreita M. Vigil to be postmaster at Trinidad, Colo., in place of A. M. Vigil. Incumbent's commission expired January 5, 1920.

James L. Allison to be postmaster at Woodmen, Colo., in place of J. A. Rutledge, resigned.

William E. King to be postmaster at Sterling, Colo., in place of W. E. King. Incumbent's commission expired March 23, 1920.

Stephen P. Ilgenfritz to be postmaster at Ordway, Colo., in place of S. P. Ilgenfritz. Incumbent's commission expired January 17, 1920.

Llewellyn F. Allen to be postmaster at Littleton, Colo., in place of L. F. Allen. Incumbent's commission expired March 29, 1920.

Rhoda J. Yersin to be postmaster at Burlington, Colo., in place of R. J. Yersin. Incumbent's commission expired January 11, 1920.

Thomas J. Chancellor to be postmaster at Brighton, Colo., in place of T. J. Chancellor. Incumbent's commission expired January 11, 1920.

John O. Miller to be postmaster at Boulder, Colo., in place of J. O. Miller. Incumbent's commission expired May 10, 1920.

Walter E. Rogers to be postmaster at Berthoud, Colo., in place of W. E. Rogers. Incumbent's commission expired January 11, 1920.

Charles V. Engert to be postmaster at Lyons, Colo., in place of M. J. Scanlon, resigned.

Nellie E. Pyles to be postmaster at Fountain, Colo., in place of L. T. Core, resigned.

Anna C. Miller to be postmaster at Crested Butte, Colo., in place of A. J. Horan, deceased.

Irving P. Beckett to be postmaster at Craig, Colo., in place of V. C. Ledford, resigned.

Jerry F. Halloran to be postmaster at Victor, Colo., in place of J. F. Halloran. Incumbent's commission expired May 25, 1920.

CONNECTICUT.

John F. Oates to be postmaster at Windsor Locks, Conn., in place of J. F. Oates. Incumbent's commission expired January 27, 1920.

Harry W. Crane to be postmaster at Wethersfield, Conn., in place of H. W. Crane. Incumbent's commission expired March 23, 1920.

Robert D. Burns to be postmaster at Saybrook, Conn., in place of R. D. Burns. Incumbent's commission expired January 17, 1920.

George Forster to be postmaster at Rockville, Conn., in place of George Forster. Incumbent's commission expired March 23, 1920.

Willis S. Gilbert to be postmaster at Ridgefield, Conn., in place of W. S. Gilbert. Incumbent's commission expired January 18, 1920.

Clarence L. Clark to be postmaster at Lyme, Conn., in place of C. L. Clark. Incumbent's commission expired January 5, 1920.

Nelson M. Watson to be postmaster at Kent, Conn., in place of N. M. Watson. Incumbent's commission expired March 29, 1920.

Daniel F. Finn to be postmaster at Jewett City, Conn., in place of D. F. Finn. Incumbent's commission expired January 27, 1920.

Edward B. Sullivan to be postmaster at Guilford, Conn., in place of E. B. Sullivan. Incumbent's commission expired January 5, 1920.

James F. Holden to be postmaster at Forestville, Conn., in place of J. F. Holden. Incumbent's commission expired January 5, 1920.

James W. Green to be postmaster at Eagleville, Conn., in place of J. W. Green. Incumbent's commission expired March 13, 1920.

Patrick L. Shea to be postmaster at Derby, Conn., in place of P. L. Shea. Incumbent's commission expired February 15, 1920.

Daniel J. Kelley to be postmaster at Deep River, Conn., in place of D. J. Kelley. Incumbent's commission expired January 5, 1920.

William A. Hayes to be postmaster at Bristol, Conn., in place of W. A. Hayes. Incumbent's commission expired January 5, 1920.

George W. Fairgrieve to be postmaster at Bantam, Conn., in place of G. W. Fairgrieve. Incumbent's commission expired January 5, 1920.

John G. St. Ruth to be postmaster at Windsor, Conn., in place of J. G. St. Ruth. Incumbent's commission expired March 31, 1920.

FLORIDA.

George W. Brown to be postmaster at New Smyrna, Fla., in place of G. W. Brown. Incumbent's commission expired February 23, 1920.

Richard J. Mays to be postmaster at Monticello, Fla., in place of R. J. Mays. Incumbent's commission expired January 18, 1920.

Ernest C. Mahaffey to be postmaster at Quincy, Fla., in place of R. E. L. McFarlin. Incumbent's commission expired January 18, 1919.

Rex Holley to be postmaster at Lake Worth, Fla., in place of A. A. Jones, resigned.

GEORGIA.

Edward B. Oxford to be postmaster at Rutledge, Ga. Office became presidential January 1, 1920.

Henry C. Hays to be postmaster at Mansfield, Ga. Office became presidential April 1, 1920.

May S. Holmes to be postmaster at Culloden, Ga. Office became presidential January 1, 1920.

Leland H. Williams to be postmaster at Collegepark, Ga., in place of M. E. Hogan, resigned.

Commodore D. Stewart to be postmaster at Buchanan, Ga., in place of H. S. McCalman, resigned. Office became presidential January 1, 1920.

Julian G. Hicks to be postmaster at Reynolds, Ga., in place of J. G. Hicks. Incumbent's commission expired March 29, 1920.

Anna C. Williams to be postmaster at Lumpkin, Ga., in place of A. C. Williams. Incumbent's commission expired January 11, 1920.

John H. Boone to be postmaster at Hazlehurst, Ga., in place of J. H. Boone. Incumbent's commission expired March 29, 1920.

Thomas B. Banks to be postmaster at Grantville, Ga., in place of T. B. Banks. Incumbent's commission expired May 17, 1920.

Mary A. Rudisill to be postmaster at Forsyth, Ga., in place of M. A. Rudisill. Incumbent's commission expired January 5, 1920.

Paul Latimer to be postmaster at Fairburn, Ga., in place of P. Latimer. Incumbent's commission expired April 7, 1920.

William E. Dunham to be postmaster at Cochran, Ga., in place of W. E. Dunham. Incumbent's commission expired March 29, 1920.

Sam M. Barnett to be postmaster at Chatsworth, Ga., in place of S. M. Barnett. Incumbent's commission expired March 28, 1920.

Stephen B. Pace to be postmaster at Carrollton, Ga., in place of S. B. Pace. Incumbent's commission expired April 20, 1920.

Mattie N. Riley to be postmaster at Butler, Ga., in place of M. M. Riley. Incumbent's commission expired May 17, 1920.

Louis J. Leavy, jr., to be postmaster at Brunswick, Ga., in place of L. J. Leavy, jr. Incumbent's commission expired February 7, 1920.

Lonnie E. Sweat to be postmaster at Blackshear, Ga., in place of L. E. Sweat. Incumbent's commission expired March 28, 1920.

Dan A. McMillan to be postmaster at Bartow, Ga., in place of D. A. McMillan. Incumbent's commission expired May 17, 1920.

James L. Brooks to be postmaster at Austell, Ga., in place of J. L. Brooks. Incumbent's commission expired January 11, 1920.

James P. McGriff to be postmaster at Hawkinsville, Ga., in place of R. D. Brown, resigned.

John B. Crawford to be postmaster at Cairo, Ga., in place of J. B. Crawford. Incumbent's commission expired January 5, 1920.

Robert M. Edge to be postmaster at Jasper, Ga., in place of N. L. Pressley. Office became presidential April 1, 1919.

HAWAII.

William E. Smith to be postmaster at Koloa, Hawaii. Office became presidential January 1, 1920.

William C. Irwin to be postmaster at Waialua, Hawaii, in place of W. C. Irwin. Incumbent's commission expired March 29, 1920.

IDAHO.

Charles E. Mitchell to be postmaster at Wilder, Idaho. Office became presidential January 1, 1920.

Floyd E. Reynolds to be postmaster at Richfield, Idaho, in place of K. G. Phelps, resigned.

Richard A. McDonald to be postmaster at Bovill, Idaho, in place of Arno Albrecht, resigned.

Frank Dvorak to be postmaster at Aberdeen, Idaho, in place of Georgia Toner, resigned.

Milo P. Strecker to be postmaster at Stites, Idaho, in place of M. P. Strecker. Incumbent's commission expired May 15, 1920.

Ole P. Jensen to be postmaster at Shelley, Idaho, in place of O. P. Jensen. Incumbent's commission expired April 24, 1920.

Don C. D. Moore to be postmaster at Sandpoint, Idaho, in place of D. C. D. Moore. Incumbent's commission expired January 6, 1920.

Josephine Ervin to be postmaster at Mullan, Idaho, in place of J. Ervin. Incumbent's commission expired January 17, 1920.

John F. Brown to be postmaster at Kendrick, Idaho, in place of J. F. Brown. Incumbent's commission expired March 9, 1920.

Christopher O. Dice to be postmaster at Glenns Ferry, Idaho, in place of C. O. Dice. Incumbent's commission expired May 15, 1920.

Samuel D. Riggs to be postmaster at Emmett, Idaho, in place of S. D. Riggs. Incumbent's commission expired January 6, 1920.

William Laurensen to be postmaster at Downey, Idaho, in place of W. Laurensen. Incumbent's commission expired February 15, 1920.

Willis M. Sears to be postmaster at Albion, Idaho, in place of W. M. Sears. Incumbent's commission expired January 6, 1920.

Albert E. White to be postmaster at Payette, Idaho, in place of E. T. Bowman, resigned.

George C. Jacobsen to be postmaster at Nampa, Idaho, in place of H. E. King, resigned.

David O. Castater to be postmaster at Parma, Idaho, in place of D. O. Castater. Incumbent's commission expired January 6, 1920.

ILLINOIS.

William L. South to be postmaster at Hammond, Ill. Office became presidential January 1, 1920.

Henry S. Rolwing to be postmaster at Thebes, Ill. Office became presidential January 1, 1920.

Timothy B. Lyons to be postmaster at Winchester, Ill., in place of T. B. Lyons. Incumbent's commission expired January 10, 1920.

Charles J. Paar to be postmaster at Warsaw, Ill., in place of C. J. Paar. Incumbent's commission expired May 6, 1920.

Kate M. Weis to be postmaster at Teutopolis, Ill., in place of K. M. Weis. Incumbent's commission expired March 23, 1920.

Edward Streng to be postmaster at Stewardson, Ill., in place of E. Streng. Incumbent's commission expired January 17, 1920.

Elmer Lummis to be postmaster at Quincy, Ill., in place of E. Lummis. Incumbent's commission expired February 23, 1920.

W. Carroll Bush, jr., to be postmaster at Pittsfield, Ill., in place of W. C. Bush, jr. Incumbent's commission expired January 10, 1920.

H. Bruce Shroyer to be postmaster at New Windsor, Ill., in place of H. B. Shroyer. Incumbent's commission expired January 10, 1920.

Edward C. Fahy to be postmaster at New Berlin, Ill., in place of E. C. Fahy. Incumbent's commission expired March 9, 1920.

Herman J. Hemann to be postmaster at New Baden, Ill., in place of H. J. Hemann. Incumbent's commission expired February 25, 1920.

Charles F. McHenry to be postmaster at Hillsboro, Ill., in place of C. F. McHenry. Incumbent's commission expired February 25, 1920.

Joseph W. Davis to be postmaster at Harrisburg, Ill., in place of J. W. Davis. Incumbent's commission expired January 10, 1920.

Willis M. Humphreys to be postmaster at Alexis, Ill., in place of W. M. Humphreys. Incumbent's commission expired February 25, 1920.

Eber C. Burkett to be postmaster at Xenia, Ill., in place of J. H. Henson, resigned.

Laura A. Gregory to be postmaster at Willisville, Ill., in place of G. C. Gregory, deceased.

Henry H. Pierce to be postmaster at Royalton, Ill., in place of G. M. Martin, declined.

Francis A. Thomure to be postmaster at Livingston, Ill., in place of J. W. Donaldson, deceased.

Lottie M. Jones to be postmaster at Antioch, Ill., in place of F. B. Huber, resigned.

Edward P. Devine to be postmaster at Somonauk, Ill., in place of E. P. Devine. Incumbent's commission expired February 25, 1920.

Sarah McGinnis to be postmaster of Shabbona, Ill., in place of Sarah McGinnis. Incumbent's commission expired January 10, 1920.

John F. Knight to be postmaster at Sandoval, Ill., in place of J. F. Knight. Incumbent's commission expired January 17, 1920.

Richard J. Marlaire to be postmaster at St. Anne, Ill., in place of R. J. Marlaire. Incumbent's commission expired February 25, 1920.

William W. Sloan to be postmaster at Rockton, Ill., in place of W. W. Sloan. Incumbent's commission expired January 17, 1920.

Nathaniel J. Highsmith to be postmaster at Robinson, Ill., in place of N. J. Highsmith. Incumbent's commission expired May 25, 1920.

Albert Schrieber to be postmaster at Red Bud, Ill., in place of Albert Schrieber. Incumbent's commission expired January 17, 1920.

William T. Clopper to be postmaster at Polo, Ill., in place of W. T. Clopper. Incumbent's commission expired January 17, 1920.

James L. Mishler to be postmaster at Pearl City, Ill., in place of J. L. Mishler. Incumbent's commission expired April 13, 1920.

Thomas P. McCann to be postmaster at Oglesby, Ill., in place of T. P. McCann. Incumbent's commission expired May 15, 1920.

John M. Sheets to be postmaster at Oblong, Ill., in place of J. M. Sheets. Incumbent's commission expired January 10, 1920.

Peter J. Yentes to be postmaster at Morton, Ill., in place of P. J. Yentes. Incumbent's commission expired March 20, 1920.

Calvin D. Miller to be postmaster at Milledgeville, Ill., in place of C. D. Miller. Incumbent's commission expired January 17, 1920.

Louis Wolter to be postmaster at Marissa, Ill., in place of Louis Wolter. Incumbent's commission expired January 17, 1920.

William G. Wack to be postmaster at Mansfield, Ill., in place of W. G. Wack. Incumbent's commission expired April 13, 1920.

Thomas J. Walsh to be postmaster at McHenry, Ill., in place of T. J. Walsh. Incumbent's commission expired January 10, 1920.

Joseph H. Mulligan to be postmaster at Kewanee, Ill., in place of J. H. Mulligan. Incumbent's commission expired January 17, 1920.

Robert L. Downing to be postmaster at Joy, Ill., in place of R. L. Downing. Incumbent's commission expired February 25, 1920.

Albert P. Ferguson to be postmaster at Griggsville, Ill., in place of A. P. Ferguson. Incumbent's commission expired January 10, 1920.

Pearl A. Hollingsworth to be postmaster at Fisher, Ill., in place of P. A. Hollingsworth. Incumbent's commission expired January 17, 1920.

Joseph H. Wagoner to be postmaster at Glenellyn, Ill., in place of J. H. Wagoner. Incumbent's commission expired April 20, 1920.

Bert J. Ritson to be postmaster at Farmington, Ill., in place of B. J. Ritson. Incumbent's commission expired January 17, 1920.

Alexander L. White to be postmaster at Fairmount, Ill., in place of A. L. White. Incumbent's commission expired February 25, 1920.

Robert W. Perkins to be postmaster at Erie, Ill., in place of R. W. Perkins. Incumbent's commission expired February 23, 1920.

Max Geisenhoner to be postmaster at East Dubuque, Ill., in place of Max Geisenhoner. Incumbent's commission expired January 17, 1920.

Albert Hilboldt to be postmaster at Dongola, Ill., in place of A. W. Hilboldt. Incumbent's commission expired January 17, 1920.

Jesse J. Wesse to be postmaster at Dalton, Ill., in place of J. J. Wesse. Incumbent's commission expired May 6, 1920.

James E. Simpson to be postmaster at Collinsville, Ill., in place of J. E. Simpson. Incumbent's commission expired May 15, 1920.

James Wyatt to be postmaster at Chrisman, Ill., in place of James Wyatt. Incumbent's commission expired March 20, 1920.

Frank Johnston to be postmaster at Charleston, Ill., in place of F. Johnston. Incumbent's commission expired April 27, 1920.

James H. Bumsted to be postmaster at Carpentersville, Ill., in place of J. H. Bumsted. Incumbent's commission expired March 7, 1920.

John Dooley to be postmaster at Belvidere, Ill., in place of J. Dooley. Incumbent's commission expired January 10, 1920.

William Campbell to be postmaster at Athens, Ill., in place of W. Campbell. Incumbent's commission expired January 10, 1920.

William H. Smith to be postmaster at Apple River, Ill., in place of W. H. Smith. Incumbent's commission expired March 9, 1920.

Fay L. Quilter to be postmaster at Walnut, Ill., in place of H. M. Oakford, resigned.

Ralph C. Waters to be postmaster at Newman, Ill., in place of J. T. Hinds, resigned.

Charles H. James to be postmaster at Meredosia, Ill., in place of C. J. Schmitt, resigned.

James R. Lewis to be postmaster at Mazon, Ill., in place of D. S. Small, resigned.

Nora M. Aull to be postmaster at Kincaid, Ill., in place of I. J. Aull, resigned.

Robert W. Briscoe to be postmaster at Kansas, Ill., in place of O. E. Boyer, resigned.

Oren V. Grant to be postmaster at Hollywood, Ill., in place of R. C. Stubbe, resigned. Office became presidential July 1, 1919.

George W. Frame to be postmaster at Woodstock, Ill., in place of G. W. Frame. Incumbent's commission expired January 10, 1920.

Charles E. Carlson to be postmaster at Woodhull, Ill., in place of C. E. Carlson. Incumbent's commission expired January 17, 1920.

John E. Wyatt to be postmaster at White Hall, Ill., in place of J. E. Wyatt. Incumbent's commission expired January 10, 1920.

John H. Farquharson to be postmaster at Western Springs, Ill., in place of J. H. Farquharson. Incumbent's commission expired January 17, 1920.

Thomas J. Hopkins to be postmaster at Wenona, Ill., in place of T. J. Hopkins. Incumbent's commission expired January 10, 1920.

Grove Harrison to be postmaster at Viola, Ill., in place of Grove Harrison. Incumbent's commission expired February 25, 1920.

George E. Combs to be postmaster at Villa Grove, Ill., in place of G. E. Combs. Incumbent's commission expired April 13, 1920.

James E. Heflin to be postmaster at Versailles, Ill., in place of J. E. Heflin. Incumbent's commission expired February 25, 1920.

John Gilchrist to be postmaster at Utica, Ill., in place of John Gilchrist. Incumbent's commission expired January 10, 1920.

Timothy J. Kelly to be postmaster at Seneca, Ill., in place of T. J. Kelly. Incumbent's commission expired January 11, 1920.

Rolla L. Russell to be postmaster at Princeton, Ill., in place of R. L. Russell. Incumbent's commission expired January 10, 1920.

George Reinemann to be postmaster at Madison, Ill., in place of George Reinemann. Incumbent's commission expired February 25, 1920.

John C. Kohn to be postmaster at Elgin, Ill., in place of J. C. Kohn. Incumbent's commission expired March 15, 1920.

Edward J. Milligan to be postmaster at Bradley, Ill., in place of E. J. Milligan. Incumbent's commission expired January 17, 1920.

INDIANA.

William A. Michael to be postmaster at St. Mary-of-the-Woods, Ind. Office became presidential January 1, 1920.

George A. Wilhelm to be postmaster at Dupont, Ind. Office became presidential January 1, 1920.

Charles M. Sparks to be postmaster at Shirley, Ind., in place of S. B. Rash, resigned.

J. Clyde Davis to be postmaster at Carmel, Ind., in place of E. M. Stroud, resigned.

George P. De Hoff to be postmaster at Winona Lake, Ind., in place of G. P. De Hoff. Incumbent's commission expired May 6, 1920.

Alden H. Baker to be postmaster at Westfield, Ind., in place of A. H. Baker. Incumbent's commission expired May 6, 1920.

Verner A. Hahn to be postmaster at Wakarusa, Ind., in place of Vern Hahn. Incumbent's commission expired January 27, 1920.

John T. Scott to be postmaster at Valparaiso, Ind., in place of J. T. Scott. Incumbent's commission expired January 17, 1920.

William T. Newton to be postmaster at Rosedale, Ind., in place of W. T. Newton. Incumbent's commission expired January 5, 1920.

William F. Wake to be postmaster at Roanoke, Ind., in place of W. F. Wake. Incumbent's commission expired May 6, 1920.

Frank W. Boren to be postmaster at Owensville, Ind., in place of F. W. Boren. Incumbent's commission expired January 5, 1920.

Elmer E. Stull to be postmaster at North Liberty, Ind., in place of E. E. Stull. Incumbent's commission expired April 19, 1920.

Charles Bates to be postmaster at New Carlisle, Ind., in place of Charles Bates. Incumbent's commission expired March 9, 1920.

Frank D. Haimbaugh to be postmaster at Muncie, Ind., in place of F. D. Haimbaugh. Incumbent's commission expired January 17, 1920.

Maurice L. Cory to be postmaster at Kingman, Ind., in place of M. L. Cory. Incumbent's commission expired January 17, 1920.

Guy C. Hart to be postmaster at Kendallville, Ind., in place of G. C. Hart. Incumbent's commission expired May 15, 1920.

Daniel A. Riley to be postmaster at Greentown, Ind., in place of D. A. Riley. Incumbent's commission expired May 6, 1920.

Harry M. Van Lear to be postmaster at Garrett, Ind., in place of H. M. Van Lear. Incumbent's commission expired February 15, 1920.

Elmer Ritter to be postmaster at Fremont, Ind., in place of Elmer Ritter. Incumbent's commission expired May 15, 1920.

John C. Ring to be postmaster at Frankton, Ind., in place of J. C. Ring. Incumbent's commission expired January 5, 1920.

Guy Longest to be postmaster at English, Ind., in place of Guy Longest. Incumbent's commission expired January 17, 1920.

Herbert P. Carpenter to be postmaster at Elwood, Ind., in place of H. P. Carpenter. Incumbent's commission expired January 17, 1920.

William H. Johnston to be postmaster at Crawfordsville, Ind., in place of W. H. Johnston. Incumbent's commission expired January 5, 1920.

Otto A. Minear to be postmaster at Claypool, Ind., in place of O. A. Minear. Incumbent's commission expired January 17, 1920.

Grover C. Luther to be postmaster at Clay City, Ind., in place of G. C. Luther. Incumbent's commission expired April 24, 1920.

Louis H. Kocher to be postmaster at Churubusco, Ind., in place of L. H. Kocher. Incumbent's commission expired January 17, 1920.

J. Ross Robertson to be postmaster at Brownstown, Ind., in place of J. R. Robertson. Incumbent's commission expired May 15, 1920.

Nicholas Volz to be postmaster at Batesville, Ind., in place of Nicholas Volz. Incumbent's commission expired March 9, 1920.

John L. Fraley to be postmaster at Anderson, Ind., in place of J. L. Fraley. Incumbent's commission expired January 17, 1920.

James P. Simons to be postmaster at Monticello, Ind., in place of J. P. Simons. Incumbent's commission expired January 17, 1920.

Henry O. Eldridge to be postmaster at Lagrange, Ind., in place of H. O. Eldridge. Incumbent's commission expired January 27, 1920.

John M. Wickizer to be postmaster at Argos, Ind., in place of J. M. Wickizer. Incumbent's commission expired April 13, 1920.

Irvin A. Cox to be postmaster at Columbus, Ind., in place of I. A. Cox. Incumbent's commission expired March 2, 1919.

IOWA.

Clifford Bowman to be postmaster at Royal, Iowa. Office became presidential January 1, 1920.

Anthony J. Schreiber to be postmaster at Fort Atkinson, Iowa. Office became presidential January 1, 1920.

David F. Kirkpatrick to be postmaster at Wellman, Iowa, in place of D. F. Kirkpatrick. Incumbent's commission expired March 9, 1920.

Everett T. McShane to be postmaster at Springville, Iowa, in place of E. T. McShane. Incumbent's commission expired January 5, 1920.

Therides V. Barnard to be postmaster at Schaller, Iowa, in place of T. V. Barnard. Incumbent's commission expired April 24, 1920.

Martin P. Klindt to be postmaster at St. Ansgar, Iowa, in place of M. P. Klindt. Incumbent's commission expired February 15, 1920.

George Ritz to be postmaster at Rockwell City, Iowa, in place of G. Ritz. Incumbent's commission expired January 17, 1920.

William J. Casey to be postmaster at Knoxville, Iowa, in place of W. J. Casey. Incumbent's commission expired January 5, 1920.

Ezekiel S. Thompson to be postmaster at Eldora, Iowa, in place of E. S. Thompson. Incumbent's commission expired January 5, 1920.

Nicholas E. Sheridan to be postmaster at Bancroft, Iowa, in place of N. E. Sheridan. Incumbent's commission expired February 15, 1920.

Daniel J. Rhoads to be postmaster at Woodward, Iowa, in place of D. J. Rhoads. Incumbent's commission expired March 9, 1920.

Edwin E. Cole to be postmaster at Woodbine, Iowa, in place of E. E. Cole. Incumbent's commission expired February 23, 1920.

Joseph J. McMahon to be postmaster at Toledo, Iowa, in place of J. J. McMahon. Incumbent's commission expired January 17, 1920.

Edward M. Bratton to be postmaster at Shellsburg, Iowa, in place of E. M. Bratton. Incumbent's commission expired January 17, 1920.

William H. Ward to be postmaster at Ryan, Iowa, in place of W. H. Ward. Incumbent's commission expired April 3, 1920.

Sylva E. E. Thompson to be postmaster at Roland, Iowa, in place of S. E. E. Thompson. Incumbent's commission expired April 19, 1920.

Joseph G. Geister to be postmaster at Primghar, Iowa, in place of J. G. Geister. Incumbent's commission expired January 17, 1920.

L. Harold Neville to be postmaster at Orient, Iowa, in place of L. H. Neville. Incumbent's commission expired March 9, 1920.

Fred H. Jamison to be postmaster at Oelwein, Iowa, in place of F. H. Jamison. Incumbent's commission expired January 5, 1920.

John A. McNerney to be postmaster at Mount Ayr, Iowa, in place of J. A. McNerney. Incumbent's commission expired January 5, 1920.

Stephen E. Magner to be postmaster at Lorimer, Iowa, in place of S. E. Magner. Incumbent's commission expired January 5, 1920.

George F. Smith to be postmaster at Keosauqua, Iowa, in place of G. F. Smith. Incumbent's commission expired January 5, 1920.

Dennis A. Ray to be postmaster at Humboldt, Iowa, in place of D. A. Ray. Incumbent's commission expired January 5, 1920.

Albert F. Steffen to be postmaster at Hull, Iowa, in place of A. F. Steffen. Incumbent's commission expired January 17, 1920.

Arthur B. Peters to be postmaster at Hawkeye, Iowa, in place of A. B. Peters. Incumbent's commission expired January 5, 1920.

Curran F. Swift to be postmaster at Harlan, Iowa, in place of C. F. Swift. Incumbent's commission expired January 5, 1920.

Fred L. Ives to be postmaster at Hamburg, Iowa, in place of F. L. Ives. Incumbent's commission expired January 27, 1920.

Robert A. Donahoe to be postmaster at Griswold, Iowa, in place of R. A. Donahoe. Incumbent's commission expired March 9, 1920.

Dorothy Parden to be postmaster at George, Iowa, in place of Dorothy Parden. Incumbent's commission expired February 7, 1920.

Charles F. Irons to be postmaster at Garrison, Iowa, in place of C. F. Irons. Incumbent's commission expired January 27, 1920.

William H. May to be postmaster at Exira, Iowa, in place of W. H. May. Incumbent's commission expired January 5, 1920.

Gladys H. McDowell to be postmaster at Emerson, Iowa, in place of G. H. McDowell. Incumbent's commission expired January 5, 1920.

Joseph C. Palmer to be postmaster at Clear Lake, Iowa, in place of J. C. Palmer. Incumbent's commission expired January 5, 1920.

James Steele to be postmaster at Clearfield, Iowa, in place of James Steele. Incumbent's commission expired January 5, 1920.

Edgar W. Penly to be postmaster at Central City, Iowa, in place of E. W. Penly. Incumbent's commission expired February 23, 1920.

Isaac T. Street to be postmaster at Center Point, Iowa, in place of I. T. Street. Incumbent's commission expired January 5, 1920.

James B. Thompson to be postmaster at Casey, Iowa, in place of J. B. Thompson. Incumbent's commission expired March 9, 1920.

Lloyd L. Anspach to be postmaster at Bussey, Iowa, in place of L. L. Anspach. Incumbent's commission expired February 23, 1920.

John R. Herron to be postmaster at Boone, Iowa, in place of J. R. Herron. Incumbent's commission expired January 5, 1920.

Kenneth F. Baldridge to be postmaster at Bloomfield, Iowa, in place of K. F. Baldridge. Incumbent's commission expired January 17, 1920.

Frank M. Beymer to be postmaster at Avoca, Iowa, in place of F. M. Beymer. Incumbent's commission expired January 5, 1920.

William M. Bausch to be postmaster at Ashton, Iowa, in place of W. M. Bausch. Incumbent's commission expired March 9, 1920.

Lester R. Hudgel to be postmaster at Anthon, Iowa, in place of L. R. Hudgel. Incumbent's commission expired April 3, 1920.

Henry E. Button to be postmaster at Alden, Iowa, in place of H. E. Button. Incumbent's commission expired January 5, 1920.

Oscar M. Farb to be postmaster at Albert City, Iowa, in place of O. M. Farb. Incumbent's commission expired January 5, 1920.

George F. Althouse to be postmaster at Ackley, Iowa, in place of G. F. Althouse. Incumbent's commission expired January 27, 1920.

Patrick J. Grace to be postmaster at Adair, Iowa, in place of P. J. Grace. Incumbent's commission expired January 11, 1920.

George P. Martin to be postmaster at Peterson, Iowa, in place of G. P. Martin. Incumbent's commission expired January 19, 1920.

Anna B. Berry to be postmaster at Marquette (late North McGregor), Iowa, in place of A. B. Berry. Change of name of office.

Charles H. Howe to be postmaster at Janesville, Iowa, in place of C. H. Howe. Office became presidential January 1, 1920.

Calvin P. Luther to be postmaster at Guttenberg, Iowa, in place of C. P. Luther. Incumbent's commission expired January 5, 1920.

Amos Ingalls to be postmaster at Greene, Iowa, in place of Amos Ingalls. Incumbent's commission expired February 23, 1920.

Oliver S. Barber to be postmaster at Creston, Iowa, in place of O. S. Barber. Incumbent's commission expires June 29, 1920.

John W. Blake to be postmaster at Atlantic, Iowa, in place of J. W. Blake. Incumbent's commission expired March 9, 1920.

KANSAS.

Olive Green to be postmaster at Whiting, Kans. Office became presidential January 1, 1920.

Dale Stark to be postmaster at Perry, Kans. Office became presidential January 1, 1920.

Malinda L. Hoerman to be postmaster at Linn, Kans. Office became presidential January 1, 1920.

James L. Reeves to be postmaster at Gridley, Kans. Office became presidential January 1, 1920.

Ida T. Willis to be postmaster at Troy, Kans., in place of E. R. McGalliard, declined.

Vernon L. Durand to be postmaster at Hoisington, Kans., in place of J. H. Roemer, not commissioned.

Harry J. Davis to be postmaster at Elkhart, Kans., in place of T. J. Masterson. Incumbent's commission expired January 11, 1920.

William M. Stehley to be postmaster at Woodston, Kans., in place of W. M. Stehley. Incumbent's commission expired January 11, 1920.

John Q. Adams to be postmaster at Stockton, Kans., in place of J. Q. Adams. Incumbent's commission expired March 23, 1920.

George A. Pierce to be postmaster at St. Paul, Kans., in place of G. A. Pierce. Incumbent's commission expired January 11, 1920.

Richard W. Moorhead to be postmaster at Sabetha, Kans., in place of R. W. Moorhead. Incumbent's commission expired April 13, 1920.

Charles E. Van Vleck to be postmaster at Rossville, Kans., in place of C. E. Van Vleck. Incumbent's commission expired January 11, 1920.

James E. Leach to be postmaster at Randolph, Kans., in place of J. E. Leach. Incumbent's commission expired January 5, 1920.

Cecil Calvert to be postmaster at Quinter, Kans., in place of Cecil Calvert. Incumbent's commission expired January 27, 1920.

Everett G. Gillidett to be postmaster at Plains, Kans., in place of E. G. Gillidett. Incumbent's commission expired March 4, 1920.

Alexander Burgess to be postmaster at Mulvane, Kans., in place of Alexander Burgess. Incumbent's commission expired May 17, 1920.

Christina Walker to be postmaster at Moline, Kans., in place of Christina Walker. Incumbent's commission expired March 15, 1920.

Fred N. Adam to be postmaster at Longton, Kans., in place of F. N. Adam. Incumbent's commission expired March 29, 1920.

Vardie V. Goeden to be postmaster at Lakin, Kans., in place of V. V. Goeden. Incumbent's commission expired February 8, 1920.

Rodney Torrey to be postmaster at La Crosse, Kans., in place of R. Torrey. Incumbent's commission expired January 5, 1920.

Burton M. Palmer to be postmaster at Jewell, Kans., in place of B. M. Palmer. Incumbent's commission expired January 17, 1920.

Daniel G. M. Keen to be postmaster at Greenleaf, Kans., in place of D. G. M. Keen. Incumbent's commission expired February 8, 1920.

Catherine T. Butler to be postmaster at Glasco, Kans., in place of C. T. Butler. Incumbent's commission expired March 9, 1920.

William L. Ringo to be postmaster at Girard, Kans., in place of W. L. Ringo. Incumbent's commission expired January 27, 1920.

George W. Long to be postmaster at Galena, Kans., in place of G. W. Long. Incumbent's commission expired April 27, 1920.

Edward Grauerholz to be postmaster at Esbon, Kans., in place of E. Grauerholz. Incumbent's commission expired January 27, 1920.

Alexander Niernberger to be postmaster at Ellis, Kans., in place of A. Niernberger. Incumbent's commission expired January 5, 1920.

John H. Rathbun to be postmaster at Downs, Kans., in place of J. H. Rathbun. Incumbent's commission expired January 17, 1920.

Bessie Young to be postmaster at Dighton, Kans., in place of Bessie Young. Incumbent's commission expired April 3, 1920.

James D. Stevenson to be postmaster at Claflin, Kans., in place of J. D. Stevenson. Incumbent's commission expired March 9, 1920.

Timothy J. Foley to be postmaster at Chapman, Kans., in place of T. J. Foley. Incumbent's commission expired January 27, 1920.

William A. Morgan to be postmaster at Burrton, Kans., in place of W. A. Morgan. Incumbent's commission expired March 29, 1920.

George E. Bentley to be postmaster at Burr Oak, Kans., in place of G. E. Bentley. Incumbent's commission expired February 8, 1920.

Jacob H. Hostetler to be postmaster at Belleville, Kans., in place of J. H. Hostetler. Incumbent's commission expired March 9, 1920.

Bessie M. Williams to be postmaster at Belle Plaine, Kans., in place of B. M. Williams. Incumbent's commission expired March 29, 1920.

Charles L. Smith to be postmaster at Baxter Springs, Kans., in place of C. L. Smith. Incumbent's commission expired March 23, 1920.

George W. Edwards to be postmaster at Alta Vista, Kans., in place of G. W. Edwards. Incumbent's commission expired March 29, 1920.

Nell E. Bevans to be postmaster at Mulbery, Kans., in place of N. E. Bevans. Incumbent's commission expired March 9, 1920.

James P. Newman to be postmaster at Galesburg, Kans., in place of J. P. Newman. Incumbent's commission expired March 23, 1920.

Thomas A. Stevens to be postmaster at Caney, Kans., in place of T. A. Stevens. Incumbent's commission expired January 11, 1920.

KENTUCKY.

John T. Wickersham to be postmaster at Lebanon Junction, Ky. Office became presidential January 1, 1920.

Archie A. Bridwell to be postmaster at Jeffersontown, Ky. Office became presidential April 1, 1920.

James L. Chadwick to be postmaster at Vanceburg, Ky., in place of J. L. Chadwick. Incumbent's commission expired December 16, 1919.

Roland T. Huffman to be postmaster at Pikeville, Ky., in place of R. T. Huffman. Incumbent's commission expired December 17, 1919.

J. Walter Payne to be postmaster at Paris, Ky., in place of J. W. Payne. Incumbent's commission expired January 27, 1920.

Judith W. Montgomery to be postmaster at Greensburg, Ky., in place of J. W. Montgomery. Incumbent's commission expired January 17, 1920.

Garland G. Lanum to be postmaster at Fordsville, Ky., in place of G. G. Lanum. Incumbent's commission expired March 28, 1920.

Mattye L. Harris to be postmaster at Auburn, Ky., in place of M. L. Harris. Incumbent's commission expired January 11, 1920.

Cyrus M. Preston to be postmaster at Ashland, Ky., in place of C. M. Preston. Incumbent's commission expired January 11, 1920.

Tarleton C. Hobbs to be postmaster at Anchorage, Ky., in place of T. C. Hobbs. Incumbent's commission expired January 17, 1920.

William A. Dickinson to be postmaster at Trenton, Ky., in place of W. A. Dickinson. Incumbent's commission expired March 9, 1920.

Joe Ely to be postmaster at Benton, Ky., in place of Joe Ely. Incumbent's commission expired February 25, 1920.

LOUISIANA.

Emile Aubert to be postmaster at Abita Springs, La. Office became presidential April 1, 1920.

Alvyn L. Woods to be postmaster at Lutcher, La., in place of A. L. Woods. Incumbent's commission expired June 2, 1920.

Jesse A. Melton to be postmaster at Coushatta, La., in place of J. A. Melton. Incumbent's commission expired June 1, 1920.

Edith E. Steckler to be postmaster at Jeanerette, La., in place of E. L. Chaney, resigned.

Clair M. Cazayonx to be postmaster at New Roads, La., in place of Ellet B. Juvell, declined.

Floyd C. Mitchell to be postmaster at Zwolle, La., in place of F. C. Mitchell. Incumbent's commission expired January 27, 1920.

John T. Bryant to be postmaster at Monroe, La., in place of J. T. Bryant. Incumbent's commission expired January 5, 1920.

Charlton Fort to be postmaster at Minden, La., in place of Charlton Fort. Incumbent's commission expired January 27, 1920.

Susie Jones to be postmaster at Glenmora, La., in place of Susie Jones. Incumbent's commission expired March 15, 1920.

Albert Nunez to be postmaster at Arabi, La., in place of Albert Nunez. Incumbent's commission expired May 24, 1920.

Octave H. Deshotels to be postmaster at Kaplan, La., in place of O. H. Deshotels. Office became presidential April 1, 1920.

Lillian P. Witherow to be postmaster at Lake Providence, La., in place of A. J. McKee, resigned.

MAINE.

Ray L. Lisherness to be postmaster at Stratton, Me. Office became presidential January 1, 1920.

Francis L. Talbot to be postmaster at East Machias, Me., in place of S. M. Rose, resigned.

H. Clair Miller to be postmaster at Winthrop, Me., in place of H. C. Miller. Incumbent's commission expired January 5, 1920.

Rena M. Bates to be postmaster at Strong, Me., in place of R. M. Bates. Incumbent's commission expired January 11, 1920.

William K. Foster to be postmaster at South Windham, Me., in place of W. K. Foster. Incumbent's commission expired January 5, 1920.

George B. McMennamin to be postmaster at Rumford, Me., in place of G. B. McMennamin. Incumbent's commission expired March 23, 1920.

Theodore C. Haley to be postmaster at Rangeley, Me., in place of T. C. Haley. Incumbent's commission expired January 17, 1920.

Joseph W. Small to be postmaster at Northeast Harbor, Me., in place of J. W. Small. Incumbent's commission expired January 5, 1920.

Irvin H. Ellis to be postmaster at North Anson, Me., in place of I. H. Ellis. Incumbent's commission expired January 5, 1920.

Carroll N. Staples to be postmaster at Norridgewock, Me., in place of C. N. Staples. Incumbent's commission expired January 5, 1920.

Donald L. Brown to be postmaster at Milo, Me., in place of D. L. Brown. Incumbent's commission expired February 15, 1920.

John Durgan to be postmaster at Lubec, Me., in place of J. Durgan. Incumbent's commission expired January 5, 1920.

James L. Foster to be postmaster at Livermore Falls, Me., in place of J. L. Foster. Incumbent's commission expired January 17, 1920.

George H. McIntosh to be postmaster at Lisbon Falls, Me., in place of G. H. McIntosh. Incumbent's commission expired January 5, 1920.

Wilbur F. Goodwin to be postmaster at Kennebunkport, Me., in place of W. F. Goodwin. Incumbent's commission expired April 24, 1920.

John H. Cooper to be postmaster at Kennebunk, Me., in place of J. H. Cooper. Incumbent's commission expired January 5, 1920.

James T. Kneeland to be postmaster at Harrison, Me., in place of J. T. Kneeland. Incumbent's commission expired March 15, 1920.

Gertrude S. Henneberry to be postmaster at Fort Fairfield, Me., in place of G. S. Henneberry. Incumbent's commission expired April 24, 1920.

Charles H. Leland to be postmaster at Ellsworth, Me., in place of C. H. Leland. Incumbent's commission expired March 9, 1920.

Bion B. Anderson to be postmaster at Dover, Me., in place of B. B. Anderson. Incumbent's commission expired January 11, 1920.

James M. Haley to be postmaster at Cornish, Me., in place of J. M. Haley. Incumbent's commission expired March 9, 1920.

Mark P. Hamilton to be postmaster at Corinna, Me., in place of M. P. Hamilton. Incumbent's commission expired January 5, 1920.

Isaiah G. Elder to be postmaster at Brunswick, Me., in place of I. G. Elder. Incumbent's commission expired January 5, 1920.

Elwin A. Sampson to be postmaster at Brownville, Me., in place of E. A. Sampson. Incumbent's commission expired February 15, 1920.

Franklin K. Jack to be postmaster at Bowdoinham, Me., in place of F. K. Jack. Incumbent's commission expired January 17, 1920.

Henry S. Perkins to be postmaster at Boothbay Harbor, Me., in place of H. S. Perkins. Incumbent's commission expired January 5, 1920.

George H. Williams to be postmaster at Alfred, Me., in place of G. H. Williams. Incumbent's commission expired February 15, 1920.

MARYLAND.

William T. McPherson to be postmaster at La Plata, Md., in place of J. V. Padgett, jr., resigned.

Wilmer L. Barnes to be postmaster at Bel Air, Md., in place of William W. Hopkins, resigned.

Oscar S. Barrick to be postmaster at Woodsboro, Md., in place of O. S. Barrick. Incumbent's commission expired January 18, 1920.

Frank J. Shriner to be postmaster at Union Bridge, Md., in place of F. J. Shriner. Incumbent's commission expired February 25, 1920.

John B. Sweeney to be postmaster at Hagerstown, Md., in place of J. B. Sweeney. Incumbent's commission expired February 3, 1920.

Rose C. Foreman to be postmaster at Emmitsburg, Md., in place of R. C. Foreman. Incumbent's commission expired March 20, 1920.

MASSACHUSETTS.

Nancy S. Harley to be postmaster at South Hanson, Mass. Office became presidential January 1, 1920.

Arthur J. Coughlan to be postmaster at Maynard, Mass., in place of A. J. Coughlan. Incumbent's commission expired January 25, 1920.

Charles W. Swift to be postmaster at Yarmouth Port, Mass., in place of C. W. Swift. Incumbent's commission expired May 17, 1920.

Martin Ratigan to be postmaster at Whitman, Mass., in place of Martin Ratigan. Incumbent's commission expired January 24, 1920.

John P. McKay to be postmaster at Wellfleet, Mass., in place of J. P. McKay. Incumbent's commission expired February 11, 1920.

Stephen C. Luce to be postmaster at Vineyard Haven, Mass., in place of S. C. Luce. Incumbent's commission expired January 18, 1920.

Charles T. Farrell to be postmaster at Stoughton, Mass., in place of C. T. Farrell. Incumbent's commission expired January 18, 1920.

Joseph L. McGrath to be postmaster at Sharon, Mass., in place of J. L. McGrath. Incumbent's commission expired February 15, 1920.

John Adams to be postmaster at Provincetown, Mass., in place of John Adams. Incumbent's commission expired January 26, 1920.

John P. O'Connor to be postmaster at Palmer, Mass., in place of J. P. O'Connor. Incumbent's commission expired January 25, 1920.

Thomas F. Meehan to be postmaster at Orange, Mass., in place of T. F. Meehan. Incumbent's commission expired January 25, 1920.

William W. McLehose to be postmaster at Norton, Mass., in place of W. W. McLehose. Incumbent's commission expired January 25, 1920.

Perry F. Brown to be postmaster at Northampton, Mass., in place of P. F. Brown. Incumbent's commission expired January 25, 1920.

John F. Williams to be postmaster at Marblehead, Mass., in place of J. F. Williams. Incumbent's commission expired January 5, 1920.

John A. Bell to be postmaster at Leicester, Mass., in place of J. A. Bell. Incumbent's commission expired January 25, 1920.

James J. Murtaugh to be postmaster at Hopkinton, Mass., in place of J. J. Murtaugh. Incumbent's commission expired February 11, 1920.

Edmund Daly to be postmaster at Hingham, Mass., in place of E. Daly. Incumbent's commission expired January 25, 1920.

James E. Sullivan to be postmaster at Gilbertville, Mass., in place of J. E. Sullivan. Incumbent's commission expired January 25, 1920.

James H. Hoar to be postmaster at Fall River, Mass., in place of J. H. Hoar. Incumbent's commission expired January 18, 1920.

William M. Allen to be postmaster at Fairhaven, Mass., in place of W. M. Allen. Incumbent's commission expired February 3, 1920.

J. William Byron to be postmaster at Concord, Mass., in place of J. W. Byron. Incumbent's commission expired February 11, 1920.

Joseph F. Murrman to be postmaster at Clinton, Mass., in place of J. F. Murrman. Incumbent's commission expired January 25, 1920.

William P. Lovejoy to be postmaster at Barnstable, Mass., in place of W. P. Lovejoy. Incumbent's commission expired April 17, 1920.

MICHIGAN.

Andrew H. Campbell to be postmaster at Mattawan, Mich. Office became presidential January 1, 1920.

Edwin L. Groger to be postmaster at Concord, Mich. Office became presidential January 1, 1920.

Fred Gibbs to be postmaster at White Cloud, Mich., in place of F. Gibbs. Incumbent's commission expired January 6, 1920.

Emanuel Wilhelm to be postmaster at Traverse City, Mich., in place of E. Wilhelm. Incumbent's commission expired January 6, 1920.

Charles L. Bennett to be postmaster at Thompsonville, Mich., in place of C. L. Bennett. Incumbent's commission expired January 6, 1920.

Paul D. Palmer to be postmaster at Sunfield, Mich., in place of P. D. Palmer. Incumbent's commission expired January 14, 1920.

Evert S. Dyckman to be postmaster at South Haven, Mich., in place of E. S. Dyckman. Incumbent's commission expired April 24, 1920.

Harry M. Royal to be postmaster at Shelby, Mich., in place of H. M. Royal. Incumbent's commission expired March 20, 1920.

Charles Powers to be postmaster at Saugatuck, Mich., in place of C. Powers. Incumbent's commission expired January 18, 1920.

Riley L. Compton to be postmaster at Rockford, Mich., in place of R. L. Compton. Incumbent's commission expired February 7, 1920.

Alva McCarty to be postmaster at Oxford, Mich., in place of A. McCarty. Incumbent's commission expired March 22, 1920.

William G. White to be postmaster at Ovid, Mich., in place of W. G. White. Incumbent's commission expired March 20, 1920.

James A. Hull to be postmaster at Oscoda, Mich., in place of J. A. Hull. Incumbent's commission expired March 23, 1920.

Thomas Maveety to be postmaster at Olivet, Mich., in place of T. Maveety. Incumbent's commission expired February 25, 1920.

Patrick F. Heenan to be postmaster at North Branch, Mich., in place of P. F. Heenan. Incumbent's commission expired February 25, 1920.

Frederick W. Richter to be postmaster at Niles, Mich., in place of F. W. Richter. Incumbent's commission expired January 6, 1920.

Elmer Bremer to be postmaster at Montgomery, Mich., in place of E. Bremer. Incumbent's commission expired January 18, 1920.

Charles Hunter to be postmaster at Marlette, Mich., in place of C. Hunter. Incumbent's commission expired January 6, 1920.

Samuel Folz to be postmaster at Kalamazoo, Mich., in place of S. Folz. Incumbent's commission expired April 19, 1920.

George M. Hubbard to be postmaster at Hudsonville, Mich., in place of G. M. Hubbard. Incumbent's commission expired January 18, 1920.

Patrick J. Scanlan to be postmaster at Hubbell, Mich., in place of P. J. Scanlan. Incumbent's commission expired March 22, 1920.

William O. Van Eyck to be postmaster at Holland, Mich., in place of W. O. Van Eyck. Incumbent's commission expired March 20, 1920.

Fred J. O'Melay to be postmaster at Hillsdale, Mich., in place of F. J. O'Melay. Incumbent's commission expired March 20, 1920.

Archie D. Himebaugh to be postmaster at Hesperia, Mich., in place of A. D. Himebaugh. Incumbent's commission expired January 6, 1920.

William H. Blashfield to be postmaster at Hartford, Mich., in place of W. H. Blashfield. Incumbent's commission expired March 20, 1920.

Harold Murphy to be postmaster at Harbor Beach, Mich., in place of H. Murphy. Incumbent's commission expired May 6, 1920.

Edward J. Marrinane to be postmaster at Grass Lake, Mich., in place of E. J. Marrinane. Incumbent's commission expired January 18, 1920.

Willa A. Flinn to be postmaster at Whitehall, Mich., in place of James L. Klett, deceased.

Albert Steinen to be postmaster at Painesdale, Mich., in place of Daniel A. Lacrosse, resigned.

Edward D. Ahearn to be postmaster at Kinde, Mich., in place of John B. Ahearn, declined.

Myron B. Gallagher to be postmaster at Byron, Mich., in place of Floyd W. Downing, deceased.

Robert E. Vickers to be postmaster at Gobleville, Mich., in place of R. E. Vickers. Incumbent's commission expired March 7, 1920.

Helen A. Collier to be postmaster at Gaylord, Mich., in place of H. A. Collier. Incumbent's commission expired January 6, 1920.

John O'Meara to be postmaster at Escanaba, Mich., in place of John O'Meara. Incumbent's commission expired January 6, 1920.

Harry F. Brainard to be postmaster at Elsie, Mich., in place of H. F. Brainard. Incumbent's commission expired March 7, 1920.

Alfred F. Skarritt to be postmaster at Edmore, Mich., in place of A. F. Skarritt. Incumbent's commission expired January 6, 1920.

William L. Ferry to be postmaster at Eau Claire, Mich., in place of W. L. Ferry. Incumbent's commission expired January 14, 1920.

David R. Brown to be postmaster at Deckerville, Mich., in place of D. R. Brown. Incumbent's commission expired January 6, 1920.

Thomas T. Fralick to be postmaster at Copemish, Mich., in place of T. T. Fralick. Incumbent's commission expired January 14, 1920.

Jerry S. Walling to be postmaster at Coopersville, Mich., in place of J. S. Walling. Incumbent's commission expired February 7, 1920.

Frank D. McCaren to be postmaster at Carsonville, Mich., in place of F. D. McCaren. Incumbent's commission expired January 6, 1920.

Nathan C. Thomas to be postmaster at Caledonia, Mich., in place of N. C. Thomas. Incumbent's commission expired January 14, 1920.

Clio S. Case to be postmaster at Brighton, Mich., in place of C. S. Case. Incumbent's commission expired January 20, 1920.

Miles L. Hadsall to be postmaster at Birch Run, Mich., in place of M. L. Hadsall. Incumbent's commission expired April 24, 1920.

William P. Nisbett to be postmaster at Big Rapids, Mich., in place of W. P. Nisbett. Incumbent's commission expired May 6, 1920.

Arthur E. Dann to be postmaster at Beaverton, Mich., in place of A. E. Dann. Incumbent's commission expired March 22, 1920.

Ephraim S. Reist to be postmaster at Ashley, Mich., in place of E. S. Reist. Incumbent's commission expired March 7, 1920.

Roy P. Hallock to be postmaster at Almont, Mich., in place of R. P. Hallock. Incumbent's commission expired January 6, 1920.

Charles H. Hudkins to be postmaster at East Jordan, Mich., in place of C. H. Hudkins. Incumbent's commission expired January 6, 1920.

James Cotter to be postmaster at Auburn, Mich., in place of James Cotter. Office became presidential January 1, 1920.

MINNESOTA.

Emily E. McGrath to be postmaster at Kinney, Minn. Office became presidential April 1, 1920.

Elizabeth T. Uvaas to be postmaster at Kensington, Minn. Office became presidential April 1, 1920.

John R. Norgren to be postmaster at Foreston, Minn. Office became presidential January 1, 1920.

Frederick S. Purdy to be postmaster at Russell, Minn. Office became presidential January 1, 1920.

Steve Blanchett to be postmaster at Marshall, Minn., in place of Steve Blanchett. Incumbent's commission expired January 6, 1920.

Charles E. Wise to be postmaster at Mankato, Minn., in place of C. E. Wise. Incumbent's commission expired January 6, 1920.

John O. Backman to be postmaster at Mabel, Minn., in place of J. O. Backman. Incumbent's commission expired January 6, 1920.

John N. Gayner to be postmaster at Litchfield, Minn., in place of J. N. Gayner. Incumbent's commission expired January 6, 1920.

James M. Benson to be postmaster at Lindstrom, Minn., in place of J. M. Benson. Incumbent's commission expired May 6, 1920.

George A. Boyd to be postmaster at Le Roy, Minn., in place of G. A. Boyd. Incumbent's commission expired January 6, 1920.

James Lynch to be postmaster at Lanesboro, Minn., in place of James Lynch. Incumbent's commission expired February 25, 1920.

Alice L. Eriksen to be postmaster at Lakefield, Minn., in place of A. L. Eriksen. Incumbent's commission expired January 6, 1920.

Ora M. Goodfellow to be postmaster at Kenyon, Minn., in place of O. M. Goodfellow. Incumbent's commission expired January 6, 1920.

Alphonso B. Kobe to be postmaster at Kelliher, Minn., in place of A. B. Kobe. Incumbent's commission expired January 6, 1920.

Nels J. Enquist to be postmaster at Isanti, Minn., in place of N. J. Enquist. Incumbent's commission expired April 26, 1920.

Jerry Sullivan to be postmaster at Heron Lake, Minn., in place of Jerry Sullivan. Incumbent's commission expired January 6, 1920.

Frederick F. Achatz to be postmaster at Harmony, Minn., in place of F. F. Achatz. Incumbent's commission expired January 6, 1920.

Edward C. Feely to be postmaster at Farmington, Minn., in place of E. C. Feely. Incumbent's commission expired January 6, 1920.

John M. Brown to be postmaster at Ely, Minn., in place of J. M. Brown. Incumbent's commission expired January 6, 1920.

Frank L. Frye to be postmaster at Elk River, Minn., in place of F. L. Frye. Incumbent's commission expired February 25, 1920.

John Engebretson to be postmaster at Elbow Lake, Minn., in place of John Angebretson. Incumbent's commission expired May 25, 1920.

Henry J. Bock to be postmaster at Delano, Minn., in place of H. J. Bock. Incumbent's commission expired February 7, 1920.

Denis E. Murphy to be postmaster at Dassel, Minn., in place of D. E. Murphy. Incumbent's commission expired January 6, 1920.

Ernest A. Schilling to be postmaster at Cottonwood, Minn., in place of E. A. Schilling. Incumbent's commission expired January 6, 1920.

Ignatius Kremer to be postmaster at Cold Spring, Minn., in place of Ignatius Kremer. Incumbent's commission expired January 5, 1920.

Arthur M. Loberg to be postmaster at Cokato, Minn., in place of A. M. Loberg. Incumbent's commission expired May 16, 1920.

Mary E. Demel to be postmaster at Buhl, Minn., in place of M. E. Demel. Incumbent's commission expired January 6, 1920.

Ernest W. Rebstock to be postmaster at Buffalo Lake, Minn., in place of E. W. Rebstock. Incumbent's commission expired February 25, 1920.

Lambert Irsfeld to be postmaster at Browerville, Minn, in place of Lambert Irsfeld. Incumbent's commission expired January 6, 1920.

Edward H. Herbert to be postmaster at Bricelyn, Minn., in place of E. H. Herbert. Incumbent's commission expired January 6, 1920.

Paul J. Johnson to be postmaster at Boyd, Minn., in place of P. J. Johnson. Incumbent's commission expired February 7, 1920.

John K. Jasper to be postmaster at Bovey, Minn., in place of J. K. Jasper. Incumbent's commission expired January 6, 1920.

William E. Lawson to be postmaster at Benson, Minn., in place of W. E. Lawson. Incumbent's commission expired May 16, 1920.

William J. Murphy to be postmaster at Blue Earth, Minn., in place of W. J. Murphy. Incumbent's commission expired January 6, 1920.

Alexander J. Irwin to be postmaster at Belleplaine, Minn., in place of A. J. Irwin. Incumbent's commission expired January 6, 1920.

Walter C. Galbraith to be postmaster at Balaton, Minn., in place of W. C. Galbraith. Incumbent's commission expired February 7, 1920.

Oliver Erickson to be postmaster at Atwater, Minn., in place of O. Erickson. Incumbent's commission expired January 6, 1920.

Ennis N. Brandon to be postmaster at Annandale, Minn., in place of E. N. Brandon. Incumbent's commission expired January 6, 1920.

Carlyle H. Day to be postmaster at Albert Lea, Minn., in place of C. H. Day. Incumbent's commission expired March 4, 1920.

Charles E. Gravel to be postmaster at Pierz, Minn., in place of C. E. Gravel. Incumbent's commission expired January 6, 1920.

Francis T. O'Gorman to be postmaster at Goodhue, Minn., in place of F. T. O'Gorman. Incumbent's commission expired March 15, 1920.

John Kasper to be postmaster at Faribault, Minn., in place of John Kasper. Incumbent's commission expired January 20, 1920.

James H. Pelham to be postmaster at Menahga, Minn., in place of J. H. Pelham. Incumbent's commission expired February 7, 1920.

Fred Gay to be postmaster at Moose Lake, Minn., in place of Fred Gay. Incumbent's commission expired March 31, 1920.

Ward J. Struble to be postmaster at Mora, Minn., in place of W. J. Struble. Incumbent's commission expired April 19, 1920.

Peter W. Gorrie to be postmaster at Morristown, Minn., in place of P. W. Gorrie. Incumbent's commission expired April 19, 1920.

Mary A. Mogren to be postmaster at Ortonville, Minn., in place of M. A. Mogren. Incumbent's commission expired January 5, 1920.

Sidney D. Wilcox to be postmaster at Park Rapids, Minn., in place of S. D. Wilcox. Incumbent's commission expired January 6, 1920.

William A. Huntington to be postmaster at Paynesville, Minn., in place of W. A. Huntington. Incumbent's commission expired March 22, 1920.

Louis C. Stromberg to be postmaster at Red Wing, Minn., in place of L. C. Stromberg. Incumbent's commission expired January 6, 1920.

Henry J. Essler to be postmaster at St. Peter, Minn., in place of H. J. Essler. Incumbent's commission expired May 6, 1920.

Joseph A. Schoenhoff to be postmaster at Sauk Center, Minn., in place of J. A. Schoenhoff. Incumbent's commission expired February 7, 1920.

Sadie A. Lane to be postmaster at Sherburn, Minn., in place of S. A. Lane. Incumbent's commission expired January 5, 1920.

Richard F. Lamb to be postmaster at Slayton, Minn., in place of R. F. Lamb. Incumbent's commission expired January 6, 1920.

William R. Hodges to be postmaster at Sleepy Eye, Minn., in place of W. R. Hodges. Incumbent's commission expired February 25, 1920.

Bennie H. Holte to be postmaster at Starbuck, Minn., in place of B. H. Holte. Incumbent's commission expired January 5, 1920.

Joseph J. Meighen to be postmaster at Twin Valley, Minn., in place of J. J. Meighen. Incumbent's commission expired January 6, 1920.

Jessie J. W. Hogue to be postmaster at Tyler, Minn., in place of J. J. W. Hogue. Incumbent's commission expired January 20, 1920.

George A. Phelps to be postmaster at Walker, Minn., in place of G. A. Phelps. Incumbent's commission expired January 6, 1920.

Fred T. Moody to be postmaster at Warroad, Minn., in place of F. T. Moody. Incumbent's commission expired January 5, 1920.

John A. Timpane to be postmaster at Waterville, Minn., in place of J. A. Timpane. Incumbent's commission expired January 28, 1920.

Otto P. Miller to be postmaster at Welcome, Minn., in place of O. P. Miller. Incumbent's commission expired February 25, 1920.

Frank M. Clark to be postmaster at Wells, Minn., in place of F. M. Clark. Incumbent's commission expired February 7, 1920.

George E. Le Tourneau to be postmaster at Windom, Minn., in place of G. E. Le Tourneau. Incumbent's commission expired January 6, 1920.

Michael H. Baskfield to be postmaster at Zumbrota, Minn., in place of M. H. Baskfield. Incumbent's commission expired May 6, 1920.

MISSISSIPPI.

William C. Tyler to be postmaster at Duck Hill, Miss. Office became presidential April 1, 1920.

Andrew V. Lamar to be postmaster at Vardaman, Miss. Office became presidential January 1, 1920.

Hubert R. Tatum to be postmaster at Merigold, Miss., in place of Harry B. Brooks, resigned.

Walter W. Holmes to be postmaster at McComb, Miss., in place of William W. Robertson, deceased.

Mary F. Johnston to be postmaster at Friar Point, Miss., in place of Daisy M. Fisher, resigned.

James H. Crawford to be postmaster at Tylertown, Miss., in place of J. H. Crawford. Incumbent's commission expired January 11, 1920.

John A. Smallwood to be postmaster at Ripley, Miss., in place of J. A. Smallwood. Incumbent's commission expired April 17, 1920.

Tamora C. Epperson to be postmaster at Raymond, Miss., in place of T. C. Epperson. Incumbent's commission expired February 17, 1920.

William T. Smith to be postmaster at New Albany, Miss., in place of W. T. Smith. Incumbent's commission expired February 15, 1920.

Coke B. Wier to be postmaster at Quitman, Miss., in place of C. B. Wier. Incumbent's commission expired January 27, 1920.

Robert W. Magruder to be postmaster at Port Gibson, Miss., in place of R. W. Magruder. Incumbent's commission expired March 9, 1920.

Thaddeus C. Barrier to be postmaster at Philadelphia, Miss., in place of T. C. Barrier. Incumbent's commission expired February 17, 1920.

Thirza I. Clarke to be postmaster at Marks, Miss., in place of T. I. Clarke. Incumbent's commission expired March 24, 1920.

Hugh M. Drane to be postmaster at McCool, Miss., in place of H. M. Drane. Incumbent's commission expired January 11, 1920.

Robert B. Waldrop to be postmaster at Houston, Miss., in place of R. B. Waldrop. Incumbent's commission expired January 11, 1920.

Jefferson D. Fogg to be postmaster at Hernando, Miss., in place of J. D. Fogg. Incumbent's commission expired April 27, 1920.

Malcolm S. Graham to be postmaster at Forest, Miss., in place of M. S. Graham. Incumbent's commission expired May 15, 1920.

Tommie A. Hamill to be postmaster at Sturgis, Miss., in place of T. A. Hamill. Office became presidential April 1, 1920.

James L. Cooper to be postmaster at Maben, Miss., in place of J. L. Cooper. Office became presidential April 1, 1920.

Cornelius T. Sweatt to be postmaster at Ethel, Miss., in place of C. T. Sweatt. Incumbent's commission expired January 1, 1920.

Will N. Guyton to be postmaster at Blue Mountain, Miss., in place of W. N. Guyton. Incumbent's commission expired April 20, 1920.

Emma L. Whyte to be postmaster at Bond, Miss., in place of E. L. Whyte. Incumbent's commission expired January 17, 1920.

George S. Neal to be postmaster at Clinton, Miss., in place of G. S. Neal. Incumbent's commission expired January 5, 1920.

Benjamin F. Hill to be postmaster at Canton, Miss., in place of B. F. Hill. Incumbent's commission expired February 17, 1920.

Harry L. Callicott to be postmaster at Coldwater, Miss., in place of H. L. Callicott. Incumbent's commission expired May 15, 1920.

Mary L. Yatum to be postmaster at Edwards, Miss., in place of Mary E. Luster. Name changed by marriage.

Bennett A. Truly to be postmaster at Fayette, Miss., in place of B. A. Truly. Incumbent's commission expired May 15, 1920.

MISSOURI.

Delaus J. Buford to be postmaster at Rutledge, Mo. Office became presidential January 1, 1920.

Fleety Palmer to be postmaster at Jonesburg, Mo. Office became presidential January 1, 1920.

Violet C. Van Horn to be postmaster at Jerico Springs, Mo. Office became presidential January 1, 1920.

Isaac P. Hopkins to be postmaster at Edgerton, Mo., in place of E. L. Morrison, resigned. Office became presidential January 1, 1920.

William Vogel to be postmaster at De Soto, Mo., in place of W. L. Smith, resigned.

Frances F. Hulett to be postmaster at Sturgeon, Mo., in place of Thomas F. Benson, deceased.

Harry N. Smith to be postmaster at Eldorado Springs, Mo., in place of John S. Smith, deceased.

William L. Peoples to be postmaster at Shelbyville, Mo., in place of W. L. Peoples. Incumbent's commission expired January 19, 1920.

Joseph K. Joiner to be postmaster at Richmond, Mo., in place of J. K. Joiner. Incumbent's commission expired April 26, 1920.

William M. Brown to be postmaster at Polo, Mo., in place of W. M. Brown. Incumbent's commission expired April 3, 1920.

Bristol French to be postmaster at Piedmont, Mo., in place of B. French. Incumbent's commission expired January 19, 1920.

William T. Murphy to be postmaster at Parma, Mo., in place of W. T. Murphy. Incumbent's commission expired January 19, 1920.

Cris Ogden to be postmaster at Oronogo, Mo., in place of C. Ogden. Incumbent's commission expired February 15, 1920.

Leonidas P. Driskill to be postmaster at Oran, Mo., in place of L. P. Driskill. Incumbent's commission expired January 5, 1920.

Thomas P. Diggs to be postmaster at New Haven, Mo., in place of T. P. Diggs. Incumbent's commission expired January 27, 1920.

Zachariah T. Casebolt to be postmaster at Miami, Mo., in place of Z. T. Casebolt. Incumbent's commission expired January 19, 1920.

Clyde G. Eubank to be postmaster at Madison, Mo., in place of C. G. Eubank. Incumbent's commission expired April 10, 1920.

Oliver P. Gentry to be postmaster at Liberty, Mo., in place of O. P. Gentry. Incumbent's commission expired May 10, 1920.

Thomas E. Heatherly to be postmaster at La Grange, Mo., in place of T. E. Heatherly. Incumbent's commission expired March 15, 1920.

Baylis Steele to be postmaster at Kansas City, Mo., in place of B. Steele. Incumbent's commission expired March 29, 1920

William B. Ellis to be postmaster at Elsberry, Mo., in place of W. B. Ellis. Incumbent's commission expired January 19, 1920.

Carrie E. McCandless to be postmaster at Downing, Mo., in place of C. E. McCandless. Incumbent's commission expired March 9, 1920.

James E. Harris to be postmaster at Conway, Mo., in place of J. E. Harris. Incumbent's commission expired January 19, 1920.

Joseph A. Voelker to be postmaster at Clyde, Mo., in place of J. A. Voelker. Incumbent's commission expired March 23, 1920.

James S. Divelbiss to be postmaster at Braymer, Mo., in place of J. S. Divelbiss. Incumbent's commission expired March 31, 1920.

William A. Roberts to be postmaster at Belton, Mo., in place of W. A. Roberts. Incumbent's commission expired January 5, 1920.

Collins J. Johnson to be postmaster at Palmyra, Mo., in place of C. J. Johnson. Incumbent's commission expired March 23, 1920.

John C. Frazier to be postmaster at North Kansas City, Mo., in place of J. C. Frazier. Incumbent's commission expired June 23, 1920.

Peter McKee to be postmaster at Knox City, Mo., in place of Peter McKee. Incumbent's commission expired March 9, 1920.

William P. Spillman to be postmaster at Grant City, Mo., in place of W. P. Spillman. Incumbent's commission expired March 9, 1920.

MONTANA.

Bernelda A. Miller to be postmaster at Terry, Mont., in place of M. W. Shaw, removed.

Charles E. Mullikin to be postmaster at Hingham, Mont., in place of John Budge, removed.

John P. Heaton to be postmaster at Dodson, Mont., in place Chauncey W. Griffin, resigned.

John C. Tipton to be postmaster at White Sulphur Springs, Mont., in place of J. C. Tipton. Incumbent's commission expired January 5, 1920.

Joseph A. Lemire to be postmaster at Ronan, Mont., in place of J. A. Lemire. Incumbent's commission expired January 5, 1920.

Maurice J. Keenan to be postmaster at Hobson, Mont., in place of M. J. Keenan. Incumbent's commission expired April 19, 1920.

Carl E. Bowman to be postmaster at Hardin, Mont., in place of C. E. Bowman. Incumbent's commission expired March 15, 1920.

Fred B. Hedge to be postmaster at Grassrange, Mont., in place of F. B. Hedge. Incumbent's commission expired January 5, 1920.

Frank K. Hollenbeck to be postmaster at Forsyth, Mont., in place of F. K. Hollenbeck. Incumbent's commission expired January 11, 1920.

Thomas Dowen to be postmaster at Chinook, Mont., in place of Thomas Dowen. Incumbent's commission expired March 6, 1920.

Philip B. C. Goodwin to be postmaster at Butte, Mont., in place of P. B. C. Goodwin. Incumbent's commission expired January 14, 1920.

Alban C. Sipe to be postmaster at Broadview, Mont., in place of A. C. Sipe. Incumbent's commission expired March 29, 1920.

NEBRASKA.

Garrett H. Lorenz to be postmaster at Ashton, Nebr. Office became presidential January 1, 1920.

Loren W. Harper to be postmaster at Allen, Nebr., in place of I. P. Foreman, resigned.

Edwin C. Pickett to be postmaster at Mullen, Nebr., in place of Joseph J. Hulan, resigned.

Ethel Chubb to be postmaster at Haigler, Nebr., in place of Ambrose E. Sherwod, resigned.

Owen T. Thompson to be postmaster at Farnam, Nebr., in place of J. M. Liggitt, resigned.

Charles F. Gilbert to be postmaster at York, Nebr., in place of C. F. Gilbert. Incumbent's commission expired January 5, 1920.

David D. O'Kane to be postmaster at Wood River, Nebr., in place of D. D. O'Kane. Incumbent's commission expired January 5, 1920.

Carl P. Lundgren to be postmaster at Wausa, Nebr., in place of C. P. Lundgren. Incumbent's commission expired January 11, 1920.

Ernest J. Kaltenborn to be postmaster at Waco, Nebr., in place of E. J. Kaltenborn. Incumbent's commission expired January 5, 1920.

Carl Carlson to be postmaster at Valparaiso, Nebr., in place of Carl Carlson. Incumbent's commission expired January 5, 1920.

William D. Day to be postmaster at Ulysses, Nebr., in place of W. D. Day. Incumbent's commission expired January 5, 1920.

Anthony R. Kovanda to be postmaster at Table Rock, Nebr., in place of A. R. Kovanda. Incumbent's commission expired February 23, 1920.

Emmor C. Ratcliff to be postmaster at Stratton, Nebr., in place of E. C. Ratcliff. Incumbent's commission expired January 11, 1920.

George M. Sandusky to be postmaster at Sterling, Nebr., in place of G. M. Sandusky. Incumbent's commission expired January 5, 1920.

Otto S. Larson to be postmaster at Shickley, Nebr., in place of O. S. Larson. Incumbent's commission expired January 5, 1920.

Anton B. Helms to be postmaster at Randolph, Nebr., in place of A. B. Helms. Incumbent's commission expired January 5, 1920.

Thomas O. Norman to be postmaster at Oxford, Nebr., in place of T. O. Norman. Incumbent's commission expired January 11, 1920.

Michael H. McCarthy to be postmaster at O'Neill, Nebr., in place of M. H. McCarthy. Incumbent's commission expired January 5, 1920.

Oscar E. Swanson to be postmaster at Cakland, Nebr., in place of O. E. Swanson. Incumbent's commission expired January 5, 1920.

Grover C. Hoback to be postmaster at Nehawka, Nebr., in place of G. C. Hoback. Incumbent's commission expired February 3, 1920.

William C. Rusmisell to be postmaster at Mason City, Nebr., in place of W. C. Rusmisell. Incumbent's commission expired January 5, 1920.

James R. Durrie to be postmaster at Laurel, Nebr., in place of J. R. Durrie. Incumbent's commission expired April 13, 1920.

Orla C. Lamb to be postmaster at Guide Rock, Nebr., in place of O. C. Lamb. Incumbent's commission expired January 17, 1920.

Samuel A. Tobey to be postmaster at Gresham, Nebr., in place of S. A. Tobey. Incumbent's commission expired January 5, 1920.

Henry P. Wilson to be postmaster at Geneva, Nebr., in place of H. P. Wilson. Incumbent's commission expired February 3, 1920.

John Wilson to be postmaster at Franklin, Nebr., in place of John Wilson. Incumbent's commission expired January 11, 1920.

Daniel Kavanaugh to be postmaster at Fairbury, Nebr., in place of Daniel Kavanaugh. Incumbent's commission expired January 5, 1920.

William A. Nyrop to be postmaster at Elgin, Nebr., in place of W. A. Nyrop. Incumbent's commission expired February 7, 1920.

George W. Nicholas to be postmaster at De Witt, Nebr., in place of G. W. Nicholas. Incumbent's commission expired January 5, 1920.

Thomas J. Hinds to be postmaster at David City, Nebr., in place of T. J. Hinds. Incumbent's commission expired January 5, 1920.

James M. Crews to be postmaster at Culbertson, Nebr., in place of J. M. Crews. Incumbent's commission expired January 11, 1920.

Louis H. Deaver to be postmaster at Cody, Nebr., in place of L. H. Deaver. Incumbent's commission expired February 3, 1920.

Charles A. Payne to be postmaster at Clearwater, Nebr., in place of C. A. Payne. Incumbent's commission expired January 5, 1920.

Francis A. Thompson to be postmaster at Clay Center, Nebr., in place of F. A. Thompson. Incumbent's commission expired January 20, 1920.

Benjamin A. Brewster to be postmaster at Chadron, Nebr., in place of B. A. Brewster. Incumbent's commission expired March 23, 1920.

William F. Nick to be postmaster at Cedar Bluffs, Nebr., in place of W. F. Nick. Incumbent's commission expired January 5, 1920.

John W. Henthorn to be postmaster at Blue Springs, Nebr., in place of J. W. Henthorn. Incumbent's commission expired March 9, 1920.

Thomas J. Lane to be postmaster at Bloomington, Nebr., in place of T. J. Lane. Incumbent's commission expired January 5, 1920.

Calvin A. Demarest to be postmaster at Bethany, Nebr., in place of C. L. Demarest. Incumbent's commission expired May 15, 1920.

Harry A. Crosby to be postmaster at Beemer, Nebr., in place of H. A. Crosby. Incumbent's commission expired January 11, 1920.

Xander Y. Zuhlke to be postmaster at Bancroft, Nebr., in place of X. Y. Zuhlke. Incumbent's commission expired January 5, 1920.

John H. Grosvenor to be postmaster at Aurora, Nebr., in place of J. H. Grosvenor. Incumbent's commission expired March 9, 1920.

William S. Morgan to be postmaster at Atkinson, Nebr., in place of W. S. Morgan. Incumbent's commission expired January 11, 1920.

William C. Rosecrans to be postmaster at Ashland, Nebr., in place of W. C. Rosecrans. Incumbent's commission expired January 11, 1920.

James C. Badger to be postmaster at Arlington, Nebr., in place of J. C. Badger. Incumbent's commission expired January 5, 1920.

Melvin A. Brinegar to be postmaster at Alexandria, Nebr., in place of M. A. Brinegar. Incumbent's commission expired January 11, 1920.

Martin G. Doering to be postmaster at Battle Creek, Nebr., in place of M. G. Doering. Incumbent's commission expired January 5, 1920.

Patrick J. Melia to be postmaster at Gretna, Nebr., in place of P. J. Melia. Incumbent's commission expired January 11, 1920.

John J. McCarthy to be postmaster at Ogallala, Nebr., in place of J. J. McCarthy. Incumbent's commission expired January 5, 1920.

NEVADA.

Mildred Robison to be postmaster at Overton, Nev. Office became presidential January 1, 1920.

Merritt A. Macfarlane to be postmaster at Winnemucca, Nev., in place of M. A. Macfarlane. Incumbent's commission expired April 24, 1920.

James J. McQuillan to be postmaster at Tonopah, Nev., in place of J. J. McQuillan. Incumbent's commission expired January 17, 1920.

George W. Likes to be postmaster at Fallon, Nev., in place of G. W. Likes. Incumbent's commission expired January 17, 1920.

Etna M. George to be postmaster at Battle Mountain, Nev., in place of E. M. George. Incumbent's commission expired January 17, 1920.

Michael E. Nevin to be postmaster at Virginia City, Nev., in place of M. E. Nevin. Incumbent's commission expired June 27, 1920.

NEW HAMPSHIRE.

Edward S. Perkins to be postmaster at Sunapee, N. H., in place of E. S. Perkins. Incumbent's commission expired January 17, 1920.

John A. Willey to be postmaster at Sanbornville, N. H., in place of J. A. Willey. Incumbent's commission expired January 14, 1920.

Gardner Grant to be postmaster at Salmon Falls, N. H., in place of G. Grant. Incumbent's commission expired January 5, 1920.

Philip W. Sherburne to be postmaster at Pittsfield, N. H., in place of P. W. Sherburne. Incumbent's commission expired January 14, 1920.

George F. Sanborn to be postmaster at Meredith, N. H., in place of G. F. Sanborn. Incumbent's commission expired January 5, 1920.

Duncan P. Noyes to be postmaster at Henniger, N. H., in place of D. P. Noyes. Incumbent's commission expired January 5, 1920.

Elmer T. Ford to be postmaster at Hanover, N. H., in place of E. T. Ford. Incumbent's commission expired May 17, 1920.

Samuel Runlett to be postmaster at Durham, N. H., in place of Samuel Runlett. Incumbent's commission expired January 17, 1920.

George H. Sherry to be postmaster at Dover, N. H., in place of G. H. Sherry. Incumbent's commission expired January 5, 1920.

Frank L. Marston to be postmaster at Conway, N. H., in place of F. L. Marston. Incumbent's commission expired May 17, 1920.

Edwin M. Allen to be postmaster at Canaan, N. H., in place of E. M. Allen. Incumbent's commission expired January 5, 1920.

Joseph Warren to be postmaster at Rochester, N. H., in place of Joseph Warren. Incumbent's commission expired January 17, 1920.

NEW JERSEY.

Hiram H. Shepherd to be postmaster at South Boundbrook, N. J. Office became presidential January 1, 1920.

James F. Gleason to be postmaster at Harrington, N. J. Office became presidential January 1, 1920.

Anna G. Rockhill to be postmaster at Columbus, N. J. Office became presidential April 1, 1920.

Richard M. Crawford to be postmaster at Westville, N. J., in place of R. M. Crawford. Incumbent's commission expired May 17, 1920.

Joseph E. Charles to be postmaster at Wenonah, N. J., in place of J. E. Charles. Incumbent's commission expired January 17, 1920.

Philip E. Rockafellow to be postmaster at Stockton, N. J., in place of P. E. Rockafellow. Incumbent's commission expired February 15, 1920.

Joseph E. Harris to be postmaster at Roebling, N. J., in place of James A. Mahaney, removed.

Joseph Rezniczak to be postmaster at Maurer, N. J., in place of Anton J. Mikolajczak, deceased.

Wilbur H. Le Compte to be postmaster at Haworth, N. J., in place of William E. Kastendike, resigned.

Patrick V. Doran to be postmaster at Convent Station, N. J., in place of Harry F. Hinchman, resigned.

S. Dana Ely to be postmaster at Rutherford, N. J., in place of S. Dana Ely. Incumbent's commission expired January 10, 1920.

William Gerard to be postmaster at Rockaway, N. J., in place of W. Gerard. Incumbent's commission expired March 31, 1920.

Harrison Hollinger to be postmaster at Port Norris, N. J., in place of H. Hollinger. Incumbent's commission expired April 13, 1920.

David S. Pancoast to be postmaster at Pitman, N. J., in place of D. S. Pancoast. Incumbent's commission expired March 9, 1920.

Richard F. White to be postmaster at Perth Amboy, N. J., in place of R. F. White. Incumbent's commission expired January 10, 1920.

Paul F. Edwards to be postmaster at Newfield, N. J., in place of P. F. Edwards. Incumbent's commission expired January 27, 1920.

Joseph H. Barcklow to be postmaster at Moorestown, N. J., in place of J. H. Barcklow. Incumbent's commission expired April 20, 1920.

George E. Halladay to be postmaster at Manville N. J., in place of G. E. Halladay. Incumbent's commission expired February 15, 1920.

Charles E. Paxton to be postmaster at Jamesburg, N. J., in place of C. E. Paxton. Incumbent's commission expired January 11, 1920.

Charles L. Kent to be postmaster at Hamburg, N. J., in place of C. L. Kent. Incumbent's commission expired January 5, 1920.

Mary A. Hyde to be postmaster at Franklin, N. J., in place of M. A. Hyde. Incumbent's commission expired January 11, 1920.

Frank N. Hughes to be postmaster at Florence, N. J., in place of F. N. Hughes. Incumbent's commission expired March 9, 1920.

Alexander A. Yard to be postmaster at Farmingdale, N. J., in place of A. A. Yard. Incumbent's commission expired January 11, 1920.

Harvey H. VanDerveer to be postmaster at Englishtown, N. J., in place of H. H. VanDerveer. Incumbent's commission expired January 11, 1920.

Willard N. Apgar to be postmaster at Dunellen, N. J., in place of W. N. Apgar. Incumbent's commission expired January 11, 1920.

John H. Lindemann to be postmaster at Closter, N. J., in place of J. H. Lindemann. Incumbent's commission expired February 7, 1920.

John Y. Bellis to be postmaster at Clinton, N. J., in place of J. Y. Bellis. Incumbent's commission expired May 6, 1920.

Thomas Quinn to be postmaster at Chrome, N. J., in place of T. Quinn. Incumbent's commission expired January 11, 1920.

Sol Needles to be postmaster at Cape May, N. J., in place of Sol Needles. Incumbent's commission expired May 17, 1920.

Joseph A. Brady to be postmaster at Caldwell, N. J., in place of J. A. Brady. Incumbent's commission expired March 9, 1920.

Walter H. Fish to be postmaster at Beverly, N. J., in place of W. H. Fish. Incumbent's commission expired February 15, 1920.

William L. Scheuerman to be postmaster at Basking Ridge, N. J., in place of W. L. Scheuerman. Incumbent's commission expired April 13, 1920.

Charles R. Grover to be postmaster at Atlantic Highlands, N. J., in place of C. R. Grover. Incumbent's commission expired January 27, 1920.

James J. McAviney to be postmaster at Arlington, N. J., in place of J. J. McAviney. Incumbent's commission expired February 17, 1920.

James D. Moriarty to be postmaster at Orange, N. J., in place of J. D. Moriarty. Incumbent's commission expired May 17, 1920.

NEW MEXICO.

Arthur F. Jones to be postmaster at Portales, N. Mex., in place of A. F. Jones. Incumbent's commission expired January 25, 1920.

Edgar Savage to be postmaster at Elida, N. Mex., in place of E. Savage. Incumbent's commission expired January 25, 1920.

Charles S. Davidson to be postmaster at Texico, N. Mex., in place of Skillman C. Hunter, resigned.

NEW YORK.

Anna M. Auch Moedy to be postmaster at Rosendale, N. Y. Office became presidential April 1, 1920.

Frank L. Vedder to be postmaster at Leeds, N. Y. Office became presidential January 1, 1920.

Bertha M. Burt to be postmaster at Hague, N. Y. Office became presidential January 1, 1920.

Maurice W. Welch to be postmaster at Holcomb, N. Y. Office became presidential April 1, 1920.

William B. Phillips to be postmaster at Greenwood Lake, N. Y. Office became presidential January 1, 1920.

Benjamin F. Lent to be postmaster at Ithaca, N. Y., in place of B. F. Lent. Incumbent's commission expired April 27, 1920.

Joseph McFee to be postmaster at Sharon Springs, N. Y., in place of Eugene Smith, resigned.

George F. Ketchum to be postmaster at Warwick, N. Y., in place of G. F. Ketchum. Incumbent's commission expired January 18, 1920.

Mansfield F. McLean to be postmaster at Wappingers Falls, in place of M. F. McLean, N. Y. Incumbent's commission expired March 15, 1920.

Fred Burns to be postmaster at Walden, N. Y., in place of Fred Burns. Incumbent's commission expired March 22, 1920.

Ernest D. Joslin to be postmaster at Voorheesville, N. Y., in place of E. D. Joslin. Incumbent's commission expired January 28, 1920.

William H. Weise to be postmaster at Valley Stream, N. Y., in place of W. H. Weise. Incumbent's commission expired January 11, 1920.

Uri H. Mersereau to be postmaster at Union, N. Y., in place of U. H. Mersereau. Incumbent's commission expired March 15, 1920.

Clark E. DeForest to be postmaster at Unadilla, N. Y., in place of C. E. DeForest. Incumbent's commission expired March 15, 1920.

George Sinnott to be postmaster at Tarrytown, N. Y., in place of George Sinnott. Incumbent's commission expired April 27, 1920.

J. Frank Lackey to be postmaster at Tannersville, N. Y., in place of J. F. Lackey. Incumbent's commission expired April 26, 1920.

Leonard A. Govern to be postmaster at Stamford, N. Y., in place of L. A. Govern. Incumbent's commission expired January 5, 1920.

Dominick W. Gilligan to be postmaster at Shortsville, N. Y., in place of D. W. Gilligan. Incumbent's commission expired January 18, 1920.

Timothy J. Dacey to be postmaster at Sherrill, N. Y., in place of T. J. Dacey. Incumbent's commission expired March 15, 1920.

Jesse H. Shepard to be postmaster at Sherburne, N. Y., in place of J. H. Shepard. Incumbent's commission expired March 28, 1920.

David B. Reamer to be postmaster at Savannah, N. Y., in place of D. B. Reamer. Incumbent's commission expired March 22, 1920.

Michael Daly to be postmaster at Rye, N. Y., in place of Michael Daly. Incumbent's commission expired April 27, 1920.

Girdell V. Brower to be postmaster at Rockville Center, N. Y., in place of G. V. Brower. Incumbent's commission expired March 15, 1920.

W. Irving Williams to be postmaster at Rensselaer, N. Y., in place of W. I. Williams. Incumbent's commission expired March 22, 1920.

Walter F. Brown to be postmaster at Remsen, N. Y., in place of W. F. Brown. Incumbent's commission expired January 28, 1920.

Louis S. Martin to be postmaster at Redwood, N. Y., in place of L. S. Martin. Incumbent's commission expired March 22, 1920.

William G. Phippin to be postmaster at Red Creek, N. Y., in place of W. G. Phippin. Incumbent's commission expired February 3, 1920.

James McNamara to be postmaster at Ravena, N. Y., in place of James McNamara. Incumbent's commission expired April 27, 1920.

George W. Niece to be postmaster at Port Leyden, N. Y., in place of G. W. Niece. Incumbent's commission expired January 18, 1920.

James P. Gillen to be postmaster at Port Jervis, N. Y., in place of J. P. Gillen. Incumbent's commission expired March 22, 1920.

Lewis O. Davis to be postmaster at Port Jefferson, N. Y., in place of L. O. Davis. Incumbent's commission expired May 17, 1920.

Andrew F. Burke to be postmaster at Port Chester, N. Y., in place of A. F. Burke. Incumbent's commission expired March 23, 1920.

Robert E. Purcell, jr., to be postmaster at Philadelphia, N. Y., in place of R. E. Purcell, jr. Incumbent's commission expired March 28, 1920.

George W. Salisbury to be postmaster at Phelps, N. Y., in place of G. W. Salisbury. Incumbent's commission expired January 18, 1920.

Patrick H. Cantillon to be postmaster at Perrysburg, N. Y., in place of P. H. Cantillon. Incumbent's commission expired January 18, 1920.

Garrett D. Roche to be postmaster at Perry, N. Y., in place of G. D. Roche. Incumbent's commission expired April 17, 1920.

John H. Meehan to be postmaster at Penn Yan, N. Y., in place of J. H. Meehan. Incumbent's commission expired January 5, 1920.

Frederick M. Welsh to be postmaster at Patchogue, N. Y., in place of F. M. Welsh. Incumbent's commission expired May 17, 1920.

Samuel H. Hunt to be postmaster at Palmyra, N. Y., in place of S. H. Hunt. Incumbent's commission expired January 11, 1920.

Lewis N. S. Rockwell to be postmaster at Otisville, N. Y., in place of L. N. S. Rockwell. Incumbent's commission expired March 28, 1920.

Frederick B. Huxley to be postmaster at Ontario, N. Y., in place of F. B. Huxley. Incumbent's commission expired December 17, 1919.

Joseph Thiel to be postmaster at North Collins, N. Y., in place of Joseph Thiel. Incumbent's commission expired January 11, 1920.

William B. Hoxter to be postmaster at North Cohocton, N. Y., in place of W. B. Hoxter. Incumbent's commission expired March 22, 1920.

William D. Schaffer to be postmaster at Newfane, N. Y., in place of W. D. Schaffer. Incumbent's commission expired March 28, 1920.

John J. Peake to be postmaster at Newburgh, N. Y., in place of J. J. Peake. Incumbent's commission expired March 22, 1920.

Henry F. Hoornbeek to be postmaster at Napanoch, N. Y., in place of H. F. Hoornbeek. Incumbent's commission expired March 15, 1920.

Isaac W. Turner to be postmaster at Mount Kisco, N. Y., in place of I. W. Turner. Incumbent's commission expired January 25, 1920.

Ezra H. Welling to be postmaster at Monroe, N. Y., in place of E. H. Welling. Incumbent's commission expired January 28, 1920.

Daniel B. Sweeney to be postmaster at Middletown, N. Y., in place of D. B. Sweeney. Incumbent's commission expired January 5, 1920.

Charles M. Hodges to be postmaster at Marion, N. Y., in place of C. M. Hodges. Incumbent's commission expired January 11, 1920.

George Staplin, jr., to be postmaster at Mannsville, N. Y., in place of George Staplin, jr. Incumbent's commission expired January 18, 1920.

Eugene J. Smith to be postmaster at Lyons, N. Y., in place of E. J. Smith. Incumbent's commission expired January 11, 1920.

George W. Batten to be postmaster at Lockport, N. Y., in place of G. W. Batten. Incumbent's commission expired March 15, 1920.

Francis H. Alvord to be postmaster at Liverpool, N. Y., in place of F. H. Alvord. Incumbent's commission expired March 28, 1920.

Maurice A. Borden to be postmaster at Liberty, N. Y., in place of M. A. Borden. Incumbent's commission expired March 29, 1920.

Timothy D. Mulcahy to be postmaster at Lawrence, N. Y., in place of T. D. Mulcahy. Incumbent's commission expired May 24, 1920.

Roy E. Dietrich to be postmaster at La Fargeville, N. Y., in place of R. E. Dietrich. Incumbent's commission expired January 18, 1920.

Wilber W. Wilcox to be postmaster at Lacona, N. Y., in place of W. W. Wilcox. Incumbent's commission expired May 24, 1920.

Charles H. Stokes to be postmaster at Kerhonkson, N. Y., in place of C. H. Stokes. Incumbent's commission expired February 15, 1920.

Frederick W. Schadt to be postmaster at Jeffersonville, N. Y., in place of F. W. Schadt. Incumbent's commission expired March 29, 1920.

Matthew J. Murtha to be postmaster at Irvington, N. Y., in place of M. J. Murtha. Incumbent's commission expired February 15, 1920.

Charles R. Dixon to be postmaster at Hobart, N. Y., in place of C. R. Dixon. Incumbent's commission expired February 15, 1920.

James E. Robinson to be postmaster at Hermon, N. Y., in place of J. E. Robinson. Incumbent's commission expired February 15, 1920.

Lee R. Smith to be postmaster at Hammond, N. Y., in place of L. R. Smith. Incumbent's commission expired March 22, 1920.

Fred B. Fuller to be postmaster at Gouverneur, N. Y., in place of F. B. Fuller. Incumbent's commission expired March 22, 1920.

Thomas J. Gallagher to be postmaster at Geneva, N. Y., in place of T. J. Gallagher. Incumbent's commission expired January 26, 1920.

Caleb C. McNair to be postmaster at Gasport, N. Y., in place of C. C. McNair. Incumbent's commission expired March 22, 1920.

T. Benson Smith to be postmaster at Freeport, N. Y., in place of T. B. Smith. Incumbent's commission expired May 6, 1920.

Fay P. Greene to be postmaster at Franklinville, N. Y., in place of F. P. Greene. Incumbent's commission expired January 5, 1920.

John J. Shea to be postmaster at Frankfort, N. Y., in place of J. J. Shea. Incumbent's commission expired February 11, 1920.

Charles F. Record to be postmaster at Forestville, N. Y., in place of C. F. Record. Incumbent's commission expired March 22, 1920.

Jerry B. Martin to be postmaster at Fonda, N. Y., in place of J. B. Martin. Incumbent's commission expired April 4, 1920.

Hans C. Hansen to be postmaster at Fishers Island, N. Y., in place of H. C. Hansen. Incumbent's commission expired January 28, 1920.

John F. Gilmartin to be postmaster at East Hampton, N. Y., in place of J. F. Gilmartin. Incumbent's commission expired May 6, 1920.

Asa G. Neff to be postmaster at Downsville, N. Y., in place of A. G. Neff. Incumbent's commission expired February 3, 1920.

John J. Finnerty to be postmaster at Croton on Hudson, N. Y., in place of J. J. Finnerty. Incumbent's commission expired March 15, 1920.

George E. Barry to be postmaster at Clifton Springs, N. Y., in place of G. E. Barry. Incumbent's commission expired January 6, 1920.

Benjamin B. Tooker to be postmaster at Center Moriches, N. Y., in place of B. B. Tooker. Incumbent's commission expired May 24, 1920.

Darius E. Sullivan to be postmaster at Canton, N. Y., in place of D. E. Sullivan. Incumbent's commission expired March 22, 1920.

Walter C. Burton to be postmaster at Brooklyn, N. Y., in place of W. C. Burton. Incumbent's commission expired July 3, 1920.

James W. Larkin to be postmaster at Brockport, N. Y., in place of J. W. Larkin. Incumbent's commission expired January 27, 1920.

Henry J. Griffin to be postmaster at Bombay, N. Y., in place of H. J. Griffin. Incumbent's commission expired January 28, 1920.

Allen R. Nevinger to be postmaster at Bliss, N. Y., in place of A. R. Nevinger. Incumbent's commission expired March 15, 1920.

Elbert D. Parker to be postmaster at Arcade, N. Y., in place of E. D. Parker. Incumbent's commission expired March 22, 1920.

Maurice Tuttle, jr., to be postmaster at West Hampton Beach, N. Y., in place of Mabel B. Williams, resigned.

Lula V. White to be postmaster at Springwater, N. Y., in place of Clare B. Allen, resigned.

William M. Stuart to be postmaster at Canisteo, N. Y., in place of James L. Seely, jr., deceased.

Jessie I. Lester to be postmaster at Blasdell, N. Y., in place of Garra K. Lester, resigned.

Raymond Bissell to be postmaster at Buffalo, N. Y., in place of G. J. Meyer, deceased.

August P. Bolender to be postmaster at Collins, N. Y., in place of A. P. Bolender. Incumbent's commission expired January 19, 1920.

Edward Coady to be postmaster at Holley, N. Y., in place of Edward Coady. Incumbent's commission expired January 6, 1920.

NORTH CAROLINA.

William R. Badgett to be postmaster at Pilot Mountain, N. C. Office became presidential January 1, 1920.

Sarah L. Whitson to be postmaster at Oteen, N. C. Office became presidential January 1, 1920.

Everette R. Crawford to be postmaster at Hayesville, N. C. Office became presidential January 1, 1920.

Martin L. Fogleman to be postmaster at Gibsonville, N. C. Office became presidential January 1, 1920.

John F. Hunsucker to be postmaster at Conover, N. C. Office became presidential January 1, 1920.

Miley C. Glover to be postmaster at Bailey, N. C. Office became presidential April 1, 1920.

George K. Snow to be postmaster at Mount Airy, N. C., in place of J. H. Carter, resigned.

Frank W. Miller to be postmaster at Waynesville, N. C., in place of F. W. Miller. Incumbent's commission expired January 27, 1920.

James J. Farriss to be postmaster at High Point, N. C., in place of J. J. Farriss. Incumbent's commission expired February 3, 1920.

A. Wayland Cooke to be postmaster at Greensboro, N. C., in place of A. W. Cooke. Incumbent's commission expired January 5, 1920.

Millard F. Bond to be postmaster at Edenton, N. C., in place of M. F. Bond. Incumbent's commission expired March 4, 1920.

Frank R. Mease to be postmaster at Canton, N. C., in place of F. R. Mease. Incumbent's commission expired January 5, 1920.

William C. Gillespie to be postmaster at Burnsville, N. C., in place of W. C. Gillespie. Incumbent's commission expired January 11, 1920.

L. Estelle Jones to be postmaster at Bethel, N. C., in place of L. E. Jones. Incumbent's commission expired January 11, 1920.

Luther F. Tillery to be postmaster at Rocky Mount, N. C., in place of O. A. Snipes, resigned.

James P. Parker to be postmaster at Blue Ridge, N. C., in place of J. P. Parker. Office became presidential April 1, 1919.

NORTH DAKOTA.

Emma B. Dean to be postmaster at Crary, N. Dak. Office became presidential January 1, 1920.

Clara J. Leet to be postmaster at Brocket, N. Dak. Office became presidential January 1, 1920.

William J. Quigley to be postmaster at Bathgate, N. Dak. Office became presidential January 1, 1920.

John C. Nippolt to be postmaster at Wishek, N. Dak., in place of J. C. Nippolt. Incumbent's commission expired April 17, 1920.

Claude D. Rittenhouse to be postmaster at Wahpeton, N. Dak., in place of C. D. Rittenhouse. Incumbent's commission expired February 7, 1920.

Harriet M. Frank to be postmaster at Powers Lake, N. Dak., in place of H. M. Frank. Incumbent's commission expired January 17, 1920.

Simon K. Kringlie to be postmaster at Portland, N. Dak., in place of S. K. Kringlie. Incumbent's commission expired May 10, 1920.

Wallace W. O'Hara to be postmaster at Neche, N. Dak., in place of W. W. O'Hara. Incumbent's commission expired March 29, 1920.

Perry Roath to be postmaster at Maddock, N. Dak., in place of P. Roath. Incumbent's commission expired January 5, 1920.

John E. Dick to be postmaster at McVille, N. Dak., in place of J. E. Dick. Incumbent's commission expired January 17, 1920.

John B. Wagner to be postmaster at Lidgerwood, N. Dak., in place of J. B. Wagner. Incumbent's commission expired April 19, 1920.

Hans M. Haakenson to be postmaster at Hatton, N. Dak., in place of H. M. Haakenson. Incumbent's commission expired January 17, 1920.

Fritz O. Hunger to be postmaster at Hankinson, N. Dak., in place of F. O. Hunger. Incumbent's commission expired May 15, 1920.

Reinhart Gilbertsen to be postmaster at Glenburn, N. Dak., in place of R. Gilbertsen. Incumbent's commission expired March 15, 1920.

Warren S. Town to be postmaster at Flaxton, N. Dak., in place of W. S. Town. Incumbent's commission expired February 11, 1920.

Minnie Clabaugh to be postmaster at Fairmount, N. Dak., in place of M. Clabaugh. Incumbent's commission expired March 23, 1920.

Hugo K. O. Schilling to be postmaster at Drake, N. Dak., in place of H. K. O. Schilling. Incumbent's commission expired January 5, 1920.

John O'Keefe to be postmaster at Cavalier, N. Dak., in place of John O'Keefe. Incumbent's commission expired January 5, 1920.

Thomas W. Kinsey to be postmaster at Towner, N. Dak., in place of Henry A. Holmes, resigned.

Theodore S. Overby to be postmaster at Finley, N. Dak., in place of Alfred K. Cochrane, resigned.

Lorena W. McDonald to be postmaster at Medora, N. Dak., in place of L. S. Will, name changed by marriage.

OHIO.

Glenn B. Rodgers to be postmaster at Washington Court House, Ohio, in place of S. A. Murry, resigned.

Frederick B. Mowery to be postmaster at Kingston, Ohio, in place of F. B. Mowery. Incumbent's commission expired January 25, 1920.

James A. Angus to be postmaster at Genoa, Ohio, in place of J. A. Angus. Incumbent's commission expired January 5, 1920.

Justus D. Smoots to be postmaster at Fredericktown, Ohio, in place of J. D. Smoots. Incumbent's commission expired March 9, 1920.

Michael E. Miskall to be postmaster at East Liverpool, Ohio, in place of M. E. Miskall. Incumbent's commission expired January 18, 1920.

John E. McFarland to be postmaster at Dresden, Ohio, in place of J. E. McFarland. Incumbent's commission expired March 29, 1920.

William E. Haas to be postmaster at Delaware, Ohio, in place of W. E. Haas. Incumbent's commission expired March 31, 1920.

Augustus S. Tuttle to be postmaster at Creston, Ohio, in place of A. S. Tuttle. Incumbent's commission expired May 17, 1920.

Peter J. Blank to be postmaster at Canal Fulton, Ohio, in place of P. J. Blank. Incumbent's commission expired January 18, 1920.

Emmet H. Dixon to be postmaster at Byesville, Ohio, in place of E. H. Dixon. Incumbent's commission expired January 18, 1920.

Thomas M. Duncan to be postmaster at Bridgeport, Ohio, in place of T. M. Duncan. Incumbent's commission expired January 5, 1920.

Gideon Locher to be postmaster at Bluffton, Ohio, in place of G. Locher. Incumbent's commission expired February 15, 1920.

Fred H. Hart to be postmaster at Beverly, Ohio, in place of F. H. Hart. Incumbent's commission expired May 17, 1920.

James M. Phillips to be postmaster at Bethesda, Ohio, in place of J. M. Phillips. Incumbent's commission expired January 5, 1920.

Oscar D. Ellenwood to be postmaster at Belpre, Ohio, in place of O. D. Ellenwood. Incumbent's commission expired February 15, 1920.

Lee R. Carman to be postmaster at Belmont, Ohio, in place of L. R. Carman. Incumbent's commission expired January 18, 1920.

Albert E. Kroske to be postmaster at Arlington, Ohio, in place of A. E. Kroske. Incumbent's commission expired January 18, 1920.

Harry E. Rice to be postmaster at Xenia, Ohio, in place of H. E. Rice. Incumbent's commission expired January 10, 1920.

Thomas N. Swearingen to be postmaster at Winchester, Ohio, in place of T. N. Swearingen. Incumbent's commission expired February 3, 1920.

Theresia M. Beacham to be postmaster at Williamsburg, Ohio, in place of T. M. Beacham. Incumbent's commission expired March 9, 1920.

Charles H. Dale to be postmaster at Troy, Ohio, in place of C. H. Dale. Incumbent's commission expired February 15, 1920.

James Connor to be postmaster at Toronto, Ohio, in place of J. Connor. Incumbent's commission expired January 5, 1920.

Henry H. McFadden to be postmaster at Steubenville, Ohio, in place of H. H. McFadden. Incumbent's commission expired March 29, 1920.

Claren T. Shively to be postmaster at Rogers, Ohio, in place of C. T. Shively. Incumbent's commission expired April 17, 1920.

James B. Beard to be postmaster at Newton Falls, Ohio, in place of J. B. Beard. Incumbent's commission expired January 5, 1920.

John I. Norris to be postmaster at New Matamoras, Ohio, in place of J. I. Norris. Incumbent's commission expired May 15, 1920.

Daniel A. Muskoff to be postmaster at Navarre, Ohio, in place of D. A. Muskoff. Incumbent's commission expired May 17, 1920.

Franklin Harper to be postmaster at Mount Vernon, Ohio, in place of F. Harper. Incumbent's commission expired May 10, 1920.

Charles W. Hodges to be postmaster at Mount Sterling, Ohio, in place of C. W. Hodges. Incumbent's commission expired March 23, 1920.

Karl H. Sherman to be postmaster at Minster, Ohio, in place of K. H. Sherman. Incumbent's commission expired March 9, 1920.

Robert L. Hagerty to be postmaster at Mingo Junction, Ohio, in place of R. L. Hagerty. Incumbent's commission expired March 9, 1920.

Lewis G. Barton to be postmaster at Millersburg, Ohio, in place of L. G. Barton. Incumbent's commission expired March 9, 1920.

Frank G. Henry to be postmaster at Marietta, Ohio, in place of F. G. Henry. Incumbent's commission expired May 10, 1920.

Homer G. Hansel to be postmaster at Logan, Ohio, in place of H. G. Hansel. Incumbent's commission expired March 29, 1920.

George M. Galbraith to be postmaster at Lexington, Ohio, in place of G. M. Galbraith. Incumbent's commission expired March 9, 1920.

Frank P. Allen to be postmaster at Akron, Ohio, in place of William H. Kroeger, declined.

George W. Lathrop to be postmaster at Toledo, Ohio, in place of George F. Parrish. Incumbent's commission expired February 22, 1919.

Ross S. DeMuth to be postmaster at Rossford, Ohio, in place of R. S. DeMuth. Incumbent's commission expired February 14, 1920.

OKLAHOMA.

Cora E. Morris to be postmaster at Manchester, Okla. Office became presidential January 1, 1920.

Alfred J. Stein to be postmaster at Alex, Okla. Office became presidential January 1, 1920.

Gaines D. Whitt to be postmaster at Quay, Okla., in place of E. L. Senft. Office became presidential July 1, 1918.

Albert Cravens to be postmaster at Jenks, Okla., in place of C. S. Cravens, resigned.

Carl E. Williams to be postmaster at Tonkawa, Okla., in place of C. E. Williams. Incumbent's commission expired February 25, 1920.

James M. Loper to be postmaster at Tishomingo, Okla., in place of J. M. Loper. Incumbent's commission expired January 5, 1920.

George H. Crittendon to be postmaster at Rush Springs, Okla., in place of G. H. Crittendon. Incumbent's commission expired April 26, 1920.

Ora E. McCague to be postmaster at Ralston, Okla., in place of O. E. McCague. Incumbent's commission expired January 27, 1920.

Hugh D. O'Neill to be postmaster at Marshall, Okla., in place of H. D. O'Neill. Incumbent's commission expired January 6, 1920.

Marian L. Robinson to be postmaster at Depew, Okla., in place of M. L. Robinson. Incumbent's commission expired January 11, 1920.

Robert H. Carraway to be postmaster at Caddo, Okla., in place of R. H. Carraway. Incumbent's commission expired January 6, 1920.

Samuel D. Grandstaff to be postmaster at Butler, Okla., in place of S. D. Grandstaff. Incumbent's commission expired January 6, 1920.

George H. Overbeck to be postmaster at Buffalo, Okla., in place of G. H. Overbeck. Incumbent's commission expired March 4, 1920.

Nettie C. Fluke to be postmaster at Boynton, Okla., in place of N. C. Fluke. Incumbent's commission expired February 15, 1920.

John A. Miller to be postmaster at Beaver, Okla., in place of J. A. Miller. Incumbent's commission expired January 17, 1920.

John A. Cox to be postmaster at Spiro, Okla., in place of Jefferson D. Ward, declined.

Allen E. Jennings to be postmaster at Perkins, Okla., in place of A. E. Jennings. Incumbent's commission expired February 15, 1920.

Josiah L. Buckley to be postmaster at Texhoma, Okla., in place of J. L. Buckley. Incumbent's commission expired January 17, 1920.

Clarence O. Berry to be postmaster at Vinita, Okla., in place of C. O. Berry. Incumbent's commission expired March 4, 1920.

OREGON.

Oscar Kendall to be postmaster at Richland, Oreg. Office became presidential January 1, 1920.

Joseph Lyons to be postmaster at Reedsport, Oreg. Office became presidential January 1, 1920.

Frank H. Laighton to be postmaster at Seaside, Oreg., in place of F. H. Laighton. Incumbent's commission expired January 14, 1920.

James W. Dunn to be postmaster at St. Benedict, Oreg., in place of J. W. Dunn. Incumbent's commission expired January 17, 1920.

James A. Watkins to be postmaster at Philomath, Oreg., in place of J. A. Watkins. Incumbent's commission expired April 13, 1920.

Walter L. Hembree to be postmaster at McMinnville, Oreg., in place of W. L. Hembree. Incumbent's commission expired January 27, 1920.

Homer S. Wood to be postmaster at Independence, Oreg., in place of H. S. Wood. Incumbent's commission expired January 14, 1920.

William P. Quinlan to be postmaster at Grants Pass, Oreg., in place of W. P. Quinlan. Incumbent's commission expired January 14, 1920.

Robert P. Wirtz to be postmaster at Forest Grove, Oreg., in place of R. P. Wirtz. Incumbent's commission expired February 7, 1920.

Chester Noland to be postmaster at Creswell, Oreg., in place of Chester Noland. Incumbent's commission expired March 9, 1920.

Katherine B. Veatch to be postmaster at Cottage Grove, Oreg., in place of K. B. Veatch. Incumbent's commission expired April 13, 1920.

John W. Leneve to be postmaster at Coquille, Oreg., in place of J. W. Leneve. Incumbent's commission expired March 23, 1920.

Warren A. Heylman to be postmaster at Estacada, Oreg., in place of W. A. Heylman. Incumbent's commission expired April 13, 1920.

Fitzhugh G. Lee to be postmaster at Junction City, Oreg., in place of F. G. Lee. Incumbent's commission expired April 13, 1920.

PENNSYLVANIA.

Anna M. Frank to be postmaster at New Salem, Pa., in place of A. N. Yaugher, resigned.

Dorothy M. Shidler to be postmaster at Marianna, Pa., in place of J. B. Wise, resigned.

Joseph M. Rutherford to be postmaster at Willow Grove, Pa., in place of J. M. Rutherford. Incumbent's commission expired January 6, 1920.

John F. Mann to be postmaster at Wilcox, Pa., in place of J. F. Mann. Incumbent's commission expired January 20, 1920.

George D. Arner to be postmaster at Weissport, Pa., in place of G. D. Arner. Incumbent's commission expired March 15, 1920.

Percival E. Faust to be postmaster at Weatherly, Pa., in place of P. E. Faust. Incumbent's commission expired January 18, 1920.

John B. Henning to be postmaster at Tunkhannock, Pa., in place of J. B. Henning. Incumbent's commission expired January 6, 1920.

Michael J. McNulty to be postmaster at Troy, Pa., in place of M. J. McNulty. Incumbent's commission expired January 6, 1920.

Charles L. Gibbs to be postmaster at Titusville, Pa., in place of C. L. Gibbs. Incumbent's commission expired January 19, 1920.

Hiram L. Purdy to be postmaster at Sunbury, Pa., in place of H. L. Purdy. Incumbent's commission expired January 5, 1920.

John V. McFadden to be postmaster at Summithill, Pa., in place of J. V. McFadden. Incumbent's commission expired March 15, 1920.

John H. Custer to be postmaster at Stoyestown, Pa., in place of J. H. Custer. Incumbent's commission expired April 19, 1920.

Walter M. Clevenstine to be postmaster at Spring City, Pa., in place of W. M. Clevenstine. Incumbent's commission expired January 6, 1920.

James P. Owens to be postmaster at Scottdale, Pa., in place of J. P. Owens. Incumbent's commission expired January 5, 1920.

John M. Ebling to be postmaster at Schuylkill Haven, Pa., in place of J. M. Ebling. Incumbent's commission expired January 18, 1920.

Eulalie D. Lockard to be postmaster at St. Davids, Pa., in place of E. D. Lockard. Incumbent's commission expired March 22, 1920.

Preston L. Peters to be postmaster at Saegerstown, Pa., in place of P. L. Peters. Incumbent's commission expired March 6, 1920.

Menzo M. Burt to be postmaster at Roulette, Pa., in place of M. M. Burt. Incumbent's commission expired January 18, 1920.

Laura W. Weaver to be postmaster at Republic, Pa., in place of L. W. Weaver. Incumbent's commission expired February 23, 1920.

Phaon E. Sheidy to be postmaster at Pine Grove, Pa., in place of P. E. Sheidy. Incumbent's commission expired January 11, 1920.

Edwin J. Wieder, jr., to be postmaster at Pennsburg, Pa., in place of E. J. Wieder, jr. Incumbent's commission expired January 6, 1920.

George N. Grumbein to be postmaster at Palmyra, Pa., in place of G. N. Grumbein. Incumbent's commission expired March 15, 1920.

Edward S. Laughlin to be postmaster at Oil City, Pa., in place of E. S. Laughlin. Incumbent's commission expired January 18, 1920.

Andrew S. Knepp to be postmaster at North East, Pa., in place of A. S. Knepp. Incumbent's commission expired March 23, 1920.

Henry M. Good to be postmaster at New Castle, Pa., in place of H. M. Good. Incumbent's commission expired May 25, 1920.

William J. Burke to be postmaster at Mount Carmel, Pa., in place of W. J. Burke. Incumbent's commission expired January 5, 1920.

Edward Weidenhamer to be postmaster at Milton, Pa., in place of Edward Weidenhamer. Incumbent's commission expired January 5, 1920.

Charles W. Rubendall to be postmaster at Millersburg, Pa., in place of C. W. Rubendall. Incumbent's commission expired February 17, 1920.

Joseph E. Niemond to be postmaster at Mifflin, Pa., in place of J. E. Niemond. Incumbent's commission expired January 6, 1920.

John T. Shipley to be postmaster at Meyersdale, Pa., in place of J. T. Shipley. Incumbent's commission expired February 25, 1920.

Elias B. Leiby to be postmaster at Marysville, Pa., in place of E. B. Leiby. Incumbent's commission expired April 19, 1920.

John D. May to be postmaster at Lapark, Pa., in place of J. D. May. Incumbent's commission expired January 6, 1920.

J. Bentley Candy, jr., to be postmaster at Langhorne, Pa., in place of J. B. Candy, jr. Incumbent's commission expired January 5, 1920.

Joseph C. Luman to be postmaster at Hyndman, Pa., in place of J. C. Luman. Incumbent's commission expired April 3, 1920.

J. Landis Strickler to be postmaster at Hummelstown, Pa., in place of J. L. Strickler. Incumbent's commission expired January 6, 1920.

William Critchfield to be postmaster at Herminie, Pa., in place of William Critchfield. Incumbent's commission expired February 8, 1920.

Francis E. Burke to be postmaster at Great Bend, Pa., in place of F. E. Burke. Incumbent's commission expired March 22, 1920.

Harby A. Koller to be postmaster at Glen Rock, Pa., in place of H. A. Koller. Incumbent's commission expired March 20, 1920.

Caroline E. W. Curry to be postmaster at Glen Olden, Pa., in place of C. E. W. Curry. Incumbent's commission expired April 19, 1920.

Patrick B. Egan to be postmaster at Emporium, Pa., in place of P. B. Egan. Incumbent's commission expired February 14, 1920.

Milton A. Miller to be postmaster at Elizabethville, Pa., in place of M. A. Miller. Incumbent's commission expired February 17, 1920.

Mertie T. Gillies to be postmaster at Devon, Pa., in place of M. T. Gillies. Incumbent's commission expired January 18, 1920.

Harvey M. Bard to be postmaster at Denver, Pa., in place of H. M. Bard. Incumbent's commission expired January 6, 1920.

William L. Marshall to be postmaster at Dayton, Pa., in place of W. L. Marshall. Incumbent's commission expired January 17, 1920.

Augustus T. Groff to be postmaster at Confluence, Pa., in place of A. T. Groff. Incumbent's commission expired April 19, 1920.

George W. Yost to be postmaster at Collegeville, Pa., in place of G. W. Yost. Incumbent's commission expired January 6, 1920.

Thomas McCobb to be postmaster at Cochranton, Pa., in place of Thomas McCobb. Incumbent's commission expired March 6, 1920.

Richard O. Heilman to be postmaster at Catasauqua, Pa., in place of R. O. Heilman. Incumbent's commission expired January 18, 1920.

John A. McGinley to be postmaster at Bristol, Pa., in place of J. A. McGinley. Incumbent's commission expired April 3, 1920.

John J. McCormick to be postmaster at Bridgeport, Pa., in place of J. J. McCormick. Incumbent's commission expired January 31, 1920.

Michael C. Bermingham to be postmaster at Blossburg, Pa., in place of M. C. Bermingham. Incumbent's commission expired February 7, 1920.

Charles W. Krissinger to be postmaster at Berlin, Pa., in place of C. W. Krissinger. Incumbent's commission expired February 17, 1920.

Francis B. Smeltzer to be postmaster at Avonmore, Pa., in place of F. B. Smeltzer. Incumbent's commission expired January 6, 1920.

Fred H. Smith to be postmaster at Athens, Pa., in place of F. H. Smith. Incumbent's commission expired January 6, 1920.

John C. Wiegel to be postmaster at Aliquippa, Pa., in place of J. C. Wiegel. Incumbent's commission expired April 26, 1920.

Nelson O. Smith to be postmaster at Blawnox (late Hoboken), Pa., in place of Herbert P. Mosca, resigned. Office became presidential April 1, 1919.

Oliver F. Wolf to be postmaster at Telford, Pa., in place of O. F. Wolf. Incumbent's commission expired January 6, 1920.

Clarence Reisinger to be postmaster at Sewickley, Pa., in place of C. Reisinger. Incumbent's commission expired January 6, 1920.

Howard Kemrer to be postmaster at Paradise, Pa., in place of H. Kemrer. Incumbent's commission expired January 24, 1920.

Thomas W. Lauver to be postmaster at Milroy, Pa., in place of T. W. Lauver. Incumbent's commission expired January 6, 1920.

Andrew J. Palm to be postmaster at Meadville, Pa., in place of A. J. Palm. Incumbent's commission expired March 23, 1920.

Joseph R. Thurston to be postmaster at Factoryville, Pa., in place of J. R. Thurston. Incumbent's commission expired January 6, 1920.

John A. Miller to be postmaster at Arnold, Pa., in place of J. A. Miller. Incumbent's commission expired January 6, 1920.

Willis C. Kemp to be postmaster at West Middlesex, Pa., in place of J. Ray, resigned.

Clive S. Burtch to be postmaster at Tioga, Pa., in place of W. H. Rose, deceased.

Samuel J. Myers to be postmaster at Pen Argyl, Pa., in place of A. J. Young, deceased.

Louis S. Bisky to be postmaster at Meshoppen, Pa., in place of A. R. Sherwood, removed.

PORTO RICO.

Carlos F. Torregrosa to be postmaster at Aguadilla, Porto Rico, in place of C. F. Torregrosa. Incumbent's commission expired February 3, 1920.

RHODE ISLAND.

John McPike to be postmaster at Warren, R. I., in place of J. McPike. Incumbent's commission expired January 11, 1920.

Sumner Mowry to be postmaster at Peace Dale, R. I., in place of S. Mowry. Incumbent's commission expired January 17, 1920.

Frank P. Lamb to be postmaster at Natick, R. I., in place of F. P. Lamb. Incumbent's commission expired January 11, 1920.

Samuel W. Smith, jr., to be postmaster at Jamestown, R. I., in place of S. W. Smith, jr. Incumbent's commission expired April 17, 1920.

Emory H. Desilets to be postmaster at Manville, R. I., in place of E. H. Desilets. Incumbent's commission expired January 31, 1920.

SOUTH CAROLINA.

Ellen M. Williamson to be postmaster at Norway, S. C. Office became presidential January 1, 1920.

John W. Willis to be postmaster at Lynchburg, S. C. Office became presidential January 1, 1920.

Clara A. Bonner to be postmaster at Due West, S. C., in place of F. P. Wilson, resigned.

Martha E. Nichols to be postmaster at York, S. C., in place of M. E. Nichols. Incumbent's commission expired January 11, 1920.

Marie C. Harley to be postmaster at Williston, S. C., in place of M. C. Harley. Incumbent's commission expired January 11, 1920.

William B. Wright, jr., to be postmaster at Shelton, S. C., in place of W. B. Wright, jr. Incumbent's commission expired April 24, 1920.

Maxcy J. Spears to be postmaster at Lamar, S. C., in place of M. J. Spears. Incumbent's commission expired January 19, 1920.

James A. Barrett to be postmaster at Clover, S. C., in place of J. A. Barrett. Incumbent's commission expired January 27, 1920.

Clinton G. Rowland to be postmaster at Central, S. C., in place of C. G. Rowland. Incumbent's commission expired April 24, 1920.

James M. Byrd to be postmaster at Branchville, S. C., in place of J. M. Byrd. Incumbent's commission expired March 23, 1920.

Manton B. McCutchen to be postmaster at Bishopville, S. C., in place of M. B. McCutchen. Incumbent's commission expired January 5, 1920.

Almon C. Turbeville to be postmaster at Lake City, S. C., in place of J. F. Rickenbaker, resigned.

SOUTH DAKOTA.

John W. Martin to be postmaster at Watertown, S. Dak., in place of J. W. Martin. Incumbent's commission expired January 7, 1920.

James M. Rasmussen to be postmaster at Viborg, S. Dak., in place of J. M. Rasmussen. Incumbent's commission expired March 29, 1920.

James R. Dunlap to be postmaster at Vermilion, S. Dak., in place of J. R. Dunlap. Incumbent's commission expired February 7, 1920.

James E. Burns to be postmaster at Timber Lake, S. Dak., in place of J. E. Burns. Incumbent's commission expired April 24, 1920.

Joseph W. McMahon to be postmaster at Salem, S. Dak., in place of J. W. McMahon. Incumbent's commission expired January 17, 1920.

Francis M. Crain to be postmaster at Redfield, S. Dak., in place of F. M. Crain. Incumbent's commission expired March 29, 1920.

Frelen Riley to be postmaster at Parker, S. Dak., in place of F. Riley. Incumbent's commission expired April 17, 1920.

Tazewell M. Simmons to be postmaster at Huron, S. Dak., in place of T. M. Simmons. Incumbent's commission expired March 4, 1920.

Harry K. Sanborn to be postmaster at Hurley, S. Dak., in place of H. K. Sanborn. Incumbent's commission expired January 7, 1920.

James S. Slaughter to be postmaster at Herrick, S. Dak., in place of J. S. Slaughter. Incumbent's commission expired January 7, 1920.

John A. Stromme to be postmaster at Garretson, S. Dak., in place of J. A. Stromme. Incumbent's commission expired January 7, 1920.

Frank E. Riley to be postmaster at Dupree, S. Dak., in place of F. E. Riley. Incumbent's commission expired May 24, 1920.

Edward McDonald to be postmaster at Deadwood, S. Dak., in place of E. McDonald. Incumbent's commission expired May 29, 1920.

Guy A. Miller to be postmaster at Conde, S. Dak., in place of G. A. Miller. Incumbent's commission expired May 24, 1920.

Dana N. Bonesteel to be postmaster at Artesian, S. Dak., in place of D. N. Bonesteel. Incumbent's commission expired January 17, 1920.

Leroy F. Lemert to be postmaster at Spencer, S. Dak., in place of L. F. Lemert. Incumbent's commission expired March 23, 1920.

Lydia Oldewurtel to be postmaster at Freeman, S. Dak., in place of L. Oldewurtel. Incumbent's commission expired January 7, 1920.

Anna M. Damberger to be postmaster at Herreid, S. Dak., in place of J. W. Blair, resigned. Office became presidential October 1, 1919.

Raymond B. Breed to be postmaster at Brookings, S. Dak., in place of A. E. Swift, removed.

TENNESSEE.

Leander N. Alley to be postmaster at Oakdale, Tenn., in place of L. N. Alley. Incumbent's commission expired January 31, 1920.

James C. Walker to be postmaster at Monterey, Tenn., in place of J. C. Walker. Incumbent's commission expired April 13, 1920.

Dossie O. Thompson to be postmaster at McEwen, Tenn., in place of D. O. Thompson. Incumbent's commission expired January 14, 1920.

Mary B. Buford to be postmaster at Lynnville, Tenn., in place of M. O. Buford. Incumbent's commission expired March 4, 1920.

Hugh H. Gouchenour to be postmaster at Greenville, Tenn., in place of H. H. Gouchenour. Incumbent's commission expired January 7, 1920.

Charles C. Berry to be postmaster at Dyer, Tenn., in place of C. C. Berry. Incumbent's commission expired April 13, 1920.

John I. Cox to be postmaster at Bristol, Tenn., in place of J. I. Cox. Incumbent's commission expired March 28, 1920.

Charles M. Reed to be postmaster at Athens, Tenn., in place of C. M. Reed. Incumbent's commission expired January 7, 1920.

John M. Jones to be postmaster at Newport, Tenn., in place of J. M. Jones. Incumbent's commission expired May 5, 1920.

James S. Pritchett to be postmaster at Jonesboro, Tenn., in place of J. S. Pritchett. Incumbent's commission expired March 9, 1920.

Shadrach E. Byler to be postmaster at Collinwood, Tenn., in place of S. E. Byler. Office became presidential April 1, 1919.

S. R. Robinson to be postmaster at Tazewell, Tenn., in place of F. F. Overton. Office became presidential October 1, 1916.

TEXAS.

Charles P. Zapalac to be postmaster at West, Tex., in place of C. P. Zapalac. Incumbent's commission expired January 5, 1920.

Virgil T. Williams to be postmaster at Thornton, Tex., in place of V. T. Williams. Incumbent's commission expired January 5, 1920.

James W. Longley to be postmaster at San Saba, Tex., in place of J. W. Longley. Incumbent's commission expired January 5, 1920.

Herschel C. Connally to be postmaster at Rosebud, Tex., in place of H. C. Connally. Incumbent's commission expired January 14, 1920.

Mary M. Ferrel to be postmaster at Roby, Tex., in place of M. M. Ferrel. Incumbent's commission expired January 11, 1920.

Abundio Contreras to be postmaster at Riogrande, Tex., in place of A. Contreras. Incumbent's commission expired April 3, 1920.

Osceola G. Wilson to be postmaster at Nixon, Tex., in place of O. G. Wilson. Incumbent's commission expired January 17, 1920.

Claud W. Warren to be postmaster at Matador, Tex., in place of Claud W. Warren. Incumbent's commission expired January 5, 1920.

Mary R. Manning to be postmaster at Madisonville, Tex., in place of Ross Manning. Incumbent's commission expired January 27, 1920.

Charles J. January, jr., to be postmaster at McAllen, Tex., in place of C. J. January, jr. Incumbent's commission expired January 5, 1920.

Percy L. Walker to be postmaster at Luling, Tex., in place of P. L. Walker. Incumbent's commission expired January 5, 1920.

Wilson B. Russell to be postmaster at Liberty Hill, Tex., in place of W. B. Russell. Incumbent's commission expired January 11, 1920.

Willis D. Holman to be postmaster at Hutto, Tex., in place of W. D. Holman. Incumbent's commission expired January 5, 1920.

James H. Richey to be postmaster at Hedley, Tex., in place of J. H. Richey. Incumbent's commission expired January 11, 1920.

Walter N. Ramsay to be postmaster at Eldorado, Tex., in place of W. N. Ramsay. Incumbent's commission expired January 5, 1920.

Henry C. Bailey to be postmaster at Detroit, Tex., in place of H. C. Bailey. Incumbent's commission expired January 5, 1920.

Howell L. Piner to be postmaster at Denison, Tex., in place of H. L. Piner. Incumbent's commission expired January 7, 1920.

Rudolph Flach, jr., to be postmaster at Comfort, Tex., in place of R. Flach, jr. Incumbent's commission expired January 5, 1920.

Hugh M. Bryan to be postmaster at Burton, Tex., in place of H. M. Bryan. Incumbent's commission expired January 11, 1920.

William L. Hayley to be postmaster at Bronte, Tex., in place of W. L. Hayley. Incumbent's commission expired January 11, 1920.

Edgar A. Stripling to be postmaster at Mount Vernon, Tex., in place of W. J. Moore, resigned.

Harvey E. Williams to be postmaster at Desdemona, Tex., in place of H. E. Williams. Office became presidential January 1, 1920.

Aaron H. Russell to be postmaster at Willis, Tex., in place of Clinton Bybee, deceased.

Wiley H. Lowrey to be postmaster at Weimar, Tex., in place of R. H. McCormick, deceased.

Roy C. Lattimore to be postmaster at Roxton, Tex., in place of M. C. Bradshaw, resigned.

Joseph W. Holland to be postmaster at New Waverly, Tex., in place of W. H. Allen, deceased. Office became presidential July 1, 1918.

George F. Nelson to be postmaster at Mount Calm, Tex., in place of T. R. Warr, resigned.

Otto J. Lang to be postmaster at Lufkin, Tex., in place of W. E. Boykin, resigned.

Theodore W. Lueders to be postmaster at Lagrange, Tex., in place of L. V. Vanek, resigned.

William R. Dickens to be postmaster at Eden, Tex., in place of C. H. Latham, resigned.

Albert B. Seale to be postmaster at Beaumont, Tex., in place of J. Dies, resigned.

UTAH.

William A. Jones to be postmaster at Spanish Fork, Utah, in place of W. A. Jones. Incumbent's commission expired March 13, 1920.

Leonard C. Sargent to be postmaster at Panguitch, Utah, in place of L. C. Sargent. Incumbent's commission expired January 5, 1920.

George A. Allen to be postmaster at Nephi, Utah, in place of G. A. Allen. Incumbent's commission expired February 15, 1920.

Richard T. Fry to be postmaster at Morgan, Utah, in place of R. T. Fry. Incumbent's commission expired March 9, 1920.

Robert D. Halladay to be postmaster at Grantsville, Utah. Office became presidential January 1, 1920.

Jedediah M. Blair to be postmaster at Logan, Utah, in place of J. M. Blair. Incumbent's commission expired February 11, 1920.

Heber J. Sheffield, jr., to be postmaster at Kaysville, Utah, in place of H. J. Sheffield, jr. Incumbent's commission expired March 29, 1920.

William S. Anderson to be postmaster at Moroni, Utah, in place of Urvin Gee, declined.

James A. Faust to be postmaster at Delta, Utah, in place of J. A. Faust, deceased.

Anthony W. Thomson to be postmaster at Ephraim, Utah, in place of L. M. Olson, deceased.

VERMONT.

John H. Donnelly to be postmaster at Vergennes, Vt., in place of J. H. Donnelly. Incumbent's commission expired January 13, 1920.

Andrew B. Anderson to be postmaster at Swanton, Vt., in place of A. B. Anderson. Incumbent's commission expired January 5, 1920.

Asa C. Oakes to be postmaster at Stowe, Vt., in place of A. C. Oakes. Incumbent's commission expired January 18, 1920.

Frank H. Tyler to be postmaster at South Londonderry, Vt., in place of F. H. Tyler. Incumbent's commission expired January 14, 1920.

John L. Welsh to be postmaster at Proctor, Vt., in place of J. L. Welsh. Incumbent's commission expired January 28, 1920.

Daniel R. Stetson to be postmaster at Newport, Vt., in place of D. R. Stetson. Incumbent's commission expired March 15, 1920.

Calvin L. Gates to be postmaster at Morrisville, Vt., in place of C. L. Gates. Incumbent's commission expired January 5, 1920.

James B. Kimball to be postmaster at Enosburg Falls, Vt., in place of J. B. Kimball. Incumbent's commission expired January 11, 1920.

Herbert O. Bixby to be postmaster at Chelsea, Vt., in place of H. O. Bixby. Incumbent's commission expired January 6, 1920.

Michael J. Moran to be postmaster at Brattleboro, Vt., in place of M. J. Moran. Incumbent's commission expired January 5, 1920.

John Noble to be postmaster at Bethel, Vt., in place of John Noble. Incumbent's commission expired January 11, 1920.

Martha G. Kibby to be postmaster at Randolph Center, Vt., in place of M. G. Kibby. Incumbent's commission expired April 19, 1920.

VIRGINIA.

John L. Henley to be postmaster at Tappahannock, Va., in place of J. L. Henley. Incumbent's commission expired January 31, 1920.

William A. Coates to be postmaster at South Washington, Va., in place of W. A. Coates. Incumbent's commission expired January 31, 1920.

Samuel R. Gault to be postmaster at Scottsville, Va., in place of S. R. Gault. Incumbent's commission expired May 15, 1920.

Robert L. Dudley to be postmaster at Rural Retreat, Va., in place of R. L. Dudley. Incumbent's commission expired February 15, 1920.

Henry L. Munt to be postmaster at City Point, Va., in place of H. L. Munt. Incumbent's commission expired March 28, 1920.

Sidney Sheltman to be postmaster at Christiansburg, Va., in place of Sidney Sheltman. Incumbent's commission expired April 20, 1920.

A. Sidney Francis to be postmaster at Boykins, Va., in place of A. S. Francis. Incumbent's commission expired April 13, 1920.

Ruth C. Mankin to be postmaster at Falls Church, Va. Office became presidential January 1, 1920.

Eugene C. Hurt to be postmaster at Clover, Va. Office became presidential July 1, 1919.

William G. Stevenson to be postmaster at Accomac, Va., in place of W. G. Stevenson. Incumbent's commission expired January 4, 1919.

Nannie B. Campbell to be postmaster at Amherst, Va., in place of N. B. Campbell. Incumbent's commission expired March 17, 1920.

Everett S. Kendrick to be postmaster at Bristol, Va., in place of E. S. Kendrick. Incumbent's commission expired March 2, 1919.

WASHINGTON.

William L. Adams to be postmaster at Zillah, Wash., in place of W. L. Adams. Incumbent's commission expired March 9, 1920.

Joseph H. Gill to be postmaster at Washtucna, Wash., in place of J. H. Gill. Incumbent's commission expired January 5, 1920.

Thomas E. Brittain to be postmaster at Tonasket, Wash, in place of T. E. Brittain. Incumbent's commission expired January 5, 1920.

Wilson Howe to be postmaster at Tenino, Wash., in place of Wilson Howe. Incumbent's commission expired January 5, 1920.

Conrad M. Vaupel to be postmaster at Tekoa, Wash., in place of C. M. Vaupel. Incumbent's commission expired January 5, 1920.

Urial K. Lail to be postmaster at Sunnyside, Wash., in place of U. K. Lail. Incumbent's commission expired January 19, 1920.

Eli P. Marsolais to be postmaster at Sultan, Wash., in place of E. P. Marsolais. Incumbent's commission expired May 25, 1920.

George B. Ragsdale to be postmaster at Sedro Woolley, Wash, in place of G. B. Ragsdale. Incumbent's commission expired January 5, 1920.

Antoine Faucher to be postmaster at Ritzville, Wash., in place of Antoine Faucher. Incumbent's commission expired January 5, 1920.

John T. Harris to be postmaster at Ridgefield, Wash., in place of J. T. Harris. Incumbent's commission expired January 19, 1920.

Harvey L. Tibbals to be postmaster at Port Townsend, Wash., in place of H. L. Tibbals. Incumbent's commission expired January 5, 1920.

Herbert J. Nunan to be postmaster at Oak Harbor, Wash., in place of H. J. Nunan. Incumbent's commission expired April 13, 1920.

Joseph M. McGifford to be postmaster at Lacrosse, Wash., in place of J. M. McGifford. Incumbent's commission expired January 5, 1920.

Elliott B. Johnson to be postmaster at Granger, Wash., in place of E. B. Johnson. Incumbent's commission expired January 11, 1920.

Eugene J. Edson to be postmaster at Coulee City, Wash., in place of E. J. Edson. Incumbent's commission expired January 19, 1920.

Joseph F. Lavigne to be postmaster at Chewelah, Wash., in place of J. F. Lavigne. Incumbent's commission expired February 7, 1920.

Frederick W. Reuter to be postmaster at Cheney, Wash., in place of F. W. Reuter. Incumbent's commission expired March 23, 1920.

Guy A. B. Dovell to be postmaster at Buckley, Wash., in place of G. A. B. Dovell. Incumbent's commission expired January 5, 1920.

George H. Watrous to be postmaster at Bellingham, Wash., in place of G. H. Watrous. Incumbent's commission expired March 9, 1920.

Arthur H. Graves to be postmaster at Asotin, Wash., in place of A. H. Graves. Incumbent's commission expired January 11, 1920.

Frederick E. Tuttle to be postmaster at Twisp, Wash., in place of E. H. C. Ramm, resigned.

Thomas A. Graham to be postmaster at Goldendale, Wash., in place of Talleyrand Bratton, resigned.

Thomas H. McCleary to be postmaster at Centralia, Wash., in place of T. H. McCleary. Incumbent's commission expired January 5, 1920.

Edward J. Tramill to be postmaster at Oakesdale, Wash., in place of E. J. Tramill. Incumbent's commission expired January 5, 1920.

WEST VIRGINIA.

Stanhope M. Scott to be postmaster at Terra Alta, W. Va., in place of S. M. Scott. Incumbent's commission expired May 25, 1920.

Edgar J. Loy to be postmaster at Romney, W. Va., in place of E. J. Loy. Incumbent's commission expired December 17, 1919.

John L. Evans to be postmaster at Summersville, W. Va., in place of J. L. Evans. Incumbent's commission expired January 19, 1920.

Thomas W. Gocke to be postmaster at Piedmont, W. Va., in place of T. W. Gocke. Incumbent's commission expired January 19, 1920.

Joseph A. Wooddell to be postmaster at Pennsboro, W. Va., in place of J. A. Wooddell. Incumbent's commission expired January 11, 1920.

Willard Williams to be postmaster at Moorefield, W. Va., in place of Willard Williams. Incumbent's commission expired January 11, 1920.

Ida J. Garrison to be postmaster at Lost Creek, W. Va., in place of I. J. Garrison. Incumbent's commission expired January 27, 1920.

George A. Porter to be postmaster at Kenova, W. Va., in place of G. A. Porter. Incumbent's commission expired February 3, 1920.

Joseph H. Long to be postmaster at Huntington, W. Va., in place of J. H. Long. Incumbent's commission expired May 15, 1920.

Clarence L. Perkins to be postmaster at Gassaway, W. Va., in place of C. L. Perkins. Incumbent's commission expired April 13, 1920.

Maurice R. Walker to be postmaster at Bramwell, W. Va., in place of M. R. Walker. Incumbent's commission expired January 13, 1920 .

James H. Bailey to be postmaster at Mount Hope, W. Va., in place of W. E. McDowell, resigned.

Malichi J. Meadows to be postmaster at Beckley, W. Va., in place of M. J. Meadows. Incumbent's commission expired January 11, 1920.

Earle Reger to be postmaster at Weston, W. Va., in place of C. Lively, resigned.

John E. Peck to be postmaster at Logan, W. Va., in place of L. E. Browning, removed.

WISCONSIN.

Jens Davidson to be postmaster at Westby, Wis., in place of J. Davidson. Incumbent's commission expired January 11, 1920.

William Shenkenberg to be postmaster at Waterford, Wis., in place of W. Shenkenberg. Incumbent's commission expired January 11, 1920.

Elmer A. Peterson to be postmaster at Walworth, Wis., in place of E. A. Peterson. Incumbent's commission expired January 11, 1920.

Frederick Y. King to be postmaster at Tigerton, Wis., in place of F. Y. King. Incumbent's commission expired February 15, 1920.

William Wagner to be postmaster at Thorp, Wis., in place of W. Wagner. Incumbent's commission expired January 11, 1920.

Charles J. Knilans to be postmaster at Sharon, Wis., in place of C. J. Knilans. Incumbent's commission expired January 11, 1920.

William H. Dunn to be postmaster at Rice Lake, Wis., in place of W. H. Dunn. Incumbent's commission expired January 11, 1920.

Joseph Le Fevre to be postmaster at Pulaski, Wis., in place of J. Le Fevre. Incumbent's commission expired May 10, 1920.

Julius E. Hennig to be postmaster at Princeton, Wis., in place of J. E. Hennig. Incumbent's commission expired January 28, 1920.

William W. Sanders to be postmaster at Osceola, Wis., in place of W. W. Sanders. Incumbent's commission expired January 11, 1920.

John B. Kerrigan to be postmaster at Norwalk, Wis., in place of J. B. Kerrigan. Incumbent's commission expired January 11, 1920.

Charles H. Farley to be postmaster at New Lisbon, Wis., in place of C. H. Farley. Incumbent's commission expired March 22, 1920.

Alois Goebel to be postmaster at Mount Horeb, Wis., in place of A. Goebel. Incumbent's commission expired January 28, 1920.

Ira B. Pierce to be postmaster at Monticello, Wis., in place of I. B. Pierce. Incumbent's commission expired April 13, 1920.

James O'Hora to be postmaster at Mazomanie, Wis., in place of J. O'Hora. Incumbent's commission expired January 11, 1920.

George I. Richmond to be postmaster at Lodi, Wis., in place of G. I. Richmond. Incumbent's commission expired January 28, 1920.

Henry R. Schumann to be postmaster at Kohler, Wis., in place of H. R. Schumann. Incumbent's commission expired January 28, 1920.

Joseph Marx to be postmaster at Hilbert, Wis., in place of J. Marx. Incumbent's commission expired January 28, 1920.

Henry H. Gleason to be postmaster at Glenwood City, Wis., in place of H. H. Gleason. Incumbent's commission expired January 11, 1920.

Henry E. Steinbring to be postmaster at Fall Creek, Wis., in place of H. E. Steinbring. Incumbent's commission expired February 8, 1920.

Thomas D. Smith to be postmaster at Fairchild, Wis., in place of T. D. Smith. Incumbent's commission expired April 13, 1920.

Clare L. Shearer to be postmaster at Eagle, Wis., in place of C. L. Shearer. Incumbent's commission expired January 11, 1920.

Henry Pattison to be postmaster at Durand, Wis., in place of H. Pattison. Incumbent's commission expired January 28, 1920.

Herman Kronschnabl to be postmaster at Dorchester, Wis., in place of H. Kronschnabl. Incumbent's commission expired January 28, 1920.

Charles M. Tallman to be postmaster at Delavan, Wis., in place of C. M. Tallman. Incumbent's commission expired January 11, 1920.

William C. McMahon to be postmaster at Cumberland, Wis., in place of W. C. McMahon. Incumbent's commission expired January 11, 1920.

Patrick J. Love to be postmaster at Coleman, Wis., in place of P. J. Love. Incumbent's commission expired January 28, 1920.

Carrie Kautsky to be postmaster at Colby, Wis., in place of Carrie Kautsky. Incumbent's commission expired January 28, 1920.

Ray C. Stewart to be postmaster at Clinton, Wis., in place of R. C. Stewart. Incumbent's commission expired January 11, 1920.

Carl Whitaker to be postmaster at Chetek, Wis., in place of Carl Whitaker. Incumbent's commission expired January 11, 1920.

John Cremer to be postmaster at Cashton, Wis., in place of John Cremer. Incumbent's commission expired April 13, 1920.

Fred C. Schliesman to be postmaster at Cambria, Wis., in place of F. C. Schliesman. Incumbent's commission expired January 28, 1920.

Henry E. Zimmermann to be postmaster at Burlington, Wis., in place of H. E. Zimmermann. Incumbent's commission expired January 11, 1920.

Peter T. Moore to be postmaster at Brodhead, Wis., in place of P. T. Moore. Incumbent's commission expired January 11, 1920.

John H. Levis to be postmaster at Black River Falls, Wis., in place of J. H. Levis. Incumbent's commission expired January 28, 1920.

Charles W. Steele to be postmaster at Beloit, Wis., in place of C. W. Steele. Incumbent's commission expired January 11, 1920.

Frank E. Poll to be postmaster at Almond, Wis., in place of F. E. Poll. Incumbent's commission expired May 25, 1920.

Olaf R. Skaar to be postmaster at La Crosse, Wis., in place of O. R. Skaar. Incumbent's commission expired June 3, 1918.

John A. Zimpelmann to be postmaster at Eagle River, Wis., in place of J. A. Zimpelmann. Incumbent's commission expired January 11, 1920.

Alfred H. Fischer to be postmaster at Ripon, Wis., in place of C. H. Ellsworth, deceased.

Arthur J. Dopp to be postmaster at Waukesha, Wis., in place of A. J. Dopp. Incumbent's commission expired January 11, 1920.

Hubert A. Wagener to be postmaster at Sturgeon Bay, Wis., in place of H. A. Wagener. Incumbent's commission expired December 17, 1919.

William D. Schultz to be postmaster at Stanley, Wis., in place of W. D. Schultz. Incumbent's commission expired January 28, 1920.

Henry Knapstein to be postmaster at New London, Wis., in place of H. Knapstein. Incumbent's commission expired January 31, 1920.

Joseph L. O'Neil to be postmaster at Gays Mills, Wis., in place of J. L. O'Neil. Incumbent's commission expired April 13, 1920.

Lawrence Clancey to be postmaster at East Troy, Wis., in place of L. Clancey. Incumbent's commission expired January 11, 1920.

Russell D. Stouffer to be postmaster at Shell Lake, Wis., in place of E. V. Aberg, deceased.

Raynold G. Lidbom to be postmaster at Grantsburg, Wis., in place of E. I. Bunker. Incumbent's commission expired December 17, 1919.

WYOMING.

James L. Masters to be postmaster at Torrington, Wyo., in place of J. L. Masters. Incumbent's commission expired January 7, 1920.

Finis E. Godfrey to be postmaster at Lander, Wyo., in place of F. E. Godfrey. Incumbent's commission expired February 15, 1920.

Alfred F. Stott to be postmaster at Douglas, Wyo., in place of A. F. Stott. Incumbent's commission expired April 3, 1920.

Conrad S. Vaterlaus to be postmaster at Cowley, Wyo. Office became presidential July 1, 1919.

Effie R. Spragg to be postmaster at Manville, Wyo., in place of E. R. Spragg. Office became presidential July 1, 1919.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 2, 1920.

CIRCUIT JUDGE.

J. Warren Davis to be United States circuit judge, third judicial circuit.

DISTRICT JUDGE.

Joseph L. Bodine to be United States district judge, district of New Jersey.

UNITED STATES ATTORNEYS.

James E. Carroll to be United States attorney, eastern district of Missouri.

Elmer H. Geran to be United States attorney, district of New Jersey.

COMMISSIONER OF IMMIGRATION.

James L. Hughes to be commissioner of immigration at the port of Philadelphia, Pa.

BUREAU OF MINES.

Frederick G. Cottrell to be Director of the Bureau of Mines.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

Charles Eldred Herring to be first assistant director.
Oliver Paul Hopkins to be second assistant director.

CONSULAR SERVICE.

Alphonse Gaulin to be consul general of class 2.
William J. Pike to be consul of class 3.
Cecil M. P. Cross to be consul of class 7.

COLLECTOR OF CUSTOMS.

Charles W. McCune to be collector of customs.

PUBLIC HEALTH SERVICE.

Leo W. Tucker to be assistant surgeon.
Edward B. Faget to be assistant surgeon.
Harry J. Warner to be surgeon.
Robert Olesen to be surgeon.

COAST GUARD.

James H. Brown to be senior captain.
Harry G. Hamlet to be senior captain.

POSTMASTERS.

ILLINOIS.

Omah Coulter, Omaha.

LOUISIANA.

Lillian P. Witherow, Lake Providence.

MISSISSIPPI.

Mellon E. Daniel, Dlo.
Jerry T. Talbert, Grenada.
Zilpha L. Killam, Hickory.
Pearl Young, Noxapater.
Edwin L. Sibley, Philipp.
William A. Davis, Wiggins.

OHIO.

John W. Kramer, Maumee.

VIRGINIA.

George E. Harrison, Lawrenceville.

REJECTION.

Executive nomination rejected by the Senate June 2, 1920.

POSTMASTER.

NEBRASKA.

Edward F. Lusienski, Platte Center.

WITHDRAWALS.

Executive nominations withdrawn from the Senate June 2, 1920.

POSTMASTERS.

Edwin C. Johnson, Craig, Colo., sent to the Senate January 19, 1920.

Dewey E. Wilcox to be postmaster at Richfield, in the State of Idaho.

Ronald H. Gordon-Ross, Hudson, Ohio, sent to the Senate January 19, 1920.

Robert L. Wheeler, Delta, Pa., sent to the Senate April 29, 1920.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *June 2, 1920.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou Infinite, Invisible Spirit, whom we call God, to whom the humblest and most forlorn soul may look up and call Thee Father, receive consolation, hope, and courage.

In its sublime research, philosophy
May measure out the ocean deep—may count
The sands or the sun's rays—but, God! for Thee
There is no weight nor measure:—none can mount
Up to Thy mysteries; reason's brightest spark,
Though kindled by Thy light, in vain would try
To trace Thy counsels, infinite and dark;
And thought is lost ere thought can soar so high,
Even like past moments in eternity.

We come in our weakness, praying for strength; in our perplexities, praying for light; that we may use the faculties Thou hast bestowed upon us to the betterment of mankind, satisfy our longings, and receive Thine approbation. In Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

REMOVAL OF RESTRICTIONS ON CERTAIN LAND AT CRISTOBAL, CANAL ZONE.

Mr. DENISON. Mr. Speaker, I move that the bill H. R. 6222, which is now lying on the Speaker's table, be now taken from the table and the Senate amendment concurred in.

The SPEAKER. The gentleman from Illinois calls from the Speaker's table and moves to concur in the Senate amendment to the bill the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 6222) to remove a certain tract or lots of land in Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, pursuant to the act of Congress of August 24, 1912 (37 Stat., ch. 390, p, 565).

The Senate amendment was read.

Mr. GARD. Will the gentleman yield?

Mr. DENISON. I will yield to the gentleman from Ohio.

Mr. GARD. As the bill originally passed the House, I remember it was for the correction of title in the Masonic lodge in Panama. Is that the purpose of it?

Mr. DENISON. Yes.

Mr. GARD. Does not this Senate amendment change the purpose?

Mr. DENISON. In answer to the question I will state that after the bill passed the House an opinion was rendered by Judge Feuille, attorney for the Canal government, who said that he had serious doubts whether or not the first provision of the bill, as a matter of law, would accomplish the purpose. And he asked that the bill be amended as it is amended. I suggested the amendment to the Senate committee, and they made the amendment as suggested.

Mr. DUPRÉ. It is still intended to convey the land to the lodge?

Mr. DENISON. The purpose of the amendment is to better accomplish what was sought to be accomplished.

Mr. GARD. I have not seen the amendment to read it, but just heard it read, and I think from the reading of it that the amendment provides for the sale to some one other than the lodge by the Panama Railroad Co.

Mr. DENISON. No; it simply authorizes the Panama Railroad Co. to make conveyance to any person. Of course, they contracted to sell the property to the Masonic lodge, and the only reason they did not do it was because of this flaw in the title.

Mr. MONDELL. Will the gentleman yield?

Mr. DENISON. I will.

Mr. MONDELL. The situation, then, as I understand it, is that the House bill simply removes the prohibition against the disposition of the property?

Mr. DENISON. Yes.

Mr. MONDELL. And the attorney thought that the removal of the prohibition would not of itself authorize the sale of the property?

Mr. DENISON. That is it.

Mr. MONDELL. And the amendment goes to the removal of the prohibition as well as authorizing the sale?

Mr. GARD. But under the original title it authorized the sale.

Mr. DENISON. Of course, the amendment was made at the suggestion of the attorney for the Canal government. It has the approval of the Panama Railroad Co., I suppose, and of all parties concerned.

Mr. GARD. It has not gone back to the committee for its consideration?

Mr. DENISON. I consulted with the chairman of the committee in regard to the matter, and from my understanding with the chairman I suggested the amendment myself which was made by the Senate, and I think it will meet the approval of the committee.

Mr. GARD. But it has not been considered by the House committee since the Senate amendment was made?

Mr. DENISON. No; but it is entirely satisfactory.

Mr. WINGO. Will the gentleman yield?

Mr. DENISON. I will.

Mr. WINGO. Unfortunately for me, my attention was diverted. What was the provision in the House bill?

Mr. DENISON. The provision of the House bill was that this tract of land upon which the Masonic Temple had been built be taken out from under the operation of the Executive order of the President in 1912 expropriating all land and land under water in the Canal Zone.

Mr. WINGO. In other words, your House bill removed the inhibition which prohibited the sale or transfer of this property to this lodge?

Mr. DENISON. That is the effect of the bill as it is now.

Mr. WINGO. What is the Senate amendment to which the gentleman asks us to agree?

Mr. DENISON. The Senate amendment simply authorizes the Panama Railroad Co. to go ahead and make conveyance, as the title was in the Panama Railroad Co. before the order of expropriation.

Mr. WINGO. I gathered from the question of the gentleman from Ohio that the Senate amendment authorized the conveyance to anyone instead of those people who had put the building there?

Mr. DENISON. Well, we did not know to what particular persons they wanted to make conveyance nor what words they wished to use, so we made the grant of authority general.

Mr. WINGO. The gentleman is satisfied that the Senate amendment will permit the carrying out of this intention of the company to convey this title to the lodge which has now been built on it, and that it is satisfactory to them?

Mr. DENISON. I am sure it will have that effect.

Mr. GARD. The original act which I have in my hand provides for the withdrawal of a certain tract of land, describing it as a tract of land, lot No. 641, and so forth. It is a withdrawal from the operation of the act of Congress known as the Panama Canal act, and provides for an absolute withdrawal. Now, this amendment provides:

That the Panama Railroad Co. is hereby authorized to sell, transfer, and convey said lots or tracts of land with all improvements thereon to any other person or persons or association of persons and retain the consideration therefor for its own use.

Mr. DENISON. You see the title was in the Panama Railroad Co. before the order of expropriation, and it was not intended or thought that these lots in the city of Colon would go to the Government with the other lands in the Canal Zone under the order of expropriation; but after the Panama Railroad Co. had given the lodge an option on it and attempted to make the conveyance the attorneys found this land was included in the general order of expropriation, and the title passed constructively to the Government.

Mr. WINGO. Is it true that the reason you do not specify the names of persons to whom the land is to be conveyed is because you do not know the names of the trustees of that lodge?

Mr. DENISON. That is it. And we did not know but what there had been new trustees chosen since our last communication with them. Nor did we know but that the method of financing the sale to the lodge might require the conveyance of title temporarily to other parties.

Mr. WINGO. You did not have the names of the trustees?

Mr. DENISON. No; we did not know their names.

Mr. GARD. Mr. Speaker, I believe the amendment ordinarily should go back to the committee for its determination, but if the gentleman is satisfied with the conditions I will not object.

The SPEAKER. The question is on agreeing to the Senate amendment.

The amendment was agreed to.

SALE OF CERTAIN PUBLIC LANDS TO CITY OF LOS ANGELES, CALIF.

Mr. SINNOTT. Mr. Speaker, I desire to call up the bill H. R. 406, with Senate amendments.

The SPEAKER. The gentleman from Oregon calls up a House bill with Senate amendments, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 406) amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Calif., certain public lands in California; and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland Reserve, Calif., to the city of Los Angeles, Calif.," approved June 30, 1906.

The Senate amendments were read.

Mr. SINNOTT. Mr. Speaker, I move to concur in Senate amendment No. 7 with an amendment as follows:

After the word "page" strike out the figure "5" and insert the figure "6."

The purpose of that amendment is to correct a typographical error in the message, and I move to concur in the other Senate amendments.

Mr. WINGO. Will the gentleman explain the other Senate amendments? From the reading at the desk we could not understand them.

The SPEAKER. The Clerk will first report the amendment of the gentleman from Oregon [Mr. SINNOTT].

The Clerk read as follows:

Amendment offered by Mr. SINNOTT: Amendment No. 7: Strike out the figure "5" and insert in lieu thereof the figure "6."

Mr. SINNOTT. Mr. Speaker, the bill H. R. 406 granted certain rights of way and privileges to the city of Los Angeles to enable the city to secure an additional power and water supply for the city. The Senate by its amendment has restricted and lessened and regulated the right granted by the House. It has really diminished the right and given certain protection to parties interested in irrigation where the grant is desired.

Mr. GARD. I think the matter should be explained. I am frank to say that a great deal of adverse criticism has come to my attention regarding this bill, both at the time of the passage and since.

Mr. SINNOTT. Whatever additional explanation the gentleman wants I shall be glad to give.

The first amendment modifies the House provision. There was no restriction upon the right granted by the House. The word "such" is inserted in the Senate provision, and also "as have heretofore been constructed." Now, that confines the grant to the canals, ditches, and so forth, heretofore constructed by the city. The second amendment eliminates from the act certain lands that are now in controversy in the court. That does not apply to those lands if the court finds that they have been illegally purchased. The third Senate amendment is for the purpose of clarity. It strikes out the following language——

Mr. GARD. What is the second amendment? Is it about litigation now in court affecting the title to the land?

Mr. SINNOTT. Affecting the title to the land. A certain power company is endeavoring to circumvent the efforts of the city to secure its rights under a prior grant.

Mr. GARD. There seems to be a suspicion that this is in the interest of the power company instead of in the interest of the city.

Mr. SINNOTT. The power company has been fighting this legislation. And if it is found the lands have been illegally purchased they will be eliminated from the provisions of this grant.

The fourth amendment further limits the rights given to the city by reserving the right to the Government to grant rights of way for road purposes over the land granted. The next amendment to the last provides that in considering the application of the city the consideration of such applications by the department shall be upon the merits of such applications, unaffected by any possible conflict with the plans of the city. That is to protect certain irrigation districts which desire rights of way and certain rights over the land in question. The other amendment is that the approval of the rights of way for reservoir purposes shall not be made without the consent of the parties having irrigation rights. That is also to protect the proposed irrigators of that section of the State.

Mr. GARD. Is there any protection for the United States of America in this bill as to its public land?

Mr. SINNOTT. The whole matter rests with the discretion of the Secretary of the Interior.

Mr. GARD. Is it necessary to submit the plans to the Secretary of the Interior?

Mr. SINNOTT. They all have to be submitted to the Secretary and be approved by him, and the work must be undertaken within a certain time.

Mr. GARD. How much additional land is put in here by the Senate amendment?

Mr. SINNOTT. There is no additional land put in by the Senate amendment. The rights granted by the House are diminished by the Senate amendment.

Mr. GARD. Of course it is difficult to understand it by the reading of it, but as I understood it seemed to me the Senate amendment provided for other land than that contained in the House enactment.

Mr. SINNOTT. That is not true.

Mr. GARD. It did not?

Mr. SINNOTT. It did not.

The SPEAKER. The question is on agreeing to the Senate amendments with the amendment.

The amendments were agreed to.

ADDITION TO THE CARIBOU NATIONAL FOREST.

Mr. SINNOTT. Mr. Speaker, I call up the bill (H. R. 4311) to authorize the addition of certain lands to the Caribou National Forest, with Senate amendments, and move to agree to the Senate amendments.

The SPEAKER. The gentleman from Oregon calls up the bill H. R. 4311, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 4311) to authorize the addition of certain lands to the Caribou National Forest.

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

Mr. SINNOTT. Mr. Speaker, this is a bill to add some 60,000 acres to the Caribou National Forest in Idaho.

The first Senate amendment eliminates the following language in line 6 of the House bill: "or regulation and improvement of the grazing thereon." The language of the bill left will permit additions to the forest of lands chiefly valuable for the production of timber or the protection of stream flow, a real forest purpose. The language eliminated would have enabled the Secretary to add lands to the forest nontimbered lands and land of no value for forest purposes, but only valuable for grazing purposes. The Secretary of the Interior in his letter to the Senate committee asked for the elimination of that language. He said if Congress was going to adopt the policy of adding purely and solely grazing lands to the national forests, that should be done by general legislation.

The second amendment was one suggested by the Secretary of the Interior. As the House bill had it it read: "All lands embraced in any lawful application or entry pending at the

date of the approval of this act be, and the same are hereby, excluded from the provisions of this act." Under the House language if there was a pending homestead entry at the time of the passage of this act on any land, even though the land was proper land to include within the forest reserve, it could not be included. The Forest Service or the Department of Agriculture suggested the following language in lieu of the House language:

The inclusion of any of the aforesaid lands in the Caribou National Forest shall not affect adversely any valid application or entry pending at the date of the approval of this act.

The language in both cases was designed to protect the homestead entryman, but under the House language should the homestead entryman abandon his homestead entry, the land would not be included within the forest reserve, but under the language suggested by the Secretary of Agriculture in case the homestead entry was abandoned or found invalid or not made in good faith, then the land would automatically be included within the forest reserve, and that is the purpose of the amendment.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. GARD. As I understand from the gentleman's statement of it, the first amendment of the Senate eliminates all regulation of grazing land as the House carried it in the bill.

Mr. SINNOTT. No; not the regulation of grazing.

Mr. GARD. What was the language stricken out?

Mr. SINNOTT. "Or regulation and improvement of the grazing thereon."

Mr. GARD. Then that strikes out regulation.

Mr. SINNOTT. No; it strikes out that standard for including the land, "that any of the lands within the following described area, if not valuable for grazing purposes," that land is not to go within the forest.

Mr. GARD. This refers to the land?

Mr. SINNOTT. Yes; the standard for judging the land.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

Mr. SINNOTT. Mr. Speaker, I move to reconsider the votes whereby the Senate amendments to the two bills were agreed to, and move to lay that motion on the table.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

DEFICIENCY APPROPRIATION BILL.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes.

The SPEAKER. The gentleman from Iowa moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14335, the deficiency bill. The question is on agreeing to that motion.

The motion was agreed to.

Mr. BLANTON. Pending that, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BLANTON. How much time does the gentleman expect to devote to extraneous debate on the bill?

Mr. GOOD. One hour and a half was proposed, but I hope to cut that down.

Mr. BLANTON. Then we will begin reading the bill for amendment?

Mr. GOOD. No; there is some time left for general debate to the other side. This is the last of the appropriation bills, and we want to accommodate Members on both sides.

Mr. BLANTON. Will we have to sit up late at night and listen to some more of this wind jamming?

Mr. GOOD. No; I hope not; but we will probably have some conference reports to act upon.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14335, the deficiency bill, with Mr. TILSON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the deficiency bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes.

Mr. GOOD. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. FESS].

The CHAIRMAN. The gentleman from Ohio is recognized for 10 minutes.

Mr. FESS. Mr. Chairman, every administration—or, I may say, almost every one—from the beginning of the Government to the present time has been marked by some outstanding event of legislation, some of them adversely rather than favorably. The first, quite naturally, was marked by the many acts necessary to put the Constitution in operation. The administration of the elder Adams was marked by the alien and sedition laws. Jefferson's administration will always be looked upon as the one administration that started the expansion of the country, so far as territory goes, in the purchase of Louisiana. Madison's administration was principally marked by the War of 1812. Monroe's administration probably will be longest remembered by the doctrine that bears his name, which makes the name of Monroe better understood in Europe than that of any other American unless it would be the names of Washington, Lincoln, Roosevelt, and President Wilson—the latter not with credit that it once promised, for reasons apparent to us all. Jackson's administration will always be regarded as the one in which the outstanding event was the fight against the national bank idea and the specie circular. Polk's administration will be remembered by the Mexican War. Lincoln's administration, among other things that will mark it, will be remembered by the great Civil War; Grant's by the reconstruction effort; Hayes's by the resumption of specie payments and the introduction of the civil-service system. Garfield's administration was short-lived because of the assassination soon after he took his seat. Cleveland's first administration will be remembered by the creation of the Interstate Commerce Commission and the unfortunate tariff law known as the Wilson tariff bill; his second by his stand for the integrity of the Monroe doctrine. Harrison's administration will always be remembered by the antitrust law of 1890, known as the Sherman Antitrust Act, and the McKinley bill of the same year.

And so on down the line. Almost every administration has at least one outstanding piece of legislation. Those of McKinley, Roosevelt, and Taft were all marked by important constructive legislation. The first administration of President Wilson will be remembered by the Underwood tariff bill, which will not be very savory, except the income-tax feature, which was made possible by an amendment introduced and passed by a Republican Congress and ratified by Republican States. The Federal reserve act, which has a good many qualities of redemption, since it was drafted upon the basis of the Aldrich Monetary Commission and is copied from the Aldrich bill, will also mark the first Wilson administration. The only features of value in it were what were found in the former measure, written into it by Republicans. [Laughter.]

Those features for which we are now apologizing are the things that Republicans tried to prevent. [Applause.] I know this statement is not welcome and it will create some opposition on the part of our Democratic friends, who claim everything for the law, which sees the Nation to-day in the midst of dangerous inflation. I think later on in our development the opposition to what I am now stating will vanish, as it is well known that the measure did not come into effect until long after the World War had broken.

The last administration of President Wilson, of course, will always be identified with the Great War, in which we are still weltering because the President prefers it to reservations on his league. This present Congress, which our Democratic friends like to assault, has passed more legislation, not only in quantity but in quality, than any other Congress in the same length of time that ever sat under this roof. It has passed some legislation that in the future will demonstrate it to be one of the constructive legislative bodies of our history. It has worked from a plan adopted in the beginning and is about to complete its program. The railroad bill, made necessary because of the unwise political operation of this vast industry for a time, which has been assaulted viciously, and which I am sorry a Democrat very recently referred to as a piece of legislation unduly delayed, is one of the great pieces of constructive legislation in a century. Those who claim that it was delayed are not speaking seriously and would not so speak to this group of Congressmen. The outside public not conversant with legislative procedure might think it was delayed. The time of the Congress was taken up from May 19, when the Congress first came in session, until July 1, when the fiscal year ended, in the passage of the appropriation bills that had to be passed in order that the Government could run. We did this on record time and saved the Government $40,000,000 a day every day in session.

Immediately following the passage of those bills the Interstate and Foreign Commerce Committee began its hearings, and con-

tinued in daily session listening to testimony, both forenoon and afternoon, and almost every day, from the early part of July until October. And, gentlemen of this committee, the best expert information that has ever been gathered by any committee upon any great question in the history of this Government was heard by that committee. These hearings supply the finest body of information upon a great question ever collected. During the hearings, supplying the information upon which legislation was to be drafted, there were 32 plans proposed, and those 32 were sifted down to 7 specific plans.

Those seven specific plans were strongly backed, not only by the ability of their advocates but by a marshaling of facts that demanded the attention of the entire country. Finally, the committee took those seven claims, eliminating what the committee thought was dangerous in all, and adopted what the committee thought was safe in all, and presented the bill to this Congress. It was reported here sometime in October. It was thoroughly debated and passed. In the meantime the Senate was working upon the Senate bill which passed that body. In December a conference was held between the committees of the House and the Senate, and from December until the middle of February, without the loss of a day, including Sundays, the conference committee worked upon the two bills and finally brought them in here, where they were passed against some considerable opposition on one side of the Chamber, but by a safe majority made up not only of Republicans but partly of Democrats as well. There was no delay. Time for consideration of such a measure is necessary. No consideration could deny the time. No piece of legislation that ever came to a body of legislators had back of it such expert information, such strength of advocacy, and no piece of legislation was given such wide and impartial and capable consideration as the railroad bill. And when you realize that we were dealing with the interest that represents $20,000,000,000 and involves the property rights of owners and thousands of security holders as well as 2,000,000 laborers, and encompasses 20,000,000 of our people directly interested in a pecuniary way, if you count those affiliated with the railway business, one-fifth of the population of the United States, and which involves the welfare of the entire population of the Nation, I say that a solution of that problem will forever redound to the credit and glory of this Republican Congress. [Applause.] It was a problem that was made more dangerous by the Democratic administration having involved the whole railway system in its political operation of the railroads, under which such deterioration of property, service, and general morale had to be suffered. It is a piece of legislation that will stand out as the very acme of constructive legislative ability of any Congress that has been in session within the memory of any man to-day living. And as other administrations are remembered by outstanding pieces of legislation, so this Congress will be equally remembered by the outstanding accomplishment of the railway legislation, which is but one of others of similar importance.

This Congress is called upon to reconstruct the Nation's business. The very phraseology suggests what we have been compelled to suffer. Extravagance in war and many other elements have embarrassed the country with high cost of everything in a falling off of production, due to different causes and administration of laws. We attempted to make possible increased production. This Congress passed the water-power bill, a bill designed to utilize the waste of nature at a moment when the world suffers from lack of production. All of this cheap talk about reducing the cost of living without adding in some way to the increase of production and decrease of extravagance by the Government induced by the war is tommyrot of the worst sort. It is mere demagogy and does no credit to the Member who employs it. You can not reduce the cost of living until you increase production and increase the efficiency of the producers. [Applause.] Instead of this Congress talking demagogy for political purposes, a practice not confined to Congress, it goes straight to the center of the difficulty and proposes to utilize the waste in production that otherwise would not be utilized. [Applause.] The water-power bill has been before the American Congress for over 12 years. It took a Republican Congress, House and Senate, to do what a Democratic Congress, House and Senate, had been unable to do in the 10 years that party controlled this House, beginning with 1910. [Applause.]

Mr. BANKHEAD. Will the gentleman yield in that connection?

Mr. FESS. I yield to my friend.

Mr. BANKHEAD. Does the gentleman from Ohio think it entirely fair for him, as one of the leading Republicans of this House, to claim the entire credit for the water-power bill, when he remembers that it passed a Democratic House and a Democratic Senate in identically the same form in which it was passed at this session, and was only prevented from becoming a law in the former Congress by a filibuster in the Senate which was made by a few Republicans?

Mr. FESS. My friend evidently feels hurt that this Congress is able to do what the last Democratic Congress could not do, and he does not want me to claim all the credit, just as I do not want my friend to claim the credit for the good that is in the Federal Reserve System, because the Democrats borrowed it bodily from the Republican idea. [Applause.]

Mr. SINNOTT. Will the gentleman yield?

Mr. FESS. I yield to the chairman of the Committee on the Public Lands.

Mr. SINNOTT. Does not the gentleman think the party in control of the last Congress was guilty of contributory negligence in the very matter of that filibuster?

Mr. FESS. I certainly do, for the reason that some of the bills that went over from the Democratic House to the Senate did not get there until the 3d of March, and some of the House bills were not even reported to the Senate by the Democratic Senate committees. That was not the fault of the Republicans. That was the fault of the Democrats who controlled both branches of Congress and the Executive, who were guilty of delaying the passage of such an important bill until the closing days of the session when eight supply bills, some unreported to the Senate, could not be delayed.

Mr. IGOE. Will the gentleman yield?

Mr. FESS. I yield to the gentleman from Missouri.

Mr. IGOE. I am glad to know that Republicans concede that there is some good in the Federal reserve act.

Mr. FESS. Oh, yes; the Republicans concede that. They had worked on the monetary commission for years and reported a good bill.

Mr. IGOE. I am glad to know that.

Mr. FESS. Republicans concede that there are splendid virtues in it, because in passing the Federal reserve act the Democrats adopted those splendid Republican ideas. [Applause.] It is the same thing with reference to the Federal Trade Commission. Mark you, the Federal Trade Commission was the creation of President Taft, and it was good in its inception, but the same faults that you find in the Federal Reserve Board, namely, its administration, you find now in the Federal Trade Commission which has been absolutely honeycombed by the socialists that have taken possession of it.

Mr. IGOE. That is what the packers say about it.

Mr. FESS. Well, the truth should not be unwelcome, no matter who tells it. Gentlemen of the committee, the water-power bill is not the only thing looking to increased production. The gas, oil, and coal lands leasing bill is a second measure that is again to utilize the powers of production as a substantial method to reduce the high cost of living. It is a creature of this Congress, and is a measure that a Democratic Congress for 10 years was unable to pass. [Applause.] That has also become a law.

In addition to that, we have gone as far as this Congress could go to enfranchise one-half of the American people by the extension of suffrage to the women of the country. [Applause.] The very first act of this Congress, by an overwhelming vote, was the enactment of this reform. The Republicans are hopeful that the closing drama may take place to-day over in Delaware; and if it does, look at the record. But whatever happens, Republicans are pledged to see this right given under the law. There were 204 votes on this side of the House for it, with but 18 against it, or the ratio of 11 to 1, and on the other side not sufficient to mention; 44 of the Democratic votes for it came from Republican States. Subsequently 29 Republican States have ratified it, and not a single Republican State up to date has rejected it. Eight of the 29 did not cast a single vote against it in either House or Senate. Six Democratic States have ratified it, and 6 Democratic States have rejected it. I do not know that I need to inject that activity of this Congress, but I do not want my friend from Alabama to insist that that is a Democratic measure, because it passed in spite of Democratic friends, although some Democratic States voted for it.

That is not all. This Congress has gone to the extent of its ability—aided by a loyal group of Democrats, it is true—in abolishing for all time from our midst the saloon business in America, and it has passed a law to enforce that decree. The time will come, if it is not already here, when this legislation will stand out as a great enough reform to distinguish any Congress.

Mr. Chairman, these are some of the measures looking directly to improving conditions of production.

This Congress has also enacted some of the most far-reaching measures on behalf of the toilers.

The industrial cripples' bill, now before the President awaiting his signature, is an epoch in constructive and remedial legislation. It proposes, by cooperation with the States, to train the unfortunates of industry, including the farm, so as to make them self-supporting rather than subjects of charity and victims of misfortune.

This Congress has also passed the retirement bill—a proposed form of legislation before the country for the past 20 years. It has also passed a minimum-wage bill, another measure for years demanding in vain a favorable action. It has also created a Woman's Bureau, to be a part of the Labor Department.

It will to-morrow put through the House the postal relief bill, upon which the committee has been laboring night and day in order to get the facts upon which rational action can be based.

I challenge any Congress to show a record of constructive and remedial legislation for the betterment of labor equal to this.

Mr. Chairman, Republicans are not ungrateful. They have made their record upon their gratitude toward the Nation's defenders on land and sea. Liberal legislation for the care of the disabled and infirm and their dependents has ever marked Republican policy toward the soldiers and sailors of all the wars in which our country has participated. The present Congress has appropriated generously for the disabled of the World War. The amounts already applied and authorized for the fiscal year 1920–21 for this purpose reach the stupendous sum of $1,180,671,893. This legislation is significant of the party's purpose in generously caring for the maimed and disabled men of the recent war.

Mr. Chairman, we all grant that the war Congress was faced with stupendous problems, the problems of a successful ending of the issue.

Republicans took the lead not only in urging preparation when the President cautioned Congress not to become "nervous" but in supplying the legislation necessary when we had entered it. The record is made up. The votes are entered, and any man with the hardihood to deny it ignores the printed official record known to most of the country. Knowing the inevitable tendency to use war for excuse for extravagance, Republicans at once attempted to create a committee on expenditure to guard against the useless wastes.

The President, instead of welcoming the cooperation of Congress, which was Democratic in both branches, demanded the proposal killed, which was accordingly done. A second attempt by Republicans met the same fate.

The array of facts epitomized but yesterday upon this floor by the gentleman from Illinois [Mr. GRAHAM], chairman of the War Expenditures Committee, leaves no further comment necessary upon the wisdom of the Republican proposal, but this array must hold the administration responsible for the orgy of extravagance. No man who lives to-day will see or hear the last of the claims demanded from the Government permitted by the War Department and other kindred responsible heads.

This Congress, alive to the real problem, saw at once the necessity of denying appropriations for every unnecessary agency. It ordered the dismantling of the war machine. Its difficulty is shown by the fact that while Government employees in Washington before the war numbered 37,000, to-day, two years after the war, we still have over 100,000 on the pay roll in Washington. Congress ordered in one bill a reduction of 40,000, to begin with July 1, by refusing to appropriate for them.

Every conceivable interest was exploited for the war, and now all power turned upon Congress to continue them, such as the infamous Muscle Shoals proposition, which interests are now, this very moment, attempting in the name of the farmer to turn into a nitrate plant. The present session has succeeded in saving below executive requests over a billion dollars.

In order to guard the future against such preposterous situations, the Congress only yesterday took the last and only other needed step to adopt a real budget system.

Next to the railroad bill, this legislation is the most important; indeed, many think it the most important of all the measures thus far passed. It will take its place alongside in importance of the creation of the Interstate Commerce Commission and the Sherman Antitrust Act, as the farthest reaching in its significance for the people of this Nation in this time of fiscal burdens.

Mr. Chairman, there are other measures too numerous for me to take the time to mention, because my time is limited now to a very few minutes.

I want to read you some facts. If there is any just criticism that anybody can make against this Congress, it is not that we have not done anything, because we have been so busy that we placed more laws on the statute books than any Congress that ever sat has placed on the books. [Applause.]

Let me illustrate what I mean. I want my Democratic friends to note this: This Congress convened on May 19, 1919. Take the date up to June 1, 1920, and then take the Democratic Congress, the Sixty-fifth, and bring it up to June 1, 1918, and compare the two. The calendar days will be 367 for this Congress to 368 for the Sixty-fifth Congress.

The bills introduced in the Sixty-sixth Congress up to June 1, 1920, were 14,344, as against 12,351 of the Sixty-fifth Congress; joint resolutions, 369 as against 298; simple resolutions, 576 as against 369; concurrent resolutions, 60 as against 11. Summing up, 15,349 as against 13,029.

Comparing the Sixty-sixth Congress up to June 1 with the Sixty-fifth Congress up to June 1, public laws were 250 in this Congress and 163 in the Sixty-fifth Congress. Public resolutions 48 in this Congress and 31 in the prior Congress. Private laws and resolutions 59 in this Congress and 6 in the Sixty-fifth Congress. Committee reports on the Union Calendar 348 in this Congress and 223 in the last Congress.

On the House Calendar there were 230 as against 161 in the Sixty-fifth Congress. On the Private Calendar 251, as against 91, a total of 829, as against 475. This shows committee action on legislation.

Reported bills acted upon by this Congress, 202 on the Union Calendar, 148 on the House Calendar, 82 on the Private Calendar, making 432. Pending, 397; total, 829.

Resolutions agreed to: Simple resolutions 227, as against 123. House concurrent resolutions 18, as against 25. This is one case where the Sixty-fifth Congress went beyond this Congress. Senate concurrent resolutions 9, as against 5. Totals, 254 for this Congress to 153 for the Sixty-fifth Congress.

Gentlemen of the committee, propaganda was early started by our Democratic friends in the hope of correcting a blunder that was made by the President of the Nation when he demanded by letter the return of a Democratic Congress, and from that moment that propaganda has been assiduously worked overtime by our Democratic friends, by the national Democratic committee and the congressional committee, to put upon this Congress the label of doing nothing when the facts of record indisputably prove that it has done more than any Congress that ever sat in the same time, and the reporters will tell you, if you refer to them, that so far as their knowledge goes, not a single Congress but one in the past, and that was years ago, have gone so rapidly in the business of the Government as has this Congress. Let me assure you that there will be a different story told when the facts are given to the people, which will not be deferred beyond the opening of the campaign of education.

In conclusion, summing up the work of this Congress, there was the greatest outstanding single attempt at legislation to cure the one difficult problem we inherited from the war, namely, providing revenue to pay the stupendous burdens of debt, taking steps in time to reduce taxation, stopping extravagance, turning war material back into peace channels, get away from a war basis to a peace basis, going straight to the remedy, namely, increased production. We adjure you to stop your tomfoolery talk about reducing the high cost of living by more legislation and proceed to use what legislation your administration has, if the remedy is in that line. [Applause.]

It must not be forgotten that all this was accomplished while the Senate was in the struggle, and a successful struggle, to preserve the independence and sovereignty of the Nation against the insistence of one man, who by his own will has decided that peace shall not be declared so long as he can prevent it or until his unmodified league is accepted, which, of course, means the beginning of wars. The issue will not be long deferred.

Mr. ASWELL. Mr. Chairman, two days ago I secured unanimous consent to extend my remarks in the RECORD upon the subject of Federal aid to road building. That extension did not appear in the RECORD and at this time I renew my request to so extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

DEMOCRATIC ACHIEVEMENTS IN ROAD BUILDING.

Mr. ASWELL. Mr. Chairman, the achievements of the Democratic Party while in control of the Government, expressed in constructive, beneficial legislation, are too well known to need emphasis now. It is sufficient to contrast this brilliant record by Democratic Congresses with weak, vacillating, colorless, leaderless, nothingness that characterizes the present Republican-controlled Congress, which has not a single constructive measure to its credit.

CHEAP POLITICS BY REPUBLICANS.

The present Republican millionaire steering committee, in complete control of this Congress, using methods so autocratic

as to cause "UNCLE JOE" to smile when "Cannonism" is mentioned, is without courage to proceed constructively for the good of the people and is afraid to permit the minority to initiate wholesome legislation. The Republicans in this Congress have but one thought, and that is how to get control of the White House through the next national election. As an example of autocratic methods, they limited all debate Saturday, May 29, on the soldier bonus bill to 40 minutes and refused to permit any amendment. Gag rule with a vengeance! Afraid a tax on war profiteers would be substituted for the proposed Republican consumption tax! Instead of transacting the people's business, they play cheap politics incessantly. Instead of returning the country promptly to an honorable peace basis, repealing war measures, and proceeding vigorously to the adjustment of social and economic conditions, they fritter away the time in partisan wrangling and squander the public funds in political investigations and other nauseating personal and partisan political performances to the chagrin of the Democrats in Congress and to the disgust of the American people.

BRILLIANT DEMOCRATIC ACHIEVEMENTS.

In striking contrast with the pitiable spectacle of Republican inefficiency are the achievements of the Democratic Party. The results during Democratic control of Congress are written in the bronze of history. The record of accomplishment is without parallel in the annals of American Government. Constructive measures successfully dealing with finance, industry, tariff, human welfare, commerce, and credit were written by Democrats into law. In no instance did the Democratic Congresses evade or ignore. Tariff revision, the Federal reserve act, the Federal Trade Commission, rural credits, extension of parcel-post system and motor-truck lines, the Clayton antitrust law, child-labor law, eight-hour day, workmen's compensation, the development of natural resources, seaman's law, the shipping act, the income-tax law, the vocational education act, the election of Senators by direct vote, the abrogation of boss rule in Congress, publicity of campaign expenses, the corrupt-practices act, marine insurance, soldier's insurance, the warehouse bill, the agricultural extension law, nitrate plants, the Bureau of Markets, farm-loan bonds, Federal land bank, establishment of the Department of Labor, the Children's Bureau, and the Federal-aid road law are but a part of Democratic achievement. Along with other Democrats since I have been in Congress, I have supported these measures whole-heartedly.

DEMOCRATIC ROAD BUILDING.

My purpose to-day is to present but one of these great constructive Democratic measures.

Three hundred years ago the people had a faint vision of the value of good roads when the Virginia Colony recognized the principle by colonial legislation. One hundred and thirty years ago this vision found expression in the privately owned toll road, again in the old national road under President Jefferson, and again in the stagecoach roads, then in the State and turnpike roads; but it was left to a Democratic Congress to clarify this vision and crystallize this sentiment in 1913 by creating in the House the permanent Committee on Roads. Although the Federal Constitution authorizes Federal road building, nothing was done from Jefferson to Wilson. The long period of Republican rule is properly named the "dark ages" in Federal road building. The Democrats proceeded to act efficiently. In 1916 a Democratic Congress passed the Federal aid road act appropriating $75,000,000, and established as a governmental policy the principle of Federal aid to road building in the States.

EFFECT FAR-REACHING.

Upon the passage of the act making this appropriation the Federal Government proceeded promptly to cooperate with and utilize the existing State highway departments, but it was found that 17 States had no highway department with which the Federal Government could cooperate under the terms of the act. The earliest and most far-reaching effect of the new legislation was to bring about the creation of an adequate highway department in each State. In one year more constructive State highway legislation was put upon the statute books than had ever before been enacted in the history of the country. A wholesome condition was brought about which otherwise would not have been reached in many years. The conditions laid down by the Federal aid act operated most powerfully in strengthening State highway departments, the placing of road construction under skilled supervision, the standardization of road-construction methods, and the creation of large funds for construction and maintenance.

In harmony with road improvement since the passage of the Federal aid act, 59,427 miles of additional rural mail service, 1,993 miles of star routes, and 1,250 miles of motor-truck lines have been established.

REQUIREMENTS OF ACT.

The Federal aid road act requires, first, that the State legislatures shall assent to the provisions of the act; second, that each State shall have a State highway department, which department shall have direct supervision over the construction of roads on which Federal funds are to be expended; third, Federal aid shall be met by an appropriation of at least an equal amount of State funds, the highway department representing the State and its subdivisions.

PROGRESS STIMULATED.

In 1915, the year before the passage of the Federal aid act, the total expenditure for roads and bridges by all the States and local governments in the United States was estimated at $267,000,000. It is estimated that the funds available in the States for highway improvement for the year 1920 are in excess of $600,000,000.

My own State of Louisiana, having made provisions to meet the Federal aid road fund, will receive $3,742,524.57 of the funds already appropriated to June 30, 1921. The number of miles in Louisiana of roads completed, under contract, or approved to date is 534.22.

WAR PERIOD ROAD BUILDING.

The Federal aid road act was signed by President Wilson on July 11, 1916. It provided an appropriation of $75,000,000 over a period of five years to aid the States in the construction of rural post roads, and $10,000,000 for the construction and maintenance of forest roads.

The operation of the law had hardly begun when war with Germany was declared. Other interests were subordinated to war work, and Federal aid road construction was immediately curtailed to release vitally necessary men and materials for war purposes. The War Department during the emergency, on its own account, constructed 1,075 miles of excellent roads in the United States, 846 miles of which are paved, at a total cost of $17,562,341. But the Federal aid act was on the statute books, the principle was established, and upon the signing of the armistice road work was promptly resumed under this beneficial act.

FEDERAL MONEY AVAILABLE.

The total Federal appropriations to date for road building in the States to June 30, 1921, are $275,000,000, apportioned according to area, population, and mileage of rural delivery and star routes in each State, each of these factors having a weight of one-third. The sum of $19,000,000 has been appropriated for forest road building.

BUREAU OF ROADS EFFICIENT.

Under the law the Secretary of Agriculture is charged with the administration of the provisions of the Federal aid act. He has delegated this duty to the Bureau of Public Roads. This bureau, through experience, has become very efficient and is in closer touch with the highway situation and requirements of the country, as a whole, than any other agency in the United States. It consists of a headquarters force in Washington and 13 district engineers in charge of the work in 13 groups of States.

The Bureau of Roads, being thoroughly progressive and scientific, has corrected many errors in road building and become the controlling influence in standardization of the details of specifications and methods used in the construction of the various types of road the country over. The bureau is a clearing house for the collection and dissemination of the best ideas of all State forces, and through its contact with all the States it is able to raise the standard of construction in many States by directing attention to improved methods in use in other States. With experience, this improvement will continue to advance. The Bureau of Roads, in close cooperation with State and county authorities, is the most efficient agency in promoting substantial and permanent road building in the States. No commission or body of men sitting in Washington could do the work half so well or in double the time.

ACTUAL WORK.

The Federal aid act properly requires that road projects for Federal aid be initiated by the States. Up to March 31, 1920, 2,602 projects, involving a total of 26,012.6 miles of roads, had been approved by the Secretary of Agriculture. The preliminary estimate of the cost of these projects is $326,750,928.76, of which $139,840,901.63 will be approved as Federal aid. On the same date 1,590 projects, representing approximately 15,350 miles, had either been completed or were under construction. The estimated total cost of these projects is $160,000,000, and, as they average about 40 per cent completed, the value of the work which had been done up to March 31 is $64,000,000.

The total cost of Federal aid work approved by the Secretary of Agriculture in the year and a half subsequent to the signing of the armistice and prior to March 31, 1920, is $274,000,000,

exceeding by $7,000,000 the cost of all road and bridge work done by States and counties in the United States in the year 1915. This sum is only $100,000,000 less than the total cost of the Panama Canal. The work of this Government in the construction of the canal has been regarded the world over as a record-breaking achievement in respect to the dispatch with which it was carried out. The cost of that work was $373,000,000, requiring 10 years to complete it, the rate of expenditure being $37,000,000 a year. The record has been surpassed by the Federal Government and the States in the construction of Federal aid roads since the armistice. This rate has been attained in the face of the worst economic conditions in a century, and in spite of railroad strikes, inadequate transportation facilities, and shortage of construction materials and labor.

DEMOCRATIC COOPERATION.

In road building the Federal Government and the several States are acting in the closest cooperation. The dual interest of the Federal and State governments is recognized throughout. The States have the larger interest in the development of good roads, since 90 per cent of the traffic is local in character. Yet the Federal Government also has an interest in the betterment of the avenues along which this local traffic flows. A large part of it is the traffic from farms to shipping points and nearby cities and towns. Any improvement which expedites this traffic will go far to ease the existing critical situation in respect to the supply of agricultural products. This we must regard as most important. The Federal aid act is helping mightily in increasing farm-land values, the betterment of the conditions of rural life, the promoting of educational and social opportunities of our rural communities, and the development of the inherent attractions of country life. No special roads are needed for purposes of military defense, except to connect points of strategic importance. In the main, the highway requirements of war coincide with those of peace.

The Chief of the Bureau of Roads has therefore called into consultation the several agencies interested in the development of roads for the several purposes, including the War Department, the several State highway departments, and other similar agencies representative, respectively, of the National, State, and local needs. In conference with these agencies a systematic program of permanent highway development is being outlined. The roads which are required for national development are in no way separate from those required for State development. The Federal aid act recognizes this fact and provides for cooperation between the National and State Governments, permitting the Federal Government to participate in the cost of construction to the extent of 50 per cent. The States are required to pay at least the other half of the cost. That such a division of the cost is considered equitable is evidenced by the fact that the States themselves, of their own volition, are actually paying 60 per cent of the cost of the construction which is now proposed and underway.

GOOD RESULTS.

When the Democratic Congress in 1916 enacted the Federal aid act it was not possible to estimate accurately the extraordinary interest in highways that would follow and the vast resources which the States and their subdivisions were willing to invest in highway improvement. In order to meet Federal aid, State after State has passed special tax laws or issued bonds, or, where prevented by constitutional law or otherwise, the counties of States have themselves issued bonds and placed the proceeds at the disposal of the various State highway departments.

MARVELOUS ACHIEVEMENTS.

The development of highway financing, started and stimulated by Federal aid, has been truly astounding. Immediately upon becoming familiar with the terms of the Federal aid act, bond issues were voted throughout the country, conditioned upon the matching of the bond money by the Federal Government. This process has developed until we now find a reserve fund held by many States and counties amounting to over half a billion dollars, which funds will greatly exceed all Federal money now provided. This process is continuing. Several States will vote on new bond issues this fall, and many county bond issues already remain unsold and unavailable until more Federal aid and insurance of careful Federal supervision are provided. *That the Federal aid road act is a marvelous Democratic achievement no one will deny.*

REPUBLICAN FAILURE.

The present appropriations for road building will end June 30, 1921. No provision has been made by the present Congress to continue Federal aid after that date. Thirty-six State legislatures meet in biennial session next January and six meet in annual session at that time, when the 42 States will desire to make provisions to meet Federal aid for road building in the States, but will have no assurance from Congress. To meet this serious situation in the States 36 bills, most of them by Democrats, are now pending but ignored by this Congress.

As a final effort to get action for the States I have introduced H. R. 14255 continuing the present Federal aid road program through a period of four years. As a ranking member of the great Committee on Roads, I am eager to continue and increase the inestimable blessings of Federal aid to road building for many years to come. Nothing could mean more to our material progress and to the proper development of our immeasurable resources.

Failure to act by this Congress before the January sessions of the 42 State legislatures will be another shining example of Republican stupidity and inefficiency.

When the truth is fully revealed to the country, the record of this Republican-controlled Congress, bossed by a millionaire steering committee, should condemn the Republican Party for all time to come as inefficient and incompetent to handle the country's serious business. Let Republicans name one unselfish, patriotic, constructive measure initiated and enacted into law by them.

Elect a Democratic Congress in November and the money for the proposed soldier bonus to become effective July, 1921, will be raised by taxing the 69,000 war profiteers in the United States; elect a Republican Congress and the burden of this tax will fall upon the consuming public. Are you in favor of taxing the war profiteers or the public?

Mr. LITTLE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD upon the influence of the private soldier and the soldiers and sailors legion in furthering bonus legislation.

The CHAIRMAN. Is there objection?

Mr. BEE. Reserving the right to object, do I understand this refers to the bonus bill?

Mr. LITTLE. Yes; to the part of the private soldier and sailor in that legislation.

Mr. BEE. Mr. Chairman, I object.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield 10 minutes to the gentleman from Montana [Mr. EVANS].

Mr. EVANS of Montana. Mr. Chairman, a few days ago the press of the country published the report of the Russell Sage Foundation showing the relative rating of the school systems in the several States. This report places Montana, the State I have the honor in part to represent, at the head of the list. On a percentage basis it stands 75.8, more than 5 per cent above its nearest competitor and more than 10 per cent above the District of Columbia. This excellent showing is, of course, very gratifying to me and the people of my State, and if permitted I shall print this brief paper as part of my remarks.

Mr. Chairman, about the time this report was made there appeared before the Appropriations Committee a delegation asking that the teachers of Washington be given a bonus of $500 each to enable them to live in a State commensurate with their station and duties in life. The only bill pending before the committee was this deficiency measure, and in the judgment of the committee this was not a deficiency and could not be attached to this bill under our rules. I am therefore directing attention to the matter in the hope that some way may be found by this or some other bill to give the matter the consideration that the gravity of the subject demands.

Always in our American democracy education is the thing of supreme importance. In a democracy like ours all things wait on education—public health, material wealth, civic righteousness, political power, social purity, spiritual ideals, individual happiness, the strength and safety of the Nation. The public schools, nonpartisan, nonsectarian, nonexclusive, are of all our organzations of education the most important. The efficiency and the effectiveness of the schools depend almost wholly on the teachers, their education, their general culture, their professional knowledge, and their technical skill. Teachers in our public schools are our most important public servants. Upon them as on no others depend the public weal in which the individual welfare is bound up, the happiness of the people, and the prosperity, the strength, and the safety of the Nation. True at all times, the emphasis on this truth is greater at this time of crisis than at any other time in our history, and it is more important now than ever before that all our children shall be taught by competent teachers, that all the schools shall be maintained at the highest state of efficiency.

Yet reports from the Bureau of Education indicate that more than 18,000 schools, or about 3 per cent of the total in the United States, were in January of this year without teachers of any kind, and that more than 40,000, or about 7 per cent of the total, were supplied with teachers whose qualifications

were below the minimum standards of the States in which they taught. If both the vacancies and the places filled by teachers below the minimum standards are counted, there were nearly 60,000 schools, or about 10 per cent of all the schools of the country, without teachers or taught by teachers who would not in normal times be permitted to teach. This shortage of teachers applies to elementary schools and high schools alike. It is especially difficult to find competent teachers for the sciences and technical subjects.

In reality, the shortage of competent teachers is much greater than these figures would indicate, and this greater shortage has long existed. This statement will be better understood when it is remembered that it has long been recognized that for elementary schools the minimum standard of qualifications should be graduation from a good modern high school and not less than two years of professional training in education in addition. Certainly, teachers who are charged with the task of preparing boys and girls for the duties and responsibilities of citizenship, and for making a good, honest living, and adding to the common wealth by intelligent and skilled labor, should have no less preparation than this. Yet there are now and always have been a very large number of teachers in our schools with less preparation than this. In only five States is professional training, in addition to graduation from high school, required of teachers in country and village schools. In only 18 States is high-school graduation required as a minimum standard.

Studies made by the Bureau of Education just before we entered the World War indicated that in the country at large 4 per cent of the rural teachers had less than eight years of elementary school; 22 per cent had no high-school education; 55 per cent had less than four years of high-school education. Only 45 per cent were high-school graduates and only 10 per cent graduates of normal schools or colleges. In one of the richest States of the Northwest only 8.2 per cent of the rural and village teachers were graduates of normal schools and colleges; 52.6 per cent had less than high-school education. In one of the Western States 58 per cent of the teachers had high-school education; 42 per cent had no higher education; and only 8 per cent had as much as four years beyond high school. In many States conditions are still worse. Besides having had little general education and little or no professional training, the great majority of rural teachers have little of the power and skill that can come only from experience. On the average, they teach less than 48 months before quitting school for other occupations. In some States the average life of the teacher is less than half this. The average age of the country teacher is less than 25 years. In one State the average of country and village teachers was, before the war, 23 years, and the average time which they had been teaching was only 2 years.

Much more than one-half of all the teachers of the United States have had less preparation than two years beyond the high school, and more than one-half did not teach long enough to acquire the skill which comes from experience.

Remembering that the teacher makes the school and that the school can never be better than the teacher, what can we expect from conditions such as these?

There are probably many causes for this low standard of preparation of teachers and short terms of service, but the most important is the low pay. In the country at large teachers have never been paid salaries in keeping with the importance of their work. Their salaries have never been sufficient to attract and hold in the school men and women of the best native ability, positive and aggressive in character, well educated, and possessed of professional knowledge and skill. Three years ago the Commissioner of Education reported that the average salary of teachers for the United States was less than $500. In many States the average was less than $400, and in many counties the average annual salary for rural teachers did not exceed $300.

Within the last few years the cost of living has increased more than 100 per cent, and wages paid for most kinds of labor, skilled and unskilled, have increased in somewhat the same proportion. But the increase in the pay of teachers has been much less. In a few places the increase has been from 25 to 60 per cent, but in most places it has been less than 25 per cent, and in some there has been no increase at all. As a result, the pay of teachers, always low, is lower in proportion than ever before, and many thousands of the best teachers, both in the elementary and in the high schools, are quitting teaching for more remunerative work, and comparatively few young men and women are being prepared to fill their places.

The attendance in the normal schools, which prepare teachers for the elementary schools, is 20 per cent less this year than it was in 1916, and the proportion of young men and women in the colleges and universities who are preparing themselves for work as teachers in the high schools is still less. The Commissioner of Education estimates that next fall the number of vacancies in the elementary schools will be at least 80,000 more than the number of new teachers graduating from the normal schools and other schools that prepare elementary teachers, and that the number of high-school positions to be filled will be nearly 20,000 in excess of the number of young men and women graduating from colleges and universities and expecting to teach.

Statistics gathered by the National Education Association last fall from 392 cities show that 9 per cent of the teachers in the elementary schools of these cities were paid less than $600 a year; 62 per cent between $600 and $1,000; 26.7 between $1,000 and $1,400; and only 13 teachers out of a thousand in the elementary schools of these cities were paid as much as $1,500. These were the few best men and women who, beginning with the greatest native ability, most comprehensive education, and the finest culture by long, efficient, and faithful service, have won the confidence of the people and of their representatives on school boards. Street-car conductors and motormen, carpenters, and unskilled workmen in these cities are paid more than the best of the teachers, and the average wages of telegraph messenger boys were greater than the average wages of the school-teachers.

In the schools of the small towns, villages, and open country conditions are worse still. Twenty-five per cent of the teachers in these schools are paid less than $500 a year; 70 per cent between $500 and $1,000; 95 per cent of all the teachers, men and women, in the country and village schools are paid less than $1,000; and only 1.5 per cent are paid as much as an average of $100 a month for the entire year. The wages of unskilled farm laborers are considerably larger than the average of the school-teachers. The pay of rural mail carriers is twice as much, and they are not paid enough.

Even in the richer States of the Middle West, which are most proud of their school systems, the conditions are only a little better than the average indicated in this statement. A recent report of the superintendent of public instruction of the State of Illinois shows that the average salary of teachers for last year was only $848.62. In only one county, Cook County, in which the city of Chicago is located, was the average more than $1,000, and in more than a dozen counties it was less than $500.

In proportion the salaries of high-school teachers are no better than those of teachers in the elementary schools. Men and women of the best native ability, who have spent four years or more in college or university and have continued their preparation through long years of study and who have proved their worth by many years of successful teaching, work for less than $2,000 a year, and consider themselves very fortunate if they ever reach a maximum of $3,000.

Nor are conditions better in colleges, universities, and normal schools. In the last few years thousands of professors, associates, and instructors have left the institutions of higher learning to enter other occupation in which they receive as beginning wages 50 to 500 per cent more than the wages to which they had attained through long years of service in teaching.

Evidently we must spend more money for teaching if we would make our schools efficient and be sure that our children shall receive the kind of education necessary for their success in the new era. And we shall be wise in doing so. Nothing is more costly than ignorant and unskilled teachers. They waste not only the money paid but also the time and opportunity of the children, and lowers the standards of intelligence, virtue, and skill of the people of the Nation.

The schools of Washington should set the standard of ideals and efficiency for the whole country. This can be done only by making the salaries of teachers sufficient to attract and hold the best. The salaries of these teachers are paid out of the treasury of the District of Columbia and of the United States. I am sure that neither the people of the District nor of the country at large will object to paying all that may be necessary to make the schools of the Capital of the greatest, most powerful, and most wealthy country of the world the model for all the world.

This request of the teachers for a bonus of $500 is moderate and just. Let us give it to them and then raise their salaries permanently, so that they may correspond to the difficulties and responsibilities and dignity of their task.

OFFICIAL STANDING.

The standing of the 48 States and the District of Columbia:

1. Montana	75.8
2. California	71.2
3. Arizona	66.2
4. New Jersey	65.9
5. District of Columbia	64.3
6. Washington	63.7
7. Iowa	61.9

8.	Utah	61.4
9.	Massachusetts	61.0
10.	Michigan	60.1
11.	Connecticut	59.8
12.	Ohio	59.7
13.	New York	59.4
14.	Colorado	59.2
15.	North Dakota	59.1
16.	Nevada	59.0
17.	Indiana	58.9
18.	Idaho	58.6
19.	Minnesota	58.4
20.	Oregon	57.8
21.	Pennsylvania	57.7
22.	Nebraska	57.1
23.	Hawaii	57.0
24.	Illinois	56.8
25.	Wyoming	56.7
26.	Rhode Island	56.3
27.	Kansas	55.2
28.	Canal Zone	55.1
29.	South Dakota	55.0
30.	New Hampshire	54.4
31.	New Mexico	53.0
32.	Vermont	51.5
33.	Wisconsin	51.3
34.	Missouri	49.6
35.	Maine	47.4
36.	Oklahoma	44.4
37.	Maryland	43.2
38.	Delaware	42.3
39.	Texas	41.1
40.	Florida	37.8
41.	West Virginia	37.7
42.	Porto Rico	35.8
43.	Virginia	35.3
44.	Tennessee	35.1
45.	Kentucky	35.0
46.	Louisiana	33.9
47.	Georgia	32.6
48.	North Carolina	30.6
49.	Alabama	30.6
50.	Arkansas	30.3
51.	Mississippi	30.0
52.	South Carolina	29.4

Mr. BYRNES of South Carolina. Mr. Chairman, I yield 15 minutes to the gentleman from Arkansas [Mr. GOODWIN].

Mr. GOODWIN of Arkansas. Mr. Speaker, we often hear expressed in rather vague and indefinite terms the statement that we are the richest Nation in the world, and we are prone to state our wealth in that indefinite way without making a comparison with the wealth of other nations.

Of course, we are as yet too close to the Great War to strike any trial balance of the economic conditions of all the great warring nations, though in a way we may approach the economic strength of the various great nations by comparing their wealth or economic strength before the war with their strength as it is to-day. But there is chargeable, of course, to each nation its loss entailed by the war—the money expended, the wealth destroyed, and, greatest of all, the economic loss in man power.

I can in this address but skeletonize the assets of the various nations, and I will start by saying that the national wealth of the United States when the war began was estimated to be $250,000,000,000; the wealth of Great Britain at that time was $90,000,000,000; of Russia, $60,000,000,000; and of Italy, $30,000,000,000.

Mr. MONAHAN of Wisconsin. Mr. Speaker, will the gentleman also give us France?

Mr. GOODWIN of Arkansas. I was just about to state that the national wealth of France was $65,000,000,000, or less than one-fourth the wealth of the United States. The wealth of Germany was $85,000,000,000 and of Austria-Hungary $40,000,000,000.

It is rather a coincidence that the ratio of the present debt ($189,000,000,000) of the great nations, other than the United States, to their national wealth August 1, 1914 ($370,000,000,000), averages about 50 per cent of their total wealth, this being also true of each nation individually, while the debt of the United States, when loans granted to our European associates are paid, will net only about 6 per cent of our national wealth August 1, 1914.

For four and a half years the warring nations turned aside from the arts of peace and peace production and mobilized every ounce of their economic strength and strategy for the production of war material and the effectuating of economic destruction.

The greatest surprise of that titanic struggle has been the power and efficiency of man to produce an almost inexhaustible supply of material and strength from what had been considered a resource bounded by reasonable limitations.

The wealth of the world when the war began was estimated at $750,000,000,000, while the cost of the war was more than $200,000,000,000, not including the possible loss of from fifty to one hundred billion dollars of property, such as cities, towns, farm properties, the sinking of ships, their cargoes, and sundry other things of a material nature.

Only a small percentage of the total wealth of the world—$750,000,000,000—could be utilized for war purposes, as much of this wealth consisted of lands, cities, buildings, and railroads and other transportation facilities. Hence the $200,000,000,000, or more than one-fourth of the world's total wealth of every description, with which to prosecute the war had to be raised either by taxation or issuance of bonds.

But great as were the ravages and destruction of things that existed when the war began, the output of the warring nations was immeasurably increased during the progress of the war, as the energies of men were expended at full capacity and nothing remained dormant or stagnant. Fortunately the salvage of war material and everything connected therewith was of a considerable percentage, and many factories and other agencies and energies of destruction have since been and will continue to be converted into instruments of peace production and human welfare.

Immeasurable as were the loss of property, the expenditure of money, and the mortgaging of the world's future income to liquidate the war's indebtedness, much greater was the loss entailed by the checking of the spiritual and material progress of the world and the blight—at least the temporary blight—put upon the world's civilization. But great as were all of these losses, the greatest of all was the loss of life, the killing of 10,000,000 soldiers upon the battle fields—the total loss of that blessing which their living would have vouchsafed to society, not to mention the wealth they would have wrought in the world nor the millions of posterity that would have been born into the world had these brave souls been permitted to live out their natural lives in peaceful days.

Nor is this all the loss the war entailed upon the world. The loss sustained by the lack and want of material production that would have come in times of peace from the hands and labors of those who died upon the field of battle—that economic loss likewise is a debit against the frightfulness of those dark and bloody years.

Added to this likewise must be a charge against the war of the multiplied millions of crippled soldiers who will be throughout their natural days a tax and burden upon society.

And added still to all of this catalogue of losses must be the shortening of the days, as a result, of millions too numerous to count of men, women, and children undernourished and underfed; not only during the war, but even for the next few years to come will this shortage of food prevail.

While added still to these is the demoralization of wars, the loss of interest and initiative in the souls and hearts of people who, when the tragedy is over, their homes burned down, their families destroyed, their hopes blasted, look out into the world of Stygian darkness and despair and wonder if, after all, life is worth the living.

So, Mr. Speaker, when we take this hasty retrospect and view the physical plight and the spiritual life of the balance of the world, look upon the millions of graves of those who lie buried across the sea, the destroyed homes and hopes of millions still living, behold the debt generations yet will have to pay, lands and properties reduced in values and the taxations to be borne for the next hundred years, and then turn our faces and behold the plentitude of American wealth, with no indemnities to bear and the few billions only that we in years will pay, we should again, again, and still again thank our Maker that we are American citizens—the richest, happiest, and the most prosperous Nation upon the fact of the earth. [Applause.]

Not only were 50,000,000 soldiers taken from the fields and factories of production during these long, wearisome years of fighting to destroy not only the white races of the earth but to destroy for all time to come every vestige of physical property owned by the contending forces, in order that after the war was over the physical possessions of each should be reduced to the minimum, but also whole populations of countries were taken from the fields of production into the very charnel house of war.

And just here, may I not for the moment be justified in adverting to the thought that aside from profiteering—not one dollar of which can be justified—the cost, the high cost, of living may at once be laid at the doorway of the war, to the $200,000,000,000 issued by the nations of the world to carry on the war, as well as to the fact that to-day the world is undersupplied with food, clothing, machinery, implements, and everything that man eats, wears, or that gives shelter and protection to men and their families? This flotation of cheap money, this inflation of billions of dollars, coupled with the shortage of the world in everything necessary to life and the demand for all

things material to supply the wants of man—the underproduction and the great demand for consumable things—these, these, Mr. Speaker, are the inevitable outgrowth of and reasons for the high cost of living.

And in the face of this awful world indebtedness and the high cost of everything, many people are more extravagant than ever before and are demanding luxury after luxury which a few years ago they never dreamed to have. And I maintain that the only way to reach and to attain some avenue to the normality of things must be the road to increased production and wise conservation and enforced economy. And this, sir, must apply to a curtailment of expenditures made by Congress, by legislatures, by cities, and by communities in public works and improvements of every kind, as well as personal expenditures, unless absolutely indispensable to the progress and welfare of homes and the country at large.

But pardon me for diverting myself from the world's economic condition, to which I must now again give my attention.

Mr. Speaker, something over a year ago I gave considerable thought to, and made no little research into, the economic conditions of the United States and the six principal European nations engaged in the war—Great Britain, France, Italy, and Russia of the Entente group, and the Imperial German States and the dual monarchy, Austria-Hungary.

There is still, I understand, no complete appraisal or inventory of all the data incident to the Great War. I must in this connection, in addition to several books and pamphlets and articles of a general nature which I have read, ascribe much of my material and thought in this discussion to a pamphlet issued in the early part of last year by the Mechanics and Metals National Bank of New York. In a most detailed and elaborate way this record of analysis of the financial obligations entailed on the world by the Great War is set forth in the pamphlet referred to, and I believe it to be fairly accurate in many respects, though the writer of that article, in my opinion, missed rather wide the mark in making estimates of the postwar expenses of the seven great nations enumerated by me in this discussion. This authority holds that the gross indebtedness of the seven great nations engaged in the war, thus named by me a few moments ago, had an outstanding debt when the war began of $27,000,000,000, whereas that indebtedness now reaches the staggering sum of over $200,000,000,000; and, furthermore, it took 100 years, including many wars, to accumulate this $27,000,000,000 debt, whereas this late war produced nearly seven times the indebtedness that was required by 100 years of war and peace.

The gross indebtedness of the seven principal nations—not including Japan—engaged in the Great War August 1, 1914, when war broke out, and their indebtedness to-day is in round numbers as follows:

Gross debt of—	Aug. 1, 1914.	Jan. 1, 1920.
United States	$1,000,000,000	$26,000,000,000
Great Britain	3,500,000,000	42,000,000,000
France	6,500,000,000	33,000,000,000
Russia	4,600,000,000	30,000,000,000
Italy	2,800,000,000	13,000,000,000
United States and her associates	18,400,000,000	144,000,000,000
German Empire and her States	5,200,000,000	45,000,000,000
Austria-Hungary	3,200,000,000	26,000,000,000
Teutonic nations	8,900,000,000	71,000,000,000
Gross debt	27,300,000,000	215,000,000,000

Thus we see that whereas the total prewar debt of the seven nations named above totaled $27,300,000,000, the estimated indebtedness of those same nations on January 1, 1920, was $215,000,000,000. These figures, of course, are only approximately correct, and a large part are taken from the estimates made by the Mechanics and Metals Bank above referred to, which, in my opinion, are conservative and approach the total indebtedness of the above-named nations.

This total indebtedness of the European nations above named does not take into consideration the amount of indemnities assessed against Germany and Austria-Hungary by the peace conference, the amount of that indemnity to be assessed against the German Empire being, in round numbers, $25,000,000,000 and against Austria-Hungary being several billions more. Nor do these figures take into consideration the amount, or any part, of the property destroyed, the sinking of ships, and other losses of a general nature.

Let us now turn to the estimated national wealth of those same countries at the beginning of the war, August 1, 1914:

United States	$250,000,000,000
Great Britain	90,000,000,000
France	65,000,000,000
Russia	60,000,000,000
Italy	30,000,000,000
United States and her associates	495,000,000,000
Germany	85,000,000,000
Austria-Hungary	40,000,000,000
	125,000,000,000
Adding together the two groups, we have total wealth	620,000,000,000

The ratio of debt of each country in 1920 as compared to the total wealth of each nation in 1914 may at a glance be shown as follows:

	Total wealth Aug. 1, 1914.	Gross debt Jan. 1 1920.	Per cent debt to wealth.
United States	$250,000,000,000	$26,000,000,000	10
Great Britain	90,000,000,000	42,000,000,000	47
France	65,000,000,000	33,000,000,000	51
Russia	60,000,000,000	30,000,000,000	50
Italy	30,000,000,000	13,000,000,000	43
United States and her associates	495,000,000,000	144,000,000,000	.....
Germany	85,000,000,000	45,000,000,000	53
Austria-Hungary	40,000,000,000	26,000,000,000	43
	125,000,000,000	71,000,000,000	.....

Deducting the $10,000,000,000 that our European associates borrowed from the United States, which in turn was used in the purchase for them of our goods, munitions of war, farm products, and sundry things, leaves a net balance owed by us of sixteen billions, or only a fraction over 6 per cent of our total national wealth when the war began—to be exact, 6.4 per cent of that national wealth—and deducting the $2,000,000,000 loaned to our European associates by American banking institutions will reduce the ratio of our war indebtedness to national wealth still more appreciably.

But the comparison does not stop here, Mr. Speaker. If we charge the present indebtedness due by each country on account of the war against the total wealth of that country, and also charge the amount of property destroyed in European countries, the disparity in wealth between the European States and our own country is more pronounced than ever. The United States sustained but little loss in the war in the way of physical property, as compared to the havoc and wreckage of property, especially in France and in Belgium, Serbia, Roumania, and other countries not herein mentioned. And if Germany and Austria-Hungary are to pay the immense indemnities assessed against them, there would not be much in the way of net valuation left to either of them at this time.

Thus we see, Mr. Speaker, that the combined wealth of Great Britain, France, Russia, and Italy, at the outbreak of the war, was estimated to be $5,000,000,000 less than the national wealth of the United States; while the combined wealth of the Teutonic group—Germany and Austria-Hungary—was only one-half as much as that of the United States. And when we consider the amount of physical damages wrought to the property of the warring nations—the sinking of ships and cargoes, the destruction of cities, towns, farms, railroads, forests, orchards, fine arts, and many other things too numerous to enumerate, not to mention the assessments in the way of indemnities levied against the Teutonic powers—the wealth and superiority of the United States stand out in bold relief as a great mountain suddenly emerging from a plain. [Applause.]

But this does not begin to tell the tale of the great superior financial and material wealth of America as compared to that of the other nations of the world.

When the war came on Europe held, it is estimated, at least $5,000,000,000 worth of American securities—that is to say, the people of Europe had invested that much money in our properties, such as stocks and bonds of railroads, banking institutions, mines, sawmills, manufacturing plants, and otherwise. These investments yielded the owners, these European stockholders, an average of 5 per cent per annum, which amounted to $250,000,000 a year. This much money, let us say, was expatriated, was sent abroad, from year to year, to the owners of these stocks and bonds. But, owing to the stress of war, these European owners of American stocks and bonds were compelled to sell back to us a large proportion of the same, and United States citizens bought back $4,000,000,000 out of the $5,000,000,-

000 of stocks and bonds held abroad. Five per cent interest on this $4,000,000,000 amounts to $200,000,000 per annum in the way of interest which the American people now do not send abroad, but keep at home, as they now own these properties. [Applause.]

But this is not all, Mr. Speaker. American tourists, or "globe-trotters," as we call them, had been going to Europe before the war and spending some $250,000,000 annually. Since the war began this money has been kept at home, amounting to more than $1,500,000,000.

But this is not all. When the war came on America's merchant marine carried but 8 per cent of our foreign trade, and we paid every year to foreign bottoms for the transportation of the products of our fields and factories the sum of $250,000,000. For 10 years before the war this amounted to the staggering sum of more than $2,500,000,000! This money will now be kept at home, sir; for, under a Democratic administration during the past few years since my service here, we have increased the tonnage of our merchant ships until to-day we have nearly 15,000,000 tons of shipping. [Applause.]

Thus we will not only keep at home the $250,000,000 per annum which we had been accustomed to pay to foreign vessels for the carrying of our commerce, but we will also participate largely in the carrying trade of the other nations of the world. Thus we see, Mr. Speaker, that the exporter of goods and farm products will not only find a market where he had no market before, but when his goods are sent abroad they will be sent in American ships, manned by American sailors, and flying the American flag, our white sails entering the ports of every land and clime, thus enabling him who sends his products abroad to receive a greater sum for the sale of the things that are borne in American ships. [Applause.]

If I may be a bit personal, Mr. Speaker, I may say that in no part of the work in which I have engaged since I have been a Member of Congress have I taken more interest than the building up of the American merchant marine. [Applause.] That work and that legislation were very attractive to me as a member of that committee. I saw the necessity of owning our own ships to carry our constantly increasing exports in quest of new markets to the four quarters of the globe.

Nor is that all of the story, Mr. Speaker. For 20 years before the war came on our export trade, on account of the smallness of our merchant marine and our policy of isolation, exceeded our imports by an average of only about $400,000,000 per annum. For the past four years our balance of trade has been ten times that amount, or, in round numbers, $4,000,000,000 per annum. And last year—the first year since peace was declared—our exports totaled the huge sum of $8,000,000,000. [Applause.]

Nor is that all of the superiority of our material greatness and riches. Likewise, under a Democratic administration, we made another long stride in adding to the strength and integrity of our immeasurable wealth.

When I came to Congress a few years ago, we had one of the shabbiest and one of the most ill-conceived financial systems of any country in the world. This great Government, with its bigness and stupendous wealth, this giant of the West, stood with its ponderous body resting upon veritable financial spider legs! There had been from time to time a little patchwork stuck here and there on our financial system, but nothing of a substantial nature had been done.

One of the first achievements, and possibly the greatest legislative achievement of any administration in the history of the United States, was the great Federal banking system, which took the place of the inadequate, obsolete national banking system which was the sudden and immature thing brought forth under stress of the Civil War to meet a temporary emergency in 1862. And this giant of the West, this American Commonwealth, grew and fattened and expanded all the while, resting upon that weak, uncertain, panic-breeding financial system. But the Democratic Party set to work to destroy, to overturn, this archaic system, and in doing so broke up and put to rout the greatest trust the world ever saw—the Money Trust, which held the prosperity of this country in its mighty, greedy grasp! Had it not been for the substitution of the present system for the outworn system of 1862, the world might have fallen backward for over a hundred years, for the greatest panic the world has ever seen would have followed the stress and strain put upon our resources incident to the great World War. But it stood it all without a shock, without a tremor; and so great was our wealth and unshaken our strength that we loaned to our European associates, in order that they might prosecute the war, ten billion dollars from the American Government. [Applause.]

And in addition to this $10,000,000,000 which our Government loaned to the European nations, American bankers loaned $2,000,000,000, making in all $12,000,000,000. On this $12,000,000,000, bearing an annual interest of 5 per cent, there will be due to America from those European Governments $600,000,000 of interest annually—nearly 50 per cent more than the world output of gold in 1918, which, as I recall, was $458,000,000. And this $600,000,000 in interest is even 50 per cent more than our annual balance of trade for 20 years before the outbreak of the great European holocaust. [Applause.]

But, again, even this does not tell the whole story. The records show that so wonderful are our resources in raw material, in machinery, in the science and genius of our mechanics and artisans, in the reduplication of our factories and the instrumentalities of our production that we can manufacture almost in one year as many goods as can all the other nations of the world combined. [Applause.]

And yet again, in addition to all this, America has nearly 40 per cent of the world's gold supply. To give some idea of the money cost of this war—not to mention the economic loss of man power—I will state that this war cost the world, and the nations will have to pay, six times as much money of every description as there is on deposit in all the banks of the United States. Or, to put it another way, this war cost the world twenty-five times more than our tremendous and unparalleled export trade for the year 1919. Or, to state it in still a different form, the cost of this war, it is said, to the world amounted to more than all the gold and silver that have been mined—of which the world gives any record—since the beginning of time.

Is it any wonder, then, Mr. Speaker, that the cost of everything is high when we reflect that during these awful years the soldiers now living and dead were taken from the ranks of production and placed upon the firing lines?

But for one moment let us behold America's physical and productive greatness. In 1912, the last year of President Taft's administration, and about the time I came to Congress, the total value of the agricultural products and live stock of the United States amounted, in round numbers, to $9,000,000,000, whereas in 1919, or last year, the agricultural products and live-stock production equaled the stupendous sum of $25,000,000,000, nearly three times as much as seven years before!

The estimated wealth of the world when the war began being $750,000,000,000 and the wealth of the United States $250,000,000,000, or one-third of the world's total wealth, let us now compare the wealth of America at the outbreak of the war—and it is now even much greater—with the total world wealth.

Europe to-day is mortgaged to pay a debt, in round numbers, of $200,000,000,000. The indemnities to be assessed against the Central Powers aggregate tens of billions of dollars, while the damages inflicted upon property destroyed during the war amount to between fifty and one hundred billion dollars. When these items are added together and subtracted from the $500,000,000,000 that the world, other than the United States, owned before the war began, we witness the United States equaling, if not excelling, in wealth all the other nations of the world combined! And yet the United States has only one-eighteenth of the world's population and one-sixteenth of the world's territory, while its wealth approaches the combined wealth of all the other nations of the world. [Applause.]

If wealth would make a people happy, if riches would make a people great, then the American people as a Nation should be the happiest and the most content of all the peoples of the earth.

But what shall we do with this inheritance? Shall we bury our talent, as a certain man whom the Savior described in one of those wonderful parables? Or shall we not put it out at interest, and thus assure that this unparalleled abundance of things material shall be used for the service of mankind, that ignorance may be dispelled, superstition blotted out, vice extirpated, and that honor, justice, virtue, integrity, equality, and fraternity may be enthroned, to the end that man may yet attain unto the heights where God destined he should reside even while on this earth?

Then, behold the position of primacy the United States occupies in the world to-day! With a net debt of only about 6 per cent of her total wealth standing out as an obligation to be paid by her on account of her participation in the war, as against almost an average of about 50 per cent of indebtedness of the total wealth assessed against and to be paid by the six great European nations named in this discussion, not to mention the heavy indemnities to be borne by the German Government and Austria-Hungary, the position of the United States is not only unique but without a parallel in all the history of the world. [Applause.] Indeed, Mr. Speaker, when we contemplate the subtraction of States lost by Austria-Hungary and the attainment of independence of those nationalities that had as-

pired for hundreds of years to independence, there is but little left of what was Austria-Hungary at the outbreak of the war.

But the question may be asked, Will the $10,000,000,000 now due the United States by our former European Allies, together with the $2,000,000,000 now due individuals and banking institutions by the European Governments, be paid?

My reply is that one can only judge the future by the past. Thus far no nation has ever repudiated its debt to another nation, and those that sought so to do suffered immeasurable penalties. A nation is like an individual—it must live or perish. If it lives, it must have credit and standing in the world. Nothing breeds friction between nations, as between individuals, more than the refusal to pay a just debt, because nations, after all, are made up of individuals.

The unrest throughout the world is but a reaction of the war. Most nations are sick, very sick, as is a patient just slowly arising from a long fever or a serious operation. If peace continues, they will regain slowly, but surely, their strength. The people everywhere must be patient, hold up their heads, and fight the harder, every man doing his part, lest the world take a backward step.

The world must be rebuilt and order must come out of chaos. Europe needs multiplied thousands of millions of dollars' worth of products of American fields, forests, mines, and factories; and while the high cost of living, even with the pruning down of every possible dollar of Government expenditures, will continue for some time, things will gradually assume normality. But many years will pass before we approach prewar conditions. Nor should we too rapidly approach conditions that existed before the war, for if we did the suddenness of the transition would result in the greatest financial panic the world ever saw. Many contracts were made in the purchase of homes, farms, live stock, farming implements, and dozens of other things too numerous to mention, at maximum prices—and how could these contracts be paid with farm products, with—let us say—cotton at the prewar price of 7 to 12 cents a pound, or wheat at $1 per bushel?

Prices are high, but labor, also, has never been so generously compensated; and now not too much, for labor must have its just reward, the same as capital. In fact, labor must live, and the families dependent upon labor must live, be fed and clothed and schooled and have outlook and hope in life, and if prices should drop suddenly down to prewar prices the suddenness of the shock would not only paralyze all industry, result in the wreckage of banks and the closing of mills and factories, but labor, too, would be dislocated, and the unemployment of men by the millions would come overnight.

But the agitator, Mr. Speaker, the man with nothing but hot air as his asset, who toils not, neither does he spin, is going up and down the earth telling the people that the future is gloomy, the highways dark and muddy, and that despair awaits the children of men.

The high cost of living was to be expected after such unparalleled wreckage and expenditure of over two thousand millions of dollars, which must be met gradually by the world, and for which the various nations are mortgaged to pay. How happy should every American be—yea, and very proud—that he is an American when he contemplates the richness of this mighty Republic, its peace and quiet, as compared with the ruin, wreck, and sorrow of the millions of peoples of Europe. [Applause.]

The American people, sir, since the birth of this Republic have from time to time gone, as it were, through the fiery furnace. Their souls have been tested, their faith has been challenged, but out of every ordeal has sprung a greater America—the hope of the world, the glory of all civilization. We will not hang our heads—none save the trouble breeder—but with head erect and courage undaunted we turn our faces to the east, to the rising star of hope, knowing that the dawn but awaits the passing of the night, and that this Republic, baptized at its birth in blood and dedicated to the cause of human freedom, with her multiplied billions of wealth, must serve her people with that wealth, vouchsafing to every American not only liberty but fraternity and equality before the law. [Applause.]

Mr. TOWNER. Mr. Chairman, February 7, 1920, Mr. NOLAN, of California, introduced a bill, H. R. 12397, which was referred to the Ways and Means Committee. The title of the bill was—

To provide for the raising of public revenues by a tax upon the privileges of the use and enjoyment of lands of large value.

The bill provides:

That all persons, firms, associations, and corporations owning land in value in excess of $10,000, whether in possession or leased to others, shall be subject to an excise tax upon the privilege of the use and enjoyment of such excess at the rate of 1 per cent.

The author of the bill, it is stated, is J. H. Ralston, a lawyer of Washington, D. C., and the bill was introduced by Mr. NOLAN at his request. The bill is being promoted by a "Committee of manufacturers and merchants on Federal taxation, incorporated," located at 1346 Altgeld Street, Chicago. In an "announcement" sent out in March, 1920, it was stated that—

On April 1 this committee will begin a vigorous and aggressive campaign in behalf of the Ralston-Nolan Federal revenue bill.

The purpose of the bill is stated to be—

to reduce the excessive tax burden on business and other producing enterprises about $1,000,000,000 by raising the same revenue by a Federal tax of 1 per cent on the privilege of holding land and natural resources valued (irrespective of improvements) over $10,000.

It is further stated that—

More than 7,000 business houses, with an aggregate capital of $1,300,000,000, have already indorsed the bill.

It is also stated that—

Organized opposition to the proposed law is expected, but the effective distribution of from 3,000,000 to 5,000,000 pamphlets and circulars, together with the activities of a well-organized speaker's bureau and publicity department, will be sufficient, it is believed, to overcome whatever opposition may arise.

It is added—

The interest of the business men of the country having once been sufficiently aroused, the energies of this committee will be directed on Congress.

This "announcement" was followed on April 5 by a circular letter, together with a pamphlet entitled "Sane Taxation." This pamphlet was an elaborate restatement of the "announcement" with reasons why $1,000,000,000 of Federal taxes should be removed from "business" and placed on land. It denounced the excess-profits tax and the income tax, and declared that—

The value that attaches to the privilege of land ownership is not an earned but an unearned value. It is not the result of individual effort, but the result of community growth and development only. As an unearned value, therefore, it is certainly a more just subject for taxation than the earned values of industry and enterprise.

On April 15 another circular was sent out, headed—

Wanted, 10,000 business firms to distribute 5,000,000 circulars; sample copy attached.

It was stated that the corporation wanted the circular to reach every business man in the United States.

Another circular, undated, addressed to the "Business men of America," was headed:

Do you favor a reduction of 25 per cent of your Federal taxes?

In this circular it was stated:

Business must have relief from the present excessive Federal tax load; the privilege of land ownership can well afford and ought to carry its fair and equal share.

It also states that to date, April 15, over 8,000 business firms had indorsed the Ralston-Nolan bill. It quoted President Wilson to the effect that in peace times high rates of income and profits taxes "discourage energy, remove the incentive to new enterprise, encourage extravagant expenditures, and produce industrial stagnation with consequent unemployment and other attendant evils." It also quoted ex-Secretary McAdoo as saying:

The immediate burden of taxation is too great. It is having an injurious effect on business. It is a contributing factor of large proportions in the high cost of living. Its inevitable tendency is to stifle new enterprise and to throttle initiative. It is both unscientific and inequitable.

In this work of securing the repeal of $1,000,000,000 taxes on "business" and substituting therefor a tax of like amount on land it was stated that a fund of from $300,000 to $500,000 would be needed, subscriptions for which were to be solicited.

The bill was so clearly unconstitutional that it received no consideration by the Ways and Means Committee and no attention from Congressmen. It was not until it became evident that at least some business men took the matter seriously and were attracted by the pleasing prospect of relief from their income and excess-profits taxes by shifting the burden on the farmers and other owners of lands and homes, and were evidently contributing large amounts to carry on the propaganda, that it received attention. When it was known that a fund of a half million dollars was to be raised and expended to secure the passage of such a bill, it became a matter of inquiry with many as to whether such a bill would receive the serious attention of Congress and would be valid if passed.

Never before since the foundation of the Government has a serious attempt been made to secure the passage of such a law. The reason is not far to seek. On its face the bill is utterly unconstitutional.

The Constitution provides, Article I, section 8, paragraph 1:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common defense and general welfare of the United States.

It is also provided, Article I, section 9, paragraph 4:

No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be made.

Under these provisions Congress has the general power to levy taxes, but no direct tax can be imposed except in proportion to the population. If a bill or act provides for the levy of a direct tax and it is not laid in proportion to population, it is invalid. If a tax is imposed on land and such a tax is a direct tax, it is invalid unless it is apportioned according to population.

If the United States desires to raise revenue by a tax on real property it can not tax lands within its jurisdiction on the basis of value, nor on the basis of extent; but it must apportion among the several States in accordance with their population the total amount of the revenue to be raised by taxes upon real property, and must then provide the rate at which such lands in each of the several States shall be taxed in order to raise in each State the sum apportioned to that State.

The difficulty and practical impossibility of levying such a tax in accordance with the constitutional requirements are so great that no successful effort has ever been made or probably ever will be made to raise revenue in this manner.

As the Constitution does not prohibit the States from levying direct taxes, that field is open to the States, and the power to levy taxes on the values of real estate is universally exercised by the States. It is believed that the limitation on the Federal Government is a wise provision, as it leaves to the States the power to raise a large portion of the revenue necessary for their support exclusively to them. For the Federal Government to invade this field of taxation would not only be double taxation upon the owners of the lands, but would raise questions of equity and administration difficult to determine and embarrassing in their execution.

The bill under consideration imposes a tax of 1 per cent upon the value of lands in excess of $10,000. There is no attempt to apportion the tax in proportion to population. If a tax on land is a direct tax within the meaning of the Constitution, then the proposed tax is unconstitutional and invalid.

A tax on real estate has been held by an unbroken line of authorities, both National and State, to be a direct tax.

In Hytton *v.* United States (3 Dall., 171), decided in 1798, only nine years after the adoption of the Constitution, it was held that a tax on land was a direct tax, which could not be imposed by Congress unless apportioned. Mr. Justice Patterson, in his opinion, said:

I never entertained a doubt that the principal—I will not say the only—object that the framers of the Constitution contemplated as falling within the rule of apportionment were a capitation tax and a tax on land.

In Springer *v.* United States (102 U. S., 586) it was held that the income taxes provided by the law of 1862 were not direct taxes. After reviewing the authorities, the court declared:

Our conclusions are that direct taxes, within the meaning of the Constitution, are only capitation taxes, as expressed in that instrument, and taxes on real estate.

In this case it was held that a tax upon the land itself was a direct tax, but that a tax upon the income derived from the land was not a direct tax.

In the case of Pollock *v.* Farmer's L. and T. Co. (157 U. S., 429), decided in 1895, it was held that a tax upon the income derived from real property was in effect a tax upon the land itself and void unless apportioned.

This decision led to the submission and adoption of the sixteenth amendment to the Constitution, which provides:

The Congress shall have power to lay and collect taxes on incomes from whatever source derived, without apportionment among the several States and without regard to any census or enumeration.

It will be observed that in both the Springer and Pollock cases the controversy was regarding the income from real estate, and that in both cases the rule was reaffirmed that a tax upon the land itself was a direct tax. It will also be observed that the amendment adopted does not provide that a tax on land itself shall be authorized, but that a tax upon all income, from whatever source derived, even a tax upon the income from real estate, is valid.

Throughout our entire history there have been repeated decisions of courts holding a tax on real estate a direct tax, and there has been no exception to this rule. Every commentator on the Constitution has expressly stated that a tax on real estate was a direct tax. There has been much discussion as to whether other objects were within or without the rule, but there has been no discussion or difference of opinion as to the proposition that a tax on land was a direct tax.

An attempt is apparently made to disguise the nature of the tax proposed by calling it an "excise" tax on the "privilege of the use and enjoyment" of the land. An excise tax is sometimes levied upon the right to sell liquor, tobacco, patent medicines, and the like. The Government may require a license to carry on a particular business, and stamp taxes may be required on various articles of merchandise sold. Taxes of this class are extensively resorted to in cases of emergency, and we have now a great variety of such taxes levied to meet the extraordinary expenses incurred by the Government in carrying on the late war. But a proposed tax is not made an excise tax merely by calling it such. And a tax upon the thing itself is not changed in its nature by saying that it is levied upon the "use and enjoyment" of the thing. In this bill the tax is imposed on the owner of the land because he is the owner, and he must pay the proposed tax upon the value of the land in excess of $10,000. This is not an excise tax. The bill provides for a levy of a direct tax upon the land itself, and if it passed the act would be void because not apportioned.

To any well-qualified lawyer all this is clear; and it would not require much research for one not learned in the law to discover that the proposed bill is clearly unconstitutional. Yet we are told that 8,000 "business firms" have indorsed the bill and are presumably contributing to the $500,000 fund that will be needed to distribute the 5,000,000 pamphlets, to pay the "well organized speakers' bureau and publicity department," and to finance the "Committee of Manufacturers and Merchants on Federal Taxation (Inc)," in its "energies" that "will be directed on Congress."

Doubtless these "business firms" are anxious to shift the burden of the $1,00,000,000 taxes which they are so unhappily carrying to the farmers and owners of homes who have small incomes and no excess-profits taxes to pay. But it is certainly true that the fund of half a million dollars which they are to contribute for that greatly desired object is not likely to do them any good. In fact, at the end of their great campaign they are sure to realize that their shifting device will not work, and that to the burden of their income taxes and excess-profits taxes, which they are so anxious to put on other shoulders, they will have added this $500,000, which they will pay solely for the benefit of the "committee" which has so deluded them.

An interesting fact is disclosed by a study of the terms of the bill. In the first section it is stated that the lands to be taxed do not include improvements. This would relieve our "business firms" from all taxes upon their skyscrapers, their manufactories with all their costly machinery, and their business houses with all their elaborate fixtures. All they would be required to pay taxes on would be the value of the bare land. In such cases the value of the land would be small compared with the value of the improvement. But in the case of the ranch, the farm, or the city or town home the value of the improvements would be small compared with the value of the land. This would be another reason why the shifting of the tax burden would appear so attractive.

Mr. KINCHELOE. Will the gentleman yield?

Mr. TOWNER. I will.

Mr. KINCHELOE. I notice in all these letters and propaganda that are being circulated, and which I am sure every Member of Congress is receiving almost daily, that this bill is called the Ralston-Nolan bill. I am frank to say that when I first got one of these circulars I looked to see if there was a Member of Congress by the name of Ralston or a Member of the Senate, and I found neither; and I learned from the gentleman a moment ago that he is a lawyer here, and I would like to know if he knows what interest this gentleman has in it and whom he represents?

Mr. TOWNER. I am sure that I do not know.

Mr. BLANTON. Will the gentleman yield?

Mr. TOWNER. Just wait a moment until I answer the question. I am sure I do not know, but I have indulged the suspicion that perhaps he might be somewhat interested in this committee that is making these solicitations for $500,000 of campaign funds.

Mr. KINCHELOE. Perhaps they are paid attorneys.

Mr. TOWNER. I have no knowledge of the matter.

Mr. BLANTON. If the gentleman will yield, I would like to state to the gentleman from Kentucky [Mr. KINCHELOE] that the attorney, Ralston, here in the city of Washington, besides being the attorney for Mr. Gompers, who appeared before the Rules Committee against antisedition legislation, is also the Ralston who appeared before the Rules Committee representing Mr. Post in the charges of disloyalty and affiliation with anarchy in connection with Mr. Post, and he is the same Ralston who is representing many anarchists throughout the country.

Mr. TOWNER. I can not yield further.

Mr. KINCHELOE. The interest I had in the matter was in the way he was connected with this legislation to tax the farmers of the country.

Mr. TOWNER. Unfortunately, I can not give the gentleman further information.

Evidently this brilliant proposal must have had its origin in the brain of some believer in the "single tax." The "single-tax" theory is largely the creation of the late Henry George, a strong thinker and a brilliant writer. In his work, Progress and Poverty, he argues the proposition that land is the common property of all the people, and that all private property in land is a usurpation and should be abolished. This he proposes to do "by the simple and easy method of abolishing all taxation save that upon land values." This is to be imposed on the value of land, regardless of improvements. No tax is to be levied upon buildings or other improvements, none upon personal property of any kind, none upon imports or exports, none upon franchises or business, none upon incomes or profits, none upon moneys or credits—everything and everybody is to be free except land and the owners of land. The adoption of this theory, it is promised, will abolish poverty and speedily bring universal peace, prosperity, and happiness to mankind. Unfortunately, a stupid and stubborn world has refused to see the value of the proposed plan and is still walking in darkness, refusing to see the light. [Applause.]

But the passage of this bill would certainly be a fair beginning. Once put in operation the simple plan proposed, and the rest will easily follow. If the scheme to shift the $1,000,000,000 from incomes and excess profits to land succeeds, then it will be easy to shift all taxes now levied on wealth and the products of wealth to land. Then, indeed, will the farmer "pay it all." His will be a happy lot. He will be required to produce everything the world uses, wears, and eats, and in addition pay all the taxes.

But, unfortunately for those who are enamored of this program, the great statesmen who framed the Constitution made it impossible to accomplish such a result without amending our fundamental law, and that is, as we know, a somewhat difficult accomplishment. Every year throughout our history demonstrates by instances like this the wonderful prescience and supreme wisdom of those who gave us our Constitution, "the most wonderful work ever struck off at a given time by the brain and purpose of man." [Applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. LEA].

Mr. LEA of California. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. LEA of California. Mr. Chairman, during the debate last evening the distinguished chairman of the Select Committee on Expenditures in the War Department, under the head of "What we got for our money," made this statement:

> As a result of our entire aviation program we obtained 213 observation planes * * * and 527 second-hand foreign planes, which were either bought or borrowed from our associates in the war.

Another distinguished member of this committee, of which I am a member, recently mailed out speeches, upon the franked envelope of which this statement appears:

> Our contribution to war-time aircraft consisted of 213 * * * DH—4 observation planes that reached the front, with others on the way.

Wide publicity has been given such statements emanating from reports and speeches of members of this committee, claiming that as a result of our aviation program only 213 American airplanes reached the front, and that such planes, with 527 foreign-acquired planes, constitute what we procured for $1,000,000,000.

I regret that the distinguished gentleman from Illinois, for whom I have sincere friendship, and other gentlemen should have permitted themselves to have become the authors of such statements. These statements are inaccurate, misleading, and not founded on fact. The facts as to the number of American-owned planes are not matters of doubt and involve no matter of legitimate controversy.

During the war America acquired over 16,000 planes. She had over 6,000 planes in Europe. Instead of receiving only 527 foreign planes, 5,071 were purchased and paid for by American money and used in Europe by the American forces; 1,213 American-built planes were sent to France from America; 213 American-built planes were operating on the front lines at the hour of the armistice. On the day of the armistice 1,620 service planes were immediately available for the use of the American forces, and up to that date our forces had used over 2,300 service planes. Five hundred and twenty-seven foreign-built planes were in our service at the hour of the armistice. It is improbable that a single one of them was purchased second-handed. Practically all used planes taken from the Allies were training planes and not service planes.

Instead of giving the number of American planes in Europe, these gentlemen give the number actually on the front on the day of the armistice. Instead of giving the number of American planes used on the front, they give the number used on the day of the armistice. The 213, instead of being the number used, is 204 short, according to the testimony of Pershing, which shows that 417 American-built planes were actually used at the front. [Applause.] Instead of spending over $1,000,000,000 for airplanes and engines, in round numbers, we spent only half that amount for airplanes, engines, and spare parts. The additional sum was spent for other aircraft purposes.

I refer to these facts not for the purpose of discussing aircraft matters, but for the purpose of calling attention to the misleading information persistently furnished the country. If these misleading statements represented only isolated instances, it would be a matter of small consequence, but unfortunately these misstatements are simply examples of many similar misstatements.

This investigation committee was appointed on the 4th day of June, 1919. The papers of June 5, 1919, announcing the appointment of the committee, substantially agree with the report as carried in the Washington Post of that date, which stated:

> While the ostensible purpose of the investigation is to give pitiless publicity to war expenditures, political observers saw in the day's developments inauguration of the big * * * fight to regain control of the White House.

The reports that the legitimate purposes of an investigation were to be used to serve partisan purposes created a distrust in the minds of the patriotic, intelligent citizenship of the country, which soon found a disappointing confirmation in the declarations and conduct of those in charge. Day after day inflammatory reports were carried in the newspapers, purporting to emanate from the committee, containing reckless charges of alleged extravagances and misconduct of the war frequently given out in advance of hearing witnesses who were supposed to support the same.

Partisanship, bias, and prejudice, utterly inconsistent with the rightful functions of an impartial investigating committee, were clearly manifested. Before getting fairly under way, by the manifestations of such an attitude, the committee was hopelessly handicapped and its usefulness largely destroyed.

Everyone will agree that war expenses were proper subject for investigation. The hearings and reports of investigations of our former wars have been preserved and have been studied in all the military schools of this country and in some other countries. Such investigations, so far as they reflect the facts in the conduct of wars, have value in presenting the experience of the past for the benefit of the future. The faithful student of the investigations conducted by this committee will be able to reach one conclusion with unerring certainty. That will be that no partisan investigation of a war will hereafter be justified.

The duty of an investigating committee is of a judicial character, to find out the facts, to consider them impartially, to faithfully represent them, and draw fair and just conclusions. The high quality of judicial fairness should be required of an investigating body, particularly where the subject is the serious, monumental matter of a great war. No man who seeks a righteous verdict desires the trial of his case before a biased or prejudiced judge. To commit a serious investigation to a partisan investigating body is to try a case before a stacked jury; to sacrifice the facts to a biased judge who has determined the case in advance and seeks only means to justify his decision.

The past has given us precedents which should have been followed in conducting this investigation.

The Spanish-American War investigation was conducted by a board appointed by President McKinley, selected without reference to partisan motives or dominance, consisting "of the most distinguished soldiers and civilians that can be selected."

In the first year of our entry into the European war, charges were made concerning the conduct of aviation matters, whereupon President Wilson ordered an investigation, freed it of partisan purposes, and placed the motives thereof beyond question by appointing Charles E. Hughes to conduct it.

Each of these two great investigations were conducted with an ability and impartiality that have given credence to their reports as faithful attempts to portray the facts.

Unfortunately, the investigation of our greatest war has been made a partisan one. The investigation has been such that its reports and findings inspire no such confidence. While not without merit, the record of the hearings will show that instead of being conducted in the impartial and judicial way the seriousness of the subject required, in many instances the investigation, in fact, degenerated into an attempt to make political capital at public expense. Instead of the committee emerging from the myriad circumstances of the war with information faithfully portraying the facts, the reports have exuded with alleged information bearing the marks of the partisan advocate instead of the impartial judge.

This situation is most unfortunate. The displacements and annoyances of war and abnormal conditions it imposed have left in their trail discontent and unrest. Thousands of anarchists are abroad in the land, teaching discontent and disloyalty. Representatives of Russia are teaching the doctrine of hate, distrust, and discontent, trying to win men away from loyalty to the country they should love.

They seek to tear down the great Republic and build in its stead that which has made Russia the most unhappy and unfortunate of lands.

America is the fairest flower of civilization. The citizens of America whose duty it is to be true to her should be so true that no personal or partisan purposes will lead them to detract from our country or our countrymen or their achievement. The man who portrays the truth serves his country. Men who by misstatements and half truths detract from our country, create disloyalty and unrest for political or partisan purposes, join their efforts with those engaged in the same campaign of detraction for the purpose of destroying our country. Only he whose motives are wrong rejoices in ill news of his country. Such a campaign is unholy and unworthy of any American.

Not long ago an anarchist paper in this country, in speaking of the fertile field in America to propagate revolutionary ideas, said:

All we need to do is to keep poking the fires of discontent and in a short while capitalism will be at our feet.

In other words, keep poking and shortly the fires will burn down the structure of popular government, to be supplanted by the vain efforts of those who believe that government can flourish without respect for the sanctity of the home or the rights of property.

In this unholy cause, let the Congress of America take no part. Rather let the motto of each of us be that which is engraved on the east façade in yonder Union Depot of our Capital City:

Let all the ends thou aimest at be thy country's, thy God's, and truth's. Be noble, and the nobleness that lies in other men, sleeping but never dead, will rise in majesty to meet thine own.

[Applause.]

Mr. GOOD. Mr. Chairman, I yield three minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, I desire to call the attention of the House to a resolution introduced last week by my colleague [Mr. DALLINGER] making refererence to the shortage of bituminous and anthracite coal in New England, and asking that the Interstate Commerce Commission exercise the powers granted it under the recent railroad act and enforce embargo against the exportation of coal from this country.

This shortage is bringing about a most serious condition among the manufacturing plants of New England. They are shutting down in every direction from lack of coal. One city in my district, running a municipal gas and electric plant, only had within a short time three days' supply of coal on hand, and was obliged to borrow from neighboring cities to keep the plant in operation. Advertisements were inserted in the newspapers that it would be necessary to close down unless relief was obtained. One of the chief causes of this condition throughout the country is the enormous exports that are leaving this country and the need of an embargo is very apparent. It is also necessary, it seems to me, that some effort be made to find where this great difference comes between the cost to the independent and to the regular coal merchants. I am credibly informed——

Mr. BLANTON. Will the gentleman yield for a question?

Mr. TREADWAY. I will.

Mr. BLANTON. Did the gentleman hear the very elucidating speech of the gentleman from Indiana [Mr. WOOD] last night on this question?

Mr. TREADWAY. I was in the Hall only a part of the evening. I did not hear the gentleman from Indiana.

Mr. BLANTON. I hope the gentleman from Massachusetts will combine with the gentleman from Indiana and get the majority leader to let us get some legislation passed that will protect the people on this coal question.

Mr. TREADWAY. There is some legislation already passed, I will say to the gentleman from Texas, giving authority to the Interstate Commerce Commission to bring about the very result I am asking for, namely, an embargo against exportation. I agree with the gentleman from Texas that in all probability, so far as this effort to secure advance of prices by a scheme between speculators and the independent and regular miners, there is need of legislation, and I will join with him and with the rest of the membership of this House in an effort to regulate that sort of profiteering directly affecting our manufacturing industries and affecting the high cost of living in all our communities. No more serious situation faces the American people to-day than the lack of coal.

Now, let me just illustrate the difference in prices to-day in the city of Holyoke, Mass. A year ago to-day, I am credibly informed, bituminous coal was sold to dealers there at a price, at the mine, of $2.95 a ton. To-day that same grade of coal is being sold at the mines for $10 per ton. Can anybody explain to me that difference in price unless it is caused by profiteering by somebody? Further than that, the amount of production is to-day 65 per cent of what it might be if this effort to squeeze the price through supply and demand was not being engineered by somebody more powerful and bigger than I am able to comprehend. Mine owners claim a car shortage, railroad preference, and every other assignable reason. We, however, know that the shortage exists where the coal is used and the price is soaring continuously. Whatever the cause, let us cause some one to stop "passing the buck" and deliver the coal. This House should promptly pass the Dallinger resolution. Let us find out, Mr. Chairman, where that trouble lies, and protect our industries and protect our home consumption. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, I yield seven minutes to the gentleman from Texas [Mr. PARRISH].

The CHAIRMAN. The gentleman from Texas is recognized for seven minutes.

Mr. PARRISH. Mr. Chairman and gentlemen of the committee, as you know, during the time I have been in Congress I have not taken much stock in trying to pass the political buck from one side of the aisle to the other. There is one thing, however, to which I want to call the attention of Congress before we adjourn, a thing that I believe should have the earnest and careful attention of Congress, more consideration than has been given in the past, and that is the simplification and revision of our present revenue laws.

There are many reasons why we should give some attention to this subject. In the first place, this system was drafted during the time that we were at war and were facing a national emergency. It was placed upon the country, partially at least, as a war measure and, notwithstanding those facts and the further fact that we have been out of war for some time and have witnessed the practical operation of this law for more than two years, yet we have not amended it; we have not cured the defects that have developed by actual experience and have refused to profit by the actual operation of the law, and to-day the business interests of the United States are being seriously handicapped because they do not know, many of them, what tax they actually owe to the Government or will be compelled to pay finally. They have made their returns, it is true, for the last year and for this year, but the income-tax department is so far behind with its work that the audits have not been completed for 1918, to say nothing of auditing for 1919, and consequently the business concerns of the country, by reason of many doubtful provisions of the law as it now exists, do not know how much tax they owe. Throughout our section of the country there are many business concerns who are to-day holding thousands of dollars in their treasuries until such a time as they may know what part of it they will have to pay to the Government under the decisions of this intricate law.

The President of the United States in December, 1919, and prior to that time, called the attention of Congress to this condition, and I want to read to you his recommendation on this subject, so that you may know and the country may know that this matter has not escaped his attention and that he has not failed to call it to your attention and that the responsibility rests upon you to see that this law is made workable and is made so that it does not handicap and throttle the business interests of the Nation. He said in his message to Congress in December, 1919, as follows:

I trust that the Congress will give its immediate consideration to the problem of future taxation. Simplification of the income and profits taxes has become an immediate necessity. These taxes performed indispensable service during the war. They must, however, be simplified not

only to save the taxpayer inconvenience and expense but in order that the liability may be made certain and definite.

With reference to the details of the revenue law the Secretary of the Treasury and the Commissioner of Internal Revenue will lay before you for your consideration certain amendments necessary or desirable in connection with the administration of the law—recommendations which have my approval and support. It is of the utmost importance that in dealing with this matter the present law should not be disturbed so far as regards taxes for the calendar year 1920, payable in the calendar year 1921. The Congress might well consider whether the higher rates of income and profits taxes can in peace times be effectively productive of revenue, and whether they may not, on the contrary, be destructive of business activity and productive of waste and inefficiency. There is a point at which in peace times high rates of income and profits taxes discourage energy, remove the incentive to new enterprise, encourage extravagant expenditures, and produce industrial stagnation, with consequent unemployment and other attendant evils.

Mr. BLANTON. Mr. Chairman, right there will my colleague yield?

Mr. PARRISH. Yes.

Mr. BLANTON. The gentleman also knows that an official no less than the Commissioner of Internal Revenue—Roper—has made suggestions for 103 different changes of this law, simplifying it, and that not a single one of them has been enacted yet by Congress.

Mr. LONGWORTH. Oh, I beg the gentleman's pardon. There have been some very important changes made.

Mr. BLANTON. Yes; 103 suggestions have been made; how many have been acted upon?

Mr. PARRISH. I thank the gentleman for the suggestion. I want to get through with what I have in mind on this subject, and that is that the law as it now exists, as between man and man, in many instances is not working practically. There are many puzzles in it which a business man can not work out for himself, and by reason of the complicated features of the law it has been necessary for all concerns doing a business of any consequence at all to employ an attorney at a high salary, or at a large fee, in order to tell them how to pay their taxes to the Government. I believe, gentlemen, that we ought to have a taxing system that will be so clear and plain that a man could tell what he owes the Government without paying out several thousand dollars to get an attorney to advise him.

This matter has been called to the attention of the country many times, but Congress has not done anything except pass the amendments the other day, which were only a short step in the right direction, and yet we are about to leave business thus embarrassed and handicapped and go home.

Not only that, but there comes a time in the conduct of the business enterprises of the Nation when excess profits taxes or excessive taxation will stifle and stagnate industry. All over the country there are ranches that would be cut to pieces and sold to farmers and the farmers given an opportunity to buy farms; the country would get the benefit of increased production, so much needed by the world at this time, if it were not for the high excess-profits taxes which they would have to pay.

It seems to me, gentlemen, that we ought not only to simplify the laws but also by the strictest economy in Government reduce the taxes and devise a system of taxation that will be just and that will not stifle any industry in this Nation. Certainly a scheme of taxation can be evolved which will not stifle any industry, which will not destroy any industry, and which will not cause business stagnation in any section of the country, and it is the duty of Congress to work out these plans and give them to the people now. [Applause.]

Many men do not know what their taxes amount to, and their lawyers can not tell them. They can not get an audit of their taxes, and they will be in suspense by reason of the inactivity of this Congress for another year, and their industries will in many cases be handicapped, money will not be invested, and the maximum production will not be reached, and to that extent, at least, the country will suffer and our people as a whole will be the loser. I have a little sketch from a paper which shows in a way the popular idea of the complexity of these laws:

THE SEARCH.

We saw Diogenes the other day with his lantern.
"Still looking for an honest man?" we asked.
He shook his head mournfully.
"No; I gave that up long ago. I wish I'd stuck to it. It wasn't half so hopeless as what I am doing now."
He certainly looked despondent, and our heart went out to him.
"What are you looking for now, then?" we asked.
He sighed.
"I'm looking for a Congressman who made out his income tax without anybody's help."

[Laughter and applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. SANFORD having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 3865. An act providing for the officers in the Russian Railway Service Corps the status of officers of the United States Army when discharged.

The message also announced that the Senate had passed with amendments the bill (H. R. 13229) to establish in the Department of Labor a bureau to be known as the women's bureau, had requested a conference with the House of Representatives, and had appointed Mr. KENYON, Mr. BORAH, and Mr. WALSH of Massachusetts as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13266) making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes.

DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

Mr. BYRNES of South Carolina. I yield 15 minutes to the gentleman from Mississippi [Mr. COLLIER]. [Applause.]

Mr. COLLIER. Mr. Chairman, the great difference between the Democratic Party and the Republican Party is a difference in essentials and fundamentals.

Both parties in a way represent ideas which have prevailed and been uppermost in the minds of men before organized government took its place upon the earth.

From the earliest times the history of the human race is marked by the struggle for supremacy between two opposing and antagonistic forces. Those forces, on the one hand, whose advocates, dominated by selfishness, based upon expediency, intoxicated by the love of authority, contended for centralization of power, for special privileges for the benefit of the ruling class, and denied the people's ability to govern themselves; and, on the other hand, by those who longed for an equality of rights, who opposed privilege and class, and who believed that the people themselves were entitled to a voice in the administration of their own affairs.

The great struggle between those opposing forces has been going on for ages, and it will continue until time shall be no more. Long before "the cross cast its redeeming shadow upon Calvary's hill" there were present, as there are present now, representatives of those forces—those who stood for civic virtue, for human liberty, for equal legislation, and for the rights of mankind; and those who stood for privilege and class, for favored legislation, and who sought to further their own selfish ends at the expense of their own government.

The Democratic Party was born at a time when it seemed as though the patriot's dream of all the ages was about to be realized, the first opportunity "to demonstrate man's capacity for self-government." The shackles of English tyranny had been broken, and the longing which had existed for centuries in men's hearts for relief from a despotic form of government was at last upon a virgin soil crystallized into an infant Republic "where equality with sword uplifted" consecrated that sword to the imperishable doctrine that "freedom is the heritage of mankind."

Never perhaps in the history of any country was there such intensity of patriotic fervor. The liberties won from Great Britain had been too dearly bought for men not to determine to secure these liberties to themselves and their children forever. It was a time when men placed their country's good above their private gain, and when patriotism was measured only by service and devotion to country. At such a time and animated by such motives and impulses the Democratic Party was born.

After the Civil War, when the purpose for which the Republican Party had been organized—the abolition of slavery—was accomplished, the Republican Party found itself in control of every branch of the Federal Government, but without a platform and without a creed.

Though the Republican Party as a political organization had neither creed nor platform, yet office and appetite remained, so adopting Alexander Hamilton as their patron saint, they gathered together what was left of destroyed and repudiated Whiggery and, stationing Federal soldiers at every southern ballot box, raised the twin banners of special privilege and the bloody shirt and for many years marched to victory.

But as new generations came on, the crimson colors of the bloody shirt began to fade, and since then the pathway of the Republican Party has been beset with peril. They had wrung and extorted from the pockets of the American people count-

less millions of dollars to give to their favorites. They had repeatedly been driven from rampart after rampart of protection, and they had often been forced out from every entrenchment of special privilege. But like the proverbial cat with nine lives, or, rather, like the hydra-headed serpent—when one head is cut from its body two more will spring up—the Republican Party, squirming out of one position which had become hateful to the American people, would adopt a new platform and, making new promises, brazenly ask that they again be put in control of the Federal Government.

It has been 132 years since Washington became President of the United States. During those years the American people have had opportunity to vote to place in charge of the administration of the Republic leaders of 20 different political parties—the Federalist Party, the Anti-Federalist Party, the Democratic Party, the Whig Party, the Liberty Party, the Anti-Masonic Party, the Free Soil Party, the Know-Nothing Party, the Free State Party, the Constitutional Union Party, the Liberal Republican Party, the Liberal Party, the National Republican Party, the Republican Party, the Greenback Party, the Gold Democratic Party, the Populist Party, the Socialist Party, the Prohibition Party, and the Progressive Party.

During all those years the Federalist Party was in control for 12 years, the Whig Party was in control for 8 years, the Republican Party was in control for 44 years, and the Democratic Party was in control for 68 years.

Beginning with the history of free government in this country the Democratic Party, founded upon principles of truth and justice as everlasting, as eternal, as the granite hills of the Republic, has witnessed the wreck and decay of many political parties whose glittering generalities captured for a while the fancy of the American people. [Applause.] They have passed away, dead and buried in a past which can never be resurrected, a past which sooner or later will engulf the Republican Party, and it, too, like many others, will go down to oblivion unhonored, unwept, and unsung, for no party whose chief aim is appetite for political spoils can long survive. [Applause.]

But all the time from Washington down to Wilson, 132 years, the Democratic Party has either been in control of the affairs of our Government or else the dominant minority party, warning the American people against false gods and false idols. The Democratic Party has witnessed the development and growth of an infant Republic of 4,000,000 souls into the greatest country on the face of the earth with over 110,000,000 of people. Whenever this great country was afflicted with false gods and false doctrines, whenever famine and disaster fell upon the land, whenever the burdens grew heavy upon the tired shoulders of the toiling masses, then the American people, awakening to their sober judgment and good common sense, would repudiate the false doctrines and, relegating their promoters to the background of political oblivion, turn again and again to Democracy as the only safe and sure haven into which our ship of state in time of distress could be safely steered.

Whatever may be said about the Republican Party, yet they have been faithful and consistent in their allegiance to two great practices. One is to make a promise, and the other is to break it.

The Republican convention held at Chicago in 1884 denounced the importation of contract labor, but millions of laborers were imported during Republican administrations to take the place of American labor, and it was left to a Democratic administration, 30 years after the Chicago declaration, to enact a real immigration law.

The Republican platform of 1892 declared for efficient legislation in order to protect the lives and limbs of employees of transportation companies. The Republicans were in control for 16 years since 1892, but they never enacted any real safety appliance legislation. They were too much under the influence and control of the railroads then, as they are now, to do this; but a real safety appliance act was one of the first laws enacted by a Democratic administration.

The Republican platform of 1892, as well as subsequent platforms, denounced the trusts. This denunciation would be the rankest kind of ingratitude if it had been sincere, for the trusts kept them in power for many years. To hear a rock-ribbed, stand-pat Republican denounce a trust only shows in what wonderful ways language can be used to conceal thought.

From 1896, when the Republicans again secured control of the Federal Government, until 1912, when an outraged and betrayed public drove them from office, there was the greatest development and growth of the trusts ever known in the history of any country. Much of this development and growth was the result of Republican legislation. Why, the Republican platform in 1908 in one plank denounced the trusts, and in another declared that the American people should be taxed in order that these trusts might make a profit.

Under Republican administration every trust and manufacturing establishment, no matter how stupendous its operation, no matter how profitable its business, no matter how opulent its wealth and varied its resources, was by Republican law guaranteed a profit and insured against loss, and the only premium such insurance had to pay was a campaign contribution to the Grand Old Party.

Under the fostering care of Republican legislation it is little wonder that from 1898 until 1908, 10 years of Republican mismanagement, 458 industrial trusts bought, controlled, merged, and put out of business over 6,650 lesser industrial plants, covering practically every line of productive industry in the United States.

During those 10 years seven of these large trusts put out of business over 1,600 distinct and original plants, while one trust, the Steel Trust alone, during this decade of Republican administration was permitted to buy up, acquire, control, or destroy 792 plants, thus creating a monopoly which effectively destroyed all kind of competition in the United States.

Nor was this all, for the Republican administration threw its fostering care around the great financial institutions of the country. Three banking institutions in New York, with their affiliations, held 341 directorships in 112 railroad, insurance, banking, and other corporations, having aggregate resources of over $24,000,000,000, which were considerably more resources than enough to control the money market of the United States, as well as the policies of the Republican Party, for over 95 per cent of these interlocking directors were high in the counsels and the confidence of the Republican Party.

The guaranty in the Republican platforms of 1900, 1904, and 1908 for the reestablishment of our merchant marine is as ridiculous as their declaration against the trusts. The policies of the Republican Party destroyed a great merchant marine. Before the Republican Party secured control of the Federal Government the American flag was seen on every sea and in every port.

We had over two and one-half million tons of American shipping in our foreign trade, and we were carrying in American vessels over 65 per cent of our exports. After nearly 50 years of Republican mismanagement, our two and one-half million tons of shipping was reduced to less than one million tons, and American vessels were carrying less than 10 per cent of our exports, which had increased over 500 per cent.

When the Republican Party took control, American vessels were carrying over $500,000,000 of our commerce annually. Your prohibitive tariff rates, which kept out imports, only gave the American vessel one cargo for the round trip.

Republican tariff legislation drove American shipping from the seas; and up to 1912, when the Democrats went into power, American vessels were carrying only $275,000,000 of a commerce which I say had increased over 500 per cent. As the Republican tariff went up, the American merchant marine went down. Clinging over Democratic protest and Democratic opposition to the antiquated law of 1792, which forbade registry to a vessel not built wholly in the United States, American shipping perished between the two fires of high-priced construction materials and the walled-out return cargoes. The same pen that records the upward progress of the tariff rate has also written the melancholy epitaph of American shipping on the high seas.

But now, after less than eight years of Democratic control, the American merchant marine has once more been restored, and again American shippers can send their exports in American vessels. Ten years ago, under Republican administration, American vessels carried only $260,000,000 of American exports. Last year, under Democratic administration, American vessels carried nearly two and one-half billion dollars of American exports.

Ten years ago, under Republican administration, American vessels carried less than 9 per cent of a total commerce of less than $3,500,000,000, while last year, under Democratic administration, American vessels carried nearly 28 per cent of a commerce of over $10,000,000,000.

In 1910, after nearly 50 years of Republican mismanagement, the gross tonnage of American vessels engaged in the foreign trade had decreased from 2,379,000 tons to 816,000 tons. In less than eight years of Democratic administration the gross tonnage of American vessels engaged in foreign trade had increased to 6,666,000 tons, over eight times as many tons as we had under Republican administration less than 10 years ago.

Every four years the Republican Party in convention assembled would solemnly promise the American people that it would repeal the clumsy, antiquated system of currency then in operation throughout the United States; a currency system which in time of stress always failed to give relief and which in the past so often failed to prevent financial panics which paralyzed

industry, destroyed commerce, and left ruin, failure, and disaster in their wake.

All the American people ever got from the Republican Party in the way of currency legislation were a few broken promises, for the financial interests of Wall Street were in control of that party and they did not wish their interests to be disturbed. The money of the United States was gathered and sent there and controlled by less than a dozen men, who in turn controlled the policies of the Republican Party as well as the financial credit of the United States.

The Democratic administration replaced the antiquated currency system with a sound economic system of currency reform, the stability and success of which has far exceeded the most sanguine expectations of its most earnest advocates, and without which we could not have been able to have financed the enormous sums necessary to win the war.

I do not see how we could have financed the war under Republican administration. To begin with, there would have been no income-tax law, and the eight or nine billions of dollars thus raised from incomes and excess-profits taxes would have had to have been raised by some other means; and as the tariff was practically the only way in which the Republicans tried to raise revenue, we would have had to resort to excise taxes. The war stopped imports, cutting down the receipts at the custom-house, and it would have been impossible to have raised such an amount by excises. Therefore as we could not pay any considerable part of the expenses as they accrued, nearly all of the money needed for the war would have had to be raised by bonds.

No administration whose only experience in governmental affairs was how to so legislate that a few would be benefited at the expense of the many could have handled a world war. The utterly inefficient manner in which the Spanish-American War was conducted proved conclusively to the world that the Republican Party was unable to handle war matters even on a small scale.

The Republican committee appointed to investigate the conduct of the administration during the Spanish-American War admitted the incompetency of the Republican administration, but also contended that the Republican administration was not expected to successfully administer a war which suddenly called for as many as 250,000 men.

So, while we did not know at the time the Democrats were elected eight years ago that we would be called to successfully carry on the greatest war in all history, yet that Divinity which "shapes our ends, rough hew them as we will," was at work, and thus by the election of 1912 the American people were really building better than they knew.

The Republican platforms would promise the farmer a rural credit system. All the Republican Party ever gave the farmer was a tax on agricultural products, which was a pretense and a sham, but which was intended to console him for the millions of dollars wrung from his pockets every year by the plundering hand of a tariff. He was promised a rural credits act. Why did they not give him one? They were in power for nearly 50 years. This pledge was but one of many other broken Republican promises.

The Democratic administration gave the farmers a real rural credits act, which has resulted in the sum of $426,946,566 being loaned to the farmers at 5½ per cent interest and for a period as long as 40 years.

It is a significant fact that, notwithstanding the opposition of the moneyed interests which controlled the Republican Party, when the Democratic rural credit bill came up in the House only 10 Republicans had the courage to vote against the bill.

For years the American people have been longing for an income tax. Beguiled by the false promises of the Republican Party, they had seen the expansion and development of great trusts and combines as a direct result of Republican legislation. They had seen these trusts destroy their competitors and strangle all competition, while at the same time they themselves were tax free.

No man paid to carry on the expenses of the Government according to his ability to pay, but according to what he ate and what he wore. The millionaire with a small family paid less Federal taxes for the support of his Government than the poor man with a large family. The American people were dissatisfied with so dishonest a system. They wanted the wealth of this country to pay its proportionate share of the burdens of Government. Relying upon Republican promises, they put the Republican Party into power year after year, but they looked to them in vain for the fulfillment of these promises.

The Republicans have never believed that the wealth of this country should ever contribute anything except Republican campaign contributions. That party has always been opposed to as fair and as honest a tax as an income tax. Remembering that only a few years ago the governor of the great State of New York had proved his title clear to Republicanism by vetoing an income-tax law, they took him off the Supreme Court bench to nominate him as their last standard bearer.

The history of our Government shows that from time to time the American people have forsaken the principles of Democracy and have strayed away after false gods. History from time to time may repeat itself, but the present hopeless inefficiency of the party of special privilege is a guaranty that there is little danger of such a mistake being made by the American people in the near future. But if such a mistake should be made; if the American people should again be deluded by the never-to-be-fulfilled promises of the Republican Party; if that party, as hurtful and as harmful to the public interest as it has always been, is again restored to power, as bad and as injurious as this may be, yet there will be in the hearts and minds of all thinking people of this Republic one great consolation, which is that, as much as they would like to, the Republican Members of the National Congress will never have the courage or the temerity to repeal even one of the great Democratic constructive measures.

You are opposed to the Democratic income tax, but there is not one of you will dare to vote for its repeal.

You deceived the people about giving them currency reform, but there is not one of you who will vote to repeal the Democratic Federal reserve act.

You deceived the farmers about giving them a farm-loan act, but there is not one of you who would vote to repeal the Democratic farm-loan act.

You promised labor a safety-appliance law. The railroads made you break that promise, but there are not enough railroad magnates in the Republican Party now to force you to vote to repeal the Democratic safety-appliance acts.

The Democratic Party in less than eight years has enacted more real substantial constructive legislation than the Republican Party has in its entire history. And most of this legislation was the redemption of many broken Republican promises.

The Republican Party has been in control of both branches of the Federal Congress for over a year, and it would be interesting indeed to find out what they have accomplished in the way of reconstruction measures. Unfortunately no microscope with magnifying power sufficient has yet been invented where one can see what has been done by the present majority party in Congress.

After listening to the defense of the Republican administration in this Congress by my friend from Ohio [Mr. FESS] this morning, I was somewhat disappointed. In view of the fact that all the Democratic and independent press has unanimously stated and in further view of the fact that nearly all the great metropolitan papers of the Republican press have declared that this Congress has been the most inefficient and incompetent Congress ever held in the history of the American Republic, I was hoping that those on the other side would be forced to admit it. But the gentleman from Ohio tells us that this Republican Congress have accomplished more than any other Congress in the history of the Republic. And why? Because they introduced and passed more bills than any other Congress. What kind of bills have they passed?

Mr. MERRITT. Good ones.

Mr. COLLIER. They came here to reduce the cost of living. When a man goes to buy clothes he will find if they have any pearl buttons on them that he will have to pay an additional price to help out a little district in Iowa. Whenever that same man goes to buy a suit of clothes that has dyestuffs in it he will find that the taxes have been immeasurably raised on dyestuffs.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. COLLIER. I yield to the gentleman.

Mr. BLAND of Indiana. Did not the President recommend a revision of the tariff on dyestuffs?

Mr. COLLIER. The President recommended a safe and a sane revision; not the one that you gave here, which will increase the price of clothing to everyone in this country. And what has this Congress done to reduce the high cost of living as to food products?

Mr. LAYTON. Will the gentleman yield for a question?

Mr. COLLIER. In one second. What have they done in reference to foodstuffs? Despite the fact that the high cost of provisions is bearing down so heavily upon everybody, in order to take care of two little districts in this country only last week they raised the tariff upon beans from 25 cents a bushel to $1.20 a bushel. [Applause.] The Democratic administration, believing in something that the Republicans are opposed to, believing that education should be encouraged, knowing

what the effect of German knowledge of chemistry had upon the war, permitted students of chemistry to buy chemical retorts and instruments free of duty. But what are the achievements of the Republican Party so lauded here to-day? One of the great number of bills that the gentleman from Ohio [Mr. FESS] doubtless referred to is to increase to the students of chemistry the cost of chemical instruments and chemical retorts by an outrageous Republican tariff. [Applause.]

Mr. LAYTON. Will the gentleman yield for a question?

Mr. COLLIER. I yield to the gentleman.

Mr. LAYTON. The gentleman talks about the high cost of living. The Democratic Party have had ever since 1913 to reduce the high cost of living. We have only been operating here, with the administration against us, for a very short time.

Mr. COLLIER. I will admit that you have done the best you could in the time you have been here. [Laughter and applause.]

Mr. REAVIS. Will the gentleman yield to me?

Mr. COLLIER. Please be brief. They have given me only a few minutes.

Mr. REAVIS. The gentleman suggested that there was a difference between the idea of the President on tariff revision and the idea expressed in the legislation passed by this Congress. Will the gentleman be good enough to tell us wherein they differ?

Mr. COLLIER. The President of the United States and all others who believe in the principles of Democracy, which are that not a dollar of tariff duties should be levied except to carry on the economically administered expenses of the Government, do not believe in any kind of tariff that will increase the cost of pearl buttons, and beans, and flour, and every agricultural implement.

Mr. REAVIS. Mr. Chairman, will the gentleman yield further?

Mr. COLLIER. Let me tell you another thing. High-grade steel can not be made without mixing in a certain percentage of tungsten with the iron ore, and, therefore, when every farmer buys a high-grade agricultural implement and when the ladies buy their typewriting machines and when mechanics buy their tools and cutting and planing machines all the ore than has gone into their manufacture has been mixed with a certain percentage of tungsten, which has been outrageously taxed. Yet one of the achievements highly lauded to-day is the putting of a tariff of 2,200 per cent upon tungsten in order to help out one or two concerns which happen to control it. [Applause on the Democratic side.] You have also levied a tax upon building. The finest brick in the country is made by mixing magnesite with it, and away over in one corner of this country, in order to help out a district in the extreme Northwest, you have raised the tariff on magnesite over 500 per cent.

Mr. REAVIS. Mr. Chairman, the gentleman stated the President's idea of the tariff on dyestuffs was a tariff that would produce revenue. His suggestion was a protective tariff. What difference was there in the mind of the President that actuated the gentleman to say that the President was in favor of one kind of protection different from the protection provided for in the legislation?

Mr. COLLIER. Oh, in seven or eight minutes I can not go into that. First let me say that the dyestuffs bill which you passed through this House was not the dyestuffs bill recommended or the kind that the Democrats tried to pass.

Mr. REAVIS. What was recommended?

Mr. COLLIER. Mr. Chairman, I can not yield any further.

It is a peculiar as well as a fearful thing when, according to the theory of the Constitution, the legislators are but the servants of the people, that yet the people should stand in dread of their legislation. I know a load will be lifted from every breast when this inefficient Republican Congress will adjourn, so that the people will be spared the spectacle of ridiculous investigations and cheap efforts at economy in small sums while criminally extravagant in large sums.

The Republican majority have gone mad on investigations. In their partisanship and desire to besmirch the Democratic administration they have attempted to make light of America's wonderful achievements during the war. In order to divert attention from their miserable inefficiency, the Republican leaders in the House have repeatedly attempted in their partisan, unfair, and wholly unjustifiable investigations to blacken and soil some of the brightest and most glorious pages in the history of the American Republic.

If the American people have wasted their time listening to the weak and ridiculous speeches of the Republican members of the various investigating subcommittees, they have no doubt concluded that if anything wrong was done by the Democratic administration there was no danger of that Republican investigating committee ever finding it out, no matter what facts might be laid before them.

Of all the criticism directed against every man connected with this war as brought out by the investigating committee, eight out of every ten of those criticized have been and are to-day prominent Republicans and voted the Republican ticket at the last presidential election.

If the Democratic administration made a mistake, it was in trusting Republicans by placing them in those positions of trust. But in justice to these Republicans who have been so severely criticized by the Republican members of the committee, I say that for the most part the criticism directed against them is captious and unfounded, and that instead of being criticized most of them should be commended for the patriotic zeal and energy and time they gave, practically without pay, to their country during the war. Considering all the conditions and the urgent necessity for haste, they, as I say, for the most part, did well and are deserving not of censure but of praise.

Certainly the Republican Party refused to profit by the lessons of history. Ten years ago, when that party was in absolute control of every governmental department, when flushed with the intoxication of another victory, drunk with the exercise of an almost despotic power, enriched by the spoils of nearly half a century's patronage, and swollen with the conceit of repeated indorsements, they quarreled among themselves over the distribution of spoils.

They found fault with the Cannon rule, by which the House was absolutely in control of one man. There was no Calendar Wednesday then for a committee to bring a bill before this House, as there now is. The only way a bill not from an appropriating or revenue raising committee could be brought to a consideration was for the author of the bill or the chairman of the committee reporting it to go hat in hand to the Speaker and ask for recognition, which was more often denied than given.

While that system became so hateful to the American people that the Republicans themselves were forced to abandon it, yet I must confess that as bad as Cannonism was, it is really superior to the steering committee system now in practice, where four millionaires pass on and control all the legislation of this House. Now you have gone to the four millionaires' rule, which I say is worse than Cannonism. [Applause on the Democratic side.]

It will vigorously be contended by the Republicans that I am wrong in calling Cannonism a better system, because the judgment of four should be greater than the judgment of one. But the trouble is that these four millionaires have neither the courage, the intellectuality, nor the judgment of the former Speaker of this House [laughter and applause], and therefore I contend that the present system has all the viciousness of Cannonism without its redeeming intellectuality. Despotism, even benevolent despotism, is a curse to any country, but there can be no greater infliction put upon any people than to torment them with a stupid, a vacillating, and an inefficient despotism.

No matter how important the legislation may be, no matter how carefully it may have been considered by the committee, no matter how urgent or necessary it is, the legislation must first be submitted to the steering committee, and the permission of that august body must first be secured before it can be considered by this House.

On the resolution to give food to the starving children of Europe the Ways and Means Committee held meetings twice a day. The chairman of the committee on three different occasions thought he could bring the resolution up in 24 hours, and in justice to the gentleman from Michigan I will say he did the best he could.

Conditions in Austria, in Armenia, and in Poland were horrible. Children by the hundreds were dropping dead in the streets, dying from famine and starvation.

Prentiss once said when a man dies of disease he alone endures the pain:

> Around his pillow are gathered sympathetic friends, who, if they can not keep back the deadly messenger, cover his face and conceal the horrors of his visage as he delivers his stern mandate.
>
> In battle, in the fullness of his pride and strength, little recks the soldier whether the hissing bullet sings his sudden requiem or the cords of life are severed by the sharp steel. But he who dies of hunger wrestles alone day after day with his grim and unrelenting enemy. Famine comes not up like a brave enemy, storming by a sudden onset the fortress that resists. Famine besieges. He draws his lines around the doomed garrison, he cuts off all supplies, and life never summons to surrender, for he gives no quarter.

And this was the kind of famine the Ways and Means Committee resolution was trying, with wheat, wholesome but unsalable in the United States, wheat we already owned and which had cost us nothing, for it was a profit made by the Grain Corporation—this was the kind of famine we were trying to conquer,

trying to conquer it with wheat, which was the only weapon with which we could safely wage war against it.

The resolution was unanimously reported; the membership of the House were eager to vote to send this food to those starving little ones, whose piteous wailing cries could almost be heard across the waters. But the steering committee withheld their hand. In one town, in one month, out of 1,000 babies 960 starved to death. In another instance over 800 out of a thousand perished for lack of food, and still the steering committee said "no." Finally, after weeks and months, and after over 30,000 babies had starved to death, the steering committee relented and told the chairman, Mr. FORDNEY, he could bring in his resolution. In less than 48 hours the bread was on the way to those starving little children.

Nero is said to have fiddled while Rome burned, but the Republican steering committee vacillated while 30,000 babies died from famine, hunger, and starvation.

This is only one incident out of any number of instances of inefficiency, vacillation, and weakness of this wondrous four-man rule now in vogue here in the House. And yet the people back home think that Congress is a deliberative representative body and do not know that the Republican majority is by their own volition controlled by a steering committee of which four constitute a majority.

The election of a Republican Congress in 1918 was not only a calamity to the United States, but it was a political tragedy in so far as international affairs are concerned. [Applause on the Democratic side.]

The damage done to the United States by the weak, vacillating, inefficient Republican Congress can in time be repaired. Ours is a country of wonderful resources and unlimited opportunities, and the people of the United States have marvelous recuperative powers, else the country could never have survived nearly 50 years of Republican mismanagement. [Laughter and applause.] Fortunate was it, indeed, that this long period of Republican tenure was not continuous, and that from time to time Democratic administrations would be called to undo the pernicious and injurious effects of a legislation made grievous and unbearable by unjust discrimination and unpardonable partiality. The student of history will bear me out in the statement that the Republican Party from time to time has lived and fattened on the good results of Democratic legislation until, by their own effort, they got turned out of office. [Laughter and applause.]

Mr. KNUTSON. From 1893 to 1895?

Mr. COLLIER. Mr. Chairman, I repeat that notwithstanding the damage incurred by the country being inflicted with a party which since May, 1919, has done nothing but investigate and play peanut politics, yet in so far as the United States is concerned this damage, bad as it is, can be cured in time.

But the evil effects of the Republican victory of 1918 from an international standpoint is a different matter. It came at a time when American arms, American genius, and American leadership were exciting the admiration of the world. [Applause on the Democratic side.]

Chaos and confusion reigned in Europe. The Old World was in travail. New governments arose only to be overthrown and other governments took their places. Revolution and revolt were in the air. Bolshevism and anarchy were spreading over Europe like a prairie fire. Communism and sovietism were lifting their ugly heads in every capital in the Old World. Orgies of riot and bloodshed and lawlessness as a result of the war developed all over continental Europe. Those who had been oppressed for centuries drank so deeply themselves "from the new-found cup of liberty that they became drunk and frenzied with the unusual draught."

But America, secure in her consciousness that by the glory of American arms and the splendor of American achievements the war was won and democracy was secured throughout the world, America serenely, steadfastly, confidently, magnificently prepared to gain for all time, for all humanity, a victory far greater in its character and more glorious in its consequences than those gained by the valor of her sons at the red plains of Chateau-Thierry or the bloody forests of the Argonne.

Never before in the history of any country in any age was there so glorious an opportunity to put into practice the divine precepts of the Prince of Peace as that which a year ago was afforded the American Republic.

All the enemies of bolshevism and sovietism and communism looked to America as the storm-bound mariner looked upon the peaceful haven. The friends of law and order—all who despised riots and revolutions and anarchy and bloodshed—anchored their hopes to the young Republic of the West.

After over five years of continuous warfare in Europe, in which the map of the continent had been changed, in which kings were overthrown and confusion was everywhere, all thinking men knew that if law and order were to come out of this chaos and confusion that it would be necessary for the stronger powers to form some kind of an alliance to protect the weaker countries from the territorial encroachments of their rapacious neighbors and see if some plan could not be devised where the sacrifices and the horrors of another five years' war could either be avoided or else postponed for centuries.

In this great work of democratizing the world, America, as she had done throughout every stage of the Great War, was preparing to again take the lead.

But the Republican victory of 1918 changed all this. What matters American honor, American leadership, and American prestige if a Republican Congress can be elected? [Laughter and applause.]

The campaign of slander and misrepresentation, of abuse and villification, was directed against President Wilson and the peace treaty, even before he put foot upon European soil. His utterances were condemned before he opened his mouth to speak them, and his policies were slandered and misrepresented long before his position was known. [Applause on the Democratic side.]

Placing political spoils above the glory of their country's achievements in the greatest war in the greatest epoch of all time, they projected and continued a campaign of misrepresentation and slander, which has had the effect of not only changing American leadership in international affairs into a pitiful state of vacillation and weakness but at the same time destroyed forever all hope of our country playing the greatest part in the greatest drama that was ever staged in the theater of the world.

When America repudiated the Versailles agreement "walls, arches, roof, and deep foundation stones" of a league to preserve peace and tranquility throughout the world all mingling fell. [Applause on the Democratic side.]

The effects of this failure are indescribable. Bolshevism is now rampant over a great part of Europe. Poland is now advancing with an invading Army 150 miles from her frontier. Berlin is in the throes of a revolution. All Germany is torn by the ravages of a civil war. Austria lies prone, prostrate, starving. Trade relations between the Allies and the Central Powers are paralyzed. Anarchy, sovietism, communism, and every other political "ism" that flesh is heir to threatens the peace and security of all mankind.

Conditions in the United States are unsettled. Labor is dissatisfied. Capital is uneasy. The war measures necessary once but worse than useless now are still in force. The high cost of living seems to be going still higher. The I. W. W. raising its vulture head is striking at the roots of organized society. All trade relations between the Allies and Central Powers are practically paralyzed. The unsettled state of financial conditions may at any moment result in disaster and "confusion worse confounded."

The peace and security and happiness of all Christendom are threatened by enemies from without and by enemies from within. What a price, what an awful price, to pay for the election of perhaps the weakest and most inefficient Congress in the history of the American Republic. [Applause on the Democratic side.]

Mr. GOOD. Mr. Chairman, I yield five minutes to the gentleman from Nebraska [Mr. REAVIS].

Mr. REAVIS. Mr. Chairman, I have not taken the floor of the House for the purpose of replying particularly to the address of the gentleman from Mississippi [Mr. COLLIER], but rather have I arisen for the purpose of voicing my resentment generally to the unjust criticism to which Congress is being subjected. This criticism is neither unique nor unusual, but is part of a somewhat general sentiment which the people and the press entertain with reference to legislative bodies. Throughout the Nation, in the quiet cloisters of editorial rooms, men but little familiar with the activities of life or the real needs of the Nation pass adverse judgments, not only upon the Congress as a body but upon the individual membership thereof. In many, if not in most, instances the criticism is based upon misinformation, and at this particular time is inspired in large measure by the growing feeling that all ills from which the people suffer are legislative in character and will respond to legislative treatment.

Occasionally, though fortunately not often, some Member of this body, for partisan purposes, will reiterate and repeat these criticisms, and such statements made on the floor are usually accepted by the people at large as the views of Congress concerning itself. I want to express my very high regard for the membership of this body on both sides of the aisle. I want to

bear testimony not only to the accomplishments of the House of Representatives but to the sincerity of purpose that actuates the conduct of most of the Members. It is unfortunate, of course, that Congress is usually advertised by its weakest Members. Occasionally some Member will deliver an address which discloses a lack of knowledge of the subject matter and possibly give indications of being inspired by personal political interests, which the newspapers will immediately seize as indicative of Congress. The reverse is quite true. I have never been associated with any body of men of greater intellectual capacity nor who were actuated by more sincere motives than is the average Member of the House of Representatives, without regard to the side of the aisle that he sits on.

The gentleman from Mississippi [Mr. COLLIER], however, has seen fit to eulogize his own party by attacking the accomplishments of the House of Representatives. He has even gone so far as to suggest that the loss of prestige which America has suffered abroad is due solely to the inefficiency of the present Congress. I do not know by what process of reasoning he reaches this conclusion, but I must beg leave to differ with him. I regret that his statement with reference to the loss of prestige is true, and it seems to me that its consequences are not only serious but well-nigh tragic. America has fallen from a very high estate since the fall of 1918. Probably never in the history of the world was a Nation so esteemed by all civilization as was America on armistice day in November, 1918. She had given to the race an example of unselfishness that was and is unparalleled, and the value of her contribution toward saving the civilization of this earth was recognized as incalculable.

I recall standing one Sunday evening in the month of July, 1918, on one of the bridges of Paris. I not only heard the steady pounding of the German guns as I stood there, but I saw their flash on the horizon, so close were they to Paris. From March until July of that year the German Army had marched toward Paris almost without resistance. Gen. Haig, in a despairing plea to his soldiers, announced to the world that his back was against the wall. The German hosts were boasting of what they were to do with the beautiful French city, and their boasts seemed likely to be fulfilled. A million people had left Paris within six weeks. The munition works adjacent to the city had been dismantled. The fine art treasures had been removed to places of safety, and the population was ready to abandon their capital to the enemy. Far over in the southeastern part of France the American Army was training, and at this crisis some 300,000 of our soldiers were brought over to participate with the fast-breaking allies. These boys of ours struck the Germans first at the village of Vaux, next at Belleau Wood, and at Chateau-Thierry on the 18th of July. For the first time since March the German Army was stopped. After severe fighting it started a retreat that did not end until the armistice was signed on the 11th of November following. [Applause.]

It is impossible to describe the jubilation of the French people when the German Army was stopped on July 18. The nation had been depressed and heartbroken with impending disaster, but the whole situation changed within a week. They went from midnight until noon without an hour between, and the smile that had been driven from the face of France returned again because of the success that the American soldiers had achieved over their enemy. I do not believe it extravagant to say that the allied powers were literally at the feet of the American soldier in adoration. I stood on the roof of the Hotel Crillon, in Paris, and watched the parade made up of the soldiers of all of the allied forces. At Place de la Concord, across from the hotel, were massed 10,000 people, who uncovered as one man when a company of our marines went by carrying the flag of the United States. This deference was paid to no other flag save their own.

The years and the ages would have been too short for France and civilized Europe to have forgotten the contribution that the United States had made if we had brought our boys home when this war was over and had stated that the purpose which we sought had been accomplished and that we were through. Oh, that we had kept the promise that we made the year before, when it was said, "We shall leave France with our hands as empty as they were when we went there, except we shall bear the ashes of our dead." No nation was ever so exalted in the world's esteem as was America when the hostilities were brought to an end. The gentleman from Mississippi [Mr. COLLIER] states that we have sacrificed all of this because of the action of a Republican Congress, but I would call to his attention another equation that entered into the problem—the vaulting, overwhelming ambition of one man was yet to enter as a circumstance, the ambition of one who arrogated to himself the right to speak for a hundred and ten million people not in matters which intimately and directly concerned them but in matters in which they had a remote concern. He set himself up as the arbiter of the nations of the earth, telling Italy what she could have; telling France what she could have; parceling out the territory of our ally Russia; and granting to Japan the holy ground of another ally, China. Because of this intermeddling with the affairs of Europe, the loss of prestige has come. Not only was it sought by the President to dictate the policies of the Old World but he offered as a price for such dictation the sovereignty of his own people, which offer, fortunately, his own people have repudiated.

I have not the time, Mr. Chairman, to elaborate on the accomplishments of this Congress, but I give it to you as my sincere belief that it will go into history as one of the most serviceable legislative bodies that have ever convened during the life of the Nation. I am not much of a statesman; I am not much of a Congressman, I sometimes fear, and I make no pretensions to prophecy, but I can look down the aisle of the years to come and see the children of the long future emerging from the shadows to receive from those who have carried "the torch till they fell" a Nation whose sovereignty is not divided, which is completely and utterly its own master, which is privileged to work out its own salvation and to contribute on occasion to the welfare of all humanity—not under the order of a supergovernment but on its own motion and by its own volition. I believe, Mr. Chairman, that the children of that future, for whom has been preserved the sovereignty and the independence of this country, will hold in their hearts the names of LODGE, and KNOX, and BORAH, and REED, and SHIELDS, and NORRIS, and those other Senators who have offered their political careers on the altar of their conviction in the same high regard that we hold Jefferson, and Hamilton, and Webster, and Sumner, and Lincoln. Holding this belief, Mr. Chairman, I have felt at liberty to resent the criticisms of the gentleman from Mississippi against a Congress which I believe will go into history as one of the great legislative assemblies of the country. Holding this belief and contrasting our present position in the world with the one we occupied a year and a half ago, it seems to me that many years will elapse before we can fully assess the injury Woodrow Wilson has been to his people and his time.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LUCE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13870) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes.

DEFICIENCY APPROPRIATION.

The committee resumed its session.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield 20 minutes to the gentleman from Missouri [Mr. CLARK].

Mr. CLARK of Missouri. Mr. Chairman and gentlemen, I thoroughly agree with the remarks of the gentleman from Nebraska [Mr. REAVIS] about the bad habit of certain people in abusing Congress. But I submit to him, and to all other candid gentlemen, if it is not just as improper for Congress to abuse the President of the United States as it is for divers people to abuse Congress. [Applause on the Democratic side.]

Mr. REAVIS. Will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. REAVIS. I have no desire or intention to abuse the President of the United States. I was simply replying to a charge made by the gentleman from Mississippi [Mr. COLLIER] that the loss of prestige was due to the action of Congress.

Mr. CLARK of Missouri. The gentleman's remarks were very unkind to the President. [Applause on the Democratic side.] Some of these days I am going to deliver a lecture, or it may be write a small book, collating the abuse, first and last, that has been heaped on the more distinguished Presidents of the United States. [Applause.] It began in the beginning of our glorious national life, and when George Washington, the greatest man that ever lived [applause] stepped down and out of the presidential office a large number of people thanked God that the old tyrant was out at last.

Jefferson was most savagely abused. New England preachers bombarded him from the pulpit as the anti-Christ, which was going some. Andrew Jackson, the heroic soldier, was held up as a monster of iniquity. He was called every bad thing his enemies could think of except a coward. There was not a liar in America fool enough to say that about the conqueror of Gen. Sir Edward Packenham.

What the Republicans said—I am not talking about what the Democrats said—what the Republicans said about Abraham Lincoln was something dreadful, something awful. Senator Ben Wade and Henry Winter Davis became associated on a paper that was a disgrace to the American Republic. The whole of it was taken up in horrible abuse of Abraham Lincoln.

You can say what you please about it, and I hold no brief for him, Woodrow Wilson will take his place in history along with Washington and Jefferson and Jackson and Lincoln. Those are my four favorites.

I am going to talk a little about things that have happened. St. Peter, the great and heroic apostle, in his first epistle charged the disciples to stand "ready always to give answer to every man that asketh you a reason concerning the hope that is in you."

Of course, that was religious advice from the great apostle, but it is just as good political advice as it is religious advice. In this great campaign that is impending Democrats stand squarely and proudly on the record they made when we had the President and both branches of Congress. [Applause on the Democratic side.] It is a record of patriotism, wisdom, and unimpeachable glory. [Applause on the Democratic side.] A man that can not defend it successfully is a stark idiot. [Applause on the Democratic side.] In six years a Democratic President and a Democratic Congress put more good progressive remedial legislation on the statute books than did the Republican Party in 25 years. [Applause on the Democratic side.]

One of the greatest assemblies of men that ever met in this world was the Republican national convention of 1880. Every big Republican in the land was there and a good many big Democrats looking on. The most spectacular feature of that great conclave was Roscoe Conkling's superb oration nominating Gen. Grant for a third term.

In that speech he said that "Gen. Grant's fame rests not alone on things written and things said, but upon the arduous greatness of things done." That is a magnificent sentence. It sticks to the memory like a bur. That sentence of the great New Yorker fits the Democratic record like a glove. [Applause on the Democratic side.] We stand on what we did [applause on the Democratic side]; and the gates of hell shall not prevail against us. [Applause on the Democratic side.] If I was going to pick out just one thing that has done the American people more good, and that was done by Democrats, than any other, the first one I would pick would be the Federal Reserve System. Some time ago some Democrat was making a speech, I have forgotten who he was, and the gentleman from Ohio [Mr. FESS], the high mucky-muck of this congressional campaign committee [laughter and applause on the Democratic side], interrupted long enough to say that we stole that bill from the Republicans. I do not know whether he put that in the RECORD or not.

Mr. ALMON. He said it to-day.

Mr. CLARK of Missouri. Now, somebody told me—I was detained this morning on some business matters—that he practically reasserted that thing. I thought he ought to quit it. [Applause on the Democratic side.] If some ordinary plug said a thing like that, I would not kick about it, I would not care what he said, but here is a man who was president of a college, and ought to know something if he does not [laughter and applause on the Democratic side], chairman of the Republican congressional campaign committee, who makes an assertion that is not warranted by the facts. [Applause on the Democratic side.] He can not steal that bill from us. [Applause on the Democratic side.] A great many of you Republicans voted for it. What did you do it for? Because you were afraid to vote against it. [Applause on the Democratic side.] Of course, there are facts in that bill that were in the Aldrich bill, but it was only part of it. Well, now, if that bill is a good bill—and no man in this House will get upon the floor and deny that it is—not one—if it is a good bill, what are you kicking about? If it is not a good bill, why did you vote for it? If it is a good bill, why did not you pass it yourselves when you had 16 years of power? [Applause on the Democratic side.]

Mr. FESS. Because the Democrats prevented it.

Mr. CLARK of Missouri. Well, a minority can not prevent the passage of a bill here.

Mr. FESS. Sometimes.

Mr. CLARK of Missouri. I never saw it done yet. You had the President, and you had both Houses of Congress, and in one Congress you had 144 majority in this House, and you could not pass a currency bill or a banking bill. [Applause on the Democratic side.] You did not have the power of initiative, and you have not got it now. [Laughter and applause on the Democratic side.]

I would not fear to rest the Democratic claim entirely on that one bill. [Applause on the Democratic side.] It alone should renew our lease of power. For 20 years the Republicans have been tinkering at the currency question, always promising reform, but never accomplished anything, never. Everybody who has half sense knows the country had outgrown the national banking bill. It is like trying to fit a garment of a 10-year-old boy on the Kentucky giant; you could not do it. The old Republican scheme was a breeder of panics [applause on the Democratic side], an invitation to panics. I do not have to enumerate them, but all of us can remember most of them. There was no elasticity to the currency. Does any man in this House believe we could have gone through this colossal war with that old bill on the statute books without a panic? [Cries of "No!" on the Democratic side.] If he does, he has faith that would move mountains. The Republicans had a system of shreds and patches, always getting into trouble with it——

Mr. FESS. Will the gentleman yield for a question?

Mr. CLARK of Missouri. I shall be very glad to do so.

Mr. FESS. What is there in the Federal reserve act as it now stands that was not in the Aldrich bill except first the Aldrich bill provided for a central bank while the present bill has a regional bank and the Aldrich bill did not have the present organization of the board?

Mr. CLARK of Missouri. No.

Mr. FESS. What is the difference between the two except those?

Mr. CLARK of Missouri. Well, those differences are enough to make our bill immortal and condemn yours forever. [Laughter and applause on the Democratic side.]

Mr. WINGO. Will the gentleman yield?

Mr. FESS. If the gentleman will permit, I would suggest that the pork-barrel system which distributes favors throughout the States is not an advisable thing to do.

Mr. CLARK of Missouri. Well, is the gentleman against the Federal reserve bank bill?

Mr. FESS. I voted for it——

Mr. CLARK of Missouri. Why did you do it?

Mr. FESS. Because the Democrats accepted the gold standard amendment that I wrote.

Mr. CLARK of Missouri. The gold standard had been fixed for years.

Mr. FESS. I was against it until that amendment was accepted.

Mr. WINGO. If the gentleman will permit, no doubt the gentleman remembers the debate on the Federal reserve act, and one objection of one of the Republican critics, who finally voted for the bill in spite of his objection, was that under the Aldrich scheme the country banks could still keep their reserves in reserve cities; and the gentleman from Iowa, Mr. Prouty, made a constitutional argument that our bill was unconstitutional, in that it took control of certain assets of member banks; and yet that is the very bedrock of the Federal Reserve System and the difference between that and the Aldrich bill.

Mr. CLARK of Missouri. I am very much obliged to the gentleman from Arkansas. Here is the situation: For 30 or 40 years the Republicans had been bellowing at the top of their voices that we have no initiative. They admitted that in the spacious days of Thomas Jefferson and Andrew Jackson we had, but they declared that we had lost it, and if we got in we could not do anything. You know you all said that, and by blinding the people with that kind of chaff you stayed in power for 25 or 30 years; but in 1912 the scales fell from their eyes and they put the Democrats back in power, and they accomplished more than you have accomplished since the death of Lincoln. [Applause on the Democratic side.] Charley Landis used to tell a story that fits you gentlemen exactly. He said down in the mountains of Pennsylvania they built a spur out in the mountains, and an old chap who had never seen a car or an engine or a railroad track took his wife and went down to the depot and saw the train come in. He looked it over and he said, "Sallie, they will never start her." It went around the hill at the rate of about 40 miles on hour. He looked at it, and said, "Sallie, they will never stop her." [Laughter.] And that is what you people said about us. You said that we could not do anything and then that we did too much.

Another bill that I would be willing to go before the people on by itself as entitling us to another lease of power is the income-tax provision in the Underwood tariff bill. [Applause on the Democratic side.] And, by the way, a great many of you Republicans voted for it. Why did you vote for it? Because you were afraid not to vote for it. [Applause on the Democratic side.] The best system of taxation that ever was devised by the wit of man, as well as the fairest and justest, is the graduated income tax. [Applause on the Democratic side.] I have been for it ever since I can recollect. I was one of the men that helped to put it in the tariff law of 1894, and it was knocked out by a 5 to 1 decision of the Supreme Court that still stinks

in the nostrils of mankind. It immediately became a part of the Democratic creed. We worked at it for years and years, and finally had to get a constitutional amendment adopted in order to get it. And we have got it. That is a Democratic measure. [Applause on the Democratic side.] It will never be repealed. It may be modified and amended and improved by reason of experience, but there is no more chance of repealing the principle of the income tax than there is of repealing the rule of three—not a bit.

Mr. FESS. Does the gentleman say that the amendment relating to the income tax was not ratified by more Republican States than Democratic States?

Mr. CLARK of Missouri. I do not know.

Mr. FESS. It was ratified by the Republican States, and it became a law because there were more of those States than there were Democratic States.

Mr. CLARK of Missouri. It may be. I am getting to be suspicious as to historical facts as stated by the gentleman from Ohio. [Laughter.] His memory sometimes plays tricks with him. I do not see that that matters one way or the other. Anyway, we got it, and, what is a good deal more, we are going to keep it. If we had not done anything else, it should entitle us to a long lease of power.

Mr. LONGWORTH. Will the gentleman yield?

Mr. CLARK of Missouri. I will.

Mr. LONGWORTH. Does the gentleman confine his eulogy of the Underwood law to the income tax?

Mr. CLARK of Missouri. I do not confine it to that. It is the best tariff law ever put on the statue books even without the income tax, but the income tax improved it. [Applause on the Democratic side.]

Mr. BYRNES of South Carolina. And the best proof that it is the best tariff law is that the Republicans are in power and have not attempted to repeal it.

Mr. CLARK of Missouri. Yes. Any party that will go to the country with a proposition of repealing the income tax law would not carry five States in the Union. It taxes what people have and not what they consume.

Mr. KNUTSON. Will the gentleman yield?

Mr. CLARK of Missouri. If it is an easy question; yes.

Mr. KNUTSON. I suggest to the distinguished gentleman from Missouri that another Democratic accomplishment was getting us into the war. We would like authority on that.

Mr. CLARK of Missouri. I think a remark like that is an insult to the American people and everybody in the House as well. It was not a Democratic war; it was not a Republican war; it was an American war. The Republicans acted very well during the war. [Applause.] I will say that for them, and that is a matter of justice. A man who has held the position that I have in this House can not afford to do anything but tell the truth. But the very moment the war was over you commenced acting badly and you have been at it ever since. [Applause on the Democratic side.]

I do not think that the Democratic record is absolutely perfect. The record of no party that ever existed was perfect. But I will tell you what I do know. Anybody can take an ordinary telescope and go out and find spots on the sun. They are there. They have always been there and they always will be there, but nevertheless the sun continues to light and heat and fructify the world. [Applause on the Democratic side.] You can pick flaws as much as you want to in the Democratic record, but when you take it altogether it is a great body of progressive action in the Congress of the United States and in the Democratic administration. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BYRNES of South Carolina. I yield 10 minutes more to the gentleman from Missouri. [Applause.]

The CHAIRMAN. The gentleman from Missouri is recognized for 10 additional minutes.

Mr. CLARK of Missouri. Mr. Chairman, I do not think I will consume that much time.

Now, the gentleman from Minnesota [Mr. KNUTSON] wanted to know about the war. I will tell you about the war. We all went into it, Democrats and Republicans, as Americans, and not as Democrats or Republicans. It happened that we had the administration, and it also happened that we performed the greatest stunt ever performed by the soldiers of any country at any time or at any place. We did not begin the war; we finished it. [Applause.] I said that a year or two ago here in the House one day, and several gentlemen jumped me, not in the House, but in the newspapers, where it was safer to do it. But when Gen. Pershing sent his report of his conduct during the war he said that we gained that war. Now, if there is any man in the United States that knows anything about war, it is Pershing. [Applause.] And you Republicans—I have no license to advise you—if you want a good candidate, set aside all these boodlers and nominate Gen. Pershing. [Laughter.] The war was conducted to a successful conclusion under a great Democratic President. You can not deny that. [Applause on the Democratic side.] And you can get your spy-glasses out and examine the record, and you will find it is a fine record. What is it that makes you want to pick flaws with him all the time for, anyway? We have not heard Republicans praising him for things he has done that are unquestionably good. For instance, he insists that the Turk shall be sent across the Bosporus and put back into Asia, where he belongs. [Applause on the Democratic side.] I am in favor of it. He never had any business in Europe, to begin with. The quicker you get him out the better the peace of the world will be. But I have not heard a single Republican stand up on the floor of this House in all the talk there has been about the President, and praise him for even that meritorious suggestion. I will tell you my theory about the President. The minute a man is inaugurated President of the United States he becomes President of us all. I hope to Heaven that you Republicans will not elect a President, but if you should happen to do so through any inscrutable arrangements of Providence, the minute he is sworn in on the 4th of March he will become my President.

I will name two or three things the Democrats have done. They have established a Trade Commission; they have established all these energies of government, and the Government never has been in better working order than it is now.

Election of United States Senators by the people—a great progressive measure—for years promised by both parties, was finally achieved by the Democratic Congress and Democratic President.

We admitted Arizona and New Mexico—a performance long promised by Republicans and at last accomplished by Democrats—a great boon to those nascent Commonwealths.

We passed bills for the prevention of corrupt use of money in elections. We established the Trade Commission. We established the War Risk Insurance Bureau—a splendid benefaction. We passed the ship-purchase bill, which has given us a fine merchant fleet, the first we have had since 1863 and 1864. Once more, thank Heaven, American ships will plow every sea and the American flag will float in every harbor of the world. We passed the Clayton antitrust law; a better and more liberal Philippine bill; and the Underwood tariff bill—the best tariff law ever put upon the statute books; a conservation bill; a land-bank bill, which is a great blessing to the farmers of America; this land farm loan bill alone should give us a new lease of power.

We have passed good labor laws, pension laws, and other good and meritorious measures, which I have not time to mention in 20 minutes.

Now, in most of these great measures the Republicans voted with us. I want to impress that on your minds and stir up your recollections. If they were not good bills when we passed them, why did you vote for them? There is only one answer to that question, and that is that they were good bills.

Now, it is a curious tale that the gentleman from Mississippi [Mr. COLLIER] was telling, and it is exactly correct that for about one-half of the time since this Government was organized the Democrats have been running it, and for about half of the time the opponents of the Democrats, under various names, have been running it, and we lack four years of being quite up with the others; and we want the four years. [Laughter.] And judging from the way things have been running in the last three months, we shall get those four years. [Applause.] Three or four months ago the prospects of the Democrats were not very cheerful; but everything that has happened in Washington or anywhere else, or in Michigan or Missouri [laughter], improves the prospects of the Democrats. [Applause on the Democratic side.] You might as well cheer up. One Republican presidential candidate sent $38,000 down to Missouri in order to get some delegates. The papers say this morning that the very fellows who got the money are afraid to vote for him in the convention. [Laughter.]

Remember, it is the Republicans that are probing the Republicans over there. I did not start it, and no other Democrat did; but I am in a frame of mind when I can say, "Go it, husband! Go it, bear!" until you dig them all out and put them all out of business. [Laughter.]

I have said we accomplished more in 6 years than you people did in 25. How did we do it? The Democratic House did its duty. The Democratic Senate did its duty. The Democratic President did his duty. It was marvelous teamwork; marvelous teamwork; and the only thing that I wonder about is that we accomplished so much in such a short time. We have

the highest authority for measuring human conduct. "Judge a tree by its fruits." It is a good rule, and we are willing to be judged by it. And on these great accomplishments of the Democrats we plant ourselves, believing that the people of the country have intelligence enough to give us another lease of power. [Prolonged applause on the Democratic side.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back a minute and a half.

Mr. CLARK of Missouri. I ask unanimous consent, Mr. Chairman, to revise and extend my remarks.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. WALSH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. It is only now in order for some one on the minority side to second the nomination. [Applause.]

Mr. BLANTON. The people of the United States will do that.

Mr. REAVIS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. PARRISH. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. KEARNS].

The CHAIRMAN. The gentleman from Ohio is recognized for 10 minutes.

Mr. KEARNS. Mr. Chairman, I was very much interested in the speech delivered a few moments ago by the gentleman from Mississippi [Mr. COLLIER]. It was a very elegant speech, and had it been occasionally punctuated with facts it would be worthy of a careful reading by the entire country. But when a few moments later I heard the gentleman from Missouri [Mr. CLARK] make the declaration that the Underwood tariff bill was the best piece of legislation of that character that was ever placed upon the statute books—and it received universal approbation from the Democratic membership in Congress—I was constrained to believe that that side of the House can see fact where fact does not exist. [Applause on the Republican side.]

Mr. Chairman, I have asked for this time for the purpose of discussing briefly some legislation that has recently been enacted and considered by this Congress.

Within the past two months or ten weeks there has been one of the most systematic and carefully organized propaganda against any plan that has for its object the giving of a bonus to the ex-service men of the late war. The question of a bonus to these men, or an adjusted compensation, is not new in character, for it has been discussed throughout the country from every angle since shortly after the armistice was signed, nearly two years ago. Until within the last two months there was no well-defined opinion against this course on the part of the Government. So sure was Congress, until quite recently, that these boys would be given this recognition for the sacrifices they were called upon to make that the Ways and Means Committee of the House, by unanimous voice of the House, was not only asked but ordered to report a bonus bill carrying with it a plan for raising the money to meet the necessary expense.

This committee was a unit for the idea involved and commenced this task with a unity of purpose to speedily report a bill, that it might at once be enacted into law. Soon thereafter many plans, some feasible and some not, for raising the funds were presented and discussed. Among them a tax retroactive in nature on huge and unconscionably high war profits was suggested, and from that moment the committee was met with opposition from all sides. This opposition grew in strength as time went on, until it amounted to the most aggravated and sinister propaganda that has ever been waged against any bill in recent years. At the very moment that it was thought that a part of war profits was in danger of confiscation in order to meet this laudable purpose, a propaganda against the bill had its birth. Since this time every plan proposed to raise money to meet this expenditure has been assaulted.

These men who made unlimited millions off of the blood of the Nation suddenly grew surprisingly and suspiciously patriotic. As soon as their own profits appeared as a tempting field from which to get a part of the funds, they at once discovered that to give these men a bonus must be forever killed. They said then and they say now it would be a commercialization of patriotism and would be an insult to every boy who fought for his flag, while many of them remained at home reveling in ill-gotten gains from the very Government these boys fought to preserve. Many of these same profiteers who cry aloud against the bonus still are filching in the most high-handed way from either the Government or the public at large. Some of these men who cry "Do not commercialize patriotism" ought now to be in jail because of swindles practiced against the Government when it was bleeding from a thousand wounds and more. Many of these men have not yet given up their wild efforts, but are still robbing the people in defiance of stringent laws enacted by Congress to limit high prices. If the Attorney General of the United States would do his duty, many of these same men would be serving time in Federal prisons throughout the land, instead of being permitted to continue boosting prices out of the reach of three-fourths of the population of the country. [Applause.]

I do not intend to say and do not have in mind that all men who oppose a bonus are men who have made profits out of war, because many of the best men and women of the country do not believe in any plan of adjusted compensation for these boys, but I do say that without exception those who have made most out of war are the most bitter opponents against this legislation.

It is estimated that it will require something near $1,250,000,000 to meet this expenditure, and they ask how can you raise this enormous sum of money?

They say the thought that is in the mind of every man and woman of the country is that the cost of living is now out of reach of practically all and this bonus would make prices still higher. Do not let them mislead you on this score. The cost of living is high, and this condition distresses the population of this country and is the one thing that lies nearest the heart of all. The price unjustly demanded in practically every instance is 100 per cent and more higher than the facts and conditions would justify.

As I have already suggested, there is a remedy for this evil, and that remedy is in the possession of the Attorney General of the United States. Congress has given the executive branch of this Government every authority to control prices of most necessities, and yet with all these laws so thick and drastic the cost of living daily increases. [Applause.]

Mr. WELTY. Mr. Chairman, will the gentleman yield there?

Mr. KEARNS. Yes.

Mr. WELTY. Does the gentleman know that six courts have declared that the Lever Act is unconstitutional?

Mr. KEARNS. I know that some parts of the Lever Act have been declared unconstitutional.

Mr. WELTY. Every part except that part with reference to labor.

Mr. KEARNS. I will say to the gentleman that within a week the Attorney General of the United States has seen fit, regardless of the decisions to which the gentleman refers, to bring indictments against a certain woolen manufacturing company of this country, and therefore the Attorney General seems to think that in some instances the law is constitutional.

Decided action on the part of the Department of Justice would save to the American people in one single month sufficient money to pay this bonus. Congress has given to this department authority for such action. Congress can only make laws, not execute. That function belongs solely to the executive branch of Government, and if the present Attorney General of the United States is afraid of big industrial firms that are doing an illegitimate business, let the President remove him and put a man in that office who will perform his duty, and the present great unrest will only live in memory.

I repeat that if the laws against unfair profits were enforced, in one month's time the people of this country would save enough money to pay the most liberal bonus that has ever been proposed to these men who gave up their business interests and offered their lives if need be to their country. [Applause.]

Mr. WELTY. Mr. Chairman, will the gentleman permit just one question?

Mr. KEARNS. No; I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. KEARNS. In this connection permit me to call your attention to a few, just a few, items that are prime necessities in every household in all America. The American people buy, wear out, and discard, on the average, two pairs of shoes per person per year. Some seem to require more, but counting men, women, and children the average is said to be about two pairs per person. This makes the total pairs of shoes purchased last year about 220,000,000. Is it too much to say, with shoes selling from $7 per pair to $20, that the average graft in the shoe business during the past year was $2 per pair? These figures are ridicuously low, yet this makes the steal from the

public in one year $420,000,000—nearly enough money, you will see, deliberately filched from the pockets of the people in this one item alone to pay one-third of the whole amount to be given these men as an adjusted compensation. [Applause.]

When these men were suddenly called from their homes, forced to give up their business interests, enter the service of the United States at $1 per day, men in the same class who remained at home went into the industries and commanded in almost every instance as much money per hour as these men got per day, and often two and three times as much per hour. While the one at home was in a place of safety and comfort, the other was made to endure the hardships of war and the dangers incident thereto. The profits of those in the big industries suddenly jumped from thousands into millions, and there can be no sufficient reason why those who made the sacrifice should not receive this small amount as a further recognition of their services. Because of this wild extravagance in the governmental and private affairs during their absence, the prices of the things that they must have when they returned had gone so far out of their reach that what scant saving they could make out of this $1 a day was wholly inadequate to start them in life again.

Allow me to call your attention to another item of necessity that is used in every home in America. It is estimated that there are 4,000,000 tons of sugar consumed by the American public in one year. A few months ago sugar was retailing in practically every city, town, and village in the United States at 11 cents per pound. The Attorney General, acting under the authority given him by Congress to control the price, allowed the southern sugar refiner to arbitrarily raise his wholesale price from 8 cents per pound to 18 cents, under the promise that he would not prosecute. Bear in mind, this sugar was already manufactured and in the storehouses of the South ready for consumption, and it was the same sugar that had been wholesaling for 8 cents a pound; there was to be no additional work done in connection with it, therefore the cost of labor was not an item, and yet it was allowed to jump from 8 cents per pound to 18 cents to the refiner without any limit as to what the ultimate consumer should pay.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. KEARNS. Mr. Chairman, can the gentleman give me five minutes more time?

Mr. GOOD. I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from Ohio is recognized for five minutes more.

Mr. KEARNS. By reason of this transaction between the Attorney General and the southern refiner, sugar has gone from 11 cents per pound to the consumer to prices ranging all the way from 20 to 35 cents. I think it would be fair to say that the average price, therefore, would be at least 25 cents per pound throughout the country. There are about 4,000,000 tons of sugar consumed in the United States per year, and from these figures it will readily be seen that the average increase to each household in the country is 14 cents per pound; therefore the American people are paying for this one single household necessity per year the enormous sum of $1,120,000,000 by way of tribute to these grafters, a sum almost sufficient to meet the entire demands that would be made on the Federal Treasury should this bill become a law, and this gigantic steal was made with the knowledge and even the consent of the present executive administration. [Applause.]

The grafter of millions from the people of this country has become the petted offspring of this administration while the consumer suffers.

There are used in the United States per year 500,000,000 tons of coal. The average cost to mine, carry from the mine to the freight car on the sidetracks and load thereon is a little less than $1.50 per ton. That includes the wages of the miner, his blasting material, and the overhead expense of running the office and paying the salaries of all the help. In short, this is the cost to the mine operator to have the coal mined and loaded in the freight cars ready for shipment. When it reaches the consumer who lives anywhere within a radius of 100 or 200 miles of the mine, it is sold at the enormous price of from $8.50 to $9 per ton, and here recently it is being retailed in many places for 48 cents per bushel. These prices can not be defended on any honest theory. These prices represent graft and greed and theft of the most glaring and unprovoked character, and yet the executive branch of Government has had all these years since the beginning of war control of fuels.

The price of coal can not be attributed to the high price of labor, because, as I have already said, the entire cost of mining, transferring, and loading into the freight cars ready for shipment is less than $1.50 per ton. The difference between that and the sale price to the consumer represents legitimate profit plus the boldest kind of highway robbery—a robbery that is in defiance of both law and decency. If we grant that only $2 of this price represents unfair profit, if you want to state it in such mild terms, then we have admitted that the mine operators of this country have grafted from the American public $1,000,000,000 within the past year, and at the rate they are going, if unhindered, it will increase to two billions in the coming year, and the great toiling masses will continue to suffer from the curse of high prices. [Applause.]

The Attorney General found ample law to put in jail the coal miners who struck for higher wages last November, but he did not use the same law to put in prison the real evil doer who is illegally extracting from the peoples' pockets a billion annually. [Applause.] And I will repeat right here, by way of parenthesis, to the gentleman from Ohio [Mr. WELTY], who has tried to interrupt me, that the Attorney General thought he had the authority to act under this law, because he finds law enough to put the miners who struck in jail, while he allowed the mine operators who have filched the public to go unhindered without enforcing the same power.

Mr. WELTY. Mr. Chairman, will the gentleman yield?

Mr. KEARNS. No; I can not yield.

Mr. WELTY. He did not use the same law to put them in prison.

Mr. KEARNS. I can not yield.

Mr. WELTY. Just for one question.

Mr. KEARNS. I can not yield. Of course, the cost of living is high, and it will be still higher if the profiteer is allowed to pursue his mad career unmolested by the Government. If our jails were filled with these men who openly defy the law there would be no necessity for increase of wages, because prices would move back to their legitimate sphere. [Applause.]

I have shown in these three great necessities of life—shoes, sugar, and coal—that there could be saved to the consuming public of America in one year, $2,540,000,000, and still leaving great profits to those who handle these necessities. The greed of many great and powerful corporations has been allowed to go so long unrestrained that every household feels its effect and many have been reduced to an actual state of want and privation. These men and women are demanding an immediate relief, and they can get it if only the laws are enforced.

I do not know how many billions of dollars are being annually taken illegally and without color of law from the consuming public. I know it is many, however. I do know in the three items to which I have just called attention that at the very lowest estimate the amount of graft reaches the enormous sum of $2,540,000,000. [Applause.]

I respect the opinions of those who oppose a bonus who have been led to this conclusion because the cost of living has soared until it is out of their reach, but I shall not pay heed to the voice of the profiteer and grafter who desire to continue to make millions by use of illegal business methods.

If the Attorney General of the United States would only act, the situation could be remedied; but if he will not act, the President of the United States should remove him from office and put in a man who will act. And that is the reason why the people are not going to follow the advice of Mr. CLARK of Missouri when he says they are going to turn out the Republican Congress and put in a Democratic Congress, because the people of the United States are neither fools nor knaves. They know where the trouble lies, and they are going to cure the evil. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. LONERGAN. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. The gentleman from Connecticut asks usnanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. GARNER. On what subject?

Mr. LONERGAN. Not on the bonus.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HENRY T. RAINEY. Mr. Chairman, I make the same request.

The CHAIRMAN. Under the same restriction?

Mr. HENRY T. RAINEY. Yes. I do not want to talk about the bonus.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, I yield 10 minutes to the gentleman from Nebraska [Mr. ANDREWS].

Mr. FIELDS. Mr. Chairman, I make the same request under the same restriction.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to extend my remarks generally, but not on the bonus.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD, not on the bonus. Is there objection?

There was no objection.

Mr. KING. I make the same request.

The CHAIRMAN. The gentleman from Illinois makes the same request. Is there objection?

There was no objection.

Mr. ANDREWS of Nebraska. Mr. Chairman, a few minutes ago I was very much interested in the appeal of the gentleman from Texas for a revision of our revenue laws. He cited some instances of irregularity, possibly items that ought to be leveled down, so that some definite rule could be given to business men by which they could make their own returns intelligently and accurately. I recall some observations that I made soon after the enactment of the Underwood tariff, and the first provision for an income-tax law enacted by a Democratic Congress. In the Treasury Department it was currently reported that the Underwood tariff was intended to cut $100,000,000 out of the tariff revenues. It accomplished that purpose without any serious difficulty. It was also indicated that the shortage was to be replaced by a like return from an income tax. What did the accounting show? When the first returns came in and a Democratic Secretary of the Treasury threw out his dragnet over the country to catch the millionaires and round them up with funds sufficient to supply the Treasury forevermore and thus prevent a deficit, what did he discover?

Under the income tax the returns were $67,000,000. How much had we been gathering in prior to that time from the corporation tax carried in the law of 1909? We had been collecting $30,000,000 annually. Thus there was a net return from the income tax under the Democratic law for that first year, only $37,000,000. You never saw greater gloom on the countenances of Democratic chiefs in the Treasury than they had at that time.

They started out in a second effort to find some more millionaires. They failed to accomplish the purpose of their search. Congress was called upon for some more legislation and enacted war taxes in times of peace. Still they were short about $30,000,000 of the $100,000,000 that had been cut out of the tariff.

A third effort was made, and still the $100,000,000 did not come. The volume of imports up to the present time, if the Republican tariff that was on the books in 1913 had remained on the books, would have given us about $1,200,000,000 more in customs revenues than we have received, and without any increase in the cost of living. Thus we would have been $1,200,000,000 ahead of what we are to-day.

Mr. GARNER. Will the gentleman yield?

Mr. ANDREWS of Nebraska. Yes.

Mr. GARNER. A Republican Congress has been in session since last May a year ago. Why did not the gentleman's party put that law on the statute book instead of the Underwood tariff?

Mr. ANDREWS of Nebraska. If the Republicans should write a tariff bill and send it to the White House, the gentleman can guess the result as well as I can—a veto.

Mr. GARNER. Why did you not try?

Mr. ANDREWS of Nebraska. Why disturb the business of the country by making the attempt when it could have no good result?

Mr. GOODWIN of Arkansas. Will the gentleman yield? Would your tariff bill disturb Congress?

Mr. ANDREWS of Nebraska. I decline to yield further. I have stated the fact, and you know it to be a fact if you can read the tariff.

Now, in regard to that income-tax provision, the amendment to the Constitution authorizing and empowering Congress to write the income-tax laws that have been written was introduced by a Republican Senator, the Hon. Norris Brown, of Nebraska, passed by a Republican Congress, ratified by Republican States under Republican leadership.

RESULTS OF DEMOCRATIC POLICIES.

A brief glance at the history of our present public debt will illustrate the superiority of Republican principles over Democratic policies.

Without recounting the financial cost of the Civil War (approximately $7,000,000,000), we observe that our interest-bearing debt in 1865 was $2,380,000,000, incurring an annual interest charge of $143,000,000, at the maximum. In 1856 and 1861 the total expenditures, including everything except the Postal Service, amounted to $69,000,000 and $66,000,000, respectively, and the democracy was borrowing a portion of the money to pay current bills. The rate of interest had advanced to 12 per cent with discounts approximating 11 per cent (10.97). But how could the Republican Party, standing there in the midst of the ruins of war, meet the demands of the hour with an annual interest charge which alone was more than double the total expenditures in 1861 and prior years?

Note the results. When the legislative and executive departments of the Government were transferred to the democracy in 1892, the interest-bearing debt of the Government had been reduced to $585,000,000 and the annual interest charge correspondingly reduced to $23,000,000 without borrowing a dollar to pay current bills, and on that date the available cash balance amounted to $126,000,000 and the gold reserve to $114,000,000.

Immediately after the accession of the democracy to power in 1893 it resorted to its old habits of borrowing money to pay current bills. Loans were ostensibly secured to maintain the resumption of specie payments under the law of 1875. They had a deficit at the end of their first full fiscal year of $69,000,000, $42,000,000 the next, $25,000,000 the next, and $18,000,000 the next, making a total deficit of $154,000,000 in four years. They sold bonds, face value $262,315,000, upon which they realized a premium of $31,000,000. The total interest charge for the life of those bonds was $244,000,000. Deducting the premium from the total interest charge we had a net interest liability of $213,000,000. The amount of the principal and net interest was $475,000,000. That was the tuition paid by the country to ascertain the impracticability of Democratic policies.

In 1898 the Republican Party issued $198,000,000 in bonds to secure funds with which to feed, clothe, and equip the American Army in the Spanish-American War. Note the fact that the Republican Party fought a foreign war with a smaller loan than the Democratic Party was compelled to make to fight the evil results of its own policies for four years in time of peace.

Immediately after its return to power in 1913, in both legislative and executive branches of the Government, it proceeded to increase public expenditures. In order to avoid selling bonds as it did from 1893 to 1897 it resorted to the enactment of war taxes in time of peace to liquidate the increased demands upon the National Treasury. From that time forward to the date of our entrance into the World War the obligations of the Government were greatly enlarged. At the close of the World War the Republican Party is called upon again to take charge of the financial affairs of the Nation, liquidate the debt of the Democratic Party as it did at the close of the Civil War and at the close of the period of the dark ages, 1893–1897, in the financial and industrial affairs of the country.

During the first and second sessions of the present Congress we have reduced the Democratic demands for public expenditures by more than $2,000,000,000. We have pared down their Army bill to save another billion dollars annually. When the people shall have given to the Republican Party full charge of the executive as well as the legislative branch of the Government we will open a record and recover at every possible point the tremendous waste of public funds during the period of the war amounting to billions of dollars. With courage and confidence we face the future and appeal to the country for adequate political power to accomplish these results.

But that is not the principal purpose for which I arose. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. Will the gentleman from Nebraska yield to allow the committee to rise and the House to receive a message from the Senate?

Mr. ANDREWS of Nebraska. Certainly.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13587) making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes.

DEFICIENCY APPROPRIATION BILL.

The committee resumed its session, with Mr. TILSON in the chair.

The CHAIRMAN. The gentleman from Nebraska will proceed.

Mr. BYRNES of South Carolina. Will the gentleman from Nebraska yield to me for a parliamentary inquiry?

Mr. ANDREWS of Nebraska. I yield to the gentleman.

Mr. BYRNES of South Carolina. I want to inquire if there is any rule of the House which requires the Chairman of the Committee of the Whole to take a gentleman off his feet every time a message comes over from the Senate?

The CHAIRMAN. There is not, but the Chair asked the gentleman if he would yield. The gentleman was about to begin a new subject, and the Chair asked him if he was willing to yield, and he said he was.

Mr. ANDREWS of Nebraska. That is all right, Mr. Chairman.

Mr. GOOD. I yield 15 minutes to the gentleman from New Hampshire [Mr. WASON].

Mr. WASON. Mr. Chairman, I desire to address myself in opposition to the adoption of a special rule by the House May 29 last, making in order H. R. 14089, the so-called soldiers' beneficial legislation, including a provision for a cash bonus. This bill is of such tremendous importance, and it has such a far-reaching effect upon hundreds of thousands, yes, millions, who are citizens scattered in all parts of the United States, that I was unalterably opposed to the adoption of this rule and the jamming through, without amendment, this legislation after a debate of only 40 minutes.

It is pertinent that I call to the attention of every Member of this House the care which has been exercised in the passing of all legislation affecting ex-service men and the opportunity which has been given to every Member of Congress to offer amendments to these bills affecting the welfare, care, and treatment of the disabled soldiers, sailors, and marines.

It has been the effort of Members of Congress to coordinate, so far as it is possible, all legislative matters affecting service and ex-service men and women.

An evidence of this can be found in the Sweet bill, which became a law on December 24, 1919. In the preparation of the so-called Sweet bill, H. R. 8778, extensive hearings were given, which included a careful review of all House bills affecting the service or ex-service men. It also included hearings affecting service or ex-service men who have been wounded and maimed by reason of their military or naval service; and, too, it included a hearing of the various departments and bureaus of the Government having recommendations to make regarding the proposed legislation.

One has only to refer to the CONGRESSIONAL RECORD published at the time the so-called Sweet bill was before the House to observe how active a part members of this House took in the final construction of the bill. And so it is that every possible consideration should have been given to the so-called Fordney bill, H. R. 14089—bonus bill. The Members of this House should not be denied the privilege of expressing themselves fully on the various items contained therein and should be given the opportunity of offering such constructive suggestions as they may choose to submit in the form of amendments in the final construction of this very important legislation.

I observe that the purpose of this bill is "to provide adjusted compensation for veterans of the World War, to provide revenue therefor, and for other purposes."

If it is the purpose of this Congress of the United States to pass further soldiers' beneficial legislation, it is the very definite obligation of each Member of the House to make certain that in fact the legislation is beneficial in every respect, and to make sure that if such legislation were enacted into law it would, in fact, be beneficial to all those service and ex-service men and women, as well as the dependent relatives who may be affected by it. Take, for instance, that section of the act known as "Title II—Adjusted service pay," starting with section 201, on page 7, and continuing over to the first two lines of page 13, section 206. It is the purpose of this part of the bill to provide a certain cash bonus—the camouflage name for which is "adjusted service pay"—to all those who have been in active military or naval service during the recent World War. The principle upon which this bonus is based is that these ex-service men and women are in immediate need of financial aid; therefore in order that they may be given immediate assistance in the readjustment of their affairs as civilians, this bonus program should not extend over a period covering several years or it would cease to accomplish the result for which it is at least theoretically intended.

If this be the reason, and if this reason is sufficient to justify the payment of a bonus, then why, may I ask, does the bill provide that this money, which is so urgently needed, shall be paid in 10 equal quarterly installments, beginning July 1, 1921?

It is self-evident, in my opinion, that this particular feature of the bill is quite inconsistent, for either there is an immediate need for financial aid or there is not. If there be a need for financial assistance, then it should not be extended over a period of 10 quarterly installments beginning with July 1, 1921, which is more than a year hence, and extending over 10 quarterly installments would make the final payment become due more than 3½ years hence.

This feature of the bill alone is of such grave importance that every Member of this House interested in the welfare of all service and ex-service men and women should make it his solemn duty to protest against the adoption of this rule and to jam through this very vital legislation without the privilege of amendment.

Already this House has passed several bills affecting the welfare of ex-service men and women, especially those who have been disabled by injury or disease as the result of their patriotic service. There is at present an important bill before the Senate which has been passed by this House within the past 10 days. In these several bills an effort has been made to provide liberally for the disabled men and women in the way of adequate compensation, hospitalization, care, and treatment. It is to these disabled men that we owe the greatest obligation. In all of the cases that have come to my attention where ex-service men and women are in need of financial aid, the men, if you please, are married men, or men having dependent father, or mother, or brother, or sister. Has it occurred to the Members of this House that if there be a need for financial aid, those most in need of such aid are those ex-service men who during the period of their service allotted a portion of their pay for the support of those dependent relatives, and to whom the Government paid a family allowance? I am informed that approximately 2,000,000 soldiers, sailors, and marines allotted a part of their pay during their active service in order to help support those relatives who were dependent upon them. Upon investigation I find approximately $300,000,000 was deducted from the pay of these soldiers, sailors, and marines for the support of those dependent relatives, and that in addition to this amount the Government gave over $300,000,000 as a family allowance.

I use this as an example to emphasize the importance of our giving careful consideration to this bill. I submit that if there are any, and I take it there are, who are in need of financial aid, is it not fairly reasonable to assume that it be the men who have relatives dependent upon them for support that are in need of the same, and not the man who is responsible only for his own maintenance and support?

How much more useful it would be for the Government to consider returning to each soldier, sailor, and marine the amount of money that he allotted during his service for the support of his dependent relatives? By such a program approximately 2,000,000 ex-service men and women would be affected, and there would be distributed throughout the United States the sum of $300,000,000, which would be apportioned to each State according to the number of men in each State who during their service made allotments to their dependent relatives, and which allotments were supported by Government family allowance, giving evidence of the dependency of these relatives. I have given much thought and study to this problem and have compiled certain reliable statistics, which I will make a part of this record.

The men and women who have been disabled by reason of their active service would, I feel confident, be entirely in sympathy and accord with such a program, even though many of them have already expressed themselves in favor of those sections of the bill coming under Title II to which I have referred in the earlier part of my remarks. Gentlemen, these matters are of such grave importance that they should be given consideration without any influence of party lines. At least, I insist that there can not be, and should not be, any objection to a thorough discussion of this bill on the floor of this House, with the usual privilege of amendment, and therefore I opposed the adoption of this rule and the jamming through of the bill without amendment after a debate of 40 minutes.

The following important provisions are included in the bill which I introduced and has passed the House and is pending in the Senate and should be enacted into law immediately. It will materially extend the Government service to the disabled soldiers and to all ex-service men and women as well as to their dependent relatives. Certain other provisions of the bill will improve materially the Bureau of War Risk Insurance equipment in the administering of all the features under the original war-risk insurance act and its subsequent amendments.

This bill affects both the administration of the original war-risk insurance act and its subsequent amendments, liberalizes existing provisions and adds such provisions as are believed to be in the vital interest of former service men and women as well as their dependent relatives.

As affecting the administration the provisions included are—

First. To authorize the establishment of a reasonable number of regional and suboffices for the purpose of expediting the handling of adjustments of allotment and allowance cases, compensation claims, physical examinations, medical treatment and hospital care, as well as insurance claims, in the various States where the ex-service men and women and their dependent relatives are now located.

The present method, compelling all cases to be handled by correspondence with Washington, is entirely unsatisfactory, and has caused the ex-service men and women, as well as their dependent relatives, to suffer much hardship, and they have registered bitter complaint against what they regard as the Government's neglect in giving proper consideration to their needs.

Second. To authorize the collection of war-risk insurance premiums through the United States Post Office Service in order that premiums for insurance, applications for reinstatement for lapsed or for converted insurance may be handled locally, and that a receipt for payments so made may be had immediately upon the payment of each premium. In the making of such collections, the Post Office Department would use postal money orders, postal notes, war-risk insurance coupons, or any other method of collection which the Secretary of the Treasury and the Postmaster General may deem most expedient and satisfactory. It is only right in the conduct of Government affairs that the present services of the various departments of the Government should be utilized to the maximum.

As to liberalizing existing provisions of the war-risk insurance act and adding new provisions, the following items are included in the bill:

Third. That the family allowance shall be paid to those dependent relatives who have established their right to such Government family allowance under article 2 of the war-risk insurance act, as amended, even though deductions from the pay of the enlisted man for compulsory allotment have not been made but the family allowance having been applied for during the service of the enlisted man, and notwithstanding the fact that such enlisted man has died in or has been discharged from the service, providing, of course, that the compulsory allotment has not been waived or that exemption therefrom has not been heretofore or shall not be hereafter granted.

There were a great many cases where men neglected to comply with section 2 of the war-risk insurance act, as amended, which made it compulsory to allot a part of their pay to a wife, children, or to a divorced wife to whom the courts have decreed alimony and who has not remarried. In many of these instances applications were made by these dependent relatives for the Government allowance, and upon receipt of the application an effort was made to reach the enlisted man through his commanding officer for the purpose of having the necessary allotment made from his pay or to give him an opportunity to make application for an exemption from such allotment. It was not always possible to reach the soldier, either before he was killed or died or before he was discharged from the service, by reason of the repeated transfer of men from one unit to another and from one part of the country to another. The original act provides, in section 5, "that family allowances for members of class A shall be paid only if and while a compulsory allotment is made to a member or members of such class." Great hardships have been suffered because of the man's neglect to comply with this feature of the war-risk insurance act and the Government's failure to secure such deduction from the soldier's pay, and it is for the purpose of remedying this condition that this feature has been included.

Fourth. To authorize payment to beneficiaries or other person or persons in whose name an action has been commenced or prosecuted, fees and mileage, at the same rate as is now paid and allowed to witnesses in the United States courts, in going to, remaining at, and returning from the place of trial, and without any regard to whether the action, if any, is brought or prosecuted in a court of the United States or some other court. Also, that in all cases of assignment or causes of action under this section, whether the assignment be heretofore or hereafter made, where it shall appear to be to the best interest of the beneficiary so to do, the director of the bureau, acting for and in the name of the United States, may assign the cause of action back to the beneficiary or to his personal representatives.

This proposal is made in order that the interests of service men may be fully protected.

Fifth. To authorize the waiving of payments of premiums on renewable term insurance. Those who are receiving hospital care, those who are receiving vocational training, and those who are temporarily totally disabled by reason of an injury or a disease entitling them to compensation. Experience has shown that men or women coming under these three classifications find it absolutely impossible to continue their premium payments for their war risk renewable term insurance, and, therefore, many of them have, much to their detriment, been obliged to let their insurance lapse and thereafter being without this added protection which it was the original intention of Congress, they should have. Since these persons coming within these three classifications are without any means of additional support, I believe it would be only common justice that the Government relieve them from the payment of premiums during such period, at the same time regarding their policies in full force.

Sixth. To authorize, without charge therefor, the furnishing of hospital, dental, medical, and surgical care and treatment and prosthetic appliances for all honorably discharged commissioned officers and enlisted men, disabled by reason of any wound or injury received or disease contracted while in the service of the United States and in the line of duty: *Provided*, That application for such care and treatment and appliances shall be made within one year from the date of the man's discharge or from the date the act may go into effect, whichever is the later.

At the present time, the Government provides hospital, dental, medical, and surgical care and treatment and prosthetic appliances to only those whose disability is rated at 10 per cent or more, and all those whose rating is less than 10 per cent are obliged to pay for such treatment as they may need or have such prosthetic appliances as they may require, or to go without if they are financially unable to afford such treatment, unless they choose to become charity patients and seek aid on that basis. I believe that it was the original intention of Congress that all men and women who became disabled by any wound received or disease contracted while in the service of the United States and in the line of duty should receive, without charge therefor, hospital, dental, medical, and surgical care and treatment, including prosthetic appliances, irrespective of the rating of their disability.

Seventh. To authorize the payment of total and permanent disability claims under the United States Government life insurance (converted insurance) contract (out of the military and naval appropriation) and to further authorize that where the insured has been relieved of the payment of premiums such premiums shall be paid by the United States into the United States Government life insurance fund out of said military and naval appropriation. Since the total and permanent disability feature under the war-risk term as well as the United States Government life insurance (converted insurance) policies has been included without any additional premium charge, therefore it is regarded as essential that these claims for total and permanent disability, many of which will be traceable directly to military service, shall be paid by appropriation and not charged against the premiums that are collected under the United States Government life insurance (converted insurance) policies.

Eighth. To authorize the payment of monthly installments of allotment and family allowance, compensation, or insurance which has accrued to one who is deceased to the executor or administrator of such deceased person, but if no demand in writing is made by the executor or administrator within 120 days after the death of such deceased person then, in cases where the amount is $400 or less, the same shall be paid in the following order of precedence:

First, to the widow; second, if there be no widow, then to the children and their issue per stirpes; third, if there be no widow, child, or children, or issue of children, then to the father and mother in equal parts; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, child, issue of children, father, or mother at the date of settlement, then to the brothers and sisters and the children of the deceased brothers and sisters per stirpes.

This provision, however, shall not be construed as to prevent payment from the amount due the decedent's estate of his funeral expenses, expenses of his last illness, board, rent, or other household expenses for which the decedent was liable, provided a claim therefor is presented by the person or persons who actually paid the same before settlement is made by the Bureau of War Risk Insurance.

Ninth. To authorize the director of the bureau, with the approval of the Secretary of the Treasury, to make such rules and regulations as may be deemed necessary in order to promote good conduct on the part of persons who are receiving care or treatment in hospitals as patients of said bureau during their stay in such hospitals. Penalties for the breach of such rules and regulations may extend to a forfeiture by the offender of such portion of the compensation payable to him, not exceeding three-fourths of the monthly installment per month for three months, for a breach committed while receiving treatment in such hospital, as may be prescribed by such rules and regulations.

While it is hoped that there will not be much occasion for the application of the provision, yet experience indicates it is very essential that such authority be in force.

FURTHER PROPOSALS WORTHY OF SERIOUS CONSIDERATION.

1. A matter which should have attention without further delay is the lump-sum payment of term insurance during peace times, just as was provided in the Sweet amendments to the war-risk insurance act for converted insurance. It has not been thought practicable or desirable that the war-time policies should be payable in lump sums. On other occasions the great peril to the finances of the Government which would result from such payment has been pointed out. It would be an unthinkable draft upon the Treasury. But this objection does not apply to the optional payment in lump sums of term-insurance policies maturing hereafter. Since the peace-time risks are adequately covered by the premiums paid, these premiums will be entirely sufficient to meet any insurance payments, either in lump sum or otherwise, on account of the peace-time term insurance. Therefore not only is there no valid objection to the change, but there is a very grave consideration of justice and of effective administration of the Government insurance plan which calls for the extension of the privilege of lump-sum payment to this form of insurance. A very great number of the ex-service men and women are financially unable to pay the larger premiums necessary to support a converted insurance policy. This is particularly true at the present time and for the immediate future on account of their recent return to civilian life with its necessary period of personal readjustment. They can, however, more easily afford the smaller premiums necessary to insure under the term-insurance plan. The restriction placed upon this insurance which requires its payment in monthly installments over a period of 20 years is proving in practice a very active deterrent to the carrying of this form of insurance. The denial of the privilege of lump-sum payment of peace-time term-insurance policies works a discrimination against a great number of our former soldiers and sailors who are not as well situated financially as those able to hold converted insurance policies. This is discrimination against them and their dependents. It is not necessary to dwell upon the unfairness of this situation. Every effort should be exerted to urge the extension of the privilege of lump-sum payment to this class.

2. During the war the soldier was urged to make an allotment of part of his monthly pay in the sum of $15 to either his wife and children or other dependent relatives, if he had no wife and children, and the Government paid an equal sum of $15 to the wife and $10 to dependent relatives as an allowance. The amount of allotment paid by the men was approximately $290,000,000, and the amount of allowance paid by the Government was approximately $290,000,000. When we consider the fact that these men with dependent relatives not only offered themselves in the service of the Government but were willing to deny themselves financially in order that those whom they left behind might be provided for and thus, in a way, stabilize the economic conditions of the country, does it not seem that the Government of the United States should return to these men this sum of approximately $290,000,000 that they had allotted to their dependent relatives, which experience has shown to be by no means adequate for the support of those dependent relatives, and thus enable them to reestablish their own financial condition which, due to their self-denial during the war, has created for them a period of financial stress? It must be borne in mind that the allotments referred to were made by the enlisted personnel of the Army, Navy, and Marine Corps, and not by the officers; therefore the return of this allotment money would reach the men who received the least in financial value during the recent emergency.

In order to approximate the amount of money to be returned to the service and ex-service men and women of each State an estimate is given herewith, which has been based on the apportionment of the total sum allotted, $290,000,000, according to the percentage of the total personnel of the Military and Naval Establishments furnished by each State:

State.	Number enlisted men Nov. 11, 1918.	Men making allotments through Bureau of War Risk Insurance to Dec. 31, 1919.	Per cent of men making allotment to total.	Allotment by States, December, 1917, to December, 1919, inclusive.
New York	493,892	171,215	10.3	$30,217,420
Pennsylvania	370,961	128,617	7.7	22,589,722
Illinois	320,228	110,951	6.7	19,655,992
Ohio	243,548	84,369	5.1	14,962,024
Texas	198,228	68,684	4.2	12,321,667
Massachusetts	193,415	67,033	4.0	11,734,921
Michigan	168,131	58,282	3.5	$10,268,053
Missouri	163,700	56,796	3.4	9,974,682
California	154,930	53,660	3.3	9,681,309
New Jersey	138,691	48,046	2.9	8,507,817
Indiana	130,670	42,239	2.6	7,627,698
Minnesota	123,325	42,762	2.6	7,627,698
Wisconsin	122,215	42,432	2.6	7,627,698
Iowa	119,792	41,422	2.5	7,334,325
Georgia	102,788	35,498	2.2	6,454,205
Oklahoma	95,100	33,021	2.0	5,837,490
Virginia	93,499	32,361	2.0	5,837,490
Kentucky	91,821	31,855	2.0	5,837,490
Tennessee	91,386	31,700	1.9	5,574,087
North Carolina	88,168	30,545	1.9	5,574,087
Alabama	86,916	30,049	1.8	5,280,714
Louisiana	80,834	28,038	1.7	4,987,341
Kansas	78,733	27,243	1.7	4,987,341
Arkansas	71,862	24,931	1.5	4,400,595
Connecticut	67,092	23,280	1.4	4,107,222
West Virginia	65,127	22,620	1.4	4,107,222
Mississippi	64,758	22,454	1.4	4,107,222
South Carolina	64,739	22,454	1.4	4,107,222
Washington	63,775	22,124	1.34	3,931,198
Maryland	61,839	21,464	1.3	3,813,849
Nebraska	59,287	20,473	1.24	3,637,825
Colorado	44,802	15,520	.94	2,757,705
Montana	44,048	15,190	.91	2,669,691
Florida	42,301	14,694	.89	2,611,023
Oregon	41,671	14,364	.81	2,376,321
South Dakota	34,662	12,052	.73	2,141,623
Maine	31,887	11,062	.66	1,936,262
North Dakota	30,033	10,401	.62	1,818,913
Rhode Island	26,468	9,246	.56	1,642,881
District of Columbia	24,853	8,586	.52	1,525,540
Idaho	23,571	8,255	.5	1,466,835
Utah	22,571	7,760	.47	1,378,853
Porto Rico	18,477	6,439	.34	997,468
New Hampshire	18,404	6,439	.34	997,438
New Mexico	15,162	5,283	.32	938,791
Arizona	13,377	4,623	.30	880,119
Wyoming	13,209	4,623	.30	880,119
Vermont	11,929	4,128	.25	733,433
Delaware	9,379	3,302	.20	586,746
Hawaii	6,557	2,311	.14	410,722
Philippines	6,535	2,311	.14	410,722
Nevada	5,972	2,146	.12	352,048
No residence	3,334	1,321	.10	293,373
Alaska	2,381	826	.10	293,373
Samoa	2,211	826	.10	293,373
Guam	262	165	.....	.....
Virgin Islands	67	.....	.....	.....
Total	4,764,071	1,648,531	100	293,197,033

3. Since much of the complaint made by ex-service men and women against the Government has been due to their total ignorance of the services that have already been made available by law, which was caused by the Government's inability to secure sufficient printed material—all of which must be printed by the Government Printing Office—to distribute to all of the discharged service men and women, of whom there are nearly 5,000,000, it is believed that much of the difficulty would be overcome if a reasonable appropriation were allowed for advertising, in order that even the community might be made intelligent as regards the services made available to all ex-service men and women by the Government.

Mr. PHELAN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield 20 minutes to the gentleman from Kentucky [Mr. BARKLEY].

THE PARTISAN PLOT AGAINST THE PRESIDENT.

Mr. BARKLEY. Mr. Chairman, under plans formulated by the Republican majority in both House and Senate, this session of the Sixty-sixth Congress is about to adjourn. In four more days its records will be closed, its leaves folded, and its membership will depart hence to attempt an accounting with those who sent them here. This will be a difficult task for some from the standpoint merely of individual performance; but it will be infinitely more difficult for those who in the aggregate compose the Republican majority in both Houses of this Congress who have been responsible for the monumental vacuum which represents the sum total of its microscopic accomplishments. [Applause.]

If I may borrow an expression made famous by a very distinguished man now living, this Congress may be described as a "single-track" Congress. It has had but one consuming

desire. It has been fired by but one enthusiasm. It has responded to but one call. It has enlisted in but one great crusade. All its burdensome efforts and its painful anxiety to serve the Nation have merged into pitiful and fruitless wailings against the unmatched record of a great Democratic administration and the historic deeds wrought by him who has been the Nation's leader during the past eight years.

The Republican leadership in Congress has seemed to be obsessed with the belief that it could destroy the Democratic Party and undo its great record of service to the Nation by destroying the influence and standing of the President of the United States at home and throughout the world. And it has attempted to discredit the President, to undo his great work, to belittle his efforts to serve humanity, and to bedaub his escutcheon with the infamy of imputed wrong by methods more contemptible than any ever attempted by any similar organization of political buccaneers and freebooters in the history of the Republic. [Applause.]

The fact that these unworthy efforts were foredoomed to failure from the beginning did not deter those who planned them. But it is difficult to understand how men presumably sane could believe that they could destroy the Democratic Party, the only party whose existence has been coextensive with that of the Nation itself, by destroying one man, however great; or how they could expect to destroy or even temporarily injure a Democratic President by sniping assaults upon his record, his character, and even his integrity.

We have heard many times upon this floor—and the statement will, no doubt, be repeated throughout the country—that in the Great War in which we recently engaged, and out of which we had hoped and expected to emerge upon friendly terms with all nations, the Republican membership of Congress and those who led them upheld the President and sustained his efforts to lead the Nation in paths of victory and honor. I acknowledge with pride the great services rendered to the administration, to the country, and to the world by many eminent Republicans throughout the Nation, and by a still larger number in every walk of life whose names were never heralded. I acknowledge with deeper gratitude and admiration the fine Americanism of millions of the young men of the Nation, of all shades of political belief, who forgot the political complexion of the Government under which they enlisted and whose spirit and devotion to the cause of our country were not measured by the lines of political partisanship. To all these, both high and low, I offer a tribute of gratitude and comradeship. [Applause.]

But what of the conduct of some of those who pretended to represent these in the legislative halls of the Nation? When it was insultingly proposed that our Nation should haul its flag from the high seas, where it had floated in unmolested dignity for more than a century, and that we should surrender the highway of nations to the ruthless twilight assassins and the world's most brutal enemy, 111 Republicans in this House voted to haul it down.

When in the Sixty-fourth Congress we were seeking to pass a shipping bill that would give our Nation a merchant marine with which to send our commerce to the waiting nations and prepare us for the coming of our entrance into the Great War, 160 Republicans in this House voted against it.

When in that same Congress it became necessary for the Nation to raise revenue to sustain itself and to replace the loss of revenue due to the driving of commerce from our shores, 192 Republicans in this House voted against it.

When an attempt was made to prevent ships, which had armed themselves for protection against submarines, from carrying munitions of war to the struggling nations of Europe, which subsequently became our associates in the war, 76 Republicans in this House voted for the proposal.

When legislation was being passed to punish alien plotters against the peace of this Nation, who blew up our factories, crippled and murdered our people, 146 Republicans in this House voted against this punishment.

When the act was being passed to punish those who sought to interfere with our prosecution of the war with Germany, 88 Republicans in this House voted against it.

When, in the Sixty-fifth Congress, after war had been declared, it became necessary to pass a revenue bill to raise the funds necessary to carry on the war, to raise and equip our matchless Army and the great Navy which was to carry them safely to the other side and bring them back, 76 Republicans in this House voted against it.

When in the consideration of the revenue bill in the Sixty-fifth Congress it became necessary to tax great war profits accruing by reason of the existence of the war, 186 Republicans in this House voted to strike that provision out of the bill and place that burden upon the consumers and toilers of the Nation.

When in the spring of 1918 the Germans had launched their great drive to separate the French and English armies and capture Paris; when the French and English were being driven back and Paris was being approached and bombarded; when civilization held its breath and eager eyes scanned the horizon of the Atlantic to catch a glimpse of approaching help and rescue from America; when Lloyd-George announced that it was a race between Hindenburg and Wilson—Hindenburg to win the war before the American Army could get to France and Wilson to get the American Army to France before Hindenburg could win the war—and when silent and darkened ships were racing like greyhounds upon the bosom of the seas carrying that Army, eager and impatient for the front, and all humanity stood on tiptoe to see whether it were too late to turn the tide, it was then that Republicans in this House and Republican leaders in the Senate sought to take from the President of the United States and his legally constituted advisers the management of the war and turn it over to a committee of malcontents to be appointed by themselves. It was then that Republican leaders sought to strip from the President the power conferred upon him by the Constitution as Commander in Chief of the Army and Navy and transfer it to a committee of self-chosen roundrobiners.

When we recall how in that War with Spain, fought at our doors, guns were fitted to improper carriages and sent useless to the field; how small quantities of medicine were shipped from point to point by freight instead of by express, and were not received where needed for months; how, even after the war ended, troops who had been in the field had never been supplied with sufficient clothing or camp or garrison equipments; how flimsy and worthless cartridge belts were furnished to the soldiers; how for months during and after the war the only medicines on hand at base hospitals were salts, quinine, and castor oil; how, as Gen. Miles himself testified before an investigating commission, the beef furnished to soldiers was unfit for animals, not to speak of soldiers fighting for their country; how soldiers were compelled to stay in tentless camps amid insanitary and disease-breeding conditions; how trainloads of soldiers, sick and dying, were sent through the United States without medical attendants; how the men in at least one camp went without meat for three weeks, and how the commissary of the Army was afterwards court-martialed for misconduct and neglect of duty; and how another famous "round robin," signed by men of the high character of Gen. Joseph Wheeler, Theodore Roosevelt, Henry W. Lawton, Gen. Leonard Wood, and many others complained of a lack of knowledge in Washington of conditions at the front and urged the War Department to take some action before it was too late or the whole American Army would perish from sickness and disease—when we remember that all these things happened in an army of little more than 250,000 men, only about 20,000 of whom were sent to the seat of war in Cuba, ought not the Nation to feel profoundly grateful that Providence did not commit to the tender mercies of a Republican administration the management of the Great War with Germany, in which we raised and equipped in the Army and Navy nearly 5,000,000 men and sent more than 2,000,000 of them more than 3,000 miles from our shores over a dangerous and treacherous ocean to add new splendor to the history of American arms?

And then, when this Army had driven the enemy back at Belleau Wood, at Chateau-Thierry, at Fismes, at St. Mihiel, in the Argonne Forest, and all the other immortal spots where American blood sanctified the soil of Europe, and that enemy with broken sword and flag of truce sued for peace on terms laid down by the Commander in Chief of that victorious Army, the President of the United States, we see these same Republican politicians, these self-styled sustainers and upholders, seeking to discredit the President of the Nation and the spokesman of their country in a foreign land, where he had gone amid the grateful acclamations of a burdened world to help restore the peace of nations and gather up again the fragments of civilization. We see them endeavoring to gratify their little minds by undertaking to humiliate him even before he reached the peace conference, which he had been urged to participate in by the responsible statesmen of the associated nations. We see them by every contemptible device which demagogues display seeking to hinder, to thwart, to intimidate, to belittle, and discredit the President of this Nation in the hope that his effort to vindicate the cause for which our Nation fought might come to naught. And when, after months of grilling toil and anxious deliberations among the representatives of those who had won the war, the greatest peace treaty penned since man

ascended from the depths of savagery was laid before the world and the United States Senate for approval, we see that same group of envious men seeking to emasculate it and tear its vitals to shreds while the world waits over a volcano for the return of peace. [Applause.]

At the close of the War with Spain Republican leaders boastfully proclaimed that we were no longer a provincial Nation; that we had become a world power; and that as such we must take our place in the world's great councils and have a voice in the concert of nations. That doctrine was vindicated by the American people. But when, as a result of our participation in the great World War, we saw our beloved country emerge not merely as a world power but as the moral, political, and financial leader among all the nations of the earth, and when politicians with short vision and dwarfed mentality awoke to the realization that this exalted position had been won for us by the lofty intellectual and spiritual leadership of our own President, the thought became galling to their jaded intellects, and they at once set about to tear down this magnificent structure of international confidence, inspiration, and good will, though in doing it the whole Nation might be humiliated. The prestige, the influence, the power, the example of this Republic in the preservation of peace, yea of civilization itself, became as nothing compared with the partisan determination to destroy, if possible, the one man who emerged from that great struggle as a world figure; and the crime which brought down upon his head these Republican anathemas was the fact that he was a Democratic President, and had led the Nation victoriously and triumphantly through one of the gravest and darkest periods of its glorious history.

But, Mr. Chairman, the havoc which has been wrought by this pitiful course of action has found other victims than those against which it was instigated. It is true that for the time being our Nation is an object of suspicion and derision in wide areas of the world because of the inconceivable littleness which has characterized the attitude of certain Republican leaders who have been in a position to fasten upon our Nation the stain of their mendacity. It is true that for the time being the splendor of our achievements for Christian civilization at home and throughout the world has been obscured by a flood of partisan deception and denunciation. But aside from these temporary humiliations which we must endure as a Nation, aside from the distrust which has been generated in the minds of those who are our friends throughout the world, the real victim of this miserable counterfeit for statesmanship will be the Republican Party itself and those who have been responsible for its conduct in both branches of this Congress. [Applause on the Democratic side.]

In the name of this record, I deny the statement, wheresoever or by whomsoever made, that either during or since the war the Republican Party, through its constituted leadership, has sustained or upheld the President of these United States. I deny that the present Republican Congress, in either branch, has done aught since it assembled but play cheap and miserable politics with the destiny of the world in order that it may seem to embarrass a great Democratic President. I challenge the spokesman of that party who will attempt to apologize for its record to point to a single instance in which it has kept its pledges made to the American people in the last election.

You came into control of Congress under false pretenses. You came self-heralded as the great constructive party of the Nation. But you have constructed nothing. You came self-heralded as the embodiment of the Nation's superior intelligence. But the product of that collective master brain has been barren beyond all description. [Applause on the Democratic side.]

While commerce and industry, torn and disarranged by the convulsions of a World War, await the readjustments and reassurances of peace; while capital and labor await the return of normal conditions which are vital to both; while nations hang in the balance, and newly liberated peoples wonder whether freedom is but a nightmare, Republican leaders defy the will of their constituents, flout the sentiment of the American people, and seek to crush the hope for which millions have prayed and other millions have given their lives that peace, through the instrumentality of a League of Nations, may be enthroned among the discordant nations of the world. Twelve months you have been in session. For nearly two years you have known that yours would be the responsibility in both branches of Congress. But you have floundered helplessly through an amiable incompetency never before believed possible or experienced in the Nation's history. Notwithstanding from every quarter have come insistent cries for relief from the intolerable conditions which press down upon the people, the sum of your labors in solving these great industrial and economic problems is represented by the appointment of a snooping committee to circumnavigate the globe in sections to ascertain how under Heaven the great Democratic administration of Woodrow Wilson won the greatest war ever fought in history so quickly, so conclusively, and with such small loss of precious lives. [Applause.]

The people of this Nation are asked to place upon this tragic and ridiculous record the seal of their approval. They are asked, while listening to a voice that pretends to be Jacob's, to grasp the hand of Esau. Will they listen to that voice? Will they grasp that hand? Will they turn their faces against that current that runs through the hearts of men and women everywhere in behalf of a permanent peace? Will they forget the white faces of those who fell and now sleep on fame's eternal camping ground? I do not believe it. This Nation is a just Nation. It is a fearless Nation. It is an honorable Nation. It will not seal with the stamp of its approval a record of injustice, cowardice, and dishonor.

And so the record stands. And what if there be calumny? What if there be misrepresentation? What if there be slander and envious detraction? What if there be deliberate and unworthy falsity of statement? It has ever been so with those who served mankind.

When Washington was commander of the ragged soldiers of the Revolution a combination was formed in Congress to supplant and disgrace him. After he became President he became the object of the grossest slanders ever heaped upon the head of a great Nation. He was accused of deceiving and debauching the Nation, and after reciting a long list of similar accusations a newspaper of that period ask the following questions:

> What will posterity say of this man who has done this thing? Will it not say that the mask of political hypocrisy has been worn by Cæsar, by Cromwell, and by Washington alike?

When Thomas Jefferson was President of the United States no abuse was too vile, no epithet too scurrilous, no criticism too unjust to be thrown in his face by his political enemies. He was accused of atheism, of fraud, and of robbery, and of having swindled his creditors by paying them in worthless currency. What mattered it to them that he was President? What mattered it to them that he was the author of the immortal Declaration of Independence? They were his foes and they sought to discredit him.

When Andrew Jackson was in the prime of his popularity as a soldier and as President he was the object of some of the bitterest attacks ever heaped upon an American statesman. He was charged with having suspended the legislative and judicial functions by military sway; with having insulted the Executive of the Nation, and with having spurned and transcended his orders. He was charged with having usurped the power of the State, with breaking every law known to nations, and with promulgating a new code of his own, conceived in madness or folly and written in blood. They were his enemies. They sought to discredit him.

And there was Lincoln! Sad-faced, patient Lincoln! Was any man ever so misunderstood, so vilified, so abused, and criticized? Even in his own party, even in his own Cabinet, he was ridiculed, sneered at, jeered, and mocked. He was called "The baboon at the other end of the Avenue." He was referred to as the "Idiot in the White House." By some he was called a usurper, a traitor, and a tyrant; by others he was described as "weak and vacillating," and his administration was described by "leading Republicans" as being "imbecile." They spoke of his "treachery," and of his having sacrificed the "honor and dignity" of the Nation. It is no wonder that in an hour of despondency he cried out against his fate and wished that he had never been born.

But where are the traducers of Washington? Where are those who maligned Jefferson? Where are the defamers of the character of "Old Hickory" Jackson? Where are those who, with leering look and sinister smile, sought to besmirch the record of Abraham Lincoln? They lie in unmarked and unhallowed graves. They have all descended into the stillness of a deep oblivion from which they will never emerge. But the figure of Washington grows more imposing as the years go by, and each year pilgrims by the thousands tread softly near his tomb. Jefferson's memory and his great deeds are enshrined in the hearts of a grateful posterity. The heroic courage of Jackson as soldier and statesman inspires each new generation of American patriots. And the tragic career of Abraham Lincoln gives hope to every struggling boy in this fair land, and in his honor we build monuments and cities. [Applause.]

Mr. Chairman, it is not my task to assign to Woodrow Wilson the place which he will occupy among the great statesmen of America and the world. Impartial history will perform that

duty. No word of mine can add to the fullness of his stature. No word or act of yours can detract from it. But if I may be permitted to indulge in a prophecy, it is not difficult to foresee that those who now snap at his heels like hungry jackals will take their places among the forgotten register of the Nation's malcontents, while he will stand with Washington, Jefferson, Jackson, and Lincoln as one of the few great figures of this era.

Let me in conclusion adopt as a fitting motto for the Democratic Party and its great President a sentence uttered by the great Lincoln in his famous debates with Douglas over the senatorship from Illinois. When complaint was made that the course he was pursuing would defeat him for that high office, he uttered this immortal sentence: "I am not bound to win; but I am bound to be right." In being right, he lost the senatorship, but he gained the Presidency and a premiership among the world's great statesmen. In being right, Woodrow Wilson has lost the support of a narrow, partisan, and slothful Republican Congress, but he will have gained a prize infinitely greater in value and in honor, a high place among the meager list of the world's real statesmen and benefactors. [Applause on the Democratic side.]

Mr. BLAND of Indiana. Mr. Chairman, is the time for general debate limited by a rule or by agreement?

The CHAIRMAN. No limit of debate has been fixed.

Mr. BLAND of Indiana. I do not think we ought to let this debate run on here for 10 hours in this way, and I move that all general debate be now closed.

Mr. BLANTON. That motion is out of order.

Mr. BLAND of Indiana. Mr. Chairman, I make the point of order that there is no quorum present. We have got important legislation that ought to come up here.

The CHAIRMAN. Will the gentleman withhold his point for a moment?

Mr. BLAND of Indiana. I withhold it for a moment, but we have legislation that ought to come up. The time ought not to be wasted in speeches when we are about to adjourn; and there is no excuse for it.

Mr. GOOD. Mr. Chairman, I demand the regular order.

Mr. BLAND of Indiana. Mr. Chairman, I make the point that no quorum is present.

The CHAIRMAN. The gentleman from Indiana makes the point of order that no quorum is present. The Chair will count. [After counting.] One hundred and three Members present, a quorum.

Mr. BARKLEY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. GOOD. Mr. Chairman, I yield five minutes to the gentleman from Kansas [Mr. WHITE].

Mr. WHITE of Kansas. Mr. Chairman, much has been said by different persons as to who or what won the war. One will assert that food won the war, another that it was ships, and still another that it was guns, and still another that it was money, but not any one or all of these agencies won the war, although all contributed their essential part. But certainly in the last analysis it was the American soldier who won the war. Every other branch of the military service has been criticized, many departments at times were on the verge of collapse, but no criticism has ever been nor can be directed against the American soldier. His department never broke down, it never failed, it was always 100 per cent efficient. I have said and I say now that the American soldier is incomparably the bravest and most efficient fighting man the world has ever produced. After a few weeks or months training at most he entered the lists beside the Allies, whose soldiers were the veterans of a hundred battles, equaling them in courage and surpassing them in efficiency. They met that world renowned fighting machine which had been a half century in building, and with irresistible power they delivered the assault that left it a hopeless ruin; they destroyed that Prussian militarism that threatened the liberties of mankind. And in doing that they rendered militarism unnecessary in the great western republic. And the Kaiser, high, but wicked dream of world dominion, went out in rayless night and pitiless oblivion. These men are the Nation's defenders, the preservers of all that is great and beneficent in civilization. We are and will always be their debtors.

But the war is past and the great thought of the public mind is readjustment. A thousand remedies are recommended for every public ill, whether real or fancied. Many of the difficulties are being remedied through the general application of old-fashioned common sense. In many instances we find it more sensible and practical to adapt ourselves to the circumstances than to seek to bend the circumstances to our will. One set of reformers persistently raise the cry, "Back to the farm."

But the cry of "Back to the farm" is a far-off prospect. I see little likelihood of such a movement. Wages are much higher and the attractions much more impelling in the city than in the country; and that condition alone, while it continues, will effectually preclude the big "Back to the farm" drive. This fondly cherished dream of the social and economic sentimentalist will only be realized when the commercial or price equilibrium is adjusted on a scale that gives the farmer a price for his products which, taking into consideration the investment and cost of production, shall bear a fair comparison to prices in other lines of production. In the great disparity now existing between the prices of farm products and of manufactured products is found the explanation for a condition that some writers and publicists have been pleased to refer to as the decadence of American agriculture. Personally, I do not admit that it is relatively decadent.

Eighteen months ago it was thought by many forward-looking men that the demobilization of the four millions of service men would at once produce a great surplus of labor. As prominent a national figure as Franklin K. Lane held so strongly to this belief that he urged that prodigious public works should be undertaken in order to absorb this predicted oversupply of labor, but we have been surprised and gratified that, although the great schemes of the Secretary were not carried out, yet the exact reverse of his prediction is and has been the labor situation throughout the country every day since the signing of the armistice, thus making it unnecessary, from the viewpoint above stated, to inaugurate those great Government undertakings in order to give employment to the returned service man, or, for that matter, to anyone; and to-day it is generally true that there are more jobs looking for men than men looking for jobs.

A morning paper states that of all the boys who left the farms of America to enter the war only 10 per cent have returned to take up agricultural life, and the reason for this I have already stated. If this statement is approximately correct, it furnishes the answer to the problem of the shortage of farm help.

Gentlemen say there is a dissatisfaction among the agricultural population. Well, that is undeniably true, and the cause is not far to seek. There must be an underlying cause for the situation to which I have called your attention. The farmers of the United States do not believe they are getting a square deal. From the day the armistice was signed to this good hour the tendency of the cattle and hog market has been downward. In the past 12 months the decline in the value of stocks of hogs and cattle on hand in the United States, as compared with one year ago, exceeds the enormous figure of $2,500,000,000; and at the same time almost every article that the farmer must buy and pay for from the proceeds of the sales of his low-priced crops are higher, many of them much higher, than at the signing of the armistice.

In order to more especially direct attention to this inequality in prices I quote from authentic statistics that from April, 1914, to April, 1920, best beef steers advanced in price 56 per cent, but the more common grade of corn-fed beeves advanced less than 48 per cent; cows and heifers showed an advance of 52 per cent between the same dates; hogs showed an advance of 75 per cent. But over against this is set down the fact that the prices of the manufactured articles which the farmer buys has in the same period referred to—1914 to 1916—advanced in most instances 100 per cent to 150 per cent, and in some instances as much as 225 per cent. For an example, the price of men's shoes has advanced 150 per cent to 184 per cent. Women's and misses' shoes, 150 per cent to 218 per cent. An even greater advance is shown in the price of clothing. Mr. Chairman, I want the gentlemen of the House to understand that I am discussing more especially the relation of the farmer to the present economic industrial and financial situation; the instances I have cited clearly indicates. No better summary of the situation can be made than that made by the gentleman from Nebraska [Mr. EVANS], found on page 7855 of the RECORD of May 28:

> The farmer is getting, on the average, less than 65 per cent advance on the price he received for his product in 1914, but he is paying an average of 185 per cent in price on what he buys, as compared with 1914.

It proves nothing to the advantage of the farmer to say that potatoes are selling in Washington for 40 cents for a quarter of a peck or $7.20 per bushel, and other things at relatively high prices. But it does serve to call attention to the outrageous criminal profiteering to which the consumer is being constantly subjected. These potatoes that are being sold in the markets of Washington for $7.20 per bushel were purchased from the Michigan farmer for 85 cents to $1.25, and I say when the producer and consumer of food is subjected to such conscienceless exploitation as that "There is something rotten in Denmark." The Volstead bill providing for collective bargaining

which passed the House on yesterday proposes remedies which, let us hope, will lead to a more efficient system of distribution. Let us hope that it shall develop a situation whereby the producer may secure a better return on his labor and investment and at the same time the consumer may in a great degree be relieved from the cormorants of trade who now absorb almost his entire earnings. In some way there should be, yes there must be, some efficient, just system of distribution worked out to supplant the present inefficient and expensive system—when a bushel of potatoes for which the farmer receives $1 is sold to the consumer for $7 or $8; when a carcass of meat for which the farmer receives 9 to 11 cents on foot is sold to the consumer from 20 to 60 cents per pound; when the wheat in the barrel of flour costs the miller $10 and the same barrel of flour after undergoing but two processes, that of grinding and baking, costs the consumer $40.

I again say that every one knows "There is something rotten in Denmark." I welcome the initiatory step that promises some relief for this situation. The minds of both producer and consumer are aroused as never before in the history of this country, and in that fact lies the hope of an improved condition in the days that lie before us.

Mr. GOOD. Mr. Chairman, I yield two minutes to the gentleman from Illinois [Mr. CHINDBLOM].

Mr. CHINDBLOM. Mr. Chairman, I desire at this time to address myself to the cost of the participation of our Nation in the World War, not only in men, money, and materials, but as well in the morale and contentment of our people, and also to the duty of the American people in meeting the extraordinary conditions now existing.

We entered the war by resolution of the Congress on April 6, 1917, and ceased active hostilities upon the declaration of the armistice on November 11, 1918. During the period intervening between these dates, not only the entire man and woman power of the Nation, but all of our acquired wealth and natural resources, as well as all means of production and transportation, were devoted to the one great purpose of winning the war. All of us recall the patriotic fervor which filled the hearts of the people, without reference to their racial extraction, creed, or social or economic situation. Young men flocked to the colors, older men offered their services wherever suitable and needed, and the women rendered most valuable aid in the work of the Red Cross and other charitable organizations, through which they provided for the necessities and comforts of the soldiers, sailors, marines, and aviators who were actually engaged in the combat for national security and honor. Since the armistice the natural reaction has ensued, and in some measure the great ideals and objects involved in the conflict have been forgotten, while the burdens of taxation and of the increased cost of living have borne down heavily upon the people. It is imperative that all of us should continue to remember the pledges which we made during the war, not only to the fighting men, but also to ourselves and to the Nation, that we would pay the price of victory and willingly bear the cost for the preservation of free institutions and for the glory of the flag.

The record of our achievement in the war fills one of the most wonderful and glorious pages in all history. The total number of men who served in the armed forces of the Nation from April 6, 1917, to November 11, 1918, in the Army, Navy, Marine Corps, and other services was over 5,041,000. In the Army alone the latest available figures show 205,130 officers and 3,897,194 enlisted men, making a total of 4,102,324. Of this number 2,086,000 went overseas and 1,390,000 actually fought in France. In a single month as many as 306,000 men were shipped overseas, while since the armistice the number returned in a single month reached the total of 333,000. During the war we shipped 7,500,000 tons of supplies from America to France. Through the operations of the selective-service law 24,234,021 men were registered, out of which the total inductions into the service numbered 2,810,296. In a single month 400,000 selective-service men were inducted into the Army. The various line officers' training schools graduated 80,468 men, prepared to assume various commands.

American troops fought in 13 battles of the war during a total of 200 days. In the first distinctly American offensive at St. Mihiel 550,000 Americans were engaged. In the Meuse-Argonne battle, which occupied the last 47 days of the war, 1,200,000 Americans participated.

The American soldier, by his heroism and intrepidity, struck the final, decisive blow in the desperate conflict and achieved victory for the allied cause, but our people paid a large price in killed and wounded, though, for obvious reasons, our losses are not comparable to those sustained by the other nations engaged in the war. The latest reports for the Army show that we lost 1,554 officers and 32,537 men killed in action, and 1,678 officers and 41,020 men who died of wounds, diseases, accidents, and other causes, making a total of 76,789 known dead. We lost in prisoners 296 officers and 4,124 men, and the wounded numbered 8,122 officers and 212,061 men, making a total of 301,395 casualties in the Army, including 3 enlisted men found missing in action. Of the United States marines, 109 officers and 2,509 men lost their lives, and 361 officers and 9,574 men were gassed or wounded. In the Navy, 416 officers and 7,228 enlisted men were killed, and 20 officers and 331 enlisted men wounded or poisoned by gas. So far as ascertained up to the present time, the casualties in all branches, during the war, numbered 3,757 officers and 83,294 men who lost their lives, 8,503 officers and 222,266 men who were wounded or gassed, and 296 officers and 4,124 men taken prisoners, and 3 men reported missing in action, making total casualties of all kinds aggregating 322,243 officers and men.

The cost of the war in man power, however, is not confined to those actually killed or incapacitated by the immediate results of engagements with the enemy. The full number of those who will suffer disability can not yet be ascertained. The cruel artillery fire and the venomous gas attacks of this war caused conditions which will develop diseases for many years to come. It has been particularly noticeable that mental and nervous disorders and pulmonary and other tubercular troubles appear long after the shocks of shells and gases have passed from the vivid recollection of participants in this most awful of wars. The Bureau of War Risk Insurance estimates the number of men discharged from the military service with some degree of disability at 641,900, of which 155,000 applicants have already been examined and found entitled to treatment. Of these 15,000 have been found seriously afflicted with mental diseases, 15,000 with tubercular troubles, and 81,000 with other disorders causing general disability. The certifications for treatment on account of disabilities occasioned by the war are increasing at the rate of 1,200 per month.

Appropriations so far made for allowances and benefits on account of soldiers, sailors, and marines who participated in the World War aggregate the enormous sum of $1,132,594,926. Of this amount $639,558,506 has been set aside for the Bureau of War Risk Insurance for the payment of allowances to dependents, compensation for death and disability, insurance, and expenses of administration. For vocational rehabilitation $130,000,000 has been assigned to the Federal Board for Vocational Education. The United States Public Health Service has received $76,796,520 for hospital construction and care of patients. The bonus allowance under the act of February 4, 1919, has cost $256,239,900, and for bringing home or segregating in France the remains of deceased soldiers $30,000,000 has been appropriated. These amounts must be increased from time to time as the necessities may require.

Not only has the war cost the men who were disabled the comforts and pleasures to which they were entitled with other citizens, and not only did this carnage of destruction take the lives of those brave heroes who will never return to their friends and firesides, but the Republic has also lost the fruits of the labor and genius of these hundreds of thousands of the flower of our youth who would have added greatly to the material and intellectual wealth of the Nation if they had been permitted to live out in full vigor their allotted span of life. The loss in production and progress thus sustained through the war can not be computed in millions or in billions of dollars. It can be regained, in part only, by the industry and frugality of those who were spared the sacrifice which all citizens were equally obliged to make. Those who fought were merely selected to render the service to which all citizens were alike liable.

In money the war cost the United States the tremendous sum of $22,625,252,843 expended by ourselves and $9,455,014,125 advanced to the Allies, making a total of $32,080,266,968. Our national debt was increased from $1,208,000,000, on March 31, 1917, to $24,974,963,026.79, on May 31, 1920, and our per capita national debt from $11.33 to $234.17. Our annual interest charges on the public debt increased from $23,000,000 in 1917 to approximately $980,000,000 in 1920, exclusive of the sinking fund which must be established for the retirement of outstanding obligations and which for the next fiscal year is estimated at $260,800,000, and will increase as bonds and certificates mature. There is at present a floating indebtedness of over $3,000,000,000. The internal revenue and customs receipts of the United States Government have increased from $725,887,874.41 in 1916, the year before our entry into the war, to $6,249,077,578 in 1919, showing the enormously increased expenditures of the Federal Government.

During the war the Government took over the operation of the telegraph and telephone companies and the railroad systems

of the country. This Government operation of the telegraph and telephone lines created a deficit of over $14,000,000, while the operation of the railroads created an excess of operating expenses and rentals over operating revenues for 26 months of $715,500,000, and the total loss from Federal operation of the railroads will be not less than $1,025,000,000. The war brought the expenditure, out of the Federal Treasury, of three and one-half billion dollars for the building of merchant ships to meet the submarine menace. This has proven a fortunate investment for the upbuilding of our merchant marine, but the increased cost during the war of materials and labor will doubtless bring a large loss in the sale of this fleet to private ownership.

The foregoing are direct and tangible costs and expenses of the war. The indirect and incidental losses to the entire Nation as well as to the people of the country can not be estimated. The people donated hundreds of millions of dollars to charitable purposes directly connected with the war, and millions of men and women diverted their labor and energy from the production of the useful and necessary implements and conveniences of peace to the manufacture of munitions and supplies for war. In other words, for over two years the American people were engaged in producing methods and machines for destruction of life and property instead of conserving and increasing the products of industry, science, and art which make for advancement and progress. As a direct consequence, also, have come the inflation of credits and currency and the increased prices of labor and commodities, resulting in the high cost of living, which, in turn, has brought on a spirit of unrest and dissatisfaction which threatens not only the peace and quiet but the very life of the Nation. These are, indeed, as were the days of the Civil War, times that "try men's souls," but the patriotism and good sense of the American people will meet every issue and overcome every obstacle in these days of reconstruction, as did the patience and loyalty of the people in the equally dark days that followed our internal dissension. The remedy lies very largely in the increased production of the real needs of society and in the return to the simpler and lesser requirements of other days. The factories, like the farms, must devote themselves to the production of necessaries, rather than luxuries, and merchants and middlemen must content themselves with reasonable profits. Extravagance and profiteering go hand in hand. It is equally as harmful to purchase wastefully as to sell exorbitantly. The profligacy of war must yield to the frugality of peace.

But the Government must lead the way. The American people will cheerfully and patiently carry all the necessary and reasonable burdens cast upon them as the price of victory. They will cherish and revere the memories of those who made the supreme sacrifice for the security and honor of the Republic, and will furnish sacred shrines for their remains on the battle fields abroad or in American soil, as their loved ones at home may elect. They will provide generously and amply for those who returned to their homes broken in health or divested of limbs or faculties. They will make fair adjustment of recompense to all who suffered losses and opportunities by reason of their patriotic services in the armed forces of the Nation. They will do all that good faith to the Nation's defenders and the continued public safety may require. But the people will not, and should not, be required to assume any burdens of taxation or discomfort by reason of continued extravagance and reckless expenditure after the war has ceased.

This Congress has made earnest efforts to reduce the people's burdens, as witness the reductions in appropriations by this and the preceding sessions amounting to $2,414,115,144.13 below the estimates of the departments and the appropriations which passed the House of Representatives but failed of passage in the Senate of the Sixty-fifth Congress. Amidst the chaos and extravagance developed by the war, this Republican Congress, by hard labor and wise counsel, has succeeded in bringing outlays within the available income, and even to lay the foundation for savings which in another year are expected to absorb a considerable part of the floating debt hanging over since the Sixty-fifth Democratic Congress. But Congress must have the assistance and cooperation of the executive department in reducing expenditures and effecting economies. Such help has hitherto been given grudgingly, when at all. The enormous establishments created and enlarged during the war must be reduced to as nearly normal and prewar proportions as may be possible. Adequate salaries should be paid to all employees who are needed in the service, but the number of persons employed and the supplies purchased should be reduced to actual necessities.

For a generation to come the principal and interest on the public debt, amounting annually to not less than a billion and a half dollars, will have to be paid out of the Federal revenues. Ample provision for the dependents of the lamented fallen heroes of the war as well as for the dependents of the diseased and disabled survivors and generous treatment of those survivors themselves must continue to receive the attention and solicitude of the Government. But all the administrative departments and agencies should require and receive only such allotments from the National Treasury as are necessary and essential for their efficient and economical management. The people have paid, and are willing to continue to pay, the price of victory chargeable to the war, but they will not pay, and should not be required to pay, the price of extravagance and waste in times of peace. For years to come economy and retrenchment should be the conscious and conscientious aim and goal of both the legislative and executive departments. The willing and harmonious cooperation of these branches of government is essential to that end. In public and in private life economy must be the watchword until the full price of our victory in the war has been paid.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CHINDBLOM. I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

Mr. JOHNSON of Mississippi. Reserving the right to object, I wish to ask the chairman of the Irrigation Committee a question.

Mr. GOOD. I can not yield for that. We want to close this debate.

Mr. JOHNSON of Mississippi. Then I will have to make the point of no quorum.

Mr. BLANTON. Let him ask the question, he has not taken up much time.

Mr. JOHNSON of Mississippi. I made the reservation in order to ask the chairman of the Irrigation Committee a question.

Mr. GOOD. I am about to yield to the chairman of the Committee on Irrigation.

The CHAIRMAN. The gentleman from Mississippi makes the point that no quorum is present. [After counting.] A quorum is present. Is there objection to the request of the gentleman from Illinois to extend his remarks in the RECORD?

There was no objection.

Mr. GOOD. Mr. Chairman, I yield one minute to the gentleman from Nebraska [Mr. KINKAID].

Mr. KINKAID. Mr. Chairman, I wish to discuss the subject matter of the high cost of living, and connected with it how far the administration of the Federal reserve law is responsible for the high cost of living. I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. JOHNSON of Mississippi. Reserving the right to object, I desire to ask the gentleman, the chairman of the Irrigation Committee, Mr. KINKAID, whether or not it is his purpose to call up the Senate bill 3477, which is now on the calendar, before the adjournment of this Congress?

Mr. KINKAID. In answer to the gentleman from Mississippi, I will say yes, and a special rule has been agreed to for that purpose. This bill is also listed for a suspension of the rules. It should surely become law this session.

Mr. JOHNSON of Mississippi. I am in sympathy with the movement.

Mr. GOOD. Mr. Chairman, I yield five minutes to the gentleman from New Hampshire [Mr. BURROUGHS].

Mr. BURROUGHS. Mr. Chairman, I can not sit here and allow this session to come to an end without raising my voice in protest against the action of the House last Saturday in passing the so-called "soldier-bonus bill." I had no opportunity to do that in what has been aptly called the "bellowing bedlam" that prevailed when, under a "gag rule" that was really a suspension of all rules, with only 40 minutes of farcical debate and no opportunity whatever for amendment, the bill was jammed through the House. I voted against the rule and I voted against the bill. I now protest against the passage of the bill. I protest even more against the "strong-arm" methods employed to accomplish that result.

The bill itself ought to be entitled "An act to raise the cost of living for every man, woman, and child in America." It might also properly be entitled "An act to impose upon an already overburdened people nearly two thousand million dollars in taxes, in order to offer a cheap bribe, a miserable scullions' tip, to four or five million American soldiers, as the general elections approach."

That, I believe, to be an accurate statement of some of the things the bill would accomplish if it should be written into

law. But, of course, it will not be written into law. Gentlemen who supported it do not expect or hope or intend that it shall now, or ever, be written into law in its present form, or in anything like its present form. They know that is impossible; hence they make this hypocritical gesture to the soldier and at the same time wink the other eye as they vote to adjourn and allow the bonus bill to be gently chloroformed in a Senate committee.

Mr. Chairman, if I knew of some way by which huge profits made out of the war might now be reached and used equitably to adjust in some measure the compensation paid the soldiers, sailors, and marines without at the same time doing grave injustice and putting additional burdens on the American people, including the service men themselves and their families, I would gladly support such a plan. I know of no way to do that. No plan that will do that has yet been suggested. Certainly the bill referred to is very far from such a plan.

I am strongly in favor of a broad and liberal policy toward the ex-service men. We conscripted them, took them from their homes, took them from office, field, and factory, took them from remunerative employment, and for a dollar a day sent them to face death and disease in the mud and water of the trenches. I saw the splendid spirit in which they put on the uniform of our country. I saw the boys of my own State sleeping in the mud at Camp Greene and I saw the boys from all the States come home—those that did come home—bearing aloft the starry banners of the Republic which their brave young hands had carried to glorious victory.

I hope I am not unappreciative of this noble service. It has been a very real satisfaction to me that in my service here I have been able in some degree, not only in word but in action, in practical fashion, to be of some help to them and to their loved ones at home.

I should be glad, indeed, if I might see my way clear to grant any request that these boys might ask. My inclination is, and I hope always will be, in that direction; but I can not avoid the conclusion that the passage of this bill at this time, containing, as it does, the much discredited land-reclamation scheme and the blanket bonus provisions, will work a grievous wrong not alone to my country but to the men themselves in whose interest it is proposed.

I know that these men would not have me do an act that I honestly felt was against the best interests of the country in whose defense they offered their lives, and which I, too, have taken an oath to serve. I know they expect me to put "America first," even as they have put "America first."

They say this bill provides "adjusted compensation" to the ex-service men. As a matter of fact, it does nothing of the kind. It is impossible to "adjust the compensation" of these men to make it at all commensurate with the compensation of those who remained at home. In the first place, such service as they performed is impossible of compensation in dollars and cents. In the second place, as between the men themselves, no equitable adjustment can be made. Even if we attempt to compensate the men in money for their services and their sacrifices, using as a standard of comparison the wages paid in war time to workers in the munition factories and the shipyards, we are making a pitiful failure when we offer them a dollar or a dollar and a quarter a day, knowing all the time that the munition and shipyard workers received $8 and $10 a day.

How is it possible to adjust the compensation between the young unmarried boy who left a position in a store or factory to enter the service and a man, for example, who gave up his business or lost his home because of the foreclosure of a mortgage? Everybody knows that thousands of these men suffered heavy financial loss because of their being called into the service. Do you think it fair to offer them a dollar a day or a dollar and a quarter a day for a part only of the time they served and call that "adjusted compensation"?

Remember, if this bill becomes law on the basis that it is "adjusted compensation" it will be said by many that the Government's obligation to the ex-service man has been met and that the books are closed. That would not be true, and I for one am unwilling to put the service man in that position.

From the standpoint of the Government there is even less argument in favor of the bill. Already the debt growing out of the war amounts to more than $30,000,000,000. Already, in spite of every effort on the part of Congress to cut expenditures to the very bone, we are told by the chairmen of the Appropriation Committees that there is bound to be a deficit at the end of this year of more than $3.000,000,000. Some way must be found to pay this debt. Already our people are groaning under the heavy burdens of taxation. Our currency and credit have been greatly inflated on account of the huge borrowings of the Government. These are still going on, and the Secretary of the Treasury only a day or two ago said:

> It is a matter of serious concern to have the Government appearing in the market every few weeks for loans. Certainly nothing ought to be done to add to existing credit expansion that can possibly be avoided. * * * The first thing to do, I am sure you will agree, is to keep Federal expenditures down to the minimum. * * * I beg to submit to your committee for its serious consideration the question whether, all things considered, it would not now be advisable to seek out additional sources of revenue to meet the current requirements of the Government.

Later he said:

> It would be highly unfortunate for any new obligations to be placed on the Treasury through the enactment of the bonus proposal in any form, however financed.

It is a notorious fact that the Government has been issuing its certificates of indebtedness by the wholesale in order to meet current bills, and the Secretary has stated within a week that these certificates and the Victory notes within three years will amount alone to approximately $8,000,000,000.

Everybody, from one end of the country to the other, is calling upon Congress to reduce the present high living costs. Everybody is calling upon Congress to reduce taxation. Do you think this bill is going to do either the one or the other?

You know it will not. You know it is inevitable that the result will be to increase taxation and give another boost to the price of every necessity of life.

But you say the boys want it. How do you know that? How many of them have ever asked a single Member to vote for this bill in the form in which it now appears? No one has ever asked me to vote for it in this form. True enough, some of them—perhaps most of them—were in favor of the fourfold plan suggested by the executive committee of the American Legion. But does this bill embody that plan? I venture to say in most important particulars it is not that plan at all. The plan which the legion presented, so far as the so-called cash bonus is concerned, contemplated a payment in bonds or in cash. If in bonds, they were to be delivered at once. If in cash, it was not contemplated that the payments were to be strung out over a number of years. But this bill does neither the one thing nor the other. True, it provides for cash payments, but they are not to begin until July 1, 1921, which is more than a year from this date. No man will get a dollar from this bill if it becomes a law in this form for more than a year. How is it then? Will he then get all that is due him at a dollar a day or a dollar and a quarter a day if he served overseas? Not at all. The payments are strung along from July 1, 1921, for two and a half years. Instead of getting a lump-sum payment, either now or at any time, these men are going to have this money doled out to them in driblets, in 10 quarterly payments, at the rate of about $16 per month, payments to extend over a period of two and a half years, beginning July 1, 1921.

The plan for land settlement provided in the bill seems to me very far, indeed, from the plan which the service men desired. This is the so-called Lane land-settlement scheme, which has been kicking around Congress for the last six or eight years, and which has been about as thoroughly discredited as any proposition I know of. At bottom it is nothing but a gigantic reclamation scheme, which would benefit the ex-service men incidentally, if at all, but would be primarily in the interest of a few land sharks and speculators in a few States containing vast tracts of worthless desert and swamp lands. If once entered upon, it would cost this Government an enormous amount of money. Nobody knows how much, but it is estimated by those in position to know at from two to five billion dollars.

Now, I venture to say that is not what any service man wants. I venture to say if you pass this bill in this form it will not satisfy one of them when they find out what it means. So far as I am concerned, not until I have stronger evidence than I now possess will I believe that the ex-service men of this country desire to have their splendid service in the great war commercialized in this way at the expense of their country in times like these.

We might as well strip for once and all the camouflage from this word "bonus," already much discredited, and appearing in this bill under the more euphonious term of "adjusted compensation." We might just as well call things here by their right names and not attempt to deceive ourselves or anybody else. This whole proposition of "cash bonus" or "adjusted compensation," or under whatever other name it may appear, is nothing at all but a "service pension."

If you enact this bill into law you are going to start this country on a system of service pensions which will never end as long as a single one of these men or his dependents is alive.

By the terms of the bill itself, these payments are going to extend for two and a half years after July 1, 1921. When that time has expired another presidential election will be impending. Will any man in this House have the temerity to say that under those circumstances those payments are going to be allowed to cease at that time? You know better. I tell you now that if you pass this bill and it becomes a law the youngest man in this House will never live to see the day when these payments will cease. They will go on and on and on. They will increase more and more with the passing years. The drain upon the Treasury, the burden upon the taxpayers on account of them, will be enormous.

And the pity of it all is that the boys themselves and their families will pay the bill—or, at any rate, a good share of it. They will pay it in the increased cost of every suit of clothes and every pair of shoes and every loaf of bread. They will pay for it in a still further depreciation in the value of every Liberty bond. Do not think for a minute that the corporations and the wealth of the country will pay these taxes. They will simply pass them along to the consumer. He pays the tax, and you may be sure that by the time it reaches him it will have been multiplied two or three times. So far as I am concerned, I decline to have any part in any hypocritical scheme like this—any sham, any fraud—that seems to do something substantial for these boys but in reality makes them pay for it themselves.

I do not believe the young, red-blooded, able-bodied service men of this country are asking or desiring to become pensioners upon the Government at this time. The veterans of the Civil War did not receive a service pension until the war had been ended for 55 years—not until the infirmities of age had substantially taken away their ability to earn a livelihood. There may come a time in the life of these men when a pension based upon their service will be justified, but, in my opinion, that time has not yet arrived.

Let us put first things first. The primary duty of this Nation at this time is to its wounded and disabled service men. There are approximately 200,000 of them that have already registered for rehabilitation under the vocational rehabilitation law. The total number of death and disability compensation awards up to and including May 13 of this year is 208,496. On these awards the Government of the United States each month is making payments for death and disability compensation of approximately $6,000,000. To date the total amount paid for death and disability compensation awards is more than $97,000,000. Besides, we are paying each month for insurance on account of death and disability awards $5,800,000, and at this minute we have a total financial liability for insurance on account of death and disability awards already made amounting to $1,151,160,673.48. These figures are furnished me by the Director of the Bureau of War Risk Insurance.

Mr. Chairman, very many of these wounded and disabled men have not yet been cared for. Many of them are still in hospitals and many are waiting for hospitals to be provided. It is to them and to their dependents that we owe our first duty. Can there be any doubt about this? Can there be any doubt that up to date that duty has not been fulfilled?

According to House Document No. 481, there is a total of 641,000 soldiers, sailors, and marines who were discharged from service with some degree of disability. Of this number, 155,000 have been analyzed carefully. They include 15,000 cases of serious mental trouble, 15,000 cases of tubercular trouble, and 81,000 cases of general disability. The balance of the 641,000 cases still remain uncared for, although certifications are increasing at the rate of 1,200 per month. Appropriations made by the present Congress approximate $300,000,000 for compensation, vocational education, medical and hospital care and treatment.

For weeks I have been sitting as a member of a House committee investigating charges against the Federal Board for Vocational Education in its work of rehabilitation for disabled soldiers, sailors, and marines. For weeks I have been listening to testimony of men who have appeared and told of neglect and suffering and failure on the part of somebody to do his plain duty and what the Congress of the United States expected was being done. I firmly believe those conditions are being righted. I firmly believe things are much better now than they were a while ago. The fact remains, however, that just as long as there is a single disabled man suffering for want of care and attention; just as long as a single one of his dependents is in need, as very many of them are now in need, and no special provision made for them in this bill, the Government of the United States, in my view, may well postpone action on its general program of soldier-aid legislation. Especially at this time, with Liberty bonds in the hands of 20,000,000 patriotic Americans quoted at 84; with the whole country calling upon Congress to reduce the high cost of living and wherever possible to reduce taxation; with the Treasury Department working its printing presses overtime issuing its I. O. U.'s, which it is wholy unable to redeem at maturity from current revenue; with sugar selling at 23 cents a pound; and press dispatches announcing the likelihood that bread may soon sell for 25 cents a loaf, I can not avoid the conclusion that it is our plain duty, as responsible Representatives here, to take an account of stock to see where we are coming out.

Do not misunderstand me. I am not now, and I never have been, opposed to any reasonable and proper soldier-aid legislation. On the contrary, I have been, and am now, strongly in favor of it. I think I have voted for and worked for every proposition that has come before us during my service here that has been for the real benefit of these men. I shall continue to do so, so long as I remain in public life, and so far as I can do it, having in view the interests of our common country. There are many features of this bill that I would like to support. They seem to me admirably designed and to be in the interest of the whole country as well as the ex-service men themselves. But for the reasons stated I could not support the bill as it came before us, and there was no opportunity whatever to amend it. It was brought in here under rules that allowed only 40 minutes for debate and no opportunity whatever for amendment. We had to take it as it was, or vote against it. To pass, in this manner, upon a proposition of such tremendous magnitude, involving, as it does, a certain expenditure of billions of dollars, at such a critical juncture in the affairs of the country—to cram this bill down our throats in this fashion—is, to my mind, little less than monstrous. Much as I desire to aid in the passage of some legislation that shall be in the real interest of the ex-service men, much as I desire to cast my vote here in recognition of their noble service and sacrifice, I utterly refuse to aid in any manner whatever the passage of this bill.

For the brave men who upheld the Nation's honor in the dark days of war, and for the loved ones dependent upon them, I would do all in my power to do, except only a wrong to their country and mine; that I know they would not have me do, and that I will do for no man. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. DAVEY].

Mr. DAVEY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

Mr. KING. Is the gentleman going to talk on the bonus bill?

Mr. DAVEY. No.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DAVEY. Mr. Chairman, I propose to talk again on the subject of postal salaries, and I trust that the gentleman from Illinois and his colleagues on the Republican side will agree with me as to the importance of the question. I understand that a bill has been reported which seeks to increase the salaries of the postal employees to a moderate degree. As I understand it, the proposed increase amounts to $150 to $200 per annum for clerks and carriers. The present salaries run from $1,200 to $1,650, and, if I understand the pending bill correctly, the proposed salaries will run from $1,400 to $1,800. If you figure it out on a basis of 26 days per month, 8 hours a day, you will see that $1,400 a year is only 56 cents an hour.

Mr. MADDEN. Will the gentleman yield?

Mr. DAVEY. Yes.

Mr. MADDEN. The gentleman knows that these men get 16 days' leave with pay. The gentleman must know that they get 10 days' sick leave with pay. He must know that they get every national holiday and that the working-days of the year for these men are 291 days.

Mr. DAVEY. That may all be true, but the gentleman knows that the dollar of the postal clerk will not go any further than the dollar of anyone else.

Mr. MADDEN. But the gentleman ought to tell the truth when he is talking about the number of days work they perform.

Mr. DAVEY. I am talking about the income of these men, the money with which they have to buy the necessaries of life.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. DAVEY. Yes.

Mr. HUSTED. I did not quite understand the gentleman. How much are the salaries of the carriers raised per annum?

Mr. DAVEY. The present salaries run from $1,200 to $1,650.

Mr. HUSTED. That is the base pay?

Mr. DAVEY. No; the complete pay.

Mr. HARDY of Colorado. That includes the bonus.

Mr. DAVEY. The proposed salaries run from $1,400 to $1,800.

Mr. HUSTED. Including the bonus?

Mr. DAVEY. Including everything. Every man in this country knows the vital importance of the Postal Service. If that service disintegrates because of the incapacity of this Congress to deal properly with the question, then the vital interests of the Nation suffer. Every business interest, every social and industrial interest will be sacrificed. I can not understand the niggardly policy that seems to be applied to this great instrument of the Government. We talk about being generous to them, and hand out an increase of $50 or $100 once in a while. We compare the present salaries with salaries in the past, and because the figures are larger we think we have done something great for the postal employees, meanwhile ignoring the relative buying power of the dollar. No business could be conducted upon that basis. Why deal justice out to these men by piecemeal?

Mr. MADDEN. Mr. Chairman, will the gentleman yield further?

Mr. DAVEY. Yes.

Mr. MADDEN. Does the gentleman know that this report fixing the compensation about which the gentleman complains is the unanimous report of five Republicans and five Democrats? Does he know that?

Mr. DAVEY. I believe that is undoubtedly true, and I will take the gentleman's word for it, but that does not make it any better.

Mr. MADDEN. What would the gentleman do?

Mr. DAVEY. There is only one reasonable and proper thing to do, and that is to fix salaries that are commensurate with the cost of living and the requirements of the Postal Service, and if the gentleman is unwilling to do that simple justice by these postal employees, then it seems to me other hands ought to deal with the problem.

Mr. MADDEN. Will the gentleman permit me to interrupt further?

Mr. DAVEY. If the gentleman will kindly desist for a moment, I wish to remind him that I am trying to make a speech and not he.

Mr. MADDEN. I understand that, but the gentleman ought to be willing to put some facts into his speech, and I would be glad to give them to him.

Mr. DAVEY. I am talking about a great vital fact. And that is the impending disaster to the Postal Service if we fail to do our duty. It may be that the gentleman from Illinois has not been moving around the country much of late. He may not know what is going on and does not realize how fast these men are leaving the Postal Service because of the inadequate salaries. He may not realize how many of them are hanging on in the desperate hope that this Congress will do its duty.

Mr. Chairman, I understand that this bill, which proposes these very small increases, is to be brought in shortly under a special rule prohibiting amendment, one of these peculiar devices by which Congress is gagged and the Members prevented from expressing their own real wishes and judgment. We will then be placed in the position of voting against any increase or of accepting the meager amount which has been provided by the august gentlemen who assume all the prerogatives of determining this vital question. It seems to me that we ought to approach this subject with a little more business consideration. Every man who has watched the course of events knows that the cost of living has mounted and mounted. It seems to me that this Congress alone of all of the elements of America has assumed that prices are going rapidly back to the old level. Every business man of my acquaintance has assumed that a new price level has come to stay, and I think there is no doubt of it. We can not hope to go back to the old price level of wages or the price of commodities. There probably will be some recession in prices, but we shall never see the old level of costs again. We must accept the fact that a new level of prices is here, and that every man who works for a living is affected by those new prices. If we expect high-class, intelligent, dependable men in the Postal Service, either to come in or to stay there, we must deal with them with consideration. We must treat them as human beings and pay them a living wage.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. DAVEY. Yes.

Mr. McCULLOCH. The gentleman from Ohio has not made any suggestion as to the maximum amount. I would say that clerks in the Canton post office were in my office yesterday and said that a maximum of $2,000 is the least amount they would consider; that they would leave the service in the event the compensation was not raised to a maximum of $2,000.

Mr. DAVEY. I shall not attempt to say what is the proper amount, but I do say that the amounts fixed in the pending bill are absolutely inadequate.

Gentlemen, I appeal for justice for the postal employees. I appeal for the protection and upbuilding of the Postal Service and against the neglectful and niggardly policy that has prevailed of late regarding the salary question. I appeal for fair and full consideration of the vital public interest in this matter. The American public demands fair play, and is entirely willing to pay the price of fair play. This Congress can not, without a confession of weakness and incapacity, fail to meet the crisis in the Postal Service and deal full justice to these splendid public servants.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield two minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Chairman, it is not my intention to dwell upon the shortcomings of the Republican Party nor the great achievements of the Democratic Party, although the subject might seem most enticing and prolific.

I wish particularly to call the attention of this House to the transportation and terminal facilities of the country. At no time in our history, unless perhaps for a short period during the war, has there been greater congestion upon the railroads and at the terminals of the great centers of population. It has been demonstrated clearly that even in the face of vast appropriations and credits granted by the Government to the railroads and favorable legislation of every nature, they are unable, at this time, to carry the vastly increasing freight and passengers. The country is rapidly increasing in population and in business and commerce at a pace never before equaled. The present census, which is nearing completion, will show a population around 110,000,000 souls. Business and commerce have increased even more rapidly than the population. Prosperity abounds on every hand. Never in the history of the world has labor received such high salaries as to-day. From the chimneys of the millions of factories of the country smoke curls heavenward with a vigor which shows the mills are at high-tension operation. The farmers have enjoyed prosperity as never before. The mines and factories pour forth their wealth in abundance, and find ready and willing buyers at great profit. The whole Nation has been able to enjoy luxuries which have become quite common indeed.

Is it any wonder, with all this prosperity, energy, and progress on every hand, that the railroads should find themselves absolutely unable to care for the business? The natural relief for this congestion of freight is over the waterways by water-borne commerce. Water-borne commerce can transport those products safely handled by this economical mode of transportation to the relief of railroads and their terminals. Other countries have rapidly developed their rivers and harbors, and have used them not alone to the relief of the railroads, but to the economy of transportation.

In this land of ours we have expended large sums for this purpose. We have not, however, expended money for this important service at a ratio in anywise comparable to that we have expended in other lines not as essential. To-day there is locked in conference committee a rivers and harbors bill, which passed the House carrying $12,000,000 and passed the Senate carrying double that amount. Even the amount of $24,000,000 would not be sufficient to do any considerable amount of work at present prices. If the bill comes from conference at all it will not carry more than fifteen millions, and more likely not more than twelve millions, which sum can do no more than maintain present improvements and to somewhat continue the projects which the Government has already under operation. Such is the parsimony dealt out to rivers and harbors, that most important safeguard for the present and future.

The progress of the country demands more and better harbors and harbor facilities. This is highly essential and in a few years it will become absolutely necessary that the rivers be further developed that they may relieve the railroads. They must be developed, but in their development it is just as essential to have water terminals as it is to have railroad terminals. There must be some cooperation between the railroads and the steamship lines, certainly some working agreement by which shipments can be rapidly transferred from one to the other.

Another cause I assign for this congestion is the centralization of too much of the business at the port of New York. It has been well said that other ports of the Atlantic seaboard have heretofore been unable to compete with that city, through which port about 80 per cent of the Atlantic foreign trade and 66 per cent of the total foreign trade of the United States passes; nor, indeed, have they in the past even been able to

realize a fair proportion of the business promised by the modernization and enlargement of their facilities. Habits of shippers, the centralization of the big railroads, and the influence of the greatest financial center have kept New York the premier port, though some of her rivals have better wharves, more efficient handling, and superior railroad connections.

The results of the war, however, while they have not yet materially affected this superiority, will certainly more closely approximate the performance and the promise of development in the other ports. The tremendous congestion of freight at New York and the enormously expensive toll in transmission there adversely affect the interests of the entire country. The cost of handling freight in New York, located as it is on the wrong side of the Hudson River, separated from the bulk of continental America by a formidable barrier which imposes an additional handling expense of from 50 cents to $1 or more per ton on 90 per cent of the cargoes entering or leaving that port, is an unnecessary expenditure of money to overcome purely artificial defects and is a satirical comment on our boasted American efficiency. Needless to say, this burden of useless handling does not come out of the pockets of the transportation companies, as it is passed on by them to the ultimate consumer.

The people of this country have been largely educated to believe that New York is the only port along the Atlantic seaboard through which they can make shipments to foreign ports or for distribution. The result has been that too much freight has been piled up at that port. The great facilities which the city of New York offer have been flooded and congested so that quick operation is practically impossible. It is my desire to impress upon the people and particularly those of the Central West that along the Atlantic coast there exist many harbors and many ports which can give them quick, accurate, and economical service; that the division of their shipments between the ports along the coast will largely relieve the congestion through New York. It is not my desire to say anything against New York nor its wonderful facilities and its great business men, but I do believe that in the interest of the general public, in the interest of the shipper and consumer, more time should be devoted to a study of the other ports along the coast and their advantages.

There is plenty of business for all, without congestion to any. I am, of course, more familiar with my home port of Baltimore. It would seem unnecessary to call the attention of this House, and through them the public, to the fact that Baltimore is so much closer to the great centers of population back of the Atlantic Seaboard than is New York, Philadelphia, or other ports. One can scarcely realize that Baltimore is nearly 200 miles closer to St. Louis than New York and 63 miles closer than Philadelphia; that it is 109 miles closer to Chicago than is New York and 118 miles closer to Indianapolis; that it is closer to Detroit, and even closer to Buffalo, in the State of New York, than is the city of New York. This means that freight can be carried cheaper by just that many miles to Baltimore than it can to New York, Philadelphia, or other more distant points.

I have distributed to the Members of Congress data upon the port of Baltimore, that they may disseminate the information among their constituents, and particularly among their great business organizations. I have just read a circular in which a comparison of the difference in handling a 5,165-ton steamer with general cargo in the ports of Baltimore and New York. Every item of expense and each item itself itemized is given, and it is definitely shown that this same ship, with the same cargo, can be handled through the port of Baltimore at a saving of $4,177.81, and in addition, procure quickness and dispatch without congestion.

Another circular depicts the difference in cost of a shipment from Pittsburgh to Baltimore or New York, in which every item is likewise given, and there is shown to be a saving of 19.7 per cent through the port of Baltimore. Another comparison of a shipment from the same city to the same points via warehouse shows a saving in favor of Baltimore of 47 per cent. I might continue giving data and conclusions. I realize, however, that those interested in the subject will seek further information. That the country and the world is beginning to realize the importance of Baltimore is shown from the fact that the imports of that city increased from 1912 to 1919 from $26,000,000 to nearly $39,000,000; that the exports increased from $92,000,000 to $353,000,000.

That the people of Baltimore realize the future of their port is demonstrated by the fact that they have already expended millions upon harbor and terminal facilities, and are just now authorized to expend $52,000,000 additional by act of the recent legislature. A very eminent engineer of the War Department said Baltimore was destined to be one of the greatest ports along the seaboard and even compete with New York for supremacy. That she is fast realizing this great prediction is thoroughly demonstrated by the activities and energy of her 733,000 people and their willingness to spend such vast sums for further development and improvement.

During my years in Congress I have devoted every effort and opportunity in advocating development of the waterways of the country, increased port facilities, and deeper channels. It has been my good fortune to convince Congress of the advantages of Baltimore and to secure through large appropriations and the adoption of different projects a completed channel of 35 feet from the city to the sea. By the adoption of another project, which I submitted to Congress a few years ago, our channel will be widened; the channel into Curtis Bay—now a part of Baltimore—will be widened and dredged to 35 feet and a new, wider, and deeper channel constructed into Spring Gardens. In addition to this, we have also been able to obtain a larger anchorage basin, and by recent act of Congress this basin is to be surveyed for extension until it meets the widened channel into Curtis Bay. These projects have been adopted, and will be completed by the Government whatever they may cost. Certainly not less than $2,000,000.

If one will but pay a visit to the harbor of Baltimore, viewing it on both sides of the Patapsco, he will find arising a vast number of factories with their towering stacks indicating the progress which has been made in the last few years. That great section of Canton and Curtis Bay have developed so rapidly one can scarcely believe they are the same places which he beheld only a few years ago. They have come because of the water facilities, deep channel, low taxes, and transportation advantages.

Just so long as we continue to improve our harbor and its facilities, just so long will factories continue to seek locations in our midst. I have always stood and worked for the harbor of Baltimore. It is one of its great—if not its greatest—assets. The future destiny of Baltimore is tied up in its water transportation. Its location is superb; its climate equable; its people most hospitable and businesslike.

There is to my mind nothing the Democratic Party has done during its control of Congress which will redound more to the interest and benefit of the great mass of people than its appropriations for improvement of the rivers and harbors of the country, even though that party has been prolific in the passage of much constructive legislation, such as the Federal reserve act, which has prevented panics, enabled us to carry on the biggest war ever engaged in, and established a financial system the best in the world. The establishment of the Shipping Board has restored to the seas the American flag and given to America a place in the sun. The treatment of the soldiers and sailors by liberal legislation and bountiful provision has demonstrated the gratefulness of the American people for this heroic body of young men. I might mention a vast amount of valuable legislation, but my purpose is to demonstrate how highly I prize the great advantages of river and harbor improvements. That great party of Jefferson and Jackson has demonstrated to the world its capacity for doing big things. Never has the responsibility of a greater war rested upon a people than during its control.

More constructive legislation has been placed upon the statute books during its incumbency than was placed there during half a century previous. Never before has the country been more prosperous and developed more rapidly in personal and material gain. Certainly the party may feel proud of its great achievements. Its loyal supporters have every reason to stand erect and look with pleasure and pride to the future. There may at times be adversities, but the sun of democracy is still radiant with beauty and glory.

Mr. BYRNES of South Carolina. Mr. Chairman, I desire to use some time myself—10 minutes.

The CHAIRMAN. The gentleman yields himself 10 minutes.

Mr. BYRNES of South Carolina. Mr. Chairman, I am not going to attempt to discuss this bill, because it is the desire of the House, I know, that we should complete the consideration of it this afternoon, and this general debate has continued much longer than we ever anticipated. The gentleman from Iowa, the chairman of the committee, will explain in detail the provisions of the bill. I desire to refer only to one of the many subjects mentioned during this general debate. The gentleman from Kansas [Mr. TINCHER] and the gentleman from Massachusetts [Mr. TINKHAM] referred to the sugar situation. The gentleman from Massachusetts [Mr. TINKHAM] asserted that the Hon. Herbert Hoover had urged upon the President last year the purchase of the sugar crop and quoted Mr. Hoover as having said before the Committee on the Judiciary that had

his recommendation been complied with we would not be to-day suffering from the great increase of the price of sugar. The fact is as disclosed by the cablegram of Mr. Hoover, which was placed in the RECORD by Mr. TINKHAM, that Mr. Hoover never did recommend to the President the purchase of this sugar crop except upon conditions. He recommended it upon the condition that we extend credit to European nations at a time when this Congress and this Government had determined to stop advancing money to European Governments, and the other condition upon which Mr. Hoover recommended the purchase of the sugar crop was that the Congress give further power to the Equalization Board to control the distribution of the sugar purchased. In his cablegram he stated:

Any continuation of control will require action by Congress, and it must embrace appropriations, the continuation of power and embargo, control of speculations, profiteering, and distribution.

The strange thing is that Mr. Hoover never sought to create the impression that he disapproved of the conduct of the President in this matter until within the last few weeks when he became an active candidate for the Republican nomination for the Presidency.

Mr. KING. That was not our fault.

Mr. BYRNES of South Carolina. No; the gentleman says it is not his fault. It certainly was not our fault. The fact remains that when the President did not act upon Mr. Hoover's recommendation he complied with the recommendation of Mr. Hoover that it should not be done unless "control be extended, appropriations made, and speculation curbed." I have no objection to gentlemen making political speeches, and on both sides of the House they have indulged in them for the last 8 or 10 hours, but I am calling the attention of the House to this fact, that when gentlemen criticize the President of the United States for not having purchased the sugar crop, they thereby commit themselves to a continuance——

Mr. HUSTED. Will the gentleman yield?

Mr. BYRNES of South Carolina. I am sorry I can not. I have but 10 minutes—they thereby commit themselves to a continuance of the war acts and of the war legislation which Members of this House time and again have urged should be repealed, as without this power there could be no regulation of the distribution of the sugar purchased by the Government.

Mr. HUSTED. Will not the gentleman yield for one question right there?

Mr. BYRNES of South Carolina. I can not, because I have but 10 minutes. The Government should not have continued in the sugar business or in any other business, in my opinion. If the President of the United States under the war legislation had purchased the sugar crop last August, 10 months after the cessation of hostilities, and there had been a good crop in Louisiana and sugar had decreased in price, the very gentlemen who now criticize him for not having purchased sugar would have criticized him for going into the grocery business under war powers long after hostilities had ceased. [Applause on the Democratic side.] And gentlemen would have been justified in it, in my opinion, because I do not believe the President of the United States would have been any more justified in exercising his war powers to purchase sugar than he would have been justified in going into the State of the gentleman from Massachusetts and purchasing shoes, an actual necessity, and provided for their sale by the Government of the United States for a less price than they are now being sold to the people.

Had he done that I would have criticized him, and I would have criticized if he had gone into the sugar business or any other branch of the grocery business and attempted to put this Government in business for all time. Now, that is the fact. Why indulge in politics about it? Why not tell the people the truth? The truth is that neither the Congress nor the Executive is responsible for the greatly increased price of sugar. The truth is, according to the Statistical Abstract, that in 1865 the per capita use of sugar was 18 pounds per person. In 1905 it had increased to 75 pounds annually, and last year it increased to 93 pounds per capita. Then wonder that sugar is high!

Mr. MADDEN. Does the gentleman know to what that is attributable?

Mr. BYRNES of South Caorlina. I will tell you to what it is attributable in a moment. This year, according to the Treasury Department, we spent $1,000,000,000 for candy in this country; we spent for soft drinks $350,000,000. We spent for ice cream—not made in the home, but ice cream sold over the counter—$250,000,000. We spent for confectionery $350,000,000. We spent for cereal drinks in which sugar is used $230,000,000, making a total expenditure by the people of the United States this year for articles in which sugar is used $2,180,000,000. This, of course, does not include any expenditure for sugar used in the home.

And then, to complete it, the people of America invested $50,000,000 in chewing gum. Then people wonder at the increased price of sugar. When Louisiana has a one-third crop; when Cuba has a short crop; and there is a total shortage this year of 2,000,000 tons, and the per capita use of sugar increases from 18 pounds per person in 1865 to 93 pounds per person this year, can you expect anything but an increase in price? Under these circumstances, can you, by any legislation on earth, by any sleight of hand, accomplish a reduction in price?

Mr. KING. Will the gentleman permit me to answer the question at that point?

Mr. BYRNES of South Carolina. I will.

Mr. KING. You can do that very easily if you will have the Federal Reserve Board call the reserve banks on financing the sugar hoarders who are controlling tons and tons of sugar.

Mr. BYRNES of South Carolina. But instead of hoarding, the facts are that you and I and the other citizens of America consume 93 pounds per capita, as against 18 pounds in 1865 and 75 pounds before the war.

Mr. KING. I do not think the gentleman ought to lay it on the people.

Mr. BYRNES of South Carolina. Well, it is the people who are consuming the sugar, and they are consuming more than ever before in the history of the country at a time when we have a shortage of 2,000,000 tons of sugar. It is useless to talk about legislation or Executive action when we have a reduced crop and we consume 93 pounds, as against 75 pounds a few years ago. Why not be honest about it? Unless the people of America will come to their senses and realize that unless they cut down the extravagant use of sugar no legislation of this Congress and no action of any executive department can ever bring relief to them. [Applause.]

In so far as the conduct of the President is concerned, the Sugar Board did recommend to the President last August that he should purchase the Cuban sugar crop, provided Congress would grant the power necessary to regulate the distribution of the crop. The only power to exercise such control is contained in the Lever Act, which expires with the proclamation of peace. It was presumed at that time, August, 1919, that this proclamation could soon be made, and whenever the Lever Act expired there would be no way to control the distribution of sugar this year. On August 8, 1919, the President asked for the extension of the Lever Act. Later, in October, representatives of the Sugar Board appearing before the Senate Agriculture Committee requested legislative power to control the distribution of sugar. This was not granted until some time in December, when it was too late to purchase the crop, had he desired to do so.

Personally I want to reiterate that I do not believe the Government should go in the sugar business or any other business. If we are justified in entering the grocery business because sugar is high, we should enter the shoe business, the clothing business, and every other line of industry in which there has been an increase. But we should not do it under the guise of exercising a war power when hostilities ceased a year and a half ago.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman——

The CHAIRMAN. How much time does the gentleman yield to himself?

Mr. GOOD. I will not use over 20 minutes in which to explain the bill.

Mr. Chairman, this bill carries $52,892,016.93. It does seem in presenting a bill of this character, where we have had about 8 or 10 hours of general debate, that at least a few words ought to be spoken in explanation of the bill. I believe that the action of the House yesterday in finally determining the policy of Congress with regard to the enactment of appropriation bills will put a stop forever to a system that is so archaic and that ought to have been stopped long ago. I refer to the practice of permitting general debate upon appropriation bills, the debate reaching into all of the activities of the Government and into the activities of other governments and into private affairs of individuals, and most of it having nothing to do with the financial affairs of the Government of the United States. In the future, when the appropriation bill or the budget is presented to the House, around that bill there will center the great financial debates of Congress, and those debates will not only give the membership an intelligent idea of the whole financial scheme of the Government but will sober the judgment of Congress and will stop the enactment of legislation that will in the future mean still larger drafts upon the Treasury of the United States.

The total estimates submitted for the deficiencies amounted to $59,946,751.25. The bill carries $52,000,000, or a net reduction of $7,054,734.42 over the estimates. There are also esti-

mates to be reappropriated of $68,582,291. The bill carries reappropriations of $56,600,000, practically all in the War Department.

There was estimated for the Federal Board for Vocational Education, $8,000,000. The bill carries $7,000,000. The Chief of the Division of Rehabilitation stated before the committee that the estimates had been made several weeks prior to the hearings, and that we could safely reduce the estimates by $1,000,000. And the committee, realizing that we are about to adjourn, felt that we could not cut this estimate much, if any, below what the Chief of the Division of Rehabilitation actually estimated would be required. Previously there had been appropriated for this year $30,000,000 for the rehabilitation work. I know the membership of the House will be interested to know what Congress has done since 1918 for the soldiers of this war. When you consider the rehabilitation work, the money expended for that, the compensation and family allowances, and the hospitalization of the soldiers of this war, with the appropriations carried in this bill and the appropriations carried in the sundry civil and other bills for next year, we will have appropriated since 1918, for and including the next fiscal year, $1,200,000,000 for the soldiers of this war.

There is included in the bill an item of $14,000,000 to pay for the loss of Federal control of the telephone and telegraph and cable systems. The Federal control of the wires extended from August 1, 1918, to July 31, 1919. During this period the revenues received amounted, in the grand total, to $446,117,390.86, and the expenses and taxes amounted to $377,834,425.96. It has netted an income of $86,282,964.90, or $11,455,566.84 less than the compensation under the terms of the settlement which has been agreed upon. In addition to this deficit, it is estimated that it will require $1,850,000 to settle the claims that are still pending, and the Postmaster General estimates that it will require $700,000 to pay the interest and costs on the amount from August 1, 1919, to the date of settlement. Of this total sum, $9,290,000 has been agreed upon.

And in this connection I think I should say the administration of the wire systems of the United States was a splendid administration of those systems. There was a billion or two of property involved, and the Postmaster General took over those properties and handled them in a manner that I think reflects great credit upon his executive ability, and he turned back the properties, not as we turned back the railroads, but he turned them back with only an increase of about 10 or 11 per cent in rates. But he turned them back in a condition so that those systems can now carry on their work without an additional increase in rates. But he did it, not by yielding to every demand for an increase in wage, whether it was necessary or not, but by following a business policy that ought to have been followed in every department of the Government. The Postmaster General is to be commended in the conduct of this wire system, for he carried on its operation in a manner that was satisfactory, I think, to the public, to the employees in the main, and without cost to the owners of the systems whose property he held. [Applause.]

Mr. McKEOWN. Will the gentleman yield for a question?

Mr. GOOD. I yield.

Mr. McKEOWN. Does this item carry anything for the settlement of claims for judgments against these wires during the time they were under the control of the United States? The reason I ask that is that I am told by lawyers that no provision was made in the act that turned the possession of the wires back to their owners for suits for damages occurring during the time the Government was in control of the wires.

Mr. GOOD. I think there is some complaint, but there has been complaint made by only one of the companies, and that is by the Postal Telegraph Co. There is some complaint made with regard to that company, but that company has the possession of the money, and this amount that is estimated for here and appropriated has nothing at all to do with the controversy. That matter is still pending, and will have to be fought out in the courts, as I understand it.

Mr. McKEOWN. I refer particularly to the claims by third parties. There is no provision, as I understand, in the act to turn the wires back by which private persons, having suffered damages when the wires were under the control of the Government, can bring action, because there is no provision for service on the United States.

Mr. GOOD. That matter was not brought to the attention of the committee, and my understanding is that of this amount $9,290,170 has already been agreed upon in settlement with wire companies, and the Postmaster General expects to get agreements with the remaining claimants, the total of whose claims he expects to settle for $1,850,000. According to his testimony he expects to reach an amicable settlement with them all.

Now, it was estimated last winter that the Internal-Revenue Service would collect about $1,500,000,000 of excess profits and income taxes in addition to what was estimated originally by the Secretary of the Treasury. When it was discovered that such collections were being made on back taxes, the Secretary of the Treasury created a deficiency in order that a greater number of expert accountants could be put to work to examine the books of corporations and of individuals.

Quite a large additional sum has been brought into the Treasury, and there was a deficiency created by the employment of 500 or 600 employees—additional men in the field and some additional clerks in Washington—in order to bring that work up current. At least $250,000,000 additional taxes was brought into the Treasury in that way. It entailed a cost of about $1,250,000. The Internal Revenue Department has about $765,000 of an unexpended balance that was appropriated for the enforcement of the prohibition act that might be used for this purpose, and the bill carries authorizations to permit the department to use that for the payment of these salaries and also appropriates $535,000 additional.

Mr. BLANTON. Mr. Chairman, will the gentleman yield right there?

Mr. GOOD. Yes.

Mr. BLANTON. Of the $52,000,000 embraced in this bill, will the chairman kindly tell us about how much is there that is unauthorized by law?

Mr. GOOD. I think it is all authorized.

Mr. BLANTON. My question is about how much of that sum is unauthorized by law?

Mr. GOOD. I do not think there is very much, if any, that is not authorized. I think it is a negligible amount. Certainly these principal amounts are authorized by law. Certainly the Secretary of the Treasury, if he found there were hundreds of millions of dollars that had escaped taxation and that by the employment of men he could bring that money into the Treasury, would be derelict, I think, in his duty if he did not hire the necessary men and require the taxpayers owing those taxes to pay them.

In the case of the Public Health Service we are undertaking the hospital treatment of our soldiers. No amount is fixed by law. They can expend any sum of money necessary to take care of them, and I am sure the gentleman will agree with me that the service would not be justified in doing otherwise, so long as the money is economically expended.

And that brings me to this item: We had an estimate of $3,000,000 for the Public Health Service for the hospitalization largely of the disabled and sick in the service. We found this to be the case: Of that $3,000,000 we estimated $1,000,000 for equipping certain hospitals, which had been turned over by the War Department to the Public Health Service, with beds and hospital equipment, and $500,000 to equip with beds, furniture, and hospital equipment the Speedway Hospital in Chicago. While the Secretary of War has the right to turn over surplus of such material to the Public Health Service, he claims that he has turned over all such surplus. But before arriving at what is the surplus, he set aside the war reserve for an army of a million men; and on investigation we found that that would require hospital beds and hospital equipment for 150,000 men and for officers sufficient to officer an army of a million men, which meant about 200,000 beds and other furniture and hospital equipment. It seemed to the committee—and we submit it to the judgment of the House—that in these times when the people are frowning upon hoarding the Government should not hoard to the extent of putting in warehouse beds and hospital equipment for an army of a million men, but that we should take 5 per cent of that or less and equip these hospitals and not be compelled to go into the market and buy this expensive furniture and equipment at these prevailing high prices. So in the bill we authorized the Secretary of War to allot out of his reserve not in excess of $1,000,000 of hospital furniture and supplies, and we give them the other $2,000,000, which practically makes provision for all that they ask in that regard.

Mr. BLAND of Indiana. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BLAND of Indiana. Before you proceed, I would like to have you answer this question, if agreeable: There is pending in Congress a bill appropriating $175,000 to provide the means and machinery and facilities for paying the Civil War soldiers monthly. The bill only authorizes an appropriation. How soon could the gentleman's committee make an appropriation in the event that this bill passes under suspension of the rules this week? In other words, how soon could we get it into operation?

Mr. GOOD. We concluded the hearings on the bill about 10 days ago, and since that time we have been sending everyone to the Senate, because the House hearings were closed; and if the bill that the gentleman refers to should be agreed to to-day or to-morrow, there would be plenty of time to go before the Senate committee, where all items of that kind, items that we could not hear because they came in after we closed the hearings or where subsequent legislation requires an additional appropriation, can be taken care of. It is understood that the Senate committee is to put on those appropriations.

Mr. BLAND of Indiana. The gentleman knows of no opposition in the committee to making this appropriation?

Mr. GOOD. No; I know of none at all.

Mr. CRAMTON. Perhaps the gentleman from Iowa will yield for a question there?

Mr. GOOD. Yes.

Mr. CRAMTON. I wish to inquire as to whether the gentleman has any hope of this bill leaving the House before we adjourn to-night?

Mr. GOOD. This deficiency bill?

Mr. CRAMTON. Yes.

Mr. GOOD. Oh, I think so. So far as I know there is nothing in the bill that will raise very much, if any, controversy.

Mr. CRAMTON. That is the desire of the gentleman?

Mr. GOOD. Yes; that is the intention of the committee.

Now, there is one item with regard to the loss in transportation facilities on inland waterways. Section 201 of the transportation act provided that the inland waterways and such equipment as had been acquired by the Railroad Administration should be transferred to the Secretary of War and that the Secretary of War should provide for the operation of the inland waterways. That refers to the New York State Barge Canal, the Warrior River, and the Mississippi River.

The losses in operation on the inland waterways during the four months are estimated at $270,000. An additional amount was asked for, but the committee simply held down the item to the actual amount of loss, so far as we could ascertain it. Of course, practically one month remains of this fiscal year, and to that extent the losses have been predicated upon the amount of the loss for the preceding three months.

The CHAIRMAN. The gentleman from Iowa has used 20 minutes of his time.

Mr. DUNBAR. Can the gentleman state the amount of the deficit for the entire year?

Mr. GOOD. I do not recall the amount for the entire year. The first eight months of the year the deficit came under the Railroad Administration. It is estimated that next year the losses will amount to about $750,000,000.

Mr. DUNBAR. That is on the Mississippi River and the Black Warrior?

Mr. GOOD. And the New York State Barge Canal.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield there?

Mr. GOOD. Yes.

Mr. GREEN of Iowa. Is the New York State Barge Canal to be operated under the system, as before, under which permission was refused to make rates low enough to attract traffic?

Mr. GOOD. That will be operated under section 201 of the transportation act. All of these waterways that were turned over will be operated under that provision. So far as I know there is no difference in the law governing the three projects.

Mr. GREEN of Iowa. The gentleman will remember that a large portion of the loss on the New York Barge Canal resulted from the fact that the rates were so manipulated that they could not take freight both ways.

Mr. GOOD. I can not give the gentleman the details. That item for next year as carried in the sundry civil bill was put on in the Senate. The House did not have an opportunity to investigate it closely, the estimates having come in after we had closed our hearings, and, in fact, after the bill went through the House. But in going through the letter of the Secretary of War I observed that the estimated loss for next year on the total project was about $750,000,000. The total loss in the operation of the New York Canal for March, April, May, and June is estimated at $50,394.

Mr. HUDSPETH. Will the gentleman yield?

Mr. GOOD. I yield to the gentleman from Texas.

Mr. HUDSPETH. What is the amount carried in this bill to pay the deficiency in the telephone and telegraph operations?

Mr. GOOD. The amount carried in the bill is $14,000,000.

Mr. HUDSPETH. Is that the amount asked for by the Postmaster General?

Mr. GOOD. The Postmaster General asked for $14,005,564, but of that there was $700,000 interest, and we knew the Postmaster General well enough to know that at least $5,000 would be saved out of that appropriation. I think likely he will not need it all.

Now, there is also an estimate of $8,000,000 for the transportation of the mail by the railroad companies.

The Interstate Commerce Commission has made its report with regard to increase in the pay of railroad companies for carrying the mails. That increase will amount to something around $25,000,000 a year. For the balance of this year the total amount estimated was $8,000,000. It is a matter over which the committee can exercise no judgment. It is a matter absolutely fixed by the Interstate Commerce Commission, and the Postmaster General must pay this award.

There is $1,600,000 carried in the bill for increase in the star routes for inland transportation.

Last year the contracts for transportation on star routes were made in the West, and this year they were made in the South. It was found that the Post Office Department could not get men to carry the mail on the star routes at anything like the amount of their former contracts.

The amount carried in the Post Office appropriation bill was the amount estimated on the basis of former contracts, but in many of these cases it was found necessary to increase this amount by all the way from 25 to 50 per cent. The Postmaster General says that the very least he can get along with for the rest of this year to pay for the contracts and the increases in contracts on inland transportation of mail by star routes is $1,600,000.

There are some other minor items. There is also one large item for transporting and recruiting the Navy in 1919 and 1920, amounting to $9,735,000.

As I recall, at the beginning of the fiscal year there was quite a force in the Navy that was being demobilized. The transportation of those boys to their homes created a deficit somewhere between $9,000,000 and $10,000,000. That is an actual deficit and must be paid.

If any question is raised as to other items, I shall explain them as we reach them in the bill. I will ask the Clerk to read.

The CHAIRMAN. The Clerk will read the bill for amendment under the five-minute rule.

The Clerk read as follows:

AMERICAN PRINTING HOUSE FOR THE BLIND.

To enable the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind in accordance with the provisions of the act approved August 4, 1919, $10,000.

Mr. GARRETT. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed for not exceeding 10 minutes out of order.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for 10 minutes out of order. Is there objection?

Mr. STRONG of Kansas. Reserving the right to object, I would like to proceed for 10 minutes out of order.

Mr. GOOD. Mr. Chairman, I hope gentlemen will withhold that request. We have had nine hours' debate, in accordance with an understanding between the gentleman from South Carolina [Mr. BYRNES] and myself. When we get to the end of the bill, I shall not object to gentlemen proceeding out of order, but I hope that gentlemen will withhold that request at this time.

Mr. GARRETT. Mr. Chairman, I withdraw my request.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. I understand the chairman to mean that from now on there will be no extraneous debate.

Mr. GOOD. I hope to hold the debate strictly to the items of the bill. We must do that if we are going to adjourn in accordance with the resolution, and I hope the membership will bear with us while we have the bill read as quickly as possible consistent with proper procedure.

The Clerk read as follows:

DISTRICT OF COLUMBIA.

SALARIES.

District of Columbia employees' compensation fund: For carrying out the provisions of section 11 of the District of Columbia appropriation act, approved July 11, 1919, extending to the employees of the government of the District of Columbia the provisions of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, $500.

Mr. JOHN W. RAINEY. Mr. Chairman, I wish to offer an amendment.

The Clerk read as follows:

On page 2, after line 10, insert a new paragraph to read as follows:

"For increased compensation to 2,073 teachers in the public schools of the District of Columbia who have been employed as teachers in said schools for the period from January 1 to the end of the school year in June, 1920, the sum of $405,468: *Provided*, That payment of said

sum is hereby directed to be made to the teachers in the following grades and in the following sums: (1) Three hundred and fifty-nine teachers in group A of class 6, including 7 principals of grade manual schools, the sum of $228 each; (2) 152 teachers in class 5, the sum of $120 each; (3) 511 teachers in class 4, the sum of $180 each; (4) 543 teachers in class 3, the sum of $204 each; (5) 374 teachers in class 2, the sum of $204 each; (6) 92 teachers in class 1, the sum of $204 each; (7) 42 teachers in class 6 B, the sum of $180 each.

Mr. GOOD. Mr. Chairman, I make the point of order that the amendment is not germane and not authorized by law.

Mr. JOHN W. RAINEY. Will the chairman reserve his point of order for a moment?

Mr. GOOD. I will for a minute.

Mr. JOHN W. RAINEY. Mr. Chairman, the teachers of the public schools of the District of Columbia are grateful and appreciate the financial relief provided by the District of Columbia appropriation bill, but the relief is not available for the teaching force until October, 1920, and the cost of living has so increased, even during the past winter, that many teachers have been unable to meet expenses and now under a burden of debt are facing several months which bring no remuneration.

The primary reason for granting an immediate temporary relief to the teachers of the District of Columbia is in the interests of the 60,000 school children of the District. Unless such relief is granted many of the best teachers can not remain in the schools another year, and those who do remain must work under the depressing influence of feeling that their services are not appreciated and that as compared with teachers in other cities and those in other vocations they are not getting a square deal. [Applause.]

The highest degree of efficiency can not be maintained in any line of service unless the proper spirit is maintained among those who perform the actual work involved. This is true with respect to those who deal only with material things, but it is infinitely more important with respect to those who deal with the impressionable minds of children. A competent, successful teacher who is happy and contented in her work is an invaluable asset to any school. The same teacher depressed, discouraged, and discontented is a liability.

The teachers will get their last pay checks for the school year in June and will not draw their next pay until the 1st of October. It will be impossible for very many of them to bridge over until next fall without engaging in other work in order to meet living expenses. This will necessitate their beginning another school year tired and worn out, instead of being well rested, as they should be, for the severe nervous strain incident to teaching the children committed to their charge.

The arguments in support of the granting by Congress of an immediate temporary relief to the teachers of the District of Columbia are the same as have influenced boards of education in a score of the cities of the United States to grant an increase. The economic conditions existing in Washington are similar to those existing in other cities. The salaries paid in other cities during the past year have, as a rule, been larger than the salaries paid in the District of Columbia. Congress should do as well by the teachers of Washington as has been done by boards of education in other cities. [Applause.]

Mr. GOOD. Mr. Chairman, the committee went out of its way in the hearings in increasing the teachers' pay. We were in sympathy with the teachers and realized that during the war they had not had the increase in wages that other Federal employees had had; that their wages did not compare with the wages of clerks paid in the various departments. There were clerks that could not teach school because they did not have the mental capacity to teach who were receiving much larger wages than the teachers, but it was not within the province of the Committee on Appropriations to bring out any appropriation in this bill for a deficit. The total amount provided for teachers as authorized by law has already been appropriated. There was not an estimate from the District Commissioners, or a single person connected with the District government, for a penny in this bill for the teachers. Therefore I am constrained to insist on the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Municipal court: For contingent expenses, including books, law books, books of reference, fuel, light, telephone, blanks, dockets, and all other necessary miscellaneous items and supplies, $1,200.

Mr. CRAMTON. Mr. Chairman, I move to strike out the last word. I intended to make a point of order to the paragraph on page 8, but with the speed of the reading clerk it got by without my notice. I want to call the attention of the chairman to this fact: I notice in this deficiency bill of 64 pages that 12 pages are devoted to the District of Columbia. It impresses me with the fact that either the District authorities are peculiarly unfortunate in their ability to foresee what their needs will be for a few months in advance or they deliberately withhold from the District Committee a part of their needs, with the idea of going to the deficiency committee after they have got all they can from the District subcommittee.

In the bill before us the only District item that seems to be available for 1921 is the item on page 8, which the Clerk has passed. I want to take this opportunity to call it to the attention of the chairman, with the hope that he may care to give some expression as to how he would look upon adding a great number of important items for the year 1921 for the District to this deficiency bill. I assume that the chairman of the committee would make a point of order against any large number of items for 1921 that might be offered to the District portion of the bill——

Mr. GOOD. The gentleman means in regard to items that might be put on at the other end of the Capitol?

Mr. CRAMTON. That is what I refer to; they would be subject to a point of order if offered here, but if the bill should come back with a large portion of the District appropriation bill on it, how would the chairman of the committee view it?

Mr. GOOD. I think it would be an unwise thing for the other body to do. I think that the other body ought to act on the bill that is in conference, and this bill should not be loaded down with anything of that kind.

Mr. CRAMTON. It would hardly be in harmony with our new budget system.

Mr. GOOD. It would not, and I would not look with favor upon anything of that kind.

The Clerk read as follows:

Industrial Home School: For maintenance, including the same objects specified under this head in the District of Columbia appropriation act for the fiscal year 1920, $1,000.

Mr. JOHNSON of Kentucky rose.

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

Mr. JOHNSON of Kentucky. Mr. Chairman, I rose to move to strike out the last word.

The CHAIRMAN. Does the gentleman yield for a parliamentary inquiry?

Mr. JOHNSON of Kentucky. Yes.

The CHAIRMAN. The gentleman from Ohio will state his parliamentary inquiry.

Mr. GARD. I was about to inquire whether the Clerk is reading the bill. He apparently jumped to paragraphs on the top of page 11 and then to one on the middle of the page.

Mr. BLANTON. That is scientific reading.

Mr. GARD. If it is being read for amendment, the bill ought to be read.

The CHAIRMAN. The gentleman from Kentucky is recognized.

Mr. JOHNSON of Kentucky. Mr. Chairman, I wish to inquire of the chairman of the Committee on Appropriations, who is in charge of this bill, what is meant by the three words "and so forth," in line 12, page 11. The language reads:

For board and care of all children, and so forth.

Who is to be included in that care other than children?

Mr. GOOD. Nobody at all.

Mr. JOHNSON of Kentucky. But this says, "children and so forth."

Mr. GOOD. It refers to the District of Columbia act—

including the same objects specified under this head in the District of Columbia appropriation act.

Mr. JOHNSON of Kentucky. I think the gentleman is wrong about that.

Mr. CRAMTON. The "and so forth" does not apply to the word "children," but to the board and care.

Mr. JOHNSON of Kentucky. It does not say that. It says:

For board and care of all children, and so forth.

Mr. WALSH. Then what is the comma there for?

Mr. JOHNSON of Kentucky. I would like to know what it means.

Mr. GOOD. The way that was originally written was—

For board and care of all children committed to the guardianship of said board by the courts of the District and for temporary care of children pending investigation, while being transferred from place to place,

The commissioners in submitting their estimates simply shortened it up and had the estimate read "for board and care of all children, and so forth."

The words "and so forth" refer to the language that was carried in the former appropriation, and were intended to shorten it.

Mr. JOHNSON of Kentucky. No doubt it is intended to do that, but inasmuch as it does not do it——

Mr. GOOD. It is further described in the three remaining lines.

Mr. JOHNSON of Kentucky. It does not mean that anybody other than children may be supported with this fund?

Mr. GOOD. Oh, not at all.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Authority is granted to pay, in addition to the sum of $1,500 heretofore authorized, a further sum not to exceed $5,000, during the fiscal year 1920, to institutions adjudged to be under sectarian control.

Mr. JOHNSON of Kentucky. Mr. Chairman, I move to strike out the last word for the purpose of inquiring of the chairman with reference to the language in lines 18 and 19, "to institutions adjudged to be under sectarian control."

Mr. GOOD. That is the Board of Children's Guardians.

Mr. JOHNSON of Kentucky. Do they render judgments?

Mr. GOOD. They determine the institution to which the children shall be assigned, and the present act provides that only $1,500 could be expended in caring for children in sectarian institutions.

Mr. JOHNSON of Kentucky. The language is "institutions adjudged to be under sectarian control."

That means they are adjudged to be, I imagine, by some court of competent jurisdiction.

Mr. GOOD. I think that word "adjudged" means they are found to be such. It is the judgment of the Board of Children's Guardians that is referred to rather than the judgment of a court.

Mr. JOHNSON of Kentucky. And it means those that are found to be under sectarian control and not adjudged to be.

Mr. GOOD. I think, perhaps, that would be a better wording, but this is the way the appropriation has been carried for years.

Mr. JOHNSON of Kentucky. It occurs to me that this fund, under this language, can not be used until some such institution has been adjudged to be under sectarian control. That word "adjudged" has a well-defined meaning in all proceedings.

Mr. GOOD. They can pay it now to any institution that is not under sectarian control. This is the situation: Only $1,500 of the appropriation that has been made for the current year can be used for the purpose of caring for children that are in institutions that are under sectarian control. That amount has been found to be inadequate, because there are not enough institutions not under sectarian control with sufficient capacity to take care of these children. They must place them somewhere, and they are placing them in institutions under sectarian control, and they need authority for $5,000 more for that purpose.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. JOHNSON of Kentucky. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JOHNSON of Kentucky. I am quite familiar with all that the gentleman has said, but if he leaves the language in there as it is, that none of the sectarian institutions can get any of this money until it has been adjudged to be a sectarian institution, I think they can not get the money without being so adjudged by a court.

Mr. GOOD. It does not have to be adjudged by a court.

Mr. JOHNSON of Kentucky. I think it does. It says so. It says they must be adjudged to be under sectarian control.

Mr. GOOD. I think the word "adjudged" is an unfortunate word.

Mr. JOHNSON of Kentucky. I think so.

Mr. GOOD. It would be better if the commissioners had said—

institutions found to be, by the Board of Childrens' Guardians, under sectarian control.

Mr. JOHNSON of Kentucky. So that these institutions may get this money over the quibble of anybody, would it not be well to strike out the three words "adjudged to be," so that the $5,000 would go to institutions under sectarian control?

Mr. GOOD. This is the exact language that the appropriation has carried for years.

Mr. JOHNSON of Kentucky. But that does not cure the difficulty.

Mr. GOOD. Unless I am assured that there would be some abuse, I would not be inclined to change it.

Mr. JOHNSON of Kentucky. But how does the gentleman know that before this money is dealt out to one of these institutions some pestiferous fellow is not going to enjoin its being paid out?

Mr. GOOD. Well, they have never been so far.

Mr. JOHNSON of Kentucky. Then the question will arise that it can not be paid to any institution until adjudged to be under sectarian control.

Mr. BEGG. Will the gentleman permit a question?

Mr. JOHNSON of Kentucky. Yes, sir.

Mr. BEGG. Can not the word "adjudged" be used only in connection with a court?

Mr. JOHNSON of Kentucky. Not on a legislative matter it can not be. I say that only to invite the attention of the chairman to it. I feel in doubt if the question is raised but that the money appropriated will fail to reach its purpose.

Mr. GOOD. There has been no trouble in the past, and I think there will be no trouble in the future.

Mr. JOHNSON of Kentucky. There can be no trouble in the future if you strike out those words.

The Clerk read as follows:

One-half of the foregoing amounts to meet deficiencies in the appropriations on account of the District of Columbia shall be paid from the revenues of the District of Columbia and one-half from any money in the Treasury not otherwise appropriated.

Mr. ZIHLMAN. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. ZIHLMAN. Before leaving this section relating to the District of Columbia deficiencies I move to strike out the last word for the purpose of asking the chairman a question. I notice from the report of the committee that the committee has failed to make an appropriation for repairs of the suburban roads in the District, for which the District Commissioners asked some $20,000, and I would like to ask the chairman why some provision was not made for taking care of the roads which are in bad repair in the District of Columbia?

Mr. GOOD. There is no question but what the District suburban roads are in bad condition. There is no question but what the District Commissioners have adopted a very poor system of making repairs. It is the opinion of some members on the District Committee that a great deal of the money that is appropriated for this very purpose is wasted. Take the road out to Chevy Chase. The District of Columbia keeps the road repaired on both sides of the street car track and they let the street car company do just as it pleases, and it dumps rock in the center, and after every rain the rock is washed over in the road that the District of Columbia keeps in repair, and by permitting the street car company to dump rock between the tracks they keep the automobiles off from that portion of the road. It seems that the District Commissioners allow the street car companies practically to control them with regard to these suburban roads where there is a street car running. We called their attention very sharply to it, and until they show some disposition to spend money in a businesslike way with regard to these roads and make the public utilities corporations do their part we are going to hold them down somewhat if we can. [Applause.] Now, with regard to the roads leading to suburban roads we gave them $35,000 for the rest of this year.

Mr. ZIHLMAN. Does the gentleman think that is sufficient?

Mr. GOOD. I am afraid that is not as much as they ought to have in accordance with the price of material, and I hope that next year they will have more, but a great deal is going to depend on the attitude of the District of Columbia. The trouble with the District of Columbia is that it wants the improvement of existing property without the payment of taxes. [Applause.] They want their roads and they want the people of the United States to be taxed to build the roads. Maryland has some good roads and everywhere a road from Maryland meets a road from the District of Columbia there is somebody there ready to arrest a man who has lost his tag and has an automobile, and on the most of their roads the repairs are paid for because the State of Maryland does not do the humane and sensible thing by recognizing, as other States recognize, the right of a person who has an automobile and has a license in one State to go over the roads of Maryland. [Applause.] Let Maryland and the District of Columbia do what is fair and honest and right in regard to the repairs of roads and with regard to taxes and there will be no difficulty in getting all the money you need to make the roads of the District of Columbia ideal roads, just as they ought to be.

Mr. ZIHLMAN. Mr. Chairman, the gentleman took up most of my time and I ask for five additional minutes.

The CHAIRMAN. Is there objection. [After a pause.] The Chair hears none.

Mr. CRAMTON. Will the gentleman yield for this further observation?

Mr. ZIHLMAN. Yes; but I would like to answer the gentleman from Iowa first.

Mr. CRAMTON. It is just a brief suggestion, that the suburban roads, and I travel them considerable, in the District of Columbia are not in such a condition as to constitute such an emergency as would justify an item for their improvement in a deficiency bill.

Mr. ZIHLMAN. I will touch on that. I want to say, Mr. Chairman, that I am rather surprised at the statement made by the distinguished chairman of this committee. I voted yesterday to concentrate in a committee of 35 all the power of making appropriations, but I am frank to say that if the committee of 35 displays such a lack of knowledge of conditions as has been displayed here to-day by the chairman of the Committee on Appropriations I believe that the concentration of this enormous power in this committee will be ill advised. Now, as to the statement made as to the public-service corporations ruining the roads by washing stone from the middle of the track, that is not the trouble with the suburban roads in the District. The trouble with Connecticut Avenue, to which the gentleman refers, is that it is the most heavily traveled road in the District of Columbia; and under the appropriations that have been made the District Commissioners have been spending 20 cents per square yard for road maintenance each year, and the District Commissioners came before the Committee on Appropriations and asked for an appropriation to pave Connecticut Avenue at a cost of $1 per square yard, so in five years the road would pay for itself. This great Committee on Appropriations did not give a cent to repave, and when the matter got over to the Senate the Senate appropriated sufficient money to pave one side of Connecticut Avenue only; and then they come in and ask for the small sum of $20,000 to put these suburban roads in repair, and the committee turns them down and make a report that they have saved $20,000 for the District of Columbia.

Mr. CRAMTON. Will the gentleman yield?

Mr. ZIHLMAN. In just a moment. I do not agree with what the distinguished gentleman said about the people of the District of Columbia not wanting to pay for these roads or for the expense of government.

I believe that the people of the District of Columbia would be satisfied to pay a fair tax rate and have these repairs made, notwithstanding the statements that have been made to the contrary. As a matter of fact, the reference the gentlemen made to the State of Maryland is certainly not well founded. According to the statement made by the chairman, he wants the State of Maryland to allow the residents of the District of Columbia, in return for the privilege of riding over a few miles of roadbed that is to-day equivalent to riding over the roadbed of a mountain stream, the privilege of riding over our 1,400 miles of modern highway which are maintained by the automobile fees which he complains about. I make the statement that you can travel from Washington to the Maryland line near Uniontown, Pa., a distance of 200 miles, and that the worst road in all that distance you will find is located here in the Nation's Capital, and I say it is a sad reflection on the committee that makes appropriations for this purpose that such a condition exists.

Mr. GOOD. The people of Maryland come into the District of Columbia, and ride over paved streets, and they pay no license.

Mr. ZIHLMAN. They pay for a license tag, the same as we ask of the residents of the District of Columbia.

Mr. GOOD. Oh, no.

Mr. ZIHLMAN. I have one on my own machine. If you come into the District of Columbia from Maryland without a tag you are immediately apprehended by a policeman and asked where your District tag is. The same relation exists between the District and the State of Maryland as the State of Maryland maintains toward the District.

Mr. CRAMTON. One-half of Connecticut Avenue is provided for in the District bill which is now in conference, and the gentleman knows and will admit the fact that the bill is held up in conference because of the local opposition here to the increase in taxation that will enable the necessary improvements to roads and schools to be made.

Mr. ZIHLMAN. I do not agree with that. It is the influence of the United States Senate and not local influence.

Mr. CRAMTON. The gentleman knows there is intimate connection there.

Mr. ZIHLMAN. I do not know anything about it.

Mr. CRAMTON. The gentleman knows that the Appropriations Committee will be delighted to appropriate all the money of the District, with a fair amount from the Federal Treasury, for improvements in the District, but there is a large and influential element in the District that insists they must never pay any more taxes than in the days when it was a village.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman have two more minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Will the gentleman from Maryland yield?

Mr. ZIHLMAN. Yes.

Mr. BLANTON. Is it not a fact that the reason the District of Columbia requires the automobiles from Maryland to have a District license tag on them is for the very reason mentioned by the chairman a moment ago—that there is no reciprocity with the State of Maryland?

Mr. ZIHLMAN. Would you have reciprocity with 1,400 miles of improved highway in return for the privilege of riding over a few miles of rough roads here in the District?

Mr. BLANTON. It is true in every other State. They can come down to the State of Texas and never be stopped. There is reciprocity between the State in which I live and every other State of the Union, and there should be in every State.

Mr. ZIHLMAN. I will say that the State of Maryland maintains reciprocal relations with the great State of Texas and every other State in the Union. It does not maintain them with the District of Columbia, because the District of Columbia, under the system that has been built up, does not provide any roads for the use of automobilists, and we have a license fee in Maryland now that we collect from the residents of the District, and every dollar is spent in the maintenance of roads; not the construction. The construction has been entirely by bond issues, on which the people pay both the interest and into the principal for a sinking fund.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. ZIHLMAN. I will.

Mr. BLAND of Indiana. Adams County, Pa., in which Gettysburg is located, has not improved roads, but they run up to the fine roads of your State. Do you require them to have a license when people come into Maryland in automobiles?

Mr. ZIHLMAN. We do not.

Mr. BLAND of Indiana. Then why do you ask it of the people of the District of Columbia?

Mr. ZIHLMAN. Pennsylvania has many miles of good roads of its own.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MACCRATE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had agreed to the amendment of the House of Representatives to the amendment of the Senate No. 7 to the bill (H. R. 406) amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Calif., certain public lands in California; and granting rights in, over, and through the Sierra forest reserve, the Santa Barbara forest reserve, and the San Gabriel timberland reserve, California, to the city of Los Angeles, Calif.," approved June 30, 1906.

DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Vocational rehabilitation: For an additional amount for carrying out the provisions of the act entitled "An act to provide for the vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended, including personal services in the District of Columbia and elsewhere, funeral and other incidental expenses (including the transportation of remains) of deceased trainees of the board, printing and binding to be done at the Government Printing Office, law books, books of reference, and periodicals, $7,000,000: *Provided*, That the salary limitations placed upon the appropriation for vocational rehabilitation by the sundry civil appropriation act, approved July 19, 1919, shall apply to the appropriation herein made.

Mr. GARD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio moves to strike out the last word.

Mr. GARD. I want to obtain some information as to this blanket appropriation. How much of this appropriation for vocational rehabilitation is paid out for personal services in the District of Columbia and elsewhere?

Mr. GOOD. Quite a large sum is paid out for personal services. Just what proportion of it is paid out for personal services in the District of Columbia I do not know that I can tell the gentleman. All the facts are printed in a table in the hearings on the sundry civil appropriation bill, but I do not have that before me now. My recollection—and it is only a hazy recollection—is that about nine months ago, when the appropriation was about $12,000,000, the expenditure for personal services was on the basis of about 30 per cent, but since the number that

comes under the control of the Board for Vocational Education has been increased my understanding is that the percentage is very largely decreased, so far as concerns the expense of officers and clerical help, so that I should say that of the $37,000,000 that will be available for this year perhaps 10 or 15 per cent would be available for officers and clerical help.

Mr. GARD. I realize, of course, that a very large part of this must be paid for some sort of clerical help, and the particular sort of clerical help that I referred to in seeking information was the office clerk and organization help, because I think everybody would very willingly join in very great expenditures for teachers and everybody who was capable of affording vocational rehabilitation to disabled persons discharged from the military and naval service. But there is an increasing desire, apparently, on the part of the departments here in the District of Columbia to expand, and I was wondering whether the gentleman had, without any undue research on his part at this time, information to give to the committee as to how much was now spent in the District of Columbia by this organization in the maintenance of the clerical force and officers in the District of Columbia.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes.

Mr. TOWNER. I am sorry that I can not give the gentleman an exact statement.

Mr. GARD. I am not finding fault. I am just seeking information.

Mr. TOWNER. I do not accuse the gentleman of finding fault, but I do not think the board should be subject to criticism in that regard, because they have made a very drastic reduction in the total amounts paid to personal help of all kinds as compared with the total expenditures. Within the District of Columbia, although the work has very largely increased, I think there has been within the last six months or so no increase whatever in the personnel.

Mr. GARD. What is now the total appropriation, including the $7,000,000 deficiency?

Mr. GOOD. Thirty-seven million dollars for the year.

Mr. TOWNER. But it will have to be largely increased, I will say to the gentleman, for the next year.

Mr. GOOD. The amount carried in the sundry civil bill for the next year is $90,000,000, and that amount has been agreed to by the conferees on the part of the Senate and on the part of the House.

Mr. GARD. Can the gentleman state what proportion of that goes to overhead charges, office help, and clerical assistance?

Mr. GOOD. I can not say.

Mr. TOWNER. It will be very largely reduced in proportion, because most of the expense goes to the compensation of the men and the increased cost of hospital service and the service of examining physicians and matters of that kind.

The CHAIRMAN. The time of the gentleman from Ohio has expired. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FEDERAL CONTROL OF TELEGRAPH AND TELEPHONE SYSTEMS.

For payment of the deficit incurred in the operation of the telegraph and telephone systems during the period of Government control and to carry out the provisions of the joint resolution approved July 16, 1918, and the act approved July 11, 1919, with reference to just compensation to the owners of the telegraph and telephone systems for the supervision, possession, control, and operation of their properties by the United States during the period beginning midnight, July 31, 1918, and ending midnight, July 31, 1919, $14,000,000, to remain available until June 30, 1921.

Mr. HUSTED. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. HUSTED. Mr. Chairman, I have no information about the item under consideration, except that I have just been handed a telegram from an officer of the Postal Telegraph Co., which discloses a very extraordinary situation, one which, it seems to me, calls for a pretty full and satisfactory explanation before we agree to this item. I will read the telegram:

NEW YORK CITY, *June 2, 1920.*

Hon. JAMES W. HUSTED,
Washington, D. C.:

There is included in the general deficiency bill now being considered by House an appropriation of $14,000,000 to make up the losses incurred by Postmaster General Burleson during his control of telegraphs and telephone. The very large part of this $14,000,000 goes to Burleson's favorites, the Bell Telephone and Western Union Cos., and does not represent losses, but merely the difference between what they earned and what Burleson awarded them as compensation. We claim that those companies should be satisfied with what they earned and in these times have no right to call on the Treasury of the United States to pay them more than they earned, especially as Burleson increased their rates for them by about $41,000,000 per annum. The Postal Telegraph-Cable Co., on the other hand, is satisfied to keep merely what it earned, but Burleson says he proposes to sue that company for $2,000,000 of its earnings. By what principle of justice and equity the Postal Co. is to be sued for $2,000,000 of its earnings while the Bell and Western Union are to be paid more than their earnings we can not understand. We respectfully suggest that no action be taken by Congress in this $14,000,000 appropriation until the matter is examined into further and until this apparent injustice to the Postal Telegraph-Cable Co., which was singled out by Burleson for persecution, is cleared up. I would appreciate it if you could oppose the above appropriation on the floor of the House.

EDWARD REYNOLDS,
Vice President and General Manager
Postal Telegraph-Cable Co.

I would like to ask the chairman if he can throw any light on this controversy?

Mr. GOOD. Practically all of the wire lines in the United States were taken over by the Government, and the Government exercised control over them from the 1st day of August, 1918, to the 31st day of July, 1919. The wire companies were allowed to keep all of their revenue and to pay out of that the expense of operation. They practically were left in the control, in a sense, of their own property, the Federal Government exercising supervisory control only. Now, each company kept its own money; that is, money received from operation. It happens that the Postal Telegraph Co. has lines in a few large cities and in comparatively few small towns. It goes to very few of the small cities or towns or villages. Its earnings are very large as compared with the miles of lines. It happens that under the rate fixed by the Postmaster General under the act passed by Congress the receipts of the Postal Co. were largely in excess of the operating expenses and the amount due it for compensation by the standard established; but the rates fixed under the law for the other lines were not sufficient, largely because of injunctions that prevented an increase in rates. Now, what the Postal Co. wants, as I understand it, is that we shall withhold payment from the Bell Co. and other companies because they did not earn enough to pay expenses of operation and rentals agreed upon until Congress says that the Postal Co. shall be permitted to keep all it received during the war. That is the controversy. As to the merits of the controversy, I am not sufficiently informed to pass judgment. I can understand just how it feels.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUSTED. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the time be extended five minutes. Is there objection?

There was no objection.

Mr. GOOD. Now, the committee did not see how it could take jurisdiction of that controversy at all. It is in the courts. The Postmaster General has caused suit to be brought against the Postal Co., or intends to do so, to recover from it the excess of receipts over the amount which it is claimed it is entitled to under the law and the amount allowed. I know very little about the controversy.

Mr. HUSTED. Did the Committee on Appropriations go carefully into the details of this arrangement between the Postmaster General and the Western Union and Bell Telephone Co. lines, so as to determine with any reasonable degree of certainty that the Government justly owes this amount of $14,000,000 to these companies?

Mr. GOOD. We went into the matter as carefully as the time would permit. Of course, if we went into all these properties, involving a total investment of $1,000,000,000 or $1,500,000,000, we would be here for months, and maybe for years, if a single committee were to do that. We went into it to the extent that the Postmaster General put in the figures of the various amounts—the amount they had received for conducting the business and the shortage. Now, whether those accounts are correct I have no knowledge at all, and, of course, we could not have unless we spent months of time. We adopted the same course followed by the last Congress as well as this regarding the railroads.

Mr. MONDELL. There is no question about the Postmaster General having the authority to make the contract.

Mr. HUSTED. Mr. Chairman, it seems to me that, under whatever regulations or statutes the Postmaster General made these arrangements, it is apparent that gross injustice might easily be done. It strikes me that it is a most extraordinary situation that one public-service corporation should be asked to pay $2,000,000 into the Treasury of the Government and the other corporations be given $14,000,000.

Mr. MADDEN. If the gentleman will yield to me, I think I can give him some information.

Mr. HUSTED. I yield to the gentleman from Illinois.

Mr. MADDEN. When the question was up before the Post Office Committee with a view of returning the control of the wires to their owners, a thorough investigation was made. That investigation disclosed that the Postmaster General entered into a contract with the Western Union and the American Telephone & Telegraph Co. under which the Government guaranteed the payment of the dividends that were then being paid by the companies or that had been paid prior to Government control. This was without respect to the value of the property. But when it came to the Postal Telegraph Co.'s lines, the Postmaster General fixed a value on the property in connection with which he directed the payment of a 6 per cent dividend, if I recall, leaving the Postal Telegraph Co. to draw only $1,800,000 of the $4,000,000 which they had earned, and the other $2,200,000 was used to pay the losses of the Western Union Co.

Mr. HUSTED. Mr. Chairman, I have not heard any very satisfactory explanation, and I think the explanation should be complete before we agree to turn over $14,000,000 to the treasury of the Western Union Telegraph Co. and the Bell Telephone Co., when we are credibly informed by an officer of the Postal Telegraph Co. that the Postmaster General proposes to take $2,000,000 out of the pockets of that company; and as this explanation has not been very satisfactory—at least it does not satisfy my mind—I move to strike out the paragraph.

Mr. GARD. Will the gentleman yield for a question?

Mr. HUSTED. Yes.

Mr. GARD. Did the gentleman state by whom that communication was signed?

Mr. HUSTED. The communication is from the vice president and general manager of the Postal Telegraph & Cable Co. His name is Edward Reynolds.

Mr. OLIVER. Is it not a fact that in the operation of the railroads some railroads earned money and others lost money?

Mr. HUSTED. That is true; but does not apply to this situation. Here both companies apparently made money.

Mr. OLIVER. And that the excess earnings of one company were used to pay the losses of other companies.

Mr. HUSTED. The Western Union Telegraph Co. made money while they were under the control of the Government. They did not lose any money.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. HUSTED: Page 13, beginning with line 22, strike out the paragraph ending with line 9, on page 14.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in 23 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate on this paragraph and all amendments thereto close in 23 minutes. Is there objection?

Mr. STRONG of Kansas. Reserving the right to object, I should like to proceed for 10 minutes out of order.

Mr. GOOD. I shall have to object to that.

Mr. STRONG of Kansas. Then I will object to the gentleman's request.

The CHAIRMAN. Objection is made.

Mr. BYRNES of South Carolina. Mr. Chairman, I do not know that I can give the gentleman from New York [Mr. HUSTED] the information he desires, but certainly the hearings will disclose some very interesting facts in connection with the case of the Postal Telegraph Co. If the gentleman will refer to pages 239 and 240 of the hearings, he will see that the statement of the Postmaster General is that under Federal control there was allowed to these companies an award of 5.64 per cent of the investment in plant, while the aggregate net revenues of the same companies were 6.69 per cent for the year 1916 and 5.98 per cent for the year 1917.

Unlike the railroad bill, which provided specifically the basis upon which the compensation should be fixed, the act providing for the taking over of the telephone and telegraph companies simply provided for "just compensation," which "just compensation" was to be fixed by the President under the act of Congress. In ascertaining the amount of the awards to be made the net earnings on invested capital for three or four years prior to the war had to be ascertained. In ascertaining the net revenue an investigation was made as to each company involved. An effort was made to ascertain the invested capital of the Postal Telegraph Co., and the Postal officials refused to allow the Post Office Department to examine their books. Resorting to the sworn statement of the Postal Telegraph Co. before the Interstate Commerce Commission, the Post Office Department found that the net earnings of the 39 companies constituting this system are represented as being $332,000 in 1916 and only $117,000 in 1917.

Now, having sworn to that statement before the Interstate Commerce Commission, in response to a questionnaire of the Post Office Department asking for data to enable them to make an award in this matter the Postal Telegraph Co. furnished a sworn statement claiming that the net earnings of the company for the same period was $4,157,670.44 instead of $332,000. And they claimed it was $4,485,000 for 1917 instead of the $117,000 that they had sworn to before the Interstate Commerce Commission as the earnings for 1917.

The sworn statement of the Postal Telegraph Co. before the Interstate Commerce Commission placed upon their property a valuation of $6,647,472. The best information available to the Post Office Department estimated the value of their property to be approximately $28,000,000, and they based their awards on that estimated valuation, more than four times the valuation placed upon it before the Interstate Commerce Commission.

It was difficult for the Post Office Department to make an intelligent award, realizing that the sworn statement before the Interstate Commerce Commission was only one-quarter of the amount sworn to in response to the question, and they asked permission to examine the books of the telegraph company. That permission was refused. The Department suggested that if the Postal Co. was dissatisfied with its award that a friendly suit be brought to determine whether it was "just" compensation, and they refused this.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. HUSTED. Mr. Chairman, I ask that the time of the gentleman from South Carolina be extended five minutes.

The CHAIRMAN. The gentleman from New York asks that the time of the gentleman from South Carolina be extended five minutes. Is there objection?

Mr. STRONG of Kansas. Reserving the right to object, I wish to be recognized for 10 minutes.

The CHAIRMAN. That can not be coupled with the request of the gentleman from New York.

Mr. STRONG of Kansas. I object.

Mr. BEGG. Mr. Chairman and gentlemen of the committee, I simply want to call attention to the appropriation of $14,000,000 for the Western Union Co., and to emphasize the fact that there is an apparent willingness on the part of the House to pass this appropriation without protestation from anybody, particularly from the Democratic side of the House. I remember last Saturday we had a regular bedlam over the fact that we wanted to appropriate about ten times the amount for the American soldiers, or one and a half billion dollars, to pay a bonus. Here comes a proposition to pay one-tenth of that amount to the telegraph company in one lump sum.

Mr. GOOD. I think the gentleman had better get his percentages correct.

Mr. TEMPLE. It is one hundred times as much.

Mr. BEGG. One hundred times is right.

Mr. MAPES. The principle is the same.

Mr. BEGG. The principle is identically the same. It does not make any difference. I want to call the attention of the House to the fact that the very men who are the proponents of this proposition are the men who fought most aggressively the proposition for a bonus for the soldiers.

Mr. GOOD. Mr. Chairman, I make the point of order that the gentleman is not speaking to the amendment.

Mr. BEGG. Mr. Chairman, I am not surprised at the gentleman's protest. He is one of the men that I am speaking about.

The CHAIRMAN. The point of order is sustained, and the gentleman from Ohio will confine himself to a discussion of the amendment.

Mr. BEGG. Mr. Chairman, I think I am close enough to the amendment. It is close enough at least to cause some Members to protest vigorously. So far as I am concerned, I do not believe that we can do a worse thing than to continue to do just what we have done time and again, and that is to appropriate millions and hundreds of millions of dollars when the chairman of the committee asking for the appropriation comes out and makes the statement to the House that he does not know whether the facts are accurate or not beyond the statement of a department head, who does not give the details. We do not have any protests from outside interests to-day on this bill, save one, while on the other bill of similar nature they came in here by the hundreds, according to some people. It seems to me it is a

clear case, a bona fide case, of a willingness on the part of the Postmaster General who made this contract to give something for which he did not receive any value. I for one, so far as my vote goes or so far as any influence or any word that I can say is concerned, protest against that kind of legislative action, after listening for a whole year to the statement that the Treasury of the United States is almost in a defunct condition financially, after having letters read from different department heads asking us not to make this and that kind of appropriation.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. BEGG. Yes.

Mr. GARD. Is the gentleman in favor of passing this bill under suspension of the rules?

Mr. BEGG. No; I am not.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. BEGG. Yes.

Mr. HUSTED. I know nothing about the merits of this proposition. It may be absolutely all right for all I know, but it has not been satisfactorily explained. It is a very extraordinary proposition. It looks to me as if the Postal Telegraph Co. were being penalized simply because it is a well-managed corporation, and that the Western Union Telegraph Co., probably because it has a very large debt, is being remunerated by the Government of the United States to the extent of $14,000,000, although it suffered no losses. If it had suffered some losses during the war, I would feel differently about it, but it has not suffered any loss. This is simply an addition of $14,000,000 to its profits, and why one company should be remunerated $14,000,000 and another company penalized $2,000,000 simply because it is well managed and well organized and on a sound business basis I do not understand, and I do not believe any gentleman can explain it.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GREEN of Iowa. Mr. Chairman, I am not interested in the Postal Telegraph Co., and I do not care to say very much about the controversy of the Government with the Postal Co., except this: If the Government takes over the business of a corporation and fixes the rates which it can charge, and which are presumably reasonable rates, and then the matter goes to the courts, the courts will take care of it, and I think the Postal Telegraph Co. will be taken care of.

Consequently, I am not much interested in the Postal Co. But here is an item of $14,000,000 that is to be paid to the Western Union Telegraph Co., about which our friends on the Appropriations Committee, who told us yesterday they would like to take on a little more business than they have now, do not seem to be able to give us much information. Apparently the Postmaster General made a contract with the Western Union Telegraph Co. He had authority so to do, but he did not have authority to make any kind of contract he wanted to. That is perfectly plain, and it does not need any explanation. What kind of contract did he make? I do not know, and the gentleman does not seem to know, and he does not seem to know whether they had any authority to make it, and nevertheless——

Mr. GOOD. Oh, Mr. Chairman, I stated that it was made in pursuance of an act of Congress that both of us voted for.

Mr. GREEN of Iowa. No such contract as has been stated here was made in pursuance of any act of Congress. The act of Congress that provided for taking over the telegraph did not specify what kind of contract could be made.

Mr. GOOD. That is exactly what was done.

Mr. GREEN of Iowa. I insist it is not, nor can the gentleman find any such law.

Mr. BYRNES of South Carolina. The gentleman can find the information stated time and again, that it is based on the net income of the companies for the three fiscal years, just as it was in the case of the railroads.

Mr. TEMPLE. Fixed by law.

Mr. BYRNES of South Carolina. Fixed by act of Congress. It gave to the President power to fix just compensation.

Mr. GREEN of Iowa. The gentleman had better look at the law. There is no such act or statute. I insist that the Postmaster General had no authority to make a contract based on the earnings of the companies for the last three fiscal years. Such an assertion simply shows how little the Appropriations Committee know about what they are appropriating $14,000,000 for. Apparently they have not given the matter any proper attention, and I support the motion of the gentleman from New York to strike out the paragraph.

Incidentally, I want to call attention to the fact that this loss is caused by the administration taking over the lines after the war was over. Government operation may cost us $14,000,000 without causing the slightest benefit. In fact, it seems to have been done merely that the President might control the cables. It is merely another item of Democratic waste.

Mr. STEENERSON. Mr. Chairman, this matter of the Government control of telephones and telegraphs came before the Committee on the Post Office and Post Roads in the last Congress, and we had extensive hearings on it when we considered the resolution requested by the Post Office Department to continue Government control. I want to say that I am not satisfied with this appropriation. In the first place, the Postmaster General, I believe, was in some sort of an understanding with these big telegraph and telephone companies—the Western Union and the American Telegraph & Telephone Co.—to take them over. The evidence of that is that Mr. Vail had for many years been preaching the unification of all the telegraph and telephone companies. He claimed it was a business that should not have competition in it. The Postmaster General, for a long time, had been ardently advocating Government ownership and control, exclusive control, of all these facilities of communication, and behold, when the war was nearly over, in July, 1918, they secured the passage of this resolution, without any reason being given, to take over all these telegraph and telephone companies. It was recited in the resolution that they should have just compensation, but there was no provision like there was in regard to railroad control that they should be adjusted on a prewar basis of earnings at all. That was adopted simply because they chose to do so. Now, why did they adopt it? Because the Postmaster General selected as his advisers Mr. Vail and Mr. Bethel and Mr. Carlton, president of the Western Union, the men who get $10,000,000 out of this $14,000,000. They were what are called dollar-a-year men, patriotically, as is claimed, serving the Government. They were his advisers. It so happens, however, that the course followed under this advice was very profitable to the advisers. Now, it is true that they did not fix the compensation themselves.

Prof. Adams and Prof. Friday fixed the compensation. But it was done under certain rules and principles which were laid down to them, and they were the principles laid down by the Postmaster General, presumably after consultation with the principal beneficiaries, such as Vail and Carlton, who are getting $10,000,000 here out of the Public Treasury, in addition to the $40,000,000 that they received for increased rates imposed by the Postmaster General upon the public. That is what they are getting out of the operation, and it is the most unfair and unjust and indefensible claim that has even been brought before the House of Representatives. [Applause.] It is true that they entered into these contracts without any specific statutory authority to do so, but they did it because of the analogy, they say, with the railroad act, which said they should have pay based upon prewar earnings for three years. The resolution simply stated that they should have just compensation, and if they did not get it they could go to the Court of Claims. These principles under which they gave this allowance were prescribed by the beneficiaries or through their influence. I say I believe that if a case could be brought before a court of justice the award would be set aside as a fraud upon the public.

Mr. HUSTED. Will the gentleman yield?

Mr. STEENERSON. I will.

Mr. HUSTED. Does not the gentleman think that if the Postal Telegraph Co., which was also under Government control, ought to be compelled to go into the court to secure its rights that the Western Union Co. should be compelled to go to the courts and get its money also?

Mr. STEENERSON. Yes; but I am not defending the Postal Telegraph Co.; they are amply able to defend themselves.

Mr. HUSTED. Neither am I, or any other company.

Mr. STEENERSON. They showed before the Post Office Committee that there was absolutely no justification for this arbitrary taking of their earnings. Everybody else was allowed their earnings, but they were not given their earnings. They received $1,680,000 of their earnings, and the other $2,000,000 was taken to pay in part the deficit created by the Western Union and American Telegraph & Telephone Co.

Mr. REAVIS. Will the gentleman yield?

Mr. STEENERSON. I will.

Mr. REAVIS. Does the gentleman believe a court would be justified in rendering judgment of $14,000,000 against the United States on the information that is given to us here?

Mr. STEENERSON. No; I do not believe so, if all the facts surrounding the contract were shown up. I believe a court of justice would, upon the testimony, set aside this award of compensation, because circumstances indicate it was obtained directly by influence of the beneficiaries of the contract, Messrs. Vail and Carlton.

Mr. GREEN of Iowa. And without any legal authority?

Mr. STEENERSON. It was simply an arbitrary act.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, I ask that all debate on this paragraph and all amendments thereto close in five minutes.

Mr. STRONG of Kansas. Mr. Chairman——

Mr. GOOD. Mr. Chairman, I move that all debate upon this paragraph and all amendments thereto close in five minutes.

The question was taken; and the Chair announced the ayes appeared to have it.

Mr. KING. Mr. Chairman, I call for a division.

The committee divided; and there were—ayes 68, noes 5.

So the motion was agreed to.

Mr. GOOD. Mr. Chairman, I hold no brief for the American Telegraph Co., nor do I represent in any way the Postal Telegraph Co. nor any of the 12,000 telephone companies whose lines were taken over in pursuance of the act approved July 16, 1918, which authorized the President to take over such lines and enter into contract for just compensation.

The contracts that were entered into for just compensation was the average compensation for the two years prior to Federal control. Now, the gentleman from Minnesota [Mr. STEENERSON] reported out a bill from his committee, and it has become a law, and was approved on July 11 last. Section 3 of that act provides:

SEC. 3. That the first proviso of said joint resolution prescribing the just compensation to be paid for and on account of said supervision, possession, control, or operation therein specified shall continue in full force and effect until such just compensation shall be fully adjusted and paid in the manner and according to the terms and conditions therein set forth.

That the first proviso of the joint resolution referred to is as follows:

Provided, That such compensation shall be made for such supervision, possession, control, or operation, to be determined by the President; and if the amount thereof, so determined by the President, is unsatisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of the amount so determined by the President and shall be entitled to sue the United States to recover such further sum as, added to said 75 per cent, will make up such amount as will be just compensation therefor, in the manner provided for by section 24, paragraph 20, and section 145 of the Judicial Code.

In view of the legislation reported by the gentleman from Minnesota, I do not and can not understand his present position.

Now, there would have been no need for a deficiency except that the courts in 18 States of the Union enjoined the enforcement of rates established. The gentlemen say we have no information. The gentlemen have not read the hearings before the committee. We had full hearings on the matter. It is not the Bell Telephone Co. One hundred and nine companies had compensation contracts approved before the signing of the armistice and awards have since been made and accepted by 36 companies. Claims for 282 companies are pending, and it is estimated that it will take $1,850,000 of this appropriation to settle with this latter class of companies. Mr. Stevens, who represented so ably and so long a great constituency from Minnesota in this House, appeared before the committee and commended the splendid work of the Postmaster General in his administration. And now because one company, the Postal, earned more than the amount fixed, it is suggested here that we shall keep all of these independent lines—and they are in practically every State of the Union—out of their money until the suit that is now pending or is about to be commenced by the Postmaster General against the Postal Telegraph Co. for its excess of earnings shall be tried and determined. In the meantime who will pay the interest on the awards? The appropriation carries $700,000 for interest on such claims.

Mr. GREEN of Iowa. The gentleman knows these companies have been making this money right along.

Mr. GOOD. If the gentleman knew anything about the provisions of the bill, if he knew anything about the real situation as developed in the hearings, he would not make such a statement. I have no interest in this matter except to keep the appropriation just as low as it can be kept. But, Mr. Chairman, when my Government enters into a contract to pay a debt in these times of unrest, when bolshevism is abroad in the land, I shall insist that it discharge its obligation. [Applause.] That is the only way we can maintain a government of the people, by the people, and for the people. [Applause.]

The CHAIRMAN. All time has expired. The question is on the amendment of the gentleman from New York [Mr. HUSTED].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. HUSTED. Division, Mr. Chairman.

The committee divided; and there were—ayes 34, noes 48.

So the amendment was rejected.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. CANNON having taken the chair as Speaker pro tempore, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had, on June 2, 1920, approved and signed joint resolution and bill of the following titles:

H. J. Res. 370. Joint resolution to amend an act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921," approved May 31, 1920; and

H. R. 12044. An act to accept the cession by the State of California of exclusive jurisdiction of the lands embraced within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, and for other purposes.

DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sixth International Sanitary Conference: The President is authorized to appoint or designate two officers of the United States connected with the Public Health Service to represent the United States in the Sixth International Sanitary Conference of American States, to be held at the city of Montevideo, Uruguay, in December, 1920. For the expenses of such representatives in attending the conference, including the assembling of necessary data and preparation of a report, $2,000, to be available during the fiscal year 1921.

Mr. GOOD. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: On page 15, after line 23, insert the following: For salary of chargé d'affaires ad interim, $8,000.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed the following resolution:

Resolved, That the House of Representatives be requested to return to the Senate the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 13587) entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes."

DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For expenses of assessing and collecting the internal-revenue taxes, as provided by the revenue act of 1918, including the same objects specified under this head in the legislative, executive, and judicial appropriation act for the fiscal year 1920, $535,000; and the unexpended balances of other appropriations for the Internal-Revenue Service for the fiscal year 1920 may also be expended for this purpose.

Mr. HUDSPETH. Mr. Chairman, I move to strike out the last word for the purpose of asking unanimous consent to speak out of order for five minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to speak out of order for five minutes. Is there objection?

Mr. GOOD. Mr. Chairman, I am obliged to object. I want to finish the bill to-night. I dislike to object, but we can not discriminate.

Mr. HUDSPETH. All right.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PUBLIC BUILDINGS.

Not to exceed $2,000 of the sum paid to the Secretary of the Treasury by the American Fidelity Co., sureties for the H. L. Brown Co., defaulting contractors for the construction of the extension, etc., of the post office and courthouse, Harrisburg, Pa., is appropriated and made available for completing the extension, remodeling, etc., of said building.

Mr. BYRNES of South Carolina. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BYRNES of South Carolina: Page 21, line 11, insert a new paragraph, as follows:

"Columbia, S. C., post office: For completion of the building, $95,000."

Mr. BYRNES of South Carolina. Mr. Chairman, in explanation of this, I desire to say to the committee that after the hearings upon this bill had been completed, the Treasury Department

forwarded to the Congress an estimate for this appropriation. The city of Columbia, where the building is located, is not in my district, but is in the district of my colleague, Mr. MANN. The contractor who had the contract for the construction of the post-office building defaulted in March of this year. The building is 72 per cent completed. Because of the defaulting of the contractor no further progress can be made upon the building unless this appropriation is made. The bond of the surety company is liable for the amount necessary to complete the contract. Under the contract with the surety company, however, no suit can be brought by the Government upon this bond until the Government shall make another contract to complete that building, because the Government must be in a position to prove the amount of damage to the Government by reason of the default of the contractor.

The estimate of the department is that it will take $95,000 to complete it. When this appropriation is made the Treasury Department will give out the contract for $95,000, and will immediately bring suit on the bond of the contractor for this $95,000. The bond is ample and the money will be recovered, so that it does not involve any additional expenditure by the Government, but it is absolutely essential that this be done to prevent deterioration in a building now more than 70 per cent completed. I ask for the adoption of the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Carolina.

Mr. GOOD. Mr. Chairman, that matter came up after the committee had concluded its hearings. The statement made by the gentleman from South Carolina is in exact accordance with the facts as I understand them. As I understand the Chair—and I have looked into them very carefully—I am sure if the matter had come to the attention of the subcommittee the item which the gentleman now asks to be inserted would have been carried in the bill.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF INSULAR AFFAIRS.

The taxes imposed by the Philippine Legislature in section 1614 of the act No. 2657, enacted by that body on February 24, 1916, are legalized and ratified, and the collection of all such taxes made under or by authority of such act of the Philippine Legislature is legalized, ratified, and confirmed as fully to all intents and purposes as if the same had by prior act of Congress been specifically authorized and directed.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order on the paragraph.

Mr. WALSH. May I inquire if these are the export taxes that were levied by the Philippine government without authority of law?

Mr. GOOD. That is my understanding. They were levied under a law enacted by the Philippine Legislature.

Mr. WALSH. How does it come to get into a deficiency bill? Just what deficiency is it?

Mr. GOOD. There is no deficiency. There may have been a little deficiency in the laws, but this is to legalize those laws. My colleague from Iowa [Mr. TOWNER] has given considerable attention to this matter, and perhaps he could enlighten the gentleman.

Mr. WALSH. Well, I do not think this is a matter that ought to be put into a deficiency appropriation bill at the end of a session. If the gentleman from Iowa [Mr. TOWNER], whose committee has jurisdiction of the matter, would report a bill we could consider it in the usual way.

Mr. TOWNER. I would be very glad indeed to make a statement regarding the matter—a statement that I think will explain perhaps the necessity of the action at this time. I would make a complete statement, but I must not now take the time. Briefly the conditions are these in regard to this matter: Under the law as it exists the question of exports and imports is within the regulatory power of the United States Government. In the first place, conditions arose as to whether or not this tax, which was a tax laid against merchandise and manufactures on the gross value of commodities, goods, and so forth, sold in barter. Now, the question arose as to whether or not those laws would be in contravention of the laws of the United States affecting imports. That question was up for discussion for quite a length of time. Finally it was decided by the validation of that act.

Then the question arose as to whether or not the law in question affected exports from the islands. On this question there have been four cases decided by the Supreme Court of the Philippine Islands. In these cases the Philippine Supreme Court has decided that they are an infringement of the proposition that the law prohibiting a tax on exports applies.

Here is the situation in regard to our relations to the Philippine Islands: We gave them the right of legislating, but we have the superior right of legislating. Whenever we think that either the interests of the Philippine Islands or of the United States are directly involved, we legislate and have legislated as we think conditions justified.

Mr. WALSH. Mr. Chairman, will the gentleman permit me to make an inquiry?

Mr. TOWNER. Yes.

Mr. WALSH. Has the gentleman any legislation pending before his committee on this subject?

Mr. TOWNER. No; because of the fact that these cases have but recently been called to our attention.

Mr. ANDERSON. But the matter has been decided, and the question has been under consideration for four years.

Mr. TOWNER. Yes; the question in some form has been under consideration, but it has been in dispute. I will say to the gentleman from Massachusetts that the proposition is just simply this: The sum of $500,000 is involved in this matter. Unless we take this action we do not know how many of these cases will be decided before we can have any regular legislation. Certainly it must appeal to the gentleman that we ought to act expeditiously regarding it.

I will say to the gentleman that we might have acted upon his suggestion, but the matter was not brought to our attention until within a very few days. This provision has been approved by the Bureau of Insular Affairs and by the War Department, and it involves such an emergency as I think justifies action in this manner. It is within our power, and we ought to do what we can to help the Philippines; not to hurt them.

Mr. WALSH. Mr. Chairman, the validating acts which the gentleman mentions were, I think, also put on in appropriation bills. Now, I do not think matters of this importance, which involve ratification of the acts of the Philippine Legislature, ought to be dumped in here at the end of a session on a deficiency bill. I have no criticism to offer of the distinguished chairman of the committee, because gentlemen come before him with a statement of the case and of its great urgency and make an appeal to him. But I am going to make a point of order against this provision. It ought to be a matter of distinctive legislative consideration by the Committee on Insular Affairs, of which the distinguished gentleman from Iowa [Mr. TOWNER] is chairman, and we should have separate legislation. We ought not to establish the precedent of putting important legislation of this sort into deficiency bills and appropriation bills, particularly at this time in the session.

I make the point of order that it is legislation and not germane to the bill.

The CHAIRMAN. The Chair sustains the point of order.

Mr. COLLIER. Mr. Chairman, I offer an amendment as a separate paragraph.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. COLLIER: Page 23, after line 1, insert a new paragraph, as follows:

"For restoration and repair of storm damage to the Vicksburg, Miss., national cemetery and roadways thereto, $10,000, to remain available until June 30, 1921."

Mr. GOOD. I reserve a point of order on the amendment.

Mr. COLLIER. Mr. Chairman, I do not want to take up much of the time of the House on this amendment. I simply want to say that during the last year we had over twice as many heavy rains as had ever been known in that vicinity since the Weather Bureau was established, according to the report of that bureau. These heavy rains have continued up to the present time. I have before me the statement of the officials of the War Department, who declare that the beautiful cemetery there at Vicksburg has been very greatly damaged. I also understand from them that a small expenditure now will save a very large expenditure later on.

I know this paragraph is subject to a point of order, but it would be a short-sighted policy on our part to allow the roadway and the approaches to that cemetery to continue in such condition as they now are. Many of you Members of the House have perhaps visited that national cemetery at Vicksburg, situated upon the bluffs overlooking the mighty Father of Waters, in whose terraced heights, rising one above the other, there sleep over 16,000 Union soldiers. A great many others connected with the Federal Government have been buried there, and that cemetery is now waiting to receive the bodies of our soldier dead who lost their lives in the last Great War.

This roadway, which is in very bad condition, is between a road of Warren County and the city of Vicksburg. The Warren County road is as good as one of the avenues of this city. We brought the novaculite stone from the State of the gentleman from Illinois to pave that road, and for 5 or 6 miles leading from the cemetery we have a magnificent novaculite road kept up by the citizens of Warren County.

Adjoining that is this road belonging to the Government, which is in the worst state of repair. Then adjoining that is one of the paved streets of the city of Vicksburg.

Mr. CANNON. Will the gentleman yield?

Mr. COLLIER. I will.

Mr. CANNON. Is there an estimate for this appropriation?

Mr. COLLIER. The estimate was $15,000. Gen. Lord and Maj. Lemly have been before the committee, and Maj. Lemly says:

This was a special estimate that was put in and it was included in this deficiency estimate. We put in a special estimate at that time, and the Quartermaster General, on February 3, wrote to the Secretary of War as follows:

"Due to heavy rainfall at Vicksburg, Miss., the national cemetery at that place has been seriously damaged, as well as the approach roadway to the cemetery. It is reported that the estimated cost of repairing the damage to the cemetery is $10,000 and to the roadway $1,425. It is the opinion of this office that the total cost for making these repairs will not be less than $15,000; and as there are not sufficient funds available for the purpose, it is recommended that authority be given to submit a special estimate to Congress for an appropriation to meet this expense in the deficiency bill now being prepared."

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. GOOD. Mr. Chairman, I withdraw the point of order, and I move to amend by inserting the words immediately preceding the amendment "national cemetery."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Modification of the amendment: Insert before the amendment the words "national cemetery."

Mr. GOOD. Mr. Chairman, the original estimate was for $15,000. The estimate was made about the beginning of the calendar year. It was evident when the matter reached the committee that even if we granted the amount it could not be expended this year. The gentleman has offered the amendment in a manner which will make the amount available next year, and by reducing it $5,000 I think there will not be any objection, because in the sundry civil bill we increase the amount for repair of national cemeteries by $100,000, and they will get some additional care out of that fund. The serious condition of some of the graves has been called to the committee's attention, and I believe that the Congress would not refuse a reasonable appropriation for the purpose of making the repairs.

The CHAIRMAN. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The Clerk read as follows:

TRANSPORTATION SERVICE.

Transportation facilities on inland and coastwise waterways: For payment of expenses of operation of boats, barges, tugs, and other transportation facilities, on the inland, canal, and coastwise waterways acquired by the United States in pursuance of the fourth paragraph of section 6 of the Federal-control act of March 21, 1918, $270,000.

Mr. EAGAN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. EAGAN: Page 24, after line 11, insert:

"The War Department shall pay out of any moneys received by it as rentals for the use of the docks, piers, warehouses, wharves, and terminal equipment and facilities on the Hudson River at Hoboken, N. J., formerly owned by the North German Lloyd Dock Co. and the Hamburg-American Line Terminal & Navigation Co., and now owned by the United States under the proclamation of the President dated June 28, 1918, to the proper officer of the city of Hoboken, in the State of New Jersey, a sum equivalent to the amount levied and assessed but uncollected by such city on account of taxes on said properties for the calendar years 1918 and 1919."

Mr. GOOD. Mr. Chairman, I reserve a point of order.

Mr. EAGAN. Mr. Chairman, this amendment may be subject to a point of order, but in view of the unusual circumstances in which the city of Hoboken finds itself, in view of the tremendous financial burden which has been placed upon Hoboken by the taking over by the Government of these very valuable pier properties, resulting in the loss of several hundred thousand dollars each year in taxes by the little city of Hoboken, I hope the chairman may see fit not to make the point of order.

These steamship piers in Hoboken formerly were owned by the German steamship companies. They were seized by the military forces of the United States at the outbreak of the war with Germany. Under the urgent deficiency act approved March 28, 1918, the President was authorized to acquire the title to the piers and the terminal equipment and facilities formerly the property of the German steamship companies. Subsequently, on June 28, 1918, by proclamation of the President, title to these pier properties and facilities was vested in the United States. Since that time, and, in fact, since the beginning of 1918, the city of Hoboken has received no taxes from this property. The property represents about one-twelfth of the taxable property of the city. It embraces one-third of a mile of the water front of the city and is most valuable property for the purpose of taxation.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. EAGAN. Yes.

Mr. JOHNSON of Washington. Has not the State of New Jersey received in positions under the Alien Property Custodian more than enough to make up the loss of taxation?

Mr. EAGAN. The city of Hoboken is not the State of New Jersey; and, of course, the question has no reference to the justice of this claim.

Mr. MACCRATE. Will the gentleman yield?

Mr. EAGAN. Yes.

Mr. MACCRATE. I have understood that this property amounted to nearer one-seventh of the taxable property of the city than one-twelfth.

Mr. EAGAN. It is about one-twelfth. The total ratables in the city of Hoboken are approximately $87,000,000 for the year 1920, and the amount of taxes on this property for 1920 is about $7,500,000; that is, the taxes levied and assessed but not collected.

Mr. MACCRATE. The same situation arises in Brooklyn where the Government is expected to lease the property to the city of New York.

Mr. EAGAN. I submit that, although objection may be urged against paying taxes on Federal property, the situation in regard to this particular property in the city of Hoboken, from which the Federal Government is now receiving a large income, is radically different from the situation with reference to an ordinary Federal building from which it would derive no revenue.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EAGAN. I ask unanimous consent to speak for five minutes more.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to proceed for five minutes. Is there objection?

Mr. STRONG of Kansas. I am sorry, Mr. Chairman, but I shall have to object.

Mr. EAGAN. I ask unanimous consent to extend my remarks in the RECORD.

Mr. GOOD. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

MILITARY ESTABLISHMENT.

QUARTERMASTER CORPS.

Pay of the Army: For pay of the Army, including the same objects, except mileage, specified under this head in the Army appropriation act for the fiscal year 1920, $55,000,000.

Mr. CRAGO. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman how many officers are provided for in the additional compensation for pay of the Army?

Mr. GOOD. The $55,000,000 does not provide anything on account of the increased pay of officers. That was carried in the increased-pay bill. The deficiency estimate originally was $67,000,000, and it was found that the increased-pay bill recently passed carried an appropriation of about $12,000,000, to be taken out of the appropriation for "Pay of the Navy" and used for the increased pay of the Army for the current year. Therefore we were able to reduce the amount asked in this bill by that $12,000,000.

Mr. CRAGO. Is this $55,000,000 in addition to the amount appropriated by the Military Committee for the year ending June 30, 1920?

Mr. GOOD. It is.

Mr. CRAGO. Is there any estimate for it?

Mr. GOOD. Yes; the estimate was $67,000,000. The statement of Senator WADSWORTH at the time that bill was before the Senate—that is, the Army appropriation bill for 1920—that statement being made on July 1, 1919, is as follows:

STATEMENT OF MR. WADSWORTH.

I desire to call the attention of the Senate to one thing in connection with that very matter. This bill carries an appropriation of $215,000,000 for the pay of the Army, supposedly an Army of 325,000 men. It will not pay an Army of 325,000 men for 12 months. That is conceded by the House conferees; it is conceded by the Senate conferees;

and we have our information from the head of the Finance Division of the War Department, who states that with an appropriation of $215,000,000 they will manage to get along for a portion of this fiscal year, but that eventually they must come to Congress and ask for a deficiency appropriation; that they will either have to get such an appropriation from the Appropriations Committees of the House and of the Senate, or else in the preparation of the next annual Army appropriation bill, which will be brought up next winter before, of course, this fiscal year is over, a provision will have to be put in making the appropriation for the pay of the Army immediately available. (P. 2294.)

Then Mr. KAHN, when the conference report was laid before the House with regard to the same bill, stated as follows:

STATEMENT OF MR. KAHN.

The House bill provided for pay of the Army $198,000,000. The bill as it now stands provides for $213,000,000. As a matter of fact, the Senate bill, without the lump sum of $100,000,000, provided $215,000,000 for pay of the Army, so that your conferees really have saved $102,000,000 on that one item. But it is only fair to say that Gen. Lord, the Director of Finance of the War Department, announced to Senator WADSWORTH and me that there would undoubtedly be a deficiency appropriation by the 1st of January next. (P. 2334.)

Mr. CRAGO. The explanation is satisfactory. I called attention to this more particularly in order that I might bring to the attention of the House the fact, what will be the direct result of our action yesterday. The truth of the matter is the great confusion and the great mistakes that have been made in the matter of appropriations is in not having a rule of the House compelling every department of this Government to go to the committee making the original appropriation for that department for any deficiency.

Mr. GOOD. But that is not the law.

Mr. CRAGO. I know it is not the law, but I say it could easily be made the law, and it should be made the law.

Mr. GOOD. We made that the law yesterday.

Mr. CRAGO. You made it the law yesterday in this way: You have taken away from the committees who have made a particular study of the subject in hand the power of appropriating and turned it over to a committee which may in time, I admit, be so organized and filled up with men who have technical knowledge of the subject that it will accomplish the purpose.

Mr. GOOD. The gentleman can well see that if you would have three deficiency bills from each department each year that would make 27 deficiency bills coming into the House, and the gentleman would not ask that the Military Affairs Committee handle its deficiencies without giving the same privilege to all of the other committees.

Mr. CRAGO. No; I would not do that; under my plan we would have but few deficiency appropriations asked for; but the trouble has been that after the Military Committee has determined on a policy and limited that policy by reason of its appropriations, while we were debating the subject, the War Department would go before the Committee on Appropriations and ask for a deficiency.

Mr. GOOD. But you do not determine the policy here. This all depends on the number of men.

Mr. CRAGO. I am not questioning this particular appropriation.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. Without objection the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For mileage to commissioned officers, warrant officers, members of the Officers' Reserve Corps when ordered to active duty, contract surgeons, expert accountant, Inspector General's Department, Army field clerks, and field clerks of the Quartermaster Corps, when authorized by law, $1,600,000.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 14335, the deficiency appropriation bill, and had come to no resolution thereon.

SIERRA NATIONAL FOREST, CALIF.—CONFERENCE REPORT.

Mr. SINNOTT. Mr. Speaker, I present a conference report upon the bill (S. 2789) for the conservation of forest lands in the Sierra National Forest, Calif., and for other purposes, for printing under the rules.

ORDER OF BUSINESS.

Mr. McCULLOCH. Mr. Speaker, I ask for the present consideration of the resolution which I send to the Clerk's desk.

Mr. STRONG of Kansas. Mr. Speaker, I shall have to object.

AMENDING THE PENAL LAWS OF THE UNITED STATES.

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I return herewith without my signature H. R. 7629, entitled "An act to amend the penal laws of the United States." I direct attention to the fact that in embodying in the present amendatory act the opening portion of existing section 245 of the Criminal Code an obvious error has occurred. The phrase, "to any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof" which immediately follows the words "jurisdiction thereof" in line 12, should be taken out of its present position and inserted immediately after the words "jurisdiction thereof" in line 10. I have had the change definitely indicated by appropriate pencil marks.

WOODROW WILSON.

THE WHITE HOUSE, *June 2, 1920.*

Mr. WALSH. Mr. Speaker, I move that the veto message of the President be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. WALSH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which embodies the correct language of the section which was attempted to be amended, which I send to the desk and ask to have read.

Mr. Speaker, the veto message of the President relates to an amendment of the penal laws which prohibits the transportation in interstate commerce of indecent, lascivious, or lewd motion-picture films. The bill was passed through the House and went to the Senate and was there amended. The Senate amendment, when it was reported to the Senate, was put in the proper place, but when the amendment was engrossed and sent back to the House it was put in an improper place, and it does not make correct English or a proper reading of section 245 of the penal clause. Therefore the President has vetoed the bill because it does not make section 245 read correctly. Now, the bill which I have offered is a correct reading of section 245, but includes in the amendment of the motion-picture film; but I desire to state that the mistake was made in the other branch and there is no criticism or blame to be attached to the enrolling clerk of the House. The fault is probably my own in not discovering the mistake when I moved to concur in the Senate amendment.

Mr. BLANTON. Will the gentleman yield?

Mr. WALSH. And if there is any criticism or any penalty to pay, I am willing to pay it. I yield to the gentleman for a question.

Mr. BLANTON. There is nothing improper in the President of the United States correcting the English of the House or Senate, is there?

Mr. WALSH. Not at all; not when their English is incorrect.

Mr. BLANTON. That is all that the President has done.

The SPEAKER. Is there objection?

Mr. ANDERSON. Mr. Speaker, reserving the right to object, I suggest that the proper penalty to be visited upon the gentleman from Massachusetts would be to prohibit him from objecting to anything for the next six months.

Mr. BLANTON. Do not do that; he will be in an awful fix.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 14384) to amend the penal laws of the United States.

Be it enacted, etc., That section 245 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909, is hereby amended to read as follows:

"SEC. 245. Whoever shall bring or cause to be brought into the United States or any place subject to the jurisdiction thereof, from any foreign country, or shall therein knowingly deposit or cause to be deposited with any express company or other common carrier, for carriage from one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, to any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any place in or subject to the jurisdiction of the United States to a foreign country, any obscene, lewd, or lascivious, or any filthy book, pamphlet, picture, motion-picture film, paper, letter, writing, print, or other matter of indecent character, or any drug, medicine, article, or thing designed, adapted, or intended for preventing conception or producing abortion, or for any indecent or immoral use, or any written or printed card, letter, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, how, or of whom, or by what means any of the hereinbefore-mentioned articles, matters, or things may be obtained or made; or whoever shall knowingly take or cause to be taken from such express company or other common carrier any matter or thing the depositing of which for carriage is herein made unlawful, shall be fined not more than $5,000 or imprisoned not more than five years, or both."

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. WALSH, a motion to reconsider the vote by which the bill was passed was laid on the table.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 13108. An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes; and

H. R. 1024. An act authorizing the Secretary of the Interior to issue a patent to John Zimmerman for certain lands in the Colorado National Forest upon the surrender of other lands of an equal acreage also located in the Colorado National Forest, Colo.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3867. An act authorizing the State of New Mexico to apply the proceeds of the grant to said State of 1,000,000 acres of land made by section 7 of the enabling act, June 20, 1910, for the reimbursement of Grant County, Luna County, Hidalgo County, Santa Fe County, and the town of Silver City, N. Mex.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

An act (S. 3865) providing for the officers in the Russian Railway Service Corps the status of officers of the United States Army when discharged; to the Committee on Military Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills and joint resolutions:

H. R. 11398. An act for the creation of the Custer State Park Game Sanctuary, in the State of South Dakota, and for other purposes;

H. R. 9392. An act regulating the disposition of lands formerly embraced in the grants to the Oregon & California Railroad Co. and Coos Bay Wagon Road Co.;

H. R. 3212. An act for the relief of legal representative of George E. Payne, deceased;

H. R. 5807. An act for the relief of John T. Adams;

H. R. 4927. An act for the relief of Nancy A. Parsons, C. M. Parsons, D. F. Staggs, Ollie Staggs, Roas Staggs, Lena Birchfield, Alice Birchfield, Bertie Gwin, Greely Gilbert, Linville Gilbert, and Nelson Gilbert;

H. R. 9583. An act for the relief of Edward A. Purdy, postmaster of the city of Minneapolis, Minn., for postage stamps, postal-savings stamps, war-savings stamps, war-tax revenue stamps, and cash from money orders stolen from the branch office at Minneapolis, Minn., commonly known and described as the traffic station, and located at Nos. 621 and 623 First Avenue North, in said city;

H. R. 9048. An act for the relief of Catherina Rea, administratrix of the estate of John Rea;

H. R. 6198. An act authorizing payment of compensation to Swanhild Sims for personal injuries;

H. R. 11030. An act for the relief of the Woodford Bank & Trust Co., of Versailles, Ky.;

H. R. 1309. An act for the relief of Perry L. Haynes;

H. R. 10115. An act for the relief of Harvey R. Butcher;

H. R. 10317. An act for the relief of Blanche Utley;

H. R. 1827. An act for the relief of Carolyn Wheeler Kobbe;

H. R. 2396. An act for the relief of John A. Gauley;

H. R. 9783. An act to provide a national budget system and an independent audit of Government accounts, and for other purposes;

H. J. Res. 336. Joint resolution authorizing the Secretary of War to loan to the Albert Sidney Johnston Camp, United Confederate Veterans, No. 1820, Fort Worth, Tex., 100 tents and cots for the use of Confederate veterans at the reunion of said camp, June 24 to 27, inclusive, 1920; and

H. J. Res. 370. Joint resolution to amend an act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921," approved May 31, 1920;

MESSAGE FROM THE SENATE.

The SPEAKER. The Chair lays before the House the following message from the Senate.

The Clerk read as follows:

Resolved, That the House of Representatives be requested to return to the Senate the report of the committee on conference on the disagreeing votes of the two Houses on the bill (H. R. 13587) entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes."

The SPEAKER. Without objection, the request is agreed to. There was no objection.

CONTESTED-ELECTION CASE.

The SPEAKER. The Chair also lays before the House the following.

The Clerk read as follows:

A communication from the Clerk of the House of Representatives, transmitting notice for contest of a seat in the House of Representatives for the Sixty-sixth Congress in the fifth district of the State of Wisconsin and transmitting original testimony, papers, and documents relating thereto.

The SPEAKER. Referred to Committee on Elections No. 1.

POSTAL EMPLOYEES' BILL.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent that there be printed a copy of the bill H. R. 14388 so as to include certain additional amendments recommended by the Committee on the Post Office and Post Roads. These were not included——

The SPEAKER. The gentleman from Minnesota asks unanimous consent that there may be printed a copy of the new postal employees' bill with the amendments. Is there objection? [After a pause.] The Chair hears none.

ASSIGNMENT OF COAL CARS.

Mr. McCULLOCH. Mr. Speaker, I renew my request for unanimous consent.

The SPEAKER. The gentleman from Ohio asks unanimous consent for the present consideration of the resolution, which the Clerk will report.

The resolution was read, as follows:

Whereas the railroad companies are making assignments of freight cars; and

Whereas the said railroad companies, or a part of them, are making such assignment in a manner alleged to be discriminatory and prejudicial to the common public welfare; and

Whereas authority for making assignments of cars by said railroad companies is predicated upon an order of the Interstate Commerce Commission, which order is known as order No. — of the Interstate Commerce Commission, dated April 15, 1920, and entitled "Notice to carriers and shippers," and is in the following words and figures:

"The commission recommends that until experience and careful study demonstrate that other rules will be more effective and beneficial, the uniform rules as contained in the Railroad Administration's Cars Service Section Circular CS31 (revised) be continued in effect, except that rule 8 as contained in said circular should be amended to read:

"'8. Private cars and cars placed for railroad fuel loading in accordance with the decision of the Interstate Commerce Commission in RR. Com. of Ohio et al. *v.* H. V. Ry. Co., 12 I. C. C., 398, and Traer *v.* Chicago & Alton Railroad Co. et al., 13 I. C. C., 451, will be designated as "assigned" cars. All other cars will be designated as "unassigned cars" ':

Therefore be it

Resolved, That the Interstate Commerce Commission be directed to inform the House upon what authority, if any, said order was issued.

During the reading of the resolution the following occurred:

Mr. GARRETT. Mr. Speaker, reserving the right to object, I do this at this time for the purpose of saving time. This matter was objected to a few days ago in the House. This is the same matter, is it not?

Mr. McCULLOCH. The resolution was not read. There was a point of no quorum made, and the majority leader moved to adjourn. All this resolution does is to ask for information. The same resolution has passed the Senate, and all we ask for is information from the Interstate Commerce Commission in regard to the assignment of these cars and on what authority this order was issued.

Mr. JOHNSON of Washington. What order?

Mr. McCULLOCH. An order by the Interstate Commerce Commission permitting assigning cars to mines by the railroad companies.

Mr. JOHNSON of Washington. Why ask for this information and omit information in regard to cars for the lumber industry, and for sand and gravel, and all the others that are getting about 15 or 20 per cent of the freight cars that they need?

Mr. McCULLOCH. The reason is that this assigned car order relates only to coal cars.

Mr. JOHNSON of Washington. What does it amount to if passed by Congress?

Mr. McCULLOCH. It amounts to just this, that the Esch bill, which passed the House, in section 12 provided against what is called the assigned car evil. The Interstate Commerce Commission has issued an order which permits the railroad companies to continue the assignment of cars to mines.

Mr. GARRETT. Will the gentleman yield to me?

Mr. McCULLOCH. Yes.

Mr. GARRETT. I may have misunderstood, but I think that in one of the whereases there was a criticism of the Interstate Commerce Commission.

Mr. McCULLOCH. Not at all.

Mr. GARRETT. Was it a criticism——

Mr. McCULLOCH. Perhaps of the railroad companies, but not of the Interstate Commerce Commission, so far as the wording of the resolution goes.

Mr. GARRETT. Of course, I do not mean to indicate that I hold any brief for the Interstate Commerce Commission by asking that question, but I was just going to suggest that if it did carry a criticism I did not think it was a polite thing to do to ask them for information and criticize them at the same time.

Mr. CANNON. Will the gentleman allow me? I get many letters from Illinois, especially from my district, where they are building good roads and have to transport gravel and stone and all kinds of material for the roads. These kicking letters are written to me, and all I can do is to refer them to the Interstate Commerce Commission. I expect this is of the same nature, is it not?

Mr. McCULLOCH. Not exactly.

Mr. CANNON. Would the gentleman accept an amendment that would cover the whole thing? In other words, all my folks want their share of cars.

Mr. JOHNSON of Washington. The trouble is that there are not enough cars. There were only 100,000 freight cars built during the period of the war, or ordered under the governmental administration. And all industries must suffer alike. Resolutions do no good.

Mr. McCULLOCH. The distinction I hope the gentleman will keep in mind is that coal is necessary to keep the people warm, and by reason of the assignment of these coal cars in a discriminatory way by the railroads only a small percentage of the coal has been moved, because a considerable number of the mines are running only 10 to 25 per cent capacity. Coal is a raw material for all industries.

Mr. JOHNSON of Washington. Where are the cars assigned?

Mr. McCULLOCH. They have been assigned by railroad companies to coal mines in the State of Ohio at the ratio of 100 per cent to one mine and to other mines 10 per cent, according to information we regard as reliable, so that the favored mine is running 100 per cent and the other mine, right alongside, is running only 10 to 25 per cent capacity. We claim that this is a discrimination and the carrying out of this order is contrary to the provisions of the Esch bill, now a law. Now, we want the Interstate Commerce Commission to give its reason for the order referred to and furnish us with complete information upon the subject.

Mr. GARRETT. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I will.

Mr. GARRETT. I assume that this has not been considered by the Committee on Interstate and Foreign Commerce?

Mr. McCULLOCH. No.

Mr. GARRETT. May I ask the gentleman if he has discussed it with any of the members of that committee?

Mr. McCULLOCH. I have. I have discussed it with the chairman of the Committee on Interstate and Foreign Commerce, and I can say that he said to me that he would not object to the resolution. I do not care to quote him further.

Mr. GARRETT. Can the gentleman say any more than that?

Mr. McCULLOCH. I can only say this, and probably I should not quote the chairman of the Committee on Interstate and Foreign Commerce more than to say—and I think that my statement will be borne out by my colleague from Ohio [Mr. FOSTER]—that the chairman of the Committee on Interstate and Foreign Commerce expressed this opinion, that the provisions of the Esch bill did eliminate the so-called assigned-car evil, and that was the intention of the conferees on the railroad bill. I think I can say further to the gentleman from Tennessee that I have been informed that Senator KELLOGG, who, if my information is correct, approved of the resolution passed by the other body, was of the same opinion. Now, we are seeking to have the Interstate Commerce Commission give to the House of Representatives information in regard to the order authorizing the assignment of these cars, with a view to remedying a condition in Ohio which is causing great suffering among the miners, and a condition that we claim is resulting in the coal supply not being moved as it should be moved, and which in the end, unless it should be remedied in some way, will result in the great consuming public being seriously affected this coming winter.

Mr. FOSTER. Is not this similar to the proposition covered by the paper drawn up last week and signed by 110 Members of this House and presented to the Interstate Commerce Commission?

Mr. McCULLOCH. It is.

Mr. FOSTER. The coal output is 500,000,000 tons per annum, and 170,000,000 of it go to the railroads while the rest goes to the factories and the homes. If the assigned car order continues, coal will continue to increase in price.

Mr. McCULLOCH. Yes. I understand that is correct.

Mr. MOORE of Virginia. The object is to ascertain if the existing law is being violated, and if so, why?

Mr. McCULLOCH. Yes.

Mr. MOORE of Virginia. I do not see that there should be any objection to an inquiry of that character.

Mr. CANNON. I get these letters containing complaints. During the war we had to hold off on the construction of roads. Now, as the cars go to the coal mines they might be loaded up with cement or gravel or sand. The gentleman is an "early bird," and zealous to please his constituents and show them that he is alert. I do not want to be subject to the criticism that I was sitting idly by, seeing my constituents be neglected.

Mr. FOSTER. The gentleman's State has asked for the same thing.

Mr. CANNON. I am not going to object.

The SPEAKER. The Clerk will report the resolution.

The Clerk completed the reading of the resolution.

Mr. GARRETT. Mr. Speaker, I thought this was a concurrent resolution.

Mr. McCULLOCH. The Senate has passed it.

Mr. GARRETT. Then what is the use of the House passing it?

Mr. BYRNES of South Carolina. In that case I object. If the Senate has already passed it, I do not see any reason for the House passing it. It is just a criminal waste of time.

Mr. BLANTON. We are halfway through with it now.

The SPEAKER. Does the gentleman from South Carolina object?

Mr. BYRNES of South Carolina. Yes; I object.

The SPEAKER. Objection is made.

REORGANIZATION, ADMINISTRATIVE BRANCH OF THE GOVERNMENT.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate joint resolution 191.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to take from the Speaker's table Senate joint resolution 191. The Clerk will report it.

The Clerk read as follows:

Joint resolution (S. J. Res. 191) to create a joint committee on the reorganization of the administrative branch of the Government.

Resolved, etc., That a joint committee is created, to be known as the joint committee on reorganization, which shall consist of three Members of the Senate to be appointed by the President thereof and three Members of the House of Representatives to be appointed by the Speaker thereof. Vacancies occurring in the membership of the committee shall be filled in the same manner as the original appointments.

SEC. 2. That it shall be the duty of the joint committee on reorganization to make a survey of the administrative services of the Government for the purpose of securing all pertinent facts concerning their powers and duties, their distribution among the several executive departments, and their overlapping and duplication of authority; also to determine what redistribution of activities should be made among the several services, with a view to the proper correlation of the same, and what departmental regrouping of services should be made, so that each executive department shall embrace only services having close working relation with each other and ministering directly to the primary purpose for which the same are maintained and operated, to the end that there shall be achieved the largest possible measure of efficiency and economy in the conduct of Government business.

SEC. 3. That the committee shall from time to time report to both the Senate and the House of Representatives the results of its inquiries, together with its recommendations, and shall prepare and submit bills or resolutions having for their purpose the coordination of Government functions and their most efficient and economical conduct, and the final report of said committee shall be submitted not later than the second Monday in December, 1922. The committee is authorized to employ such assistance as it may require, at such compensation as the committee may determine to be just and reasonable, and to make such reasonable expenditures as may be necessary for the proper conduct of its work, such expenditures to be paid in equal parts from the contingent funds of the House of Representatives and the Senate as from time to time may be duly authorized by resolutions of those bodies.

SEC. 4. That the officers and employees of all administrative services of the Government shall furnish to the committee such information regarding powers, duties, activities, organization, and methods of business as the committee may from time to time require, and the committee or any of its employees, when duly authorized by the committee, shall have access to and the right to examine any books, documents, papers, or records of any administrative service for the purpose of securing the information needed by the committee in the prosecution of ts work.

The SPEAKER. Is there objection?

Mr. BYRNS of Tennessee. Reserving the right to object, Mr. Speaker, I would like to say a word on this resolution, but we are about to take a recess in order that Members may go home and get a bite to eat and then come back. But I will not object to the consideration of this resolution if it is called up later.

RECESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess until 8 o'clock this evening.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess until 8 o'clock. Is there objection?

There was no objection.

Accordingly (at 6 o'clock and 20 minutes p. m.) the House stood in recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House (at 8 o'clock p. m.) resumed its session.

SUNDRY CIVIL APPROPRIATIONS—CONFERENCE REPORT.

Mr. GOOD. Mr. Speaker, I call up the conference report on the sundry civil appropriation bill.

The SPEAKER. The gentleman from Iowa calls up a conference report, which the Clerk will report.

Mr. GOOD. I think the report is considerably shorter than the statement. The statement has been printed in the RECORD, and I will ask the Clerk to read the report.

The Clerk read the conference report on the bill H. R. 13870, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13870) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 11, 14, 27, 36, 37, 38, 42, 43, 47, 50, 52, 54, 56, 62, 63, 71, 79, 80, 90, 91, 92, 93, 94, 97, 103, 104, 105, 106, 107, 118, 119, and 124.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5½, 6, 8, 10, 13, 15, 16, 18, 20, 21, 22, 23, 24, 25, 28, 29, 30, 33, 35, 39, 41, 45, 46, 48, 49, 51, 55, 58, 61, 64, 65, 66, 67, 68, 69, 72, 73, 74, 75, 76, 77, 78, 81, 83, 86, 87, 88, 89, 100, 101, 102, 108, 109, 112, 113, 114, 115, 116, 117, 121, 125, and 126, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"The Lighthouse Service shall cooperate with the Coast Guard in marking anchorage grounds in the harbors of New York and Hampton Roads by furnishing and maintaining buoys necessary for such purposes. Appropriations for the Lighthouse Service for the fiscal year 1921 are made available therefor."

And the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment strike out the word "in" and insert in lieu thereof the word "to"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$11,300,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$1,000,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"CIVIL SERVICE COMMISSION.

"To carry out the provisions of section 13 of the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, including personal services in the District of Columbia, stationery, printing, purchase of books, office equipment and other supplies, $50,000, of which sum $4,000 shall be immediately available: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,740 per annum except 1 at $2,000 and 4 at $1,800 each."

And the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "except that there may be employed during the fiscal year 1921, in addition to this limitation, employees at annual rates of compensations as follows: One at not to exceed $6,500, 1 at not to exceed $5,000, 2 at not to exceed $4,000 each, 10 at not to exceed $3,500 each, 10 at not to exceed $3,250 each, and 10 at not to exceed $3,000 each"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In line 9 of the matter inserted by said amendment strike out the following: "not to exceed $7"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$183,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$150,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$250,000"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Medical and surgical history of the War with Germany: Toward the preparation for publication under the direction of the Secretary of War of a medical and surgical history of the War with Germany, including printing and binding at the Government Printing Office and the necessary engravings and illustrations, $50,000: *Provided*, That the total cost of such history shall not exceed $150,000."

And the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In line 12 of the matter inserted by said amendment strike out "$4,436,297.60" and insert in lieu thereof "$4,000,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"BUREAU OF PENSIONS.

"To enable the Bureau of Pensions to perform the duties imposed upon it by the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, including personal services, purchase of books, office equipment, stationery and other supplies, printing, traveling expenses, and expenses of medical and other examinations, $50,000, of which sum $4,000 shall be immediately available: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,740 per annum except one at $2,000 and four at $1,800 each."

And the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$200,000"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,302,642"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "*Provided*, That no part of this appropriation shall be expended for drainage except in irrigation districts formed under State laws and upon the execution of agreements for the repayment to the United States of the costs thereof: *Provided further*, That the foregoing proviso shall not be construed as an expression of opinion by the Congress upon the litigation pending between the Government and the settlers on such project or in any manner prejudice such litigation"; and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$8,463,000"; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out "$2,500" and insert in lieu thereof "$1,500"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$278,000"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$300,000"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with amendments as follows: In line 13 of the matter inserted by said amendment strike out "$525,326" and insert in lieu thereof "$510,797"; on page 135 of the bill, in line 12, strike out "$121,600" and insert in lieu thereof "$104,000"; on page 135 of the bill, in line 15, strike out "$280,500" and insert in lieu thereof "$255,570"; on page 136 of the bill, in line 13, strike out "$147,100" and insert in lieu thereof "$134,560"; on page 136 of the bill, in line 16, strike out "$5,000" and insert in lieu thereof "$4,550"; on page 137 of the bill, in line 8, strike out "$579,800" and insert in lieu thereof "$524,280"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,000"; and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$308,270"; and the Senate agree to the same.

Amendment numbered 99: That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The Bureau of Standards is authorized and directed to make an investigation as to the standard, quality, and cost of production and distribution of gas furnished the Government and private consumers in the District of Columbia and report the result of such investigation to Congress on or before the first Monday in December, 1920."

And the Senate agree to the same.

Amendment numbered 110: That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out "$50,000" and insert in lieu thereof "$25,000"; and the Senate agree to the same.

Amendment numbered 111: That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$4,000"; and the Senate agree to the same.

Amendment numbered 120: That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$9,281,851, to be available until expended"; and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment after the word "discontinued," in line 8, down to and including the word "advertisements," in line 16; and the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: Add at the end of the matter inserted by said amendment the following paragraph:

"The loans for equipment authorized by section 210, transportation act, 1920, may be made to or through such organization, car trust or other agency as may be determined upon or approved or organized for the purpose by the commission as most appropriate in the public interest for the construction, and sale or lease of equipment to carriers, upon such general terms as to security and payment or lease as provided in this section or in subsections 11 and 13 of section 422 of the transportation act, 1920."

And the Senate agree to the same.

JAMES W. GOOD,
WM. S. VARE,
JOSEPH W. BYRNS,
Managers on the part of the House.

F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13870) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On No. 1: Inserts the authority proposed by the Senate for additional salary of $1,000 for the Supervising Architect of the Treasury.

On Nos. 2, 3, and 4, relating to the Coast Guard: Inserts the paragraph, proposed by the Senate, authorizing the detail of not more than 10 enlisted men at any one time for duty in the District of Columbia. Inserts the paragraph, proposed by the Senate, changing the titles of commissioned officers of the Coast Guard so as to make them conform to titles of commissioned officers in the Navy holding corresponding rank. Inserts the paragraph, proposed by the Senate, for marking anchorage grounds in the harbors of New York and Hampton Roads, modified so as to eliminate the appropriation of $31,150 and to require the Lighthouse Service to furnish and maintain from their appropriations the necessary buoys for that purpose.

On Nos. 5, 5½, 6, and 7, relating to the appropriation for medical and hospital services for the Bureau of War Risk Insurance: Provides that the appropriation shall be disbursed by the Bureau of War Risk Insurance, as proposed by the House, instead of by the Secretary of the Treasury, as proposed by the Senate. Makes the appropriations available for allotment to the Navy and War Departments for the care of war-risk beneficiaries and provides that such allotments, when made, shall be available for expenditure by those departments under their usual appropriation accounts.

On No. 8: Appropriates $400,000, as proposed by the Senate, instead of $375,000, as proposed by the House, for suppressing counterfeiting and other crimes.

On Nos. 9, 10, and 11, relating to the Customs Service: Appropriates $11,300,000, instead of $10,300,000, as proposed by the House, and $12,300,000, as proposed by the Senate, for collecting customs revenues. Strikes out, as proposed by the Senate, the matter contained in the House bill requiring the Secretary of the Treasury, in the expenditure of customs appropriations, to allot to the customs districts on the Mexican border, such amounts as are necessary to enable them to perform adequately the duties required by law. And strikes out the paragraph, proposed by the Senate, granting general appraisers of merchandise, when traveling on official business, the same expenses of subsistence as are granted to judges of United States district courts.

On No. 12: Appropriates $1,000,000 instead of $1,500,000, as proposed by the Senate, for guarding intoxicating liquors in warehouses and preventing violations of the national prohibition act.

On Nos. 13, 14, 15, and 16, relating to the Public Health Service: Makes the appropriation for maintenance of patients in hospitals available for expenses incident to proceedings for commitment of insane patients; appropriates $16,250, as proposed by the Senate, instead of $32,500, as proposed by the House, for special studies of pellagra, and limits the availability of the amount to December 31, 1920. Appropriates $50,000, as proposed by the Senate, instead of $35,000, as proposed by the House, for the regulation of biologic products.

On No. 17: Appropriates $50,000, instead of $60,900, as proposed by the Senate, for the expenses of the Civil Service Commission in carrying out the provisions of the act for the retirement of employees in the classified civil service, modified so as to provide that no person shall be employed out of the appro-

priation at a rate of compensation exceeding $1,740 per annum except one person at $2,000 and four at $1,800 each.

On No. 18: Inserts the paragraph, proposed by the Senate, reappropriating an unexpended balance for use of the Council of National Defense in liquidating the affairs of the Committee on Public Information.

On No. 19: Inserts the language, proposed by the Senate, to provide for the Federal Board for Vocational Education additional employees at rates of compensation exceeding $2,500 per annum, as follows: One, $6,500; 1, $5,000; 2, $4,000 each; 10, $3,500 each; 10, $3,250 each; 10, $3,000 each.

On Nos. 20, 21, 22, 23, 24, and 25, relating to the Interdepartmental Social Hygiene Board: Inserts the paragraph, proposed by the Senate, making applicable to similar appropriations contained in this act the duties and powers conferred upon the board by Chapter XV of the Army act approved July 9, 1918. Appropriates $450,000, as proposed by the Senate, for allotments to the various States for the prevention, treatment, and control of venereal diseases. Appropriates $85,000 for payment to universities, colleges, etc., for scientific research in the prevention and treatment of venereal diseases. Appropriates $250,000, as proposed by the Senate, for payment to universities, colleges, etc., for development of more effective educational measures in the prevention of venereal diseases. Inserts the paragraph, proposed by the Senate, requiring any university, college, etc., receiving funds from the Federal Government to set aside an amount at least equal to the amount to be received from the United States.

On No. 26: Inserts, as proposed by the Senate, the appropriation of $450,000 for salaries and expenses of the Railroad Labor Board, modified so as to limit expenses of per diem in lieu of subsistence to $4 as required by existing law, instead of $7 as proposed by the Senate amendment.

On No. 27: Strikes out the language, inserted by the Senate, which provided that nothing contained in the paragraph relating to the emergency shipping fund shall affect, modify, or repeal any provisions of the merchant marine act of 1920.

On No. 28: Appropriates $15,000, as proposed by the Senate, for expenses of the administration of the National Gallery of Art by the Smithsonian Institution.

On No. 29: Appropriates $80,000, as proposed by the Senate. for the purchase of additional land adjoining the Zoological Park.

On No. 30: Appropriates $400,000, as proposed by the Senate, for the participation by the United States in the observance of the three hundredth anniversary of the landing of the Pilgrims at Provincetown and Plymouth, Mass.

On No. 31: Appropriates $183,000 instead of $283,000, as proposed by the Senate, for personal services in the office of the Director of Finance in the War Department.

On No. 32: Appropriates $150,000 instead of $125,000, as proposed by the House, and $160,000, as proposed by the Senate, for the construction of an airship hangar at the Aberdeen Proving Ground.

On No. 33: Inserts the paragraph, proposed by the Senate, authorizing the expenditure without reference to section 355 of the Revised Statutes of the appropriations for ordnance storage facilities near Ogden, Utah.

On No. 34: Authorizes not to exceed $250,000 instead of $100,000, as proposed by the House, and $500,000, as proposed by the Senate, for personal services in the Cemeterial Division, Office of the Quartermaster General, War Department.

On No. 35: Appropriates $2,500, as proposed by the Senate, for the construction of a rostrum at the Battle Ground National Cemetery, District of Columbia.

On No. 36: Strikes out the appropriation, inserted by the Senate, for the construction of roads in the vicinity of the Lincoln Memorial.

On No. 37: Strikes out the appropriation of $20,000, inserted by the Senate, for improving and straightening the military road between the Georgetown Bridge and Fort Myer, Va.

On No. 38: Appropriates $109,260 for the prevention of deposits in New York Harbor in the manner proposed by the House instead of $122,985 in the manner proposed by the Senate.

On No. 39: Provides for the furnishing by the Surgeon General of the Army of surgical appliances to persons disabled in the military or naval service prior to April 6, 1917, as proposed by the Senate, instead of prior to October 6, 1917, as proposed by the House.

On No. 40: Appropriates $50,000, instead of $75,000 as proposed by the Senate, toward the preparation of a medical and surgical history of the war with Germany and modifies the language of the Senate amendment so as to eliminate authority for the employment of personal services in the District of Columbia, and limits the total cost of the history at not to exceed $150,000.

On Nos. 41, 42, and 43, relating to the National Home for Disabled Volunteer Soldiers: Inserts the matter, proposed by the Senate, reappropriating the unexpended balance of the appropriation for repairs for the Eastern Branch, and provides that allotments for the care of war-risk patients shall be made by the Bureau of War Risk Insurance, as proposed by the House, instead of the Secretary of the Treasury, as proposed by the Senate.

On No. 44: Appropriates $4,000,000, instead of $4,436,297.60 as proposed by the Senate, for transportation facilities on inland and coastwise waterways.

On No. 45: Provides for the repair and improvement of the Senate and House stables, as proposed by the Senate.

On No. 46: Inserts the amendment, proposed by the Senate, consolidating the offices of register and receiver of the land office at Broken Bow, Nebr.

On Nos. 47 and 48, relating to contingent expenses of land offices: Strikes out the authority for the payment of expenses of clerks detailed or transferred from one office to another; increases the appropriation from $350,000 to $375,000, as proposed by the Senate, and authorizes the maximum compensation for clerks in Alaska at not to exceed $2,220 per annum.

On Nos. 49 and 50, relating to the prevention of depredations on the public lands, etc.: Authorizes the use of $25,000, as proposed by the Senate, instead of $20,000, as proposed by the House, for the purchase and maintenance of automobiles for the field service and fixes the rate of per diem in lieu of subsistence at $3.50, as proposed by the House, instead of $4, as proposed by the Senate.

On No. 51: Increases the appropriation for reproducing plats of surveys from $5,000 to $6,000, as proposed by the Senate.

On No. 52, relating to the survey of public lands: Fixes the per diem rate of allowance in lieu of subsistence at $3.50, as proposed by the House instead of $4 as proposed by the Senate.

On No. 53: Appropriates $50,000, instead of $67,360 as proposed by the Senate, for expenses of the Bureau of Pensions for the administration of the act providing for the retirement of employees in the classified civil service, modified so as to provide that no person shall be employed out of this sum at a rate of compensation exceeding $1,740 per annum, except one at $2,000 and four at $1,800 each.

On Nos. 54, 55, and 56, relating to the Geological Survey: Strikes out the increase of $40,000, proposed by the Senate, in the appropriation for topographic surveys and makes the appropriation for the examination and classification of lands "immediately available."

On Nos. 57, 58, and 59, relating to the Bureau of Mines: Appropriates $200,000, instead of $175,000 as proposed by the House and $250,000 as proposed by the Senate, for the establishment, maintenance, and operation of mining experiment stations; and inserts the paragraph, proposed by the Senate, authorizing the sale at public auction of the land at Billings, Mont., formerly used as a mine rescue station.

On Nos. 60 to 70, inclusive, relating to the Reclamation Service: Restores the matter, stricken out by the Senate, requiring the sums expended for drainage on the Boise project to be expended in irrigation districts formed under State laws and to be expended contingent upon the execution of agreements for the repayment of the cost, modified so as to provide that the matter restored shall not be construed as an expression of opinion by Congress upon pending litigation. Appropriates $664,000 as proposed by the House, instead of $974,000 as proposed by the Senate, for the Newlands project. Reappropriates unexpended balances, as proposed by the Senate, for the Minidoka, Rio Grande, Klamath, Belle Fourche, and Shoshone projects. Appropriates $100,000 as proposed by the Senate, instead of $25,000 as proposed by the House, for the Riverton project. Inserts the paragraph, proposed by the Senate, appropriating $20,000 for irrigation investigations in the Imperial Valley, Calif.

On No. 71: Restores the language, stricken out by the Senate, providing for a coal-cleaning plant for Alaska.

On Nos. 72 and 73, relating to the insane of Alaska: Increases, as proposed by the Senate, the per capita cost from $520 to $540 and the appropriation from $115,000 to $120,630.

On No. 74. Inserts the paragraph, proposed by the Senate, hereafter authorizing the exportation of birch timber from Alaska.

On Nos. 75 to 86, inclusive, relating to the national parks: Appropriates $27,420, as proposed by the Senate, instead of $28,260, as proposed by the House, for personal services in the office of the Director of the National Park Service; strikes out the appropriation of $50,000, proposed by the Senate, for fighting forest fires in national parks and national monuments; provides, as proposed by the House, that moneys received from the registration of physicians at the Hot Springs Reservation,

Ark., shall be used in the protection and improvement of the reservation instead of being covered into the Treasury as miscellaneous receipts, as proposed by the Senate; provides, as proposed by the Senate, that $1,500 of the appropriation for Mount Rainier National Park shall be immediately available for telephone lines; appropriates $40,000, as proposed by the Senate, instead of $20,000, as proposed by the House, for the Rocky Mountain National Park, and makes $1,500 of the appropriation available for a motor vehicle for use of park employees; appropriates $278,000, instead of $260,000, as proposed by the House, and $380,000, as proposed by the Senate, for the Yellowstone National Park; appropriates $300,000, instead of $275,000, as proposed by the House, and $318,000, as proposed by the Senate, for the Yosemite National Park; appropriates $7,300, as proposed by the Senate, instead of $2,500, as proposed by the House, for the Zion National Park, Utah.

On Nos. 87 and 88: Inserts the appropriation of $85,000 proposed by the Senate for a home economics building at Howard University.

On No. 89: Inserts the paragraph, proposed by the Senate, authorizing the Attorney General to appoint special agents for the execution of the duties to be performed under the appropriation "detection and prosecution of crime" and vests such agents with authority for the execution of such duties.

On No. 90: Strikes out the appropriation of $300,000 to be expended by the Department of Justice for the enforcement of the national prohibition act.

On No. 91: Appropriates $2,061,000, as proposed by the House, instead of $2,286,000, as proposed by the Senate, for salaries and expenses of United States marshals, their deputies, and office expenses.

On No. 92: Appropriates $990,000, as proposed by the House, instead of $1,040,000, as proposed by the Senate, for salaries of clerks of United States district courts.

On Nos. 93 and 94: Restores the paragraph, stricken out by the Senate, placing the office of the clerk of the Supreme Court of the District of Columbia on the same basis as the offices of clerks of United States district courts, except that the clerk shall be appointed by the chief justice of the court.

On Nos. 95, 96, 97, and 98, relating to the Coast and Geodetic Survey: Appropriates $510,797, instead of $525,326 as proposed by the Senate, for pay and allowance prescribed by law for commissioned officers, instead of $256,900 as proposed by the House for salaries of commissioned officers; and reduces the appropriation for field expenses from $579,800 to $524,280. Appropriates $3,000 for the disbursing agent, instead of $2,500 as proposed by the House and $3,300 as proposed by the Senate, and strikes out the appropriation of $2,000 for a chief clerk.

On No. 99: Inserts the paragraph, proposed by the Senate, authorizing and directing the Bureau of Standards to make an investigation of gas furnished in the District of Columbia, modified so as to require the investigation to be made of the standard, quality, and cost of production and distribution instead of the comparative cost and quality as proposed by the Senate.

On No. 100: Inserts the paragraph, proposed by the Senate, reappropriating the unexpended balance of the appropriation for the construction of an immigration station at Philadelphia and makes it available for remodeling the detention house and administration building.

On No. 101: Inserts the paragraph, proposed by the Senate, authorizing the reimbursement to the immigration fund any amounts which may be paid by any person or corporation as part or all of the salary of immigration employees in foreign contiguous territory.

On No. 102: Inserts the paragraph, proposed by the Senate, removing the limitation upon the compensation of the commissioner of immigration at New Orleans.

On Nos. 103, 104, 105, 106, and 107: Appropriates $1,065,000 for the United States Housing Corporation in the amounts and for the items proposed by the House instead of $1,152,525 in the items and amounts proposed by the Senate.

On No. 108: Appropriates, as proposed by the Senate, $75,000 for investigations concerning women in industry.

On No. 109: Appropriates, as proposed by the Senate, $225,000 for the employment service.

On No. 110: Reappropriates $25,000, instead of $50,000 as proposed by the Senate, of the unexpended balance of the appropriation for the War Trade Board.

On No. 111: Appropriates $4,000, instead of $8,000 as proposed by the Senate, for purchasing and supplying uniforms for the Capitol police.

On Nos. 112 to 116, inclusive, relating to the Senate: Appropriates for expenses of the Senate and the Senate Office Building in the manner and in the amounts as proposed in the Senate amendments.

On No. 117: Inserts the paragraph, proposed by the Senate, requiring illustrations to accompany bound copies of memorial addresses delivered in Congress to be made at the Bureau of Engraving and Printing, or, in the discretion of the Joint Committee on Printing, to be obtained elsewhere by the Public Printer.

On Nos. 118, 119, and 120: Appropriates $7,531,851 as proposed by the House, instead of $9,094,141 as proposed by the Senate, for maintenance and operation of the Panama Canal. Appropriates $850,000 as proposed by the House, instead of $1,000,000 as proposed by the Senate, for sanitation of the Canal Zone, and makes the total appropriation for the Panama Canal in this act available until expended as proposed by the Senate.

On No. 121: Provides, as proposed by the Senate, that the information as to the cost of operation of Government-owned buildings required to be furnished by section 3 shall be limited to buildings in the District of Columbia, as proposed by the Senate.

On No. 122: Inserts the section, proposed by the Senate, authorizing the continuance until June 30, 1921, of any journal, magazine, periodical, or similar publication now being issued by a department or establishment of the Government, and modifies the amendment by eliminating from the section that portion which prohibits the issuance in any form of any journal, magazine, periodical, or similar publication which is not now being issued.

On No. 123: Inserts the section, proposed by the Senate, amending paragraphs a, b, and c, of section 210 of the transportation act, 1920, modified so as to add at the end of the Senate amendment a separate paragraph which provides that loans for equipment authorized by section 210 may be made to or through such car trusts or other agencies as the Interstate Commerce Commission may deem most appropriate in the public interests for the construction and sale or lease of equipment to carriers upon such general terms as to security and payment or lease as are provided in section 210 or in subsections 11 and 13 of section 422 of the transportation act.

On No. 124: Strikes out the section, proposed by the Senate, providing for transportation from the District of Columbia of Government employees whose services terminate between the date of the passage of this act and July 1, 1920.

On No. 125: Inserts the section, proposed by the Senate, prohibiting the exchange as part payment for a new typewriter of any typewriting machine owned by the Government unless such machine has been used three years.

On No. 126: Strikes out as proposed by the Senate the section relating to the national budget system.

JAMES W. GOOD,
WM. S. VARE,
JOSEPH W. BYRNS,
Managers on the part of the House.

Mr. BLANTON. Mr. Speaker, will the gentleman from Iowa yield?

Mr. GOOD. I yield to the gentleman from Texas.

Mr. BLANTON. I notice in the substitute for amendment No. 19, on page 2, there is a provision, among numerous other large salaries, for a salary not to exceed $6,500. I want to ask the gentleman whether that is for a messenger or a janitor, or if he can tell us what kind of a position it is?

Mr. GOOD. Is the gentleman reading from the conference report?

Mr. BLANTON. I am referring to the substitute for amendment 19. A number of positions and salaries are fixed, one at $6,500.

Mr. GOOD. That was a Senate amendment.

Mr. BLANTON. Most of the salaries have been fixed at $10,000 or $12,000 lately, and I thought it was rather strange that the Senate would fix one for as small an amount as $6,500.

Mr. GOOD. That is a matter that was presented to the House when the bill was pending here. My recollection is that the gentleman from Ohio [Mr. FESS] offered an amendment which was defeated on the floor of the House. We did not have time to go into the question with regard to the increase in the limitation.

Mr. BLANTON. But, notwithstanding that the House turned the matter down, you granted every increase asked for by the gentleman from Ohio [Mr. FESS] which had been turned down by the House, did you not? Is not that the fact, I will ask the gentleman?

Mr. GOOD. I do not remember just exactly what the figure asked for by the gentleman from Ohio was. But here is the situation: Congress is attempting to adjourn. The President vetoed a bill last spring because there was a limitation of this kind placed upon it. Here is this Federal Board of Vocational

Education, composed, as I recall, of three members of the Cabinet, the Commissioner of Education, and three other members, to administer this office. Does the gentleman think we ought to tie the hands of this board to such an extent that the President might again veto the bill and make it necessary for Congress to be called in session and the Members brought here from a great many miles to reenact the sundry civil appropriation bill?

Mr. BLANTON. No; I do not. I am in favor of adjourning. I voted to adjourn, and I want to adjourn, and I think it would be foolish not to adjourn; but I do not think we ought to go crazy just because we are going to adjourn.

Mr. GOOD. Neither do I.

Mr. BLANTON. I think we ought to maintain our mental equilibrium here in the House concerning foolish appropriations.

Mr. GOOD. I am entirely in accord with the gentleman, and I hope there is enough sanity in this board to which this amendment refers to protect the Treasury of the United States. Congress can only appropriate. Congress does not spend the money. If this board foolishly spend the money that is appropriated, we are helpless. We are giving $90,000,000 into the control of this board, and we have got to trust the board. That is all there is to it. That is one of the executive departments, and for us to attempt to say how much pay Sam Smith shall have and how much John Jones shall have, and all the other employees, is altogether impracticable. The board said they had to have this amount, and the Senate put this increase in this salaried position. The Senate conferees refused to yield in a single particular in that respect. They said the board had made it very plain to them that they had to have this, and if there was any falling down in their usefulness, it would be because they did not have enough men of this character to perform the work.

Mr. WINGO. If the gentleman has finished his statement, I would like to ask him two or three questions.

Mr. GOOD. I should like to make a brief statement first with regard to what the conference report contains. Then I will be very glad to yield to the gentleman.

Mr. WINGO. If the gentleman will permit me, right on this point, here is the information I want. The gentleman can cover it in his statement. It is not controversial at all. Will the gentleman state how much this bill now carries, and how much it carried when it passed the House; and then will he state also what legislation, if any, is now in the bill with reference to the railroads?

Mr. GOOD. The bill as it passed the House carried $427,967,569.92. It passed the Senate carrying $442,404,383.52. The amount added by the Senate was $14,436,813.60. The Senate receded to the extent of $5,242,876.60. The House receded to the extent of $9,194,737. The total amount now carried by the bill is $437,162,306.92.

The amounts added by the Senate, which have been agreed to, where the amounts are of considerable increase, were as follows: Customs Service, the Senate added $2,000,000, and the conferees have agreed to an increase of $1,000,000. It was pointed out that the customs receipts are increasing every day; that because of the fact that many of the officers and employees at the various ports are leaving, the merchants all over the country are complaining because they can not get merchandise, and, of course, the Government is not getting revenue when they can not clear the merchandise.

The House is compelled to yield something in this regard, and we agreed upon $11,300,000 instead of $10,300,000, as passed by the House, and instead of $12,300,000 as passed by the Senate.

There was an increase of $1,000,000 for guarding the liquor in bonded warehouses under the prohibition act. The gentleman will remember that we were compelled to carry a deficiency for the balance of this year. The Senate added $1,500,000 and the conferees have agreed on $1,000,000 for that purpose.

The civil service retirement act was passed, as I recall, after we passed the sundry civil bill; it was approved on May 22; and it made it necessary to appropriate money for that service, and the bill carries $50,000 that was not carried in the bill as it passed the House.

Some of the items for the social hygiene board went out on a point of order in the House. They were restored in the Senate and amounted to $785,000, the same amount that was carried by the bill as reported to the House, and the conferees of the House agreed to that amount.

The railroad labor board item was not considered at all by the House. The estimates were made after the House had considered the bill and amounted to $450,000. The committee of conference went over the hearings. This is a new board. The hearings were quite complete in the Senate and the Senate conferees insisted that that amount should be carried, but because it was impossible to tell at this time what the activities of the board would be or what the expenses would be, the House conferees did not care to insist that that amount be decreased because we had not had time or opportunity to personally investigate the matter and therefore accepted the judgment of the Senate.

An estimate of $80,000 was made to purchase the land at the entrance of the Zoo Park on Connecticut Avenue. It has been contended for some time that this land would be sold and that houses, stores, and shops would be built along the entrance to the park.

The superintendent of the park appeared before the House committee. We thought it was not the time to purchase, but the owner of the land is dead and the land is thrown on the market. While the owner of the land was living he refused to sell to anyone who would put up stores or shops at the entrance to the park. He thought it would spoil the entrance. The land is thrown on the market, and the Senate conferees absolutely insisted that this amount of $80,000 should be carried. The conferees have agreed to that.

Mr. McKEOWN. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. McKEOWN. How much land is there for this $80,000? The Senate put this on in addition to what the House gave?

Mr. GOOD. Oh, no; the House put in nothing for this land. This amount is at the assessed value of the land.

Mr. McKEOWN. Is this to carry out the scheme of having the parks connected?

Mr. GOOD. This has nothing to do with that. This is the land on Connecticut Avenue right at the entrance to the Zoo. It is on the east side of the little street or entrance that leads down to the Zoo.

Mr. McKEOWN. What is the acreage?

Mr. GOOD. Two hundred and ten thousand square feet of land, which is assessed on the average at 36 cents per square foot. The amount carried in the bill is the assessed value.

Mr. JONES of Texas. Does the gentleman remember the number of square feet in an acre?

Mr. GOOD. About 43,000 square feet.

The Director General of Finance requested an appropriation for clerk hire of $283,000. This was a matter of a great deal of contention with the conferees. The conferees on the part of the House did not like to agree to this amount. The whole matter was thrashed out in the legislative bill, and that is one of the troubles that we have in appropriations first on one bill and then on another bill.

After we have fought it all out we have to go over and fight it out again. We passed the bill with $283,000. I am satisfied that the Director of Finance can not conduct his office on the allotment made to him by the Secretary of War out of the $3,000,000 in the legislative bill. The committee therefore agreed upon an increase of $183,000 instead of $283,000.

Then, there is the cemeterial division in the Quartermaster's Department. The House will recall that when this matter was up there was a spirited discussion as to the amount which should be allotted for clerks in Washington out of the $21,000,000 appropriated for bringing back the bodies of our deceased soldiers. The House permitted to be set aside $100,000 for clerk hire in the District of Columbia. The Senate amended that by adding $400,000, making it $500,000. The Secretary of War and the Quartermaster General contend that that will not pay the expense. The House practically instructed the conferees upon the matter, but the conferees desired to bring the completed report. We want the bodies of our deceased soldiers brought back if the families desire them to be brought. It was not the intention of the conferees that that work should be halted in any particular. It is believed that the $250,000 which they will be permitted to expend here will be a great deal more than they can possibly expend in the District of Columbia in the matter of clerk hire. Therefore we added $150,000, making it $250,000 instead of the $100,000 carried by the House bill and the $500,000 carried by the Senate bill.

Mr. CRAGO. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. CRAGO. Does the gentleman know that those of us who voted with the committee to keep down that amount of money to be taken to be expended in the District of Columbia for clerk hire and the building up of a great organization in the District are being denounced by some propaganda starting here in Washington as being opposed to the return of our dead soldiers from France?

Mr. GOOD. Yes; and I have a suspicion that the whole thing started right down in the Quartermaster's Division in the War Department, and it ought to be denounced.

Mr. CRAGO. I have written back for one of those letters, stating to those people that I wanted the letter to find out exactly where this false statement originated. There is no request here from the department for any additional money for the actual work of bringing back the dead.

Mr. GOOD. Not a cent. This does not carry a dollar of appropriation, but provides, in case it is necessary to use the funds for that purpose, to use them to the extent of $250,000.

Mr. CRAGO. For clerk hire?

Mr. GOOD. For clerk hire.

Mr. CRAGO. And this is not an increase of the amount for the actual work of bringing back the dead.

Mr. GOOD. No. The matter of $100,000 was put on after the hearings had been had. It was put on after the legislative bill had passed, because when the legislative bill was passed and the amount of $3,000,000 was fixed for clerk hire in the War Department, the War Department had not yet agreed with France that these bodies could be brought back. Therefore, it was a new thing altogether.

Mr. CRAGO. In any event the matter that we voted on in the House was a matter of taking a part of the money already appropriated for the actual work of bringing back the dead and allowing them to use that sum to build up a great organization in the city of Washington. We are all of us ready to vote any amount needed to carry on this work, but we should limit the amount they can divert to clerk hire.

Mr. GOOD. Yes; and that is all we have done here.

Mr. DUNBAR. How many dead will be returned?

Mr. GOOD. My recollection is that under the appropriation of $21,500,000, and the $8,500,000 appropriated previously, they expect to bring back about 50,000 bodies, and will reinter in some central cemetery in France about 25,000 additional bodies.

Mr. DUNBAR. Then, this $250,000 will provide an expense of $5 for clerk hire for every body brought back?

Mr. GOOD. The same expense would be used for reinterring those bodies in France.

Mr. BEE. This same item was up in the House before?

Mr. GOOD. That is true.

Mr. BEE. Is there any change in the amount?

Mr. GOOD. I have been explaining the whole thing for the last 10 minutes. The Senate added $400,000, and the conferees have agreed on $250,000.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. CHINDBLOM. As I understand it, the $250,000 here recommended is only in the nature of a compromise between the conferees.

Mr. GOOD. Absolutely.

Mr. CHINDBLOM. And you are still not yet convinced that $250,000 would be needed for clerk hire?

Mr. GOOD. I do not believe it will be used, and we are not appropriating a single penny. It is simply a permission to use what is necessary up to that amount.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. JUUL. If it is not too late, I desire to get some information about amendment No. 29, appropriating $80,000. I want to ask the gentleman in all fairness if he thinks that the Nation is buying land at current, proper prices when we pay $80,000 for a piece of land of 200,000 square feet surrounding the entrance to a park which lies out in the country where we ought to buy land by the acre instead of by the foot?

Mr. GOOD. Well, if the gentleman will try to buy land that near by the acre in the city of Washington he will have some difficulty.

Mr. JUUL. We are helping to put an extraordinary value on the land, and I am just trying to find out if the committee that had this matter in charge are not staking their reputation in paying this price for the land?

Mr. GOOD. This is a Senate amendment; the Senate insisted on it.

Mr. JUUL. Suppose it does insist. Does that follow that we have got to swallow it?

Mr. BLANTON. Of course.

Mr. GOOD. The superintendent of the park has said it is a low price and that we could never duplicate it.

Mr. JUUL. Could we not leave it alone and not buy it if they were robbing us?

Mr. GOOD. I do not think they are robbing us. I think if we can buy it at 36 cents a square foot we are paying a low price. That is the assessed value.

Mr. BYRNS of Tennessee. If the gentleman will permit, on the contrary, this land now belongs to a certain estate, and it is stated by the superintendent and others that unless the Government buys at this particular time they will not be able to get it for anything like this price later on. In other words, the parties who own it now are willing to sell to the Government.

Mr. JUUL. I should think they would be willing. Here is an appropriation of $80,000, and we ought to get 80 acres of land for that.

Mr. BYRNS of Tennessee. Does the gentleman know where this land is situated?

Mr. JUUL. I know where it is situated exactly. It is wild land.

Mr. BYRNS of Tennessee. No; I beg the gentleman's pardon. It is land subject to being built up, and it has been the fear that houses and apartment houses will go upon it if it is not bought, and in addition it has been stated that this is the assessed value of the land. Now, certainly if it has been assessed at that price it must be worth that.

Mr. JUUL. I want to tell the gentleman, if I may, that the assessed value of land does not mean anything in Washington at all. [Applause.] If owners paid all their own taxes the assessment would drop to one-half.

Mr. GOOD. I did not yield to the gentleman for a speech.

Mr. BYRNS of Tennessee. The assessed value of the land is always a little less than the land is worth.

Mr. JUUL. I want to tell the chairman there ought to be some way of getting this item out of the bill. It ought not to remain there.

Mr. JONES of Texas. Will the gentleman yield?

Mr. GOOD. I will.

Mr. JONES of Texas. Will this particular tract of land, which seems to be a small one, be of very great aid in making this park better? Is it necessary?

Mr. GOOD. I think the gentleman has gone to the Zoological Park by the Connecticut Avenue Road?

Mr. JONES of Texas. Yes.

Mr. GOOD. Now the Government does own the entrance to the park, and that is quite a wide entrance, but there is a strip of land on the north and on the south that faces right on that entrance. The land has been owned a great many years by a gentleman who believed that the Government should own it, and he has refused to sell for the purpose of building houses, small shops, and things of that sort. It is true that he has leased a part of it for peanut stands or something of that kind. Now, that gentleman has died, and the land is thrown upon the market to settle his estate, and if the Government is ever going to buy it I assume it ought to buy it before shops and buildings are constructed, and the amount carried here is the assessed value of about 36 cents a foot.

Mr. JONES of Texas. I do not question the value, but it is a question of whether or not to the park it is worth that much?

Mr. GOOD. I will say to the gentleman that Dr. Walcott, of the Smithsonian Institution, and the superintendent of the park have come before the committee and have been pleading with us to put this on, but because of the condition of the Treasury we did not do it. The Senate put it on and insisted that it remain on and it is not an item of sufficient importance in a bill carrying over $400,000,000 to have a strenuous contest with the Senate about.

Mr. JUUL. If the chairman pleases, it is not the amount involved. If it was only $80, if it is wrong it ought to go out.

Mr. CRAMTON. If the gentleman will permit an observation, I think I have as much familiarity with that section of the city as any gentleman, and I think it is not only necessary we should have that land, but I think the price we are giving is a reasonable price.

Mr. GOOD. I have no doubt the price is reasonable.

Mr. FORDNEY. If the gentleman will yield, I want to say to my good friend here only three days ago I priced a piece of land 3 miles farther out about 800 feet off Connecticut Avenue and they wanted 20 cents a foot for it.

Mr. GOOD. No question about the price.

Now, the Senate bill carried an appropriation of $100,000 for building a road around the Lincoln Memorial. That road is to be built where they are filling at the present time. It occurred to the House committee that now was not the proper time to put a hard surface on the filling that is just being put around the memorial. Therefore that item went out. The inland waterways——

Mr. MOORE of Virginia. Will the gentleman look at item No. 37, and tell why, so to speak, he killed the only ewe lamb I had in this flock?

Mr. GOOD. There was an officer who came before the House committee when we had the hearings and said that he had reported adversely on this particular improvement. After hearing him we cut it out.

Mr. MOORE of Virginia. I will assure the gentleman if he will go down and look over that road and ride over it he should have an accident policy.

Mr. GOOD. As to inland waterways the Senate bill carried $4,436,000 for building transfer terminals and for operation and for building storage facilities and for loss in operation for the next year. That matter was not considered by the House committee at all. The transportation act, 1920, transferred to the War Department the operation of the boats and barges on the New York State barge canal, the Black Warrior River, and the Mississippi River. We acquired a great deal under Federal control of the railroads in the way of boats and barges, and we are now operating them.

We are operating them under the provision of the transportation act that turned over to the War Department the operation of these projects. It is estimated that the next year the loss in operation will amount to about $730,000. It is also estimated that it will require $2,100,000 to build transfer terminals. There is no estimate for building terminals to serve a locality on either of these rivers. The localities must provide their own terminals. But where it is necessary to provide large terminal facilities so that the freight from the boats can be transferred from the boats to the railroads or from the railroads to the boats, especially on the Mississippi River, where the difference in the rise of water during high water is about 40 feet, great expense will be involved in building those terminals.

Now, obviously that expense could not be paid, or would not be paid, and should not be paid, by a local organization that received no benefit at all, because the freight is being transferred from water to rail transportation, or vice versa. Now, about $2,100,000 was estimated for that purpose. Then it was necessary to provide for oil tanks and cold storage in these large terminals. I do not know whether this is going to be a success or not. Congress by the transportation act provided that the operation of these waterways should be made an experiment by the War Department, and, so far as I am concerned, that experiment, it seems to me, ought to be complete and the department ought to have the money to carry it out. If the experiment fails, then there will be an end to these appropriations for rivers and harbors of questionable character.

Mr. MACGREGOR. Will the gentleman yield to me?

Mr. GOOD. For a question.

Mr. MACGREGOR. You are aware perhaps that the State of New York wants the War Department to get off the Erie Canal?

Mr. GOOD. I heard something about that the other day.

Mr. MACGREGOR. They are quite unanimous in regard to that, and the War Department need not spend any money on terminals on that canal.

Mr. GOOD. They are not going to spend any money on that canal.

Mr. SABATH. There was evidence to the effect that all the barges acquired by the Government are being utilized to good advantage on the Mississippi and other waterways.

Mr. GOOD. Are they being utilized?

Mr. SABATH. There was evidence to the effect that they were being utilized to good advantage.

Mr. GOOD. I think the evidence before the committee is to the effect that the shortage next year, at least so Gen. Hines stated—and it is the estimate of the War Department—will be caused by the fact that they will not have enough barges and boats to do the business, but after these barges and boats that have already been contracted for by the Railroad Administration and paid for by the Railroad Administration, to be turned over to the War Department, are placed in operation they think there will be a net revenue. There ought to be a net revenue, because there will be then a great many millions of dollars invested, and we ought not only to have a net revenue, but it ought to be a substantial amount.

Mr. SABATH. Even now, with the small barges we have, they are of great aid and assistance in transporting our vast cargoes in various sections of the country.

Mr. GOOD. I understand that is so; yes.

Mr. BLAND of Missouri. I want to suggest to the gentleman that the purpose of appropriating the money on the terminal facilities there is to establish a transfer connection between the rail and water carriers, and is a part and parcel of the greater transportation system, and there hangs in the balance now the determination of the success or failure of inland water transportation in this country, and if it now fails it will be positively determined adversely to the undertaking for 30 or 40 years to come. If it is a successful and profitable undertaking on the part of great transportation, then it ought to be adopted by the Government to relieve the congestion that exists in the Nation to-day.

Mr. GOOD. That is true. Now, there have been some changes and additions in regard to the national-park service.

There is also one increase of $253,897, made necessary by the increased pay bill for the Coast Survey. That was an increase in salaries, made necessary by the increased pay bill, which passed after the House bill was enacted.

Mr. CRAGO. What was that?

Mr. GOOD. That was $253,897.

Mr. CRAGO. Did they put in increased pay for the Army and Navy in that?

Mr. GOOD. No.

Mr. CRAGO. I do not think it is necessary for the Army and Navy.

Mr. GOOD. There is nothing for the Army and Navy.

Then, the item for investigations concerning women in industry was agreed to in conference.

The House bill originally carried $75,000 for that. It went out on a point of order in the House, and was restored by the Senate, and we agreed to that. We carried $225,000 for the Employment Service. That went out in the House, and that was restored by the Senate. That was agreed to in conference. The Senate added $1,562,000 for the Panama Canal for maintenance. It added also $150,000 for sanitation of the Panama Canal. The Senate receded from those increases.

Now, the gentleman from Arkansas [Mr. WINGO] has asked for information with regard to the legislation that is carried in the bill.

The Senate placed an amendment on the bill making certain changes in the transportation act. Section 210 of the transportation act makes provision for new loans to railroads for equipment and the method of paying for it. Gentlemen will recall that a period of five years was given for the repayment of those loans. After the passage of that act it was claimed that the time for repayment was too short. The Committee on Interstate and Foreign Commerce of the House and the Commerce Committee in the Senate practically decided that the time was too short. When this amendment came up, I consulted with the gentleman from Wisconsin [Mr. ESCH], who is an authority on this subject and is familiar with its details. He asked that the Senate amendment in that respect be agreed to. The bill also provides with regard to the $300,000,000 for these loans that it may be used for the payment of outstanding deficits. The gentleman from Wisconsin [Mr. ESCH] informed me that that was the intention.

Some attorney in the Treasury Department rendered a ruling that it could not be used for that purpose. That ruling then was sent to the Attorney General, who held that it could be used for that purpose. But inasmuch as there was a conflict between these two legal authorities, the Treasury Department wanted that matter cleared up.

Then the House bill centered in the Treasury Department certain authority with regard to loans and certain authority in the Interstate Commerce Commission. It was thought best that this authority should be concentrated with regard to loans in the Interstate Commerce Commission, and that its power with regard to these loans that were made out of this $300,000,000 fund should be made absolute, and the Senate amendment provided for those changes. After the Senate made those changes the conferees on the part of the House took the matter up with the gentleman from Wisconsin [Mr. ESCH], who not only agreed that it was desirable but thought it was very necessary, and therefore the conferees have agreed to that amendment.

Mr. WINGO. Mr. Chairman, will the gentleman yield right there?

Mr. GOOD. Yes.

Mr. WINGO. As I understand, of the three changes that the gentleman has detailed, the first is extending the time of payment on the debt due from the railroads to the Government from 5 to 15 years?

Mr. GOOD. Yes.

Mr. WINGO. Does the gentleman recall what the amount of that is?

Mr. GOOD. Of the equipment trust?

Mr. WINGO. Yes.

Mr. GOOD. It is out of the $300,000,000 appropriated in the transportation act. I do not understand that the amount of the equipment trust that the director general of finances was attempting to float is involved in this at all. It is the $300,000,000 fund carried in section 210 of the transportation act.

Mr. WINGO. I thought the $300,000,000 fund was a revolving fund.

Mr. GOOD. It is.

Mr. WINGO. I want to find out if I am wrong or not; I am not engaging in a controversy with the gentleman, but I want to obtain information. I had the idea that the Esch-Cummins Act provided for a five-year time on certain indebtedness due the United States by the railroads.

Mr. GOOD. Yes.

Mr. WINGO. This amendment, that you say the conferees have agreed to, extends that time 10 years more, making it 15 years?

Mr. GOOD. That is correct. That draws interest at 6 per cent.

Mr. WINGO. I have not the Esch-Cummins Act before me, and I do not recall what particular fund that is, the amount in millions.

Mr. GOOD. That is the new loans that can be made to the railroads on equipment, secured out of the $300,000,000 fund that is loaned to them. They take an equipment trust security, and under the act those loans can only be made for five years. The railroads say they will be in as bad condition in five years as they are now in paying them, and they said they ought to have the same power that they have always had in making their loans on equipment, and that is to make them for 15 years.

Mr. WINGO. The last change you made is that where the Esch-Cummins Act allowed the Secretary of the Treasury the exercise of certain discretion. You have transferred that discretion to the Interstate Commerce Commission along with the other discretion that the original act gave to the Interstate Commerce Commission.

Mr. GOOD. Yes.

Mr. WINGO. So the Interstate Commerce Commission will have absolute control——

Mr. GOOD. With regard to these loans.

Mr. WINGO. And the discretion of making these loans in behalf of the Government will be left entirely to the Interstate Commerce Commission.

Mr. GOOD. Absolutely.

Mr. WINGO. And not to the Secretary of the Treasury?

Mr. GOOD. Absolutely. And I will say to the gentleman that Senator UNDERWOOD came before the conferees and asked for the additional authority. He was very insistent to the committee. The conferees, after consulting, saw no objection to it, and that is contained in the paragraph at the bottom of page 6 of the report, which provides that the loans for equipment authorized by section 201 of the transportation act shall be made to or through such organization, car trust, or other agency, as may be determined.

Now, the Senator's idea was that a great many of these loans would have to be made through some other organization than the carriers. The act itself limited it to the carriers; but to make it a mobile and workable proposition, the loans would have to be made to car trusts, security, or other organizations. We saw no objection to it, and after conferring with those who were interested, and who were experts on the subject, they saw no objection to it.

Mr. WINGO. If I get the idea, it is that if they want to they can organize a separate corporation to handle this equipment, and so forth?

Mr. GOOD. That is correct.

Mr. WINGO. And then instead of making loans direct, the Interstate Commerce Commission would have authority to make loans to this corporation created to handle them.

Mr. GOOD. The gentleman is right about that.

Mr. JONES of Texas. As I understand, most of this loan of $300,000,000 is to be made for cars and rolling stock. In the extended period of 15 years most of the equipment would be worn out before the time comes for payment.

Mr. GOOD. No. That is just what Mr. Sherley did in reference to the 100,000 cars purchased during the war. It was what Mr. Hines recommended, and they say that is in accordance with the existing practice, and it is the plan that has been followed for years in regard to equipment.

Mr. BYRNS of Tennessee. The Interstate Commerce Commission has discretion in the matter as to whether it shall make the term 15 years or a less number of years.

Mr. GOOD. Absolutely.

Mr. JONES of Texas. I see from some of the reports that they are going to put most of the $300,000,000 into cars and rolling stock. It occurs to me that most of the cars would be worn out in less than 15 years.

Mr. GOOD. Let me say to the gentleman that it is the estimate of the Railroad Administration that because of the war, because of the fact that the great railroad shops and locomotive works of America were used for war purposes, we are short in railroad equipment to the value of $1,600,000,000 behind what we would have had if these facilities could have been used during the war for that purpose, and that is the reason why there is such a congestion all over the United States to-day.

Now, I think the other items of legislation in the conference report are of minor importance, and are matters upon which there is no dispute. Therefore I move the previous question on the conference report.

The SPEAKER. The gentleman from Iowa moves the previous question on agreeing to the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question being taken, on a division (demanded by Mr. WINGO) there were—ayes 104, noes 18.

Accordingly the conference report was agreed to.

On motion of Mr. GOOD, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

THE AMERICAN MERCHANT MARINE.

Mr. GREENE of Massachusetts. Mr. Speaker, I present a conference report on the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, for printing under the rule.

GENERAL DEFICIENCY BILL.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14335, the third deficiency bill.

The motion was agreed to.

Accordingly, the House resolved itself into Committee of the Whole House on the state of the Union with Mr. TILSON in the chair.

The Clerk read as follows:

SETTLEMENT OF CONTRACTS.

The following unexpended amounts of appropriations for the fiscal year 1918 shall remain upon the books of the Treasury to the credit of the respective appropriations until June 30, 1921, to permit payments for the adjustment and settlement of claims resulting from the suspension or termination of contracts or other procurement obligations of the War Department, consequent upon the suspension of hostilities, and for the adjustment of claims under the act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word. Under the head of "Transportation of the Army," page 25, I notice an estimate for the transportation of the wives of soldiers from Europe. I called the gentleman's attention when the sundry civil bill was up to the fact that the effects of officers and enlisted men who lost their lives and articles sent to many of our soldiers were stored in Paris with the American Express Co., and that the charges now held against them are so exorbitant that on many of the articles which were not delivered the charges are more than the intrinsic value of the property. At that time the gentleman thought that there was a provision to return that property to the United States, but I have taken the matter up with the War Department and they say that there is no authority to pay for the return of these articles.

Mr. GOOD. No estimate was made for anything of the kind and I assume that there is plenty of money available out of the pay for the Army or the transportation of the Army for that purpose. This is a matter that they would not be authorized to pay. This is an appropriation of $13,000 that would be subject to a point of order. It is to bring back the war brides of men in the service who married over there. They were ordered back to this country. They had no money with which to bring their wives back and the War Department felt that it would not be right to leave them stranded over there, and so they attempted to pay their transportation back. They owe these claims to the steamship companies for bringing back the war brides of our soldiers.

Mr. McKEOWN. I desire to call the attention of the gentleman again to the fact that although we have called the attention of the War Department to the fact that the effects of these deceased soldiers and many others are in the warehouses of the American Express Co., which was one of the corporations taken care of when the Railroad Administration bill turned the roads back, yet they are charging such high rates that these effects will have to be sold at auction in Paris because the Government can not bring them back.

Mr. GOOD. The War Department has made no estimate for it.

Mr. McKEOWN. I want to voice my protest against these charges, so large that they will prevent the relatives of these deceased soldiers getting this property.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the gentleman's pro forma amendment. I am in favor of this appropriation of $13,000 because these war brides ought to be brought back. I think, however, the sum should have been made in some other amount—$14,000 or $12,500—because we want these war brides to start out under the most auspicious circumstances possible in this country. We don't want any 13 hanging over them.

The main reason I desire to call attention to this item, however, is this: The other day we passed a resolution in this House to carry 300 civilians to Antwerp on Army transports to engage in the Olympic games, and it was then stated by my friends on the other side of the House that it would not cost a penny to carry them over on the Government transports. But this very item in this bill demonstrates the fallacy of that statement. It demonstrates that it cost $13,000 to bring the war brides back, and it is going to cost several times $13,000 to deliver 300 civilians in Antwerp to engage in the Olympic games. And you are doing it when your country is in debt, but you did it over my protest.

The Clerk read as follows:

Supplies, services, and transportation, 1918, $9,625,816.55.

The CHAIRMAN. The Chair calls the attention of the gentleman to an error in line 2, page 27, where there are two "and"s.

Mr. GOOD. I move that the first "and" be stricken out.

The CHAIRMAN. Without objection the amendment will be agreed to.

There was no objection.

The Clerk read as follows:

In all, $51,505,158.88: *Provided*, That no part of this sum shall be used to pay any claim arising out of any contract or other obligation unless such contract or obligation was entered into subsequently to April 6, 1917, and prior to November 12, 1918.

Mr. JONES of Texas. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Page 27, line 10, after the figures, strike out the period and insert a comma and add the following: "*Provided further*, That no part of this sum shall be paid for any claim for profits on any such contract or obligation."

Mr. JONES of Texas. Mr. Chairman, I do not know whether any part of this appropriation was intended to cover profits or not, but out of abundance of caution I think it would be well to have the provision in there. I know that in a number of other contracts that have been settled and provision made for them such a stipulation has been embodied in the legislation that provided for the payment. It seems to me that these various claims that are authorized when contracts and obligations were settled should carry with them no profit on any work done before the contract was canceled. There simply ought to be a payment of the obligation due or the expenses incurred prior to the cancellation of the obligation. I have offered the amendment for the purpose of limiting it to that.

Mr. GOOD. Mr. Chairman, there are large unexpended balances under these appropriations that will lapse on June 30. All general appropriations are available for obligations during the fiscal year for which they are made. They continue available for two additional years for payment of obligations incurred during the year for which the appropriation was made. These appropriations were all made during the war, and the money has not been available for obligations since the years specified here. None of it will be available for payment of the obligations, no matter how meritorious they are, after June 30, unless we extend the time. We are not appropriating any additional money. The Secretary of War estimates that it will be necessary to use approximately $51,505,000 to settle these claims. The gentleman is injecting into the question something altogether new.

These contracts were made during the war. Some of them have been canceled, some of them have not been paid because of contests; some of them may go to the courts. All we are attempting to do is to extend the time within which payment may be made. What might happen is this: If the gentleman's amendment should be adopted the War Department might rush ahead and settle these claims before June 30, and we might actually lose more money than we would save. There is no legislation that I know of on contracts of this kind where Congress has provided that they should be made without profit. I think the profits are too large in a great many of them. They were contracts made during the war and approved by the Secretary of War. I doubt very much the wisdom of the gentleman's amendment.

Mr. JONES of Texas. The gentleman understands from the first part of this that it applies only to contracts not finished at the time the war closed?

Mr. GOOD. Yes. This proviso is to prevent any construction being placed upon this extension of time whereby the Secretary of War might enter into new contracts or pay for contracts not made strictly in accord with——

Mr. JONES of Texas. But the gentleman does not think that in contracts never finished a profit should be allowed manufacturers of arms and equipment of the kind mentioned and enumerated on page 26, when in the other contracts we have appropriated for we have specifically provided that no profits should be allowed?

Mr. GOOD. We never have provided for anything of that kind.

Mr. JONES of Texas. Yes. In all of the legislation this kind of an amendment has gone on, that in these informal obligations and contracts the Government has assumed, no allowance should be made for profit.

Mr. GOOD. So far as it relates to informal contracts, the law already provides for that. I hope the amendment will not be agreed to.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

The amendment was rejected.

The Clerk read as follows:

In all, National Home for Disabled Volunteer Soldiers, $242,500.

Mr. PELL. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee if the $242,500 carried in this item is sufficient. I noticed by the report that it has not been reduced. Is it absolutely sufficient?

Mr. GOOD. The board of managers sent their estimates to the committee with quite a full explanation. The amount made necessary for subsistence by this deficiency is caused largely by the increase in the cost of the kind of subsistence they have had to purchase.

Mr. PELL. I sincerely trust that there has been no effort made whatever to economize on this particular thing.

Mr. GOOD. It is just exactly what the board asked.

Mr. PELL. Everything possible is being done for these men?

Mr. GOOD. Yes.

Mr. PELL. It seems to me that the prime duty of this Government to these soldiers is to take care of the injured.

Mr. GOOD. I will say to the gentleman that it was with this thought that we should not question this item, because we propose to use for the next year about nine or ten thousand beds in the soldiers' homes for the soldiers of this war. This is all to go to purchase provisions, and if it is not all used this year there will be a demand for it immediately at the opening of the next fiscal year.

Mr. PELL. I am sure we are all willing to do everything necessary for that purpose. Those men who have suffered in the service of their country should receive all that we can give them. They should be cared for and cherished; their pains have ransomed us all and they are a charge on us all, not of charity but of justice and duty. They do not complain; they maintain no lobby—their wounds speak for them. I withdraw the pro forma amendment.

The Clerk read as follows:

DAMAGE CLAIMS.

Damage claims: To pay the claims adjusted and determined by the Navy Department under the naval appropriation act for the fiscal year 1911, on account of damages occasioned to private property by collisions with vessels of the United States Navy and for which naval vessels were responsible, certified to Congress in House Documents Nos. 741 and 757 of the present session, $5,302.44: *Provided*, That the amount stated in item 18 in Document 741 shall be $228.79 instead of $288.79.

Mr. PARRISH. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee in reference to this item for damage claims, Navy Department, and that is if there has ever come to his knowledge any requests for appropriations to pay claims which were occasioned by the laying of the helium-gas line from Petrolia to Fort Worth?

Mr. GOOD. No; this would not come within that class of claims.

Mr. PARRISH. I did not think it would come within that class of claims.

Mr. GOOD. No; this class of claims has relation only to collisions between vessels, where the vessel belonging to the Navy is at fault, and where the amount involved is less than $500.

Mr. PARRISH. I see that it would not come under that class of claims, but it suggested to my mind that these people had never been compensated for the damage occasioned by the laying of that line. I know of my own knowledge there are probably

as many as 50 claims which have passed through my hands occasioned by the laying of that line, and I was wondering if any arrangement could be made to compensate those citizens whose property had been damaged by reason of the laying of that line by the Government.

Mr. GOOD. I know nothing about the controversy.

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Outfits on first enlistment: Outfits for all enlisted men and apprentice seamen of the Navy on first enlistment, at not to exceed $100 each; for the clothing gratuity of officers and other members of the Naval Reserve Force, not to exceed $150 each for officers for civilian clothing not to exceed $15 per man to men given discharges for bad conduct, undesirability, or inaptitude; in all, fiscal year 1919, $856,848.03.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. If I may have the attention of the Chairman, I notice in line 9 the bill carries an item for civilian clothes for dishonorably discharged men at $15 per man. That evidently is the price that was established a number of years ago and clothing has gone up to such an extent that they would probably have to give the man something made out of paper at $15 or else let him go away naked.

Mr. GOOD. This is an actual deficiency for the year 1919.

Mr. CALDWELL. Where the Government has actually paid the money?

Mr. GOOD. Where the clothing has already been furnished and this is to compensate in that amount.

Mr. CALDWELL. All right.

The Clerk read as follows:

For vehicle allowance, the hiring of drivers, the rental of vehicles, and the purchase and exchange and maintenance, including stable and garage facilities, of wagons or automobiles for, and the operation of screen-wagon and city delivery and collection services, $1,200,000.

Mr. JUUL. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. JUUL. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman of the committee a question. I would like to ask the chairman if this $1,200,000 takes into consideration the increased compensation to be paid to the employees of the Postal Service in case the bill is reported in to-morrow?

Mr. GOOD. No; this has nothing to do with that.

Mr. JUUL. That is what I wanted to know.

Mr. GOOD. This is simply to take care of the vehicle service.

Mr. JUUL. I thank the gentleman.

Mr. O'CONNELL. Mr. Chairman, I move to strike out the last two words, for the purpose of asking the chairman of the committee to explain the difference between this item for copies of the Official Postal Guide for 1920, $6,500, and for 1921, $50,000.

Mr. GOOD. Yes.

Mr. O'CONNELL. What does that difference represent?

Mr. GOOD. The difference represents the additional cost for securing the Postal Guide. The contract is on a four-year basis. The Post Office Department took proposals for printing the Postal Guide, and the increased cost is $50,000 in excess of the $43,000 carried in the legislative bill for 1921. It is over 100 per cent increase of the price at which the contract was let four years ago.

Mr. O'CONNELL. Is it not, in fact, about 400 per cent increase?

Mr. GOOD. I do not know exactly what the contract was let at four years ago, but my recollection is it was for $33,000, and for the next year the legislative bill carries $43,000. Since that time, in advertising for bids, they received one proposal, and could not get other proposals, and they increased it $50,000. We have to have these Postal Guides.

The Clerk read as follows:

For reimbursement of the Government Printing Office for the cost of furnishing steam for heating and electric current for lighting and power to the Post Office Department building at Massachusetts Avenue and North Capitol Street, District of Columbia, $1,500, or so much thereof as may be necessary.

Mr. BROOKS of Pennsylvania. Mr. Chairman, I move to strike out the last word for the purpose of calling the attention of the chairman of the committee to the spelling of the word "reimbursement" on page 34, line 10.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that the Clerk be authorized to make the correction.

The CHAIRMAN. Without objection, the Clerk will make the correction.

There was no objection.

The Clerk read as follows:

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL.

For payment of limited indemnity for the injury or loss of pieces of domestic registered matter, insured, and collect-on-delivery mail, for the fiscal years that follow:

For 1918, $50,000;

For 1919, $125,000.

Mr. CHINDBLOM. Mr. Chairman, I call attention to the spelling of the word "years" in line 4, page 36.

The CHAIRMAN. Without objection, the Clerk will correct the spelling.

There was no objection.

The Clerk read as follows:

For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, $1,600,000.

Mr. GANDY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the debate on this bill has covered an exceptionally wide range of subjects. Therefore it seems to me I may with propriety beg the indulgence of the House while I make something of a personal statement. No man can prize more highly the great privilege I have had of being a Member of the Sixty-fourth, the Sixty-fifth, and this the Sixty-sixth Congress. The European war broke out a few months before I was first elected, so that the days I have spent here have been critical ones for the Nation and full of long hours of work for Members of Congress. In fact, the Congress has been in session almost continuously since early in December, 1915. During that time came our participation in the world-wide conflict. Critics there have been, critics there are, and critics there will be, but the cold truth remains that the United States raised and equipped a larger Army, put to sea a greater Navy, and raised more dollars for her own finances and for the Allies than was believed possible. The American people rose to the occasion, and that their great effort made possible the defeat of Germany there can be no doubt. Designing men, for political purposes, have attempted to besmirch that record of imperishable glory, but as the years of the century roll by it will in pride be told with patriotic fervor as a priceless heritage. Certainly there were mistakes; it could not have been otherwise. Mere human men do not make perfect records either individually or when collectively bound together in a republic. Perfection is a quality of the Divine alone. That our Army, Navy, and Marine Corps were the best physical specimens, the cleanest morally, the best fed, the best clothed, the best equipped, and the best paid will always be a source of pride to every American. On every occasion presented I voted to sustain and support the defenders of our Nation. Through the days of the gathering storm and the weeks of the conflict my vote was cast to uphold the dignity, the honor, and the integrity of America.

The Sixty-third Congress, the first during the administration of President Wilson, placed some notable measures on the statute books. Let me mention the income-tax law, the Federal reserve act, the agricultural extension act, the Clayton antitrust law, the creation of the Federal Trade Commission, the seaman's law, and the marine insurance act. How thankful we all are that the Federal Reserve System was established before the war. It removed from Wall Street the control of the money of the land and made financial panics a thing of the past.

Not less brilliant were the legislative achievements of the Sixty-fourth Congress, in which I first served, which provided for section grazing homesteads, Federal aid in the construction and maintenance of roads, the safety of railroad employees, uniform grain grades, rural credits, and liability for injury of Government employees. The rural-credit system has, of course, made but a small percentage of the real estate loans, but its effect has been to reduce interest rates quite generally over the country.

The time of the Sixty-fifth Congress was very largely devoted to legislation under which the war was fought and financed. The soldiers' insurance law provided insurance at low rates for soldiers, sailors, and marines, made provision for compensating those wounded and disabled in the service, and extended financial assistance to dependents of service men. The income and excess-profits taxes recognized the justness of graduated taxes by levying heavier rates on big incomes than were ever before laid in this country. The deportation was authorized of foreigners who claimed their alien citizenship to evade the obligation of military service here. Within less than three months after the armistice, the resumption of voluntary enlistments for the Army was ordered, and thus it became apparent that this Nation, which willingly adopted the

draft law for raising an army in time of war, did not intend to continue in time of peace a policy of compulsory military service. Under the food-control act the President had guaranteed the price of the 1919 wheat crop and appropriate legislation was enacted to carry that into effect.

Coming events cast their shadows before them, and so the 1920 presidential election had its effect on the Sixty-sixth Congress. That unanimity of purpose which prevailed during the two previous Congresses was succeeded by criticism and discord. Even so, considerable legislation has been enacted, of which I mention the submission of the woman-suffrage amendment, the oil-and-coal-land leasing act, the law for the enforcement of national prohibition, the civil-service retirement act, provision for the vocational rehabilitation of those disabled in industry, the creation of a Woman's Bureau in the Department of Labor, and the liberalization of the compensation payments under the war-risk insurance law.

I did not vote for the railroad control act, for I did then and do now doubt the wisdom of embarking on a policy of guaranteeing the dividends of the railroads by directing the Interstate Commerce Commission to lay such freight rates as will produce the required net income. That looked too much like the cost-plus system to suit me. The provision which requires consent of the Interstate Commerce Commission before any railroad can be built, extended, or bought is covertly drawn to head off any competitive railroad building and to preserve the railroad status quo. We are now advised that the estimated returns from the freight rate increases already applied for under that act are as much for each year as the much-talked-of deficit was for the two years and two months of governmental control.

It is unfortunate, indeed, that there came the differences between the President and the Senate regarding the treaty of peace, which includes the covenant of the League of Nations. More than 25 of the nations of the world have ratified that covenant, while the United States holds aloof. The fathers and mothers of this land have a right to demand for the coming citizens that there come as the result of the great conflict something more than a big debt. If there does not come an international agreement or understanding or league of nations or something to bind the nations of the earth together on common ground, then the future presents only a race for armament in a breathing spell before another war.

FEDERAL AID FOR GOOD ROADS.

In my first congressional campaign in 1912 I talked to western South Dakota folks about Federal aid in the construction and maintenance of roads, and there were those who smiled at what then appeared to be an idle dream. In 1916 it was my privilege to help pass the first Federal appropriation bill for good roads, and thereunder South Dakota received $1,256,250 for the five-year period, besides aid in road work in the forest reserves. The appropriation has been increased, and the South Dakota allotment up to 1921 now stands at $4,452,883.04.

THE MAIL SERVICE.

South Dakota west of the Missouri River is larger than the State of Ohio. It has approximately 1,100 miles of railroads, 2,000 miles of rural mail delivery routes, and 4,000 miles of star routes. That mileage statement in itself shows clearly the mail-service problem. I have worked with home folks in a studied effort to improve the service, and to-day approximately 3,000 homes are receiving mail delivery on rural or star routes or city delivery established since I came to Congress.

The unusual condition brought about by the war, with counting costs and increasing salaries, has been a serious trial to the Postal Service. Most any sort of labor has been able to command more money than the average postmaster, post-office clerk, or rural carrier. That has also been true of all other lines of the Government service. A temporary bonus was provided, but even that has failed to put the Government employees on a parity with other workers. The Postal Salaries Reclassification Commission has filed its report, and action thereon by Congress will very shortly be taken. I have no doubt that the report will be adopted and postal workers all along the line will be benefited thereby.

Fourth-class postmasters never have received the recognition to which they are entitled. The little offices are just as essential in the general postal scheme as the big offices, yet a fourth-class postmaster is expected for a pitifully small allowance based on the business of the office to furnish a building, heat and light it, and do the work. In all lines of public service the American people have been doing away with the old fee system, and I hope the day will soon come when fourth-class postmasters will not longer be on a fee basis.

Another great inequality in postal affairs is the condition that prevails in the star-route service. These routes are on a contract basis, and, hence, within the technical meaning of the term, the contractors or carriers are not employees of the United States. For that reason no provision for their relief is made in the report of the Reclassification Commission. Because of unusual conditions, we provided relief for the man who had a contract to furnish Army or Navy supplies. We have made provision for the man who has a contract to build a post-office building, but I have yet to see any relief or hear any voice raised in this House in behalf of the man who has a star-route contract, and there are thousands of them scattered over the country. I heretofore called attention to the exceptional star-route mileage in the district I have the honor to represent. Practically every contractor, where the contract was made a year or two or three years ago, is to-day faced with bankruptcy. Many of them have already been wiped out.

Mr. KREIDER. Will the gentleman yield?

Mr. GANDY. Yes, sir.

Mr. KREIDER. I wish to say to the gentleman that the Post Office Department has authority to change their contracts and agree on a new price.

Mr. BLANTON. The gentleman is mistaken. They absolutely refused to do it down in my section.

Mr. KREIDER. I know they have done it.

Mr. BLANTON. I have had 20 different cases up with them, and they refuse to change the contract.

Mr. GANDY. I think the gentleman from Pennsylvania [Mr. KREIDER] is in error on that, because I have had much experience in the last few months with that proposition.

Mr. SINNOTT. Will the gentleman yield?

Mr. GANDY. I yield.

Mr. SINNOTT. I will state that I agree with the gentleman. I have had the matter up with the Postmaster General, and he refuses to approve a bill that tries to remedy the condition. I have one contractor that offered $4,000 to be relieved from his contract.

Mr. KREIDER. I have had a route in my district where the carrier had agreed to carry the mail for, I think, $500. He took it up with the department and the department adjusted it on the basis of $800.

Mr. SINNOTT. The department not only refused to adjust the matter in my district, but refused to approve of a bill to give them authority to adjust it.

Mr. CRAGO. One of the troubles I have had is this: I have had cases, just as the gentleman from Pennsylvania [Mr. KREIDER] had, where they have voluntarily increased the pay in existing contracts. But what I do object to is that they do not seem to have a uniform rule. A man comes up and makes a good case, and they refuse to increase him. There ought to be some uniform system.

Mr. GANDY. It is my understanding there is no provision of law to adjust the compensation except where the Government wants to increase the service on the route or because of something of that kind it is deemed wise to let a new contract.

Mr. CRAGO. And where there has been an increase of the amount of mail matter carried.

Mr. BRIGGS. Is it not true that the contract is practically prescribed by the law that Congress has passed, and the Postmaster General has no discretion whatever about them?

Mr. GANDY. The Postmaster General has no discretion.

Mr. BRIGGS. Congress has taken no steps to change the situation.

Mr. GANDY. That is exactly it.

Mr. JUUL. I wondered if the gentleman was going to offer an amendment to cure the case he complains of.

Mr. GANDY. I have no opportunity to do that on this bill, but I do hope to offer to this House in the very near future an amendment to a bill, where I think it will be in order, to take care of that situation. There should be an adjustment of pay based on present-day costs, for certainly this great Government of ours ought not to receive service at less than the cost thereof.

CUSTER STATE PARK GAME SANCTUARY.

The 1919 session of the Legislature of South Dakota memorialized Congress for an addition to Custer State Park, which is located in the Black Hills in Custer County. Pursuant thereto I introduced and secured the passage of an act authorizing the establishment of the Custer State Park game sanctuary, not exceeding 30,000 acres in the higher ranges adjoining and west of the State park and including Harney Peak. The land will remain a part of the national forest, but the State will be permitted to fence it, and on a basis of even exchange to acquire not to exceed 1,600 acres within the area for camp sites, administrative and other locations. With this addition, South

Dakota's State park will contain nearly 100,000 acres and will be the largest in the Nation. Without doubt in the years to come it will be a heritage of which the State will indeed be proud. It is now well stocked with game, and its rugged mountain grandeur, set out by lofty peaks, deep gorges, and clear, sparkling streams, makes it an ideal recreation place.

THE CHAMBERLAIN BRIDGE.

The pile and pontoon bridge of the Chicago, Milwaukee & St. Paul Railroad, across the Missouri River at Chamberlain, early in its existence acquired a habit of journeying down the river with the flow of ice in the early spring or late fall and of drifting on the crests of such freshets as chose to pass that way during the late spring and summer. Before I came to Congress the State board of railroad commissioners had taken action in court, the State legislature had passed appropriate resolutions, commercial clubs and private citizens had protested, cussed, and discussed this situation, which was then, and is now, a menace to the safety of the property and persons dependent upon that bridge for crossing the river. The very uncertainty of travel that way has retarded the settlement, growth, and development of the country along the Milwaukee Railroad between the Missouri River and Rapid City.

Seeking to remedy this almost intolerable situation, I introduced in the Sixty-fourth Congress and secured the passage of the act of April 28, 1916, to compel the building of a new bridge. That act gave the railroad company two years within which to commence construction, but within that time came the war with Germany and incidental war conditions, including control of the steel industry by the War Trade Board, which made impossible the erection of the bridge. Then, also, came the Federal control of railroads, during which an authorization for the erection of the bridge could not be secured. In 1918, after the bridge franchise lapsed, the railroad company, although not able to procure a new bridge, moved to Chamberlain two secondhand steel spans of 300 feet each. The work of erecting those spans and the building and launching of a new 200-foot pontoon was completed in the spring of 1919. I refused to introduce a bill for another franchise unless it carried adequate safeguards of the public interest, for it must be remembered that under the general laws governing bridges across navigable streams no authority is retained over the structures except that pertaining to navigation. During the summer and early fall of 1918, in conferences with Government officials here and with railroad officials in Chicago, I insisted that the bridge, as contemplated, would not meet the requirements of continuous railroad traffic, and later events have justified that opinion. H. R. 13004, Sixty-fifth Congress, introduced by me on September 25, 1918, which became a law on February 25, 1919, granting extensions of time within which to commence and complete the bridge, provides:

> That if the bridge * * * shall be found, in the judgment of the Secretary of War, to be so constructed that it does not reasonably meet the requirements for continuous and uninterrupted railroad traffic, then, and in such event, he may order such changes as in his judgment may be necessary to make said bridge meet such requirements. All the privileges herein conferred and the right to maintain the bridge to be built hereunder shall cease and determine unless such changes as the Secretary of War shall direct shall be commenced within six months and completed within two years next following the date of service of such order.

Thus, twice has a precedent been set in bridge legislation—once when the building of a new bridge was sought to be compelled by the repeal of the bridge franchise then in force with a requirement that plans be submitted for a new bridge; and, second, when the Secretary of War was given jurisdiction to see that the bridge meets the requirements of continuous railroad traffic. I filed formal complaint against the bridge, and an investigation by Army engineers sustained the complaint. A hearing has been ordered at Chamberlain, S. Dak., before the Army district engineer, Maj. R. T. Ward, of Kansas City, Mo., upon the question of alterations or additions necessary to meet the requirements of continuous railroad traffic, and, the Secretary of War having already found the bridge to be deficient, there is no question but what changes will be ordered. In fact, the Chief of Engineers of the Army has announced that in his opinion the following changes are necessary:

> Replace the pontoon draw by a lift span or other satisfactory form of opening providing a vertical clearance of not less than 38 feet above the extreme high water of the navigation season.
> Replace the western pile approach by two steel spans, with adequate protection for the western abutment.
> Maintain the channel within the draw or lift span.
> Replace the present pile piers by concrete or masonry piers extending below the scour line.

I thus have reason to believe that there will shortly be erected at Chamberlain such a structure as will make certain the crossing of the Missouri River at any and all times of the year.

PENSIONS, COMPENSATION, AND VOCATIONAL TRAINING.

The pension law lately enacted for Civil War veterans is the most generous ever placed on our statute books. The "boys of long ago" who by their service in the Union Army made possible this great country of to-day will be materially assisted by the increases provided. The recent enactment by Congress of a bill to pension the disabled veterans of the Spanish-American War, whether that disability arose in or subsequent to war service, is evidence that Congress believes those who offered their services to the Nation in its hour of danger ought to be assisted in case of disability. Pensions for the widows of Spanish War veterans were provided during the last Congress, and rightly so. Assistance has also been given during my service here to the veterans of Indian wars. Several private pension bills introduced by me for veterans who were equitably entitled to assistance but were unable for some technical reason or other to secure a pension under the general law have been enacted. Allowances under the war-risk law provide for disabled service men of the recent war. They are the most liberal ever paid by any country, and experience under that law is demonstrating just how helpful it is, both to the veterans and the country. Vocational training and rehabilitation are provided for those veterans whose disability indicates they can not return to their previous occupation.

Looking back over my service in Congress, it will always be to me a pleasant recollection to know that I have advocated liberality in providing for the defenders of the Nation, and have heartily supported pension, war-risk insurance, and vocational-training measures.

BELLE FOURCHE IRRIGATION PROJECT.

The Belle Fourche project is one of the most successful of the Government projects. Nearly 100,000 acres will be irrigable when it is completed and water is now available for over 82,000 acres. Complete success will not be assured until a sufficient water supply is provided for the Johnson lateral and the Willow Creek lateral is constructed. Water for the Johnson lateral is taken directly from the inlet canal between the Belle Fourche River and the reservoir; hence it is dependent on the unregulated flow of the river, which has been insufficient during 4 of the 10 years of the operation of this unit that serves approximately 3,750 acres. A plan for constructing a storage reservoir in Chicken Creek, southwest of Belle Fourche, has been approved by the Reclamation Service, which, if constructed, would not only serve this lateral but furnish additional water to the Red Water project, a private project of many years' successful operation. The estimated cost of the reservoir and incidental works is $300,000. The Willow Creek unit is a proposed extension of the north canal a distance of approximately 20 miles, and between seven and eight thousand acres will be served. The cost of the unit is estimated at $180,000.

On May 8, 1920, during the consideration of the sundry civil appropriation bill in the House, I fully discussed the urgent need for storage for the Johnson lateral and for the construction of the Willow Creek lateral, and was assured by the chairman of the Appropriations Committee that additional appropriations for the Belle Fourche project will be made just as soon as money is available in the reclamation fund, which is thought will be within the next few months.

LIVE-STOCK DEMONSTRATION WORK.

In 1916 I secured an amendment to the Agricultural appropriation bill making provision for investigations and experiments in problems connected with dairying and meat production in the semiarid and irrigated localities. Under that amendment at the Government farm at Ardmore, S. Dak., barns have been erected and other improvements made, and dairying, hog raising, and the production of beef cattle are receiving careful attention. That is known as a dry-land station, while the one at Newell is an irrigated station, and there hog feeding and pasturing, sheep pasturing, and the testing of mixed-grass pasturing are being carried on and studied. Mr. Chairman, the records of this work, experimentation, and study will be disseminated among the stock raisers of the West and great benefit will be derived therefrom.

The two stations mentioned are not only furnishing excellent examples in live-stock demonstration work but in crop production as well. Every farmer in western South Dakota who possibly can ought to visit one of them, for I dare say no one can thus spend a few hours without acquiring new ideas and useful information.

DEADWOOD ASSAY OFFICE.

Early this year the House Appropriations Committee again made an effort to close the Deadwood assay office by eliminating the item from the legislative, executive, and judicial appro-

priation bill, but it was restored in the House by the adoption of an amendment which I offered. That office is needed by the prospectors and the gold producers. Thought should be given to making it more useful instead of trying to close it.

THE SIOUX CLAIMS.

Long before I became a resident of South Dakota the Sioux Indians were complaining that they were practically forced to cede the Black Hills country in 1876 and received no real remuneration therefor. The Constitution of the United States provides that private individuals can not sue the Government; hence without special authority from Congress there was no way they could secure an adjudication of their claims. Early in the Sixty-fourth Congress I introduced a bill to authorize the Court of Claims to hear and determine not only the Black Hills claim of the Sioux but all claims of the tribe or any band or bands thereof, to the end that there might be a complete accounting between the Government and its wards. I reintroduced that bill in the Sixty-fifth and again in the Sixty-sixth Congress, and recently it became a law. The Indians of western South Dakota are thus to be given an opportunity to balance accounts with the Government, for which they have striven for nearly 40 years.

IMPROVEMENTS AT INDIAN BOARDING SCHOOLS.

At Rosebud Boarding School, at Mission, S. Dak., and at Pine Ridge Boarding School, at Pine Ridge Agency, improvements and additions are under way which will cost approximately $100,000 at each place. These improvements will increase the capacity of both schools, will make them more convenient and enjoyable for pupils and employees, and will provide better educational training.

Appropriations totaling $67,000 have been made for a new school building and assembly hall, remodeling of buildings, construction and maintenance of the road through the school farm, and for irrigation and drainage at the Rapid City Indian School since I came to Washington. These improvements when completed will increase the capacity and efficiency of this school, which is held in high esteem by the Sioux Indians and neighboring tribes. At the next session of Congress I will offer further plans for strengthening it.

EXCHANGE OF LANDS IN SOUTH DAKOTA NATIONAL FORESTS.

The Public Lands Committee of the House has favorably reported H. R. 11118, which I introduced to authorize an exchange of lands in the national forests in South Dakota between the Government and private owners. There are many instances in the forests where a property owner would like to trade some land chiefly valuable for forest purposes for adjoining agricultural Government land, or where one may have timber property in two or more locations and it would be to his interest and the forest's interest to have his holding consolidated. Both of these classes of cases would be taken care of by the passage of this bill, which now has an advantageous position upon the calendar of the House.

DESIGNATION OF LANDS.

Subsequent to the amendment which on March 4, 1915, made the half-section homestead law applicable to South Dakota and the passage of the section stock-raising homestead law on December 29, 1916, thousands of original and additional homestead applications were filed for lands in western South Dakota. In the public-land States of the West 60,000,000 acres were filed on under the section law alone within 60 days after the approval thereof. It was not humanly possible for the Interior Department officials to pass on this great number of applications without some delay, and in many cases long delay. Practically the first designations under the section law were made in South Dakota, and while delays have tried the patience of many homesteaders, the work has progressed steadily. I am happy to have been advised that within the next few weeks, when designations shall have been approved by the Secretary of the Interior in the cases now prepared for action, there will be less than 100 pending applications in South Dakota, except the new cases filed. No other public-land State of the West is so fortunate, for nowhere else are the designations so near to completion. Practically all the public lands in South Dakota have been filed on, and it is apparent we are now approaching the time when we shall no longer be called a public-land State. Within a few years at most final proofs will have been made, patents will have been issued, and the land offices will be institutions of the past. One of the most pleasant of the remembrances of my service here will be that thousands of western South Dakota citizens have secured original or additional homesteads under laws or amendments which I either introduced or assisted in the consideration of in the Public Lands Committee of the House.

FORT MEADE.

The Mexican border service and the war brought about such concentration of troops that Fort Meade, near Sturgis, has not been utilized for some years. It is a very excellent post, of brick and stone construction, with electric lights, and a gravity water system. Twelve sections of land provide ample room for maneuvers. Many similar posts are also practically unoccupied.

During the consideration of the general hospital bill for the Public Health Service, which is charged also with the hospitalization of the patients of the War Risk Bureau, I on January 27, 1919, called the attention of the House to the large number of military posts unoccupied and offered an amendment which, in my judgment, would have, if adopted, made possible the use of quite a number of them. A provision in that bill made available to the Public Health Service all space and equipment in Battle Mountain Sanitarium at Hot Springs, S. Dak., not needed for the purposes for which that institution was established. That has somewhat helped the situation, although the majority of the patients at the sanitarium are veterans of the Civil and Spanish-American Wars. Recently during consideration by the Committee on Public Buildings and Grounds of an additional estimate for appropriation for hospital needs of the Public Health Service, I again specifically called attention to the desirability of Fort Meade. I pointed out that in the tenth district of the Public Health Service, which is composed of the States of Minnesota, North Dakota, South Dakota, Wyoming, and Montana, the Surgeon General estimated that additional hospital capacity will be needed for 1,300 patients of varying degrees of incapacity. By the expenditure of a relatively small sum, Fort Meade could quickly be made ready to accommodate that number. The Secretary of War was called before the committee, and although not declining to transfer the post for the time being, he stated:

> This post is only vacant at this time by reason of the necessity of retaining certain cavalry organizations on the Mexican border. A change in conditions which would permit the material reduction of the large body of cavalry now required on the border would require the use of Fort Meade.

The post has recently twice been inspected by officials of the Public Health Service. Whether the Surgeon General will ask for the transfer of Fort Meade I now have no means of knowing, but I do know this magnificent piece of Government property ought not to stand idle if use can be found for it. I have persistently urged that it be occupied, either with troops or by some other Government agency, and shall continue to do so.

IN CONCLUSION.

The review of this legislative record is a pleasant task for me. The accomplishments therein have concerned in one way or another practically every resident of the district I have the honor to represent. I have tried to be faithful to the task at hand and to merit the confidence reposed in me. In attending to business before governmental departments or to other requests of western South Dakota citizens I have endeavored to serve one and all regardless of political affiliation or other distinction. The financial needs of the many governmental activities in my district have been given very careful attention through the maze of details in the various appropriation bills and adequate provision made therefor. My record of votes in the House will show a conscientious endeavor to honestly represent my constituency.

Mr. KREIDER. Will the gentleman yield?

Mr. GANDY. Yes, sir.

Mr. KREIDER. I wish to say to the gentleman that the Post Office Department has authority to change their contracts and agree on a new price.

Mr. BLANTON. The gentleman is mistaken. They absolutely refused to do it down in my section.

Mr. KREIDER. I know they have done it.

Mr. BLANTON. I have had 20 different cases up with them, and they refuse to change the contract.

Mr. GANDY. I think the gentleman from Pennsylvania [Mr. KREIDER] is in error on that, because I have had much experience in the last few months with that proposition.

Mr. SINNOTT. Will the gentleman yield?

Mr. GANDY. I yield.

Mr. SINNOTT. I will state that I agree with the gentleman. I have had the matter up with the Postmaster General, and he refuses to approve a bill that tries to remedy the condition. I have one contractor that offered $4,000 to be relieved from his contract.

Mr. KREIDER. I have had a route in my district where the carrier had agreed to carry the mail for, I think, $500. He took it up with the department and the department adjusted it on the basis of $800.

Mr. SINNOTT. The department not only refused to adjust the matter in my district, but refused to approve of a bill to give them authority to adjust it.

Mr. CRAGO. One of the troubles I have had is this: I have had cases, just as the gentleman from Pennsylvania [Mr. KREIDER] had, where they have voluntarily increased the pay in existing contracts. But what I do object to is that they do not seem to have a uniform rule. A man comes up and makes a good case, and they refuse to increase him. There ought to be some uniform system.

Mr. GANDY. It is my understanding there is no provision of law to adjust the compensation except where the Government wants to increase the service on the route or something of that kind it is deemed wise to let a new contract.

Mr. CRAGO. And where there has been an increase of the amount of mail matter carried.

Mr. BRIGGS. Is it not true that the contract is practically prescribed by the law that Congress has passed, and the Postmaster General has no discretion whatever about them?

Mr. GANDY. The Postmaster General has no discretion.

Mr. BRIGGS. Congress has taken no steps to change the situation.

Mr. GANDY. That is exactly it.

Mr. JUUL. I wondered if the gentleman was going to offer an amendment to cure the case he complains of.

Mr. GANDY. I have no opportunity to do that on this bill, but I do hope to offer to this House in the very near future an amendment to a bill, where I think it will be in order, to take care of that situation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEENERSON. Mr. Chairman, I oppose the amendment.

Mr. GOOD. Mr. Chairman, I move that all debate on this paragraph and amendments thereto close in 7 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this paragraph and amendments thereto close in 7 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GANDY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks on this and other subjects connected with my service here.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to extend his remarks in the RECORD on this subject and other subjects in connection with his service here. Is there objection?

Mr. RAMSEY. What are they about? If the remarks are on the bonus bill, I object.

Mr. GANDY. It is not on the bonus.

There was no objection.

Mr. EAGAN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks on this bill.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. STEENERSON. Mr. Chairman, the star-route contract, so-called, is a contract for carrying the mail for so much per year, generally for four years. Now, there were some contracts before the war, and the general level of prices were so increased that it was thought best for Congress to pass an act authorizing the department to readjust them. We did so in 1918 and gave the department authority to readjust the contracts, and a great many of them were readjusted.

The gentleman from Oregon [Mr. SINNOTT] and several other gentlemen introduced bills of a similar character.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. I can not yield.

Mr. JUUL. I wanted to know from the gentleman if at the time you did that an appropriation was made to enable the department to comply with it?

Mr. STEENERSON. Yes. There was money in the appropriation bill for that purpose.

Mr. JUUL. Excuse me. [Laughter.]

Mr. STEENERSON. A bill was introduced by the gentleman from Oregon, and other gentlemen introduced similar bills, authorizing the department to readjust star-route contracts made since July 1, 1918. The committee had a hearing on it and called upon the department officials to give their reasons for or against this relief bill. We heard the First Assistant Postmaster General and other officials, and it was explained to us that the contracts about which complaint was made were all let after careful information, and it was printed in the contracts that the contractor must be bound by the terms of the contract.

Mr. GANDY. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. No; wait a minute.

Now, then, the theory of these contractors seemed to be that the United States is a guarantor of a profit on every contract that is made with it; that if the contractors make a profit it is all right, but if they have a loss they can come back on the Government.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield there?

Mr. STEENERSON. Not now; the gentleman will excuse me.

The department by these bills was authorized to readjust the compensation in their discretion. We asked the officials if they would readjust these contracts if that bill became a law, and they said there was not a single contract in the records of the Post Office Department that they would readjust if they had the authority to do so, and consequently the committee did not see fit to recommend the passage of a bill that would be absolutely fruitless.

It would be no good to anybody, because they pointed out that these contracts were all fairly let with men who were already of age, who knew what they were doing. It was after the war had begun. Anyway, it was after the previous act had been passed, and adjustments had been made under it, and there was no occasion to readjust any of those contracts.

That is the reason why the Post Office Committee did not recommend the passage of any other bill, because if they had passed it and it had become a law the department would not have given the contractors one cent.

Mr. GANDY. There is not any difference in the contract, so far as the obligation of the contract is concerned, with a star-route contractor, or a man who had a public building contract, for whose relief a bill has been passed, or an Army or Navy contractor, is there?

Mr. STEENERSON. Well, I am not familiar with those contracts where readjustment was made, but I know that the contractors for envelopes, for all sorts of supplies, came in with new bills, just as these star-route contractors did, and we did not recommend them.

The CHAIRMAN. The time of the gentleman from Minnesota has expired. The gentleman from Texas [Mr. BLANTON] is recognized for two minutes.

Mr. STEENERSON. Mr. Chairman, before you do that, I would like to have unanimous consent to extend my remarks on this bill; not only these remarks that I have just made, but the remarks I made before on the bill.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STEENERSON. The Sinnott bill is as follows:

That the Postmaster General is authorized to investigate conditions arising from contracts in the star route, screen wagon, and other vehicle service entered into prior to June 30, 1918, with a view to determining whether any adjustment should be made in the compensation and to adjust the same for service hereafter to be furnished or rendered in cases where the facts disclose the necessity for such adjustment; or, in his discretion, with the consent of the contractor and his bondsmen, the Postmaster General may cancel such contracts.

It will be noted that it simply confers authority to adjust, and if the department states there is no case that would be readjusted after authority is given it would be useless to pass the act. Here is the testimony on the subject:

Mr. KOONS. I will give you my views on it. Personally I am not in favor of going back with any further readjustment of these contracts. Now, the contractor when he makes a bid naturally takes a risk. It is a gamble with him as to what service he will be required to perform under the contract. That is the natural risk of any contractor, and when they bid prior to June 30, of course, they did not know that we would enter into the war. I think that it was all right to make the adjustment if the increased costs were not covered. I think that was considered by Congress at the time this original legislation was passed. But by July 1, 1918, they had been in war conditions, and I don't think that readjustments should be made after that period.

* * * * * * *

If you will let me refer to a memorandum—I think the reason June 30, 1917, was the date specified was this: Because the contracts entered into beginning July 1, 1918, were entered into after we had entered the war, and the contractor knew at the time he submitted the bids that the country was engaged in war, and should have taken that into consideration in submitting his contracts, and that was the reason that the contracts entered into prior to June 30, 1917, were entered into before there was any declaration of war.

The CHAIRMAN. I think that that is what they brought up before the conference committee, that these bids were invited before the contract was dated.

Mr. MADDEN. That is right; it is pretty hard to remember the details of all those things.

Mr. KOONS. That is the reason June 30, 1917, was fixed, and the cost did not mount immediately, and for that reason the service that was to be rendered after the approval of that bill was the date fixed.

STATEMENT OF MR. GEORGE L. WOOD, DIVISION OF RURAL MAILS.

Mr. WOOD. A star-route contract is a funny thing, and a star-route contractor is a still funnier thing. I have gotten things from star-route contractors that you could see tears all over the page. The children were barefooted in the wintertime, and the contractor was wearing a straw hat in the wintertime, "and for God's sake do something for us." They asked more money, however, than I thought they ought to get,

so I advertised the route, and those same contractors would come back and bid less under the new advertisement than they were getting beforehand, and they would get the contract awarded at less money, too.

I am opposed to any modification of the law that would raise the date a year to contracts made prior to July 1, 1918. There is altogether too prevalent an idea, and it is very common, that nobody should lose money on Government contracts. That is inherent—that nobody should lose money on a contract for the Government.

The CHAIRMAN. You have the star routes?

Mr. WOOD. Yes; and I am reactionary on this.

Mr. MADDEN. It has become more common since the war began than ever before.

Mr. WOOD. It is very common—the belief that nobody should lose money on a Government contract—but I don't believe that we should look at it that way.

Now, while we are all sitting here together, I want to show you a typical case. This is Mr. SINNOTT's great case, on which he has written letter after letter, and letter after letter. I am just going to read an extract on how this man came to make his contract: "I had never made any inquiries of any former stage drivers as to the general outlay and expenses, nor had I ever even driven a car to have any personal knowledge of the cost of upkeep of touring cars."

That is the way he came to make the contract. That is the gist of his complaint. "When I put in a bid, I only bid $1,100 for the first-class mail, but I was perfectly green as to the expenses of operating such a line, as I had never talked to any carriers to get their opinions or figures, nor had I ever driven a car to know what ordinary car expenses were. Consequently I find myself going behind every month, and I can't possibly stand it."

Now, this contract was made in 1918, by the way, early in 1918, right after the war began. He simply bit off more than he could chew.

Mr. MADDEN. What do you do in a case like that?

Mr. WOOD. I hold him to his contract, of course.

Mr. MADDEN. He knew the conditions?

Mr. WOOD. He knew the conditions; he knew every one of them.

Mr. MADDEN. He knew all the conditions, except how fast an automobile would run and how many tires it would use up and how much gasoline it would take and how much oil it would take and how much mail he had to carry, or anything about it. He just made a bid.

Mr. WOOD. Now, every star-route bid contains this—and it is not hidden away in small type:

"This proposal is made in my own interest and not by me as the representative of another person or company, and with full knowledge of the distance over the route, the weight of the mail to be carried, and all other particulars in reference to the route to be served."

That is in the bid that the man signs when he makes it; and it is in the advertisement.

Mr. MADDEN. Suppose he can't read; then what about it?

Mr. WOOD. He is in a pretty bad way, anyway, if he can't read.

The CHAIRMAN. That is about all we want to know. As I understand it, the department is not in favor of any bill to readjust the compensation of star-route contracts?

Mr. WOOD. Beyond what is already law.

The CHAIRMAN. That is, in a new law?

Mr. WOOD. Yes, sir.

Mr. KOONS. And the same about screen wagon.

The CHAIRMAN. And the same thing you have stated about screen-wagon service. So that eliminates those two. Now, what else is there in here? We have covered star routes and vehicle service.

Mr. BLANTON. Mr. Chairman, that is the most absurd, unreasonable, argumentative excuse that I have ever heard on the floor of this House for not doing a man's duty.

The gentleman from Minnesota [Mr. STEENERSON] admits that the star-route contractors are now facing bankruptcy, and such is the fact. He admits that the gentleman from Oregon [Mr. SINNOTT] introduced a proper bill to adjust the matter, and thus save these star-route contractors from ruin, and the bill was before his committee, and that he had the Postmaster General before him, and yet he says that because, forsooth, the Postmaster General, in his opinion, would not obey Congress, he virtually threw the gentleman's bill in the wastebasket and did not do anything more about it. And thus he denies all relief to these deserving star-route mail contractors.

Mr. STEENERSON. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. No; I can not yield. I say, it is absurd, ridiculous, unreasonable.

I do not yield. The gentleman has argued himself out of court here for the last five minutes. I say what the gentleman should have done was to report out that Sinnott bill and have Congress pass it, and then if the Postmaster General did not carry out the mandate of this Congress we would know how to attend to him, would we not?

Mr. JUUL. What would the gentleman do to him? [Laughter.]

Mr. BLANTON. Well, I will tell you what I would do to him. He is from my State, and he is my friend, and he is the most efficient officer in this Government. [Laughter and applause.] But if he were to disobey the mandate of Congress I would vote to kick him out so quick that it would make his head swim. [Applause.] Cabinet officers do not often disobey the mandates of Congress. You should pass that bill and authorize the Postmaster General to adjust these contracts with the star-route carriers, every one of whom is facing bankruptcy now, and I will guarantee that the contracts will be adjusted.

The CHAIRMAN. The time of the gentleman from Texas has expired. All time has expired. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

For payment to Francisco Montefredini for legal services and expenses in the matter of the claim of the United States Government for coal on German steamship *Waltrante*, at Brindisi, Italy, $800, and the value of 3,860.41 lire at the time actual payment is made, in all not to exceed $1,500.

Mr. CHINDBLOM. Mr. Chairman, I move to strike out the last word. To whom did this attorney render these services, and why should the Government pay him?

Mr. GOOD. He rendered these services to the United States, and collected, as I recall, about $25,000.

Mr. CHINDBLOM. The appropriation, of course, does not set out any of the facts.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

The accounting officers are authorized and directed to allow the claim of Edward Fraser, Leavenworth, Kans., for $21 for expense of repair of damage to his automobile by automobile belonging to the penitentiary.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. I should like to ask the chairman of the committee has this claim been passed on by the Claims Committee of the House?

Mr. GOOD. It has been examined by the Department of Justice and recommended.

Mr. CALDWELL. I know, but has it been investigated by the Claims Committee of this House? These things as a usual rule are referred to the Claims Committee.

Mr. GOOD. The Claims Committee of the House does not have jurisdiction of an item of this kind. This is a deficiency.

Mr. CALDWELL. This is a collision claim.

Mr. GOOD. This is just a credit. It is a paper balance, practically to correct a bookkeeping item.

Mr. CALDWELL. But this is to pay a claim of $21 for the expense of repairing a private automobile.

Mr. GOOD. The claim has already been paid.

Mr. CALDWELL. I know; but they had no right to pay it.

Mr. GOOD. It was a claim that originated with regard to an automobile accident.

Mr. CALDWELL. I understand that; and that is the reason why it should go to the Committee on Claims.

Mr. GOOD. And the claim was paid, but the auditing department have refused to allow the account. Now, this is simply the method that is usually taken in matters of this kind.

Mr. CALDWELL. All right.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read:

The Clerk read as follows:

The cash allowance of $5 and the clothing allowance of $12, now authorized by law for prisoners on discharge from the United States penitentiaries, are increased during the fiscal year 1921 to $10 and $20, respectively.

Mr. WALSH. Mr. Chairman, I reserve a point of order on this item. What is the idea of legislating an increase in the cash and clothing allowance to prisoners on discharge from the United States penitentiaries?

Mr. GOOD. The present allowance, as the gentleman is aware, is $5 in cash and $12 worth of clothing for prisoners who have served a term in a United States penitentiary upon their discharge. The Department of Justice feels that the present allowance is so small that it does not furnish a discharged prisoner with clothing suitable for him to go upon the streets and travel any distance, and that under the present rates for subsistence the allowance of $5 would perhaps lead a man to go out and steal if necessary before he would get to his home. The matter was seriously urged by the Attorney General, and it seemed to us that in the interest of good morals, if not good administration, it ought to be allowed. It is true that it is legislation.

Mr. BLANTON. The $12 that used to buy a good suit of clothes would not buy a good teddy bear now.

Mr. GOOD. It might buy a necktie.

Mr. WALSH. I make a point of order against this paragraph.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

BUREAU OF BIOLOGICAL SURVEY.

General expenses, Bureau of Biological Survey, including the same objects specified under this head in the Agricultural appropriation act for the fiscal year 1920, $36,271.50.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I reserve a point of order on this paragraph. I should like to have the chairman explain it.

Mr. GOOD. This expense was incurred in feeding the elk that during the latter months of the winter and the early spring are

under the jurisdiction of this department. There was a great shortage in forage, and it was necessary to buy hay in large quantities, 576 tons, to keep the elks from starving. The hay was purchased and the herd was preserved, with a loss, I think, of about 8 or 10 per cent in number. The money was actually paid out and it is an actual deficit to that amount.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, this is an increase of $36,271 in general expenses of the Biological Survey. It relates to a matter included in the annual appropriation for the Department of Agriculture. At the time the officials of the bureau appeared before the committee they made no claim for additional money, as I remember it, and the committee recommended and the House approved of the same amount of money for this item of general expense for the bureau that was appropriated the year before, following the general policy of the committee to recommend no increases unless absolutely necessary, the idea being that each line of work as far as possible should be kept on a level with the present conditions.

Following the recommendation of the department, when the bill was under consideration and after the hearing of the testimony, the committee recommended, and the bill carried, and the House approved of the amount of last year, which was $34,600.

Evidently the officials of the bureau thought some additional money was necessary, because later they went before the Committee on Agriculture of the Senate and secured an increase of $5,135, bringing the total up to $39,735, and that was all they wanted at that time for expenses under this item.

The committee heard nothing about this additional amount. No testimony was given before the committee relating to it. I wish to know if it is properly a deficit; therefore, I reserve the point of order so the gentleman from Iowa may explain it.

Mr. BLANTON. Mr. Chairman, I demand the regular order.

Mr. McLAUGHLIN of Michigan. I wish to reserve the point of order for a moment.

Mr. BLANTON. I demand the regular order.

Mr. GOOD. What is the gentleman's point of order?

Mr. McLAUGHLIN of Michigan. That it is not a deficiency; it is an increased appropriation for the current year.

Mr. GOOD. That is a rather novel and new point of order that the gentleman is suggesting to the Chair. I do not recognize those as legal objections to an appropriation.

Now, what are the facts? The gentleman has been talking about an appropriation for the fiscal year 1921. The facts in this case are these: There was an appropriation for this service of $718,000 for this bureau this year. Out of that appropriation the Secretary of Agriculture, who had charge of 8,000 elk out in this locality known as Jackson Hole, Wyo., made an allotment of $45,000, because a severe snowstorm came on and it was necessary to preserve the herd of elk. These elk are under the charge of the Secretary of Agriculture. He is charged with the care and preservation of animals of this kind. He allotted out of that appropriation $45,000 for keeping these elk and preventing them from starving. There was a natural loss of elk of 500 out of 8,000. He has actually paid out the money or obligated the fund for the purchase of hay to feed the elk during the latter part of the winter and spring, all of which is authorized by law, and there is no question about there being a regular deficiency authorized by the act itself.

Mr. CANNON. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. CANNON. The truth of the matter is the gentleman's committee—the Committee on Agriculture—did not have jurisdiction.

Mr. GOOD. Of course not; it is a deficiency for this year, and the Committee on Agriculture did not have jurisdiction of that.

Mr. BLANTON. Will the gentleman yield?

Mr. TINCHER. I call for the regular order.

Mr. GOOD. I will yield.

Mr. BLANTON. The gentleman remembers that the distinguished gentleman from Wyoming——

Mr. TINCHER. I call for the regular order.

Mr. BLANTON (continuing). Got an appropriation of $25,000 to feed the elk, and then he got another appropriation of $25,000 to feed the Wyoming elk, and now he wants $45,000 as another Wyoming deficiency.

Mr. GOOD. This is a different herd of elk. That was a herd in the northern part of the State.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, if it is not a deficiency, it is subject to a point of order.

Mr. CANNON. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. CANNON. The appropriation by the Congress was made a year ago. This property belongs to the Government, and under the law it is placed in charge of the Secretary of Agriculture. Now, if this is subject to a point of order then the original appropriation would be subject to a point of order on the Agricultural appropriation bill. It is necessary to feed these elk, and the way to get rid of them and the expenditure in regard to them is to let them all die. [Laughter.]

Mr. GOOD. If the gentleman from Michigan will read the provision of the current Agricultural act he will find the same provision with regard to the Biological Survey, where it is provided:

For the maintenance of the Montana bison range and other reservations and for the maintenance of game, etc., on public lands.

Mr. McLAUGHLIN of Michigan. It is made under a particular item for general expenses.

Mr. GOOD. Of course.

Mr. McLAUGHLIN of Michigan. In the appropriation bill you will find, on page 65, an appropriation for general expenses. In my judgment the department has pursued an unusual course, although not unusual in some other departments.

Officials go before a committee and ask for money to enable them to carry on work for the next fiscal year, and the committee determines what amount is necessary and reports it to the House. A certain amount of money is then appropriated, and the department is limited to that amount in carrying on its work. Then some officials disregard that, and instead of planning their work on a scale——

Mr. GOOD. Mr. Chairman, I make the point of order that the gentleman is not talking to his point of order; he is discussing the merits.

Mr. McLAUGHLIN of Michigan. I am not. I am talking to the point of order. If this is not a deficiency, but is an expenditure made in carrying on work on a larger scale than was justified by the appropriation, it is subject to a point of order. This is a deficiency bill and only real deficiencies can be provided for. If I am wrong, then I do not understand what a deficiency bill is.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Michigan makes the point of order against the paragraph under the Bureau of Biological Survey, general expenses, that it is not a deficiency.

The reading of that paragraph is as follows:

General expenses, Bureau of Biological Survey, including the same objects specified under this head in the Agricultural appropriation act for the fiscal year 1920, $36,271.50.

On turning to the Agricultural appropriation act for the current year the Chair finds that under the Bureau of Biological Survey there was an appropriation made of $686,300. The point of order made by the gentleman from Michigan is that this item making an appropriation for the same objects specified under this head is not a deficiency. The Chair is unable to rule that it is not a deficiency. Where there has been an appropriation for a particular item in the current law, and the committee comes in with an additional sum submitted upon an estimate of the department and states that it is a deficiency, how is the Chair to find that it is not? It is impossible in such circumstances for the Chair to determine whether or not it is an actual deficiency. In the view of the Chair it is a deficiency in a parliamentary sense, and therefore overrules the point of order.

Mr. TINCHER. Mr. Chairman, I move to strike out the last word. I make this motion at this time for the purpose of remarking that there is considerable merit in the contention of the gentleman from Michigan [Mr. McLAUGHLIN] that the departments have a system of presenting their claims to one committee and getting a raise in the appropriations by going to other committees. That is one reason why I insisted upon voting for the budget system, which every Member of this House can clearly see eliminates any possibility of a duplicate appropriation, such as is claimed in this case. It will eliminate that system of the departments asking for all they can get from one committee and then practically appealing to another committee for a deficiency. I withdraw the pro forma amendment.

The Clerk read as follows:

CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

For Signal Service of the Army, $15.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. I call the attention of the chairman to the fact that he has an item under the head of "Claims allowed by the Auditor for the War Department" on page 50, and then he has another one in another place, and then he has one on page 56. Why do you just scatter them around that way over the place?

Mr. GOOD. There were two different documents. One was sent to the Senate after the House had acted upon the last deficiency bill, and the department sent that to the Senate. The Senate did not act upon these items, and as this committee considered the audited claims and judgments we took under

consideration all that had been certified either in the Senate document or in the House document.

Mr. CALDWELL. I notice each line has a different item, and they are practically duplicates as to words but differ as to amounts.

Mr. GOOD. But they are not duplicates at all.

Mr. CALDWELL. I say they are duplicates as to words but differ as to amount. I presume the committee has carefully gone over and checked them up so as to see that there is no duplication?

Mr. GOOD. Absolutely. The documents to which they refer give the names of each applicant and the amount of the claim, and there is no duplication. The committee has checked them up and can give the gentleman the absolute information if he requests it.

Mr. CALDWELL. I withdraw the pro forma amendment.

Mr. JUUL. Mr. Chairman, I desire to ask the chairman of the committee a question. I would like to ask the gentleman, line 5, page 55, in reference to the item, "Total audited claims, $125,303"; is that the total of the preceding items or an additional appropriation?

Mr. GOOD. That is the total amount that is carried in the bill that was specified in the Senate document.

The Clerk read as follows:

For books for judicial officers, $10.56.

Mr. BLANTON. Mr. Chairman, in the print I have, in line 20, the word "officers" should be corrected. It is misspelled.

The CHAIRMAN. Without objection, the Clerk will correct the spelling.

There was no objection.

The Clerk read as follows:

CLAIMS ALLOWED BY THE AUDITOR FOR THE POST OFFICE DEPARTMENT.

For railroad transportation, $210,263.17.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. This is a considerable item in a deficiency bill for railroad transportation, $210,000, under claims allowed by the Auditor for the Post Office Department, several times larger than that carried under a similar item on page 54. Is this made necessary owing to the change from paying for transportation of the mail on a space basis rather than by weight?

Mr. GOOD. If the gentleman will take House Document No. 766, second session, Sixty-sixth Congress, and look at page 36, he will find several pages enumerating small claims of railroads—I suppose about 200 or so—which were incurred for services rendered in 1917. The appropriation for that year has lapsed, and the total is this amount.

Mr. WALSH. Then it is a matter properly to be charged against the great surplus that we were told they had in 1917 in the Post Office Department?

Mr. GOOD. I think in this case there was enough money appropriated for that year to pay these claims, but whether or not in making that statement the Postmaster General took his actual expenditures and did not take into consideration these claims, I do not know. Of course, if he did not take into consideration these claims, some of them must have been pending. If he did not take them into consideration, the surplus would be reduced to the extent he did not take them into consideration.

Mr. STEENERSON. If the gentleman will permit, the surplus is determined by the difference between the audited expenditures and the audited receipts. This not having been paid at the time, the surplus would be diminished by this amount.

Mr. WALSH. Now, can the chairman of the committee state why these claims were not paid, the money being available for them?

Mr. GOOD. I suppose that in many cases there was some delay in presenting the claim, but the auditor, writing me under date of May 25, 1920, said:

In compliance with your request I have to report that none of the claims certified by this office and reported in Senate Document No. 222 and House Documents Nos. 606 and 766, Sixty-sixth Congress, second session, represent deficiencies. In every case sufficient funds were provided by Congress, but the appropriation had lapsed and the balances had been carried to the surplus fund prior to the submission of the claim to this office for settlement.

Mr. WALSH. I am very glad to have the gentleman read that document and in his explanation corroborate the claim of the gentleman from Minnesota, which he has made here several times with reference to this alleged surplus on the part of the Post Office Department.

This should properly be deducted from any claim for surplus for that year. I understand the gentleman agrees with that.

Mr. GOOD. I understand it so.

Mr. BYRNES of South Carolina. The gentleman agrees with that provided it was taken into consideration?

Mr. GOOD. I understand it was taken into consideration.

Mr. BYRNES of South Carolina. How does the gentleman understand that?

Mr. GOOD. I understand that from the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. The item certainly was not audited as an expenditure during that fiscal year, because if it had been it would have been paid out of the appropriation, which they say was ample. Therefore it must have been audited and allowed since the surplus was stated.

Mr. GOOD. Mr. Clem's statement is that it has been paid. If the amount had been carried in the surplus fund, of course it was not taken into consideration, and if taken into consideration the surplus fund would have been that much more.

Mr. BLANTON. If it is absolutely necessary to wipe out the surplus of the Post Office Department, which is the only department which has a surplus, before we get to the convention we will agree to wipe it out on paper and go on and pass the bill.

Mr. WALSH. It is only a part of what is claimed.

Mr. BLANTON. The surplus is there.

Mr. WALSH. The gentleman from Texas, and another Member of this honorable body, and a gentleman who presides over a department of the Government, state and claim the surplus is there, and it is just such items as these that come staggering along two or three years later which lead one to believe that these surpluses after all may be a myth.

Mr. BLANTON. If we had time to get the Postmaster General's explanation, he would explain this item.

Mr. WALSH. The Postmaster General can explain most anything.

The CHAIRMAN. The Clerk will read.

The Clerk concluded the reading of the bill.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to return to page 14 for the purpose of offering an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to return to page 14 for the purpose of offering an amendment. Is there objection. [After a pause.] The Chair hears none. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 14, after line 9, insert:

"FEDERAL POWER COMMISSION.

"The Federal Power Commission is hereby authorized, within the limits of its appropriations and to the extent that the work under its direction can not be economically or practically performed through the Departments of War, Interior, and Agriculture, to employ such expert, technical, clerical, or other personnel in the District of Columbia and elsewhere as may be necessary for the proper performance of its duties."

Mr. WALSH. Mr. Chairman, I reserve a point of order.

Mr. BLANTON. Mr. Chairman, I make the point of order it is not germane.

Mr. CALDWELL. Mr. Chairman, I reserve a point of order.

Mr. GOOD. I hope the gentlemen will withhold that for a minute.

Mr. CALDWELL. I reserve the point of order.

Mr. GOOD. I will say that I have a letter signed by the Secretary of the Interior, the Secretary of War, and the Secretary of Agriculture, the three Secretaries that are intrusted with the administration of this act, calling attention to this fact: The act has recently been passed, but by some oversight no authority was given to use any funds carried in the act, and there is only one officer that can administer this law.

Mr. CALDWELL. Mr. Chairman, I withdraw the point of order.

Mr. GOOD. I have submitted the letter to the gentleman from Wisconsin [Mr. ESCH] and the gentleman from Oregon [Mr. SINNOTT], who had charge of this legislation. They assure me that this or something like this is necessary. It is legislation——

Mr. BLANTON. I withdraw the point of order, Mr. Chairman.

Mr. GOOD (continuing). But I think it is absolutely necessary that something be done, and if we do not do it in this bill we will have to bring in some other resolution.

The CHAIRMAN. The gentleman from New York [Mr. CALDWELL] and the gentleman from Texas [Mr. BLANTON] withdrew their reservations of the point of order.

Mr. WALSH. Mr. Chairman, I reserve a point of order. I would like to ask the gentleman how is it that this commission contend that they are without authority to function after this carefully prepared law was considered by the conferees for so long? And my recollection is that there was a provision made in there for this commission's expenses and operation.

Mr. GOOD. There is no authority for the employment of the necessary personnel.

Mr. ESCH. Will the gentleman let me explain that?

Mr. GOOD. Certainly.

Mr. ESCH. The water-power act contained these words:

The work of the commission shall be performed by and through the Departments of War, Interior, and Agriculture, and their engineering, technical, and other personnel, except as may be otherwise provided by law.

The contention made by the three Secretaries is that if the personnel of the three departments is to be utilized for the carrying out of the water-power act it would deprive those departments of that personnel, and therefore the work to which they are allotted would remain undone. We thought when we framed the bill there was sufficient personnel in the three departments to carry out the provisions of the water-power act. They claim now that they should have further clerical and expert help. It is not an increase of the appropriation. They have to act within the limit of $100,000 that we have already appropriated.

Mr. WALSH. Mr. Chairman, I make the point of order against the provision.

The CHAIRMAN. Does the gentleman from Iowa [Mr. GOOD] wish to be heard?

Mr. GOOD. Mr. Chairman, I wish to return to page 2 for the purpose of offering an amendment.

The CHAIRMAN. The Chair sustains the point of order of the gentleman from Massachusetts [Mr. WALSH]. The gentleman from Iowa asks unanimous consent to return to page 2 for the purpose of offering an amendment. Is there objection?

Mr. BLANTON. Reserving the right to object, will the gentleman state what amendment it is he desires to offer?

Mr. GOOD. I send the amendment to the Clerk's desk in order that it may be read.

The CHAIRMAN. The Clerk will report the amendment for information.

The Clerk read as follows:

On page 2, after line 11, insert:

"ANTHRACITE COAL COMMISSION.

"For salaries and expenses of officers, employees, and witnesses, including personal services in the District of Columbia, purchase of supplies, printing and binding, reporting proceedings, per diem in lieu of subsistence at not exceeding $4, in accordance with the act approved August 1, 1914, and for all other necessary expenses in connection therewith; in all, $10,000, to continue available until June 30, 1921."

Mr. BLANTON. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Texas objects.

Mr. GARRETT. Mr. Chairman, is the gentleman from Iowa through?

Mr. GOOD. Yes.

Mr. GARRETT. I move to strike out the last word.

The CHAIRMAN. The gentleman from Tennessee moves to strike out the last word.

Mr. GARRETT. I ask unanimous consent that I may proceed for not exceeding 10 minutes, not in order.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that he may proceed for not exceeding 10 minutes, not in order. Is there objection?

Mr. STRONG of Kansas. Reserving the right to object, Mr. Chairman, I ask that at the conclusion of the gentleman's remarks I may proceed out of order for 10 minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to proceed out of order for 10 minutes. Is there objection?

Mr. WALSH. Mr. Chairman, I think the committee should know upon what subject either of these gentlemen wishes to speak.

Mr. GARRETT. So far as I am concerned, I desire to make a very brief response to a remark made in the course of debate a few days ago by the gentleman from Illinois [Mr. MASON] in regard to Mr. B. M. Baruch. I have advised the gentleman from Illinois of my purpose so to do. He told me that he could not be present.

The CHAIRMAN. Is there objection?

Mr. WALSH. Well, reserving the right to object, Mr. Chairman, the committee should know what the gentleman from Kansas is going to speak on.

Mr. STRONG of Kansas. I wish to speak on the soldiers' adjusted compensation.

Mr. WALSH. I object.

Mr. GARRETT. Mr. Chairman, was objection made to my request? Did the gentleman object to both requests?

Mr. WALSH. I made objection to both requests because the gentleman from Kansas made your request conditioned upon the granting of his.

Mr. GARRETT. I do not propose to object to the gentleman from Kansas speaking, but it is hardly fair, inasmuch as we are not intending to discuss the same thing, to tie our requests together.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise and report the bill with the amendments to the House.

The CHAIRMAN. Is there objection?

Mr. STRONG of Kansas. I object.

SEVERAL MEMBERS. Too late!

Mr. STRONG of Kansas. Mr. Chairman, I reserved an objection.

The CHAIRMAN. The Chair was fairly liberal and repeated the request a number of times.

Mr. STRONG of Kansas. I reserved an objection, and the gentleman repeated his request, and I renewed it.

Mr. CRAMTON. Mr. Chairman, I have tried to get the attention of the Chair for some time. I make the point of order that there is no quorum present. I tried for some time to get the attention of the Chair. If the Chair will not recognize us we will adjourn.

The CHAIRMAN. The gentleman from Michigan makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twenty Members are present, a quorum.

Mr. CRAMTON. I was on my feet, trying to get the attention of the Chair for the purpose of making objection to that speech at this time in the night.

The CHAIRMAN. The Chair repeated a number of times the words, "Is there objection?"

Mr. CRAMTON. If the Chair had looked in this direction he would have seen me on my feet.

The CHAIRMAN. The gentleman from Tennessee is recognized. [Applause.]

Mr. GARRETT. Mr. Chairman, I have no desire, of course, to impose on the courtesy of the House, and I regret that it is necessary to proceed with even apparent objection. But it seems to me that the remark of the gentleman from Illinois [Mr. MASON] a few days ago, in regard to a private citizen who rendered to his country very great service in its hours of stress and strains, deserves a response. It was my purpose to respond to it at the time, but I had only a very limited time, and I was unable to reach the subject.

The gentleman from Illinois said on the 27th of May—and this appears on page 7753 of the RECORD:

I want fair play. I am willing to vote to have your Attorney General bring suit against Barney Baruch, the chief man, the closest man to the President of the United States, who stole $50,000,000 in copper alone.

That statement was made, of course, under the constitutional privilege of a Member of the House. Mr. Baruch has absolutely no recourse by which to defend himself against this direct charge of peculation in this tremendous amount. Mr. Chairman, I ask the Clerk to read in my time a letter which I have received from Mr. Baruch.

Mr. CRAMTON. I object.

Mr. GARRETT. This letter is addressed to me, and says:

NEW YORK, *June 1, 1920.*

Hon. FINIS J. GARRETT,
House of Representatives, Washington, D. C.

DEAR MR. GARRETT: On page 7753 of the CONGRESSIONAL RECORD of May 27 the following occurs:

"Mr. MASON: * * * I want fair play. I am willing to vote to have your Attorney General bring suit against Barney Baruch, the chief man, the closest man to the President of the United States, who stole $50,000,000 in copper alone. * * *"

Under our Constitution there is guaranteed to each man life and liberty. Neither is worth having without character and reputation. When a man, especially a Member of the Congress, makes a statement such as Mr. MASON made upon the floor of the House, he should be so certain of his facts that there can not remain a scintilla of a doubt as to their truth; otherwise he unjustly besmirches reputation, a man's chief possession, and that which all men hold dearest. As Mr. MASON said, I, too, want fair play.

I am writing to ask you to demand of Mr. MASON that as he made that statement under the protection the Constitution gives the Congress, he should do either one or two things: He must use his utmost ability both as a Member of the Congress and as a private citizen to see that I am prosecuted to the limit of the law, if he be right; and, if he be wrong, he must make an apology as full as was his charge. I am not making this for myself alone; I am asking it in the interest of justice. No one guilty of theft from the Government should be permitted to escape.

[Mr. GARRETT here read from the letter a sentence, which he subsequently withdrew.]

Very truly, yours, BERNARD M. BARUCH.

[Applause.]

Mr. CRAMTON. Mr. Chairman, I ask that the words in the last sentence of the letter be taken down.

Mr. WINGO. A point of order, Mr. Chairman. The gentleman has no right to demand that the words be taken down. The gentleman had a right to object to the reading of the letter. The rule applies to the words of Members themselves, and

there is nothing in the rule which says that a quotation from somebody else may be taken down.

Mr. GARRETT. I suggest, Mr. Chairman, that this statement was not made under privilege, and that the gentleman [Mr. MASON] will have his recourse in the courts, if he desires it, against Mr. Baruch.

I read further a letter written by Mr. Baruch to the gentleman from Illinois [Mr. MASON]——

The CHAIRMAN. Does the gentleman from Michigan insist on the words being taken down?

Mr. CRAMTON. Certainly.

The CHAIRMAN. The Chair will read the rule:

If a Member is called to order for words spoken in debate, the Member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the House.

Mr. WALSH. Does the Chair hold that a Member getting consent to proceed out of order for a certain length of time comes within the provisions of the rule respecting words spoken in debate?

The CHAIRMAN. If they be improper words to utter.

The gentleman asked permission to speak out of order. Nevertheless, the Chair would hold that the gentleman would not have unlimited liberty. Therefore if the words were not proper to be uttered, the gentleman could be called to order. The Clerk will report the words.

The Clerk read the words.

Mr. WINGO. Mr. Chairman, I make the point of order that the language is not contrary to the rule.

Mr. BROWNE. Mr. Chairman, I should like to ask this question——

The CHAIRMAN. The gentleman will make his inquiry.

Mr. BROWNE. When a Member reads the remarks of another person, does he not really appropriate those remarks to himself? Or, in other words, can a Member of this body get up here and read slanderous words concerning a Member of this House written by some one else and still not come within the rule? If he can, if the gentleman's contention is correct, then it is a very easy thing for a Member to get some irresponsible person to slander a Member of this House and then read the words.

Mr. WINGO. My point was on something else.

The CHAIRMAN. The gentleman from Wisconsin is clearly right; that could not be done.

Mr. CAMPBELL of Kansas. Mr. Chairman, may I make this observation? It was clearly within the rights of the gentleman from Michigan or any other Member to object to the reading of the letter. The general observation made by the gentleman from Wisconsin that a Member of the House could procure a statement to be made by anyone on the outside and read that and use it against any Member of the House of course could not be done.

Mr. CRAMTON. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. CRAMTON. The gentleman from Michigan had the right to assume that the letter which would be read by the gentleman from Tennessee was a defense of Mr. Baruch rather than a personal attack on the integrity and character of a Member of the House. The fact that it was such an attack was not apparent until the words had been read. I had not seen the letter and did not know until the words were uttered, and it became apparent that in the absence of one of the oldest Members of the House, toward midnight, words derogatory to that Representative were uttered and I objected to the words appearing in the RECORD of the House.

Mr. GARRETT. Mr. Chairman, I think I can settle this. I am willing to let those words be taken out of the letter. I assume no responsibility for the words and I do not express them as my sentiments, if that is what is intimated by the gentleman. I did assume the responsibility for reading the letter, but I do not want to violate any rules of the House.

Now, I will read a copy of the letter addressed to Mr. MASON by Mr. Baruch.

Mr. CRAMTON. Mr. Chairman, I will object to the reading of the letter.

Mr. GARRETT. The gentleman can not object to my reading of the letter. He can object to the Clerk reading it.

The CHAIRMAN. If there is objection the Chair will have to submit it to the House.

Mr. WALSH. The gentleman from Tennessee is proceeding under permission of the committee, out of order.

The CHAIRMAN. The Chair will read the rule:

When the reading of a paper other than one upon which the House is called to give a final vote is demanded, and the same is objected to by any Member, it shall be determined without debate by a vote of the House.

Mr. ANDERSON. Mr. Chairman, I suggest that the objection was not made when the gentleman proceeded to read, and the objection can not be made after.

The CHAIRMAN. The Chair holds that the gentleman can proceed, with the approval of the House.

The question is, Shall the gentleman from Tennessee be permitted to read the paper in question?

The question was taken; and on a division (demanded by Mr. CRAMTON) there were—ayes 75, noes 14.

Mr. GARRETT. I will read the letter:

JUNE 1, 1920.

Hon. WILLIAM MASON,
House of Representatives, Washington, D. C.

SIR: My attention has been called to the charge made by you against me on the floor of the House of Representatives, which appeared in the CONGRESSIONAL RECORD of May 27, 1920, reading in part as follows:

"I want fair play. I am willing to vote to have your Attorney General bring suit against Barney Baruch, the chief man, the closest man to the President of the United States, who stole $50,000,000 in copper alone."

I demand that you submit at once to the Congress and to the Attorney General the evidence which prompted you to make this statement. A course short of this would make you particeps criminis. In justice, therefore, to yourself, to the Government, and to myself, I demand that you immediately present your evidence, and that I be immediately brought to the bar of justice and condemned to punishment if found guilty, and exonerated, if innocent, from the infamous and malicious charge you make against me.

Very truly, yours,

Mr. STRONG of Kansas. Mr. Chairman, I ask unanimous consent to address the House for 10 minutes.

Mr. BEE. On what subject?

Mr. STRONG of Kansas. On the future compensation of soldiers.

Mr. MOORES of Indiana. I object.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, and had directed him to report the same back to the House with sundry amendments with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. GOOD. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The motion was agreed to.

The SPEAKER. Is a separate vote demanded on any amendment?

There was no demand for a separate vote, and the amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GOOD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

EXTENSION OF TIME FOR RECLAMATION OF LANDS IN OREGON.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14101) providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act.

The SPEAKER. The gentleman from Oregon asks unanimous consent for the present consideration of the bill, which the Clerk will report.

The Clerk read the bill, as follows:

A bill (H. R. 14101) providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act.

Be it enacted, etc., That the Secretary of the Interior is hereby authorized within his discretion to continue to not beyond October 21, 1930, the segregation of the lands embraced in approved Oregon segregation list No. 11, under the Carey Act.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, I think we can take this up better to-morrow when we will have time to discuss the matter. It is pretty late and we have been here since 11 o'clock this morning. I make the point of order that there is no quorum present.

The SPEAKER. Would the gentleman object to taking up two or three little bridge bills to-night?

Mr. SINNOTT. Mr. Speaker, the time is about to expire and I think this bill ought to be passed now.

Mr. GARD. How many of these bills have we?

Mr. SINNOTT. I just have this one.

The SPEAKER. There were two or three bills allowing bridges to be constructed, which should be passed, and the Chair thought they would be brought up to-night.

Mr. GARD. Why not take them up in the morning?

The SPEAKER. We shall be very much pressed for the next few days.

Mr. BLANTON. Mr. Speaker, we have been here 12 hours now.

The SPEAKER. So has the Chair.

Mr. CRAMTON. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection? Does the gentleman from Ohio withdraw his point of no quorum?

Mr. GARD. If we are to have only two or three uncontested bills, I do not want to stand in the light of objecting to having the bills passed, although we have been here for 12 hours now.

The SPEAKER. The Chair intended to recognize Members to present bills only which he was perfectly confident there would be no objection to. The Chair does not think contested bills ought to come up for consideration at this hour. Is there objection?

There was no objection

The SPEAKER. The Clerk will report the bill.

The Clerk again reported the bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SINNOTT, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS ALLEGHENY RIVER, CITY OF PITTSBURGH.

Mr. PORTER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13976) to amend an act approved February 27, 1919, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania," which I send to the desk and ask to have read.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of the bill the title of which the Clerk has reported. Is there objection?

Mr. SMITH of New York. Mr. Speaker, reserving the right to object, I would like to know if the gentleman from Pennsylvania is going to bring up the Mason resolution.

The SPEAKER. He is not.

Mr. CRAMTON. Mr. Speaker, I demand the regular order.

Mr. GALLIVAN. Does the Chair speak for himself or for the gentleman from Pennsylvania?

Mr. CRAMTON. Mr. Speaker, I demand the regular order. I make the point of order that there is no quorum present.

Mr. GALLIVAN. Did the Chair speak for himself or for the gentleman from Pennsylvania?

The SPEAKER. The gentleman from Michigan makes the point of order that there is no quorum present.

Mr. MONDELL. Mr. Speaker, will the gentleman from Michigan withhold that for a moment?

Mr. CRAMTON. If we are going to pass bridge bills, I will withdraw it; but if we are going to discuss international and home politics, I insist upon it.

Mr. GARD. Mr. Speaker, I think we may as well make the point of order at this time.

Mr. PORTER. I hope the gentleman will withhold his objection.

HOUR OF MEETING TO-MORROW.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. Is there objection?

There was no objection.

BRIDGE ACROSS ALLEGHENY RIVER, CITY OF PITTSBURGH.

The SPEAKER. Does the gentleman from Michigan insist upon the point of order that there is no quorum present?

Mr. CRAMTON. Oh, I withdrew that, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of an act approved February 27, 1919, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania," be, and the same is hereby, amended so that the time within which the actual construction of said bridge may be commenced is hereby extended for a period of two years, and the time for the completion of said bridge is hereby extended for a period of four years from the date of the approval of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the times for commencing and completing the construction of a bridge authorized by act of Congress approved February 27, 1919, to be built across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, in the county of Allegheny, and Commonwealth of Pennsylvania, are hereby extended two and four years, respectively, from the date of approval hereof.

"SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved."

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows: "A bill to extend the time for the construction of a bridge across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania."

BRIDGE ACROSS THE ALLEGHENY RIVER NEAR MILLVALE, PA.

Mr. PORTER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill, H. R. 13977.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 13977) to amend an act approved February 27, 1919, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale borough, in the county of Allegheny, in the Commonwealth of Pennsylvania."

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, I ask that the bill be reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 1 of an act approved February 27, 1919, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania," be, and the same is hereby, amended so that the time within which the actual construction of said bridge may be commenced is hereby extended for a period of two years, and the time for the completion of said bridge is hereby extended for a period of four years from the date of the approval of this act.

The committee amendment was read, as follows:

Strike out all after the enacting clause and insert:

"That the times for commencing and completing the construction of a bridge, authorized by act of Congress approved February 27, 1919, to be built across the Allegheny River, at or near the borough of Millvale, in the county of Allegheny, in the Commonwealth of Pennsylvania, are hereby extended two and four years, respectively, from the date of approval hereof.

"SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved."

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, when was authority given to build the bridge?

Mr. PORTER. February 27, 1919.

Mr. GARD. And it was to be completed in what time?

Mr. PORTER. It must begin within a year under the general bridge act of 1906.

Mr. GARD. It has not been begun as yet?

Mr. PORTER. In the case of the Millvale Bridge, plans have been prepared and approved by the War Department, and they are about ready to begin the work.

Mr. GARD. The bill now provides that it shall be begun in two years and completed in four years. Is that right?

Mr. PORTER. Yes.

The SPEAKER. Is there objection? [After a pause.] The Clerk will report the bill.

The bill was again reported.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time ,and passed.

The title was amended so as to read as follows: "A bill to extend the time for the construction of a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Comonwealth of Pennsylvania."

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. There are five supply bills out that are yet to go to the enrolling clerk. Is that department going to have plenty of time between now and Saturday at 4 o'clock to arrange all of these bills?

The SPEAKER. The Chair does not think these bills interfere.

Mr. BLANTON. These bills will not interfere?

The SPEAKER. The Chair thinks not.

Mr. GARD. I make the point of order there is no quorum present.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent for the present consideration of House resolution 533.

The SPEAKER. The gentleman from Kentucky asks unanimous consent for the present consideration of a resolution, which the Clerk will report.

Mr. WALSH. Mr. Speaker, the gentleman from Ohio should either make his point of order or withdraw it.

Mr. GARD. I made the point of order that there is no quorum present.

The SPEAKER. There is no quorum present.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 12 minutes p. m.) the House adjourned to meet to-morrow, Thursday, June 3, 1920, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting further communication in connection with proposed legislation authorizing the President to present certain ordnance and ammunition to the Portuguese Republic; to the Committee on Foreign Affairs.

2. A letter from the Secretary of War, transmitting draft of requested legislation for the approval of action taken by the War Department for the relief of flood sufferers at Corpus Christi, Tex.; to the Committee on Military Affairs.

3. A letter from the Clerk of the House of Representatives, transmitting notice for contest of a seat in the House of Representatives for the Sixty-sixth Congress for the fifth district of the State of Wisconsin and transmitting original testimony, papers, and documents relating thereto (H. Doc. No. 803); to the Committee on Elections No. 1 and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HAMILTON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14122) to authorize the sale of a portion of the Copper Harbor Range Lighthouse Reservation, Mich., to Houghton and Keweenaw Counties, Mich., reported the same with amendments, accompanied by a report (No. 1086), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

My VOLSTEAD, from the Committee on the Judiciary, to which was referred the joint resolution (H. J. Res. 373) declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired, reported the same with an amendment, accompanied by a report (No. 1087), which said bill and report were referred to the House Calendar.

Mr. TILSON, from the Committee on Ways and Means, to which was referred the bill (H. R. 14368) to provide revenue, encourage domestic industries, and make provision for the national defense by the elimination, through the assessment of special duties, of unfair foreign competition in the sale of aeroplanes imported into the United States, and for other purposes, reported the same without amendments, accompanied by a report (No. 1088), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14208) to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended, reported the same with amendments, accompanied by a report (No. 1089), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HUSTED, from the Committee on the Judiciary, submitted a report (No. 1090) on the actions of the Attorney General relating to the price of Louisiana sugar, pursuant to House resolution 469, which said report was referred to the House Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 132) for the relief of the Chicago, Milwaukee & St. Paul Railway Co.; the Chicago, St. Paul, Minneapolis & Omaha Railway Co.; and the St. Louis, Iron Mountain & Southern Railway Co., reported the same without amendment, accompanied by a report (No. 1091), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Idaho, from the Committee on the Public Lands, to which was referred the bill (H. R. 13051) to add certain lands to the Lemhi National Forest, Idaho, reported the same with amendments, accompanied by a report (No. 1094), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TAGUE: A bill (H. R. 14366) to reclassify salaries of laborers in class C, Customhouse Division, Treasury Department; to the Committee on Ways and Means.

By Mr. MORGAN: A bill (H. R. 14367) to provide short-term credit for the farmers of the United States, and for other purposes; to the Committee on Banking and Currency.

By Mr. TILSON: A bill (H. R. 14368) to provide revenue, encourage domestic industries, and make provision for the national defense by the elimination, through the assessment of special duties, of unfair foreign competition in the sale of aeroplanes imported into the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. MACGREGOR: Resolution (H. Res. 580) as substitute for the League of Nations covenant; to the Committee on Foreign Affairs.

By Mr. McCULLOCH: Resolution (H. Res. 581) that the Interstate Commerce Commission be directed to furnish the House of Representatives with certain information; to the Committee on Interstate and Foreign Commerce.

By Mr. McFADDEN: Resolution (H. Res. 582) to investigate the Bureau of Engraving and Printing; to the Committee on Rules.

By Mr. CRAMTON: Resolution (H. Res. 583) amending the rules of the House of Representatives; to the Committee on Rules.

By Mr. SMITH of New York: Resolution (H. Res. 584) providing for the consideration of House concurrent resolution 57; to the Committee on Rules.

By Mr. GALLIVAN: Joint resolution (H. J. Res. 374) regarding exploration for oil in territory controlled by England; to the Committee on Foreign Affairs.

By Mr. TINKHAM: Memorial of the Legislature of the State of Massachusetts, relative to the compensation of United States postal employees; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 14369) for the relief of Mrs. Mary Bogner; to the Committee on Claims.

By Mr. AYRES: A bill (H. R. 14370) granting a pension to Benjamin F. Burch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14371) granting a pension to William Crawford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14372) granting an increase of pension to Catherine Pentz; to the Committee on Invalid Pensions.

By Mr. BENHAM: A bill (H. R. 14373) granting an increase of pension to John B. Wayman; to the Committee on Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 14374) granting a pension to Dustin D. Elsie; to the Committee on Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 14375) granting a pension to Sarah A. Mentzer; to the Committee on Invalid Pensions.

By Mr. COOPER: A bill (H. R. 14376) granting a pension to Mae M. Ulrich; to the Committee on Pensions.

By Mr. CROWTHER: A bill (H. R. 14377) granting a pension to Jennie A. Ferguson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14378) for the relief of John Dzikowicz; to the Committee on Claims.

By Mr. DARROW: A bill (H. R. 14379) granting a pension to Cathern Whitaker; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 14380) granting an increase of pension to May A. Chorpenning; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 14381) granting an increase of pension to Elizabeth Lee; to the Committee on Invalid Pensions.

By Mr. VARE: A bill (H. R. 14382) for the relief of the Delaware River Lighterage Co.; to the Committee on Claims.

By Mr. WILSON of Illinois: A bill (H. R. 14383) granting a pension to Mary L. Cox; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4058. By the SPEAKER (by request): Petition of Sacramento Church Federation, Sacramento, Calif., favoring a mandate over Armenia; to the Committee on Foreign Affairs.

4059. Also (by request), petition of the general conference of the Methodist Episcopal Church, Des Moines, Iowa, favoring the extension of the prohibition law to the Philippine Islands; to the Committee on the Judiciary.

4060. By Mr. BROOKS of Pennsylvania: Petition of postal employees of York, Pa., opposing the report of the Joint Congressional Committee on Postal Salaries; to the Committee on the Post Office and Post Roads.

4061. By Mr. CROWTHER: Petition of numerous residents of Glenville, N. Y., urging the enactment of House bill 10925; to the Committee on Interstate and Foreign Commerce.

4062. Also, petition of numerous residents of Schenectady, N. Y., urging the enactment of House bill 1112; to the Committee on the Judiciary.

4063. By Mr. CULLEN: Petition of board of directors of the Merchants' Association of New York, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

4064. By Mr. ESCH: Petition of Merchants Association of New York, favoring increased compensation for postal employees; to the Committee on the Post Office and Post Roads.

4065. By Mr. FULLER of Massachusetts: Petition of A. R. Doten and other residents of Massachusetts, desiring the passage of House bill 1112, introduced by Mr. RAKER, providing for the parole of Federal prisoners; to the Committee on the Judiciary.

4066. By Mr. GALLIVAN: Petition of sundry citizens of the State of Massachusetts, favoring increased compensation for postal employees; to the Committee on the Post Office and Post Roads.

4067. By Mr. JOHNSTON of New York: Petition of Teachers' Union of New York, favoring increased salaries for postal employees; to the Committee on the Post Office and Post Roads.

4068. By Mr. McLAUGHLIN of Michigan: Petition of sundry citizens of Paris, Biteley, and vicinity, in the State of Michigan, protesting against compulsory military training; to the Committee on Military Affairs.

4069. Also, petition of retail trade committee of the Manistee (Mich.) Board of Commerce, protesting against the McNary bill (S. 4285), "requiring the branding of the manufacturer's selling price on shoes transported in interstate commerce, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

4070. By Mr. McLAUGHLIN of Nebraska: Petition of citizens of Saline County, Nebr., protesting against the policy of the United States land office at Lewistown, Mont., in withholding final certificates and patents from homesteaders; to the Committee on the Public Lands.

4071. By Mr. MAHER: Petition of Americans of Ukrainian descent, asking for investigating committee to relieve suffering in the Ukraine; to the Committee on Foreign Affairs.

4072. By Mr. MEAD: Petition of Commercial Electrolytic Corporation, of Buffalo, N. Y., favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

4073. By Mr. O'CONNELL: Petition of L. A. Hageman, of Brooklyn, N. Y., and the National League of Postmasters of the United States, favoring increases in postal salaries; to the Committee on the Post Office and Post Roads.

4074. Also, petition of the Merchants' Association of New York and sundry other organizations and citizens, favoring increased compensation for postal employees; to the Committee on the Post Office and Post Roads.

4075. By Mr. RAKER: Petition of Harry Glover and E. E. Watts, secretary Railway Mail Association, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

4076. By Mr. RODENBERG: Petition of East St. Louis Lodge, No. 2, of St. Louis Yardmen's Association, asking that the Labor Board recognize the yardmen's association; to the Committee on Interstate and Foreign Commerce.

4077. By Mr. TAGUE: Petition of the Merchants' Association of New York, favoring increased compensation for postal employees; to the Committee on the Post Office and Post Roads.

SENATE.

THURSDAY, *June 3, 1920.*

(*Legislative day of June 2, 1920.*)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

INVESTIGATION OF CONDITIONS AT WASHINGTON TERMINAL.

Mr. JONES of Washington. Out of order, I ask leave to submit a Senate resolution, and I ask that it may be read and referred to the Committee on the District of Columbia.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 382) was read, as follows:

Resolved, That the District of Columbia Committee of the Senate be, and it is hereby, directed to investigate the conditions of the Washington Terminal, in the District of Columbia, its management, treatment of its employees, working conditions, wages paid, sanitary equipment, and any other matters relating to said Washington Terminal the committee may deem it advisable to look into.

The said committee is authorized to take testimony relating to said matters and may summon before it any and all persons, and have brought to it for its consideration all necessary papers, books, and records deemed necessary; and for this purpose subpœnas may be issued, if necessary, to produce the attendance of witnesses, books, and papers, to be served by the Sergeant at Arms of the Senate; that said committee may act through the full committee or any subcommittee appointed thereby, and may sit during the sessions of the Senate or during the recess; and it shall report its findings and recommendations to the Senate at the earliest practicable date.

Mr. JONES of Washington. I think the committee has general authority to make the investigation and employ a stenographer, and the resolution will involve no additional expense. I ask that it may go to the Committee on the District of Columbia, however.

The VICE PRESIDENT. It will be so referred.

CALLING THE ROLL.

Mr. McCORMICK. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Harding	McKellar	Robinson
Brandegee	Henderson	McLean	Sheppard
Calder	Jones, Wash.	McNary	Simmons
Capper	Kendrick	New	Smoot
Chamberlain	Kenyon	Norris	Thomas
Comer	Keyes	Nugent	Townsend
Dial	King	Page	Trammell
Fernald	Knox	Phipps	Walsh, Mass.
Frelinghuysen	Lodge	Pittman	Watson
Gay	McCormick	Poindexter	Wolcott
Gerry	McCumber	Pomerene	

The VICE PRESIDENT. Forty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Reading Clerk called the names of the absent Senators, and Mr. HALE, Mr. HARRISON, Mr. OVERMAN, Mr. SMITH of Georgia, Mr. SMITH of Maryland, Mr. SUTHERLAND, Mr. UNDERWOOD, Mr. WADSWORTH, Mr. WALSH of Montana, and Mr. WARREN answered to their names when called.

Mr. DILLINGHAM, Mr. CURTIS, Mr. SMITH of Arizona, Mr. STERLING, Mr. LENROOT, Mr. SMITH of South Carolina, Mr. CULBERSON, Mr. HITCHCOCK, Mr. NELSON, Mr. WILLIAMS, Mr. REED, and Mr. PHELAN entered the Chamber and answered to their names.

The VICE PRESIDENT. Sixty-five Senators have answered to the roll call. There is a quorum present.

MAGNESITE ORES.

Mr. POINDEXTER. I call up the motion coming over from a previous day that the Senate proceed to the consideration of the bill (H. R. 5218) to provide revenue for the Government and to establish and maintain the production of magnesite ore and manufactures thereof in the United States.

The VICE PRESIDENT. It is the pending question.

Mr. LODGE. I wish to have the Senate dispose of the adjournment resolution. I ask the Chair kindly to lay before the Senate the resolution from the House touching final adjournment.

Mr. TOWNSEND. Will the Senator yield?

Mr. LODGE. I should like to have the adjournment resolution disposed of, but I yield for a moment.

RECLASSIFICATION OF POSTAL EMPLOYEES.

Mr. TOWNSEND. I merely wish to call attention to the bill (S. 4475) to reclassify postmasters and employees of the Postal Service. I think the Senator will agree with me. Yesterday I asked to have the bill laid before the Senate. Under the rule, objection having been made, it went over for a day. A recess was taken instead of an adjournment. The Senator who objected is not going to object again to the consideration of the bill at this time, but I should like to be satisfied that no objection will be made, or else I want the Senate to take an adjournment before 12 o'clock for a little time in order that we may end the legislative day and that I may get the bill up. I feel that it is of the utmost importance that the bill should be considered to-day and as soon as it can be done. The only way I see of obviating the difficulty is to take an adjournment now before 12 o'clock until 5 minutes after 12, so that I may bring it up.

Mr. THOMAS rose.

Mr. TOWNSEND. I know what the Senator's attitude is. I am not cricitizing the Senator. I take his word just as he gave it; but I am wondering whether there is anyone else in the Senate who is going to object to the consideration of the bill to-day.

Mr. POMERENE. I was engaged and just came into the Chamber. Is the Senator referring to the bill for the reclassification of postal employees and increase of postal salaries?

Mr. TOWNSEND. Yes, sir.

Mr. POMERENE. I hope there will be no objection made to the consideration of that bill.

Mr. TOWNSEND. I ask unanimous consent that the report may be considered in order to-day, the same as though we had adjourned on yesterday.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. POINDEXTER. I have no objection, with the understanding that that does not necessarily mean that the bill will be taken up by the Senate.

Mr. TOWNSEND. I did not ask that it be the unfinished business. I simply asked unanimous consent that it might be considered in order to-day when a motion is made to take it up; that notwithstanding the rule it may be in order to-day.

LIST OF JUDGMENTS (S. DOC. NO. 295).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a list of judgments rendered by the Court of Claims amounting to $276,212.23, which have been presented to the Treasury Department and require an appropriation for their payment, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

NATIONAL PARK COMMISSIONERS (S. DOC. NO. 297).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Attorney General submitting supplemental estimates of appropriations in the sum of $3,250 required by the Department of Justice for salaries of national park commissioners for the fiscal year 1920 and 1921, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13870) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes.

The message also returned to the Senate, in compliance with its request, the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13587) making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 14384. An act to amend the penal laws of the United States;

H. R. 13976. An act to extend the time for the construction of a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13977. An act to extend the time for the construction of a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 14101. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act; and

H. R. 14335. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 3867. An act authorizing the State of New Mexico to apply the proceeds of the grant to said State of 1,000,000 acres of land, made by section 7 of the enabling act, June 20, 1910, for the reimbursement of Grant County, Luna County, Hidalgo County, Santa Fe County, and the town of Silver City, N. Mex.;

H. R. 1024. An act authorizing the Secretary of the Interior to issue a patent to John Zimmerman for certain lands in the Colorado National Forest upon the surrender of other lands of an equal acreage also located in the Colorado National Forest, Colo.; and

H. R. 13108. An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes.

CONDITIONS IN UKRAINIA.

Mr. WALSH of Massachusetts. I present a petition of sundry citizens of the United States of Ukrainian descent calling attention to the suffering in that portion of Europe known as Ukrainian East Galicia. I ask that the petition be printed in the RECORD, omitting the signatures.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

"*To the Congress of the United States:*

"We Americans of Ukrainian descent, interested in the welfare of humanity, and especially solicitous concerning the suffering in that portion of Europe known as Ukrainian East Galicia, respectfully call to your attention the following facts:

"East Galicia has been more devastated by the World War than any other country of Europe, for it was the theater of continuous warfare between the Austrian and the Russian Armies, and suffered repeated losses of life, destruction of property, and requisitions of food, cattle, money, and clothing.

"Because of the hardships incident to the war and its aftermath, starvation prevails throughout the country, and the entire population is in the grip of a deadly typhus. There are no medicines and no sanitary facilities and only a handful of physicians. Of a total population of over 4,000,000 in East Galicia, more than 600,000 already have perished. Five hundred thousand more are now dying of typhus and other contagious diseases, and the remainder of the populace is suffering indescribable want and misery.

"The other countries of Europe are so hard pressed in the matter of feeding and clothing their own people and in maintaining order that there is no prospect of relief of any kind being received by East Galicia from any European country. If help is received at all, it can come only from America. If no help is received, the condition of suffering will be so intensified that the population will be entirely wiped out eventually and civilization set back in Europe hundreds of years.

"It is likewise our sincere conviction that unless some relief is granted speedily the contagious diseases will spread rapidly to other countries, and the complete ruin of Ukrainian East Galicia will be felt in neighboring countries as well as in the United States where there are more than a half million natives of Ukrainian East Galicia who are good and prosperous workers.

"In order to prevent further loss of life and further suffering, we respectfully petition that the Congress of the United States send a special commission to investigate conditions in Ukrainian East Galicia, to the end that supplies of medicines, food, and clothing may be sent to relieve the intense distress."

BONUS TO EX-SERVICE MEN.

Mr. ASHURST. I present a petition from the ex-service men of the State of Arizona praying for the passage of an adjusted compensation bill. I move that the petition be referred to the Committee on Finance.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. PAGE, from the Committee on Naval Affairs, to which was referred the bill (S. 4057) to authorize the Secretary of the Navy to remove the charge of desertion under certain conditions from the records of former members of the naval service, and for other purposes, reported it without amendment and submitted a report (No. 653) thereon.

Mr. SPENCER, from the Committee on Military Affairs, to which was referred the bill (S. 4322) for the relief of Philip A. Hertz, reported it without amendment.

He also, from the Committee on Claims, to which was referred the bill (S. 3483) for the relief of George T. Hamilton, reported it without amendment.

He also, from the Committee on Claims, to which was referred the bill (H. R. 1856) for the relief of Arthur J. Burdick, reported it without amendment.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WADSWORTH:

A bill (S. 4486) for the adjudication by the Court of Claims of the claims of George Chorpenning under contracts with the United States for carrying the mails; to the Committee on Claims.

By Mr. CALDER:

A bill (S. 4487) to amend section 1 of the act entitled "An act to require apparatus and operators for radio communication on certain ocean steamers," approved June 24, 1910, as amended; to the Committee on Commerce.

A bill (S. 4488) to promote the public health by providing for one day of rest in seven for employees in certain employments; to the Committee on the District of Columbia.

By Mr. FRELINGHUYSEN:

A bill (S. 4489) to provide for the payment of taxes on certain property acquired by the United States by or under the provisions of war legislation, and for other purposes;

A bill (S. 4490) to provide for the payment of taxes on certain property acquired by the United States during the war with Germany, and for other purposes; and

A bill (S. 4491) to provide for the payment of taxes to the city of Hoboken, N. J., on certain property acquired by the President, and for other purposes; to the Committee on Commerce.

A bill (S. 4492) to authorize an issue of bonds to refund the national war debt; to the Committee on Finance.

Mr. KNOX (for Mr. PENROSE):

A bill (S. 4493) granting an increase of pension to Anna O. D. Mickley; to the Committee on Pensions.

By Mr. WATSON (for Mr. PENROSE):

A bill (S. 4494) extending the time in which appropriations to aid the States in the construction of rural post roads are available without reapportionment; and

A bill (S. 4495) authorizing the Secretary of Agriculture to use funds appropriated for the Bureau of Public Roads for employment and expenses of members and experts of engineering and scientific organizations; to the Committee on Agriculture and Forestry.

By Mr. SMITH of South Carolina:

A bill (S. 4496) establishing a commission to investigate conditions in foreign countries relative to the creation, expansion, or development of markets for products of the United States, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. LENROOT:

A bill (S. 4498) for the relief of Hannah Roberts; and

A bill (S. 4499) for the relief of Burt EauClaire; to the Committee on Claims.

By Mr. BRANDEGEE:

A bill (S. 4500) granting a pension to Adelia Lusk (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON (for Mr. PENROSE):

A joint resolution (S. J. Res. 210) authorizing and directing the Secretary of Agriculture to confer with the governors and highway commissioners of the various States and report to Congress the best methods for cooperation between the Federal Government and the several States for good road construction; to the Committee on Agriculture and Forestry.

SALARY OF THE PRESIDENT OF THE UNITED STATES.

Mr. SMITH of Georgia. I introduce a bill and ask that it be printed in the RECORD and referred to the Committee on Appropriations.

The bill (S. 4497) to decrease the annual compensation of the President of the United States and to grant him annuity was read twice by its title, referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That after the 3d of March, 1921, the compensation of the President of the United States shall be $50,000 per annum, to be paid monthly. A President shall receive, upon his retirement from office, unless removed from office on impeachment, the sum of $10,000 per annum, to be paid monthly, for each year during which he is not holding such office.

TERM OF PRESIDENTIAL OFFICE.

Mr. SMITH of Georgia. I introduce a joint resolution and ask that it be printed in the RECORD and referred to the Committee on the Judiciary.

The joint resolution (S. J. Res. 209) proposing an amendment to the first paragraph of section 1 of Article II of the Constitution of the United States, so as to provide a single six-year term for the President of the United States, was read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following be proposed as an amendment to the first paragraph of section 1 of Article II of the Constitution of the United States, which will be valid to all intents and purposes as part of the Constitution when ratified by the legislature of three-fourths of the States, namely: Amend said paragraph to read as follows:

"The Executive power shall be vested in a President of the United States of America. He shall hold his office during the term of six years; and no person who has held the office by election, or who has acted as President under the Constitution or any law made in pursuance thereof shall ever again be eligible to hold said office.

"The President, together with the Vice President, chosen for the same term, shall be elected as follows: * * *."

WITHDRAWAL OF PAPERS—WILLIAM L. SAPP.

On motion of Mr. JONES of Washington, it was

Ordered, That the papers accompanying the bill (S. 3531) Sixty-sixth Congress, second session, granting an increase of pension to William L. Sapp, be withdrawn from the files of the Senate, no adverse report having been made thereon.

AFFAIRS IN MEXICO.

Mr. SMOOT. On May 31 the Senator from New Mexico [Mr. FALL] submitted a report from the Committee on Foreign Relations relative to affairs in Mexico and asked that the report, together with the accompanying documents, be printed, which request was agreed to. Accompanying the report is a map, which I now ask unanimous consent that the Public Printer be authorized to print in connection with the report and accompanying documents.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

THE DYESTUFF INDUSTRY.

Mr. FRELINGHUYSEN. I ask unanimous consent to have inserted in the RECORD a declaration by certain independent dyestuff and coal-tar manufacturers of my State regarding their position on the dyestuff bill.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"During the recent debate in the United States Senate on the bill H. R. 8078, to protect the coal-tar chemical industry of the United States, there was some rather vigorous comment on alleged contract relations between the Du Pont Co. and one of the large English concerns engaged in the manufacture of dyes. It was asserted in that connection that there was imminent danger of building up an American dye monopoly if the bill should become a law.

"This comment was widely published in the press of the country, and yet nothing could be further from the fact. Nothing also could be more unfortunate for a self-sustaining coal-tar chemical industry in the United States than the creation of such an impression in the public mind.

"It may have been aimed at one or two manufacturers, but it hits the entire American coal-tar industry. On the other hand, dyestuffs are not the only important coal-tar products.

"We, the undersigned, American manufacturers of dyestuffs, dyestuff intermediates, drugs, photographic materials, synthetic tanning materials, insulating materials, coal-tar aromatics, and synthetic resins, register our protest.

"There is no desire to create a dyestuff monopoly. The public mind and opinion should be set right, and this should come from the United States Capitol, and not from the managers of one or more political factions.

"Clear this matter right, right now, on the following misunderstood points:

"1. That we are positive that no such danger exists and most emphatically state that every one of the undersigned, representing the various manufactures, is independent of the other, and that there are no combined interests amongst us; we have at no time planned the creation of a monopoly. Furthermore, we are independent. We aver that none of us have any interests whatsoever in the Du Pont Co., nor has the Du Pont Co. any interest in us.

"2. That for several years we have been and still are manufacturing coal-tar chemicals or dyestuffs, and that all of us together have been instrumental in building up a large coal-tar chemical industry in this country, and during the war have aided the Government in carrying on warfare successfully.

"3. That the Longworth bill might benefit the large manufacturers only is erroneous to say the least. As a matter of fact, the bill will protect the small manufacturers to a much greater extent than the large manufacturers. Because of the technical knowledge required in running the business, the small manufacturer who gives personal attention to the manufacture is placed in a much better position to compete with the large concerns who have to engage experts for everything, and in that way have large production and overhead charges to contend with.

"4. If the present bill is not passed in suitable form, the large manufacturers might be able to stay in business for a long time, because they can produce staple goods on a large scale, this being the kind of products that the European manufacturers would keep away from for a time. The small concerns who are manufacturing mostly specialties either in dyestuffs or other coal-tar chemicals are going to be hit first, because the Germans are going to deliver specialties first and in that way are going to force the little man out of business in a very short time. Even now the small manufacturers are hampered by not being able to get proper financial backing. The bankers can not be blamed for their cautiousness, for the reason that they have learned through the papers and otherwise that the coal-tar chemical industry can not exist without proper and complete protection. The fact is that small producers of specialties in the coal-tar chemical line are suffering now, not so much by actual importation of coal-tar chemicals, but by the promise of the importers to deliver at lower figures.

"5. If we should be left with nothing but a tariff between us and the competition of the German trust, the small manufacturers would stand no chance. The struggle for the market in our products would depend entirely on financial strength. Whatever duties might be levied the Germans could well afford, with their advantages in costs and experience and with the aid of the rate of exchange, to pay them. By sacrificing, or rather investing in this way a sum so small as to be negligible compared to the capital which the German trust has at stake, they can drive us all out of business and then get their money back, in their old habitual way, by raising prices. Nobody can fight such a battle except a firm of immense resources. A tariff alone will give only the big fellow a chance to survive, and can hardly save even the biggest. The present Senate bill gives us an even chance, and we therefore urge its prompt enactment.

"6. It must be remembered that when the United States got into the war we had a two and one-half years start in the production of coal-tar chemicals for explosive purposes. These were previously supplied to the Allies, who later became our associates in war. Were it not for this start when the war broke out we never would have been able to accomplish the task which we undertook and which finally ended the war in victory for America.

"7. It is well to remember that chemical plants deteriorate rapidly and are suitable for the scrap heap unless run continuously. Therefore we, manufacturers of coal-tar chemicals, urgently ask that the Senate and the House of Representatives give the matter of the coal-tar bill immediate attention for the purpose of safeguarding the interest of the country's national defense as well as the interests of the undersigned representatives of American industries.

"8. The manufacturers, of which this is a representative list, emphatically state that unless due protection is given to the industry that they will not be able to finance their businesses successfully and will therefore be forced to abandon the plans laid out for the further development of a self-contained American coal-tar chemical industry.

"9. Any disputes, differences of opinion, or controversies which have arisen or which might arise between the representatives of the Du Pont interests, or any other single company, with any legislator or group of legislators should not be held against the entire coal-tar chemical industry. It would be unjust and unfair. We, the independent manufacturers of coal-tar chemicals, forming the backbone of this American industry, should not be made to suffer for any misunderstanding between factions at our expense, at the expense of national safety.

"10. The viewpoint of the undersigned is that the danger of the coal-tar chemical monopoly in this country is far-fetched and imaginary. This imaginary danger no doubt has been created by the importers of coal-tar chemicals and dyestuffs to safeguard their own selfish interests at the expense of the welfare of the American people.

"11. Were the peace treaty signed or a separate treaty with Germany entered into to-morrow, the American markets would within a short time be flooded with cheap wares dumped by foreign countries. There apparently are individuals who are attempting to mislead Congress by misrepresentation and thereby are manipulating dilatoriness in passing the bill, in the hope that such procrastination will bring it up for action at a time too late for effectiveness and thus a self-contained American coal-tar chemical industry will be killed without the full knowledge of the American people why and by whom this was accomplished.

"12. It has been rightly stated time and again by chemists, scientific men, and other influential men in this country that the coal-tar bill is of utmost national importance and that in order to protect and safeguard the interests of the country that the coal-tar chemical and dyestuff industry should and must be protected in a satisfactory manner. This is understood and acknowledged by the entire Senate and House of Representatives. We must have action or perish.

"13. In view of the foregoing facts it becomes imperative that protective measures be now passed; the industry must know whether there is a future, otherwise the industry is doomed to failure.

"14. We, as manufacturers, who have tied up our resources in the coal-tar chemical and dyestuffs industry for everybody's welfare, demand that suitable protection be given to this industry, and that a suitable bill be acted upon in this session and without further delay.

"15. The chemical plants, if only tariff protection is given, will have to return to prewar conditions; that is, simply as assembling plants for German-made goods.

"16. The coal-tar chemical business in general, and the dyestuffs business in particular, is an individualized business. It requires personal attention, personal acquaintance, and personal contact with the consumers, and therefore can not be easily monopolized by or transferred to any one of the large concerns in such a short time as the bill provides.

"17. It took the German cartel 40 years to build up a successful coal-tar chemical monopoly and we feel that, even if there was a danger of building up an American monopoly, would it not be better to encourage an American monopoly, which is subject to the control of our Government, than be servile to a German monopoly over which our Government has no control whatsoever?

"18. We might state, however, that the danger of monopoly in this country is remote because all we are asking is proper protection for a limited period in order to give the American coal-tar chemical manufacturers sufficient chance to perfect organizations for the purpose of keeping the United States out of the clutches of the foreign monopoly, which is in existence now, and in that way safeguard the welfare of the country. Live and let live!

"19. At the war's beginning American manufacturers of textiles pressed the dye makers to increase their facilities to produce more dyestuffs, professing at the same time their former shortsightedness in not encouraging the passage of suitable tariff legislation.

"20. The relative cost of labor considered, the American manufacturers can not successfully compete with the Europeans. We have recently been informed by a Swiss chemical manufacturer that their labor conditions were bad, their help being paid from $10.50 to $13 (60 francs) weekly for skilled labor. The American workers for the same class of labor receive 50 cents per hour; this, based on the Swiss 10-hour day, equals $30 per week. And our worker, corresponding to their $13 per week help, receives 65 cents to 75 cents, or about $40 a week. The German labor is paid even less.

"21. American chemical makers find it now difficult to market their products, since the importers are holding out inducements to their customers in the promises of early delivery of low-priced German and Swiss chemicals. This, of course, is well-planned propaganda, estimated to influence the minds of the reading public, of the customer, and the Senator alike.

"22. The weal of the American people and the country's safety should not be made subservient to petty squabbles of political factions. That is a wrong. When we small manufacturers do not fear the effects of a monopoly, why should the Senate fear it? We feel that neither factional squabble nor personal animosity were reasons sufficiently potent to withdraw the Senate's action on the Longworth bill.

"The Tower Manufacturing Co., 326 Broadway, New York City.

"The Transatlantic Chemical Corporation, 192 Broadway, New York City.

"The U. S. Color & Chemical Co., 93 Broad Street, Boston, Mass.

"The Atlas Color Works (Inc.), 322 Ninth Street, Brooklyn, N. Y.
"The Butterworth-Judson Corporation., 61 Broadway, New York City.
"Messrs. John Campbell & Co., 75 Hudson Street, New York City.
"The Chemical Co. of America (Inc.), 46 Murray Street, New York City.
"The Dye Products & Chemical Co., 200 Fifth Avenue, New York City.
"The Grasselli Chemical Co., 117 Hudson Street, New York City.
"The Waugh Chemical Co., 2 Rector Street, New York City.
"The Staier Chemical Co., 81 Fulton Street, New York City.
"The Ernst Zobel Co. (Inc.), 38 Water Street, New York City.
"United Synthetic Drug Corporation, Jersey City, N. J.
"The Florasynth Laboratories (Inc.), Westchester, N. Y.
"The White Tar Aniline Corporation, 56 Vesey Street, New York City.
"The British-American Chemical Co., 109 Beekman Street, New York City.
"The United Dyes Co., 2 Rector Street, New York City.
"The Noil Chemical & Color Co., 152 West One hundred and eighth Street, New York City.
"The Heller & Merz Co., 505 Hudson Street, New York City.
"The Newport Chemical Works (Inc.), Passaic, N. J.
"The Organic Salt & Acid Co., 81 Fulton Street, New York City.
"The Sherwin-Williams Co., 601 Canal Road NW., Cleveland, Ohio.
"Messrs. Van Dyk & Co., 4 Platt Street, New York City.
"Antoine Chiris Co., 20 Platt Street, New York City.
"American Dye & Chemical Co., Quincy, Ill.
"Imperial Color Works, Glens Falls, N. Y.
"Hydrocarbon Chemical Co., Lancaster, Pa.
"Industrial Chemical Co., Providence, R. I.
"Trico Chemical Co., Buffalo, N. Y.
"Hord Color Products Co., Sandusky, Ohio.
"Abbott Laboratories, Chicago, Ill.
"Rector Chemical Co., New York City.
"Croton Color Works, New York.
"The New Brunswick Chemical Co., New Brunswick, N. J.
"The Iridescent Dyestuff & Chemical Co., 587 Sheepshead Bay Road, Brooklyn, N. Y.
"Messrs. E. C. Klipstein & Sons Co., 644 Greenwich Street, New York City.
"The Commonwealth Chemical Corporation, Newark, N. J.
"The Hooker Electrochemical Co., Niagara Falls, N. Y.
"Althouse Chemical Co., Reading, Pa.
"Monsanto Chemical Works, St. Louis, Mo.
"Dow Chemical Co., Midland, Mich.
"Agawam Chemical Works, Providence, R. I.
"Organic Products Corporation, Schnectady, N. Y.
"Walker Chemical Co., Pittsburgh, Pa.
"Gaskill Chemical Co., Brooklyn, N. Y.
"Lamie Color Works.
"Ackerman Color Works, Patterson, N. Y.
"Universal Aniline Dyes, Milwaukee, Wis.
"Montcalm Chemical Co., Indianapolis, Ind.
"New York Quinine & Chemical Co., Perth Amboy, N. J.
"The Holland Aniline Co., Holland, Mich.
"George H. Morrill Co., Norwood, Mass.
"Naugatuck Chemical Co., Naugatuck, Conn.
"Anthrajone Dye Products & Chemical Co., New York City.
"Ultro Chemical Corporation, New York City.
"Seydel Manufacturing Co., Jersey City, N. J.
"Reliance Aniline Co., Poughkeepsie, N. Y.
"Williams, Zinsser & Co.
"Merrimac Chemical Co., Boston, Mass.
"Heyden Chemical Works, Garfield, N. J.
"Holliday-Kemp Co., Woodside, L. I.
"Certified Chemical Corporation, New York City.
"Dicks David Co., New York City."

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on the 2d instant, approved and signed joint resolution (S. J. Res. 179) authorizing the use of Army transports by teams, individuals, and their equipment representing the United States in Olympic games and international competitions.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Commerce:

H. R. 13976. An act to extend the time for the construction of a bridge across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 13977. An act to extend the time for the construction of a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.

H. R. 14384. An act to amend the penal laws of the United States was read twice by its title and referred to the Committee on the Judiciary.

H. R. 14101. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act was read twice by its title and referred to the Committee on Public Lands.

H. R. 14335. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

FINAL ADJOURNMENT.

Mr. LODGE. I ask the Chair to lay before the Senate the concurrent resolution of the House of Representatives relative to final adjournment.

The VICE PRESIDENT laid before the Senate the concurrent resolution of the House of Representatives, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 5th day of June, 1920, at 4 o'clock p. m.

Mr. WARREN. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Wyoming?

Mr. LODGE. I yield.

Mr. WARREN. I am instructed by the Appropriations Committee to report from that committee that the supply bills have now reached such a stage of perfection as to justify immediate action upon the final adjournment resolution which has just been laid before the Senate.

Mr. UNDERWOOD. Mr. President, I suppose the resolution for final adjournment is now before the Senate for consideration?

Mr. LODGE. Yes.

Mr. JONES of Washington. Mr. President, a parliamentary inquiry. Can that resolution be taken up for consideration without unanimous consent?

The VICE PRESIDENT. The Chair has a right to interrupt proceedings to lay down a message from the House.

Mr. LODGE. I had supposed that the motion to adjourn was in order at any time; that it was a privileged motion.

The VICE PRESIDENT. Oh, yes; a motion to adjourn now is in order, if that is what the Senator from Massachusetts desires to do.

Mr. LODGE. And I had also supposed that a motion to fix the time for the final adjournment of Congress was a privileged motion.

The VICE PRESIDENT. This is not a motion to adjourn now.

Mr. LODGE. I am aware of that.

The VICE PRESIDENT. This is a motion to adjourn at some time in the future.

Mr. LODGE. But I had supposed, perhaps erroneously, that the motion to fix the time for the adjournment of a Congress was a motion of the highest privilege and was always in order.

The VICE PRESIDENT. It is.

Mr. LODGE. This is a matter that certainly ought to be disposed of. I do not desire to interfere in the slightest degree with the Senator from Washington, and I do not want to make a motion to displace his motion; but I supposed the matter of final adjournment could now be disposed of, and I supposed I was making a privileged motion.

Mr. POINDEXTER. A parliamentary inquiry, Mr. President. Could not the motion pending be temporarily laid aside for the purpose of considering the request of the Senator from Massachusetts [Mr. LODGE]?

The VICE PRESIDENT. There is no doubt about that.

Mr. POINDEXTER. I ask unanimous consent that that be done, without prejudice to the motion I have made.

Mr. JONES of Washington. I would object to that.

Mr. LODGE. Mr. President, I think I have the floor, although I seem to have lost it two or three times.

The VICE PRESIDENT. The Senator from Massachusetts has the floor.

Mr. LODGE. I had supposed, as I have said, perhaps erroneously, that the motion to adjourn finally is a motion of the highest privilege. Certainly the motion to adjourn is a motion of the highest privilege, as also are the motions to adjourn to a day certain, or that when the Senate adjourns it shall be to a day certain, privileged motions. A motion fixing the time of final adjournment has always been treated, I am sure, as a motion of the highest privilege. I think the motion as to final adjournment may be disposed of in two or three minutes, if the Senator from Washington insists on his point, and I think he would not be interfered with longer than a motion.

Mr. POINDEXTER. I am perfectly willing to give way for the purpose of taking up the motion of the Senator from Massachusetts, if it can be done without displacing my motion altogether, and I think that it could be done. I have asked unanimous consent that my motion be temporarily laid aside to consider the motion of the Senator from Massachusetts, without prejudice to my motion.

Mr. LODGE. Certainly.

Mr. UNDERWOOD. Mr. President, will the Senator from Massachusetts yield to me?

Mr. LODGE. I yield.

Mr. UNDERWOOD. I think we have arrived at a stage in the public business where Congress either ought definitely to determine that it is going to adjourn on Saturday in accordance with the resolution or not, in order that plans may be made accordingly, and I think we ought to have a definite vote on the resolution.

I saw a statement in one of the newspapers this morning that if the Congress should adjourn the President would call Congress back in extraordinary session. In order that there might be no misunderstanding about the matter, I took the question up with the White House, and the President's Secretary has authorized me to state to the Congress that when it concludes such business as it determines to pass and the necessary supply bills to run the Government the President will not call them back in extraordinary session unless a grave emergency should arise.

Mr. JONES of Washington. Mr. President, will the Senator from Massachusetts yield to me?

Mr. LODGE. Certainly.

Mr. JONES of Washington. Mr. President, there are some very important measures which are not yet disposed of; I have one such in mind, and I do not feel disposed to consent, so far as I am concerned, to fixing a time for final adjournment until that measure is disposed of by the legislative branch of the Government. I refer to the merchant marine bill. The conference report has not yet been agreed to with reference to that bill, though I expect it to be acted on in the other House to-day. I do not know whether or not there will be opposition to it in the Senate. The bill as agreed to in conference is substantially the bill as it passed the Senate; but I do not want the vote on that bill endangered by fixing a definite time for adjournment, when any Senator who might be disposed to use an unusual amount of time in reference to the bill could defeat its passage. That bill is one, I think, of tremendous importance. There may be no opposition to it; I do not know. We may be able to take care of the conference report to-day, but I do not desire to have legislation so important as that endangered by fixing a definite time for final adjournment.

Mr. HARRISON. Mr. President, will the Senator from Washington yield to me?

Mr. JONES of Washington. I am through.

Mr. HARRISON. I desire to ask the Senator a question, if the Senator from Massachusetts will yield for that purpose.

Mr. LODGE. I yield.

Mr. HARRISON. The Senator from Washington mentions one bill of great importance, the merchant marine bill, and I agree with him in his statement regarding that bill. The Senator, as chairman of the Committee on Commerce, also has in charge the river and harbor bill, which is still in conference. That is a piece of legislation of a great deal of importance to certain sections of the country and to the people at large. May I ask the Senator what is the status of that bill, so far as the conference is concerned?

Mr. JONES of Washington. I will state frankly to the Senator just what the status of that bill is. At the last conference the Senate conferees, in recognition of the situation existing between the two Houses and in recognition of the situation with reference to appropriations and moneys available for river and harbor work, submitted a proposal to the House conferees that they would accept an appropriation of $15,000,000 instead of the $24,000,000 appropriated by the bill which passed the Senate. The House conferees refused, and the conference dissolved. On yesterday I talked with some of the members of the conference and suggested that we meet and report a disagreement and let the House take such action as it might see fit with reference to the matter. The conferees on the part of the House stated that they thought the House was very much inclined to instruct them to that effect, and I thought that if the House should so instruct them, of course the Senate could decide what action it would take. They telephoned me this morning that they had met and decided that they would not meet for the purpose of reporting a disagreement. Since that telephone message I have seen one of the conferees on the part of the House, and he said he would confer with the chairman over there and see if he could not get them to consent to call the conferees together for the purpose of reporting a disagreement, and that he would advise me. I have heard nothing further. That is the status of the matter.

Mr. HARRISON. So that they are standing out for an appropriation of $12,000,000 for river and harbor improvements——

Mr. JONES of Washington. They are.

Mr. HARRISON. Although the engineers of the War Department recommended forty-odd millions of dollars in their initial estimates.

Mr. JONES of Washington. I will not argue the proposition.

Mr. HARRISON. That, however, is the fact.

The VICE PRESIDENT. Let the Chair clear the parliamentary situation. The Chair holds that the motion to consider the pending concurrent resolution relating to adjournment is in order. The resolution does not, however, require the Senate to adjourn at 4 o'clock on Saturday; it only authorizes an adjournment at that time; it is not an imperative requirement to adjourn at 4 o'clock. In holding the motion in order, the Chair is going to hold, also, that immediately following the disposition of the motion, the motion of the Senator from Washington [Mr. POINDEXTER] will be in order.

Mr. JONES of Washington. May I ask the Senator from Massachusetts a question?

Mr. NORRIS. A parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator from Nebraska will state it.

Mr. NORRIS. When the motion of the Senator from Massachusetts is before the Senate, as, I take it, the decision of the Chair practically places it before the Senate, is it debatable?

The VICE PRESIDENT. The Chair thinks it is.

Mr. NORRIS. If the motion is going to be held not debatable—and I have no desire to debate it for any length of time—I should like to have the Senator from Massachusetts submit a unanimous-consent agreement providing that it can be debated, and limiting the time of each Senator to five minutes, if the Senator so desires, but I am not willing to vote for the resolution. I should like to have an opportunity, as I think other Senators would, to explain the position we take. I do not believe we ought to be compelled to vote on the proposition now.

Mr. JONES of Washington. May I ask the Senator from Massachusetts a question?

Mr. LODGE. I yield.

Mr. JONES of Washington. I know the Senator from Massachusetts is very much interested in the merchant marine bill, and I will ask him if he is willing to take the chance of the defeat of an important piece of legislation like that by now fixing a definite time for adjournment?

Mr. LODGE. Mr. President, my belief is that nothing will so expedite the disposition of the merchant marine bill, in which I am very much interested, as to fix a time for final adjournment. It will be perfectly proper to reconsider that action later, if it should become necessary—and I hope it will not become necessary—but I think we ought to decide now whether or not we propose to adjourn on Saturday.

Mr. JONES of Washington. May I ask the Senator a further question?

Mr. LODGE. Yes.

Mr. JONES of Washington. Would not the Senator be willing to hold up the final adjournment proposition until later in the day? As I understand, the House will act upon the merchant marine conference report early to-day; it will come over here promptly, and we may be able to dispose of it in a very few minutes. If the Senator will withhold his proposition, he can probably take it up before the day is over, and I think that would be the wise thing to do.

Mr. UNDERWOOD. Mr. President, if the Senator from Massachusetts will yield, no Senator is more anxious than I to see the bill to which the Senator from Washington refers go through——

Mr. JONES of Washington. I know that.

Mr. UNDERWOOD. But I do not know of any reason in the world why it can not be passed before Saturday at 4 o'clock. If, however, anything extraordinary should happen, the action of the Senate in connection with the concurrent resolution for final adjournment can be rescinded. I think that the time has come when, in order to get the supply bills out of the way and settle the differences in conference that exist, there must be some determination of the matter; and, for that reason, as much as I am in favor of the Senator's bill, as much as I desire to help him, as much as I believe that there is going to be no unreasonable delay about it, if he will bring the conference report before the Senate before 4 o'clock on Saturday, I think this question should be determined now. We have got to reach a decision one way or the other; we have got to have a vote of the Senate in order that we may know where we are going.

The VICE PRESIDENT. The question is on concurring in the resolution.

Mr. KENYON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KENYON. I hope the Senator from Washington does not contemplate brushing aside the unfinished business. I desire to inquire if this matter in any way will supplant the unfinished business?

The VICE PRESIDENT. It will not supplant the unfinished business unless the Senate takes up the bill which the Senator from Washington is asking to take up.

Mr. LODGE. Under the ruling of the Chair, if I may be permitted, the action on the concurrent resolution will disturb nothing; it will leave the position exactly as it was.

The VICE PRESIDENT. That is correct.

Mr. NORRIS. Mr. President, I ask that I may be permitted to make a few remarks not exceeding five minutes on the pending question of final adjournment.

Mr. LODGE. I shall not object if the Senator desires to speak for five minutes, with the understanding that I shall hold the floor.

The VICE PRESIDENT. Is there objection to the request of the Senator from Nebraska? The Chair hears none.

Mr. NORRIS. Mr. President, I realize the importance of this proposition and the importance of settling it now. I am opposed to the motion, but if the majority of the Senate wants to pass it, it ought to be disposed of as soon as possible; and yet I can see the danger that the Senator from Washington has suggested.

I am particularly interested because there is pending on the calendar a bill reported by the Committee on Patents that if the Senators would take the time to consider they would realize is of vital importance to the country. I have been trying for two or three weeks to get that bill up. I have never heen able to do it, because either of objection or of some other business taking precedence over it. It ought to be disposed of before this recess. As far as I know now, there is no Senator here that objects to it. Some of them have objected in the past but by talking it over and by agreement as to certain amendments that make some objectionable features plain, as far as I know, there is no objection; and yet, just the other evening, when we had an evening session, I came here supposing that there would be an opportunity to consider measures of that kind and discovered, after I got here, that a few leaders had agreed that only one matter should be considered and that, when that was disposed of, nothing else could be taken up.

If this motion is agreed to now, I am afraid that it practically puts it in the hands of any one Senator to defeat any legislation that he wants to defeat, because it does not require very much time to make it perfectly apparent that any particular proposition can not be passed on until the hour of adjournment shall come, and if the adjournment resolution is passed we will not have a quorum here, perhaps, to-morrow. It will disappear; and I do not feel as though the Committee on Patents has been treated fairly by the Senate. I do not think we have had a square deal. We ought to have an opportunity to have the legislation which we unanimously report here either voted up or voted down and a fair and an honest opportunity to debate it if the Senators are opposed to it.

Mr. President, I do not believe myself that Senators or Members of the House of Representatives ought to be delegates to either one of the national conventions, and go there practically for the purpose and with the object to some extent of passing upon their own work. We ought to remain here until we complete some of this important legislation and let the national conventions be taken care of by those outside.

I realize that that can not be done now, because there are too many Members of the House and too many Members of the Senate who, under existing conditions, feel obligated to go, and I am not inclined to interfere with it; but unless we can dispose of some of these important matters it seems to me we ought to be back here when the conventions are over. Personally, I do not believe we ought to adjourn without day. We ought to take a recess to a time not later than the 1st of September, and be able to clean up some of the business that has accumulated on our calendar and the calendar of the House.

Mr. THOMAS. Mr. President, if I may be permitted to occupy a moment, let me say that while I am sensible that much needed legislation will go over with this adjournment, I am also sensible of the more important fact that unless we adjourn our reckless and prodigal appropriations of money from the Federal Treasury will continue. I shall therefore support this resolution, because, if adopted, it will temporarily suspend the profligate expenditure of the public funds by this Congress, already far in excess of our estimated receipts.

While I am on the floor, let me call attention to this circular letter, which solicits membership in the American Legion. It is printed upon Government paper, and it is franked in a Government official Treasury Department envelope, signed by William G. Glenn, representative of the Bureau of War Risk Insurance, and by Cecil J. Dowd, chairman of the American Legion membership committee. I ask to put both in the RECORD, that the people may know how the franking privileges of the Government are being used for proselytizing membership in a private organization.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"EVERY MEMBER GET A MEMBER—THIS IS THE WEEK OF THE AMERICAN LEGION MEMBERSHIP PUSH.

"Will you get one new member for your post? Get an application blank from your commander or adjutant. Have a buddy fill it out and send it in this week.

"Or you can drop in American Legion headquarters, 823 Fifteenth Street NW., and obtain general application blanks that are good for any post. At the same time get some of the questionnaires that the Bureau of War Risk Insurance has placed there.

"Fill one of these out yourself and pass them along to any ex-service men who think they have not gotten a "square deal" from Uncle Sam in matters of compensation, insurance, bonus, allotments, medical aid, travel pay, vocational training, clothing allowance, Liberty bonds, or any kind of Government aid to which he is entitled.

"Send them to your post war-risk officer, and he will see that you (or any ex-service man, whether he belongs to the legion or not) is "fixed up" in record time.

"This is only one of the many things that the American Legion is doing for ex-service men.

"Get another buddy this week.

"WILLIAM G. GLENN,
"Representative of the Bureau of War Risk Insurance.
"CECIL J. DOWD,
"Chairman of the American Legion Membership Push Committee."

TREASURY DEPARTMENT
BUREAU OF WAR RISK INSURANCE
OFFICIAL BUSINESS
RETURN AFTER FIVE DAYS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE $300
[Postmark: "Washington, D. C., May 24, 1 p. m., 1920."]

Mr. KENYON. Mr. President, I offer the following amendment to the adjournment resolution: At the close of the resolution, insert:

Said adjournment to be to August 30, 1920.

Upon that I ask for the yeas and nays.

Mr. JONES of Washington. Mr. President, will the Senator from Massachusetts yield to me for just about a minute?

Mr. LODGE. Yes.

Mr. JONES of Washington. Mr. President, I am not going to state all the reasons why I am opposed to adjournment at this time. I do not think we ought to adjourn until we have disposed of the important business we have before us that we think ought to be disposed of. We should not adjourn, however, because we are afraid of ourselves. We ought not adjourn because we are afraid that we will not act wisely or properly

upon legislation pending before us. If there is important legislation pending here, it ought to be acted upon by adoption or rejection.

There are many other reasons why I think we should not adjourn. I am not going to take the time to present them. I want to get away, I think, just as much as any other Senator here, but I feel that we ought to stay here and dispose of the legislation that is pressing, that is important, that is urgent—dispose of it one way or the other; either pass it or express our views by rejecting it. We ought to recess three days at a time, until the conventions are over, and then act upon the situation that confronts us at that time.

Mr. LODGE. Mr. President, I ask for a vote now. The question, I suppose, is on the amendment of the Senator from Iowa.

Mr. KENYON. I ask for the yeas and nays on the amendment.

Mr. UNDERWOOD. Mr. President, I want to say just one word before the pending question is voted upon.

Mr. LODGE. I yield to the Senator.

Mr. UNDERWOOD. As I understand, the pending question is to agree to the resolution with an amendment fixing the 31st of August as the time to adjourn.

Mr. President, it seems to me that that motion is entirely one that should not be considered at all. If we do not want to adjourn, the Congress ought to stay here now and attend to its business, and when we finish the business, whether it be in June, July, August, or September, then adjourn; but for us to pass a resolution now fixing a day in August, when we may have finished our business in July, it seems to me is something that should not be considered for a moment. The real issue is the pending resolution, and that is to wind up our business now, as we have it in hand, or stay on here indefinitely.

Mr. HITCHCOCK. Mr. President, I think the Senator from Alabama has the same misconception that I had of the amendment offered by the Senator from Iowa.

Mr. UNDERWOOD. Possibly I have. What is it?

Mr. HITCHCOCK. His amendment, as he now explains it, is that the Congress adjourn until the 30th of August.

Mr. UNDERWOOD. Well, Mr. President, if that is the angle, I think that is worse.

Mr. SMITH of South Carolina. Yes.

Mr. UNDERWOOD. If we have business that requires our attention for the good of the country, there is no excuse for our leaving here now at all. If we have wound up the business that it is necessary to pass before we adjourn, now is the time for adjournment; but to adjourn now and be called back here in the middle of the summer, facing a great national election, I think, would be a disaster. In the first place, it would bring men back here out of their campaigns; in the second place, it would have Congress functioning in the midst of an election; and either condition is bad.

I think the real issue comes on the main resolution. So far as I am concerned, I think we should pass the supply bills and the conference reports and go home, and we can do that by Saturday next; but for those that do not agree with me upon that—it seems to me, the course is clear—that we ought not to inject this session into August by partial adjournment and summon Congress back here in the middle of the summer to work under those conditions.

I hope very much that the amendment will be defeated.

Mr. JONES of Washington. Mr. President, I suggest to the Senator from Iowa that he make the date July 10.

Mr. KENYON. Mr. President, I am willing to do that to make the test on this question. I will perfect my amendment by susbtituting "July 10" for "August 30."

Mr. FRELINGHUYSEN. Mr. President, may I point out to the Senator from Iowa that July 10 is Saturday?

Mr. KENYON. I will make it July 12, then, in place of August 30.

The VICE PRESIDENT. The question is on the amendment of the Senator from Iowa as modified. On that amendment the yeas and nays have been called for and ordered.

Mr. REED. Mr. President——

Mr. LODGE. Mr. President, I ask if this debate is proceeding by unanimous consent?

The VICE PRESIDENT. The Senator from Massachusetts will force the Chair to withdraw from another ruling that he has made if we do not go ahead by unanimous consent.

Mr. LODGE. I understood the Chair to say that we were proceeding by unanimous consent. I am not going to make any objection if the Senator wants to speak.

Mr. REED. I hope the chairman of the Foreign Relations Committee will not object simply because I want to say something, after everybody else has debated the matter at will.

Mr. LODGE. I am not going to make any objection.

Mr. REED. Mr. President, there are some things that ought to be done before this Congress adjourns. The war legislation, which was intended to be of a temporary character, most of it containing a clause providing that it should become inoperative within a given period after a presidential proclamation of peace, ought to be taken off the statute books. It is of the highest importance. From every consideration, for almost every reason that can be imagined, much of this legislation should be repealed. There is a general demand in the country for it.

As I have said, the legislation that I am speaking of was adopted strictly as war legislation. If this concurrent resolution passes this morning for an adjournment, that bill will not receive consideration. I am unwilling that this Congress shall adjourn with this legislation upon the statute books.

Powers have been vested in some departments of the Government which were entirely proper to be there vested during the war which are entirely improper to be there vested in time of peace. That legislation ought to be removed. The statutes of the country ought to be purged of its existence. If we pass this resolution, that legislation will not be removed until after next December.

Mr. STERLING. Mr. President, will the Senator from Missouri permit an interruption?

Mr. REED. I will.

Mr. STERLING. The Senator from Missouri, of course, is aware of the fact that the repeal of war-time legislation has been under consideration by the Judiciary Committee to a limited extent. The Senator knows of the appointment of a subcommittee to consider the bills which have been referred to that subcommittee by the full committee. Two of the members of the subcommittee have been out of the city for some time. The Senator from Missouri himself has had duties which prevented his attendance, as I understand it, upon the meetings of the subcommittee during the last two or three days. So the subcommittee have not been able to frame a report or recommend a bill for the repeal of the war-time legislation. But let me say to the Senator that there is now before the Judiciary Committee, which meets again at 2 o'clock this afternoon, a bill which would repeal war-time legislation, which will be submitted, I think, on behalf of the subcommittee.

Further, may I say to the Senator from Missouri that I understand a bill is now pending before the House, which is likely to be passed to-day by the House, which will repeal the war-time legislation. So I do not believe there will be need to continue the session after Saturday for the purposes of an act of that kind.

Mr. REED. Mr. President, I am a member of the subcommittee of the Judiciary Committee having in charge the bills there pending. I introduced one of the bills, I think the most general. I did not know that the subcommittee had been called in the last two days, but if I had known it it would have been impossible for me to be there and also at the same time to be in attendance upon another committee investigating campaign expenditures. But I have not made any complaint of the progress that has been made. I think the chairman of the subcommittee has done all he could, but——

Mr. NORRIS. Mr. President——

Mr. REED. In just a moment. But the very fact stated by the chairman shows the necessity for time to shape this legislation. When we once pass this resolution, then the time can be easily consumed, and if by next Saturday night we have not passed the bill, Congress is forced to adjourn. I want this legislation out of the way or a vote upon it assured before we tie our hands so that we may not be able to vote upon it at all.

I yield to the Senator from Nebraska.

Mr. NORRIS. I would like to call the Senator's attention——

Mr. McCUMBER. Mr. President, I rise to a point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. McCUMBER. The point of order is that this motion is not debatable.

The VICE PRESIDENT. The Chair will have to rule that it is debatable. It is not a motion to adjourn; it is a concurrent resolution of the two Houses, and it is debatable. Anything the Chair has said contrary to that will not be deemed a ruling by me.

Mr. McCUMBER. I understand, then, that the ruling of the Chair is that it is debatable for any length of time?

The VICE PRESIDENT. Undoubtedly, because it is a concurrent resolution.

Mr. McCUMBER. Mr. President, I appeal from the decision of the Chair.

The VICE PRESIDENT. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. BRANDEGEE. A parliamentary inquiry, Mr. President. I ask if the amendment proposed by the Senator from Iowa [Mr. KENYON] is the pending question?

The VICE PRESIDENT. It is.

Mr. BRANDEGEE. The original question is on agreeing to the concurrent resolution sent to the Senate by the House?

The VICE PRESIDENT. It is on the concurrent resolution, and that Senators may know how to vote upon the ruling of the Chair, it reads——

Mr. BRANDEGEE. That is my object—to inform us as to what we are to vote upon.

The VICE PRESIDENT. The concurrent resolution reads:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 5th day of June, 1920, at 4 o'clock p. m.

Mr. BRANDEGEE. I understand that the Senator from Iowa has proposed an amendment to the concurrent resolution.

The VICE PRESIDENT. Yes; that we adjourn until the 12th day of July, 1920. The question is on the amendment of the Senator from Iowa.

Mr. BRANDEGEE. The amendment is to adjourn to a day certain, and the Chair rules——

The VICE PRESIDENT. It is the resolution on which the Chair is ruling.

Mr. BRANDEGEE. I beg pardon. I understood that the Senator from North Dakota [Mr. MCCUMBER] raised a point of order that the matter which was being debated was not debatable. I supposed that the matter which was being debated is the pending question, which is the amendment of the Senator from Iowa.

The VICE PRESIDENT. The question which is being debated, if the Chair can understand it, is the original concurrent resolution.

Mr. BRANDEGEE. The pending question is the amendment, is it not?

The VICE PRESIDENT. It is.

Mr. BRANDEGEE. Very well. Then the question is whether a Senator has a right to debate the amendment; and the Senator from North Dakota asked for a ruling of the Chair on that question.

Mr. MCCUMBER. That is the situation I intended to appeal from.

Mr. BRANDEGEE. I simply want the matter which is appealed from to be distinctly understood before I vote.

The VICE PRESIDENT. The difficulty about the Chair ruling is that the Chair can not tell what the Senator from Missouri [Mr. REED] is debating. The Chair can not tell whether he is debating the original resolution or whether he is debating the amendment to adjourn to a day certain.

Mr. BRANDEGEE. But the pending question is the amendment of the Senator from Iowa?

The VICE PRESIDENT. It is.

Mr. BRANDEGEE. Then, if there is any talk, I assume it must be construed to be upon the pending question, whether it is germane to it or not.

Mr. UNDERWOOD. Mr. President, I wish to say merely one word with reference to the appeal from the decision of the Chair. I would like to see the pending question determined at as early a date as possible, without undue delay, because the direction in which we are moving must be determined by this vote. But to my mind it is absolutely clear that the Chair's ruling is right, that on a matter of adjournment, not the daily adjournment, but a final adjournment, or the fixing of a day for adjournment, there are many important questions which come before the Congress to consider, and it is absolutely in order to consider the angle from which the adjournment shall come. It seems to me clear that the Chair is right, although personally I hope we are not going to have any undue delay in determining the question.

Mr. MCCUMBER. Mr. President, may I quote the rule under which I make my point of order?

The VICE PRESIDENT. Certainly.

Mr. MCCUMBER. It is Rule XXII, and reads:

PRECEDENCE OF MOTIONS.

When a question is pending, no motion shall be received but—
To adjourn.
To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.
To take a recess.

Then it enumerates several others, and proceeds:

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

The pending question is a motion to amend so that the resolution shall read that Congress shall adjourn to a day certain, and I do not think it is debatable.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Just a moment. If we can expedite this matter, certainly it is to the interest of the Senate to expedite it. This is not a motion to adjourn or to adjourn to a day certain; it is a concurrent resolution authorizing a final adjournment. That is all the Chair cares to say. The question is, Shall the decision of the Chair stand as the judgment of the Senate? [Putting the question.] The ayes have it. The Senator from Missouri will proceed.

Mr. NORRIS. The Senator from Missouri had yielded to me for a suggestion. I wanted to suggest, in addition to what the Senator has said, that if it is known that we are going to adjourn on Saturday, then wherever there is a disagreement on any of the propositions to repeal war-time legislation it will be within the power of any one Senator to compel the entire Senate to sumbit, or he can easily defeat action by prolonging debate. So, as a matter of fact, the suggestion made by the Senator from South Dakota [Mr. STERLING] that we may pass that kind of a repealing act before Saturday will have no practical application if we pass this resolution and it is known that we are going to adjourn on Saturday.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Massachusetts?

Mr. REED. I yield.

Mr. LODGE. I merely want to say that if it becomes necessary of course this resolution for adjournment can be easily repealed by both Houses. It is not absolutely final, and you can not make it absolutely final. It is a future order, and it can be repealed. I think Congress ought to know what the intention is, and I wish we could have a vote upon the resolution and dispose of it, for it is delaying the very bills which Senators are so anxious to get through.

Mr. REED. Of course Congress could repeal the concurrent resolution, but of course they will not, and the Senator knows that. It is because this resolution is to be a finality that he desires to have it passed. But he mistakes the situation. If we could have an arrangement made before the resolution is passed, providing for a consideration of the war-time legislation and a vote upon it by a given hour, I think, as far as I am concerned, I would be content.

Mr. President, that is all I have to say about it. I am opposed to the resolution to adjourn on June 5.

The VICE PRESIDENT. The pending question is on the amendment of the Senator from Iowa [Mr. KENYON]. The yeas and nays have been requested.

Mr. SMITH of Georgia. Mr. President, I hope we can adjourn by Saturday evening, but I am afraid to vote now for this resolution and put it in the power of nearly any one Senator to prevent the passage of legislation which ought to be passed before we adjourn. Take the Post Office bill, to which the Senator from Michigan [Mr. TOWNSEND] has referred. There are a number of bills we ought to pass. There are Senators opposed to some of those bills. I am simply afraid of their efforts at delay. If they know we are going to adjourn they can defeat bills by preventing action upon them.

Mr. LODGE. Every moment this discussion is prolonged helps to defeat the bills we want to pass.

Mr. SIMMONS. Mr. President, the majority of this body is responsible for legislation. Legislation is generally inaugurated by the majority. The majority can be said to be responsible for the inaugurating of legislation and the control of it. If the majority is united, as it has been, with respect to most of the legislation at this session that is vitally important, it can absolutely control legislation. But, however that may be, it is responsible for legislation. If the majority of the Senate feel that there is no other important legislation in the interest of the people which calls for Congress remaining in session, I assume that if Congress does remain in session it will not be likely to pass any additional important legislation.

In those conditions personally I feel that if the majority desire to adjourn it will be in the interest of the country to permit them to adjourn, because they will likely do nothing if we remain in session. If the majority of the Senate feel this way, I think it would be a waste of time to adjourn to a day certain. I think it better to finish the job right now.

Personally I believe we ought to stay here, because I think there is a great deal of very important legislation that ought to be passed before the next regular session of the Senate, but I think that is a matter which we should largely permit the majority to determine, because if they are adverse to the legis-

lation or its consideration at this time, we would be likely to accomplish little by staying here.

Mr. JONES of Washington. Mr. President, I do not think the Senator from North Carolina [Mr. SIMMONS] or his side of the aisle can by a suggestion of that sort escape any responsibility upon the question of adjourning. The majority of the Senate on this side of the aisle to which he refers could not adjourn the Senate if they tried. There are, however, enough votes on this side of the Chamber with those on the other side to prevent it, and if the Senate adjourns it will be done by the other side of the aisle.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Iowa [Mr. KENYON], on which the yeas and nays are requested.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON], but on this matter I am privileged to vote. I vote "nay."

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. In his absence I withhold my vote.

Mr. KENDRICK (when his name was called). Has the Senator from New Mexico [Mr FALL] voted?

The VICE PRESIDENT He has not.

Mr. KENDRICK. I have a general pair with that Senator, which I transfer to the Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG], who is absent. I transfer that pair to the Senator from Montana [Mr. MYERS] and vote "nay."

Mr. SPENCER (when his name was called). I have a general pair with the junior Senator from New Mexico [Mr. JONES], but under the arrangement I have with him I feel at liberty to vote. I vote "yea."

Mr. TRAMMELL (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT], which I transfer to the junior Senator from Kentucky [Mr. STANLEY] and vote "yea."

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is still unfortunately ill and absent. I transfer that pair to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

The roll call was concluded.

Mr. CALDER. I have a pair with the junior Senator from Georgia [Mr. HARRIS]. I transfer that pair to the junior Senator from South Dakota [Mr. JOHNSON] and vote "nay."

Mr. BALL (when his name was called). I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. I transfer that pair to the junior Senator from West Virginia [Mr. ELKINS] and vote "nay."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX], which I transfer to the Senator from New Mexico [Mr. JONES] and vote "nay."

Mr. SWANSON. I desire to state that my colleague [Mr. GLASS] is unavoidably detained from the Senate. He is paired with the senior Senator from Illinois [Mr. SHERMAN]. I ask that this announcement may stand for the day.

Mr. GAY. I have a general pair with the senior Senator from New Hampshire [Mr. MOSES]. In his absence and being unable to obtain a transfer, I withhold my vote.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY]; and

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS].

The result was announced—yeas 20, nays 47, as follows:

YEAS—20.

Borah	Jones, Wash.	New	Spencer
Capper	Kendrick	Norris	Sutherland
Culberson	Kenyon	Reed	Trammell
Curtis	Lenroot	Sheppard	Walsh, Mass.
Hale	McNary	Smith, Ga.	Watson

NAYS—47.

Ashurst	Dial	Hitchcock	Nelson
Ball	Dillingham	Keyes	Nugent
Beckham	Fernald	King	Overman
Brandegee	Frelinghuysen	Lodge	Page
Calder	Gerry	McCumber	Phelan
Chamberlain	Harding	McKellar	Phipps
Comer	Harrison	McLean	Pittman
Poindexter	Smith, Ariz.	Swanson	Walsh, Mont.
Pomerene	Smith, Md.	Thomas	Warren
Ransdell	Smith, S. C.	Townsend	Williams
Robinson	Smoot	Underwood	Wolcott
Simmons	Sterling	Wadsworth	

NOT VOTING—29.

Colt	Glass	Kellogg	Owen
Cummins	Gore	Kirby	Penrose
Edge	Gronna	Knox	Sherman
Elkins	Harris	La Follette	Shields
Fall	Henderson	McCormick	Stanley
Fletcher	Johnson, Calif.	Moses	
France	Johnson, S. Dak.	Myers	
Gay	Jones, N. Mex.	Newberry	

So Mr. KENYON's amendment was rejected.

The VICE PRESIDENT. The question now recurs on agreeing to the concurrent resolution.

Mr. TRAMMELL. I desire to offer an amendment to the pending resolution, that said adjournment shall be until August 2, 1920.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Florida.

Mr. TRAMMELL. Mr. President, I think that in transacting the public business, when we approach the question of whether or not we shall quit the job, we should look over the calendar and see the status and condition of the legislative calendar, or, in this instance, I may more appropriately state, the business of the people of the Nation. I have yet to hear any of the advocates or the champions of the idea of an adjournment, which would probably result in Congress not to be in session until December, state upon the floor that there was not considerable uncompleted important work pending before the Congress.

About the only reason suggested—I submit it is not a good reason, though it might be an excuse—is that some of the Senators, in furtherance of their political aspirations and their partisan purposes, desire to hike off to the national conventions. With public business pending, with matters before the Congress that need to be legislated upon, we find Members of Congress desirous, it seems, of abandoning the public work for the purpose of going off to try to guide and dominate the politics of the country.

I submit it is not really a patriotic purpose or a good reason that we should adjourn Congress for the purpose of attending the conventions, so far as that is concerned, but that seems to be the old idea, possibly, of a great many, and we are necessarily going to have to do that now. Some have been elected delegates, but after this mission has been performed, whether it is a proper one or not, whether Congressmen and Senators are justified in deserting their posts of public duty to go and try to plan for the approaching campaign—after this purpose has been carried out, after they have played the little political game of chess, if you please, and either lost or won in the conflict, certainly, then, there is no reason why we should not return here that we may consider the many important problems that are before the Congress.

Some say that the people of the country want Congress to adjourn, that they do not desire Congress to be in session. Why, Mr. President, since my entrance in public affairs, since I have been observing the trend of public opinion in the country, I have always found a certain class of citizens of the country who, after they have obtained all the legislation that they want, say that the legislative bodies of the country are a public nuisance and should fold their tents and go back home. I dare say that is true in this case. The majority of the Congress has been rather generous in legislating along the lines of matters of interest to the big business of the country. They, too, have been equally as generous and considerate in refraining from laying hands upon the profiteers of the country and trying to exclude them from carrying on operations against the American people.

Mr. ASHURST. Mr. President——

Mr. TRAMMELL. I yield to the Senator from Arizona.

Mr. ASHURST. I wish to ask the Senator if he believes in good conscience that a Republican Congress will do anything to cure profiteering? The Senator knows they will make no attempt to do it.

Mr. TRAMMELL. Whether or not they will, as far as I am concerned, I do not propose to be particeps criminis in the neglect of a public duty. Of course, I know and realize that the Republican Party, the majority party in the Senate, is in control of the program of legislation, that it controls the committees, and that those who have tried to bring about much legislation and relief which seems necessary in this country are greatly handicapped. However, I say that it is the duty not only of the majority members but the minority members to display their desire to look after the public business and to at least exert every effort possible in the matter of endeavoring to have enacted needed legislation, and that we should not take an

adjournment, which would mean that Congress would probably not be in session for six months.

I do not think, Mr. President, that the condemnation, if there is condemnation, which is being heaped upon Congress is particularly on account of its being in session, but it is more directly because of the neglect of Congress to legislate upon questions that demand consideration at the hands of the legislative body of the Republic. I submit that that neglect will become emphasized, and it will become all the more glaring and apparent, if the House of Representatives and the Senate say, "A little more folding of hands, a little more ease, and a little more comfort, and we will go out and enjoy the balmy breezes of some summer resort, or we will go off on one joy expedition or another, and the business of the American people shall be forgotten for a season."

I think it will be, Mr. President, a case of about as little concern for the public business as that displayed when Nero fiddled while Rome was burning. I am opposed to an adjournment which will cause Congress to desert the post of duty until December, and I therefore hope that my amendment making the adjournment until August 2 will be adopted.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Florida.

Mr. REED and Mr. TRAMMELL called for the yeas and nays.

Mr. SMITH of South Carolina. Mr. President, is the vote now to be taken directly on the resolution for final adjournment?

The VICE PRESIDENT. No; it is on the amendment of the Senator from Florida [Mr. TRAMMELL] to adjourn until the 2d of August.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). Making the same announcement as to my pair and its transfer as heretofore, I vote "yea."

Mr. HENDERSON (when his name was called). Making the same announcement as previously in regard to my pair, I withhold my vote.

Mr. KENDRICK (when his name was called). Making the same announcement as to my pair and its transfer as on the previous vote, I vote "yea."

Mr. SIMMONS (when his name was called). Making the same announcement in reference to my pair and its transfer as previously, I vote "nay."

Mr. TRAMMELL (when his name was called). Transferring my general pair with the Senator from Rhode Island [Mr. COLT] to the Senator from Kentucky [Mr. STANLEY], I vote "yea."

Mr. WILLIAMS (when his name was called). Repeating the announcement in reference to my pair and its transfer which I made upon the last call of the roll, I vote "nay."

The roll call was concluded.

Mr. GAY. Making the same announcement as on the previous vote in reference to my pair, I withhold my vote.

Mr. BALL. Making the same announcement as I made previously in reference to my pair and its transfer, I vote "nay."

Mr. CALDER. Making the same announcement as on the last vote in reference to my pair and its transfer, I vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY]; and

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS].

The result was announced—yeas 20, nays 47, as follows:

YEAS—20.

Borah	Jones, Wash.	New	Spencer
Capper	Kendrick	Norris	Sutherland
Culberson	Kenyon	Reed	Trammell
Curtis	Lenroot	Sheppard	Walsh, Mass.
Hale	McNary	Smith, Ga.	Watson

NAYS—47.

Ashurst	Harding	Page	Smoot
Ball	Harrison	Phelan	Sterling
Beckham	Hitchcock	Phipps	Swanson
Brandegee	Keyes	Pittman	Thomas
Calder	King	Poindexter	Townsend
Chamberlain	Lodge	Pomerene	Underwood
Comer	McCumber	Ransdell	Wadsworth
Dial	McKellar	Robinson	Walsh, Mont.
Dillingham	McLean	Simmons	Warren
Fernald	Nelson	Smith, Ariz.	Williams
Frelinghuysen	Nugent	Smith, Md.	Wolcott
Gerry	Overman	Smith, S. C.	

NOT VOTING—29.

Colt	Elkins	France	Gore
Cummins	Fall	Gay	Gronna
Edge	Fletcher	Glass	Harris
Henderson	Kirby	Myers	Shields
Johnson, Calif.	Knox	Newberry	Stanley
Johnson, S. Dak.	La Follette	Owen	
Jones, N. Mex.	McCormick	Penrose	
Kellogg	Moses	Sherman	

So Mr. TRAMMELL's amendment was rejected.

Mr. KENYON. Mr. President, I move to amend the concurrent resolution, in line 3, after the word "to," by striking out the words "close the present session by adjourning their respective Houses" and inserting in lieu thereof the words "recess this session of Congress," and to add at the end of the resolution the words "to July 12, 1920," so that the resolution, if so amended, would read:

Resolved, etc., That the President of the Senate and the Speaker of the House of Representatives be authorized to recess this session of Congress on the 5th day of June, 1920, at 4 o'clock, to July 12, 1920.

I desire to get a vote on the question of whether there shall be a recess or adjournment, and I ask for the yeas and nays on the amendment.

Mr. TOWNSEND. Mr. President, there is an inquiry I would like to make in connection with the pending motion. If the present session of Congress should take a recess, would there, in case of necessity, be any power on the part of the President to call the Congress back before July 12, the date fixed for the expiration of the recess in the amendment of the Senator from Iowa? As I understand, if Congress adjourns, it may be convened by the President at any time, but if the Congress is already in session, as constructively, at least, it will be if a recess is taken now until a day certain, can Congress be called back in case of an emergency during the intervening time?

The VICE PRESIDENT. Does the Senator make that inquiry of the Chair?

Mr. TOWNSEND. I have great faith in the legal opinions of the Chair.

The VICE PRESIDENT. The Chair would not undertake to decide any such question as that.

Mr. TOWNSEND. I would like to know before I vote on the amendment, and I will ask the Senator from Massachusetts what his opinion is as to that matter?

Mr. LODGE. Mr. President, I have not the slightest doubt that the language of the Constitution is such that the President can call Congress back, whether it is in recess or whether it has adjourned. The provision of the Constitution is perfectly sweeping, and my judgment is there can be no doubt about it. I was informed by the Speaker of the House that he had made some researches or inquiries in that direction, and that he had no doubt of the power of the President to call Congress back whenever it was not in session.

Mr. TOWNSEND. The difficulty which has occurred to me is that when Congress takes a recess it is still practically in session, and there has been some uncertainty in my mind as to what effect a call by the President for the reassembling of Congress would have under such circumstances. That is what disturbed me, and, while I am opposed to a recess for so short a time as indicated, I should like to know what the real situation is. I am ready for a vacation, and would like to have it extended till fall, and am indifferent as to whether it be called recess or adjournment provided the President is not estopped from calling an extraordinary session in case of emergency.

Mr. KENYON. I ask for the yeas and nays on the amendment offered by me.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. BALL (when his name was called). Making the same transfer as on the previous roll call, I vote "nay."

Mr. BECKHAM (when his name was called). I transfer my pair with the senior Senator from West Virginia [Mr. SUTHERLAND] to the junior Senator from New Mexico [Mr. JONES] and vote "nay."

Mr. CHAMBERLAIN (when his name was called). Making the same announcement as heretofore, I vote "nay."

Mr. GAY (when his name was called). I transfer my pair with the senior Senator from New Hampshire [Mr. MOSES] to the senior Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. HENDERSON (when his name was called). Making the same announcement as before, I withhold my vote.

Mr. SIMMONS (when his name was called). Making the same announcement as on the previous roll call, I vote "nay."

Mr. TRAMMELL (when his name was called). I have a pair with the senior Senator from Rhode Island [Mr. COLT]. On account of his absence, and being unable to obtain a transfer, I am compelled to withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. WILLIAMS (when his name was called). Repeating the explanation made upon the former roll call, I vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY]; and

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS].

The roll call having been concluded, the result was announced—yeas 18, nays 52, as follows:

YEAS—18.

Borah	Jones, Wash.	New	Spencer
Capper	Kendrick	Norris	Walsh, Mass.
Culberson	Kenyon	Reed	Watson
Curtis	Lenroot	Sheppard	
Hale	McNary	Smith, Ga.	

NAYS—52.

Ashurst	Gerry	Overman	Smoot
Ball	Harding	Page	Stanley
Beckham	Harrison	Phelan	Sterling
Brandegee	Hitchcock	Phipps	Swanson
Calder	Keyes	Pittman	Thomas
Chamberlain	King	Poindexter	Townsend
Comer	Knox	Pomerene	Underwood
Dial	Lodge	Ransdell	Wadsworth
Dillingham	McCumber	Robinson	Walsh, Mont.
Fall	McKellar	Simmons	Warren
Fernald	McLean	Smith, Ariz.	Williams
Frelinghuysen	Nelson	Smith, Md.	Wolcott
Gay	Nugent	Smith, S. C.	

NOT VOTING—26.

Colt	Gore	Kirby	Penrose
Cummins	Gronna	La Follette	Sherman
Edge	Harris	McCormick	Shields
Elkins	Henderson	Moses	Sutherland
Fletcher	Johnson, Calif.	Myers	Trammell
France	Johnson, S. Dak.	Newberry	
Glass	Jones, N. Mex.	Owen	

So Mr. KENYON's amendment was rejected.

Mr. TRAMMELL. Mr. President, I move to amend the concurrent resolution by inserting at the end of it the words:

Said adjournment to be to August 30, 1920.

The VICE PRESIDENT. The question is on the amendment of the Senator from Florida.

Mr. TRAMMELL and Mr. KENYON called for the yeas and nays.

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is on the amendment of the Senator from Florida.

The amendment was rejected.

The VICE PRESIDENT. The question now recurs on the original concurrent resolution.

Mr. JONES of Washington and Mr. NORRIS called for the yeas and nays, and they were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

The Reading Clerk proceeded to call the roll.

Mr. BALL (when his name was called). Making the same transfer as on the previous roll calls, I vote "yea."

Mr. BECKHAM (when his name was called). I have a general pair with the senior Senator from West Virginia [Mr. SUTHERLAND]. He is absent from the Chamber at present. I transfer that pair to the junior Senator from New Mexico [Mr. JONES] and vote "yea."

Mr. CALDER (when his name was called). I am paired with the junior Senator from Georgia [Mr. HARRIS]. I transfer that pair to the junior Senator from South Dakota [Mr. JOHNSON] and vote "yea."

Mr. GAY (when his name was called). I transfer my pair with the senior Senator from New Hampshire [Mr. MOSES] to the senior Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. HENDERSON (when his name was called). Making the same announcement as heretofore regarding my pair, I withhold my vote.

Mr. SIMMONS (when his name was called). Making the same announcement as to my pair and its transfer, I vote "yea."

Mr. SPENCER (when his name was called). I am paired with the junior Senator from New Mexico [Mr. JONES], but under the arrangement I have with him I feel free to vote. I vote "nay."

Mr. TRAMMELL (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT]. In his absence, being unable to obtain a transfer, I am compelled to withhold my vote. If at liberty to vote, I should vote "nay."

Mr. WILLIAMS (when his name was called). Making the same explanation as on the previous roll calls, I vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY]; and

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS].

The roll call having been concluded, the result was announced—yeas 44, nays 24, as follows:

YEAS—44.

Ashurst	Frelinghuysen	Page	Stanley
Ball	Gay	Phelan	Sterling
Beckham	Gerry	Phipps	Swanson
Brandegee	Harding	Poindexter	Thomas
Calder	Hitchcock	Pomerene	Townsend
Chamberlain	King	Ransdell	Underwood
Comer	Knox	Robinson	Wadsworth
Dial	Lodge	Simmons	Walsh, Mont.
Dillingham	McCumber	Smith, Ariz.	Warren
Fall	McLean	Smith, Md.	Williams
Fernald	Nelson	Smith, S. C.	Wolcott

NAYS—24.

Borah	Kendrick	New	Smith, Ga.
Capper	Kenyon	Norris	Smoot
Culberson	Keyes	Nugent	Spencer
Curtis	Lenroot	Overman	Sutherland
Hale	McKellar	Reed	Walsh, Mass.
Jones, Wash.	McNary	Sheppard	Watson

NOT VOTING—28.

Colt	Gore	Jones, N. Mex.	Newberry
Cummins	Gronna	Kellogg	Owen
Edge	Harris	Kirby	Penrose
Elkins	Harrison	La Follette	Pittman
Fletcher	Henderson	McCormick	Sherman
France	Johnson, Calif.	Moses	Shields
Glass	Johnson, S. Dak.	Myers	Trammell

So the concurrent resolution was agreed to.

CAMPAIGN EXPENDITURES.

Mr. POMERENE. Mr. President, I ask unanimous consent to offer the resolution which I send to the desk, and ask for its present consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 383) was read, as follows:

Resolved, That the powers conferred upon the Committee on Privileges and Elections and the subcommittee heretofore appointed by it under Senate resolution No. 357 be, and they are hereby, extended so as to authorize and require the Committee on Privileges and Elections, or the subcommittee thereof now acting under Senate resolution No. 357, to investigate, after the adjournment of the Democratic national convention, and before the November elections, 1920, the receipts and expenditures of the several political committees, and the receipts and expenditures of the campaign conducted by, and on behalf of, or against, the election of the several candidates for President and Vice President, and the United States Senate, and for said purposes the said Committee on Privileges and Elections, or the said subcommittee, and the members thereof, are hereby clothed with the same powers conferred on said committee and said subcommittee, and the members thereof, by said resolution No. 357; and they are further directed to make report of their proceedings to the Senate not later than the first Monday in December, 1920.

Mr. LODGE. Mr. President, that is a very long and important resolution, and I ask that it may go over.

Mr. POMERENE. I did not understand the observation of the Senator.

Mr. LODGE. I asked that it go over, under the rule.

The VICE PRESIDENT. The resolution will go over.

MAGNESITE ORES.

Mr. POINDEXTER. Mr. President, I renew my motion to proceed to the consideration of the bill (H. R. 5218) to provide revenue for the Government and to establish and maintain the production of magnesite ores and manufactures thereof in the United States.

The VICE PRESIDENT. It is not necessary to renew it; it is the order.

Mr. KENYON. Mr. President, if the motion is debatable, I want to say a word on it.

The VICE PRESIDENT. It is debatable.

Mr. KENYON. I do not understand just why the unfinished business, which is a measure to help the underpaid employees of the Government, and give them a living wage, should be supplanted at this time by a tariff bill. From all I understand of the situation, if the Senator succeeds in bringing up his bill, it will not be voted on during the present session. I have been so informed on what I think is reliable authority. If that is true, what justice could there be in setting aside the unfinished business in order to occupy all the time of the Senate until it adjourns with a tariff bill which can not be passed?

I realize that probably there are gentlemen on the other side of the Chamber who will vote to take up the bill of the Senator from Washington in order to displace the unfinished business; but they will deceive nobody in so doing. It is unusual, I think, when a bill has been made the unfinished business, as House bill 5726 was last night, when there has been no chance for the

consideration of it, to have an attempt made the next morning to set the bill aside.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. KENYON. I yield to the Senator.

Mr. THOMAS. I shall vote against the motion, and I shall do so principally for the reason assigned by the Senator from Iowa. We have less than three full days remaining of the session, as a result of the resolution just adopted, and it is impossible that this or any other of the tariff bills can reach a vote in this body between now and 4 o'clock Saturday afternoon. I deem it my duty to make that announcement so that Senators may understand that if the bill is taken up it will in all probability occupy the remainder of the session.

Mr. KENYON. So the statement I have made is corroborated by the Senator from Colorado, that the tariff bill can not pass at this session. If the Senate, under those circumstances, wants to displace House bill 5726, all right.

Mr. SIMMONS. Mr. President, I want to say to the Senator that I entirely concur in the statement made by the Senator from Colorado, that it will be utterly impossible, if the Senate devotes every minute of time between now and 4 o'clock Saturday, to get action upon this bill. But the Senator, I think, is wrong in the assumption that this side of the Chamber will assist in taking up the tariff bill in order to prevent action on the unfinished business.

Mr. KENYON. I said some Senators upon the other side.

ARMY APPROPRIATIONS—CONFERENCE REPORT.

The VICE PRESIDENT laid before the Senate the report of the committee of conference on House bill 13587, the Army appropriation bill, returned from the House of Representatives on the request of the Senate.

Mr. WADSWORTH. I ask for a vote on the motion to reconsider.

The VICE PRESIDENT. The question is on reconsidering the vote by which the conference report was agreed to.

The motion to reconsider was agreed to.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. KING. Mr. President, a parliamentary inquiry. I would like to inquire what the result will be of agreeing to the conference report?

The VICE PRESIDENT. This is a matter which was taken up last evening in executive session, and the Chair thought it was thoroughly understood just what would be done. It would go back to conference.

Mr. KING. I did not have an opportunity of being at the executive session, and I would like to have an explanation before voting on the question.

Mr. WADSWORTH. I announced last evening that when the papers were returned to the Senate I would ask for a reconsideration, and also for a disagreement, in order to get the matter back to conference.

The conferees met this morning, I say quite frankly to the Senator, and determined upon their action, and they authorized me to report it back immediately with a change in it which will relieve it of all matter which will endanger the passage of the Army appropriation bill at this session.

Mr. KING. I would like to inquire of the Senator from New York whether the tentative arrangement which has been reached by the conferees means that certain officers of the Army over a certain age are to be denied promotion or advancement? Will it affect the cases to which I invited the attention of the Senator this morning?

Mr. WADSWORTH. Over a certain age?

Mr. KING. Yes.

Mr. WADSWORTH. The question at issue has been minimum ages, not maximum.

Mr. KING. Will the result of the conference deprive certain officers of the promotions which, under existing law, as I understand it, they would be entitled to?

Mr. WADSWORTH. It deprives officers under certain ages of being appointed in certain grades. That was the way the Army reorganization bill passed the Senate and passed the House and went to the President. On the request of the Secretary of War an amendment was inserted in the appropriation bill by the conferees, stringing it rather loosely, I may say, to an amendment which had been adopted on the floor of the Senate, having to do with emergency officers, taking the chance of a point of order being raised against it, modifying that provision in the Army reorganization bill. Since then, as the Senator probably knows, a further discussion has arisen. The Secretary of War intimated that he did not like the language in which it was phrased. The conferees met this morning, the Secretary came before them, the matter was discussed at some length, the Secretary intimated quite clearly that nearly all this language was entirely acceptable to him, and if one little phrase was changed it would be entirely acceptable. However, a day has been lost. We have absolutely reliable information that a point of order will be raised against this matter in the House of Representatives if it is retained in this conference report. We have the best of advice that the point of order will be held well taken. So the conferees have decided, subject, of course, to the approval of the Senate, to strike out the whole matter and not endanger the bill.

Mr. KING. I regret that the conferees have reached that conclusion. It results in a very grave injustice, I understand, to at least 50 officers now in service.

Mr. WADSWORTH. The legislation was acceptable to the conferees of both Houses, and this one day's delay was due to a misunderstanding on the part of the Secretary. I may remind the Senate that the legislation was put in the conference report originally at his request.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The conference report was rejected.

Mr. WADSWORTH. Now I present the report of the committee of conference on the Army appropriation bill.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13587) making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 12, 22, 33, 48, 53, 54, 82, 83, 92, 93.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 19, 21, 23, 28, 29, 31, 32, 34, 35, 36, 39, 40, 41, 43, 44, 45, 46, 51, 52, 55, 56, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 77, 79, 80, 81, 86, 87, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of said amendment insert "$300,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "$250,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "*Provided further*, That the Secretary of War be, and he is hereby, authorized, in his discretion, to sell to any State or foreign Government with which the United States is at peace at the time of the passage of this act, upon such terms as he may deem expedient, any matériel, supplies, or equipment pertaining to the Military Establishment, except foodstuffs, as or may hereafter be found to be surplus, which are not needed for military purposes and for which there is no adequate domestic market"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "$300,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "and the Signal Corps at Camp Alfred Vail, N. J."; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$33,000,000: *Provided*, That not less than $5,250,000 thereof shall be expended for experimental and research work with airplanes or lighter-than-air craft and their equipment: *Provided further*, That not less than $6,000,000 shall be expended for the production and purchase of new airplanes and their equipment, spare parts, and accessories: *Provided further*"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: " : *And provided further*, That hereafter the Army

Air Service shall control all aerial operations from land bases, and Naval Aviation shall have control of all aerial operations attached to a fleet, including shore stations whose maintenance is necessary for operations connected with the fleet, for construction and experimentation and for the training of personnel"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$23,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$17,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$60,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$18,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"That, commencing January 1, 1920, warrant officers, Army Mine Planter Service, shall be paid, in addition to all pay and allowances now authorized by law, an increase at the rate of $240 per annum: *Provided*, That this increase shall remain effective until the close of the fiscal year ending June 30, 1922, unless sooner amended or repealed."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "; for the purchase and hire of draft and pack animals in such numbers as are actually required for the service, including reasonable provision for replacing unserviceable animals; for the purchase, hire, operation, maintenance, and repair of such harness, wagons, carts, drays, other vehicles, and horse-drawn passenger-carrying vehicles as are required for the transportation of troops and supplies and for official, military, and garrison purposes; for drayage and cartage at the several depots; for the purchase and repair of ships, boats, and other vessels required for the transportation of troops and supplies and for official, military, and garrison purposes; for expenses of sailing public transports and other vessels on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific Oceans"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$40,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "*Provided further*, That hereafter when, in the opinion of the Secretary of War, accommodations are available, transportation on Army transports may be provided for the members and employees of the Porto Rican Government and their families without expense to the United States: *Provided further*, That in the joint discretion of the Secretary of War and chairman of the Shipping Board, and when space is available, civilian passengers and shipments of commercial cargo may be transported on Army transports in the trans-Atlantic service, at such times as space is not available on commercial lines, at rates not less than those charged by commercial steamship companies, between the same ports, for the same class of accommodations, the receipts from which shall be covered into the Treasury of the United States to the credit of miscellaneous receipts: *Provided further*, That authority is hereby granted the Secretary of War to sell or otherwise dispose of, in accordance with law and regulations, the United States Army transports *Sherman, Sheridan, Thomas, Logan, Buford, Kilpatrick, Crook*, and *Warren;* and the proceeds of such sales shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts; and such vessels, if sold to citizens of the United States, may engage in the coastwise trade so long as they remain wholly the property of citizens of the United States"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$8,500,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"That the Secretary of War may, in his discretion, transfer to the Secretary of the Treasury, for the use of the Public Health Service, the military reservation of Whipple Barracks, Ariz., now occupied by said service for hospital purposes."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$500,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$3,500,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: " : *Provided further*, That farm products and the increase in live stock (including fowls) which accrue as incidental to vocational training in agricultural and animal husbandry, may be sold under such regulations as the Secretary of War may prescribe, and the proceeds of such sales shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$200,000: *Provided*, That the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the Office of the Chief of Engineers to carry into effect the various appropriations for 'Engineer equipment of troops,' 'Engineer operations in the field,' and other military appropriations, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1921 shall not exceed $150,000. The Secretary of War shall each year, in the annual estimates, report to Congress the number of persons who are employed, their duties, and amount paid to each"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: In lieu of the amendment, insert the following: "*Provided further*, That so much of this appropriation as is necessary to provide facilities for Engineer training of troops may be expended for military construction work of a temporary character at camps and cantonments and in training areas, for training purposes only"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$350,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$5,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "for the purchase, manufacture, and test of chemical warfare gases or other toxic substances, gas masks or other offensive or defensive materials or appliances required for gas-warfare purposes, including all necessary investigation, experimentation, and operations connected therewith, construction and repair of buildings and equipment and the machinery therefor, expenses incidental to the organization and training of gas troops not otherwise provided for, $2,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"For the expense of maintaining upon military reservations, camps for military instruction and training of such citizens as may be selected and under such regulations as may be prescribed by the Secretary of War pursuant to section 54 of the act of June 3, 1916, as amended by the act of May 12, 1917, and for furnishing said citizens at the expense of the United States, uniforms, subsistence, and transportation by the most usual and

direct routes within such limits as to territory as may be prescribed; for such expenditures as are authorized by said section and may be necessary for the establishment and maintenance of said camps; for furnishing such equipment, tentage, field equipage, and transportation belonging to the United States as may be necessary; for arms and ordnance equipment, including overhauling and repairing of personal equipment, machine-gun outfits, horse equipment, ammunition, targets and their accessories for target practice, and for overhauling and repairing arms for issue and use in connection with said camps, $250,000: *Provided*, That the funds herein appropriated shall not be used for the training of any person who is over 45 years of age."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"REPAIRING ROAD DAMAGED BY GOVERNMENT MOTOR TRUCKS, TENAFLY, N. J.

"That the Secretary of War be, and he is hereby, authorized to complete the work of grading and paving that portion of Hickory Avenue lying between Knickerbocker Street and Jefferson Street in the borough of Tenafly, of the county of Bergen, and State of New Jersey, begun but not completed by the Government during the war with Germany: *Provided*, That the said borough shall bear one-half or more of the cost of the above work and the Government shall bear not over one-half of the cost of said work: *Provided further*, That the share to be borne by the Government shall not exceed $5,200; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,200 for said work, to be paid on the completion of the work: *Provided further*, That the said borough shall contract to assume to pay and discharge all claims arising out of the present uncompleted condition of said Hickory Avenue."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"RIFLES AND ACCESSORIES FOR ORGANIZATIONS OF WAR VETERANS.

"That the act entitled 'An act authorizing the Secretary of War to loan Army rifles to posts of the American Legion,' approved February 10, 1920, be, and the same is hereby, amended to read as follows:

"'That the Secretary of War is hereby authorized, under rules, limitations, and regulations to be prescribed by him, to loan obsolete or condemned Army rifles, slings, and cartridge belts to posts or camps of organizations composed of honorably discharged soldiers, sailors, or marines, for use by them in connection with the funeral ceremonies of deceased soldiers, sailors, and marines, and for other post ceremonial purposes; and to sell such posts and camps blank ammunition in suitable amounts for said rifles at cost price, plus cost of packing and transportation: *Provided, however*, That not to exceed 10 such rifles shall be issued to any one post or camp.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"EMERGENCY COMMISSIONED PERSONNEL.

"That the President is authorized to retain temporarily in service, under their present commissions, or to discharge and recommission temporarily in lower grades, such emergency officers as he may deem necessary; but the total number of officers on active duty, exclusive of retired officers and disabled emergency officers undergoing treatment for physical reconstruction, shall at no time exceed 17,823. Any emergency officer may be discharged when his services are no longer required, and all such officers shall be discharged not later than December 31, 1920. All officers of the Regular Army holding commissions granted for the period of the existing emergency, in whatever grade, shall be discharged therefrom not later than June 30, 1920."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"MEDAL OF HONOR FOR VERDUN.

"That the President be, and he is hereby, authorized, in the name of the Congress and people of the United States, to present to the city of Verdun, France, a suitable memorial medal or tablet as a mark of America's appreciation of the valor of its defenders, the cost to be paid from the appropriation for contingencies of the Army."

And the Senate agree to the same.

JAMES W. WADSWORTH, Jr.,
HARRY S. NEW,
JOS. S. FRELINGHUYSEN,
GEORGE E. CHAMBERLAIN,
CHARLES S. THOMAS,
Managers on the part of the Senate.

JULIUS KAHN,
DANIEL R. ANTHONY, Jr.,
S. H. DENT,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the report.

The conference report was agreed to.

ELLEN M. STONE RANSOM FUND.

Mr. POMERENE. Mr. President, I ask unanimous consent to report back favorably without amendment the bill (S. 4434) for the relief of the contributors to the Ellen M. Stone ransom fund, introduced by the senior Senator from Massachusetts [Mr. LODGE]. I ask for its present consideration.

Mr. POINDEXTER. Mr. President, I shall object for the moment. I would like to get a vote on the motion which I have made.

Mr. POMERENE. This will take only a short time.

Mr. POINDEXTER. I think it will take only a moment to get a vote upon the motion which I have made, and after we have had a vote upon that I will not object to the Senator calling up his bill.

Mr. POMERENE. I feel quite certain that it is not going to lead to any discussion. It will take probably only a moment's statement.

Mr. LODGE. I do not think there will be any objection to it at all. There ought not to be.

Mr. POMERENE. A similar bill has already passed the Senate three or four different times.

Mr. POINDEXTER. I withdraw the objection.

There being no objection, the bill (S. 4434) for the relief of the contributors to the Ellen M. Stone ransom fund was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to return, out of any funds in the Treasury not otherwise appropriated, to such contributors, or, in the event of the death of any such contributor, to the legal representative thereof, as may file their claims within one year from the passage of this act, the money subscribed by such contributor to pay the ransom for the release of Miss Ellen M. Stone, an American missionary to Turkey, who was abducted by brigands on September 3, 1901, said total sum not to exceed $66,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MAGNESITE ORES.

The VICE PRESIDENT. Now, the question is on the motion of the Senator from Washington [Mr. POINDEXTER] to proceed to the consideration of the bill (H. R. 5218) to provide revenue for the Government and to establish and maintain the production of magnesite ores and manufactures thereof in the United States.

Mr. POINDEXTER. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JONES of Washington. Mr. President, I am heartily in favor of the bill my colleague moves to take up. I would like to see it passed. I think it should be acted upon by this Congress, and that was one reason why I was opposed to fixing a time for final adjournment. I thought the Senate ought to stay here and pass upon some of these bills.

But now we are informed that if the bill is taken up, all the rest of the time of the Senate from now until 4 o'clock on Saturday will be taken up in discussing it, and that it will be defeated in that way. Under those circumstances, Mr. President, as strongly as I am in favor of the passage of the bill, I do not feel that I should vote to take it up and displace the unfinished business. I felt, in view of my position in the matter, that I should make this brief statement as to the reason why I shall have to vote against the motion of my colleague.

Mr. BORAH. Mr. President, the Senator from Washington who has just taken his seat has expressed my views with reference to the pending motion.

I have been in favor of taking up the so-called tariff bills and disposing of them, without committing myself as to how they should be disposed of, for some time. I have so ex-

pressed myself to the Senator from Washington [Mr. POINDEXTER]. But it is perfectly apparent that the taking up of this bill now will not result in its passage or in its disposition. I know from personal conversations with Senators, and also from the public statements of Senators, that there is no intention that the bill shall be permitted to pass at this session. I do not see, therefore, knowing these facts, how I can vote to take up this measure, and prevent the consideration of some other matters which may be disposed of.

Let me say, Mr. President, while I am on my feet, that this accentuates the unwisdom, in my judgment, of passing the resolution for final adjournment. This is only one of 25 or 30 measures which are here upon the Senate Calendar and in the House which ought unquestionably to be disposed of as soon as they can be properly considered and voted upon, and there are some measures which, it seems to me, it is really a dereliction of public duty, if I may say so, not to dispose of.

In the first place, our statutes are jammed with what are known as the war measures, which were necessary for the carrying on of the war, or at least were believed to be necessary for the carrying on of the war, but which are no longer necessary, and which ought not to be permitted to remain upon the statute books.

I think it is a manifest error upon our part. I do not think this Congress should adjourn without taking these unnecessary, arbitrary war measures off the statute books and, in addition to that, passing some measures, such as the one now pending, in the way of constructive legislation. But it is scarcely worth while to discuss that proposition now. The motion in favor of final adjournment was so overwhelmingly carried that I have no doubt it represents the judgment, whether the deliberate judgment or not, of the Senate, and it would be useless to urge a reconsideration, although I should like to have it.

There is absolutely nothing to be gained by voting for this particular motion of the Senator from Washington, as I see it. If I could have any assurance or any reasonable belief that the bill would be disposed of at this session, I should be disposed to vote for it.

Mr. CURTIS. Mr. President, I wish to state that I am very heartily in favor of the bill which the Senator from Washington [Mr. POINDEXTER] desires to call up. I reported it from the Committee on Finance. However, I believe it would be unwise to take it up at this time. I do not think we should displace the unfinished business, because, as has been well said, it is known that if the bill is taken up several days of discussion will occur on it, and no other business will be transacted.

Mr. SMOOT. Mr. President, if there was no other business pressing, and if there was a likelihood of securing the passage of the bill, I should vote for the motion made by the Senator from Washington, but I have known for weeks past that it was the purpose of certain Senators to prevent the passage of any of these measures. So I have thought it a perfect waste of time to undertake to secure its passage at this session of Congress.

The VICE PRESIDENT. The yeas and nays have been ordered, and the Secretary will call the roll on agreeing to the motion of the Senator from Washington [Mr. POINDEXTER].

The Assistant Secretary proceeded to call the roll.

Mr. BALL (when his name was called). Making the same announcement as on the previous vote regarding my pair and its transfer, I vote "yea."

Mr. FRELINGHUYSEN (when Mr. EDGE's name was called). I desire to announce the unavoidable absence of my colleague [Mr. EDGE]. I ask that this announcement may stand for the day.

Mr. GAY (when his name was called). I transfer my pair with the senior Senator from New Hampshire [Mr. MOSES] to the senior Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. I understand that if he were present and voting, he would vote "nay," and therefore I am at liberty to vote. I vote "nay."

Mr. KNOX (when his name was called). May I inquire if the Senator from Oregon [Mr. CHAMBERLAIN] has voted?

The VICE PRESIDENT. He has not voted.

Mr. KNOX. I have a general pair with that Senator, and in his absence I withhold my vote.

Mr. SIMMONS (when his name was called). Making the same announcement with reference to my pair and transfer as on the previous vote, I vote "nay."

Mr. SPENCER (when his name was called). Making the same announcement regarding my pair and its transfer as before, I vote "nay."

The roll call was concluded.

Mr. CHAMBERLAIN entered the Chamber and voted "nay."

Mr. FRELINGHUYSEN (after having voted in the affirmative). I have a general pair with the junior Senator from Montana [Mr. MYERS]. I transfer that pair to the junior Senator from Maryland [Mr. FRANCE] and let my vote stand.

Mr. JONES of Washington (after having voted in the negative). I noticed that the senior Senator from Virginia [Mr. SWANSON] has not voted. He is necessarily absent from the Chamber. I feel, in view of the vote on the other side of the aisle, that I am at liberty to vote on this question, and so I shall allow my vote to stand. I have a general understanding with the senior Senator from Virginia that when he is necessarily absent I will take care of him with a pair.

Mr. CALDER. I have a general pair with the junior Senator from Georgia [Mr. HARRIS], which I transfer to the junior Senator from South Dakota [Mr. JOHNSON], and vote "nay."

The result was announced—yeas 10, nays 45, as follows:

YEAS—10.

Ball	Frelinghuysen	Phipps	Watson
Brandegee	McCumber	Pittman	
Dillingham	Phelan	Poindexter	

NAYS—45.

Ashurst	Henderson	Nugent	Sterling
Beckham	Hitchcock	Page	Sutherland
Borah	Jones, Wash.	Pomerene	Thomas
Calder	Kendrick	Ransdell	Townsend
Capper	Kenyon	Reed	Trammell
Chamberlain	Keyes	Sheppard	Underwood
Comer	Lenroot	Simmons	Wadsworth
Curtis	McKellar	Smith, Ariz.	Walsh, Mass.
Dial	McNary	Smith, Ga.	Wolcott
Gay	Nelson	Smith, S. C.	
Hale	New	Smoot	
Harding	Norris	Spencer	

NOT VOTING—41.

Colt	Gore	La Follette	Sherman
Culberson	Gronna	Lodge	Shields
Cummins	Harris	McCormick	Smith, Md.
Edge	Harrison	McLean	Stanley
Elkins	Johnson, Calif.	Moses	Swanson
Fall	Johnson, S. Dak.	Myers	Walsh, Mont.
Fernald	Jones, N. Mex.	Newberry	Warren
Fletcher	Kellogg	Overman	Williams
France	King	Owen	
Gerry	Kirby	Penrose	
Glass	Knox	Robinson	

So Mr. POINDEXTER's motion to take up House bill 5218 was rejected.

NOMINATION OF JAMES C. DAHLMAN.

Mr. KENYON. Mr. President, I desire that the Senate shall proceed with the consideration of the pending bill, if there is no other morning business.

The PRESIDING OFFICER (Mr. WATSON in the chair). The Chair begs pardon, but the Senator from Nebraska [Mr. HITCHCOCK] has not yielded the floor.

Mr. HITCHCOCK. I merely desire to ask unanimous consent that, as in open executive session, the nomination of James C. Dahlman, of Omaha, to be United States marshal for the district of Nebraska, vice Thomas J. Flynn, deceased, may be referred to the Committee on the Judiciary?

The PRESIDING OFFICER. Is there objection?

Mr. ASHURST. Mr. President, of course, I shall not object at this time, but I served notice yesterday that it is wholly wrong for the Senate to do executive business as in legislative session. As I then said, we run around and with a forked stick pick up a rag and put it in the basket and run over here and pick up with a forked stick another rag and put it in the basket, and spend our time jumping from one thing to another. Why not proceed with one subject until we have finished it? I can not refuse my good friend, the Senator from Nebraska, the unanimous consent which he asks, but I do hope that the Senate will not grow more slouchy than it is by acquiring a habit which it never before had and into which it ought never to fall, of transacting its executive business in legislative session. Senators, the day will come when you will regret that you ever fell into the habit of transacting executive business in such a way. Let it be known that there will be an executive session so that Senators who are interested may be present.

The PRESIDING OFFICER. Does the Chair understand the Senator from Arizona [Mr. ASHURST] to object to the request of the Senator from Nebraska?

Mr. ASHURST. No; I will not object; but I trust this will be the last time that there will be a request that executive business be transacted in legislative session.

Mr. THOMAS. Mr. President, I trust that these lapses will be the only thing that the Senate will regret in the future.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and it is so ordered.

REFERENCE OF NOMINATIONS TO COMMITTEES.

Mr. HITCHCOCK. Mr. President, I am going to make a further request, and I desire to explain to the Senator from Arizona that there is a reason for my doing so. I ask unanimous consent that the nominations which have been received to-day from the President for promotions in the Army and Navy be referred to the Committees on Military Affairs and Naval Affairs. I make that request in the interest of urgency, because such nominations are coming in during the closing hours of the session, and they should be referred to committees which have jurisdiction of them.

Mr. BRANDEGEE. Reserving the right to object, which I do not intend to exercise, I want to say to the Senator from Nebraska that if the reason stated by him constitutes a valid reason, let it be understood that all nominations which come to the Senate from the President between now and adjournment may be referred to the respective committees as in the executive session, although they arrive in legislative session.

Mr. HITCHCOCK. I think that should be done.

Mr. BRANDEGEE. I will say to the Senator from Nebraska and to the Senate that such a reference of nominations is not strictly the transaction of public business, except in the most limited sense, for it is a mere formal transmission or reference to committees which if made under a standing order, if the Senator should make a request for unanimous consent for its application in all cases, would involve no motion on the floor at all and no knowledge on the part of anybody. The nominations would then take the regular course of going to the appropriate committees.

Mr. HITCHCOCK. If it is agreeable to the Senate I will make a request now that all other nominations now upon the desk of the Vice President and all that may be received between now and adjournment may be at once referred to the proper committees.

The PRESIDING OFFICER. Is there objection?

Mr. JONES of Washington. Reserving the right to object, which I do not intend to exercise, I want to say that I am very much surprised that the Senators who voted to fix a time for final adjournment should now be so fearful that matters in which they are interested will not be disposed of before the hour of adjournment arrives.

Mr. BRANDEGEE. We want to do all the business we can while we are here.

Mr. SMITH of Georgia. Mr. President, when a regular executive session is held we have notice of that fact by the ringing of bells and Senators have the opportunity of coming here.

Mr. ASHURST. Exactly.

Mr. SMITH of Georgia. But if nominations are disposed of at any time in the manner now proposed, of course, it will eliminate the opportunity of Senators to attend.

Mr. HITCHCOCK. I am not asking that the nominations be disposed of.

The PRESIDING OFFICER. Does the Chair understand the Senator from Georgia to object to the request of the Senator from Nebraska?

Mr. SMITH of Georgia. No.

Mr. HITCHCOCK. I do not think the Senator from Georgia will object when I explain to him that the proposition is not to dispose of the nominations, but merely to refer them to appropriate committees, where of necessity they must go.

Mr. SMITH of Georgia. Had not the unfortunate motion to adjourn so soon been adopted this morning, thereby embarrassing all business, I should object; but in view of the congested condition which has been imposed by the agreement to adjourn, I shall not object.

Mr. BRANDEGEE. The Senator from Georgia had better not object, because we accorded to him within two days the courtesy of action on an executive matter in legislative session.

Mr. SMITH of Georgia. I was remembering that, too, and I thought it an additional reason why I should not object.

Mr. BRANDEGEE. I presumed the Senator remembered it, but he refrained from stating it.

Mr. SMITH of Georgia. I thank the Senator from Connecticut for calling it to my attention publicly.

Mr. BRANDEGEE. The Senator is quite welcome.

Mr. SMITH of Georgia. I have myself just recalled the incident.

Mr. KENYON. Mr. President, it does seem to me that if there is any intention to get through with business, we ought to proceed with the business that is now before the Senate.

The PRESIDING OFFICER. Does the Senator from Iowa object to the request of the Senator from Nebraska?

Mr. KENYON. I do not; but I am surprised that my good friend from Arizona [Mr. ASHURST] does not object to such a proceeding.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska [Mr. HITCHCOCK]? The Chair hears none, and it is agreed to.

FLOOD CONTROL AND RIVER IMPROVEMENT.

Mr. NELSON. I ask unanimous consent that the unfinished business may be temporarily laid aside, in order that I may report from the Committee on Commerce a local bill and have it considered and passed. It is a very short bill, and I think there will be no objection to it. The department has recommended its passage.

Mr. KENYON. I want to accommodate the Senator from Minnesota. Everything seems to have a chance here except the unfinished business. I am willing that the unfinished business be temporarily laid aside for this particular measure, and then I am going to ask that we proceed with the pending bill.

The PRESIDING OFFICER. There being no objection, the unfinished business is temporarily laid aside.

Mr. NELSON. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 13313) to authorize the construction of flood control and improvement works in Boise de Sioux River, the Red River of the North, and Lake Traverse, between the States of Minnesota, North Dakota, and South Dakota. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted etc., That the drainage districts and other municipal authorities of the States of Minnesota, North Dakota, and South Dakota, or any one or more of them now or hereafter organized and existing under the laws of said States, are hereby authorized to construct a dam at or near the outlet of Lake Traverse in the Boise de Sioux River, together with such dikes, spillways, diversion channels, and other works in said river and lake, and the Red River of the North, as such districts or municipal authorities, or any of them, may agree upon as necessary for the prevention and control of floods, the improvement of navigation, and the drainage of lands, and for that purpose may deepen and straighten any part of said rivers: *Provided*, That plans for the work hereby authorized shall be submitted to the Secretary of War and the Chief of Engineers for their approval, and unless and until approved by them, no part of such work shall be built or commenced.

SEC. 2. That the right to alter, amend, or repeal this act is hereby reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COMPENSATION OF CERTAIN UNITED STATES EMPLOYEES.

The Senate resumed the consideration of the bill (H. R. 5726) to fix the compensation of certain employees of the United States.

Mr. KENYON. Mr. President, as I understand, the amendment offered by the Senator from New York is pending. It was discussed last night to some extent, and I do not think that we need spend any time on it. I think it is entirely satisfactory and should be in the bill.

The PRESIDING OFFICER. The amendment offered by the Senator from New York will be stated.

The ASSISTANT SECRETARY. On page 2, line 3, after the words "Panama Canal Zone," it is proposed to insert "nor to members of the National Home for Disabled Volunteer Soldiers employed at or in connection with said home."

The amendment was agreed to.

Mr. KENYON. On page 2, line 2, after the name "Porto Rico," I move to insert the words "Guam, the Virgin Islands."

The PRESIDING OFFICER. The amendment offered by the Senator from Iowa will be stated.

The ASSISTANT SECRETARY. On page 2, line 2, after the name "Porto Rico," it is proposed to insert the words "Guam, the Virgin Islands."

Mr. KENYON. Mr. President, the amendment is offered at the request of the Secretary of Agriculture, who thinks the employees of the Government in those islands, as well as in the Philippines, Porto Rico, and Hawaii should be excluded from the provisions of the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa.

The amendment was agreed to.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. SMITH of Georgia. Mr. President, I am opposed to this bill, because I really do not think it a proper way to fix compensation. There are quite a number of Government employees away from Washington who are not receiving $1,080 a year who ought to receive it; I grant that, and I wish their pay increased even beyond $1,080; but there are a great many such employees here in the District of Columbia who do not deserve it. There are a great many negro boys, messengers, around the departments who would be well paid at $60 a month, and there

are other employees around the departments, such as those who run elevators, who are already well paid. There are others receiving $1,200 who are underpaid. I do not believe that the principle of arbitrarily saying no employee shall be paid less than a thousand and eighty dollars a year, regardless of his capacity, is sound. We have employees in the service of the Government who are as far from being skilled employees as any who work in any industry of the country or any that work on any farm. If the principle is to be established that no one is to work who does not receive as much as a thousand dollars a year I do not see how a great deal of the work that is being done now outside of the public service can be performed at all.

We have no statement as to the number of employees or the class of employees in the Government service to whom this bill will apply. As I remember, we do not know how much the increase will be.

Mr. KENYON. Mr. President, may I suggest to the Senator that the testimony, I think, showed that, with the age limit as fixed by the House bill, which was lower than that fixed in the Senate bill, the number would be about 66,000; but the Senate increased the age limit to 20, and with that age limit the number will be very much less. The Senator, however, is correct in saying that we have no figures as to the actual number, but it would be considerably less than 66,000.

Mr. SMITH of Georgia. We increased the age at which the minimum wage should apply to 20.

Mr. KENYON. Yes.

Mr. SMITH of Georgia. And we also eliminated the bonus?

Mr. KENYON. We did.

Mr. SMITH of Georgia. So that employees are only to receive as a minimum $1,080 instead of something over $1,300?

Mr. KENYON. Personally, I think it was a mistake to cut off the bonus. I think the employees covered by the bill should have the bonus; but that amendment was agreed to in the Senate.

Mr. SMITH of Georgia. The argument made before our committee in favor of the minimum wage bill was that no one could support a family on less than the amount provided. I grant that; but is only one person in a family to work? Is compensation to be fixed upon the theory that each person who is to work is to support a family? It ofttimes happens and should happen that a number in each family work. Take conditions in the city of Washington. There are first-class messengers and second-class messengers and women who run elevators who are members of the same family. It is entirely untrue that each person in the Government employ supports a family; and the principle is economically unsound that compensation for service should be limited on the theory that each person doing work supports a family.

I wish to say that there are a number of Government employees, I understand, who are receiving less than $1,080 a year, whom I should like to see receive that much or more. There are Government employees in my own city who are not receiving as much as I think they ought to receive. I have telegraphed there for information about them. I think in the Government penitentiary at Atlanta there are men who ought to receive more than they are receiving. I understand that there is a clerk in that institution who receives only $900. That is wrong. There is no one employed in that work, so far as I know, who ought not to receive $1,080 a year, and I would be glad to see them get it.

Mr. KING. Mr. President, will the Senator yield?

Mr. SMITH of Georgia. I yield.

Mr. KING. I should like to ask for information whether this bill covers the multitude of young men—perhaps there are thousands of them—in the various departments who sit at the doors of the different offices and have nothing to do except to indicate to inquirers that Mr. Jones is in or is not in and perhaps show the inquirer to the office of some employee of the Government?

Mr. SMITH of Georgia. And they usually do not know where the office is.

Mr. KING. Would it include those hundreds—I was about to say thousands—of employees?

Mr. SMITH of Georgia. Yes; it covers them if they are 20 years old. Really one of the most offensive features of the bill to me was the idea of paying $1,080 a year to the incompetent boys who have been sitting around the offices of the various departments, who do not get up when you speak to them, who do not know where anything is when you inquire about it, and who ought to be at work somewhere instead of loafing in front of a door of a Government office, without intelligence enough or politeness enough to show a visitor who wants to locate a particular office in the department where he wants to go. It is to paying them that I object more than anything else connected with this bill.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. SMITH of Georgia. I do.

Mr. KENYON. I agree with the Senator that they ought to be discharged.

Mr. SMITH of Georgia. I really think that is the best treatment that could be accorded them.

Mr. KENYON. The incompetent and useless workers should be discharged; but that is not any argument against a living wage for those who are competent. While the bill may cover some such cases, I do not think it covers a great many; but it covers the cases of the janitors in the Federal buildings throughout the country, who are drawing salaries of $850 and $900 a year. Those are the employees who appeal to one in connection with a measure of this character; but we are always met with this argument, and the answer to that argument is that useless employees ought to be discharged. It is no argument against a living wage for the faithful and efficient employees.

Mr. KING. Mr. President, will the Senator from Georgia permit me to make an inquiry?

Mr. SMITH of Georgia. I am going to yield to the Senator. I have made my statement explanatory of my objections to the bill, and I am through.

Mr. KING. Mr. President, for information, I should like to ask the Senator from Iowa what proportion of the beneficiaries under this bill reside in the District of Columbia?

Mr. KENYON. At the time the bill was reported a much larger number resided in the District than now, because some have gone away; but I will say to the Senator that I understand the number is about 23,000 to 25,000.

Mr. KING Twenty-three thousand to twenty-five thousand?

Mr. KENYON. Yes. I am not exactly accurate about that. That is my judgment about it. It is mostly throughout the States of the Union. I will look up those figures.

Mr. KING. Those 23,000 or 25,000 would largely, if not wholly, be messengers and operators of little elevators in some of the public buildings, would they not?

Mr. KENYON. They cover that class.

Mr. KING. Eighty per cent of whom are colored, perhaps 90 per cent.

Mr. KENYON. Now, Mr. President, that raises the question of color.

Mr. SMITH of Georgia. Mr. President, would the chairman of the committee accept an amendment providing that this bill shall not apply to the District of Columbia? With that, I will vote for it.

Mr. KENYON. The Senator from Utah has let the cat out of the bag. I say that a colored man has just as much right to a living wage as a white man.

Mr. KING. Mr. President, will the Senator yield?

Mr. KENYON. Yes.

Mr. KING. I think the Senator from Iowa is not quite fair to me, if he will pardon me for saying so.

Mr. KENYON. I may not be fair to the Senator, but I know a good deal about the opposition to this bill.

Mr. KING. In making that observation, I did so more for the purpose of determining the persons who would be included within the bill. I inquired of the Senator from Georgia a moment ago about these messengers, and the Senator knows that the great majority of them are colored. I agree with the Senator that there should be no discrimination. I think that a colored man who performs work is entitled to the same compensation as a white man who performs the same grade of work, and I would not make any distinction at all; but I was just trying to determine the class of men and women who would come within the terms of this bill.

Now, if the Senator, having answered that question——

Mr. KENYON. I have not really answered it. I want to be fair to the Senator. Perhaps I was a little hasty in my remark; but I can not tell, because I have never tried to find out whether a man was a black man, or a white man, or a Catholic man, or a Protestant man.

Mr. KING. Oh, I did not ask the Senator to apportion them among the races at all.

Mr. KENYON. I thought the Senator did.

Mr. KING. Oh, no; I did not. I was asking with reference to those who were engaged as messengers in the various departments, and, for my own information, I made the inquiry as to whether they were not largely colored. Now, I ask the Senator what other persons are embraced within this bill? The Sena-

tor has referred to the messengers and those who operate the elevators in the public buildings. What other class of employees are embraced within it?

Mr. KENYON. All employees of the Government above 20 years of age, under our amendment, who do not receive $3 per day. All the charwomen, whom we are paying very small wages, would come under this bill. They work by the hour; but under this bill there is a limitation that they must be paid 37½ cents an hour. It is that class, it is the poorly paid class, of Government employees that this bill touches, and they are in every State of the Union. They are in the customhouses of New York; they are in the courts of New York. I have lists here that I could give the Senator and I could go on and discuss the matter at some length; but that, in general, is the state of affairs. The Senator knows the hundreds of thousands of Government employees throughout the United States, and I think it is a good deal of a reflection that we have 66,000 Government employees who really do not receive a living wage.

Mr. KING. Mr. President, does the Senator know whether or not the Reclassification Commission, which has made a report, takes into account all employees of the Government, regardless of whether they are within the civil service or not?

Mr. KENYON. I asked the Senator from Missouri [Mr. SPENCER] about that matter to-day. I am sorry he is not here. He is on the Reclassification Commission, and I asked him the question because the point was raised last night that this should await that work; and he authorizes me to say that this bill fits into the plan and scheme of the Reclassification Commission.

Mr. KING. The Senator from New Mexico [Mr. JONES] is not here, and I do not want to do him an injustice; but my understanding of his position was that he wanted to be heard upon this bill, and I gathered from his observations that if we fixed a standard in this bill it might have some relation—whether favorable or unfavorable, I am not prepared to state—to the measure which has been submitted by the Reclassification Commission.

Mr. KENYON. I really am not prepared to give the Senator the facts on that matter. The Senator from Missouri, however, made the statement to me that it did not, and that it fitted into the plans of that commission.

Mr. KING. It did seem to me, Congress having appointed a commission to reclassify the salaries and the employees of the Government—a commission which, as I am told, has devoted very intelligent work to this task, and has spent months, at an expense of a great many thousands of dollars, and has submitted a report—that it was rather premature to take up any phase of the question that would be embraced within their work or covered by their field of activity. I recall that in the Judiciary Committee we have had up the question of fixing the salaries of marshals and district attorneys throughout the United States, to classify them with reference to the importance of their positions and the amount of work which was involved in their respective offices; and upon a number of occasions when strong statements have been made by Senators asking for immediate relief on behalf of their respective districts, I have always opposed it, because I have said that if you attempted to fix salaries in that manner it would produce lack of uniformity and injustice; that the way to fix the salaries of the district attorneys and marshals of the United States was in one bill, and not to take up each particular district separately. It occurred to me that, having appointed a commission that has considered this matter at great length, we ought to consider the whole subject at one time and in one bill.

Mr. SMITH of Georgia. Mr. President, I desire to offer an amendment adding after the words "railway mail clerks" the words "nor to employees in the District of Columbia." If that amendment were agreed to, the proviso would read:

Provided further, That the provisions of this act shall not apply to persons enlisted in the military or naval branches, * * * nor to employees in the District of Columbia.

In support of that amendment I have this to say: We are right here in the District. We know what these employees do in the District. We are familiar with their work. If there are those in the District who are underpaid, they are right under our observation and we can increase their pay. I am sure there are a number that work here in the District who are not worth $1,080 a year. There are two or three in a family, frequently three in the same family, at work here, and $1,080 a year is excessive for their work.

If this amendment can be adopted, I shall have nothing else to say against the bill. It is, at least in part, on account of my desire to see better pay given to those of skill that I object to spending $10,000,000 more arbitrarily on a minimum wage without reference to service rendered.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia will be stated.

The ASSISTANT SECRETARY. On page 2 of the blue print, line 6, after the words "or railway mail clerks," it is proposed to insert a comma and the words "or employees in the District of Columbia."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Georgia.

Mr. KENYON. Mr. President, of course the fact stated by the Senator from Georgia that he would cease opposition to this bill if this amendment were adopted is quite persuasive, but I can not understand why the bill should apply outside of the District of Columbia and not within it. The prices of shoes are just as high in the District of Columbia; bread is just as high; clothing is just as high; and the Government clerks in the District of Columbia who are receiving less than a living wage get just as hungry if they can not secure food as the Government clerks outside of the District of Columbia. The distinction that the Senator makes is economically unsound.

Mr. SMITH of Georgia. Mr. President, there is not a Government clerk in the District of Columbia who does not get $1,080, is there?

Mr. KENYON. Oh, yes. We had testimony before our committee in regard to women in the Bureau of Engraving and Printing, some of whom have been compelled to work at Huyler's soda-water fountains in addition to their work for the Government, trying to get money enough to live on. I am sure that if the Senator would read over that evidence he would see that while what he says about certain messengers is true—I agree with him as to that matter, and I wish we could get rid of them—yet that is overborne by the great weight of the testimony of these women who are toiling in the District, many of them supporting dependents—I think the great majority of them—at these perfectly inadequate wages. That is true of the Bureau of Engraving and Printing in particular. I know especially about that bureau. The testimony is full of cases that are rather pathetic.

I see, however, that the Senator from Georgia has left the Chamber. So I shall not discuss the matter further.

Mr. DIAL. Mr. President, I should like to ask the Senator from Iowa if he has recently looked into the question of education? He had some figures here on that subject some time ago. I should like to ask him if he can tell us the average pay that school-teachers get in some of the different States?

Mr. KENYON. I can not, but I can tell the Senator that it is entirely too low.

Mr. DIAL. We agree on that, perhaps; but, still, that does not answer the question.

Mr. KENYON. And I will join the Senator in any movement to increase the pay of school-teachers to a living wage. A lot of them do not get it.

Mr. DIAL. I think they are a class of people whose salaries ought to be increased, too, considerably, certainly in a great many States; but my recollection is, Mr. President, that the school-teachers in certain States receive possibly less than $800 per annum. Now, it seems to me that when some of the people of sufficient education to teach school are getting only $800 per year, certainly this increase is altogether out of proportion. I saw some statistics some time ago, and my recollection is that the ministers of the Gospel in certain of our States receive an average of less than $800 per annum.

I look at this bill as absolutely a step in the wrong direction. It is bad legislation to undertake to fix a minimum wage for any class of people. I am against it on principle. If we go ahead here now, and Congress passes a law saying that $3 a day is a minimum wage, that will be heralded all over the United States as fair compensation for all labor. We will thereby encourage people to quit work, and they will hold it up to employers all over this country that Congress has said that no one need work unless he gets a minimum compensation of $1,080 a year. It does seem to me that now, of all times, we need more work and more activity, and especially more work on the farm.

When we can scarcely get enough to eat, when people are quitting the farms and coming to town, you encourage them to quit. You invite them to come to town, to work seven or seven and a half or not over eight hours a day. Therefore there is no use for them to toil out there some 12 or 14 hours a day. The people in town get better wages than they get, and especially in these attractive cities, Mr. President, where there is free education, free amusement, free books for the children who go to school, where not one person in a family alone works, but, as the Senator from Georgia has just said, various members of the family work and draw pay. It is not fair for Congress to talk about everyone who draws a salary supporting a family. I am not well posted on this line, but I do not doubt but what there are cases where there are several members of a family drawing pay.

Not only that, but by these short hours of work people now are enabled to work two shifts a day. I have heard at least two men say recently that they were doing that, and thereby getting double pay. I want to encourage industry on their part; I think it is well for them to work longer, but I think it is wrong to expect the taxpayers of this country to pay them a full day's pay for a half day's work.

Mr. President, we have a great deal of unrest in this country. I am strongly in favor of everyone laboring. My own personal opinion is that it matters not if a person is well off financially, he is under obligation to society to set a good example, and he should be employed in some line of labor. His State has educated him very probably, and now it is due his neighbor and it is due the community and it is due the young for him to set them an example of industry.

I do not suppose anybody would accuse me, Mr. President, of trying to speak for the Republican Party, but I read of an incident the other day that was certainly along the right line of encouraging people to work. The time has come when we all jump over ourselves in trying to educate people, and I believe in education, Mr. President; but it seems now that one of the great desiderata of education is to quit work. It seems as if they have educated you to quit making a living, and think you must get off in a different sphere. So what I read the other day which encouraged me about the Republican Party was that they offered a premium to the person who could write the best platform for that party, and I believe the only qualification of the man was that he must be under 25. It was a magnificent premium they offered; I think it was $6,000; and the man who won the first premium was working his way through a college in one of the Northern States, in Massachusetts, I believe, but I have forgotten the name of the institution.

That should be an example to the young of this country not to sit down and expect the Government to pick them up and carry them about and educate them and give them free books and free pencils. Mr. President, I look for Congress before long to say that we must feed the children of this country, must give them free lunches, and things of that sort.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Iowa?

Mr. DIAL. I yield.

Mr. KENYON. I rather agree with some of the Senator's observations about this desire in the country not to work, but does he not think that has gotten into the American Congress, too? Did the Senator vote to adjourn?

Mr. DIAL. I do not know, Mr. President, that it is very prevalent here.

Mr. KENYON. I think the Senator voted to adjourn. Does he not think Congress would better stay here and do business?

Mr. DIAL. Mr. President, I think that was the wisest thing Congress has done since I have been here, if I may be allowed to say so. I am a young Member, as you all know; I have been here but a year, and I think, with all due respect to my brother Members and colleagues, if they do not throw me out of the body, that they could have passed the legislation they have adopted in at least one-half the time it took them to pass it. It is a magnificent body of gentlemen; the most social, courteous, and ethical body I have ever been associated with, as a whole, and I regret, Mr. President, that I have to separate from them for the summer. I will miss their congenial spirits, their pleasant jokes, and their eloquence, but I think, Mr. President, that the business interests of this country will feel at ease; to-day they felt at ease when they heard we were going to adjourn this session next Saturday. My understanding of the business problems of this country, although I do not claim to be an expert, is that the men who carry on the affairs of this country, men who are providing employment for the people of this country, do not care so much what the law is if that law is fixed and not always being tampered with. They want rest in this country, and I believe now there will be a spell of satisfaction, and we will let the people know that they must go home and work out their own prosperity, and not be knocking at the door of Congress all the time for some appropriations.

I wish there was a law on the books that Congress could not sit over four months in any year. We would be better off; the whole country would be better off, Mr. President. I voted to adjourn, and it is one of the votes I am proud of.

Mr. President, I want to say that this bill will encourage idleness; it will encourage vagrancy; it will simply tell labor all over this country that there is no use for them to work unless they can get the maximum pay.

I am in favor of paying every man, woman, and child who works a reasonable compensation for what he does, but, Mr. President, I say that I am totally opposed to fixing by law a scale that all laborers can come under without allowing the employer to discriminate between the more faithful, the more diligent, and the more efficient laborers and those who are less so.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from North Carolina?

Mr. DIAL. I yield.

Mr. SIMMONS. I want to ask the Senator if, in his opinion, it will not prevent those laborers who can not perform a good day's service from getting a fair compensation for their services?

Mr. DIAL. I think so.

Mr. SIMMONS. Because of the fact that no one would employ at this minimum wage a person who could not perform reasonably a day's work.

Mr. DIAL. There is no question about that, Mr. President. Those who are partially disabled would be turned out of employment, where they would be satisfied, perhaps, to take half pay and work half time; this would shut the door against them. They would have to live some way. The next thing would be a pension for the disabled or for people out of employment.

Mr. President, we have gone far enough in this Congress. We ought to set examples for this country. We ought to pass laws which would be examples which the States could go by, laws we would all be proud of.

I have heard some talk in the Senate of some men shirking their duty, Mr. President. I believe, in the common parlance of the day, it is called "passing the buck." I look on that as an obnoxious proposition, Mr. President. Since I have been here I believe I have let the buck jump once or twice, but I do not expect to follow that practice any longer. I feel that a man is a coward and he is a poor representative if he allows his brother Senators to assume the responsibility which rests upon his shoulders and shirks any vote, whether he knows his vote would change the result or not. That is not what we are here for, Mr. President, and I would prefer to have the consciousness of knowing that I have done my duty, let my term be long or short. I feel, Mr. President, that it is too serious a proposition, it is too solemn a matter, for us to come here and deal with the public money in any other way than that in which we would deal with our own pocketbooks. For us to say this Government must pay everyone that minimum wage would practically say to the people of this country that they should fix that as a standard.

I have no prejudice against any class or any calling or any religious sect, or anything of that sort, Mr. President, but I do not admit that all persons are equal in intelligence or in industry, and things like that, which tend to make them more competent servants or laborers or employees in any calling in life.

We need people to be menial servants. There have been such since the foundation of the earth, and will continue to be as long as there is time, Mr. President, and it will not do to say that all should receive the same wages. They are not worth it. They have not the intelligence to make them worth it, Mr. President.

Most of the Senators present are men of family. One or two are not, I believe, fortunate enough to have families; but, Mr. President, we are by this saying to the people of this country, "When our wives employ you to cook you will get $1,080 a year." If Senators want their wives to be cooks and washerwomen, then they had better pass this bill. If you pass it, the people who have heretofore been performing that service will say, "Nothing doing with me. The Congress has done said I should get a thousand and eighty dollars a year for my services."

It is left to each one whether you want a servant or whether you want to employ anybody or not.

Mr. President, I believe the estimate which goes out to this country now is that this would increase taxes about $5,000,000 a year, and this is no time for an increased tax to be placed upon the people of this country. The burdens are already heavy. I received a letter the other day from a man in my State. We do not boast of our wealth down there much, although we do not like to talk of our poverty in company.

This man said that the Government is taxing him in so many things, and taxing him so hard, and has imposed so many restrictions, and there is so much red tape around his business that he has about made up his mind to quit and not try to produce more.

Somebody has to pay the taxes in this country. Somebody has to provide employment in this country, Mr. President. Ordinarily I have pretty good nerve, I think.

I do not get excited. I am a Presbyterian, and I believe in predestination, and I let things sort of go along the line of least resistance, but I must say that I am alarmed at the tendency of Congress to go back into lavish expenditure of money in unnecessary appropriations.

We pass retroactive laws. I would not be much surprised if next there would be an effort to make this bill retroactive. It is bad legislation, Mr. President, as was so well demonstrated here by the Senator from New York in the correspondence he read, showing a certain class of people who ought not to be included in this bill, and I am satisfied that if we studied out all the conditions and all the people who would profit by this bill, we would find many other glaring mistakes, and it would convince the balance of the Senate that this kind of legislation ought not to pass.

We ought to encourage people to work; we ought to encourage young people to work; we ought to encourage the old to work where they can do so without detriment to their health. We ought to encourage the women to work. It does not hurt them to be occupied. But, as the Senator from North Carolina [Mr. SIMMONS] said, this bill will practically throw out of employment everybody except the strongest.

So I say it is bad legislation, it is along the wrong line, and it will tend to cost this Government millions and millions of dollars. If we establish this principle here, it will spread all over the country, which is a bad thing now of all times. We have been through this Great War, with years of destruction, with hundreds of thousands and even millions of people destroying property instead of creating property, and it will take us a long time to get back upon our feet again. We ought now to go out and follow even the example of Russia, where the people are working 12 hours a day. We ought to create more to bring down the cost of living.

Down South, where I live, labor has been exceedingly scarce this year. I read in the paper just yesterday a report from one of the Government bureaus on the cotton crop, which shows that this year it is only 62.4 per cent of the normal crop, the lowest in the history of the bureau, which estimates the crop to be less than 10,000,000 bales of cotton.

By not letting people work and earn more, the cost of living is going to continue to mount higher and higher. Cotton cloth will soon bring the price of silk; indeed, it is almost doing that now. If the pending bill is passed and it becomes an established fact that there are even two or three employees in the town who draw pay not commensurate with the salaries paid surrounding fellow employees, it would have a tendency to discourage the whole community. Everyone occupying a similar position would at once claim compensation the equal of the highest; otherwise he would not be satisfied and content with his employment.

So I think that the bill certainly has not been maturely considered. If it has been, Senators have certainly overlooked conditions at the present time. The price of everything is going to mount up and up, higher and higher, and I see no way in the world to take care of the high cost of living except by bringing about more production. This is merely taking money out of one man's pocket and putting it into another's, and that does not create anything; it does not even create wealth. What we need is to employ people to work more. I would prefer to have less employees and pay them a higher salary. I believe that is the correct principle, and we had better adopt it. For the reasons I have stated I hope that the bill will be defeated.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRELINGHUYSEN in the chair). The absence of a quorum is suggested. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ashurst	Gay	Lenroot	Sheppard
Borah	Hale	McCumber	Simmons
Calder	Harding	McNary	Smith, Ariz.
Capper	Harrison	New	Smoot
Chamberlain	Henderson	Norris	Sutherland
Culberson	Hitchcock	Nugent	Thomas
Curtis	Jones, Wash.	Page	Townsend
Dial	Kendrick	Pittman	Trammell
Dillingham	Kenyon	Pomerene	Underwood
France	Keyes	Ransdell	Wolcott
Frelinghuysen	King	Robinson	

The PRESIDING OFFICER. Forty-two Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The names of the absent Senators were called, and Mr. WARREN answered to his name.

Mr. LODGE, Mr. MCKELLAR, Mr. PHELAN, Mr. SMITH of Maryland, Mr. PHIPPS, Mr. OVERMAN, Mr. BRANDEGEE, Mr. WALSH of Montana, Mr. STERLING, and Mr. BECKHAM entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-three Senators having answered to their names, there is a quorum present.

LANDS IN OREGON.

The bill (H. R. 14101) providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act was read twice by its title and referred to the Committee on Public Lands.

Mr. CHAMBERLAIN. Mr. President, the Committee on Public Lands have considered this bill and have directed me to report favorably upon it. It refers only to the reclamation of certain lands in my own State, extending the time for such reclamation. I ask for its present consideration.

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized within his discretion to continue to not beyond October 21, 1930, the segregation of the lands embraced in approved Oregon segregation list No. 11, under the Carey Act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CHAMBERLAIN. I ask to have printed in the RECORD the report of the House Committee on Public Lands on the bill.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

[House Report No. 1040, Sixty-sixth Congress, second session.]

The Committee on the Public Lands, to whom was referred the bill (H. R. 14101) providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act, having considered the same, report it to the House with the recommendation that it do pass.

This bill authorizes the Secretary of the Interior, in his discretion, to continue the segregation of lands in Oregon, Carey list No. 11, for a period not continuing beyond October 21, 1930. The legislation is in response to a request of the State Desert Land Board of Oregon asking for an extension of not exceeding 10 years in order to enable it to complete the irrigation of lands within this project. The Secretary of the Interior recommends the enactment of the bill in the following report to the chairman of this committee:

DEPARTMENT OF THE INTERIOR,
Washington, May 20, 1920.

Hon. N. J. SINNOTT,
Chairman Committee on the Public Lands,
House of Representatives.

MY DEAR MR. SINNOTT: I am in receipt of your request for report on H. R. 14101, a bill to authorize the Secretary of the Interior, in his discretion, to continue the segregation of lands in Oregon, Carey list No. 11, for a period not continuing beyond October 21, 1930. You also inclose resolution of the State Land Board of Oregon, reciting that because of unavoidable delays the State has been able to reclaim but 9,000 acres of the amount segregated; that a new company, composed principally of local business men and farmers, is continuing work on the project, and the State land board, in view of the increasing demand for irrigable lands, asks for an extension of not exceeding 10 years in order to enable it to complete the irrigation of the lands in the project.

I recommend the enactment of the bill, giving the Secretary of the Interior discretion to grant necessary continuances for the limited period mentioned.

Cordially, yours, JOHN BARTON PAYNE, *Secretary.*

The reasons which prompted the State desert land board to ask for this extension are more fully set out in a letter from Percy A. Cupper, secretary of the desert land board, State of Oregon, and in resolutions adopted by said land board at a meeting held May 12, 1920, copies of which letter and resolutions are herein set out for the information of the House.

SALEM, OREG., *May 12, 1920.*

Hon. N. J. SINNOTT,
House of Representatives, Washington, D. C.

MY DEAR SIR: In accordance with our telegram of this date, I am inclosing a certified copy of the resolution of the desert land board requesting the enactment of a bill authorizing the Secretary of the Interior to grant an additional extension of the period of reclamation covering the Deschutes and Klamath County lands embraced in Oregon Carey Act segregation list No. 11.

This, you will remember, is the old Deschutes Land Co.'s irrigation project in the vicinity of Lapine on the upper Deschutes River.

I am also inclosing a draft of a bill for introduction, which follows the bill enacted by the Sixty-fifth Congress covering the Tumalo project segregation, which I believe was introduced by yourself.

I am transmitting a copy of the resolution and the bill to the other Members of our delegation in Congress, also to the Secretary of the Interior and to the Commissioner of the General Land Office, and requesting their cooperation to the end that action may be had, if possible, prior to the adjournment of the present session.

If there is any further information you desire in this connection, kindly advise,

Yours, very truly, PERCY A. CUPPER,
Secretary of the Desert Land Board.

SALEM, OREG., *May 12, 1920.*

A special meeting of the desert land board was held this day in the Capitol Building, at 10.30 a. m.

Present: Ben W. Olcott, governor, chairman; Ben W. Olcott, secretary of state; O. P. Hoff, State treasurer; George M. Brown, attorney general; Percy A. Cupper, State engineer, secretary; J. L. McAllister, assistant secretary.

Thereupon the following proceedings were had, to wit:

"Whereas by contract entered into by and between the United States and the State of Oregon on October 21, 1905, 31,082.21 acres of arid land located in Deschutes and Klamath Counties, Oreg., was segregated for reclamation under the Carey Act, said segregation being for a period of 10 years, and designated as 'Oregon segregation list No. 11'; and

"Whereas on May 25, 1916, the Secretary of the Interior, under the Carey Act, granted an extension of five years within which to complete the reclamation of said lands; and

"Whereas on account of unavoidable delays, the irrigation company under contract with the State for the reclamation of the above lands is unable to complete the reclamation work within the segregation period as extended, which will expire October 21, 1920. Prior to the war some construction work was done, however, not to an extent so as to permit the diversion and use of water on the lands. On April 1, 1919, an assignment was made of the State's contract covering the construction of the irrigation system. The new company, known as the Walker Basin Irrigation Co., composed mainly of farmers, and local business men in that vicinity, has continued the construction work during the past season, and has recently reported the completion of construction work for the west unit of the project comprising approximately 9,000 acres, and has asked the State to secure patent for the lands thus reclaimed; and

"Whereas there is at present an increasing demand for lands reclaimed by irrigation, and the prospects are good for the reclamation of additional lands on this project under the present management, and it being deemed in the interests of both the State of Oregon and the United States that an extension of 10 years' time be authorized for the completion of the reclamation of the above lands: Therefore be it

"*Resolved by the Desert Land Board of Oregon*, That the Congress of the United States be, and it is hereby, earnestly and respectfully requested to enact a special measure providing for an extension of the period of segregation on Oregon Carey Act segregation list No. 11 from October 21, 1920, to October 21, 1930; and be it further

"*Resolved*, That a copy of these resolutions be forwarded to Hon. N. J. SINNOTT, our Representative in Congress in whose district the above lands are located; also that the cooperation of the honorable Secretary of the Interior, Commissioner of the General Land Office, and the other members of the Oregon delegation in Congress be requested, urging action on the proposed measure prior to the adjournment of the present session, in view of the fact that the present period of segregation expires October 21, 1920."

There appearing no further business, the meeting adjourned.

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STATE OF OREGON,
County of Marion, ss:

I, Percy A. Cupper, State engineer, secretary of the Desert Land Board of the State of Oregon, and custodian of the records of the board, do hereby certify that I have compared the above and foregoing copy of the board's resolution with the original as it appears on page 181, volume 3, record of board minutes, and that the same is a full, true, and correct copy, and of the whole thereof.

In witness whereof I have hereunto set my hand this 12th day of May, 1920.

PERCY A. CUPPER,
State Engineer.
By J. L. MCALLISTER,
Assistant Secretary.

COMPENSATION OF CERTAIN UNITED STATES EMPLOYEES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5726) to fix the compensation of certain employees of the United States.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Georgia [Mr. SMITH].

Mr. UNDERWOOD. Mr. President, I wish to speak on the amendment, but more particularly on the bill itself. I do not care to go into detail, but in substance the bill provides that no man in the Government service, except those especially excluded in the bill—and they are not many—shall receive a wage of less than $1,080 per annum. This is on the basis that every man in the Government service should receive a living wage. Now, of course, it is true that every man should receive a living wage or get out of the service, and that no Government should expect a man to serve it without receiving a living wage; but it seems to overlook the fact entirely that every man who is in the Government service and receiving his wages from the Government to-day is doing so voluntarily and not by compulsion.

I recognize the fact that there are a great many men in the world—splendid men, men of high character, of high ideals, who desire to live within the law, good citizens—who lack initiative. Whether such men are employed by the Government or engaged in private employment, they undoubtedly do labor under a handicap, because from temperament they accept conditions as they are and do not battle to better themselves. If, however, there ever was a time in the history of this country when this character of legislation was unjustified from the standpoint that men can not receive good employment if they can render good service, this is the hour and this is the day. I know of no time in the history of America when there was a greater opportunity for every man who is willing to labor for his daily bread and willing to render efficient service to secure good employment and good wages.

As a matter of fact, despite the activity of the great productive industrial establishments of the country, the people of America are in danger in the future for their daily bread because there are not sufficient men who are willing to seek employment on the farm. There is a dearth of farm labor, as is recognized throughout the country, due, in the main, to the fact that there is a shortage of labor in America, but in part due to the fact that the stimulated wage price in industry has drawn the men from the farms to cities, from the plow to the factory.

So the greatest productive endeavor of the Nation is in danger for lack of employees to carry it on, not because agriculture is not productive of results, not because agriculture is not earning a good return for the effort it entails, for we all know that in almost every line of agricultural production prices are higher and there is a greater opportunity for profit than we have had in the country for decades past, if it were not for the one sole problem that labor has left the fields and has gone to the factories. So if we seek to stimulate wages by legislation of this kind we must recognize the fact that we are only taking one more step to drive up the cost of living to the American people by reducing the power of production and limiting the food supply.

"A living wage," friends of this bill say. What is a "living wage" and who has the power to fix it? Oh, I am not discussing the question of a salary, for, of course, I know that the Congress has the power to fix the salary of the employees of the Government. The private employer has the right to fix the wage or the salary for his employee, but who determines what is a "living wage"? Of course, if the Congress desires to attempt to be omnipotent and live within the home of every man on this continent, to know his surroundings and his necessities, and then to determine for him what "a living wage" is, it will enter that domain of socialism that was proposed and tried in Russia and failed; that was proposed and tried in Germany and destroyed government. It will attempt to do the impossible thing. A "living wage." What is a "living wage"? Is a "living wage" the same for all men? Must all men be measured by the same yardstick? Are all men expected to live within the same conditions of life? Are all men's necessities and wants the same? Is the burden of life that rests on one man the same as that which rests on another? I think not.

I can picture the man who lives along the frozen zone of the St. Lawrence, who must wear woolen clothes in winter, who must have high-priced fuel with which to heat his house that he may not suffer, in contrast with the man who lives in the sunny climes of this country, where the cheaper cotton fabric will comfortably clothe the family, where the necessity for fuel is seldom known except for the purpose of cooking food, and to say that the "living wage" is the same for the one as for the other is a contradiction upon its face.

The illustration may be carried further. Take the case of a man just from his schoolbooks seeking an opportunity in life, endeavoring to find a fulcrum on which he may rest the lever of opportunity, in order that he may work out the destiny that life holds for him. No obligations rest on his shoulder; he has no family to care for; he is endowed with strength and health and with the vigor of youth—a "living wage"—what is his "living wage"? Then, compare him with the man who has struggled on through the decades of hard work behind him, with a growing family that must be fed and clothed and schooled, and in whose life possibly old age or sickness have already made their inroads. Can any man say to me that the question of a "living wage" is the same for these two classes of men? No; the suggestion denies itself on its face.

The "living wage," which everybody will agree is but abstract justice for every human being, is an equation that does not write itself in dollars and cents. We can not take the mass of men throughout the country, or the mass of men employed by the Government, and do equal and abstract justice by all of them in any such manner. By determining that one equation the problem of life is not solved for all of them. It is an absurdity.

This legislation, in my judgment, is an indictment of the Congress of the United States; it is a proclamation of inefficiency in the Halls of Congress. It may make many unnecessary charges upon the Treasury of the Government, and at the same time may not relieve the stress where relief is needed.

It may be said that during the period of the war Congress passed a bonus bill arbitrarily to raise the wages of the clerical forces in the Government employ, regardless of individual work, regardless of individual efficiency. True; but that was a war measure, passed under the distress of war conditions. Only war and war conditions justified the slovenly legislation that was passed without consideration of the individual equation. Congress did not have time, in the midst of war, to solve equitably the problem of meeting the pyramiding conditions of the cost of everything, the cost of living, the cost of food, the cost of clothes, and the cost of rent; and therefore the Congress

did the only thing it could do under the circumstances. It took the direct road to remedy the evil temporarily.

Now, however, the war is over. That time has passed, and the committee from which this bonus bill was reported recognized that the problem could not be solved in that way; that equal and exact justice could not be worked out through giving an arbitrary amount to every man upon the pay roll. Therefore they carried in the folds of one of the great supply bills a provision appointing a commission to investigate, work out, and report to the Congress a new scale of wages for Government employees.

Mr. President, I want to say that there is no man within the sound of my voice who has a greater sympathy than I have for the clerical force of the United States Government. There is no man here who realizes more than I do that the scale of wages fixed before the Great War, before the pyramiding of prices and the increase in the cost of living, is absolutely inadequate to meet present living conditions. The commission to which I refer has reported. Its report is now before the Congress. I am not critical of the gentlemen who are responsible for evolving legislation from that report for not having done so at an earlier date. I realize as well as anyone that it is a difficult problem to solve; that it will probably take months of time to adjust the salaries in the United States Government to the new conditions of employment and provide, not a living wage, but a just, fair, and reasonable compensation to the men who give their time and their lives in the service of a great Government. Show me the man who is begging here for a living wage, and I will show you a man who is a mental or a physical cripple or a man who is inefficient or a man who lacks the spirit to fight the battles of life.

No man should be content with a living wage. The man with the right spirit should battle for a wage which is just and equitable for the service that he renders and for the necessities of life for himself and his family. To give every man a living wage smacks of the sound of the pauper; of him that must take the generous doles of a Government; not of that fearless, independent American who stands to battle for his place in life and asks favors of none; ready always to render loyal service to his Government and demanding the just dues to his family and his home. That is the spirit of America, and that is the American. We are not filled with the spirit of pauperized Europe as yet, and I hope we never may be.

I say this bill is a badge of legislative inefficiency, to fix a minimum wage for all men because the Congress is not willing to take the time and the labor necessary to do justice and give a square deal to all its employees. I predict that this bill would have no standing on the floor of the Congress if the real men of America only knew what it meant, and not what it pretends to mean. The man who is receiving less than a thousand dollars a year thinks it is a stepping-stone for him to get a better wage; but is it? In my judgment, if this bill becomes a law, more of the employees of the United States Government will be injured by its terms than will be benefited.

Why do I say that? Some years ago I saw a bill passed through the Congress, and it was said that it was to protect the women from the sweatshops; it was to protect the women from cruel employers, from long hours of service, and it was passed to limit the hours of work of the women of the District of Columbia to some hours less than the men. What was the result? Did it help the women? No. Many employments where it was necessary for the business to go on longer than the hours limited in that particular bill were driven to discharge employees who were women and hire employees who were men, or else they were unable to conduct their business successfully. Of course, the situation has since adjusted itself by the women losing the opportunity for employment in many restaurants and other businesses in Washington, having their places filled by men, and being compelled to seek other and often less remunerative employment.

So it is with this bill. It is admitted on the floor of the Senate by the distinguished Senator who has the bill in charge that a number of employees who are not receiving this wage should be discharged from the Government service.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Iowa?

Mr. UNDERWOOD. I do.

Mr. KENYON. I think that is hardly a fair quotation of my statement. My statement was that useless employees, rendering no service to the Government, should be discharged.

Mr. UNDERWOOD. To be sure.

Mr. KENYON. That should not be construed into a general statement as broad as that which the Senator has just made.

Mr. UNDERWOOD. That is what I was coming to. I would not for the world misquote the Senator from Iowa. Of course, I am glad to have him correct me. I had not concluded my statement. I intended to say that the Senator put it on the basis that the employment was useless. There may be a few places in the Government service where employment is absolutely useless—not many—but there are many places in the Government service where employment is inefficient, and the inefficiency is often due to the age or the health, mental or physical, of the employee of the Government.

There was a time, a few years ago, when we were so rich a Government that our budget, either by way of taxation or of expenditure, was not a problem to give us serious thought; but to-day, with a war indebtedness of $24,000,000,000, with increased expenses due to pyramiding prices, with the necessity for increasing the wages of all Government employees, with the people of America already staggering under the burden of taxation, the hour has come when the Congress of America must be efficient. It must produce efficiency in the great departments of this Government, or it must plead guilty to the indictment that it can not properly run the business of the Nation.

Therefore I say that with reasonable pay, not a living wage for a full grown man, not a living wage for the man who must carry on his shoulders the burdens of a family, but possibly sufficient to carry through to the final end of the road the men who have been wounded on the battle field of life, and can partly serve, although not efficiently. When you place this wage at the point where you will not receive efficient service in comparison with the ordinary employments of the Nation, outside of the Government service, the men who are now surviving ultimately will perish, because, Mr. President, if there is one thing which the American people in the future will demand of their Government and the Congress of the United States, it is that we shall have efficiency in public employment, and economical conduct of the affairs of the Nation.

When you carry this problem to the point where you must produce economy—and often higher wages and better service are more economical than poorer wages and poorer service—where only the efficient can measure up to the salary you fix, then the wreck of humanity who possibly has given the better part of his life to the Government must go down and be discharged, and that is what this bill means. It means an attack on the weakling.

There is no necessity for it. The Congress only a few weeks ago passed an employees' pension bill to take care of the faithful servants of the Government who have grown too old and too infirm to serve the Government further. That was a just and reasonable measure that the taxpayer can afford to carry, because it holds out the promise of reward at the end of the road and encourages efficient men to give their lives to the Government.

This bill is a blindfold bill. We do not know where it goes, where it starts, and where it will end. Already, though it has not become a law, it has proved that fact to the country.

In a lapse of mental effort some time ago the Congress allowed this bill to be passed through the Senate without resistance because of the rush of other great measures which were occupying the time of the Senate. It was recalled by a motion to reconsider, and that is how it comes here; and the first thing we are confronted with, now that the bill is having real consideration, is the fact that it would have taken away from a number of infirm and decrepit old soldiers of the Union Army a pittance of $15 a month, if it had been enacted into law, because they were given nominal employment. Of course, they receive their board and lodging at the Soldiers' Home, but for a little spending money they could do a few hours' work for the Government at $15 a month; and if you allow this bill to become a law as it passed the House and was reported to the Senate originally, the Government could not have paid those men $1,000 a year for the service rendered, with the result that the soldier would have had to be discharged and his pittance taken away from him.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Iowa?

Mr. UNDERWOOD. I yield.

Mr. KENYON. I was very glad to agree to the amendment designed to cure that defect, because the condition was as the Senator has stated. But the bill provides for a minimum wage as to hours, 37½ cents per hour, which would have covered the situation, because those old soldiers can not work many hours in any event. However, that clarified the matter, and so the amendment was accepted.

Mr. UNDERWOOD. I talked to the superintendent of the Soldiers' Home, and I think his case was clear; and I think the Comptroller of the Treasury would have sustained him. But be that here or there, accepting the position which the Senator from Iowa takes, that it is necessary to clarify, what I am leading up to is: What is in the folds of that bill that we know not of? I do not know, and I am sure the Senator from Iowa does not know.

Mr. KENYON. It may be, Mr. President——

Mr. UNDERWOOD. I am not reflecting on the Senator's industry or his patience or his intelligence, because he has far more than other men in all those regards. I know that the Senator from Iowa is always sincere and earnest in his endeavors, patient in his undertakings, and industrious to the last degree. But still I know, with all the study which the Senator from Iowa gave this bill, this question of its effect on the old soldiers in the Federal homes had not occurred to him before he reported the bill, or he would have taken care of it at that time.

Mr. KENYON. We had evidence before the committee on that disputed proposition, and the committee thought, as I did, that it was taken care of. I still think so.

Mr. UNDERWOOD. Without reflecting on the Senator from Iowa in the slightest degree, or intending to do so, I will remind the Senate that we are all human; we are not omniscient; we can not know and see all things; and I predict now, and have no doubt in the world that my prediction will come true, that if you write this bill upon the statute books as it stands before us you will find in the near future that you are paying salaries to men which the Government can not pay, and you will force them out of Government employment by the very enactment of this legislation.

There is a right way and a wrong way, Mr. President, to do everything. The right way is to legislate intelligently, and the wrong way is to legislate blindfolded. There is pending before this Congress now a report not for a living wage but for just payment for employment for every employee.

We are about to adjourn. The probabilities are that this bill will not become a law before the December session, if it is passed now, because amendments have already been agreed to which will send it back to the House of Representatives, and except under the stress of extraordinary circumstances it can not be expected to be considered and gotten through, and before the December session the responsibility will rest on the committees having the matter in charge to work out this entire wage system, as the Congress has already indicated it should be done, not by blindfold bonuses, not by minimum-wage bills, but by an intelligent determination of the question, by taking the clerks and employees of the Government in detail, deciding what is a fair and just compensation to them, not a living wage, but from the standpoint of their ability, their character, their standing in life, and their efficiency, weighed in the scale of private employment, and then write that on the statute books.

You can not pay all men the same wage. Of course, I know that men who drift to socialistic theories of life believe that God Almighty put men here, some with strong hands and some with weak hands, some with powerful intellects and some with none at all. Then they think those men who are created should have the same earning capacity in life and the same opportunity in life, and if the Creator of the Universe did not give it to them they are going to give it to them by law. That may be a beautiful theory, but like all theories of that kind it will fall and fail after you have paid the price for the trial.

I am not at all sure that the man who attains the greatest earning capacity is either the happiest man or the most successful man in life. The burdens of work, the burdens of responsibility that are attempted to be compensated for in dollars, have on the red side of the ledger often the destruction of a human soul balanced against them. Often the divorcement from home and children and all those affections that are nearest and dearest to the human heart can not be bought with dollars or measured in the equation of dollars and cents.

But when we come to employment we must measure the scale in dollars, as this bill does not do. This bill in a moderate way undertakes to perform a few miracles by the ideal of taking care of the poor. It is charitable. There is nothing greater than charity; but I say that the men in the Government employ are entitled to more than charity. They are entitled to justice, and you can not answer the demands of justice by passing bonus bills and minimum-wage bills. The summer months are before us ere we meet in December, and should carry the responsibility to the great committees to solve the problem of Government employment and have it ready to report after the Congress assembles at that time, and ready to do justice, not charity.

I think from that standpoint this is a very bad bill. It stands as a buffer and excuse for what the Congress really should do. It stands as a buffer and excuse between the man who is struggling to maintain his position, and what the Congress in fact has promised to do for him, that will never be carried out by the provisions of this bill. One thousand and eighty dollars! It may reach a few of the elder men or the middle-aged men who have been crippled in life's work, but not many. It may reach a good many of the boys who are just starting, with no burdens on their shoulders, who will probably get an increase in wage of $100 or $120; youngsters who are studying in night schools; youngsters with no families to support, with absolute health, ready for the battle of life, better off with not too many dollars to spend in idle places. Yes, it may reach them, but what does it do for the clerk of 20 years' service, the chief of a division or bureau, the man who has rendered the Government the best years of his life, who has a growing family, a wife and children to support, and a position in life to maintain? What does it do for him? Nothing!

It is an excuse to say that this Congress has done something for the employees of the Government. The excuse does not fool me, and I am not going to accept it as an excuse. I know that the man of family, the man of middle age, the man with life's obligations resting on his shoulders, who is a Government employee with $1,800 or $2,000 or $2,200 a year compensation, under the burdening and pyramiding increased cost of living, is confronting a very much more serious and dangerous problem to his home and his family than the messenger, the underclerk, the boy who is just in the service, has to confront at $800 or $900 a year.

The boy can go through. The boy is battling for an opportunity in life and not for dollars. The old clerk has got his way in life marked out. He must keep on the road on which he started, because the burdens that rest on his shoulders are too heavy for him to turn aside. That is the man whom you are neglecting in this legislation. That is the man you are forgetting under the idea of charity, the idea that every man should receive a living wage, which, of course, goes without saying. But it is proposed in the bill to give some more than a living wage, because, as I said, the boy just starting into manhood, who is in this department for the purpose of earning money to get an education, may make his way well enough on $75 or $100 a month, but no relief is furnished for the man who has a higher wage not commensurate with his position in life, and who is battling not only for his family but his Nation to carry on the great endeavors of the Government.

So, Mr. President, as far as I am concerned, I wish to stand here and make my protest against the bill. I regard it as a travesty on legislation. I regard it as a monument erected to inefficiency in legislation. I regard it as an effort of the Congress to neglect its real duty and putting on the statute books an excuse for the shortcomings that it has already exhibited and does not propose to remedy in the future.

No, Mr. President; you can not measure all men's wages or their services on the same scale and with the same yard measure. You can not determine in that way what is a living wage for one man and what for the other. When you pass a bill like this, you give too much to some, as has already been demonstrated in the argument here to-day, and you do not give enough to others. The only way to properly determine it is to take the lists of clerks, study out what their employment is, what the needs of the man who has reached that employment may be as an average, what he does in life, and then fix a just wage, a fair wage, and do not excuse yourselves by saying that you propose to rest easy because you have passed a living-wage bill for Government employees.

Mr. KING. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Borah	Harrison	Overman	Smith, Md.
Brandegee	Henderson	Page	Sterling
Calder	Jones, Wash.	Phelan	Townsend
Capper	Kendrick	Phipps	Underwood
Curtis	Kenyon	Ransdell	Wadsworth
Dial	King	Robinson	Walsh, Mont.
Dillingham	Lodge	Sheppard	Warren
Frelinghuysen	McCumber	Simmons	
Gay	Nelson	Smith, Ariz.	
Harding	Norris	Smith, Ga.	

Mr. HARRISON. The Senator from Rhode Island [Mr. GERRY], the Senator from Idaho [Mr. NUGENT], the Senator from Kentucky [Mr. BECKHAM], and the Senator from Virginia [Mr. SWANSON] are absent on official business.

The VICE PRESIDENT. Thirty-six Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of absent Senators.

The Reading Clerk called the names of absent Senators, and Mr. ASHURST, Mr. DILLINGHAM, Mr. MCNARY, Mr. SUTHERLAND, Mr. THOMAS, and Mr. WALSH of Massachusetts answered to their names when called.

Mr. SMITH of South Carolina, Mr. HITCHCOCK, Mr. FALL, Mr. SMOOT, and Mr. MYERS entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-seven Senators have answered to the roll call. There is not a quorum present.

Mr. KENYON. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. WOLCOTT, Mr. HALE, Mr. KEYES, and Mr. NEW entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-one Senators have answered to the roll call. There is a quorum present. The pending question is on the amendment of the Senator from Georgia [Mr. SMITH].

Mr. KING. Mr. President, the Senator from Iowa [Mr. KENYON], I am advised, has discussed the provisions of the pending measure. I regret not having heard his statement, but owing to almost continuous sessions of committees during the past few weeks it has been impossible for me, as well as other Senators, to be upon the floor during all of the proceedings.

With the general proposition that adequate compensation should be paid to all persons for the labor performed by them, there can be no controversy. Indeed, the welfare of society requires that a wage should be paid sufficient for the proper support and maintenance of those who render service, as well as their families. The day has passed when society and governments exist for the welfare and protection of a few only of its members. The day of democracy has dawned and the rising sun of industrial and political liberty is dissipating the murky clouds and poisonous vapors which have for so many centuries darkened the lives of the masses of the people. It is not enough that there should be civil and political liberty in the world. There must be economic and industrial freedom. From the dawn of history privileged classes have ruled to a greater or less degree in most nations. The toilers, the great army which struggled and slaved and produced, were treated with indifference by rulers and the privileged few and regarded as proper subjects for exploitation.

Those who laid the foundations of this Republic declared for political independence and equality, and the political philosophy which they followed found expression in the economic and industrial policies for which they contended. So long as we were a pastoral people the problems which exist in manufacturing communities, particularly where there is congestion of population, did not arise. But the marvelous growth of our Nation and the unparalleled development along manufacturing lines have raised new questions and their complexities have been accentuated because there have been established in limited areas thousands of important industries which provide employment for hundreds of thousands, and, indeed, millions, of persons. De Tocqueville, speaking of America's prosperity in his day, said, "The Americans are nearly all in easy circumstances." Our political and industrial organism is vastly different from what it was a hundred years ago.

Society in its growth and development is much like the evolutionary manifestations in the biological world—the simple yields to the complex. The needs of a pastoral people in sparsely settled districts are limited, but with the progress in physical science, with the development in art and industry, with the growth of manufacturing, and with the numerous economic changes which the last 50 years have produced, the requirements of society are greatly multiplied. As manufacturing enterprises increase and large numbers of people are brought together for service in manufacturing plants and in industrial occupations, what is denominated as the "labor question" becomes of paramount importance.

Illustrations of the truth of this statement are found when we examine conditions in Great Britain as well as in the manufacturing centers of our own country. The prosperity of the Nation depends upon the conditions of the wage earners and those who by their toil and their efforts, manual and mental, produce and create that which we call property, whether real or personal. Without production peoples would lapse into barbarism and nations would be overthrown. The products of the farm and mine and mill and factory constitute the wealth, or at least they become the basis for the wealth, of the community. But, Mr. President, there are riches more priceless than houses and lands or the precious metals dug from the earth. Mr. Money, in his work, Riches and Poverty, truly appraises the value of man when he says, "The only true riches of the nation, men and women—these are the people themselves."

Increased production makes for improved conditions, and the savings and accumulations of the people constitute the bases of what we call capital. The laborer, the man who produces, must receive a fair share of the products of his toil.

I have had occasion to state that there are too few workers and too many idlers and parasites and slackers, those who feed and fatten upon the efforts and struggles of others. In the animal and vegetable kingdoms there are parasitic growths, and these minute organisms fasten themselves upon other forms of life and are thus sustained. Our industrial organism is not without defects. It tolerates, if it does not permit, the development of a parasitic class. There are too many professional men, too many middle men, too many organizations and agencies between the producer and consumer. The machinery employed in converting the raw material into the finished product and in conveying it to the hands of the ultimate consumer is too extensive, complicated, and cumbersome. These organizations have been oppressive and burdensome and have been utilized to increase, beyond all reason, the prices of commodities and all other products entering into the life and health of the people. The producer, particularly the agriculturist, has often been denied a reasonable profit upon his investment and a fair return upon his labor. During the last five or six years the brokers, wholesalers, jobbers, middle men, and retailers have enjoyed a prosperity unparalleled in the history of our country—a prosperity indefensible as based upon accepted standards of morality and ethics. There seems to have been a mad race to increase prices and multiply profits.

The usual standards of fair dealing seem to have been departed from, and there has been a frenzied scramble, in which neither conscience nor honesty prevailed, to exploit and rob and extort from the great mass of the American people. The owners of corporations engaged in manufacturing business have made profits so enormous as to prevent concealment. Huge dividends have been paid. Millions of dollars have been improperly charged to operating expenses, improvements, obsolescence, and amortization, and stock dividends aggregating millions of dollars have been declared. Wholesalers have not been satisfied with reasonable profits, but have robbed deliberately and premeditatedly those with whom they dealt. And many brokers have disregarded the high standard of conduct supposed to prevail in their dealings with their clients and the public and have in a cruel and merciless way robbed and plundered the people.

It has been called to my attention that some brokers, taking advantage of the sugar shortage, have secured large quantities of sugar at prices beyond which the producer could not go, owing to the action of the Department of Justice, under the Lever Act, and have disposed of their purchases at a profit of millions, which were charged to the people to whom this product is a necessity of life. Retailers in substantially all of the articles of food and clothing which enter into the lives of the people have been absolutely unconscionable in their charges and have been largely responsible for the high prices prevailing in the articles which they vended, thus oppressing and exploiting the consuming public. It is regrettable that not more of those who have robbed and exploited the people have been prosecuted and punished as their evil deeds demanded.

During the war, when the spirit of patriotism should have actuated all and the protection of our country should have been the sincere desire of all Americans, there were thousands who willfully robbed their country. The Government was compelled to purchase billions of dollars' worth of food and clothing and war munitions and articles imperatively required for the comfort and welfare of our soldiers and indispensable to the successful waging of the war. There were those who in their dealings with the Government acted in a generous and highly honorable manner.

I know of many cases where men placed their plants at the disposal of the Government without charge; and there were others who placed at the disposal of the Government various forms of commodities and property, produced or owned by them, for which no profit was asked and none received. These examples of patriotism and unselfishness should be known to the people. The names of these patriotic Americans should be brought to the attention of their countrymen. But there were thousands of others who were willing to pillage their country when it was fighting for liberty and for the cause of civilization. The names of these individuals should likewise be known by the people; and I hope that in the near future there will be published a list of all who had contracts, directly or indirectly, with the Government during the war, and who took advantage of the situation to practice extortion and defraud

their country; their names should be known far and wide throughout the land. War develops the best and the worst within a people. The highest sentiments and the most exalted virtues shine in a brilliant and splendid manner, and the mean and groveling and sordid characteristics of a people are brought to the surface. Those who robbed our country and the people during the war have continued, where it was possible, their nefarious conduct since the armistice was signed. As a result we have had exhibitions of cupidity and avarice and injustice and extortion that have proved shocking to all honest and decent people.

I regret that the States have not set in motion the machinery which they possess to punish those within their borders who have defrauded the people. Upon a number of occasions I have referred to the fact that the States have the power to deal with many of the trusts, combinations, conspiracies, and monopolies, and with the profiteering and oppressive methods and practices which have been followed so extensively during and since the war. But few of the States have instituted prosecutions or brought suits to prevent abuses by corporations engaged in the various branches of trade and commerce within their borders.

I have felt that there have been numerous violations of the provisions of the Sherman Antitrust Act and that combinations and monopolies existed which were injurious to the people, and were in part responsible for the high prices throughout the land.

Some time ago I offered a resolution in the Senate—and it is now before the Judiciary Committee—relating to the Sherman Antitrust Act. My object in its introduction was to secure a report from the Judiciary Committee as to whether additional legislation was needed to strengthen this law for the purpose of more effectually preventing trusts and monopolies and conspiracies in restraint of trade. I have felt that there has been too much interference by oppressive methods and combinations with the proper application and operation of the law of supply and demand. In my opinion there are combinations and monopolies existing in our midst which are in contravention of the terms of the Sherman Antitrust Act. I have sometimes felt that the view is becoming prevalent that this law is obsolete and that its provisions may be flouted and contemptuously disregarded.

Mr. President, I believe in our form of government and in a fair and legitimate competitive system as applied to the industrial and economic organism. Every man should have an equal show under the law and a free and fair field within which to contest for the crown of success. The young men of our land who are now entering upon their life's work must feel that there are no handicaps; that the Government has no favorites; that each competitor in the field of life will have a free and equal chance with every other person. The man of small means must feel that he will be protected from injustice and sharp practice and oppression at the hands of individuals and corporations possessing great wealth. Our laws must be so framed and their administration be of such a character as that the people throughout the land will believe that this is a land of justice and that there is equal and exact justice to all. The strength of government rests in the affections of the people. The Government, to be strong and enduring, must deal justly and fairly with the people.

The American people are not opposed to the successful achievements of men in business. There is a feeling of pride when they know of the success attained by American business men. They realize that the poor boy of to-day will be the successful business man of to-morrow. They do not desire a benumbing socialism or the application of communistic principles. All that the American people demand is a square deal. If they fail in the race, they have no complaint if they feel that the conditions of the race were fair, that there was no jockeying. There are many fathers living upon farms and in humble circumstances who are filled with pride at the achievements and successes of their sons. Section men upon the railroads become railroad presidents. Messenger boys in the banks, without friends or influence, become bank presidents and national figures.

Poor boys without education or reared in poverty upon the ranch and upon the farm become the owners of flocks and herds and agricultural lands of great value. Their industry and thrift and devotion to duty have brought them success.

We want to preserve a Government that affords these opportunities and that holds out the promise of success to the ambitious, provident, and industrious citizen. It is unfortunate that some who have achieved great success have employed their victories for the purpose of either impeding the progress of others or attempting to destroy by improper methods those with whom they competed. I have sometimes felt there were too many who desired wealth because of the power which it brought rather than the opportunity for service which it offered. And there are some who by ruthless and brutal methods have risen to power. Those who were in their path have been crushed or thrust aside. They have been unfair to labor; they have taken advantage of every opportunity to exploit the public; and have sought profits not only unconscionable but so great as to constitute robbery. The wrongs committed by this class can not be repeated. They will not be tolerated. The widow and the orphan can not be devoured; our economic system can not and shall not be a juggernaut, driving over prostrate forms.

Those whom we describe loosely as capitalists should receive a fair return upon their investment, and there should be due recognition of the factor of safety measured by the risks and hazards incident to the business.

As stated, the investor is entitled to be fairly treated. He is entitled to proper protection for his property, and to be permitted to use the same in a fair and legitimate way. While he is claiming these benefits resulting from good government, he must also remember that those who are aiding him in his business, those who toil and labor that his enterprise may succeed, are entitled to consideration. They must be protected and their rights respected. They are entitled to not only a fair but to a generous wage. If the business is highly profitable, that fact should be taken into account in determining the compensation of those whose efforts contribute to the success of the enterprise. There should be a spirit of fellowship and cooperation and good will between the employer and the employee. Their interests are mutual. And a policy must be adopted which brings to the enterprise the good will and, indeed, the affection of the employee. He must not be regarded as an inanimate and lifeless factor in the enterprise. The employer must not be a slacker in dealing with the employee. The employee must not be a slacker in discharging the obligations resting upon him.

Every man of wealth, every employer of labor, should feel that he is a trustee, that his wealth must be devoted for the advancement of humanity, that in his position he must seek the welfare of the employee.

The spirit of cooperation and partnership, of mutual trust and fellowship, will solve many of the problems which we encounter in the industrial world and promote peace and prosperity among the people. Of course, in the final analysis wages must depend upon production, and there can not be a fixed and rigid standard of wages in any industry.

No one can defend the economic policy which developed in the United States following the Civil War. Many individuals had profited by the war. They invested in manufacturing plants and engaged in enterprises upon a colossal scale. The war laid an embargo upon importations, and they enjoyed a monopoly on many products during that period. They were quick to see the advantage to them of a protective tariff, and their selfishness prompted them to demand the imposition of such tariff rates as in many instances prevented importation and in many fields of production eliminated competition. Under the pretext of establishing "home industries" and developing a "home market" for American products protective bulwarks were erected and monopolies organized and protected.

Not satisfied with this indefensible policy, which produced enormous profits, a plan was devised to still further increase profits by the employment of what has often been spoken of as "cheap labor." Accordingly immigration laws were fashioned to permit the importation of laborers from various parts of Europe, particularly from the south and southeastern sections. This accretion to our population reduced wages in many instances and prevented in substantially all industries proper advance in wages. Moreover, there were introduced into our political organism millions of persons whose ideals were different from our own, and who had no desire to be assimilated or amalgamated. Much could be said upon the evils that have resulted from this unwise, unpatriotic, and un-American course. Many of our industrial and social evils and political problems have followed in the wake of this policy.

Stupendous fortunes were made by the beneficiaries of a system which enabled a limited number of individuals to control the domestic markets and to secure cheap labor. Those who were the beneficiaries of legislation which enabled the continuation of this evil and this unwise economic policy sought to control one of the great political parties of the Nation and to make this new policy the paramount issue in political contests.

For years the American people were taught that protection and the policies of the Republican Party were essential to the prosperity of the Nation and that the maintenance of high

tariffs and the importation of cheap labor were essential to the development of our resources and the progress of the Nation. Economic heresies were assiduously inculcated and many patriotic Americans constrained to follow false leaders and accept pernicious and destructive political policies. Much of the industrial unrest which has disturbed the country, and the social discontent which has manifested itself from time to time, are directly traceable to these erroneous and evil practices and policies which for so many years were victoriously championed by the Republican Party.

But, as I have stated, a new day has dawned. A fair wage must be paid to every man, and this Republic can not fully meet its high mission until a full measure of social justice shall be meted to all.

"The necessity for an efficiency standard of living," to use the language of Mr. Nearing, "must be recognized." This writer states in his little volume entitled "Financing the Wage Earner's Family" that—

> It is comparatively easy to determine the character of a standard of living. There is an irreducible minimum of food, clothing, housing, medical attention, and recreation necessary to the maintenance of life; there is a larger, but a no less determinable amount of economic goods included in a standard of living which will insure physical efficiency. These amounts of goods may vary with nationality and locality, but for any given family they are well-nigh absolute.
>
> Given a unit family of five, it is possible to determine the amount of food, clothing, housing, and the other necessaries which such a family requires. The list of goods, once secured, may be appraised at the market rates in any locality. Thus a basis is established on which the relative efficiency of standards may be determined.

He recognizes what is obvious to everyone, that what will constitute a standard of living cost will vary with respect to the section of the country and that other factors will enter into the determination of the question.

I think all can accept the following statement appearing in the work referred to:

> In every city, as well as in every town and hamlet, there is a minimum of economic goods necessary for subsistence and for efficiency, and hence there is a minimum cost for such items. Below the minimum of efficiency lies insufficient education, absence of decency and privacy, ill-ventilated rooms, unhandsome clothing, and food ill adapted for nutrition. Below the standard of subsistence lies family dissolution, misery, want, starvation, disease, and death. These inevitable things, following as night follows day, present themselves to the consciousness of the thinking wage-earner who looks toward the future.

What is a "fair wage" or a "living wage" or an "efficiency standard of living" depends upon so many conditions that no inflexible standard measured in dollars and cents can be established. Mr. Nearing gives a budget of a typical American family supplied by Mrs. Moore, which is found in her Wage Earner's Budget. The family consists of a husband and wife and two children, one 4 years and the other 1 year of age.

> This family was receiving an income of $800—sufficient to provide a fair standard of living.

Various other examples are found in this interesting work of Mr. Nearing's, showing varying figures. It should be said, however, that it was published in 1913 and that what would be a living wage at that time would be inadequate at the present time.

It is obvious that in fixing wages throughout the country the total income of all the people from all sources must be taken into account.

Prof. Wilford I. King, instructor in statistics in the University of Wisconsin, in his work called The Wealth and Income of the People of the United States, published in 1915, furnishes valuable information upon the question of wages and the income from all sources in the United States.

On page 158 of his work is a table which contains some interesting figures. He shows the estimated total national income for continental United States for the census years beginning 1850 and ending 1910. In 1850 the entire national income was $2,213,800,000; that is to say, the value of the total national product amounted to the sum just stated. There were paid in wages and salaries out of this sum $792,800,000. Interest, rents, and profits constituted the residue. In 1910 the national income—that is to say, the value of everything produced in the United States, including the amount received as the products of labor and rents and profits—amounted to $30,529,500,000.

The various items which make up this total are as follows:

Government (including Federal, State, and local)	$2,591,800,000
Commercial and professional services	8,977,200,000
Manufacturers, light and power	8,437,600,000
Transportation	2,656,000,000
Fishing	48,900,000
Mining	976,000,000
Agriculture	6,842,000,000
Total	30,529,500,000

There were paid in salaries and wages $14,303,600,000. The various items which make up this total are as follows:

Government	$1,306,200,000
Light and power (private)	55,000,000
Fisheries	15,100,000
Agriculture	1,424,300,000
Telegraphs and telephones	117,900,000
Water transportation	56,200,000
Street railways	233,000,000
Railroads	979,000,000
Mining	698,000,000
Manufacturing	4,366,000,000
Commercial, professional, etc	5,052,900,000
Total	14,303,600,000

Prof. King further states that the total number of wage earners was 28,200,000, and the total number of persons "gainfully employed" was 37,550,000. At this time the total population of the United States was 91,972,266. The census reports state that in 1910 there were 12,850,000 children in the United States under 6 years of age, and 18,800,000 between the ages of 6 and 14 years of age, inclusive, and 9,068,000 persons between 15 and 19 years of age, both inclusive. Prof. King states that the net value of goods consumed for the year referred to amounted to $28,529,000,000, and that the estimated capital savings was $2,000,000,000.

The tables of this author, if I understand them correctly, establish that the total value of the efforts and labor of all the people of the United States, together with all sums resulting from rent, interest, and otherwise, amounted to $30,529,500,000, and that out of this sum $28,529,000,000 were consumed by the people. Assuming these figures to be correct there would remain but $2,000,000,000 for division among all the people of the United States for the year, and but a fraction of this amount would consist of cash; it would be represented almost entirely by new buildings, equipment, machinery, savings, and so forth.

Prof. King states that the average size of family was 4.5. The same tables show that the average income was $507 for all persons classed as employees receiving wages or earning salaries, and that the average for all persons "gainfully employed" was $813 per annum. According to these figures, if the total income from all sources was distributed among those who were gainfully employed each would receive $813. If it be assumed that nothing is to be withheld as profits or savings, and that the entire product of labor and income from all sources is to be distributed, then it is clear that for the year an equitable distribution would be but $813 for those who were gainfully employed in the United States.

But there were more than $2,000,000,000 to be deducted from this income for National, State, and municipal taxes. Hundreds of millions of dollars were required for interest, so that assuming an equal division of the residue it is quite likely there would have been for distribution approximately $650 for each person gainfully employed. If there were applied, as there was, an unequal system of distribution, it is manifest that some gainfully employed would receive less than others. If the doctor, lawyer, banker, skilled business man, merchant, engineer, expert, skilled mechanic, and technical man were paid for their services at a ratio which their salaries for that year bore to the compensation paid all other forms of labor, it is obvious that the overwhelming majority of those who were gainfully employed would receive considerably less than $500 per person.

These figures indicate some of the difficulties to be encountered in attempting to set a standard of wages or to fix a minimum wage. Unquestionably a minimum wage of $1,000 in 1910 paid to all persons gainfully employed would have consumed the entire income of the entire population of the United States and left a deficit of several billions of dollars. If all the products of labor and the entire income of all the people were paid in wages, industrial progress would be arrested and financial collapse would be imminent. If we would pay a large wage, there must be large production. The payment of high salaries and high wages will not solve our economic or industrial problems or ipso facto produce prosperity and contentment.

Of course the figures for 1910 are not entirely applicable to the present situation. I have no doubt that the total income of the people of the United States for the year 1919 exceeded that of 1910, and the population is greater by perhaps 20,000,000. However, there are evidences that the total production and total income for the year 1920 will be less than that of 1919, and doubtless that of 1921 will show a considerable decrease unless a radical change occurs among the people. This uncertain and unstable condition is to be reckoned with in all forms of legislation which has to do with investment or wages, and

particularly if the legislation relates to the future and provides for fixed and rigid conditions. I repeat, however, that the welfare of the wage earner is a matter of supreme importance. Efficiency is desired, and efficiency will be obtained only where the wage earner has fair treatment and his rights are recognized and fully protected.

There must be greater production and larger savings in order that prosperity may continue. Thrift and industry must be encouraged and they must receive their due reward. The great problem to-day in our land, as well as in other countries, arises out of the fact that there is inadequate production. There are too many idlers and inefficient workers and prodigal sons. The kingdom of heaven, whether on this earth or in some other existence, is not for the idler and the spendthrift.

During the war there was a suspension of building operations. This has resulted in inadequate housing for many of our population. The recent census indicates further congestion in the cities and in manufacturing centers. This shifting of population produces hardships and adds to the problems and sufferings of the people. This situation calls for mutual cooperation upon the part of all the people. Those with capital must employ it for the comfort and welfare of the people. The tradesmen, the builders, the laborers, all who come within the designation of "workingmen," with hearty good will must seek to relieve the situation and by increased production add to the happiness and peace of the people. Of course there must be a proper wage paid. That may be done by lowering the price of commodities or increasing the demand for labor. What is needed particularly is a reduction in the price of commodities. Mr. Gompers and other labor leaders have appreciated the fact that no relief will come to the workingman though wages were increased only to be followed by advances in commodity prices.

Mr. Herbert Croly, in his Progressive Democracy, page 396, states:

> The opportunity for the enjoyment of a more liberal life by the great majority of the wage earners depends ultimately in the increased productivity of human labor.

He also points out the fact that increase in efficiency will ultimately be derived from a more—

> comprehensive and more successful application to industry of the scientific methods and the results of scientific research.

This is an age of specialization and of experts and of the application of scientific principles to industrial activities. The business man who fails to employ the results of scientific research will be overwhelmed, and the procession of successful enterprisers will pass over his prostrate form.

The safety of this Nation will be found in the development of the democratic spirit, not a class spirit.

This is not a class Government, and as Lord Acton says:

> No class is fit to govern another class.

Mr. Weyl, in his work entitled "The End of the War," insists that—

> The final war for democracy will begin after the war. It will be a wider conflict than that which rages now and the alignment will be by classes and interests, rather than by nations.

There is no place for class struggle in this Republic, and any alignment of the character referred to by Mr. Weyl would overwhelm our economic and political system. If there are injustices, they can be corrected not by class struggles but by the application of the principles of justice. A truer statement of the policy to be pursued to secure economic freedom is found in the statement contained in the reconstruction program of the American Federation of Labor, promulgated in March of last year. It is there stated:

> The principles of democracy should regulate the relationships of men in all their activities.

That does not mean social or industrial revolution, but it does mean that the rights of labor shall be recognized and that the spirit of cooperation and fellowship shall control the relationship between employer and employee. It means that labor shall not be exploited nor that capital shall be oppressed.

I believe that a better period awaits us. In that day the paramount desire will be the welfare and progress of all the units constituting the social organism. The spirit of unity, of oneness, of solidarity more and more will take possession of the hearts and minds of the people. Poverty and sorrow and all of the evils that flow from the unjust and improper distribution of wealth and the products of labor will be regarded as a reproach to a State or Nation. Life will be more important and sacred and there will be greater joy and pleasure in its development and unfoldment than in the mere acquisition of material wealth. The moral and spiritual forces will become stronger and as they move forward the sterile soil of life will be fructified and the deserts in which we live will be made to blossom and to bloom. Man will stand erect in the likeness of his Creator and it will be said by all, as it was by the devout Novalis in olden times, that "He who places his hand upon man touches God." The future is radiant with hope and promise. There will not only be a reign of law but a reign of truth and justice, and we can look forward with steadfast faith to the dawn of that brighter day, perchance the millennial one, which will come "full of fresh hope with the light of morning in its eyes."

Man is more than the son of Saturn and will escape the general doom. The crown of immortality is upon his brow and he will live that he may have joy, and all the forces of the future will contribute to his deification. We remember the words of Cleanthes in his immortal hymn, and with uplifted hearts we do declare that there shall come—

> A world which thine own law shall right, and flow
> Through all existent things, and these combine;
> And, blending with the least and greatest, show
> How great the God of all; supreme, divine.

Mr. President, I am prompted to inquire the reason for considering separate branches of the Government service when the entire subject of reclassification of salaries of Government employees will be the subject of attention, if not at this session of Congress, then at the next. As I am advised, for many years there has been a feeling upon the part of those familiar with the public service that injustices were being done to many of the employees of the Government; that there were inequalities in compensation; that there was no coordination or proper system of classification, either of employees or of salaries. My own observations have led me to the conclusion that there are discriminations which can not be justified; that there are persons doing work of a character so valuable as to warrant reclassification and require increased compensation. There are others whose services are both indifferent and unimportant, and therefore call for changes in respect of their assignments in the present or any future service.

This situation has been so unsatisfactory, I am advised, that it culminated in action by Congress. Accordingly on the 1st day of March, 1919, a congressional Joint Commission on the Reclassification of Salaries was appointed. The Senator from New Mexico, Mr. JONES, was named as chairman of the committee, and the other members of the committee were CHARLES B. HENDERSON, Senator from Nevada; SELDEN P. SPENCER, Senator from Missouri; and former Representatives Courtney W. Hamlin, of Missouri, Henry A. Cooper, of Wisconsin, and Edward Keating, of Colorado. The commission, under the authority granted, secured the services of a staff of experts and clerks and entered upon the work, which was of greater magnitude than was anticipated, with earnestness and with a desire, I believe, to render a needed public service. Hearings were had, and after months of investigation the commission submitted a report consisting of a printed volume of 884 pages. The act of March 1, 1919, authorized the joint commission—

> To investigate the rates of compensation paid to civilian employees by the municipal government and the various executive departments and other governmental establishments in the District of Columbia, except the navy yard and the Postal Service, and report by bill or otherwise, as soon as practicable, what reclassification and readjustment of compensation should be made so as to provide uniform and equitable pay for the same character of employment throughout the District of Columbia in the services enumerated.

As stated, I am advised that the contention has been made for many years that the reclassification of salaries was required in the interest of justice; that there were many employees in the service of the Government filling unimportant positions and receiving larger salaries than others whose duties were far more exacting and upon whom were devolved responsibilities of a higher character. The thought in the minds of Congress in the appointment of this commission was to reclassify the positions or to group the numerous positions in the Government service, so that there would be fewer groups, and to suggest salaries for the various positions within each group which would be fair and right and which would have in view the nature of the services and the responsibilities involved.

It is obvious the plan that would bring into proper relation all employees of the Government was one to be desired. The present grouping of employees is illogical, and the salaries paid in many instances have no relation to the responsibility or service. These inequalities necessarily result in friction and discontent upon the part of employees and between various branches of the Government. The situation which we find could not be otherwise when we remember that the departments of the Government and the various executive agencies and instrumentalities were not contemporaneous in their origin. I have no doubt when some bureaus or executive agencies were

created influences prevailed which gave a higher rating to positions created, and increased compensation measured by positions and compensation paid in various other departments of the Government service. Congress has proceeded in a sort of stepladder way to fix salaries in the past. There has not been a rational, consistent, and orderly arrangement and classification either of the service or the compensation.

The report submitted by the joint commission has not, I believe, been examined by Senators because of the press of legislative work. It is only within the past few minutes that a copy of this report has been placed in my hands. I have hastily examined the recommendations made and the number of matters treated in the report. The thought occurred to me while the measure before us has been under discussion that its consideration at the present time is perhaps premature and anticipates the work of the commission, or at least would result in the consideration in a piecemeal way of matters treated by the commission. The commission was appointed to consider the entire subject of Government employees within the District—their classification and their compensation. It occurs to me that the commission having considered this subject and treated it as one entire harmonious whole, that if Congress shall now take any particular branch of the question and deal with it separately and isolate it from the rest of the subject it will tend to nullify the work of the commission and lead to further inequalities and compel, when the report of the commission is considered by Congress, a reclassification or rearrangement or readjustment of groups and of salaries. If the reasons justifying the appointment of this commission to perform the work assigned were sufficient, then it would seem unwise to ignore their recommendations and in a fragmentary way attack the various groupings and reclassification system. I ask the Senator from Iowa in all sincerity whether the reasons are sufficient to warrant Congress in passing the bill now before us instead of considering the report of the joint commission and the recommendations submitted by them?

Mr. KENYON. Mr. President, I have heretofore said, I will inform the Senator, in answer to questions asked me, that I am not familiar with the report of the joint commission or with the bill recommended by them. Of course, that bill will not be acted on at this session. The Senator from Missouri [Mr. SPENCER], who is a member of that commission, stated to me and authorized me to so say on the floor that the pending bill fits in with the plan and report of the joint commission and that there was nothing antagonistic, as he viewed the matter, between them. That is all I can say. I have not gone over that report; I am not familiar with it; but it is not going to be acted on for a long time; and when it is acted upon, if it covers the same situation, it will be taken care of in that bill.

I reported the pending bill, I will say to the Senator, because the Committee on Education and Labor instructed me to do so, the bill having passed the House with only 40 votes against it, all of which I may say were Democratic, although that is hard for me to understand, and because I thoroughly believe in a living wage for the men and women who are working for the Government, regardless of whether they are black or white.

Mr. KING. Mr. President, I am in accord with the views of the Senator that a living wage should be paid to employees. I am opposed to any discrimination in compensation because of race or sex. The laborer is worthy of his hire, and sex or color should not be determining factors in fixing the compensation for labor performed. If a woman performs the same work as a man she should be paid the same salary. The colored man should receive the same compensation as the white man if he performs the same kind of work in the same efficient manner.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Montana?

Mr. KING. I yield to the Senator.

Mr. WALSH of Montana. Is the Senator sufficiently familiar with the report of the Reclassification Commission to advise us what class of employees it has recommended for salaries less than $3 a day?

Mr. KING. Mr. President, in reply I will say that I am not sufficiently advised to answer categorically the question of my friend; but——

Mr. WALSH of Montana. Can the Senator from Utah tell us, or can the Senator from Iowa tell us, what class of employees in the Government service now get less than $3 a day, and what class would be the beneficiaries of this measure?

Mr. KING. I can not advise the Senator upon that matter. My information is, and it has been obtained, in part, from the statements made by Senators during the debate, that there are several thousand employees of the Government, principally in Washington, receiving less than $3 per day. My information is that a majority of them are young men or old men who sit in the corridors in the various Government buildings, or act as messengers therein, to carry papers and letters from one room to another. Many of them are engaged in operating elevators in the Government buildings. A large number are engaged in sweeping or cleaning the Government buildings either during office hours or immediately upon the close of the offices in the afternoon. The Senator will recall hearing many criticisms by Senators of the army of messengers and attendants in the departments who seem to have little or nothing to do. It has been repeatedly said during debates upon appropriation bills that one could scarcely go through the corridors and the halls of the buildings occupied by the Government without stumbling over messengers, attendants, keepers of the doors, and other employees, some of whom appeared to be supernumeraries. There is no question but what thousands of unnecessary employees have been and still are in the departments. There were less than 35,000 employees in the departments prior to the war; there are now more than 100,000. It seems impossible to separate from the service the thousands who should go, now the war is ended. It seems as if many persons holding any sort of a position of responsibility have required a number of stenographers and typists and numerous messengers. There has been an indisposition on the part of many of the departments to dispense with unnecessary employees, and notwithstanding the work of the departments has greatly decreased since the war, it has been impossible to get executive officials in charge of the departments and bureaus and executive agencies to make proper and necessary reductions in the personnel under their direction.

Mr. WALSH of Montana. Can the Senator give us a general idea concerning the salary recommendations by the commission for employees of the classes referred to?

Mr. KING. No, Mr. President, I can not; but an examination of the report to which I just referred shows that the commission have placed employees of the Government in 1,700 classes, and this grouping, I understand, covers all grades of employment in the service of the Government. Let me read a sentence or two from the report which my eyes just rest upon:

> Your commission has devoted a year to the work and as a result of the time and the money and the efforts expended submits the following for the consideration of the Congress * * * There are about 100,000 civilian employees in these departments and governmental establishments in the District of Columbia which your commission has undertaken to classify. We have divided the positions held by these employees into something more than 1,700 classes, and employees of those doing substantially the same kind of work, needing the same general qualifications, and assuming about the same degree of responsibility. The number of classes may seem unnecessarily large, but the fact is that in the books of estimates submitted to the Congress the heads of the various departments use more than 2,000 pay-roll titles. So your commission has substantially decreased the number of titles. But we have done more than that. Our titles mean something, and that something is very clearly set forth in the specifications included in this report.

Then omitting some matter which is not relevant to the point to which I am now directing attention—

> The citizen who wants to get a job with the Government will know the minimum requirements for the position he seeks and exactly the salary he will receive if he succeeds in passing the examination.
>
> When the head of a bureau or department comes before an appropriating committee and asks for a hundred "junior file and record clerks," the committee will know precisely the kind of position and the character of service he is talking about.
>
> Your commission regrets that it was necessary to create so many classes, but it could not have created a lesser number without having departed from the underlying principle of classification as set forth above. Many of the positions in these classes should be abolished or consolidated, but your commission was not authorized to reorganize the Government service. We had to take it as we found it. We classified the positions that are now existing in the various departments and which have been appropriated for by Congress.
>
> There is not a class in our classification which does not describe a position now existing in the Government service, and we do not think there is a position in the Government service in the District of Columbia which is not described in some one of our sets of specifications.

Then the report proceeds further to a discussion respecting salary recommendations.

The commission say:

> The schedule of salaries submitted herewith represents the best judgment of the members of your commission, aided by a hard-working, intelligent, conscientious staff.
>
> The members of your commission never fully appreciated the limitations of the human intellect until they undertook to agree on "uniform and equitable pay" for more than 1,700 different kinds of jobs. Differences of opinion developed. The amazing thing is that we were able finally to work out a schedule to which we were willing to affix our signatures. In the fullness of time such a schedule was agreed to, however, and the more we have tested it the more we have been made to feel that it is "uniform" and that it is "equitable"—alike to the Government and to the employees. We earnestly recommend its adoption.

Mr. President, as I understand, the report contains recommendations as to the manner of promotion, the retirement bill, assistance from experienced experts, cooperation from departments and employees, and so forth.

These are the final recommendations of the commission:

(1) A bill embodying the legislation we deem necessary.

I am advised—and I hope the Senator from Nevada [Mr. HENDERSON] will correct me if I am in error—that a bill was submitted accompanying this report. Am I right?

Mr. HENDERSON. The Senator from Utah is correct in that. The bill is now, I think, before the Committee on Appropriations. It was introduced in March of this year by the Senator from New Mexico [Mr. JONES].

Mr. KING. So, Mr. President, this commission, after more than one year of investigation and after taking testimony and receiving the aid of experts, have submitted a report of 866 pages for our guidance, and this report is accompanied by a bill which is now before us for consideration. The bill makes provision for the salaries and compensation of all employees of the Government in the District of Columbia except those in the navy yard and Postal Service.

Let me read just a few lines further from the report:

(2) A classification embracing a statement of duties, of qualifications, and of suggested lines of promotion for each class, together with salary recommendations.
(3) A report setting forth in some detail our findings, recommendations, and a historical review of the work.

The report proceeds:

In addition, our statistical division has prepared a series of tables showing the number of employees in the Washington service, the number in the various classes created by our specifications, the salaries now received, with and without the bonus, and many other facts of the utmost importance.
All this material is available for the use of the committees of Congress.

The report proceeds:

We are confident, however, that if our recommendations are adopted the Congress will not only have laid the foundations for a thoroughgoing reformation of the civil-service system in the great central departments at Washington, but will also have given the Government of the United States a modern employment policy comparable to the best to be found in the industrial world, and not in any sense inferior to the systems maintained by other enlightened governments.

Mr. President, a hasty examination of this elaborate report reveals the various classifications of the employees of the Government, and one would think that nearly every grade of employment in the world had been provided for and was embraced within the 1,700 standard classifications submitted by the committee. I inquired yesterday of the Senator from Wyoming [Mr. WARREN] whether, in view of this report which is before us for consideration, it was proper or wise to consider the present bill at this time. If the report submitted by the Reclassification Commission is of the character indicated by the few words which I have read, then it would seem that the consideration of the compensation of any of the employees of the Government embraced within the report ought not to be taken up until action has been taken upon the report.

It will be observed that this report covers all employees of the Government within the District (with the exceptions noted), messengers and watchmen and all grades from the least important to the highest. Doubtless the commission have made their classification of the positions and salaries taking into account all elements that must be considered in dealing with the question of labor and wage. Undoubtedly there is a fixed relation between the various grades and the compensation allowed the employees therein. The report no doubt presents an orderly and systematic classification and arrangement. If we now take out of this submitted report any class or group and deal with it separately, the result may cause a disarrangement of the plan and scheme submitted, which would call for readjustment and rearrangement and reclassification in some, if not all, branches. I merely suggest this matter for the consideration of the Senate so that we may be advised as to the exact situation. It would seem to be the wise and proper thing to consider the report of the commission. If there are injustices and inequalities and improper classifications in the Government service, then the wise and proper thing to do is to take the subject and treat it as an entirety and consider it at the same time and deal with it in one bill.

My own investigation of the departments has led me to the conclusion that there was need of a readjustment and regrouping of the various positions, and a change in the compensation paid to many employees of the Government. In my contact with the departments of the Government I have found men and women of the highest ability and integrity. They have done and are doing excellent work, and their services are invaluable to the Government. Many of them are not adequately paid. There are others in the service who are receiving more than they earn. There are some who have failed in private life and who could not retain positions in private employment because of lack of ability, and they have drifted into the service of the Government. And yet under the system which prevails, persons in this category are receiving in many instances the same compensation as that paid to men and women whose qualifications are of the highest order and whose work is of the greatest value to the country.

I have found that promotions too often result from longevity rather than from ability and efficiency. Too many of the bureau heads and those in authority over groups and classes have been indifferent to the welfare of the public and have been more interested in maintaining a large personnel than in securing efficiency. Many complaints have been made to me by employees that they have been discriminated against in the matter of promotion, and that inefficient ones have been promoted, the promotion in some instances resulting solely from longevity in service. There would be improvement in the Government service if some of the bureau chiefs and executive heads were separated from the service. Hundreds of efficient and faithful employees of the Government have complained to me because of the inefficiency of employees. They have been ambitious to make good records and to have the branches of the Government with which they are identified brought to a high standard of perfection. The slackers, the laggards, the "ne'er-do-wells" in the public service not only hurt the Government but they are enemies to the efficient, faithful, and patriotic public officials who are doing such excellent work. There are employees in the Government service who could receive larger salaries in private employment, but they have a pride in their work and feel that they can be of benefit to their country. Persons of this class should not be held back or penalized because of inefficient and unworthy associates. They should not be brought down to a lower standard, to a monotonous and unprogressive level, to meet the inefficient and incompetent who find their way into branches of the Government.

I have made inquiry to ascertain whether there have been dismissals because of incompetency and inefficiency. Senators would be surprised to learn that seldom it is that action is taken by officials in charge of Government agencies to separate from the service those who are incompetent and inefficient. Indeed it is a very rare circumstance.

There can not be efficiency and proper work in the Government service unless heads of departments and bureaus and those in charge of employees are efficient and zealous and carefully supervise the work and reward the faithful and energetic and competent, and dismiss from the public service those who fail in the performance of their duties.

Mr. President, it is not my intention to longer occupy the floor. There may be many reasons justifying the passage of the bill before us. I can see some grounds which might warrant opposition to it, but I do not wish to further consider the economic questions involved in legislation of this character.

I suggest in conclusion that, having spent, as I recall, more than $200,000 to obtain a report with respect to the reclassification of salaries, and the report having been submitted and recommendations having been presented and a broad and comprehensive bill also having been prepared by the commission and offered for the guidance of Congress, it would seem that the proper course would require a consideration of the report and a postponement of the pending bill until action is taken upon that report.

The VICE PRESIDENT. The question is on the amendment of the Senator from Georgia [Mr. SMITH].

Mr. THOMAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harrison	New	Sutherland
Brandegee	Henderson	Nugent	Thomas
Capper	Hitchcock	Page	Townsend
Comer	Kendrick	Phelan	Underwood
Curtis	Kenyon	Phipps	Wadsworth
Dial	Keyes	Reed	Walsh, Mass.
Dillingham	King	Robinson	Walsh, Mont.
Frelinghuysen	Knox	Sheppard	Warren
Gay	McNary	Smith, Ariz.	Watson
Hale	Myers	Smoot	
Harding	Nelson	Sterling	

The VICE PRESIDENT. Forty-two Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Assistant Secretary called the names of the absent Senators, and Mr. FALL, Mr. MCCUMBER, and Mr. SMITH of Georgia answered to their names when called.

Mr. CALDER, Mr. FRANCE, Mr. NORRIS, Mr. SPENCER, Mr. BECKHAM, and Mr. LENROOT entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-one Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House insists upon its disagreement to the amendments of the Senate to the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DAVIS of Minnesota, Mr. CRAMTON, and Mr. BUCHANAN managers at the further conference on the part of the House.

The message also announced that the House disagrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, insists upon its disagreement to the amendments of the Senate to the bill, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GREENE of Massachusetts, Mr. EDMONDS, Mr. ROWE, Mr. HARDY of Texas, and Mr. BANKHEAD managers at the further conference on the part of the House.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 406. An act amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Calif., certain public lands in California; and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland Reserve, Calif., to the city of Los Angeles, Calif.," approved June 30, 1906; and

H. R. 13870. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes.

MERCHANT MARINE CONFERENCE REPORT.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, insisting upon its disagreement to the amendments of the Senate to the bill, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JONES of Washington. I move that the Senate insist upon its amendments and agree to the further conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. JONES of Washington, Mr. CALDER, Mr. MCNARY, Mr. SIMMONS, and Mr. RANSDELL managers at the further conference on the part of the Senate.

GENERAL DEFICIENCY APPROPRIATIONS.

Mr. WARREN. From the Committee on Appropriations I report back, with sundry amendments, the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior years, and for other purposes.

I shall probably call up the bill at the evening session, if we have one, as I hope we may.

AMENDMENT OF PENAL LAWS.

The bill (H. R. 14384) to amend the penal laws of the United States was read twice by its title.

Mr. KING. Mr. President, may I inquire whether that is the bill which heretofore passed the Senate, was sent to the President, and was returned vetoed because of an error of the enrolling clerk?

The VICE PRESIDENT. The Chair is so informed, but not officially.

Mr. KING. I hope the Sentor from Minnesota will ask unanimous consent that the bill may be considered now.

Mr. NELSON. Will the Senator from Iowa consent to lay aside temporarily the bill under consideration?

Mr. KENYON. I am not yet giving consent, I will say to the Senator.

Mr. NELSON. A bill was passed, after being reported by the Judiciary Committee of the Senate, to amend the law in reference to lascivious pictures, and so forth, so as to include theaters and moving-picture shows. The bill passed both Houses, but on account of a mistake of the enrolling clerk of the Senate the President vetoed it, because there was a certain phrase in the bill which made it meaningless. The bill has been passed again by the House, and I ask unanimous consent that it may be put on its passage.

Mr. KENYON. I will say to the Senator from Minnesota that if it can be passed without debate I will consent.

Mr. NELSON. It will not require any debate. It comes back only to correct an error of the enrolling clerk of the Senate.

Mr. KENYON. I do not like to consent to anything that will lead to any debate and delay the bill now before the Senate.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ORDER FOR EVENING SESSION.

Mr. WARREN. I ask at this time unanimous consent that at half-past 5 we will take a recess until 9 o'clock to-night so that we may get along with some of the appropriation bills.

The VICE PRESIDENT. Until 9 o'clock to-night?

Mr. WARREN. I say 9 o'clock, because in one case a bill is being printed, and in another a conference report. We might make it 8.30.

Mr. NORRIS. Why does not the Senator make it 8 o'clock, and we could then take up other business?

Mr. UNDERWOOD. I want to join with the Senator from Wyoming in his request. The situation is this: The deficiency appropriation bill has just been reported and it has been sent to the printer. There are a good many amendments to it, and the Senate will probably want to give it some consideration. It will not be possible to get it back here before about half-past 8, and to make sure of it we had better say 9.

If we are going into a night session, it may be a long one, and Senators should be given an opportunity to get their dinners and get back comfortably without being rushed. We are not likely to have the bill before that time, and that is the important measure for the night session. Meantime there are some conference reports that may be considered.

I think an evening session is very important, because if we pass the appropriation bill to-night it will go to conference to-morrow, and if we do not pass it to-night it can not reach the President until near the hour of final adjournment on Saturday, and he might not sign it. Of course we could get along without the deficiency appropriations. The Government would run without them, but there would be a great many people inconvenienced.

Mr. MCCUMBER. What objection has the Senator to the Senate taking up other bills from 8 o'clock until 9 o'clock? There are quite a number of them that ought to be considered.

Mr. UNDERWOOD. I have no objection, except that there should be a reasonable time allowed in order that Senators may get their dinners, if we are going to stay very late to-night.

Mr. NORRIS. We can take a recess at 5 o'clock and meet again at 8.

Mr. UNDERWOOD. If we can have an agreement to recess at 5 o'clock and meet at 8, thus giving three hours for dinner, that suits me.

Mr. WARREN. I ask unanimous consent that that order may be made.

The VICE PRESIDENT. Is there objection to the request of the Senator from Wyoming that the Senate take a recess at 5 o'clock until 8 o'clock this evening? The Chair hears none. It is so ordered.

Mr. TOWNSEND. I do not understand that the request was simply to take up appropriation bills at the evening session.

Mr. WARREN. There was no request as to the work at the evening session.

The VICE PRESIDENT. There was no request, except that the Senate take a recess at 5 o'clock until 8 o'clock.

FARM-LOAN BANKS.

Mr. SMITH of South Carolina. Mr. President, I wish to inquire what disposition has been made of a joint resolution which I understood came over from the House, authorizing the Secretary of the Treasury, I believe, to allow the farm-loan

banks to issue bonds or to take such steps as to see that there was a validation of the bonds that were outstanding for present applications in the farm-loan banks. As the matter now stands, there is a case pending before the Supreme Court and all applications have been suspended. The result is that there are many people who have taken this means of getting loans on their farms and they are now face to face with a condition that is jeopardizing their very homes. I wish to know if any Member now on the floor was a member of the committee which had charge of that matter?

Mr. WARREN. I know nothing of it. Naturally it would not come to the Committee on Appropriations. I assume it would go to the Committee on Banking and Currency or the Finance Committee.

Mr. SMITH of South Carolina. It is a matter of vital importance.

Mr. NORRIS. Let me ask the Senator if it was a joint resolution that passed the House?

Mr. SMITH of South Carolina. That was my impression.

Mr. NORRIS. It was a Senate joint resolution, was it not? I think we passed such a resolution. I believe it came from the Committee on Banking and Currency. I agree with the Senator that it ought to be attended to before Congress adjourns.

Mr. SMITH of South Carolina. There is a growing suspicion throughout the country that the action bringing this matter into court was at the instance of large private concerns who heretofore have had a monopoly of lending on farm property. Just to institute a system, to invite people to enter into it in order to help those who are struggling to pay for their homes, offering to give them long-time loans at a reasonable rate of interest, and when they have made their applications and gone through all the necessary forms and made no other effort to secure loans, with their mortgages coming due, then to leave them absolutely suspended in the air is an injustice to the people, and we should not sit idly by and allow such a thing to happen if Congress can apply a remedy.

Mr. KENYON. Mr. President, I thoroughly agree with the Senator, but does he not think Congress ought to stay here and do something along this line for the farmers of the country? I think the Senator voted for the final adjournment resolution, did he not?

Mr. SMITH of South Carolina. I did, and I think we should adjourn at 4 o'clock on Saturday, but I do not think we ought to take up the time between now and then in robbing the people of money rather than enabling them to make money. We had better address ourselves to helping the people to make a living rather than to take from them the living that they do make. I think the time could be better employed, and that is the reason why I have risen and said what I have. I think this is a matter to which we ought to address ourselves.

We passed a law and we invited the farmers of the country to come into the system. We established the banks and they came in. Then, when their applications were pending, they having made no other effort to get some relief when their mortgages were coming due, suddenly some one goes into court and suspends the action of Congress, and in the meantime some poor devil is likely to lose his home. We invited him to do this, and in good faith he did it, and now he may lose his home by virtue of that act on our part.

Mr. SMITH of Georgia. Will the Senator allow me to interrupt him?

Mr. SMITH of South Carolina. Certainly.

Mr. SMITH of Georgia. The only way I see to meet the question is to authorize the Government to make a temporary advance on these bonds from the farm-loan banking organizations until the Supreme Court decides the matter. Of course, they can not sell their bonds at present, with the issue raised as to the validity of their organization. I am not myself seriously troubled about the suit; I have been unable to find any real merit in it; but, of course, the purchasers of securties will not buy when there is pending before the Supreme Court an action attacking the validity of the organizations which issued the bonds.

We made a loan to the farm-loan bank when it started and it has been paid up. The way in which it seems to me we must meet this question is by authorizing the Government to take a portion of the bonds of the farm-loan banks and carry them until after the decision by the Supreme Court.

Mr. SMITH of South Carolina. My understanding was that either in the House or the Senate a joint resolution to that effect had been passed.

Mr. SMITH of Georgia. We passed the joint resolution.

Mr. TOWNSEND. Mr. President, I have just been informed by a Member of the House that the joint resolution about which the Senator is speaking has passed both bodies. It was a Senate joint resolution, which went to the House and was passed there.

Mr. SMITH of Georgia. I was just about to say to the Senator that I knew we passed through the Senate a joint resolution authorizing the advance of $20,000,000.

Mr. SMITH of South Carolina. If that be true, I hope that some member of the committee in the Senate which had the matter in charge will see that the joint resolution takes the proper course, and that the relief is granted. As I understand the terms of the joint resolution, it proposed to authorize the Secretary of the Treasury to take up these outstanding bonds to the extent of the applications already filed and duly accredited; and if that be true, of course, the relief is adequate until the court shall decide what is the status of the matter.

GENERAL DEFICIENCY APPROPRIATIONS.

Mr. HARRISON. Mr. President, the Committee on Appropriations, in the consideration of the general deficiency bill, H. R. 14335, have agreed to place two propositions in the bill touching a change in the school board. The amendments which I submitted, intended to be proposed by me to the bill, read as follows:

Insert the following new section:

"SEC. —. Section 2 of the act entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia,' approved June 20, 1906, as amended, is hereby amended to read as follows:

"'SEC. 2. That the control of the public schools of the District of Columbia is hereby vested in a board of education to consist of six members, all of whom shall have been for seven years immediately preceding their appointment bona fide residents of the District of Columbia. The members of the board of education shall be appointed by the President, by and with the advice and consent of the Senate, for terms of three years each, except that the original appointments under this act shall be as follows: Two for one year, two for two years, and two for three years, the terms of each to be designated by the President, and members shall be eligible for reappointment. Vacancies for unexpired terms, caused by death, resignation, or otherwise, shall be filled in the same manner as the original appointment. The board shall meet for organization within 30 days after appointment. They shall appoint a secretary, who shall not be a member of the board, and they shall hold stated meetings at least once a month during the school year, and such additional meetings as they may from time to time provide for. The organization meeting, and all meetings whatsoever thereafter, shall be open to the public, except committee meetings dealing with the appointment of teachers.

"'No appointment, promotion, transfer, or dismissal of any director, supervising principal, principal, head of department, teachers, or any other subordinate to the superintendent of schools shall be made by the board of education, except upon the written recommendation of the superintendent of schools.

"'The board shall determine all questions of general policy relating to the schools, shall appoint the executive officers hereinafter provided for, define their duties, and direct expenditures. All expenditures of public funds for such school purposes shall be made and accounted for as now provided by law under the direction and control of the Commissioners of the District of Columbia. The board shall appoint all teachers in the manner hereinafter prescribed and all other employees provided for in this act.

"'The board of education shall annually on the 1st day of October transmit to the Commissioners of the District of Columbia an estimate in detail of the amount of money required for the public schools for the ensuing year, and said commissioners shall transmit the same in their annual estimate of appropriations for the District of Columbia, with such recommendations as they may deem proper.'

"The board of education, appointed in accordance with the provisions of such act of June 20, 1906, is hereby abolished as of the date of the enactment of this amendatory act.

"The chairmen of the Senate and House Committees on the District of Columbia under the provisions of this amendatory act are authorized and directed to cause a complete survey to be made of the public schools of the District of Columbia in order to determine and to recommend, by report to Congress, the new buildings, grounds, including playgrounds and equipment, deemed necessary, and such changes in educational methods, administrative affairs, and other essential details as are deemed advisable and appropriate; and for this purpose there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $15,000, or so much thereof as may be necessary, under the supervision of said chairmen, and one-half of which to be disbursed on vouchers by the Secretary of the Senate and one-half by the Clerk of the House."

Of course that proposes a change in existing law, and it is legislation on an appropriation bill and will be subject perhaps to a point of order. I therefore ask unanimous consent that the rule of the Senate—clause 3 of Rule XVI—be suspended, so that these amendments to that appropriation bill may be in order. Under the Senate rule I must obtain unanimous consent.

Mr. SMOOT. The Senator from Mississippi had better make that request when the bill is up for consideration and when we will know what the amendments are.

Mr. HARRISON. The Senator is familiar with the proposed amendments.

Mr. SMOOT. I am familiar with the amendments, and I have no objection to the consideration of the amendments; but I hardly think it proper now to ask unanimous consent that the rule be suspended for the purpose of voting upon

the amendments when they come up in the Senate at some future time.

Mr. HARRISON. Of course under the rule I would have to give a day's notice.

Mr. SMOOT. I am aware of that.

Mr. HARRISON. I understand the Senator from Wyoming desires to bring up the appropriation bill and consider it to-night. I am merely trying to expedite matters, if I can get unanimous consent at this time.

Mr. SMOOT. I think the Senator could get unanimous consent this evening as well as he can now.

Mr. HARRISON. I may not be able to do that.

Mr. WARREN. I understand the Senator from Mississippi is not asking for a suspension of the rule except as to this one matter?

Mr. HARRISON. That is all.

Mr. WARREN. That does not expose the bill to an exemption from the rule as to other items?

Mr. HARRISON. No; just the one proposition about changing the school board.

The VICE PRESIDENT. The Senator from Mississippi asks unanimous consent that when the general deficiency appropriation bill comes before the Senate clause 3 of Rule XVI may be suspended for the purpose of considering amendments touching the school system of the city of Washington. Is there objection? The Chair hears none, and the agreement is entered into.

COMPENSATION OF CERTAIN UNITED STATES EMPLOYEES.

The Senate resumed the consideration of the bill (H. R. 5726) to fix the compensation of certain employees of the United States.

Mr. THOMAS. Mr. President, I am not as familiar with the facts which underlie the so-called minimum wage bill as are the members of the committee which has given it more serious consideration. I am constrained to believe, however, that some features of the general subject did not receive that investigation which its importance requires.

If I understand the bill—and if I misstate it I hope I may be corrected—it is designed to fix a universal minimum rate of compensation for all civil employees of the Government. That compensation is a hard and fast standard of $3 per day except where the employment is by the hour, in which event the minimum standard is 37½ cents per hour, the former being designed for permanent or monthly employment and the latter for transient employment.

I can readily understand, Mr. President, how insistent the need for increased compensation is in these times of rising prices and stationary salaries, and the importance therefore of making some arrangement if possible to relieve this situation; I am also sensible of the strength of the contention that whatever is done should be done as speedily as possible; but, on the other hand, there are considerations of a very serious character—at least I so regard them—which should be thoroughly understood or at least partially appreciated before final action is taken.

This bill which increases the public expenditures by several million dollars, two weeks ago upon the call of the calendar was passed by the Senate, there then being less than a dozen Members of this body in their seats. The Senator from Utah [Mr. KING] and I had been somewhat officiously objecting to a large number of measures. I do not think the Senator from Utah was present when this number was reached. I did not object to it because the amendment which defined compensation by the hour and which was designed to meet a class of employees whose work for the Government is less than eight hours per day seemed to cover the general objection which I had entertained to the bill. It was made manifest yesterday afternoon that our action was improvident; that, if permitted to stand, very serious injustice would be done the taxpayers; and that undue compensation would be paid to a class of men already provided for.

The Senator from Iowa [Mr. KENYON], with that faculty of justice and fairness which always distinguishes him, recognized the justice of that objection and made no further contention against the motion to reconsider, so the measure is again before us on its merits.

In the first place, Mr. President, our experience as to this bill should be an object lesson to Senators who are supposed to be attending to their duties, and particularly during the call of the calendar. A number of Senators interested in opposing the bill—some of them members of the committee reporting it and others familiar with its purposes—were absent from their seats. As a consequence, but for the motion to reconsider, the injury would have been accomplished.

I wish I could impress upon Senators the importance of attending the sessions of the body to which they belong. I have tried to so shape my committee engagements, my correspondence, and my other affairs as to enable me to be present between the convening of each session and its close. I have not been so successful in that practice as has the senior Senator from Utah [Mr. SMOOT], who is virtually always in his seat; who is familiar to a greater or less degree with every measure which is brought to our attention; who is vigilant in the exercise of his legislative powers; and who has done more than any other one Member of this body since I have been here to clarify legislative conditions and to obstruct the enactment of measures which, directly or indirectly, might prove inimical to the public welfare. Indeed, the only criticism which I have to offer upon the record of the Senator is that his opposition always gives way when pension bills are the subject of consideration; but there are blemishes in all records, and, since it is not given to man—certainly not to Senators—to be perfect, we must overlook that one failure in the performance of his duties and be thankful for the services which he has rendered and will, I hope, continue to render in this body. Unless Senators attend to their duties here they ought to be held by their constituents to a strict responsibility for anything that goes wrong.

The cloakroom, Mr. President, is one of the most delightful places in the world. I do not know of any spot in Washington or elsewhere more prolific of good fellowship, of companionship, of social interchanges, and of good stories. If I gave way to my inclinations, I would be in the cloakroom 99 per cent of the time when the Senate is in session, provided always certain congenial spirits might be found there, as they generally are. But seriously, Mr. President, that is not what we were sent to Washington for. The position of a United States Senator is a very important one. It used to be an exalted and a dignified one. There was a time in the history of this country when to be a Member of this body was to occupy a position second to no position in the country save that of the Presidency itself. That was a time when Senators were in their seats; it was a time when legislation was seriously considered; it was a time when questions affecting the public were treated from the national standpoint; it was a time when Senators were indeed Senators of the United States and not delegates from their different localities, more interested in looking after the welfare of their constituents than of taking care of the interests of the entire Nation. I hope the time is not far distant when we will again have a National Senate in the sense that the Members of this body will regard the general welfare, will consider legislation from the standpoint of its effect on all the people of the United States, and advocate policies which have to do with us as a Nation and not as a collection of Commonwealths. Should that good time ever return it will be one of the strongest indications of the permanency of self-government, one of the surest indicia of the soundness of the contention that self-government is no longer an experiment but an accomplished fact, and one of the most gratifying evidences of the political development of the country that can well be imagined. When that time shall arrive bills like this will not enjoy the questionable distinction of having been enacted by the barest handful of Senators at a time when most of the Members of this body were either at lunch or in the cloakroom or attending to some other matter.

Coming back to the bill, Mr. President, for a moment, my objections to it as a scheme of legislation are several. In the first place, the attempt to measure compensation by a level standard applicable to all classes and conditions of men, whether it be minimum or maximum, is bound to work injustice in both ways. In the case of those who do not render a service to the Government equivalent to the compensation, it means overpayment; to those who render more than that equivalent, it means underpayment. It is as impossible for an aggregation of thousands of employees differently constituted, enjoying different degrees of health and having different standards of experience, to render the same character of service as it is for an army of 10,000 men to consist entirely of units completely efficient, inspired by the highest ideals, and capable of performing the most extreme service.

We may on the Fourth of July descant upon the equality of man, and quote to our heart's content Mr. Jefferson's celebrated apothegm that all men are created equal, but we know that such a thing as equality among the same species or even in nature itself is a patent impossibility. The mountains differ from the plains; the whites differ from the colored races; and the units composing the whites are in themselves unequal. One man may be superior in one particular and inferior in another; his neighbor may develop similar equalities in the opopsite direction, thus producing a balance between the two; but the inequalities are there; they always have been, they always will be, and can not, in my judgment, be removed even by

a constitutional amendment, much less by a bill of this character.

Mr. President, if John Doe, with no family to support, working for the Government at $3 a day, employed by the month, yet works but five or six hours, and has abundant time for private employment, is it fair to limit to the same minimum Richard Roe, the head of a family of a wife and five children, all dependent upon his wage? Or, to suppose another case, if Robert Brown, husband of a loving wife and the father of five children, is so circumstanced that his wife is a wage earner, and some of his children who are minors are wage earners as well, all contributing to the family treasury, is he in a position to require the same minimum wage as that which the other family which I have supposed should receive; or does either of them occupy the position of the single man?

Mr. President, these are not imaginary conditions. They exist among those who labor for the Government just as they exist in private life. This measure, however, taking no note of these conditions, unmindful of the evident and palpable injustice consequent upon the application of the rule, goes blindly forward, fixes a minimum wage, and requires the Government to pay it, with the certainty that the inequalities will themselves develop the need for further legislation, and the additional legislation will be progressive. The minimum will remain for the single man; it will be increased for the man with family, and ought to be, if we are going into this business at all; and then that increase should be graduated so as to suit and apply itself to the size of the family of every man who is to be a beneficiary under this law, and also should take into consideration the existence, if the fact be, of other wage earners in the same group.

Mr. President, I question whether that is wise. I certainly doubt the propriety of rushing such legislation through in the expiring hours of a prolonged session. I do not believe it will prove practicable, but I think it will have other consequences to which I shall refer for a moment.

The Government can not fix a minimum standard of compensation for its employees in New Orleans, Denver, San Francisco, Washington, and New York without indirectly but necessarily affecting the standards of wages in private employment. If the Congress shall say legislatively that $3 shall be a minimum wage for everybody, without regard to the character or kind of employment, what will the private employer have to say when confronted with a similar demand? And if $3 a day, or $90 a month, is to be the minimum under all circumstances in private employment—although the amount does not sound very extravagant in these times—it is just as sure to interfere with and diminish production as that 2 and 2 make 4. Remember, now, that this is a minimum wage for all classes of labor, and it means necessarily, although perhaps not immediately, $90 a month for all classes of household workers, for all classes of hotel workers, for all those little occupations generally carrying with them food and sometimes lodging as part of the compensation. I can not imagine a following, whether it be permanent or temporary, and which, of course, confronts us at all times and in all stages of life, which will long be exempt from the operative influence of the standard that we propose to set here. Do we want to do that? Is it wise to run the risk of doing it? Is it needful that it should be done?

I know that the response will be that we should pay every man a living wage. That is true. We have had a Commission on Reclassification. That commission has gone into the subject, and has made a recommendation of legislation here that is designed to meet this evil. We might have taken it up and considered it heretofore. We might well have devoted to it some of the time that we have devoted to appropriations that never should have been made. We have a bill that has been prepared—I will not say hastily, because it has been prepared after a very considerable time spent in hearings—designed to relieve the necessities, or the assumed necessities, of the postal employees of the country. We are getting at these things, in my judgment, as best we can, and along a systematic method of procedure much more apt to be stable and satisfactory than legislation of this sort—legislation, too, which, in my judgment, will not have the same operative effect as a general law of this kind upon all lines and avenues of private industry.

At one time I was a strong believer in the doctrine of the minimum wage. It was a subject of theoretic consideration some years ago. The current magazines of the time gave a great deal of their space to arguments for and against it. It was my fortune, good or bad, to become so interested in it as to read everything that came under my observation relating to it; and I was struck with an argument finally appearing, as I remember, in McClure's Magazine some seven or eight years ago, contending that the application of a minimum wage for women, instead of improving their industrial condition, would result in their unemployment, and giving the reasons for it. They seemed to me more or less convincing—not entirely so, but much more than plausible. About a year or a year and a half ago, a commission employed for that purpose in the District under congressional action reported a minimum scheme, which was put into operation, for the women of this District, fixing that minimum at $16.50 a week. I do not mean to say that it has been in operation long enough to justify a conclusive opinion as to its merits or demerits. I would not contend, even, that this one experiment should itself be accepted as disposing of or settling the subject; but it is a significant fact to me that it has thus far operated almost identically as predicted in the magazine article of 1911 or 1912. I am told that women are being thrown out of employment throughout the District, not occasionally, not by this or that employer, but as a general policy. It does not result from a desire to get rid of women employees. In many respects and in many vocations they are superior to men for the particular work. The difficulty lies in the impossibility of the industry supporting the minimum wage imposed upon it; and the opportunity to employ men at a less wage, they being entirely free from the operation of this law, has such enormous economic advantages that employers very properly and very naturally resort to it; so that the woman whom we seek to protect by this legislation is thrown out of employment because of that legislation, and the man against whose competition this act was designed to protect the women of the District secures a wider extent of employment through the operation of the act designed for the purpose I have described.

Why, Mr. President, it is plain from this situation that while the establishment of a similar standard for all the employees of the Government would not have the same effect because the Government, as an employer, is not concerned with the question of profit and loss, but meets its obligations from the public revenues and obtains its revenues through taxation, yet the natural insistence, as I have said, upon the application of at least as high a standard to all lines of private employment will operate similarly, and produce consequences which none of the advocates of this bill desire to see in effect—inequalities which, if the advocates of the bill could be convinced would follow, would cause them at least to modify the proposition very seriously.

I am informed, although my information may not be authentic—I think it is—that another consequence of the minimum-wage rulings or requirements for women in the District is seriously to threaten the continuance of several hospitals in the District; not public hospitals, of course, but institutions doing a great deal of good and, I think, fully occupied by patients needing the assistance that these eleemosynary institutions extend them and without which there would be a very large increase of human suffering throughout the country.

The difficulty is that the endowments and the income upon which these institutions are operated are inadequate to meet the increased compensation imposed upon the heads thereof by the legal requirements. If that be so, then surely we should pause before rushing headlong with similar legislation, notwithstanding it is applied to the public service only.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. THOMAS. I yield.

Mr. KENYON. I want to ask the Senator a question. I do not want to be disrespectful at all in asking; the Senator knows I would not be.

Mr. THOMAS. I know that. I will answer the Senator's question.

Mr. KENYON. I know the Senator is so square and honest about everything that I would like to ask him this question: Is it the purpose to "talk out" this bill, as we call it, and not permit it to be passed?

Mr. THOMAS. Mr. President, I can answer that question to a certain extent. I do not think that is the case. I think it is not the case, because those who are opposed to the bill are not sufficient in number to do so. I will tell the Senator very frankly that I shall have nothing further to say upon the bill after I shall speak until 5 o'clock. That will end my opposition.

Mr. KENYON. Of course, the Senator knows how things are done here, and if there is a purpose of that kind, and if the Senator himself should say so, I would be satisfied to take his word.

Mr. THOMAS. Mr. President, if I knew that to be the fact, I would say so. One or two Senators upon this side do not care

to see the bill passed. As far as I know, they do not intend to utilize any further time than this afternoon, and yet I can not speak by authority. Speaking for myself, I beg to assure the Senator that after I take my seat I shall not take up any further time.

Mr. KENYON. I was not complaining. I recognize that as a legitimate method of defeating bills, but I think those things are always better out in the open.

Mr. THOMAS. I think so, too.

Mr. KENYON. And it is just as well to say so, if Senators on that side are disposed to defeat the measure.

Mr. THOMAS. If I knew such a situation existed, I would tell the Senator very frankly.

THE MERCHANT MARINE—CONFERENCE REPORT.

Mr. JONES of Washington submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 35, 44, 47, 49, 122, 125, and 149.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 43, 45, 46, 50, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 80, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 140, 143, and 148, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: ", in this act"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 3. (a) That section 3 of the 'Shipping act, 1916,' is amended to read as follows:

"'SEC. 3. That a board is hereby created to be known as the United States Shipping Board and hereinafter referred to as the board. The board shall be composed of seven commissioners, to be appointed by the President, by and with the advice and consent of the Senate; and the President shall designate the member to act as chairman of the board, and the board may elect one of its members as vice chairman. Such commissioners shall be appointed as soon as practicable after the enactment of this act and shall continue in office two for a term of one year, and the remaining five for terms of two, three, four, five and six years, respectively, from the date of their appointment, the term of each to be designated by the President, but their successors shall be appointed for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he succeeds.

"'The commissioners shall be appointed with due regard to their fitness for the efficient discharge of the duties imposed on them by this act, and two shall be appointed from the States touching the Pacific Ocean, two from the States touching the Atlantic Ocean, one from the States touching the Gulf of Mexico, one from the States touching the Great Lakes, and one from the interior, but not more than one shall be appointed from the same State. Not more than four of the commissioners shall be appointed from the same political party. A vacancy in the board shall be filled in the same manner as the original appointments. No commissioner shall take any part in the consideration or decision of any claim or particular controversy in which he has a pecuniary interest.

"'Each commissioner shall devote his time to the duties of his office, and shall not be in the employ of or hold any official relation to any common carrier or other person subject to this act, nor while holding such office acquire any stock or bonds thereof or become pecuniarily interested in any such carrier.

"'The duties of the board may be so divided that under its supervision the directorship of various activities may be assigned to one or more commissioners. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the board shall not impair the right of the remaining members of the board to exercise all its powers. The board shall have an official seal, which shall be judicially noticed.

"'The board may adopt rules and regulations in regard to its procedure and the conduct of its business. The board may employ within the limits of appropriations made therefor by Congress such attorneys as it finds necessary for proper legal service to the board in the conduct of its work, or for proper representation of the public interest in investigations made by it or proceedings pending before it whether at the board's own instance or upon complaint, or to appear for or represent the board in any case in court or other tribunal. The board shall have such other rights and perform such other duties not inconsistent with the merchant marine act, 1920, as are conferred by existing law upon the board in existence at the time this section as amended takes effect.

"'The commissioners in office at the time this section as amended takes effect shall hold office until all the commissioners provided for in this section as amended are appointed and qualify.'

"(b) The first sentence of section 4 of the 'Shipping act, 1916,' is amended to read as follows:

"'SEC. 4. That each member of the board shall receive a salary of $12,000 per annum.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "consistent with good business methods and the objects and purposes to be attained by this act, at public or private competitive sale after appraisement and due advertisement, to"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "existing freight rates and prospects of their maintenance,"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "and any other facts or conditions that would influence a prudent, solvent business man in the sale of similar vessels or property which he is not forced to sell"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "not inconsistent with the provisions of section 5 (except that completion of the payment of the purchase price and interest shall not be deferred more than 10 years after the making of the contract of sale)"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "; but no such sale shall be made unless the board, after diligent effort, has been unable to sell, in accordance with the terms and conditions of section 5, such vessels to persons citizens of the United States, and has, upon an affirmative vote of not less than five of its members, spread upon the minutes of the board, determined to make such sale; and it shall make as a part of its records a full statement of its reasons for making such sale. Deferred payments of purchase price of vessels under this section shall bear interest at the rate of not less than 5½ per cent per annum, payable semiannually"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lines 6 and 7 of the matter proposed by the Senate amendment strike out the following words: "Where adequate terminal connections with rail carriers can and will be made or already exist"; in line 17 of the matter proposed by the Senate amendment strike out the words "of the United States" and insert in lieu thereof the following: "Referred to in section 4 of this act or otherwise acquired by the board"; in line 30 of the matter proposed by the Senate amendment, after the word "authorized," insert the following: "Notwithstanding the act entitled 'An act to provide for ocean mail service between the United States and foreign ports,

and to promote commerce,' approved March 3, 1891"; at the end of the matter proposed by the Senate amendment change the period to a colon and add the following: "*And provided further*, That whenever the board shall determine, as provided in this act, that trade conditions warrant the establishment of a service or additional service under Government administration where a service is already being given by persons, citizens of the United States, the rates and charges for such Government service shall not be less than the cost thereof, including a proper interest and depreciation charge on the value of Government vessels and equipment employed therein"; in line 8 of the matter proposed by the Senate amendment after the word "world," insert the words "and domestic"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment, after the word "board," insert a comma and the following: "in cooperation with the Secretary of War"; in line 6 of the matter proposed by the Senate amendment, after the word "rail," insert a comma and the word "water"; omit the proviso at the end of the matter proposed by the Senate amendment and insert in lieu thereof the following: "*Provided*, That if after such investigation the board shall be of the opinion that rates, fares, charges, classifications, regulations or practices of common carriers by railroad subject to the interstate commerce act are detrimental to the object declared in this section, or that new rates, fares, charges, classifications, regulations or practices, new or additional port terminal facilities, or action on the part of such common carriers by railroad are or any of them is necessary or desirable to promote such declared object, the board may file its application or complaint with the Interstate Commerce Commission praying for such relief and order as the commission may deem proper under the law then existing. In connection with such application or complaint the board may submit to the commission its findings together with the record or records on which they are based and the commission is hereby empowered to issue such order or orders relative thereto as it may deem proper without further investigation, but the commission may augment or supplement the record or records submitted to it by the board by such further investigation as the commission deems appropriate"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In line 4 of the matter proposed by the Senate amendment strike out "$50,000,000" and insert in lieu "$25,000,000"; in line 21 of the matter proposed by the Senate amendment strike out everything after the word "built," down to and including the word "semiannually," at the end of the matter proposed by such Senate amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "may be reconditioned and kept in suitable repair and until"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "pursuant to the policy and purposes declared in sections 1 and 5 of this act; and the United States Shipping Board Emergency Fleet Corporation shall continue in existence and have authority to operate vessels, unless otherwise directed by law, until all vessels are sold in accordance with the provisions of this act, the provision"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 17. That the board is authorized and directed to take over on January 1, 1921, the possession and control of, and to maintain and develop, all docks, piers, warehouses, wharves and terminal equipment and facilities, including all leasehold easements, rights of way, riparian rights and other rights, estates and interests therein or appurtenant thereto, acquired by the President by or under the act entitled 'An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes,' approved March 28, 1918.

"The possession and control of such other docks, piers, warehouses, wharves and terminal equipment and facilities or parts thereof, including all leasehold easements, rights of way, riparian rights and other rights, estates or interests therein or appurtenant thereto which were acquired by the War Department or the Navy Department for military or naval purposes during the war emergency may be transferred by the President to the board whenever the President deems such transfer to be for the best interests of the United States.

"The President may at any time he deems it necessary, by order setting out the need therefor and fixing the period of such need, permit or transfer the possession and control of any part of the property taken over by or transferred to the board under this section to the War Department or the Navy Department for their needs, and when in the opinion of the President such need therefor ceases the possession and control of such property shall revert to the board. None of such property shall be sold except as may be hereafter provided by law."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: In line 12 of the matter proposed by the Senate amendment after the word "chartered" at the end of the line preceding and the beginning of said line 12 insert the words "by the board"; in lieu of the last two paragraphs of the matter proposed by the Senate amendment insert the following:

"It shall be unlawful to sell, transfer or mortgage, or, except under regulations prescribed by the board, to charter, any vessel purchased from the board or documented under the laws of the United States to any person not a citizen of the United States, or to put the same under a foreign registry or flag, without first obtaining the board's approval.

"Any vessel chartered, sold, transferred or mortgaged to a person not a citizen of the United States or placed under a foreign registry or flag, or operated, in violation of any provision of this section shall be forfeited to the United States, and whoever violates any provision of this section shall be guilty of a misdemeanor and subject to a fine of not more than $5,000, or to imprisonment for not more than five years, or both."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 19. (1) The board is authorized and directed in aid of the accomplishment of the purposes of this act (a) to make all necessary rules and regulations to carry out the provisions of this act;

"(b) To make rules and regulations affecting shipping in the foreign trade not in conflict with law in order to adjust or meet general or special conditions unfavorable to shipping in the foreign trade, whether in any particular trade or upon any particular route or in commerce generally and which arise out of or result from foreign laws, rules or regulations or from competitive methods or practices employed by owners, operators, agents, or masters of vessels of a foreign country; and

"(c) To request the head of any department, board, bureau, or agency of the Government to suspend, modify, or annul rules or regulations which have been established by such department, board, bureau, or agency, or to make new rules or regulations affecting shipping in the foreign trade other than such rules or regulations relating to the Public Health Service, the Consular Service, and the Steamboat-Inspection Service.

"(2) No rule or regulation shall hereafter be established by any department, board, bureau, or agency of the Government which affect shipping in the foreign trade, except rules or regulations affecting the Public Health Service, the Consular Service, and the Steamboat-Inspection Service, until such rule or regulation has been submitted to the board for its approval and final action has been taken thereon by the board or the President.

"(3) Whenever the head of any department, board, bureau, or agency of the Government refuses to suspend, modify, or annul any rule or regulation, or make a new rule or regulation upon request of the board, as provided in subdivision (c) of paragraph (1) of this section, or objects to the decision of the board in respect to the approval of any rule or regulation, as provided in paragraph (2) of this section, either the board or the head of the department, board, bureau, or agency which has established or is attempting to establish the rule or regulation in question may submit the facts to the President, who is hereby authorized to establish or suspend, modify, or annul such rule or regulation.

"(4) No rule or regulation shall be established which in any manner gives vessels owned by the United States any preference or favor over those vessels documented under the laws of the United States and owned by persons who are citizens of the United States."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 20. (1) That section 14 of the shipping act, 1916, as amended, is amended to read as follows:

"'SEC. 14. That no common carrier by water shall, directly or indirectly, in respect to the transportation by water of passengers or property between a port of a State, Territory, District, or possession of the United States and any other such port or a port of a foreign country,—

"'First. Pay, or allow, or enter into any combination, agreement, or understanding, express or implied, to pay or allow, a deferred rebate to any shipper. The term "deferred rebate" in this act means a return of any portion of the freight money by a carrier to any shipper as a consideration for the giving of all or any portion of his shipments to the same or any other carrier, or for any other purpose, the payment of which is deferred beyond the completion of the service for which it is paid, and is made only if, during both the period for which computed and the period of deferment, the shipper has complied with the terms of the rebate agreement or arrangement.

"'Second. Use a fighting ship either separately or in conjunction with any other carrier, through agreement or otherwise. The term "fighting ship" in this act means a vessel used in a particular trade by a carrier or group of carriers for the purpose of excluding, preventing or reducing competition by driving another carrier out of said trade.

"'Third. Retaliate against any shipper by refusing, or threatening to refuse, space accommodations when such are available, or resort to other discriminating or unfair methods, because such shipper has patronized any other carrier or has filed a complaint charging unfair treatment, or for any other reason.

"'Fourth. Make any unfair or unjustly discriminatory contract with any shipper based on the volume of freight offered, or unfairly treat or unjustly discriminate against any shipper in the matter of (a) cargo space accommodations or other facilities, due regard being had for the proper loading of the vessel and the available tonnage; (b) the loading and landing of freight in proper condition; or (c) the adjustment and settlement of claims.

"'Any carrier who violates any provision of this section shall be guilty of a misdemeanor punishable by a fine of not more than $25,000 for each offense.'

"(2) The shipping act, 1916, as amended, is amended by inserting after section 14 a new section to read as follows:

"'SEC. 14a. The board upon its own initiative may, or upon complaint shall, after due notice to all parties in interest and hearing, determine whether any person, not a citizen of the United States and engaged in transportation by water of passengers or property—

"'(1) Has violated any provision of section 14, or

"'(2) Is a party to any combination, agreement, or understanding, express or implied, that involves in respect to transportation of passengers or property between foreign ports, deferred rebates or any other unfair practice designated in section 14, and that excludes from admission upon equal terms with all other parties thereto, a common carrier by water which is a citizen of the United States and which has applied for such admission.

"'If the board determines that any such person has violated any such provision or is a party to any such combination, agreement, or understanding, the board shall thereupon certify such fact to the Secretary of Commerce. The Secretary shall thereafter refuse such person the right of entry for any ship owned or operated by him or by any carrier directly or indirectly controlled by him, into any port of the United States, or any Territory, District, or possession thereof, until the board certifies that the violation has ceased or such combination, agreement, or understanding has been terminated.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lines 1 and 2 of the matter proposed by the Senate amendment strike out "one year from the enactment of this act" and insert in lieu "February 1, 1922"; in line 11 of the matter proposed by the Senate amendment strike out the words "within a year" and insert the words "by February 1, 1922"; at the end of the matter proposed by the Senate amendment change the period to a colon and insert the following: "*And provided further*, That the foregoing provisions of this section shall not take effect with reference to the Philippine Islands until the President of the United States after a full investigation of the local needs and conditions shall, by proclamation, declare that an adequate shipping service has been established as herein provided and fix a date for the going into effect of the same"; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 23" and insert in lieu "Sec. 21"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 127 and agree to the same with an amendment as follows: In line 10 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 13 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 15 of the matter proposed by the Senate amendment strike out the words "wholly in American" and insert in lieu thereof the words "in such" and after the word "ownership" in said line 15 insert the following: "Subject to the rules and regulations of such trade: *Provided*, That the board is authorized to issue permits for the carrying of passengers in foreign ships if it deems it necessary so to do, operating between the Territory of Hawaii and the Pacific coast up to February 1, 1922"; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 24" and insert in lieu "Sec. 22"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 23. That the revenue act of 1918 is amended by inserting after section 206, a new section to read as follows:

"'SEC. 207. (a) That the owner of a vessel registered, enrolled or licensed under the laws of the United States and operated only in foreign trade shall for each of the 10 taxable years while so operated, beginning with the taxable year 1920, be allowed as a deduction for the purpose of ascertaining his net income subject to the war-profits and excess-profits taxes imposed by Title III an amount equivalent to the net earnings of such vessel during such taxable year, determined in accordance with rules and regulations to be made by the United States Shipping Board. Such owner shall not be entitled to such deduction unless during such taxable year he invested, or set aside under rules and regulations to be made by such board in a fund (to be known as a "replacement fund") for investment, in the building in shipyards in the United States of new vessels of a type and kind approved by such board, an amount to be determined by the commissioner, with the approval of the Secretary, and certified by him to such board, equivalent to the war-profits and excess-profits taxes that would have been payable by such owner on account of the net earnings of such vessels but for the deduction allowed under the provisions of this section; but at least two-thirds of the cost of any new vessel so constructed shall be paid for out of the ordinary funds or capital of the person having such vessel constructed.

"'The "invested capital" of the taxpayer attributable to any vessel, the net income from which is exempt from the taxes imposed by Title III shall be regarded as an "inadmissible asset" in computing the taxes due under such title upon the remainder of the taxpayer's net income for the taxable year.

"'(b) After January 1, 1920, upon the sale of a vessel registered, enrolled or licensed under the laws of the United States and built prior to January 1, 1914, the vendor may upon application, under oath made in such form as the commissioner shall by regulation prescribe, establish a fund to be known as a "replacement fund." The vendor shall cover into such fund the entire amount received from the sale of such vessel in excess of its value on March 1, 1913, or its cost if acquired on or after that date. Such fund shall be used exclusively for the building by the vendor in shipyards in the United States of a new vessel of a type approved by the United States Shipping Board.

"'Upon the completion of the new vessel it shall not be valued in the accounts of the taxpayer at an amount in excess of that at which the vessel sold was carried in such account at the time of the sale, except and to the extent that the productive capacity of such new vessel is greater than that of such old vessel.

"'(c) Accounting for gain or loss upon the entire amount placed in the fund under the provision of paragraphs (a) or (b) may be deferred for a reasonable period of time to be determined in each case by the commissioner, with the approval of the Secretary. If the new vessel is built within the time so determined, the moneys in the fund provided for (1) under

paragraph (a) shall not be subject to the taxes imposed by Title III, and (2) under paragraph (b) shall not be subject to the taxes imposed in Titles II and III.

"'(d) The taxpayer shall be required to furnish a bond with such security or surety as the commissioner, with the approval of the Secretary, shall require for an amount not less than the estimated income, war-profits, and excess-profits taxes not paid upon the income so covered into the replacement fund. In lieu of such bond the taxpayer may at his option deposit as security for such estimated amount of taxes, obligations of the United States to be held in trust as such security in a bank or trust company designated by the commissioner, with the approval of the Secretary.

"'(e) In case a new vessel is not built within the time determined under this section, the taxes imposed (1) by Title III for the taxable year upon the amount set aside in such year under the provisions of paragraph (a), and (2) by Titles II and III for the taxable year in which the vessel built prior to January 1, 1914, was sold, shall be immediately due and payable, but no penalty or interest shall be added with respect to the time which has elapsed between the time that such taxes would have been due, but for the provisions of this section and the due date.

"'(f) The Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Shipping Board, or a majority thereof, are hereby authorized and directed to determine from time to time what shall be allowed for annual depreciation of vessels documented under the laws of the United States engaged in foreign trade and owned by persons citizens of the United States, in order that the owners of such vessels shall be put as nearly as may be on a parity for taxation purposes with the owners of vessels under the flag of our foreign competitors in the world's carrying trade, and such allowances shall be embraced in the deductions allowed by law in determining the net income subject to income taxes and war-profits and excess-profits taxes.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Nothing herein shall be affected by the act entitled 'An act to provide for ocean-mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891"; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 26" and insert in lieu thereof "Sec. 24"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: Beginning in line 6 of the matter proposed by the Senate amendment, strike out everything after the word "shipping" down to and including "citizens," in line 9 of the matter proposed by the Senate amendment; in lines 10 and 11 of the matter proposed by the Senate amendment strike out the words "or such approved organization"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In line 2 of the matter proposed by the Senate amendment strike out the word "twelve" and insert in lieu thereof the word "sixteen"; between the first and second paragraphs of the matter proposed by the Senate amendment insert a separate paragraph as follows:

"The privilege bestowed by this section on vessels of the United States shall be extended in so far as the foreign trade is concerned to the cargo vessels of any nation which allows the like privilege to cargo vessels of the United States in trades not restricted to vessels under its own flag."

In line 1 of the matter proposed by the Senate amendment strike out "Sec. 28" and insert in lieu thereof "Sec. 26."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In line 8 of the matter proposed by the Senate amendment strike out the word "wholly," and in line 11 of the matter proposed by the Senate amendment strike out the figures "24" and insert in lieu thereof the figures "22"; at the end of the matter proposed by the Senate amendment insert the following: ": *Provided*, That this section shall not apply to merchandise transported between points within the continental United States, excluding Alaska, over through routes heretofore or hereafter recognized by the Interstate Commerce Commission for which routes rate tariffs have been or shall hereafter be filed with said commission when such routes are in part over Canadian rail lines and their own or other connecting water facilities: *Provided further*, That this section shall not become effective upon the Yukon River until the Alaska Railroad shall be completed and the Shipping Board shall find that proper facilities will be furnished for transportation by persons citizens of the United States for properly handling the traffic"; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 29" and insert in lieu thereof "Sec. 27"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 133, and agree to the same with an amendment as follows: In lines 17 and 18 of the matter proposed by the Senate amendment strike out ", and owned by persons who are citizens of the United States"; in line 22 of the matter proposed by the Senate amendment strike out the words "and owned"; in line 30 of the matter proposed by the Senate amendment strike out the word "shall" and insert in lieu thereof the word "may"; in line 1 of the proposed amendment strike out the numerals "30" and insert in lieu thereof the numerals "28"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 29. (a) That whenever used in this section—

"(1) The term 'association' means any association, exchange, pool, combination, or other arrangement for concerted action; and

"(2) The term 'marine insurance companies' means any persons, companies, or associations authorized to write marine insurance or reinsurance under the laws of the United States or of a State, Territory, District, or possession thereof.

"(b) Nothing contained in the 'antitrust laws' as designated in section 1 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, shall be construed as declaring illegal an association entered into by marine insurance companies for the following purposes: To transact a marine insurance and reinsurance business in the United States and in foreign countries and to reinsure or otherwise apportion among its membership the risks undertaken by such association or any of the component members."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 30. SUBSEC. A. That this section may be cited as the 'Ship mortgage act, 1920.'

"DEFINITIONS.

"SUBSEC. B. When used in this section—

"(1) The term 'document' includes registry and enrollment and license;

"(2) The term 'documented' means registered or enrolled or licensed under the laws of the United States, whether permanently or temporarily;

"(3) The term 'port of documentation' means the port at which the vessel is documented in accordance with law;

"(4) The term 'vessel of the United States' means any vessel documented under the laws of the United States and such vessel shall be held to continue to be so documented until its documents are surrendered with the approval of the board; and

"(5) The term 'mortgagee,' in the case of a mortgage involving a trust deed and a bond issue thereunder, means the trustee designated in such deed.

"RECORDING OF SALES, CONVEYANCES, AND MORTGAGES OF VESSELS OF THE UNITED STATES.

"SUBSEC. C. (a) No sale, conveyance, or mortgage which, at the time such sale, conveyance, or mortgage is made, includes a vessel of the United States, or any portion thereof, as the whole or any part of the property sold, conveyed, or mortgaged shall be valid, in respect to such vessel, against any person other than the grantor or mortgagor, his heir or devisee, and a person having actual notice thereof, until such bill of sale, conveyance, or mortgage is recorded in the office of the collector of customs of the port of documentation of such vessel, as provided in subdivision (b) of this subsection.

"(b) Such collector of customs shall record bills of sale, conveyances, and mortgages, delivered to him, in the order of their reception, in books to be kept for that purpose and indexed to show—

"(1) The name of the vessel;

"(2) The names of the parties to the sale, conveyance, or mortgage;

"(3) The time and date of reception of the instrument;

"(4) The interest in the vessel so sold, conveyed, or mortgaged; and

"(5) The amount and date of maturity of the mortgage.

"SUBSEC. D. (a) A valid mortgage which, at the time it is made includes the whole of any vessel of the United States of 200 gross tons and upward, shall in addition have, in respect to such vessel and as of the date of the compliance with all the provisions of this subdivision, the preferred status given by the provisions of subsection M, if—

"(1) The mortgage is indorsed upon the vessel's documents in accordance with the provisions of this section;

"(2) The mortgage is recorded as provided in subsection C, together with the time and date when the mortgage is so indorsed;

"(3) An affidavit is filed with the record of such mortgage to the effect that the mortgage is made in good faith and without any design to hinder, delay, or defraud any existing or future creditor of the mortgagor or any lienor of the mortgaged vessel;

"(4) The mortgage does not stipulate that the mortgagee waives the preferred status thereof; and

"(5) The mortgagee is a citizen of the United States.

"(b) Any mortgage which complies in respect to any vessel with the conditions enumerated in this subsection is hereafter in this section called a 'preferred mortgage' as to such vessel.

"(c) There shall be indorsed upon the documents of a vessel covered by a preferred mortgage—

"(1) The names of the mortgagor and mortgagee;

"(2) The time and date the indorsement is made;

"(3) The amount and date of maturity of the mortgage; and

"(4) Any amount required to be indorsed by the provisions of subdivisions (e) or (f) of this subsection.

"(d) Such indorsement shall be made (1) by the collector of customs of the port of documentation of the mortgaged vessel, or (2) by the collector of customs of any port in which the vessel is found, if such collector is directed to make the indorsement by the collector of customs of the port of documentation; and no clearance shall be issued to the vessel until such indorsement is made. The collector of customs of the port of documentation shall give such direction by wire or letter at the request of the mortgagee and upon the tender of the cost of communication of such direction. Whenever any new document is issued for the vessel, such indorsement shall be transferred to and indorsed upon the new document by the collector of customs.

"(e) A mortgage which includes property other than a vessel shall not be held a preferred mortgage unless the mortgage provides for the separate discharge of such property by the payment of a specified portion of the mortgage indebtedness. If a preferred mortgage so provides for the separate discharge, the amount of the portion of such payment shall be indorsed upon the documents of the vessel.

"(f) If a preferred mortgage includes more than one vessel and provides for the separate discharge of each vessel by the payment of a portion of the mortgage indebtedness, the amount of such portion of such payment shall be indorsed upon the documents of the vessel. In case such mortgage does not provide for the separate discharge of a vessel and the vessel is to be sold upon the order of a district court of the United States in a suit in rem in admiralty, the court shall determine the portion of the mortgage indebtedness increased by 20 per cent (1) which, in the opinion of the court, the approximate value of the vessel bears to the approximate value of all the vessels covered by the mortgage, and (2) upon the payment of which the vessel shall be discharged from the mortgage.

"SUBSEC. E. The collector of customs upon the recording of a preferred mortgage shall deliver two certified copies thereof to the mortgagor who shall place, and use due diligence to retain, one copy on board the mortgaged vessel and cause such copy and the documents of the vessel to be exhibited by the master to any person having business with the vessel, which may give rise to a maritime lien upon the vessel or to the sale, conveyance, or mortgage thereof. The master of the vessel shall, upon the request of any such person, exhibit to him the documents of the vessel and the copy of any preferred mortgage of the vessel placed on board thereof.

"SUBSEC. F. The mortgagor (1) shall, upon request of the mortgagee, disclose in writing to him prior to the execution of any preferred mortgage, the existence of any maritime lien, prior mortgage, or other obligation or liability upon the vessel to be mortgaged, that is known to the mortgagor, and (2), without the consent of the mortgagee, shall not incur, after the execution of such mortgage and before the mortgagee has had a reasonable time in which to record the mortgage and have indorsements in respect thereto made upon the documents of the vessel, any contractual obligation creating a lien upon the vessel other than a lien for wages of stevedores when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, or for salvage, including contract salvage, in respect to the vessel.

"SUBSEC. G. (a) The collector of customs of the port of documentation shall, upon the request of any person, record notice of his claim of a lien upon a vessel covered by a preferred mortgage, together with the nature, date of creation, and amount of the lien, and the name and address of the person. Any person who has caused notice of his claim of lien to be so recorded shall, upon a discharge in whole or in part of the indebtedness, forthwith file with the collector of customs a certificate of such discharge. The collector of customs shall thereupon record the certificate.

"(b) The mortagor, upon a discharge in whole or in part of the mortgage indebtedness, shall forthwith file with the collector of customs for the port of documentation of the vessel, a certificate of such discharge. Such collector of customs shall thereupon record the certificate. In case of a vessel covered by a preferred mortgage, the collector of customs at the port of documentation shall (1) indorse upon the documents of the vessel, or direct the collector of customs at any port in which the vessel is found, to so indorse, the fact of such discharge, and (2) shall deny clearance to the vessel until such indorsement is made.

"SUBSEC. H. (a) No bill of sale, conveyance, or mortgage shall be recorded unless it states the interest of the grantor or mortgagor in the vessel, and the interest so sold, conveyed, or mortgaged.

"(b) No bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge thereof, shall be recorded unless previously acknowledged before a notary public or other officer authorized by a law of the United States, or of a State, Territory, District, or possession thereof, to take acknowledgment of deeds.

"(c) In case of a change in the port of documentation of a vessel of the United States, no bill of sale, conveyance, or mortgage shall be recorded at the new port of documentation unless there is furnished to the collector of customs of such port, together with the copy of the bill of sale, conveyance, or mortgage to be recorded, a certified copy of the record of the vessel at the former port of documentation furnished by the collector of such port. The collector of customs at the new port of documentation is authorized and directed to record such certified copy.

"(d) A preferred mortgage may bear such rate of interest as is agreed by the parties thereto.

"SUBSEC. I. Each collector of customs shall permit records made under the provisions of this section to be inspected during office hours, under such reasonable regulations as the collector may establish. Upon the request of any person the collector of customs shall furnish him from the records of the collector's office (1) a certificate setting forth the names of the owners of any vessel, the interest held by each owner, and the material facts as to any bill of sale or conveyance of, any mortgage covering, or any lien or other incumbrance upon, a specified vessel, (2) a certified copy of any bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge in respect to such vessel, or (3) a certified copy as required by subdivision (c) of subsection H. The collector of customs shall collect a fee for any bill of sale, conveyance, or mortgage recorded, or any certificate or certified copy furnished, by him, in the amount of 20 cents a folio with a minimum charge of $1. All such fees shall be covered into the Treasury of the United States as miscellaneous receipts.

"PENALTIES.

"SUBSEC. J. (a) If the master of the vessel willfully fails to exhibit the documents of the vessel or the copy of any preferred mortgage thereof, as required by subsection E, the board of local inspectors of vessels having jurisdiction of the license of the master, may suspend or cancel such license, subject to the provisions of 'An act to provide for appeals from decision of boards of local inspectors of vessels and for other purposes,' approved June 10, 1918.

"(b) A mortgagor who, with intent to defraud, violates any provision of subsection F, and if the mortgagor is a corporation or association, the president or other principal executive officer of the corporation or association, shall upon cnviction thereof be held guilty of a misdemeanor and shall be fined not more than 1,000 or imprisoned not more than two years, or both. The mortgaged indebtedness shall there-

upon become immediately due and payable at the election of the mortgagee.

"(c) If any person enters into any contract secured by, or upon the credit of, a vessel of the United States covered by a preferred mortgage, and suffers pecuniary loss by reason of the failure of the collector of customs, or any officer, employee, or agent thereof, properly to perform any duty required of the collector under the provisions of this section, the collector of customs shall be liable to such person for damages in the amount of such loss. If any such person is caused any such loss by reason of the failure of the mortgagor, or master of the mortgaged vessel, or any officer, employee, or agent thereof, to comply with any provision of subsection E or F or to file an affidavit as required by subdivision (a) of subsection D, correct in each particular thereof, the mortgagor shall be liable to such person for damages in the amount of such loss. The district courts of the United States are given jurisdiction (but not to the exclusion of the courts of the several States, Territories, Districts, or possessions) of suits for the recovery of such damages, irrespective of the amount involved in the suit or the citizenship of the parties thereto. Such suit shall be begun by personal service upon the defendant within the limits of the district. Upon judgment for the plaintiff in any such suit, the court shall include in the judgment an additional amount for costs of the action and a reasonable counsel's fee, to be fixed by the court.

"FORECLOSURE OF PREFERRED MORTGAGES.

"SUBSEC. K. A preferred mortgage shall constitute a lien upon the mortgaged vessel in the amount of the outstanding mortgage indebtedness secured by such vessel. Upon the default of any term or condition of the mortgage, such lien may be enforced by the mortgagee by suit in rem in admiralty. Original jurisdiction of all such suits is granted to the district courts of the United States exclusively. In addition to any notice by publication, actual notice of the commencement of any such suit shall be given by the libellant, in such manner as the court shall direct, to (1) the master, other ranking officer, or caretaker of the vessel, and (2) any person who has recorded a notice of claim of an undischarged lien upon the vessel, as provided in subsection G, unless after search by the libellant satisfactory to the court, such mortgagor, master, other ranking officer, caretaker, or claimant is not found within the United States. Failure to give notice to any such person, as required by this subsection, shall not constitute a jurisdictional defect; but the libellant shall be liable to such person for damages in the amount of his interest in the vessel terminated by the suit. Suit in personam for the recovery of such damages may be brought in accordance with the provisions of subdivision (c) of subsection J.

"SUBSEC. L. In any suit in rem in admiralty for the enforcement of the preferred mortgage lien, the court may appoint a receiver and, in its discretion, authorize the receiver to operate the mortgaged vessel. The marshal may be authorized and directed by the court to take possession of the mortgaged vessel notwithstanding the fact that the vessel is in the possession or under the control of any person claiming a possessory common-law lien.

"SUBSEC. M. (a) When used hereinafter in this section, the term 'preferred maritime lien' means (1) a lien arising prior in time to the recording and indorsement of a preferred mortgage in accordance with the provisions of this section; or (2) a lien for damages arising out of tort, for wages of a stevedore when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, and for salvage, including contract salvage.

"(b) Upon the sale of any mortgaged vessel by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a preferred mortgage lien thereon, all preexisting claims in the vessel, including any possessory common-law lien of which a lienor is deprived under the provisions of subsection L shall be held terminated and shall thereafter attach, in like amount and in accordance with their respective priorities, to the proceeds of the sale; except that the preferred mortgage lien shall have priority over all claims against the vessel, except (1) preferred maritime liens, and (2) expenses and fees allowed and costs taxed, by the court.

"SUBSEC. N. (a) Upon the default of any term or condition of a preferred mortgage upon a vessel, the mortgagee may, in addition to all other remedies granted by this section, bring suit in personam in admiralty in a district court of the United States, against the mortgagor for the amount of the outstanding mortgage indebtedness secured by such vessel or any deficiency in the full payment thereof.

"(b) This section shall not be construed, in the case of a mortgage covering, in addition to vessels, realty or personalty other than vessels, or both, to authorize the enforcement by suit in rem in admiralty of the rights of the mortgagee in respect to such realty or personalty other than vessels.

"TRANSFERS OF MORTGAGED VESSELS AND ASSIGNMENT OF VESSEL MORTGAGES.

"SUBSEC. O. (a) The documents of a vessel of the United States covered by a preferred mortgage may not be surrendered (except in the case of the forfeiture of the vessel or its sale by the order of any court of the United States or any foreign country) without the approval of the board. The board shall refuse such approval unless the mortgagee consents to such surrender.

"(b) The interest of the mortgagee in a vessel of the United States covered by a mortgage shall not be terminated by the forfeiture of the vessel for a violation of any law of the United States, unless the mortgagee authorized, consented, or conspired to effect the illegal act, failure, or omission which constituted such violation.

"(c) Upon the sale of any vessel of the United States covered by a preferred mortgage, by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a maritime lien other than a preferred maritime lien, the vessel shall be sold free from all preexisting claims thereon; but the court shall, upon the request of the mortgagee, the libellant, or any intervenor, require the purchaser at such sale to give and the mortgagor to accept a new mortgage of the vessel for the balance of the term of the original mortgage. The conditions of such new mortgage shall be the same, so far as practicable, as those of the original mortgage and shall be subject to the approval of the court. If such new mortgage is given, the mortgagee shall not be paid from the proceeds of the sale and the amount payable as the purchase price shall be held diminished in the amount of the new mortgage indebtedness.

"(d) No rights under a mortgage of a vessel of the United States shall be assigned to any person not a citizen of the United States without the approval of the board. Any assignment in violation of any provision of this section shall be void.

"(e) No vessel of the United States shall be sold by order of a district court of the United States in any suit in rem in admiralty to any person not a citizen of the United States.

"MARITIME LIENS FOR NECESSARIES.

"SUBSEC. P. Any person furnishing repairs, supplies, towage, use of dry dock or marine railway, or other necessaries, to any vessel, whether foreign or domestic, upon the order of the owner of such vessel, or of a person authorized by the owner, shall have a maritime lien on the vessel, which may be enforced by suit in rem, and it shall not be necessary to allege or prove that credit was given to the vessel.

"SUBSEC. Q. The following persons shall be presumed to have authority from the owner to procure repairs, supplies, towage, use of dry dock or marine railway, and other necessaries for the vessel: The managing owner, ship's husband, master, or any person to whom the management of the vessel at the port of supply is intrusted. No person tortiously or unlawfully in possession or charge of a vessel shall have authority to bind the vessel.

"SUBSEC. R. The officers and agents of a vessel specified in subsection Q shall be taken to include such officers and agents when appointed by a charterer, by an owner pro hac vice, or by an agreed purchaser in possession of the vessel; but nothing in this section shall be construed to confer a lien when the furnisher knew, or by exercise of reasonable diligence could have ascertained, that because of the terms of a charter party, agreement for sale of the vessel, or for any other reason, the person ordering the repairs, supplies, or other necessaries was without authority to bind the vessel therefor.

"SUBSEC. S. Nothing in this section shall be construed to prevent the furnisher of repairs, supplies, towage, use of dry dock or marine railway, or other necessaries, or the mortgagee, from waiving his right to a lien, or in the case of a preferred mortgage lien, to the preferred status of such lien, at any time, by agreement or otherwise; and this section shall not be construed to affect the rules of law now existing in regard to (1) the right to proceed against the vessel for advances, (2) laches in the enforcement of liens upon vessels, (3) the right to proceed in personam, (4) the rank of preferred maritime liens among themselves, or (5) priorities between maritime liens and mortgages, other than preferred mortgages, upon vessels of the United States.

"SUBSEC. T. This section shall supersede the provisions of all State statutes conferring liens on vessels, in so far as such

statutes purport to create rights of action to be enforced by suits in rem in admiralty against vessels for repairs, supplies, towage, use of dry dock or marine railway, and other necessaries.

"MISCELLANEOUS PROVISIONS.

"SUBSEC. U. This section shall not apply (1) to any existing mortgage, or (2) to any mortgage hereafter placed on any vessel now under an existing mortgage, so long as such existing mortgage remains undischarged.

"SUBSEC. V. The Secretary of Commerce is authorized and directed to furnish collectors of customs with all necessary books and records, and with certificates of registry and of enrollment and license in such form as provides for the making of all indorsements thereon required by this section.

"SUBSEC. W. The Secretary of Commerce is authorized to make such regulations, in respect to the recording and indorsing of mortgages covering vessels of the United States, as he deems necessary to the efficient execution of the provisions of this section.

"SUBSEC. X. Sections 4192 to 4196, inclusive, of the Revised Statutes of the United States, as amended, and the act entitled 'An act relating to liens on vessels for repairs, supplies, or other necessaries,' approved June 23, 1910, are repealed. This section, however, so far as not inconsistent with any of the provisions of law so repealed, shall be held a reenactment of such repealed law, and any right or obligation based upon any provision of such law and accruing prior to such repeal, may be prosecuted in the same manner and to the same effect as if this act had not been passed."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out "Sec. 33" and insert in lieu thereof "Sec. 31." In lines 8 and 9 of the matter proposed by the Senate amendment strike out the words "or take in fuel"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the figure "11" and insert in lieu the figure "10" and change the section number from "34" to "32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 33. That the requirements provided in section 14 of the act entitled 'An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea,' approved March 4, 1915, to be observed on the Great Lakes in the intervals from May 15 to September 15, inclusive, and from September 15 to May 15, inclusive, shall be required to be observed instead in the intervals from May 1 to October 15, inclusive, and from October 15 to May 1, inclusive, respectively."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Jurisdiction in such actions shall be under the court of the district in which the defendant employer resides or in which his principal office is located"; in line 1 of the matter proposed by the Senate amendment, strike out the section number "36" and insert in lieu thereof the number "34"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "36"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "specifically"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the section number "39" and insert in lieu thereof the number "37"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment change the period to a semicolon and add the following: "the term 'board' means the United States Shipping Board; and the term 'alien' means any person not a citizen of the United States"; also change the section number in line 1 from "40" to "38"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 39. That section 2 of the shipping act, 1916, is amended to read as follows:

"'SEC. 2. (a) That within the meaning of this act no corporation, partnership, or association shall be deemed a citizen of the United States unless the controlling interest therein is owned by citizens of the United States, and, in the case of a corporation, unless its president and managing directors are citizens of the United States and the corporation itself is organized under the laws of the United States or of a State, Territory, District, or possession thereof; but in the case of a corporation, association, or partnership operating any vessel in the coastwise trade the amount of interest required to be owned by citizens of the United States shall be 75 per cent.

"'(b) The controlling interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to a majority of the stock thereof is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if the majority of the voting power in such corporation is not vested in citizens of the United States; or (c) if through any contract or understanding it is so arranged that the majority of the voting power may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of the corporation is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"'(c) Seventy-five per cent of the interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to 75 per cent of its stock is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if 75 per cent of the voting power in such corporation is not vested in citizens of the United States; or (c) if, through any contract or understanding it is so arranged that more than 25 per cent of the voting power in such corporation may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of any interest in the corporation in excess of 25 per cent is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"'(d) The provisions of this act shall apply to receivers and trustees of all persons to whom the act applies, and to the successors or assignees of such persons.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment, as follows: In lieu of the matter proposed by the Senate amendment insert the following: "40"; and the Senate agree to the same.

W. L. JONES,
WILLIAM M. CALDER,
CHAS. L. MCNARY,
JOS. E. RANSDELL,
F. M. SIMMONS,
Managers on the part of the Senate.

WILLIAM S. GREENE,
G. W. EDMONDS,
FREDERICK W. ROWE,
L. LAZARO,

I sign this report because as a whole I favor the bill, but there are parts of the bill to which I strongly object.

RUFUS HARDY,
Managers on the part of the House.

Mr. JONES of Washington. I wish to ask if the report can not be taken up for consideration. I do not know of any discussion that is to take place on the report.

Mr. NUGENT. I wish to discuss the conference report before it is acted upon.

Mr. JONES of Washington. Then probably it would be well not to take up the report at this time. I wish to call it up when the Senate convenes this evening after the recess.

ASSOCIATION OF AGRICULTURAL PRODUCTS.

Mr. NELSON. From the Committee on the Judiciary, I report back favorably with amendments the bill (H. R. 13931) to authorize the association of producers of agricultural products, and I submit a report (No. 655) thereon. I wish to call up the bill at the first opportunity.

The VICE PRESIDENT. The bill will be placed on the calendar.

CONFIRMATION OF ALVYN L. WOODS.

Mr. GAY. From the Committee on Post Offices and Post Roads, as in open executive session, I report back favorably the nomination of Alvyn L. Woods to be postmaster at Lutcher, La., vice A. L. Woods, and I ask that the nomination be confirmed.

The VICE PRESIDENT. Is there objection? The Chair hears none. The nomination is confirmed, and the President of the United States will be notified.

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. I wish to state that the conferees on Senate bill 1726, granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, have been unable so far to agree, and the Senate conferees report it back with a recommendation that the Senate recede from its disagreement to the House amendments.

Mr. KING. Is the Senator asking for consideration at this time?

Mr. McCUMBER. Just to agree, practically, to the House amendments.

The VICE PRESIDENT. The Senator from North Dakota moves that the Senate recede from its disagreement and agree to the House amendments.

The motion was agreed to.

RELIEF OF CERTAIN ESTATES.

Mr. SPENCER. From the Committee on Claims I submit a report (No. 656), accompanied by a bill for the relief of certain estates. The bill is in lieu of certain bills which I send to the desk.

The bill (S. 4501) for the relief of certain estates was read twice by its title.

The VICE PRESIDENT. The bill will be placed on the calendar.

LIABILITY OF HOTEL PROPRIETORS IN THE DISTRICT OF COLUMBIA.

Mr. CALDER. I am directed by the Committee on the District of Columbia to report back favorably without amendment the bill (H. R. 12887) establishing the liability of hotel proprietors and innkeepers in the District of Columbia, and I ask unanimous consent to have it considered at this time. If there is a particle of discussion upon it, I will not press it.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. THOMAS. The bill should be read.

Mr. LODGE. Yes; let the bill be read, at least.

The Assistant Secretary read the bill.

Mr. KENYON. If consent has not been granted——

The VICE PRESIDENT. It has not.

Mr. KENYON. It is too important a bill to be passed without discussion.

Mr. THOMAS. I think it is. It is superfluous in the District, anyhow.

The VICE PRESIDENT. The bill will be placed on the calendar.

EXECUTIVE SESSION.

Mr. LODGE. As it has been arranged that the Senate is to take a recess at 5 o'clock p. m., and there will be a session at 8 o'clock this evening, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session (at 5 o'clock p. m.) the Senate took a recess until 8 o'clock p. m.

EVENING SESSION.

The Senate reassembled in executive session at 8 o'clock p. m., when the doors were reopened.

DISTRICT APPROPRIATIONS—CONFERENCE REPORT.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives insisting upon its disagreement to the amendments of the Senate to the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CURTIS. I move that the Senate insist upon its amendments and agree to the further conference asked by the House, and that the conferees on the part of the Senate be appointed by the Vice President.

The motion was agreed to; and the Vice President appointed Mr. CURTIS, Mr. PHIPPS, and Mr. SMITH of Maryland conferees on the part of the Senate at the further conference.

COMPENSATION OF CERTAIN UNITED STATES EMPLOYEES.

The Senate resumed the consideration of the bill (H. R. 5726) to fix the compensation of certain employees of the United States.

Mr. JONES of Washington. I ask unanimous consent that the unfinished business may be temporarily laid aside for the purpose of considering the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes.

The VICE PRESIDENT. Is there objection?

Mr. KENYON. Has the Senator any idea how long it will take?

Mr. JONES of Washington. I do not think it will take very long. The Senator from Idaho [Mr. NUGENT] desires to speak on the report. I do not think he will take very long. He generally does not talk very long and he talks to the point. I do not know of anyone else who desires to discuss the report.

Mr. KENYON. I think it would be better to go ahead and finsh this bill, and then take up the conference report.

Mr. JONES of Washington. I understand that the bill can not be passed to-night, owing to the absence of Senators. I would be glad to see it passed.

Mr. KENYON. Why the absence of Senators? Are they at dinners or something of that kind?

Mr. JONES of Washington. I do not know.

Mr. KENYON. I am not willing to lay the unfinished business aside in order that Senators may absent themselves when we are trying to get a living wage for Government employees.

Mr. JONES of Washington. I am not defending their absence.

Mr. KENYON. The Senators should be here.

Mr. JONES of Washington. As the Senator knows, I am here.

Mr. KENYON. I know the Senator is here. He is always here.

The VICE PRESIDENT. Is there objection to the request of the Senator from Washington?

Mr. KENYON. I object.

The VICE PRESIDENT. The pending question is on the amendment of the Senator from Georgia [Mr. SMITH].

Mr. WOLCOTT. Mr. President, I wish to trespass upon the time of the Senate for a few moments.

Mr. CURTIS. Will the Senator from Delaware yield that I may present a unanimous-consent request?

Mr. WOLCOTT. I yield for that purpose.

Mr. CURTIS. I ask unanimous consent that on or before half past 10 o'clock the Senate shall take a recess until 11 o'clock to-morrow morning.

Mr. WARREN. I shall have to object to that.

Mr. JONES of Washington. I can not agree to that under the circumstances.

The VICE PRESIDENT. That request is soon disposed of.

Mr. JONES of Washington. We will stay here all night, if necessary, in order to get important measures through.

The VICE PRESIDENT. The Senator from Delaware will proceed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 547) authorizing the enlistment of non-English-speaking citizens and aliens.

The message also announced that the House agrees to the amendments of the Senate to the bill (H. R. 13329) to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes.

The message further announced that the House agrees to the amendments of the Senate to the bill (H. R. 2) to pension soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes

of the two Houses on the amendments of the Senate to the bill (H. R. 13587) making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2789) for the consolidation of forest lands in the Sierra National Forest, Calif., and for other purposes.

The message also announced that the House agrees to the amendments of the Senate to the bill (H. R. 12530) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message further announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 14338. An act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis; and

H. J. Res. 373. A joint resolution declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired.

The message also announced that the Speaker of the House has signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

H. R. 4311. An act to authorize the addition of certain lands to the Caribou National Forest;

H. R. 6222. An act to remove a certain tract or lots of land in Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, pursuant to the act of Congress of August 24, 1912 (37 Stats., ch. 390, p. 565); and

H. J. Res. 359. Joint resolution authorizing the Secretary of War to loan to the American Legion Post No. 73, Vincennes, Ind., necessary cots for use at the State encampment of the American Legion to be held at Vincennes, Ind., on June 28 and 29, 1920.

THE DYE INDUSTRY AND PATENTED INVENTIONS.

Mr. WOLCOTT. Mr. President, on the 8th day of last month the senior Senator from Colorado [Mr. THOMAS] called the attention of the Senate to a newspaper article which contained an account of a lawsuit instituted in Boston by Edgar Levinstein, of Nahant, against E. I. Du Pont de Nemours & Co., of Wilmington, Del.

The Senator supplemented the newspaper article with a few remarks of his own. In the course of what he had to say he made reference to a certain contract between E. I. Du Pont de Nemours & Co., of Wilmington, Del., and Levinstein (Ltd.), of Manchester, a company incorporated under the British companies act. This contract was not set out in full by the senior Senator from Colorado. I have secured a copy of the contract, and ask leave of the Senate to insert it at this point as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The contract referred to is as follows:

DU PONT–LEVINSTEIN AGREEMENT.

Agreement made the 30th day of November, 1916, between E. I. Du Pont de Nemours & Co., of Wilmington, U. S. A., a company incorporated in the State of Delaware, in the United States of America (hereinafter called the Du Pont Co.), of the one part, and Levinstein Limited, of Manchester, a company incorporated under the British companies acts (hereinafter called Levinsteins), of the other part: Whereas the Du Pont Co. and Levinsteins are respectively interested in the manufacture and sale of dyes and are desirous of cooperating for the purposes of such manufacture and sale, and with that object desire to obtain each from the other the right to use as hereinafter provided the patented inventions and secret processes owned or to be acquired by the other party for the manufacture and sale of finished dyes (including synthetic indigo), intermediates, and raw material necessary for and used in such manufacture:

Now, it is hereby agreed as follows:

1. The parties hereto will communicate to each other all such information as they now possess or control and are at liberty to furnish in connection with the manufacture of dyes, intermediates, and raw materials, including particulars of all patented or secret processes as aforesaid and particulars of all apparatus, machinery, and plant necessary for such manufacture, with liberty to each party to visit the works of the other party and to inspect all processes coming within the object of this agreement carried on by the parties, respectively; but neither party is to be required, except by his consent, to give to the other any rights or information concerning intermediates or raw materials used for military purposes or the manufacture of explosives.

2. The parties shall be entitled to the following rights in respect of all patented inventions and secret processes mentioned in clause 1 hereof, videlicet:

(a) Levinsteins shall have exclusive rights for the use, manufacture, and sale under its own and the Du Pont Co.'s patented inventions and secret processes throughout Great Britain, Ireland, India, and all British possessions, colonies, and dependencies (except Canada) France, Italy, Spain, Belgium, Holland, Portugal, Switzerland, Denmark, Norway, and Sweden, and nonexclusive rights throughout Canada and all other countries except those for which the Du Pont Co. is to have exclusive rights.

(b) The Du Pont Co. shall have exclusive rights for the use, manufacture, and sale under its own and Levinsteins patented inventions and secret processes throughout the United States of America and all its possessions, present and future, Mexico, and Central and South America, and nonexclusive rights throughout all other countries except those for which Levinsteins is to have exclusive rights.

3. If the information to be furnished under clause 1 by Levinsteins to the Du Pont Co. shall be capable of turning out finished products of the standard of the products from time to time sold by Levinsteins, and if the synthetic indigo produced by such processes shall be up to the commercial standard heretofore ruling in the United States, the Du Pont Co. shall pay to Levinsteins £25,000 in each of the 10 years from the 1st July, 1917, to the 1st July, 1927, the first payment to be made on the 1st of July, 1918. The conditions for such payment shall be deemed conclusively to be performed if Levinsteins shall at their works produce finished products and synthetic indigo of the before-mentioned standards and shall prove that they furnished the Du Pont Co. with the information and instructions necessary to produce the same, whether in fact the Du Pont Co. are or are not able to produce the same or do or do not produce the same.

4. Each party agrees that if hereafter during the continuance of this agreement it shall make or acquire any patented invention or secret process coming within the terms of this agreement it will disclose in writing to the other party immediately, or in any event within three months thereafter, full particulars in respect thereof, and thereafter furnish to the other party whenever and so often as the other party shall request copies of all claims, specifications, applications, and patents in respect of any such patented invention and copies of all writing setting forth any such secret process and such further information as the other party shall request in respect of the same or otherwise relating to the inventions and processes the subject of this agreement.

5. Whenever the Du Pont Co. shall have disclosed a patented or secret process to Levinsteins as aforesaid the Du Pont Co. shall thereupon give notice in writing to Levinsteins that they may obtain a license (exclusive or nonexclusive as the case may be) to use the same within the countries specified in clause 2 hereof whenever Levinsteins shall have disclosed a patented or secret process to the Du Pont Co. as aforesaid Levinsteins shall give notice in writing to the Du Pont Co. that they may obtain similar licenses to use the same within the said countries.

6. The royalties payable under any such license as is referred to in the preceding clause by the party accepting the license shall be five per cent on the selling value of the finished product delivered in the country of manufacture. In the case of a patented invention the royalty shall not be payable beyond the existence of the patent, and in the case of a secret process shall be payable only during the continuance of this agreement. The royalties payable to Levinsteins under this clause shall be additional to the twenty-five thousand pounds a year mentioned in clause 3 hereof.

7. In any notice given as aforesaid the party disclosing such patented invention or secret process shall request the other party to elect within a period expiring three months after service of such notice whether such other party accepts a license for the invention or process set forth in the notice and the other party shall elect within said period whether it accepts such license. In default thereof such license shall be deemed not to have been accepted.

8. Each of the parties to whom any such license as aforesaid shall have been granted may grant, within the limitations of such license, sublicenses in respect thereof to any or all of its respective subsidiary or allied companies (or to any other persons by mutual consent); but every such sublicense shall be subject to all the terms and conditions contained in the grant of the license so sublicensed and shall also contain terms, conditions, and obligations requiring such sublicenses to do such acts as may be necessary or proper to enable the party granting such sublicenses to observe all the terms and conditions and to perform all the obligations on its part contained in the grant of the license so sublicensed. No sublicense in respect of any such license shall be granted by any sublicensee, nor by any of the parties hereto, except as hereinbefore provided, without the consent in writing first obtained from the party that shall have granted the license so sublicensed.

9. Each of the parties hereto agrees that if, at any time during the continuance of this agreement, it shall obtain or acquire a right in or license under any patented invention or secret process coming within the terms of this agreement, which right or license is so limited that it can make no grant or license to the other party upon the terms and conditions herein set forth, it shall use its best endeavors to assist such other party to obtain or acquire a right in or under such invention or process upon the terms and conditions herein set forth, but neither party shall be under any obligation to purchase or pay for any right or license for the benefit of the other.

10. Each of the parties hereto agree not to make or consent to any disclosure of any of the secret processes of the other except to sublicenses or to do or consent to any other act that shall impair or depreciate the value of any exclusive license granted by it in pursuance of this agreement, or that shall impair or depreciate the value of the right, title, and interest in any patented invention or secret process not granted to it by the other party, and to take all reasonable care to prevent any such disclosure or act.

11. As the effect of this agreement is that each party will have nonexclusive rights to the patented inventions and secret processes of the other in Russia, it is agreed that before commencing to build any works in Russia the parties will endeavor to arrange for joint cooperations there should such prove feasible.

12. It is intended to hold in June, 1917, in America, a meeting by representatives of the parties hereto for the purpose of arranging selling facilities for nonexclusive Asiatic territory, particularly Japan and China, the intention being to arrange, if possible, a joint selling company, the capital of which is to be subscribed and its sales to be divided, as nearly as possible, in equal parts by the parties hereto.

13. Each of the parties hereto agrees, whenever and so often as requested by the other party, but at the expense of such other party, to assist in defending any letters patent under which any licenses shall have been granted as herein provided, and for that purpose to furnish to such other party all information and evidence in its power.

14. Each of the parties hereto agrees, whenever and so often as requested by the other party, to execute all such other instruments in writing as may be necessary or proper for the purpose of further assuring and confirming the grant of any license as herein provided, or for the purpose of enabling such grants to be filed or recorded in any public office.

15. If any difference or dispute shall arise between the parties hereto in respect of this agreement or any matter or thing relating thereto, the same shall be referred to the president for the time being of the Du Pont Co. or his nominee and the chairman for the time being of Levinstein or his nominee, who shall arbitrate the same, and whose award shall be final. If, however, the said arbitrators shall fail to agree, they shall appoint an umpire, whose award shall be final, which umpire, if the question or matter to be decided relates to a patented invention or secret process of Levinstein's, shall be an American, and if the question or matter to be decided relates to a patented invention or secret process of the Du Pont Co., shall be an European. If said president and chairman fail to agree as to the appointment of such umpire, then such umpire, if required as hereinbefore provided to be an European, shall be appointed by the president for the time being of the Law Society of England, or if required as hereinbefore provided to be an American, shall be appointed by the president for the time being of the Association of the Bar of the City of New York.

16. The benefits and obligations of this agreement shall inure to and be binding upon the parties hereto and their respective legal representatives and successors but shall not be assignable by either party without the consent in writing first obtained from the other party, but such consent shall not be requisite in the case of any assignment of the whole or greater part of the undertaking of either party.

17. This agreement shall terminate on July 1, 1927, but unless six months' written notice shall have been given by either party to the other prior to July 1, 1927, or prior to July 1 in any subsequent year, it shall continue in force from year to year thereafter.

E. I. DU PONT DE NEMOURS & Co.
J. AMORY HASKELL, *Vice President.*

For and on behalf of Levinstein Limited:

JOHN B. ZORNSDALE, *Chairman.*
HERBERT LEVINSTEIN, *Managing Director.*

Mr. WOLCOTT. I was not in the Senate at the time the Senator from Colorado discussed this contract. The fact is that in the last few weeks I have been compelled, by force of circumstances, to be absent from the Senate much more than I would personally prefer. Since my return to the Senate this week I have examined into the matter referred to by the Senator from Colorado on the 8th day of last month, and, with respect to the contract which was the occasion for the Senator's comments, I find myself in disagreement with him as to the essentials of its intention and the nature of its purpose.

I hesitate, Mr. President, to express a view that runs contrary to an opinion of the senior Senator from Colorado, because I know of no man in this Senate whose great ability as a lawyer and whose keen reasoning powers I more respect than I do those of that very able Senator from that distinguished State. In this matter, however, I find that I can not accept the view that this so-called Du Pont-Levinstein contract contains proof of an arrangement either improper in its character, reprehensible in its purpose or indefensible in its aims.

The senior Senator from Colorado used the following language in the course of his remarks with respect to paragraphs (a) and (b) of the contract:

Here is a partition of the world between two huge institutions which are engaged in the same business and which finds its analogy in that historical incident centuries ago when the Pope, by arbitrary decree, divided the world into two portions, assigning the eastern to Spain and the western to Portugal.

If, by this language, the Senator meant to charge that these two concerns had combined in an illegal way to control markets of the world, then I find myself in entire disagreement with him. Indeed, the language employed by the Senator has very much of a twang that is found in the language of those who denounce so-called trusts and combinations because of their unconscionable monopolistic practices. I do not read the contract in question in such a reprehensible light as that.

This contract upon its face clearly and distinctly states what its purpose is. As stated by the contract, the two parties "are respectively interested in the manufacture and sale of dyes and are desirous of cooperating for the purposes of such manufacture and sale, and with that object desire to obtain each from the other the right to use, as hereinafter provided, the patented inventions and secret processes owned or to be acquired by the other party for the manufacture and sale of finished dyes—including synthetic indigo—intermediates, and raw material necessary for and used in such manufacture."

It is to be noted that this contract deals entirely with patented inventions and secret processes. A patented invention by force of the laws authorizing the patent and a secret process by reason of the very fact of its secrecy necessarily confer upon the patentee in the one case and the possessor of the secret in the other something that is the equivalent, so far as manufacture, sale, and use are concerned, of a complete and perfect monopoly. Indeed, it is the purpose of the patent law to confer an exclusive right upon the inventor to the enjoyment of his invention without interference from anyone and without encroachment from any source.

For the time limited in the patent the inventor is constituted sole monarch over the entire field covered by his patent. No one can enter thereupon without his consent. No one can make his article, no one can use it, and no one can sell it without his consent. Hence it is said by a text writer that "Patent rights are property, and the very essence of the rights conferred by the patent is the exclusion of others from its use." Walker on Patents, paragraph 151.

Courts constantly refer to patent rights as constituting a monopoly. Between a monopoly in the ordinarily accepted and therefore invidious sense of the word, however, and a monopoly in the sense of an exclusive right conferred by patent statutes there is a wide diversity. A distinction between the two is well stated by Curtis in his work on patents, as follows:

The distinction thus established between those exclusive privileges which the Crown may and those which it may not grant proceeds upon the principle that a monopoly, in the prohibited sense, is a grant which restrains others from the exercise of a right or liberty which they had before the grant was made; whereas the exclusive privilege intended to be secured by letters patent for an invention contemplates something in which other persons than the inventor had not, before his invention, a right to deal, or which they had not a right to use, because it did not exist. Other persons than the first inventor of a thing had the same right to invent it that he had; but as he has been the first to invent it, the patent system—proceeding upon the policy of encouraging the exercise of inventive talent by securing to the inventor an original property, which, without protection, would have rested only upon a principle of natural justice—takes notice of the exclusive right of that first inventor, and makes it effectual by assuming that he who has first exercised the right of invention has bestowed something upon society which ought to procure for him thereafter, at least for a time, the exclusive right to make or use that thing.

Hopkins, in section 5, first volume, of his works on patents, after quoting the foregoing from Curtis, himself speaks as follows:

Whatever the nature and reason for the adoption of the word "monopoly" into the nomenclature of our American law of patents, the word has become indispensable through long use, and in a department of the science of law, in which words are of prime importance, probably no other word exists which could take its place. It is used in no offensive or condemnatory sense as applied to the right coexistent with and embodied in the grant of letters patent. It is indicative of that right to exclude all others for a limited time with which the constitutional provision and the Federal statutes, enacted under its beneficent inspiration and authority, have rewarded the inventor's contribution to the store of common knowledge of the public.

What I have just said with respect to patent rights and their so-called monopolistic nature may be equally said with respect to secret processes and formulæ which acquire exclusiveness, not by force of law but by force of the inaccessibility of the secrets of the human mind.

Unless such rights as these are clothed with the incidents of exclusive possession and enjoyment, the inducement of the rewards offered to inventors and scientific researchers would no longer exist, prompting them to the exertion of their talents and their superior intelligence. The law coincides with common sense in creating the policy that the inventor shall for a reasonable length of time be allowed absolute and exclusive control of his invention. With respect to a secret process, the fact that an individual is the sole possessor of the secret gives him absolute and exclusive control over it, and neither law nor policy has ever tried to devise a scheme that would pry such secrets from the inner recesses of the inventor's intelligence.

It is, furthermore, the recognized policy of the United States, embodied in section 4898 of the Revised Statutes of the United States, that exclusive rights under the patent may be granted and conveyed by the patentee or his assigns, either in whole or in part, to any person for the whole or any specified part of the territory of the United States.

The Supreme Court of the United States, in speaking of these aspects of the patent laws, has used the following language:

Every patent issued under the laws of the United States for an invention or discovery contains "a grant to the patentee, his heirs and assigns, for the term of 17 years, of the exclusive right to make, use, and vend the invention or discovery throughout the United States and the Territories thereof." (R. S. U. S., sec. 4884.) The monopoly thus granted is one entire thing, and can not be divided into parts except as authorized by those laws. The patentee or his assigns may, by instrument in writing, assign, grant, and convey, either (first) the whole patent, comprising the exclusive right to make, use, and vend the invention throughout the United States; or (second) an undivided part or share of that exclusive right; or (third) the exclusive right under the patent within and throughout a specified part of the United States. (Rev. Stat., sec. 4898.) A transfer of either of these three kinds of interests is an assignment. * * * Any assignment or transfer short of one of these is a mere license. (Waterman *v.* Mackenzie, 138 U. S. 252.)

It is also the law that licenses may be granted by the patentees even before the issuance of the patent. This principle is laid down in Hopkins on Patents, at sections 233 and 237 and cases cited therein.

With this view of the nature of patents and secret processes it is apparent that there is nothing in the so-called Du Pont-Levinstein contract which in any way runs counter to the statutes or policy of the United States. I think that it may be said with truth that the whole civilized world entertains the same views with respect to patents and secret processes that are entertained in this country. The possessor of a patent here by making application for the same patent in other na-

tions of the world may, therefore, vest himself under approved law with exclusive and absolute possession over his patent throughout the whole civilized world.

With these fundamental principles in mind, what is the proper light in which to regard the contract in question? The nature of this contract and its purposes constitute nothing new in the business experience and practice of men everywhere. It is common knowledge that restrictions in the case of patents and secret processes are in very common usage in practically every country throughout the world and have received the universal sanction of the courts.

Hopkins, in section 239, volume 1, of his works on patents, states the following to be the law, citing authorities in support of his statements:

239. License restrictions in sales of patented articles.

* * * * * * *

Express restrictions may accompany the sale of that article and will be enforced both as against the original purchaser and subsequent purchasers having actual notice of the restriction.

Such restrictions have been enforced in the following illustrative instances, restrictions as to—

a, Territory; b, method of use; c, purpose of use; d, place of use; e, price at which the patented article may be leased or resold; f, duration; g, character of materials to be operated on; h, class of structures in which the patent is to be used; i, size and description of machines to be made under the patent.

The statement of the senior Senator from Colorado that "here is a partition of the world between two huge institutions which are engaged in the same business" evidently misled his hearers into a belief that these two organizations were in a conspiracy to suppress all competition throughout world territory. This was emphasized in practically all newspaper references to this discussion on the day following and subsequently.

This patent and secret-process agreement was made to meet an emergency, and is in no sense illegal, monopolistic, or un-American.

The sole object and purpose of this agreement was to afford a working basis for exchange of technical information between Levinstein (Ltd.) and the Du Pont Co., and to enable each to use the patents and the secrets of the other in the respective territories where such property rights were owned.

This contract is just such an ordinary business document. It deals, as its title indicates, only with patented and secret processes, placing no restrictions, territorial or otherwise, upon the sale of products not embodying the secrets or patents referred to in the contract.

This contract owed its existence to the growing realization in the year 1916 throughout the world, and particularly in the allied countries, that there was imperative necessity to at once build up some sort of a bulwark of protection against the giant German monopoly in dyestuffs. Conditions in the dye industry immediately preceding the war differed greatly in Great Britain and the United States. In Great Britain, by reason of the so-called working provisions of the patent laws, the Germans were compelled to and did erect important dye factories, in which were installed the elaborate and complicated apparatus necessary to produce the dyes covered by the British letters patent which they had secured. In the United States, on the other hand, no such German factories had been erected, the building of factories and working of patents not being requisite under our patent laws, the only exception being the small operation of the Bayer Co. at Albany. The Germans almost uniformly followed the policy of keeping manufacture in their own country, and building in the United States under the patent laws an elaborate patent wall which effectually prevented anyone from entering into the business in a manner sufficiently complete to offer any serious competition with their business.

When the British entered the war, their Government promptly seized the German dye factories with appurtenant apparatus. By this act the British had possession of well-equipped plants capable of producing at once substantial quantities of dyes. The British thereupon assured themselves of a dominant position in the industry by transferring the German factories thus seized to the then strongest chemical organization in the Kingdom, Levinstein (Ltd.), thereby enabling themselves to lay plans for securing the markets theretofore controlled by the Germans in other parts of the world, including the United States.

In passing I wish to speak of the great aid that Levinstein (Ltd.), of Manchester, England, was to the United States in the matter of preparing us for an adequate supply of military gas during the war. It is common knowledge that our Government was in desperate need of mustard gas and was without successful process for making it. It is true that we were endeavoring to meet our needs by following a process known to us. This process, however, produced a very small amount of poor-quality gas, occasioning enormous casualties to those working in its manufacture. The chief of the American Gas Service, American Expeditionary Forces, contemplated purchasing for a large sum a mustard-gas process from a French chemical company. At about the same time a major of the Chemical Warfare Service learned that Levinstein (Ltd.), of Manchester, possessed a better process for making mustard gas than was known to any of the other allied countries. Subsequent developments have, I believe, shown that this Levinstein process was better than that used by any of the belligerents. Dr. Herbert Levinstein, the head of this firm, was asked on what terms our Government could acquire this process. He immediately very generously offered to give it to us, and at the expense of his own firm he directed that there be made for us complete drawings for building an adequate plant. In addition to this he offered to send to the United States, at his own expense, the best chemical engineer of Levinstein (Ltd.), for the purpose of building and starting a plant in this country. The chief of the American Gas Servce deemed it unnecessary to accept this generous offer of aid. The process, however, was obtained and duly installed in the United States. As a consequence thereof at the time the armistice was signed we were, by the use of this process, making more mustard gas than all the rest of the belligerents put together and with practically no casualties in the manufacturing plant.

I mention this mustard-gas circumstance for the purpose of letting it be known that Levinstein (Ltd.), in this particular instance at least, manifested a most generous disposition to do gladly and freely all in their power to assist us in our own warlike preparation.

At the time the German factories were turned over by the British Government to Levinstein (Ltd.) the United States, dependent for half a century on the output of German dye factories and cut off from her supplies, was threatened with disaster to her entire textile and other dye-consuming industries.

Even if the German patents filed in this country had been available to us, as they were later when we entered the war and seized them as alien property, the information disclosed in such patents would have been of little or no use to our citizens without the "know how" and apparatus necessary to be used in connection therewith, which was available to the British in the factories which they had seized.

In this emergency the Du Pont Co., realizing the imperative need of a more rapid development in the industry than could be accomplished by even extraordinary efforts along usual lines of research work, sought to secure some of the advantages acquired by the British in the seizure of the German plants.

The Du Pont Co. was equipped with a chemical and engineering organization second to none in magnitude and attainment and had available unequaled laboratory facilities ready to embark in the dye business. The American chemical industry had the organization, the brains, and the capital necessary for this business, but it was hopelessly handicapped by not possessing adequate factory equipment and manufacturing knowledge for putting into operation the technical knowledge in its possession.

The Du Pont Co., therefore, entered into the negotiations with Levinstein (Ltd.), the only source then available from which the needed information could be obtained. These negotiations resulted in the business agreement to exchange information which the senior Senator from Colorado has characterized as a monopolistic conspiracy. This was accomplished by the Du Pont Co. sending practical engineers and technical men to England to bring back such practical working plans and information as would place the Du Pont Co. in a position to give to the American consumer all the advantages secured to the British consumer through the seizure of the German plants. For this the Du Pont Co. was forced to pay a large cash consideration. By the terms of the contract the parties undertook to exchange information from time to time as developments were made in the industry, each party paying to the other therefor on an ordinary royalty basis.

The immediate effect of these negotiations was to secure for America the "know how" so urgently needed in this country and which enabled the Du Pont Co. in a comparatively short time to produce and make available to American consumers substantial quantities of dyes equal in quality to any manufactured by the Germans.

Cables have brought from London a denial that the agreement between Levinstein (Ltd.) and the Du Pont Co. is of the monopolistic character referred to. Herbert Levinstein, managing director of the British Dyestuffs Corporation, of which the Levinstein Co. is now a part, is quoted in the New York Times of May 10 as saying, among other things, in reply

to the statement of the senior Senator from Colorado, "The agreement has as its object merely the interchange of information."

I am very free to say that in my view of this contract it seems to me that the Du Pont Powder Co. acted in the matter with that degree of intelligence and promptitude of decision that characterize the successful American business and which have done so much to place American industry well toward the front in the great contest for the world's markets. I can not see that any wrong or improper proceedings are disclosed by the terms of this contract. On the contrary, it seems to me to be entitled to be characterized as wise and prudent, not only for the Du Pont Co. in its own business venture but as well for the country, which is so vitally interested in the upbuilding of the dye industry. As to the monopolistic character of the contract, let me ask if the situation with respect to the patented dyes and processes owned and secretly known to Levinstein (Ltd.) had not thus been made available to an American concern, what would have been the result? Is it not apparent that instead of having an American dye industry, run by American citizens, financed by American capital, operated by American labor manufacturing dyes based upon the Levinstein patents and processes, we would have had American markets subject to the undivided control and monopolistic dictates of a British concern? In other words, if the Du Ponts had not, by the payment of a considerable sum of money and by the promise of exchange of information, acquired from Levinstein (Ltd.) the license to operate under patents owned by them and the "know how" connected with those patents and secret processes, the American market would have continued to be subject to the dangers that ever lurk in the circumstance that foreigners exclusively control a point of commercial strategic advantage.

Mr. President, if my view of this contract is correct, it can not fairly be said that any monopolistic or otherwise improper motive underlies either its negotiation or execution. On the contrary, it would seem to me to be such a contract as would entitle the Americans who secured it to be congratulated for their vigilance in looking out for American opportunity and alertness in embracing it.

WOOL VALUES AND BANK CREDITS.

Mr. KING. Mr. President, I have received a number of telegrams which are so important that I desire to call the attention of the Senate to one of them and express the hope that some additional action may be taken by appropriate authority to grant the relief which seems so imperatively required. I am in receipt of a telegram from Mr. John D. Holliday, who is president of the National Wool Warehouse & Storage Co. The telegram is dated Union Stock Yards, Ill., June 2, 1920, and is as follows:

Senator WILLIAM H. KING,
Washington, D. C.:

Live-stock industry Utah and adjoining States facing extremely difficult financial situation. Resources local banks have been taxed to utmost in caring for feed and excessive expense outlay during past winter. Shearing is in operation in most of range country, and growers are finding it difficult to obtain cash advances to meet current operating expenses. Practically all wool-buying interests have withdrawn active operations in West. Curtailing of credits in all banking lines handling commercial paper in East has brought about a situation whereby it is almost impossible to provide reasonable advances on wool clips now ready for shipment to eastern markets. With mills in nearly all sections of country operating to reasonable capacity, with consuming outlook good, why a situation like this should suddenly develop at shearing time by which western wool growing will be greatly damaged if not ruined is difficult to understand, and unless means can be found to tide over situation wool values will fall without reasonable justification. It has been suggested if Federal reserve bank could make some arrangements with western banks by which facilities could be extended for carrying wool paper for a time the situation could be reasonably provided for.

JOHN D. HOLLIDAY,
President National Wool Warehouse & Storage Co.

Mr. President, I have received a number of telegrams of like import. They challenge attention to a situation which is very serious. I received, several days ago, telegrams from persons engaged in the live-stock business calling attention to the serious situation confronting the industry in the West because of the restriction of credits resulting from the present policy of the Federal banks. It is known to all that the production of the wool clip for the present season has been upon a cost level so high as to foreshow severe losses to the woolgrowers. The same situation confronts the cattle growers. Those engaged in these industries have been compelled to borrow extensively from the local banks. If the member banks are denied the privilege of discounting the paper of the growers of sheep and cattle, irreparable damage to industry will be sustained by them and the live-stock industry will receive a serious setback.

Mr. SMOOT. Mr. President, will my colleague yield?

Mr. KING. I yield.

Mr. SMOOT. I received a copy in exact form of the telegram which has just been read by my colleague. I immediately took up the question with the Federal Reserve Board, and I received a statement this morning from the chairman of the board that they had, at my request, sent a telegram to the Federal reserve bank of San Francisco asking that they advance money upon the wool clip of the West. I will say to my colleague that I notified Mr. Holliday to that effect about noon to-day. I am assured by the members of the Federal Reserve Board in Washington that the situation will be taken care of so far as it applies to the wool clip of the West.

Mr. KING. Mr. President, several days ago, as I have stated, I received a number of telegrams similar to the one just read. I then made some investigation and attempted to have steps taken to relieve the situation. I received assurances, though not as strong as the senior Senator from Utah states were given to him, that the policy would be materially modified in the interest of the borrower.

Several days ago, Mr. President, I conferred with a number of Senators in regard to the matter, and the Senators will remember that the Senator from Kansas [Mr. CAPPER] presented a joint resolution authorizing and directing the Secretary of the Treasury to take prompt steps in the matter. It is, in part, as follows:

To deposit $40,000,000 within the next five months, and as soon as possible, in the Federal reserve banks for the purpose of furnishing said banks the necessary funds to rediscount at not less than 6 per cent such cattle paper as may be necessary or desirable properly to protect and encourage the live stock and other agricultural interests of the country engaged in the necessary production of food.

Upon the introduction of that resolution a number of Senators sought to secure the relief which was so imperatively required by the cattle growers and the wool producers of the West. The assurances then—that is, four or five days ago—were not quite satisfactory; but since then, as I have been advised, and as my colleague, from his statement, has been advised, assurances have been given that the situation, in part at least, will be relieved.

I want to say, however, that the promised relief will not be sufficient, I am afraid, to meet the needs of the cattlemen; and if the Federal reserve banks persist in their constriction of credits, not only will the evils predicted by the Senator from South Carolina a few days since occur to the agricultural interests, but the stock-growing interests will suffer irreparable damage to their industry. It is to be hoped that the Federal reserve banks, appreciating the primary object for which the Federal Banking System was established, will take steps to see that ample credit is extended to the cattle growers and the woolgrowers who can furnish adequate and ample security for any loans that may be obtained.

Mr. President, the Senator from Georgia [Mr. SMITH] and others desired a vote upon the pending amendment, and I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gerry	New	Spencer
Beckham	Harrison	Norris	Stanley
Brandegee	Henderson	Nugent	Sterling
Calder	Jones, Wash.	Phelan	Sutherland
Capper	Kenyon	Phipps	Townsend
Chamberlain	Keyes	Ransdell	Underwood
Curtis	King	Reed	Wadsworth
Dial	McKellar	Sheppard	Warren
Dillingham	McNary	Smith, Ariz.	Williams
France	Myers	Smith, Ga.	Wolcott
Gay	Nelson	Smoot	

The VICE PRESIDENT. Forty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of the absentees.

The Reading Clerk called the names of the absent Senators, and Mr. ROBINSON and Mr. WALSH of Massachusetts answered to their names when called.

The VICE PRESIDENT. Forty-five Senators have answered to the roll call. There is not a quorum present.

Mr. WARREN. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. OVERMAN, Mr. MCCUMBER, Mr. POMERENE, Mr. BALL, Mr. HALE, Mr. HARDING, and Mr. FRELINGHUYSEN entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. There is a quorum present.

RECLASSIFICATION OF POSTAL EMPLOYEES.

Mr. TOWNSEND. Mr. President, I think it is quite evident that a few Senators are determined to defeat the bill which is now before the Senate or to prevent action upon it.

I do not think there is any Senator here who has looked into the question at all who does not believe that the postal-salaries bill, which has just been reported from the House, should be considered at this session. I think it would be entirely a proper cause for the President to call Congress together in extraordinary session to pass this or some similar bill. We talk about the necessity of passing the appropriation bills. This is practically an appropriation bill. It is a bill to maintain the efficiency, in an approximate manner, at least, of the Post Office Department of the country during the coming year.

There is no doubt, Senators, but that what I am stating is absolutely true. The Post Office Department is breaking down in very many parts of the country. The bill which has been reported to the Senate has been the work of a joint commission for about 18 months or 2 years. It is reported unanimously by the commission, and I feel that it ought to be considered. I feel that I would be derelict in my duty if I did not improve every possible opportunity to bring it before the Senate. I propose to give the Senate an opportunity to determine whether they want to take up the bill or not at this time.

I would not care to displace the bill which has been before the Senate since last evening if I thought there was a disposition on the part of Senators to pass it, and not a disposition to kill it or prevent action upon it. I would be glad to wait, hoping that there would still be time to take up the postal appropriation bill. But, Mr. President, being convinced, as I think every Senator here is convinced, that there is a determined opposition to this bill, a proposition to filibuster against it until it can not pass, I therefore move that the Senate now——

Mr. KENYON. Before the Senator makes that motion——

Mr. TOWNSEND. Just let me make it. I make the motion, Mr. President, that the Senate proceed now to the consideration of the bill (S. 4475) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis.

Mr. KENYON. Mr. President, I do not know just how the Senator reaches the conclusion that there is a determined filibuster. It may be that there is. I had intended to ask unanimous consent to vote on this bill and all amendments to-morrow afternoon at 4 o'clock. While I have had no assurance that that would not be objected to, I have had assurance from some of those I assume would be rated as opposed to the bill that they would not object to it. I do not know that it is any more important for the postal clerks to have living wages than it is for janitors and charwomen and other unfortunates in the Government employ. I would like to have an opportunity, before this motion is voted on, to ask for that unanimous consent.

I want to say further, Mr. President, that I hold in my hand the Democratic platform of four years ago, in which the Democratic Party pledged itself to a living wage for employees of the Government. I do not know how it happened to get in the platform, but now we find the leader of the Democratic Party on the other side opposing this bill, and all of the opposition, practically, coming from the Democratic Party in this Chamber. If the bill is to be defeated, I want it to go along with the pledge of the Democratic platform of four years ago, that the country may know and that the employees of the Government may know exactly where the responsibility rests.

Mr. TOWNSEND. Mr. President, with the understanding that my motion may be entertained in case unanimous consent is not granted, I have no objection to the request being made, providing it will be laid aside to allow us to take up the Post Office bill.

Mr. KENYON. If the unanimous consent is obtained, I am perfectly willing that the minimum-wage bill shall be laid aside, and nothing more be done or said upon it until 4 o'clock to-morrow afternoon, and then any other business may be taken up.

Mr. UNDERWOOD. Mr. President, I was very willing this morning, after the announcement by the party in power in this Chamber that it had reached the conclusion as to what business it should transact and when it should adjourn, to aid in carrying out that program and aid in passing the supply bills and conference reports. I think that goes beyond the question of party; it is for the public good. But that does not mean that the minority in this Chamber should assist in the consideration of ill-prepared and ill-considered bills, and endanger the great supply bills of this Government and conference reports which are of vital importance to the country. I know of no more important bill, outside of the supply bills, than the shipping bill, the great commerce of America depending on its passage. Are we to stop the machinery of the Government, after we have agreed on the hour of adjournment, and jeopardize the supply bills and possibly send the shipping bill to the calendar in the next session because we have a bill which is either a fad or a fancy, striking at an ideal? That is all it does. It definitely decides nothing. It may overpay one man and underpay another.

I ask who has the right to say what is a living wage? Certainly you can not do that in the aggregate. The Senator calls the attention of the Senate to the fact that the Democratic Party declared in favor of a living wage for employees. It did. But that does not mean that all the employees should receive some minimum wage that is not a living wage, that all men should be willing to work for the same pay. If you carry this to its last analysis, that is what it would lead to.

So far as the bill proposed by the Senator from Michigan is concerned, I am glad to give it my support. I am not on the committee; I have not worked out its details, but, as I said to-day, no man in this Chamber recognizes the fact that the Government employees are not receiving just compensation to meet the rising conditions of the cost of living growing out of the war more than I do. There is a bill which has been worked out, has been applied to a great department, accomplishes a result in an intelligent way; and yet we are asked to stop, to blindly follow a sentiment, for that is all there is behind this minimum-wage bill.

For one I am not willing to do it. I think the responsibility rests on the other side of the Chamber to pass these supply bills, the bill which the Senator from Michigan has referred to, and the shipping bill. The other side of the Chamber has no right to ask us to come here and make a quorum to pass the minor bills which are pending if you deny the right to legislate on the great bills which are before the Congress by not bringing them to the attention of the Chamber.

If you are willing to do it, we will give you the votes to take it up, and then to pass it, but if you are not willing to do it because you can not get unanimous consent to consider minor bills, then I think the Senate had better adjourn to-night and adopt some new line of procedure.

Mr. KENYON. I will say to the Senator from Alabama that I presume he will object to any request for unanimous consent to vote on the bill?

Mr. UNDERWOOD. I will certainly object to the consideration of a bill of minor importance——

Mr. KENYON. I am not asking that.

Mr. UNDERWOOD. Until the great bills that are here demanding consideration are first considered.

Mr. KENYON. I wish to make the request, but there is no need of wasting time and calling for a quorum if the Senator would object, as I take it he would object.

Mr. UNDERWOOD. After these important bills are passed I shall have no objection to the Senator taking up his bill for consideration, but I think it would be idle to ask it.

Mr. KENYON. I take it from that statement that the Senator will object at this time.

Mr. UNDERWOOD. I can not tell what we will do to-morrow. We may have the calendar crowded to-morrow.

Mr. KENYON. I am asking at this time if there will be any objection. If there will be, there is no need of calling for a quorum.

Mr. UNDERWOOD. Certainly I would not be willing, and I do not suppose the leadership on the other side of the Chamber would be willing, to commit the Senate to the consideration of this bill, a minor bill, until we know that the great supply bills and these important conference reports are determined on. If they are out of the way, we may reach some conclusion with the Senator from Iowa, but we certainly can not now.

Mr. KENYON. I think it is a fair conclusion to draw from the Senator's remarks that he objects, and I am not going to press the question as to what we will do about it. All this illustrates the folly of Congress adjourning with great measures before it. It may be a minor measure to the Senator, and it may be a minor measure to other Senators, but to the poorly paid 66,000 Government employees it is not a minor measure, and they will understand full well, in view of this pledge of the Democratic platform, that the bill is defeated by Democratic votes.

Mr. SMITH of Georgia. Mr. President, what is a living wage? Take the District of Columbia. There are families from which three of the members are in the Government service, with four in the family. Their work may all be of the simplest character, such as messengers and elevator operators. The bill would give $3,240 a year to those three as a living wage for the four.

Mr. KENYON. What was a living wage when you held your convention in St. Louis? "A living wage is a wage that permits the toiler to live according to the standards of our civilization."

That is what you said you would give, and that is what you are preventing from being done at this time.

Mr. SMITH of Georgia. What I am showing is that the bill providing for a minimum wage, based upon the idea that it is to be enough to support a family, is utterly unsound as applied to Government employees in the city of Washington, because one employee does not support the family. I illustrate it by four in the family to which I referred, three having Government positions, such as messengers and running elevators, and the four in the family with the three at work would receive from the National Treasury $3,240 a year. A living wage for a family is not the best test, for there are several members of the same family in the District at work for the Government, and the only proper way to fix their compensation is by the job that each holds and the work done. No one claims that the work done by each employee in the District is worth $1,080 annually. There is no labor on a farm not entitled to as much compensation as some Government employees in the District. A number hold jobs who are not heads of families, where the family is supported from the wage. I urge an amendment omitting employees of the District from this bill.

I will support the motion of the Senator from Michigan [Mr. TOWNSEND], because there we have a bill worked out to pay Government employees according to the work they do. When a bill comes before us to increase the pay of Government employees elsewhere according to the work that they do, I should be glad to support it, but I regard a minimum wage as applied to all as unsound and uneconomic.

Mr. KENYON. Mr. President, I wish to say——

Mr. TOWNSEND. I do not care to yield until I have made a statement.

The VICE PRESIDENT. The Senator from Michigan has the floor.

Mr. TOWNSEND. I should like to have a vote on my motion to take up the bill and then——

Mr. KENYON. I suppose it is debatable?

Mr. TOWNSEND. Yes, it is; and that is why I wanted to make a statement first.

I think the majority of the Senate desire to take up the bill now. After what has been said, surely the minimum-wage bill can not be passed at this time, because we can not get a vote on it. If it is true, as I have suggested, that the Senate is in favor practically of the bill which has been reported from the Committee on Post Offices and Post Roads, I should like very much, if it is taken up, that we may devote ourselves to that bill. We will endeavor to explain the bill as best we can, if it needs explanation to anyone, but let us get a vote on the bill and send it to conference, if it is necessary to send it to conference, in order that we may get a report on the bill which, as I said, is unanimously desired by the Senate.

Mr. ASHURST. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Arizona?

Mr. ASHURST. I thought the Senator had concluded.

The VICE PRESIDENT. The Senator from Michigan has the floor.

Mr. TOWNSEND. I yield the floor.

Mr. ASHURST. Mr. President, I claim the floor to say that the Republican side of this Chamber need not defend the Democratic platform. As a Democrat I am going to defend it. I object to having a defense come from the Republican side.

I listened to-day with attention and with admiration to the profound speech made by the Senator from Alabama [Mr. UNDERWOOD]. It was one of the ablest speeches in his long, illustrious, and useful career, but I do not agree with it. We are facing a new day. The millions of laboring men are going to claim their own, to wit, a reasonable living wage; and the sooner the Senate and my party and your party recognize it, the sooner will this world be tranquillized.

The older I grow the more conservative I grow, because as time passes the sentinels of caution and prudence set themselves up in the mind and the erratic, impulsive views evaporate. But, conservative as I am, I am bound to say that, unless my lenses are blurred, this Nation is almost on the edge of a cataclysm. We are neither at peace nor at war. Congress and the Executive are—I was about to say at deadheads, but I will say at loggerheads. It is time that something be done for this Republic.

Perchance the observation may be made that this talk is useless, but I advise my party now not for a moment to allow the country to believe that you ever struck the cause of labor a blow. It was the laboring men who, with the assistance of Jefferson and Aaron Burr, first unhorsed the Federal Party, and the common people kept the Democratic Party in power for 60 years, except for two Whig administrations.

The laboring men of the country are the ones who have assisted to give the Democratic Party every victory it ever won. Here are two bills claiming the right of way, both of which, in my judgment, should pass, because the majority of the Senate desires to pass each of the bills. I am opposed to a filibuster, whether conducted by my party or the opposition party. I have voted for every cloture rule that has been introduced since I have been here because I believe that when the majority is ready to vote and has made up its mind, the majority should have an opportunity to vote. Under our system of government the majority should have the right to vote in the Senate when that majority wishes to vote.

Here is a meritorious bill, which provides that $3 per day shall be the minimum wage for Government employees. Such a small minimum wage may be seized upon by some employers of labor, and held up as an opinion that the Congress has officially said that $3 per day is high enough.

The practical difficulties in our way are as follows: The Senator from Michigan [Mr. TOWNSEND] is pressing a bill equally as meritorious. As he states, the Postal System is about to break down because, forsooth, the carriers, not only on the rural routes, but the carriers in the towns and in the cities, and the fourth-class postmasters as well, are unable to have even a meager, a very common, subsistence under the compensation that is paid to them at this time.

Before this Congress adjourns it ought to pass both of these measures, to wit, the bill providing for a minimum wage and the bill which proposes an increase in the salaries of the fourth-class postmasters and an increase in the compensation of the carriers, who, through wind and rain, in fair weather and in foul weather, bring the mails of the American people to them that they may be informed as to what the market is, and bring citizens into connection with the remote parts of the country.

It shall not be said that a Democratic filibuster defeated the minimum-wage bill, that a Democratic filibuster defeated the proposal to increase the pay for postal employees. I warn my Democratic brethren that you will have troubles and burdens enough to bear without adding to them at this time. You need not hope to tread a pathway other than one into which our keen adversaries have placed difficulties, and the people of the country who make this appeal, the mail carriers who make this appeal to us, must not be refused this just appeal.

Under the present schedule of wages the postal employees can not support their families, or, if one be a single man, he may not hope to become the head of a family because his wages are insufficient; and if the postal employees resign and go into more lucrative employments they are looked upon as slackers in their duty to the Government.

We should pass both of these bills to-night. Not only is it expedient but it is right and proper that they should be enacted into law. With all respect to the views of the learned Senators who oppose these bills, I say put yourself in the situation of postal employees: Arise at 6 o'clock in the morning for a while and labor in the hot sun, in the rain, in the snow, and in the hail, and then you will see what it means to attempt to support a family on $1,200 a year.

Mr. DIAL. Mr. President——

Mr. ASHURST. I yield for a question.

Mr. PHELAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Arizona yield; and if so, to whom?

Mr. PHELAN. I thought the Senator had concluded.

Mr. ASHURST. Does the Senator from South Carolina desire to ask me a question?

Mr. DIAL. I merely wished to say that, so far as I know, we all want to pass the post-office bill. I think it one of the most important matters we have before us. The employees have been expecting for a long time to have it passed. The bill has been considered pretty carefully, the committee has looked into it fully and has worked very diligently on it, and we ought to pass it.

Mr. ASHURST. I am very glad to hear my friend say that he is in favor of the passage of that bill. I remind the Senate that the minimum-wage bill has already passed both Houses. It was recalled upon a motion to reconsider after it had passed the Senate. It is true that it passed the Senate when there was a very meager attendance, but that can not be invoked as an argument against the bill. It was on the calendar a long time, and the presumption would be highly in favor of a bill which has passed both Houses. In my opinion, when the motion to reconsider prevailed, it carried with it the moral presumption, if not the legal and parliamentary presumption, that the Senate would dispose of the bill at this session.

I admit that no word was said which would bind any Senator to consent to a vote at this session, but appealing to the

consciences of Senators, and asking them to search their own consciences, will they not say that the highly moral presumption is that, having been reconsidered, the bill should again be voted upon at this session? I thought it was time for some Democrat to give utterance to a few words in behalf of the Democratic platform, instead of having the Republican side tell us about our own platform.

Mr. WARREN. Mr. President——

Mr. ASHURST. I yield to the Senator.

Mr. WARREN. May I ask the Senator a question?

Mr. ASHURST. Certainly.

Mr. WARREN. I have listened with much interest to what the Senator from Arizona has said, but we have an important supply bill here that has not yet reached the stage of conference, which, in fact, has not yet passed the Senate, and which has to go to conference. I refer to the general deficiency bill, which contains a great many changes of law, perhaps 100 or so. Does not the Senator from Arizona think that that bill should be passed to-night and go to conference, so that other bills which have to be acted upon by both Houses might then take the time while we are in conference on the deficiency bill, so that we may get all of the bills through?

Mr. ASHURST. Of course, Mr. President, the Senator from Wyoming, in his charming way, for which he is so famous, has invited me to stop speaking; that is what he means. I am not offended; I like the Senator very much; and if he boldly said, "I should like to have you quit talking," I would take my seat at once, but——

Mr. WARREN. I did not intend that; but I wish to have the Senator and his friends stay here to-night until the deficiency bill is passed, if it takes until to-morrow morning; and I feel confident that we can accomplish that if the Senator, in his energetic way, will throw himself into the vortex and help me out.

Mr. ASHURST. Let us first pass bills which provide for a living wage to people who have a right to expect a living wage.

Now, Mr. President, when the roll call is had on the motion of the Senator from Michigan [Mr. TOWNSEND] to displace the pending bill, I am going to vote "nay," not that I am in any way opposed to the bill the consideration of which is proposed by the Senator from Michigan, but because, forsooth, the Senate can not consider two bills at one and the same time, because the pending bill, which is in charge of the Senator from Iowa [Mr. KENYON], has the parliamentary right of way, and I see no utility in displacing it, although I want the post-office employees' bill to pass at the earliest possible moment. Of what avail is it, however, to set aside one bill after we have talked about it for a day or two and have passed it once, merely because a small but respectable—respectable in ability and service—minority of Senators are opposed to it.

Therefore, for the reasons I have given, I am going to vote against the motion to displace the minimum-wage bill.

Mr. PHELAN. Mr. President——

Mr. ASHURST. I am through. I yield the floor.

Mr. PHELAN. I do not desire the floor, but I desire to interrogate the Senator from Arizona. The Senator from Iowa has endeavored to put the burden upon this side of the Chamber for having refused a vote on the minimum-wage bill. I have very little sympathy with Senators on either side of the Chamber who are endeavoring, if that be their purpose, to defeat an expression of the Members of this body upon that subject. I am one of those who believe that when the roll is called it will not appear that any substantial number on this side of the Chamber will oppose the minimum-wage bill. Because our worthy leader, the Senator from Alabama [Mr. UNDERWOOD], has seen fit in an excellent speech to oppose the measure is no reason why Senators on this side of the Chamber should assume any responsibility for his remarks, nor is it his purpose, I believe, in any way to commit Members on this side of the Chamber to an agreement with his views. The Senator from Alabama is merely speaking in his individual capacity; and I ask the Senator from Alabama if this is not correct, in view of the fact that the Senator from Iowa endeavored to elicit from him, as he said, an objection in his capacity as the leader of the Democratic side?

Mr. UNDERWOOD. Mr. President, if the Senator will yield, this afternoon I stated the reasons why I am opposed to the pending bill. I have been opposed to the pending bill since it was introduced, because, as I have said many times, it is, in my judgment, an ill-considered bill. The fact that it had to be reconsidered and amendments adopted here shows that it was not fairly adjusted when it was originally written.

Of course, this is not a party question. A leader speaks for his party only when a party issue is involved, but I know of no reason why a man who happens to be the floor leader on either side is divorced from expressing his opinion about bills that are not party measures simply because of that fact.

Mr. PHELAN. But, if I may interrupt the Senator, did he not observe that the Senator from Iowa endeavored to draw out his objection in his capacity as leader on the Democratic side?

Mr. UNDERWOOD. Of course, the Senator from Iowa realizes that his bill may require further consideration, and that he is meeting an issue here between a bill for the benefit of postal employees that has been carefully considered, which fixes a definite wage and enables us to know what we are doing, and a bill that is mere guesswork, without form and without life, a mere effort to give charity where charity is not due, but where just compensation should be paid.

If the Senator will allow me to interrupt for a moment further, I will say in defense of the Democratic Party that the party has declared for a living wage, but it expected of its Representatives in Congress an intelligent determination of a living wage and not a mere guess as to what constitutes a living wage. The bill offered by the Senator from Michigan [Mr. TOWNSEND] is an attempt to solve the question by a real determination, whereas the bill offered by the Senator from Iowa is an indefinite proposition, the meaning of which to any employee of the Government no man can understand.

I wish to say further, if the Senator will permit me in his time, that I differ entirely from the statements of my good friend, the Senator from Arizona [Mr. ASHURST], as to where the Democratic Party stands. He says on the one hand we have labor, and on the other hand we have plutocracy, and that the Democratic Party must take the side of caste and class. Mr. President, if I understand Democratic ideals and the great foundation stone of the Democratic Party since the beginning of this Government it has never in its history stood for caste or class legislation, but has been representative of the great mass of the American people, standing for equal justice to all, and not for the benefit of class, whether it be the plutocrat or any other class of people.

Mr. ASHURST. Mr. President, will the Senator yield to me there?

Mr. UNDERWOOD. Certainly.

Mr. PHELAN. I yield to the Senator.

Mr. ASHURST. I can not permit our Democratic leader, my dear friend, the Senator from Alabama [Mr. UNDERWOOD], to put me in the attitude of saying that the Democratic Party must split the country into classes and then take the side of the poor man simply because he is poor.

Mr. UNDERWOOD. I did not say that.

Mr. ASHURST. If my remarks bear such an inference, they are not justified at all.

Mr. UNDERWOOD. Then, I am delighted, because it is only on the Senator's remarks that I based my remarks.

Mr. ASHURST. But here is what I do mean, that having validated many millions of dollars of war contracts at the demand of the plutocrats, I as a Democrat say, in order that there shall be no class distinctions, that after having shoveled out dollars to plutocracy, we shall grant a just minimum wage to those who are entitled to it. I am sure that such is not class legislation.

The aggregate profits which corporate wealth made during the past three years and now enjoys are $23,000,000,000. War-contract beneficiaries, with cynical smiles on their lips, throw dust from their glittering carriage wheels upon the laborer delving in the earth. We pay out the money for the plutocrats—probably it was due them—but when I ask for a minimum wage for the laboring man I am told that I am in favor of class legislation and am appealing to class distinction.

Mr. UNDERWOOD. Mr. President, I will be glad, with the consent of the Senator from California, to continue for a moment longer. If I made a mistake in my understanding of the appeal of the Senator from Arizona, I am sure I make none now, because he goes back to his original statement. If anyone has been given the right to engage in exploiting the people to the extent of $23,000,000,000 under war contracts, I am sure that we can repudiate such action for the Democratic Party. I am satisfied that no part of that charge can rest at the door of the Democratic Party. If any party in this country has ever stood against special contracts and special legislation for class, it is the Democratic Party. So that I think the Senator is wrong in saying that we must appeal to class at one end because somebody has committed us to class at the other.

Mr. ASHURST. I have not said that we must appeal to either class at all.

Mr. UNDERWOOD. Then, I misunderstand the Senator.

Mr. ASHURST. I have not said that, Mr. President. I am trying to prevent the country getting the impression that we are given to dealing in class legislation.

Mr. UNDERWOOD. I am sure that the intelligent voter of the United States realizes that the Democratic Party has taken no false position in this matter; that it stands for the ideals for which it has stood from the beginning, and that is that the Government should represent all of the people; that only just legislation should be passed.

If the bill now pending before the Senate is right, if it fairly meets the situation, regardless of class, it should become a law; but if it is wrong and does not meet the issue, then the Congress should delay its passage until it is properly worked out. That is the only argument that has been made here to-day by Senators who oppose the bill. They insist that the bill is not properly drawn and does not fairly meet the equation that is presented before them. That is no appeal to class and no denial of class rights; and that is the only position I have taken in reference to that matter.

It is my individual opinion, and, of course, commits nobody else; but what I do say, and what I have a right to say as the representative of this side of the Chamber, is that great public business is before the Senate; we have either rightly or wrongly agreed upon an adjournment, and the great supply bills of the Government demand immediate consideration; and I say that the other side of the Chamber is derelict in attending to its public duty if it does not first bring up for consideration and immediate attention the great bills that are necessary for the life of the Government.

Mr. PHELAN. Mr. President, I do not desire to prolong the discussion, nor did I rise for the purpose of discussing the merits of the question; but the debate has drawn me away for the moment from my original purpose. I quite understand the position of the Senator from Alabama, that he objects in principle to the establishment of an arbitrary minimum wage, and there is very much force in his argument, because it might be established at 4 or 5 or 6 or 10 or 20 dollars, and, because arbitrary, it would be open to very serious objection. He says he is in favor, pursuant to the Democratic declaration in its platform of four years ago, of a living wage; and in evidence thereof intimates that he will support the postal employees' bill, which, on a scientific basis and in an orderly way, has provided for an increase of wages.

So the Senator is well within his rights, speaking in his individual capacity, and possibly there are many who agree with him; but as to the merits of the question, we must not forget the fact that this is a minimum-wage bill fixing $3 as the minimum wage to be paid to the employees of the Government of the United States, and aside from the principle of establishing any minimum wage I do not think anyone will seriously say that in these times of high prices $3 is an excessive wage for any individual capable of working for the United States.

My own city many years ago, when there was no war, and when there were no extraordinarily high prices, fixed $3 as the minimum wage for municipal employees; and to-day the men who then received and gladly received $3 for working in various capacities, even upon the streets and in the trenches, are receiving without any compulsion five or six dollars a day.

So the Senate is only asked to declare that $3 a day shall be the minimum wage. It is doing no violence to the Treasury. It is doing, possibly, but little help to the employees themselves, except in rare instances where in the cavernous depths of the Federal Government you will find people working for low wages, insufficient to sustain them. I have in mind the employees in the Federal building at San Francisco. They can not, I know of my own knowledge, make ends meet on their pay, and still they tenaciously hold on to those positions for some reason which I can not fathom.

It is said that in Europe a certain distinction comes with employment from the Government; that where the compensation is inadequate it is made up by the importance the individual feels he receives by the confidence of his country. That hardly applies in the United States. The Senator from Colorado [Mr. THOMAS] the other day said that he would advise his friends, as a friendly service to them, not to accept employment from the United States either in high or in low positions; and I think it is incumbent upon us and dutiful for us to raise the standard of Government employment, so that a man will feel a certain degree of pride in serving the United States, not only because he is serving his Government in a particular capacity, but because the Government has seen fit adequately to reward its servants, just as an individual employer progressively rewards those who are industrious and faithful. It has been said that people love their government because their government loves them. Let it not go abroad among the masses of the people that the Government is hostile to their interests, and when they make an appeal for the establishment of a minimum wage so low as $3 that it is rejected by the Senate of the United States. I think there is a moral consideration here which should not be overlooked.

Mr. President, I have only this to say: I rose to disapprove of dilatory tactics. I am loath to believe that there is a filibuster against the minimum-wage bill. That, however, can be demonstrated only by calling for a vote. I call for a vote, and ask that the question be now put.

Mr. STANLEY. Mr. President, I yield to no Member of this body in a genuine solicitude for the welfare of the men who toil, and during many years of public service my actions on the floor of the Federal Congress have never belied my words. A few months ago a bill was brought into the Senate, favorably reported from the Committee on Interstate Commerce, providing for compulsory arbitration in cases of labor disputes between carriers and their employees. In the committee I alone opposed it at the time the roll was called; and, if I mistake not, I was the sole Senator upon the floor of this body to oppose that measure. I did it as the champion of labor and as the avowed enemy of the socialism inherent in it. I opposed it because it was socialistic as well as unjust to the freedom and the independence of labor.

I trust that on the eve of a presidential election, when everything is grist that comes to the mill, either at Chicago or at San Francisco, men clothed with the high responsibility incident to a seat in the Federal Senate, either Democrats or Republicans, will not so far forget themselves as to play politics with so vital and far-reaching a question as the establishment as a governmental principle of a minimum wage in the industrial life of America. It is not a simple question of how much we will pay 25,000 or 30,000 people within the District of Columbia or in the United States.

If it is right to pay not less than $3 a day to every living human soul, without regard to fitness or qualification or the character of the work, and if it is right to pay it to every governmental employee, it is right to pay it to every other employee.

You can give no reason why this Government should be required to pay every man and every woman who works for it eight hours the sum of $3 that will not apply to every man and woman employing anybody for eight hours.

Mr. ASHURST. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Kentucky yield to the Senator from Arizona?

Mr. STANLEY. Certainly.

Mr. ASHURST. Does the Senator believe in a minimum-wage scale for United States Senators?

Mr. STANLEY. Why, certainly not. I do not stand here hired at $625 a month; and if there were fewer hired men in this Senate and more who in the fear of God sought only the good of this country in this high place, we would be better off.

Mr. ASHURST. And more who have read the bill about which they are talking.

Mr. STANLEY. I am talking of the principle of a minimum wage, whether it applies to 3,000,000 or 300,000 people. If I had the power, Mr. President, and could take a drop of sweat from the brow of honest toil, and could crystallize it into an imperishable form, as another has said, I would make it the eternal standard of value.

A few short years ago this country was torn and parties were torn asunder by a discussion of the standard of value; whether it should be so many grains of gold, or so many grains of silver, or so many grains of gold and silver, and what should be the parity or relation between the two. The standard of value to-day is not so many pennyweights of gold or silver. The real standard of value to-day is the unit of production. The real value, outside of the nominal value of the raw material in Nature, is the labor that is crystallized in all the material things we call wealth; and whenever by governmental power and an arbitrary governmental edict you take that unit of value from the market, take it from the law of supply and demand, and have this Government determine what every man shall receive—and a minimum wage will inevitably result in a maximum wage—whenever this Government determines that it will fix wages in all employments without regard to the value of the employee but solely with regard to the needs of the employee, and carry that principle to its last analysis, you will infallibly end in State socialism. There is no escape. I am in favor of a living wage to every employee of this Government. I am in

favor of paying men according to the value of their labor, according to their capacity for service, and not according to any arbitrary, blind standard.

Are we going to pay every individual who works for this Government what is, at this hour, essential to a certain standard of living, when conditions and values are all chaotic? Will you ever return to normal conditions if you make either commodities or the labor which gives value to those commodities a fixed and changeless quantity?

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Michigan?

Mr. STANLEY. Certainly.

Mr. TOWNSEND. I do not know whether the Senator was in the Chamber or not, but the motion before the Senate at the present time is to take up the Post Office salary bill in place of the regular order, which is the bill the Senator is now discussing. If we could settle that question, I think if we take up the Post Office salary bill, we could dispose of it in a very short time. If the other is maintained before the Senate, then the Senator's remarks would be in order. I do not want to find any fault with the subject he is discussing, but if we could settle this question it would expedite the business of the Senate very materially.

Mr. STANLEY. Mr. President, I was speaking simply in answer to the demand that we have a vote on the question of whether we take up the minimum-wage bill. I believe we should take up the bill presented by the Senator from Michigan and determine that matter, and the other important bills mentioned by the Senator from Alabama [Mr. UNDERWOOD], and that this vital question can be reached later. While the bill itself is not of major importance, the far-reaching consequences of the principle involved deserve the dispassionate, the nonpartisan, and the courageous consideration of every Senator on this floor.

Mr. POMERENE. Mr. President, I want to say a word in explanation of the vote I am about to cast upon the motion of the senior Senator from Michigan.

I have made up my mind to vote for the so-called minimum-wage bill, but I do not like the principle upon which it is drawn. It will occur to Senators that there is a very great difference between the living wage to which the Democratic Party pledged itself and a minimum wage. A minimum wage may or may not be a living wage.

I recognize the fact that we have come to a point where it is useless to argue that proposition. My fear is that if the minimum wage is generally adopted throughout the country it will be a snare and a delusion. I fear that it will do more harm than it will good. I fear that it will throw out of employment a great many deserving people. But I have long since learned that when a crusade is on it is useless to attempt to argue with the crusaders, because they are the embodiment of all wisdom. They are never mistaken. But that is neither here nor there. It is apparent that the minimum-wage bill can not reach a final vote for some time, and possibly not at this session.

I think there is a universal feeling that this Post Office reclassification bill ought to be passed. I have taken pains to inquire, and I have satisfied myself that the most underpaid class of employees in the country, except the school-teachers, are those who are in the Postal Service. They are constantly at work in one of the most important branches of the public service, and now are working at less than a living wage, and this Congress would be derelict in its duty if it did not provide for a very substantial increase in their salaries. If we are to look at this subject from a wholly selfish standpoint, let us grant reasonable increases to the men in the Postal Service. Let us not cripple the service by a niggardly policy here in the halls of Congress. To continue the present rates of pay will drive many of the best men out of the service.

For these reasons I shall vote to sustain the motion of the Senator from Michigan.

The PRESIDING OFFICER. The question is on the motion of the Senator from Michigan [Mr. TOWNSEND].

Mr. KENYON. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. KENYON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ashurst	Dial	Harrison	McNary
Beckham	Frelinghuysen	Henderson	Myers
Calder	Gay	Jones, Wash.	New
Capper	Gerry	Kendrick	Norris
Chamberlain	Hale	Kenyon	Nugent
Comer	Harding	Keyes	Overman
Curtis	Harris	Lodge	Phelan
Phipps	Smith, Ariz.	Sutherland	Walsh, Mass.
Pomerene	Smith, Ga.	Townsend	Warren
Ransdell	Smoot	Trammell	Wolcott
Robinson	Spencer	Underwood	
Sheppard	Stanley	Wadsworth	

The PRESIDING OFFICER. Forty-six Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. FERNALD and Mr. MCKELLAR answered to their names when called.

Mr. DILLINGHAM entered the Chamber and answered to his name.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present.

Mr. KENYON. On the motion of the Senator from Michigan, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. FERNALD. Mr. President, a parliamentary inquiry. I wish to know what we are voting on.

The PRESIDING OFFICER. On the motion of the Senator from Michigan to proceed to the consideration of Senate bill 4475.

The Reading Clerk proceeded to call the roll.

The PRESIDING OFFICER (when Mr. CURTIS's name was called). I have a pair with the senior Senator from Maryland [Mr. SMITH]. In his absence I withhold my vote.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON], and in his absence I withhold my vote.

Mr. GAY (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. MOSES]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. JONES of Washington (when his name was called). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent. I have agreed to take care of him by a pair during that absence, and therefore withhold my vote.

Mr. MYERS (when his name was called). I have a pair with the Senator from Connecticut [Mr. MCLEAN]. In his absence I withhold my vote.

Mr. DIAL (when the name of Mr. SMITH of South Carolina was called). My colleague [Mr. SMITH of South Carolina] is unavoidably absent. He is paired with the Senator from South Dakota [Mr. STERLING].

Mr. SPENCER (when his name was called). I have a general pair with the junior Senator from New Mexico [Mr. JONES], but under the arrangement I have with him I feel free to vote. I vote "nay."

Mr. STERLING (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH]. I am informed that if he were present he would vote as I am about to vote, and therefore I am at liberty to vote. I vote "yea."

Mr. TRAMMELL (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT], but I feel at liberty to vote upon this proposition. I vote "yea."

Mr. WOLCOTT (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON]. Under the obligations of that pair, I withhold my vote.

The roll call was concluded.

Mr. HENDERSON. I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. I know that he is in favor of the passage of both bills, but as to the action about to be taken I am not informed how he would vote. I therefore withhold my vote.

Mr. CHAMBERLAIN (after having voted in the affirmative). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence, I transfer that pair to the senior Senator from Tennessee [Mr. SHIELDS] and let my vote stand.

The PRESIDING OFFICER (Mr. CURTIS in the chair). I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Oklahoma [Mr. GORE];

The Senator from Minnesota [Mr. KELLOGG] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS];

The Senator from Delaware [Mr. BALL] with the Senator from Florida [Mr. FLETCHER]; and

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Colorado [Mr. THOMAS].

Mr. FRELINGHUYSEN. I have a general pair with the Senator from Montana [Mr. WALSH], who is absent. I transfer that pair to the Senator from Vermont [Mr. PAGE], and vote "yea."

The roll call resulted—yeas 34, nays 13, as follows:

YEAS—34.

Beckham	Gerry	Overman	Sterling
Brandegee	Hale	Phipps	Sutherland
Calder	Harding	Pomerene	Townsend
Chamberlain	Harrison	Ransdell	Trammell
Comer	Keyes	Reed	Underwood
Dial	Lodge	Sheppard	Wadsworth
Dillingham	McKellar	Smith, Ga.	Warren
Frelinghuysen	Nelson	Smoot	
Gay	New	Stanley	

NAYS—13.

Ashurst	Kendrick	Nugent	Walsh, Mass.
Capper	Kenyon	Robinson	
France	McNary	Smith, Ariz.	
Harris	Norris	Spencer	

NOT VOTING—49.

Ball	Gronna	McCormick	Shields
Borah	Henderson	McCumber	Simmons
Colt	Hitchcock	McLean	Smith, Md.
Culberson	Johnson, Calif.	Moses	Smith, S. C.
Cummins	Johnson, S. Dak.	Myers	Swanson
Curtis	Jones, N. Mex.	Newberry	Thomas
Edge	Jones, Wash.	Owen	Walsh, Mont.
Elkins	Kellogg	Page	Watson
Fall	King	Penrose	Williams
Fernald	Kirby	Phelan	Wolcott
Fletcher	Knox	Pittman	
Glass	La Follette	Poindexter	
Gore	Lenroot	Sherman	

The PRESIDING OFFICER. Upon the motion of the Senator from Michigan the years are 34, the nays 13, and Mr. CURTIS, Mr. FERNALD, Mr. JONES of Washington, Mr. MYERS, Mr. WOLCOTT, and Mr. HENDERSON are present and paired, making a quorum present.

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4475) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis.

The PRESIDING OFFICER. The Chair lays before the Senate a bill from the House of Representatives.

H. R. 14338. An act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis was read twice by its title and referred to the Committee on Post Offices and Post Roads.

Mr. TOWNSEND. Mr. President, a parliamentary inquiry. The Committee on Post Offices and Post Roads is prepared to report favorably the bill which has just been referred to it by the Presiding Officer. My inquiry is, if the committee make that report, would it be subject to the objection that it must go over a day before we can consider that special bill?

The PRESIDING OFFICER. The Chair is of the opinion that it would have to go over unless unanimous consent is given that the bill may be taken up.

Mr. TOWNSEND. I will state my object in presenting the question. In the House and the Senate practically the same bill was introduced on this subject, which we incorporated in the report of the committee. The committees worked on the bills after they were submitted and finally agreed to certain amendments which should be made. The Senate committee reported two or three amendments which the House committee did not incorporate. I think it would expedite matters and save time if we could substitute the House bill for the Senate committee bill and take up the House bill. It would then leave but one or two items that would be in conference, if the Senate saw fit to make any change at all in the House bill. I dislike, however, to do this if there is going to be any objection to considering that bill. I therefore ask unanimous consent for the consideration of House bill 14338.

Mr. UNDERWOOD. The Senator asks unanimous consent for the consideration of the House bill?

Mr. TOWNSEND. Yes; that the House bill be considered and substituted for the Senate committee bill.

Mr. UNDERWOOD. I can see no objection to that.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan? The Chairs hears none and it is so ordered.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis.

Mr. TOWNSEND. I suppose Senators desire to have the bill read.

Mr. POMERENE. Before the bill is read, permit me to ask a question. The Senator from Michigan has just said that there are, as I understood him, two or three particulars in which the bill as it passed the House differs from the bill reported originally by the Committee on Post Offices and Post Roads to the Senate. Will the Senator explain to the Senate what those particulars are?

Mr. TOWNSEND. In the first place, there are more than two or three clerical errors that were made in the printing. I suppose no one will object to those clerical errors being corrected in the bill.

There was no provision made in the original bill as sent to the committees providing for the continuation of the provisions of the act making appropriation for the salaries of postmasters and employees of the Postal Service approved April 24, 1920, and making that appropriation available for the present fiscal year. The appropriation that was made last year ought to be carried over to the new arrangement. The House committee and the Senate committee incorporated that provision in the original bill.

Another amendment which was made to the original bill was the one repealing section 2 of the act making appropriations for the fiscal year 1921 that was passed some time ago. I will read the provision:

> That section 2 of an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes," approved April 24, 1920, be, and the same is hereby, repealed, except in so far as such repeal may affect the pay of employees not covered by this act.

The idea and the purpose of that provision was to be sure that there was no duplication in salaries; that it would not be considered as carrying salaries appropriated for in this bill and duplicating those salaries provided for in the regular Post Office appropriation bill.

I will not mention the ones which the House did not incorporate. I will mention only those that are in both the bills.

On page 1 of both bills the original provision was that first-class postmasters should be those who had salaries of $3,200 and more. The bill as printed made it $3,000. The correction was made to comply with the recommendations of the commission.

The House bill provides for a change in the compensation of fourth-class postmasters. The commission's report, as presented to the committees of the House and Senate, it was found, reduced the salaries of certain fourth-class postmasters under the arrangement that was made by the commission. When that was discovered, the House desired to correct the mistake, and therefore changed certain figures on page 4 so as to increase the total compensation to fourth-class postmasters by a little over $1,000,000.

Mr. HARRISON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Mississippi?

Mr. TOWNSEND. I yield.

Mr. HARRISON. The Senator is alluding to the amendment on page 4, line 17, increasing the salary from $100 to $125, is he not?

Mr. TOWNSEND. I do not understand to which page the Senator from Mississippi has reference.

Mr. HARRISON. I am referring to page 4, line 17, touching fourth-class postmasters. The only amendment, as I understand, which the House incorporated changes $100 to $125.

Mr. TOWNSEND. If I could have the page where the amendment was reported, as this is the only bill I have, I could tell exactly what the House proposes to do.

Mr. HARRISON. I went over the provisions of the bill as it came from the House, and I find that is the only amendment. Now, the Senator understands that amendment really increases the salaries of fourth class postmaster, does he not?

Mr. TOWNSEND. Yes; by $1,000,000.

Mr. HARRISON. Has the Senator figured in regard to that?

Mr. TOWNSEND. I have not made any figures on that at all. I have relied entirely upon the report of the secretary of the commission and the representatives of the fourth-class postmasters themselves.

Mr. HARRISON. I will say to the Senator that I have figured that out and I think my figures are absolutely correct. The amendment reduces the salary of fourth-class postmasters. For instance, on cancellations under $300, say, the present salary is $241.50; under the House amendment it would be $245, which

would make an increase of $3.50. If cancellations amount to $240, the present salary is $207; under the House amendment it would be $209, an increase of $2. If the cancellations amount to $200, under the present law the salary is $184; under the House amendment it would be $181.25. If the cancellations amount to $160, the present salary is $156.40, while under the House amendment there would be a reduction to $151.25. If the cancellations amount to $120, under the present law the salary is $128.80, whereas under the House amendment it would be reduced to $100. Under the House proposition there is no provision made at all where cancellations are between $100 and $125.

Mr. TOWNSEND. I think undoubtedly the Senator from Mississippi is correct; I have not seen the figures stated, but I have a statement from the House committee which was sent to me. That statement showed that this proposal had been figured out, and that there was an increase; but the statement that was made to me was not in accord with the provision which appears in the House bill. I have had no opportunity to investigate the particular matter, and I assume the Senator from Mississippi is correct.

Mr. HARRISON. I have an amendment to offer at the proper time which I think will cover the matter and which sets forth just what the increase shall be. It would be very small, but would, I think, take care of this proposition. While not giving the fourth-class postmasters proportionally as great an increase as provided for other employees in the Postal Service, it would provide for them a very small increase.

Mr. ROBINSON. Mr. President, will the Senator yield to me for a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. HARRISON. I yield.

Mr. ROBINSON. I am curious to know what is the purpose of making such trivial increases. The object of the legislation, as I understand, is to make a substantial and necessary increase in the compensation of these employees of the Government; but if, as is stated by the Senator from Mississippi, the proposition is to make a very slight increase and not a substantial increase, what is the use of taking the time to do it?

Mr. HARRISON. I should like to go a little further, but I thought perhaps this was the very best that the committee would stand for; and if the Senator from Michigan [Mr. TOWNSEND] will permit me, while we are on this proposition I desire to suggest that the amendment which I desire to propose, which is along the line I have indicated, and which will not disarrange the bill at all, would answer the purpose. On cancellations of $75 or less the present salary is $103.50 a quarter. Under the proposed amendment it would be increased $5.25 a quarter, which would be $20 a year for fourth-class postmasters coming under that head. On cancellations from $75 to $100, under the present law they receive $115 a quarter. I propose to increase it to $125 a quarter. On cancellations from $100 to $150, under the present law the salary is $148.50 a quarter, and my amendment would increase it to $172.50. On cancellations from $150 to $200, under the present law the salary is $184 a quarter, and my amendment would raise it to $200 a quarter. On cancellations from $200 to $250, under the present law the salary is $212.75 a quarter, which would be increased under my amendment to $225. On cancellations from $250 to $300, under the present law the salary is $241.50, and under my amendment it would be increased to $247.50 a quarter.

Mr. TOWNSEND. Mr. President, in further answer to the Senator from Arkansas, I desire to state that what the Senator from Mississippi is referring to is the compensation of fourth-class postmasters.

Mr. ROBINSON. I so understand.

Mr. TOWNSEND. The fact is that the total receipts from fourth-class post offices of the United States, as I recall, amount to about $23,000,000, whereas the compensation that is paid to the fourth-class postmasters amounts to something over $20,000,000, so that there is an excess of receipts over expenditures of less than $3,000,000 all told. As I understand, the amendment of the Senator from Mississippi would increase the amount of compensation by something over a million dollars, and, so far as I am concerned, inasmuch as the House has amended the original proposition and there is a difference between the two, I have no objection at all to the Senate adopting the amendment offered by the Senator from Mississippi. The question may, then, go to conference. I think there has been some confusion as to exactly how much the actual increase would be. I know that in some cases the proposed compensation under the commission's report would be less than they are receiving now, and nobody favored that.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Tennessee?

Mr. TOWNSEND. I yield.

Mr. McKELLAR. I wish to say, in behalf of the commission, that, as the Senator from Michigan explained a while ago, this part of the report is the result of a mistake. The commission voted time and again upon the proposition that the compensation of fourth-class postmasters should not be less than the compensation they are now receiving, including the bonus they are getting. It is true that this is an expense to the Government, but the commission was unwilling to reduce the salary of any fourth-class postmaster in the country at present in the service.

The members of the commission who, as I recall, voted for that proposition were the Senator from Colorado [Mr. PHIPPS], the Senator from Louisiana [Mr. GAY], the Senator from New Hampshire [Mr. MOSES], and myself, and also Mr. ROUSE and Mr. BELL of the House. My recollection is that the vote was 6 to 4; that the question came up in one way or another half a dozen times, and every time it was decided that under no circumstances should the compensation of fourth-class postmasters be cut down. Yet this report when it came in was different from what the commission had ordered, and I think it is only fair to the commission the mistake be shown, because a mistake of some kind crept into the report after it was agreed upon. Those are the facts about it, and I wanted the Senate and the public to know them.

Mr. TOWNSEND. I have no objection at all to the amendment offered by the Senator from Mississippi.

Mr. DIAL. Mr. President, so far as I know, the Committee on Post Offices and Post Roads also desired the compensation of fourth-class postmasters reasonably increased; there was no intention on the part of the committee to decrease their compensation in any way, for we believed they were entitled to a fair increase, and I think the amendment ought to pass.

Mr. HARRISON. I offer the amendment, if the Senator will permit me.

Mr. TOWNSEND. I have no objection.

The PRESIDING OFFICER. Let the Chair make a suggestion. It is impossible to amend the House text as it is, but the Chair will suggest that the Senator from Michigan, if he desires, may offer the Senate bill as a substitute for the House bill, striking out all after the enacting clause of the House bill and inserting the Senate bill, so that the bill may be perfected and passed in that way.

Mr. HARRISON. Every line of the House bill and the numbers of the lines are exactly as in the Senate bill. I have gone through it and I know that the amendment which I drafted to apply to the Senate bill will apply equally as well to the House bill.

The PRESIDING OFFICER. The Chair made the statement which he did because he had been given that information at the desk. The Chair is advised that there is but one blue print of the House bill, and if the House bill is used, it will be difficult properly to locate the amendments.

Mr. TOWNSEND. Mr. President, I had thought of following the suggestion of the Chair; but I am inclined to think that the more expeditious method for us to employ is to take up the House bill. I think it can be done, for the two bills are practically the same.

Mr. HARRISON. I offer the amendment to which I have referred.

The PRESIDING OFFICER. The Senator from Mississippi offers an amendment, which the Secretary will state.

The ASSISTANT SECRETARY. On page 4, line 11, it is proposed to strike out "140" and insert "145."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The ASSISTANT SECRETARY. On page 4, line 15, it is proposed to strike out "115" and insert in lieu thereof "125."

The amendment was agreed to.

The ASSISTANT SECRETARY. On page 4, beginning with line 16, it is proposed to strike out all of lines 16, 17, and 18, and the part of line 19 ending with the words "per centum," and insert in lieu thereof the following:

> When the amount exceeds $100 for any one quarter the postmaster shall be allowed on $100 to $150 of cancellations 115 per cent; $150 to $200, 100 per cent; $200 to $250, 90 per cent; $250 to $300, 82½ per cent.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. TOWNSEND. Mr. President, there are one or two other amendments which I desire to offer to the House bill. There is a provision in the bill, for instance, as reported by the commit-

tee, changing the number of grades of clerks in first and second class post offices and carriers in the city delivery service. There are at present six grades. The commission has reported for five grades. It combines the present fifth and sixth grades in No. 5 grade. That is the clear intent, and the Post Office Department says it would so decide; but the language does not in express terms place the sixth grade in the fifth new grade, so the committee offers an amendment to make that clear. We also offer an amendment in connection with the promotion of clerks, which is in accordance with the understanding of the clerks and of the department itself, in order that there shall be no mistake. Therefore, after line 21 on page 22, I move to insert the matter which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. After line 21, page 22, it is proposed to insert the following as a separate paragraph:

All employees herein provided for in automatic grades who have not reached the maximum grades to which they are entitled to progress automatically shall be promoted at the beginning of the quarter following the completion of one year's satisfactory service since their last promotion, regardless of any increases in salaries granted them by the provisions of this act.

The amendment was agreed to.

Mr. TOWNSEND. Now, Mr. President, on page 12, at the end of line 18, I move to insert the matter which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 12, at the end of line 18, after the numerals "$1,800," it is proposed to insert a colon and the following:

Provided, That in the readjustment of grades for clerks at first and second class post offices and letter carriers in the City Delivery Service, to conform to the grades herein provided, grade 1 shall include present grade 1, grade 2 shall include present grade 2, grade 3 shall include present grade 3, grade 4 shall include present grade 4, and grade 5 shall include present grades 5 and 6.

The amendment was agreed to.

The ASSISTANT SECRETARY. Also, the word "Provided" on line 19 should be "Provided further."

The amendment was agreed to.

Mr. TOWNSEND. Mr. President, on page 21, at the end of line 15, I offer the following amendment, which has reference to employees in the equipment shops of the Fourth Assistant Postmaster General. It appears that in the preparation of the bill those employees of the Government were omitted. Many of them are on the per diem plan, and we have figured out with the department and with the experts about what per cent these men should be increased in order to enjoy the same increases as similar men elsewhere. I therefore offer the amendment which I send to the desk for that purpose.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 21, after line 15, it is proposed to insert the following paragraph:

That the compensation of the employees of the equipment shops under the Fourth Assistant Postmaster General at Washington, D. C., shall be increased beyond that which they are now receiving as follows:
Those receiving $1,500 or more per annum, 10 per cent.
Those receiving compensation of $1,200 and less than $1,500 per annum, 15 per cent.
Those receiving compensation of less than $1,200 per annum, 20 per cent.

Mr. McKELLAR. Mr. President, the reason why the commission did not report on these employees was this: Heretofore they have been carried sometimes under one department and sometimes under another, but not strictly under the Post Office Department, or at least there was some confusion, and they were not certified to the commission. It is perfectly right, however, that they should be included, and the commission has gone over this increase, and so far as the members of the commission are concerned I believe they have all agreed that this amendment should be adopted. The reason why it was not included was because of the confusion surrounding the particular status of these people.

Mr. CALDER. Mr. President, in looking over the bill I fail to find in it any increase for the employees of the Motor Vehicle Service. I wondered if the chairman of the committee, the Senator from Michigan, would agree to insert a provision in this very amendment taking care of these men?

Mr. TOWNSEND. Mr. President, the item to which the Senator refers is cared for in the bill. That is provided as a lump-sum appropriation, and the Post Office Department understand and have agreed, and in fact submitted it in writing, that where these lump sums are provided the employees shall be increased pro rata with the increases that have been made for similar employees in the Government service who have not been classified. So there is no question but that under the terms of the bill all of these employees will receive the increases, although, of course, they are subject to the discretion and administration of the Post Office Department itself; but I know of no way in which that could be better accomplished.

Mr. CALDER. So that this matter may be taken care of without any legislation here on the subject?

Mr. TOWNSEND. Yes.

The PRESIDING OFFICER (Mr. FRELINGHUYSEN in the chair). The question is on agreeing to the amendment offered by the Senator from Michigan.

The amendment was agreed to.

Mr. TOWNSEND. Mr. President, I desire to call attention to another amendment which the committee proposes. On page 20 of the House bill, in lines 22 and 23, the House bill and the committee's report provided as follows:

That inspectors shall be paid their actual expenses, not to exceed $5 per day, while engaged on official business away from their homes, their official domiciles, and their headquarters.

The fact of the matter is that there would be no place, as it seems to me, where they would ever get paid their expenses, because they would always be at one of those places. Now, the post-office inspector has a home. He is frequently ordered to headquarters or to an official domicile, as it is called, and he does his work there. He has the expenses of his home; he has his own expenses while he is at the domicile; and therefore the committee thought it was best and consonant with justice that he should have pay at this rate when he is away from his home. Therefore we struck out the words "their official domiciles, and their headquarters," so as to leave the provision without those words.

The amendment that I propose, therefore, is on page 20, lines 22 and 23, to strike out the words "their official domiciles, and their headquarters."

Mr. McKELLAR. Mr. President, I just want to say, in reference to that amendment, that I think the insertion of those words was simply a mistake, and that the commission did not intend that they should be a part of the provision, and I know that several members of the commission did not think they were a part of it until our attention was called to it in the committee. The amendment ought to be adopted by all means.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Michigan.

The amendment was agreed to.

Mr. TOWNSEND. Mr. President, the last amendment that the committee has to offer is on page 10, line 9. It has reference to the employees and supervisory officers in the post office here in the city of Washington.

There is a large amount of mail that passes through the post office here which is not stamped—a larger amount than any other office in the United States, by all odds. It is estimated by the postmaster here that about 75 per cent of the mail is without stamps; and therefore the compensation which is provided here, the excess of 30 per cent, does not meet the situation, and the officials in the post office here do not get the increases that are allowed in the other post offices of the country. We provide for the excess of 30 per cent. The proposition of the committee is to amend that by striking out "30" and inserting "60."

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 10, line 9, it is proposed to strike out "30" and insert "60," so that it will read "60 per cent."

The amendment was agreed to.

Mr. POMERENE. Mr. President, if I may have the attention of the chairman of the committee for just a moment. Of course I realize that we are all anxious to get through with this legislation as speedily as possible, and the Senator in charge of the bill has not taken the time to explain the various increases in the salaries. I wanted to inquire, however, if he had prepared a tabulated statement which would show just what these various increases are; and if so, will he not have it inserted in the RECORD for the benefit of Senators?

Mr. TOWNSEND. I shall be glad to have that done. I want to say, Mr. President, that this bill does not in every respect suit the employees of the Post Office Department. The increases are not as great as practically every member of the committee would very much like to have made them, but they are made uniform. A reform, in my judgment, has been enacted in the Post Office Department which has been needed for many, many years. Heretofore there has been very little relation between the different positions in the post office, or even between the positions from which promotions are made from one to the other.

This bill provides for a uniform relation between the various positions in the Post Office Department, and it makes an aggregate increase of between $37,000,000 and $40,000,000. This, added to the fact that we have just passed a retirement bill, added to the further fact that the salaries are permanent,

and that the cost of living may be reduced within a year, that it does give an adequate wage, as it seems to us, for the present services, makes it a desirable measure to adopt. It can not, I repeat, meet with the approval of all the people who are interested in the bill.

From the very nature of things, the commission having builded upon a foundation more or less hit-and-miss throughout the year, there have been some people who have not received as great increases as they thought they ought to receive.

So the bill has been prepared by a commission which has been as conscientious a commission—and I am saying this because I am not a member of the commission—as ever worked upon a problem, it seems to me, presented to it by the Senate of the United States, and I am personally very grateful to the commission for the very useful and great work which it has done in this matter.

Mr. McKELLAR. Mr. President, I have just one word of explanation as to rural carriers. The amount fixed in the bill for rural carriers on a standard route of 24 miles, six days in the week, is $1,800. I thought it ought to be $1,900, and one or two other members of the commission thought so likewise. But the majority voted us down time and again, and the amount was fixed at $1,800.

I did not feel, under the circumstances, that there ought to be any minority report on this matter. I was not entirely satisfied with the pay of clerks and carriers, but that likewise was a matter of compromise. It was a question as to whether we got a bill through at this session of Congress before adjournment or not. Under those circumstances, while I had views which were different from those of a number of my colleagues on the commission, I felt, in order that something might be done at this session, that the report as agreed to should be passed.

I make this statement in explanation of my position on the bill.

Mr. HENDERSON. Mr. President, I am quite in accord with the statement made by the chairman that we were not all quite satisfied with the salaries, but in view of the late date the report of the commission was filed, we felt that it was better to have some legislation than none, and my support of the measure and anxiety to see it passed, Mr. President, is not due to any political preference, but because I feel that it is just and right.

Mr. President, in this connection I want to make just one comparison. I call the attention of the Senate to the fact that on the 12th day of March of this year the Joint Congressional Reclassification Commission filed its report, reclassifying the salaries of Federal employees in the District of Columbia. Within a week or 10 days thereafter a bill was introduced by the chairman of that commission, and that bill and the report are now resting in the committee.

Mr. President, the Federal employees in the District of Columbia have no vote. I trust that this quick action on the part of the Senate and the House in reclassifying the salaries of the postal employees in the United States is not due to the votes which might be cast the coming November, and that they all feel that this increase in salary is justly due them.

So, Mr. President, on behalf of the Federal employees in the District of Columbia, who have no vote, I shall ask that the report of the Joint Reclassification Commission may be considered at the earliest possible date.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. TOWNSEND. Mr. President, I move that the Senate request a conference with the House of Representatives upon the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. TOWNSEND, Mr. STERLING, and Mr. BECKHAM conferees on the part of the Senate.

NOMINATION OF MRS. ANNETTE ABBOTT ADAMS.

Mr. NELSON. Mr. President, I have here the nomination of Mrs. Annette Abbott Adams, of San Francisco, which I ask unanimous consent, as in open executive session, to report favorably from the Judiciary Committee, and I ask that it be acted upon.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The Secretary will state the nomination.

The ASSISTANT SECRETARY. As in open executive session, the Senator from Minnesota reports from the Committee on the Judiciary the name of Mrs. Annette Abbott Adams, of San Francisco, Calif., to be Assistant Attorney General.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified.

GENERAL DEFICIENCY APPROPRIATIONS.

Mr. NORRIS. Mr. President, I move that the Senate proceed to consider the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes.

Mr. WARREN. Mr. President, I move that the Senate take up House bill 14335, making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes. This is one of the supply appropriation bills, which must be a senior and preferred measure.

Mr. UNDERWOOD. Mr. President, I understand the pending motion is to take up the deficiency appropriation bill.

Mr. NORRIS. No, Mr. President.

The PRESIDING OFFICER (Mr. FRELINGHUYSEN in the chair). The Senator from Nebraska has moved that the Patent Office bill be taken up. The Senator from Wyoming has moved that the deficiency appropriation bill be taken up. The Chair rules that the deficiency appropriation bill has precedence, and that the motion of the Senator from Wyoming is in order.

Mr. NORRIS. Mr. President, I appeal from that decision. There is not any justice whatever in it.

Mr. WARREN. The rule provides for it.

Mr. LODGE. The rule so provides.

Mr. NORRIS. No; it does not provide for it.

Mr. WARREN. It provides exactly that a motion to take up an appropriation bill has precedence.

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the Senate? [Putting the question.] The ayes have it, and the ruling of the Chair is sustained. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. KENYON. Mr. President, at the time of the passage of the postal-clerk bill the Senator from Georgia [Mr. HARRIS] was on his feet desiring to secure a yea-and-nay vote. There were a number of Senators who voted against taking up that bill because it would displace the minimum-wage bill. They wanted an opportunity to vote in order to show by the RECORD that they were for the postal clerks' bill. That unfortunate situation arose as a choice between those two bills. I make this suggestion for myself, and I know for a number of others who were as enthusiastically for the postal bill as they could be, but had to make the choice.

Mr. HARRIS. Mr. President, I was very much in favor of the passage of this bill, and the Senator from Iowa [Mr. KENYON] just stated the reason why I wanted a record vote on it. But I did not think there was a quorum present, and the bill would have to go over until to-morrow. That is the reason why I did not insist on my request. I do not know of a single Senator who is opposed to this just measure which has been too long delayed. The postal employees have been underpaid, and they are entitled to even a greater increase than is provided for in this measure.

Mr. NUGENT. Mr. President, I do not know that it made any particular difference whether there was a roll call on the passage of the postal clerks' bill or not. There was not a man in the Senate, to my knowledge, who was opposed to it. On the contrary, so far as I know, practically all the Senators who voted against the displacement of the minimum-wage bill were very earnestly and heartily in favor, as I was, of the enactment of the postal bill.

Mr. WARREN. Mr. President, I ask unanimous consent to omit the formal reading of the bill, and that the bill be first read for amendments, and that committee amendments be considered first.

The PRESIDING OFFICER. Is there any objection? The Chair hears none. The Secretary will proceed to read the bill.

The Assistant Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, at the top of page 2, to insert:

ANTHRACITE COAL COMMISSION.

Salaries and expenses of officers, employees and witnesses, including personal services in the District of Columbia, purchase of supplies, printing and binding, reporting proceedings, per diem in lieu of subsistence at not exceeding $4, in accordance with the act approved

August 1, 1914 (38 Stat., 680), and for all other necessary expenses in connection therewith; in all $10,000, to continue available until June 30, 1921.

Mr. NORRIS. Mr. President, it seems to me that the time has come when forbearance has ceased to be a virtue. The Committee on Patents have had under consideration a bill which is just as important to the Patent Office as the bill which has just passed is important to the Post Office Department. But for some reason or other, some unknown and unseen power, which seems to control in the Senate, has always and on every occasion blocked any opportunity to get that bill up for consideration. We had a session of the Senate night before last and we were all importuned very earnestly to be present. I know I went to considerable effort to get here. I live out quite a distance and by the time I had walked home, 5 miles, and walked back, I was late and did not get time enough even to eat, and for a man who had not had any lunch that was quite an effort.

When I got here I discovered that somebody, alleged leaders who control in one way or another the legislation of this body on both sides, had made an agreement that nothing could be considered except the particular bill which they had in view, and I was unable to get any opportunity to take up the bill which had been reported from the Committee on Patents.

Long before that, on various occasions and at various times, I had tried to have it taken up. I was anxious not to interfere with appropriation bills and conference reports, and was always willing, and even if there has been a contest in regard to it, as far as I was concerned, to yield to their consideration.

But something always happened; there was some reason, and I was put off and off. It is true I did not have the indorsement of a committee that has some kind of an existence—I do not even know who the Members are—called the "steering" committee. I am not charging that they were to blame for it. I do not know that they had anything to do about it. But somebody, somewhere, every time, was ready to do something to prevent the taking up of that bill.

The chairman of the Committee on Appropriations was willing that the postal bill should be taken up. He made no effort to displace that. The Senate has agreed on a resolution to adjourn without day, thus making it impossible for any Senator to get anything before the Senate, regardless of its importance, unless this unseen power is in accord and is willing that it should be taken up.

Mr. WARREN. Mr. President, will the Senator yield?

Mr. NORRIS. I yield to the Senator.

Mr. WARREN. Of course, I was very sorry to be compelled to take the right of seniority which belongs to these supply bills, but we had to hold laborious conferences on them; hence haste is essential. I do not oppose the Senator's bill. On the contrary, I have expected to support it, but I have not been in consultation with anyone who wished to put it aside, and if there is any unseen power, it is unknown to me.

Mr. NORRIS. It is even unknown to me, and it always was; but it crops out somewhere and always operates. I am not complaining of the Senator in trying to get up the bill he has in charge.

Mr. WARREN. I should have moved it earlier in the evening, but there were three other matters here struggling for recognition, and it seemed to me the shortest way to get at this bill was to wait awhile; but finally matters got to the point where I was compelled to move the consideration of this important supply bill.

Mr. NORRIS. I understand that.

Mr. WARREN. Let me say to the Senator that if he will stay until these matters which have priority are disposed of—and I think there is but one more—I will stay with him if it takes until to-morrow night.

Mr. NORRIS. I expect to stay, but the Senator knows that by that time a point of order will put this bill out of operation.

Mr. WARREN. I do not quite understand why a point of order will do it.

Mr. NORRIS. A point that there is no quorum present.

Mr. WARREN. Oh, we shall have a quorum to-morrow if not to-night.

Mr. UNDERWOOD. If the Senator will allow me to interrupt him——

Mr. NORRIS. I yield to the Senator from Alabama.

Mr. UNDERWOOD. Of course, I do not speak for everyone on our side of the aisle, because I do not know, but so far as I have heard there is no objection to the bill to which the Senator refers. There may be objection, but I do not know of it. I know of no reason, if we pass the supply bills and the pending conference reports and the Senator can obtain recognition, why there should be any serious resistance to the bill to which he refers, but I do see a very earnest reason, if we are going to adjourn finally on Saturday, why the pending appropriation bill should be disposed of to-night.

Mr. NORRIS. I agree with the Senator. I am not going to filibuster against the bill. If I had intended to do that, I would have objected to the waiving of the formal reading of the bill, which would take a long time. I am not engaged in a filibuster, but I want to state to the Senate a few things and possibly let the country know a few things.

Mr. WARREN. I am sorry I did not express gratification to the Senator for his action. I noticed that he did not object, and I felt grateful, and felt that we were moving in the same direction and with the same purpose. And I intend moving with him for his bill, as I know that he is moving with me for this bill.

Mr. NORRIS. The Patent Office is almost in a condition now where it ceases to function. I was told to-day by officials, and I know it of my own knowledge in several instances, that employees there—and they are necessary employees—would remain if the bill went into conference, because they would expect then, even though it went over until December, that they would eventually get relief. But if something of that kind is not done before we adjourn, when we come back here in December the Patent Office will practically be out of business.

It has a great many highly scientific men in it. They are almost all, with the exception of the ordinary clerks, high-class scientific men and ought to be. The Patent Office has been losing them right along. The bill reclassifies them somewhat like the bill for reclassification of employees in the Post Office Department. There was some objection to some of the increased salaries. In order to have something done, as representing the committee, I have agreed with those who have objected, I think, on every salary increase in the bill.

I wish to say to the Senate that although these salaries are increased with a view to keeping valuable men in the service, the bill also increases the fees that patentees must pay, so that it is going to bring in more money in the way of a surplus, if we pass the bill, then the law does now. Everybody who studies it knows that the Patent Office is one of the bureaus of the Government out of which the Government makes a financial profit every year. It more than pays it way. The report in this case shows that the surplus will be increased even if we leave the salaries as they are fixed in the bill.

We have agreed, in order to bring about a cessation of opposition, in some cases I think meritorious, to a reduction, and to amendments running through the salaries that will reduce them as set forth in the bill. Aside from that there are two other provisions in the bill to which I wish to call attention. One of them, as far as I know, has brought on no controversy, and I will not stop to discuss it.

Another one is a new section which the Committee on Patents has added to the bill, which is a House bill. We added as an amendment a bill that had already passed the Senate. We have had extended hearings on it. The House committee had extended hearings, and we had joint hearings, and the action of both committees has been unanimous, but since the bill has passed the Senate there has been some opposition.

In going over the bill with those who opposed it—and that is an amendment on the bill—the members of the committee reached the conclusion that there was some justification for the construction that was put on it by objectors, and we have agreed again that those objections shall be met by proper amendments. As far as I know, no Member of the Senate who has gone over the bill with me has failed to be satisfied after I have explained the amendments that we propose to offer.

Mr. KING. Mr. President——

Mr. NORRIS. I yield to the Senator from Utah.

Mr. KING. I desire to state to the Senator that, so far as I am advised, there is only one Senator upon this side who desires to make any observations concerning the bill. I am not sure whether he has any objection to it or not. My advices now are that he has no objection to it, but he may desire to submit some observations, though I would not desire to state that definitely. I think I can assure the Senator that if he asks to take up his bill to-morrow he will find upon this side of the Chamber a very ready response, after the supply bills are out of the way.

Mr. NORRIS. Yes; I would not wish to interfere with the supply bills if I thought I was getting a square deal. I do not desire to be understood as trying to insist that anyone shall waive any objection he may have to the bill or any part of it. I only wish an opportunity to be heard and let it be voted on.

The amendment that brought forth some objection, not from inventors, but from great corporations like the National Chemical Co., the great fertilizer trust, and other things like that, has

been the amendment of which I was speaking when the Senator from Utah interrupted me. As I said, it is in the form of a bill that once passed the Senate. It provides that the Federal Trade Commission shall have authority to receive assignments of patents from employees of the Government and others, and then license people to manufacture the patented article. The language would bear a construction, I think, that the committee never intended it should, that would give the Federal Trade Commission or the Government authority perhaps to manufacture the patented article. There was no idea on the part of the committee to do that, and we will offer an amendment that will make it perfectly plain that there shall be no such construction of the law possible.

While Senators are listening I wish to tell them just briefly, so it will perhaps be unnecessary to state it later when the bill comes up, just what we expect to have accomplished. To my mind, it is of as much importance as the reorganization of the Patent Office itself. We have in the Government employ a large number of scientific men, in the Bureau of Standards, in the Bureau of Chemistry, in the Bureau of Mines, and perhaps some other bureaus. They are high-class men, wedded to their profession, particularly in the Bureau of Chemistry, which has excited so much interest during the war and since all over the world. They are continually making inventions and improvements.

The provision is intended to give an employee of the Government who makes such an improvement the right to turn it over to the Federal Trade Commission, and the Federal Trade Commission then to license some one to manufacture it. The license fee shall be paid into the Treasury of the United States, and out of that fee the President of the United States is authorized to give to the inventor whatever in his judgment he thinks the proper compensation as his share of the revenues that come in from it.

Scientific men all over the country are unanimously behind that provision. They think and I believe and the committee were unanimous in the belief that it would result in putting on the market for the benefit of all the people a great many inventions that are not now put on the market. For instance, in the Bureau of Chemistry a chemist invents some particular thing that in his laboratory works out to perfection. It may revolutionize some line of industry. It may be one of the steps only in the manufacture of some very useful article that is used by all the people, and according to his test and his laboratory experiments it works out all right, but it is often found, and it has been the history of all these inventions throughout the world, that when they come to work them out on a large commercial scale, they do not work. It sometimes requires two or three or even five hundred thousand dollars to give it a test on a commercial basis.

If one of those chemists invents something of that kind and gives it to the world, as they often do, without trying to take it from anyone, what is the result of it? No one puts his money into it to manufacture it because he knows that if he succeeds and spends a whole lot of money to do it, he has then demonstrated that it can be done on a commercial basis and everyone comes in and he has no protection and hence he does not take the risk. If he takes the risk and loses, he loses all his money.

Then again some of these great institutions and great corporations like the National Chemical Co. and the fertilizer companies and others of a similar nature have themselves a large number of experts in the particular line of their business studying continually for improvements and getting their improvements patented, so that the ordinary individual without any money like a Government clerk can not compete with them. The amendment is not confined to the Government clerk. Anyone can take advantage of it, but it is not expected that there will be much of this except from the Government expert. He gets some little thing patented and he has not the money to develop it and he can not induce anybody to put it out. He may sell it to one of these big companies that controls the field and that has a monopoly, and it may be that it will be to their interest to put the patent in a pigeonhole and never permit it to be used. I am told that there are thousands and thousands of patents that have been issued for years, and that are never put into use. No one gets the benefit of them because the men who have them can make more money by keeping them out of use than by going into the manufacture of them where they already have control of the particular line. So that the man who does make the invention under present conditions is at the mercy of the great trusts or combinations. He can not go into business in competition with them, and the result is that there is nothing done.

Thousands of these inventions are valuable. I have had my attention called in detail to some of them showing that no one gets the benefit of them. The bill is intended to give the people of the country the opportunity to get the benefit of such inventions. It is not compulsory. No man is required to do it. He can do it if he wants to and retain it himself if he so desires. There is nothing compulsory about it.

Mr. President, I felt that I ought to say this much. Quite a propaganda on the part of some of these great corporations has gone out over the country, containing a great many reports, as I have learned of them, that are not true and are not justified. Some Members of Congress have been frightened about it, but when I have explained what it really was I have never failed yet to satisfy any fair-minded man.

I wish to call it to the attention of the Senate now, that if we adjourn next Saturday and do not get this bill as far as conference, in my judgment we will return next December to find the Patent Office in a very much disorganized condition. It is way behind now. I desire, as soon as the appropriation bills and conference reports are out of the way, to have an opportunity to let the Senate pass on this question.

The PRESIDING OFFICER. The question is on agreeing to the amendment at the top of page 2.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "District of Columbia," on page 4, after line 6, to insert:

IMPROVEMENTS AND REPAIRS.

For current work of repairs to suburban roads and suburban streets, including maintenance of motor vehicles, $20,000.

The amendment was agreed to.

The next amendment was, under the subhead "Public schools," on page 5, after line 3, to insert:

Teachers: The increased compensation granted teachers in the public schools in House bill No. 13266, entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes," as passed the Senate and sent to conference is hereby made applicable to such purposes for the fiscal year 1921, and a sum sufficient to pay such increases is hereby appropriated.

Mr. WARREN. Mr. President, that item and another which follows it are in the nature of a precaution in order to insure the appropriation. They are already in the District of Columbia appropriation bill, which has now passed through conference and will be reported upon later; but as it may be some time before the House considers the conference report, it is better that they should be inserted, and I propose to leave them in this measure and let them go to conference in order that we may be sure that in one bill or the other they will prevail.

Mr. WALSH of Massachusetts. Mr. President, I move to amend the committee amendment which is about to be agreed to by the amendment which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

Mr. WARREN. Does the Senator propose it as an amendment to the pending committee amendment?

The PRESIDING OFFICER. As the Chair understands, it is a proposed addition to the committee amendment. The amendment proposed by the Senator from Massachusetts to the committee amendment will be stated.

The ASSISTANT SECRETARY. After line 12, page 5, it is proposed to insert the following:

To make effective as of January 1, 1920, the increase in salary granted to the teachers and librarians of the public schools of the District of Columbia as provided for in H. R. 13266 of the second session of the Sixty-sixth Congress, making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, which increases from January 1, 1920, to June 30, 1920, as provided in said H. R. 13266, as the same was sent to conference, shall be paid said teachers and librarians on or before June 30, 1920, $405,468.

Mr. WALSH of Massachusetts. Mr. President, the amendment to the committee amendment, as suggested, has the approval of the special committee of the Senate created to investigate the educational system of the District of Columbia. We learned through our inquiry that the teachers of the District were very grievously underpaid.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Wyoming?

Mr. WALSH of Massachusetts. I do.

Mr. WARREN. The matter has not reached a state where we may entertain the amendment, because it has not been estimated for. Nor has the amendment been presented to the committee for consideration. Therefore I shall have to make a point of order against it.

Mr. WALSH of Massachusetts. I assumed, Mr. President, that a point of order would probably be raised against the amendment; but I simply want to say that it represents an

effort on the part of the members of the special committee to do justice to the school-teachers of this District, who, we believe, have been underpaid and who will not receive checks for their salaries until next October. The amendment seeks to compensate them by giving them an increased payment to which every member of the special committee of the Senate believes they are entitled, and believes that in justice and in fairness they ought to have.

The PRESIDING OFFICER. Does the Senator from Wyoming make the point of order against the amendment to the amendment?

Mr. WARREN. I make the point of order against the amendment.

The PRESIDING OFFICER. The Chair sustains the point of order. The question is on the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 8, after line 9, to insert:

Section 2 of the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia," approved June 20, 1906, as amended, is hereby amended to read as follows:

"SEC. 2. That the control of the public schools of the District of Columbia is hereby vested in a board of education to consist of six members, all of whom shall have been for seven years immediately preceding their appointment bona fide residents of the District of Columbia. The members of the board of education shall be appointed by the President, by and with the advice and consent of the Senate, for terms of three years each, except that the original appointments under this act shall be as follows: Two for one year, two for two years, and two for three years, the terms of each to be designated by the President, and members shall be eligible for reappointment. Vacancies for unexpired terms, caused by death, resignation, or otherwise, shall be filled in the same manner as the original appointment. The board shall meet for organization within 30 days after appointment. They shall appoint a secretary, who shall not be a member of the board, and they shall hold stated meetings at least once a month during the school year and such additional meetings as they may from time to time provide for. The organization meeting, and all meetings whatsoever thereafter, shall be open to the public, except committee meetings dealing with the appointment of teachers.

"No appointment, promotion, transfer, or dismissal of any director, supervising principal, principal, head of department, teachers, or any other subordinate to the superintendent of schools, shall be made by the board of education, except upon the written recommendation of the superintendent of schools.

"The board shall determine all questions of general policy relating to the schools, shall appoint the executive officers hereinafter provided for, define their duties, and direct expenditures. All expenditures of public funds for such school purposes shall be made and accounted for as now provided by law under the direction and control of the Commissioners of the District of Columbia. The board shall appoint all teachers in the manner hereinafter prescribed and all other employees provided for in this act.

"The board of education shall annually on the 1st day of October transmit to the Commissioners of the District of Columbia an estimate in detail of the amount of money required for the public schools for the ensuing year, and said commissioners shall transmit the same in their annual estimate of appropriations for the District of Columbia, with such recommendations as they may deem proper.

"The board of education, appointed in accordance with the provisions of such act of June 20, 1906, is hereby abolished as of the date of the enactment of this amendatory act.

"The chairmen of the Senate and House Committees on the District of Columbia under the provisions of this amendatory act are authorized and directed to cause a complete survey to be made of the public schools of the District of Columbia in order to determine and to recommend, by report to Congress, the new buildings, grounds, including playgrounds and equipment, deemed necessary, and such changes in educational methods, administrative affairs, and other essential details as are deemed advisable and appropriate; and for this purpose there is hereby appropriated the sum of $15,000, or so much thereof as may be necessary, to be expended and to be accounted for under the supervision of said chairmen, one-half of which shall be disbursed by the Secretary of the Senate and one-half by the Clerk of the House.

Mr. JONES of Washington. I make the point of order against that amendment that it is general legislation on an appropriation bill.

Mr. HARRISON. Mr. President, this afternoon, immediately after a roll call, unanimous consent was granted suspending the general rules of the Senate and making the amendment applicable to this bill.

Mr. JONES of Washington. Mr. President, I take it, even without going into that, that the amendment will have to be offered again. The rules are not suspended now authorizing the committee to present the amendment.

As the question has been raised, I desire to say that this is certainly a very unusual proceeding. I question the right of the Senate to suspend a rule of this character, at any rate before the bill is under consideration by the Senate. The Senate was not considering this measure when the action was taken to which the Senator from Mississippi refers.

I remember that the Vice President has ruled several times that a special order can not be made by unanimous consent with reference to a bill that was not under consideration at the time the request was made; and if that is correct—and that has been the ruling of the Vice President—then an order of the Senate of this kind with reference to a bill that is not before the Senate and that has not been brought up for consideration can not be made.

Mr. KING. Mr. President, will my friend yield?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Utah?

Mr. JONES of Washington. I yield.

Mr. KING. Does not the Senator recall many instances of notices being given that a motion would be made to suspend the rules for the purpose of offering an amendment?

Mr. JONES of Washington. Oh, yes; that is expressly provided for by the rules.

Mr. KING. As I understand, that is substantially the situation here.

Mr. JONES of Washington. No; no notice was ever given of any intention of this kind. That is what I complain about.

I want to say to the Senator—and the Senator, I think, will agree with me—that not only is this a very unusual proceeding, but I do not think in my 11 years of service here it has ever been done before; and if such things can be done in the Senate, what protection has any Senator with reference to any matter in which he may be interested? If he happens to be out of the Chamber on business of some kind or otherwise, a Senator knowing his attitude with reference to a proposition may come before the Senate and ask unanimous consent that the rules may be suspended, and the absent Senator has lost his rights. I think the Senator will see that if that is to be the practice in this body, then, indeed, we can not foresee what will develop with reference to our legislation.

I can not think that the Senator from Mississippi intended to take any advantage of anybody; I have too much respect for him and for his sense of fairness and fair dealing to think that; and yet it is a strange proceeding.

I assume that the Senator knew that I was going to make the point of order against this amendment. I advised the Committee on Appropriations to that effect this morning. I went to the committee room, and the matter was called to my attention, and I advised them that I would make the point of order. I had to go to the Commerce Committee. I had called a meeting of that committee to consider a very important bill, and so I had to leave. During the day I met the Senator from Vermont [Mr. DILLINGHAM], who, I understood, was interested in this proposition, and I advised him that I expected to make the point of order against it. I intended to speak to the Senator from Mississippi [Mr. HARRISON], but he was very busy. I did not run across him, and so did not get to speak to him until later on in the day, when I was advised that while I was up in the Commerce Committee this request had been made for unanimous consent to suspend the rules.

Mr. SMOOT. Mr. President——

Mr. JONES of Washington. I yield to the Senator.

Mr. SMOOT. When the Senator from Mississippi made his request, it was so unusual that I questioned it myself. I happened to be away from the Committee on Appropriations when the notice was given by the Senator that he intended to make the point of order against this amendment. I want to say to the Senator from Washington that if I had known that I certainly would have objected when the request was made. I did not know it, however, at the time the request was made.

Mr. JONES of Washington. It is fair that I should say that the committee was not in session while I was there. I do not believe there was any member of the committee there, but I left word with the clerk. My meeting of the Commerce Committee was called for exactly the same time as the meeting of the Appropriations Committee, and I think I was there about five minutes before the time, and went through to report and authorize myself to be counted for a quorum, and then went on up to the Commerce Committee.

Mr. President, the rule of the Senate with reference to these matters reads as follows:

No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof.

Mr. President, that is to put Senators on their notice of an intention to change one of the most important rules of this body—that is, the rule prohibiting general legislation upon appropriation bills.

Of course the rule goes on to say:

Any rule may be suspended without notice by the unanimous consent of the Senate, except as otherwise provided in clause 1, Rule XII.

Yet I submit that it is contrary to the spirit of the rule, contrary to the intention of the rule, contrary to the practice of the Senate, and contrary to the rules of fairness that when

a Senator steps out a Senator shall ask unanimous consent that the rules be suspended; and, furthermore, as I said a while ago, even if unanimous consent is asked, it should be asked while the bill is under consideration.

Suppose that a bill is brought up to which it is known that a Senator objects. We frequently find Senators rising on the floor and advising them that a Senator has objection to that bill, and I do not think it has ever been insisted that the bill shall pass under those conditions. I have known cases where bills have passed that Senators knew other Senators were opposed to, and when the next day the Senator would come in and state that fact, by unanimous consent, the vote on the bill would be reconsidered, and it would be put back on the calendar.

I feel sure that the Senator from Mississippi, on reflection, will not insist that advantage should be taken of the consent given by the Senate to-day. I know that he is very much interested in this matter. I know that he has given a great deal of his time and a great deal of study to the school conditions here in the District. I know that he wants to improve those conditions. I want to improve those conditions. I recognize the situation here. I question very seriously, however, whether or not this will remedy the condition. At any rate, I think it ought to have very careful consideration by the regular District Committee of the Senate; and, at any rate, the Senate ought to have an opportunity to consider this proposition, consider what it deals with, and all that sort of thing.

But even greater than that, Mr. President, is the proposition involved with reference to the way in which it is sought to keep this provision in this bill. I do not believe that the Senator from Mississippi, when he reflects upon it, will ask that this should be done.

Mr. HARRISON. Mr. President, has the Senator finished?

Mr. JONES of Washington. I have finished temporarily; yes.

Mr. HARRISON. Mr. President, if the Senator from Mississippi had to do over again what he did do, he would do exactly as he did do. He did it, and he is very glad that he did it, and he hopes that the Senate will adopt this amendment.

What the Senator from Mississippi did was not unusual. I took advantage of the rules of the Senate in order to have a provision considered by the Senate that is of very great interest to the people of the city of Washington.

The rule that the Senator talks about is that—

> No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice, in writing, specifying precisely the rule—

And so forth. The Senator from Wyoming [Mr. WARREN] rose to serve notice that he wanted to have a night session in order to take up the deficiency bill. I was preparing a motion, under the rules, to suspend, that would have had to obtain a two-thirds vote in order to make this provision applicable in the consideration of the deficiency bill; but when the Senator wanted to consider this bill to-night, being very glad and happy to cooperate in the speedy consideration of it, I then asked unanimous consent, as provided for in the rule, that the rules be suspended when the deficiency bill was taken up for consideration, so far as this particular provision was concerned, calling the attention of the Senate to what I expected to do and what the amendment did.

The Senator from Texas [Mr. SHEPPARD] was in his seat. I had spoken to him about it, and he said he had no objection to this provision. Why, I had never heard that the Senator had lifted his voice in the Senate here against the proposition. I had understood that he was opposed to the president of the school board, and so I took advantage of the rules of the Senate, and the provision is here. I can not understand how a point of order can be sustained to it now. If the rules were ever followed, they were followed in this instance. This provision should be considered. I resorted to this method in order to make it applicable to this bill because of the peculiar conditions existing in the school situation here; and what are the conditions?

Five members of the select-school committee, after two months of consideration of this proposition, unanimously agreed that the President should name the school board, and that it should be composed of six members, and that the Senate should confirm it, changing the present law, taking away from the judges of the Supreme Court of the District of Columbia the right to name them, and reducing the number, as I say, to six. Now, we have considered it. We were together on that proposition, and yet the Senator from Washington, who perhaps has not read a line of the testimony, says it should not be changed. It is a clear question. If the Senate want to vote down the recommendation of the select committee, and think we were all wrong in the consideration of the question, and that they know more about it without considering it than we did after two months of hard work and consideration, then they can follow the suggestion of the Senator from Washington; but if this provision is not incorporated in this bill, and the Congress adjourns, you have seen what has appeared in the papers; it is no secret that the present board refuses to meet here in the city. A majority of the members are out of the city, so the morning paper says. The present superintendent is elected until the 30th of June, when his time expires. Is the Congress to adjourn and leave the people in the District of Columbia without schools, without management of them, and everything up in the air?

It certainly seems to me that we owe it to the people here to let them know what the policy shall be, whether or not the Senate agrees with the select committee, and this is the only way we can do it. We can not pass a special bill. If there is going to be no change in the law, then this confusion worse confounded will continue to exist. So I submit that the point of order is not well taken, and that it should be overruled, and that the Senate should adopt the amendment that we have proposed.

Mr. JONES of Washington. Mr. President, I am not going to discuss the report of the special committee. I am not going to take the time of the Senate to do that. I have not had time to consider it as it ought to be considered. Everybody knows that this special report was not brought before the Senate until just a few days ago, when it was discussed here one evening by the Senator from Mississippi. I heard very much of that discussion. I have not had time to consider it since, and I think I am in attendance on the Senate just about as closely as any Member of the Senate. I try to be here. I am here all of the time that I can be. During the last two days I have not been able to be on the floor of the Senate as much as I should like. I have had considerable work in connection with the conference report on the merchant marine bill. We worked on that bill day before yesterday from 10 o'clock in the morning until 8 o'clock the next morning. We did not have very much time to consider other matters—I did not, at any rate—during that time, and I should like to have an opportunity to consider this bill upon its merits.

But, Mr. President, as I said a while ago—and I say it in all earnestness—is it possible that the Senate will approve, can approve, this method of procedure? If we do, then all I have to do with reference to a matter to which some Senator objects is to wait until he goes out and then ask unanimous consent of the Senate to do what I want done that I know he does not want done or ask for the passage of any bill that I want passed that I know a Senator objects to. Of course, it is in accordance with the rule for me to ask unanimous consent to consider a bill that I know a Senator objects to, but I have never done it in my 11 years' experience here.

Mr. HARRISON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Mississippi?

Mr. JONES of Washington. I yield to the Senator.

Mr. HARRISON. The Senator had not said anything to me about this matter.

Mr. JONES of Washington. I know I had not. I had not had an opportunity.

Mr. HARRISON. And the Senator at no time had raised his voice here about this proposition. The only two Senators who had raised their voices on the school proposition on the floor of the Senate were——

Mr. ROBINSON. Mr. President, will the Senator yield to me for an inquiry?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Arkansas?

Mr. JONES of Washington. In just a moment. Did not the Senator know when he asked unanimous consent of the Senate to suspend the rules that I expected to make a point of order against his amendment?

Mr. HARRISON. I was afraid the Senator would make it, and that was one of the reasons why I was going to offer the motion to suspend the rules, so that this amendment would be in order; but when the Senator from Wyoming served notice that he expected to call up this bill to-night and the rule said you must give one day's notice in order to file your motion to suspend the rules, then I wanted to get my unanimous consent through if I could. There was a very full attendance of the Senate at the time, because the point of no quorum had been raised on the proposition when the Senator from Wyoming said there would be a night session.

Mr. JONES of Washington. Mr. President, if there was a quorum call, I answered on the call; I have not any doubt about that. I want to ask the Senator if he had not been informed that I intended to make a point of order on the amendment?

Mr. HARRISON. Yes; some Senator told me that the Senator from Washington would probably make the point of order

on the proposition, and I was very fearful that the Senator would make it, and I wanted to pass the motion to suspend in order to keep the Senator from making his point of order. I did it in the interest of the schools here and in the interest of the situation.

Mr. JONES of Washington. Mr. President, the issue is plain to the Senate. I am going to let the Senate pass upon it. I am going to let the Senate do whatever they think it is proper to do. I have made the point of order against it. If the point of order is overruled, under the circumstances, then I want to see whether or not the Senate will adopt an amendment under those circumstances.

I made the point that it was not in order to make the request to suspend the rules when the bill was not under consideration.

The PRESIDING OFFICER. The present occupant was not presiding at the time the rule was invoked, but I have before me the official reporter's transcript. It seems that the Senator from Mississippi [Mr. HARRISON] addressed the Chair as follows:

Mr. President, the Committee on Appropriations, in the consideration of the general deficiency bill, House bill 14335, have agreed to place two propositions in the bill touching a change in the school board. The amendments which I submitted, intended to be proposed by me to the bill, read as follows.

Then the amendments are inserted. Then the RECORD continues:

Of course, that proposes a change in existing law, and it is legislation on an appropriation bill and will be subject, perhaps, to a point of order. I therefore ask unanimous consent that the rule of the Senate, clause 3 of rule 16, be suspended, so that these amendments to that appropriation bill may be in order. Under the Senate rule I must obtain unanimous consent.

Mr. SMOOT. The Senator from Mississippi had better make that request when the bill is up for consideration and when we will know what the amendments are.

Mr. HARRISON. The Senator is familiar with the proposed amendments.

Mr. SMOOT. I am familiar with the amendments and I have no objection to the consideration of the amendments, but I hardly think it proper now to ask unanimous consent that the rules be suspended for the purpose of voting upon the amendments when they come up in the Senate at some future time.

Mr. HARRISON. Of course, under the rule I would have to give a day's notice.

Mr. SMOOT. I am aware of that

Mr. HARRISON. I understand the Senator from Wyoming desires to bring up the appropriation bill and consider it to-night. I am merely trying to expedite matters, if I can get unanimous consent at this time.

Mr. SMOOT. I think the Senator could get unanimous consent this evening as well as he can now.

Mr. HARRISON. I may not be able to do that.

Mr. WARREN. I understand the Senator from Mississippi is not asking for a suspension of the rule except as to this one matter?

Mr. HARRISON. That is all.

Mr. WARREN. That does not expose the bill to an exemption from the rule as to other items?

Mr. HARRISON. No; just the one proposition about changing the school board.

The VICE PRESIDENT. The Senator from Mississippi asks unanimous consent that when the general deficiency appropriation bill comes before the Senate clause 3 of Rule XVI may be suspended for the purpose of considering amendments touching the school system of the city of Washington. Is there objection? The Chair hears none, and the agreement is entered into.

The present occupant of the chair will not undertake to pass upon whether this is a good or a bad practice. The fact remains that the Senate did give unanimous consent to suspend the rule on this amendment. The Chair is of the opinion that the point of order is not well taken, and it is therefore overruled. The question is on agreeing to the amendment.

Mr. JONES of Washington. Mr. President, I am not going to take the time of the Senate to discuss the amendment, though I would like to do it. I recognize the importance of getting this bill through. I had concluded that I would take whatever time was necessary to defeat the bill if the Senator insisted, under the circumstances, in putting this amendment on the bill. But I have reflected over it, and first impulses, I find, are not generally the wisest to follow, so I have decided not to do it. Therefore I am not going to discuss the merits of it, except simply to say that I do not think this is the way to settle the dispute here in this city. I was disappointed at the recommendation of the special committee, recommending the retention of the present superintendent of schools. Regardless of his merits as a man, as an educator, and otherwise, the controversy has reached such a stage that he should not, in the interest of the schools, be retained as superintendent of these schools any longer. I would like to discuss it, but I am not going to do so.

Mr. President, under the facts as brought out I do not think, regardless of the merits of this amendment, that the Senate should adopt it, but I am going to leave it to the Senate.

Mr. KING. Mr. President, the recommendations of the committee do not, I understand, require the retention of the superintendent of schools. The new board, if one shall be organized under this bill, will have full authority to select whom they please for that very important position.

Mr. JONES of Washington. Let me suggest to the Senator, although I did not intend to go into the argument, that they do suggest that he be kept on for a while. That is the recommendation to the new board.

Mr. KING. That is a mere suggestion by the committee.

Mr. JONES of Washington. But I am not going to argue it.

Mr. KING. The board named would have full authority in the matter. In my opinion, the present board has been guilty of the grossest inefficiency. I think the committee which went into this matter rendered a very excellent public service, and I am delighted with the report, and very happy to follow it. I want to make this one observation, Mr. President: I sincerely hope that in the future when persons shall be named by the President for positions in this city they will not be carpetbaggers, but that men will be appointed who have an interest in the city, who are identified with the city, and have the confidence of the people—men who have no other homes.

Mr. JONES of Washington. Will the Senator yield to me?

Mr. KING. Certainly.

Mr. JONES of Washington. Judging from the past, may not the Senator expect the President to do things of that kind?

Mr. KING. I am not defending some of the appointments made by the President with respect to the District of Columbia, but I hope there will be better appointments made in the future.

Mr. MYERS. Mr. President, I wish to say just a few words in explanation of my vote on this amendment.

I never heard of the matter until to-night. I am very loath to do anything that is personally disagreeable to any Member of this body on either side of the Chamber. But, the Chair having decided that the amendment is in order, I want to say that I regard the amendment of such supreme importance to the welfare of the schools of the District of Columbia that I think its importance should be placed above the personal feelings of a Member of the Senate. There is no Member of the Senate whom I would be more loath to do anything disagreeable to than the esteemed Senator from Washington [Mr. JONES]. I feel that way toward all the Members of the Senate. But this is a matter of such extreme importance that I think it my duty to vote for the amendment, although it may be objectionable to some Senators.

Mr. LODGE. Mr. President, I make the request that when the Senate takes a recess it shall be until 11 o'clock to-morrow morning.

The PRESIDING OFFICER. Is there any objection? The Chair hears none, and it is so ordered.

The question is on agreeing to the committee amendment.

The amendment was agreed to.

HOUSE JOINT RESOLUTION REFERRED.

H. J. Res. 373. Joint resolution declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired, was read twice by its title, and referred to the Committee on the Judiciary.

SIERRA NATIONAL FOREST.

Mr. SMOOT submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2789) for the consolidation of forest lands in the Sierra National Forest, Calif., and for other purposes, having met, after full and free conference have agreed to reocmmand and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1 and 2, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the House amendment insert the following: "and in determining the relative values of the lands or timber to be exchanged, consideration shall be given to any reservations which either party may make of timber, minerals, or easements"; and the House agree to the same.

REED SMOOT,
JAMES D. PHELAN,
Managers on the part of the Senate.
N. J. SINNOTT,
ADDISON T. SMITH,
EDWARD T. TAYLOR,
Managers on the part of the House.

The report was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills:

S. 3566. An act to amend section 3 of an act entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," approved February 5, 1917;

S. 4402. An act authorizing Troup County, Ga., to construct a bridge across the Chattahoochee River near West Point, Ga.;

S. 4212. An act to authorize the Central Railroad Co. of New Jersey to construct a bridge across the waters of the Delaware River between the city of Easton, in the State of Pennsylvania, and the city of Phillipsburg, in the State of New Jersey;

S. 4286. An act to amend an act entitled "An act to authorize the incorporated town of Petersburg, Alaska, to issue bonds in any sum not exceeding $75,000, for the purpose of constructing and installing a municipal electric-light and power plant, and for the construction of a public-school building," approved September 29, 1919; and

S. 4427. An act granting the consent of Congress to the city of Columbus, in the State of Georgia, to construct a bridge across the Chattahoochee River.

The message also announced that the House had passed the joint resolution (S. J. Res. 152) authorizing the appointment of a commission to confer with the Dominion Government or the provincial governments of Quebec, Ontario, and New Brunswick as to certain restrictive orders in council of the said Provinces relative to the exportation of pulp wood therefrom to the United States," with amendments, in which it requested the concurrence of the Senate.

EXPORTATION OF PULP WOOD.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 152) authorizing the appointment of a commission to confer with the Dominion Government or the provincial governments of Quebec, Ontario, and New Brunswick as to certain restrictive orders in council of the said Provinces relative to the exportation of pulp wood therefrom to the United States, which were, on page 3, line 5, to strike out "Congress" and insert "President, on or before December 1, 1920," and on page 3, line 8, to strike out "or their modification."

Mr. UNDERWOOD. This is a newsprint and wood-pulp measure that was passed in the Senate some time ago and practically agreed to unanimously in the House, with two clerical amendments. I ask unanimous consent that the amendments of the House may be concurred in.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the amendments of the House are concurred in.

GENERAL DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes.

The reading of the bill was continued.

The next amendment was, under the head of "Metropolitan police," on page 11, after line 7, to insert:

House of detention: For repairs, alterations, and equipment of the House of Detention of the District of Columbia, Fifteenth Street and Ohio Avenue NW., to continue available during the fiscal year ending June 30, 1921, $18,000.

The amendment was agreed to.

The next amendment was, under the subhead "Washington Asylum and Jail," on page 14, line 20, after "1920," to strike out "$10,000" and insert "$11,500," so as to make the clause read:

Support of prisoners: For maintenance of jail prisoners, etc., including the same objects specified under this head in the District of Columbia appropriation act for the fiscal year 1920, $11,500.

The amendment was agreed to.

The next amendment was, under the head of "Federal Board for Vocational Education," on page 17, line 16, after the word "made," to insert "*Provided further*, That the board may, after the passage of this act, pay, subject to the conditions and limitations prescribed by section 2 of the vocational rehabilitation act as amended, to all trainees undergoing training under said section residing in congested centers of population where maintenance and support is above the average and comparatively high, in lieu of the monthly payments for maintenance and support prescribed by section 2, as amended, such sum as in the judgment of the said board is necessary for his maintenance and support and for the maintenance and support of persons dependent upon him, if any: *Provided, however*, That in no event shall the sum so paid such person while pursuing such course be more than $100 per month for a single man without dependents, or for a man with dependents $120 per month, plus the several sums prescribed as family allowances under section 204 of article 2 of the war-risk insurance act," so as to make the clause read:

Vocational rehabilitation: For an additional amount for carrying out the provisions of the act entitled "An act to provide for the vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended, including personal services in the District of Columbia and elsewhere, funeral and other incidental expenses (including the transportation of remains) of deceased trainees of the board, printing and binding to be done at the Government Printing Office, law books, books of reference, and periodicals, $7,000,000: *Provided*, That the salary limitations placed upon the appropriation for vocational rehabilitation by the sundry civil appropriation act approved July 19, 1919, shall apply to the appropriation herein made: *Provided further*, That the board may, after the passage of this act, pay, subject to the conditions and limitations prescribed by section 2 of the vocational rehabilitation act as amended, to all trainees undergoing training under said section residing in congested centers of population where maintenance and support is above the average and comparatively high, in lieu of the monthly payments for maintenance and support prescribed by section 2, as amended, such sum as in the judgment of the said board is necessary for his maintenance and support and for the maintenance and support of persons dependent upon him, if any: *Provided, however*, That in no event shall the sum so paid such person while pursuing such course be more than $100 per month for a single man without dependents, or for a man with dependents $120 per month, plus the several sums prescribed as family allowances under section 204 of article 2 of the war-risk insurance act.

Mr. SMITH of Georgia. Mr. President, I desire to suggest an amendment to this provision. The House has passed a bill upon the subject, which is before the Senate, and I think Senators are ready to agree to the House provision. This provision adds an additional restriction, and I hope the chairman of the committee will consent to remove it. On line 20 he limits this increase to "trainees * * * residing in congested centers of population where maintenance and support is above the average and comparatively high."

My motion is to strike from this amendment the words "residing in congested centers of population where maintenance and support is above the average and comparatively high." It still contains the words of limitation beginning with line 24. It limits the amount of the increase to "such sum as in the judgment of the said board is necessary for his maintenance and support and for the maintenance and support of persons dependent upon him, if any: *Provided, however*, That in no event shall the sum so paid such person while pursuing such course be more than $100 per month for a single man without dependents."

Mr. President, I think it ought to be a flat provision for the $20 a month increase to each injured soldier. We take up the question of service pensions with enthusiasm and pass them without hesitation. The Senate almost passed the bill for a minimum wage of $1,080 to the least efficient of our Government employees.

I do not consider $100 a month for the maintenance of an injured soldier whose injuries are such that he can not continue in the vocation which he followed before he was wounded is excessive. I do not think $120 to one who has dependents is excessive. I believe we have gone too far in pensioning those who have not been injured in the military service and have been careless and disregardful of our obligations to those who were actually injured.

I have visited a number of these institutions where these injured men are located, and I have looked into the occupations which they followed before their injury. I have found that the average man among them would be making at least $150 a month but for his injuries. I have found many of them receiving $80 a month whose earning capacity before their injuries were received was $250 a month. At present we allow them $80 a month for a single man without dependents and $100 a month for a married man or one with dependents.

Mr. WARREN. We allow an additional amount for children, of course. Even under the present law they can get as high as $150 or $160, and with this addition of $20 it goes that much higher.

Mr. SMITH of Georgia. It would require a very large family to give $160 a month. What I ask is a flat addition of the $20. For a single man $100 a month is little enough. We are ready to give $1,080 to the least trained and least efficient of our Government employees. Are we unwilling to give $100 to a wounded soldier for his maintenance? None of them under the law can receive this training unless their injuries are such as to make it impossible for them to continue in their former line of occupation. Many of these men are armless, many of them legless, many of them with many wounds upon their persons, all of them disqualified from continuing in their former occupation. Few of them did not make over $100 a month before their injuries were received, and many of them made from $100 to $250 a month before their injuries were received.

Mr. WADSWORTH. Mr. President——

Mr. SMITH of Georgia. I yield to the Senator from New York.

Mr. WADSWORTH. I thank the Senator. I dislike very much to interrupt the Senator. Will he again state the amendment which he proposes?

Mr. SMITH of Georgia. Certainly. On line 20, page 17, beginning with the word "residing," I move to strike the words "residing in congested centers of population where maintenance and support is above the average and comparatively high."

What are the facts with reference to these men? There are 38,000 of them in training; 21,000 are in cities of over 100,000 inhabitants. I gave the exact figures on yesterday, and they are found in the CONGRESSIONAL RECORD this morning. Some of them are in cities of over a million inhabitants. Only 12,000 of them are in cities of less than 100,000 inhabitants; 21,000 are in cities of over 100,000 inhabitants. I think it unwise to draw that line of discrimination between them. The bill still contains words of limitation. I would prefer no words of limitation. I would be glad to see these wounded men, who have been disqualified from continuing in their former occupations, given a flat $100 a month and a flat $120 a month. I think that is little enough, but if we desire words of limitation, even if we strike out this language to which I object, we still have the following limitaton:

> Such sum as in the judgment of the said board is necessary for his maintenance and support and for the maintenance and support of persons dependent upon him, if any: *Provided, however,* That in no event shall the sum so paid such person while pursuing such course be more than $100 per month for a single man without dependents, or for a man with dependents $120 per month.

Now, why, in the case of a man with dependents, limit the increase to the fact that he is in a city where the congested conditions increase the cost of living?

The House passed the bill without this language to which I am objecting. The House passed the bill with the limiting language which I have suggested be left in the amendment.

I wish to appeal to the chairman of the committee to consent to strike out these words to which I have objected, which make a dscrimination between the men that is hardly fair.

Mr. WARREN. It is simply a question whether there is any limit on earth that we may reach to where we can stop. The Senator is perfectly frank about it that he would give every one of them $100 a month, no matter if they are drawing their board additional and all of their support.

Mr. SMITH of Georgia. But none of them are drawing their board.

Mr. WARREN. But some of them are drawing their board.

Mr. SMITH of Georgia. But they are not. Name the place.

Mr. WARREN. Every one of them is drawing his board at the soldiers' home——

Mr. SMITH of Georgia. Why, they are not. There are none of them at the soldiers' homes to whom this bill applies.

Mr. WARREN. That is a matter which I do not care to debate. It is a matter of veracity, but I have it direct in conversation with the manager of the vocational education.

He told me that some of these men had been placed in soldiers' homes, and that the War Risk Bureau had some there in the same way. It is useless, unless the Senator has better information than I, to discuss the matter.

Mr. SMITH of Georgia. I yielded to the Senator. I have the floor, but I would be glad to hear him offer an amendment making it inapplicable to those at the soldiers' homes, but I wish to say to the Senator that if there are any such they are negligible in number.

Mr. WARREN. I was not assuming to break in on the Senator. The Senator yielded to me and I am seeking to answer the Senator, and I wish to know if I have the floor for that purpose.

Mr. SMITH of Georgia. I yielded to the Senator. I am glad to have him go on with his statement.

Mr. WARREN. It is a matter I took up with great care. In the first place, does the Senator know how much we have appropriated up to this time this year for vocational education of wounded soldiers? What is his idea about the amount of money that we have appropriated already for that purpose?

Mr. SMITH of Georgia. I do not know exactly. I am talking about the amount of money required to pay their expenses.

Mr. WARREN. Yes; and the Senator says without limit that he wants them to have $100 a month, no matter what other benefits they may receive in addition. I take issue with the Senator, because some one has to take issue somewhere.

We have already appropriated up to the present time in this year $129,000,000 for the vocational education of these rehabilitated soldiers, in addition to what we have provided for the War Risk Bureau, in addition to what we have allowed in the Public Health Service, and in addition to that contained in the so-called Smith-Lever bill, I think it was called, the vocational education bill which carries some millions for use in conjunction with the States for several vocational education purposes. I am told from the Public Health Service that if the men are there for any length of time, they, of course, have their board and everything except their clothing furnished, as do those who may be at the soldiers' homes. I again say to the Senator that that is what I was told, and unless he has better authority I still maintain it.

I was told by the Director of the War Risk Bureau that $80 a month in many cases was sufficient, but there were other cases—and he mentioned the city of New York—where he said a man ought to have $100 a month. I talked with the Vocational Education Board, and they said it was very difficult for them to do anything but to always allow the limit of $80, although in some cases they were, perhaps, paying more than was necessary. Of course, if that is the desire of the Senator and others with him, I certainly do not want to stand in the way, but some one somewhere ought to figure out what is right for these men and provide it for them, but not overpay or waste.

The Senator sees persons earning $100 or $200 or more a month, but if we follow that plan there may be men that had $5,000 a month who were drafted. They were drafted and had to come from wherever they were. It seems to me if we furnish these soldiers the best of vocational education for nothing, if we furnish all their books, their stationery, their medicine, and if we furnish all their supplies, tools, and everything so that the men can live comfortably and well, that we perhaps ought not to take into consideration what their salary may have been before they entered the Army.

It is simply a matter of degree, I wish to say to the Senator. As it is under this bill they can give every man $100 a month, or $120 if he has a wife, if they wish to do so, but I wanted to give the board something behind them, so if they chose to exercise a little care and possibly some economy, with all regard to the health and happiness of the men, that they should have something to rely on as to what the Congress wishes in regard to these expenditures. That is all there is to it. The Senator's bill that he speaks of, I think the Senator himself knows, as it came over from the House, was not in shape that it ought to have passed.

Mr. SMITH of Georgia. Yes; I agree with that statement.

Mr. WARREN. The Senator agrees that the bill ought not to have passed in that way.

Mr. SMITH of Georgia. We had prepared an amendment which we believed should be placed on the bill.

Mr. WARREN. Very true, although possibly there was some difficulty in handling it in that way in conference, and it was put in here with the best regard for these men. I want to furnish them everything the Nation can afford to furnish, but if the Senator will figure the amount he will see that in the next six months it will be twice as much as it was the last six months, because the number of students is increasing.

Mr. SMITH of Georgia. The Senator is mistaken when he estimates the amount appropriated to spend on these men. There are only 33,000 of them, and the full amount of $80 and $100 multiplied by the 33,000 is less than $20,000,000.

Mr. WARREN. Mr. President, if the Senator——

Mr. SMITH of Georgia. One moment. The tuition and the balance is not nearly as much more; it is very much less. The Senator is adding others that are not included in the class to which I am referring. The Senator says they are in hospitals, where their board is paid and that they are being cared for, or that they are in soldiers' homes. My information is that he is mistaken about that. I have the location of the bulk of these men, and there are no soldiers' homes mentioned.

Mr. WARREN. Will the Senator yield to me a moment?

Mr. SMITH of Georgia. There may be a negligible portion of them in the soldiers' homes. I am willing to except from this increase any man who is in a soldiers' home or who is getting his board. I am willing to accept a proviso of that kind. It will not apply to 500 men, I am sure, because these men are not in the soldiers' homes. If I could have the CONGRESSIONAL RECORD of this morning, I could tell the Senator exactly where they are.

Mr. WARREN. Will the Senator yield just a moment?

Mr. SMITH of Georgia. Certainly.

Mr. WARREN. The Senator seems to be in the humor tonight to doubt the veracity of all my statements.

Mr. SMITH of Georgia. Oh, I do not mean that at all. The Senator had many of these figures to consider, while I have made a specialty of this.

Mr. WARREN. The figures are right here, the exact amount that we have appropriated in each bill; and I say to the Senator, as I have stated before, that there is $127,000,000 for vocational education alone. In addition to that are several hundred thousand dollars and up into the millions for the Public Health Service; and then, again, is all this money that goes from the War Risk. If the Senator will notice in the last bill we passed we provided an additional $117,000 in the way of more and higher-priced teachers.

It is not a matter of boarding men altogether that it takes money for, but I am giving the Senator what it costs to handle this vocational-education matter of the soldiers whom we are rehabilitating. We have appropriated that. That is what we shall have done if we pass this bill containing the $7,000,000 more.

Mr. SMITH of Georgia. No; that is a mistake. It does not amount to that much.

Mr. WARREN. It does not amount to $7,000,000 in this bill?

Mr. SMITH of Georgia. No.

Mr. WARREN. The bill is right before the Senator. Why doubt the figures?

Mr. SMITH of Georgia. Yes; if they all received it, it would not be that much. It would be $6,600,000, twice 33,000. The number in the schools at this time is 33,000.

Mr. WARREN. But the Senator must understand that there are teachers for every little handful of men.

Mr. SMITH of Georgia. But the Senator passes from what I am discussing to something else. He said that this was an increase of $7,000,000. If they all got $20 additional it would not be an increase of $7,000,000. There would still be a limitation; and I insist that the same kind of limitation be applied to all of them.

Mr. President, I wish to urge upon the Senate and upon the chairman of the committee that the argument about the men being in the soldiers' homes is not applicable to this proposition.

Mr. McKELLAR. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Tennessee?

Mr. SMITH of Georgia. I do.

Mr. McKELLAR. I am very thoroughly in favor of the Senator's amendment. I think if there is one class amongst all the citizens of the United States with whom Congress can afford to be liberal it is the poor, unfortunate young men who were wounded in the war, whom we are trying to rehabilitate. I do not think we ought to cavil a minute about the cost of it, but that we ought to give them the best.

I know from actual observation that many of them are not receiving the treatment and the pay which they ought to have in order to be rehabilitated and to receive a vocational training; there is no doubt about it; and this body ought not to hesitate a moment, whatever the cost, in providing for these young men and seeing that they are dealt with without stint. They ought to be helped. They are going through the world legless or armless or eyeless for all time so far as they are concerned, and we ought not hesitate in assisting them. The amendment ought to be adopted.

Mr. SMITH of Georgia. Mr. President, the Senator from Wyoming is obliged to be mistaken about the amount we have spent on these 33,000 men in the first six months of this year. The total appropriation for their support, including the allowance of $80 to $100 a month, is only $33,000,000 for the year. We have not spent that much on their teachers. The Senator is obliged to be mistaken about it. He has a vast burden on him in connection with appropriations, while I have specialized on this particular matter. I have inquired about the men being in the soldiers' homes and I am advised by the director that there are none of them in soldiers' homes. I know where most of them are. I know there is not one in a soldiers' home in my State. They are not in soldiers' homes in New York; they are not in soldiers' homes in Philadelphia; they are not in soldiers' homes in Boston. I should like to know the soldiers' homes any of them are in. I know where those are who are not in soldiers' homes. I know where they are where nobody is paying their board and nobody is furnishing their clothes. Their books are not all furnished them, either; neither are their physicians' bills paid for them. When they are in the hospitals, before they have been discharged from the jurisdiction of the Medical Corps of the Army, while they are still under that supervision, they do have their board and medical attention furnished them, but they have not then begun to receive the compensation; that begins afterwards. The boys taking the vocational training can not have cost the Government $100,000,000 in the first six months of this year; and while I have the greatest personal appreciation and admiration for the chairman of the committee—and he knows my personal regard for him—I know he is mistaken about that.

Mr. WARREN. Mr. President, I do not care to have any admiration, but a $20 bill is a $20 bill, and when it is developed here that this money has been appropriated, it is rather difficult for me to think that the Senator from Georgia knows more about it than what the figures show.

Referring to the Public Health Service, I will state to the Senator that the soldiers under the jurisdiction of that service receive their board and attendance. They do not go there until after they are discharged from the Army, and when they do go there I assert again that they receive their board and all their medical supplies and everything which is necessary except, perhaps, their clothing.

Mr. SMITH of Georgia. Will the Senator name a place where these men who are taking vocational training are receiving their board?

Mr. WARREN. I will simply say that this is the statement which has been made to me, and I can verify it here by sending down for the evidence in the office of the Surgeon General of the Public Health Service. I would just as soon believe the Surgeon General and the director or the managers of the Vocational Education Board as to believe the Senator from Georgia himself, and I, of course, presume the Senator means to be right.

Mr. SMITH of Georgia. The Senator from Wyoming is usually right, but if he proceeds much further I shall withdraw my suggestion of admiration.

Mr. WARREN. The Senator from Georgia could not harm me by that, I am sure.

Mr. SMITH of Georgia. I repeat, the Senator from Wyoming can not name the places where these men are at soldiers' homes. I ask to be informed as to what number of them are at soldiers' homes and are receiving their board and where?

Mr. WARREN. I have not asked for that information. I stated that a vocational-education manager told me that some of them had been at the homes, and he told me what he paid for their keep. If the Senator doubts that, I can not help it. I myself have not been to the homes; of course, that is not my duty.

Mr. SMITH of Georgia. The men in New York City, in Boston, in Philadelphia, and all over the country are not having their board paid. I repeat that from my personal information and investigation, if any of them are receiving their board, they are a negligible number. They are not under the Surgeon General of the Public Health Service; he has nothing to do with them now. He deals with a different class. There is simply a confusion between other men and the men I have in mind, and I repeat that I think the Senator is mistaken when he says that a hundred million dollars has been appropriated for the first six months for vocational training.

Mr. WARREN. The exact figures are $127,000,000, including the $7,000,000 in this bill, so far appropriated in 1920.

Mr. SMITH of Georgia. The Senator stated that the amount had been spent during the first six months.

Mr. WARREN. Seven million dollars are carried in this bill. Eight million dollars were at first asked for, but they finally thought that they would try to get along with $7,000,000 until the 1st of July. I am giving the Senator the figures of the appropriations, which I think I know when they are right before me here, printed as we have had them arranged in order to furnish the information.

Mr. SMITH of Georgia. Would the Senator object to reading the appropriations and mentioning where they may be found?

Mr. WARREN. They are found directly in the various appropriation bills. The first appropriation was $8,000,000; the second was $6,000,000; the third was $15,000,000; the next, $11,000,000; the next, $90,000,000——

Mr. SMITH of Georgia. Wait a moment. When was the last amount appropriated?

Mr. WARREN. We just passed it in the sundry civil bill.

Mr. SMITH of Georgia. That was the bill which was passed a few days ago, and that amount is for the next 12 months.

Mr. WARREN. That is true.

Mr. SMITH of Georgia. That amount was not spent within the first six months, of course, and has not been spent.

Mr. WARREN. No; but we spent the amount that was appropriated previously for this year; and then there is $7,000,000 in this bill.

Mr. SMITH of Georgia. The amount named by the Senator was not appropriated for the first six months of this year, as he claimed; he has named the total appropriations from the time we began the work, and the $90,000,000 is to carry us through the next 12 months.

Mr. WARREN. But before that various amounts had been appropriated; and, of course, we are spending money right along for the different purposes provided for in the appropriation bills. For instance, we are now appropriating for the fiscal year 1921; in 1919 we were appropriating for the fiscal year 1920.

Mr. SMITH of Georgia. I repeat that the wounded soldiers I have been discussing have not cost us over $100,000,000 for six months, as the Senator claimed. The total appropriations, by the Senator's figures, were only $40,000,000 up to July 1 next, which covered two years.

Mr. WARREN. I think we could come to a conclusion in this way: There is no difference at all between the Senator and me that this item in this bill contemplates appropriating the difference between the $100 and the $120, just as in the case of the bill the Senator mentioned. We have no difficulty about that. What the appropriations really amount to has nothing to do with the matter, except in its relation to the general subject of the cost of the enterprise. If we provide all that is necessary for the men, it ought to be enough; that is all.

Mr. SMITH of Georgia. Mr. President, what I insist upon is that the amount provided is not enough; we have not given them enough; they have had to appeal to charitable organizations to take care of them. Men and women connected with the Red Cross, John Hays Hammond, who has charge of an organization caring for the soldiers in New York City, and organizations from all over the country came to the House Members and begged them to give the additional $20 in order that these boys might have enough to pay their expenses.

Let us come down to the exact proposition before the Senate. Shall we distinguish between the wounded soldiers or shall we put them all in the same class? Shall we put in the words not contained in the House bill, and limit the payment of the additional amount to those "residing in congested centers of population where maintenance and support is above the average and comparatively high," or shall we use the language used by the House in the original bill, which allowed "such sum as in the judgment of the said board is necessary for his maintenance and support"?

Under the provision that I ask to strike out you exclude a sum which the board might consider necessary for their maintenance and support unless the board finds further that they are located in a congested center. I think they all ought to be treated alike, and wherever the board feels that the sum of $20 additional is necessary for their support they should receive it.

That is all I ask. I am asking that you do not put an arbitrary basis of distinguishment between them; that you leave it to the board, as the House did, to give them the $20 a month additional wherever in the opinion of the board the money is required to meet their expenses, and that language I am not asking to strike out. The House sent up the bill in that shape. There was an error in the House bill in that it dealt with an entire section, when one paragraph of that section should not have been changed, and it would have been necessary to amend the bill, and I am ready to thank the Senator for bringing it to us in this shape if he will just take out this provision that discriminates between the boys.

Mr. WARREN. Mr. President, let it go before the Senate. I am willing that the Senate shall vote on it.

Mr. WADSWORTH. Mr. President, I have the greatest sympathy with the amendment proposed by the committee, and I have listened with a great deal of interest to the discussion that has gone on between the Senator from Georgia and the Senator from Wyoming.

About a week ago, Mr. President, in an uproar of cheers, another body passed a bill imposing upon the taxpayers of this country something like $1,200,000,000, to be paid out in the shape of bonuses to able-bodied men, uninjured survivors of the war. I shall not discuss the merits of that proposal upon this occasion; but I desire to call the attention of the Senate to that action and ask them to compare that action with what is here proposed and to say in all seriousness that the proposal for a bonus to be paid to all uninjured, able-bodied men who served in the war has attained such a momentum, apparently, in political circles that the wounded men are forgotten, they being in the minority. The majority always gets the attention of men in public life, and especially those men running for public office.

Mr. SMITH of Georgia. Mr. President, will the Senator allow me to interrupt him a moment?

Mr. WADSWORTH. I yield.

Mr. SMITH of Georgia. Nobody has heard me approve that bonus. I am just pleading for the wounded soldiers.

Mr. WADSWORTH. No; I do not mean that the Senator has. I am simply making a few observations in connection with this amendment. Nevertheless, I do want to impress upon the Senate, or the few Senators here present, this situation.

Here are some few thousands of men who have suffered and sacrificed for their country, suffered and sacrificed something very real, a suffering and a sacrifice which will be felt by them for the rest of their lives. They have come here and have proved that the allowances now made by the Government for their support while they are undergoing this vocational rehabilitation are insufficient; and, for one, I congratulate the Committee on Appropriations, headed by the Senator from Wyoming, upon giving these men recognition here and now, for they are the men who actually need it; and it can not be contended, even by the most enthusiastic supporters of the bonus, that every one of the more than 3,000,000 men who are to be its beneficiaries is actually in need of it. I rejoice that in the midst of the uproar, contention, agitation, and propaganda which has flooded this Congress in behalf of millions of men the Senate of the United States finds time to consider the few thousands who actually need the help of their country and their Government.

Now, Mr. President, with respect to the amendment proposed by the Senator from Georgia, I think he and I and the Senator from Wyoming are all attempting to accomplish the same thing. It is perfectly true that in some of the great communities of this country a boy can not live in comfort and decency on $80 a month. He can not feed and board and clothe himself and present a decent appearance amongst his fellows upon that sum.

In other communities, less in size, possibly he can. I am quite sure that he can in some of the lesser communities. He can not in the city of New York; he can not in Boston; he can not in Philadelphia; he can not in Chicago, and I dare say there are many other of the larger and more congested communities in which he can not do it.

Now, the question is, Can we establish an elastic system of administering these allowances so that, no matter where the boy is taking his vocational rehabilitation, he will have enough to live on in decency? It strikes me that the language to which the Senator from Georgia objects is the very language which is expressive of the intent of the Congress—that no matter where the boy lives, be it in a congested district or in a comparatively sparsely populated district, wherever he lives he shall have enough, provided, of course, in accordance with the provisions of this amendment, that in no event shall a single man without dependents get more than $100 or a married man, or a man with dependents, get more than $120.

It seems to me that the language that the Senator from Georgia criticizes is language declaratory of the purpose of the Congress, and that if it should not prove necessary to give a boy more than $85 or $90 or $95 in a certain community he need not be given more than that amount; but if he does live in a community described in this amendment as a congested center of population, where maintenance and support is above the average, and comparatively high, then he should get the $100 or the $120, as the case may be. I am willing to leave it to the board. If he does not live in a congested district, if he lives in a place where the maintenance is not comparatively high, I think we can trust them to give him enough to live upon decently.

Mr. SMITH of Georgia. But you do not allow any increase at all.

Mr. WADSWORTH. Oh, yes, Mr. President; it is still left in the judgment of the board in any case. Now, read the language. It is left to the discretion of the board:

> To all trainees undergoing training under said section residing in congested centers of population where maintenance and support is above the average and comparatively high, in lieu of the monthly payments for maintenance and support prescribed by section 2, as amended, such sum as in the judgment of the said board is necessary for his maintenance.

Mr. SMITH of Georgia. It is limited to congested centers; and if they should find that somewhere else, at a place which was not a congested center, he still needed more than $80, he could not have it.

Mr. WADSWORTH. The board is to be the judge of the degree of congestion and the comparative cost of living. That is the point. The board is master of the situation. The Committee on Appropriations in this amendment does not pretend to prescribe or define a congested district. It merely declares the purpose of the Congress in leaving it to the judgment of the board to decide where living costs are higher than in other places; and where they are higher, due to congestion, due to comparatively high costs, then they may raise it to the limit. They still have the discretion to pay less than the limit where in their judgment the living costs are less than the highest; that is all. The amendment offered by the Senator from

Georgia will not detract anything from the discretion of the board, nothing whatsoever, for it will then read:

To all trainees undergoing training under said section, in lieu of the monthly payments for maintenance and support prescribed by section 2, as amended, such sum as in the judgment of the said board is necessary for his maintenance.

You have left out the declaration of purpose by the Congress if you strike out the language to which I referred, but you have not really confined the discretion of the board any more than the committee confines it, or extended the discretion of the board any more than the committee extends it.

Mr. POMERENE. Mr. President, if the Senator will allow me to interrupt him, of course the purpose of the draft of the committee was to leave this matter primarily to the discretion of the board.

Mr. WADSWORTH. Yes.

Mr. POMERENE. Now, we all recognize that, as a rule, the cost of living in congested centers of population is higher than elsewhere; but there may be localities not congested where the cost of living is high. I do not think the matter is so serious as the Senator from Georgia suggests, but permit me to make this suggestion: Just strike out the words "in congested centers of population," so that it will read:

To all trainees undergoing training under said section residing where maintenance and support is above the average—

And so forth.

Mr. SMITH of Georgia. That is satisfactory.

Mr. POMERENE. That would meet the situation.

Mr. WADSWORTH. It is the same thing.

The PRESIDING OFFICER. Does the Senator from Georgia accept the substitute offered by the Senator from Ohio?

Mr. SMITH of Georgia. Yes.

Mr. WARREN. Mr. President, I did not catch the wording, but if I understand aright, I am willing to accept that.

Mr. POMERENE. It just strikes out the words in line 21, "in congested centers of population," so that the text will then read:

Residing where maintenance and support is above the average.

Mr. WARREN. I accept that.

Mr. SMITH of Georgia. That is satisfactory to me.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 18, after line 21, to insert:

SMITHSONIAN INSTITUTION.

National Zoological Park: To provide for the increase of pay of the National Zoological Park policemen to the rate of pay of the United States park police, $4,160, to be available also for the fiscal year 1921, one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Mr. KING. Mr. President, just for information, I find on page 18, from lines 11 to 21, an appropriation of $14,000,000 to pay for an alleged deficit incurred in the operation of the telegraph and telephone systems. The Senator doubtless has received telegrams similar to the one I have received.

Mr. WARREN. I think every Senator received it.

Mr. KING. I have made some investigations, and I am in sympathy with the position of those who sent this telegram. It does seem to me that this is a premature appropriation.

Mr. WARREN. If the Senator moves to strike it out, and the Senate strikes it out, all right. We have got to pay it at some time.

Mr. KING. I move to strike it out.

Mr. SHEPPARD. Mr. President, I hope the Senate will not take that action until it can hear what developed at the hearings as the basis for this amendment.

Mr. WARREN. I am not taking the action. I am submitting the matter. I simply say, if the Senate thinks it is wrong, strike it out.

Mr. McKELLAR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Tennessee will state it.

Mr. McKELLAR. Are we not reading the bill for action on the committee amendments?

The PRESIDING OFFICER. The Senator from Tennessee is correct in that assumption.

Mr. KING. I desired to notify the chairman——

Mr. WARREN. I should have reminded the Senator of that.

Mr. KING. I was aware of that rule, but I thought, in the interest of expedition, we had better take it up.

The PRESIDING OFFICER. The question is on agreeing to the amendment on the bottom of page 18.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Department of State," subhead "Foreign intercourse," on page 21, after line 10, to insert:

Relief and protection of American seamen: Relief and protection of American seamen in foreign countries, and in the Panama Canal Zone, and shipwrecked American seamen in the Territory of Alaska, in the Hawaiian Islands, Porto Rico, and the Philippine Islands, $35,000.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department," on page 23, after line 11, to insert:

PUBLIC BUILDINGS.

General expenses: Authority is hereby given the Secretary of the Treasury to grant compensation in excess of the amount provided in the sundry civil appropriation act for the fiscal year 1921, and at rates of pay not in excess of the maximum rates paid in other executive departments for the same or similar character of service, to the following classes of technical employees of the Supervising Architect's Office paid from the appropriation for general expenses of public buildings, as follows: Foreman, architectural, and apprentice draftsmen; structural engineers and draftsmen; mechanical, sanitary, electrical, heating, ventilating, and illuminating engineers and draftsmen; and computers and estimators, and to carry into effect the provisions of this paragraph during the fiscal year 1921 there is appropriated the sum of $104,050.

The amendment was agreed to.

The next amendment was, under the subhead "Independent treasury," on page 25, after line 9, to insert:

For expenses incident to the transfer of the duties and functions of the several subtreasuries when discontinued, as provided for in the legislative, executive, and judicial appropriation act for the fiscal year 1921, $292,000.

Mr. WARREN. Mr. President, I want to transfer the long amendment on page 23, under the Treasury Department, to page 27, to follow line 20, and strike out the subhead.

The PRESIDING OFFICER. Without objection that change will be made.

Mr. KING. That is an item to which I desire to call the Senator's attention. My information is, and I think it is the information of other Senators, that that branch of the Treasury Department which has to do with the construction of buildings, the architects, and so on, has done but very little for a number of years. That is to say, there have been comparatively few public buildings erected, and I do not understand the reason for an increase in the compensation. I understood that there was a diminution in the number of employees, and that instead of there being an increase in the amount of appropriation for the Architect's Office, there ought to have been a reduction. Can the Senator advise how this deficit was created, and what authority there was for it?

Mr. WARREN. Mr. President, it is a matter of salaries. These are for the experts, architects of a certain degree, and engineers. A great many have already left, and in the bill heretofore passed the salaries were raised for those who served in the field, leaving the office men below them, and of course below their living wage. They have had no raise whatever in their wages. Of course, it came up in other bills, and I have contested against it because if there was any place for it, it could come in after we have further information. I looked it over very carefully, and unless we want to cripple the office entirely, I think we must allow this amendment to go through.

Mr. KING. Mr. President, I think it is very bad practice to wait until a year has gone by and then bring in an item of this character to pay for raises.

Mr. SMOOT. Mr. President, I want to say to my colleague that this amendment would never have been in this bill if there had not been an item in the sundry civil bill increasing the compensation of employees in this exact department who were working in the field. Now we find ourselves in the anomalous position of increasing the salaries of this class of men who are laboring in the field, and getting their per diem, and the men who are laboring here in the District of Columbia, and paying their own expenses, receive a great deal less than the field men.

Mr. KING. That is a discrimination which is unfair.

Mr. WARREN. The junior Senator from Utah spoke of it having been paid heretofore. It has not been paid heretofore. It is for 1921, and is in addition to what the sundry civil bill gave.

Mr. SMOOT. If there was any mistake made, I will say to my colleague that it was made in the passage of the sundry civil bill, and when the committee's attention was called to the discrimination nobody could defend it. The only thing for the committee to do was to put this proviso in, or else we would have men doing the same kind of work, drawing the same salary, and part of them receiving an increase in pay and the balance of them remaining as they were.

Mr. KING. Mr. President, it is a bad precedent, but I shall not object to the provision.

The amendment was agreed to.

The next amendment was, on page 25, after line 18, to insert:

OFFICE OF ASSISTANT TREASURER AT NEW YORK.

For reimbursement for amounts made good by certain employees in the Office of the Assistant Treasurer of the United States at New York, N. Y., of losses incurred by them in the payment of disbursing officers' checks upon indorsements which were later found to have been forged, and on account of a cash shortage as follows: Charles M. Le Furge $531.24, Cortland P. Bennett $126, and Montgomery Maynard $500; in all, $1,157.24.

The amendment was agreed to.

The next amendment was, under the subhead "Public Health Service," on page 27, after line 21, to insert:

For pay, allowances, and commutation of quarters for commissioned medical officers, including the Surgeon General, Assistant Surgeons General at Large not exceeding three in number, and pharmacists, fiscal year 1921, $100,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 16, to insert:

For medical, surgical, and hospital services and supplies for beneficiaries (other than war-risk insurance patients) of the Public Health Service, including necessary personnel, regular and reserve commissioned officers of the Public Health Service, clerical help in the District of Columbia and elsewhere, maintenance, equipment, leases, fuel, lights, water, printing, freight, transportation and travel, maintenance and operation of passenger motor vehicles, court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane, fiscal year 1921, $150,000.

The amendment was agreed to.

The next amendment was, on page 29, after line 21, to insert:

OFFICE OF THE SECRETARY.

For additional amount required for the salary of the Assistant Secretary of War during the fiscal years 1920 and 1921, in accordance with section 5a of the act "to amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice," $5,416.67.

The amendment was agreed to.

The next amendment was, on page 30, after line 12, to insert:

BUREAU OF INSULAR AFFAIRS.

The taxes imposed by the Philippine Legislature in section 1614 of the act No. 2657, enacted by that body on February 24, 1916, are legalized and ratified, and the collection of all such taxes made under or by authority of such act of the Philippine Legislature is legalized, ratified, and confirmed as fully to all intents and purposes as if the same had by prior act of Congress been specifically authorized and directed.

Mr. KING. I was looking at another item and I missed two items on page 27, $100,000 for the Public Health Service and $106,000 provided on page 29 for the same service. We have made very generous appropriations heretofore for the Public Health Service. They were warned repeatedly about not incurring deficits. Is there any reasonable explanation for these two items?

Mr. WARREN. This simply fulfills the law; their expenses have reached this amount and we are under the law obliged to pay them. The second one to which the Senator alludes is the salary of a man. That has been raised in another bill, which has already passed, and, of course, we must provide for it. The salary of the Assistant Secretary of War was raised to $10,000, and the duties of his office are really those of two former assistants, and there are even additional duties performed by him. In fact, he is to be the business man of the War Department.

Mr. SMOOT. Mr. President, I wish to say further that this is another evidence of the unwisdom of having an appropriation committee pass on provisions calling for appropriations and then some other appropriations committee have to take care of the increases made when the law passed. I do not believe there was anyone who noticed the passage of the law which provided for the Assistant Surgeon Generals at large, not to exceed three. That law slipped through here and nobody ever noticed what it meant. But it was passed to take care of three men.

Mr. KING. Mr. President, if my colleague will yield, I suggest we would very much improve this bill if we would repeal that particular statute instead of perpetuating them and giving them salaries.

Mr. SMOOT. The trouble is now, Mr. President, that we have to appropriate part of this money to pay the compensation for what is already approved, and also, of course, it does provide for the coming year. I will say to my colleague that the amount asked for was $129,000, and the committee thought that perhaps before the full year was out there could be some change in the law.

Mr. KING. Mr. President, I regret that the chairman of the committee did not report an amendment repealing the provision suggested which created those additional supernumeraries.

Mr. SMOOT. We did not want to be too cruel, because one of them is spending his summer vacation over in Europe. Of course, it would not have done to cut him off at once and leave him stranded over there in Europe having a good time.

The PRESIDING OFFICER. The question is upon the committee amendment on page 30, after line 12.

The amendment was agreed to.

The next amendment was, under the subhead "National cemeteries," on page 30, line 24, after the words "National cemetery," to strike out "and roadways thereto, $10,000," and insert "$7,500," so as to make the clause read:

For the restoration and repair of storm damage to the Vicksburg (Miss.) National Cemetery, $7,500, to remain available until June 30, 1921.

The amendment was agreed to.

The next amendment was, on page 31, after line 17, to insert:

RIVER AND HARBOR WORK.

Modifications and readjustments of contracts: For amounts found to be due various contractors under the provisions of section 10, river and harbor act approved March 2, 1919, on certain contracts for work on river and harbor improvements entered into, but not completed prior to April 6, 1917, for work performed between April 6, 1917, and July 18, 1918, as set forth in detail in reports of the Chief of Engineers forwarded to the Speaker of the House of Representatives by letters of the Secretary of War, namely, March 30, 1920, $219,916.02 (CONGRESSIONAL RECORD, Mar. 30, 1920, p. 5029); May 8, 1920, $149,062.31 (CONGRESSIONAL RECORD, May 11, 1920, p. 6893); in all, $368,978.33.

The amendment was agreed to.

The next amendment was, under the head of "Military Establishment," on page 33, after line 3, to insert:

ORDNANCE DEPARTMENT.

For the construction of permanent storage facilities, including necessary appurtenances, for war reserve high explosives, on the Fort Wingate (N. Mex.) Military Reservation, $2,050,045, to remain available during the fiscal year 1921.

The amendment was agreed to.

The next amendment was, on page 35, after line 22, to insert:

CANCELLATION OF CONTRACT OR CONTRACTS OF FRANK-LANGHAM CO.

The surplus property division, War Department, is authorized in its discretion to cancel the contract or contracts made on or about March 26, 1920, with J. Frank, care Frank-Langham Co., New York City; that all money paid by the latter to the Government be refunded with the exception of such amount or amounts as may be retained by the surplus property division to cover the purchase price of material already withdrawn from the surplus property division or that which may be withdrawn by the said Frank-Langham Co. pending the approval of this act.

The amendment was agreed to.

The next amendment was, on page 38, after line 10, to insert:

STATE, WAR, AND NAVY DEPARTMENT BUILDING.

For alterations incidental to the discontinuance of the electric-generating plant in the State, War, and Navy Department Building, $4,000, to be available also for the fiscal year 1921.

To provide for the purchase of electric current for the operation of the State, War, and Navy Department Building, $15,000, to be available also for the fiscal year 1921.

The amendment was agreed to.

The next amendment was, on page 39, after line 16, to insert:

SHIPPING BULLETIN.

The Secretary of the Navy is authorized to cause to be prepared in the Office of Communications, Navy Department, a publication known as the Shipping Bulletin, and to publish and furnish the same to the maritime interests of the United States and other interested parties, at the cost of collecting and publishing the information, including the cost of printing and paper and other necessary expenses, the money received from the sale of such publication to be returned by the Secretary of the Navy into the Treasury of the United States, to be used in the continued preparation and sale of the publication referred to, and $15,000, or so much thereof as may be necessary for this purpose, is hereby appropriated.

The amendment was agreed to.

The next amendment was, under the head of "Naval Establishment," subhead "Public works, Bureau of Yards and Docks," on page 42, after line 10, to insert:

Navy yard, Portsmouth, N. H.: For continuing the extension of the quay wall, $19,084.59.

The amendment was agreed to.

The next amendment was, under the head of "Post Office Department," on page 43, after line 20, to insert:

OFFICE OF THE POSTMASTER GENERAL.

The Postmaster General is hereby authorized to expend such sum as may be required to defray the expense of dismantling, transporting, and reerecting the building authorized by the act of May 25, 1920, to be transferred from the War Department to the Post Office Department, including excavations and such necessary substructures, together with cost of electrical and mechanical equipment and installation thereof, as may be necessary; and the Postmaster General is further authorized to acquire by purchase or through condemnation proceedings so much of the tract of land lying south of the tract which he was authorized to purchase by the act of April 24, 1920, as may be necessary to make the most satisfactory use of said building; and the unexpended balance on June 30, 1920, of any appropriation for the service of the Post Office Department for the fiscal year ending June 30, 1920, or so much thereof as may be necessary, is hereby appropriated to be available after June 30, 1920, for these purposes.

The amendment was agreed to.

The next amendment was, under the head of "Postal Service," subhead "Audited settlements," on page 45, line 15, after "1918," to strike out "$895.93" and insert "$960.65," so as to make the clause read:

For 1918, $960.65.

The amendment was agreed to.

The next amendment was, on page 45, line 16, after "1919," to strike out "$1,179885.63" and insert "$1,179,987.47," so as to make the clause read:

For 1919, $1,179,987.47.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Second Assistant Postmaster General," on page 46, after line 16, to insert:

For 1920, $1,000,000.

The amendment was agreed to.

The next amendment was, under the head of "Judicial," subhead "United States courts," on page 51, after line 5, to insert:

The cash allowance of $5 and the clothing allowance of $12, now authorized by law for prisoners on discharge from the United States penitentiaries, are increased during the fiscal year 1921 to $10 and $20, respectively.

The amendment was agreed to.

The next amendment was, on page 51, after line 16, to insert:

National park commissioners: For the salary of the commissioner of the Yosemite National Park, and the salary of the commissioner for the Sequoia and General Grant National Parks at the rate of $1,500 per annum each, as follows:
Fiscal year 1920, $250;
Fiscal year 1921, $3,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of Agriculture," on page 52, after line 18, to insert:

STATES RELATIONS SERVICE.

For necessary expenses to repair damage by typhoon to buildings, fences, etc., of the Agricultural Experiment Station on the island of Guam, $5,000, to be available for the fiscal year 1921.

The amendment was agreed to.

The next amendment was, under the head of "Department of Commerce," subhead "Lighthouse Service," on page 54, line 22, after the word "necessary," to strike out "$50,000," and insert "$75,000," so as to make the clause read:

Lighthouse vessels: For salaries and wages of officers and crews of light vessels and lighthouse tenders, including temporary employment when necessary, $75,000.

The amendment was agreed to.

The next amendment was, under the head of "Legislative," at the top of page 56, to insert:

SENATE.

For miscellaneous items, exclusive of labor, $35,000.

The amendment was agreed to.

The next amendment was, on page 56, after line 1, to insert:

For miscellaneous items, exclusive of labor, fiscal year 1919, $10,000.

The amendment was agreed to.

The next amendment was, on page 56, after line 3, to insert:

For stationery for Senators and the President of the Senate, and for committees and officers of the Senate, fiscal years 1920 and 1921, $2,000.

The amendment was agreed to.

The next amendment was, on page 56, after line 6, to insert:

For 16 pages for the Senate Chamber at the rate of $2.50 per day each from and including July 1, 1920, until the close of the second session of the Sixty-sixth Congress, so much as may be necessary.

The amendment was agreed to.

The next amendment was, on page 56, after line 10, to insert:

To pay Dennis M. Kerr for extra and expert services rendered to the Committee on Pensions during the first and second sessions of the Sixty-sixth Congress as assistant clerk to said committee by detail from the Bureau of Pensions, $1,200.

The amendment was agreed to.

The next amendment was, on page 56, after line 15, to insert:

To pay Robert W. Farrar for indexing and extra services as clerk to the Committee on Pensions during the first and second sessions of the Sixty-sixth Congress, $1,200.

The amendment was agreed to.

The next amendment was, on page 56, after line 18, to insert:

For an additional messenger for service at the main entrance to the Senate Chamber, at an annual compensation of $1,440, fiscal year 1921, $1,440.

The amendment was agreed to.

The next amendment was, on page 56, after line 21, to insert:

To pay Paul C. Carpenter for extra and expert services rendered the Committee on Interstate Commerce in its investigation of the Federal Trade Commission, $199.10.

The amendment was agreed to.

The next amendment was, on page 57, after line 2, to insert:

To pay James M. Porter for extra services during the second session of the Sixty-sixth Congress rendered the select Senate committee in the investigation of the public-school system of the District of Columbia, $300.

The amendment was agreed to.

The next amendment was, on page 57, after line 6, to insert:

For additional expenses of reporting and transcribing the debates and proceedings of the Senate and to equalize more nearly the amounts paid by the Senate and House of Representatives for reporting their respective proceedings from July 1, 1920, to June 30, 1921, payable in equal monthly installments, $9,844.

The amendment was agreed to.

The next amendment was, on page 57, after line 12, to insert:

Senate Office Building: For maintenance, miscellaneous items and supplies, and for all necessary personal and other services for the care and operation of the Senate Office Building, under the direction and supervision of the Senate Committee on Rules, $1,500.

The amendment was agreed to.

The next amendment was, on page 57, after line 17, to insert:

To enable the Secretary of the Interior to pay to Emma Britt, widow of James T. Britt, late an employee of the maintenance roll of the Senate Office Building, a sum equal to six months' compensation, at the rate he was receiving at the time of his death, May 16, 1920, $600.

The amendment was agreed to.

The next amendment was, on page 57, after line 22, to insert:

For maintaining, exchanging, and equipping motor vehicles for carrying the mails, and for official use of the offices of the Secretary and Sergeant at Arms, $1,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, under the subhead "House of Representatives," on page 59, line 16, after the word "of," to insert "the Senate and," so as to make the clause read:

Hereafter supplies for use of the Senate and the House of Representatives may be purchased in accordance with the schedule of contract articles and prices of the General Supply Committee authorized by section 4 of the act approved June 17, 1910, concerning the purchase of supplies for the executive departments and other Government establishments in Washington.

Mr. WARREN. The chairman of the House committee has sent over a small amendment calling for $250, which I wish to insert after line 9 on page 59. I am sending it to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. On page 59, after line 9, insert the following:

For stationery for Members of the House of Representatives, $250.

The amendment was agreed to.

Mr. SMOOT. Mr. President, the amendment on line 16 having been agreed to, I offer the following amendment, after the words "establishments in Washington," on line 22, to conform with the amendment by inserting the words which I send up, so as to make the present law apply to the purchase of stationery by the Senate.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. On page 59, line 22, after the word "Washington," insert the following:

Provided, That paper, envelopes, and blank books required by the stationery room of the Senate and the House of Representatives for sale to Senators and Members for official use may be purchased from the Public Printer at cost thereof prepaid.

The amendment was agreed to.

The next amendment was, under the head of "Government Printing Office," on page 60, after line 14, to insert:

Hereafter there shall be printed on each report, bulletin, publication, or leaflet published by the Government immediately under the title thereof or at some place on the first page thereof the number of copies printed, the cost of preparation, the cost of paper used, and the cost of printing same. The following form shall be used: (Number of copies, ———. Preparation, $——. Cost of paper, $——. Cost of printing, $——.) Small pica type of similar style shall be used in printing the form. And where it is impossible to ascertain cost of preparation following the word "Preparation" shall be printed the words "not ascertainable," and where it is impossible to ascertain the cost of printing an approximation of the cost thereof shall be given.

Mr. SMOOT. In printing that amendment three words were left out, on page 61, line 16, after the word "publication," where there should be inserted the words, "cost of printing," so that it will conform to the other provision.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. In the amendment, on line 16, after the word "publication," insert a comma and the words "cost of printing."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 61, after line 3, to insert:

Hereafter the Postmaster General shall in his annual report submit a detailed statement of the cost to the Postal Establishment of the matter mailed under frank by each deparment and independent establishment of the Government and the revenue which would be derived therefrom if carried at the ordinary rates of postage.

The amendment was agreed to.

The next amendment was, on page 61, after line 9, to insert:

Hereafter the head of each department and independent establishment of the Government shall on or before October 1 of each year submit in writing a report to the Congress giving the aggregate number of the various publications it has issued during the preceding fiscal year giving same in detail, and shall also report the cost of paper used for such publications and the cost of preparation of each publication, and the number of each which has been distributed.

The amendment was agreed to.

The next amendment was, under the subhead "Public printing and binding," on page 61, after line 18, to insert:

For the Civil Service Commission, $7,500.

The amendment was agreed to.

The next amendment was, under the head of "Judgments, Court of Claims," on page 62, line 16, after "No. 771," to insert "and Senate Document No. 295," so as to make the clause read:

For the payment of the judgments rendered by the Court of Claims, and reported to Congress at its present session in House Document No. 771 and Senate Document No. 295, namely.

The amendment was agreed to.

The next amendment was, on page 62, line 18, after the words "Treasury Department," to strike out "$3,623.67" and insert "$15,590.52," so as to make the clause read:

Under the Treasury Department, $15,590.52.

The amendment was agreed to.

The next amendment was, on page 62, line 19, after the words "War Department," to strike out "$69,851.35" and insert "333,692.02," so as to make the clause read:

Under the War Department, $333,692.02.

The amendment was agreed to.

The next amendment was, on page 62, line 20, after the words "Navy Department," to strike out "$6,130.83" and insert "$6,535.54," so as to make the clause read:

Under the Navy Department $6,535.54.

The amendment was agreed to.

The next amendment was, on page 62, line 22, after the words "In all," to strike out "$84,690.12" and insert "$360,902.35," so as to make the clause read:

In all, $360,902.35.

The amendment was agreed to.

The next amendment was, under the head of "Audited claims," at the top of page 79, to insert:

AUDITED CLAIMS.

SEC. 4. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1917 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. 286, reported to Congress at its present session, there is appropriated as follows:

CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

For collecting the income tax, $58.50.
For redemption of stamps, $1,690.62.
For payment of judgments against internal-revenue officers, $8,584.71.
For allowance or drawback, $24.49.
For refunding taxes illegally collected, $21,918.34.
For operating supplies for public buildings, $1.50.

CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

For barracks and quarters, $34,272.63.
For extra-duty pay to enlisted men as clerks, etc., at Army division and department headquarters, $53.50.
For pay, etc., of the Army, $4,214.83.
For roads, walks, wharves, and drainage, $3,689.07.
For shooting galleries and ranges, $2,483.78.
For supplies, services, and transportation, Quartermaster Corps, $1,887.85.
For civilian military training camps, $31.20.
For disposition of remains of officers, soldiers, and civil employees, $26.

CLAIMS ALLOWED BY THE AUDITOR FOR THE NAVY DEPARTMENT.

For pay miscellaneous, 1919, $28,479.42.
For maintenance, Quartermaster's Department, Marine Corps, $3,892.98.
For contingent, Marine Corps, $7,916.45.
For outfits for landsmen, $45.
For pay of the Navy, $1,054.57.
For freight, Bureau of Supplies and Accounts, 1919, $374,082.65.
For maintenance, Bureau of Supplies and Accounts, $1.20.

CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.

For contingent expenses of land offices, $3.16.
For general expenses, Bureau of Mines, $12.10.
For investigating mine accidents, $232.98.
For testing fuel, Bureau of Mines, $22.50.
For mineral mining investigations, Bureau of Mines, $112.50.
For investigations, petroleum and natural gas, Bureau of Mines, $207.13.
For expenses, mining experiment stations, Bureau of Mines, $15.15.
For enforcement of the act to regulate explosives, Bureau of Mines, 1919, $142.84.
For Indian schools, support, $30.25.
For purchase and transportation of Indian supplies, 1919, $129.10.
For support of Chippewas of Lake Superior, Wis., 1919, $31.04.

CLAIMS ALLOWED BY THE AUDITOR FOR THE STATE AND OTHER DEPARTMENTS.

For transportation of diplomatic and consular officers, 1919, $1,201.25.
For transportation of diplomatic and consular officers, 1920, $2,405.90.
For salaries, Consular Service, 1919, $103.67.
For contingent expenses, United States consulates, 1919, $1.92.
For transporting remains of diplomatic officers, consuls, and consular assistants, 1920, $2,000.
For relief and protection of American seaman, 1920, $3,226.27.
For Interstate Commerce Commission, $145.30.
For library, Department of Agriculture, $1.75.
For general expenses, Forest Service, $130.64.
For color standardization, Bureau of Standards, $23.56.
For general expenses, Lighthouse Service, $8.35.
For fees of commissioners, United States courts, 1919, $183.80.
For fees of witnesses, United States courts, $27.98.
For support of prisoners, United States courts, 1918, $10.
For support of prisoners, United States courts, $698.

CLAIMS ALLOWED BY THE AUDITOR FOR THE POST OFFICE DEPARTMENT.

For railroad transportation, $356,342.12.
For indemnities, domestic mails, $212.25.
For compensation to postmasters, $844.99.
For freight on stamped paper and mail bags, $175.64.
For Rural Delivery Service, $210.
For special delivery fees, $3.28.
For temporary and auxiliary clerks in post offices, $130.20.
For clerks, third-class post offices, $75.
For rent, light, and fuel, $59.
Total audited claims, section 4, $863,568.91.

The amendment was agreed to.

The next amendment was, on page 83, after line 6, to insert:

CONTINUATION OF APPROPRIATIONS FOR THE DISTRICT OF COLUMBIA.

SEC. 5. The appropriations made by the several appropriation acts for the necessary operations of the government of the District of Columbia for the fiscal year ending June 30, 1920, are hereby continued and made available for similar purposes and in like amounts for the fiscal year ending June 30, 1921, and a sufficient amount to carry on such operations is appropriated out of any money in the Treasury not otherwise appropriated, the revenues of the District of Columbia and the water fund, in like manner as provided for the fiscal year ending June 30, 1920: *Provided*, That no greater amount shall be expended for such operations during the fiscal year ending June 30, 1921, than was authorized by appropriations for the fiscal year ending June 30, 1920, except as otherwise provided herein: *Provided further*, That the amount appropriated by the deficiency appropriation act approved March 6, 1920, for 68 additional teachers in the public schools shall be increased to cover an entire school year's service: *Provided further*, That the amounts appropriated for the payment of salaries of officers and members of the police and fire departments for the fiscal year ending June 30, 1921, shall be increased to cover the salaries now authorized by law for the entire fiscal year.

The amendment was agreed to.

The next amendment was, on page 84, line 7, to change the number of the section from "4" to "6."

Mr. WARREN. Mr. President, section 5 may go in and go to conference, but will probably be taken out if, by the time we consider it, the District bill has been adopted. There are three similar items altogether in the bill.

Mr. POMERENE. Mr. President, I want to ask the Senator in charge of the bill a question. I have not had time to examine it. Is the purpose of section 5 to take care of the District in the event that the conference report is not agreed to?

Mr. WARREN. Exactly.

The PRESIDING OFFICER. The bill is in Committee of the Whole and open to amendment.

Mr. McKELLAR. Mr. President, I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. The Senator from Tennessee moves, on page 32, after line 6, to insert the following:

That the sum of $15,561.23 be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, and paid to George F. Ramsey, levee contractor, of which $13,602.27 is for himself and $1,958.96 is for the use and benefit of W. H. Dennison, his subcontractor, being the aggregate losses incurred by said George F. Ramsey and his subcontractors in the carrying out of certain contracts referred to in a Senate resolution of June 19, 1919, under which the Secretary of War was directed to report the amount of losses incurred by the contractors upon contracts mentioned in said resolution: *Provided*, That before paying said sums the Secretary of the Treasury shall require satisfactory evidence that said contract has been completed, and that there are no other subcontractors who claim loss for work in connection with said contract.

That the sum of $123,569.03 be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, and paid to H. B. Banks, levee contractor, of which $40,720.95 is for the use and benefit of his subcontractors—Roach, Stansell, Lowrance Bros. & Co.—and $82,848.08 is for the use and benefit of his subcontractor, George F. Ramsey, being the aggregate losses incurred by said subcontractors in the carrying out of certain contracts referred to in a Senate resolution of June 19, 1919, under which the Secretary

of War was directed to report the amount of losses incurred by the contractors upon contract mentioned in said resolution: *Provided*, That the Secretary of the Treasury, before paying said sums shall require evidence satisfactory to him that said contracts have been completed, and that there are no other subcontractors who claim loss for work in connection therewith.

That the sum of $204,307.98 be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated and paid to Roach, Stansell, Lowrance Bros. & Co., of which $150,110.07 is for themselves, and $14,953.84 is for the use and benefit of their subcontractor, L. Lowrance & Bros.; $5,376 is for the use and benefit of their subcontractor, George F. Ramsey; and $15,822.82 is for the use and benefit of their subcontractor, Rodgers Construction Co.; and $18,045.25 is for the use and benefit of their subcontractors, H. N. Rodgers & Bro., being the aggregate losses incurred by said Roach, Stansell, Lowrance Bros. & Co., and their subcontractors, in the carrying out of certain contracts referred to in a Senate resolution of June 19, 1919, under which the Secretary of War was directed to report the amount of losses incurred by the contractors upon contracts mentioned in said resolution.

Provided, That before paying said sums the Secretary of the Treasury shall require satisfactory evidence that said contracts have been completed, and that there are no other subcontractors who claim loss for work in connection with said contracts.

Mr. McKELLAR. These amendments are in line with the amendments in regard to rivers and harbors work on pages 31 and 32 of the bill, and they would come naturally right after those items. They are claims of levee contractors on the Mississippi River which have already passed this body.

I should like it very much if the Senator could see his way to permit them to be added to the bill. The claims are in principle just like the claims allowed in the bill. They are absolutely just, and admittedly so. The claimants did the work at great loss. They ought not to be postponed. It will cause these contractors great embarrassment financially, and I hope the Senator will not make a point of order against it.

Mr. WARREN. Mr. President, I know very well the character of this claim. I wish to compliment the Senator from Tennessee for the constancy with which he has followed this up and his success as far as the point reached is concerned; but it has not arrived at a state of perfection that it can be entertained yet in an appropriation bill, and I therefore will be compelled to make the point of order. This bill carries another similar matter which has reached a stage that entitled it to be appropriated for. I hope to cooperate with the Senator when the proper time arrives.

The PRESIDING OFFICER. The point of order is sustained.

Mr. CURTIS. Mr. President, I offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 38, after line 20, insert the following:

That until otherwise provided by law no midshipman found deficient at the close of the last and succeeding academic terms shall be involuntarily discontinued at the Naval Academy or in the service unless he shall fail upon reexamination in the subjects in which found deficient at an examination to be held at the beginning of the next and succeeding academic terms, and the Secretary of the Navy shall provide for the special instruction of such midshipman in the subjects in which found deficient during the period between academic terms.

The amendment was agreed to.

Mr. MYERS. Mr. President, I offer an amendment to be added to the bill as a new section.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. Add a new section, as follows:

SEC. 6. That there is hereby appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, the sum of $9,819 to and for Katherine Macdonald, of Butte, Mont., for and on account of unpaid claims held by her on account of work and services performed on or supplies furnished for the construction of the Corbett Tunnel, a part of the Shoshone reclamation project in the State of Wyoming.

Mr. WARREN. Mr. President, I feel very much as though I would join the Senator from Montana in trying to pay this claim out of our own pockets. As a matter of fact, however, and as much as I sympathize with the Senator and with that case, I can not accept it on this bill. I shall have to make the point of order against the amendment.

Mr. MYERS. May I ask the Senator what is the point of order?

Mr. WARREN. The point of order is that it is a private claim. It is not estimated for.

Mr. MYERS. Mr. President, on that I have three precedents, directly in point, and I ask permission to read them to the Chair. In order that the Chair may closely follow it, if the Chair has available Gilfry's Precedents, from 1789 to 1913, the first volume, I will ask him to turn to page 87, while I read the three precedents at the top of page. Two of them are ancient precedents and one of them is a very recent one—since I have been in the Senate.

The first is dated February 15, 1853, Thirty-second Congress, and reads as follows:

An amendment was proposed "that the sum of $300,000 be paid to the State of California to be applied to the expenses of the State government prior to the admission of California into the Union as a State."

An objection was made, but the President pro tempore (William R. King) decided he thought that the item having been previously agreed to in a bill that passed the Senate at the last session, but not yet acted upon by the House, was in order, because, as the rule says, of "an act previously passed by the Senate during that session."

The second precedent is in the Fifty-second Congress, March 2, 1893, and reads as follows:

A question of order was raised that an amendment to an appropriation bill did not carry out the provisions of existing law, treaty stipulation, or act or resolution of the Senate passed at the present session.

The Presiding Officer (Mr. Harris in the chair) decided that an act having passed the Senate during the present session embodying the provisions of the amendment, and making an appropriation necessary to carry out the same should the act ripen into law, the amendment was in order.

I now call attention to the third precedent, a very recent one, and exactly in point, as follows:

The general deficiency bill being under consideration,

Mr. BANKHEAD. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore (Mr. Gallinger). The amendment will be stated.

The SECRETARY. It is proposed to insert, on page 21, after line 27, the following:

"To enable the Secretary of War to pay to Rittenhouse Moore the sum of $3,653.05, being the amount stated and claimed by him, as set forth in House Document No. 101, Fifty-eighth Congress, second session, for overwidth dredging in the Potomac River below Washington, D. C., and recommended by the Secretary of War, as therein shown."

Mr. SMOOT. I think I remember this claim being before the Committee on Claims. It has been considered a number of times, Mr. President. I make the point of order that it is a private claim upon an appropriation bill.

The PRESIDENT pro tempore (Mr. Gallinger). The Chair will inquire of the Senator whether this amendment, in any form, has passed the Senate at the present session of Congress?

Mr. BANKHEAD. It has passed at the present session of Congress.

The PRESIDENT pro tempore (Mr. Gallinger). If that be a fact, the point of order is overruled.

There are three precedents exactly in point. One of them was rendered by Senator William R. King, one of the greatest Senators and parliamentarians who ever sat in this body. Another was rendered by the late Senator from Tennessee, Mr. Harris, whose reputation is an enduring one. The last precedent, no longer ago than 1913, occurred when that eminent Senator of long, distinguished service, the late Senator Gallinger, was in the chair, and is a case on all fours with the present one. It was a private claim, and objection was made against it that it was out of order because it was a private claim. That was the point of order made, but when the attention of the Chair was called to the fact that it had passed Congress at that session he overruled the point of order and the amendment was agreed to.

The pending amendment is in precisely the same words in which it passed the Senate at this session.

Now, Mr. President, I believe in continuity and consistency of decisions. I think it is of the highest importance that the rules of the Senate should be construed in a stable and consistent way. Surely the Chair will not decide that when certain Senators offer amendments here to an appropriation bill in the form of claims which have passed the Senate at the same session a point of order against them is to be overruled and that the amendment is in order and then decide, when other amendments of the same character are offered by other Senators, that they are out of order. Surely they can not be in order when offered by some Senators and out of order when offered by other Senators.

As is often said about citing court decisions, here are three decisions exactly in point. The last is exactly on all fours with the amendment that I have offered. For the Chair to sustain the point of order he would have to absolutely overrule these three precedents, especially the last one in 1913, that was made by the late Senator Gallinger. I certainly think the Chair can not sustain this point of order.

Mr. SMOOT. Mr. President——

Mr. MYERS. I yield with pleasure to the Senator.

Mr. SMOOT. I thought the Senator was through.

Mr. MYERS. I will yield the floor for the present. I shall be glad to hear from the Senator. I may wish to reply.

Mr. SMOOT. Paragraph 4 of Rule XVI provides that—

No amendment, the object of which is to provide for a private claim, shall be received to any general appropriation bill, unless it be to carry out the provisions of an existing law or a treaty stipulation, which shall be cited on the face of the amendment.

If I had time to go through the volumes and point out the precedents I think I could point to hundreds of them where this point of order, made against private claims on a general appropriation bill, has been sustained. I remember well the case to which the Senator refers. I remember when I made the point of order and when the question came up one of the old

Senators came to me and said, "Let it go; never mind; do not seek to overrule the decision of the presiding officer. Senator BANKHEAD is very much interested in this amendment." Of course it is the trouble with such amendments that they pass in the way that particular claim was allowed to go on an appropriation bill.

I have not any reason to object, nor do I wish to object, to the Senator pointing to that particular case, but it seems to me that paragraph 4 of Rule XVI is so plain, and it has been invoked in this Senate so many thousands of times since I have been here, that there can be only one decision in the matter.

Mr. MYERS. Mr. President, these are the only precedents on the subject that I have been able to find. I have not found any contrary precedents. I do not say that they are not to be found, but these are the only ones I have been able to find. We have them here before us now, and one of them is precisely in point. Two cases could not be more similar.

I believe the precedents of the Senate and the construction of the rules should be followed as much as decisions of the Supreme Court should be followed in order to form a continued and stable policy of decisions by the supreme courts of the States or by the Supreme Court of the United States. I do not believe a square precedent of the Senate should be overruled unless some difference may be found in the cases.

I offered this amendment to another appropriation bill a short time ago, the sundry civil appropriation bill. I had not searched for precedents at that time. The matter was argued here at considerable length. The Senator who was then in the chair, the Senator from New Mexico [Mr. JONES], seemed to be in doubt and seemed to be disposed to favor the amendment if he could find a way to do so. I think he said in effect that if I could cite any precedent in my favor he would decide in favor of the amendment. I did not have the precedents at that time, but I have since found them.

What good are precedents unless we are to follow them? What use is there to publish this volume of precedents by order of the Senate unless the Senate intends to pay some attention to them? I do not remember of analogous cases coming up in the Senate very often. I can not remember now of an amendment which involved a claim and which had passed the Senate at the same session ever before being offered to an appropriation bill until I did it the other day. It certainly is not a common practice. There can not be many precedents for it. It is a custom that Senators have generally refrained from. It is the first time I have ever done it myself.

I did it a few days ago because on reason and logic I was convinced that it was permissible under the rules if it had passed in the form of a bill at the same session. The question was argued at considerable length, and a number of Senators indicated that they thought that there was some reason in the contention. Since then I have looked up the precedents and I find there are precedents in my favor. It is not a matter of common occurrence.

As to the objection that we would load down the appropriation bills with private claims, it is very seldom attempted; and if there be private claims put on an appropriation bill, why should the Senate hesitate when the Senate once before at the same session has gone on record in favor of the measure, as it did in this instance? It can not cause a deadlock in the case of an appropriation bill, because if the Senate conferees find that the House conferees are not willing to accept the amendment they do not have to deadlock the bill on account of it; but I think under the circumstances it is their duty to give the House conferees an opportunity to say whether or not they will agree to it.

Now, Rule XVI, while it says in subdivision 4 that—

No amendment, the object of which is to provide for a private claim, shall be received to any general appropriation bill unless it be to carry out the provisions of an existing law or a treaty stipulation, which shall be cited on the face of the amendment.

Yet subdivision 1 says:

No amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session.

That is the case in this instance. The amendment has previously passed in the form of a bill at the same session.

I admit that the two paragraphs of the rule are contradictory. I argued that question the other day, and the Chair seemed to think there was some merit in my contention and called for a precedent, but nobody was able to give him any precedent on either side and he had to decide the question without precedents.

Now, I claim under subdivision 4 of Rule XVI, which says that no private claim shall be received to any appropriation bill, is a general provision, and that the provision of subdivision 1 which says no amendment shall be received to any general appropriation bill the effect of which will be to increase an appropriation unless it was passed by the Senate in the form of a bill or resolution at the same session is an exception to the general rule, and the exception should govern. When a statute is contradictory, and lays down a general rule, and then enumerates some exception to the general rule, it has been the uniform holding of the courts of the country that the exception shall prevail in cases which fit the exception. This is a case which fits the exception. The bill has passed the Senate at this session, which takes it out of the general provision concerning claims. That is my contention. At any rate, Senator Gallinger so decided; and I cite this precedent to the Chair and ask the Chair if he should not be bound by the precedent which I have cited when none are cited to the contrary?

Mr. NORRIS. Mr. President, if the rule is as contended by the Senator from Montana [Mr. MYERS], then general appropriation bills will very soon become the means of conveying out of the Senate to the other House all the private claims that the Senate ever passes.

Mr. MYERS. Let me ask the Senator a question, please, if he will so favor me.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Montana?

Mr. NORRIS. I yield.

Mr. MYERS. What would be the harm of that if the Senate has already gone on record as favoring a claim? Furthermore, what would be the harm if there is no obligation on the Senate conferees to deadlock the bill but simply to present it in conference, so that if the House conferees will not agree to it after a fair effort, they have the privilege of receding from it?

Mr. NORRIS. The harm is that it takes away from the House of Representatives their right to consider the bill on its merits. They have a Committee on Claims, just as we have. We could do what the Senator suggests, but there would not be a general appropriation bill go through the Senate unless it were loaded to the very top with that kind of claims.

I do not know anything about this claim; it may be perfectly legitimate; and personally, if the Senator was seeking to put it on by unanimous consent, I would not object to it, because I have no knowledge in regard to it and am not in charge of the pending bill.

Mr. MYERS. May I ask the Senator from Nebraska another question?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Montana?

Mr. NORRIS. Yes.

Mr. MYERS. Would the Senator have the precedent set by the late Senator Gallinger squarely overruled?

Mr. NORRIS. I am going to refer to the precedents of the Senate, and that was one of the reasons why I took the floor.

In the first place, the rule is so plain that no man, it seems to me, can misinterpret or misunderstand it. The Senator from Montana says that because the first paragraph of Rule XVI reads—

No amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law or treaty stipulation or act or resolution previously passed by the Senate during that session.

It makes the exception to the general rule, which says:

No amendment the object of which is to provide for a private claim shall be received to any general appropriation bill unless it be to carry out the provisions of an existing law or a treaty stipulation, which shall be cited on the face of the amendment.

Mr. President, it seems to me no one can read that rule without realizing that it will be squarely contradicted and nullified if it is held that the particular amendment is in order.

Mr. MYERS. May I ask the Senator another question?

Mr. NORRIS. In a moment. Instead of the language which I read in the first paragraph being an exception, the two paragraphs refer to two entirely different and distinct propositions. One refers to any general amendment that increases an appropriation—we all understand what that means—while the other part of the rule—it so states in its terms—refers particularly to a private claim. That is what this amendment is. Now I yield to the Senator from Montana.

Mr. MYERS. Does not the Senator consider the two subdivisions of the rule as somewhat contradictory, when he considers that a private claim may be an amendment which authorizes a new item of appropriation or increases an appropriation contained in the bill?

Mr. NORRIS. They do not conflict at all.

Now, I wish to say a word about the precedents of the Senate. I have not examined the precedents; I have not looked them up and do not know what they are; but, Mr. President, you can find a precedent in the Senate for anything; you can sustain every rule and you can overrule every rule by precedents. There is not a body on the face of the earth, including the justice of the peace courts in every State and Territory in the United States, that has so little respect for its own precedents as has the Senate of the United States. Decisions of the Chair and decisions of the Senate are made not in accordance with the law or precedents but in accordance with the wish of the Senate as to the expediency of legislating in the particular way proposed by the amendment that is subject to a point of order. Every Senator realizes that. A justice of the peace court would not follow the precedents of the Senate of the United States around the corner. They are not entitled to very much consideration, because they are not decided according to the law, but according to what the Senate wants to do in the particular case, and the Senate does it.

So, Mr. President, I have learned, as I think most Senators have learned, to have this idea of the Senate's operations: When it wants to do a thing, it does it, whether there is a rule to the contrary or not, and it would do it in this case. If the Senator from Montana appealed to the Members of the Senate and they knew nothing about that claim and thought that it ought to be paid, they would vote to put it in the bill regardless of all the rules on earth.

Mr. MYERS. Mr. President, may I ask the Senator another question?

Mr. NORRIS. Yes.

Mr. MYERS. Does not the Senator think it would be a good idea for the Senate to respect its precedents and establish a line of precedents that would be stable and continuous?

Mr. NORRIS. I do. When I first came to the Senate—and I am still inclined in that direction—I felt like following the rules and having them enforced, but I have been overruled so many times when I wanted to do that by Senators who did not care anything about the rules that I feel like reciprocating and doing the same thing, for that is the only way to get along in the Senate.

Such on incident happened to-night, Mr. President. I made a point of order, the Chair overruled me, and the Senate promptly sustained the Chair by practically unanimous vote, at least I did not hear any Senator vote with me; and yet any Senator who will take the language of the rule under which, I presume. the Chair rendered his opinion will find that under Rule IX when we are considering general orders the point of order would be applicable; but I know, the Senator from Montana knows, the Senate knows, the country knows, and God knows that we have not considered anything under Rule IX for 40 years. I have never seen anything considered under that rule since I have been in the Senate, but that did not make any difference.

Mr. MYERS. May I ask the Senator a further question?

Mr. NORRIS. I yield again.

Mr. MYERS. I was not here at that time, but is the Senator aware of the fact that there is a rule which says that a motion to proceed to the consideration of an appropration bill is privileged and has precedence over other motions?

Mr. NORRIS. Yes; the Senator will find that is Rule IX. When we are considering general orders under Rule IX a motion to proceed to the consideration of a general appropriation bill takes precedence over the right to proceed to the consideration of some other measure. That is the only place in the rules where the Senator will find that provision. It has been held over and over again that when a Senator makes a motion to take up a particular bill or resolution on the calendar it is not susceptible of amendment, and that it is not in order to move to substitute a different bill for it, but the vote must be had on the particular bill and the motion can not be amended. The rules so provide and it has been held that way, but it has also been held the other way. So the Senate does not care much about its rules.

If it is trying to attain a certain object and if it wants to ride over one of its rules to do it, it does not hesitate not only to ride over the rules but to ride over some Senator, as it has often ridden over me, although on the next day it rode over somebody else in exactly the opposite direction.

Mr. MYERS. If the Senator will yield further, I hope he does not feel, because he was run over to-night, that he wants my precedent to be run over.

Mr. NORRIS. I have not anything against the Senator.

Mr. MYERS. I do not think that is a very good argument against my precedent.

Mr. NORRIS. I would not take the precedent very seriously, even if it is just what the Senator says it is, and no matter by whom the decision was rendered. In the face of a rule that is as positive as this the Chair at least can sustain himself by the rule. He can do either of two things. He can sustain the point of order, because the rule says the Senator's motion is out of order, or he can overrule the point of order, because the precedent says the Senator's motion is in order; and then the Senate is just as likely to sustain him in one instance as in the other; it does not make any difference.

Mr. MYERS. Then, so far as the Senator's contention goes we might as well burn up our books of precedents and pay no attention to them.

Mr. NORRIS. I think so; and if we ever run short of fuel again, I would be in favor of doing that; it would be the best use to make of them.

The PRESIDING OFFICER. The present occupant of the Chair intends to be fair; he intends to rule according to the rule and not according to the precedent. Section 4 of Rule XVI is perfectly plain. It provides:

> No amendment the object of which is to provide for a private claim shall be received to any general appropriation bill, unless it be to carry out the provisions of an existing law or a treaty stipulation, which shall be cited on the face of the amendment.

The amendment offered by the Senator from Montana is a private claim; the point of order has been made against it, and the Chair must sustain the point of order.

Mr. MYERS. I appeal from the decision of the Chair.

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the Senate.

The decision of the Chair was sustained.

Mr. CHAMBERLAIN. The Senator from Montana has saved me from making an argument in support of an amendment which I intended to offer in the nature of a private claim. I have tried to get it on every bill that has come along in the effort to find out a niche in whch it might be placed. I first offered the amendment to a deficiency bill, but I was very politely referred to a forthcoming District of Columbia appropriation bill. I offered it there, to that bill, when it was very politely suggested that the proper place to put it was in the sundry civil bill. When that measure came up for discussion it was suggested again that probably this general deficiency bill was the place to put it.

I am going to hoist a sail in the hope that I may, after a while, get into some safe and pleasant harbor with this claim. It is old enough to stand alone. I think the bill was contracted in 1878. It has been passed by the Senate a number of times. It has been reported upon favorably by such a distinguished chairman of the Claims Committee or District Committee as the late Senator Gallinger. I think the distinguished chairman of the Appropriations Committee, the Senator from Wyoming [Mr. WARREN], at one time reported it favorably as chairman of the Claims Committee.

Mr. President, I am going to stay with it. I will not offer it at this time, but I am going to try to get this claim through for a good woman. Her husband has died, and I do not know but that other members of the family have crossed the river and have left her practically destitute. The claim originally was for $10,000, and payment was suggested for that amount, and it was reduced to something like $3,000.

Mr. SHEPPARD. What is the claim?

Mr. CHAMBERLAIN. It is the claim of Edith B. Macon, daughter and sole heir of Davis W. and Elizabeth L. W. Bailey, deceased. She is not a widow but a child. The original parties are dead. It is to pay her the sum of $3,127.85 in full settlement of the award for $10,519.20 made to the estate of Davis W. Bailey on July 18, 1892, for extra work under his contract for laying asphalt pavements in the District of Columbia.

Mr. President, I am not going to offer this claim as an amendment at this time, but I am just serving notice on the Senate that they will hear from this claim almost as often in the future as they have heard from the claim of the distinguished Senator from Montana [Mr. MYERS].

Mr. President, I do offer one amendment: On page 11, at the bottom of the page, I offer a short amendment, as follows:

> The Secretary of the Treasury may print and distribute such number of copies of publications of the Public Health Service as he may deem necessary for the best interests of the Government and the public.

Mr. SMOOT. Mr. President, I shall have to make the point of order against that amendment.

Mr. CHAMBERLAIN. Mr. President, I expected that.

Mr. SMOOT. I want to say to the Senator in all seriousness that it never would do to adopt this amendment. If we do, the

whole question will be opened again and there is no telling where this will lead to. Only this morning I received a telephone message from Mr. Chisholm, Deputy Public Printer at the Government Printing Office, asking me what to do, saying that they did not have enough paper on hand to print the CONGRESSIONAL RECORD in its usual numbers. I told him to print just enough to furnish the Senate and the House with copies of the RECORD. Now, your constituents may be asking why they are not getting the RECORD. I want to give notice now to all of you to answer them that the reason is that we have not the paper to print them. That is the condition existing to-day.

Mr. President, the Joint Committee on Printing to-day had to meet and pass an order, under the printing law of 1895, limiting the number of speeches that could be delivered during the recess to any Senator. I hope it is not going to interfere at all with their campaigns, but the situation is most critical; and if this amendment changing existing law is allowed to go into this bill, why should not every department have the same privilege?

Mr. CHAMBERLAIN. Mr. President, may I just suggest to the Senator that I believe that if the draft law convinced the American people of one thing it convinced them of the terrible disease condition among the young fellows in America.

Mr. SMOOT. Does the Senator refer to venereal diseases?

Mr. CHAMBERLAIN. Yes.

Mr. SMOOT. Mr. President, I have always——

Mr. CHAMBERLAIN. Just let me finish, if the Senator pleases. Twenty-five per cent or more of the young men who were called into the draft Army were afflicted with venereal diseases, and there is no question but that being taken into the Army resulted in the restoration of many of these young men to health and many of them to military duty. Now, you can not reach them and properly cure them without calling their attention to the subject through these circulars that they want to distribute, and most of the work of the Public Health Service is done through these little circulars that go to the country and are distributed and instruct them in sanitation and in the cure of these diseases.

Mr. SMOOT. Mr. President, I want to say to the Senator that I have already, as chairman of the Joint Committee on Printing, given the Public Health Service authority to distribute the very circulars spoken of in relation to venereal diseases; and, Mr. President, there is not any of the departments of our Government but that can come and ask for the modification of the law and have it granted, through that committee, so as to permit the distribution of anything that upon its face is evidently necessary to be distributed generally.

Mr. CHAMBERLAIN. May I ask the Senator how they would go about getting permission to issue these circulars?

Mr. SMOOT. Under the law all they have to do is to write a letter to the Joint Committee on Printing and suggest that the law be modified to the extent of the circulation of whatever circular or whatever document they may desire to have circulated.

Mr. CHAMBERLAIN. The Senator is chairman of that committee, I believe.

Mr. SMOOT. Yes.

Mr. CHAMBERLAIN. And if the Senator is not more generous there than he is here, I do not think they will get very far with the proposition.

Mr. SMOOT. Well, this is general. I want to say that I do not think the committee have made two refusals since the passage of that law that I know anything about, but they have stopped this everlasting distribution of millions and millions and millions of circulars sent through outside sources. All we want to do is to keep some kind of regulation on the distribution of these documents; and it is for that reason that I make the point of order.

The PRESIDING OFFICER. Does the Senator from Oregon offer the amendment?

Mr. CHAMBERLAIN. I did offer the amendment.

The PRESIDING OFFICER. And the point of order is made by the Senator from Utah?

Mr. SMOOT. Yes.

The PRESIDING OFFICER. The point of order is sustained.

Mr. STERLING. Mr. President, I desire to offer an amendment. I do not think I violate any precedent or any rule in offering this amendment. I offer it for the purpose of correcting a mistake made by the Committee on Appropriations when considering the sundry civil bill. It relates to the compensation of those employees of the Pension Bureau that have to do with the administration of the civil-service retirement act.

I send the amendment to the desk, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. After line 19, on page 43, it is proposed to insert the following:

To provide additional compensation for employees of the Bureau of Pensions designated to carry out the provisions of the civil service retirement act, $2,000: *Provided*, That no person so employed shall receive compensation at a rate exceeding $1,740 per annum, except one at $3,000, one at $2,400, one at $2,000, and two at $1,800 each.

Mr. WARREN. Mr. President, unless the Senator desires to discuss the amendment, I am disposed to accept it and let it go to conference, where we will look it over.

Mr. STERLING. I thank the Senator.

Mr. President, I desire to offer another amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. After line 2, on page 58, under the title of "Legislative," it is proposed to insert the following:

To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay the officers and employees of the Senate and House borne on the annual and session rolls on the 1st day of May, 1920, including the Capitol police, the official reporters of the Senate and House, the employees of the Joint Committee on Printing, and W. A. Smith, CONGRESSIONAL RECORD clerk, for extra services during the first and second sessions of the Sixty-sixth Congress, and in lieu of transportation to their respective homes, a sum equal to one month's pay at the compensation then paid them by law, the sum to be immediately available.

Mr. STERLING. Mr. President, just this one word regarding this amendment. It appeals to me as being most just.

Here are these faithful employees who have served now for more than a year continuously, just as Senators have served. They have had no opportunity to return to their homes to visit or to look after business affairs of any kind at their homes. We propose to adjourn this session of Congress without providing anything for them more than their usual and their very moderate salaries. Many of them are men of families. Many of them, as I am informed, will have to borrow the money in order that they may return to their homes. I think that the Senate of the United States, that the Congress of the United States, ought to allow at least what might be equivalent to transportation home and return to these faithful employees.

I understand, Mr. President, that for many years that was the custom, but latterly it has been abandoned; and I think the matter of abandoning it is a custom that has become more honored in the breach than in the observance. I can not think of the proposition with a great degree of patience. We insist that they shall stay here even when Senators themselves visit their homes, or go off on this trip or that trip, and attend to the duties of their several places, in the offices of Senators and in the offices of Congressmen, or as employees in other branches of the service here at the Capitol.

I trust, Mr. President, that the chairman of the committee will be willing to accept this amendment and let it go to conference.

This thought occurs to me: There is some difference between the compensation of the employees of the Senate and the employees of the House in this regard under the present arrangement. If the House conferees do not care that the House employees shall receive the compensation, let them so determine, but I believe that Senators should do no less than insist on such compensation for the employees in whom they are more directly interested.

Mr. WARREN. Mr. President, to be chairman of the Appropriations Committee a man must, of course, be without a heart. He must be one of the worst men in America. This amendment, however, has been before the committee, and has not been allowed by that committee, and, of course, there is no estimate for it, and no law which provides for it.

It is true that years ago, not regularly, but intermittently, some years we allowed it, and some we did not. When we did, it was when there was a full attendance of the Senate and by unanimous consent, and there were years when it did not go in. When our friends, the Democratic Party, took charge of affairs, and, for that matter, before that—I will go back before the time when the Democrats took control of the Senate—the matter was done away with, on the ground that we should raise the pay of the clerks to what we considered the proper maximum, and we would perhaps have to do as I have always done, pay something extra to some of the clerks I have, and in the case of those who wish to go home, take them home and pay their expenses there and back, as I will do with two or three of my clerks now.

I shall have to make a point of order against this amendment.

Mr. POMERENE. Will the Senator withhold his point of order just a moment? I am very sorry——

Mr. WARREN. The Senator can not possibly be any more sorry than I am, but I can not permit a thing of this kind to pass in the Senate, with this small attendance, and if I can

stop it by a point of order I will do so, because it is my duty in the position I occupy.

Mr. POMERENE. Mr. President, I want to say just a word. If the Senator is going to insist upon the point of order, I will have to agree with what he said about himself in the first part of his statement.

Mr. WARREN. I thank the Senator.

Mr. POMERENE. And I do not want to do that; but I want to offer this suggestion. I realize that we are all talking economy, and we are most economical when it comes to voting the compensation for the employees of Senators and of Members of the House. It is true that you raised the salaries. It is true also that we are here in session 10 months when we used to be in session 6 months. It seems to me that the high cost of living has even touched the pocketbooks of our clerks. These are all reasons which appeal to me.

Mr. WARREN. Will the Senator permit me to ask him one question?

Mr. POMERENE. Surely.

Mr. WARREN. Has the Senator offered this and insisted upon it heretofore in the years when the Senator's party has been in charge?

Mr. POMERENE. I am very glad to answer that question. Yes; if the Senator will look over the RECORD he will find several places where I have insisted upon this being done.

Mr. WARREN. But it never succeeded?

Mr. POMERENE. Yes; I think it did one year. I think I have a distinct recollection of it.

Mr. STERLING. Mr. President, if I may have just one word——

Mr. WARREN. Mr. President, of course a point of order does not permit of discussion, but I do not wish to cut any Senator off in all reasonable debate.

Mr. STERLING. I wanted to refer to only one thing.

The PRESIDING OFFICER. The Chair will state that he has been very lenient, even to the Senator from Wyoming, and he intends to hear the Senator from South Dakota further.

Mr. STERLING. I have only this one statement to make, in view of what the chairman of the committee says in regard to the rather slim attendance in the Senate now; I think the justice of this matter would appeal to every Senator, when you consider the long time which these people have been here, the fact that they must, out of their slender accumulations, for those who have any at all, pay their expenses in order that they may visit home, in order that they may attend, many of them, probably, to necessary business affairs at home. It appeals to me, Mr. President, as treating these employees shabbily not to grant them at least that much of an allowance, one month's extra pay. I will not state for a moment that the Senator is hard-hearted, but out of the goodness of his heart and out of the sense of justice I know he feels as well as any of the rest of us, I hope he will permit this amendment to be accepted and let it go to conference.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. KING. Mr. President, I move to strike out, on page 18, lines 9 to 21, inclusive, the item of $14,000,000 to compensate certain telegraph and telephone systems for alleged injuries and damages sustained by reason of Federal control, and as a part of my motion I ask leave to put in the RECORD a telegram which I have received.

The PRESIDING OFFICER. Without objection, leave is granted.

The telegram is as follows:

NEW YORK CITY, *June 2, 1920.*

Hon. WILLIAM H. KING,
United States Senate, Washington, D. C.:

There is included on the third deficiency bill (H. R. 14335) just passed by the House an appropriation of $14,000,000 to make up the losses incurred by Postmaster General Burleson during his control of the telegraphs and telephones. The very large part of this $14,000,000 goes to the Bell Telephone Co. and to the Western Union Telegraph Co., and does not represent any losses sustained by those companies, but merely the difference between what their lines actually earned during the period of Federal control and the amounts awarded them as compensation by Postmaster General Burleson. We claim that those companies should be satisfied with what they earned and in these times have no right to call on the Treasury of the United States to pay them more than they earned, especially as Mr. Burleson increased their rates for them by about $40,000,000 per annum. The Postal Telegraph Cable Co. on the other hand is satisfied to keep merely what it earned, but Mr. Burleson says he proposes to sue that company for $2,000,000 and all of its earnings. By what principle of law or justice the Postal Co. is to be sued for $2,000,000 of its earnings while the Bell Telephone and Western Union are to be paid more than their earnings we can not understand, and hence we respectfully suggest that the Senate do not pass this $14,000,000 appropriation until the matter is examined into further and until this injustice to the Postal Co., which was singled out by Mr. Burleson for persecution, is cleared up.

Respectfully,

EDWARD REYNOLDS,
Vice President and General Manager
Postal Telegraph Cable Co.

Mr. KING. Just one word, Mr. President. I should like to argue this matter at some length, but I shall not detain the Senate at this late hour. I am somewhat familiar with this matter, and my opinion is that, in the first place, the Government ought never to have taken over the telegraph and telephone lines; that it was a mistake. Secondly, from my knowledge of the facts, there ought not to be anything paid to the telephone and telegraph companies, and if they have any valid claims, they ought to be remitted to the Court of Claims. I protest against this appropriation of $14,000,000. If they want to litigate the matter, let us make provision that they may go to an appropriate court. I think it is unwise and improper legislation, and I hope my motion to strike out will prevail.

Mr. WARREN. Mr. President, when this matter was alluded to early in the consideration of this bill, I asked the Senator his reason for wishing to cut it out, and assuming that it might come up, I again directed my attention to the evidence given before the committee in the House, and which should be carefully read. I will ask that the Secretary may read some portions of this evidence which I have marked.

The PRESIDING OFFICER. The Secretary will read the evidence as requested.

Mr. SHEPPARD. Before the Secretary begins to read, may I not say that the House committee inserted this provision after hearings on the subject, and after the Postmaster General had gone fully into the matter, and it is from that hearing that the Senator is quoting.

Mr. WARREN. That is what I want to quote from.

The Assistant Secretary read as follows:

Now, during the early part of the year of Government control the wire control board, assisted by Drs. Adams and Friday, of Michigan University, were engaged in fixing compensation for the use of these properties and they were governed by certain fixed rules which were laid down in the very beginning of Government control. We had, broadly speaking, no difficulty in reaching an agreement with any of these companies save one, and that was the Postal Telegraph-Cable Co.

In order that you may have the facts before you, if any inquiry is made about it, I desire to make a brief statement about the facts and conditions surrounding that company which confronted Drs. Adams and Friday at the time they sought to effect a compensation agreement with it.

Mr. C. H. Mackay and the other officials of his company have no just cause of complaint as to the manner of making the award of compensation to the Postal Telegraph-Cable Co. The award was less than Mr. Mackay claimed it should have been, but it was greatly in excess of what could have been allowed if the valuation and net earnings of the companies were no more than were sworn to in their statements under oath to the Interstate Commerce Commission.

If Mr. Mackay honestly believed the Postal Telegraph-Cable Co. was entitled to greater compensation the way was open to him for adjudication by the court in a friendly suit, which the department suggested to him. If he could go into court with clean hands and nothing to conceal, I see no reason why he should not have adopted this legal method provided by Congress in the joint resolution for settling this particular class of cases.

Certain officials of this company obstructed every effort of the department to procure reliable information upon which to make the award and sought to harass, embarrass, and obstruct the operation of the service by the Government and have failed to afford opportunity for judicial determination of their claim.

The record facts in the case may afford an explanation of his withholding information as to the earnings and valuation of the property, his policy of obstruction, and likewise his reluctance to go into court.

In the sworn statements made to the Interstate Commerce Commission the net earnings of the 39 companies constituting this system are represented as being $332,343 in 1916, and $117,264 in 1917. The sworn statement furnished the Post Office Department in response to the questionnaire upon which to base the compensation award stated the net earnings for these same periods to be $4,157,670.44 and $4,485,593.34, respectively. The sworn statements of the Postal Telegraph-Cable Co. to the Interstate Commerce Commission placed upon their property a valuation of $6,647,472. Officials of the company refused to make any statement to the Post Office Department as to the valuation of the property.

On the best information available the Post Office Department estimated the value of the property to be approximately $28,000,000 and based its award upon that estimated value, more than four times the valuation placed upon it in the sworn statement of the companies made to the Interstate Commerce Commission.

A request made by the Postmaster General that expert engineers and accountants employed by the Government be permitted to examine the records of the company with respect to its plant, investment, and operations previous to August 1, 1918, in order that the award of compensation might be revised if the facts warranted, was refused by the company and access to such records denied.

The conflict between the sworn statements as to net earnings and valuation made to the Interstate Commerce Commission and the sworn statement made to the Post Office Department rendered both these statements unreliable. The valuation arrived at by the department was by estimating the value of the Postal Telegraph-Cable Co.'s system one-fourth higher per mile of pole line than the known value of the Western Union line, on account, among other things, of the former having 66 per cent of copper wire, as against the 42 per cent of the latter.

The average value of the Western Union plant per mile of pole line is $759.24. At this rate per mile the Postal Telegraph-Cable Co.'s lines would have a value of $22,597,260. The Post Office Department placed the valuation at $28,000,000. On this valuation the compensation for this system was placed at $1,680,000. The Mackay company claimed $4,200,000 compensation, which would be about 15 per cent on the valuation adopted by the department and 63 per cent per annum on the investment value sworn to by the companies in their statements to the Interstate Commerce Commission.

Mr. KING. Will the Senator from Wyoming permit me to make one observation? The statement which he is now having

read relates to the controversy between the Postmaster General, or the Post Office Department, and the Postal Telegraph Co. It does not answer at all the proposition which I am submitting. The bill carries an appropriation of $14,000,000, not to Mr. Mackay or for Mr. Mackay's company, but for the Bell Telephone Co. and for the Western Union.

Mr. WARREN. But the Senator remembers that, whether that was the cause or not, he presented a telegram from a competing company, and the Senator, I think, knows, as I do, that so far as we know every Senator has had a copy of that telegram, and it would seem to be necessary to place this in the RECORD to show why these telegrams come now as to the amount of money. While there may not be as much of it upon that point as the Senator desires, I will lay the whole matter before the Senate.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. KING. I yield.

Mr. NORRIS. Whose evidence is it to which we have been listening?

Mr. KING. A statement, I presume, of the Post Office Department.

Mr. WARREN. It is Mr. Burleson's evidence before the House committee.

Mr. NORRIS. If the Senator will yield to me just a moment, I dislike to strike this provision out of the bill, but I think the Senator from Utah has made a very fair proposition. We ought to let this claim go to some court to be adjudicated. I would be glad personally to vote for an amendment to strike it out and insert a provision giving them the right to go into the Court of Claims and sue the Government and see what they are entitled to, and let it be adjudicated and let them be paid what they are entitled to receive.

Mr. SHEPPARD. This is the amount which the Post Office Department finds to be due the company. The Postmaster General filed a specific estimate in the hearings before the House committee and went into the matter in great detail.

Mr. NORRIS. I will say to the Senator that I do not make the charge, but it has been stated a good many times that there was collusion in the taking over of these companies in order to help them at a time when they, or some of them, were practically getting into bankruptcy; that it was the purpose to let the Government run them while in that condition and they get something out of it and put it on Uncle Sam.

Mr. KING. Let me say in conclusion, if there is one dollar due a telegraph company or a telephone company, I feel that those companies should be paid, but in my opinion the amount that the bill carries is too large. I feel that it is unjust to the Government and unfair to place this appropriation here. We ought to remit them to the courts and let them establish the liability of the Government and the damage to which they are entitled.

Mr. SHEPPARD. I wish to say that I feel that the Senator from Nebraska does the Postmaster General an unintentional injustice.

Mr. NORRIS. I stated that I am not making the charge. I know nothing about it, of course, and I assume there is not anything in it, but it has been said a good many times, that there was no necessity for taking the companies over in the first place.

Mr. SHEPPARD. I merely desire to read the first few lines of the official estimate of the Postmaster General showing that this amount of $14,000,000 was arrived at in the regular way and under the law authorizing the taking over of the telegraph and telephone lines:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., May 1, 1920.

Hon. DAVID F. HOUSTON,
Secretary of the Treasury, Washington, D. C.

MY DEAR MR. SECRETARY: By direction of the President, I have the honor to submit herewith an estimate for an appropriation of the sum of $14,005,565.84, to be immediately available and to remain available until expended, to cover the deficit in the operation of the telegraph and telephone systems during the period of Government control and to carry out the provisions of the joint resolution of July 16, 1918, and the act approved July 11, 1919, with reference to just compensation to the owners of the telegraph and telephone systems for the supervision, possession, control, and operation of their properties by the United States during the period beginning midnight July 31, 1918, and ending midnight July 31, 1919. This estimate covers the following items:

(a) Amount due telegraph and telephone companies as of Aug. 1, 1919, accounts of which have been audited and with which terms of settlement have been agreed upon	$11,455,565.84
(b) Estimated amount to cover settlement with the remaining telegraph and telephone companies	1,850,000.00
(c) Estimated amount to cover interest from Aug. 1, 1919, until paid on amount due to telegraph and telephone companies as of Aug. 1, 1919	700,000.00
Total	14,005,565.84

Then the Postmaster General goes carefully into the details, showing how he arrived at that figure.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah [Mr. KING].

Mr. KING. Mr. President, in view of the suggestion made, I have hastily penciled a new amendment while the Senator was speaking. I withdraw the amendment previously offered and now offer the following as a substitute:

That the Court of Claims of the United States is hereby authorized to hear and determine any action brought by the telephone or telegraph companies for damages or amounts alleged to be due growing out of the action of the Government in taking over during the war the telephone and telegraph systems of said companies; that all proceedings in said court shall be in consonance with the rules and practice obtaining in said court; that said court shall make findings as to the facts upon any action so brought, together with any and all amounts found to be due said companies or either of them, and shall make due report of its findings to the Congress.

That is very hastily drawn, but it embodies the thought which I suggested. It remits the matter to the Court of Claims and they are to report to Congress.

Mr. SHEPPARD. I make the point of order that the proposed amendment is legislation on an appropriation bill.

The PRESIDING OFFICER. The point of order is sustained.

Mr. KING. I renew my motion to strike out the section.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Utah.

The amendment was rejected.

The bill was reported to the Senate as amended and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMERICAN MERCHANT MARINE—CONFERENCE REPORT.

Mr. JONES of Washington. I move that the Senate proceed to the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes.

I will say that I am not going to press it to a vote to-night, but I wish to have it made the unfinished business. The Senator from Idaho [Mr. NUGENT] desires to speak to-morrow on it, and after it is made the unfinished business I will temporarily lay it aside in order to dispose of one or two matters which Senators desire to bring up to-night.

The PRESIDING OFFICER. Does the Chair understand that the Senator simply wishes to move to have the conference report taken up and made the unfinished business and then have it lie over until to-morrow?

Mr. JONES of Washington. If it is made the unfinished business, I will ask to have it temporarily laid aside.

The PRESIDING OFFICER. The question is on the motion of the Senator from Washington.

The motion was agreed to.

Mr. CURTIS. Mr. President, I ask the Senator from Washington if he will yield to me to have laid before the Senate the conference report on the District appropriation bill?

Mr. JONES of Washington. I ask that the unfinished business be temporarily laid aside for that purpose.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

DISTRICT OF COLUMBIA APPROPRIATIONS—CONFERENCE REPORT.

Mr. CURTIS submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 9, 10, 20, 24, 25, 26, 33, 35, 38, 40, 49, 50, 53, 56, 70, 71, 76, 82, 83, 84, 85, 87, 88, 97, 104, 105, 106, 112, 114, 115, 117, 119, 124, 125, 126, 128, 129, 130, 134, 142, 143, and 148.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 27, 28, 31, 32, 34, 36, 37, 39, 41, 42, 43, 44, 45, 46, 47, 51, 52, 54, 55, 57, 58, 59, 60, 61, 64, 65, 66, 68, 69, 72, 73, 75, 77, 78, 79, 80, 81, 86, 89, 90, 91, 92, 93, 94, 95, 96, 98, 99, 100, 101, 102, 103, 107, 108, 109, 110, 111, 116, 120, 121, 122, 127, 131, 132, 133, 135, 138, 140, 141, 144, 145, 147, 149, 150, 151, 152, and 154, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That 40 per cent of the following sums, respectively, is appropriated out of any money in the Treasury not otherwise appropriated, and 60 per cent out of the revenues of the District of Columbia, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, only, namely:

"Appropriations for the fiscal year ending June 30, 1921, heretofore or hereafter made in other acts and chargeable in any proportion against the revenues of the District of Columbia, shall be paid in the proportions of 40 per cent from the Treasury of the United States and 60 per cent from the revenues of the District of Columbia.

"If the estimated net revenues of the District of Columbia for the fiscal year ending June 30, 1921, are not sufficient to meet the proportion of the appropriations for that fiscal year charged against such revenues by this and all other acts, or which may be estimated to be charged against such revenues by acts that may be approved during such fiscal year, the Commissioners of the District of Columbia shall increase the rates of taxation on real estate and tangible personal property sufficiently to make up the difference: *Provided, however,* That such rates of taxation shall in no event be less than 1½ per cent nor more than 2 per cent."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$12,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$76,900"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$614,200"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "1 $1,080, 1 $960, 7 at $900 each; in all, $8,340"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: On page 34 of the bill, in lines 1 and 2, strike out "two thousand one hundred and eighty-three" and insert in lieu thereof "two thousand two hundred and eight"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$50,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$220,050"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$28,680"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$20,540"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Hereafter the commissioners are authorized, under such regulations as they may prescribe, to sell the surplus products of the Home for the Aged and Infirm. All moneys derived from such sales shall be paid into the Treasury of the United States to the credit of the United States and to the credit of the District of Columbia in the same proportions as the appropriations for such institution are paid from the Treasury of the United States and the revenues of the District of Columbia."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$19,400"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$218,400"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"All moneys received at said school, as income from sale of products and from payment of board or of instruction, or otherwise, shall be paid into the Treasury of the United States to the credit of the United States and to the credit of the District of Columbia in the same proportions as the appropriations for such institution are paid from the Treasury of the United States and the revenues of the District of Columbia."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Hereafter the commissioners are authorized, under such regulations as they may prescribe, to sell the surplus products of the workhouse and the reformatory. All moneys derived from such sales shall be paid into the Treasury of the United States to the credit of the United States and to the credit of the District of Columbia in the same proportions as the appropriations for such institutions are paid from the Treasury of the United States and the revenues of the District of Columbia."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 153, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "The rates of assessment for laying or constructing water mains and service sewers in the District of Columbia under the provisions of the act entitled 'An act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes,' approved April 22, 1904, are hereby increased from $1.25 to $2 and $1 to $1.50, respectively, per linear front foot for any water mains and service sewers constructed or laid during the fiscal year 1921"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same with an amendment as follows: In line 7 of the matter inserted by said amendment, after the word "employees," insert the following: "of the District of Columbia"; and the Senate agree to the same.

CHARLES E. CURTIS,
LAWRENCE C. PHIPPS,
JOHN WALTER SMITH,
Managers on the part of the Senate.

C. R. DAVIS,
LOUIS C. CRAMTON,
J. P. BUCHANAN,
Managers on the part of the House.

Mr. CURTIS. I ask for the adoption of the report.

The principal point in disagreement was the half-and-half question. The conferees agreed by making the amount payable by the District 60 per cent, and out of Government funds 40 per cent, this year only, authorizing the District Commissioners to levy a tax above 1½ cents, if necessary, up to 2 cents.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The motion was agreed to.

FORCE AND SALARIES IN PATENT OFFICE.

Mr. NORRIS. Mr. President, I ask the Senator from Washington if he will consent to temporarily lay aside the unfinished business in order that I may call up the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes?

Mr. SMOOT. Will not the Senator let that go over until tomorrow? It is after 2 o'clock in the morning now.

Mr. NORRIS. I know it is.

Mr. SMOOT. There are two days in which to do business before we adjourn.

Mr. NORRIS. Yes; but from my experience in the Senate I have an idea that those two days will be taken up with something else, and I will not be able to get in with this bill.

Mr. SMOOT. The Senator can get it up to-morrow just as well as he can now.

Mr. NORRIS. No. To-morrow morning the Senator from Washington wishes to take up the merchant marine conference report, and I will not be able to call up my bill. The Senator from Washington has a conference report which is the unfinished business, and of course I can not come in except by unanimous consent. I realize that. Everyone else can get in on a motion, but I can not; I have to get unanimous consent. That applies particularly to me at this time.

Mr. SMOOT. As far as I am concerned, I will say to the Senator that I have no objection to taking up the bill he has in charge, but it is now after 2 o'clock in the morning.

Mr. NORRIS. I know it is.

Mr. SMOOT. We have two days remaining and one night until midnight to transact the little business that is left.

Mr. NORRIS. But the Senator realizes that at least Saturday, and probably to-morrow, a point of no quorum will block anything.

Mr. SMOOT. The same thing may happen to-night.

Mr. NORRIS. I understand that it may happen to-night. A point of no quorum would probably bring about an adjournment to-night, which I realize any Senator can make.

Mr. SMOOT. I do not think there is any objection at all to the Senator taking up the bill at a reasonable time. I am sure there is not as far as I am concerned.

Mr. NORRIS. Assuming that there is none and that I can get unanimous consent and waive the formal reading of the bill, there will be nothing but the amendments, and while there are a good many of them, they are all short, just striking out one amount and inserting another; it is a reduction all the way through, with the exception of the last amendment and that is not very long.

Mr. SMOOT. Then it will not take the Senate very long to pass the bill.

Mr. NORRIS. That is the reason why I want to take it up now. It will not take very long. We would have been three-fourths through now if the Senator had not interrupted.

Mr. KING. May I inquire if the Senator is going to insist upon a vote to-night?

Mr. NORRIS. I can not insist on a vote. I realize that.

Mr. KING. I mentioned to the Senator a few moments ago that I would be glad to help him bring up the bill, and I called his attention to the fact that there was one Senator upon this side of the Chamber who I understand desired to say something in regard to the bill. He is not here to-night.

Mr. NORRIS. I expect to-morrow that there will be some other Senator who may want to say something about it.

Mr. KING. I would be glad to vote now to take up the bill and make it the unfinished business.

Mr. NORRIS. Then I will make this request and see how it strikes Senators: I ask unanimous consent that immediately upon the disposition of the conference report on the merchant marine bill, now before the Senate as the unfinished business, the bill to which I have referred be taken up and not laid aside until it is finally disposed of.

Mr. KING. I hope that request will be agreed to.

Mr. JONES of Washington. I would suggest that we make it an informal understanding.

Mr. SMOOT. Would it not require a quorum for that?

Mr. JONES of Washington. It would require a quorum for a unanimous-consent agreement.

Mr. NORRIS. I am willing to let everything go in in that way and, of course, run the risk of the conference report on the merchant marine being debated for the next two days, which may happen.

Mr. SMOOT. I have no objection to the suggestion of the Senator from Nebraska.

The PRESIDING OFFICER. Is there objection? The Chair hears none. It is so ordered.

RECESS.

Mr. CURTIS. I move that the Senate take a recess until 11 o'clock to-day.

Mr. POMERENE. I move that the Senate adjourn.

The PRESIDING OFFICER. The motion of the Senator from Ohio is not in order because a unanimous-consent agreement has already been entered into that the Senate shall take a recess at the close of to-day's proceedings.

Mr. POMERENE. Then I suggest the absence of a quorum.

Mr. JONES of Washington. The Senate has already agreed to take a recess.

Mr. POMERENE. Such an agreement can be made when it is known that there are certain matters which some of us are anxious to have taken up.

The PRESIDING OFFICER. In accordance with the agreement previously entered into the Senate will take a recess until 11 o'clock to-day.

Thereupon (at 2.15 o'clock a. m., Friday, June 4, 1920) the Senate took a recess until 11 o'clock a. m., Friday, June 4, 1920.

NOMINATIONS.

Executive nominations received by the Senate June 3 (legislative day of June 2), 1920.

UNITED STATES MARSHAL.

James C. Dahlman, of Omaha, Nebr., to be United States marshal, district of Nebraska, vice Thomas J. Flynn, deceased.

PROMOTIONS IN THE ARMY.

INFANTRY.

To be captains.

First Lieut. Thomas L. McMurray, Infantry, from May 8, 1920, subject to examination required by law.

First Lieut. Hiram G. Fry, Infantry, from May 13, 1920, subject to examination required by law.

First Lieut. Richard W. Cooksey, Infantry, from May 15, 1920, subject to examination required by law.

First Lieut. Edwin W. Grimmer, Infantry, from May 27, 1920, subject to examination required by law.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

Lieut. Harold W. Boynton to be a lieutenant commander in the Navy from the 14th day of April, 1920.

Lieut. (Junior Grade) Bruce G. Leighton to be a lieutenant in the Navy from the 7th day of June, 1919.

Ensign Roy K. Jones to be a lieutenant (junior grade) in the Navy from the 3d day of June, 1919.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 30th day of March, 1920:

Robert L. Porter, jr., and

Harold F. Ely.

Passed Asst. Surg. Irving W. Robbins to be a surgeon in the Navy with the rank of lieutenant commander from the 7th day of December, 1919.

Bernard L. Toothaker, a citizen of Maine, to be an assistant surgeon in the Navy with the rank of lieutenant (junior grade) from the 29th day of May, 1920.

The following-named citizens to be assistant dental surgeons in the Navy with the rank of lieutenant (junior grade) from the 29th day of May, 1920:

Hugh R. Alexander, a citizen of Pennsylvania, and

John W. Grassl, a citizen of Michigan.

Naval Constructor William P. Robert to be a naval constructor in the Navy with the rank of captain from the 12th day of May, 1920.

Naval Constructor Isaac I. Yates to be a naval constructor in the Navy with the rank of commander from the 2d day of March, 1920.

Boatswain Ralph B. Wallace to be a chief boatswain in the Navy from the 16th day of January, 1920.

The following-named gunners to be chief gunners in the Navy from the 16th day of January, 1920:

Raymond A. Walker and

Edgar C. Wortman.

Pay Clerk Wallace D. Chace to be a chief pay clerk in the Navy from the 2d day of March, 1920.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 3 (legislative day of June 2), 1920.

DISTRICT JUDGE.

Frank Cooper to be United States district judge, northern district of New York.

ASSISTANT ATTORNEY GENERAL.

Mrs. Annette Abbott Adams to be Assistant Attorney General.

UNITED STATES MARSHAL.

James C. Dahlman to be United States marshal, district of Nebraska.

PROMOTIONS IN THE NAVY.

To be captain.

Kenneth M. Bennett.

To be commanders.

Robert A. Abernathy,

John Downes,

Harry A. Baldridge, and

Joseph O. Fisher.

To be lieutenant commanders.

Robert W. Cabaniss,
Allan S. Farquhar,
Robert C. Giffen,
William T. Smith,
Richard S. Galloway,
John F. Cox,
Cortlandt C. Baughman, and
Richard F. Bernard.

To be lieutenants.

Herman E. Keisker,
Arthur G. Robinson,
Chapman C. Todd, jr.,
Hardy B. Page,
Tunis A. M. Craven,
Leo H. Thebaud,
Walker P. Rodman,
Stephen W. Burton, and
William Kuskey.

To be lieutenants (junior grade).

John D. Small,
Arthur T. Emerson, and
Charles G. Berwind.

To be surgeons with the rank of lieutenant commander.

Andrew B. Davidson,
Griffith E. Thomas,
Clyde B. Camerer,
George R. W. French,
William L. Irvine,
Walter A. Bloedorn,
Gardner E. Robertson,
William H. Connor, and
Joseph J. A. McMullin.

To be passed assistant surgeons with the rank of lieutenant.

Harold L. Jensen,
John P. Owen,
Arthur Freeman,
Harold W. Wellington,
Aubrey M. Larsen,
George B. Tyler,
Thomas C. Anderson, and
Alexander B. Hepler.

To be passed assistant dental surgeons with the rank of lieutenant.

George M. Frazier,
Albert Knox,
Everett K. Patton.
Griffin G. Frazier,
Irvin G. Kohlmeier, and
Richard C. Green.

To be a naval constructor with the rank of lieutenant.

Ralph D. Weyerbacher.

To be chief boatswains.

Melvin C. Kent and
Albert C. Fraenzel.

To be majors in the Marine Corps.

Frederick R. Hoyt and
Harry W. Weitzel.

POSTMASTERS.

LOUISIANA.

Alvyn L. Woods, Lutcher.

TENNESSEE.

James M. Cates, Maryville.

WITHDRAWALS.

Executive nominations withdrawn from the Senate June 3 (legislative day of June 2), 1920.

PROMOTIONS IN THE ARMY.

INFANTRY.

To be captains.

First Lieut. Hiram G. Fry.
First Lieut. Richard W. Cooksey.
First Lieut. Edwin W. Grimmer.
First Lieut. Frank E. Haskell.

HOUSE OF REPRESENTATIVES.

THURSDAY, *June 3, 1920.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we thank Thee for the manifold temporal blessings Thou hast bestowed upon us, but we pray for the outpouring of those spiritual blessings which make for righteousness, which bring us in closer relationship with Thee and our fellow men.

It matters little what we believe about God, about Christ, about the hereafter, but *everything* whether we believe in God, in Christ, and the immortality of the soul; for faith without works is dead.

Though I speak with the tongues of men and of angels, and have not love, I am become as sounding brass, or a tinkling cymbal.

And now abideth faith, hope, love, these three, but the greatest of these is love.

After the similitude of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. NELSON of Wisconsin. Mr. Speaker, I desire to ask unanimous consent to extend my remarks in the RECORD on the farm loan act.

The SPEAKER. The gentleman from Wisconsin [Mr. NELSON] asks unanimous consent to extend his remarks in the RECORD on the farm loan act. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 13329. An act to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 359. Joint resolution authorizing the Secretary of War to loan to the American Legion Post, No. 73, Vincennes, Ind., necessary cots for use at the State encampment of the American Legion to be held at Vincennes, Ind., on June 28 and 29, 1920.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House was requested:

S. J. Res. 200. Joint resolution to grant authority to continue the use of the temporary buildings of the American Red Cross headquarters in the city of Washington, D. C.

The message also announced that the Senate had passed with amendment the bill (H. R. 12530) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, in which the concurrence of the House of Representatives was requested.

EXTENSION OF REMARKS.

Mr. KINKAID. Mr. Speaker, my name was omitted from the list of 15 others who had leave to extend their remarks, as shown on page 8023 of the RECORD.

The SPEAKER. Is there objection to the gentleman from Nebraska extending his remarks? [After a pause.] The Chair hears none.

LEAVE TO SIT DURING RECESS.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent that the Committee on the Revision of the Laws be authorized to sit and work and print, with its usual powers, until the December session.

The SPEAKER. The gentleman from Kansas asks unanimous consent that the Committee on the Revision of the Laws be authorized to sit until December. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring). That the President of the Senate and Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 5th day of June, 1920, at 4 o'clock p. m.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13587) making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 200. Joint resolution to grant authority to continue the use of the temporary buildings of the American Red Cross headquarters in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

COMMITTEE ON WAR CLAIMS.

Mr. FOCHT. Mr. Speaker, I desire to ask unanimous consent that the Committee on War Claims be permitted to sit during the sessions of the House.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the Committee on War Claims be permitted to sit during the sessions of the House. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. ESCH. Mr. Speaker, I ask unanimous consent to have printed in the RECORD statistical data with reference to the work of the Committee on Interstate and Foreign Commerce.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to print in the RECORD the statistical data referred to. Is there objection? [After a pause.] The Chair hears none.

RECLASSIFICATION OF POST-OFFICE SALARIES.

Mr. STEENERSON. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 14338, with the following amendment.

The SPEAKER. The gentleman from Minnesota moves to suspend the rules and pass, with the amendment, a bill, which the Clerk will report.

Mr. GARD. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Ohio makes the point that there is no quorum present. Evidently no quorum is present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Anderson	Evans, Nev.	Kendall	Rucker
Baer	Fairfield	Kennedy, Iowa	Sanders, La.
Blackmon	Ferris	Kettner	Scully
Booher	Fess	Kitchin	Sears
Box	French	Lampert	Sherwood
Brinson	Fuller, Mass.	Langley	Sinclair
Britten	Garland	Lankford	Slemp
Brooks, Ill.	Godwin, N. C.	Lazaro	Small
Brumbaugh	Goodall	Longworth	Smith, Ill.
Burke	Gould	McClintic	Smith, Mich.
Cantrill	Graham, Pa.	McKinley	Smithwick
Caraway	Greene, Vt.	McLane	Snyder
Carss	Hamilton	Mann, Ill.	Steele
Carter	Harreld	Mason	Stephens, Miss.
Clark, Fla.	Hastings	Newton, Minn.	Stoll
Cole	Haugen	Nicholls	Strong, Pa.
Cooper	Hayden	O'Connor	Tillman
Copley	Heflin	Olney	Vare
Costello	Hernandez	Parker	Venable
Curry, Calif.	Hersman	Porter	Weaver
Dale	Hill	Pou	Webster
Dewalt	Hoey	Purnell	Welling
Drane	Houghton	Raker	Welty
Drewry	Howard	Ramseyer	Winslow
Dunn	Hudspeth	Randall, Calif.	Wood, Ind.
Eagle	Hulings	Randall, Wis.	Woodyard
Echols	Ireland	Reavis	Yates
Edmonds	Johnson, S. Dak.	Rhodes	Young, N. Dak.
Ellsworth	Jones, Tex.	Riddick	
Elston	Kelley, Mich.	Riordan	

The SPEAKER. On this vote 309 Members have answered to their names. A quorum is present.

Mr. BLANTON. Mr. Speaker, I demand a second.

The SPEAKER. That can not be done yet.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. The gentleman from Kansas moves that further proceedings under the call be dispensed with. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

The doors were opened.

The SPEAKER. The gentleman from Minnesota [Mr. STEENERSON] moves to suspend the rules and pass the bill, with amendments, which the Clerk will report.

The Clerk read the title of the bill, as follows:

A bill (H. R. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis.

Mr. BLANTON. Mr. Speaker, I demand a second.

Mr. GOLDFOGLE. Mr. Speaker, I demand a second.

The SPEAKER. A second can not be demanded until the bill has been read. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That on and after July 1, 1920, postmasters and employees of the Postal Service shall be reclassified and their salaries and compensation readjusted, except as otherwise provided, as follows:

That postmasters shall be divided into four classes, as follows:

The first class shall embrace all those whose annual salaries are $3,200 or more than $3,200;

The second class shall embrace all those whose annual salaries are less than $3,200, and not less than $2,300;

The third class shall embrace all those whose annual salaries are less than $2,300, but not less than $1,000;

The fourth class shall embrace all postmasters whose annual compensation, exclusive of their commissions on the money-order business of their offices, amounts to less than $1,000.

The respective compensation of postmasters of the first, second, and third classes shall be annual salaries, graded in even hundreds of dollars, and payable in semimonthly payments to be ascertained and fixed by the Postmaster General from their respective quarterly returns to the Auditor for the Post Office Department, or copies or duplicates thereof to the First Assistant Postmaster General, for the calendar year immediately preceding the adjustment, based on gross postal receipts at the following rates, namely:

Third class: $1,500, but less than $1,600, $1,000; $1,600, but less than $1,700, $1,100; $1,700 but less than $1,900, $1,200; $1,900, but less than $2,100, $1,300; $2,100, but less than $2,400, $1,400; $2,400, but less than $2,700, $1,500; $2,700, but less than $3,000, $1,600; $3,000, but less than $3,500, $1,700; $3,500, but less than $4,200, $1,800; $4,200, but less than $5,000, $1,900; $5,000, but less than $6,000, $2,000; $6,000, but less than $7,000, $2,100; $7,000, but less than $8,000, $2,200.

Second class: $8,000, but less than $10,000, $2,300; $10,000, but less than $12,000, $2,400; $12,000, but less than $15,000, $2,500; $15,000, but less than $18,000, $2,600; $18,000, but less than $22,444, $2,700; $22,000, but less than $27,000, $2,800; $27,000, but less than $33,000, $2,900; $33,000, but less than $40,000, $3,000.

First class: $40,000, but less than $50,000, $3,200; $50,000, but less than $60,000, $3,300; $60,000, but less than $75,000, $3,400; $75,000, but less than $90,000, $3,500; $90,000, but less than $120,000, $3,600; $120,000, but less than $150,000, $3,700; $150,000, but less than $200,000, $3,800; $200,000, but less than $250,000, $3,900; $250,000, but less than $300,000, $4,000; $300,000, but less than $400,000, $4,200; $400,000, but less than $500,000, $4,500; $500,000, but less than $600,000, $5,000; $600,000, but less than $7,000,000, $6,000; $7,000,000 and upward, $8,000.

The compensation of postmasters of the fourth class shall be fixed upon the basis of the whole of the box rents collected at their offices and commissions upon the amount of canceled postage-due stamps and on postage stamps, stamped envelopes, and postal cards canceled, on matter actually mailed at their offices, and on the amount of newspaper and periodical postage collected in money, and on the postage collected in money on identical pieces of third and fourth class matter mailed under the provisions of the act of April 28, 1904, without postage stamps affixed and on postage collected in money on matter of the first class mailed under the provisions of the act of April 24, 1920, without postage stamps affixed, and on amounts received from waste paper, dead newspapers, printed matter, and twine sold at the following rates, namely:

When the amount does not exceed $75 for any one quarter the postmaster shall be allowed 140 per cent on the amount.

When the amount exceeds $75 for any one quarter and does not exceed $100, the postmaster shall be allowed 115 per cent on the amount.

When the amount exceeds $100 for any one quarter the postmaster shall be allowed: On the first $125, 100 per cent; on the next $100 or less, 75 per cent; and on the balance, 60 per cent, the same to be ascertained and allowed by the Auditor for the Post Office Department in the settlement of the accounts of such postmasters upon their sworn quarterly returns: *Provided*, That when the total compensation of any postmaster at a post office of the fourth class for four consecutive quarters shall amount to $1,000, exclusive of commissions on money orders issued, and the receipts of such post offices for the same period shall aggregate as much as $1,500, the office shall be assigned to its proper class and the salary of the postmaster fixed according to the receipts: *Provided further*, That in no case shall there be allowed any postmaster of this class a compensation greater than $250 in any one of the first three quarters of the fiscal year, exclusive of money-order commissions, and in the last quarter of each fiscal year there shall be allowed such further sum as he may be entitled to under the provisions of this act, not exceeding for the whole fiscal year the sum of $1,000, exclusive of money-order commissions: *And provided further*, That whenever unusual conditions prevail, the Postmaster General, in his discretion, may advance any post office from the fourth class to the appropriate class indicated by the receipts of the preceding quarter, notwithstanding the proviso which requires the compensation of fourth-class postmasters to reach $1,000 for four consecutive quarters, exclusive of commissions on money-order business, and that the receipts of such post office for the same period shall aggregate as much as $1,500 before such advancement is made: *And provided further*, That when the Postmaster General has exercised the authority herein granted he shall, whenever the receipts are no longer sufficient to justify retaining such post office in the class to which it has been advanced, reduce the grade of such office to the appropriate class indicated by its receipts for the last preceding quarter.

The Postmaster General is authorized to fix the salaries of assistant postmasters at offices of the second class, based on gross postal re-

ceipts for the calendar year immediately preceding the adjustment at the following rates, namely:

Eight thousand dollars, but less than $10,000, $1,800; $10,000, but less than $12,000, $1,850; $12,000, but less than $15,000, $1,900; $15,000, but less than $18,000, $1,950; $18,000, but less than $22,000, $2,000; $22,000, but less than $27,000, $2,050; $27,000, but less than $33,000, $2,100; $33,000, but less than $40,000, $2,150.

That at offices of the first class, the annual salaries of the employees, other than those in the automatic grades, shall be in even hundreds of dollars based upon the gross postal receipts for the preceding calendar year, as follows:

Receipts $40,000, but less than $50,000—Assistant postmaster, $2,200; superintendent of mails, $2,100. Receipts $50,000, but less than $60,000—Assistant postmaster, $2,200; superintendent of mails, $2,100. Receipts $60,000, but less than $75,000—Assistant postmaster, $2,200; superintendent of mails, $2,100. Receipts $75,000, but less than $90,000—Assistant postmaster, $2,300; superintendent of mails, $2,200. Receipts $90,000, but less than $120,000—Assistant postmaster, $2,400; superintendent of mails, $2,300; foremen, $2,000. Receipts $120,000, but less than $150,000—Assistant postmaster, $2,500; superintendent of mails, $2,400; foremen, $2,000. Receipts $150,000, but less than $200,000—Assistant postmaster, $2,600; superintendent of mails, $2,500; foremen, $2,000. Receipts $200,000, but less than $250,000—Assistant postmaster, $2,700; superintendent of mails, $2,600; foremen, $2,000. Receipts $250,000, but less than $300,000—Assistant postmaster, $2,800; superintendent of mails, $2,700; assistant superintendent of mails, $2,200; foremen, $2,000. Receipts $300,000, but less than $400,000—Assistant postmaster, $2,900; superintendent of mails, $2,800; assistant superintendent of mails, $2,200; foremen, $2,000. Receipts $400,000, but less than $500,000—Assistant postmaster, $3,000; superintendent of mails, $2,900; assistant superintendent of mails, $2,200; foremen, $2,000. Receipts $500,000, but less than $600,000—Assistant postmaster, $3,200; superintendent of mails, $3,000; assistant superintendents of mails, $2,300; foremen, $2,000; postal cashier, $2,600; money-order cashier, $2,300. Receipts $600,000, but less than $1,000,000—Assistant postmaster, $3,400; superintendent of mails, $3,200; assistant superintendents of mails, $2,500; foremen, $2,000 and $2,100; postal cashier, $2,800; money-order cashier, $2,500. Receipts $1,000,000, but less than $2,000,000—Assistant postmaster, $3,600; superintendent of mails, $3,400; assistant superintendents of mails, $2,200, $2,500, and $2,800; foremen, $2,000 and $2,200; postal cashier, $3,000; assistant cashiers, $2,300; money-order cashier, $2,700; bookkeepers, $2,000; station examiners, $2,000. Receipts $2,000,000, but less than $3,000,000—Assistant postmaster, $3,700; superintendent of mails, $3,500; assistant superintendents of mails, $2,300, $2,500, $2,700, and $3,000; foremen, $2,000 and $2,200; postal cashier, $3,100; assistant cashiers, $2,200 and $2,400; money-order cashier, $2,800; bookkeepers, $2,000 and $2,200; station examiners, $2,300. Receipts $3,000,000, but less than $5,000,000—Assistant postmaster, $3,800; superintendent of mails, $3,600; assistant superintendents of mails, $2,300, $2,500, $2,800, and $3,200; foremen, $2,000 and $2,200; postal cashier, $3,300; assistant cashiers, $2,200, $2,400, and $2,800; money-order cashier, $3,000; bookkeepers, $2,000 and $2,200; station examiners, $2,300 and $2,500. Receipts $5,000,000, but less than $7,000,000—Assistant postmaster, $4,000; superintendent of mails, $3,800; assistant superintendents of mails, $2,300, $2,500, $2,800, $3,000, and $3,400; foremen, $2,000 and $2,200; postal cashier, $3,500; assistant cashiers, $2,200, $2,600, and $2,800; money-order cashier, $3,200; bookkeepers, $2,000, $2,200, and $2,300; station examiners, $2,300 and $2,500. Receipts $7,000,000, but less than $9,000,000—Assistant postmaster, $4,300; superintendent of mails, $4,000; assistant superintendents of mails, $2,300, $2,500, $2,800, $3,200, and $3,600; foremen, $2,000 and $2,200; postal cashier, $3,700; assistant cashiers, $2,300, $2,500, $2,800, and $3,000; money-order cashier, $3,300; bookkeepers, $2,000, $2,200, and $2,300; station examiners, $2,300 and $2,500. Receipts $9,000,000, but less than $20,000,000—Assistant postmaster, $4,500; superintendent of mails, $4,200; assistant superintendent of mails, $2,400, $2,500, $2,800, $3,200, $3,400, and $3,800; foremen, $2,000, $2,200, and $2,300; postal cashier, $3,800; assistant cashiers, $2,300, $2,500, $2,800, and $3,000; money-order cashier, $3,400; bookkeepers, $2,000, $2,200, $2,300, and $2,500; station examiners, $2,300 and $2,500. Receipts $20,000,000 and upward—Assistant postmaster, $4,600; superintendent of mails, $4,400; assistant superintendents of mails, $2,400, $2,600, $2,800, $3,200, $3,600, and $3,800; superintendent of delivery, $4,400; assistant superintendents of delivery, $2,400, $2,600, $2,800, $3,200, $3,600, and $3,800; foremen, $2,000, $2,200, and $2,300; superintendent of registry, $4,000; assistant superintendents of registry, $2,400, $2,600, $2,800, and $3,200; superintendent of money order, $4,000; assistant superintendent of money order, $3,800; auditor, $3,600; postal cashier $4,000; assistant cashiers, $2,300, $2,500, $2,800, $3,000, and $3,200; money-order cashier, $3,600; bookkeepers, $2,100, $2,300, $2,500, and $3,000; station examiners, $2,300 and $2,500: *Provided*, That in fixing the salaries of supervisory employees in the post office at Washington, D. C., the Postmaster General may in his discretion add not to exceed 30 per cent to the gross postal receipts of that office: *Provided further*, That not more than one assistant superintent of mails, one assistant superintendent of delivery, one assistant superintendent of registry, and one assistant cashier shall be paid the maximum salary provided for these positions at any office, except where the receipts are $9,000,000 and less than $20,000,000, to which offices two assistant superintendents of mails shall be assigned at the maximum salary, one to be in charge of the city-delivery service: *And provided further*, That in post offices designated as State depositories for surplus postal funds and central accounting offices where the gross postal receipts are less than $500,000 and no postal cashier is provided the employee directly in charge of the records and adjustments of such accounts shall be allowed an increase of $200 per annum, and if the gross postal receipts of such offices are $500,000 and less than $5,000,000, the postal cashier shall be allowed an increase of $200 per annum.

The salary of superintendents of classified stations shall be based on the number of regular employees assigned thereto and the annual postal receipts: *Provided*, That no allowance shall be made for sales of stamps to patrons residing outside of the territory of the stations. At delivery stations each $100,000 of postal recepts shall be considered equal to one additional employee. At nondelivery classified stations, known as finance stations, each $25,000 of postal receipts shall be considered as equal to one additional employee.

At classified stations having less than four employees and where the receipts are less than $100,000 the salary of the superintendent shall not be greater than that of a special clerk.

At classified stations having four employees or more the salary of the superintendent shall be as follows: Four and not exceeding 6 employees, $2,100; 7 and not exceeding 18 employees, $2,200; 19 and not exceeding 32 employees, $2,300; 33 and not exceeding 44 employees, $2,400; 45 and not exceeding 64 employees, $2,500; 65 and not exceeding 90 employees, $2,600; 91 and not exceeding 120 employees, $2,700; 121 and not exceeding 150 employees, $2,800; 151 and not exceeding 350 employees, $3,000; 351 employees and over, $3,200.

At classified stations having 65 or more employees there may be an assistant superintendent of stations with salary as follows: Sixty-five and not exceeding 90 employees, $2,200; 91 and not exceeding 120 employees, $2,300; 121 and not exceeding 150 employees, $2,400; 151 and not exceeding 350 employees, $2,600; 351 employees and over, $2,800.

That clerks in first and second class post offices and letter carriers in the City Delivery Service shall be divided into five grades as follows: First grade—salary, $1,400; second grade—salary, $1,500; third grade—salary, $1,600; fourth grade—salary, 1,700; fifth grade—salary, $1,800: *Provided*, That hereafter substitute clerks in first and second class post offices and subtitute letter carriers in the City Delivery Service when appointed regular clerks or carriers shall have credit for actual time served on a basis of one year for each 306 days of eight hours served as substitute, and appointed to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade one: *Provided further*, That clerks in first and second class post offices and letter carriers in the City Delivery Service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the fifth grade. All promotions shall be made at the beginning of the quarter following one year's satisfactory service in the grade: *And provided further*, That there shall be two grades of special clerks as follows: First grade—salary, $1,900; second grade—salary, $2,000: *And provided further*, That printers, mechanics, and skilled laborers shall, for the purpose of promotion and compensation, be deemed a part of the clerical force.

That the pay of substitute, temporary, or auxiliary clerks at first and second class post offices and substitute letter carriers in the City Delivery Service shall be at the rate of 60 cents per hour.

That watchmen, messengers, and laborers in first and second class post offices shall be divided into two grades, as follows: First grade—salary, $1,350; second grade—salary, $1,450: *Provided*, That watchmen, messengers, and laborers shall be promoted to the second grade after one year's satisfactory service in the first grade.

That railway postal clerks shall be divided into two classes, class A and class B, and into six grades as follows: Grade 1—salary, $1,600; grade 2—salary, $1,700; grade 3—salary, $1,850; grade 4—salary, $2,000; grade 5—salary, $2,150; grade 6—salary, $2,300; and laborers in the Railway Mail Service shall be divided into two grades, as follows: Grade 1—salary, $1,350; grade 2—salary, $1,450.

For the purpose of organization and establishing maximum grades to which promotions may be made successively, as herein provided, runs now in class A and all terminal railway post offices and transfer offices shall be placed in class A, and the remainder in class B.

Road clerks shall be promoted successively to grade 3 for clerks, and to grade 4 for clerks in charge of class A, and to grade 5 for clerks and to grade six for clerks in charge of class B.

Terminal railway post office and transfer clerks shall be promoted successively to grade three for clerks of whom general scheme distribution is not required, and to grade four for clerks of whom general scheme distribution is required, and for clerks in charge to grade 5 in terminals or tours or crews in terminals consisting of not more than 19 clerks or in transfer offices or tours in transfer offices of not more than 4 clerks, and to grade 6 in terminals or tours or crews in terminals consisting of 20 or more clerks and in transfer offices or tours in transfer offices of 5 or more clerks.

A clerk in charge is defined as a clerk in charge of a railway post office, terminal railway post office, or transfer office whether he performs service alone or has a crew of clerks under his supervision, or of a tour or a crew within a tour of a terminal railway post office or transfer office.

All clerks assigned to the office of division superintendents or chief clerks offices shall be promoted successively to grade 3, and in the office of division superintendent 4 clerks may be promoted one grade per annum to grade 4, 4 clerks to grade 5, and 4 clerks to grade 6, and in the office of chief clerks 1 clerk may be promoted one grade per annum to grade 4, 1 clerk to grade 5, and 1 clerk to grade 6.

Examiners shall be promoted successively to grade 5 and assistant examiners to grade 4 whether assigned to the office of division superintendents or chief clerks offices.

Laborers shall be promoted to grade 2 after one year's satisfactory service in grade 1.

Promotions shall be made successively at the beginning of the quarter following a year's satisfactory service in the next lower grade.

In the readjustment of the service to conform to the grades herein provided, grade 1 shall include clerks in present grade 1, grade 2 shall include clerks in present grades 2 and 3, grade 3 shall include clerks in present grades 4 and 5, grade 4 shall include clerks in present grades 6 and 7, grade 5 shall include clerks in present grades 8 and 9, and grade 6 shall include clerks in present grade 10.

Substitute railway postal clerks shall be paid the salary of grade 1 for service actually performed during the first calendar year of service, which shall constitute his probationary period, when, if his services are satisfactory, unless sooner appointed a regular clerk, he shall be promoted to grade 2 and paid the salary of that grade for service actually performed until appointed a regular clerk.

Service of clerks shall be based on an average of not exceeding 8 hours daily for 306 days per annum, including proper allowance for all service required on lay-off periods. Clerks required to perform service in excess of 8 hours daily, as herein provided, shall be paid in cash at the annual rate of pay or granted compensatory time at their option for such overtime.

Substitute railway postal clerks shall be credited with full time while traveling under orders of the department to and from their designated headquarters to take up an assignment, together with actual and necessary travel expenses, not to exceed $2 per day, while on duty away from such headquarters. When a substitute clerk performs service in a railway post office starting from his official headquarters he shall be allowed travel expenses under the law applying to clerks regularly assigned to the run.

That clerks at division headquarters of post-office inspectors shall be divided into six grades, as follows: Grade 1—salary, $1,600; grade 2—salary, $1,700; grade 3—salary, $1,850; grade 4—salary, $2,000; grade 5—salary, $2,150; grade 6—salary, $2,300; and there shall be

one chief clerk at each division headquarters at a salary of $2,600. That clerks at division headquarters shall be promoted successively to grade 5 at the beginning of the quarter following a year's satisfactory service in the next lower grade, and one clerk at each division headquarters may be promoted to grade 6 after one year's satisfactory service in grade 5.

Hereafter when any clerk in the office of division headquarters in the post-office inspection service is absent from duty from any cause other than leave with pay allowed by law, the Postmaster General, under such regulations as he may prescribe, may authorize the employment of a substitute for such work, and payment therefor from the lapsed salary of such absent clerk at a rate not to exceed the pay of the grade of work performed by such substitute.

That the compensation of each rural carrier for serving a rural route of 24 miles, 6 days in the week, shall be $1,800; on routes 22 miles and less than 24 miles, $1,728; on routes 20 miles and less than 22 miles, $1,620; on routes 18 miles and less than 20 miles, $1,440; on routes 16 miles and less than 18 miles, $1,260; on routes 14 miles and less than 16 miles, $1,080; on routes 12 miles and less than 14 miles, $1,008; on routes 10 miles and less than 12 miles, $936; on routes 8 miles and less than 10 miles, $864; on routes 6 miles and less than 8 miles, $792; on routes 4 miles and less than 6 miles, $720. A rural letter carrier serving one triweekly route shall be paid on the basis for a route one-half the length of the route served by him, and a carrier serving two triweekly routes shall be paid on the basis for a route one-half of the combined length of the two routes. Each rural carrier assigned to a horse-drawn vehicle route on which daily service is performed shall receive $30 per mile per annum for each mile said route is in excess of 24 miles or major fraction thereof, based on actual mileage, and each rural carrier assigned to a horse-drawn vehicle route on which triweekly service is performed shall receive $15 per mile for each mile said route is in excess of 24 miles or major fraction thereof, based on actual mileage.

Deductions for failure to perform service on a standard rural delivery route for 24 miles and less shall not exceed the rate of pay per mile for service for 24 miles and less; and deductions for failure to perform service on mileage in excess of 24 miles shall not exceed the rate of compensation allowed for such excess mileage.

That the pay of a carrier who furnishes and maintains his own motor vehicle and who serves a route not less than 50 miles in length be at not exceeding $2,600 per annum.

That the pay of carriers in the village delivery service, under such rules and regulations as the Postmaster General may prescribe, shall be from $1,000 to $1,200 per annum.

That no allowance to third-class post offices to cover the cost of clerical services in excess of $450 shall be made where the salary of the postmaster is $1,000, $1,100, or $1,200; nor in excess of $600 where the salary of the postmaster is $1,300, $1,400, or $1,500; nor in excess of $700 where the salary of the postmaster is $1,600, $1,700, or $1,800; nor in excess of $900 where the salary of the postmaster is $1,900 or $2,000; nor in excess of $1,200 where the salary of the postmaster is $2,100 or $2,200: *Provided*, That the Postmaster General may in the disbursement of the appropriation for this purpose and within its limitation provide for the employment at a maximum salary of $900 per annum of assistant postmasters at post offices of the third class where the salary of the postmaster is $2,100 or $2,200 per annum.

The post-office inspectors shall be divided into seven grades, as follows: Grade 1—salary, $2,300; grade 2—salary, $2,500; grade 3—salary, $2,700; grade 4—salary, $2,900; grade 5—salary, $3,200; grade 6—salary, $3,500; grade 7—salary, $3,700; and there shall be 15 inspectors in charge at $4,200. Inspectors shall be promoted successively to grade 5 at the beginning of the quarter following a year's satisfactory and efficient service in the next lower grade, and to grade 6 at the beginning of the quarter following the expiration of one year's meritorious service in grade 5, and not to exceed 20 per cent of the force to grade 7 for specially meritorious service after not less than one year's service in grade 6. The three grades of inspectors without per diem allowance and the three senior grades of field inspectors shall be considered on a parity in readjusting the inspectors to the grades provided.

Inspectors shall be paid their actual expenses not to exceed $5 per day while engaged on official business away from their homes, their official domiciles, and their headquarters. The appropriation for per diem allowance authorized for the fiscal year beginning July 1, 1920, may be utilized for such expenses.

That the annual salaries of officials of the Railway Mail Service shall be graded in even hundreds of dollars, as follows: Division superintendents at $4,200; assistant division superintendents at $3,200; assistant superintendents at $3,100; assistant superintendent in charge of car construction at $3,000; chief clerks at $3,000; assistant chief clerks at $2,500: *Provided*, That the clerks in charge of sections in the offices of the division superintendents shall be rated as assistant chief clerks at $2,500 salary, and the chief clerk in charge of car construction shall be designated as an assistant superintendent at $3,000 salary per annum.

That the salary of requisition fillers and packers in the division of equipment and supplies shall be as follows: One foreman, $1,800 per annum; 10 requisition fillers and 9 packers, each, $1,600 per annum.

Employees in the Postal Service shall be granted 15 days' leave of absence with pay, exclusive of Sundays and holidays, each fiscal year, and sick leave with pay at the rate of 10 days a year to be cumulative for a period of three years, but no sick leave with pay in excess of 30 days shall be granted during any three consecutive years. Sick leave shall be granted only upon satisfactory evidence of illness and if for more than two days the application therefor shall be accompanied by a physician's certificate.

The 15 days' leave shall be credited at the rate of one and one-quarter days for each month of actual service.

Whenever an employee herein provided for shall have been reduced in salary for any cause, he may be restored to his former grade or advanced to an intermediate grade at the beginning of any quarter following the reduction, and a restoration to a former grade or advancement to an intermediate grade shall not be construed as a promotion within the meaning of the law prohibiting advancement of more than one grade within one year.

Hereafter when the needs of the service require the employment on Sundays or holidays of foremen, special clerks, clerks, carriers, watchmen, messengers, or laborers at first and second class post offices, or of railway postal clerks at terminal railway post offices and transfer offices, they shall be allowed compensatory time within 6 days next succeeding the Sunday and within 30 days next succeeding the holiday on which service is performed, and that portion of the act approved July 2, 1918, authorizing the payment for overtime in lieu of compensatory time is hereby repealed.

On and after July 1, 1921, no supervisory official or employee in the Postal Service shall be promoted more than $300 during any one year, except when appointed postmaster, inspector in charge, or Superintendent of the Railway Mail Service.

The Postmaster General may, when the interest of the service requires, transfer any clerk to the position of carrier or any carrier to the position of clerk, such transfer to be made to the corresponding grade and salary of the clerk or carrier transferred.

That the joint commission authorized under section 3 of the act of February 28, 1919, making appropriations for the service of the Post Office Department, be continued until the next regular session of Congress to prepare a detailed report of the investigation.

That section 2 of an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes," approved April 24, 1920, be, and the same is hereby, repealed, except in so far as it affects the pay of employees not covered by this act.

That the sums appropriated for salaries and compensation of postmasters and employees of the Postal Service in the act approved April 24, 1920, shall be available for the payment of salaries and compensation of postmaster and postal employees at the rates of pay herein provided; and such additional sums as may be necessary are hereby appropriated to carry out the provisions of this act.

The SPEAKER. Is a second demanded?

Mr. MOON. Mr. Speaker, I demand a second.

Mr. GOLDFOGLE. I demand a second.

The SPEAKER. Is the gentleman from Tennessee [Mr. MOON], the ranking member of the Committee on the Post Office and Post Roads, opposed to the bill?

Mr. MOON. Yes. I want to say this, Mr. Speaker, if I may be heard for a moment: I am not opposed to the bill. I introduced the bill by direction of the Postal Commission, and I agree with every member of the committee that this bill ought to pass. I demand a second for the purpose only of getting the time for Members as required under the rule to debate. If there is any member on the committee or any Member in the House who will say that he will vote against this bill, I am willing that he shall control the time; but I am not willing for a gentleman to say that he is opposed to the bill, which, under suspension of the rules, can not be changed, in order to control the time, when finally he will vote for the bill.

Mr. GOLDFOGLE. Mr. Speaker, will the Chair hear me as to the right?

The SPEAKER. The Chair will hear the gentleman very briefly.

Mr. GOLDFOGLE. The gentleman from Tennessee [Mr. MOON] has clearly indicated his attitude. There are provisions in the bill to which I am opposed. The gentleman from Tennessee agrees with the gentleman [Mr. STEENERSON] who moves the suspension of the rules, and I respectfully submit, as a member of the Committee on the Post Office and Post Roads, that if I disagree with some of the provisions of the bill I am, in view of the statement made by the gentleman from Tennessee, entitled to recognition and to control part of the time for debate under my demand for a second.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GOLDFOGLE. I am opposed to portions of the bill.

The SPEAKER. Is the gentleman opposed to the bill? If he does not say he is opposed to the bill, the Chair thinks——

Mr. GOLDFOGLE. I am opposed to the bill in its present shape.

The SPEAKER. Is the gentleman going to vote for the bill?

Mr. GOLDFOGLE. I can not say as to how I shall vote.

The SPEAKER. Probably no bill comes before the House that some Member is not opposed to, in so far as some provision in the bill may be concerned. The Chair will recognize the gentleman from Tennessee to demand a second.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Minnesota has 20 minutes, and the gentleman from Tennessee has 20 minutes.

Mr. GOLDFOGLE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GOLDFOGLE. The motion to pass the bill under suspension of the rules having been made by the gentleman from Minnesota [Mr. STEENERSON], would it be in order to offer any amendment to the bill?

The SPEAKER. The gentleman undoubtedly knows that it will not.

Mr. GOLDFOGLE. Then I ask unanimous consent——

The SPEAKER. The gentleman from Minnesota has the floor.

Mr. STEENERSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STEENERSON. I could not hear; did the Clerk read the amendments which are a part of the motion?

The SPEAKER. He did.

Mr. FOCHT. Mr. Speaker, will the gentleman yield?

The SPEAKER. The gentleman from Minnesota has the floor.

Mr. GOLDFOGLE. Mr. Speaker——

The SPEAKER. The gentleman from Minnesota has the floor.

Mr. GOLDFOGLE. I know; but I was about to submit a request for unanimous consent——

The SPEAKER. The gentleman can not do that.

Mr. GOLDFOGLE. I was about to submit that request for unanimous consent before the gentleman from Minnesota was recognized.

The SPEAKER. The gentleman from Minnesota is entitled to the floor.

Mr. STEENERSON. Mr. Speaker, I will yield later. I implore Members of the House to be silent and to hear the few explanations that I have to make on the bill.

The motion is made to suspend the rules and pass this bill, which contains some amendments which were to correct mistakes that were discovered in the bill as introduced by direction of the joint commission. Most of them are simple corrections of typographical errors. Some of them are of a little more importance, but they were all considered by the Committee on the Post Office and Post Roads yesterday, and they may be said to be simply carrying out the intentions of the joint commission.

One instance is this: One of the most important corrections of the bill is the fourth one, on line 17 of page 4, striking out the figures "100" and inserting in lieu thereof "125," and in line 23 on the same page, after the word "postmaster," striking out the word "of" and inserting in lieu thereof the word "at."

This relates to fourth-class postmasters, of which there are something over 20,000 in the United States. The joint commission determined that they would not reduce the present compensation of these postmasters, but such would have been the result of the bill as actually drawn. We figured it out in committee yesterday, and this amendment, offered by the gentleman from Texas [Mr. BLACK], and unanimously agreed to by the committee, carries out the original intention of the framers of this bill.

Mr. CANDLER. Mr. Speaker, will the gentleman yield?

Mr. HUDSPETH. Mr. Speaker, will the gentleman yield right there?

Mr. STEENERSON. I will yield first to the gentleman from Mississippi for a question.

Mr. CANDLER. I would like to have the gentleman explain fully what increase is given to fourth-class postmasters under the paragraph the gentleman has just mentioned.

Mr. STEENERSON. I would not like to undertake to do that now, because it involves an intricate calculation; but I will say that it does increase their compensation, which is about $4,000,000 more than the total receipts of those offices.

Mr. CANDLER. I am glad to know that these faithful public servants of the people will under the terms of this bill receive an increase. I have long favored granting them an increase in compensation and making them some allowance for expenses of their offices. As no amendments are in order, because this and other increases are granted, I will vote for the bill as presented, it being the best obtainable at present. However, I understand from the gentleman who is chairman of the Post Office Committee that it is a substantial increase over and above what the fourth-class postmasters are now receiving.

Mr. STEENERSON. It is an increase.

Mr. EMERSON. Will there be any opportunity to propose amendments to increase the amounts in the bill?

Mr. STEENERSON. This is the only one, and this does not increase the amount that was intended to be given by the bill. It is inserted only because the language as drawn by the draftsman did not carry out the intention of the commission. There were four members of the commission on the committee yesterday, and it was unanimously agreed that that was proper.

Mr. EMERSON. No amendment can be offered on the floor to-day?

Mr. STEENERSON. The gentleman is familiar with the rule of the House which provides that the only amendments which can be submitted when a motion is made to suspend the rules are the amendments which are contained in the motion.

Now, with the permission of the House, I should like to make a few explanations of these salary increases. The present salary of the lowest-paid carrier is $1,200. The proposed salary begins at $1,400, an increase of $200. The same thing is true of the clerks. They begin at $1,400, and they are divided into five grades. First we had four grades. Now it is provided in this bill, as you will notice, that substitutes when appointed clerks or carriers are given credit for the time they have served as substitutes, and if they have served 306 days, equivalent to a year of working days, they are put into the $1,500 class at once. Almost all the new clerks appointed next year will be taken from the substitutes, so that the starting of these men will be at $1,500 in most cases, because the majority of them have served a year or more. Some of them have served several years. This is to be taken into account when you speak of the amount of the increase.

Another thing: The progression or promotion and increase of salary ends in four years; and on the sixth page of the report of the committee on this bill you will see a table that gives the specific total increases of these clerks and employees, clerks in first and second class offices, special clerks, city letter carriers, Railway Mail Service, post-office inspectors, clerks at division headquarters, Rural Delivery Service, postmasters of the first, second, third, and fourth classes, village delivery carriers, assistant postmasters at second-class offices, and so on. Now the present compensation is the basic salary before the war and $200 added, which was a temporary increase—from $100 to $200 temporary increase provided in the joint resolution of November 8 last. These increases are over and above those increases, so that this makes the third increase since we began increasing, since the beginning of the war.

The total increases of the employees covered in this bill for the first year amount to $34,375,087. This is the estimate made by the department. The next year it will amount to $39,775,587. For the third year the total increases will be $43,711,187, and for the fourth year $45,883,587.

Mr. HUDSPETH. Will the gentleman yield right there for a question?

Mr. STEENERSON. If the gentleman will ask it quickly.

Mr. HUDSPETH. I want to ask the gentleman why there was not a substantial increase made in the salaries of fourth-class postmasters when there was such an increase made in the salaries of second and third-class postmasters?

Mr. STEENERSON. The gentleman is evidently mistaken.

Mr. HUDSPETH. That is as I read the bill.

Mr. STEENERSON. The increases to the fourth-class postmasters are perhaps the hardest to justify, but we consider that they are justified in view of all the circumstances.

Mr. ASHBROOK. I would like to ask if this bill follows the recommendations of the salary commission?

Mr. STEENERSON. The gentleman should know that this is the salary commission bill. The gentleman from Tennessee [Mr. MOON] just explained that.

Mr. ASHBROOK. I want to ask the gentleman if he is aware that the postal employees are generally very greatly disappointed in the increases in this bill? The increases in their salaries are not proportionate to the increased cost of living and, in my opinion, are too low entirely and will result in badly demoralizing the Postal Service. They have long been working for niggardly pay.

Mr. STEENERSON. We are aware of that. I have received perhaps 500 or 1,000 telegrams on the subject. I have been receiving telegrams for a long time. In fact, if I were to judge by the amount of mail I receive I should think I was the most important man in the House. [Laughter.] But the reason I receive these letters and telegrams is that they want more salaries. But gentlemen of the House and the country ought to understand that many of the members of the commission would have liked to have higher salaries, and many of them would have liked to see a little higher compensation for the rural carriers. I have a great many of them in my country, and the expenses of maintaining equipment, of horse feed, and of automobiles and gasoline are very much increased. But these are their recommendations, to which we have all agreed. Many of them are compromises, in order that speedy action might be taken.

Mr. GOLDFOGLE rose.

Mr. STEENERSON. I know that the employees in the city of the gentleman from New York [Mr. GOLDFOGLE], who is so persistent here as almost to prevent anything being said on behalf of the bill, are perhaps the worst situated of any postal employees. There is no question that in a city like New York the cost of living is higher, especially house rents, than in many other smaller places.

Mr. FOCHT. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. FOCHT. The gentleman gave the figures as to the increases in salary during recent years. May I ask him whether

there has not been a great increase in the postal receipts? Or if it is not a fact that the increases in salaries are not at all commensurate with the increase in the amount of receipts?

Mr. STEENERSON. Yes; the gross receipts have greatly increased since July 1, 1919. The department reports about 25 per cent increase in 50 of the largest cities. Now, these salary increases are the result of the labors of this commission of 10 members, 5 Senators and 5 Representatives, for more than a year. This is the first time in the history of the country that the employees have been heard directly. The Post Office Committee in former years had to depend on the information furnished by the department in adjusting salaries. We had no other source of information. The department has not recommended any increase. It did not recommend the joint resolution of last November. In order to get the original sources of information this commission determined to hold hearings, where the employees of all grades could give their views and experiences. We did not finish the testimony until the 23d of April, and since that time we have been analyzing it and have done the best we could. Those who criticized us for not reporting first and hearing evidence afterwards are manifestly unfair. I do not think the work is perfect, but it is as near as we are able to bring forth. [Applause.] Mr. Speaker, I reserve the balance of my time.

Mr. MOON. Mr. Speaker, this bill was introduced by me at the direction of the Postal Commission as the result of the report of the Joint Commission on Postal Salaries, which was created by an act of Congress in response not only to the demand of the employees but of the Government and the general public. It is impossible for me in the time I have—and I would not be justified in attempting it—to give a full discussion of this question. I call attention, however, to the statement in the preliminary report and to the fact that subsequently there will be a detailed report in reference to this matter. The judgment of the commission is expressed in the bill before the House. The last appropriation bill carried $434,000,000, and the increase provided by the bill is $462,000,000, and the percentage is the proportion of $434,000,000 to $462,000,000.

Every employee of the Postal Service has been cared for in this bill; all the employees of the Government have been looked after and some increases given, perhaps not quite as much as desired by them or as little as the Government recommended in some instances, but it is fair and reasonable under the circumstances. You have read the report and the bill. It contains the result of our conclusions.

There is only one member of the committee that had any objection to any part of the bill that I know of, and in a spirit of fairness to him I am going to yield to him more time than I will yield to anybody else. Of the 20 minutes at our disposal I yield 5 minutes to the gentleman from New York [Mr. GOLDFOGLE].

Mr. GOLDFOGLE. Mr. Speaker, under the gag rule, which in parliamentary language is called "suspension of the rules," it is proposed to pass this bill. It precludes amendments. It is cleverly designed to compel such of us as desire to vote for a really adequate wage to postal employees, especially in cities, to accept the bill as recommended by the commission or else leave the men now so badly underpaid without any increase at all. The procedure which stifles debate, shuts off amendments, and forces the men to accept half a loaf rather than get no loaf at all is so unfair that I must enter, though it be ineffective, my earnest protest.

The measure is fraught with importance not merely to the large army of postal employees affected by the insufficient increase proposed, but to the community at large, every man and woman of which is interested in the prompt and proper handling, distribution, and delivery of mail.

In the brief time allotted me I can not discuss in detail the figures which demonstrate the inadequacy of the increase the Postal Commission has proposed for clerks, carriers, and some other employees in the large cities of this country. I know they are wholly insufficient in New York. I believe them to be equally insufficient in such cities as Chicago, Philadelphia, Boston, Detroit, and San Francisco.

The minimum wage of $1,400 and the maximum wage of $1,800, not to be gotten till the carrier or clerk reaches the fifth grade, will by no means satisfy the men in my city, where living conditions actually demand a better and higher wage for the arduous and exacting labor these men perform. [Applause.]

The penurious policy of withholding from postal employees an adequate wage has resulted in a serious breakdown and crippling of the Postal Service. It has become aggravated to such an extent that the business interests of the country have become aroused. [Applause.] They, too, now plead anxiously that we no longer delay providing the mailmen with proper compensation to meet their just and necessarily insistent demands.

The community which is vitally interested in keeping the Postal Service up to the highest and best standard of efficiency has become keenly awakened that we have been dealing niggardly and meanly with the postal men. They realize that as a consequence of not giving these public servants a square deal inefficiency in service has come, to the detriment of business interests, and, in fact, of everyone interested in getting prompt and efficient mail service. Yet you propose to jam this bill through under suspension of the rules and cut off every chance to secure a vote testing in the open the sentiments of the individual Members of the House on the various propositions of salaries embodied in the bill.

The underpayment of the postal employees in the large cities has been and is unbecoming our great Government. Congress has sorely lacked in its duty toward these deserving men and women whose devotion to duty should have given them better reward. The American people as a whole are not so narrow or ungracious as to deny to those who serve them so well as the postal employees a decent living wage sufficient to provide them with, according to American standards, the necessities of life which their present situation requires. [Applause.]

Kept at pay far below that which the great majority of them could have earned in other occupations for which they were fitted, yet working with intelligence, diligence, and zeal, do you wonder that dissatisfaction has come among the rank and file and that the best and most valued men who are still sound and able-bodied are rapidly leaving the service? Resignations have largely poured in, because men and women no longer could remain under a salary that did not permit them to meet the necessary and increasing expense of living and maintain their families.

What has been the result of the penurious and cheeseparing policy Congress has up till now pursued? Time was when the eligible lists were filled with thousands of applicants clamoring for appointment to the service. Now there are scarcely handfuls.

The standard of civil-service examinations has been lowered greatly in order that a sufficient supply of persons can be obtained to enter the service. As a matter of necessity, persons far less efficient and far less qualified had to be taken to supply the places of well trained, well tried, and skilled employees who were the pride of the Postal System of the United States. [Applause.]

I realize the commission has done much work. It has gone through a lot of examinations, traveled through the country, brought us heaps of figures, and taken care of many of the postal men in the rural districts. Yet there are many inequalities to be found in the bill which under the present procedure of rushing through this measure we can not now correct. However, in so far as the principal cities are concerned, the commission has not, neither has the Post Office Committee, taken care of the men and women there in a way befitting or meeting the living conditions that attend them.

You say you will start the carriers and clerks at $1,400 and gradually advance them till, after years of service, they reach $1,800, and there you stop. Now, then——

Mr. MACCRATE. Will the gentleman yield?

Mr. GOLDFOGLE. Yes, with pleasure.

Mr. MACCRATE. Would it cost more than $3,600,000 to give the fifth-grade men what they demand and what they are entitled to?

Mr. GOLDFOGLE. No; I do not think it would cost any more than that. When last September we passed the bill providing a temporary increase of $150 for the mailmen, I sought to secure in some form the adoption of my bill providing for a substantial increase of salary up to 35 per cent, but in view of the necessity to exercise reasonable economy, I indicated my willingness to make it less, but at least 25 per cent.

But opportunity then to get a vote of the House was denied by the same objectionable method we are now employing—suspension of the rules.

As the matter stands it will serve no useful purpose to point out the staggering increase in the cost of living in cities. Rental costs of even the humblest apartments have mounted so high as to become prohibitive to persons of small salaries. Food, clothing, yes, everything that enters into the necessities of life, have increased in price—the dollar no longer is worth a hundred cents in purchasing power as of old—yet we have neglected to take care of these worthy, deserving postal employees.

Mr. Speaker, I hope that at some future time, when in a businesslike way we shall cease to practice a false economy, we may succeed in doing justice to these employees, for the Ameri-

can public, I am sure, will not begrudge them an increase to which they are honestly and well entitled. [Applause.]

Mr. MOON. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. ROUSE].

Mr. ROUSE. Mr. Speaker, I ask permission to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MOON. Mr. Speaker, I yield three minutets to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Speaker, the Post Office Department is one of the big business institutions of the United States. By that term I do not mean that it is an institution conducted for profit, because it is not, and, indeed, it should not be. The aim of the Postmaster General in his administration of the Postal Service, and of Congress in prescribing by law the respective rates of postage, should not be to make the Government service a profit but only that the service shall be self-sustaining. The public would not approve of a profit-making policy, but, on the other hand, I am sure they would not favor any policy of extravagance which would take no thought of the burdens of the taxpayers but freely pile up deficits from year to year. The Postal Commission, therefore, in studying the reclassification of nearly 300,000 postmasters and employees and determining what their salaries and compensation should be, has had to keep steadfastly in mind the whole situation involved, and while recognizing that the United States as an employer must be just and fair to the interests of its employees, still at the same time a due and proper regard must be had for the Public Treasury. I think the commission has done its duty well, and I intend to give this bill my whole-hearted support. Of course, in a measure affecting so large a number of men it is difficult to meet everyone's approval in all particulars, and perhaps each of us, if left to himself, would have written some particular provision differently from what the committee has written it, but that is true of most any legislation of scope and importance, and it would be very unusual if it were not true in this case.

It is very easy for the onlooker to stand out on the side lines and criticize the man who is at the bat, but when he comes to pick up the stick himself and wield the willow he finds the task is not so easy. The fact that these increases will involve an additional amount of expenditure to the extent of $40,000,000 annually is very conclusive proof that the committee has not been unmindful of the just and meritorious claims of the employees, and the fact that the additional expenditures will go to a class of workers which have been rendering an earnest and faithful service and that such increases are not in any manner excessive is proof conclusive that the committee has not been unmindful of the taxpayer.

Therefore, I believe that the bill is one which can well receive the unanimous support of the House, and I hope that it will do so.

Now, Mr. Speaker, Members will naturally be interested to know what the average pay of postal clerks and carriers will be under the bill we are now considering. I will be glad to give the figures on that point. There will be five grades of postal clerks and carriers, and the salary of the entrance grade is made $1,400, and $100 more for each grade on up to $1,800 for the fifth grade is provided. Using as a basis for my computation the last figures which I saw as to the number of men in the respective grades, the average pay of a postal clerk will be, under this bill, in the neighborhood of $1,732 per annum, which will be an average of $5.66 per day, or an average of 71 cents per hour.

The pay of letter carriers is fixed by the same scale, and the number of carriers in the respective grades is so nearly in the same proportion as those of the postal clerks that the average annual salary will be practically the same, and we may also count them at $1,732 per annum. The average annual salary of postal clerks and letter carriers was about $1,050 on June 30, 1913, and comparing this to the $1,730 average under this bill will make an increase of 65 per cent since that date. No one would, of course, contend that these increases are excessive in view of the increase in the cost of living, but I think any fair-minded man will admit that they are comparable to the increases received in comparable employment. For example, such increases are somewhat higher than the average increases which have thus far been given to railroad employees.

RURAL CARRIERS.

Rural carriers received an average salary on June 30, 1913, of $1,062.37, and this bill provides for $1,800 for a standard route of 24 miles. This makes an increase of 69 per cent over that which was received in 1913, and seems fair, as compared to the average increase of 65 per cent to clerks and carriers during the same period of time, and to which I have already referred.

FOURTH-CLASS POSTMASTERS.

Now, as to fourth-class postmasters, the increase given to them is hard to figure on a percentage basis, on account of the fact that there is such a wide variation in amount of business done at these small offices and the further fact that the payment of salary is based on percentage of cancellation allowed. I am glad to state that the committee, upon my motion, adopted an amendment allowing to fourth-class postmasters 100 per cent of the first $125 cancellation per quarter instead of 100 per cent of $100, as first written in the bill.

Concrete illustrations will better explain the remuneration of fourth-class postmasters under the bill than probably anything else that I can say. For purpose of illustration, let us take an office with $300 cancellation per quarter. Under the old law, prior to any of the increases of the last two or three years, the rate of compensation at such an office would be as follows: One hundred per cent of the first $50 equals $50, 60 per cent of the next $100 equals $60, and 50 per cent of the remainder equals $75, making a total compensation of $185 per quarter for that office. Under the bill we are now considering the compensation of the same $300 per quarter office would be as follows: One hundred per cent of the first $125 equals $125, 75 per cent of the next $100 equals $75, and 60 per cent of the remainder equals $45, making a total of $245 compensation per quarter at such office, which would be an increase over the old rate of 33 per cent. Personally I think the increase should be larger than that, and if I had an opportunity to offer an amendment to the bill I would be constrained to do it, but as this bill is to be passed under a suspension of the rules, no opportunity for amendment will be offered, and therefore I must take it as it is.

I will not undertake at this time to discuss the salary schedules of railway mail clerks, assistant postmasters, supervisory officials, and so forth. Suffice it to say that these employees are all given substantial increases along the general lines of the bill, and I do not think they will have any just cause to complain at the treatment which is accorded them.

PUBLIC WILL HAVE NO RIGHT TO COMPLAIN AT THESE INCREASES.

Mr. Speaker, I am fully convinced that these salary increases are fully deserved, and that the public will have no right to charge Congress with any extravagance in granting them. One of the common complaints that we hear these days is that notwithstanding very large increases in wages and salaries have been made to labor, its efficiency has decreased and the cost per unit of output has been unduly increased on account of decreased production. Whatever truth there may be in these complaints, they can not be fairly charged against the employees of the Postal Service. For example, the number of employees for the present fiscal year has been increased less than 10 per cent, whereas the volume of mail matter handled by the department and the receipts derived therefrom have increased fully 25 per cent over those of the last fiscal year. This, then, can mean but one thing, and that is that the output of the labor of postal employees has not only held its own, but has increased, and the employees have not been soldiering on the job. Express employees have had various strikes; railway freight service has been demoralized at times by switchmen's tie-ups. All of this has had the effect to pile up great quantities of parcel-post matter for the Post Office Department to handle. But the department, under Postmaster General Burleson and these loyal employees, has met the situation with splendid efficiency and has declared no mail embargoes; and, despite the fact that some unfair newspapers and magazines are constantly iterating and reiterating that the Postal Service has broken down, we all know it has not broken down and has served the people remarkably well under many severe and unusual handicaps.

Fidelity to duty such as the postal employees have displayed under these trying circumstances deserves recognition and reward, and even the most ardent economist of the House should find it easy to support this measure, and should not hesitate a moment to do so. Verily, of these postal employees it may be said, "The laborer is worthy of his hire."

Mr. STEENERSON. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MADDEN]. [Applause.]

Mr. MADDEN. Mr. Speaker, on the 30th of June, 1918, the minimum pay of the postal clerks and carriers was $800 and the maximum pay $1,200. On the 1st of July, 1918, under the so-called Madden Classification Act, the minimum pay was increased to $1,000 and the maximum to $1,500. Under House joint resolution 151, passed October 9, 1919, a further increase of approximately $200 was given to every man in the service. So that the man who was getting $800 on the 30th of June, 1918,

on the 1st of July, 1919, under the resolution, which was retroactive, began to draw $1,200, and every man above him drew in proportion. This bill provides a minimum pay of $1,400 and a maximum of $1,800 for clerks and carriers. That gives the man who was getting $800 on the 30th of June, 1918, an increase of $600 a year, and the man who is getting $1,800 under this bill also gets an increase of $600 a year.

Mr. GALLIVAN. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GALLIVAN. May I ask the gentleman whether or not the bonus goes with this bill, and also whether he can advise the House how the representatives of the various associations of postal employees here in Washington view this measure.

Mr. MADDEN. The bonus, added to the former base pay, is made the base pay in the consideration of this bill, and on top of the bonus and the former base pay we add $200 on the average. Does that answer the gentleman?

Mr. GALLIVAN. Yes.

Mr. MADDEN. My conversation with the leading men of the Postal Service, who I understand are qualified to speak for the men of the country, would indicate that while not exactly satisfied with the amount we allow, yet nevertheless they are pleased, because we are allowing what we do allow, and they want this law enacted.

Mr. REED of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I can not yield any further. I simply wish to say that if anybody has any more interest in the welfare of the postal employees of the Nation than I have I would like to get his picture. I do not demagogue with these men. I promise them nothing, and I do not make speeches on the floor of this House for the purpose of getting votes. I realize these men are wonderful men; that they are entitled to great consideration; that they have the confidence of the American people; that they ought to be fairly treated, and I believe in my inner conscience that the bill pending before us is not only fair, but liberal treatment.

My first activity in connection with the post-office service began in 1907. I was not a member of the committee at that time, but I saw the necessity for putting the men in the service on a basis that would justify them in making it their life work.

When I and several other Members of the House attempted to have the 1907 classification act placed in the pending Post Office appropriation bill the chairman of the committee, Jesse Overstreet, of Indiana, objected to it, and since, under the rules of the House it was not in order to insert a legislative provision into an appropriation bill, it looked as if for the time being the classification of postal employees would not be possible. Mr. CANNON was Speaker of the House at that time, and I recall visiting him at midnight after he had gone to bed and induced him to agree, as chairman of the Committee on Rules, to report a rule the next morning making the classification legislation in order. He reported the rule; it was adopted, and the classification provision was made a law. Under that classification clerks and carriers in the City Delivery Service were given an entrance salary of $600 per annum, with promotion to the $800 grade after a year's satisfactory service; to the $900, $1,000, and $1,100 grades automatically after a year's satisfactory service in each grade; and provision was made for a maximum salary of $1,200 in first-class offices and $1,100 in second-class offices, promotions being made to the two latter grades only on recommendation of the postmasters.

Later on I became a member of the Post Office Committee, and my recollection is that in 1912, at my instance, the $600 grade was abolished and the entrance salary became $800 on the 1st of July, 1913. On the 1st of July, 1918, the entrance salary was raised to $1,000, and the maximum salary to $1,500, and in October, 1919, under House joint resolution 151, introduced by me, $200 was added to all salaries of clerks and carriers receiving less than $1,500, and $150 to those receiving $1,500. Thus, from the 1st of July, 1913, to the 1st of July, 1919, the entrance salaries of clerks and carriers in the City Delivery Service were raised from $800 to $1,200, and the maximum salary under automatic promotions in first-class offices from $1,100 to $1,650, and in second-class offices from $1,000 under automatic promotions to $1,650. It is true that a certain percentage of the men in first-class offices were promoted to the $1,200 on the recommendation of the postmasters, and in the second-class offices to the $1,100 grade on such recommendations, but these promotions were not given automatically.

The annual cost of the legislation effective July 1, 1918, amounted to $40,000,000; the annual cost of House joint resolution 151 amounted to $35,000,000; the present bill adds an average of $200 per man to the compensation now being received, the annual cost of which will involve an expenditure of $40,000,000, thus making an aggregate under the pending bill and the legislation of 1918 and House joint resolution 151 of $115,000,000, and increases the compensation of every clerk and carrier $600 per annum over that what he was receiving on the 30th of June, 1918.

In addition to this salary legislation it has been provided during my service on the Post Office Committee that post offices shall be closed on Sunday, and that for emergency work on Sunday clerks and carriers shall be given compensatory time off for such service. The pending bill continues that legislation. Men in the Postal Service will remember, too, that the 8-in-10-hour day has been passed during my service on the Post Office Committee, and that prior to the enactment of the Federal compensation act Congress, on the recommendation of the Post Office Committee, enacted a law providing that full compensation should be paid to those injured in the Postal Service for the first year of disability and one-half compensation for the succeeding year. This law was later repealed by the enactment of the Federal compensation act, under the provisions of which the Postal employees are provided for in case of injury. I recall, too, with great pleasure, assisting in the preparation of legislation granting the Postal employees freedom from duty on national holidays, and this bill goes one step further and provides that for all Sunday emergency work performed it shall be obligatory on the department to allow compensatory time off within the six succeeding days, and it also provides that compensatory time or compensation shall be allowed within 30 days after emergency work is performed on holidays, and I am happy to be able to say that this bill also provides for the first time for a sick-leave period of 10 days in each year with pay, cumulative for three years, thus insuring the men in the service that no deductions shall be made from their pay for absence on account of sickness for the period indicated.

It gave me great pleasure to assist in the enactment of the retirement law, under the provisions of which not only the employees of the Postal Service but all other superannuated employees of the Government are insured against want when they are no longer able to perform the duties of the position they occupy.

To the consideration of the questions embraced in the pending bill I have given much time and careful study; it has involved many sacrifices of time and patience and has called for great endurance; the work has been voluminous and complicated, but a sincere effort has been made throughout the consideration of the problems involved to reach just conclusions, to adjust the compensation of the men along equitable lines, and to provide them adequate compensation for the work performed. It is a source of gratification to be able to say that during all the deliberations covering the long period of time the commission was at work, that every manifestation of friendship possible for the men in the service was shown by every member of the commission, and every agreement reached was unanimous. Every member on the commission recognized the loyalty and ability of the men and their constant adherence to the promotion of the department's interests. The commission recognized in the personnel of the Postal Service a high standard of intelligence and patriotism, and each member of the commission entered upon the work with a firm determination to do justice not only to the service but to the men and women in the service, and it is believed that the provisions of this bill, embodying as they do the unanimous conclusions of the commission, set forth a just and equitable solution of the problems involved. It is to be hoped that the compensation reported by the commission and which is now about to be enacted into law will prove not only satisfactory to the men in the service but will encourage them in further efforts toward the development of harmony and good will and an enthusiastic devotion to the service to which the people of the Nation look with pride.

The constantly increasing volume of business in the Postal Service will require the recruitment of new men in large numbers, and it is my earnest hope that the young men of the country who wish to follow a career may decide to enter this service. There are many important places above the grades of clerk and carrier which, I believe, under the present law carry compensation which will be considered adequate for the technical duties and responsibilities attached to such places. The field is open to all who enter the Postal Service for promotion to these positions, and I hope that the day is not far off when all positions in the service, up to First Assistant Postmaster General, may be open to men who qualify themselves to fill them. There should be no politics in the postal business; it is a great business institution; it should be conducted along business lines, and every man who enters at the bottom should feel that he has a chance, by constant effort and devotion, to reach the top.

Executive ability is a rare qualification, and every man who has such ability should find an easy road to promotion in this wonderful service. It now embraces 300,000 men and women. The last Post Office apppropriation bill provides for the expenditure of $462,000,000, and I would not be surprised to see this increased to a billion in the next 15 years. The time is coming, if it has not already come, when the Post Office Department will be the biggest single activity of the Government. It is the only Government activity that reaches every home. All are anxious that it should be conducted without taint of politics and, too, that only men who have the confidence of the public and have the interest of the public at heart should be engaged in it. It should be the constant purpose of all to popularize this great Government establishment by giving the best service that it is possible to render.

The parcel-post branch of the service has become so enormous that it must soon be separated from other classes of mail in order to permit of the prompt dispatch of first-class letter mail. The growth of the parcel-post business is phenomenal; no one can predict its volume for the future; and now, before it is too late, provision should be made to handle parcel-post mail in buildings separated from the other mail in order that there may be no delay in the handling, dispatching, and transporting of mail which it is important shall be delivered promptly. With the separation of this class of mail, I feel confident that a very great improvement in the present inadequate service can be made.

My admiration for the postal men is unbounded, and I consider the opportunities which have come to me to assist in promoting their welfare as a great privilege. I have enjoyed the work; it has been arduous; I have never saved myself by shirking any responsibility; I have known no hours; I have burned much of the midnight oil in an effort to promote the service and provide for the men's welfare. I am happy if I have been instrumental in adding anything to the betterment of either the service or the men. My devotion to the service is due to a determination to do what may be within my power to make the Postal Service what the American people think it ought to be.

There has been much misinformation disseminated in respect to what provision the present bill makes for the men. To give some idea of what it does provide, I am taking the privilege of inserting a few tabulated statements, the reading of which will set at rest much of the doubt which I understand has been expressed as to the adequacy of the compensation provided for in the legislation.

Letter carriers in service May 7, 1920.

Number.	Present salary.	Proposed salary.	Increase.	Total.
2,567 1	$1,200 1	$1,400	$200	$515,200
4,837 2	1,300 2	1,500	200	967,400
1,209 3	1,400 3	1,600	200	241,800
1,549 4	1,450 4	1,700	250	387,250
4,350 5	1,550 5	1,800	250	1,087,500
21,472 6	1,650 5	1,800	150	3,220,800
35,993	Total increase over present pay....			6,419,950

Substitutes 60 cents per hour.

Substitute clerks in first and second class post offices and substitute letter carriers in the City Delivery Service, when appointed regular clerks or carriers, shall have credit for actual time served on a basis of one year for each 306 days of 8 hours served as substitute, and appointed to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade 1.

Clerks in service May 7, 1920.

Number.	Present salary.	Proposed salary.	Increase.	Total.
6,793 1	$1,200 1	$1,400	$200	$1,358,600
8,091 2	1,300 2	1,500	200	1,618,200
1,867 3	1,400 3	1,600	200	373,400
1,599 4	1,450 4	1,700	250	399,750
5,405 5	1,550 5	1,800	250	1,351,250
15,549 6	1,650 5	1,800	150	2,332,350
39,304	Total increase over present pay....			7,433,550

Special clerks.

Two grades:
First $1,900
Second 2,000

Number.	Present salary.	Proposed salary.	Increase.	Total.
4,366 1	$1,750 1	$1,900	$150	$654,900
..... 2	 2	2,000	.....	.....
4,366	Total increase over present pay.			654,900

STATION SUPERINTENDENTS.

The salary of superintendents of classified stations shall be based on the number of regular employees assigned thereto and the annual postal receipts. At delivery stations each $100,000 of postal receipts shall be considered equal to one additional employee. At nondelivery classified stations, known as finance stations, each $25,000 of postal receipts shall be considered as equal to one additional employee.

At classified stations having less than four employees and where the receipts are less than $100,000 the salary of the superintendent shall not be greater than that of a special clerk.

At classified stations having four employees or more the salary of the superintendent shall be as follows:

4 and not exceeding 6 employees	$2,100
7 and not exceeding 18 employees	2,200
19 and not exceeding 32 employees	2,300
33 and not exceeding 44 employees	2,400
45 and not exceeding 64 employees	2,500
65 and not exceeding 90 employees	2,600
91 and not exceeding 120 employees	2,700
121 and not exceeding 150 employees	2,800
151 and not exceeding 350 employees	3,000
351 employees and over	3,200

With the exception of the offices with receipts above $20,000,000, the number of titles now in use has been reduced from 24 to 9, and in the above schedule the following titles have been eliminated: Superintendent of second-class matter, superintendent of carriers, superintendent of inquiry, chief mailing clerk, chief stamp clerk, finance clerk, stenographers, and clerk in charge of stations.

We live in a great country, the greatest under the sun. No such opportunities as we have are enjoyed by any other people. It should be our constant aim to harmonize all the elements with a view to united cooperation in the promotion of America's welfare. No class of men are better equipped to promote Americanism than those who are engaged in the Postal Service. Americanism should be the watchword; Americanism can not be expressed in words; it is not in what we say but in what we do. Americanism is to be found in the conscience, in the mind, the heart, the attitude. It is a thing that can not be blighted by unfriendly contact; it is something that is not afraid of criticism; it answers it; it encourages it. If it is not found in the conscience, if the heart promptings are not such as to lead the individual forward to the fulfillment of the conscientious obligation to his country and his Government, it is not Americanism. It is not necessary to brand Americanism; it is to be found in the daily life of the citizen; it is expressed in the constant determination of the individual to justify his right to the confidence of his fellows; it is an unseen and constant performance of the obligations of citizenship, which leads the individual into a cooperative union with his fellows to develop a patriotism which knows no turning; it is the fulfillment of an obligation, without hope of reward, to a country which offers greater opportunity for the development of manhood and the comforts of life and the freedom of action than are offered to man anywhere else on earth. To be a citizen in such a land should be an inspiration to each of us to lead us on in a spirit of friendly cooperation in the development of harmony of action and in the upbuilding and perpetuation of our Government and its institutions.

It makes me happy to believe that the men in the Postal Service are imbued with this spirit of Americanism. [Applause.]

Mr. MOON. Mr. Speaker, I yield to the gentleman from New York [Mr. O'CONNELL].

Mr. O'CONNELL. Mr. Speaker, I ask unanimous consent to extend and revise my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. MOON. Mr. Speaker, I yield one minute to the gentleman from Massachusetts [Mr. TAGUE].

Mr. TAGUE. Mr. Speaker, I realize that I can not go very deeply into the contents of this bill in the time allotted to me, but I desire to say a few words in support of the measure. I would like to say, with regard to the work of the postal-wage commission which prepared this bill, that I have had the pleasure of serving on the House Committee on the Post Office and Post Roads with several of the members of the commission, and know them to be painstaking, conscientious, and able men. I know they have worked hard on this problem, and know that this bill is the result of weeks of tedious, tiresome work. I know that at this time this is the only bill which can be passed, and that is one of my reasons for giving it my support.

The petition of the letter carriers and clerks, indorsed by all of the people of the country, was based on the principle of a living wage, and I do not believe this bill begins to meet that petition. A living wage is one that is required to house, feed, and clothe an average family. Since 1914 the cost of living has increased almost 80 per cent, and there does not seem to be any tendency toward a decline in living costs at this time. The postal worker has had to meet these increased costs just as much as anybody else has had to; but, instead of his salary being increased to a figure which would give him a fighting chance against the profiteers, he was obliged to watch workers

in other lines of endeavor receive increased compensation, bounties, and other benefits during the war. He stuck to his post, and saw to it that American industries did not suffer, but rather, by his devotion to duty, he added to the great work being performed overseas by our Army and Navy, and his was a great sacrifice. He is entitled to a just reward for such service, and we should not hesitate in giving it to him.

The unrest among the men in the service is only made more acute by such a bill as this, which does not allow them an opportunity to meet the demands of the times. These men could have done as many other employees of the Government did during the war—threaten to tie up the service by resigning—but, faithful to the end, sacrificing their own interests and the interests of their families, they stuck to their posts of duty, believing that when all was over they would receive justice in the way of fair wages. Instead, they are again disappointed by being obliged to accept a half loaf when they are entitled to a whole loaf.

Under the rules by which the House is trying to pass this bill I am prevented from offering any amendments to the bill. If I could, I would ask that the minimum entrance salary for post-office employees be made $1,800 instead of $1,400, as carried in this bill. I hope that this will be done in the Senate when the bill is considered by that body.

In conclusion, Mr. Speaker, I hope that this bill will pass unanimously. It is true it is insufficient to meet the needs of the postal employees throughout the country, but I hope soon to be afforded the pleasure of voting for another bill granting more substantial increases to postal employees, so near and so vital to the welfare of the people and business of the United States.

Mr. MOON. Mr. Speaker, I now yield to the gentleman from Georgia [Mr. LARSEN] one-half minute.

Mr. LARSEN. Mr. Speaker, the time allowed for debate on the pending bill is not sufficient to permit extensive remarks, but as the measure is being considered under a rule which precludes amendment, I am not sure that discussion can result in real benefit.

While I am sure the Joint Commission on Postal Salaries made an honest effort to properly adjust compensation in some respects, its report is not in accordance with my conception of justice and right.

I wish the bill might be considered under a rule making it subject to amendment. I am sure it could be amended to advantage, but upon the theory that a half loaf is better than none, I shall vote for its passage.

I may be so constituted by nature and environment that I sympathize with the fellow who can not help himself, but I fear there are those who, for the same reason, do not properly appreciate service or sympathize with the 300,000 postal employees throughout the country.

The theory upon which salary for the 41,000 fourth-class postmasters throughout the country is based, in my judgment, is very unjust, in that we compensate them not for service rendered, but upon a basis of stamp cancellation. No matter how many letters they receive, how many stamps they sell, how many valuable packages they handle, or the burden they impose, no allowance is made upon such basis. The mail-order houses located in the larger cities are continually sending packages into the country districts to be handled by this class of postmasters. They are burdened with the safe delivery of same, without receiving any compensation therefor.

These officers, as a rule, being the only agents of the Government in their respective localities, are frequently called upon by the public to perform service for which they receive no compensation. As a rule they represent the Government and the public in a capable and efficient way, always without complaint. In my younger days I had several months' experience in such capacity, and hence know something of the service they perform.

The compensation allowed them under the provisions of this bill, while better than that heretofore provided, is not, in my judgment, sufficient for their needs or adequate for service rendered.

Next to the fourth-class postmaster, perhaps no other postal employee is in closer touch with those whom he serves than the letter carrier. Certainly no one in the entire service suffers more hardships in performance of duty. No matter how hot or how cold, how wet or how dry, he is always expected to be on duty and to perform his service within the allotted time. He, like the private soldier, is often wet when he would rather be dry, and cold when he would like to be warm, but he is never able to change his condition and is always subject to orders of his superior officer.

No one will deny that living expenses have increased at least 100 per cent in every section of the country during the past four years. During this time some increase, of course, has been granted to our postal employees, but nowhere has the increase been in proportion to the advanced cost of living. Five per cent increase on a millionaire's wealth will maintain him in luxury, but a 50 per cent increase on the compensation allowed a workingman, who spends all for a living, is not sufficient to meet the necessary demands where living expenses have increased 100 per cent.

Mr. Speaker, I do not believe that the people of this Government expect or desire the Post Office Department to be operated for profit, but they demand competency, efficiency, and courtesy. The average taxpayer and citizen throughout the country is conscious of little direct benefit from the Government other than that received through our Postal Department. This he enjoys only in proportion to the efficiency of the service. [Applause.]

There is nothing that makes so much for efficiency in service as satisfied labor, and no laborer can be satisfied without sufficient compensation to maintain himself and those dependent upon him. Every laborer is entitled to this, and no one is more deserving of it than our faithful employees of the Post Office Department. [Applause.]

Mr. MOON. Mr. Speaker, there is one gentleman in this House whom I believe has never been treated fairly. He has no opportunities and seldom, if ever, speaks. He is an exceedingly modest gentleman, and I want to hear from him upon this bill. I yield now to the gentleman from Texas [Mr. BLANTON]. [Laughter.]

Mr. BLANTON. Mr. Speaker, the distinguished gentleman from Tennessee [Mr. MOON] is noted for his wit and facetiousness. I enjoy it when he grants me time. I am heartily in favor of this bill as far as it goes and shall vote for it, but I want to protest at the miserly way in which the rural carriers, the star-route carriers, and the fourth-class postmasters have been treated. They have all been treated like stepchildren, and so far as the star-route carriers and the fourth-class postmasters are concerned, they simply have been cold-decked in this bill. Our star-route carriers are facing bankruptcy. When they executed their contracts they never dreamed of such changed conditions as now exist. Many would pay large sums to be released from their contracts, which, considering present conditions, are in many instances "pound of flesh" exactions. For the life of me I can not understand why the distinguished chairman of this committee did not report out and pass the proposed Sinnott bill, which would have granted the needed relief. Numerous fourth-class postmasters in my district have lately resigned. More will resign. They can not afford to serve longer on such small salaries. We should grant them more relief.

Mr. STEENERSON. Mr. Speaker, I yield one-half minute to the gentleman from New York [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Speaker, I regret very much that the rules under which this bill now comes before the House will not permit of its being amended. I feel that an adequate increase has not been granted to the carriers. Of course, it is better to have a half loaf than none at all, and it is only upon that basis that I accept it. I trust, however, that it will be amended in the Senate so as to more adequately care for the needs of the men.

Mr. MOON. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. GALLIVAN. Mr. Speaker, I regret to say that I have heard no encouraging word from my home city of Boston in approval of the bill now before this House. Simply because half a loaf is better than no loaf at all, I am forced to vote for the bill, and I am inclined to think that when the gentleman from Illinois [Mr. MADDEN], who is one of the best friends the postal employees ever had in Congress, can help to sponsor such a measure, I can afford to vote for it.

I regret further that the increases provided upon the recommendations of the Postal Commission will not alleviate the living and the working conditions of the men interested. These men, after more than a year's patience, while this commission has been conducting its investigations, are now forced to accept a comparatively measly increase in their stipend or else leave the Government service.

No service touches the people like the Post Office. Each week day a representative of that great agency visits almost every home and office in the land. It is mighty important that the service be maintained with high morale and efficiency. But on a basis of business alone, the case of the mailman has its strongest appeal. He is a skilled workman. Take the conditions in the city of Boston as an example. It is estimated

by those who know best that if 100 men were withdrawn from the Boston office distributing room the service could not be restored in six months. Most of the present employees entered the service as picked men on examination. Now, it is impossible to get men to take their jobs, and in some cities, like Detroit, there are 200 vacancies on the force.

The mailman has a hard and a big job. In 10 years' service as a carrier he has covered a route which would reach around the world. He works in all kinds of weather. The Government gives him no sick benefits and has given him hitherto no pension. He has no opportunities for advancement, and on this point alone he has a just reason.

Only the other day I talked with John A. Kelly, president of Local No. 100, National Federation of Post Office Clerks, in reviewing conditions in the Postal Service. He told me that at least 75 per cent of the clerks in the Boston post office are at present doing outside work evenings in order to make both ends meet. Before the war 3,400 young men in Boston eagerly sought permission to take a civil-service examination being held for vacancies in the postal clerical service, but at the last examination only 110 applicants presented themselves. Does not this show you gentlemen something has happened to the service? The old-time clerk is asking if ever such a preposterous situation existed as now exists in their daily toil. "We have gone through a long and intensive system of training and study, memorizing facts by the thousands, and familiarizing ourselves with intricate methods of classification, banking, insurance, and commercial business. All this preparation was accomplished at our own expense and in our own time. Yet, after qualifying as experts we are paid smaller wages than the man who never had such experience or a record of service in the Postal Department. We are paid, in fact, smaller wages than the day laborer," say these experts. Think of it, gentlemen!

I fear that the service is to be the loser if we are not more generous than this bill provides in the way of salary increases. These employees have to live just the same as the rest of us, and they will not be able to so live with a 40 per cent increase of salary when prices of foodstuffs have advanced a hundred per cent since prewar days.

The situation of the faithful employee who remains in the service and withstands the temptations offered by the business world becomes daily more desperate. As one efficient, experienced man after another abandons the service, the burden upon those who remain increases, and from letter carrier to high official the strain is reaching the breaking point.

Mr. Speaker, as I said in opening, I do not feel like supporting the provisions of this bill at this time, because I regret to say that the commission, probably in its hurry to make a report before adjournment, has not given a full measure of just treatment to a class of Federal employees who have waited patiently and who are now overwhelmed with disappointment. The gentleman from Illinois [Mr. MADDEN] has made an earnest appeal for a unanimous vote in this House. Grudgingly I must vote for the bill, but I desire to say in this presence now, that when this Congress convenes next winter, or if by chance we are called into extra session before next winter, I propose to do my humble part in an effort to meet the wishes of the postal employees of America as they have not been met in this bill, and I have every confidence that the gentleman from Illinois will be willing to contribute his energy and influence toward a better pay bill than the one now about to be put upon its passage. [Applause.]

Mr. MOON. Mr. Speaker, I yield to the gentleman from Texas [Mr. PARRISH].

Mr. PARRISH. Mr. Speaker, In the brief time allotted me I wish to express my approval of this bill, in so far as it rewards in some measure, though, in my judgment not a sufficient amount, the faithful postal employees of the Government who have stayed with their tasks without a murmur in the face of overwhelming difficulties and the ever-advancing cost of living. However, I very much regret that this bill is to be passed under the suspension of the rules, without an opportunity of amendment. The rural carriers are not given sufficient compensation under the provisions of this bill to sustain themselves and families and pay for the upkeep of the vehicles and teams necessary for the proper discharge of their duties, and in this respect the bill deals very unfairly and unjustly with them. If I were given an opportunity to do so, I would offer an amendment to this bill that would do justice to these men; they go to their duties in all kinds of weather and expose themselves in many ways which we do not fully appreciate, and to cut them off with a maximum salary of $1,800, and allow nothing to feed their teams and repair their vehicles, is, in my judgment, a great injustice, and whether we will it or not, places us in the position of being unfair to the rural carriers. In fact, when the regular bill making appropriations for the Post Office Department was before this House, I offered an amendment giving the Postmaster General authority to do justice to these men, but the chairman of the committee made a point of order against the amendment, and it was not permitted to come before the House, and I here now most earnestly protest against the passing of this bill under the suspension of the rules, thereby preventing the Members from offering from the floor of the House an amendment that would relieve this and other injustices that appear in the bill. I have had a number of protests against this provision of the bill, and many telegrams pointing out the injustice that is being done the rural carriers, and I, for one, desire to see this injustice remedied before Congress adjourns. Let us be fair to all our people, for it is in this spirit only that we can become really great as a nation and as a people.

Mr. MOON. Mr. Speaker, I will yield to another gentleman from Texas that he may talk about the rural carriers [Mr. HUDSPETH].

Mr. HUDSPETH. Mr. Speaker, for one long year I have stood on this floor and almost daily called the attention of this Republican Congress to the inadequate pay of our postmasters, our postal employees, and our rural carriers. For many months it looked as though little heed was being paid to my continued appeals. Almost daily I forward to the Committee on the Post Office and Post Roads letters from efficient postmasters throughout my district pleading for a greater increase in pay; likewise came appeals from hundreds of postal employees and rural carriers, that I continued to present to the chairman and pour into the hopper of this committee.

A committee was appointed, known as a reclassification committee, to take testimony, and go into the matter of the pay of these aforesaid employees and recommend a just and equitable scale. I must confess, Mr. Speaker, I was somewhat disappointed at the report of this committee, and much more am I disappointed at the bill reported by the Committee on the Post Office and Post Roads now pending before this House.

If it were not for the fact that our Republican majority is constantly playing the game of political expediency and throwing out this sop, and it is a mere sop, to these employees in order to get their votes in the coming election, in my candid judgment we would have got no bill at all if not for the fact that myself and others on the Democratic side, realizing that we were losing our best postmasters on account of the starvation wages, our most efficient rural carriers and postal employees were forced to resign daily, that we stood and hammered on this Republican majority until we actually made them give at least small heed to the cry of the distressed in these lines of employment of our Government.

Postmasters of the first, second, third, and fourth class are to-day working for the same salary that was paid to like officials 30 years ago. This would also apply to postal employees and rural carriers. Now, for one moment consider that the purchasing price of a dollar to-day is one-half what it was 10 years ago.

I shall vote for this bill. Why, certainly, I shall vote for any measure that would better the condition of these patriotic and zealous people even to the smallest degree. But I say, sir, and to the majority of this House, that this bill is a reflection, and a serious one in my judgment, upon the fairness and sense of justice of every man on the Republican side.

When the great volume of added war work was heaped upon our postmasters of this country by the Government, did you hear of one single one of them that murmured, that complained, that shirked his duty in the least? No. As patriotic citizens, as great, strong, thoroughbred Americans, they took another notch in their belts and assumed the added duties cheerfully and energetically. This would apply also to our postal employees who worked day and night, and to our rural carriers who carried the mail and parcel post packages through mud and slush, sunshine and rain, and through snow and sleet, and, mind you, no added pay was advanced for the added burdens imposed upon these employees and officials during the war.

Why, you will vote billions to the contractor who made his millions out of Government contracts during the war when our brave boys in France and Flanders were dying to protect the very interests of these contractor profiteers and who came before this Congress and asked that you reimburse them for their estimated profits, and yet you say the postmaster, postal clerk, and rural carrier are getting all they are entitled to.

I have no patience with any man who expects a servant of the Federal Government to eke out a mere existence upon the pay provided by this Government. Not a dollar can he lay up for the proverbial rainy day. I witnessed, sir, during the "flu" epidemic in my city which raged during the winter months mail carriers stricken down, men who had families

dependent upon their daily wage, and not a dollar did they have to provide themselves with medicine or their families with the necessaries of life during their illness. In many instances the good people of my city had to come to their relief and provide same and also take care of burial expenses.

Somebody has got to serve this Government, and they ought not be asked to serve it upon a wage that provides only for a daily existence and in many instances is not sufficient for even the necessaries of life from day to day.

I want to say here and now that I shall not cease my efforts along the line I have pursued since becoming a Member of this Congress to plead for a greater raise, until the employees herein described have been given not only an increase to provide the necessaries of life but one sufficient that they can lay up enough to take care of them and their families when the hand of affliction is laid upon them and when time has whitened their brows. If my people permit me to stay here, I shall never cease my efforts in their behalf until this is accomplished.

In a speech I recently made here on this floor, calling attention to the inadequate pay of second, third, and fourth class postmasters, I stated that good men were resigning every day on account of the inadequate pay, and I was met by the retort from the Republicans that there were plenty of other good men to take their places. This is not a fact, as I stated to my friend at that time, as the many letters in my files in my office and the letters before the Committee on the Post Office and Post Roads will fully verify. In many instances in my district the postmasters have had to call to their assistance their wives and daughters in order to discharge the public's business and also receive the small pay provided for clerk hire by the Post Office Department. The statement has been made that a fourth-class postmaster was a person of little consequence and a fourth-class office could be run by any old body. I want to state that a fourth-class office is just as important to the people it serves as a first-class office. People are entitled to a reasonable distribution of their mail and are about as exacting and require as much at the hands of the postmaster as they require of any other individual on this earth.

I am not pleased with this bill in the least, but I shall vote for it because it is the best that can be gotten at the hands of a Republican Congress, that had rather play politics than deal out exact justice to citizens of this country.

Mr. MOON. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BRUMBAUGH].

Mr. BRUMBAUGH. Mr. Speaker, I want to say that I shall vote for this bill, H. R. 14388, providing for increased compensation for postal employees, as cheerfully as I voted for the soldiers' bonus bill a few days ago. I recognize that this class of public servants, our postal employees, are shamefully underpaid and their compensation is entirely inadequate and insufficient. The postal employees are among our most valuable and useful public servants. They serve the public faithfuly, in sunshine and storm, always courteous and always faithful, and their present condition on account of insufficient pay is simply inexcusable and deplorable. [Applause.]

I am not voting for this bill because I am entirely satisfied with it; I am not. The increases provided for are entirely too low; they should be much more. But I am voting for it because it is the best that can now be obtained. It will give some relief, and I trust to have the pleasure of voting increased compensation at another time. I simply support this measure now because it is the best we can get, and we must take this or get nothing.

Many of us have received many letters in regard to soldiers' bonus and in regard to increased compensation for postal employees. I have been answering these letters for the last three months, stating to everybody that I intended to vote for both measures, and I have done so with great pleasure. We have received also many letters advising against favorable action on these bills.

Take the soldiers' compensation bill. It has been pointed out that it means a great and heavy tax in the future which the United States Treasury could not stand. We won the war, in fact, we shortened the war, through the heroic sacrifices and blood of our soldiers. Had the war continued six months more it would have cost the United States Treasury and all the people in taxes for the future much more than the bonus will cost them. It was the blood and sacrifices of the soldiers that saved this cost of war and shortened the war, and they deserve every consideration at our hands, and I for one intend to vote always to give them every consideration and everything of possible benefit to them. Many millions made the supreme sacrifice and many millions more stood ready to make the supreme sacrifice. I have always been a friend to soldiers of all wars, and anything I can do for them I shall always cheerfully do. [Applause.]

Take this bill providing for increased compensation for postal employees. It will mean, of course, paying out a considerable sum of money, but who should oppose that in this case? The present compensation is ridiculously low. It has caused demoralization in the Postal Service. It has caused some of our best men to leave the service and others to live on well-nigh starvation wages. Since the beginning of the war the volume of work has almost doubled itself, and their pay has increased but 5 per cent, this regardless of the soaring prices and high cost of living. "The workman is worthy of his hire." So says the Good Book, and so say common sense and fairness and justice. These postal employees deserve all this increase and much more, and I cheerfully vote to give them all the bill does now give them, and only regret that the bill does not give them more. [Applause.]

Mr. MOON. Mr. Speaker, I yield to the gentleman from Arkansas [Mr. GOODWIN].

Mr. GOODWIN of Arkansas. Mr. Speaker, this is a measure demanded not so much by the postal employees and carriers as by the public generally. I do not think there is any one class of people of whom greater efficiency is required and a higher standard of average citizenship than those who are engaged in the Postal Service of the country.

Indeed, Mr. Speaker, I know of no employees of the Government who are more faithful, more unselfish, more self-sacrificing, and more human in every way than the postal employees, who, taken away from the other remunerative vocations of life, spend their years in devotion to the public service, with little expectation of laying by a competency for a rainy day.

I shall not, in the time devoted to me, take time to pass upon the respective merits of those engaged in the different branches of the service, but shall include all—the postal clerk on the train, the postman who delivers the city mail, the clerk and assistant, and all others employed in the post office, and the rural carrier, and, indeed, all—all are marked and chosen by the United States Government for their proven integrity, their moral uprightness, and their unflagging devotion to the public service.

Aside from performing the official duties imposed upon them, the postal employees ofttimes perform a semi or quasi public service. How often is it the case that we find them to be the representative citizens of their respective communities, called upon to take the leadership in local, municipal, and civic matters?

The bill now under consideration marks an improvement in existing law, and I shall give it my hearty support; yet, I should greatly prefer to vote for a bill even increasing, in some instances, the salaries provided for in this measure. The high cost of living, due to the great World War as a direct cause, will make even now the compensation under the present bill, should it become a law, inadequate in many instances, when we consider the recompense and reward to which postal employees taken as a whole are justly entitled. During the great war, and even now, when thousands of other men and women are engaged in other pursuits, many of which are many times more profitable than the compensation allowed to those who give their lives to the Postal Service, these faithful and devoted friends of good government went, and now go, about their daily task uncomplainingly, ever faithful to the trust reposed in them, and never stopping to challenge the laws and regulations which call for loyal public service.

If the Postal Service is not to be impaired the increase called for by the present bill must be made, for the reason that the general efficiency and qualification of those now engaged in the Postal Service create a general and pressing demand for all such to engage in other pursuits infinitely more remunerative than the compensation now received.

Now, Mr. Speaker, the public generally has been urging and importuning Congress to grant this increase in compensation, though thus far I do not recall of having received, myself, a single demand for an increase of salary from any postal employee residing in my district, so loyal and faithful are they in the performance of their duties, they have withheld all such entreaties. But if the postal system is not to break down, or at least become greatly impaired, this increase must be made, for the time will come when the business world will make such tempting offers to postal employees as to break down, from time to time, the present efficiency of the service, and the public can not permit this to come about. Our duty is to avoid that day, and the enactment of this bill, let us hope, will avert that disaster.

Fortunately for the country the United States Post Office has not in the past few years been a debtor but a creditor in-

stitution. And yet there is no reason why the Post Office Department should be a money-making establishment any more than any other activities of the Government, if, in permitting it to be a money-maker and money saver for the Government, the service due the people should be impaired thereby. No, indeed; there should be no impairment of the Postal Service, and the man who lives remote from the town or city should have the privilege of receiving his daily mail, his daily paper for the enlightenment of himself and family, that he and they may keep ever abreast of the times and likewise keep step with and abreast of his friend and neighbor who lives in the city and who may receive his mail three or four times a day.

I say, Why should such a post office out in the rural district or rural route not be served from day to day, even if it is not a paying investment to the Government? Is the Army or is the Navy a self-supporting institution? In fact, may we not, indeed, lay our finger upon many of the functions or branches of the Government that are not self-supporting, that can not possibly be self-supporting, yet are absolutely indispensable to the public welfare, and for which appropriations are made, and should be made, from year to year for their support and maintenance, and all for the public good, yet few of which are really self-sustaining?

Then why compel the Post Office Department to be self-sustaining in every community, when if it fails to be self-sustaining the people who should be served are denied the right of service? I do not say that I object to the Post Office Department being self-supporting, and I am glad to know that it is self-supporting, provided that no citizen of this Republic is denied the right to service in the distribution of his mail he is entitled to receive.

So I shall gladly support the pending measure. And yet there are certain classes of postal employees specified in this bill who, in my opinion, should receive even greater compensation. They and their families have a right to have an outlook in life, to be educated, and to attain to full growth of American citizenship without the denial of a single blessing that should reasonably come to those who give their time, their talent, and their all to the public welfare, as do those who are engaged in the Postal Service of the country.

Mr. MOON. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. EAGAN].

Mr. EAGAN. Mr. Speaker, I shall vote for this bill, not because I am satisfied with the salary increases provided in this bill, because I am not, but I shall vote for it on the proposition that it is the best bill we can get. The postal employees are nearer to the great mass of our people than any other group of our Government employees. They believe the postal employees are very inadequately compensated and they will not be satisfied, particularly the people in and near our large cities, where the high cost of living bears so heavily upon the men in the Postal Service with the increases provided in this bill.

Mr. MOON. I yield to the gentleman from Georgia [Mr. BELL].

Mr. BELL. Mr. Speaker, the gentleman from Texas [Mr. BLANTON], I think, if he had followed the former legislation in reference to fourth-class postmasters, would have nothing to complain about. It is true that the compensation for first, second, and third class postmasters has not been increased since 1883, but the compensation for fourth-class postmasters has been increased twice in the last few years.

I will say for the information of the gentlemen that while we increase the compensation of fourth-class postmasters but little in this bill, it is true that for the past two or three years we have given them a bonus of 35 per cent which we do not take from them in this bill, but give them a slight increase in addition. It will be remembered that the Government does in this bill give this class of postmasters a bonus of $3,250,000 the country over; that is, the Government pays them this amount in addition to their total cancellations. Your commission on postal salaries and the Committee on the Post Office and Post Roads thought, as we believe these postmasters will think, that we were liberal with them since they have had two substantial increases while the other classes of postmaster have not had an increase in compensation for more than 35 years. A large majority of post offices of the fourth class are maintained as a matter of convenience to the people and are maintained at a tremendous loss to the Government. There are 20,360 of these officers who, under the provisions of this bill, receive 40 per cent in excess of their cancellations. In other words, the Government pays them a bonus of 40 per cent in order that these post offices may be kept as a convenience to the public. There are 3,669 who receive 15 per cent more than their cancellations amount to.

Now, as to the rural letter carriers, I will say that we provide a basic salary of $1,800 for routes 24 miles in length and $30 per mile per annum for each mile and fraction thereof for miles in excess of 24. For instance, if a carrier has a 28-mile route, he will receive the basic salary of $1,800 and $30 per mile for the 4 miles in excess of the standard route, which when added to the basic salary amounts to $1,920. We felt, as no doubt all of the membership feels, that these worthy and efficient employees are entitled to this increase. They do, in many instances, have to traverse rough roads and subject themselves to all kinds of weather. It is coming to the point, I am proud to say, that the majority of the rural letter carriers can make their trips with auto vehicles for at least 8 or 9 months in the year and not more than 3 to 3½ hours of their time is consumed each day, and they can, of course, engage in some other work which in many cases proves remunerative. I am sure we all realize that this service means a great deal to the people in the rural sections of the country, where is found as loyal people as live on the face of the earth, and who, because of the fact that they have no rivers or harbors and no large cities, receive but little aid from the Federal Government.

It is interesting to note the growth of the rural mail service. Take, for instance, the district I have the honor to represent, the ninth of Georgia; when in the beginning of my service here in March, 1905, there were only 18 routes in my district, and the carriers were then receiving $600 per annum for their services; to-day there are 168 routes and the carriers receive, under the provisions of this bill, $1,800 per annum as a basic salary. It is refreshing to know that a farmer far into the country and remote from a railroad point can, after his day's work is ended, receive and read the daily news, delivered to him by his Government the day his paper is published. The people throughout this Nation appreciate this great service, and I, for one, have always felt I was doing a good work when I insisted upon the extension of this service, and always voted for sufficient funds to insure the people the best possible service.

I have been a member of the Post Office and Post Roads Committee—the greatest committee in Congress—for more than 10 years, and I have never failed to vote for increased appropriations for this service, for I have felt these people were entitled to all the consideration we could give them. There was an effort at one time to change this service into the old-time contract service, which meant going backward instead of forward, and I am proud to say I did what I could to thwart this scheme. It is true the mails would be carried for less money than they are carried to-day, but the service could not and would not be what it is to-day. I care but little about the cost of the service provided the people get the benefit of an adequate mail delivery.

The people care but little for the cost, but they do want the best this Government can give them, and they are entitled to it. While the cost of this service runs up into the millions, it brings the farmer close to his market, close to his dealer, and is the means of his being in close touch with the happenings of the day. We should not regret that we appropriate money for this particular service.

We have increased the compensation of postmasters of the first, second, and third class, as also their clerks and assistants. We provide for an increase to railway post office clerks, inspectors, and, in fact, all the postal employees, including village delivery carriers.

Your commission on readjustment of postal salaries was appointed in March, 1919, during which time we have done a great deal of work, for the reason we have had to contend with the salaries and reclassification of more than 300,000 employees in the different branches of the service. We tried to do our duty as we saw it in giving these employees as nearly as possible a proper and adequate compensation for their services, and we were not unmindful of the certain responsibility which rests upon the taxpayers of this country. We believe that the passage of this bill will stimulate the employees and that they will begin with the end of the fiscal year with renewed confidence and cooperate with the department and the people to such extent as will improve our mail facilities throughout the length and breadth of the Union.

I trust there will not be a single vote cast against this bill, and I do not believe there will be. It is to be hoped that the Senate will, immediately upon the passage of this measure in the House, register its approval of the bill so that it may become law before we adjourn this session.

We have provided in the bill that all the provisions are to be effective as of July 1, 1920.

I trust we may yet, before this session of Congress is ended, pass other remedial legislation, and I shall welcome an opportunity to vote to repeal all war-time legislation, especially the espionage act, and other legislation which the Congress felt should be enacted during war activities, for I can see no legitimate reason for their continuance.

I do hope the steering committee of the House will accede to the numerous demands of the membership on this side of the aisle to report immediately a bill repealing all the war-time legislation, which will have our hearty support, and feel it will have a tendency to cause a return of normal conditions.

Mr. MOON. Mr. Speaker, I yield to the gentleman from Georgia [Mr. UPSHAW].

Mr. UPSHAW. Mr. Speaker, I honor the hard work of this Reclassification Committee, and I only wish that they could have brought in a larger increase for these faithful evangels of service and patriotism.

It was my privilege to attend one of the first hearings of this committee in my home city, Atlanta, and submit testimony in behalf of a worth-while increase for all postal employees, and, taking that hearing as a sample of patience and fairness, I must declare my conviction that the committee tried hard to get at the facts on which to base their estimates for readjustment. Aside from the other able lawmakers on the committee I am glad to pay special tribute to the tireless fidelity of my own Georgia colleague, Hon. THOMAS M. BELL, who has given many years of effective service to the Post Office Committee, and who was wide awake in his efforts to do everything possible for bringing salary comforts to every class of postal employees. "TOM" BELL is everybody's friend, and especially the friend of the man who works hard for his daily bread.

But while this Reclassification Committee worked hard at the stupendous task of adjusting the status of over a half million employees of the Post Office Department, they labored under the handicap of two insurmountable difficulties for the present—a Treasury staggering under the colossal war debt of nearly $30,000,000,000, and—we might as well confess it—an ossified governmental conscience on the question of low salaries.

I can see some of my generous colleagues smiling over that last suggestion. To be right confidential about it, some of these colleagues, of whom I am personally very fond, laughingly twit me with being "easy" on all appropriation bills that mean salary increase or Federal aid to the masses.

I plead guilty to the "soft impeachment." Every man has his specialty, and that specialty often comes to be regarded as a weakness. But in this instance I claim that my "weakness" is my strength. Without apology for the fact that "humanity has always been my hero," I confess that any legislation that lightens the burdens of the daily toiler, that carries sunshine to the hearts and the hearthstone that are dear to him, appeals to all that is within me. My vote for such legislation was understood during my campaign for Congress as having already taken place in my heart and only waited with eagerness the opportunity to express itself on the floor of this House.

THE GOVERNMENT MUST BE JUST.

Gentlemen, "if that be treason" against the Treasury, "make the most of it." Of course, I would not stand at all for a salary increase that was unreasonable, but when many postal employees in my district and out of my district—office men, letter carriers, Railway Mail Service men, and rural free delivery men—hard-working, patriotic, dependable citizens, tell me that they love their work as servants of their Government, but that they will be compelled to go into other lines of business in order to support their families, I know that there is something radically wrong.

Treasury or no Treasury, this great, rich Government can not afford to accept necessary service from its necessary servants at anything less than a living wage. And a living wage must mean more than mere bread and meat and clothes. It must mean some family comforts and a modest guaranty for a "rainy day." Such a wage is necessary to the faith and contentment of the citizen, whose home of peace and happiness becomes the surest citadel of the Nation's strength. Such a wage is based on elemental justice, and no nation can afford to be less than just to its humblest citizen.

A TRAGEDY AMONG RURAL CARRIERS.

But I must declare that, according to my observation, letter carriers in city and village and rural free-delivery carriers in the country seem to be getting the short end of the hand stick and the "smutty end of the chunk" in all this postal adjustment. These brave fellows, who trudge and fight through rain and sun and storm, seem to me, after all, to be the "heroes of the strife," for they measure up to the Biblical description of him who "endures hardness as a good soldier." Think of men like these forced to leave the service in order to live; think of an office in my district unable to establish village free delivery because the meager salary will not command a single applicant; think of a rural free-delivery man having to furnish his conveyance—an auto in summer and a horse and buggy in winter—on the pittance of $108 to $150 a month, and then support his family on the balance, if he has anything left. Think of a rural carrier whom I know in Virginia so burdened with the expense of keeping up his conveyance and supporting his family that he had to borrow $200 to make ends meet before the year was out.

Gentlemen, this is nothing less than a tragedy in government.

"We love this Government work," they say to me, "and it hurts us to be driven out of it, but we must go where we can make a living."

Gentlemen, as a Member of this Congress I would feel like hanging my head, I would be ashamed to look at myself in the glass, if I did not vigorously cry out against such treatment of these heroic servants of our Government. It should be the policy of the Government to provide first for the conveyance of the rural free-delivery carriers and then pay them a salary equal to their needs and commensurate with their hardships. Again, I declare that this Government must quit being "little" toward its hard-working employees.

"PENNY-WISE AND POUND-FOOLISH."

Something must be done on general principles to break up the Government's ossified conscience and "penny-wise and pound-foolish" course toward its employees in general and some of its departmental leaders in particular. For instance, take the brilliant Leffingwell, Assistant Secretary of the Treasury, compelled to leave the position which he has filled with such distinction because he simply could not maintain his family in Washington on $5,000 a year; and being offered many times as much to return to private business, his duty to his family demanded his return. And there is William S. Elliott, who, after 20 years in the department, has fought his way from a modest clerkship to the responsible position of Register of the Treasury, a position that pays only four thousand, when he could easily command ten thousand, or perhaps double that, in the business world. Elliott's efficient hand in reorganization has actually saved the Government over a half million dollars during the short time he has been at the head of his department. And close akin to Elliott is Director James Wilmeth, of the Bureau of Engraving, perhaps the biggest, most intricate, most responsible department in Washington. I have never seen a more masterful hand in the perfection and direction of details, and yet this great mechanical and organizing genius works for much less than a Congressman, and few Congressmen—and I suppose no Senators—are able to live within their salary—the same salary that they received five years ago when living expenses were less than half of what they are now. And these are only samples of what is going on throughout the governmental departments of the greatest, richest Nation on earth. The financial drive against officials in positions of public leadership is simply terrific, and a big Government does not want to be represented by little men.

Surely, gentlemen of Congress, it is possible that the problem of national housekeeping can be so adjusted as to enable this Government to treat its employees with that fundamental fairness and that living liberality which successful and honorable business firms accord to theirs.

But if I must take my stand by any special class I ask to be counted as the friend and champion of the underpaid, unsung, and uncrowned postal employees who journey from their humble homes by day and by night to serve the American people with such inspiring loyalty and such tireless devotion. [Applause.]

Mr. MOON. I yield to the gentleman from Texas [Mr. BRIGGS].

Mr. BRIGGS. Mr. Speaker, I am in favor of this bill. I do not think the increases are enough, and they do not give the postal employees as much as ought to be provided to meet the existing emergency; but I shall vote for the bill, because it is a case either of taking what the Republican majority has relutcantly agreed to or getting nothing. It would seem as if the threatened complete demoralization of the Postal Service can not be sufficiently impressed upon the party in power in this Congress to persuade it to raise salaries to a level where the postal employees can continue to live. As everyone knows, recent Government statistics show that the cost of living has increased 75 to 80 per cent from June, 1914, to June, 1919, but that the increases in postal salaries have only been 41.2 per cent. In other words, that the increase in the high cost of

living has amounted to almost double the salary increases in the period named.

There is no class of employees who serve the public more constantly, more cheerfully, or more faithfully through all kinds of weather and under more trying circumstances than the postal employees of the United States. I have known for a long time that this service and its employees were very close to the hearts of the people—perhaps because they are so identified with their joys and their sorrows, their hopes and successes—but it has apparently never been so generally expressed as in the last few weeks, when citizens from all over my district, as well as from all over the country at large, have written me hundreds of letters and submitted petitions asking me as their Congressman to do everything I possibly could to get the Joint Commission on Postal Salaries to file its report before Congress adjourns and to endeavor to secure adequate increases in compensation. I have done my best to accomplish that result. At least the present measure does give considerable relief, even if it is not entirely adequate.

While in the aggregate the appropriation for the increase granted in postal salaries will seem to be substantial, yet under the method of classification and distribution among the 300,000 employees of the Postal Service it is readily apparent that in many instances the increases are not in keeping with the great advances in the high cost of living in cases particularly of fourth-class postmasters. It is very doubtful that in instances where their postal receipts are in excess of $100 per quarter, whether there will be any material or appreciable increase at all under the provisions of this bill. It is to be noted, moreover, that rural-delivery carriers only secure an increase of $100 a year. But as the Republican majority in control of this House is unwilling to allow the adoption of any amendment to the bill which would prevent further injustice from being done, I feel that rather than have no relief at all this bill should receive the unanimous support of the membership of this House.

It is true that it is provided in the pending measure that when compensation amounts to $1,000 and gross postal receipts amount to $1,500 within one year fourth-class offices shall be advanced to third class. But the receipts of many of the fourth-class post offices especially deserving of relief will not be able to qualify under this provision and obtain the increase.

And in this connection I also desire to refer to the refusal of the Republican majority to grant any relief to the star-route carriers. In a great number of instances the contracts for carrying this mail were made before the tremendous advance in costs which were brought on by the war and could not reasonably be anticipated at the time these carriers made their contracts with the Government. The Post Office Department has recognized that there are many cases where relief ought to be given, some of these being in my own congressional district, but it has time and again assured me that under the law it possessed no power to alter the contract and increase the compensation in such cases. It has been, however, within the power of the Republican majority to pass an act of Congress granting such relief; and yet, though a bill has been pending before the Post Office Committee a long time providing for such relief, it has never been reported to this House for consideration and favorable action, although very early in the session of the Sixty-sixth Congress an act was passed providing for reimbursement of contractors for public buildings who lost on their contracts by reason of the added costs occasioned by the war. Surely any such discrimination is unpardonable and should be remedied without further delay. Justice and fair dealing is what the American people expect for themselves and have always been willing to accord to all employees of the Nation, as well as to the rest of their fellow men.

Mr. MOON. Mr. Speaker, I yield to the gentleman from New York [Mr. MCKINIRY].

Mr. MCKINIRY. Mr. Speaker, I intend to vote for this bill to reclassify the employees of the post office and to readjust their salaries, because the readjustment is an increase in the pitifully small salaries of the hard-working, loyal clerks and carriers.

I know personally many carriers and clerks in my district and I am intensely interested in their welfare. I earnestly ask, therefore, every Member to give their needs and just claims his favorable consideration in the vote we are now about to take.

I would be happier if the increase allowed by this bill were larger, but no amendment under the present parliamentary situation is permitted, and any attempt to defeat this bill because of its inadequacy would only defeat its own purpose.

He gives twice who gives quickly, and I therefore vote for the increase in hope of a further opportunity to give adequate justice to these men.

Hundreds—yes, thousands—of the residents of my district have very emphatically conveyed to me their favorable attitude on any bill increasing the present compensation of the post-office employees. Everyone is daily reminded of the hard work and devotion to duty and the efficiency of these men. There is no argument needed to show whether this increase is needed, because, likewise, every citizen is aware of the constantly advancing cost of living. I only regret that the committee in charge of this bill did not go further, but that is the responsibility of the committee; and, for my part, I intend to do all I can, and that is to vote in favor of this bill. It is evident that a more generous scale of wages would have been carried in this House, and I am sure that the overconservative attitude of the committee in charge of this bill does not reflect the sentiment of the Members of the House of Representatives. Nevertheless I do not criticize them harshly, because I also realize that the enormous taxes now imposed upon the people of this country require the utmost prudence and care in the increase of appropriations.

I am thoroughly convinced that the interest of true economy requires the efficient administration of the Post Office Department, and no man can devote himself to his work who is worried by the distress and needs of his family due to a salary insufficient for the ordinary needs of domestic comfort. I am sure that these men will devote themselves more cheerfully and more thoroughly than ever before to their duties and pay back to the Government and to the people for every dollar of increase thus received through this bill a hundredfold in increased care and devotion to the wants of the people. I hope this bill will pass.

Mr. MOON. Mr. Speaker, I yield to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Speaker, I am very deeply interested in the bill for the reclassification of the postmasters and employees of the Postal Service, and the readjustment of their salaries and compensation. I know of no class of Government employees who have been more devoted to their duty and have rendered more efficient and accurate service than the men of this business department of the Government. During many years they have performed this work unfalteringly and without complaint for very meager salaries indeed. Never have they allowed the question of salary to interfere with the proficiency of their work. Never have they allowed the burdens of the knapsack retard them in their duty to public service; neither rain nor heat delays them; strikes and lockouts are unknown. They plod along doing their duty as they see it, and trusting the Government to provide for them as it should.

This provision has come very slowly indeed. It has been provided, however, in this bill, though certainly not to the extent to which I believe it ought to be provided, nor do I believe as fully as the majority of the Members of this House think it should have been provided.

The bill comes to us to-day under a suspension of rules, which means that only 40 minutes debate can be had and no amendment can be made. My interest is particularly directed to the clerks and carriers of the city of Baltimore. My district is embraced entirely within that city. I say therefore with great positiveness, but without a chance to correct it by amendment, that the salaries provided for these men are entirely inadequate to their needs and not just compensation for the work performed. I sincerely hope this is only for the present, and that in the very near future this Congress will see fit to do better by the postal employees than is stipulated in this bill.

I gather from other Members of the House that other lines of employment in the Postal Service are inadequately provided for in this bill. If it were possible, I should certainly stand for amendments providing adequate compensation to all men of the service. I shall certainly stand for a more just compensation when the opportunity is afforded at the next session. I realize the important work done by this committee, of the arduous task they have had before them, and that perhaps from their viewpoint they have provided what they thought was the best that could be done at this time. I am firmly convinced, however, that just as soon as further justice can be done, there will not be a man in this House but who will be willing to do that justice.

Mr. MOON. Mr. Speaker, I yield to the gentleman from New York [Mr. GANLY].

Mr. GANLY. Mr. Speaker, I am glad to speak on the floor of this House in behalf of the clerks and carriers of the Post Office Department, a department which serves the daily needs of the people and of trade and business throughout the entire country in a most indispensable way, and I am glad to testify in the hearing of every Member of this House to my appreciation of the faithful service, the hard work, and the loyalty

of these men. The honesty and the efficiency of the post-office employee are proverbial, and yet no class of Government employees is in greater need of action by this Congress to remedy the injustice of their low scale of wages.

I have long been in favor of increased compensation to these men, and I am very much impressed by the overwhelming public sentiment in favor of a measure such as this pending bill. My only criticism of this bill is that it does not go far enough. I believe that particularly in New York City and in the outlying suburbs of New York City the cost of living has advanced so enormously that the clerks and carriers there are in more pressing need of such an increase than in almost any other section of the country. I ask you therefore to vote for this bill, because I am sure the employees of the post office will show their gratitude by greater zeal in their work and by more devoted service to the public.

Mr. MOON. Mr. Speaker, I yield to the gentleman from Illinois [Mr. HENRY T. RAINEY].

Mr. HENRY T. RAINEY. Mr. Speaker, I understand that this bill increases the compensation of every employee in the Post Office Service receiving a compensation per year of less than $6,000. The increased charge on the Treasury for 1921 will be $34,375,087. The increase in succeeding years will be greater until it reaches the maximum in 1924, in which year the increase will be $45,883,587. These increases are necessary to enable these faithful employees of our Government to meet the increased cost of living and to keep pace with the increasing wage scale in every line of industry in the United States. I regret exceedingly the fact that it is not possible under the rule adopted a few days ago to amend any of the items of this bill or to change any of its provisions. It is not possible to either increase or diminish the compensation provided in this bill for post-office employees. In other words, this measure imposing such a tremendous charge on the Treasury is to be passed through the House by practically disfranchising those who represent the people here. We must either vote for this measure just as it is presented or vote against it. There is no opportunity to make it any better. It is conceded generally in the House that these salaries ought to be increased, nearly all of them if not all of them, and I predict there will be few votes against the bill. I expect to vote for it. There are many things in it I would like to change. There are inequalities which, I think, could be overcome if the House were permitted freedom of debate and if the House were given the right to amend. The bill, however, just as it is drawn must be sent over to the Senate. In that body it may receive the consideration it ought to receive here.

CONGRESS WILL ADJOURN BEFORE ENACTING BILL INTO LAW.

This is the long session of Congress. Congress has been practically in continuous session for nearly 15 months, and in the interest of giving the party which is in control of both branches an opportunity to make a showing for economy, action on this measure has been postponed until now. After to-day there are only two more days of this session. The passage of the bill through the House is assured, but it can not, of course, pass the Senate. The next regular session of Congress will convene in December. It will be the short session, and the chances are there will be no time during the three months of the last session of the Sixty-sixth Congress to pass this bill. The regular appropriation bills will in all probability crowd it out. However, the party in control of legislation—the Republican Party—has accomplished what it has set out to accomplish. It has been able to prevent adding to the sum total of its authorizations during this Congress the very large amount provided for in this bill, and it will be possible to say to the scores of thousands of post-office employees throughout the country, "the Republican Party has passed through the House a bill for you. You will be expected to reciprocate in the elections this fall." The bill is a gold brick, just as the bonus bill was a gold brick. It belongs to the same class as the eight protective tariff bills which have been passed through the House and sent on to be smothered in the Senate. This important measure should have been brought up earlier in the session, when it could have been considered under the general rules of the House and sent over to the Senate in time to be enacted into law.

LEGISLATING UNDER RULES.

During the period of time the Democrats were in control of the House we had free discussion on every proposition which came before the House. There were no rules which shut off amendments. Every congressional district in the United States was permitted to be represented. The Republican Party are able to accomplish legislation in no other way than under stringent rules. They dare not trust the men to vote who sit on their own side of the Chamber, and those who sit on the Republican side seem to be quite willing to be disfranchised and to be relieved from responsibility. The House is not now conducted under the Cannon rules but it is conducted under the direction of a steering committee of Republicans, who establish rules more stringent than were ever dreamed of in the old days of Cannonism. In the days of Cannonism, rules drove the Republican Party on the rocks, and the rules adopted by this House have almost driven the Republican Party again on the rocks. It will be interesting in this connection to note just what the Republican Party have accomplished during the 15 months it has been in control of legislation and how it has been able to accomplish the legislation which has passed the House.

RAILROAD BILL.

A bill restoring the railroads to their owners was brought up under a rule. There were long secret hearings. Newspaper representatives and magazine writers were excluded from the committee room. Everyone was excluded from the committee room during their deliberations. What the bill would contain was not known until November 10, 1919. On that day it was brought out under a rule and considered under a rule. Neither railroad owners, railroad employees, nor the public had any information as to the provisions in this bill until it was brought out in this way and forced through the House after less than two days' debate. It was impossible for Members to hear from their constituents, or to get in touch with public sentiment. In fact, public sentiment had no time to formulate on this subject until the bill had passed both Houses and had become a law. It was the first act of constructive legislation by the Republicans after their return to power. The law has been in operation long enough to establish the fact that it is entirely inadequate. It does not meet with the approval of railroad owners, of railroad employees, or the public. It has only increased the economic dangers connected with the operation of our railroad systems. The work must be done over again in the near future, and it is to be hoped that the party which has been able to do things in the recent past may again be restored to power at this critical time, in the elections this fall.

INVESTIGATING WAR EXPENDITURES.

Immediately after the Republican Party obtained control of the House of Representatives they appointed special committees to investigate expenditures made by the War Department under Democratic management during the period of our war. Many committees were appointed, until finally it is stated that the total number of investigations in progress amounted to 67. After the investigations had proceeded for months the chairman of the principal committee gave out to the newspapers the astounding statement that long before the declaration of war an important committee was at work formulating suggestions for war legislation in the event of our forced participation in the World War. The world had looked on and marveled at the rapidity with which America mobilized for war under laws quickly passed by a Democratic Congress. The Republican Party had been charging that we were not prepared in any way for war. The statement issued by the Republican chairman of this committee conclusively disclosed the fact that we had been preparing for war and were prepared for war when the declaration of a state of war with Germany passed the House, and these war-investigating committees succeeded in developing nothing more than this. Finally early this year a rule was presented to the House of Representatives by the Republican Rules Committee making in order a resolution referring thousands of pages of testimony to the Attorney General and instructing him to prosecute somebody. The Democrats were permitted to vote for a substitute resolution which required the committee to say who ought to be prosecuted, in the judgment of the committee, and why. The Democrats voted for this substitute resolution. Of course, it was voted down. These investigations, it is said, have cost over $2,000,000. They have resulted in absolutely nothing except in the presentation and passage of another rule by the Republican majority in the House.

THE BONUS BILL UNDER A RULE.

Representatives of soldiers' organizations had been requesting an adjusted compensation for soldiers. On our side we proposed to provide it by taxing war profiteers. This made it impossible for the Republican Party to pass the bill through the House under a rule. No rule could repeal the provisions of the general rules of the House, which would have allowed us a motion to recommit, and our proposition to tax war profiteers was germane. In order to prevent taxing war profiteers and to place the tax upon the farmers and the small-income taxpayers of the country, a rule was brought in for the first time in 25 years at the long session of Congress making the last six days suspension days. The passage of this rule would shut out the opportunity to

recommit, and the protection of war profiteers would be complete. The rule was adopted by a party vote. The bill was passed through the House too late to go through the Senate at this session. It was loaded down with a life insurance proposition, which in the next four or five years would cost $2,000,000,000, and with a scheme for reclaiming lands, which in the next five years would cost another $2,000,000,000, for the express purpose of destroying the bill in the Senate. Instead of getting a service pension of $1.25 per day for the period the soldiers served in the World War in a lump sum, the soldiers will be given a service pension of from 4 or 5 cents per day to 55 cents per day, commencing July 1, 1921, and extending over a period of two and one-half years. There is only one way to provide a cash bonus for soldiers, and that way is to tax war profiteers, and war profiteers have been tenderly protected from taxation. The oppressive taxing features would not take effect, even if the bill passed the Senate, until after the elections. The bill, of course, will never pass the Senate, and a gold brick of tremendous proportions has by this method of legislating been handed to the soldiers.

AND NOW THE POSTAL INCREASES.

And now there comes, as the crowning gold-brick achievement of all, the bill we are now considering, which, if enacted into law, would give all postal employees receiving less than $6,000 a year an increase in their salaries. It, of course, can not pass the Senate within the next two days. It is to be pushed through the House under this rule practically without debate. It can not be amended or recommitted, and, of course, it can not be passed at this session. It will go over until next winter. It will be a tremendous disappointment to thousands of faithful Government employees throughout the country, but this is the Republican method of preparing for the campaign in the elections this fall. The amount of money they will be required to spend in the campaign will be enormous, and it is hoped to materially decrease it by the gold-brick legislation I have been discussing, for which the Republican Party is responsible. In this way they hope to keep down the apparent expenditures of the session and at the same time to hold in line scores of thousands of Government employees throughout the country and 4,800,000 soldiers and sailors. I have enumerated now all the important constructive legislation for which the Republican Party is responsible since its return to power in both Houses of Congress in the elections two years ago.

Mr. BROOKS of Pennsylvania. Mr. Speaker, may I have the privilege of extending my remarks in the RECORD?

Mr. MILLER. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection? [After a pause.]

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that all gentlemen be permitted to extend remarks on this bill for three days.

The SPEAKER. The gentleman from Illinois asks unanimous consent that all gentlemen may be allowed to extend their remarks on this bill for three legislative days. Is there objection?

Mr. WALSH. Reserving the right to object, does the gentleman mean their own remarks?

Mr. MADDEN. Their own remarks on this bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. STEENERSON. Mr. Speaker, I yield to the gentleman from Colorado [Mr. VAILE].

Mr. VAILE. Mr. Speaker, I desire to address the House for several minutes for the purpose of praising somebody and of criticizing somebody else.

In the Post Office appropriation bill recently passed there is a provision for the payment of a fee or penalty to the Government on the return from the dead-letter office of letters mailed to an incorrect address without the return card of the sender.

About seven years ago a committee from the Post Office Department came to Denver to investigate the Denver office and to report on conditions. Their great complaint, and I do not believe it was confined at all to Denver, was the very large general delivery and the immense amount of dead-letter mail. An old employee of the Denver office, a Mr. S. R. Purdy, for many years a humble letter carrier, began as a result of this visit to study conditions and plans for improvement. I claim for him the credit of being the originator of the plan now enacted into law which will very greatly lessen the duties of the dead-letter office and save many thousands of dollars annually in expense to the Government. Mr. Purdy got the department to have cards printed, to be delivered by carrier and through schoolhouses, instructing how to address letters with the return card and stating the argument in favor of putting the return card on the envelopes. The plan helped some, but to be effective the work had to be repeated at frequent intervals. Mr. Purdy explained his "dead-letter tax plan" to Mr. Roy Nelson, an inspector at the Denver office. Mr. Nelson took the idea with him on a trip to Washington, but at that time it was not adopted. Mr. Cochran, then of Denver, but now of New York City, was interested in the plan, but could not convince the department of its merits. Mr. Purdy took it up with Congressman Edward Keating, formerly representing the second district of Colorado, and secured Mr. Keating's interest; but it was again turned down by the Post Office Department. Mr. George Daniels, inspector in charge, now deceased, also went into the plan in some detail and considered it very good, but said that the Post Office Department would not listen "except through some prominent man." Mr. Purdy, of course, had taken the matter up with the postmaster at Denver, who considered it as a good plan but regarded it as impracticable. Mr. Purdy was simply untiring in his efforts—efforts which had no prospect of benefiting him personally, but were solely directed for the good of the service—and immediately after the election of Senator PHIPPS, of Colorado, and myself, he took the matter up in detail with each of us. It was about the first matter of proposed legislation which was presented to me following my election. Mr. Purdy was in my office, I believe, the day after election, bubbling over with enthusiasm for his scheme. He said to me at that time:

> It is not my object to place a tax upon the people, but to educate the masses to help us to make this the best Postal Service in the world. The only way to get them to take notice and be educated is to place this small tax on their carelessness.

After the passage of the Post Office appropriation bill, effective July 1, 1920, Mr. Purdy wrote me:

> One old lady said to me yesterday: "Mr. Purdy, I saw that notice in the paper, and you won't catch me for no tax. I immediately took every envelope I could find in the house and put my return card on."

Mr. Purdy concluded:

> The education of the people will take time, but the time saved in each local large office when this gets in working order will count big, and the little 3-cent tax, along with that educational envelope that I want dead letters returned in, will work wonders.

The "educational envelope" is his plan to have the reasons for the payment of this 3-cent return postage plainly indicated on the envelope in which the letter is returned to the sender in order that the same mistake will not be made again by that same person.

I think it is only doing small justice to a man whose service to his country is evidenced by his faithful performance of his duty in the humble situation in which he is placed and who in that situation has applied his brain not only conscientiously but eagerly to the betterment of the service, that that service be commemorated at least by this sort of an official record of it. Especially do I desire that Mr. Purdy should have this credit because it will take all the brains of many such men as himself to make up for either the carelessness or lack of brains exhibited by some other postal employees. I hold in my hand a letter addressed to Mrs. W. G. Ball, 2300 Nineteenth Street NE., Washington, D. C. This bears an indistinguishable stamp, which purports to give the reason for nondelivery. I can not read the printed part of this stamp, but the reason appears in the pencil indorsement on the envelope, which is, "No street Northeast."

I would like to ask why, in the same of common sense, if there is no Nineteenth Street NE., should not the clerk in the post office have sent this letter to 2300 Nineteenth Street NW., which happens to be the correct address? The letter, an important one to Mrs. Ball, was returned to her father in Reno, Nev., who sent it to her in another envelope, arriving nine days later. It would seem that the failure to attempt to find the addressee of this envelope by resorting to the simple expedient of trying Nineteenth Street NW. must have been due to carelessness, indifference, or incompetence. There may, however, be another reason. That reason is suggested by the letters and resolutions which we are daily receiving, principally from labor unions, but also from other organizations and from individuals not connected with the Postal Service, deploring the increasing inefficiency of the Postal Service and expressing a belief that such inefficiency is largely due to inadequacy of salaries. These resolutions urge Congress to grant substantial wage increases to postal employees and thereby insure a restoration of service efficiency so necessary to the public interest and welfare.

I caution you, my colleagues, that unless we can make it an inducement for young and capable men to remain in the service the old clerk of the type of my friend Purdy will soon disappear. Purdy himself, of course, will stay. He is too old to start the battle of life in another sail, but younger men of his type will surely not stay, and the department and the public service will lose enormously in consequence. I wish the salary advances could have been made larger by this bill, but it is, at any rate, a help.

The SPEAKER. The question is on the motion of the gentleman from Minnesota [Mr. STEENERSON] to suspend the rules and pass the bill.

The question was taken; and the Speaker announced that, in the opinion of the Chair, two-thirds had voted in the affirmative.

Mr. STEENERSON. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 344, nays 0, not voting 83, as follows:

YEAS—344.

Ackerman	Emerson	Larsen	Reber
Almon	Esch	Layton	Reed, N. Y.
Anderson	Evans, Mont.	Lea, Calif.	Reed, W. Va.
Andrews, Md.	Evans, Nebr.	Lee, Ga.	Ricketts
Andrews, Nebr.	Fields	Lehlbach	Riordan
Anthony	Fisher	Lesher	Robinson, N. C.
Ashbrook	Flood	Linthicum	Robsion, Ky.
Aswell	Focht	Little	Rogers
Ayres	Fordney	Lonergan	Romjue
Babka	Foster	Longworth	Rose
Bacharach	Frear	Luce	Rouse
Bankhead	Freeman	Lufkin	Rowan
Barbour	French	Luhring	Rowe
Barkley	Fuller, Ill.	McAndrews	Rubey
Bee	Gallagher	McArthur	Sabath
Begg	Gallivan	McDuffie	Sanders, Ind.
Bell	Gandy	McFadden	Sanders, N. Y.
Benham	Ganly	McGlennon	Sanford
Benson	Gard	McKenzie	Schall
Black	Garner	McKeown	Scott
Blackmon	Garrett	McKinley	Sells
Bland, Ind.	Glynn	McLane	Shreve
Bland, Mo.	Goldfogle	McLaughlin, Mich.	Siegel
Bland, Va.	Good	McLaughlin, Nebr.	Sims
Blanton	Goodwin, Ark.	McPherson	Sinnott
Boies	Goodykoontz	MacCrate	Sisson
Bowers	Graham, Ill.	MacGregor	Smith, Idaho
Box	Green, Iowa	Madden	Smith, N. Y.
Brand	Greene, Mass.	Magee	Snell
Briggs	Greene, Vt.	Maher	Steagall
Britten	Griest	Major	Stedman
Brooks, Pa.	Griffin	Mann, S. C.	Steenerson
Browne	Hadley	Mansfield	Stephens, Ohio
Brumbaugh	Hamill	Mapes	Stevenson
Buchanan	Hardy, Colo.	Martin	Stiness
Burdick	Hardy, Tex.	Mays	Strong, Kans.
Burke	Harrison	Mead	Sullivan
Burroughs	Haugen	Merritt	Summers, Wash.
Butler	Hawley	Michener	Sumners, Tex.
Byrnes, S. C.	Hays	Miller	Sweet
Byrns, Tenn.	Heflin	Milligan	Swope
Caldwell	Hersey	Minahan, N. J.	Tague
Campbell, Kans.	Hersman	Monahan, Wis.	Taylor, Ark.
Campbell, Pa.	Hickey	Mondell	Taylor, Colo.
Candler	Hicks	Montague	Taylor, Tenn.
Cannon	Hill	Moon	Temple
Carew	Hoch	Mooney	Thomas
Casey	Holland	Moore, Ohio	Thompson
Chindblom	Howard	Moore, Va.	Tilson
Christopherson	Huddleston	Moores, Ind.	Timberlake
Clark, Mo.	Hudspeth	Morgan	Tincher
Classon	Hull, Iowa	Morin	Tinkham
Cleary	Hull, Tenn.	Mott	Towner
Coady	Humphreys	Mudd	Treadway
Collier	Husted	Murphy	Upshaw
Connally	Hutchinson	Neely	Vaile
Crago	Igoe	Nelson, Mo.	Venable
Cramton	Jacoway	Newton, Mo.	Vestal
Crisp	James	Nicholls	Vinson
Crowther	Jefferis	Nolan	Voigt
Cullen	Johnson, Ky.	O'Connell	Volstead
Currie, Mich.	Johnson, Miss.	O'Connor	Walsh
Dallinger	Johnson, S. Dak.	Ogden	Walters
Darrow	Johnson, Wash.	Oldfield	Ward
Davey	Johnston, N. Y.	Oliver	Wason
Davis, Minn.	Jones, Pa.	Olney	Watkins
Davis, Tenn.	Jones, Tex.	Osborne	Watson
Dempsey	Juul	Overstreet	Weaver
Denison	Kahn	Padgett	Welling
Dent	Kearns	Paige	Whaley
Dickinson, Mo.	Keller	Park	Wheeler
Dickinson, Iowa	Kelley, Mich.	Parrish	White, Kans.
Dominick	Kelly, Pa.	Pell	White, Me.
Donovan	Kendall	Peters	Williams
Dooling	Kennedy, Iowa	Phelan	Wilson, Ill.
Doremus	Kennedy, R. I.	Platt	Wilson, La.
Doughton	Kiess	Porter	Wilson, Pa.
Dowell	Kincheloe	Quin	Wingo
Drewry	King	Radcliffe	Winslow
Dunbar	Kinkaid	Rainey, Ala.	Wise
Dupré	Kleczka	Rainey, H. T.	Wood, Ind.
Dyer	Knutson	Rainey, J. W.	Woods, Va.
Eagan	Kraus	Raker	Woodyard
Eagle	Kreider	Ramsey	Wright
Edmonds	Langley	Rayburn	Young, Tex.
Elliott	Lanham	Reavis	Zihlman

NAYS—0.

NOT VOTING—83.

Baer	Cole	Echols	Godwin, N. C.
Booher	Cooper	Ellsworth	Goodall
Brinson	Copley	Elston	Gould
Brooks, Ill.	Costello	Evans, Nev.	Graham, Pa.
Cantrill	Curry, Calif.	Fairfield	Hamilton
Caraway	Dale	Ferris	Harreld
Carss	Dewalt	Fess	Hastings
Carter	Drane	Fuller, Mass.	Hayden
Clark, Fla.	Dunn	Garland	Hernandez
Hoey	Mann, Ill.	Rodenberg	Snyder
Houghton	Mason	Rucker	Steele
Hulings	Nelson, Wis.	Sanders, La.	Stephens, Miss.
Ireland	Newton, Minn.	Scully	Stoll
Kettner	Parker	Sears	Strong, Pa.
Kitchin	Pou	Sherwood	Tillman
Lampert	Purnell	Sinclair	Vare
Lankford	Ramseyer	Slemp	Webster
Lazaro	Randall, Calif.	Small	Welty
McClintic	Randall, Wis.	Smith, Ill.	Yates
McCulloch	Rhodes	Smith, Mich.	Young, N. Dak.
McKinley	Riddick	Smithwick	

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. GRAHAM of Pennsylvania with Mr. STEELE.

Mr. DALE with Mr. EVANS of Nevada.

Mr. YOUNG of North Dakota with Mr. SHERWOOD.

Mr. RODENBERG with Mr. SANDERS of Louisiana.

Mr. HARRELD with Mr. MCCLINTIC.

Mr. SLEMP with Mr. RANDALL of California.

Mr. RHODES with Mr. TILLMAN.

Mr. SNYDER with Mr. CARTER.

Mr. COLE with Mr. HAYDEN.

Mr. HERNANDEZ with Mr. HASTINGS.

Mr. ELSTON with Mr. DRANE.

Mr. FULLER of Massachusetts with Mr. HOEY.

Mr. IRELAND with Mr. KITCHIN.

Mr. MASON with Mr. FERRIS.

Mr. MANN of Illinois with Mr. DEWALT.

Mr. MCKINLEY with Mr. CARSS.

Mr. FAIRFIELD with Mr. GODWIN of North Carolina.

Mr. COPLEY with Mr. BOOHER.

Mr. HULINGS with Mr. RUCKER.

Mr. LAMPERT with Mr. SEARS.

Mr. VARE with Mr. STEPHENS of Mississippi.

Mr. COOPER with Mr. CLARK of Florida.

Mr. CURRY of California with Mr. KETTNER.

Mr. SMITH of Michigan with Mr. LANKFORD.

Mr. NELSON of Wisconsin with Mr. CARAWAY.

Mr. STRONG of Pennsylvania with Mr. SMITHWICK.

Mr. GOODALL with Mr. LAZARO.

Mr. FESS with Mr. POU.

Mr. DUNN with Mr. BRINSON.

Mr. ELLSWORTH with Mr. CANTRILL.

Mr. PURNELL with Mr. SCULLY.

Mr. GARLAND with Mr. STOLL.

Mr. RANDALL of Wisconsin with Mr. SMALL.

Mr. NEWTON of Minnesota with Mr. WELTY.

Mr. CRAGO. Mr. Speaker, my colleague Mr. HULINGS is unavoidably absent to-day. He is very much in favor of the postal increase bill, and if he were present he would vote for it.

Mr. KNUTSON. Mr. Speaker, I wish to announce that Mr. NEWTON, of Minnesota, is out of the city for a short time. If he had been here, he would have voted for the bill.

Mr. KELLER. Mr. Speaker, the gentleman from Wisconsin, Mr. LAMPERT, is in favor of the bill, but he is unavoidably absent to-day. If he were present, he would have voted for the bill.

Mr. MURPHY. Mr. Speaker, my colleagues from Ohio, Mr. COOPER and Mr. MCCULLOCH, are unavoidably absent to-day. If they were present, they would vote for the bill.

Mr. BRITTEN. Mr. Speaker, I was in the Hall when my name was called, but not in time to answer. I desire to vote "aye."

The SPEAKER. I did not hear the gentleman.

Mr. BRITTEN. I say I was in the Hall when my name was called, but I did not reply. I desire to vote "aye."

Mr. CANDLER. Mr. Speaker, my colleague, Mr. STEPHENS of Mississippi, was called home. He requested me to make the announcement on the floor that if he were present he would have voted for the bill.

Mr. ROUSE. Mr. Speaker, my colleague, Mr. CANTRILL, is unavoidably absent to-day. If he were present, he would vote for the bill.

Mr. DUPRÉ. Mr. Speaker, Mr. LAZARO is absent on account of illness in his family. If he were present, he would vote "aye."

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 13313. An act to authorize the construction of flood control and improvement works in Boise de Sioux River, the Red River of the North, and Lake Traverse between the States of Minnesota, North Dakota, and South Dakota; and

H. R. 14101. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act.

The message also announced that the Senate had further insisted upon its amendments to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. JONES of Washington, Mr. CALDER, Mr. MCNARY, Mr. SIMMONS, and Mr. RANSDELL as the conferees on the part of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles, when the Speaker signed the same:

H. R. 13870. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes;

H. R. 406. An act amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Calif., certain public lands in California, and granting rights in, over, and through the Sierra forest reserve, the Santa Barbara forest reserve, and the San Gabriel timberland reserve, California, to the city of Los Angeles, Calif.," approved June 30, 1906;

H. R. 6222. An act to remove a certain tract or lots of land in Cristobel, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, pursuant to the act of Congress of August 24, 1912 (37 Stat., ch. 390, p. 565);

H. R. 4311. An act to authorize the addition of certain lands to the Caribou National Forest; and

H. J. Res. 359. Joint resolution authorizing the Secretary of War to loan to the American Legion Post, No. 73, Vincennes, Ind., necessary cots for use at the State encampment of the American Legion to be held at Vincennes, Ind., on June 28 and 29, 1920.

AMERICAN MERCHANT MARINE—CONFERENCE REPORT.

Mr. GREENE of Massachusetts. Mr. Speaker, I call up the conference report on the bill H. R. 10378.

The SPEAKER. The gentleman from Massachusetts calls up the conference report on the bill H. R. 10378. The Clerk will report it by title.

The Clerk read as follows:

A bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Massachusetts asks that the statement be read in lieu of the report. Is there objection?

Mr. WALSH. Mr. Speaker, I think the report ought to be read in addition to the statement.

The SPEAKER. Objection is made. The Clerk will read the report.

The conference report and accompanying statement were read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 35, 44, 47, 49, 122, 125, and 149.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 43, 45, 46, 50, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 80, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 140, 143, and 148, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "in this act"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "and shall have authority to adjust, settle, and liquidate all agreements, express or implied, on a fair and equitable basis"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 3. (a) That section 3 of the 'shipping act, 1916' is amended to read as follows:

"'SEC. 3. That a board is hereby created to be known as the United States Shipping Board and hereinafter referred to as the board. The board shall be composed of seven commissioners, to be appointed by the President, by and with the advice and consent of the Senate; and the President shall designate the member to act as chairman of the board, and the board may elect one of its members as vice chairman. Such commissioners shall be appointed as soon as practicable after the enactment of this act and shall continue in office two for a term of one year, and the remaining five for terms of two, three, four, five, and six years, respectively, from the date of their appointment, the term of each to be designated by the President, but their successors shall be appointed for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he succeeds.

"'The commissioners shall be appointed with due regard to their fitness for the efficient discharge of the duties imposed on them by this act, and two shall be appointed from the States touching the Pacific Ocean, two from the States touching the Atlantic Ocean, one from the States touching the Gulf of Mexico, one from the States touching the Great Lakes, and one from the interior, but not more than one shall be appointed from the same State. Not more than four of the commissioners shall be appointed from the same political party. A vacancy in the board shall be filled in the same manner as the original appointments. No commissioner shall take any part in the consideration or decision of any claim or particular controversy in which he has a pecuniary interest.

"'Each commissioner shall devote his time to the duties of his office, and shall not be in the employ of or hold any official relation to any common carrier or other person subject to this act, nor while holding such office acquire any stock or bonds thereof or become pecuniarily interested in any such carrier.

"'The duties of the board may be so divided that under its supervision the directorship of various activities may be assigned to one or more commissioners. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the board shall not impair the right of the remaining members of the board to exercise all its powers. The board shall have an official seal, which shall be judicially noticed.

"'The board may adopt rules and regulations in regard to its procedure and the conduct of its business. The board may employ within the limits of appropriations made therefor by Congress such attorneys as it finds necessary for proper legal service to the board in the conduct of its work, or for proper representation of the public interest in investigations made by it or proceedings pending before it whether at the board's own instance or upon complaint, or to appear for or represent the board in any case in court or other tribunal. The board shall have such other rights and perform such other duties not inconsistent with the merchant marine act, 1920, as are conferred by existing law upon the board in existence at the time this section as amended takes effect.

"'The commissioners in office at the time this section as amended takes effect shall hold office until all the commissioners provided for in this section as amended are appointed and qualify.'

"(b) The first sentence of section 4 of the 'shipping act, 1916,' is amended to read as follows:

"'SEC. 4. That each member of the board shall receive a salary of $12,000 per annum.'"

And the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "*Provided*, That all vessels assigned to river and harbor work or inland waterways, and vessels now in the course of construction or under contract by the War Department or the Navy Department, shall be exempt from the provisions of this act"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "consistent with good business methods and the objects and purposes to be attained by this act, at public or private competitive sale after appraisement and due advertisement, to"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "existing freight rates and prospects of their maintenance"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "and any other facts or conditions that would influence a prudent, solvent business man in the sale of similar vessels or property which he is not forced to sell"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "not inconsistent with the provisions of section 5 (except that completion of the payment of the purchase price and interest shall not be deferred more than 10 years after the making of the contract of sale)"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "; but no such sale shall be made unless the board, after diligent effort, has been unable to sell, in accordance with the terms and conditions of section 5, such vessels to persons citizens of the United States, and has, upon an affirmative vote of not less than five of its members, spread upon the minutes of the board, determined to make such sale; and it shall make as a part of its records a full statement of its reasons for making such sale. Deferred payments of purchase price of vessels under this section shall bear interest at the rate of not less than 5½ per cent per annum, payable semiannually"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lines 6 and 7 of the matter proposed by the Senate amendment strike out the following words: "where adequate terminal connections with rail carriers can and will be made or already exist." In line 17 of the matter proposed by the Senate amendment strike out the words "of the United States" and insert in lieu thereof the following: "referred to in section 4 of this act or otherwise acquired by the board." In line 30 of the matter proposed by the Senate amendment, after the word "authorized," insert the following: "notwithstanding the act entitled 'An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891." At the end of the matter proposed by the Senate amendment change the period to a colon and add the following: "*And provided further*, That whenever the board shall determine, as provided in this act, that trade conditions warrant the establishment of a service or additional service under Government administration where a service is already being given by persons, citizens of the United States, the rates and charges for such Government service shall not be less than the cost thereof, including a proper interest and depreciation charge on the value of Government vessels and equipment employed therein." In line 8 of the matter proposed by the Senate amendment, after the word "world," insert the words "and domestic"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment after the word "board" insert a comma and the following: "in cooperation with the Secretary of War"; in line 6 of the matter proposed by the Senate amendment after the word "rail" insert a comma and the word "water"; omit the proviso at the end of the matter proposed by the Senate amendment and insert in lieu thereof the following: "*Provided*, That if after such investigation the board shall be of the opinion that rates, fares, charges, classifications, regulations, or practices of common carriers by railroads subject to the interstate commerce act are detrimental to the object declared in this section, or that new rates, fares, charges, classifications, regulations, or practices, new or additional port terminal facilities, or action on the part of such common carriers by railroad are or any of them is necessary or desirable to promote such declared object, the board may file its application or complaint with the Interstate Commerce Commission praying for such relief and order as the commission may deem proper under the law then existing. In connection with such application or complaint the board may submit to the commission its findings, together with the record or records on which they are based, and the commission is hereby empowered to issue such order or orders relative thereto as it may deem proper without further investigation, but the commission may augment or supplement the record or records submitted to it by the board by such further investigation as the commission deems appropriate"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In line 4 of the matter proposed by the Senate amendment strike out "$50,000,000" and insert in lieu thereof "$25,000,000"; in line 21 of the matter proposed by the Senate amendment strike out everything after the word "built" down to and including the word "semiannually" at the end of the matter proposed by such Senate amendment; and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "may be reconditioned and kept in suitable repair and until"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "pursuant to the policy and purposes declared in sections 1 and 5 of this act; and the United States Shipping Board Emergency Fleet Corporation shall continue in existence and have authority to operate vessels, unless otherwise directed by law, until all vessels are sold in accordance with the provisions of this act, the provision"; and the Senate agree to the same.

Amendment numbered 120: That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 17. That the board is authorized and directed to take over on January 1, 1921, the possession and control of, and to maintain and develop, all docks, piers, warehouses, wharves and terminal equipment and facilities, including all leasehold easements, rights of way, riparian rights and other rights, estates and interests therein or appurtenant thereto, acquired by the President by or under the act entitled 'An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes,' approved March 28, 1918.

"The possession and control of such other docks, piers, warehouses, wharves and terminal equipment and facilities or parts thereof, including all leasehold easements, rights of way, riparian rights and other rights, estates or interests therein or appurtenant thereto which were acquired by the War Department or the Navy Department for military or naval purposes during the war emergency may be transferred by the President to the board whenever the President deems such transfer to be for the best interests of the United States.

"The President may at any time he deems it necessary, by order setting out the need therefor and fixing the period of such need, permit or transfer the possession and control of any part of the property taken over by or transferred to the board under this section to the War Department or the Navy Department for their needs, and when in the opinion of the President such need therefor ceases the possession and control of such property shall revert to the board. None of such property shall be sold except as may be hereafter provided by law."

And the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: In line 12 of the matter proposed by the Senate amendment, after the word "chartered," at the end of the line preceding and the beginning of said line 12, insert the words "by the board."

In lieu of the last two paragraphs of the matter proposed by the Senate amendment insert the following:

"It shall be unlawful to sell, transfer or mortgage, or, except under regulations prescribed by the board, to charter, any

vessel purchased from the board or documented under the laws of the United States to any person not a citizen of the United States, or to put the same under a foreign registry or flag, without first obtaining the board's approval.

"Any vessel chartered, sold, transferred or mortgaged to a person not a citizen of the United States or placed under a foreign registry or flag, or operated, in violation of any provision of this section shall be forfeited to the United States, and whoever violates any provision of this section shall be guilty of a misdemeanor and subject to a fine of not more than $5,000, or to imprisonment for not more than five years, or both."

And the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 19. (1) The board is authorized and directed in aid of the accomplishment of the purposes of this act (a) to make all necessary rules and regulations to carry out the provisions of this act; (b) to make rules and regulations affecting shipping in the foreign trade not in conflict with law in order to adjust or meet general or special conditions unfavorable to shipping in the foreign trade, whether in any particular trade or upon any particular route or in commerce generally and which arise out of or result from foreign laws, rules, or regulations or from competitive methods or practices employed by owners, operators, agents, or masters of vessels of a foreign country; and (c) to request the head of any department, board, bureau, or agency of the Government to suspend, modify, or annul rules or regulations which have been established by such department, board, bureau, or agency, or to make new rules or regulations affecting shipping in the foreign trade other than such rules or regulations relating to the Public Health Service, the Consular Service, and the Steamboat-Inspection Service.

"(2) No rule or regulation shall hereafter be established by any department, board, bureau, or agency of the Government which affect shipping in the foreign trade, except rules or regulations affecting the Public Health Service, the Consular Service, and the Steamboat-Inspection Service, until such rule or regulation has been submitted to the board for its approval and final action has been taken thereon by the board or the President.

"(3) Whenever the head of any department, board, bureau, or agency of the Government refuses to suspend, modify, or annul any rule or regulation, or make a new rule or regulation upon request of the board, as provided in subdivision (c) of paragraph (1) of this section, or objects to the decision of the board in respect to the approval of any rule or regulation, as provided in paragraph (2) of this section, either the board or the head of the department, board, bureau, or agency which has established or is attempting to establish the rule or regulation in question may submit the facts to the President, who is hereby authorized to establish or suspend, modify, or annul such rule or regulation.

"(4) No rule or regulation shall be established which in any manner gives vessels owned by the United States any preference or favor over those vessels documented under the laws of the United States and owned by persons who are citizens of the United States."

And the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 20. (1) That section 14 of the shipping act, 1916, as amended, is amended to read as follows:

"'SEC. 14. That no common carrier by water shall, directly or indirectly, in respect to the transportation by water of passengers or property between a port of a State, Territory, District, or possession of the United States and any other such port or a port of a foreign country—

"'First. Pay, or allow, or enter into any combination, agreement, or understanding, express or implied, to pay or allow, a deferred rebate to any shipper. The term "deferred rebate" in this act means a return of any portion of the freight money by a carrier to any shipper as a consideration for the giving of all or any portion of his shipments to the same or any other carrier, or for any other purpose, the payment of which is deferred beyond the completion of the service for which it is paid, and is made only if, during both the period for which computed and the period of deferment, the shipper has complied with the terms of the rebate agreement or arrangement.

"'Second. Use a fighting ship either separately or in conjunction with any other carrier, through agreement or otherwise. The term "fighting ship" in this act means a vessel used in a particular trade by a carrier or group of carriers for the purpose of excluding, preventing or reducing competition by driving another carrier out of said trade.

"'Third. Retaliate against any shipper by refusing, or threatening to refuse, space accommodations when such are available, or resort to other discriminating or unfair methods, because such shipper has patronized any other carrier or has filed a complaint charging unfair treatment, or for any other reason.

"'Fourth. Make any unfair or unjustly discriminatory contract with any shipper based on the volume of freight offered, or unfairly treat or unjustly discriminate against any shipper in the matter of (a) cargo space accommodations or other facilities, due regard being had for the proper loading of the vessel and the available tonnage; (b) the loading and landing of freight in proper condition; or (c) the adjustment and settlement of claims.

"'Any carrier who violates any provision of this section shall be guilty of a misdemeanor punishable by a fine of not more than $25,000 for each offense.'

"(2) The shipping act, 1916, as amended, is amended by inserting after section 14 a new section to read as follows:

"'SEC. 14a. The board upon its own initiative may, or upon complaint shall, after due notice to all parties in interest and hearing, determine whether any person, not a citizen of the United States and engaged in transportation by water of passengers or property—

"'(1) Has violated any provision of section 14, or

"'(2) Is a party to any combination, agreement, or understanding, express or implied, that involves in respect to transportation of passengers or property between foreign ports, deferred rebates or any other unfair practice designated in section 14, and that excludes from admission upon equal terms with all other parties thereto, a common carrier by water which is a citizen of the United States and which has applied for such admission.

"'If the board determines that any such person has violated any such provision or is a party to any such combination, agreement, or understanding, the board shall thereupon certify such fact to the Secretary of Commerce. The Secretary shall thereafter refuse such person the right of entry for any ship owned or operated by him or by any carrier directly or indirectly controlled by him, into any port of the United States, or any Territory, District, or possession thereof, until the board certifies that the violation has ceased or such combination, agreement, or understanding has been terminated.'"

And the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lines 1 and 2 of the matter proposed by the Senate amendment strike out "one year from the enactment of this act" and insert in lieu "February 1, 1922"; in line 11 of the matter proposed by the Senate amendment strike out the words "within a year" and insert the words "by February 1, 1922"; at the end of the matter proposed by the Senate amendment change the period to a colon and insert the following: "*And provided further*, That the foregoing provisions of this section shall not take effect with reference to the Philippine Islands until the President of the United States after a full investigation of the local needs and conditions shall, by proclamation, declare that an adequate shipping service has been established as herein provided and fix a date for the going into effect of the same; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 23" and insert in lieu "Sec. 21"; and the Senate agree to the same.

Amendment numbered 127: That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment as follows: In line 10 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 13 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 15 of the matter proposed by the Senate amendment strike out the words "wholly in American" and insert in lieu thereof the words "in such," and after the word "ownership," in said line 15, insert the following: "subject to the rules and regulations of such trade: *Provided*, That the board is authorized to issue permits for the carrying of passengers in foreign ships if it deems it necessary so to do, operating between the Territory of Hawaii and the Pacific coast up to February 1, 1922"; and in line 1 of the matter proposed by the Senate amendment strike out "Sec. 24" and insert in lieu "Sec. 22"; and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: In lieu

of the matter proposed by the Senate amendment insert the following:

"SEC. 23. That the revenue act of 1918 is amended by inserting after section 206 a new section to read as follows:

"'SEC. 207. (a) That the owner of a vessel registered, enrolled or licensed under the laws of the United States and operated only in foreign trade shall, for each of the 10 taxable years while so operated, beginning with the taxable year 1920, be allowed as a deduction for the purpose of ascertaining his net income subject to the war-profits and excess-profits taxes imposed by Title III an amount equivalent to the net earnings of such vessel during such taxable year, determined in accordance with rules and regulations to be made by the United States Shipping Board. Such owner shall not be entitled to such deduction unless during such taxable year he invested, or set aside under rules and regulations to be made by such board in a fund (to be known as a "replacement fund") for investment, in the building in shipyards in the United States of new vessels of a type and kind approved by such board, an amount to be determined by the commissioner, with the approval of the Secretary, and certified by him to such board, equivalent to the war-profits and excess-profits taxes that would have been payable by such owner on account of the net earnings of such vessels but for the deduction allowed under the provisions of this section; but at least two-thirds of the cost of any new vessel so constructed shall be paid for out of the ordinary funds or capital of the person having such vessel constructed.

"'The "invested capital" of the taxpayer attributable to any vessel, the net income from which is exempt from the taxes imposed by Title III shall be regarded as an "inadmissible asset" in computing the taxes due under such title upon the remainder of the taxpayer's net income for the taxable year.

"'(b) After January 1, 1920, upon the sale of a vessel registered, enrolled or licensed under the laws of the United States and built prior to January 1, 1914, the vendor may upon application, under oath made in such form as the commissioner shall by regulation prescribe, establish a fund to be known as a "replacement fund." The vendor shall cover into such fund the entire amount received from the sale of such vessel in excess of its value on March 1, 1913, or its cost if acquired on or after that date. Such fund shall be used exclusively for the building by the vendor in shipyards in the United States of a new vessel of a type approved by the United States Shipping Board.

"'Upon the completion of the new vessel it shall not be valued in the accounts of the taxpayer at an amount in excess of that at which the vessel sold was carried in such account at the time of the sale, except and to the extent that the productive capacity of such new vessel is greater than that of such old vessel.

"'(c) Accounting for gain or loss upon the entire amount placed in the fund under the provision of paragraphs (a) or (b) may be deferred for a reasonable period of time to be determined in each case by the commissioner, with the approval of the Secretary. If the new vessel is built within the time so determined the moneys in the fund provided for (1) under paragraph (a) shall not be subject to the taxes imposed by Title III, and (2) under paragraph (b) shall not be subject to the taxes imposed in Titles II and III.

"'(d) The taxpayer shall be required to furnish a bond with such security or surety as the commissioner with the approval of the Secretary shall require for an amount not less than the estimated income, war-profits, and excess-profits taxes not paid upon the income so covered into the replacement fund. In lieu of such bond the taxpayer may at his option deposit as security for such estimated amount of taxes, obligations of the United States to be held in trust as such security in a bank or trust company designated by the commissioner, with the approval of the Secretary.

"'(e) In case a new vessel is not built within the time determined under this section, the taxes imposed (1) by Title III for the taxable year upon the amount set aside in such year under the provisions of paragraph (a) and (2) by Titles II and III for the taxable year in which the vessel built prior to January 1, 1914, was sold, shall be immediately due and payable, but no penalty or interest shall be added with respect to the time which has elapsed between the time that such taxes would have been due but for the provisions of this section and the due date.

"'(f) The Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Shipping Board, or a majority thereof, are hereby authorized and directed to determine from time to time what shall be allowed for annual depreciation of vessels documented under the laws of the United States engaged in foreign trade and owned by persons citizens of the United States, in order that the owners of such vessels shall be put as nearly as may be on a parity for taxation purposes with the owners of vessels under the flag of our foreign competitors in the world's carrying trade, and such allowances shall be embraced in the deductions allowed by law in determining the net income subject to income taxes and war-profits and excess-profits taxes.'"

And the Senate agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Nothing herein shall be affected by the act entitled 'An act to provide for ocean-mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891"; in line 1 of the matter proposed by the Senate amendment, strike out "Sec. 26" and insert in lieu "Sec. 24"; and the Senate agree to the same.

Amendment numbered 130: That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: Beginning in line 6 of the matter proposed by the Senate amendment strike out everything after the word "shipping," down to and including "citizens," in line 9 of the matter proposed by the Senate amendment; in lines 10 and 11 of the matter proposed by the Senate amendment strike out the words "or such approved organization"; and the Senate agree to the same.

Amendment numbered 131: That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In line 2 of the matter proposed by the Senate amendment strike out the word "twelve" and insert in lieu thereof the word "sixteen."

Between the first and second paragraphs of the matter proposed by the Senate amendment insert a separate paragraph, as follows:

"The privilege bestowed by this section on vessels of the United States shall be extended in so far as the foreign trade is concerned to the cargo vessels of any nation which allows the like privilege to cargo vessels of the United States in trades not restricted to vessels under its own flag."

In line 1 of the matter proposed by the Senate amendment strike out "Sec. 28" and insert in lieu thereof "Sec. 26."

And the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In line 8 of the matter proposed by the Senate amendment strike out the word "wholly," and in line 11 of the matter proposed by the Senate amendment strike out the figures "24" and insert in lieu thereof the figures "22." At the end of the matter proposed by the Senate amendment insert the following: ": *Provided*, That this section shall not apply to merchandise transported between points within the continental United States, excluding Alaska, over through routes heretofore or hereafter recognized by the Interstate Commerce Commission for which routes rate tariffs have been or shall hereafter be filed with said commission when such routes are in part over Canadian rail lines and their own or other connecting water facilities: *Provided further*, That this section shall not become effective upon the Yukon River until the Alaska Railroad shall be completed and the Shipping Board shall find that proper facilities will be furnished for transportation by persons citizens of the United States for properly handling the traffic." In line 1 of the matter proposed by the Senate amendment strike out "Sec. 29" and insert in lieu "Sec. 27"; and the Senate agree to the same.

Amendment numbered 133: That the House recede from its disagreement to the amendment of the Senate numbered 133, and agree to the same with an amendment as follows: In lines 17 and 18 of the matter proposed by the Senate amendment strike out "and owned by persons who are citizens of the United States"; in line 22 of the matter proposed by the Senate amendment strike out the words "and owned"; in line 30 of the matter proposed by the Senate amendment strike out the word "shall" and insert in lieu thereof the word "may"; in line 1 of the proposed amendment strike out the numerals "30" and insert in lieu thereof the numerals "28"; and the Senate agree to the same.

Amendment numbered 134: That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: In lieu of

the matter proposed by the Senate amendment insert the following:

"SEC. 29. (a) That whenever used in this section—

"(1) The term 'association' means any association, exchange, pool, combination, or other arrangement for concerted action; and

"(2) The term 'marine insurance companies' means any persons, companies, or associations, authorized to write marine insurance or reinsurance under the laws of the United States or of a State, Territory, District, or possession thereof.

"(b) Nothing contained in the 'antitrust laws' as designated in section 1 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, shall be construed as declaring illegal an association entered into by marine insurance companies for the following purposes: To transact a marine insurance and reinsurance business in the United States and in foreign countries and to reinsure or otherwise apportion among its membership the risks undertaken by such association or any of the component members."

And the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 30. SUBSEC. A. That this section may be cited as the 'ship mortgage act, 1920.'

"DEFINITIONS.

"SUBSEC. B. When used in this section—

"(1) The term 'document' includes registry and enrollment and license;

"(2) The term 'documented' means registered or enrolled or licensed under the laws of the United States, whether permanently or temporarily;

"(3) The term 'port of documentation' means the port at which the vessel is documented, in accordance with law;

"(4) The term 'vessel of the United States' means any vessel documented under the laws of the United States and such vessel shall be held to continue to be so documented until its documents are surrendered with the approval of the board; and

"(5) The term 'mortgagee,' in the case of a mortgage involving a trust deed and a bond issue thereunder, means the trustee designated in such deed.

"RECORDING OF SALES, CONVEYANCES, AND MORTGAGES OF VESSELS OF THE UNITED STATES.

"SUBSEC. C. (a) No sale, conveyance, or mortgage which, at the time such sale, conveyance, or mortgage is made, includes a vessel of the United States, or any portion thereof, as the whole or any part of the property sold, conveyed, or mortgaged shall be valid, in respect to such vessel, against any person other than the grantor or mortgagor, his heir or devisee, and a person having actual notice thereof, until such bill of sale, conveyance, or mortgage is recorded in the office of the collector of customs of the port of documentation of such vessel, as provided in subdivision (b) of this subsection.

"(b) Such collector of customs shall record bills of sale, conveyances, and mortgages, delivered to him, in the order of their reception, in books to be kept for that purpose and indexed to show—

"(1) The name of the vessel;

"(2) The names of the parties to the sale, conveyance, or mortgage;

"(3) The time and date of reception of the instrument;

"(4) The interest in the vessel so sold, conveyed, or mortgaged; and

"(5) The amount and date of maturity of the mortgage.

"SUBSEC. D. (a) A valid mortgage which, at the time it is made includes the whole of any vessel of the United States of 200 gross tons and upward, shall in addition have, in respect to such vessel and as of the date of the compliance with all the provisions of this subdivision, the preferred status given by the provisions of subsection M, if—

"(1) The mortgage is indorsed upon the vessel's documents in accordance with the provisions of this section;

"(2) The mortgage is recorded as provided in subsection C, together with the time and date when the mortgage is so indorsed;

"(3) An affidavit is filed with the record of such mortgage to the effect that the mortgage is made in good faith and without any design to hinder, delay, or defraud any existing or future creditor of the mortgagor or any lienor of the mortgaged vessel;

"(4) The mortgage does not stipulate that the mortgagee waives the preferred status thereof; and

"(5) The mortgagee is a citizen of the United States.

"(b) Any mortgage which complies in respect to any vessel with the conditions enumerated in this subsection is hereafter in this section called a 'preferred mortgage' as to such vessel.

"(c) There shall be indorsed upon the documents of a vessel covered by a preferred mortgage—

"(1) The names of the mortgagor and mortgagee;

"(2) The time and date the indorsement is made;

"(3) The amount and date of maturity of the mortgage; and

"(4) Any amount required to be indorsed by the provisions of subdivision (e) or (f) of this subsection.

"(d) Such indorsement shall be made (1) by the collector of customs of the port of documentation of the mortgaged vessel, or (2) by the collector of customs of any port in which the vessel is found, if such collector is directed to make the indorsement by the collector of customs of the port of documentation; and no clearance shall be issued to the vessel until such indorsement is made. The collector of customs of the port of documentation shall give such direction by wire or letter at the request of the mortgagee and upon the tender of the cost of communication of such direction. Whenever any new document is issued for the vessel, such indorsement shall be transferred to and indorsed upon the new document by the collector of customs.

"(e) A mortgage which includes property other than a vessel shall not be held a preferred mortgage unless the mortgage provides for the separate discharge of such property by the payment of a specified portion of the mortgage indebtedness. If a preferred mortgage so provides for the separate discharge, the amount of the portion of such payment shall be indorsed upon the documents of the vessel.

"(f) If a preferred mortgage includes more than one vessel and provides for the separate discharge of each vessel by the payment of a portion of the mortgage indebtedness, the amount of such portion of such payment shall be indorsed upon the documents of the vessel. In case such mortgage does not provide for the separate discharge of a vessel and the vessel is to be sold upon the order of a district court of the United States in a suit in rem in admiralty, the court shall determine the portion of the mortgage indebtedness increased by 20 per cent (1) which, in the opinion of the court, the approximate value of the vessel bears to the approximate value of all the vessels covered by the mortgage, and (2) upon the payment of which the vessel shall be discharged from the mortgage.

"SUBSEC. E. The collector of customs upon the recording of a preferred mortgage shall deliver two certified copies thereof to the mortgagor who shall place, and use due diligence to retain, one copy on board the mortgaged vessel and cause such copy and the documents of the vessel to be exhibited by the master to any person having business with the vessel, which may give rise to a maritime lien upon the vessel or to the sale, conveyance, or mortgage thereof. The master of the vessel shall, upon the request of any such person, exhibit to him the documents of the vessel and the copy of any preferred mortgage of the vessel placed on board thereof.

"SUBSEC. F. The mortgagor (1) shall, upon request of the mortgagee, disclose in writing to him prior to the execution of any preferred mortgage, the existence of any maritime lien, prior mortgage, or other obligation or liability upon the vessel to be mortgaged, that is known to the mortgagor, and (2), without the consent of the mortgagee, shall not incur, after the execution of such mortgage and before the mortgagee has had a reasonable time in which to record the mortgage and have indorsements in respect thereto made upon the documents of the vessel, any contractual obligation creating a lien upon the vessel other than a lien for wages of stevedores when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, or for salvage, including contract salvage, in respect to the vessel.

"SUBSEC. G. (a) The collector of customs of the port of documentation shall, upon the request of any person, record notice of his claim of a lien upon a vessel covered by a preferred mortgage, together with the nature, date of creation, and amount of the lien, and the name and address of the person. Any person who has caused notice of his claim of lien to be so recorded shall, upon a discharge in whole or in part of the indebtedness, forthwith file with the collector of customs a certificate of such discharge. The collector of customs shall thereupon record the certificate.

"(b) The mortgagor, upon a discharge in whole or in part of the mortgage indebtedness, shall forthwith file with the collector of customs for the port of documentation of the vessel, a cer-

tificate of such discharge. Such collector of customs shall thereupon record the certificate. In case of a vessel covered by a preferred mortgage, the collector of customs at the port of documentation shall (1) indorse upon the documents of the vessel, or direct the collector of customs at any port in which the vessel is found, to so indorse, the fact of such discharge, and (2) shall deny clearance to the vessel until such indorsement is made.

"SUBSEC. H. (a) No bill of sale, conveyance, or mortgage shall be recorded unless it states the interest of the grantor or mortgagor in the vessel, and the interest so sold, conveyed, or mortgaged.

"(b) No bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge thereof, shall be recorded unless previously acknowledged before a notary public or other officer authorized by a law of the United States, or of a State, Territory, District, or possession thereof, to take acknowledgment of deeds.

"(c) In case of a change in the port of documentation of a vessel of the United States, no bill of sale, conveyance, or mortgage shall be recorded at the new port of documentation unless there is furnished to the collector of customs of such port, together with the copy of the bill of sale, conveyance, or mortgage to be recorded, a certified copy of the record of the vessel at the former port of documentation furnished by the collector of such port. The collector of customs at the new port of documentation is authorized and directed to record such certified copy.

"(d) A preferred mortgage may bear such rate of interest as is agreed by the parties thereto.

"SUBSEC. I. Each collector of customs shall permit records made under the provisions of this section to be inspected during office hours, under such reasonable regulations as the collector may establish. Upon the request of any person the collector of customs shall furnish him from the records of the collector's office (1) a certificate setting forth the names of the owners of any vessel, the interest held by each owner, and the material facts as to any bill of sale or conveyance of, any mortgage covering, or any lien or other incumbrance upon, a specified vessel, (2) a certified copy of any bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge in respect to such vessel, or (3) a certified copy as required by subdivision (c) of subsection H. The collector of customs shall collect a fee for any bill of sale, conveyance, or mortgage recorded, or any certificate or certified copy furnished by him, in the amount of 20 cents a folio with a minimum charge of $1. All such fees shall be covered into the Treasury of the United States as miscellaneous receipts.

"PENALTIES.

"SUBSEC. J. (a) If the master of the vessel willfully fails to exhibit the documents of the vessel or the copy of any preferred mortgage thereof, as required by subsection E, the board of local inspectors of vessels having jurisdiction of the license of the master, may suspend or cancel such license, subject to the provisions of 'An act to provide for appeals from decision of boards of local inspectors of vessels and for other purposes,' approved June 10, 1918.

"(b) A mortgagor who, with intent to defraud, violates any provision of subsection F, and if the mortgagor is a corporation or association, the president or other principal executive officer of the corporation or association, shall upon conviction thereof be held guilty of a misdemeanor and shall be fined not more than $1,000 or imprisoned not more than two years, or both. The mortgaged indebtedness shall thereupon become immediately due and payable at the election of the mortgagee.

"(c) If any person enters into any contract secured by, or upon the credit of, a vessel of the United States covered by a preferred mortgage, and suffers pecuniary loss by reason of the failure of the collector of customs, or any officer, employee, or agent thereof, properly to perform any duty required of the collector under the provisions of this section, the collector of customs shall be liable to such person for damages in the amount of such loss. If any such person is caused any such loss by reason of the failure of the mortgagor, or master of the mortgaged vessel, or any officer, employee, or agent thereof, to comply with any provision of subsection E or F or to file an affidavit as required by subdivision (a) of subsection D, correct in each particular thereof, the mortgagor shall be liable to such person for damages in the amount of such loss. The district courts of the United States are given jurisdiction (but not to the exclusion of the courts of the several States, Territories, Districts, or possessions) of suits for the recovery of such damages, irrespective of the amount involved in the suit or the citizenship of the parties thereto. Such suit shall be begun by personal service upon the defendant within the limits of the district. Upon judgment for the plaintiff in any such suit, the court shall include in the judgment an additional amount for costs of the action and a reasonable counsel's fee, to be fixed by the court.

"FORECLOSURE OF PREFERRED MORTGAGES.

"SUBSEC. K. A preferred mortgage shall constitute a lien upon the mortgaged vessel in the amount of the outstanding mortgage indebtedness secured by such vessel. Upon the default of any term or condition of the mortgage, such lien may be enforced by the mortgagee by suit in rem in admiralty. Original jurisdiction of all such suits is granted to the district courts of the United States exclusively. In addition to any notice by publication, actual notice of the commencement of any such suit shall be given by the libellant, in such manner as the court shall direct, to (1) the master, other ranking officer, or caretaker of the vessel, and (2) any person who has recorded a notice of claim of an undischarged lien upon the vessel, as provided in subsection G, unless after search by the libellant satisfactory to the court, such mortgagor, master, other ranking officer, caretaker, or claimant is not found within the United States. Failure to give notice to any such person, as required by this subsection, shall not constitute a jurisdictional defect; but the libellant shall be liable to such person for damages in the amount of his interest in the vessel terminated by the suit. Suit in personam for the recovery of such damages may be brought in accordance with the provisions of subdivision (c) of section 10.

"SUBSEC. L. In any suit in rem in admiralty for the enforcement of the preferred mortgage lien, the court may appoint a receiver and, in its discretion, authorize the receiver to operate the mortgaged vessel. The marshal may be authorized and directed by the court to take possession of the mortgaged vessel notwithstanding the fact that the vessel is in the possession or under the control of any person claiming a possessory common-law lien.

"SUBSEC. M. (a) When used hereinafter in this section, the term 'preferred maritime lien' means (1) a lien arising prior in time to the recording and indorsement of a preferred mortgage in accordance with the provisions of this section; or (2) a lien for damages arising out of tort, for wages of a stevedore when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, and for salvage, including contract salvage.

"(b) Upon the sale of any mortgaged vessel by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a preferred mortgage lien thereon, all preexisting claims in the vessel, including any possessory common-law lien of which a lienor is deprived under the provisions of subsection L shall be held terminated and shall thereafter attach, in like amount and in accordance with their respective priorities, to the proceeds of the sale; except that the preferred mortgage lien shall have priority over all claims against the vessel, except (1) preferred maritime liens, and (2) expenses and fees allowed and costs taxed, by the court.

"SUBSEC. N. (a) Upon the default of any term or condition of a preferred mortgage upon a vessel, the mortgagee may, in addition to all other remedies granted by this section, bring suit in personam in admiralty in a district court of the United States, against the mortgagor for the amount of the outstanding mortgage indebtedness secured by such vessel or any deficiency in the full payment thereof.

"(b) This section shall not be construed, in the case of a mortgage covering, in addition to vessels, realty or personalty other than vessels, or both, to authorize the enforcement by suit in rem in admiralty of the rights of the mortgagee in respect to such realty or personalty other than vessels.

"TRANSFERS OF MORTGAGED VESSELS AND ASSIGNMENT OF VESSEL MORTGAGES.

"SUBSEC. O. (a) The documents of a vessel of the United States covered by a preferred mortgage may not be surrendered (except in the case of the forfeiture of the vessel or its sale by the order of any court of the United States or any foreign country) without the approval of the board. The board shall refuse such approval unless the mortgagee consents to such surrender.

"(b) The interest of the mortgagee in a vessel of the United States covered by a mortgage, shall not be terminated by the forfeiture of the vessel for a violation of any law of the United States, unless the mortgagee authorized, consented, or conspired to effect the illegal act, failure, or omission which constituted such violation.

"(c) Upon the sale of any vessel of the United States covered by a preferred mortgage, by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a maritime lien other than a preferred maritime lien, the vessel shall be sold free from all preexisting claims thereon; but the court shall, upon the request of the mortgagee, the libellant, or any intervenor, require the purchaser at such sale to give and the mortgagor to accept a new mortgage of the vessel for the balance of the term of the original mortgage. The conditions of such new mortgage shall be the same, so far as practicable, as those of the original mortgage and shall be subject to the approval of the court. If such new mortgage is given, the mortgagee shall not be paid from the proceeds of the sale and the amount payable as the purchase price shall be held diminished in the amount of the new mortgage indebtedness.

"(d) No rights under a mortgage of a vessel of the United States shall be assigned to any person not a citizen of the United States without the approval of the board. Any assignment in violation of any provision of this section shall be void.

"(e) No vessel of the United States shall be sold by order of a district court of the United States in any suit in rem in admiralty to any person not a citizen of the United States.

"MARITIME LIENS FOR NECESSARIES.

"SUBSEC. P. Any person furnishing repairs, supplies, towage, use of dry dock or marine railway, or other necessaries, to any vessel, whether foreign or domestic, upon the order of the owner of such vessel, or of a person authorized by the owner, shall have a maritime lien on the vessel, which may be enforced by a suit in rem, and it shall not be necessary to allege or prove that credit was given to the vessel.

"SUBSEC. Q. The following persons shall be presumed to have authority from the owner to procure repairs, supplies, towage, use of dry dock or marine railway, and other necessaries for the vessel: The managing owner, ship's husband, master, or any person to whom the management of the vessel at the port of supply is intrusted. No person tortiously or unlawfully in possession or charge of a vessel shall have authority to bind the vessel.

"SUBSEC. R. The officers and agents of a vessel specified in subsection Q shall be taken to include such officers and agents when appointed by a charterer, by an owner pro hac vice, or by an agreed purchaser in possession of the vessel; but nothing in this section shall be construed to confer a lien when the furnisher knew, or by exercise of reasonable diligence could have ascertained, that because of the terms of a charter party, agreement for sale of the vessel, or for any other reason, the person ordering the repairs, supplies, or other necessaries was without authority to bind the vessel therefor.

"SUBSEC. S. Nothing in this section shall be construed to prevent the furnisher of repairs, supplies, towage, use of dry dock or marine railway, or other necessaries, or the mortgagee, from waiving his right to a lien, or in the case of a preferred mortgage lien, to the preferred status of such lien, at any time, by agreement or otherwise; and this section shall not be construed to affect the rules of law now existing in regard to (1) the right to proceed against the vessel for advances, (2) laches in the enforcement of liens upon vessels, (3) the right to proceed in personam, (4) the rank of preferred maritime liens among themselves, or (5) priorities between maritime liens and mortgages, other than preferred mortgages, upon vessels of the United States.

"SUBSEC. T. This section shall supersede the provisions of all State statutes conferring liens on vessels, in so far as such statutes purport to create rights of action to be enforced by suits in rem in admiralty against vessels for repairs, supplies, towage, use of dry dock or marine railway, and other necessaries.

"MISCELLANEOUS PROVISIONS.

"SUBSEC. U. This section shall not apply (1) to any existing mortgage, or (2) to any mortgage hereafter placed on any vessel now under an existing mortgage, so long as such existing mortgage remains undischarged.

"SUBSEC. V. The Secretary of Commerce is authorized and directed to furnish collectors of customs with all necessary books and records, and with certificates of registry and of enrollment and license in such form as provides for the making of all indorsements thereon required by this section.

"SUBSEC. W. The Secretary of Commerce is authorized to make such regulations in respect to the recording and indorsing of mortgages covering vessels of the United States as he deems necessary to the efficient execution of the provisions of this section.

"SUBSEC. X. Sections 4192 to 4196, inclusive, of the Revised Statutes of the United States, as amended, and the act entitled 'An act relating to liens on vessels for repairs, supplies, or other necessaries,' approved June 23, 1910, are repealed. This section, however, so far as not inconsistent with any of the provisions of law so repealed, shall be held a reenactment of such repealed law, and any right or obligation based upon any provision of such law and accruing prior to such repeal, may be prosecuted in the same manner and to the same effect as if this act had not been passed."

And the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out "Sec. 33." and insert in lieu thereof "Sec. 31." In lines 8 and 9 of the matter proposed by the Senate amendment strike out the words "or take in fuel"; and the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the figure "11" and insert in lieu the figure "10" and change the section number from "34" to "32"; and the Senate agree to the same.

Amendment numbered 138: That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 33. That the requirements provided in section 14 of the act entitled 'An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea,' approved March 4, 1915, to be observed on the Great Lakes in the intervals from May 15 to September 15, inclusive, and from September 15 to May 15, inclusive, shall be required to be observed instead in the intervals from May 1 to October 15, inclusive, and from October 15 to May 1, inclusive, respectively."

And the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Jurisdiction in such actions shall be under the court of the district in which the defendant employer resides or in which his principal office is located"; in line 1 of the matter proposed by the Senate amendment strike out the section number "36" and insert in lieu thereof the number "34"; and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "36"; and the Senate agree to the same.

Amendment numbered 142: That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "specifically"; and the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the section number "39" and insert in lieu thereof the number "37"; and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment change the period to a semicolon and add the following: "the term 'board' means the United States Shipping Board; and the term 'alien' means any person not a citizen of the United States"; and the Senate agree to the same.

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 39. That section 2 of the shipping act, 1916, is amended to read as follows:

"'SEC. 2. (a) That within the meaning of this act no corporation, partnership, or association shall be deemed a citizen of the United States unless the controlling interest therein is owned by citizens of the United States, and, in the case of a corporation, unless its president and managing directors are citizens of the United States and the corporation itself is organized under the laws of the United States or of a State, Territory, District, or possession thereof; but in the case of a corporation, association, or partnership operating any vessel in the coastwise trade the amount of interest required to be owned by citizens of the United States shall be 75 per cent.

"'(b) The controlling interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to a majority of the stock thereof is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if the majority of the voting power in such corporation is not vested in citizens of the United States; or (c) if through any contract or understanding it is so arranged that the majority of the voting power may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of the corporation is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"'(c) Seventy-five per cent of the interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to 75 per cent of its stock is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if 75 per cent of the voting power in such corporation is not vested in citizens of the United States; or (c) if, through any contract or understanding it is so arranged that more than 25 per cent of the voting power in such corporation may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of any interest in the corporation in excess of 25 per cent is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"'(d) The provisions of this act shall apply to receivers and trustees of all persons to whom the act applies, and to the successors or assignees of such persons.'"

And the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "40"; and the Senate agree to the same.

WILLIAM S. GREENE,
G. W. EDMONDS,
FREDERICK W. ROWE,
L. LAZARO.

I sign this report because, as a whole, I favor the bill, but there are parts of it to which I strongly object.

RUFUS HARDY,
Managers on the part of the House.

W. L. JONES,
WILLIAM M. CALDER,
CHAS. L. MCNARY,
JOS. E. RANSDELL,
F. M. SIMMONS,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the second conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation and to provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

On amendment No. 1: This amendment is explanatory and directs the United States Shipping Board in the disposition of vessels and shipping property, in the making of rules and regulations, and in the administration of the shipping laws to have due regard for the necessity for a merchant marine in order to provide for the proper growth of the foreign and domestic commerce of the United States, and the encouragement of a privately owned merchant marine; and the House recedes.

On amendment No. 2: This amendment changes a section number; and the House recedes.

On amendment No. 3: This amendment is a clerical change; and the Senate recedes with an amendment.

On amendment No. 4: This amendment provides for the repeal of sections 5, 7, and 8 of the shipping act of 1916, inasmuch as the provisions relating to construction and equipment of vessels and their sale is provided in this bill; and the House recedes.

On amendment No. 5: This amendment is a clerical change; and the House recedes.

On amendment No. 6: This amendment is a clerical change; and the House recedes.

On amendment No. 7: This amendment is a clerical change; and the House recedes.

On amendment No. 8: This amendment is a clerical change; and the House recedes.

On amendment No. 9: This amendment is a clerical change; and the House recedes.

On amendment No. 10: This amendment is a clerical change; and the House recedes.

On amendment No. 11: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 5 to 11, inclusive, makes uniform the use of the words "acts or parts of acts" and clarifies the provision relating to the enforcement of the penalty provisions of such acts.

On amendment No. 12: This amendment authorizes the board to complete any construction work begun in accordance with the provisions of the acts repealed whenever the board deemed such completion for the best interests of the United States; and the House recedes.

On amendment No. 13: This amendment is a clerical change; and the House recedes.

On amendment No. 14: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 13 and 14 was taken for the same reason as the action in regard to amendments 5 to 11, inclusive.

On amendment No. 15: The amendment provides that any person dissatisfied with an action of the board relating to the disposition and liquidation of matters incident to the powers conferred upon the President by the acts repealed should have the same right to sue the United States as if such action had been taken by the President. The House recedes with an amendment authorizing the board to adjust, settle, and liquidate all agreements on a fair and equitable basis.

On amendment No. 16: This amendment is an amendment to section 3 of the shipping act of 1916 increasing the membership of the board to seven; providing that two of the members are to be appointed from the Pacific States, two from the Atlantic States, one from the Gulf of Mexico, one from the Great Lakes, and one from the interior; providing that each commissioner shall devote his time to the duties of his office, that the board may divide the supervision of its activities and may employ attorneys for investigation and court work. The commissioners in office at the time the section takes effect are to hold office until the new commissioners are appointed and qualify, and each commissioner is to receive a salary of $12,000. The House recedes with an amendment for a bipartisan board and a clerical change.

On amendment No. 17: This amendment changes a section number; and the House recedes.

On amendment No. 18: This amendment includes all vessels within the terms of the section instead of limiting its provisions to merchant vessels; and the House recedes.

On amendment No 19: This amendment is a clerical change; and the House recedes.

On amendment No. 20: This amendment changes a section number; and the House recedes.

On amendment No. 21: This amendment authorizes the President to determine when vessels under this section are required by another branch of the Government service; and the House recedes.

On amendment No. 22: This amendment extends the power of the President to except certain vessels from the provisions of the section when needed by any other branch of the Government; and the House recedes.

On amendment No. 23: This amendment is clerical; and the House recedes.

On amendment No. 24: This amendment provides that vessels in the military and naval service of the United States, including those assigned to rivers and harbors or vessels under contract by the War Department shall be exempt from the act;

the House recedes with an amendment to include all such vessels, whether or not in the military or naval service, within the exemption.

On amendment No. 25: This amendment changes a section number; and the House recedes.

On amendment No. 26: This amendment restates the purpose for which vessels may be sold; and the House recedes.

On amendment No. 27: This amendment is a clerical change; and the House recedes.

On amendment No. 28: This amendment limits the power to sell vessels to cases when the sale is consistent with good business and the objects of the act; the House recedes with an amendment to provide that such sale shall be public or private and competitive, after appraisement and due advertisement.

On amendment No. 29: This amendment is a clerical change; and the House recedes.

On amendment No. 30: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 29 and 30 conforms the terms "citizens of the United States" to the definition in the shipping act of 1916.

On amendment No. 31: This amendment changes a section number; and the House recedes.

On amendment No. 32: This amendment changes a section number; and the House recedes.

On amendment No. 33: This amendment compels the completion of the payment of interest within 15 years; and the House recedes.

On amendment No. 34: This amendment adds the word "deferred" to clarify the sentence; and the House recedes.

On amendment No. 35: The original House bill provided that the payment of the purchase price should not be deferred more than 15 years after the contract of sale; the Senate amendment changed this to 20 years; the Senate recedes from its amendment.

On amendment No. 36: This amendment is a clerical change; and the House recedes.

On amendment No. 37: This amendment makes it mandatory upon the board to consider the various factors provided in the section in fixing or accepting the sale price of vessels; and the House recedes.

On amendment No. 38: This amendment is a clerical change; and the House recedes.

On amendment No. 39: This amendment prescribes that the available supply of vessels shall be considered in making a sale; and the House recedes.

On amendment No. 40: This amendment is a clerical change; and the House recedes.

On amendment No. 41: This amendment prescribes that freights received and prospects of their maintenance shall be considered in making a sale; and the House recedes with an amendment to provide that existing freight rates should be considered.

On amendment No. 42: This amendment provides that facts or conditions influencing business men in the sale of similar vessels shall be taken into consideration in making a sale and prohibits the sale of a vessel at less than the cost of constructing vessels of similar type in private shipyards at the time of such sale; and the House recedes with an amendment striking out the limitation relating to the sale at less than construction cost.

On amendment No. 43: This amendment is a clerical change; and the House recedes.

On amendment No. 44: This amendment provides that deferred payments of purchase price of vessels should bear interest at a rate of not less than 5½ per cent per annum, payable semiannually; and the Senate recedes.

On amendment No. 45: This amendment changes a section number; and the House recedes.

On amendment No. 46: This amendment is a clerical change; and the House recedes.

On amendment No. 47: This amendment is incorporated with amendment No. 51; and the Senate recedes.

On amendment No. 48: This amendment provides that in sales to aliens payments shall be completed within 10 years; the House recedes with an amendment providing that such sales shall be in accordance with the provisions of the act relating to sales to American citizens, but that completion of payment of purchase price and interest shall not be deferred more than 10 years after such sales.

On amendment No. 49: The Senate recedes from this amendment, which prohibits sales to aliens of vessels of a deadweight tonnage over 6,000 tons and less than 10 years of age.

On amendment No. 50: This amendment provides that the board shall carefully investigate before selling to aliens; and the House recedes.

On amendment No. 51: This amendment provides that the board shall make a full statement of its reasons for making a sale to aliens and that deferred payments of purchase price shall bear interest of 5½ per cent; and the House recedes with an amendment to provide that the board shall attempt to sell to American citizens and agree by an affirmative vote of not less than five of its members spread upon the minutes of the board to make such sale. The board shall then make a full statement of its reasons for the sale, and deferred payments thereon shall bear interest at not less than 5½ per cent.

On amendment No. 52: This amendment directs the board to investigate the establishment of steamship lines and to sell or charter vessels of the United States to citizens of the United States in order to provide for such lines. In case such sale can not be made the board shall operate the line until it may be sold or it is shown not to be self-sustaining. The Postmaster General is authorized to contract for the carrying of mails over such lines at a price to be agreed upon by the board and the Postmaster General. Preference in the sale or assignment of vessels on such lines are to be given to citizens of the United States who are supported by domestic communities or who are maintaining a service from a United States port to a world-market port. In the case of steamship lines maintained by the United States at the time of the enactment of this act the board is directed to continue such lines until it determines such continuance against public interest or unbusinesslike. The House recedes with an amendment exempting this section from the provisions of the mail subvention act and a provision that where service under Government administration is established the charge therefor shall be on a cost basis.

On amendment No. 53: This amendment confers general powers upon the board to investigate terminal facilities at ports, and in case it finds that rates of rail carriers are detrimental to the upbuilding of such ports, or that new rates or additional terminal facilities should be made by carriers, it may submit its findings to the Interstate Commerce Commission; and the House recedes with an amendment prescribing the procedure for the submission of the findings of the board to the commission and empowering the commission to issue orders relative to rail carriers with or without further investigation.

On amendment No. 54: This amendment changes a section number; and the House recedes.

On amendment No. 55: This amendment makes more specific the sale which is provided for under this section; and the House recedes.

On amendment No. 56: This amendment strikes out a statement of policy; and the House recedes.

On amendment No. 57: This amendment is a clerical change; and the House recedes.

On amendment No. 58: This amendment is a clerical change; and the House recedes.

On amendment No. 59: This amendment is a clerical change; and the House recedes.

On amendment No. 60: This amendment includes associations under the terms of this section; and the House recedes.

On amendment No. 61: This amendment is a clerical change; and the House recedes.

On amendment No. 62: This amendment is a clerical change; and the House recedes.

On amendment No. 63: This amendment is a clerical change; and the House recedes.

On amendment No. 64: This amendment is a clerical change; and the House recedes.

On amendment No. 65: This amendment strikes out the provision making insurance payable to the board and is incorporated in amendment No. 69 and made applicable both to general insurance and indemnity insurance.

On amendment No. 66: This amendment is a clerical change; and the House recedes.

On amendment No. 67: This amendment is a clerical change; and the House recedes.

On amendment No. 68: This amendment is a clerical change; and the House recedes.

On amendment No. 69: This amendment requires insurance to be made payable to the board or to the party in interest and authorizes the board to enter into agreements respecting the payment or guarantee of premiums of insurance; and the House recedes.

On amendment No. 70: This amendment changes a section number; and the House recedes.

On amendments Nos. 71, 72, 73, 74, 75, and 76: Are clerical changes; and the House recedes.

The action of the conferees on amendments Nos. 71 to 76, inclusive, was taken in order to perfect the provision in the bill relating to the establishment of the separate insurance fund.

On amendment No. 77: This amendment provides that for the next five years the board may establish a construction fund not to exceed $50,000,000 from the revenues from sales and operations to be used in the construction or in aid of the construction of new vessels of a certain type for service on steamship lines. This fund shall be loaned to citizens of the United States to build such vessels in private shipyards, but no loan shall be in a greater sum than two-thirds of the cost of the vessel to be constructed. The board is required to take a first lien upon such vessels and to otherwise secure the repayment of the sum loaned with interest, and the maintenance of the service to be established. In case the board deems it important to establish service and is unable to interest citizens of the United States in the construction of vessels in private shipyards with the aid of such fund it is authorized to construct such vessels in private shipyards, but not on a cost-plus basis, and when such vessels are sold a cash payment of not less than 25 per cent of the purchase price, ample security for deferred payment, and interest on loans at the rate of 5½ per cent are to be required by the board. The House recedes, with an amendment decreasing the amount of the construction fund to $25,000,000 and prohibiting the board from constructing any vessels out of such fund.

On amendment No. 78: This amendment changes a section number; and the House recedes.

On amendment No. 79: This amendment authorizes the board to manage and operate or charter or lease vessels until sold; the House recedes with an amendment providing that such vessels may also be reconditioned and kept in suitable repair.

On amendment No. 80: This amendment is clerical; and the House recedes.

On amendment No. 81: This amendment changes the original time limitations in the House bill with regard to the operation, charter, or lease of a vessel by the board, and permits vessels to be managed, operated, or chartered or leased until sold. The Emergency Fleet Corporation is continued in existence, with authority to operate vessels until they are sold. The House recedes with an amendment continuing operation by the Emergency Fleet Corporation unless otherwise directed by law.

On amendment No. 82: This amendment is made to perfect amendment No. 81; and the House recedes.

On amendment No. 83: This amendment changes a section number; and the House recedes.

On amendment No. 84: This amendment is clerical; and the House recedes.

On amendment No. 85: This amendment excludes vessels transferred from the provisions of the section; and the House recedes.

On amendment No. 86: This amendment changes a section number; and the House recedes.

On amendments Nos. 87 and 88: These amendments are clerical; and the House recedes.

On amendment No. 89: This amendment omits the provision relating to the payment of the purchase price within five years after the sale; and the House recedes.

On amendment No. 90: This amendment changes a section number; and the House recedes.

On amendment No. 91: This amendment extends the time for obtaining net proceeds from activities authorized in the act from 1920 to 1921.

On amendments Nos. 92 and 93: These amendments are clerical; and the House recedes.

On amendment No. 94: This amendment changes a section number; and the House recedes.

On amendments Nos. 95, 96, and 97: These amendments are clerical; and the House recedes.

On amendment No. 98: This amendment changes the time for covering net proceeds into the Treasury from 1920 to 1921; and the House recedes.

On amendments Nos. 99, 100, and 101: These amendments are clerical; and the House recedes.

On amendments Nos. 102 and 103: These amendments change section numbers; and the House recedes.

On amendment No. 104: This amendment more accurately describes what vessels are exempt from payment for charter hire under this section; and the House recedes.

On amendments Nos. 105, 106, and 107: These amendments are clerical; and the House recedes.

The action of the conferees on amendments Nos. 104 to 107, inclusive, was taken in order to specify what vessels were exempt from the payment by the War Department for charter hire.

On amendment No. 108: This amendment changes a section number; and the House recedes.

On amendments Nos. 109, 110, 111, 112, 113, 114, 115, 116, 117, and 118: These amendments are clerical; and the House recedes.

The action of the conferees on amendments Nos. 109 to 118, inclusive, was taken to include within the section all powers granted the Emergency Fleet Corporation to acquire, sell, or dispose of lands, houses, and buildings.

On amendment No. 119: This amendment limits the power of the Emergency Fleet Corporation to dispose of property or interests of the United States except when consistent with good business and the best interests of the United States.

On amendment No. 120: This amendment directs the board to take over in one year the possession of the German wharves. It further authorizes the board to pay to Hoboken, N. J., the taxes levied but uncollected by such city for the years 1918 and 1919 upon such property and to pay thereafter legitimate taxes to that city of not less than the average annual amount of the taxes from 1916 to 1920, inclusive. The House recedes with an amendment to the effect that the board shall take over the German wharves on January 1, 1921, that Army bases acquired for military or naval purposes during the war may be transferred by the President to the board, that any part of any property taken over or transferred to the board may at the option of the President be given to the War or Navy Department, and that no taxes are to be paid to the city of Hoboken.

On amendment No. 121: This amendment amends the shipping act, 1916, so that the owner of a vessel documented under the laws of the United States or purchased from the board may not sell or charter the vessel foreign without the approval of the board. Such approval is contingent upon the investment of the proceeds of the sale in the construction in the United States shipyards of other vessels of a superior type. The House recedes with an amendment which strikes out this condition. The amendment as agreed to also subjects to regulations of the board the chartering of any vessel purchased from it or documented under the laws of the United States.

On amendment No. 122: This amendment provides for investigation by the board and recommendations by it as to what apprentices should be carried upon vessels of the United States and on vessels having contract for the carrying of the mails. The board is also directed to submit recommendations for additional legislation to make available a sufficient number of officers and able seamen who are citizens of the United States to officer and man the merchant marine. The Senate recedes.

On amendment No. 123: This amendment authorizes the board (1) to make rules and regulations putting into effect the provisions of this act; (2) to make such rules and regulations as to vessels in the foreign and coastwise trade as will adjust and meet unfair foreign laws, competition, or practices; (3) to request the suspension of any existing rule or regulation affecting the foreign or coastwise trade; and (4) to approve or disapprove any future rule or regulation of that nature. The Public Health Service and Steamboat-Inspection Service are exempt from this regulatory power of the board. The President is authorized to settle disagreements between the board and any other agency as to the suspension or approval or disapproval of any such rule or regulation.

The House recedes with an amendment which eliminates from the provisions of this section rules and regulations relating to coastwise trade, and rules and regulations in respect to the Consular Service.

On amendment No. 124: This amendment provides for the exclusion from a port of the United States of a vessel owned by any person whom the board finds has violated any provision of sections 14 or 16 of the shipping act, 1916. The House recedes with an amendment comprising H. R. 12074 as reported to the House.

On amendment No. 125: This amendment, first, authorizes the board to establish service between the ocean terminal of the Government railway in Alaska and other ports, and, second, forbids the board to charge rates for Government service at less than cost when competing with private lines. The Senate recedes in view of the action taken in respect to amendment No. 52.

On amendment No. 126: This amendment extends the coastwise laws to the possessions of the United States within one year after the passage of this act. The House recedes with an

amendment to the effect that the coastwise laws shall not take effect with reference to the Philippine Islands until the President by proclamation declares that adequate shipping service has been established with the islands.

On amendment No. 127: The amendment repeals the act of October 6, 1917, in respect to the suspension of existing laws as to the admission of foreign-built vessels to American registry when engaged in the American coastwise trade, except that certain foreign-built vessels owned on February 1, 1920, by citizens of the United States may continue to be so engaged. The House recedes with an amendment which permits the board to authorize foreign-built ships to operate between Hawaii and the Pacific coast until February 1, 1921.

On amendment No. 128: The Senate amendment exempted from war profits and excess profits taxes for 10 taxable years after the enactment of this act the taxpayer's net income from a vessel documented under the laws of the United States and operated in foreign trade if the owner of the vessel invests in a new vessel or sets aside in a fund to be used in the building of new vessels in the shipyards of the United States an amount equivalent to the war-profits and excess-profits taxes that would have been payable by such taxpayer on account of the net earnings of such vessel but for the provisions of this section. This amendment permitted this exemption only if at least two-thirds of the cost of the new vessel is paid for out of the ordinary funds or capital of the person having the new vessel constructed.

This amendment also exempted for a period of 10 years after the enactment of this act from income and excess-profits and war-profits taxes the gain from the sale of a vessel documented under the laws of the United States and built prior to January 1, 1914, if the entire proceeds from such sale are invested in the building of new ships in American shipyards and such new ships documented under the laws of the United States.

This amendment also provided that the Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Shipping Board should determine from time to time the annual depreciation allowances of vessels in order that the owners of such vessels may be put as nearly as possible on a parity with the owner of the ships under the flags of foreign competitors in the world's carrying trade.

The House recedes from its disagreement to this amendment with an amendment exempting from excess-profits and war-profits taxes the net income of a vessel documented under the laws of the United States and operated only in foreign trade, if the owner invests in new vessels, or places in a replacement fund for building a new vessel an amount equivalent to the war-profits and excess-profits taxes that would have been payable by such taxpayer on account of the net earnings of such vessel but for the provisions of this section. This exemption is limited to the first 10 taxable years beginning with the taxable year 1920. The limitation of the Senate amendment that at least two-thirds of the cost of any new vessel so constructed shall be paid for out of the ordinary funds of the person having such vessel constructed is retained. This amendment provides that the "invested capital" of any taxpayer attributable to any vessel, the net income of which is exempt from the taxes imposed by Title III of the revenue act of 1918, shall not be included in computing invested capital for the purpose of ascertaining taxes due under such title upon the remainder of the taxpayer's net income for the taxable year.

After January 1, 1920, in the case of a vessel documented under the laws of the United States and built prior to January 1, 1914, the vendor may upon application under regulations to be prescribed by the commissioner, establish a replacement fund and cover into such fund the entire amount received from the sale of such vessel in excess of its value on March 1, 1913, or its cost if acquired on or after that date, such fund to be used exclusively for the building of a new vessel by the vendor in shipyards of the United States.

Accounting for gain or loss upon the entire moneys placed in the replacement fund may be deferred for such period of time as may be determined by the Commissioner of Internal Revenue with the approval of the Secretary, and if the new vessel is built within the time so determined the moneys in the fund provided under paragraph (a) of this section shall not be subject to the excess profits and war profits taxes, and the moneys in the fund provided in paragraph (b) of this section shall not be subject to the income, excess, and war profits taxes. In case the new vessel is not built within the time determined the aforementioned taxes shall be immediately due and payable.

The Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Shipping Board, or a majority thereof, are authorized to determine the annual depreciation of vessels documented under the laws of the United States engaged in foreign trade and owned by persons citizens of the United States, on a basis that will place the owners of such vessels for taxation purposes as nearly as may be on a parity with owners of ships under the flags of foreign competitors in the world carrying trade.

On amendment No. 129: This amendment provides that all mail of the United States carried on vessels shall, if practicable, be carried on American-built vessels, documented under the laws of the United States. Subletting of any contracts of carriers is forbidden, and the United States Shipping Board and the Postmaster General shall determine the rate of compensation for the carriage of such mail. The House recedes with an amendment that the provisions of this section shall not affect the subvention act of 1891.

On amendment No. 130: This amendment provides for the recognition by all agencies of the Government of the American Bureau of Shipping, or other similar approved organization, as the official classification bureau. The House recedes with an amendment confining such recognition exclusively to the American Bureau of Shipping in accordance with the provisions of H. R. 11311 as passed the House.

On amendment No. 131: This amendment permits cargo vessels to carry passengers not in excess of 12 in number on all trips. The House recedes with an amendment which restores the original limitation of 16 passengers as in H. R. 11313, as passed the House, but limits the privilege to countries affording a reciprocal privilege.

On amendment No. 132: This amendment forbids the transportation of merchandise by rail and water between points in the United States, including the Territories and possessions, in any other than United States bottoms. The House recedes with an amendment that this shall not only apply to transportation between points within the continental United States, excluding Alaska, over through routes recognized by Interstate Commerce Commission and comprised in part of Canadian rail lines. The amendment as agreed to also provides that the section shall not take effect as to transportation upon the Yukon River until the United States Shipping Board finds that proper transportation service will be furnished thereon by citizens of the United States.

On amendment No. 133: This amendment provides for discriminatory proportional rates against foreign competitors where the water end of the journey is by vessels documented under the laws of the United States and owned by persons who are citizens of the United States. The House recedes with an amendment which eliminates the requirement of citizenship.

On amendment No. 134: This amendment exempts marine insurance companies from the provisions of the antitrust laws. The House recedes with an amendment consisting, with verbal alterations, of H. R. 13889.

On amendment No. 135: This Senate amendment is an extensive provision by which the mortgagee under a mortgage upon a vessel of the United States is made more secure in his interest in the vessel than he is under existing admiralty law. The amendment supplements the existing mortgage-recording provisions by creating a preferred mortgage which in foreclosure proceedings will have priority in the distribution of the proceeds from the sale of the mortgaged vessel, over all maritime liens against the vessel except liens for damages arising out of tort, stevedores', and crews' wages, general average, and salvage. The preferred status arises upon the recording of the mortgage as a preferred mortgage and its indorsement upon the vessel's documents. Under the Senate amendment the foreclosure proceedings are brought in the Federal courts in equity with simulated admiralty procedure under which the court in equity gives a title good against the world and terminates all preexisting claims against the vessel. In the case of a sale by court order consequent upon the institution of libel proceedings in admiralty against a vessel covered by a preferred mortgage, the Senate amendment provides that the sale shall pass a title subject to the mortgage if the libellant is a lienor whose claim, by the provisions of the amendment, has not priority over but is subordinated to the mortgagee's interest. The Senate amendment also reenacts the maritime lien act of 1910 with the additional grant of a lien for towage in the home port of a vessel and the declaration that towage shall be presumed to be furnished upon the credit of a vessel.

The House recedes with an amendment which places the constitutional basis of Congress's power to legislate in respect to vessel mortgages upon the grant of admiralty jurisdiction and the "necessary and proper clause" of the Constitution instead of the power to regulate interstate and foreign commerce. The amendment as agreed to further places exclusive jurisdiction

in the Federal courts to foreclose vessel mortgages upon the grant of admiralty jurisdiction instead of the provisions of the Constitution relating to diversity of citizenship and cases arising under the laws of the United States. The amendment as agreed to also makes the title granted under the order of a court of admiralty in the case of the libel of a vessel covered by a preferred mortgage good against the world, as under the existing admiralty law and international admiralty practice; clarifies the provisions as to fleet mortgages; provides for the reenactment and incorporation in the amendment of the existing vessel-mortgage recording provisions; and prevents the repeal of section 4 of the maritime lien act of 1910 in respect to the doctrines of advances and laches.

On amendment No. 136: This amendment amends section 4530 of the Revised Statutes so that seamen shall be entitled to receive wages at the port at which fuel is taken en route and so that no demand for wages shall be made in the same harbor more than once during the same entry. The amendment also limits the amount of wages payable at any port to one-half part of the balance of the wages earned and remaining unpaid at the time of the demand. The House recedes with an amendment eliminating the provisions in respect to demands at port at which fuel is taken on.

On amendment No. 137: This amendment amends paragraph (a) of section 11 of the act of June 26, 1884, by making the payment of advanced wages to seamen illegal, although the payment occurs without the United States. The House recedes with a clerical amendment.

On amendment No. 138: This amendment amends the seamen's act so as to confine certain provisions as to qualifications of able seamen upon the Great Lakes to citizens of the United States. The House recedes with an amendment limiting the season of application of specified provisions of the seamen's act.

On amendment No. 139: This amendment amends section 20 of the seamen's act so as to extend the Federal employers' liability act to cases of personal injury to or death of seamen. The House recedes with an amendment that jurisdiction of all actions brought under the provisions of section 20 shall be under the court of the district in which the defendant employer resides or in which his principal office is located.

On amendment No. 140: This section authorizes the President to terminate treaties and conventions restricting the right of the United States to impose discriminating customs duties, and puts into effect the provisions of subsections 1 and 7 of section J of the Underwood Tariff Act. The House recedes.

On amendment No. 141: This amendment is a change in section number, and the House recedes with an amendment making a further change in the section number.

On amendment No. 142: This amendment makes a clerical change, and the House recedes with an amendment making a further clerical change.

On amendment No. 143: The House bill provided that the powers vested in the Shipping Board by this act may be exercised directly by the board or through the Emergency Fleet Corporation "or other agencies created pursuant to authority of law." The Senate amendment strikes out the quoted words, and the House recedes.

On amendment No. 144: This amendment contains the usual clause providing that if part of the act is held unconstitutional, the remainder of the act shall not be invalidated thereby, and the House recedes with an amendment making a change in section number.

On amendment No. 145: This amendment provides definitions for terms used in the act, and the House recedes with an amendment inserting further definitions, and making a change in section number.

On amendment No. 146: The shipping act, 1916, in section 2, provides that in order for a corporation, partnership, or association to be considered a citizen of the United States for the purposes of this act, a controlling interest therein must be owned by citizens of the United States. The Senate amendment amends this provision so as to require 100 per cent ownership by United States citizens, except in the case of a concern operating vessels exclusively in foreign trade, in which case 75 per cent is sufficient. The House recedes with an amendment which restores the existing law, but provides for a requirement of 75 per cent ownership by United States citizens in the case of corporations, partnerships, and associations operating any vessel in the coastwise trade.

On amendment No. 147: This amendment is a change in section number, and the House recedes with an amendment making a further change in section number.

On amendment No. 148: This amendment is a clerical change; and the House recedes.

On amendment No. 149: This amendment provides that the present members of the Shipping Board shall continue in office until the appointment of the new board created by amendment No. 16. The Senate recedes, but the substance of the amendment is dealt with in connection with the action in regard to amendment No. 16.

WILLIAM S. GREENE,
G. W. EDMONDS.
FREDERICK W. ROWE,
RUFUS HARDY,
L .LAZARO,
Managers on the part of the House.

During the reading of the conference report,

Mr. FLOOD. Mr. Speaker, this is a very important measure. I think there should be a fuller attendance. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Virginia makes the point of order that there is no quorum present. [After counting.] The Chair thinks no quorum is present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ayres	Echols	Lampert	Sanders, N. Y.
Baer	Ellsworth	Langley	Sanford
Bell	Elston	Lazaro	Scully
Benson	Evans, Nev.	Luhring	Sears
Bland, Ind.	Fairfield	McClintic	Sherwood
Boies	Ferris	McCulloch	Sinclair
Booher	Fess	McDuffie	Slemp
Bowers	Fuller, Mass.	McKenzie	Small
Brand	Gandy	McKinley	Smith, Ill.
Brinson	Garland	Mann, Ill.	Smith, Mich.
Brooks, Ill.	Glynn	Mason	Smithwick
Brumbaugh	Godwin, N. C.	Mead	Snell
Cantrill	Goodall	Merritt	Snyder
Caraway	Gould	Moores, Ind.	Steele
Carss	Graham, Pa.	Nelson, Wis.	Stephens, Miss.
Carter	Griffin	Newton, Minn.	Stevenson
Clark, Fla.	Hamilton	Nicholls	Stoll
Cole	Harreld	Nolan	Strong, Pa.
Collier	Hastings	Parker	Taylor, Ark.
Cooper	Haugen	Platt	Tillman
Copley	Hayden	Porter	Upshaw
Costello	Hays	Pou	Vare
Curry, Calif.	Hernandez	Purnell	Ward
Dale	Hoey	Ramseyer	Webster
Davis, Minn.	Houghton	Randall, Calif.	Wingo
Dent	Huddleston	Randall, Wis.	Winslow
Dewalt	Hulings	Rhodes	Wise
Dickinson, Mo.	Ireland	Riddick	Wood, Ind.
Dowell	Kennedy, R. I.	Robinson, N. C.	Yates
Drane	Kettner	Rodenberg	Young, N. Dak.
Drewry	Kitchin	Rucker	
Dunn	Kleczka	Sanders, La.	

The SPEAKER. On this roll call 300 Members have answered to their names. A quorum is present.

Mr. FULLER of Illinois. I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Illinois moves to dispense with further proceedings under the call.

The motion was agreed to.

Mr. LARSEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the budget system.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD on the budget system. Is there objection?

There was no objection.

Mr. ROUSE. I ask unanimous consent to extend my remarks in the RECORD by printing a short article written for the Chattanooga News, complimentary of the long service of my friend Judge MOON, of Tennessee.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD by printing an article written for a paper about Judge MOON, of Tennessee. Is there objection?

There was no objection.

Mr. GREENE of Massachusetts. Mr. Speaker, I object to any further requests for unanimous consent until this conference report is disposed of.

Mr. DUPRÉ. Mr. Speaker, I ask leave of absence for my colleague, Dr. LAZARO, on account of illness in his family.

The SPEAKER. The gentleman from Massachusetts objects to any further requests for unanimous consent.

Mr. DUPRÉ. I do not think he would object to that if he heard what it was.

The SPEAKER. The Clerk will resume the reading of the conference report.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. I understand the Speaker has ruled that the proper time to make points of order against the conference report is after the conference report has been read.

The SPEAKER. That has been ruled a great many times.

The Clerk resumed the reading of the conference report. During the reading—

Mr. McKEOWN. Mr. Speaker, in view of the importance of this legislation, I think it ought not to be considered in the absence of a quorum, and I make the point of order that there is no quorum present.

The SPEAKER pro tempore (Mr. ANDREWS of Maryland). The gentleman from Oklahoma makes the point of no quorum present.

Mr. GREENE of Massachusetts. I move a call of the House.

Mr. BLANTON. I make the point of order that a motion for a call of the House is not in order until the Chair determines that there is no quorum present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and forty Members present, not a quorum.

Mr. MONDELL. I move a call of the House.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Anthony	Evans, Nev.	Kettner	Riordan
Baer	Fairfield	Kiess	Rodenberg
Bell	Ferris	Kitchin	Rucker
Black	Fess	Kleczka	Sanders, La.
Bland, Ind.	Fuller, Mass.	Lampert	Scully
Booher	Gandy	Langley	Sears
Brand	Garrett	Lazaro	Sells
Brinson	Glynn	Lea, Calif.	Sherwood
Brooks, Ill.	Godwin, N. C.	Lonergan	Sinclair
Browne	Goldfogle	McArthur	Slemp
Burke	Goodall	McClintic	Small
Cantrill	Goodwin, Ark.	McCulloch	Smith, Ill.
Caraway	Goodykoontz	McKinley	Smith, Mich.
Carss	Gould	Mann, Ill.	Smith, N. Y.
Carter	Graham, Ill.	Mason	Smithwick
Clark, Fla.	Graham, Pa.	Mead	Snell
Cole	Green, Iowa	Morin	Snyder
Cooper	Griffin	Nelson, Wis.	Steele
Copley	Hamill	Newton, Minn.	Steenerson
Costello	Hamilton	Nicholls	Stephens, Miss.
Curry, Calif.	Harreld	Nolan	Stevenson
Dale	Hastings	O'Connor	Stoll
Davis, Minn.	Hayden	Paige	Strong, Pa.
Dent	Hays	Parker	Taylor, Ark.
Dewalt	Heflin	Platt	Taylor, Tenn.
Dowell	Hernandez	Porter	Tillman
Drane	Hoey	Pou	Vare
Dunn	Holland	Purnell	Venable
Eagan	Houghton	Ramseyer	Voigt
Eagle	Hulings	Randall, Calif.	Weaver
Echols	Ireland	Randall, Wis.	Webster
Elliott	Johnson, S. Dak.	Reber	Yates
Ellsworth	Kelley, Mich.	Rhodes	Young, N. Dak.
Elston	Kennedy, R. I.	Riddick	

The SPEAKER. On this roll call 292 Members have answered to their names. A quorum is present.

Mr. GREENE of Massachusetts. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The Clerk will resume the reading of the conference report.

The Clerk resumed and completed the reading of the conference report.

Mr. GARRETT. Mr. Speaker, I reserve a point of order on the conference report.

The SPEAKER. Will the gentleman state his point of order now?

Mr. GARRETT. That the conferees have exceeded their jurisdiction.

Senate amendment 15, at the bottom of page 4 of the bill, was the insertion of a proviso reading—

Provided, That any person dissatisfied with any decision of the board shall have the same right to sue the United States as he would have had if the decision had been made by the President of the United States under the acts hereby repealed.

The conferees have agreed to strike out the language which I have just read and insert in lieu this language:

And shall have authority to adjust, settle, and liquidate all agreements, express or implied, on a fair and equitable basis.

That, of course, changes the tenor of the Senate amendment in its entirety; and the language which is reported by the conferees not having been used anywhere in the House bill, it was not in disagreement between the two Houses and does not come within the jurisdiction of the committee of conference.

Mr. BLANTON. Mr. Speaker, besides the matter against which the gentleman from Tennessee has lodged his point of order—which, by the way, may affect only the paltry sum of about $2,000,000,000 worth of property—there are other new matters in the bill which the conferees were unauthorized to insert that are also subject to a point of order; but in view of the fact that the whole conference report falls on the sustaining of one point of order already made, I will not make the others at this time.

The SPEAKER. That can be held in reserve if the Chair overrules this point of order.

Mr. EDMONDS. Mr. Speaker, the conferees in going over the bill thought it was well that the powers given the President as war powers should be amplified fully, so that in transferring the powers to the Shipping Board the Shipping Board would have the authority that was given to the President to do certain unusual things during the war in the progress of building ships. Among the powers given the President under the emergency shipping act, which was a part of the bill passed in July, 1918, were the powers of buying and selling ships, shipyards, and all other things and necessities in connection with that work. The President had almost the power of an individual in handling his own money in that connection. He exercised it, and during the exercise of these powers he did certain acts which probably would not come under any law passed by Congress. Among these were the requisitioning of plants, probably without any contract whatever, the use of machinery, the requisitioning of railways, the suspending and cancellation of ships that were being built, requiring certain plants to do what he wished without any contract, leaving the settlement to a later date. When we started to turn over these powers to a commission, which the Shipping Board is, and take them away from the President, it looks to me as if it was absolutely necessary that we should put all powers under the Shipping Board, so that they can complete the program by the settlement of these matters without interference from the executive department. If we are not going to put them under the Shipping Board some department would have to do it.

Mr. WALSH. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. WALSH. Has anybody now got authority to adjust and settle express or implied contracts on an equitable basis?

Mr. EDMONDS. The Shipping Board has authority that was delegated to it by the President of the United States.

Mr. WALSH. What was the idea of your committee bringing in a bill giving them that authority with reference to wooden ships if they already had that authority?

Mr. EDMONDS. That bill was brought in for the purpose of reimbursing them for the capital expenditures they had made.

Mr. WALSH. If they had the authority, why was it embodied in the bill that was brought in?

Mr. EDMONDS. It was decided that they had not the authority to settle for capital expenditures. What the woodenship builders were after was a settlement of the capital costs. There is nothing in this act that would allow settlement of capital expenses.

Mr. LONGWORTH. Does not the amendment accomplish just what the act sought to accomplish that you sought to pass the other day?

Mr. EDMONDS. No; I think not; the Shipping Board is only allowed under this amendment to settle what was equitable. If there was any implied contract, it might allow them to settle that.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. DAVIS of Tennessee. Is it not a fact that the language against which the point of order is directed never appeared either in the House or the Senate bill until after the House the other day defeated the House substitute under the woodenship contract and recommitted the Senate bill? Since that time this amendment has been inserted by the conferees in this bill.

Mr. EDMONDS. The conference between the House and the Senate started only Monday morning, and the bill to which the gentleman refers was defeated last week. But it does not follow that this language was put in here because of the defeat of the other bill.

Mr. DAVIS of Tennessee. Was not that the one thing in the minds of the conferees and for which it was intended to take the place?

Mr. EDMONDS. It was not so stated in the committee of conference.

Mr. BLANTON. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. BLANTON. The gentleman will admit that the conferees had no authority from the House or the Senate to put substitute No. 15 in the bill.

Mr. EDMONDS. It is quite frequent that something will get into a conference report that is not authorized by the House or the Senate.

Mr. BLANTON. And when it does, it is subject to a point of order.

Mr. EDMONDS. Yes; subject to a point of order; but I trust it will not be made.

Mr. BLANTON. But it is already made.

Mr. BANKHEAD. Will the gentleman from Pennsylvania yield?

Mr. EDMONDS. I will yield to the gentleman from Alabama.

Mr. BANKHEAD. I desire to call attention to the original House bill which we passed, to subsection (c), page 4, of the bill, which provides:

As soon as practicable after the passage of this act the board shall adjust, settle, and liquidate all matters arising out of or incident to the exercise by or through the President of any of the powers or duties conferred or imposed upon the President by any such act or part of act; and for this purpose the board, instead of the President, shall have and exercise any of such powers and duties relating to the determination and payment of just compensation—

Mr. WHITE of Maine. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. WHITE of Maine. I take it that the conferees have authority to modify the language adopted by the House, and is it the gentleman's contention that this language of the conferees is simply a restatement in a different form but in no sense enlarging the powers that are carried in the language of the House bill?

Mr. BANKHEAD. That is my interpretation, and therefore I say it is germane for the conferees' consideration and report.

Now, Mr. Speaker, after that language had been engrafted on the House bill the Senate bill passed and the matter went to conference. The Senate amendment suggested on page 4, amendment 15, reads:

Provided, That any person dissatisfied with any decision of the board shall have the same right to sue the United States as he would have had if the decision had been made by the President of the United States under the acts hereby repealed.

It should be understood that the authority and power conferred on the President by the acts repealed in section 1 was delegated to be performed by the Shipping Board or the United States Emergency Fleet Corporation.

The House bill provided that the board should adjust, settle, and liquidate all matters arising out of the exercise of any of the powers conferred upon the President by the original act.

As I construe that, it is matter of legitimate inquiry by the conferees, and it makes it a matter germane on which to predicate the agreement reached by the conferees, to wit:

And shall have authority to adjust, settle, and liquidate all agreements, express or implied, on a fair and equitable basis.

The original House bill conferred upon the board the authority to adjust, settle, and liquidate all matters arising, and so forth. Therefore, in substance they are the same proposition. They are not new and extraneous matters injected into the report by the conferees.

Mr. CAMPBELL of Kansas. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. CAMPBELL of Kansas. What language was taken out of the House bill for which the language substituted by the conferees was inserted?

Mr. BANKHEAD. I say there was no absolute language taken out, but my contention is that the original House bill gave the board authority to adjust, settle, and liquidate all matters arising out of or incident to the discharge of their duties in the construction of ships, shipyards, and these other contracts.

Mr. CAMPBELL of Kansas. Then what language does this take the place of?

Mr. BANKHEAD. This takes the place of the language to which I just referred in the original bill. It is not the identical language, and it adds some features to it, but it is not absolutely new matter, which is prohibited under the rule.

The SPEAKER. The Chair would ask the gentleman from Alabama what the Senate provision in his opinion adds to the original House bill?

Mr. BANKHEAD. It simply adds a proviso, which is Senate amendment No. 15.

The SPEAKER. The gentleman does not understand the Chair. As the Chair understands the gentleman's argument, it is that this amendment to the Senate amendment is practically the same as the original House proposition but that it adds something to it. The Chair would like to know what.

Mr. BANKHEAD. The matter agreed upon by the conferees adds, of course, the language—

And shall have authority to adjust, settle, and liquidate all agreements, express or implied, on a fair and equitable basis.

The SPEAKER. What does that add to the original section of the bill?

Mr. BANKHEAD. It limits rather than adds any additional authority.

The SPEAKER. The Chair understood the gentleman to say that it added something.

Mr. DAVIS of Tennessee. Mr. Speaker, section (c) of the House bill, to which reference was made by the gentleman from Alabama [Mr. BANKHEAD], provides that "as soon as practicable after the passage of this act"—

The SPEAKER. The Chair is familiar with the section.

Mr. DAVIS of Tennessee. This conference report does not change that in any respect whatever, but in view of the proviso at the bottom of page 4, which is Senate amendment No. 15, we simply provide for the privilege of going into court where people are dissatisfied. In lieu of the matter proposed by the Senate the conferees propose to insert the following:

And shall have authority—

And so forth.

The SPEAKER. The Chair is familiar with the language.

Mr. DAVIS of Tennessee. The point is this: The original House bill simply provides for the adjustment and settlement of those contracts according to existing law and according to contract. This goes further. Instead of being a limitation, it goes further and provides for the settlement and liquidation of all agreements, express or implied. It includes an implied agreement, and that it shall be settled on a fair and equitable basis. That brings in an entirely new rule of procedure for determining these questions and goes further than the original law, which does not authorize settlement according to any implied contract, and in that respect it goes further than the House bill.

Mr. WHITE of Maine. Mr. Speaker, I want to say this in connection with what the gentleman from Tennessee was saying: The House provision as it passed had authority to adjust, settle, and liquidate all matters without any limitation whatsoever upon the board in doing those things. The language the conferees have put in limits that rather than enlarges it, because it says that this settlement must be upon a just and equitable basis.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. WHITE of Maine. If that language has any significance at all, it is a limitation upon the blanket authority which is contained in the House provision.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. WHITE of Maine. Yes.

Mr. WALSH. What authority did the conferees have to limit the language of the House bill when that language was not in controversy?

Mr. WHITE of Maine. But that language was in controversy.

Mr. WALSH. Not the language of the House bill.

Mr. BANKHEAD. Does the gentleman from Massachusetts contend that the conferees can not change the language to carry out their wishes?

Mr. WALSH. They can not change language that is not in controversy.

Mr. CHINDBLOM. Mr. Speaker, paragraph (c), on page 4, relates to the matter of settling and adjusting and liquidating matters arising out of the use of powers given to the President during the war. The whole paragraph (c) relates to the method and procedure of such settlements and the manner in which the board shall make the settlements and the grounds upon which the settlements shall be based. The Senate added a proviso that anyone dissatisfied with the decision of the board should have the right to sue the Government. That was in dispute between the two Houses. The House disagreed to the Senate amendment No. 15, which contained the provision that any person dissatisfied with the decision should have the right to sue the United States. The conferees then agreed that instead of leaving in the law a proviso giving the right to sue the United States, they would give certain further powers and directions to the Shipping Board respecting the method of settlement, which would obviate the necessity for any provision that those dissatisfied might sue the Government, or which might tend to obviate the necessity of those dissatisfied suing the Government. Therefore I think the conference report suggesting this language in lieu of Senate amendment No. 15 is in order. It takes the place of the proviso adopted by the Senate

and adds to the powers of the Shipping Board in making settlements a method and a basis which it is believed at least will tend to obviate the necessity for any recourse to the courts on the part of those dissatisfied with the action of the Shipping Board.

Mr. KINCHELOE. Will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. KINCHELOE. Does not the gentleman think if this amendment is agreed to and this part of the conference report becomes a part of this bill that it will give the Shipping Board the same power to adjust and liquidate all these claims that they would have had under the bill which the House refused to pass the other day?

Mr. CHINDBLOM. No. If that is a pertinent question at this time, and the Chair is interested, I will express my opinion on it.

The SPEAKER. The Chair is ready to rule. Although the Chair dislikes to hold a conference report out of order, because it sends the report back, yet it seems to the Chair quite clear that the conferees in this case exceeded their authority. The only difference between the Houses was as to the right to sue the United States. Then they have added a provision of final settlement, and there seems to be a difference of opinion by the gentlemen who have discussed that provision whether that changed section (c) or did not. It seems to the Chair that it enlarges the authority, because section (c), as the Chair understands, simply applies to those powers which the board received from the President, whereas this clause authorizes the board to settle all agreements, those which it made of its own right and those for which it received jurisdiction from the President. The Chair does not think that is necessary for a decision. It seems to the Chair very clear that this final amendment was not in dispute between the two Houses, and by striking out the Senate provision and putting in this provision, which was entirely different from it and not germane, the conferees exceeded their authority, and therefore the Chair is constrained to sustain the point of order.

Mr. HARDY of Texas. Mr. Speaker, in view of the importance of this decision, may I offer just a few observations on it? I do not know that they at all affect the Speaker's view, but I would like to make some suggestions——

The SPEAKER. The Chair will hear the gentleman very briefly. The Chair has had an opportunity of examining the matter and time is valuable.

Mr. HARDY of Texas. Then I will not take up the time.

The SPEAKER. The Chair will hear the gentleman very briefly.

Mr. HARDY of Texas. If the Chair will permit, then, with a great deal of diffidence I wish to say this: While I believe the gentlemen who have addressed the Chair and who were conferees did think that the language used in this additional verbiage added something to the House bill as it was passed, in my judgment it adds nothing to it. The House bill as it passed this House authorized the Shipping Board to adjust, settle, and liquidate all matters arising out of or incident to the exercise by the President of any of the powers conferred upon him by any such act or parts of acts.

Now, I do not believe that one scintilla of power or authority is added by this paragraph to which the point of order is made, which gives the power to adjust, settle, and liquidate all agreements, express or implied. Agreements surely are "matters"; agreements, express or implied, are matters arising out of or incident to the exercise of the powers conferred upon the President. The language in the bill as it is now, put there with the intention or belief that it was conferring additional powers, does not confer one single solitary scintilla of additional power, in my opinion.

Mr. McKENZIE. Will the gentleman yield?

Mr. HARDY of Texas. Yes; I will yield.

The SPEAKER. The Chair does not think that the gentleman should enter into a discussion——

Mr. HARDY of Texas. I will yield with perfect grace to the Chair's ruling, but I do not think the language in the conference-reported bill adds to or takes away from the bill as it passed the House. If it does not, then it is not subject to a point of order.

Mr. GREENE of Massachusetts. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. EDMONDS].

Mr. EDMONDS. Mr. Speaker, I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. EDMONDS. Do I understand now that the conference report falls on account of this decision?

The SPEAKER. Yes.

Mr. EDMONDS. I move that the House still further insist upon its disagreement to the Senate amendments and ask for a further conference.

The SPEAKER. The gentleman from Pennsylvania moves that the House further insist upon its disagreement to the Senate amendments and ask for a further conference.

The motion was agreed to.

The SPEAKER. The Clerk will report the conferees.

The Clerk read as follows:

Mr. GREENE of Massachusetts, Mr. EDMONDS, Mr. ROWE, Mr. HARDY of Texas, and Mr. LAZARO.

Mr. GREENE of Massachusetts. Mr. Speaker, I would like to substitute for Mr. LAZARO the next gentleman on the committee, Mr. BANKHEAD.

The SPEAKER. Very well, the gentleman from Alabama [Mr. BANKHEAD] is substituted for Mr. LAZARO.

Mr. GREENE of Massachusetts. Mr. LAZARO is not in the city on account of sickness in his family.

DISTRICT OF COLUMBIA APPROPRIATION BILL—CONFERENCE REPORT.

Mr. DAVIS of Minnesota. Mr. Speaker, I call up the conference report on the District of Columbia appropriation bill and ask unanimous consent to disagree to all amendments and ask for a further conference.

The SPEAKER. The gentleman from Minnesota calls up the conference report on the District of Columbia appropriation bill and asks unanimous consent to disagree to all Senate amendments and asks for a further conference.

Mr. WALSH. Mr. Speaker, of course the conference report must be read if it is called up.

The SPEAKER. The Clerk will read the conference report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference have been unable to agree.

C. R. DAVIS,
LOUIS C. CRAMTON,
J. P. BUCHANAN,
Managers on the part of the House.

CHARLES CURTIS,
LAWRENCE C. PHIPPS,
JOHN WALTER SMITH,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, submit the following:

The managers on the part of the House have been unable to come to any agreement with the managers on the part of the Senate on any of the amendments of the Senate.

C. R. DAVIS,
LOUIS C. CRAMTON,
J. P. BUCHANAN,
Managers on the part of the House.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the conferees.

The Clerk read as follows:

Mr. DAVIS of Minnesota, Mr. CRAMTON, and Mr. BUCHANAN.

REPEAL OF WAR EMERGENCY ACTS.

Mr. VOLSTEAD. Mr. Speaker, I move to suspend the rules and pass H. J. Res. 373, with two amendments, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Minnesota moves to suspend the rules and pass the resolution with amendments, which the Clerk will report.

The Clerk read as follows:

House joint resolution (H. J. Res. 373) declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired.

Resolved, etc., That in the interpretation of any provision relating to the date of the termination of the present war or of the present or existing emergency in any acts of Congress, joint resolutions, or proclamations of the President containing provisions contingent upon the date of the termination of the war or of the present or existing emergency, or on the existence of a state of war, the date when this resolution becomes effective shall be construed and treated as the date of the termination of the war or of the present or existing emergency, notwithstanding any provision in any act of Congress or joint resolution providing any other mode of determining the date of the termination of the war or of the present or existing emergency. Excepting, however, from the operation and effect of this resolution the following acts and proclamations, to wit: The act entitled "An act to provide further for the national security and defense by encouraging the pro-

duction, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, the amendment thereto entitled "The food control and District of Columbia rents act," approved October 22, 1919; the act known as the trading with the enemy act, approved October 6, 1917; and the first, second, third, and fourth Liberty bond acts, and the supplement to the second Liberty bond act and the Liberty bond loan act; also the proclamations issued under the authority conferred by the acts herein excepted from the effect and operation of this resolution.

The SPEAKER. Is a second demanded?

Mr. IGOE. Mr. Speaker, I demand a second.

Mr. VOLSTEAD. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

Mr. BLANTON. Mr. Speaker, I think we ought to have a quorum to consider this important resolution, and I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and eighty-two Members are present, not a quorum.

Mr. VOLSTEAD. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The roll was called, and the following Members failed to answer to their names:

Anthony	Dowell	Husted	Riddick
Baer	Drane	Ireland	Riordan
Benson	Dunn	Johnson, S. Dak.	Rodenberg
Blackmon	Ellsworth	Kettner	Rucker
Boies	Elston	Kiess	Sanders, La.
Booher	Evans, Nev.	Kitchin	Scully
Brinson	Fairfield	Langley	Sears
Britten	Ferris	Lazaro	Sherwood
Brooks, Ill.	Fess	Linthicum	Sinclair
Browne	Flood	Little	Slemp
Brumbaugh	Focht	McClintic	Small
Buchanan	Frear	McCulloch	Smith, Mich.
Cantrill	Fuller, Mass.	McDuffie	Smith, N. Y.
Caraway	Godwin, N. C.	McKinley	Smithwick
Carss	Goldfogle	Mann, Ill.	Snyder
Carter	Goodall	Mansfield	Steele
Clark, Fla.	Gould	Mason	Steenerson
Clark, Mo.	Graham, Pa.	Mead	Stephens, Miss.
Cole	Hamill	Morin	Stiness
Cooper	Hamilton	Neely	Stoll
Copley	Harreld	Nelson, Wis.	Strong, Pa.
Costello	Harrison	Newton, Minn.	Sullivan
Cramton	Hastings	Nicholls	Sumners, Tex.
Crisp	Haugen	Nolan	Tillman
Curry, Calif.	Hayden	Parker	Vare
Dale	Heflin	Porter	Vinson
Davey	Hernandez	Purnell	Ward
Davis, Minn.	Hoey	Ramseyer	Webster
Dent	Houghton	Randall, Calif.	Wingo
Dewalt	Howard	Randall, Wis.	Yates
Dickinson, Mo.	Hulings	Rhodes	Young, N. Dak.

The SPEAKER. Three hundred and three Members have answered to their names. A quorum is present.

Mr. WALSH. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

EXTENSION OF REMARKS.

Mr. ROUSE. Mr. Speaker, I renew my request to extend my remarks in the RECORD on the long and efficient service of my colleague, the gentleman from Tennessee [Mr. MOON].

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

REPEAL OF WAR EMERGENCY ACTS.

Mr. WALSH. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The motion was agreed to.

Mr. IGOE. Mr. Speaker, I yield five minutes, first, to myself. The Chair will notify me at the end of that time.

Mr. Speaker and gentlemen of the House, this resolution purports to put an end to all the war-time legislation. It is brought up under a suspension of the rules, and inasmuch as it must be voted upon as it is offered, I shall support the resolution. In the committee I sought to amend it so that it would be certain that it did effect the end of the war laws. In my judgment, this resolution as framed does not affect legislation which is permanent, but which is operative only in time of war. An amendment has been suggested by the chairman of the committee, incorporated in the resolution as presented, in which he attempts to meet the objection; but an examination of this resolution, I think, will convince any lawyer that it does not affect any of the war laws except those in which a provision appears mentioning the "termination of the present war" or the "present or existing emergency." In my opinion, it does not end, so far as this war is concerned, the espionage act, for one, and there are a number of other acts. When the peace resolution, so called, was presented to the House some weeks ago the Democrats urged upon the Republicans that an opportunity be given to this House to vote to end all the war laws, and it was stated then that the only way in which that could be done was by the passage of the resolution then presented. When the gentleman from North Carolina [Mr. KITCHIN] made his famous speech upon the floor of this House, one of the most remarkable speeches made in my experience in this body, he stated to the Republican Members of this House that their peace resolution was a sham, and that it was a fraud, and that they knew it would not become a law [applause on the Democratic side], and that if they thought it would become a law they would amend it so as to except from its operation the ending of the Lever Act.

And he stated to the Members of this House at that time that the last war law that the Republican Congress would want to end was the Lever Act, and he stated the reason they did not want to end it was because certain interests of this country were anxious to keep it as long as possible, because it was effective antistrike legislation. And, lo and behold, when this resolution is presented the proposition that was incorporated in the peace resolution for the repeal of the war laws has been changed, and one of the exceptions that is written into this is that the Lever Act shall not be repealed. [Applause on the Democratic side.]

Now, I know that an excuse is offered, and they say that we can prosecute profiteers under the Lever Act. Why, gentlemen, the Lever Act, as to the last amendment, in some judicial districts has been held to be unconstitutional, and the strangest thing in all the world is that at the very meeting of the Judiciary Committee which reported out this resolution, and the very day the report was written by the chairman of the committee stating that under the Lever Act they could prosecute profiteers and protect the people, and therefore it must be retained, the very same day and just before that vote was taken a majority of that same Judiciary Committee adopted a resolution and a report to this House saying in this language, so far as sugar was concerned:

> It is the opinion of the subcommittee that legalistic methods such as were adopted by the Attorney General are utterly futile as a means of price control. They believe this can be accomplished only by direct purchase or through control of the law of supply and demand.

The SPEAKER. The gentleman has consumed five minutes.

Mr. IGOE. I will take half a minute more.

It is a strange thing when this committee is dealing with the sugar question and the attitude of the Attorney General they tell us the law is no good, but when it comes to repealing the law they tell you, "Do not repeal that, because that is the thing we want to rely upon to protect the public." How inconsistent these gentlemen on the committee are! The truth of the matter is that these gentlemen do not want the Lever Act repealed, and they do not want it repealed because of the reasons given by the distinguished gentleman from North Carolina [Mr. KITCHIN] when the peace resolution was before this House. [Applause on the Democratic side.]

Mr. Speaker, I reserve the balance of my time, and I yield five minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Speaker, House joint resolution 373, now being presented for consideration under the particular rule of suspension of all rules, which necessarily makes impossible any and all amendments, however necessary, can in its present form but call attention particularly to two things which the American people want and which are doubtful of accomplishment in this resolution. The first thing which the American people want is to be protected in their power of expression through their own voices and through the medium of the press of what they honestly and intelligently think. The people of America are far away now from the hysteria of apprehension about infringements of public safety through proper speech, and if there is one thing that the people to-day want it is to be assured of their inalienable rights of free speech and the rights of a free press. This is not protected in House joint resolution 373, because too many of the drastic intents and purposes of the language of the espionage act, which was inspired and maintained alone because the United States was in a state of war, are continued in this time of unquestioned peace or left open to different and diverse interpretation of just what part of this law is repealed.

As matters stand now, it would take the research of a careful lawyer to determine the extent of repeal and what restriction is yet on the freedom of speech and of the press. The position I take and the criticism I make is that this resolution, with the spirit of which I am in hearty accord—and I would repeal all war-time acts except those relating to bonds, and so forth—does not particularly say that the drastic provisions of the espionage law, so far as it affects the rights of free speech and free expression through the news prints of the country, shall be repealed.

This is the first thing which the American people want, because it is the thing they are most immediately in need of. The second criticism I make is that while ostensibly undertaking to repeal war-time statutes, we do not repeal another war-time statute whose intent has been notoriously subverted. I refer to the so-called Lever food-regulation act, proper in time of war, and a most drastic bit of emergency legislation. It is retained here during a time when there is absolutely no necessity for its retention.

If there be a desire on the part of this Congress to afford any legislation to curb the profiteer, we have had plenty of time—and we shall have plenty of time—to afford such legislation, such peace legislation. But to say that under the guise of affording legislation to punish profiteering we must maintain the language of regulation, of drastic supervision, under the Lever food-control act, a war-time provision, is to me a legislative monstrosity.

It is said that we have not the power to embrace the war-time provisions except in this act, and that is true, and that is properly true; and every drastic provision that gives to any executive or judicial officer the power of oppression and repression under the principles and provisions of the Lever food-control act, a war measure, in time of peace, should, to my mind, be repealed. These are the provisions I call attention to which are not included in the resolution and I would have it amended to make certain definite provision of repeal of the espionage law and positive repeal of the control act. [Applause on the Democratic side.]

Mr. IGOE. Mr. Speaker, I yield half a minute to the gentleman from New York [Mr. GRIFFIN].

The SPEAKER. The gentleman from New York is recognized for half a minute.

Mr. GRIFFIN. Mr. Speaker, I am very glad to have the opportunity at last to vote for a resolution restoring peace conditions, which does not undertake to usurp the exercise of the treaty-making power.

I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, when the so-called peace resolution was before this House a short time ago I voted against it because I believed that it was merely a sham and a pretense—intended only as a makeshift to propitiate public opinion and excuse the failure of the dominant party in this Congress to restore peace conditions.

The gentleman from Virginia at that time offered a substitute which would have effected precisely what the resolution now before us is aimed to accomplish. Party strategy disdained to accept from the Democratic side the suggestion even though that suggestion was of the highest importance and value to the people of the country. The majority, it would seem, preferred to allow the country to sweat a little longer under drastic and unnecessary laws rather than allow the minority to wrest from them the credit of their repeal. And yet—in spite of their maneuvering—they are compelled at last to accept the minority's suggestion. Therefore I acquiesce in this proposal to repeal the war-time legislation with a great deal of gratification.

In recording myself in favor of this resolution, however, I desire to dissent from the view of some of my colleagues that the Lever Act should be repealed. Such a course, in my opinion, would be precipitate and dangerous in its consequences, unless the repeal were accompanied by the passage of some adequate substitute legislation. Defective as it is, the Lever Act is better than nothing, and its repeal at this time would only throw down the barriers and remove the only protection which the people would have against the inroads of the despicable scoundrels who are profiteering in the necessities of life.

Mr. IGOE. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has eight and one-half minutes remaining.

Mr. IGOE. Mr. Speaker, I yield four minutes to the gentleman from Virginia [Mr. FLOOD].

The SPEAKER. The gentleman from Virginia is recognized for four minutes

Mr. FLOOD. Mr. Speaker, I would be very glad to have an opportunity to vote for a measure that repeals a great many of the war laws. But this is not an efficient or effective measure. It is framed in an inefficient way, notwithstanding it is along the lines of the resolution that I introduced in April by way of a motion to recommit the peace resolution.

Gentlemen on the other side contended then that war measures could only be repealed in a peace resolution; they contended then that they could only repeal those war powers by usurping powers that Congress did not possess. [Applause on the Democratic side.] I offered a motion to recommit that peace resolution and embraced in that motion provisions of a much more effective character than are the provisions embraced here. Gentlemen on that side voted against it. One hundred and seventy-one Democrats voted for it. [Applause.] If the Republican Party had earnestly favored the repeal of war legislation, they would have voted for that measure, and it could have gone to the President and have received his signature, and the war measures would have been repealed two months ago. [Applause on the Democratic side.]

Mr. CASEY. Your motion also included the repeal of the Lever Act and the espionage act, did it not?

Mr. FLOOD. It certainly did; and that is the reason why it received so many adverse votes from that side of the House and so many favorable votes from this side. [Applause on the Democratic side.]

Now, they have brought in a resolution that repeals only some of those war measures. But even this makeshift of a repeal is better than nothing. I am glad that the Republicans have learned to take their lessons from the Democratic Party. [Applause on the Democratic side.] If they had done that sooner, this Congress would not go down in history as the most inefficient Congress that ever assembled in this Capitol. [Applause on the Democratic side.] But as it comes out, it is even more inefficient than were the Republican Congresses that assembled here up to 1911. The Republican Party had control of the affairs of this country in the executive and legislative branches for many years, but in 1910 the whole country became disgusted with them, and the Democratic Party elected a majority to this House. [Applause on the Democratic side.]

Such a splendid record was made by that majority that two years later we elected a President and both branches of Congress. And then there began the most splendid system and volume of legislation for the benefit of the American people that had ever been enacted by Congress in the history of this country. [Applause.] We split the Republican Party into two factions, and they stayed in two factions, one following the splendid policies that we laid down and the other standing for the old mossback Republican policies of years before, and the different parts spared neither the dictionary nor the use of polite language in describing the crimes and the inefficiencies of the other part. The people kept their true representatives in power until 1918. Then through negligence and carelessness the Republican Party got back in power in both branches of Congress. [Applause and laughter on Republican side.] That side of the House is the only body in America that will applaud the fact that we have had a Republican Congress in session here for the past year. [Applause.] You got back in power. You promised the people many things. Some people expected a great deal. But everybody, including even yourselves, has been disappointed at the result. [Applause.] And if you dare to go to the people with the record you have made here, we have no fear of the result and know beforehand which party will control this country after March 4, 1921. [Applause.]

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia may be permitted to revise and extend his remarks in the RECORD. [Applause.]

Mr. WALSH. I yield three minutes to the gentleman from West Virginia [Mr. GOODYKOONTZ].

Mr. GOODYKOONTZ. Mr. Speaker, in committee I united with my friend from Missouri [Mr. IGOE] in the motion to cut out the exception that has been subjoined to the resolution which excludes from the operation of the resolution what we know as the Lever Act, and one or two other war laws passed by the Congress. But if I can not get a whole loaf I will take a half loaf. I desire to record my protest against the action of the Judiciary Committee in declining to provide for the repeal of the Lever Act. I also demur to the action of the Rules Committee in putting us in a strait-jacket so that we have no chance to amend the resolution on the floor of the House. The American people have more fault to find with the Lever Act than with any of the other measures now on the statute books passed during the period of war. Now that hostilities have ended war laws should be repealed. The American people want to return to constitutional government. The prosecutions under the so-called Lever Act are being challenged in every case pending in the Federal courts of the country, and generally these courts have held the act as unconstitutional.

The Lever law was an exertion of Congress under the war power. That law can not stand in time of peace. If we leave out the Lever Act from the repealing clause, we will have the same old investigations and tantilizations of the

people without any good result. Therefore I want to say that I would be glad to wipe off of the statute books all of the war measures, and I hope soon to have an opportunity to vote for the repeal of such of the acts as are excluded from the operation of the pending resolution.

The District of Columbia rent act is also allowed to stand. May I ask what good that act is accomplishing? The Supreme Court of the District a few days ago held it null and void. The rent commission has granted very little relief to the people. That board has been sitting here blindly allowing landlords in the city to charge as high as $40 per month for a little room on the third story of a building, lacking an elevator, situate four blocks from a car line, and in a bad neighborhood.

Mr. BLANTON. Will the gentleman yield?

Mr. GOODYKOONTZ. With pleasure.

The SPEAKER. The time of the gentleman from West Virginia has expired.

Mr. IGOE. I ask unanimous consent to strike the exception of the Lever Act from this resolution.

The SPEAKER. The gentleman from Missouri asks unanimous consent to do what?

Mr. IGOE. To amend by striking out the exception of the Lever Act.

The SPEAKER. The gentleman asks unanimous consent to amend the bill. Is there objection?

Mr. WALSH. Reserving the right to object, Mr. Speaker, has the gentleman in mind any substitute for that act under which the Attorney General might operate to curb profiteering?

Mr. IGOE. No; and I have not any hope of getting anything, because the majority of the committee say that the act is no good, and that you can not get at it in that way, and they advocate buying up everything in the United States and the Government controlling it, and that can not be done under the Lever Act.

Mr. WALSH. I do not think the majority of the committee say that the act is no good, but they say that the administration of the act is no good. [Applause.]

The SPEAKER. The gentleman from Missouri has four and one-half minutes remaining.

Mr. WALSH. I object to his request.

Mr. IGOE. The majority of the committee said Mr. Hoover was right when he said you could not control it by that kind of a law. I do not know whether the majority side of the House are going to follow Mr. Hoover in other things, but they do not seem to have followed him in this case.

Mr. Speaker, I yield the remainder of my time to the gentleman from Texas [Mr. CONNALLY]. [Applause.]

Mr. CONNALLY. Mr. Speaker and gentlemen of the House, while the gentleman from Missouri [Mr. IGOE] has explained that this repealing act does not repeal all of the war measures and is not free from ambiguity, yet it is presented under a suspension of the rules and can not be amended, and I shall vote for the bill as being the best measure possible under the circumstances. [Applause.]

A few days ago, in a speech on this floor, I challenged the majority to introduce a measure repealing war legislation and stated that I would support it. I am prepared to keep that pledge. I want to say, however, to the gentlemen on the majority side of the House that the President, as long ago as last October, 1919, in a message to the Congress, stated:

> Where the purposes of legislation arising out of war emergencies have been satisfied, sound public policy makes clear the reason and necessity for repeal.

Not only has the President suggested to Congress that war legislation be repealed, but the minority of the Committee on Foreign Affairs, when this House was deliberating on the peace resolution, called attention to the fact in their report that it was the duty of this Congress to repeal war legislation and not undertake to make treaties, in the following language:

> There is much war and emergency legislation that should be repealed. Much of this legislation is burdensome and oppressive in time of peace. Congress has the power to repeal it, and it should address itself to this task instead of frittering away its time in attempting to pass unconstitutional legislation for the purpose of embarrassing the executive department of the Government or for some other political purpose.

If you had sincerely desired to repeal the war legislation at that time you would have adopted the motion to recommit offered by the Democrats and have wiped off the statute books the legislation which you now, in the closing hours of the session, with haste are preparing to repeal.

On the 28th of May I offered House joint resolution 366, containing the very language of the Democratic motion to recommit the peace resolution, which effectually fixed the termination of all war legislation, and it slumbered in the Judiciary Committee until the 1st of June, when the gentleman from Wisconsin, not willing to report a Democratic repeal, introduced before his committee and reported the same day the resolution now pending before this House.

But, gentlemen of the majority, even now, though you say war and emergency measures ought to be repealed, you make an exception as to certain acts and leave the fate of others uncertain by the employment of vague language. Let me say to the majority party that you have delayed the repeal of repressive measures until, urged and goaded by the President and the Democratic minority, you have been compelled to repeal them. For legislative initiative, for constructive policies and statesmanship, the majority of that side of the House has no inferior. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. WALSH. Mr. Speaker, I regret that the distinguished chairman of the Judiciary Committee is unable to be present and take charge of this measure, but he was obliged to leave and asked me to take charge of the time on this side. The resolution, as all gentlemen know, is brief and concise; it makes certain exemptions as amended and does not affect the Liberty loan act, the Victory loan act, the trading-with-the-enemy act, the Lever Act, or the District of Columbia rent act.

The committee felt that these measures, still under peculiar circumstances existing, should continue in effect and force until further action by Congress or by proclamation by the President.

Mr. LONGWORTH. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. LONGWORTH. Is it not a fact that the Treasury Department specifically asked for the exception of the Liberty loan act and the Victory loan act?

Mr. WALSH. It is a fact that the Secretary of the Treasury requested the chairman of the committee to include in the exemption the various Liberty and Victory loan laws, so that they are exempted from the operation of this act.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. MOORE of Virginia. I would like to ask whether there are war statutes that will remain entirely unaffected by the resolution because they do not contain any such provision as is described in the resolution; and if so, what are those war statutes? Has there been any scrutiny of individual statutes so that we will be enabled to know what such statutes are?

Mr. WALSH. I will say that I think there are some war statutes which were passed prior to the war act after our entrance into this war in which possibly there may be some powers conferred during the existence of the war.

Mr. MOORE of Virginia. I fear the gentleman does not understand my question. I had reference to statutes enacted since April, 1917, not containing any such limitation as is provided in this resolution and which therefore may remain entirely unaffected by the repeal which the resolution contemplates.

Mr. WALSH. As I understand it, there may be one or two such statutes, but I must confess that I am not familiar with them, and the chairman did not point out any such statutes in his report.

Mr. CRISP. Will the gentleman yield?

Mr. WALSH. I will.

Mr. CRISP. I would like to ask the gentleman if the resolution would repeal the espionage act. It has been stated here that in the judgment of one member of the Judiciary Committee it did not repeal that law.

Mr. WALSH. The espionage act consists of various titles, and the title in reference to espionage, I think, would be repealed after the expiration of the time. But one or two titles of the espionage act which were written as permanent law I do not think would be affected.

Mr. JUUL. Will the gentleman yield?

Mr. WALSH. I will yield to the gentleman from Illinois.

Mr. JUUL. The gentleman from Georgia asked half of the question that I wanted to ask. Will the gentleman state how the bill affects the property now in the hands of the Alien Property Custodian?

Mr. WALSH. It does not affect it at all, because on page 2 of the bill the gentleman will see that the trading-with-the-enemy act is excepted, and the Alien Property Custodian is provided for in that bill.

Now, Mr. Speaker, I am interested in the suggestion of the gentleman from Missouri [Mr. IGOE] that the Lever Act should also be repealed; that the exemptions should be stricken from the bill, because on August 8, 1919, President Wilson in his message to Congress at a joint session said:

> Let me urge, in the first place, that the present food-control act should be extended both as to the period of time during which it shall remain in operation and as to the commodities to which it shall apply.

Its provisions against hoarding should be made to apply not only to food but also to feed stuffs, to fuel, to clothing, and to many other commodities which are indisputably necessaries of life. As it stands now, it is limited in operation to the period of the war and becomes inoperative upon the formal proclamation of peace. But I should judge that it was clearly within the constitutional power of the Congress to make similar permanent provisions and regulations with regard to all goods destined for interstate commerce and to exclude them from interstate shipment if the requirements of the law are not complied with. Some such regulation is imperatively necessary.

But if we exempt that law from the provisions of this bill some time we will get an Attorney General who can efficiently administer the provisions of that act [applause on the Republican side] and bring this profiteering so rampant throughout the country to an end. The distinguished gentleman from Virginia gave us a second version of his song that we are marching on to victory, looking backward here to-day, and predicted some glorious things for the future of his party. He reminds me somewhat of the gentleman going through the dark roadway at midnight whistling to keep up his courage.

As far as the gentleman knows, all signs point and all tests which have been had all over the country indicate that when the people get a chance to vote in November next and render their verdict on the operations of the Democratic administration, upon its inefficiency and upon its extravagances, they will register a repudiation of that administration and its officials. [Applause on the Republican side.]

They have not forgotten on the Democratic side, and the people who support the policies of that side have not forgotten, the verdict rendered in 1918 when there was a brazen attempt to set up in this country a dictatorship as to how people should register their choice at the polls. [Applause on the Republican side.] The people of this country are interested in having peace. Through the stubborness of the leader of the administration they have been prevented from having it. He has even prevented the free-will expression of members of his own party, and so, joining with others in their party as members of the administration, they have prevented the ratification of the treaty of peace, because they were not willing to yield their views to the wishes of the majority in a coordinate branch.

This resolution takes off the books under its terms many of these obnoxious war statutes which have been so administered in many instances as to be oppressive. The time has come when this Congress, even though it be in the closing days, as the gentleman from Texas [Mr. CONNALLY] says, should see to it that those laws are repealed, and that we should get back, as far as legislation is concerned, to normal conditions.

Permit me to remind my friends on the Democratic side of the language used by the learned gentleman from Texas [Mr. CONNALLY] when he was speaking upon a similar resolution the other day. He said at that time:

If you really want them repealed—

And he was there referring to the war laws—

introduce a resolution to simply repeal them. It can pass the House, if you will it. It can pass the Senate. And I believe I am almost authorized to state for this side of the House—

He was then interrupted by laughter on the Republican side and continued—

You have some two hundred and odd leaders. * * * If you pass a resolution simply repealing war measures, and the President should by any chance, which I do not anticipate, veto it, this side of the House will assist you in passing it over his veto.

Mr. CONNALLY. And we are going to do it.

Mr. WALSH. And I ask gentlemen on that side to take note of the fact that the gentleman from Texas now repeats that assurance. Mr. Speaker, I ask for a vote on the resolution.

The SPEAKER. The question is on suspending the rules and passing the resolution.

Mr. IGOE. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The question is on suspending the rules and passing the resolution. The Clerk will call the roll.

The Clerk called the roll, and there were—yeas 326, nays 3, not voting 98, as follows:

YEAS—326.

Ackerman	Begg	Buchanan	Christopherson
Almon	Bell	Burdick	Clark, Mo.
Anderson	Benson	Burke	Classon
Andrews, Md.	Black	Burroughs	Cleary
Andrews, Nebr.	Bland, Ind.	Butler	Coady
Anthony	Bland, Mo.	Byrnes, S. C.	Collier
Ashbrook	Bland, Va.	Byrns, Tenn.	Connally
Aswell	Blanton	Caldwell	Crago
Ayres	Boies	Campbell, Kans.	Cramton
Babka	Bowers	Campbell, Pa.	Crisp
Bacharach	Box	Candler	Crowther
Bankhead	Brand	Cannon	Cullen
Barbour	Briggs	Carew	Currie, Mich.
Barkley	Britten	Casey	Dallinger
Bee	Brooks, Pa.	Chindblom	Darrow
Davis, Minn.	Hull, Tenn.	Mapes	Sanders, N. Y.
Davis, Tenn.	Humphreys	Martin	Sanford
Dempsey	Husted	Mays	Schall
Denison	Hutchinson	Michener	Scott
Dent	Igoe	Miller	Sells
Dickinson, Iowa	Jacoway	Milligan	Shreve
Dominick	James	Minahan, N. J.	Siegel
Donovan	Jefferis	Monahan, Wis.	Sinnott
Dooling	Johnson, Ky.	Mondell	Sisson
Doremus	Johnson, Miss.	Montague	Smith, Idaho
Doughton	Johnson, S. Dak.	Moon	Smith, N. Y.
Drewry	Johnson, Wash.	Mooney	Snell
Dunbar	Jonston, N. Y.	Moore, Ohio	Steagall
Dyer	Jones, Pa.	Moore, Va.	Stedman
Eagan	Jones, Tex.	Moores, Ind.	Steenerson
Eagle	Juul	Morgan	Stephens, Ohio
Echols	Kahn	Mott	Stevenson
Elliott	Kearns	Mudd	Stiness
Emerson	Keller	Murphy	Strong, Kans.
Esch	Kelley, Mich.	Neely	Summers, Wash.
Evans, Mont.	Kelly, Pa.	Nelson, Mo.	Sumners, Tex.
Evans, Nebr.	Kendall	Newton, Mo.	Sweet
Fields	Kennedy, Iowa	Nolan	Swope
Fisher	Kennedy, R. I.	O'Connell	Tague
Flood	Kincheloe	O'Connor	Taylor, Ark.
Focht	King	Ogden	Taylor, Colo.
Fordney	Kinkaid	Oldfield	Temple
Foster	Kleczka	Oliver	Thomas
Freeman	Knutson	Olney	Thompson
French	Kraus	Osborne	Tilson
Fuller, Ill.	Kreider	Overstreet	Timberlake
Gallagher	Lampert	Padgett	Tincher
Gallivan	Lanham	Paige	Tinkham
Gandy	Lankford	Park	Towner
Ganly	Larsen	Parrish	Treadway
Gard	Layton	Pell	Upshaw
Garland	Lea, Calif.	Peters	Vaile
Garner	Lee, Ga.	Phelan	Venable
Glynn	Lehlbach	Platt	Vestal
Goldfogle	Lesher	Porter	Vinson
Good	Linthicum	Pou	Volstead
Goodwin, Ark.	Little	Quin	Walsh
Goodykoontz	Lonergan	Radcliffe	Walters
Graham, Ill.	Longworth	Rainey, Ala.	Wason
Green, Iowa	Luce	Rainey, H. T.	Watkins
Greene, Vt.	Lufkin	Rainey, J. W.	Watson
Griest	Luhring	Raker	Weaver
Griffin	McAndrews	Ramsey	Welty
Hadley	McArthur	Rayburn	Whaley
Hamill	McDuffie	Reavis	Wheeler
Hardy, Colo.	McFadden	Reber	White, Kans.
Harrison	McGlennon	Reed, N. Y.	White, Me.
Haugen	McKenzie	Reed, W. Va.	Williams
Hawley	McKeown	Ricketts	Wilson, Ill.
Hays	McKinley	Riordan	Wilson, La.
Heflin	McLane	Robinson, N. C.	Wilson, Pa.
Hersey	McLaughlin, Mich.	Robsion, Ky.	Wingo
Hersman	McLaughlin, Nebr.	Rogers	Winslow
Hickey	McPherson	Romjue	Wise
Hicks	MacCrate	Rose	Wood, Ind.
Hill	MacGregor	Rouse	Woods, Va.
Hoch	Madden	Rowan	Woodyard
Holland	Magee	Rowe	Wright
Howard	Maher	Rubey	Yates
Huddleston	Major	Sabath	Young, Tex.
Hudspeth	Mann, S. C.	Sanders, Ind.	Zihlman
Hull, Iowa	Mansfield		

NAYS—3.

Garrett	Sims	Welling

NOT VOTING—98.

Baer	Dupré	Kettner	Sanders, La.
Benham	Edmonds	Kiess	Scully
Blackmon	Ellsworth	Kitchin	Sears
Booher	Elston	Langley	Sherwood
Brinson	Evans, Nev.	Lazaro	Sinclair
Brooks, Ill.	Fairfield	McClintic	Slemp
Browne	Ferris	McCulloch	Small
Brumbaugh	Fess	McKinley	Smith, Ill.
Cantrill	Frear	Mann, Ill.	Smith, Mich.
Caraway	Fuller, Mass.	Mason	Smithwick
Carss	Godwin, N. C.	Mead	Snyder
Carter	Goodall	Merritt	Steele
Clark, Fla.	Gould	Morin	Stephens, Miss.
Cole	Graham, Pa.	Nelson, Wis.	Stoll
Cooper	Greene, Mass.	Newton, Minn.	Strong, Pa.
Copley	Hamilton	Nicholls	Sullivan
Costello	Hardy, Tex.	Parker	Taylor, Tenn.
Curry, Calif.	Harreld	Purnell	Tillman
Dale	Hastings	Ramseyer	Vare
Davey	Hayden	Randall, Calif.	Voigt
Dewalt	Hernandez	Randall, Wis.	Ward
Dickinson, Mo.	Hoey	Rhodes	Webster
Dowell	Houghton	Riddick	Young, N. Dak.
Drane	Hulings	Rodenberg	
Dunn	Ireland	Rucker	

So, two-thirds having voted in favor thereof, the rules were suspended and the joint resolution was passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BROWNE with Mr. DICKINSON of Missouri.

Mr. DOWELL with Mr. BLACKMON.

Mr. EDMONDS with Mr. DAVEY.

Mr. FESS with Mr. SULLIVAN.

Mr. MORIN with Mr. BRUMBAUGH.

Mr. LANGLEY with Mr. GOLDFOGLE.

Mr. GREENE of Massachusetts with Mr. HARDY of Texas.

Mr. KIESS with Mr. NICHOLLS.

Mr. McCULLOCH with Mr. STOLL.
Mr. RIDDICK with Mr. MEAD.
Mr. SMITH of Michigan with Mr. SEARS.
Mr. NEWTON of Minnesota with Mr. DUPRÉ.
Mr. BROWNE. Mr. Speaker, I desire to vote.
The SPEAKER. Was the gentleman present and listening?
Mr. BROWNE. No; I do not think I was.
The SPEAKER. The gentleman does not qualify.
The result of the vote was announced as above recorded.

EXTENSION OF REMARKS.

Mr. IGOE. Mr. Speaker, I ask unanimous consent that all Members may have three days in which to extend their own remarks upon the resolution just passed.
The SPEAKER. The gentleman from Missouri asks that all Members have three days in which to extend their own remarks on the resolution just passed.
Mr. BLANTON. Mr. Speaker, I regret, but I object.
Mr. IGOE. Mr. Speaker, may I ask unanimous consent to extend my own remarks on this resolution?
The SPEAKER. Is there objection? [After a pause.] The Chair hears none.
Mr. EVANS of Montana. Mr. Speaker, I make the same request with reference to this joint resolution.
Mr. FLOOD. Mr. Speaker, I make the same request.
The SPEAKER. Is there objection to these requests? [After a pause.] The Chair hears none.
Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to extend my remarks on the resolution.
The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

ELECTION TO COMMITTEES.

Mr. HENRY T. RAINEY. Mr. Speaker, I move the election of Mr. P. H. DREWRY, Representative from Virginia, for one of the minority places on the Committees on Coinage, Weights and Measures and Expenditures on Public Buildings.
The SPEAKER. The Clerk will report the motion.
The Clerk read as follows:

Mr. HENRY T. RAINEY moves the election of P. H. DREWRY, of Virginia, to the Committees on Coinage, Weights, and Measures and Expenditures on Public Buildings.

The SPEAKER. Without objection, the motion is agreed to.
There was no objection.

EXTENSION OF REMARKS.

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent to extend my remarks on the resolution just passed.
The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

SIERRA NATIONAL FOREST, CALIF.—CONFERENCE REPORT.

Mr. SINNOTT. Mr. Speaker, I call up the conference report on the bill (S. 2789).
The SPEAKER. The gentleman from Oregon calls up the conference report on the Senate bill, which the Clerk will report by title.
The Clerk read as follows:

A bill (S. 2789) for the conservation of forest lands in the Sierra National Forest, Calif., and for other purposes.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2789) for the consolidation of forest lands in the Sierra National Forest, Calif., and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:
That the Senate recede from its disagreement to the amendments of the House numbered 1 and 2, and agree to the same.
Amendment numbered 3: That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the House amendment insert the following: "and in determining the relative values of the lands or timber to be exchanged, consideration shall be given to any reservations which either party may make of timber, minerals, or easements"; and the House agree to the same.

N. J. SINNOTT,
ADDISON T. SMITH,
EDWARD T. TAYLOR,
Managers on the part of the House.

REED SMOOT,
JAMES D. PHELAN,
Managers on the part of the Senate.

STATEMENT.

The effect of the Senate's recession from its disagreement to the amendment of the House No. 1 is to give the Secretary of the Interior authority "in his discretion" to accept title to any land in the Sierra National Forest, which the Secretary of Agriculture may desire to accept under the provisions of the bill.
The effect of the Senate's recession on amendment No. 2 is to eliminate the provision of the Senate bill permitting "assignable certificates of timber" to be given by the United States in the exchange.
The effect of the insertion of the language in lieu of the matter proposed to be stricken out by House amendment No. 3 is to permit either party to the exchange to make reservations of timber, minerals, or easements.

N. J. SINNOTT,
ADDISON T. SMITH,
EDWARD T. TAYLOR,
Managers on the part of the House.

Mr. GARD. Mr. Speaker, I reserve all points of order.
Mr. ANDERSON. I do not think we ought to have an academic debate at this stage of the game. Does the gentleman make the point of order?
The SPEAKER. Does the gentleman make the point of order?
Mr. GARD. I reserve a point of order on the last amendment.
Mr. ANDERSON. Mr. Speaker, I ask for the regular order.
The SPEAKER. Does the gentleman desire to make a point of order? If he does, it should be made.
Mr. GARD. I make the point of order.
The SPEAKER. The gentleman will state his point of order.
Mr. GARD. I make the point of order as being outside the jurisdiction of the conferees and not within the scope of the original bill and not being within the action of either House.
Mr. SINNOTT. Mr. Speaker, the language of the amendment is the language in the Senate bill. It will merely restore part of the language stricken out by the House. The language gives the Secretary of Agriculture or the owner of private land the right to make reservation of timber, mineral, or easements in the exchange.
Mr. GARD. My impression from hearing the amendment read was that it is beyond what is contained either in the House text or the Senate text.
Mr. SINNOTT. It merely restored part of the identical language stricken out by the House amendment.
The SPEAKER. The Chair overrules the point of order. The question is on agreeing to the conference report.
The question was taken, and the conference report was agreed to.
On motion of Mr. SINNOTT, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

TRANSFERRING CERTAIN SURPLUS MATERIAL, ETC., TO THE DEPARTMENT OF AGRICULTURE.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 13329 and agree to the Senate amendments.
The SPEAKER. The gentleman from California moves to take from the Speaker's table a bill with Senate amendments and to agree to the Senate amendments. The Clerk will report the bill by title.
The Clerk read as follows:

An act (H. R. 13329) to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes.

The Senate amendments were read.
Mr. GARD. Mr. Speaker, reserving the right to object——
The SPEAKER. No; the gentleman moves——
Mr. GARD. The gentleman asked unanimous consent, and I can only be guided by what the gentleman said. He asked unanimous consent.
Mr. KAHN. I move to take it from the Speaker's table. Mr. Speaker, this bill is a bill for the distribution of certain surplus war material for road-building purposes. The Senate amendments provided that the number to be distributed be not in excess of the number named in the bill. The bill itself names a certain number, so that if amendments are adopted it shall be that they shall not exceed that number.
Mr. FIELDS. Might possibly be more than that?
Mr. KAHN. No. The last section stricken out provided that the Department of Agriculture should pay for storage for this material. The Senate refused to agree to that provision, and the House Committee on Military Affairs is willing to accept the Senate amendment.

Mr. GARD. If the gentleman will yield for an inquiry, that is the section that provided that the Government should pay storage charges where transferred to the States?

Mr. KAHN. Exactly.

Mr. GARD. That is now eliminated?

Mr. KAHN. That is eliminated.

Mr. GARD. That is not in it?

Mr. KAHN. That is eliminated.

Mr. MOORE of Virginia. The number is limited to 500?

Mr. KAHN. That is it.

Mr. MOORE of Virginia. Was there any effort to increase the number?

Mr. KAHN. I do not know what happened in the Senate, but they adopted an amendment that it should not be increased.

The SPEAKER. The question is on agreeing to the Senate amendment.

The amendment was agreed to.

ARMY APPROPRIATIONS BILL.

Mr. KAHN. Mr. Speaker, I desire to call up the conference report on the Army appropriation bill.

The SPEAKER. The gentleman calls up the conference report, which the Clerk will report.

The Clerk read as follows:

Conference report on H. R. 13587, making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes.

Mr. KAHN. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report. The statement explains the amendment.

The SPEAKER. The gentleman from California asks unanimous consent that the statement be read in lieu of the report.

Mr. CLARK of Missouri. Which is the longer?

Mr. KAHN. I think the report is longer.

Mr. GARD. Is the report too long to be read for the proper information of the House?

Mr. KAHN. Of course, the report is at least as long as the statement, but I do not know whether it would give the information to the House that the statement would give.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The conference report and statement are as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13587) making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 12, 22, 33, 48, 53, 54, 82, 83, 92, and 93.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 19, 21, 23, 28, 29, 31, 32, 34, 35, 36, 39, 40, 41, 43, 44, 45, 46, 51, 52, 55, 56, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 77, 79, 80, 81, 86, and 87, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of said amendment insert "$300,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "$250,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "*Provided further*, That the Secretary of War be, and he is hereby, authorized, in his discretion, to sell to any State or foreign Government with which the United States is at peace at the time of the passage of this act, upon such terms as he may deem expedient, any matériel, supplies, or equipment pertaining to the Military Establishment, except foodstuffs, as, or may hereafter be found to be surplus, which are not needed for military purposes and for which there is no adequate domestic market"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$300,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "and the Signal Corps at Camp Alfred Vail, N. J."; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$33,000,000: *Provided*, That not less than $5,250,000 thereof shall be expended for experimental and research work with airplanes or lighter-than-air craft and their equipment: *Provided further*, That not less than $6,000,000 shall be expended for the production and purchase of new airplanes and their equipment, spare parts, and accessories: *Provided further*"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "*And provided further*, That hereafter the Army Air Service shall control all aerial operations from land bases, and Naval Aviation shall have control of all aerial operations attached to a fleet, including shore stations whose maintenance is necessary for operations connected with the fleet, for construction and experimentation, and for the training of personnel"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$23,000,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$17,000,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$60,000,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"That commencing January 1, 1920, warrant officers, Army Mine Planter Service, shall be paid, in addition to all pay and allowances now authorized by law, an increase at the rate of $240 per annum: *Provided*, That this increase shall remain effective until the close of the fiscal year ending June 30, 1922, unless sooner amended or repealed."

And the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "for the purchase and hire of draft and pack animals in such numbers as are actually required for the service, including reasonable provision for replacing unserviceable animals; for the purchase, hire, operation, maintenance, and repair of such harness, wagons, carts, drays, other vehicles, and horse-drawn passenger-carrying vehicles as are required for the transportation of troops and supplies and for official, military, and garrison purposes; for drayage and cartage at the several depots; for the purchase and repair of ships, boats, and other vessels required for the transportation of troops and supplies and for official, military, and garrison purposes; for expenses of sailing public transports and other vessels on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific Oceans"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$40,000,000"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "*Provided further*, That hereafter when, in the opinion of the Secretary of War, accommodations are available, transportation on Army transports may be provided for the members and employ-

ees of the Porto Rican Government and their families without expense to the United States: *Provided further*, That in the joint discretion of the Secretary of War and chairman of the Shipping Board, and when space is available, civilian passengers and shipments of commercial cargo may be transported on Army transports in the trans-Atlantic service, at such times as space is not available on commercial lines, at rates not less than those charged by commercial steamship companies, between the same ports, for the same class of accommodations, the receipts from which shall be covered into the Treasury of the United States to the credit of miscellaneous receipts: *Provided further*, That authority is hereby granted the Secretary of War to sell or otherwise dispose of, in accordance with law and regulations, the United States Army transports *Sherman, Sheridan, Thomas, Logan, Buford, Kilpatrick, Crook*, and *Warren;* and the proceeds of such sales shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts; and such vessels, if sold to citizens of the United States, may engage in the coastwise trade so long as they remain wholly the property of citizens of the United States"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$8,500,000"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"That the Secretary of War may, in his discretion, transfer to the Secretary of the Treasury, for the use of the Public Health Service, the military reservation of Whipple Barracks, Ariz., now occupied by said service for hospital purposes."

And the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$500,000"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$3,500,000"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "*Provided further*, That farm products and the increase in live stock (including fowls) which accrue as incidental to vocational training in agriculture and animal husbandry, may be sold under such regulations as the Secretary of War may prescribe and the proceeds of such sales shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts"; and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$200,000: *Provided*, That the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the office of the Chief of Engineers to carry into effect the various appropriations for 'Engineer equipment of troops,' 'Engineer operations in the field,' and other military appropriations, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1921 shall not exceed $150,000. The Secretary of War shall each year, in the annual estimates, report to Congress the number of persons who are employed, their duties, and amount paid to each"; and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "*Provided further*, That so much of this appropriation as is necessary to provide facilities for Engineer training of troops may be expended for military construction work of a temporary character at camps and cantonments and in training areas, for training purposes only"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$350,000"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$5,000,000"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "for the purchase, manufacture, and test of chemical warfare gases or other toxic substances, gas masks or other offensive or defensive materials or appliances required for gas warfare purposes, including all necessary investigation, experimentation, and operations connected therewith, construction and repair of buildings and equipment and the machinery therefor, expenses incidental to the organization and training of gas troops not otherwise provided for, $2,000,000"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"For the expense of maintaining upon military reservations, camps for military instruction and training of such citizens as may be selected and under such regulations as may be prescribed by the Secretary of War pursuant to section 54 of the act of June 3, 1916, as amended by the act of May 12, 1917, and for furnishing said citizens at the expense of the United States, uniforms, subsistence, and transportation by the most usual and direct routes within such limits as to territory as may be prescribed; for such expenditures as are authorized by said section and may be necessary for the establishment and maintenance of said camps; for furnishing such equipment, tentage, field equipage, and transportation belonging to the United States as may be necessary; for arms and ordnance equipment, including overhauling and repairing of personal equipment, machine-gun outfits, horse equipment, ammunition, targets and their accessories for target practice, and for overhauling and repairing arms for issue and use in connection with said camps, $250,000: *Provided*, That the funds herein appropriated shall not be used for the training of any person who is over 45 years of age."

And the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"REPAIRING ROAD DAMAGED BY GOVERNMENT MOTOR TRUCKS, TENAFLY, N. J.

"That the Secretary of War be, and he is hereby, authorized to complete the work of grading and paving that portion of Hickory Avenue lying between Knickerbocker Street and Jefferson Street in the borough of Tenafly, of the county of Bergen, and State of New Jersey, begun but not completed by the Government during the war with Germany: *Provided*, That the said borough shall bear one-half or more of the cost of the above work and the Government shall bear not over one-half of the cost of said work: *Provided further*, That the share to be borne by the Government shall not exceed $5,200; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,200 for said work, to be paid on the completion of the work: *Provided further*, That the said borough shall contract to assume to pay and discharge all claims arising out of the present uncompleted condition of said Hickory Avenue."

And the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"RIFLES AND ACCESSORIES FOR ORGANIZATIONS OF WAR VETERANS.

"That the act entitled 'An act authorizing the Secretary of War to loan Army rifles to posts of the American Legion,' approved February 10, 1920, be, and the same is hereby, amended to read as follows:

"'That the Secretary of War is hereby authorized, under rules, limitations, and regulations to be prescribed by him, to loan obsolete or condemned Army rifles, slings, and cartridge belts to posts or camps of organizations composed of honorably discharged soldiers, sailors, or marines, for use by them in connection with the funeral ceremonies of deceased soldiers, sailors, and marines, and for other post ceremonial purposes; and to sell such posts and camps blank ammunition in suitable

amounts for said rifles at cost price, plus cost of packing and transportation: *Provided, however*, That not to exceed 10 such rifles shall be issued to any one post or camp.'"

And the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"EMERGENCY COMMISSIONED PERSONNEL.

"That the President is authorized to retain temporarily in service, under their present commissions, or to discharge and recommission temporarily in lower grades, such emergency officers as he may deem necessary; but the total number of officers on active duty, exclusive of retired officers and disabled emergency officers undergoing treatment for physical reconstruction, shall at no time exceed 17,823. Any emergency officer may be discharged when his services are no longer required, and all such officers shall be discharged not later than December 31, 1920. All officers of the Regular Army holding commissions granted for the period of the existing emergency, in whatever grade, shall be discharged therefrom not later than June 30, 1920."

And the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"MEDAL OF HONOR FOR VERDUN.

"That the President be, and he is hereby, authorized, in the name of the Congress and people of the United States, to present to the city of Verdun, France, a suitable memorial medal or tablet as a mark of America's appreciation of the valor of its defenders, the cost to be paid from the appropriation for contingencies of the Army."

And the Senate agree to the same.

JULIUS KAHN,
D. R. ANTHONY, Jr.,
S. H. DENT, Jr.,
Managers on the part of the House.

J. W. WADSWORTH, Jr.,
HARRY S. NEW,
J. S. FRELINGHUYSEN,
GEO. E. CHAMBERLAIN,
C. S. THOMAS,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House of Representatives at a conference on the disagreeing votes of the two Houses on the amendments of the Senate to H. R. 13587, making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the committee of conference on the disagreeing votes of the two Houses on amendments of the Senate to the said bill:

As the bill passed the House, it carried the amount of approximately $377,000,000. The Senate increased this amount to approximately $418,000,000. The conferees finally agreed on an amount approximating $394,000,000, so that the net decrease from the amounts recommended by the Senate is approximately $24,000,000.

Amendments 4, 6, 8, 9, 10, 14, 15, 16, 17, 19, 23, 37, 39, 40, 46, 64, 65, 66, 67, 68, 69, 70, 71, 72, and 73 are principally changes in phraseology.

On amendment No. 1: Makes the amount available for contingencies of the Army $300,000 instead of $400,000, as provided in the Senate amendment.

On amendment No. 2: Changes the amount to be expended for the payment of salaries of civilian employees connected with the sale of war supplies and the adjustment of war contracts and claims from $350,000, as provided in the Senate amendment, to $250,000.

On amendment No. 3: Provides that the Secretary of War be, and he is hereby, authorized in his discretion to sell to any State or foreign government with which the United States is at peace at the time of the passage of this act, upon such terms as he may deem expedient, any matériel, supplies, or equipment pertaining to the Military Establishment, except foodstuffs, as, or may hereafter be, found to be surplus which are not needed for military purposes and for which there is no adequate domestic market.

On amendment No. 5: Increases the allowance for contingencies for the Military Intelligence Division to $300,000.

On amendment No. 7: Increases the amount appropriated for the United States service schools from $75,000 to $100,000.

On amendment No. 11: Gives The Adjutant General permission to employ clerical help to furnish the adjutants general of the several States statements of service of all persons from those States who entered the military service during the war with Germany.

On amendment No. 12: Increases the item for purchase of engine generators, motors, etc., for the Division of Enlisted Specialists, Coast Artillery School, from $10,540 to $15,000.

On amendment No. 13: Allows part of the appropriation for the telegraph and telephone systems of the Signal Service of the Army to be expended for the Signal Corps at Camp Alfred Vail, N. J.

On amendment No. 18: Increases the amount appropriated for the Air Service to $33,000,000 and provides that not less than $5,250,000 shall be expended for experimental and research work with airplanes or lighter-than-air craft and their equipment, and that not less than $6,000,000 shall be expended for the production and purchase of new planes and their equipment, spare parts, and accessories.

On amendment No. 20: Provides that hereafter the Army Air Service shall control all aerial operations from land bases, and Naval Aviation shall have control of all aerial operations attached to a fleet, including shore stations, whose maintenance is necessary for operations connected with the fleet, for construction and experimentation and for the training of personnel.

On amendment No. 21: Provides for the setting aside of Bolling Field in the District of Columbia as a military reservation to be used for aviation purposes.

On amendment No. 24: Increases the pay of the officers of the line to $23,000,000.

On amendment No. 25: Increases the pay of the officers of the Staff Corps and departments to $17,000,000.

On amendment No. 26: Increases the pay of enlisted men of the line to $60,000,000.

On amendment No. 27: Increases the pay of the enlisted men of the Staff Corps and departments to $18,000,000. These increases are necessary owing to the passage of the increased Army pay bill recently enacted.

On amendment No. 28: Increases the allotment for commutation of quarters and of heat and light for Army field clerks to $400,000.

On amendment No. 29: Increases the allowance for such commutation for field clerks of the Quartermaster Corps to $100,000. These increases are likewise due to the passage of the increased pay bill.

On amendment No. 30: The House receded with an amendment under the terms of which warrant officers of the Army mine planters service will be given similar increases of pay as were accorded Army officers, warrant officers, field clerks, etc., under the terms of the increased pay bill recently enacted.

On amendments Nos. 31 and 32: Authorize the issue of rations to warrant officers of the mine planter's service.

On amendment No. 34: Struck out the provision allowing the expenditure of $52,230 for the construction and completion of an ice and cold storage plant at Schofield Barracks.

On amendment No. 35: Provides for the compensation of clerks and other employees of the Quartermaster Corps and Finance Service, the latter having been created as a separate branch of the Army in the Army reorganization bill.

On amendment No. 36: Authorizes transportation for warrant officers of the mine planter's service.

On amendment No. 38: Decreases the amount for transportation for the Army and its supplies to $40,000,000 in lieu of the $45,000,000 carried in the Senate amendment.

On amendment No. 41: Allows the use of motor-propelled vehicles for the transportation of Army personnel in connection with the recreation activities of the Army.

On amendment No. 42: Provides that members and employees of the Porto Rican Government and their families may travel on Army transports without expense to the United States. It also provides that in the joint discretion of the Secretary of War and the chairman of the Shipping Board, and when space is available, civilian passengers and shipments of commercial cargoes may be transported on Army transports in the trans-Atlantic service at such times as space is not available on commercial liners, and at rates not less than those charged by commercial steamship companies between the same ports for the same class of accommodation. The receipts for such service are to be covered into the Treasury of the United States to the credit of "miscellaneous receipts." The amendment also gives authority to the Secretary of War to sell or otherwise dispose of, in accordance with law and regulations, the U. S. trans-

ports *Sheridan, Thomas Logan, Kilpatrick, Crook,* and *Warren,* and to cover the proceeds of such sales into the Treasury of the United States. Such vessels if sold to citizens of the United States may engage in the coastwise trade so long as they remain wholly the property of citizens of the United States. These transports were purchased during the Spanish-American War. They are old vessels, for which a better price can probably be procured at this time than later on.

On amendment No. 43: Makes the provisions of law for the purchase and manufacture of clothing for the Army applicable to warrant officers of the mine planters' service.

On amendment No. 44: Increases the allowance for a suit of citizen's outer clothing to be issued to each soldier discharged otherwise than honorably to $40 in lieu of $25, as carried in the existing law.

On amendment No. 45: Allows the sums appropriated under the titles, Subsistence of the Army, Regular supplies Quartermaster Corps, Incidental expenses Quartermaster Corps, Transportation of the Army and its supplies, Water and sewers at military posts, Clothing, Camp and garrison equipage, to be disbursed and accounted for as "General appropriations, Quartermaster Corps," and for that purpose to constitute one fund.

On amendment No. 47: Reduces the appropriation of $10,000,000 for barracks and quarters to $8,500,000.

On amendment No. 49: Grants discretion to the Secretary of War to transfer Whipple Barracks, Ariz., to the Public Health Service.

On amendment No. 50: Increases the sum appropriated for military post exchanges to $500,000.

On amendment No. 51: Strikes out the appropriation of $78,000 for the completion of a liberty theater at Camp Knox, Ky.

On amendment No. 52: Increases the amount for barracks and quarters, Philippine Islands, to $300,000.

On amendment No. 55: Allows the payment of the traveling expenses as authorized under existing law to necessary civilian instructors at vocational training schools.

On amendment No. 56: Allows the purchase of materials and live stock (including fowls) for vocational training.

On amendment No. 57: Increases the amount for vocational training to $3,500,000.

On amendment No. 58: Provides for the sale of farm products and increase of live stock as accrue incidentally to agriculture and animal husbandry, and the deposit of funds accruing from such sale in the Treasury Department to the credit of "Miscellaneous receipts."

On amendment No. 59: Permits the Secretary of War to pay commutation of traveling expenses of civilian rifle teams from their homes to national matches when authorized to participate therein by the Secretary of War.

On amendment No. 60: Allows the transportation of animals and authorized equipment from place of issue to the several institutions where Reserve Officers' Training Corps are maintained and to the training camps which said organizations occupy during their summer training.

On amendment No. 61: Increases the amount for reserve officers' training camps from $2,500,000 to $3,000,000.

On amendment No. 62: Reduced the amount for inland and port storage and shipping facilities to $100.

On amendment No. 63: Increases the amount for the care of the insane Filipino soldiers to $2,000.

On amendment No. 74: Increases the amount for engineer equipment of troops to $200,000, "*Provided,* That the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the office of the Chief of Engineers to carry into effect the various appropriations for 'Engineer equipment of troops,' 'Engineer operations in the field,' and other military appropriations, to be paid from such appropriations: *Provided further,* That the expenditures on this account for the fiscal year 1921 shall not exceed $150,000. The Secretary of War shall each year, in the annual estimates, report to Congress the number of persons who are employed, their duties, and amount paid to each."

On amendment No. 75: Permits the expenditure of a part of the appropriation for engineering operations in the field to provide facilities for engineer training of troops in military construction work of a temporary character at camps and cantonments and in training areas, for training purposes only.

On amendment No. 76: Increases the amount for the construction of roads, etc., in Alaska to $350,000.

On amendment No. 77: Allows the use of ordnance and ordnance stores for instruction purposes.

On amendment No. 78: Increases the appropriation for purchasing, receiving, and storing ordnance and ordnance stores, etc., to $5,000,000.

On amendment No. 79: Reduces the item for ordnance stores and supplies to $590,055.

On amendment No. 80: Provides that the appropriation for the purchase and manufacture of automatic machine rifles shall remain available until June 30, 1922.

On amendment No. 81: Makes the appropriation for the purchase and manufacture of tanks available until June 30, 1922.

On amendment No. 84: Changes the language of the item relating to the appropriation for Chemical Warfare Service and fixes the amount available for that service at $2,000,000.

On amendment No. 85: Redrafts the language relating to civilian military training camps, but does not increase the appropriation.

On amendment No. 86: Increases the allowance for the Tank Service to $79,000.

On amendment No. 87: Extends the privilege of purchasing subsistence, stores, and articles of other authorized supplies, except articles of the uniform, to honorably discharged officers and enlisted men of the Army, Navy, and Marine Corps who are being cared for and are receiving medical treatment from the Public Health Service.

On amendment No. 88: Authorizes the Secretary of War to complete the work of grading and paving certain streets in Tenafly, N. J., which had been begun but not completed by the Government during the war with Germany.

On amendment No. 89: Amends the law permitting the Secretary of War to loan obsolete or condemned rifles to posts of the American Legion to include slings and cartridge belts and extends the authorization to include organizations composed of honorably discharged soldiers, sailors, or marines for use by them in connection with funeral ceremonies of their deceased comrades.

On amendment No. 90: Authorizes the President to retain temporarily in service under their present commissions, or to discharge and recommission temporarily in lower grades, such emergency officers as he may deem necessary; but the total number of officers on active duty, exclusive of retired officers and disabled emergency officers undergoing treatment for physical reconstruction, shall at no time exceed 17,823. Any emergency officer may be discharged when his services are no longer required, and all such officers shall be discharged not later than December 31, 1920. All officers of the Regular Army holding commissions granted for the period of the existing emergency, in whatever grade, shall be discharged therefrom not later than June 30, 1920.

On amendment No. 91: Authorizes the President, in the name of Congress and the people of the United States, to present to the city of Verdun, France, a suitable memorial medal or tablet as a mark of America's appreciation of the valor of its defenders.

JULIUS KAHN,
D. R. ANTHONY, Jr.,
S. H. DENT, Jr.,
Managers on the part of the House.

Mr. FIELDS. Will the gentleman yield?

Mr. KAHN. I yield to the gentleman from Kentucky.

Mr. FIELDS. I desire to ask the chairman of the committee what became of the amendment adopted by the House on the motion to recommit when that bill passed the House, relating to social distinction?

Mr. KAHN. That did not become a matter of conference, because the Senate retained the provision just as it passed the House.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks on the conference report. Is there objection? [After a pause.] The Chair hears none.

Mr. JONES of Texas. Mr. Speaker, I would like to ask a question. I notice permission is given in one of the Senate amendments to use motor vehicles for recreation purposes.

Mr. KAHN. Yes.

Mr. JONES of Texas. Does that include going to social functions or anything like that, or what does it include?

Mr. KAHN. That is in cases like this: For instance, at West Point the enlisted men stationed there have a baseball team. They frequently have baseball matches with the teams of the cities in that vicinity, and they are allowed under that amendment to use motor vehicles to go to those communities.

Mr. JONES of Texas. And this amendment is limited to such occasions as that?

Mr. KAHN. Entirely.

Mr. JONES of Texas. That is all right.

Mr. CAMPBELL of Kansas. May I ask a question?

Mr. KAHN. Yes.

Mr. CAMPBELL of Kansas. Would that include the convalescents at St. Elizabeths who desire to come into town for lunch or to theaters or over to the Union Station Red Cross Service for lunch?

Mr. KAHN. I do not think so. This is only in connection with the recreation activities.

Mr. CAMPBELL of Kansas. I think it should include it. A few days ago the Secretary of War stopped the use of vehicles that had been accommodating the convalescents at St. Elizabeths, shell-shock patients and others, who are coming to the Union Station at the invitation of the Red Cross nurses there for tea or lunch. And these boys were always benefited by those visits. It seems a great pity that some of the wasted energy and the wasted time that is used by these vehicles could not be well applied to accommodating those boys and getting them over to the entertainments that are offered by the people here in the city for their benefit.

Mr. KAHN. I think the gentleman is quite right, but unfortunately this was not in conference in that form; that is as far as the conferees were willing to go at this time. It is purely an experiment. If there is any disposition to abuse the privilege we can repeal the provision. In such event I suppose Congress would not continue the law.

Mr. CAMPBELL of Kansas. Let me ask this: Is there anything in the law that prohibits the Secretary of War from permitting the use of some of these vehicles in carrying those boys over?

Mr. KAHN. I do not think so. I think it is purely an administrative matter.

Mr. CAMPBELL of Kansas. Then the Secretary of War should permit these vehicles to be used in that way.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. BLANTON. The rules of the House prevent the gentleman from California [Mr. KAHN] and his fellow conferees from considering such a proposition; but there is nothing to keep the distinguished gentleman from Kansas, who is chairman of the Committee on Rules, from bringing in a rule to make that in order, because he has brought in a rule on almost every other subject during this Congress.

Mr. FIELDS. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. FIELDS. Mr. Speaker, and gentlemen of the House, the Committee on Military Affairs has considered this matter and favorably reported a bill similar to this bill, and that bill is on the calendar of the House. Now, the man who makes the best soldier is a man who soldiers because he wants to soldier.

Mr. DUNBAR. Will the gentleman yield?

Mr. FIELDS. If the gentleman will be brief.

Mr. DUNBAR. Is it not true that Gen. Kit Carson, one of the bravest American soldiers, and who fought the Indians during most of his military career, could neither read nor write?

Mr. FIELDS. That is my understanding.

If a young man goes to a recruiting station to enlist because he wants to serve his country in the Army, because military life appeals to him, and he has intelligence, has all the qualities essential to the making of a soldier, but if, unfortunately, probably because of his own negligence, probably because of the negligence of his parents, probably because of circumstances beyond his control, he is not able to meet the statutory requirement that he must read and write, he is refused admission to the Army. Now, the gentleman from New York [Mr. SANFORD] has well said that a great work was done in educating the soldier during the World War, and I am proud to say that that work originated in Kentucky.

We have had a campaign on in Kentucky for a good many years to educate our illiterate population. It has been most successful, and the work of educating our illiterate soldiers in the World War was originated in Kentucky by the president of the Kentucky Illiteracy Commission, Mrs. Cora Wilson Stewart, who appealed to the commanding officer at Camp Taylor and to the Secretary of War to permit her to take up this work in Camp Taylor. The military authorities took the matter under advisement and finally decided that the plan suggested by Mrs. Stewart was feasible and would prove valuable to the Army, but that it would not be proper to have outside forces conducting the work. They therefore took the textbooks provided by Mrs. Stewart, which she had written and copyrighted for use in the campaign to eradicate illiteracy from Kentucky, and which she donated to the State without cost, except the actual cost of printing, and inaugurated a school in the camp under military supervision for the education of the illiterate soldiers in training there.

Mr. KING. Mr. Speaker, I make the point of no quorum.

Mr. FIELDS. I refuse to be taken off my feet in that way. I hope the gentleman will wait until I get through.

Mr. KING. I will withhold it until the gentleman has concluded.

Mr. FIELDS. A few months after this school was organized I was driving over the camp with Col. Hostetter, and during the drive he told me that the most important work he had ever seen in an Army camp was the education of illiterate soldiers in that camp. He said, "The further remarkable thing is that every soldier who learned to write came and showed me his first letter; and the beauty of the proposition is that in every instance the soldier's first letter was written to his mother or, if she was not living, to his nearest of kin." That work was so successful in Camp Taylor that the War Department carried it into every camp and cantonment in this country and to the camps overseas. The textbooks provided by Mrs. Stewart were used throughout the Army at actual cost of production. Fifty thousand copies of them were sent to Europe, and they are going to Russia to-day, I am told, for the education of the adult illiterate population of that country.

Why should the young men who, through patriotic motives, desire to serve their country in the Army be denied admission to the Army because they can not read and write, when the Army, along with its other educational work, can teach them to do so within a few weeks?

A great campaign is on throughout the United States for the elimination of illiteracy. Why should not the Army do its part with the men who desire to take up Army life, but who unfortunately are unable to read and write? There is no argument against it. By this campaign in Kentucky we have reduced the percentage of illiteracy very materially within the last few years. That campaign has been inaugurated in 35 of the States of the Union. The president of the Kentucky Illiteracy Commission, who originated this movement in Kentucky, has spoken in 31 States, making the initial effort of the campaign to inaugurate the movement in those States. The Army made great progress in this work during the war, and, gentlemen of the House, to my mind it would be a crime to close its doors to the patriotic young men who desire to serve under their country's flag, but who, because of some unfortunate circumstance, have been prevented from acquiring a meager education. [Applause.]

The gentleman from New York [Mr. SANFORD] in discussing the bill called attention to the fact that the records of the War Department show that twenty-four and nine-elevenths per cent of the soldiers of the World War could not read, write, or speak the English language, and in connection with that statement he referred to the mountain sections of Kentucky, Tennessee, and the Carolinas. One who has not studied this question might therefore infer from the statement of the gentleman from New York [Mr. SANFORD] that the mountains of the Southland contributed to the Army all or practically all of that class of its soldiers who were unable to read and write or speak the English language, which is not true. The 1910 census shows that 12.1 per cent of the adult population of Kentucky could not read or write; all, or practically all, of them could speak the English language, and that 5.5 per cent of the adult population of New York could not read or write. These figures refer only to that class of the citizenship of Kentucky and New York who could not read or write in any language. The figures of the War Department previously referred to apply not alone to the soldiers who could not read or write in any language, but also apply to those who could not speak the English language. I therefore maintain that New York, with 5.5 per cent of her total population who are unable to read or write in any language and her large foreign population, a large percentage of whom do not speak English, contributed a greater percentage of the soldiers of the World War who could neither read, write, nor speak in English than was contributed by Kentucky. But be that as it may, this bill or any other bill that will aid in correcting the conditions referred to in either New York or Kentucky should pass without opposition.

Mr. WOOD of Indiana. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. WOOD of Indiana. I want to call the attention of the gentleman to amendment No. 45, which says:

That all the money hereinbefore designated under the titles "Subsistence of the Army," "Regular supplies, Quartermaster Corps," "Incidental expenses, Quartermaster Corps," "Transportation of the Army and its supplies," "Water and sewers at military posts," "Clothing and camp and garrison equipage" shall be disbursed and accounted for as "General appropriations, Quartermaster Corps," and for that purpose shall constitute one fund.

Under that provision of law they can absolutely use all of this money for any one of these purposes. That paragraph went out on a point of order in the House. What justification is there for the conferees permitting it to be put back? What justification is there for allowing that provision to remain there?

Mr. KAHN. That provision was in the Army bill for a great many years. There was never any abuse of it. The Senate conferees insisted that it should go back into the bill. The House conferees finally yielded.

But I want to say, in connection with the Army appropriation bill, that in view of the fact that the Army reorganization bill will probably become a law before long, it is the hope of the members of the Committee on Military Affairs that the entire Army appropriation bill may be reworded, so that when it comes in at the next session we shall have a bill that will be much more explanatory than is the legislation under the present form.

Mr. WOOD of Indiana. Mr. Speaker, will the gentleman yield further?

Mr. KAHN. Yes.

Mr. WOOD of Indiana. I want to call the gentleman's attention to Senate amendments numbered 1 and 2. Under Senate amendment number 1 you provide that employees of the War Department may spend, while traveling on official business outside of the District of Columbia, $300,000, and in amendment number 2 you provide that they may expend $250,000 of the money heretofore appropriated for the payment of salaries of civilian employees connected with the sale of war supplies.

Mr. KAHN. No. The gentleman is mistaken. The whole paragraph refers to contingencies of the Army. Of course, the contingencies include traveling expenses, and so on. But the amount appropriated is largely for the payment of men connected with the sales department of the Army and the claims adjustment boards also connected with it.

Mr. WOOD of Indiana. That is the point I want to make. Before the subcommittee on the legislative, executive, and judicial bill it was stated that this adjustment board, whose members are paid $50, $75, and $100 a day when they never earned before more than $2,000 or $3,000 a year, expected to complete its work before the 1st of June. How much of this $250,000 is to be paid to these leeches on the Government that are receiving these sums of $50, $75, and $100 a day?

Mr. KAHN. I want to say to the House that the conferees stood steadfastly for the amounts carried in the House bill. The Senate conferees insisted on the full amount of $400,000. We discussed the matter for several hours, and finally the amount agreed upon was a compromise.

Mr. WOOD of Indiana. Mr. Speaker, will the gentleman yield further?

Mr. KAHN. I want to say to the gentleman that all the points he has made about these boards are points that we discussed in the conference.

Mr. WOOD of Indiana. I want to call the gentleman's attention to Senate amendment No. 11, which was put back into the bill. It is with reference to the expenditure authorized by The Adjutant General for furnishing to the adjutants general of the States these several lists.

Mr. KAHN. Yes.

Mr. WOOD of Indiana. There is no provision in this language that will prevent The Adjutant General or the War Department from using this money not only for the purpose of furnishing these lists but for any other purpose that they see fit to use it for.

Mr. KAHN. Mr. Speaker, the gentleman from Indiana [Mr. WOOD] raised the point of order on this language when the bill was up in the House, and claimed that the Committee on Appropriations had appropriated money for the specific purpose of completing these lists. The Adjutant General wrote a letter to the chairman of the Committee on Military Affairs of the House, which letter was inserted in the RECORD, denying the statements of the gentleman from Indiana upon that subject.

Mr. WOOD of Indiana. And the gentleman from Indiana produced the testimony of The Adjutant General before the committee, in which he absolutely took the other position.

Mr. KAHN. The letter of The Adjutant General referred to the testimony.

Mr. WOOD of Indiana. Upon the theory, I reckon, that that was the last say he had and that it overruled the first; but it does not change the fact.

Mr. KAHN. He said personally to me that the adjutants general of the different States were exceedingly anxious to have these rolls completed.

Mr. WOOD of Indiana. Yes; and so is everybody else.

Mr. KAHN. And therefore the conferees agreed that they would allow the money to be used for that purpose.

Mr. WOOD of Indiana. The unfortunate thing about this business is that you can take every one of the items that went out upon points of order in the House, for the purpose, it was hoped, of saving some money to the Government, and find that they have found their way back into this bill. Besides that, there have been a good many others added. I call attention now to Senate amendments 15 and 16, on page 12, which absolutely permits the salaries and wages of civilian employees in the District of Columbia and elsewhere to be paid out of this fund, which affords another avenue for the employment of additional clerks. You struck out the word "outside" and put in the words "within the District of Columbia and elsewhere," thus permitting the fund to be used for the purpose of paying these civilian employees, and thus through a subterfuge to increase and keep up the force that this Congress meant should be reduced.

Mr. KAHN. Mr. Speaker, the language to which the gentleman refers was stricken out on a point of order made by him. As I now recall, a letter was sent from the department showing that he was mistaken in his premises, and that these employees were absolutely necessary for this work.

Mr. WOOD of Indiana. No doubt they would say that thing. But I wish to call the attention of the gentleman to the further fact that Gen. Lord, who failed to get from the legislative committee the appropriation that he desired for clerk hire, and failed to get all he wanted out of the Military Affairs Committee, has gone before the Senate subcommittee having in charge the sundry civil appropriation bill and has gotten into that bill $283,000 for additional clerks more than were supplied by the Military Affairs Committee and the legislative committee, thus demonstrating that if they do not get it from one they go to another, and they have succeeded very largely in getting it back if not in one bill, they have gotten it through some other bill.

Mr. KAHN. Mr. Speaker, the Senate put into the bill quite a large appropriation for an arsenal at Edgewood. I went to the chairman of the Committee on Appropriations, because the Committee on Military Affairs has no jurisdiction over the appropriations for arsenals, and consulted with him. The information he gave me enabled me to resist to the very end the effort to put in that kind of an appropriation; and if members of the Appropriations Committee would come to the Committee on Military Affairs and other appropriating committees and explain things to them, probably we would have more harmony in the action of those committees.

Mr. WOOD of Indiana. I did my best during the consideration of this bill to explain to the chairman of the Committee on Military Affairs the attitude that these gentlemen occupied before our committee in order that he might at least have the benefit of that information, but it does not seem to have done much good.

Mr. KAHN. They denied the correctness of the statements made by the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. And no matter what the hearings may show in black and white, such denial is amply sufficient for the gentleman from California [Mr. KAHN].

Mr. ANTHONY. Will the gentleman yield?

Mr. KAHN. I yield to my colleague.

Mr. ANTHONY. I want to reply to the gentleman from Indiana [Mr. WOOD], who stated that the Senate had been compelled to put $283,000 on the sundry civil bill.

Mr. WOOD of Indiana. I did not say they had been compelled. I said they had done it.

Mr. ANTHONY. On the recommendation of Gen. Lord. Now, the facts are that, due to the negligence of somebody in the War Department when they were before the gentleman's committee for the legislative bill, they entirely forgot the estimates for clerical hire in the construction and other divisions in the War Department. The result is that the legislative bill made no provision whatever for that, and I understand that a supplemental estimate has gone to the Senate, due to that error.

Mr. WOOD of Indiana. I never knew Gen. Lord to overlook anything pertaining to his department, and I do not think he ever will as long as he has his wits about him.

Mr. JONES of Texas. Will the gentleman yield?

Mr. KAHN. I will.

Mr. JONES of Texas. I do not know whether I understood the amendment correctly, but I understood there was some reference to training fowls.

Mr. KAHN. Under the item of vocational training, they are attempting to give some instructions in farming, and the idea is to let them have a few chickens at the camps.

A MEMBER. What kind of chickens?

Mr. KAHN. Feathered chickens [laughter], in order that the men may be taught how to raise fowls. There is also an amendment which authorizes them to sell the surplus or increase. The Senate amendment provided that the fund received should be turned over to the vocational fund, and the House conferees insisted that that be changed so that the money received would go into the Treasury of the United States.

Mr. JONES of Texas. One further question: Was the amount appropriated for the purchase of horses increased from what it was last year?

Mr. KAHN. No.

Mr. WALSH. Will the gentleman yield?

Mr. KAHN. I will.

Mr. WALSH. I was unable to determine from the reading of the statement whether any provision was agreed to by the conferees with reference to emergency officers, more particularly in the Judge Advocate General's Department, as requested by the Secretary of War.

Mr. KAHN. There is no such provision in the conference report. In the report that was acted upon by the Senate yesterday afternoon there was such a provision. It was inserted because the Secretary of War specifically asked that it be done. The Secretary of War later sent a letter saying that he was against such a provision.

Then the Secretary recalled that letter, and later on said he would be for the provision with certain modifications, to the effect that discharged emergency officers who desired to compete for positions in the Regular Army could also have the opportunity of being considered eligible for appointment under the provision. Then a Member of this House and of the Committee on Military Affairs announced that he would make a point of order on the conference report if such a provision should appear therein. The conferees, upon inquiry, thought the point of order was good, and so they allowed the matter to go out in the conference report.

Mr. WALSH. And the Secretary of War's request in that respect has not been acceded to.

Mr. KAHN. It has not.

Mr. WALSH. Can the gentleman state how much money is to be expended for the great free university which the War Department is going to set up and maintain under the head of vocational education?

Mr. KAHN. Three million five hundred thousand dollars.

Mr. WALSH. Five hundred thousand dollars more than the House bill.

Mr. KAHN. Yes; the House committee reported $3,000,000 and the House cut it down to $2,000,000.

Mr. WALSH. And now it goes back to three and a half million dollars.

Mr. KAHN. Yes; the Senators claimed that there are 105,000 men taking the training at this time and that more will be taking the training before the end of the fiscal year. They say it costs $50 to train each man. The House conferees, I want to say in all fairness, fought this increase, but finally the Senate conferees asked that the men who are in charge of the vocational training section of the Army be sent for and be allowed to testify. That was done, and thereafter the amount of $5,000,000 carried in the Senate amendment was reduced to three and one-half million dollars.

Mr. WALSH. And the result is that we will have three million and a half dollars' worth of students and apprentices in the Army and reduce by that much the Army of military soldiers.

Mr. KAHN. The understanding is that the usual amount of military training will not be done away with.

Mr. WALSH. No; but the result of this will be to encourage them not to reenlist.

Mr. KAHN. No; they claim it will encourage enlistments.

Mr. WALSH. I said reenlistments.

Mr. KAHN. Perhaps it would be a good thing if we did not have so many reenlistments. Then if we got into a war again we would have more trained men in the Army.

Mr. MILLER. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. MILLER. Can the gentleman give us the amount of money carried in this final report of the conferees over that of the House bill?

Mr. KAHN. About $17,000,000. The Senate asked for an increase of $41,000,000 and we cut it down to $17,000,000.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. MCKEOWN) there were 107 ayes and 70 noes.

So the conference report was agreed to.

On motion of Mr. KAHN, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

PENSION OF SOLDIERS IN THE WAR WITH SPAIN, PHILIPPINE INSURRECTION, AND CHINA RELIEF EXPEDITION.

Mr. SELLS. Mr. Speaker, I call up from the Speaker's table the bill H. R. 2 and move to concur in the Senate amendments.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table and concur in the Senate amendments the bill of which the Clerk will read the title.

The Clerk read as follows:

H. R. 2. An act to pension the soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the Senate amendments.

The Senate amendments were agreed to.

Mr. SELLS. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. SELLS. Mr. Speaker, the amendments which have been added to this bill change in no manner the original provisions which it contained when it passed the House on March 1. Two of them are entirely inconsequential, one merely changing slightly the caption, the other regulating the manner of payment of attorney's fees and making it conform with the practice which has been observed for many years in their payment by the Commissioner of Pensions.

The Fuller bill, applicable to Civil War veterans, and which became a law on May 1, provided pensions as follows to one who in line of duty lost—

(a) One hand or one foot, or totally disabled in same, $60.

(b) An arm at or above elbow, or leg at or above knee, or totally disabled in same, $65.

(c) An arm at shoulder joint, leg at hip joint, or if artificial limb can not be used, $72.

(d) One hand and one foot, or totally disabled in same, $90.

These provisions have been added to H. R. 2 by Senate amendment, and there appears no reasonable objection why they should not be conferred on Spanish War soldiers. The World War soldier draws compensation at approximately the same rates, and this House can not refuse to accept this amendment without subjecting itself to the charge of favoritism and of discrimination against this class of our veterans.

With the enactment of this law, Congress may feel that it has given some recognition and manifested a degree of appreciation of the services of as valiant an Army as ever took up arms in behalf of this Republic. Too long have we delayed this duty. The burden of supporting these men has rested largely on the shoulders of their more fortunate comrades. And our action in passing this legislation to relieve their distress, and to aid them as they pass life's meridian, and enter upon the journey when their feet begin to falter and their energies to slacken, will find a ready approval in the hearts and minds of a citizenship who admire heroic action and love courageous sacrifice.

Let it not be said that republics are ungrateful or unmindful of a sacred trust. As these men freely gave when danger threatened, so let the country give as the clouds of adversity gather and the storm signals of distress are raised in token of physical surrender.

I desire to call attention briefly to the measures which have been passed by this Congress for the benefit of our soldiers.

First is the Fuller bill, which provides minimum pensions of $50 per month to all honorably discharged soldiers of the Civil War with a service record of 90 days or more. No legislation that we have enacted possesses greater merit; none will bring more well-deserved relief. To the Grand Army of the Republic, whose sacrifice and heroism preserved inviolate the Union of States, we have discharged a duty which the country owes to its heroic defenders.

In the passage of the Sweet bill, granting greatly increased rates of compensation, we have tried to care for the disabled soldier of the World War who followed the fortunes of our flag on European soil, and planted it in victory as a symbol of the majesty and power of this Republic.

In the passage of the bonus bill through the House recently we have endeavored to indemnify, in part at least, the financial loss which these boys sustained while serving their country through one of our greatest crises.

The widows of the Mexican and Civil Wars have received substantial increases in their rates of pensions, and have thereby been safeguarded against poverty and want in their old age.

And when this bill shall have become law, as I predict it will before adjournment of this Congress on June 5, we may, I believe, with modesty assume that no Congress has shown so great liberality nor discharged with more ready willingness our obligations to this country's defenders.

As chairman of the committee which reported this bill, I desire to express appreciation of the activities of the various Spanish War organizations; of their legislative chairman, Capt. Daniel V. Chisholm; of their commander in chief, William Jones; of the National Tribune; and of many others who have tirelessly aided in this work. I congratulate them; I congratulate the beneficiaries of the act; and, finally, I congratulate this Congress upon the successful conclusion of our labors, and the discharge of an honest debt we owe to those who have borne the brunt of battle and whose sacrifices have guided and preserved the destinies of the Republic.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed without amendment the bill (H. R. 14384) to amend the penal laws of the United States.

The message also announced that the Senate had receded from its disagreement to the amendments of the House of Representatives to the bill (S. 1726) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

PENSIONS.

Mr. FULLER of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 12530, an omnibus pension bill, with a Senate amendment thereto, and agree to the Senate amendment.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table an omnibus pension bill, with a Senate amendment thereto, and agree to the Senate amendment. The Clerk will report the title of the bill.

The Clerk reported the title of the bill.

Mr. FULLER of Illinois. Mr. Speaker, this bill in effect is a substitute for other bills which have been passed by the House, and I ask that the Clerk read the bill as it is, as amended, as it comes from the Senate.

The SPEAKER. The gentleman asks unanimous consent that the Clerk read only the Senate amendment in the shape in which it now stands, and not read the items stricken out. The Chair understands that the Senate has stricken out the whole of the House bill and inserted a new bill.

Mr. FULLER of Illinois. That is correct.

The SPEAKER. And that the new bill is a substitute for the bills passed by the House.

Mr. FULLER of Illinois. That is correct.

The SPEAKER. The gentleman asks unanimous consent that the Senate amendment be read without reading the part stricken out. Is there objection?

There was no objection.

The Clerk read the Senate amendment.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

On motion of Mr. FULLER of Illinois, a motion to reconsider the vote by which the Senate amendment was agreed to was laid on the table.

RECESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess from 6 o'clock until 8 o'clock p. m.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess from 6 o'clock until 8 o'clock p. m. Is there objection?

There was no objection.

AMENDMENT OF TRADING-WITH-THE-ENEMY ACT.

Mr. WINSLOW. Mr. Speaker, in the absence of the gentleman from Wisconsin [Mr. ESCH], I move to suspend the rules and pass the bill H. R. 14208, to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended, together with the amendments thereto, which I send to the desk and ask to have read.

The SPEAKER. The gentleman from Massachusetts moves to suspend the rules and pass the bill, with amendments, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended, be, and hereby is, amended so as to read as follows:

"SEC. 9. (a) That any person not an enemy or ally of enemy claiming any interest, right, or title in any money or other property which may have been conveyed, transferred, assigned, delivered, or paid to the Alien Property Custodian or seized by him hereunder and held by him or by the Treasurer of the United States, or to whom any debt may be owing from an enemy or ally of enemy whose property or any part thereof shall have been conveyed, transferred, assigned, delivered, or paid to the Alien Property Custodian or seized by him hereunder and held by him or by the Treasurer of the United States may file with the said custodian a notice of his claim under oath and in such form and containing such particulars as the said custodian shall require; and the President, if application is made therefor by the claimant, may order the payment, conveyance, transfer, assignment, or delivery to said claimant of the money or other property so held by the Alien Property Custodian or by the Treasurer of the United States, or of the interest therein to which the President shall determine said claimant is entitled: *Provided*, That no such order by the President shall bar any person from the prosecution of any suit at law or in equity against the claimant to establish any right, title, or interest which he may have in such money or other property. If the President shall not so order within 60 days after the filing of such application or if the claimant shall have filed the notice as above required and shall have made no application to the President, said claimant may, at any time before the expiration of six months after the end of the war institute a suit in equity in the Supreme Court of the District of Columbia or in the district court of the United States for the district in which such claimant resides, or, if a corporation, where it has its principal place of business (to which suit the Alien Property Custodian or the Treasurer of the United States, as the case may be, shall be made a party defendant), to establish the interest, right, title, or debt so claimed, and if so established the court shall order the payment, conveyance, transfer, assignment, or delivery to said claimant of the money or other property so held by the Alien Property Custodian or by the Treasurer of the United States or of the interest therein to which the court shall determine said claimant is entitled. If suit shall be so instituted, then such money or property shall be retained in the custody of the Alien Property Custodian, or in the Treasury of the United States, as provided in this act, and until any final judgment or decree which shall be entered in favor of the claimant shall be fully satisfied by payment or conveyance, transfer, assignment, or delivery by the defendant, or by the Alien Property Custodian, or Treasurer of the United States on order of the court, or until final judgment or decree shall be entered against the claimant or suit otherwise terminated.

"(b) In respect of all money or other property conveyed, transferred, assigned, delivered, or paid to the Alien Property Custodian or seized by him hereunder and held by him or by the Treasurer of the United States, if the President shall determine that the owner thereof at the time such money or other property was required to be so conveyed, transferred, assigned, delivered, or paid to the Alien Property Custodian or at the time when it was voluntarily delivered to him or was seized by him was—

"(1) A citizen or subject of any nation or State or free city other than Germany or Austria or Hungary or Austria-Hungary, and is at the time of the return of such money or other property hereunder a citizen or subject of any such nation or State or free city; or

"(2) A woman who at the time of her marriage was a subject or citizen of a nation which has remained neutral in the war, or of a nation which was associated with the United States in the prosecution of said war, and who prior to April 6, 1917, intermarried with a subject or citizen of Germany or Austria-Hungary and that the money or other property concerned was not acquired by such woman either directly or indirectly from any subject or citizen of Germany or Austria-Hungary; or

"(3) A woman who at the time of her marriage was a citizen of the United States (said citizenship having been acquired by birth in the United States), and who prior to April 6, 1917, intermarried with a subject or citizen of Germany or Austria-Hungary, and that the money or other property concerned was not acquired by such woman either directly or indirectly from any subject or citizen of Germany or Austria-Hungary; or

"(4) A citizen or subject of Germany or Austria or Hungary or Austria-Hungary and was, at the time of the severance of diplomatic relations between the United States and such nations, respectively, accredited to the United States as a diplomatic or consular officer of any such nation, or the wife or minor child of such officer, and that the money or other property concerned was within the territory of the United States by reason of the service of such officer in such capacity; or

"(5) A citizen or subject of Germany or Austria-Hungary, who by virtue of the provisions of sections 4067, 4068, 4069, and 4070 of the Revised Statutes, and of the proclamations and regulations thereunder, was transferred, after arrest, into the custody of the War Department of the United States for detention during the war and is at the time of the return of his money or other property hereunder living within the United States; or

"(6) A partnership, association, or other unincorporated body of individuals outside the United States, or a corporation incorporated within any country other than the United States, and was entirely owned at such time by subjects or citizens of nations, States, or free cities other than Germany or Austria or Hungary or Austria-Hungary, and is so owned at the time of the return of its money or other property hereunder; or

"(7) The Government of Bulgaria or Turkey, or any political or municipal subdivision thereof; or

"(8) The Government of Germany or Austria or Hungary or Austria-Hungary, and that the money or other property concerned was the diplomatic or consular property of such Government—

then the President, without any application being made therefor, may order the payment, conveyance, transfer, assignment, or delivery of such money or other property held by the Alien Property Custodian or by the Treasurer of the United States, or of the interest therein to which the Presidents shall determine such person entitled, either to the said owner or to the person by whom said property was conveyed, transferred, assigned, delivered, or paid over to the Alien Property Custodian: *Provided*, That no person shall be deemed or held to be a citizen or subject of Germany or Austria or Hungary or Austria-Hungary for the purposes of this section, even though he was such citizen or subject

at the time first specified in this subsection, if he has become or shall become, ipso facto or through exercise of option, a citizen or subject of any nation or State or free city other than Germany, Austria, or Hungary, (first) under the terms of such treaties of peace as have been or may be concluded subsequent to November 11, 1918, between Germany or Austria or Hungary (of the one part) and the United States and/or three or more of the following-named powers: The British Empire, France, Italy, and Japan (of the other part), or (second) under the terms of such treaties as have been or may be concluded in pursuance of the treaties of peace aforesaid between any nation, State, or free city (of the one part) whose territories, in whole or in part, on August 4, 1914, formed a portion of the territory of Germany or Austria-Hungary and the United States and/or three or more of the following-named powers: The British Empire, France, Italy, and Japan (of the other part). For the purposes of this section any citizen or subject of a State or free city which at the time of the proposed return of money or other property of such citizen or subject hereunder forms a part of the territory of any one of the following nations: Germany, Austria, or Hungary, shall be deemed to be a citizen or subject of such nation. And the receipt of the said owner or of the person by whom said property was conveyed, transferred, assigned, delivered, or paid over to the Alien Property Custodian shall be a full acquittance and discharge of the Alien Property Custodian or the Treasurer of the United States, as the case may be, and of the United States in respect to all claims of all persons heretofore or hereafter claiming any right, title, or interest in said property, or compensation or damages arising from the capture of such property by the President or the Alien Property Custodian: *Provided further, however*, That except as herein provided no such action by the President shall bar any person from the prosecution of any suit at law or in equity to establish any right, title, or interest which he may have therein.

"(c) Any person whose property the President is authorized to return under the provisions of subsection (b) hereof may file notice of claim for the return of such property, as provided in subsection (a) hereof, and thereafter may make application to the President for allowance of such claim and/or may institute suit in equity to recover such property, as provided in said subsection, and with like effect. The President or the court, as the case may be, may make the same determinations with respect to citizenship and other relevant facts that the President is authorized to make under the provisions of subsection (b) hereof.

"(d) Whenever a person, deceased, would have been entitled, if living, to the return of his money or other property hereunder, then his legal representative may proceed for the return of such property as provided in subsection (a) hereof: *Provided, however*, That the President or the court, as the case may be, before granting such relief shall impose such conditions by way of security or otherwise, as the President or the court, respectively, shall deem sufficient to insure that such legal representative will redeliver to the Alien Property Custodian such portion of the money or other property so received by him as shall be distributable to any person not eligible as a claimant under subsections (a) or (c) hereof.

"(e) No money or other property shall be returned nor any debt allowed under this section to any person who is a citizen or subject of any nation which was associated with the United States in the prosecution of the war, unless such nation in like case extends reciprocal rights to citizens of the United States; nor in any event shall a debt be allowed under this section unless it was owing to and owned by the claimant prior to October 6, 1917, and as to claimants other than citizens of the United States unless it arose with reference to the money or other property held by the Alien Property Custodian or Treasurer of the United States hereunder.

"(f) Except as herein provided, the money or other property conveyed, transferred, assigned, delivered, or paid to the Alien Property Custodian, shall not be liable to lien, attachment, garnishment, trustee process, or execution, or subject to any order or decree of any court.

"(g) This section shall not apply, however, to money paid to the Alien Property Custodian under section 10 hereof."

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. Mr. Speaker, I note on page 8, line 21, a place where apparently the word "and" should be stricken out. There are certain other places of the same character. Does the gentleman propose to offer an amendment to strike that word out?

Mr. ESCH. No; those words "and/or" are rightly inserted. It is for the purpose of having it in the conjunctive or the alternative form. It was recommended in such form by the Secretary of State. It is the common use, we were advised, in the State Department.

Mr. GARD. It reads:

For allowance of such claim and/or may institute suit—

And so forth.

I thought it was an inaccurate expression. Of course, I would abide by the wishes of the Secretary of State in the matter.

Mr. ESCH. That was recommended by the representative of the Department of Justice. He said it was justified in the peculiar circumstances of cases that will arise before the Alien Property Custodian.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. ESCH. Yes.

Mr. BLANTON. On page 6, line 21, the word "Presidents" is used instead of the word "President."

Mr. ESCH. Yes; I am going to ask unanimous consent to correct that. It is a typographical error.

Mr. BLANTON. Concerning the matter spoken of by the gentleman from Ohio [Mr. GARD], which occurs in line 11, on page 7, and in line 21, on page 8, where the word "and" is used, followed by a mark and then the word "or," should the mark be used?

Mr. ESCH. I understand so. It is the form of expression used in documents of the State Department. That was prepared by the State Department.

Mr. BLANTON. Are such marks used anywhere else in the United States?

Mr. ESCH. They will be in this statute if it is adopted. The mark is also used in the war revenue tax law. We use the same expression. I ask unanimous consent to offer an amendment to insert the word "President" in place of the word "Presidents," on page 6, line 21.

Mr. BLANTON. Mr. Speaker, before that is done I demand a second.

Mr. ESCH. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Wisconsin is entitled to 20 minutes and the gentleman from Texas to 20 minutes.

Mr. ESCH. Mr. Speaker, the purpose of this bill is to amend section 9 of the trading-with-the-enemy act in order to enable the Alien Property Custodian to restore property to parties from whom the property has been taken. It has been found that since the armistice the status of many people whose property has been taken away or seized has changed absolutely, and that is particularly true with reference to the people of Alsace-Lorraine, who at the beginning of the war were German citizens, and, of course, alien enemies. The like situation has developed in the countries that constitute the Republic of Jugo-Slavia and the Republic of Czechoslovakia, these countries, or their constituent parts, having been constituent parts of the Empire of Austria-Hungary.

In order that justice may be done to those people it was found necessary for us to amend section 9 in order to authorize the Alien Property Custodian to restore the property to those who now are no longer our enemies, but are citizens of countries that are friendly to the United States; in fact the United States has already recognized the Republic of Czechoslovakia, and we have sent a minister there, and that country maintains a legation here in Washington. A like situation obtains as to Jugo-Slavia. Now, with reference to Bulgaria and Turkey, the situation is somewhat different. In fact, at the beginning of the war, our State Department advised the Alien Property Custodian not to take property of citizens of Turkey, and the Alien Property Custodian sought to follow out the suggestions made by the Secretary of State, the Secretary believing that as we had so much more property belonging to American citizens in Turkey than Turkey had property belonging to her citizens in the United States, it would be unwise for us to seize property of Turkish citizens in the United States. However, the Alien Property Custodian was not able fully to carry out the suggestion and advice of the Secretary of State, because in some instances, due to inadvertence or misunderstanding, he seized the property of citizens of Turkey. That is true also of Bulgaria, and yet Bulgaria and Turkey have taken none of the property of American citizens in Turkey or Bulgaria, and on account of that situation our position is absolutely indefensible to retain the property of their citizens, and so we have to amend section 9 in order to take care of these various situations. We have added a new feature in reference to American-born women who married alien enemies prior to the declaration of war on the 6th of April, 1917, when such property was not derived either directly or indirectly from any German source. These are the main points of the bill, and the justification for these amendments is as I have just stated.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. ESCH. I will.

Mr. JOHNSON of Washington. The provisions on pages 4 and 5 with regard to the rights of American women married to aliens classified as alien enemies will relieve Congress of the necessity of passing individual bills restoring citizenship?

Mr. ESCH. Yes.

Mr. JOHNSON of Washington. That is highly desirable. One more question: There is nothing in this bill that will take care of the property of any national of Austria residing now in the United States?

Mr. ESCH. No; but perhaps I do not understand the inquiry.

Mr. JOHNSON of Washington. What I have in mind is an individual case. From my district I have the case of an Austrian woman whose husband was killed in a mine. Under the State laws she is entitled to a certain sum of money as compensation, but that money is held by the Alien Property Custodian. Later her boy's arm was torn off by a thrashing machine, and he is entitled under the State compensation law to get some money. Neither mother nor son can receive a

cent, as the State is forbidden by the Alien Property Custodian to pay. It is a very distressing case, and I see no way to relieve it. Apparently it is not advisable now to undertake to pass individual relief bills?

Mr. ESCH. We tried to make the law cover as many cases as we could, and in fact liberalized the bill as originally presented by shortening the date and eliminating the provision in reference to having the marriage celebrated in the United States.

Mr. JOHNSON of Washington. Of course, this woman and her husband were both Austrians. He is dead, and the State of Washington is obliged to hold the money intended to provide for her provision under the inheritance act. It is a peculiar situation.

Mr. ESCH. It is a remarkable case.

Mr. BLANTON. Does the gentleman from Illinois want some time?

Mr. SABATH. I do.

Mr. BLANTON. I yield the gentleman three minutes.

Mr. ESCH. Will the gentleman pardon me a minute? Did the Chair put the question on the amendment I suggested; that is, to strike out the final "s" in the word "Presidents"?

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SABATH. Mr. Speaker, the gentleman from Wisconsin [Mr. ESCH] has splendidly explained the provisions of this bill. We have in this country thousands upon thousands of people who unfortunately have been classified as alien enemies, when, in fact, they were never such. But they were the subjects of countries with which we were at war. That applies not only to the Alsace-Lorraine people, but it applies to thousands of Polish people who are residents of our country, unwillingly subjects of Germany, some of Austria-Hungary, and some the subjects of Russia. Now, the same thing applies to the Czechoslovaks, the Jugo-Slavs, of whom there are many nationalities, like the Serbians, Croatians, Slovenes, and so forth. They were all friendly to the cause of the Allies, but unfortunately they were the subjects of Austria. The first chance they had they came to the aid of the cause of the Allies, and their countrymen resident here have done likewise. But due to the law all were classified as alien enemies, and their property has been taken over by the Alien Property Custodian. Our country made it possible for these countries to be free from the oppressive rule of Austria-Hungary and Germany, and they are fully appreciative that it was America that helped to secure for them their freedom and independence. Not only did Alsace-Lorraine again become a part and parcel of France, but Bohemia, Moravia, Silesia, and a part of Hungary became the free and independent Republic of Czechoslovakia. The Polish people that have been divided, a portion of them oppressed by Prussia, others by Austria, and still others by Russia, have again become a united, strong, and powerful nation. Jugo-Slavia, composed of old Serbia and the southern Balkan States, has been recognized as the Jugo-Slavia State. All of these peoples and nations are fully appreciative of the services rendered them by this great Nation of ours, and the hundreds of thousands of their countrymen residing in the United States, realizing the position of our Nation during the entire war, in every way aided and demonstrated their loyalty to our country. But even if we are technically still at war, it is our duty to release the property of these people, who for upward of two years have not been citizens of Austria-Hungary or Germany, but citizens of their respective new republics, and therefore not alien enemies, and justice demands that their property should be turned over to them as speedily as possible, as these people whose property is being held have in every way proven that they were alien enemies in name only and not in fact.

Mr. Speaker, this bill will also release a great deal of property and relieve the hardships of many American women who have married men of these countries, and I hope there will be no delay in the passage of this bill that relief may be accorded them all.

The SPEAKER. The time of the gentleman has expired.

Mr. BLANTON. Mr. Speaker, I reserve the balance of my time.

Mr. ESCH. Mr. Speaker, I also reserve the balance of my time.

Mr. SABATH. I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Without objection it is so ordered.

RECESS.

The SPEAKER. The hour of 6 o'clock having arrived, the House will stand in recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House (at 8 o'clock p. m.) resumed its session.

PENSIONS.

Mr. FULLER of Illinois. Mr. Speaker, I ask unanimous consent that the bill H. R. 6376 and the bill H. R. 1189 may lie on the table. They have been disposed of by other bills.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the two bills he mentioned, which have been disposed of by being incorporated in the omnibus bill, be laid on the table. Is there objection?

There was no objection.

AMENDMENT OF TRADING-WITH-THE-ENEMY ACT.

Mr. BLANTON. Mr. Speaker, I would like to get some information from the committee in regard to this bill. We have been given to understand that the property and money in the hands of the Alien Property Custodian are going to be used in the payment of the claims of our American citizens for losses occasioned by the German Government, especially losses based upon the *Lusitania* horror. Now, the provision is made in this bill that anyone claiming that any alien enemies were indebted to them could make claim against the Alien Property Custodian and have claims allowed out of such property and such estates of alien enemies. I want to call the attention of the chairman and of the committee to the fact that almost every German enemy, vicious or otherwise, if he has not relatives living in this country, has at least good, warm friends scattered over the United States. What is to keep the friends or relatives of the alien enemies from coming in and making claims, fictitious and otherwise, of indebtedness against such estates, and wiping them out? It would be very easy to date the claim back prior to October, 1917, the date provided in this bill. It would be a very easy matter to set up such claims and to furnish proof of their existence. There is not a single alien enemy in Germany to-day but will want his friends and relatives to get the benefit of their property if they can. Is that the policy of this Government, to pass such a law as will permit these frauds to be passed upon the rights of individuals who have good, valid, conscientious claims based upon the *Lusitania* loss?

Mr. SANDERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. I will.

Mr. SANDERS of Indiana. Does the gentleman really think that the Department of State and the Department of Justice each would be urgently requesting that we pass this legislation if it would work the injustice that he seems to think it would?

Mr. BLANTON. Oh, the Department of State is made up of a Secretary of State and subordinates. The Secretary of State has much to do on many matters of importance, and he leaves largely to subordinates attention to other business. The subordinates in that department are just like the subordinates in Congress sometimes; they do very little, and think very little; and some laws drafted in the departments are presented to this House for passage that have had very little consideration from the chiefs and heads of the departments.

Mr. SANDERS of Indiana. Mr. Speaker, will the gentleman yield further?

Mr. BLANTON. I yield.

Mr. SANDERS of Indiana. Has the gentleman noticed that in the hearings the letters were signed by A. Mitchell Palmer and Bainbridge Colby, the heads of those respective departments?

Mr. BLANTON. Oh, yes; but I am directing inquiries that should appeal to the good sense and judgment of the gentleman himself. He does not let other people do his thinking for him. He does his own thinking. I am asking of the gentleman, and I am asking my colleagues, whether it is good policy to pass a law that will permit alien enemies in Germany to let their friends and relatives in this country make out fictitious claims and wipe these estates from the hands of the Alien Property Custodian and defeat the claims of honest claimants based upon the *Lusitania* disaster.

Mr. SANDERS of Indiana. Mr. Speaker, will the gentleman yield again?

Mr. BLANTON. Yes.

Mr. SANDERS of Indiana. Is the gentleman aware of the fact that before these claims can be paid out they must be approved by the President of the United States?

Mr. BLANTON. Oh, yes. But does the gentleman believe that the President of the United States will dig down into these claims and pass upon them as I dig down and pass upon some claims pending before the Committee on Claims?

Mr. SANDERS of Indiana. I have more confidence in the Department of State and the Department of Justice and the Alien Property Custodian also, who ask that this bill be passed, than the gentleman has. The gentleman has asked this question of the committee. Does the gentleman think, if a citizen of the United States has a valid claim which would be approved by the President of the United States against property held by the Alien Property Custodian, that that right of a citizen of the United States should not be protected?

Mr. BLANTON. Oh, the gentleman is a good lawyer, and he knows that if some friend or relative of some alien enemy can come here and present a claim against a particular alien enemy's estate, a claim of indebtedness, and can furnish proof, fictitious or otherwise, good on its face, that that indebtedness accrued prior to October, 1917, it will wipe the estate out of the hands of the Alien Property Custodian and leave nothing to pay the claims of American citizens based upon the *Lusitania* loss and other losses.

Mr. MONTAGUE. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Certainly.

Mr. MONTAGUE. Could the gentleman put his finger on the section of the bill and show us where the injury would result that he complains of?

Mr. BLANTON. Oh, right in the beginning of the bill, almost, where it is provided that anyone having a claim based upon indebtedness against an alien enemy, and a provision providing for his presenting that claim and having it allowed and paid. It is as plain and simple as anything in the English language. Anybody can understand it.

Mr. MONTAGUE. Of course, the gentleman understands primarily that this bill is intended to relieve people whose property has not come from German or other alien enemy, for example, which was obtained by virtue of marriages, and, secondly, property rights arising out of claims. Why should we not authorize the presentation of claims subject to the action of the Department of State and the Department of Justice and the President in passing upon them?

Mr. BLANTON. Perhaps the gentleman overlooked my initial statement, and on that hinges all of my complaint, and that is that every alien enemy in Germany has in this country, if not relatives, at least friends, whom he would like to see get his property rather than have the Government or citizens of the United States have it, and who will combine and conspire with such friends and such relatives to help establish cases and claims of indebtedness to defeat the application of these funds to the claims of American citizens.

Mr. MONTAGUE. Does not the gentleman think that the man who has a claim against property—not against a German citizen, except indirectly, but against property in the hands of the Alien Property Custodian—ought to be permitted to assert that claim?

Mr. BLANTON. The only claim he has would be a note or mortgage or other evidence of indebtedness.

Mr. MONTAGUE. Why should not an American citizen be permitted to assert his claim against that property? Why does the gentleman want to confine it to people who have been injured by the sinking of the *Lusitania* alone? I am sure the gentleman holds no brief for the unfortunate *Lusitania* victims.

Mr. BLANTON. None in the world.

Mr. MONTAGUE. Why not let them take their chances with everybody else?

Mr. BLANTON. I was merely illustrating one feature of what might happen under this bill. I was not intimating that that was all of the objection, but I was illustrating what could happen under this bill. The distinguished gentleman knows that my illustration is good, that an alien enemy in Germany with a relative or friend here could conspire with him to create evidence of an indebtedness existing prior to October, 1917.

I promised to yield to the distinguished gentleman from Kentucky [Mr. ROBSION], and I yield to him the remainder of my time.

Mr. ROBSION of Kentucky. Mr. Speaker, how much time is yielded to me?

The SPEAKER. Seven minutes.

Mr. BLANTON. Mr. Speaker, the gentleman from Kentucky has what I am sure would be decided by the Speaker to be a question of personal privilege, so that he could take an hour of the time of this House if he demanded it, but he does not desire it.

Mr. MONTAGUE. Does what he desires to say relate to this bill?

Mr. BLANTON. Under the circumstances I ask unanimous consent that in addition to the time I have yielded to the gentleman he may have 13 minutes, and that he may speak out of order.

Mr. ESCH. Mr. Speaker, I shall have to object to that. I will ask the Speaker how much time I have remaining.

The SPEAKER. The gentleman from Wisconsin has 13 minutes.

Mr. ESCH. I will yield to the gentleman four minutes of my time.

Mr. BLANTON. And I ask that the gentleman from Kentucky be allowed to speak out of order.

The SPEAKER. The gentleman from Texas asks unanimous consent that the gentleman from Kentucky [Mr. ROBSION] may speak out of order. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Kentucky is recognized for 11 minutes.

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

Mr. WALSH. Reserving the right to object, we do not know what this is going to be about. We had better wait and see.

Mr. ROBSION of Kentucky. Mr. Speaker and gentlemen of the House, I will say in the beginning that I am not seeking to criticize anybody's vote or to defend my own vote.

On May 31, 1920, there appeared in the Courier Journal, of Louisville, Ky., an editorial, in which was made the charge, in substance, that the American soldiers of the World War were willing to sell themselves for this bonus legislation, and that the Members of Congress who voted for it were willing to buy them, and the deal was consumated by casting our votes for it. The Speaker of this House is belittled and ridiculed; this body as a whole was held up to scorn, and the Kentucky delegation in the House were denounced as cowards. I deny all of these charges and denounce them as vile slanders, willful and malicious lies. [Applause.]

I know no man more faithful, honest, or honorable than our worthy Speaker ever occupied this exalted position. [Applause.] I never before found a body of men more honorable or courageous than the men who make up the membership of this House. It is true that we may not see the irrigation question as those who live in the West, the merchant marine question as those who live in the East, the commercial problems as those who live in the North, or the agricultural problems as those who live in the South, but must those who differ from us be denounced as cowards and crooks? I see men in this House who speak and vote for measures in the interests of the welfare of the whole Nation when they know that it will lessen their chances of reelection in their own districts. [Applause.]

Mr. Robert Worth Bingham, sometimes called Mr. Bangum, is the publisher and editor of the Courier-Journal. Now, who is this Mr. Bingham, who sets himself up as the mentor and critic of the membership of this House and the American soldier and sailor? At one time he claimed to be a Democrat and was elected county attorney of Jefferson County, in which is located the city of Louisville. He was reelected through the intimidation, fraud, and ballot-box stuffing of the worst political machine with which Louisville was ever afflicted. His election was contested. The case was carried to the highest court of the State, made up almost exclusively of members of his own party. This court, in a well-considered opinion, declared that the election was so corrupt, unlawful, and fraudulent as to defeat the will of the people, and Mr. Bingham was ousted. [Applause.]

We next hear of Mr. Bingham running for office on the Republican ticket, but he was again repudiated at the polls. Kentuckians looked upon him as neither bird nor mouse, but rather a political bat. [Laughter.]

Having been retired by both political parties and having made more or less of a failure financially as well as politically, he sought new fields of conquest. He enlisted, but not in the war. He did not rush the Germans at Argonne Forest, Belleau Wood, or Chateau-Thierry, but he did make a rush for the hand and fortune of the aged widow of Mr. Flagler, the oil magnate of New York and Florida. [Laughter.] Being much younger and much more active, of course, he outstripped the good woman in the race and went "over the top." [Laughter.] But how did Mr. Bingham become the owner and publisher of the Courier-Journal and the Louisville Times?

A former law partner and good friend of Mr. Bingham prepared a codicil for Mr. Bingham's new wife, by which Mr. Bingham was to receive "a bonus" at her death of $5,000,000.

His wife dying suddenly soon after this codicil was made, Mr. Bingham came into the possession of this $5,000,000 "bonus." [Laughter.] He bought these two newspapers. He did not possess the energy, brawn, or brains to acquire, manage, or control any newspaper. He could not have bought a small part of

either of them. It was a sad, sad day for the Courier-Journal when the rich widow's millions displaced that great editor and patriot, Col. Henry Watterson, who was the South's greatest editor and at one time an honored Member of this House, and set up in his stead this Mr. Bingham. He is publisher and editor of the Courier-Journal solely by grace of the "bonus" he received from the rich widow. [Laughter.]

In Kentucky to-day neither the Republicans nor Democrats have any faith in the politics or political policies of the Courier-Journal as managed by Mr. Bingham. While the Courier-Journal poses as a Democratic newspaper, the friends of that party in Kentucky know that it and Mr. Bingham constantly stab the party in the back. They look out for the "bonus." Last fall they charged a Democratic United States Senator of Kentucky and the party a large sum to print a speech of that Democratic Senator made in behalf of and in the interest of the Democratic ticket for governor and other State officers.

We can see that the Courier-Journal and Mr. Bingham are not opposed to a "bonus" on principle. They are in favor of a "bonus" if it is large enough and is going to one of them. [Laughter and applause.]

If I were Mr. Bingham and had my debts paid by a rich widow and had received a $5,000,000 "bonus," I should not object to the American soldier, who left his friends, his home, his country, and went into hell itself in defense of Mr. Bingham, his $5,000,000 "bonus," and the Courier-Journal, receiving a small "bonus." [Applause.] Now, this man, whose election was set aside because of the intimidation of voters, corruption, fraud, and ballot-box stuffing, who has been both Democrat and Republican in seeking office, and who is a political acrobat and fortune hunter, undertakes to call the sworn Representatives from the great State of Kentucky cowards, drones, and crooks, and to abuse and denounce the heroes of the World War for demanding justice for themselves and the sworn officers of the House who voted to give them justice. We are answerable alone to our people, our conscience, and our God.

I have before noted other big, rich newspapers, the big trusts of the country, the war profiteers, and the millionaires denouncing as "looters of the Treasury" and "mercenary patriots" our heroic defenders, and I am unwilling to sit idly by and permit Mr. Bingham, the Courier-Journal, or anybody else to slander or maliciously and falsely misrepresent the men who offered their lives, who saved this country, and brought the Stars and Stripes back in honor and victory. [Prolonged applause.]

Mr. RAYBURN. If the gentleman will give assurance that he is not going to extend his remarks on the bonus matter, I will not object.

Mr. BENSON. I object.

Mr. ESCH. Mr. Speaker, I yield two minutes to the gentleman from Virginia [Mr. MONTAGUE].

Mr. MONTAGUE. Mr. Speaker, I have no purpose to make an argument. I just wish to give assurance to the House that this bill has been thoroughly considered by the Committee on Interstate and Foreign Commerce, and it comes here with the unanimous report of that committee. It simply undertakes to do justice to American citizens and other citizens who are not alien enemies, as respects their claims to or rights in the property now held by the alien property custodian. I think that this bill amply safeguards and protects all rights and interests. It will open up no such imaginary wrongs as have disturbed the imagination of the gentleman from Texas. It is simply to do justice, and to right what are now very acute existing wrongs. For example, to enable certain married women whose property was not inherited from the enemies, whose property was their own, to have control of their own property. That is one of the prominent items in the bill. I have no time to go further into the matter, but I felt, as a member of the committee, I should make this assurance at least to the House. [Applause.]

Mr. ESCH. Mr. Speaker, I yield three minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Speaker, of course in three minutes I have not sufficient time to discuss this bill, but I want to say to the Members of the House that the committee heard this matter very fully, and heard the officers connected with the alien-property custodian. We heard those who know most about it and there is not to my mind the shadow of a doubt that the bill ought to pass and pass just as soon as possible. Hundreds of thousands of dollars are held by the Alien Property Custodian and can not be paid to the parties who are justly entitled to receive it without legislation. The law was never passed as a confiscation act, but it was passed to take care of and preserve the property of parties entitled to it. But it can not be done in any other way and I hope there will not be a single adverse vote.

Mr. Speaker, I yield back the remainder of my time.

Mr. GARD. Will the gentleman yield?

Mr. ESCH. I will yield to the gentleman from Ohio.

Mr. GARD. I desire to make an inquiry as to the provision on page 6, subdivision A, in respect to the letter of Secretary Colby as it appears on page 5 of the report. Secretary Colby says:

If, as it is understood to be the position of the Department of Justice, an amendment to the act is necessary before this can de done, I trust that the proposed amendment to section 9 will contain a provision authorizing the return of any enemy diplomatic or consular property or private property and effects in this country by reason of the owner having been accredited to this Government as a diplomatic or consular officer of an enemy State at the time of the severance of diplomatic relations with the State of which he was a representative.

Mr. ESCH. Let me inform the gentleman that Secretary Colby's letter had reference to the bill that I introduced some two weeks before the bill now under consideration. That causes the discrepancy in the reference.

Mr. GARD. What I desire to call attention to is the letter of Mr. Colby in reference to taking private property of consular and diplomatic agents, whereas subdivision 8 contains a stipulation only about money or property which was the property of the diplomatic and consular agents of the Government of Austria and Germany or Hungary. It contains no provision about private property of consular officers, as suggested in the letter of Mr. Colby.

Mr. ESCH. Paragraph 4, page 5, covers the inquiry which the gentleman makes.

Mr. BEE. Will the gentleman yield for a question?

Mr. ESCH. Yes.

Mr. BEE. I have just seen this bill and glanced over it. Do I understand that under this bill moneys will continue to be held by the Alien Property Custodian?

Mr. ESCH. Yes.

Mr. BEE. Upon what theory, after the war is over, is the Government proceeding to hold money belonging to aliens who are not allies of the United States? I am asking for information.

Mr. ESCH. I do not understand that we have done that.

Mr. BEE. Is not the effect of the bill to release certain portions of it?

Mr. ESCH. As specified by classes under paragraph B.

Mr. BEE. What is the theory upon which the Government holds any money at all now in the hands of the Alien Property Custodian?

Mr. ESCH. It would hold a lot of it until a proper claim is made.

Mr. BEE. Then, if a claim is properly made, the money would be turned over?

Mr. ESCH. Yes; under the provisions of this bill.

Mr. BEE. What I am seeking to get at is whether there is any occasion for the holding of property that we took over during the war to keep it from going to the benefit of our enemies.

Mr. ESCH. I think that may have to rest on the provisions of the treaty which we make with Germany.

Mr. BEE. Until that treaty is made the gentleman feels the Government would be justified in continuing to hold the property?

Mr. ESCH. Yes. Mr. Speaker, I call for a vote.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and, in the opinion of the Chair, two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

ENLISTMENT IN THE UNITED STATES ARMY OF NON-ENGLISH-SPEAKING CITIZENS.

Mr. SANFORD. Mr. Speaker, I ask unanimous consent to discharge the Committee on Military Affairs from further consideration of the bill H. R. 3707, authorizing the enlistment of non-English-speaking citizens and aliens, and to consider in its place the bill S. 547, of similar title, with identical language.

The SPEAKER. The gentleman from New York asks unanimous consent to discharge the Committee on Military Affairs from further consideration of the bill H. R. 3707 and take up and consider at this time the bill S. 547, which the Clerk will report.

Mr. GARD. Mr. Speaker, I suggest that both bills be reported.

The SPEAKER. They are identical in language, the gentleman from New York stated.

The Clerk read the bill, as follows:

Be it enacted, etc., That so much of the act of Congress entitled "An act to regulate enlistments in the Army of the United States," approved August 1, 1894, as provides that "in time of peace no person (except an Indian) who can not speak, read, and write the English language" be, and the same is hereby, repealed.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GREENE of Vermont. Mr. Speaker, I object.

Mr. SANFORD. Mr. Speaker, I move to suspend the rules and pass the bill S. 547, authorizing the enlistment of non-English-speaking citizens and aliens.

The SPEAKER. The gentleman from New York moves to suspend the rules and pass the bill S. 547. Is a second demanded?

Mr. CALDWELL. Mr. Speaker, I demand a second.

Mr. SANFORD. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. SANFORD. Mr. Speaker, of course we all know that before the war illiterates were not allowed enlistment in the United States Army. We had the interesting fact before us, however, when the war was over, that of all the men that were drafted to serve in the Army over 24 per cent were illiterates. I think a great many people were shocked at that revelation. Twenty-four per cent of the drafted American boys, grown up under the school systems that exist in our several States, were unable to read the simplest English or to speak the language intelligently. There was established abroad, as we all know, recruit educational centers, and the Army did its full duty, so that Gen. Pershing was able to make the statement that when the boys came back from Europe there would not be in the whole expeditionary force a single illiterate.

Mr. KING. Mr. Speaker, will the gentleman yield?

Mr. SANFORD. In a moment. We were able to prove that right in the midst of war we could take a man into the Army and so help him and so give him the rudiments of the language that we could remove the blot of illiteracy before he was discharged. I yield to the gentleman.

Mr. KING. Mr. Speaker, I have heard that statement made a great many times about the illiteracy of the American Army. Does the gentleman mean to say that 24 per cent of the boys educated under our school system here are illiterate?

Mr. SANFORD. Twenty-four per cent of the boys who were drafted into the American Army were illiterate.

Mr. KAHN. Twenty-four and nine-tenths per cent.

Mr. FIELDS. Mr. Speaker, will the gentleman yield?

Mr. SANFORD. Yes.

Mr. FIELDS. If the gentleman will recall, the Secretary of War suggested before our committee that it was 25.9 per cent.

Mr. SANFORD. I knew I did not have the accurate figure. The fact now stares us in the face that we must either go back to the law as it was before the war or we must pass this bill. All of the time since the armistice, operating under the war legislation, the Army has been recruiting illiterates. I talked with an Army officer yesterday, and he told me of the type of men the Army has recently found in the mountains of Kentucky, Tennessee, North and South Carolina—men with absolutely no education, but the best material for soldiers the Army had ever discovered anywhere.

They take these men who have not had the advantages of any schooling whatever and in 60 or 90 days they teach them to speak and to some extent write the language of our country. The question is whether or not it is wise to say to them, "We will not even permit you to enter the Army because you can not read and write." This proposal is not only for the benefit of the illiterate; it is also of advantage to the Army. It gives us recruits at a time when enlistments are coming in very slowly. It may be interesting for you to know that there were at the Camp Upton recruit educational center in February 1,316 students, of whom 757 were American citizens. Of course, you know an alien is allowed to enlist if he makes his declaration of intention, and after he is discharged from the Army he is able to get his citizen's papers with a little formality; but of the large number who are using the educational advantages in the Army the majority are American citizens. I reserve the balance of my time.

Mr. GARD. Will the gentleman yield?

Mr. SANFORD. I will.

Mr. GARD. As neither the bill nor the report is available at the desk, I would be glad to have the gentleman explain what is the difference between the old law and the law now proposed.

Mr. SANFORD. The bill before us simply repeals that old provision of law that requires that no person who is illiterate shall be enlisted in the Army except an Indian. The gentleman has the bill before him. The language is very simple—only two lines, I think—and merely repeals that section.

Mr. BARKLEY. Will the gentleman yield for a question?

Mr. SANFORD. Does the gentleman from New York intend to use some of his time?

Mr. CALDWELL. Yes.

Mr. SANFORD. I ask the gentleman to use some of his time.

Mr. BARKLEY. Does that 25 per cent of illiteracy of which the gentleman speaks mean that percentage of men in the Army who could not read or write any language or the English language?

Mr. SANFORD. The English language.

Mr. BARKLEY. Then, it does not mean absolutely that percentage of illiteracy?

Mr. SANFORD. No.

Mr. BARKLEY. Because a man who may read and write in some other language would not be illiterate.

Mr. SANFORD. But I think he is of very little use to us if he can speak Polish and not speak English.

Mr. BARKLEY. I agree it should not be that high a percentage of illiteracy, because if they could read at all——

Mr. SANFORD. I mean illiterate so far as our language is concerned.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. SANFORD. I will.

Mr. JOHNSON of Washington. What is the provision admitting aliens into the United States Army?

Mr. SANFORD. The provision is that they may be admitted after declaring their intention of becoming citizens.

Mr. HUDSPETH. What does the bill provide?

Mr. SANFORD. I would be glad to have the bill reported again. It simply repeals that provision of the law which requires a man to be able to read and write the English language before he enlists in the Army. I reserve the balance of my time.

Mr. JOHNSON of Mississippi. Mr. Speaker, we are unable to get a copy of this bill, and I ask that the bill be read.

The SPEAKER. Without objection, the Clerk will again report the bill.

There was no objection.

The bill was again reported.

Mr. GARRETT. Mr. Speaker, is the gentleman satisfied with the title of the bill?

Mr. SANFORD. As it passed the Senate; yes.

Mr. GARRETT. Is that the way it passed the Senate—as it was read from the desk?

Mr. SANFORD. Yes.

Mr. GARRETT. It strikes me that the title does not correctly describe what is in the bill; it may probably describe the intent of the bill.

Mr. CALDWELL. Mr. Speaker, I yield five minutes to the gentleman from Vermont [Mr. GREENE].

Mr. GREENE of Vermont. Mr. Speaker, anybody with experience in legislative matters, particularly in this Hall, knows that this is the least seemly time of all times to discharge an important committee from the consideration of an important bill, more particularly a bill which seeks to repeal a law which has been one of the firm policies of the Army of the United States for years.

An argument is made of the fact that illiterates have come into the Army in war time, and therefore the strange remedy is suggested that the Army itself shall be the schoolmaster of all the people of the United States in peace time.

It seems to me there is neither rhyme nor reason in such a position as that. An army is an army, or else it should be discharged. An army is a military force for national defense, and not a collection of schoolmasters. Because there is an admitted evil, because there is illiteracy in the country, whose duty and responsibility is it to remedy that? The public-school systems of the States. Because one by one we find weaknesses and failures in the matter of education here and there in some rural communities or some congested districts, like the great cities, are we now to shoulder the responsibilities for that individual education upon the central Government of the United States, and, above all things, upon its Army?

It seems to me the Army is about the last place where we should begin to instruct people in the three "R's." The people who go into the Army of the United States and are selected by its recruiting service stand as its means of military defense. They are soldiers. And it seems to me if we want to get at the alien who may have lacked opportunities for education in the country from which he came, if we want to help him along in the path of citizenship, it is our first duty to take hold of him at home in the public schools. If we want to hold out an inducement of military service to him we can say, "Young

man, if you do want to become a citizen, and a responsible citizen, then you learn to read and write at home, and when you have given us good and abundant evidence of the good faith and sincerity of your intentions to be a good citizen by learning to read and write the English language at home, then we will honor you by putting you in a place of supreme trust in the United States of America. We will make you one of the guardians of the citadel; we will make you one of our soldiers in the national defense." It seems to me that is the natural trend and logic of the matter, rather than to turn that citadel of national defense into a schoolmaster's paradise. The place to correct illiteracy is in the States and in the public-school systems, or we are inverting the whole theory of our Government from the foundation.

Mr. BARKLEY. Will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. BARKLEY. I want to ask the gentleman what consideration this committee has given this bill, if any?

Mr. GREENE of Vermont. They have given it some consideration, but some of us are in doubt about it.

Mr. BARKLEY. It passed the Senate?

Mr. GREENE of Vermont. It passed the Senate.

The SPEAKER. The time of the gentleman from Vermont has expired.

Mr. BEE. Will the gentleman yield?

Mr. CALDWELL. I will yield one minute more to the gentleman from Vermont.

Mr. BEE. I wanted to ask the gentleman from Vermont whether ability to read and write is any test of ability to make a good soldier?

Mr. GREENE of Vermont. It is, in most instances, a test, in the first place, of a man's good intentions to accept the freedom and opportunity this country affords.

Mr. BEE. Is it not true that Gen. Putnam of the Revolutionary Army and Gen. Forrest of the Confederate Army were both uneducated?

Mr. GREENE of Vermont. And, so far as that is concerned, Romulus and Remus could not read the English language, but they were good soldiers—for those days. [Laughter.] It seems to me that we are going into a mistaken policy, and it seems to me, of all times in the history of this country, when we want to be sure of the security of our social order, in these days of discontent and unrest and uncertainty, we ought to have men in the Army who do know how to read and write the English language, and who will not only understand the orders given them, but have some idea of the meaning of both the Army and the country and what they stand for.

Mr. CALDWELL. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. FIELDS].

Mr. FIELDS. Mr. Speaker, I take the floor for the purpose of calling the attention of the officers of the United States Army to the fact that this bill as agreed to in conference—and the conference report has been adopted by both the Senate and the House and will be approved by the President—carries among its many other provisions a provision which reads:

Provided, That no part of the funds herein appropriated shall be expended in the payment of the salary of any officer of the Army of the United States who shall issue or cause to be issued any order, written or verbal, prohibiting social intercourse between officers and enlisted men of said Army while not on military duty when such order was not authorized by law or general Executive order: *Provided further*, That this limitation shall not apply to an officer who shall have acted in obedience to his superior officer.

Mr. Speaker, it is, indeed, gratifying to me to see the provision just read become a part of the law governing our Military Establishment. I am gratified to see it become a law for two reasons: First, because it is right; and, second, because it is the result of my own effort, covering a period of several years.

Class distinction as now practiced in the Army of the United States was practiced in no other army in the world prior to the World War except in the German Army. The German Army, with its class distinction, which our Army officers would have us believe is essential to good discipline in the Army, failed in the task for which it had made 50 years' preparation, in front of the guns of fighting forces all of whom, except the United States, had practically no class distinction. Therefore in view of that fact it might be well for the Army of the United States to begin now to have less class distinction and more sound, sane common sense.

Mr. Speaker, as I have previously said upon this floor and in my private and public utterances elsewhere, class distinction has no place in a democratic Republic like ours, for it is in conflict with the very pillar upon which it rests and the principles which maintain it. In the first study of our theory of government we are taught that all men are equal by birth and that man's moral and social status is fixed not by the wealth he may possess or the position he may occupy but by his moral conduct. But notwithstanding that principle, which has become a part of our civic structure, our Army has always held to and practiced the old Prussian doctrine that man's social status is determined by the position he occupies in the Army, giving, of course, the social status to the man who wears upon his shoulder the insignia of an officer. That principle has been repugnant to me from my first knowledge of it, and the longer I live the more I hate it, because the longer I live the more I see of it. I have seen the private soldier who was well bred, properly reared, and highly educated snubbed socially, insulted, and humiliated by his superior officer, who was not his equal in breeding, in intellect, in culture, or in moral conduct, simply because the one happened to be a private and the other an officer; and it was to correct and prohibit that pernicious, unwarranted, and un-American practice that I have exerted my efforts to write into law the provision to which I have just referred.

I started my fight for this reform nearly two years ago, first in the Committee on Military Affairs when I offered this same provision as an amendment to a former bill. I was defeated in committee by a majority vote. I carried my fight to the Committee of the Whole House on this floor and was again defeated by a majority vote. I then offered the same provision in the House in the form of a motion to recommit the bill and secured a record vote, by which it was adopted by a vote of 170 to 91. That bill failed to pass the Senate because of a filibuster in that body, and with the consideration of this bill I renewed my fight for the adoption of this provision and again won on a motion to recommit by a vote of 162 to 105.

The Senate approved the provision. The President will approve the bill, I have no doubt, and I desire to say now and here that this provision of the bill, when it becomes law, shall not become a dead letter if I can prevent its doing so. I expect to watch the Army and insist upon the enforcement of this provision against every officer who violates or disregards it.

Mr. Speaker, this accursed system of social distinction inflicted upon the enlisted personnel of the Army, practiced before the eyes and in the presence of the civil population, is doing more to poison the mind of the civil population against the Army than all other causes combined. It is doing more to embitter the youth of the land against our governmental structure than all the rest of the combined defects of our structure. I will go still further; it is doing more to destroy patriotism and foster anarchy than all other causes that contribute to that baneful result. It is, therefore, the duty of every citizen who realizes its injurious effects upon our system of government to do all in his or her power to eliminate it from our Army in such positive terms that it will never be revived.

Mr. Speaker, I desire to say in passing that there have been recently written into our military law other reform measures for which I have contended since my earliest service in Congress, and it goes without saying that their enactment into law is most gratifying to me. Among the reform measures referred to are the revised Articles of War, granting to the convicted soldier the right to have his case reviewed by a board of review; the inauguration of a system of vocational training in our Army to prepare the enlisted men for more useful and more gainful occupations upon their return to civil life; and the repeal of that provision of the law governing enlistments which prevented the enlistment in time of peace of a man who could not read and write. We have always enlisted men in time of war who could not read, write, or even speak the English language, and it has been my belief and my contention that any man who is good enough to fight and die for his country in time of war is good enough to serve in its Army in time of peace, if he desires to so serve.

We enacted for our ex-service men of the World War a statute providing liberal compensation for those incurring disabilities in line of duty and insurance for the dependents of those who fell on the field of battle or perished in camp. These benefits were never before extended to our country's defenders. It is therefore obvious that the country is becoming more appreciative of the services of the men who protect its flag in time of war.

Mr. Speaker, while I have advocated and worked for the enactment of reform measures essential to the welfare of our soldiers, the Military Establishment, and the country, I have opposed with all the energy I possessed the effort of the militarists to force upon the country compulsory universal military training, and especially compulsory military service in time of peace, which was so recently attempted, and I shall continue to oppose all measures designed to accomplish those results.

There are other reform or progressive measures to which I could refer that have been enacted into law within the last

few years which will operate to the betterment of our Military Establishment, and especially to the welfare of the enlisted man, but time will not permit me to refer to them. It was not my intention, however, in the beginning to refer to as many as I have, but I could not let this opportunity pass to call the attention of the commissioned personnel of the Army to the fact that the provision for which I have contended and for which I have worked for so long, which is designed to prevent an officer from becoming a law unto himself in the enforcement of his own ideas of social distinction, is now written into law. [Applause.]

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. FIELDS. I ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. CALDWELL. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. SABATH].

The SPEAKER. The gentleman from Illinois is recognized for three minutes.

Mr. SABATH. Mr. Speaker, of the 200,000 aliens that were naturalized in our camps about 25 per cent were illiterate. The only trouble that the War Department had with those 200,000 men who enlisted and were accepted in the service was that they desired too eagerly to be sent across. The only trouble that any camp commander had with them was that they were too anxious to be sent across to show their patriotism and devotion to their adopted country.

I was more than pleased with the record that these men made, and I am glad that the General Staff and the committee, who have so carefully investigated the splendid record of these men, have come to the conclusion that it will be in the interest of the Nation, that it will be in the interest of the Army, if these men are given the chance and opportunity to serve their adopted country.

True, some of them are illiterate and not capable of writing or reading English, but I know that they are capable and splendid fighters and many of them desire to enter our Army and serve the Nation, and all of them will and are bound to make good soldiers. The gentleman from Massachusetts, who is opposed to the bill, is fearful that these aliens can not be trusted and relied upon and is strenuously opposed to accepting the illiterates into the Army. If the gentleman were thoroughly familiar with the record these foreign-born men have made in the late World War I am sure that his fears would be allayed, as they have demonstrated beyond any doubt that they can be relied upon, can be trusted, and their loyalty should not and can not be questioned.

Mr. Speaker, the adoption of this bill will not, as the gentleman fears, cost the War Department large sums of money for the education of these illiterates, but, on the other hand, it will save the department thousands of dollars which it annually expends for advertising and in the recruiting service, and inasmuch as the General Staff has recommended this change I hope that they will also see to it that proper treatment is accorded these boys and that the abuse heaped upon them on the part of some of the officers in some of the camps will not be tolerated in the future. [Applause.]

Mr. CALDWELL. Mr. Speaker, I have only one more speech on this side.

Mr. SANFORD. I shall move the previous question when the gentleman has concluded.

Mr. GARRETT. Will the gentleman from New York [Mr. CALDWELL] allow the gentleman from New York [Mr. SANFORD] to yield to me?

Mr. CALDWELL. We have only one more speech on this side.

Mr. GARRETT. I wish only to repeat my suggestion to the gentlemen who are interested in this bill about the title. There ought to be some way to amend this title. It does not conform to the bill.

The SPEAKER. It can be done by unanimous consent.

Mr. CALDWELL. Mr. Speaker, the object of this bill is to place enlistments in the Army upon the same basis as enlistments in the Navy and the Marine Corps. In the Navy and in the Marine Corps there is no limitation on enlistments as regards ability to read and write or speak the English language, and in the Navy and Marine Corps every ship has its school in which this Americanization work is going on all the time.

During the war, as has already been pointed out, the Americanization process began for the first time in the Army. At the present time the Americanization work in the United States Army is being carried on under experts who received their training during the time of war, and there are now five companies of these men who are learning to read and write and speak the English language that have been enlisted under the war-time legislation which was necessary for us to pass, who are going over the country to-day demonstrating the wonderful work that is being done by the Army in this respect. Only a few weeks ago one of these companies appeared upon the plaza in front of the Capitol and gave a demonstration of the work being done in the Army for these men. To-night at the stadium there is a circus or show being staged by the War Department with one of these expert units, composed of men from all sections of the country, some of whose parents were born in the United States and who yet, notwithstanding the educational system of our country, could neither read nor write nor speak the English language at the time they enlisted in the Army.

Mr. JAMES. Mr. Speaker, will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. JAMES. Is the gentleman in favor of allowing aliens to enlist in our Army?

Mr. CALDWELL. If it is going to make them real Americans as a consequence of what they learn, yes. I am perfectly willing to rest upon the record of the aliens who joined the Army of the United States and went to France to help us fight our battles to demonstrate that we are taking no chances in letting these men enlist in our Army.

Mr. BARKLEY. This bill does not permit aliens to enlist in the United States Army.

Mr. CALDWELL. It lets declarants enlist, but it makes no difference whether it does or not. I see no objection to it if it makes them good American citizens, because it is to that end that we are undertaking to do this work in the Army.

Now, as to the question of expense, I call the gentleman's attention to the fact that in the Army reorganization bill and in the Army appropriation bill that has just passed this House we have provided for an officer personnel of about 18,000. What are you going to do with them?

There are not enough soldiers in the Army to occupy their time unless institutions of this kind are erected to give them something to do. This will not be an added burden to the United States in the matter of dollars and cents. It is using that which we are already paying for, and using it for a good purpose.

Mr. GREENE of Vermont. The gentleman remembers, of course, that, while that is true, instruction to the soldiers in the Army ought to be given by its own officers. Yet the War Department, by some strange hook or crook, has to handle civilian schoolmasters.

Mr. CALDWELL. Not in this particular kind of work, because I was talking to an officer in charge of it in the Army and Navy Club this evening, and I am assured that this Americanization work that is being done, which is temporary, because the law under which it is being done is war legislation, is carried on by the Army.

Mr. GREENE of Vermont. Then there is one less excuse for the employment of the civilians in the War Department who are doing this work.

Mr. CALDWELL. I will be glad when all the civilians get out of the Army.

Mr. GREENE of Vermont. So will I.

Mr. CALDWELL. I can not see any merit in the contention of the gentleman from Vermont [Mr. GREENE] when he says the Army is an institution for defense and nothing else. In my opinion the Army, like any other institution of the United States Government, if it is to be efficient, should be used in every way that is possible that does not interfere with its ordinary and particular functions. I think there is no excuse in the world why the officers of the United States Army should not be devoting, in their spare time, their energies and intellects to improving the citizenship of this country and building up the magnificent structure that we hope it will continue to be. Remember, this does not apply altogether to immigrants, but also to many thousands of native born who can neither read, write, nor speak the English language.

Mr. SANFORD. I ask for a vote.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question being taken, on a division (demanded by Mr. WALSH) there were—ayes 109, noes 21.

Accordingly, two-thirds voting in the affirmative, the rules were suspended, and the bill passed.

Mr. KAHN. Mr. Speaker, I ask unanimous consent that the corresponding House bill, H. R. 3707, be laid on the table.

The SPEAKER. The gentleman from California asks unanimous consent that the corresponding House bill be laid on the table. Is there objection?

There was no objection.

JOINT COMMITTEE ON REORGANIZATION.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate joint resolution 191, to create a joint committee on the reorganization of the administrative branch of the Government.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to take from the Speaker's table and consider in the House a Senate joint resolution, which the Clerk will report.

Mr. BLANTON. Mr. Speaker, I am going to object, so I will save time by objecting now.

Mr. REAVIS. Mr. Speaker, I move to suspend the rules and pass Senate joint resolution 191.

Mr. CANNON. Let us have it read.

The SPEAKER. The gentleman from Nebraska moves to suspend the rules and pass Senate joint resolution 191, which the Clerk will report.

The Clerk read as follows:

Resolved, etc., That a joint committee is created, to be known as the joint committee on reorganization, which shall consist of three Members of the Senate to be appointed by the President thereof, and three Members of the House of Representatives to be appointed by the Speaker thereof. Vacancies occurring in the membership of the committee shall be filled in the same manner as the original appointments.

SEC. 2. That it shall be the duty of the joint committee on reorganization to make a survey of the administrative services of the Government for the purpose of securing all pertinent facts concerning their powers and duties, their distribution among the several executive departments, and their overlapping and duplication of authority; also to determine what redistribution of activities should be made among the several services, with a view to the proper correlation of the same, and what departmental regrouping of services should be made, so that each executive department shall embrace only services having close working relation with each other and ministering directly to the primary purpose for which the same are maintained and operated, to the end that there shall be achieved the largest possible measure of efficiency and economy in the conduct of Government business.

SEC. 3. That the committee shall, from time to time, report to both the Senate and the House of Representatives the results of is inquiries, together with its recommendations, and shall prepare and submit bills or resolutions having for their purpose the coordination of Government functions and their most efficient and economical conduct. The committee is authorized to employ such assistance as it may require, at such compensation as the committee may determine to be just and reasonable, and to make such reasonable expenditures as may be necessary for the proper conduct of its work, such expenditures to be paid in equal parts from the contingent funds of the House of Representatives and the Senate, as from time to time may be duly authorized by resolutions of those bodies.

SEC. 4. That the officers and employees of all administrative services of the Government shall furnish to the committee such information regarding powers, duties, activities, organization, and methods of business as the committee may from time to time require, and the committee or any of its employees, when duly authorized by the committee, shall have access to and the right to examine any books, documents, papers, or records of any administrative service for the purpose of securing the information needed by the committee in the prosecution of its work.

The SPEAKER. Is a second demanded?

Mr. GARRETT. Mr. Speaker, I demand a second.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Nebraska asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. REAVIS. Mr. Speaker and gentlemen of the House, I have no desire to take any more time than is necessary on this resolution to-night, because I realize how urgent and necessary the time of the House is in the passage of other measures. For that reason I sought unanimous consent for the consideration of this resolution in order that we might expedite the time required.

The purpose of the resolution briefly stated is this: It calls for the appointment of a joint commission of the House and Senate of three Members each for two years.

Mr. BARKLEY. Will the gentleman yield?

Mr. REAVIS. I will.

Mr. BARKLEY. Does the gentleman construe this resolution to mean that the commission must at all times be composed of Members of both Houses? Will a Member who goes out next March, if he is a member of that commission, still be eligible?

Mr. REAVIS. I have no doubt of that.

Mr. BENSON. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The gentleman from Pennsylvania makes the point of order that no quorum is present. The Chair will count. [After counting.] One hundred and eighty-six Members are present, not a quorum.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Doorkeeper was ordered to close the doors, the Sergeant at Arms to notify absentees, and the Clerk to call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Fairfield	McClintic	Sinclair
Baer	Ferris	McCulloch	Slemp
Bell	Flood	McKinley	Small
Boies	Frear	McPherson	Smith, Ill.
Booher	Fuller, Mass.	Mann, Ill.	Smith, Mich.
Brinson	Glynn	Mann, S. C.	Smithwick
Britten	Godwin, N. C.	Mansfield	Snyder
Brooks, Ill.	Goldfogle	Mason	Stedman
Buchanan	Goodall	Mays	Steele
Butler	Gould	Merritt	Steenerson
Cantrill	Graham, Pa.	Morin	Stephens, Miss.
Caraway	Griffin	Nelson, Wis.	Stephens, Ohio
Carss	Hamill	Newton, Minn.	Stiness
Carter	Hamilton	Nicholls	Stoll
Clark, Fla.	Harreld	O'Connor	Strong, Pa.
Cole	Hastings	Olney	Sullivan
Cooper	Haugen	Osborne	Taylor, Ark.
Copley	Hayden	Paige	Tillman
Costello	Hernandez	Parker	Tinkham
Curry, Calif.	Hersman	Pou	Upshaw
Dale	Hoey	Purnell	Vaile
Davis, Minn.	Holland	Ramseyer	Vare
Dempsey	Houghton	Randall, Calif.	Venable
Denison	Hulings	Randall, Wis.	Volstead
Dent	Igoe	Rhodes	Walters
Dewalt	Ireland	Riddick	Ward
Dickinson, Mo.	Johnson, S. Dak.	Robinson, N. C.	Weaver
Dowell	Kettner	Rodenberg	Webster
Drane	Kiess	Romjue	Wilson, Ill.
Drewry	Kitchin	Rucker	Winslow
Dunn	Kleczka	Sanders, La.	Wise
Dupré	Langley	Schall	Woods, Va.
Eagle	Lankford	Scully	Woodyard
Ellsworth	Lazaro	Sears	Young, N. Dak.
Elston	Lee, Ga.	Sells	
Evans, Nev.	Longworth	Sherwood	

The SPEAKER pro tempore (Mr. LITTLE). Two hundred and eighty-one Members have answered to their names, a quorum.

Mr. SNELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

The SPEAKER pro tempore. The gentleman from Nebraska [Mr. REAVIS] is recognized for 17 minutes.

Mr. REAVIS. Mr. Speaker, the resolution now before the House under motion to suspend the rules is a Senate resolution which unanimously passed that body. A similar resolution, introduced by me, was reported to the House favorably by the Committee on the Judiciary, but I am asking at this time to substitute the Senate resolution for the resolution introduced by me, with the idea of economizing in time.

I have reached the conclusion, after many months of investigation and study, that the passage of this resolution would mark the beginning of one of the most constructive pieces of legislation that has been before the present Congress. For many years the overlapping and duplication of activities in the departments and bureaus of the Government has been a source of waste and expense almost incalculable. A sincere study of the situation leads one to the conclusion that, while the Government of the United States is the world's biggest business, it is likewise the world's worst-managed business. There has been no reorganization of governmental departments since the days of Alexander Hamilton, and the result of this indifference is appalling to any sincere student of governmental affairs.

Mr. Taft, in January of 1912, sent a special message to the Congress, calling to its attention the great waste of public money because of duplication of activities. Ex-Secretary of the Interior Lane quite recently gave public expression regarding the overlapping in the several departments and the urgent necessity for some change.

The resolution introduced by me and reported favorably from the Committee on the Judiciary offers the first opportunity to the Members of Congress to meet the situation efficiently and finally.

Mr. BENSON. Will the gentleman yield?

Mr. REAVIS. In a moment.

Mr. BENSON. Then I make the point of order that there is no quorum present.

The SPEAKER pro tempore (Mr. LITTLE). The Chair has just ascertained that there is a quorum present. The gentleman from Maryland will please be seated and desist from smoking. It is against the rules.

Mr. BENSON. Then I will wait a few minutes and make the point another time.

Mr. REAVIS. This resolution provides for a committee to make investigation of the duplication of activities and to report legislation that will eliminate this endless overlapping.

Mr. BENSON. Mr. Speaker, will the gentleman yield?

Mr. REAVIS. I have only a little time, and it is very late at night. I decline to be interrupted.

Among the measures to be considered by this committee, if this resolution shall pass, will be the bill known as the Jones-Reavis bill, which was introduced in the Senate by Senator JONES of New Mexico and in the House by myself, which contemplates the reorganization of the Interior Department into a department of public works. The purpose of this legislation is to start with one department and to coordinate within that department all activities of government which are in harmony with the functions of the department. As it is to-day, many of the activities under the Secretary of the Interior are totally unrelated to the functions which that department naturally and logically should perform. It is a little difficult to understand and far more difficult to ascertain why certain activities have been given to the Interior Department. The work of that department to-day is a hodgepodge of totally unrelated purposes, which is resulting in endless duplication and appalling expense.

For instance, the Department of the Interior has control of the insane hospital known as St. Elizabeths. This hospital should be removed from the jurisdiction of the Interior Department and should be given to the Bureau of Health, where it logically belongs. The Department of the Interior also has the Howard School and the School for the Deaf. These activities should be given to the Bureau of Education. The Pension Bureau, now under the Department of the Interior, should be consolidated with the War Risk under the Treasury Department. As it is, we have one personnel caring for the soldiers of the World War and another personnel caring for the soldiers of the Civil War. These two activities should be joined in one department. The Bureau of Patents should be taken from the Department of the Interior and given to the Department of Commerce, where it really belongs, and all of the public-work functions should be gathered together and coordinated within the Interior Deparment.

As an example of the endless duplications, let me cite to you that there are 39 separate governmental agencies handling engineering, architectural, and public-work functions, all of a related kind. There is no good reason why all of these agencies should not be coordinated in one department and about 38 of the useless organizations done away with. There are 26 governmental agencies engaged in surveying and mapping; there are 27 separate and distinct agencies engaged in public building operations; there are 16 agencies authorized to build roads; there are 19 engaged in hydraulic construction; there are 16 doing work on rivers; there are 10 engaged in public-land functions; there are 15 doing chemical investigation connected with public-work operations; there are 22 doing engineering and research. Many of these agencies have been inactive for a number of years, but they are keeping up their personnel in anticipation of work in the future. The coordination of all these functions, which will result in doing away with useless bureaus and duplication of activities, will save to the country in my judgment at least $300,000,000 a year.

Some of the duplications are so ridiculous that if they were not tragic they would be absurd. For instance, the Government seeks to protect the wild animals in the national parks. If a brown Kadiak bear has twin cubs, one brown and one black, which often happens, and one should shoot the brown cub he must make his settlement with one department, but if he shoot its full brother, the black cub, he must settle with another department. If you were to shoot a fox in Alaska, your settlement would be with the Department of Agriculture, while if you trapped the same fox, you must make your settlement with a bureau in the Department of Commerce. To put an end to these duplications will mean not only the release of thousands and tens of thousands who are now working for the Government but it would result in far more efficient service.

Mr. CLARK of Missouri. Mr. Speaker, will the gentleman yield for a question?

Mr. REAVIS. I will be very glad to yield.

Mr. CLARK of Missouri. Is not this very thing you are trying to do now precisely what it was claimed the budget system will do?

Mr. REAVIS. It is difficult to answer that question because I do not know all that has been claimed for the budget system, but the difference between the budget system and the plan proposed by myself is that the budget system provides for a reorganization within the departments by the departmental heads, while the system sought by this legislation provides for a legislative investigation and a legislative reorganization without regard to the views of the department heads. The truth of the matter is that the provision of the legislation now before the House supplements and works in harmony with the budget system and will add greatly to its efficiency.

Mr. CLARK of Missouri. Was not the argument you were making the principal argument that was given in favor of the budget system?

Mr. REAVIS. Probably it was, for the purposes of the budget and the purposes of this legislation are very similar, but a full understanding of the two propositions will disclose that the provisions of the resolution as now before the House will permit the Congress to do many things which the budget can not and will not do.

Mr. CLARK of Missouri. Is not this resolution providing for a duplication just exactly what the budget is proposed to prevent?

Mr. REAVIS. I presume that the distinguished gentleman from Missouri means by that question that the purpose of this resolution is a duplication of the budget provision. This, however, is not correct. It has been my experience and observation that the more efficient and ambitious the department head the greater the menace he is in some respects to the economical administration of governmental affairs. All ambitious and active men are apt to lose their sense of proportionate value and to reach the conclusion that the thing they do is the most important thing that is being done. This characteristic of humanity leads an efficient department head to believe that the success of his department is the most important feature of the Government, and the result of it is that he is constantly adding to its activities and enhancing and improving those things which come within the jurisdiction of his department. It is no concern to him that many other bureaus within the Government are doing the identical thing which he is doing within his department. His chief concern is to retain within his department jurisdiction of that matter and to constantly strive to make the jurisdiction more comprehensive. The result will be that a budget system will encounter this attitude at every stage of the game. The department heads will be very reluctant to give up activities in which they take great pride, but the legislation now before the House will permit Congress to compel department heads to give up activities in which there is duplication without regard to the disposition of the department heads.

For instance, the Government issued through its several bureaus and departments 16 cookbooks last year. The last one that was issued was published by the Board for Vocational Education. This is a board organized by the Congress for the purpose of rehabilitating crippled soldiers of the World War, to prevent, so far as possible, their becoming derelicts in life. The money appropriated for this purpose is being spent in sending the crippled soldiers cookbooks. Now, a budget system, if it works as it has worked in England, would probably result in the economic publication of 16 cookbooks. The resolution now before Congress would result in the elimination of at least 15 of them. It may be of interest to state that while the Government has been issuing 16 cookbooks and consuming vast quantities of print paper in these and similar useless publications, 1,300 country town newspapers have suspended in the last three months because they could not secure print paper upon which to print their publication.

Mr. JUUL. Mr. Speaker, will the gentleman yield?

Mr. REAVIS. In a moment, if I have time.

Mr. McKEOWN. Will the gentleman yield?

Mr. REAVIS. In just a minute.

The Jones-Reavis bill, seeking to coordinate all public-works functions in one department, and the resolution now before the House have the most earnest recommendation of Mr. Franklin Roosevelt, Assistant Secretary of the Navy; ex-Secretary of the Interior Lane; and every other gentleman who has had the opportunity to observe the inefficient manner in which the business of the Government is being transacted. I now yield to the gentleman from Oklahoma.

Mr. McKEOWN. I want to ask the gentleman when this committee is expected to commence its work? Is it to commence at the next session of Congress or is it expected to work between now and the next session? That is the question I desire to propound.

Mr. REAVIS. I am not able to answer that question any more than to give you my personal idea. I want to be perfectly frank and candid with the Democratic side of the House and to tell them it is my hope, if this resolution passes and the committee is appointed, that it will commence its work at once.

Mr. McKEOWN. I will say that I am in sympathy with the purpose of this resolution, but I am wondering if it would not be just as well to have it commence after the next election.

Mr. REAVIS. I appreciate the suggestion that there might be some partisan advantage if the committee should begin its work now and publicity be given to the inefficiency that now

obtains in governmental matters; but, as I have stated, I want to be perfectly candid with the Democratic side of the House. I am not concerned with the political significance of this resolution, and I do not believe that any man broad enough to see the crying necessity for legislation of that character should be inspired to oppose it because of politics. I believe that this is the psychological moment for legislation of this character. There are two reasons in my mind which inspire this belief. One of the reasons is that the people demand that their taxations be reduced. For many years we have been collecting the revenues of this Government through systems of indirect taxation. The revenues have been collected through a protective tariff and by excise taxations on intoxicating liquors. Indirect taxation of this kind prevents the people from realizing fully just who is paying the expenses of the Government. There was a time when the expenses of the Government amounted to only 12 cents per capita a year. To-day the annual per capita expense exceeds $40. This tremendous expense has made it necessary to resort to direct taxation, and the people have suddenly become painfully aware of who pays the expenses of the Government. Every taxpayer within the Nation, when he looks at his tax receipt, wonders what we are doing with the money, and the burdens imposed upon him incite a demand for economy. Anything looking to a reorganization of governmental business that will reduce expenses will meet with approval of the man from home.

Another reason which I have in mind and which inspires the hope that this committee will immediately become active is the fact that the majority in Congress is of one political faith while the departmental heads are of another. It will be far easier for Congress to pass legislation reorganizing departments held by Democrats than it would be for Congress to pass such legislation if the Congress and the departments were of the same political faith. The reasons for this are so many and are so apparent to the membership of the House that it is quite unnecessary for me to devote any time demonstrating that proposition.

For these reasons and others I want to eliminate all partisan questions from this resolution, and I want to candidly say to you that even though Democratic Members of the House, inspired by partisan consideration, may be disposed to defeat this resolution, nevertheless if I have my way about it the committee will begin its work at once.

Mr. BEE. Will the gentleman yield?

Mr. REAVIS. I will yield to the gentleman.

Mr. BEE. Under section 4 there seems to be some expense for these departments to furnish the information if necessary. How does the gentleman provide for the expense upon the departments in furnishing this?

Mr. REAVIS. There is no provision made for any expense the departments may incur by reason of furnishing the information; neither are there provisions for expense incurred in furnishing estimates to the Appropriations Committee. This is a part of the natural and ordinary work of the departments and the expense should be very nominal.

Mr. BEE. Will the gentleman yield for another question?

Mr. REAVIS. With pleasure.

Mr. BEE. This committee is not to report until the next session of the Congress?

Mr. REAVIS. It can not possibly report until the next session of Congress, because if we adjourn there will be no one to report to.

Mr. BEE. There will be nothing, however, to prevent giving out newspaper interviews from time to time of what this committee has discovered?

Mr. REAVIS. Absolutely nothing, but I am sure that the gentleman from Texas is too responsible a man to be concerned by any trifling political considerations in the presence of a proposition as far-reaching and constructive as this.

Mr. BEE. I find it in the committee investigating the War Department.

Mr. REAVIS. The purpose of this resolution is not to criticize anyone. The departments have been in their present condition for many years and under both political parties. Every man familiar with the situation is impressed with the urgent nced of a reorganization, and I am satisfied in my own mind that the passage of this resolution and the legislation which will be reported from this committee will effect a saving to the taxpayers of this country of more than $300,000,000 a year. I am not concerned whether it goes to the credit of one party or the other, but I am concerned only in the passage of this resolution, which in its effect will go to the benefit of the taxpayers of the Nation.

For the past five years men have been engaged in the gentle art of killing their fellows. For the past five years we have exerted every effort to destroying those things material and spiritual which we have toiled and suffered for centuries to produce. For reasons which I have not time to recount, the world seems to have drifted into an atmosphere of class selfishness. Washington is filled with national organizations each working for its own purpose, each demanding legislation in many instances destructive of the rights and the interests of the other fellow, until it approaches a government by groups. The time has come for a return to fundamentals and to recognize that the main purpose of a republic lies in the good of the whole people, and that the justification of the United States as a government consists in beneficial service to the general good as distinguished from the class good. Day after day we have been considering legislation demanded by groups. Day after day we are told by certain national organizations to be subservient to their demands or to be prepared to meet defeat. Personally, I have never been obedient in my public activities to anything excepting the dictates of my own judgment and my own conscience. I do not intend to do violence to either at the command of anybody or of any organization.

I am presenting this legislation as legislation that is beneficial to the whole of the Nation. I do not know that I shall be successful in securing its passage, but if it is defeated I shall press it, and continue to press it, so long as I am in Congress or until it becomes a part of the law of the land. There is no question in my mind as to its beneficial results. I am very certain that the elimination of duplications and overlapping in departmental matters will result in the saving of hundreds of thousands of dollars every year. There is no reason why it should not be done. There is every reason, in the presence of the strife and turmoil that prevail in this country and of the unrest occasioned by the excessive cost of necessaries of life, that the Government should be put upon a sane, efficient, and economical business basis. This resolution presents the opportunity to do these things.

Mr. BENSON. Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore (Mr. LITTLE). The Chair has just ascertained there was a quorum. The gentleman from Nebraska [Mr. REAVIS] will now proceed. [Laughter.]

Mr. CLARK of Missouri. Mr. Speaker, the making of the point of no quorum is a constitutional privilege. It can not be waived by the Speaker or anybody else.

The SPEAKER pro tempore. That is no information to the Chair. The Chair has been quite familiar with the fact for a considerable time.

Mr. CLARK of Missouri. I insist that the Chair obey the rules of the House. [Applause on the Democratic side.]

The SPEAKER pro tempore. Does the gentleman make the point of order of no quorum?

Mr. CLARK of Missouri. I did not. The gentleman from Maryland [Mr. BENSON] did, and he had a perfect right to do it. [Applause on the Democratic side.]

The SPEAKER pro tempore. There has just been a count of the House. Very little time has expired since that and the Chair finds from that count that there is a quorum here.

Mr. CLARK of Missouri. The Chair can not rely on a count that was made 30 minutes ago.

The SPEAKER pro tempore. The Chair holds that a quorum is present.

Mr. CLARK of Missouri. I appeal from the decision of the Chair. [Applause on the Democratic side.]

The SPEAKER pro tempore. The Chair will count the House. [Cries of "Regular order!"]

Mr. WINGO. The Chair can not count on an appeal.

The SPEAKER pro tempore. The Chair will count the House.

Mr. MONDELL. There is nothing to appeal from.

Mr. WINGO. The gentleman from Missouri [Mr. CLARK] has appealed from the decision of the Chair.

Mr. MONDELL. The Chair is now counting.

The SPEAKER pro tempore. The Chair is endeavoring to count the House.

Mr. WINGO. The Chair has made a ruling and it was appealed from. He can not usurp his authority and absolutely ride roughshod over the rule. [Cries of "Regular order!"]

The SPEAKER pro tempore. The regular order is that the Chair is counting.

Mr. WINGO. The regular order is an appeal was taken from the decision of the Chair, and the Chair is absolutely riding roughshod over the rules of the House. The gentleman from Missouri appealed from the decision of the Chair.

The SPEAKER pro tempore. The gentleman is out of order, and the Chair will proceed to count.

Mr. WINGO. I know I am not out of order, but the Chair is out of order.

The SPEAKER pro tempore. The Chair will proceed in order.

Mr. WINGO. There is an appeal from the decision of the Chair.

The SPEAKER pro tempore. There is nothing to appeal from.

Mr. MONDELL. The gentleman from Arkansas [Mr. WINGO] is out of order.

Mr. WINGO. I am not. I have a right to insist on the Chair putting the appeal. That is something the Chair can not ignore. He has no discretion.

Mr. WALSH. Mr. Speaker, I move to lay the motion to appeal on the table.

The SPEAKER pro tempore. There is no appeal in this. The Chair will count the House. [After counting.] Two hundred and forty-nine Members are present. [Applause.] The Constitution is all right, and the gentleman from Nebraska can go on and is recognized for four minutes. If the gentlemen will preserve order during that four minutes, they will not stretch out to eight. [Laughter.] The gentlemen will take their seats.

Mr. REAVIS. This committee, Mr. Speaker, contemplated by this resolution, is a House and Senate committee, that will be composed of both Democrats and Republicans in accordance with the rules which obtain in the appointment of committees.

I reserve the balance of my time.

Mr. GARRETT. Mr. Speaker——

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for 20 minutes.

Mr. GARRETT. I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Speaker, I am sure everyone is in sympathy with the purpose of this resolution, and I join the gentleman from Nebraska in all he has said concerning the extravagance and inefficiency brought about by any duplications which may exist in the departments. But I want to call the attention of the House to the fact that here during the last hours of this session, without opportunity to amend or offer any kind of perfecting amendment to this resolution, we are asked to out-Herod Herod in the matter of duplication of services. [Applause on the Democratic side.]

Mr. REAVIS. Will the gentleman yield?

Mr. BYRNS of Tennessee. I can not yield in five minutes, unless the gentleman will yield some time to me.

Mr. REAVIS. All I want to say is——

Mr. BYRNS of Tennessee. I can not yield.

Mr. Speaker, this resolution was recommended, as the gentleman from Nebraska has said, but it was recommended before Congress passed the budget bill. It was passed unanimously by the Senate, as he has said, but it was passed by the Senate before the budget bill became a law. Now, what have we? We now have a budget bureau which has an appropriation of $225,000 a year, and that budget bureau is given authority through its representatives to go into the various bureaus of this Government and to investigate the subject of duplication and the expenditure of money. In addition to that, under the budget law the comptroller general, who has an appropriation under his control of $3,000,000, has the same power vested in him and his representative, and he is under the direct control of Congress or of any committee having jurisdiction. [Applause on the Democratic side.] Have you no confidence in the effectiveness of the budget law which you have just passed? If so, then why add this additional burden to the taxpayers by providing for an expensive organization to do what the budget law is expected to do?

The director of the budget and the comptroller general are authorized and directed to go into the departments of the Government for the purpose of doing just what this resolution provides. More than that, the Bureau of Efficiency, for which an appropriation of $125,000 a year is carried, has the authority, through its representatives, to go into these departments and make investigations as to duplication and expenditures in the various departments of this Government, and now the gentleman comes in in the closing hours of the session with a resolution to perform identically the same service and making an indefinite appropriation for that service. No man here can tell what it will cost, but, judging from what these other bureaus cost, it will cost probably $100,000 or $200,000. And more than that, it provides for three Members of the House and three Members of the Senate, and I call your attention to the fact that under this resolution there is nothing to prevent an indefinite tenure and nothing to cause a vacancy when a member of the commission becomes no longer a Member of Congress. When one member of that commission shall go out of Congress, either by failure of election or for any other reason, he may, if he chooses, continue a member of the commission, and, of course, will be paid a handsome salary. And yet, as the author of this resolution told me the other day, if they do this work properly it will take two years possibly to complete the job.

In addition to that, as I have already said, there is no sum fixed as to the amount that can be expended by this commission. There is no limit on the amount of salary that can be paid to employees and experts and accountants under the commission. If you call this an "economy Congress," if you stand here and criticize duplications in the departments, are you in any position to go before the country and complain of duplication when, as a matter of fact, you are duplicating here four times with reference to the work to be carried on under this resolution?

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. BYRNS of Tennessee. Mr. Speaker, will the gentleman give me one minute more?

Mr. GARRETT. I yield to the gentleman one minute.

The SPEAKER pro tempore. The gentleman is recognized for one minute more.

Mr. BYRNS of Tennessee. We are asked to vote for this resolution, which is brought in at the close of the session, with no opportunity of offering an amendment limiting the amount of money that may be expended by this commission, with no opportunity given to any Member to offer an amendment limiting the membership of this commission to Members who are actually serving in Congress. We are asked to vote for this resolution without any opportunity for discussion or real consideration. Why was it not brought before Congress before this, when the House would have an opportunity to amend it in the particulars to which I have referred? I have wondered what would happen if——

The SPEAKER pro tempore. The time of the gentleman from Tennessee has again expired.

Mr. GARRETT. Mr. Speaker, I yield to the gentleman two minutes more.

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for two minutes more.

Mr. BYRNS of Tennessee. I have wondered what would happen if the head of the budget bureau were to walk into the office of some bureau chief and say to him, "We are here at the instance of the President for the purpose of examining your books and documents and papers," and then the next moment a representative of the comptroller general should walk in and say to him, "I am here at the instance of Congress for the purpose of examining your books and your documents and your papers," and the next moment a representative of the Bureau of Efficiency were to walk in and say to the bureau chief, "I am here by virtue of direction from the director of the bureau to examine your books and documents and papers to see whether duplication exists between your bureau and other bureaus of this Government," and then the next moment a representative of this commission should walk in and say, "I come here as the representative of the Congressional Commission to look into your books and papers and documents to ascertain if there is any duplication between you and other bureaus." Do you not see how absurd this proposition is?

I thought the last word had been said and the limit had been reached in the appointment of investigating committees and commissions. I am surprised that now, at the close of the session of Congress, it is proposed to crown the work of this session by creating an additional expensive commission to do the work already provided for under laws heretofore passed by Congress.

I repeat, I am not opposed to the object of this resolution, but I am opposed to appointing four expensive agencies for the purpose of doing the same class of work. [Applause on the Democratic side.]

Mr. GARRETT. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

The SPEAKER pro tempore. The gentleman from Texas is recognized for five minutes.

Mr. BLANTON. Mr. Speaker, when properly presented there is not a Member of this House who is not in favor of the purposes of this resolution. But since the signing of the armistice we have seen upon the floor of this House so many exhibitions of dirty partisan politics that we have become suspicious of proceedings of this kind.

This bill was introduced in the Senate on April 16. It was called up on May 10 by one Senator. Another Senator asked that it be read, and still another Senator said he was in favor of it, and, lo and behold, the bill passed, and we have not heard a word of it since then until now it is called up in the closing

hours of this Congress under suspension, when we can not amend it in any way.

What does it provide? Just another smelling committee, to bring out a lot of bogus facts to use in campaigns on the hustings. That is all. Why, the Joint Committee on Reclassification of Salaries by a rider was created in the closing hours of the last session of the last Congress, without five Members of Congress knowing anything about it, and it first provided an appropriation of $25,000 to start on.

Then we had to give them $50,000 more, and it has cost already $75,000, with more yet to come. But they say that this will be a committee appointed in the regular way with minority representation. If it is to be so appointed, I want to ask the distinguished gentleman from Nebraska why is it that it is not so provided in the language of the bill? It says that the Speaker shall appoint three Members from this body who shall go on that commission. It does not say, like the resolutions under which the other commissions were appointed, that two shall be from the majority and one from the minority. I know the distinguished Speaker would be fair enough to give the minority representation upon it; but concerning the other two majority Members he could, and I believe he would—because it has been done heretofore—probably appoint two lame ducks, two Members that may be made lame ducks in the next few months. Then the smelling would begin. Why do you not wait until we come back in December?

Mr. REAVIS. Will the gentleman yield to me?

Mr. BLANTON. Then if it comes up in a proper manner we will vote with you to give you a live commission to do the very thing that this resolution seeks to do.

Mr. REAVIS. Did the gentleman ever hear of the appointment of a lame duck to a position which had no salary attached to it?

Mr. BLANTON. Oh, well, the salary undoubtedly would come afterwards. You fellows are so used to voting salaries—and you have got your eyes up to $10,000 or $12,000—that the very minute they become lame ducks you would provide the salaries for them, and the gentleman knows it. The salary would come through a little resolution that would be passed more quickly than this resolution passed the body at the other end of the Capitol.

Mr. TINCHER. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Kansas.

Mr. TINCHER. Who has been appointing lame ducks?

Mr. BLANTON. It is something that we learned from the Republicans 25 years ago, and they have been appointed ever since.

Mr. JUUL. But you know how now.

Mr. BLANTON. You are making positions for them, and I am not in favor of making positions for anybody now. I am going to vote against every new commission and every new bureau and every new department of this Government that is sought to be created until we reduce our Government's indebtedness of $23,000,000,000 that is staring the taxpayers in the face to-night. I want to see it reduced and the debts paid by an honest Government, that can pay its debts only by getting taxes out of the pockets of the taxpayers. [Applause.]

Mr. GARRETT. I yield the remainder of my time to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Speaker, if one may venture a note of seriousness into that which somewhat savors of comic opera, I beg leave to discuss this matter in the light of an amendment which I would have offered if the opportunity had been presented. Very much to my regret the bill now comes under such parliamentary procedure that we are unable to offer any amendment.

It would seem from the language of the bill that about the only purpose it will have is to constitute this committee to make a survey of the so-called budget system. If there ever was an instance where duplication is indeed duplicated by itself, it is in this bill. Here is a bill passed by the Senate, after little or no discussion, on May 11, and not presented here until the time when we have passed a rule for six suspension days. It is not presented at a time or under parliamentary procedure when anyone who desires to perfect a bill for proper legislative purposes may offer an amendment.

That to which I particularly desire to call attention is in connection with the reading of the bill in its present form. The amendment I would have proposed, and which I submit for your information now, is following line 8 of the bill.

I propose the following amendment:

If the elected term of any Member of the Senate or House of Representatives who shall have been appointed as a member of the joint committee to be known as the Joint Committee on Reorganization shall expire a vacancy shall be held to exist in said joint committee.

I think it is the purpose of the membership of the House to appoint a live committee. By that I mean a committee of those who are in the Senate and in the House of Representatives. Under the language of this bill I think there is grave doubt as to whether the committee to be appointed, after it has been appointed, will not continue although the expiration of the term of some of them may have been had. Therefore, it is to make the bill clear in this respect that I have suggested this, and I suggest it now only in the hope that such proceeding may be had that we may avail ourselves of the great principle of writing legislation and that is to have a fair, frank, and honest discussion and a meeting of minds in order that we may write the best kind of legislation. In the sixty-fifth Congress a commission was created by a provision, I think in the legislative bill, which was almost exactly in terms identical with this language. Under that provision persons were appointed who in a short time ceased their membership in this House, but they continued as a commission, and these men would continue. I realize that it is the contention of the gentleman from Nebraska [Mr. REAVIS], since he has so expressed it, that this statement of mine is not borne out by his interpretation of the language of the law. But I submit to the careful consideration of the membership of this entire House that this language carried in the resolution when the committee is appointed it must be three Members of the Senate and three Members of the House, but when appointed there is no provision as to what constitutes a vacancy.

The language which I have spoken of, and which I would venture to suggest as an amendment if I could, would clarify and make certain this bill and provide that when a man ceases to be a Member of the House likewise he should cease to be a member of the joint committee. [Applause.] That is the principal thing. I think everybody in the House wants that. The House and the country are tired of creating commissions. We have been creating commissions in this House, every day making bureaus and commissions, increasing all sorts of executive departments, and the country is tired of them. Here is an opportunity to declare affirmatively that it shall be a live, continuing committee only so long as its members are Members of this great legislative body. [Applause.]

Mr. MOORE of Virginia. Mr. Speaker, I hope that gentlemen on the Democratic side will not assume that this is a partisan measure, and in order to dispel any such idea I should like to indicate the genesis of the resolution. There has been a good deal of discussion during the present Congress about unbusinesslike and wasteful methods in the departments that have grown up during a long period and for which no individual and no one party is responsible. As far back as February, when criticism of that sort was very prevalent here, I announced a purpose to introduce a resolution of this character. It was introduced. It is a much more comprehensive resolution than the one now under consideration. It was referred to the Committee on Rules, but has not been reported by that committee. This resolution is similar, though less comprehensive. This resolution proposes, as did my resolution, not that the officials in the departments shall make an investigation and let the matter rest there but that a legislative committee shall make a full survey and report to Congress the condition it finds to exist.

The condition confessedly is bad. There is not a Member who will deny that it is bad, that departmental operations are carried on in an awkward and inefficient way, that they are carried on extravagantly, and I submit that the duty is upon us here and now, even at this late hour, to do what we can to correct the bad condition that admittedly exists. I would be unwilling as a Representative, upon a suggestion that the measure is belated—and that suggestion applies not alone to this measure but to a good many others that are important, as, for instance, to the merchant-marine bill, which many are going to vote for without any close scrutiny—to have it go out that I had failed for that reason to support a measure as salutary as I believe this will be in results.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. MOORE of Virginia. I only regret that I have not a little more time in which to discuss this resolution, but I appeal to my friends on this side to give it serious consideration before opposing it.

The SPEAKER. All time has expired. The question is on suspending the rules and passing the resolution.

The question was taken, and on a division (demanded by Mr. REAVIS) there were—ayes 114, noes 102.

Mr. REAVIS. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The question is on suspending the rules and passing the resolution.

The question was taken; and there were—yeas 142, nays 135, not voting 150, as follows:

YEAS—142.

Ackerman	Fuller, Ill.	McArthur	Sanders, Ind.
Andrews, Md.	Garland	McFadden	Sanders, N. Y.
Andrews, Nebr.	Goodykoontz	McLaughlin, Mich.	Sanford
Bacharach	Graham, Ill.	McLaughlin, Nebr.	Scott
Barbour	Green, Iowa	MacCrate	Sells
Begg	Greene, Mass.	MacGregor	Shreve
Benham	Hadley	Madden	Siegel
Bland, Ind.	Harrison	Magee	Sinnott
Brooks, Pa.	Hays	Mapes	Smith, Idaho
Burdick	Hersey	Michener	Snell
Burroughs	Hickey	Miller	Strong, Kans.
Campbell, Kans.	Hicks	Monahan, Wis.	Summers, Wash.
Cannon	Hill	Mondell	Swope
Chindblom	Hoch	Montague	Temple
Christopherson	Howard	Moore, Ohio	Thompson
Classon	Husted	Moore, Va.	Tilson
Crago	Hutchinson	Moores, Ind.	Timberlake
Cramton	Jefferis	Morgan	Tincher
Crowther	Johnson, S. Dak.	Mott	Towner
Dallinger	Johnson, Wash.	Mudd	Treadway
Darrow	Jones, Pa.	Neely	Vaile
Davis, Minn.	Juul	Nolan	Vestal
Denison	Keller	Ogden	Voigt
Dunbar	Kelly, Pa.	Peters	Walsh
Dyer	Kennedy, R. I.	Platt	Wason
Echols	King	Porter	Watson
Edmonds	Kinkaid	Radcliffe	Whaley
Elliott	Knutson	Ramsey	Wheeler
Emerson	Kraus	Reavis	White, Kans.
Esch	Kreider	Reed, N. Y.	White, Me.
Evans, Nebr.	Lampert	Reed, W. Va.	Williams
Fess	Lehlbach	Ricketts	Wood, Ind.
Focht	Little	Robsion, Ky.	Yates
Fordney	Luce	Rogers	Zihlman
Foster	Lufkin	Rose	
French	Luhring	Rowe	

NAYS—135.

Almon	Davis, Tenn.	Kendall	Phelan
Ashbrook	Dickinson, Iowa	Kincheloe	Quin
Aswell	Dominick	Lanham	Rainey, Ala.
Ayres	Donovan	Larsen	Rainey, H. T.
Babka	Dooling	Lea, Calif.	Rainey, J. W.
Bankhead	Doremus	Lee, Ga.	Raker
Barkley	Doughton	Lesher	Rayburn
Bee	Eagan	Lonergan	Riordan
Benson	Evans, Mont.	McAndrews	Romjue
Black	Fields	McDuffie	Rouse
Blackmon	Fisher	McGlennon	Rowan
Bland, Mo.	Gallagher	McKenzie	Rubey
Bland, Va.	Gallivan	McKeown	Sabath
Blanton	Gandy	McKiniry	Sims
Bowers	Ganly	McLane	Sisson
Box	Gard	Maher	Smith, N. Y.
Brand	Garrett	Major	Steagall
Briggs	Goodwin, Ark.	Mann, S. C.	Stevenson
Burke	Greene, Vt.	Martin	Sumners, Tex.
Byrnes, S. C.	Griest	Mead	Tague
Byrns, Tenn.	Hardy, Colo.	Milligan	Taylor, Ark.
Caldwell	Hawley	Minahan, N. J.	Taylor, Colo.
Campbell, Pa.	Heflin	Moon	Thomas
Candler	Hersman	Mooney	Venable
Carew	Huddleston	Nelson, Mo.	Watkins
Casey	Hudspeth	Newton, Mo.	Welling
Clark, Mo.	Hull, Tenn.	O'Connell	Welty
Cleary	Humphreys	O'Connor	Wilson, La.
Coady	Jacoway	Oldfield	Wilson, Pa.
Collier	James	Oliver	Wingo
Connally	Johnson, Ky.	Padgett	Woods, Va.
Crisp	Johnson, Miss.	Park	Wright
Cullen	Johnston, N. Y.	Parrish	Young, Tex.
Davey	Jones, Tex.	Pell	

NOT VOTING—150.

Anderson	Ellsworth	Kelley, Mich.	Randall, Wis.
Anthony	Elston	Kennedy, Iowa	Reber
Baer	Evans, Nev.	Kettner	Rhodes
Bell	Fairfield	Kiess	Riddick
Boles	Ferris	Kitchin	Robinson, N. C.
Booher	Flood	Kleczka	Rodenberg
Brinson	Frear	Langley	Rucker
Britten	Freeman	Lankford	Sanders, La.
Brooks, Ill.	Fuller, Mass.	Layton	Schall
Browne	Garner	Lazaro	Scully
Brumbaugh	Glynn	Linthicum	Sears
Buchanan	Godwin, N. C.	Longworth	Sherwood
Butler	Goldfogle	McClintic	Sinclair
Cantrill	Good	McCulloch	Slemp
Caraway	Goodall	McKinley	Small
Carss	Gould	McPherson	Smith, Ill.
Carter	Graham, Pa.	Mann, Ill.	Smith, Mich.
Clark, Fla.	Griffin	Mansfield	Smithwick
Cole	Hamill	Mason	Snyder
Cooper	Hamilton	Mays	Stedman
Copley	Hardy, Tex.	Merritt	Steele
Costello	Harreld	Morin	Steenerson
Currie, Mich.	Hastings	Murphy	Stephens, Miss.
Curry, Calif.	Haugen	Nelson, Wis.	Stephens, Ohio
Dale	Hayden	Newton, Minn.	Stiness
Dempsey	Hernandez	Nicholls	Stoll
Dent	Hoey	Olney	Strong, Pa.
Dewalt	Holland	Osborne	Sullivan
Dickinson, Mo.	Houghton	Overstreet	Sweet
Dowell	Hulings	Paige	Taylor, Tenn.
Drane	Hull, Iowa	Parker	Tillman
Drewry	Igoe	Pou	Tinkham
Dunn	Ireland	Purnell	Upshaw
Dupré	Kahn	Ramseyer	Vare
Eagle	Kearns	Randall, Calif.	Vinson
Volstead	Weaver	Winslow	Young, N. Dak.
Walters	Webster	Wise	
Ward	Wilson, Ill.	Woodyard	

So, two-thirds not having voted in favor thereof, the motion to suspend the rules and pass the joint resolution was rejected.

The Clerk announced the following additional pairs:

On this vote:

Mr. NELSON of Wisconsin and Mr. RANDALL of Wisconsin (for) with Mr. CANTRILL (against).

General pairs until further notice:

Mr. LONGWORTH with Mr. FLOOD.
Mr. ANTHONY with Mr. UPSHAW.
Mr. HAUGEN with Mr. MAYS.
Mr. BUTLER with Mr. GARNER.
Mr. VOLSTEAD with Mr. WISE.
Mr. WINSLOW with Mr. BELL.
Mr. PAIGE with Mr. OLNEY.
Mr. OSBORNE with Mr. DREWRY.
Mr. MCPHERSON with Mr. IGOE.
Mr. TINKHAM with Mr. VINSON.
Mr. KAHN with Mr. DENT.
Mr. CURRIE of Michigan with Mr. HOLLAND.
Mr. SWEET with Mr. LINTHICUM.
Mr. STEPHENS of Ohio with Mr. GRIFFIN.
Mr. DEMPSEY with Mr. OVERSTREET.
Mr. HOUGHTON with Mr. WEAVER.
Mr. STINESS with Mr. ROBINSON of North Carolina.
Mr. FREAR with Mr. STEDMAN.
Mr. LAYTON with Mr. HAMILL.
Mr. STEENERSON with Mr. MANSFIELD.
Mr. REBER with Mr. LANKFORD.
Mr. GLYNN with Mr. GOLDFOGLE.
Mr. GOOD with Mr. EAGLE.
Mr. KLECZKA with Mr. HARDY of Texas.

Mr. GOLDFOGLE. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. GOLDFOGLE. No; I just came into the Hall.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. DOWELL for the remainder of the week.

To Mr. SWEET for the balance of the present week.

EXPORTATION OF PULP WOOD FROM CANADA TO UNITED STATES.

Mr. PORTER. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 152.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of the resolution which the Clerk will reporrt.

The Clerk read as follows:

Joint resolution (S. J. Res. 152) authorizing the appointment of a commission to confer with the Dominion Government or the provincial governments of Quebec, Ontario, and New Brunswick as to certain restrictive orders in council of the said Provinces relative to the exportation of pulp wood therefrom to the United States.

The SPEAKER. Is there objection?

Mr. HUDDLESTON. Mr. Speaker, I object.

Mr. PORTER. Mr. Speaker, I move to suspend the rules and pass Senate joint resolution 152.

The SPEAKER. The gentleman from Pennsylvania moves to suspend the rules and pass the joint resolution, which the Clerk will report.

The Clerk began the reading of the resolution.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. Under a motion to suspend the rules and pass the resolution is it in order to read the preamble? It is not part of the resolution.

The SPEAKER. The Chair would think so. The Chair would think whatever the gentleman from Pennsylvania moved to pass would be before the House.

The Clerk read as follows:

Joint resolution (S. J. Res. 152) authorizing the appointment of a commission to confer with the Dominion Government or the provincial governments of Quebec, Ontario, and New Brunswick as to certain restrictive orders in council of the said Provinces relative to the exportation of pulp wood therefrom to the United States.

Whereas newsprint and other printing papers are commodities of universal use and are indispensable in the educational process of modern civilization, and the paramount importance of a sufficient production of such newsprint and other paper to supply the needs of the people of the United States is a self-evident proposition; and

Whereas practically the whole content of newsprint and other printing paper is composed of mechanical and chemical products of pulp wood, the supply of which in the eastern part of the United States is being rapidly exhausted by the growing demand and the price of which is being advanced to unprecedented level; and

Whereas the existing scarcity of pulp wood and its threatened total exhaustion in the United States have become a matter of such grave concern to the paper industry, the users and manufacturers of forest products, the Federal Government, and the general public that the Forest Service, the lumber and pulp and paper associations, and the forestry authorities of the country are now formulating a broad and comprehensive national forest conservation and reforestation plan for early adoption; and

Whereas the lieutenant governors of certain of the Provinces of Canada, in council, did issue orders prohibiting the exportation of pulp wood cut from Crown lands, the chief source of supply of pulp wood, unless manufactured into lumber, pulp, or paper, thereby tending to create a monopoly beyond our borders in the manufacture of paper, to the great detriment of the people of the United States: Now, therefore, be it

Resolved, etc., That the President of the United States be and he is hereby requested to appoint a commission of five persons and, by appropriate authority, to confer on this commission the power, on behalf of the administration and the Congress, to negotiate with said Dominion Government, or with said provincial governments, in respect to the cancellation of said restrictive orders in council, and as well any other restrictions on the exportation of pulp wood and newsprint and other printing paper composed of mechanical and chemical products of pulp and pulp wood, from the Dominion of Canada to the United States.

SEC. 2. That in the event the cancellation of said restrictive orders in council can not be agreed to by mutual arrangement of the Governments of the United States of America and the Dominion of Canada, that said commission shall investigate, consider, and report to the President on or before December 1, 1920, what action in its opinion should be taken by the Congress that will aid in securing the cancellation of said restrictive orders in council, so that they may not continue to militate against the interests of the people of the United States.

SEC. 3. That for the necessary expenses of said commission the sum of $50,000 be, and it is hereby, appropriated from the moneys in the Treasury of the United States not otherwise appropriated.

The SPEAKER. Is a second demanded?

Mr. SABATH. Mr. Speaker, I demand a second.

Mr. BLANTON. Mr. Speaker, I demand a second; I am against the bill.

The SPEAKER. Is the gentleman from Illinois against the bill?

Mr. SABATH. I am not against the bill.

The SPEAKER. The gentleman from Texas demands a second.

Mr. PORTER. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the second is considered as ordered. The gentleman from Pennsylvania is entitled to 20 minutes and the gentleman from Texas to 20 minutes.

Mr. SNELL. Mr. Speaker, there is no question before this House of greater interest to the people of the whole country then the shortage of print paper and the causes for the same; for that reason I believe it of vital importance to pass the Underwood resolution dealing with this subject before we adjourn. While this may not produce any immediate result, it is certainly a step in the right direction and may go a long way toward stabilizing or even saving this most important industry, and manufacturers and users are equally interested in keeping this industry in this country and not being entirely dependent on Canada or some other foreign country. And to do this we must have some definite understanding in regard to raw material, for every thinking man in the business well knows that the scarcity of pulp wood is the basic cause of the present serious situation in the newsprint market of the United States. The demand for newsprint to-day is in excess of the production of the newsprint machines of the United States and the tonnage imported from Canada. The sudden increase in general and local advertising which started in the early part of 1919 created a demand on the part of publishers which the manufacturers were physically unable to satisfy.

It is impossible to state accurately the exact quantity of newsprint consumed in the United States during last year, over and above the total production of the United States mills and the tonnage imported from Canada. This is because the records of production include wall paper and side runs. The quantity of side runs and wall paper is variously estimated at from 5 to 10 per cent of the total production, and there are no records kept to determine the quantity with exactness.

It is true, however, that the total production of the United States mills of 1,375,000 tons and the 624,000 tons imported from Canada were used to satisfy the demand of the publishers in 1919. And besides this, mill inventories of the stocks of paper on hand and not yet shipped were decreased 10,000 tons, and the stocks of newsprint held in reserve by leading publishers of the United States, as reported to the Federal Trade Commission, decreased 53,000 tons during the year. The sum of these two figures, or 63,000 tons, can be accepted as the minimum by which production and importations fell below consumption.

These figures prove conclusively the need of greater production. But greater production can not be had and capital can not be found to construct new mills and install new paper machines unless an adequate supply of raw material can be assured.

The Underwood resolution, which provides for a commission to negotiate the removal of existing export restrictions on pulp wood cut on the Crown lands of Ontario, Quebec, and New Brunswick, is the only measure yet presented to Congress which contains any assurance of a sufficient quantity of pulp wood to perpetuate the present production of our paper mills, to justify the installation of new machines, and to save the great pulp and paper industry of the United States.

By the articles of confederation of the Dominion of Canada, known otherwise as the British North America act, full control and possession of all natural resources were reserved to the respective Provinces. This reservation included the Crown lands and the forests.

In the statutes of the three woodland Provinces of Ontario, Quebec, and New Brunswick it is provided that the Crown lands may be leased, and it is also provided that these Crown-land leases shall vest in the lessee all rights of property to the timber growing on the leased limits. These leases are sold at a bonus price per square mile now at public auctions and are drawn for one year; but it is provided that they may be renewed from year to year as long as the prescribed ground rent has been paid and the fees paid for whatever stumpage has been cut. Leases are transferable like fee titles and are conveyed for considerations as high as $6,000 a square mile, depending upon the quantity of timber and the accessibility of the limits. They are accepted as securities for loans by banks and underlie bond issues. No lease not in default has ever been canceled.

When the manufacture of paper from wood had gotten fully under way in the middle eighties many farseeing American manufacturers leased extensive Crown-land limits in Ontario, Quebec, and New Brunswick, with the clear understanding on the part of the respective provincial governments that the timber on the limits was to be cut and sent to the mills of Wisconsin, Ohio, and New York. Pulp wood was imported without restriction from Ontario until 1900, when the promoters of paper manufacturing at Ottawa and Hull were able to secure the passage of an order in council in 1900 prohibiting the exportation of pulp wood cut on Crown lands unless manufactured in Canada into lumber, pulp, or paper.

The paper manufacturers of New York and New England secured leases of extensive Crown-land limits from the Province of Quebec as early as 1890 at great expense, and exercised their rights of property in the timber on these limits vested in them by the statutes of the Province for 20 years, sending the wood freely to their mills and paying their ground rents and stumpage fees into the treasury of the Province. In the latter part of the first decade of the present century, paper-manufacturing interests in Quebec were able to influence prohibitive action by the Government, and in 1910 an order in council was issued without notice, prohibiting the exportation of wood cut from Crown lands unless manufactured in Canada into lumber, pulp, or paper. This order was issued on April 26, 1910, and became effective May 1, 1910.

American manufacturers had expended hundreds of thousands of dollars improving the rivers, building dams and piers, constructing taking-out and wood-preparing plants, and all this great investment was, in four days' time, made dormant and unproductive.

The story of the experience with New Brunswick is similar to that of the two other Provinces mentioned, the practice of New Brunswik regarding Crown lands differing from the other two Provinces only in the one feature of granting annually renewable licenses for 20-year terms instead of indefinitely.

Since 1910 the only pulp wood procurable from these three Provinces has been that cut from patented agricultural lands, from certain railroad subsidy lands, from small freehold properties, and from the old French seigniories usually fronting on the St. Lawrence and extending almost to Labrador. This wood has been sought by a small army of pulp-wood buyers, whose competition with each other has constantly increased the cost of raw material to the ultimate purchaser, until to-day pulp wood which 10 years ago could be bought for $6 or $7 a cord at the railroad track or river bank now commands a price of $25 a cord f. o. b. shipping point. To this is to be added the cost of freight and the handling charges before the pulp wood is at the mill ready to be made into pulp.

In 1911 the reciprocity act, which had been fostered and fathered by ex-President Taft, became a law. The reciprocity act, the provisions of which had been carefully worked out between the two countries, provided, among other things, for the removal of all tariff barriers against Canadian paper and for the importation into the United States, without restriction, of pulp wood from the Crown lands of the Provinces. Canada refused to accept the treaty, and the reciprocity law, then on our statute books, was operative only as regards the brief

section granting free entry to Canadian newsprint of a certain valuation per pound. But although reciprocity was rejected by Canada as a whole, Quebec enthusiastically accepted its full provisions, including unrestricted exportation of pulp wood from her Crown lands, for, in the general election in which the reciprocity treaty was the issue, it carried 60 out of the 64 boroughs of the Province.

Although the spruce forests of the United States east of the Rocky Mountains are fast disappearing, and outside of some large tracts owned by some old and large manufacturers in New York, Vermont, New Hampshire, and Maine, there is not a spruce woodland tract of sufficient size to justify the erection of even a 50-ton mill, you must forget the common charge that the paper makers are the ones who have exhausted the forest wealth of the country. Of the 91,000,000,000 feet of timber cut in the United States in 1919, the entire pulp and paper industry of the country is responsible for only 3 per cent.

The pulp and paper industry of the United States consumed last year 5,500,000 cords of pulp wood, of which 1,000,000 cords came from the freehold lands of the Canadian Provinces. During the same year there was used in the manufacture of wooden packing cases and containers 6,000,000,000 feet of various kinds of wood.

It can safely be assumed that one-half of this was softwood capable of making pulp. Three billion feet of lumber are equivalent to 6,000,000 cords of wood. As it takes about 1½ cords of wood to make a ton of paper, it is therefore plain that the wooden packing cases and containers made of softwood consumed enough material to manufacture 4,000,000 tons of paper, or, in round numbers, double the quantity manufactured by all the newsprint mills of Canada and the United States combined, the newsprint manufacturers of the United States using, in round numbers, 2,000,000 cords of wood for the 1,375,000 tons of paper produced.

The Crown lands of Ontario consist of 342,000 square miles, of which 116,900 square miles are licensed. The Crown lands of Quebec total 190,000 square miles, of which 70,000 square miles are under license. New Brunswick's Crown lands consist of 11,300 square miles, all of which, with the exception of 1,100 square miles, are licensed.

Premier Lomer Gouin, of Quebec, is authority for the statement that from four to five times as much timber could be cut from the present licensed lands of Quebec as is now cut without impairing the forest asset. The present cut of timber in Quebec is stated as 1,000,000,000 feet, board measure. This is the equivalent of 2,000,000 cords. Sir Lomer Gouin's statement, therefore, means that the forests of Quebec could yield annually from 8,000,000 to 10,000,000 cords of increment. This is borne out by the generally accepted estimate of an annual growth of 4 per cent of a scientifically lumbered forest. The 70,000 square miles of leased Crown lands in Quebec are equal to 44,800,000 acres. At an estimated stand of an average of 5 cords to the acre, this gives a total stand on these leased lands of 224,000,000 cords of wood. The estimated annual growth of 4 per cent, therefore, would give a yield of 8,960,000 cords, which confirms the statement of the premier. Using the same basis of computation, the 190,000 square miles of all Crown lands of Quebec contain 121,600,000 acres. This represents a total stand of timber of 608,000,000 cords. The annual growth of 4 per cent of this mammoth forest would yield 24,320,000 cords as merely the annual interest on the forest capital of the Province.

Since 1910 and the passage of the reciprocity act in this country in 1911 relations between the paper industry of the United States and that of Canada have been of the jug-handle variety, with the Canadians holding the handle. The opening of our enormous market to the free entry of their newsprint production, which immediately called for fully 85 per cent of that production, galvanized paper manufacturing in Canada into prodigious activity. Capital eagerly sought investment in Canadian paper enterprises, sure of large, growing, and lasting returns. And it was the big receptive market of the United States, opened freely to the production of the Canadian mills, that built up the industry in the Dominion beyond the most optimistic dreams of Canada's paper pioneers. The restrictive order in council of 1910 in Quebec did not aid one iota in the result achieved, but served only to hamper industry in the United States and to advance the cost of manufacture, which established the selling price for the Canadian product.

The growth of the industry in Canada has been enormous. In 1910 Canada manufactured 161,000 tons of paper and exported to the United States 25,000 tons. In 1919 Canada's newsprint production was 808,000 tons, a growth of over 500 per cent, while her exports to the United States were 624,000 tons, a growth of practically 2,500 per cent. In the meantime newsprint production in the United States, which reached its maximum in 1912 of 1,432,000 tons, has not succeeded in holding its own, and in 1919 the gross production was 1,375,000 tons, and this included the production of many small wrapping paper, wall paper, and specialty mills, ill adapted for manufacturing newsprint, but which have been lured for the time being into turning out a nondescript product for the publishers by the extravagant prices of the spot market.

Various estimates have been made of this bastard newsprint production, but a consensus of estimates places the figure at about 500 tons a day, or 150,000 tons a year. If this figure be true, then the normal newsprint production of the United States has decreased from 1,432,000 tons in 1912 to 1,225,000 tons in 1919.

Provided Senator UNDERWOOD'S measure succeeeds, the woodland provinces of Quebec would benefit tremendously by a prompt concession of the claims and requests that will be proffered by the commission appointed to negotiate with them. Not only would there be an active market in leases, which would add wealth to the provincial treasuries, but the stumpage that would be cut under wise and modern lumbering regulations would add vast sums annually to the provincial receipts. Besides this, the improvement of the rivers, the building of camps, the constructing of taking-out and wood-preparing plants, and the recruiting and employment of lumbering crews would yield so great a harvest to labor that the Provinces would begin an era of unending prosperity. Moreover, the army of men that would be employed in the bush would provide at all times effective forces for fighting forest fires, which are a greater menace to standing forests than the axes of the lumbermen.

The owners of the Canadian paper mills can have no ground for complaint if the commission provided by the Underwood resolution succeeds in its labors, for they have already secured boundless limits of woodlands which provide not only for the indefinite supply of their mills at present capacity, but for as great an expansion as can be expected in the next generation. The Belgo-Canadian Pulp & Paper Co., of Shawinigan Falls, Quebec; J. R. Booth, of Hull, Quebec; the Brompton Pulp & Paper Co., of East Angus, Quebec; the Donnacona Paper Co., on the Jacques Cartier River; the great Laurentide Co., at Grand Mere, Quebec; Price Bros. & Co., of Kenogami, at the head of the Saguenay; and the St. Maurice Paper Co., at Three Rivers, hold, in the aggregate, 10,499,760 acres of limits secured years ago for bonus prices as low as $1.10 a square mile, with an estimated stand of 52,498,000 cords of pulp wood. According to the basis of computation used by Premier Gouin, the annual growth of these forests, or the yearly interest on the forest capital, will be 2,099,952 cords, or more than double the present capacity requirements of 995,000 cords a year in the aggregate of the mills of those companies.

The purpose of the Underwood resolution is not the ruthless exploitation of the forest wealth of our neighbors. It aims at equality of opportunity for the paper industry of the United States. It comprehends the only practical means of providing sufficient production of newsprint in the United States to insure the lives of the smaller newspapers. It proposes by amicable negotiations and friendly approach to reach agreements with the Provinces of Ontario, Quebec, and New Brunswick, which will be of mutual advantage and which will secure our fair "quid" for the "quo" which the Canadian manufacturers have enjoyed since the removal of the tariff on Canadian paper. Its purpose is to save a great industry of the United States and to provide that production of newsprint may be increased and that the price of newspriut to the consumer may be lowered and stabilized.

The SPEAKER. The question is, Will the House suspend the rules and pass the joint resolution?

The question was taken; and the Speaker announced that in the opinion of the Chair two-thirds had voted in favor thereof.

Mr. BLANTON. Division, Mr. Speaker.

The House divided; and there were—ayes 217, noes 3.

So, two-thirds having voted in the affirmative, the rules were suspended and the resolution was passed.

INVESTIGATION OF PRICES OF LOOSE-LEAF TOBACCO.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent for the present consideration of House resolution 533, with certain committee amendments.

The SPEAKER. The gentleman from Kentucky asks unanimous consent for the present consideration of a House resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 533.

Whereas the prices of tobacco in the loose-leaf markets of the country have declined since the harvesting of the 1919 crop to figures below the cost of production, and such decline in prices is not warranted by overproduction of tobacco or a decrease in the prices of the manufactured product: Therefore be it

Resolved, That the Federal Trade Commission is hereby requested to investigate the facts relating to violations of the antitrust acts by corporations with relation to the cause of the decline in the prices of loose-leaf tobacco and other unmanufactured tobaccos during the years 1919 and 1920, and especially since October, 1919; to ascertain the cause of such decline; to ascertain the prices of loose-leaf or unmanufactured tobacco on the one hand and the prices of the manufactured products on the other; and to report to the House of Representatives and the Department of Justice at the earliest practicable date the result of the investigation, together with such recommendations as the commission may deem advisable and proper.

Also the following committee amendments were read:

Page 1, line 3, after the word "corporations," insert the words "or individuals."

Page 2, line 1, after the word "date," insert "But not later than the first Monday of December, 1920."

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none. The Clerk will report the resolution.

The resolution and the committee amendments were again reported.

The SPEAKER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent to extend my remarks on the resolution.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks on the resolution. Is there objection? [After a pause.] The Chair hears none.

Mr. SNELL. Mr. Speaker, I ask unanimous consent to extend my remarks on the Underwood resolution just passed.

Mr. TREADWAY. And I make the same request, Mr. Speaker.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

BRIDGE ACROSS THE CHATTAHOOCHEE RIVER, GEORGIA.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table for present consideration the bill S. 4427.

Mr. FIELDS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FIELDS. Under the resolution just passed, is it necessary or proper to move to reconsider?

The SPEAKER. It is.

On motion of Mr. FIELDS, a motion to reconsider the vote by which House resolution 533 was agreed to was laid on the table.

Mr. HARRISON. Mr. Speaker, I ask leave to extend my remarks on the Underwood resolution.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks on the Underwood resolution. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill S. 4427.

The Clerk read as follows:

A bill (S. 4427) granting the consent of Congress to the city of Columbus, in the State of Georgia, to construct a bridge across the Chattahoochee River.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Mr. Speaker, may we have the bill reported?

The SPEAKER. The clerk will report the bill in full.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the city of Columbus, in the State of Georgia, and its successors and assigns, to construct or rebuild, maintain, and operate a bridge and approaches thereto across the Chattahoochee River at a point suitable to the interests of navigation at or near and between and connecting Fourteenth Street, in said city of Columbus, in the county of Muscogee, in said State of Georgia, and Broad Street, in the town of Phoenix, in the county of Lee and State of Alabama, and the town of Girard, in the county of Russell and State of Alabama, and being the same points between which said city of Columbus, Ga., now maintains a bridge, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was again read.

The SPEAKER. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

BRIDGE ACROSS THE CHATTAHOOCHEE RIVER NEAR WEST POINT, GA.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 4402.

The SPEAKER. The gentleman from Georgia asks unanimous consent for the present consideration of the bill S. 4402, which the Clerk will report.

The Clerk read as follows:

A bill (S. 4402) authorizing Troup County, Ga., to construct a bridge across the Chattahoochee River near West Point, Ga.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. I ask that the bill be reported.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Be it enacted, etc., That authority is hereby granted to Troup County, Ga., to construct, maintain, and operate a bridge and approaches thereto across the Chattahoochee River at a point suitable to the interests of navigation, at or near and between and connecting Montgomery and Ferry Streets in the city of West Point, in the county of Troup, in the State of Georgia, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. WALSH. Mr. Speaker, reserving the right to object, I did not get the date of the act relating to the construction of bridges across navigable waters.

The SPEAKER. The date is March 23, 1906. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

Mr. WRIGHT. Mr. Speaker, there are two House bills similar to the Senate bills just passed. I move that they be laid on the table.

The SPEAKER. The gentleman from Georgia moves that the two House bills similar to the two Senate bills just passed be laid on the table. The question is on agreeing to the motion.

The motion was agreed to.

BRIDGE ACROSS THE DELAWARE RIVER.

Mr. SANDERS of Indiana. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 4212.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (S. 4212) to authorize the Central Railroad Co. of New Jersey to construct a bridge across the waters of the Delaware River, between the city of Easton, in the State of Pennsylvania, and the city of Phillipsburg, in the State of New Jersey.

Be it enacted, etc., That authority be, and is hereby, granted to the Central Railroad Co. of New Jersey, a corporation organized and existing under the laws of the State of New Jersey, its successors and assigns, to construct, maintain, and operate a bridge, and approaches thereto, across the Delaware River, between the city of Easton, in the State of Pennsylvania, and the city of Phillipsburg, in the State of New Jersey, at a point suitable to the interests of navigation and in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. GARD. Mr. Speaker, reserving the right to object, is this bill a proposition to build a bridge between Easton and Phillipsburg?

Mr. SANDERS of Indiana. Yes.

Mr. GARD. Is it intended to rebuild a bridge? Is there a bridge there now, or it is to be a new structure?

Mr. SANDERS of Indiana. There is a bridge there now.

Mr. GARD. So I thought. Is the bill couched in the proper language? As I heard it read, it calls for the construction of what one would think would be a new bridge, a new structure. If it is an attempt to replace an old structure with a new one, possibly the language should be changed. I do not object to the bill, but I submit it as a proper matter for information.

Mr. SANDERS of Indiana. I will say to the gentleman that this is a Senate bill. The intention is to construct and operate a bridge and approaches thereto. That would cover the gentleman's point just the same.

Mr. GARD. If there is already a bridge there, and they desire to put a new one in the same place, I do not think there would be any necessity for that condition. On the contrary, if it is a new bridge, I think it would be necessary to have the authorization,

Mr. SANDERS of Indiana. They think the authority is necessary.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. SANDERS of Indiana, a motion to reconsider the last vote was laid on the table.

AMERICAN MERCHANT MARINE—CONFERENCE REPORT.

Mr. GREENE of Massachusetts, by direction of the Committee of the Merchant Marine and Fisheries, submitted for printing under the rule the conference report and accompanying statement on the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 35, 44, 47, 49, 122, 125, and 149.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 43, 45, 46, 50, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 80, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 140, 143, and 148, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "in this act"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 3. (a) That section 3 of the 'shipping act, 1916' is amended to read as follows:

"'SEC. 3. That a board is hereby created to be known as the United States Shipping Board and hereinafter referred to as the board. The board shall be composed of seven commissioners, to be appointed by the President, by and with the advice and consent of the Senate; and the President shall designate the member to act as chairman of the board, and the board may elect one of its members as vice chairman. Such commissioners shall be appointed as soon as practicable after the enactment of this act and shall continue in office two for a term of one year, and the remaining five for terms of two, three, four, five, and six years, respectively, from the date of their appointment, the term of each to be designated by the President, but their successors shall be appointed for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he succeeds.

"'The commissioners shall be appointed with due regard to their fitness for the efficient discharge of the duties imposed on them by this act, and two shall be appointed from the States touching the Pacific Ocean, two from the States touching the Atlantic Ocean, one from the States touching the Gulf of Mexico, one from the States touching the Great Lakes, and one from the interior, but not more than one shall be appointed from the same State. Not more than four of the commissioners shall be appointed from the same political party. A vacancy in the board shall be filled in the same manner as the original appointments. No commissioner shall take any part in the consideration or decision of any claim or particular controversy in which he has a pecuniary interest.

"'Each commissioner shall devote his time to the duties of his office, and shall not be in the employ of or hold any official relation to any common carrier or other person subject to this act, nor while holding such office acquire any stock or bonds thereof or become pecuniarily interested in any such carrier.

"'The duties of the board may be so divided that under its supervision the directorship of various activities may be assigned to one or more commissioners. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the board shall not impair the right of the remaining members of the board to exercise all its powers. The board shall have an official seal, which shall be judicially noticed.

"'The board may adopt rules and regulations in regard to its procedure and the conduct of its business. The board may employ within the limits of appropriations made therefor by Congress such attorneys as it finds necessary for proper legal service to the board in the conduct of its work, or for proper representation of the public interest in investigations made by it or proceedings pending before it whether at the board's own instance or upon complaint, or to appear for or represent the board in any case in court or other tribunal. The board shall have such other rights and perform such other duties not inconsistent with the merchant marine act, 1920, as are conferred by existing law upon the board in existence at the time this section as amended takes effect.

"'The commissioners in office at the time this section as amended takes effect shall hold office until all the commissioners provided for in this section as amended are appointed and qualify.'

"(b) The first sentence of section 4 of the 'shipping act, 1916,' is amended to read as follows:

"'SEC. 4. That each member of the board shall receive a salary of $12,000 per annum.'"

And the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "consistent with good business methods and the objects and purposes to be attained by this act, at public or private competitive sale after appraisement and due advertisement, to"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "existing freight rates and prospects of their maintenance"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "and any other facts or conditions that would influence a prudent, solvent business man in the sale of similar vessels or property which he is not forced to sell"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "not inconsistent with the provisions of section 5 (except that completion of the payment of the purchase price and interest shall not be deferred more than 10 years after the making of the contract of sale)"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "; but no such sale shall be made unless the board, after diligent effort, has been unable to sell, in accordance with the terms and conditions of section 5, such vessels to persons citizens of the United States, and has, upon an affirmative vote of not less than five of its members, spread upon the minutes of the board, determined to make such sale; and it shall make as a part of its records a full statement of its reasons for making such sale. Deferred payments of purchase price of vessels under this section shall bear interest at the rate of not less than 5½ per cent per annum, payable semiannually"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lines 6 and 7 of the matter proposed by the Senate amendment strike out the following words: "where adequate terminal connections with rail carriers can and will be made or already exist." In line 17 of the matter proposed by the Senate amendment strike out the words "of the United States" and insert in lieu thereof the following: "referred to in section 4 of this act or otherwise acquired by the board." In line 30 of the matter proposed by the Senate amendment, after the word "authorized," insert the following: "notwithstanding the act

entitled 'An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891." At the end of the matter proposed by the Senate amendment change the period to a colon and add the following: "*And provided further*, That whenever the board shall determine, as provided in this act, that trade conditions warrant the establishment of a service or additional service under Government administration where a service is already being given by persons, citizens of the United States, the rates and charges for such Government service shall not be less than the cost thereof, including a proper interest and depreciation charge on the value of Government vessels and equipment employed therein." In line 8 of the matter proposed by the Senate amendment, after the word "world," insert the words "and domestic"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment after the word "board" insert a comma and the following: "in cooperation with the Secretary of War"; in line 6 of the matter proposed by the Senate amendment after the word "rail" insert a comma and the word "water"; omit the proviso at the end of the matter proposed by the Senate amendment and insert in lieu thereof the following: "*Provided*, That if after such investigation the board shall be of the opinion that rates, fares, charges, classifications, regulations, or practices of common carriers by railroads subject to the interstate commerce act are detrimental to the object declared in this section, or that new rates, fares, charges, classifications, regulations, or practices, new or additional port terminal facilities, or action on the part of such common carriers by railroad are or any of them is necessary or desirable to promote such declared object, the board may file its application or complaint with the Interstate Commerce Commission praying for such relief and order as the commission may deem proper under the law then existing. In connection with such application or complaint the board may submit to the commission its findings, together with the record or records on which they are based, and the commission is hereby empowered to issue such order or orders relative thereto as it may deem proper without further investigation, but the commission may augment or supplement the record or records submitted to it by the board by such further investigation as the commission deems appropriate"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In line 4 of the matter proposed by the Senate amendment strike out "$50,000,000" and insert in lieu thereof "$25,000,000"; in line 21 of the matter proposed by the Senate amendment strike out everything after the word "built" down to and including the word "semiannually" at the end of the matter proposed by such Senate amendment; and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "may be reconditioned and kept in suitable repair and until"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "pursuant to the policy and purposes declared in sections 1 and 5 of this act; and the United States Shipping Board Emergency Fleet Corporation shall continue in existence and have authority to operate vessels, unless otherwise directed by law, until all vessels are sold in accordance with the provisions of this act, the provision"; and the Senate agree to the same.

Amendment numbered 120: That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 17. That the board is authorized and directed to take over on January 1, 1921, the possession and control of, and to maintain and develop, all docks, piers, warehouses, wharves and terminal equipment and facilities, including all leasehold easements, rights of way, riparian rights and other rights, estates and interests therein or appurtenant thereto, acquired by the President by or under the act entitled 'An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes,' approved March 28, 1918.

"The possession and control of such other docks, piers, warehouses, wharves and terminal equipment and facilities or parts thereof, including all leasehold easements, rights of way, riparian rights and other rights, estates or interests therein or appurtenant thereto which were acquired by the War Department or the Navy Department for military or naval purposes during the war emergency may be transferred by the President to the board whenever the President deems such transfer to be for the best interests of the United States.

"The President may at any time he deems it necessary, by order setting out the need therefor and fixing the period of such need, permit or transfer the possession and control of any part of the property taken over by or transferred to the board under this section to the War Department or the Navy Department for their needs, and when in the opinion of the President such need therefor ceases the possession and control of such property shall revert to the board. None of such property shall be sold except as may be hereafter provided by law."

And the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: In line 12 of the matter proposed by the Senate amendment, after the word "chartered," at the end of the line preceding and the beginning of said line 12, insert the words "by the board."

In lieu of the last two paragraphs of the matter proposed by the Senate amendment insert the following:

"It shall be unlawful to sell, transfer or mortgage, or, except under regulations prescribed by the board, to charter, any vessel purchased from the board or documented under the laws of the United States to any person not a citizen of the United States, or to put the same under a foreign registry or flag, without first obtaining the board's approval.

"Any vessel chartered, sold, transferred or mortgaged to a person not a citizen of the United States or placed under a foreign registry or flag, or operated, in violation of any provision of this section shall be forfeited to the United States, and whoever violates any provision of this section shall be guilty of a misdemeanor and subject to a fine of not more than $5,000, or to imprisonment for not more than five years, or both."

And the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 19. (1) The board is authorized and directed in aid of the accomplishment of the purposes of this act (a) to make all necessary rules and regulations to carry out the provisions of this act; (b) to make rules and regulations affecting shipping in the foreign trade not in conflict with law in order to adjust or meet general or special conditions unfavorable to shipping in the foreign trade, whether in any particular trade or upon any particular route or in commerce generally and which arise out of or result from foreign laws, rules, or regulations or from competitive methods or practices employed by owners, operators, agents, or masters of vessels of a foreign country; and (c) to request the head of any department, board, bureau, or agency of the Government to suspend, modify, or annul rules or regulations which have been established by such department, board, bureau, or agency, or to make new rules or regulations affecting shipping in the foreign trade other than such rules or regulations relating to the Public Health Service, the Consular Service, and the Steamboat-Inspection Service.

"(2) No rule or regulation shall hereafter be established by any department, board, bureau, or agency of the Government which affect shipping in the foreign trade, except rules or regulations affecting the Public Health Service, the Consular Service, and the Steamboat-Inspection Service, until such rule or regulation has been submitted to the board for its approval and final action has been taken thereon by the board or the President.

"(3) Whenever the head of any department, board, bureau, or agency of the Government refuses to suspend, modify, or annul any rule or regulation, or make a new rule or regulation upon request of the board, as provided in subdivision (c) of paragraph (1) of this section, or objects to the decision of the board in respect to the approval of any rule or regulation, as provided in paragraph (2) of this section, either the board or the head of the department, board, bureau, or agency which has established or is attempting to establish the rule or regulation in question may submit the facts to the President, who is hereby authorized to establish or suspend, modify, or annul such rule or regulation.

"(4) No rule or regulation shall be established which in any manner gives vessels owned by the United States any

preference or favor over those vessels documented under the laws of the United States and owned by persons who are citizens of the United States."

And the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 20. (1) That section 14 of the shipping act, 1916, as amended, is amended to read as follows:

"'SEC. 14. That no common carrier by water shall, directly or indirectly, in respect to the transportation by water of passengers or property between a port of a State, Territory, District, or possession of the United States and any other such port or a port of a foreign country—

"'First. Pay, or allow, or enter into any combination, agreement, or understanding, express or implied, to pay or allow, a deferred rebate to any shipper. The term "deferred rebate" in this act means a return of any portion of the freight money by a carrier to any shipper as a consideration for the giving of all or any portion of his shipments to the same or any other carrier, or for any other purpose, the payment of which is deferred beyond the completion of the service for which it is paid, and is made only if, during both the period for which computed and the period of deferment, the shipper has complied with the terms of the rebate agreement or arrangement.

"'Second. Use a fighting ship either separately or in conjunction with any other carrier, through agreement or otherwise. The term "fighting ship" in this act means a vessel used in a particular trade by a carrier or group of carriers for the purpose of excluding, preventing or reducing competition by driving another carrier out of said trade.

"'Third. Retaliate against any shipper by refusing, or threatening to refuse, space accommodations when such are available, or resort to other discriminating or unfair methods, because such shipper has patronized any other carrier or has filed a complaint charging unfair treatment, or for any other reason.

"'Fourth. Make any unfair or unjustly discriminatory contract with any shipper based on the volume of freight offered, or unfairly treat or unjustly discriminate against any shipper in the matter of (a) cargo space accommodations or other facilities, due regard being had for the proper loading of the vessel and the available tonnage; (b) the loading and landing of freight in proper condition; or (c) the adjustment and settlement of claims.

"'Any carrier who violates any provision of this section shall be guilty of a misdemeanor punishable by a fine of not more than $25,000 for each offense.'

"(2) The shipping act, 1916, as amended, is amended by inserting after section 14 a new section to read as follows:

"'SEC. 14a. The board upon its own initiative may, or upon complaint shall, after due notice to all parties in interest and hearing, determine whether any person, not a citizen of the United States and engaged in transportation by water of passengers or property—

"'(1) Has violated any provision of section 14, or

"'(2) Is a party to any combination, agreement, or understanding, express or implied, that involves in respect to transportation of passengers or property between foreign ports, deferred rebates or any other unfair practice designated in section 14, and that excludes from admission upon equal terms with all other parties thereto, a common carrier by water which is a citizen of the United States and which has applied for such admission.

"'If the board determines that any such person has violated any such provision or is a party to any such combination, agreement, or understanding, the board shall thereupon certify such fact to the Secretary of Commerce. The Secretary shall thereafter refuse such person the right of entry for any ship owned or operated by him or by any carrier directly or indirectly controlled by him, into any port of the United States, or any Territory, District, or possession thereof, until the board certifies that the violation has ceased or such combination, agreement, or understanding has been terminated.'"

And the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lines 1 and 2 of the matter proposed by the Senate amendment strike out "one year from the enactment of this act" and insert in lieu "February 1, 1922"; in line 11 of the matter proposed by the Senate amendment strike out the words "within a year" and insert the words "by February 1, 1922"; at the end of the matter proposed by the Senate amendment change the period to a colon and insert the following: "*And provided further*, That the foregoing provisions of this section shall not take effect with reference to the Philippine Islands until the President of the United States after a full investigation of the local needs and conditions shall, by proclamation, declare that an adequate shipping service has been established as herein provided and fix a date for the going into effect of the same; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 23" and insert in lieu "Sec. 21"; and the Senate agree to the same.

Amendment numbered 127: That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment as follows: In line 10 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 13 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 15 of the matter proposed by the Senate amendment strike out the words "wholly in American" and insert in lieu thereof the words "in such," and after the word "ownership," in said line 15, insert the following: "subject to the rules and regulations of such trade: *Provided*, That the board is authorized to issue permits for the carrying of passengers in foreign ships if it deems it necessary so to do, operating between the Territory of Hawaii and the Pacific coast up to February 1, 1922"; and in line 1 of the matter proposed by the Senate amendment strike out "Sec. 24" and insert in lieu "Sec. 22"; and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 23. That the revenue act of 1918 is amended by inserting after section 206 a new section to read as follows:

"'SEC. 207. (a) That the owner of a vessel registered, enrolled or licensed under the laws of the United States and operated only in foreign trade shall, for each of the 10 taxable years while so operated, beginning with the taxable year 1920, be allowed as a deduction for the purpose of ascertaining his net income subject to the war-profits and excess-profits taxes imposed by Title III an amount equivalent to the net earnings of such vessel during such taxable year, determined in accordance with rules and regulations to be made by the United States Shipping Board. Such owner shall not be entitled to such deduction unless during such taxable year he invested, or set aside under rules and regulations to be made by such board in a fund (to be known as a "replacement fund") for investment, in the building in shipyards in the United States of new vessels of a type and kind approved by such board, an amount to be determined by the commissioner, with the approval of the Secretary, and certified by him to such board, equivalent to the war-profits and excess-profits taxes that would have been payable by such owner on account of the net earnings of such vessels but for the deduction allowed under the provisions of this section; but at least two-thirds of the cost of any new vessel so constructed shall be paid for out of the ordinary funds or capital of the person having such vessel constructed.

"'The "invested capital" of the taxpayer attributable to any vessel, the net income from which is exempt from the taxes imposed by Title III shall be regarded as an "inadmissible asset" in computing the taxes due under such title upon the remainder of the taxpayer's net income for the taxable year.

"'(b) After January 1, 1920, upon the sale of a vessel registered, enrolled or licensed under the laws of the United States and built prior to January 1, 1914, the vendor may upon application, under oath made in such form as the commissioner shall by regulation prescribe, establish a fund to be known as a "replacement fund." The vendor shall cover into such fund the entire amount received from the sale of such vessel in excess of its value on March 1, 1913, or its cost if acquired on or after that date. Such fund shall be used exclusively for the building by the vendor in shipyards in the United States of a new vessel of a type approved by the United States Shipping Board.

"'Upon the completion of the new vessel it shall not be valued in the accounts of the taxpayer at an amount in excess of that at which the vessel sold was carried in such account at the time of the sale, except and to the extent that the productive capacity of such new vessel is greater than that of such old vessel.

"'(c) Accounting for gain or loss upon the entire amount placed in the fund under the provision of paragraphs (a) or (b) may be deferred for a reasonable period of time to be determined in each case by the commissioner, with the approval of the Secretary. If the new vessel is built within the time so determined the moneys in the fund provided for (1) under

paragraph (a) shall not be subject to the taxes imposed by Title III, and (2) under paragraph (b) shall not be subject to the taxes imposed in Titles II and III.

"'(d) The taxpayer shall be required to furnish a bond with such security or surety as the commissioner with the approval of the Secretary shall require for an amount not less than the estimated income, war-profits, and excess-profits taxes not paid upon the income so covered into the replacement fund. In lieu of such bond the taxpayer may at his option deposit as security for such estimated amount of taxes, obligations of the United States to be held in trust as such security in a bank or trust company designated by the commissioner, with the approval of the Secretary.

"'(e) In case a new vessel is not built within the time determined under this section, the taxes imposed (1) by Title III for the taxable year upon the amount set aside in such year under the provisions of paragraph (a) and (2) by Titles II and III for the taxable year in which the vessel built prior to January 1, 1914, was sold, shall be immediately due and payable, but no penalty or interest shall be added with respect to the time which has elapsed between the time that such taxes would have been due but for the provisions of this section and the due date.

"'(f) The Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Shipping Board, or a majority thereof, are hereby authorized and directed to determine from time to time what shall be allowed for annual depreciation of vessels documented under the laws of the United States engaged in foreign trade and owned by persons citizens of the United States, in order that the owners of such vessels shall be put as nearly as may be on a parity for taxation purposes with the owners of vessels under the flag of our foreign competitors in the world's carrying trade, and such allowances shall be embraced in the deductions allowed by law in determining the net income subject to income taxes and war-profits and excess-profits taxes.'"

And the Senate agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Nothing herein shall be affected by the act entitled 'An act to provide for ocean-mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891"; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 26" and insert in lieu "Sec. 24"; and the Senate agree to the same.

Amendment numbered 130: That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: Beginning in line 6 of the matter proposed by the Senate amendment strike out everything after the word "shipping," down to and including "citizens," in line 9 of the matter proposed by the Senate amendment; in lines 10 and 11 of the matter proposed by the Senate amendment strike out the words "or such approved organization"; and the Senate agree to the same.

Amendment numbered 131: That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In line 2 of the matter proposed by the Senate amendment strike out the word "twelve" and insert in lieu thereof the word "sixteen."

Between the first and second paragraphs of the matter proposed by the Senate amendment insert a separate paragraph, as follows:

"The privilege bestowed by this section on vessels of the United States shall be extended in so far as the foreign trade is concerned to the cargo vessels of any nation which allows the like privilege to cargo vessels of the United States in trades not restricted to vessels under its own flag."

In line 1 of the matter proposed by the Senate amendment strike out "Sec. 28" and insert in lieu thereof "Sec. 26."

And the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In line 8 of the matter proposed by the Senate amendment strike out the word "wholly," and in line 11 of the matter proposed by the Senate amendment strike out the figures "24" and insert in lieu thereof the figures "22." At the end of the matter proposed by the Senate amendment insert the following: ": *Provided*, That this section shall not apply to merchandise transported between points within the continental United States, excluding Alaska, over through routes heretofore or hereafter recognized by the Interstate Commerce Commission for which routes rate tariffs have been or shall hereafter be filed with said commission when such routes are in part over Canadian rail lines and their own or other connecting water facilities: *Provided further*, That this section shall not become effective upon the Yukon River until the Alaska Railroad shall be completed and the Shipping Board shall find that proper facilities will be furnished for transportation by persons citizens of the United States for properly handling the traffic." In line 1 of the matter proposed by the Senate amendment strike out "Sec. 29" and insert in lieu "Sec. 27"; and the Senate agree to the same.

Amendment numbered 133: That the House recede from its disagreement to the amendment of the Senate numbered 133, and agree to the same with an amendment as follows: In lines 17 and 18 of the matter proposed by the Senate amendment strike out "and owned by persons who are citizens of the United States"; in line 22 of the matter proposed by the Senate amendment strike out the words "and owned"; in line 30 of the matter proposed by the Senate amendment strike out the word "shall" and insert in lieu thereof the word "may"; in line 1 of the proposed amendment strike out the numerals "30" and insert in lieu thereof the numerals "28"; and the Senate agree to the same.

Amendment numbered 134: That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 29. (a) That whenever used in this section—

"(1) The term 'association' means any association, exchange, pool, combination, or other arrangement for concerted action; and

"(2) The term 'marine insurance companies' means any persons, companies, or associations, authorized to write marine insurance or reinsurance under the laws of the United States or of a State, Territory, District, or possession thereof.

"(b) Nothing contained in the 'antitrust laws' as designated in section 1 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, shall be construed as declaring illegal an association entered into by marine insurance companies for the following purposes: To transact a marine insurance and reinsurance business in the United States and in foreign countries and to reinsure or otherwise apportion among its membership the risks undertaken by such association or any of the component members."

And the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 30. SUBSEC. A. That this section may be cited as the 'ship mortgage act, 1920.'

"DEFINITIONS.

"SUBSEC. B. When used in this section—

"(1) The term 'document' includes registry and enrollment and license;

"(2) The term 'documented' means registered or enrolled or licensed under the laws of the United States, whether permanently or temporarily;

"(3) The term 'port of documentation' means the port at which the vessel is documented, in accordance with law;

"(4) The term 'vessel of the United States' means any vessel documented under the laws of the United States and such vessel shall be held to continue to be so documented until its documents are surrendered with the approval of the board; and

"(5) The term 'mortgagee,' in the case of a mortgage involving a trust deed and a bond issue thereunder, means the trustee designated in such deed.

"RECORDING OF SALES, CONVEYANCES, AND MORTGAGES OF VESSELS OF THE UNITED STATES.

"SUBSEC. C. (a) No sale, conveyance, or mortgage which, at the time such sale, conveyance, or mortgage is made, includes a vessel of the United States, or any portion thereof, as the whole or any part of the property sold, conveyed, or mortgaged shall be valid, in respect to such vessel, against any person other than the grantor or mortgagor, his heir or devisee, and a person having actual notice thereof, until such bill of sale, conveyance, or mortgage is recorded in the office of the collector of customs of the port of documentation of such vessel, as provided in subdivision (b) of this subsection.

"(b) Such collector of customs shall record bills of sale, conveyances, and mortgages, delivered to him, in the order of

their reception, in books to be kept for that purpose and indexed to show—

"(1) The name of the vessel;

"(2) The names of the parties to the sale, conveyance, or mortgage;

"(3) The time and date of reception of the instrument;

"(4) The interest in the vessel so sold, conveyed, or mortgaged; and

"(5) The amount and date of maturity of the mortgage.

"SUBSEC. D. (a) A valid mortgage which, at the time it is made includes the whole of any vessel of the United States of 200 gross tons and upward, shall in addition have, in respect to such vessel and as of the date of the compliance with all the provisions of this subdivision, the preferred status given by the provisions of subsection M, if—

"(1) The mortgage is indorsed upon the vessel's documents in accordance with the provisions of this section;

"(2) The mortgage is recorded as provided in subsection C, together with the time and date when the mortgage is so indorsed;

"(3) An affidavit is filed with the record of such mortgage to the effect that the mortgage is made in good faith and without any design to hinder, delay, or defraud any existing or future creditor of the mortgagor or any lienor of the mortgaged vessel;

"(4) The mortgage does not stipulate that the mortgagee waives the preferred status thereof; and

"(5) The mortgagee is a citizen of the United States.

"(b) Any mortgage which complies in respect to any vessel with the conditions enumerated in this subsection is hereafter in this section called a 'preferred mortgage' as to such vessel.

"(c) There shall be indorsed upon the documents of a vessel covered by a preferred mortgage—

"(1) The names of the mortgagor and mortgagee;

"(2) The time and date the indorsement is made;

"(3) The amount and date of maturity of the mortgage; and

"(4) Any amount required to be indorsed by the provisions of subdivision (e) or (f) of this subsection.

"(d) Such indorsement shall be made (1) by the collector of customs of the port of documentation of the mortgaged vessel, or (2) by the collector of customs of any port in which the vessel is found, if such collector is directed to make the indorsement by the collector of customs of the port of documentation; and no clearance shall be issued to the vessel until such indorsement is made. The collector of customs of the port of documentation shall give such direction by wire or letter at the request of the mortgagee and upon the tender of the cost of communication of such direction. Whenever any new document is issued for the vessel, such indorsement shall be transferred to and indorsed upon the new document by the collector of customs.

"(e) A mortgage which includes property other than a vessel shall not be held a preferred mortgage unless the mortgage provides for the separate discharge of such property by the payment of a specified portion of the mortgage indebtedness. If a preferred mortgage so provides for the separate discharge, the amount of the portion of such payment shall be indorsed upon the documents of the vessel.

"(f) If a preferred mortgage includes more than one vessel and provides for the separate discharge of each vessel by the payment of a portion of the mortgage indebtedness, the amount of such portion of such payment shall be indorsed upon the documents of the vessel. In case such mortgage does not provide for the separate discharge of a vessel and the vessel is to be sold upon the order of a district court of the United States in a suit in rem in admiralty, the court shall determine the portion of the mortgage indebtedness increased by 20 per cent (1) which, in the opinion of the court, the approximate value of the vessel bears to the approximate value of all the vessels covered by the mortgage, and (2) upon the payment of which the vessel shall be discharged from the mortgage.

"SUBSEC. E. The collector of customs upon the recording of a preferred mortgage shall deliver two certified copies thereof to the mortgagor who shall place, and use due diligence to retain, one copy on board the mortgaged vessel and cause such copy and the documents of the vessel to be exhibited by the master to any person having business with the vessel, which may give rise to a maritime lien upon the vessel or to the sale, conveyance, or mortgage thereof. The master of the vessel shall, upon the request of any such person, exhibit to him the documents of the vessel and the copy of any preferred mortgage of the vessel placed on board thereof.

"SUBSEC. F. The mortgagor (1) shall, upon request of the mortgagee, disclose in writing to him prior to the execution of any preferred mortgage, the existence of any maritime lien, prior mortgage, or other obligation or liability upon the vessel to be mortgaged, that is known to the mortgagor, and (2), without the consent of the mortgagee, shall not incur, after the execution of such mortgage and before the mortgagee has had a reasonable time in which to record the mortgage and have indorsements in respect thereto made upon the documents of the vessel, any contractual obligation creating a lien upon the vessel other than a lien for wages of stevedores when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, or for salvage, including contract salvage, in respect to the vessel.

"SUBSEC. G. (a) The collector of customs of the port of documentation shall, upon the request of any person, record notice of his claim of a lien upon a vessel covered by a preferred mortgage, together with the nature, date of creation, and amount of the lien, and the name and address of the person. Any person who has caused notice of his claim of lien to be so recorded shall, upon a discharge in whole or in part of the indebtedness, forthwith file with the collector of customs a certificate of such discharge. The collector of customs shall thereupon record the certificate.

"(b) The mortgagor, upon a discharge in whole or in part of the mortgage indebtedness, shall forthwith file with the collector of customs for the port of documentation of the vessel, a certificate of such discharge. Such collector of customs shall thereupon record the certificate. In case of a vessel covered by a preferred mortgage, the collector of customs at the port of documentation shall (1) indorse upon the documents of the vessel, or direct the collector of customs at any port in which the vessel is found, to so indorse, the fact of such discharge, and (2) shall deny clearance to the vessel until such indorsement is made.

"SUBSEC. H. (a) No bill of sale, conveyance, or mortgage shall be recorded unless it states the interest of the grantor or mortgagor in the vessel, and the interest so sold, conveyed, or mortgaged.

"(b) No bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge thereof, shall be recorded unless previously acknowledged before a notary public or other officer authorized by a law of the United States, or of a State, Territory, District, or possession thereof, to take acknowledgment of deeds.

"(c) In case of a change in the port of documentation of a vessel of the United States, no bill of sale, conveyance, or mortgage shall be recorded at the new port of documentation unless there is furnished to the collector of customs of such port, together with the copy of the bill of sale, conveyance, or mortgage to be recorded, a certified copy of the record of the vessel at the former port of documentation furnished by the collector of such port. The collector of customs at the new port of documentation is authorized and directed to record such certified copy.

"(d) A preferred mortgage may bear such rate of interest as is agreed by the parties thereto.

"SUBSEC. I. Each collector of customs shall permit records made under the provisions of this section to be inspected during office hours, under such reasonable regulations as the collector may establish. Upon the request of any person the collector of customs shall furnish him from the records of the collector's office (1) a certificate setting forth the names of the owners of any vessel, the interest held by each owner, and the material facts as to any bill of sale or conveyance of, any mortgage covering, or any lien or other incumbrance upon, a specified vessel, (2) a certified copy of any bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge in respect to such vessel, or (3) a certified copy as required by subdivision (c) of subsection H. The collector of customs shall collect a fee for any bill of sale, conveyance, or mortgage recorded, or any certificate or certified copy furnished by him, in the amount of 20 cents a folio with a minimum charge of $1. All such fees shall be covered into the Treasury of the United States as miscellaneous receipts.

"PENALTIES.

"SUBSEC. J. (a) If the master of the vessel willfully fails to exhibit the documents of the vessel or the copy of any preferred mortgage thereof, as required by subsection E, the board of local inspectors of vessels having jurisdiction of the license of the master, may suspend or cancel such license, subject to the provisions of 'An act to provide for appeals from decision of boards of local inspectors of vessels and for other purposes,' approved June 10, 1918.

"(b) A mortgagor who, with intent to defraud, violates any provision of subsection F, and if the mortgagor is a corporation or association, the president or other principal executive

officer of the corporation or association, shall upon conviction thereof be held guilty of a misdemeanor and shall be fined not more than $1,000 or imprisoned not more than two years, or both. The mortgaged indebtedness shall thereupon become immediately due and payable at the election of the mortgagee.

"(c) If any person enters into any contract secured by, or upon the credit of, a vessel of the United States covered by a preferred mortgage, and suffers pecuniary loss by reason of the failure of the collector of customs, or any officer, employee, or agent thereof, properly to perform any duty required of the collector under the provisions of this section, the collector of customs shall be liable to such person for damages in the amount of such loss. If any such person is caused any such loss by reason of the failure of the mortgagor, or master of the mortgaged vessel, or any officer, employee, or agent thereof, to comply with any provision of subsection E or F or to file an affidavit as required by subdivision (a) of subsection D, correct in each particular thereof, the mortgagor shall be liable to such person for damages in the amount of such loss. The district courts of the United States are given jurisdiction (but not to the exclusion of the courts of the several States, Territories, Districts, or possessions) of suits for the recovery of such damages, irrespective of the amount involved in the suit or the citizenship of the parties thereto. Such suit shall be begun by personal service upon the defendant within the limits of the district. Upon judgment for the plaintiff in any such suit, the court shall include in the judgment an additional amount for costs of the action and a reasonable counsel's fee, to be fixed by the court.

"FORECLOSURE OF PREFERRED MORTGAGES.

"SUBSEC. K. A preferred mortgage shall constitute a lien upon the mortgaged vessel in the amount of the outstanding mortgage indebtedness secured by such vessel. Upon the default of any term or condition of the mortgage, such lien may be enforced by the mortgagee by suit in rem in admiralty. Original jurisdiction of all such suits is granted to the district courts of the United States exclusively. In addition to any notice by publication, actual notice of the commencement of any such suit shall be given by the libellant, in such manner as the court shall direct, to (1) the master, other ranking officer, or caretaker of the vessel, and (2) any person who has recorded a notice of claim of an undischarged lien upon the vessel, as provided in subsection G, unless after search by the libellant satisfactory to the court, such mortgagor, master, other ranking officer, caretaker, or claimant is not found within the United States. Failure to give notice to any such person, as required by this subsection, shall not constitute a jurisdictional defect; but the libellant shall be liable to such person for damages in the amount of his interest in the vessel terminated by the suit. Suit in personam for the recovery of such damages may be brought in accordance with the provisions of subdivision (c) of section 10.

"SUBSEC. L. In any suit in rem in admiralty for the enforcement of the preferred mortgage lien, the court may appoint a receiver and, in its discretion, authorize the receiver to operate the mortgaged vessel. The marshal may be authorized and directed by the court to take possession of the mortgaged vessel notwithstanding the fact that the vessel is in the possession or under the control of any person claiming a possessory common-law lien.

"SUBSEC. M. (a) When used hereinafter in this section, the term 'preferred maritime lien' means (1) a lien arising prior in time to the recording and indorsement of a preferred mortgage in accordance with the provisions of this section; or (2) a lien for damages arising out of tort, for wages of a stevedore when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, and for salvage, including contract salvage.

"(b) Upon the sale of any mortgaged vessel by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a preferred mortgage lien thereon, all preexisting claims in the vessel, including any possessory common-law lien of which a lienor is deprived under the provisions of subsection L shall be held terminated and shall thereafter attach, in like amount and in accordance with their respective priorities, to the proceeds of the sale; except that the preferred mortgage lien shall have priority over all claims against the vessel, except (1) preferred maritime liens, and (2) expenses and fees allowed and costs taxed, by the court.

"SUBSEC. N. (a) Upon the default of any term or condition of a preferred mortgage upon a vessel, the mortgagee may, in addition to all other remedies granted by this section, bring suit in personam in admiralty in a district court of the United States, against the mortgagor for the amount of the outstanding mortgage indebtedness secured by such vessel or any deficiency in the full payment thereof.

"(b) This section shall not be construed, in the case of a mortgage covering, in addition to vessels, realty or personalty other than vessels, or both, to authorize the enforcement by suit in rem in admiralty of the rights of the mortgagee in respect to such realty or personalty other than vessels.

"TRANSFERS OF MORTGAGED VESSELS AND ASSIGNMENT OF VESSEL MORTGAGES.

"SUBSEC. O. (a) The documents of a vessel of the United States covered by a preferred mortgage may not be surrendered (except in the case of the forfeiture of the vessel or its sale by the order of any court of the United States or any foreign country) without the approval of the board. The board shall refuse such approval unless the mortgagee consents to such surrender.

"(b) The interest of the mortgagee in a vessel of the United States covered by a mortgage, shall not be terminated by the forfeiture of the vessel for a violation of any law of the United States, unless the mortgagee authorized, consented, or conspired to effect the illegal act, failure, or omission which constituted such violation.

"(c) Upon the sale of any vessel of the United States covered by a preferred mortgage, by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a maritime lien other than a preferred maritime lien, the vessel shall be sold free from all preexisting claims thereon; but the court shall, upon the request of the mortgagee, the libellant, or any intervenor, require the purchaser at such sale to give and the mortgagor to accept a new mortgage of the vessel for the balance of the term of the original mortgage. The conditions of such new mortgage shall be the same, so far as practicable, as those of the original mortgage and shall be subject to the approval of the court. If such new mortgage is given, the mortgagee shall not be paid from the proceeds of the sale and the amount payable as the purchase price shall be held diminished in the amount of the new mortgage indebtedness.

"(d) No rights under a mortgage of a vessel of the United States shall be assigned to any person not a citizen of the United States without the approval of the board. Any assignment in violation of any provision of this section shall be void.

"(e) No vessel of the United States shall be sold by order of a district court of the United States in any suit in rem in admiralty to any person not a citizen of the United States.

"MARITIME LIENS FOR NECESSARIES.

"SUBSEC. P. Any person furnishing repairs, supplies, towage, use of dry dock or marine railway, or other necessaries, to any vessel, whether foreign or domestic, upon the order of the owner of such vessel, or of a person authorized by the owner, shall have a maritime lien on the vessel, which may be enforced by a suit in rem, and it shall not be necessary to allege or prove that credit was given to the vessel.

"SUBSEC. Q. The following persons shall be presumed to have authority from the owner to procure repairs, supplies, towage, use of dry dock or marine railway, and other necessaries for the vessel: The managing owner, ship's husband, master, or any person to whom the management of the vessel at the port of supply is intrusted. No person tortiously or unlawfully in possession or charge of a vessel shall have authority to bind the vessel.

"SUBSEC. R. The officers and agents of a vessel specified in subsection Q shall be taken to include such officers and agents when appointed by a charterer, by an owner pro hac vice, or by an agreed purchaser in possession of the vessel; but nothing in this section shall be construed to confer a lien when the furnisher knew, or by exercise of reasonable diligence could have ascertained, that because of the terms of a charter party, agreement for sale of the vessel, or for any other reason, the person ordering the repairs, supplies, or other necessaries was without authority to bind the vessel therefor.

"SUBSEC. S. Nothing in this section shall be construed to prevent the furnisher of repairs, supplies, towage, use of dry dock or marine railway, or other necessaries, or the mortgagee, from waiving his right to a lien, or in the case of a preferred mortgage lien, to the preferred status of such lien, at any time, by agreement or otherwise; and this section shall not be construed to affect the rules of law now existing in regard to (1) the right to proceed against the vessel for advances, (2) laches in the enforcement of liens upon vessels, (3) the right to proceed in personam, (4) the rank of preferred maritime liens among themselves, or (5) priorities between maritime liens and mortgages, other than preferred mortgages, upon vessels of the United States.

"SUBSEC. T. This section shall supersede the provisions of all State statutes conferring liens on vessels, in so far as such statutes purport to create rights of action to be enforced by suits in rem in admiralty against vessels for repairs, supplies, towage, use of dry dock or marine railway, and other necessaries.

"MISCELLANEOUS PROVISIONS.

"SUBSEC. U. This section shall not apply (1) to any existing mortgage, or (2) to any mortgage hereafter placed on any vessel now under an existing mortgage, so long as such existing mortgage remains undischarged.

"SUBSEC. V. The Secretary of Commerce is authorized and directed to furnish collectors of customs with all necessary books and records, and with certificates of registry and of enrollment and license in such form as provides for the making of all indorsements thereon required by this section.

"SUBSEC. W. The Secretary of Commerce is authorized to make such regulations in respect to the recording and indorsing of mortgages covering vessels of the United States as he deems necessary to the efficient execution of the provisions of this section.

"SUBSEC. X. Sections 4192 to 4196, inclusive, of the Revised Statutes of the United States, as amended, and the act entitled 'An act relating to liens on vessels for repairs, supplies, or other necessaries,' approved June 23, 1910, are repealed. This section, however, so far as not inconsistent with any of the provisions of law so repealed, shall be held a reenactment of such repealed law, and any right or obligation based upon any provision of such law and accruing prior to such repeal, may be prosecuted in the same manner and to the same effect as if this act had not been passed."

And the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out "Sec. 33." and insert in lieu thereof "Sec. 31." In lines 8 and 9 of the matter proposed by the Senate amendment strike out the words "or take in fuel"; and the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the figure "11" and insert in lieu the figure "10" and change the section number from "34" to "32"; and the Senate agree to the same.

Amendment numbered 138: That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 33. That the requirements provided in section 14 of the act entitled 'An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea,' approved March 4, 1915, to be observed on the Great Lakes in the intervals from May 15 to September 15, inclusive, and from September 15 to May 15, inclusive, shall be required to be observed instead in the intervals from May 1 to October 15, inclusive, and from October 15 to May 1, inclusive, respectively."

And the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Jurisdiction in such actions shall be under the court of the district in which the defendant employer resides or in which his principal office is located"; in line 1 of the matter proposed by the Senate amendment strike out the section number "36" and insert in lieu thereof the number "34"; and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "36"; and the Senate agree to the same.

Amendment numbered 142: That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "specifically"; and the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the section number "39" and insert in lieu thereof the number "37"; and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment change the period to a semicolon and add the following: "the term 'board' means the United States Shipping Board; and the term 'alien' means any person not a citizen of the United States"; and the Senate agree to the same.

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 39. That section 2 of the shipping act, 1916, is amended to read as follows:

"'SEC. 2. (a) That within the meaning of this act no corporation, partnership, or association shall be deemed a citizen of the United States unless the controlling interest therein is owned by citizens of the United States, and, in the case of a corporation, unless its president and managing directors are citizens of the United States and the corporation itself is organized under the laws of the United States or of a State, Territory, District, or possession thereof; but in the case of a corporation, association, or partnership operating any vessel in the coastwise trade the amount of interest required to be owned by citizens of the United States shall be 75 per cent.

"'(b) The controlling interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to a majority of the stock thereof is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if the majority of the voting power in such corporation is not vested in citizens of the United States; or (c) if through any contract or understanding it is so arranged that the majority of the voting power may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of the corporation is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"'(c) Seventy-five per cent of the interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to 75 per cent of its stock is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if 75 per cent of the voting power in such corporation is not vested in citizens of the United States; or (c) if, through any contract or understanding it is so arranged that more than 25 per cent of the voting power in such corporation may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of any interest in the corporation in excess of 25 per cent is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"'(d) The provisions of this act shall apply to receivers and trustees of all persons to whom the act applies, and to the successors or assignees of such persons.'"

And the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "40"; and the Senate agree to the same.

WILLIAM S. GREENE,
G. W. EDMONDS,
FREDERICK W. ROWE,
RUFUS HARDY,
W. B. BANKHEAD,

I sign this report because, as a whole, I favor the bill, but there are parts of it to which I strongly object.

RUFUS HARDY,

Managers on the part of the House.

W. L. JONES,
WILLIAM M. CALDER,
CHAS. L. MCNARY,
JOS. E. RANSDELL,
F. M. SIMMONS,

Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the second conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation and to provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

On amendment No. 1: This amendment is explanatory and directs the United States Shipping Board in the disposition of vessels and shipping property, in the making of rules and regulations, and in the administration of the shipping laws to have due regard for the necessity for a merchant marine in order to provide for the proper growth of the foreign and domestic commerce of the United States, and the encouragement of a privately owned merchant marine; and the House recedes.

On amendment No. 2: This amendment changes a section number; and the House recedes.

On amendment No. 3: This amendment is a clerical change; and the Senate recedes with an amendment.

On amendment No. 4: This amendment provides for the repeal of sections 5, 7, and 8 of the shipping act of 1916, inasmuch as the provisions relating to construction and equipment of vessels and their sale is provided in this bill; and the House recedes.

On amendment No. 5: This amendment is a clerical change; and the House recedes.

On amendment No. 6: This amendment is a clerical change; and the House recedes.

On amendment No. 7: This amendment is a clerical change; and the House recedes.

On amendment No. 8: This amendment is a clerical change; and the House recedes.

On amendment No. 9: This amendment is a clerical change; and the House recedes.

On amendment No. 10: This amendment is a clerical change; and the House recedes.

On amendment No. 11: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 5 to 11, inclusive, makes uniform the use of the words "acts or parts of acts" and clarifies the provision relating to the enforcement of the penalty provisions of such acts.

On amendment No. 12: This amendment authorizes the board to complete any construction work begun in accordance with the provisions of the acts repealed whenever the board deemed such completion for the best interests of the United States; and the House recedes.

On amendment No. 13: This amendment is a clerical change; and the House recedes.

On amendment No. 14: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 13 and 14 was taken for the same reason as the action in regard to amendments 5 to 11, inclusive.

On amendment No. 15: The amendment provides that any person dissatisfied with an action of the board relating to the disposition and liquidation of matters incident to the powers conferred upon the President by the acts repealed should have the same right to sue the United States as if such action had been taken by the President. The House recedes and agrees to the Senate amendment.

On amendment No. 16: This amendment is an amendment to section 3 of the shipping act of 1916 increasing the membership of the board to seven; providing that two of the members are to be appointed from the Pacific States, two from the Atlantic States, one from the Gulf of Mexico, one from the Great Lakes, and one from the interior; providing that each commissioner shall devote his time to the duties of his office, that the board may divide the supervision of its activities and may employ attorneys for investigation and court work. The commissioners in office at the time the section takes effect are to hold office until the new commissioners are appointed and qualify, and each commissioner is to receive a salary of $12,000. The House recedes with an amendment for a bipartisan board and a clerical change.

On amendment No. 17: This amendment changes a section number; and the House recedes.

On amendment No. 18: This amendment includes all vessels within the terms of the section instead of limiting its provisions to merchant vessels; and the House recedes.

On amendment No 19: This amendment is a clerical change; and the House recedes.

On amendment No. 20: This amendment changes a section number; and the House recedes.

On amendment No. 21: This amendment authorizes the President to determine when vessels under this section are required by another branch of the Government service; and the House recedes.

On amendment No. 22: This amendment extends the power of the President to except certain vessels from the provisions of the section when needed by any other branch of the Government; and the House recedes.

On amendment No. 23: This amendment is clerical; and the House recedes.

On amendment No. 24: The House recedes.

On amendment No. 25: This amendment changes a section number; and the House recedes.

On amendment No. 26: This amendment restates the purpose for which vessels may be sold; and the House recedes.

On amendment No. 27: This amendment is a clerical change; and the House recedes.

On amendment No. 28: This amendment limits the power to sell vessels to cases when the sale is consistent with good business and the objects of the act; the House recedes with an amendment to provide that such sale shall be public or private and competitive, after appraisement and due advertisement.

On amendment No. 29: This amendment is a clerical change; and the House recedes.

On amendment No. 30: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 29 and 30 conforms the terms "citizens of the United States" to the definition in the shipping act of 1916.

On amendment No. 31: This amendment changes a section number; and the House recedes.

On amendment No. 32: This amendment changes a section number; and the House recedes.

On amendment No. 33: This amendment compels the completion of the payment of interest within 15 years; and the House recedes.

On amendment No. 34: This amendment adds the word "deferred" to clarify the sentence; and the House recedes.

On amendment No. 35: The original House bill provided that the payment of the purchase price should not be deferred more than 15 years after the contract of sale; the Senate amendment changed this to 20 years; the Senate recedes from its amendment.

On amendment No. 36: This amendment is a clerical change; and the House recedes.

On amendment No. 37: This amendment makes it mandatory upon the board to consider the various factors provided in the section in fixing or accepting the sale price of vessels; and the House recedes.

On amendment No. 38: This amendment is a clerical change; and the House recedes.

On amendment No. 39: This amendment prescribes that the available supply of vessels shall be considered in making a sale; and the House recedes.

On amendment No. 40: This amendment is a clerical change; and the House recedes.

On amendment No. 41: This amendment prescribes that freights received and prospects of their maintenance shall be considered in making a sale; and the House recedes with an amendment to provide that existing freight rates should be considered.

On amendment No. 42: This amendment provides that facts or conditions influencing business men in the sale of similar vessels shall be taken into consideration in making a sale and prohibits the sale of a vessel at less than the cost of constructing vessels of similar type in private shipyards at the time of such sale; and the House recedes with an amendment striking out the limitation relating to the sale at less than construction cost.

On amendment No. 43: This amendment is a clerical change; and the House recedes.

On amendment No. 44: This amendment provides that deferred payments of purchase price of vessels should bear interest at a rate of not less than 5½ per cent per annum, payable semiannually; and the Senate recedes.

On amendment No. 45: This amendment changes a section number; and the House recedes.

On amendment No. 46: This amendment is a clerical change; and the House recedes.

On amendment No. 47: This amendment is incorporated with amendment No. 51; and the Senate recedes.

On amendment No. 48: This amendment provides that in sales to aliens payments shall be completed within 10 years; the House recedes with an amendment providing that such sales shall be in accordance with the provisions of the act relating to sales to American citizens, but that completion of payment of purchase price and interest shall not be deferred more than 10 years after such sales.

On amendment No. 49: The Senate recedes from this amendment, which prohibits sales to aliens of vessels of a deadweight tonnage over 6,000 tons and less than 10 years of age.

On amendment No. 50: This amendment provides that the board shall carefully investigate before selling to aliens; and the House recedes.

On amendment No. 51: This amendment provides that the board shall make a full statement of its reasons for making a sale to aliens and that deferred payments of purchase price shall bear interest of 5½ per cent; and the House recedes with an amendment to provide that the board shall attempt to sell to American citizens and agree by an affirmative vote of not less than five of its members spread upon the minutes of the board to make such sale. The board shall then make a full statement of its reasons for the sale, and deferred payments thereon shall bear interest at not less than 5½ per cent.

On amendment No. 52: This amendment directs the board to investigate the establishment of steamship lines and to sell or charter vessels of the United States to citizens of the United States in order to provide for such lines. In case such sale can not be made the board shall operate the line until it may be sold or it is shown not to be self-sustaining. The Postmaster General is authorized to contract for the carrying of mails over such lines at a price to be agreed upon by the board and the Postmaster General. Preference in the sale or assignment of vessels on such lines are to be given to citizens of the United States who are supported by domestic communities or who are maintaining a service from a United States port to a world-market port. In the case of steamship lines maintained by the United States at the time of the enactment of this act the board is directed to continue such lines until it determines such continuance against public interest or unbusinesslike. The House recedes with an amendment exempting this section from the provisions of the mail subvention act and a provision that where service under Government administration is established the charge therefor shall be on a cost basis.

On amendment No. 53: This amendment confers general powers upon the board to investigate terminal facilities at ports, and in case it finds that rates of rail carriers are detrimental to the upbuilding of such ports, or that new rates or additional terminal facilities should be made by carriers, it may submit its findings to the Interstate Commerce Commission; and the House recedes with an amendment prescribing the procedure for the submission of the findings of the board to the commission and empowering the commission to issue orders relative to rail carriers with or without further investigation.

On amendment No. 54: This amendment changes a section number; and the House recedes.

On amendment No. 55: This amendment makes more specific the sale which is provided for under this section; and the House recedes.

On amendment No. 56: This amendment strikes out a statement of policy; and the House recedes.

On amendment No. 57: This amendment is a clerical change; and the House recedes.

On amendment No. 58: This amendment is a clerical change; and the House recedes.

On amendment No. 59: This amendment is a clerical change; and the House recedes.

On amendment No. 60: This amendment includes associations under the terms of this section; and the House recedes.

On amendment No. 61: This amendment is a clerical change; and the House recedes.

On amendment No. 62: This amendment is a clerical change; and the House recedes.

On amendment No. 63: This amendment is a clerical change; and the House recedes.

On amendment No. 64: This amendment is a clerical change; and the House recedes.

On amendment No. 65: This amendment strikes out the provision making insurance payable to the board and is incorporated in amendment No. 69 and made applicable both to general insurance and indemnity insurance.

On amendment No. 66: This amendment is a clerical change; and the House recedes.

On amendment No. 67: This amendment is a clerical change; and the House recedes.

On amendment No. 68: This amendment is a clerical change; and the House recedes.

On amendment No. 69: This amendment requires insurance to be made payable to the board or to the party in interest and authorizes the board to enter into agreements respecting the payment or guarantee of premiums of insurance; and the House recedes.

On amendment No. 70: This amendment changes a section number; and the House recedes.

On amendments Nos. 71, 72, 73, 74, 75, and 76: Are clerical changes; and the House recedes.

The action of the conferees on amendments Nos. 71 to 76, inclusive, was taken in order to perfect the provision in the bill relating to the establishment of the separate insurance fund.

On amendment No. 77: This amendment provides that for the next five years the board may establish a construction fund not to exceed $50,000,000 from the revenues from sales and operations to be used in the construction or in aid of the construction of new vessels of a certain type for service on steamship lines. This fund shall be loaned to citizens of the United States to build such vessels in private shipyards, but no loan shall be in a greater sum than two-thirds of the cost of the vessel to be constructed. The board is required to take a first lien upon such vessels and to otherwise secure the repayment of the sum loaned with interest, and the maintenance of the service to be established. In case the board deems it important to establish service and is unable to interest citizens of the United States in the construction of vessels in private shipyards with the aid of such fund it is authorized to construct such vessels in private shipyards, but not on a cost-plus basis, and when such vessels are sold a cash payment of not less than 25 per cent of the purchase price, ample security for deferred payment, and interest on loans at the rate of 5½ per cent are to be required by the board. The House recedes with an amendment decreasing the amount of the construction fund to $25,000,000 and prohibiting the board from constructing any vessels out of such fund.

On amendment No. 78: This amendment changes a section number; and the House recedes.

On amendment No. 79: This amendment authorizes the board to manage and operate or charter or lease vessels until sold; the House recedes with an amendment providing that such vessels may also be reconditioned and kept in suitable repair.

On amendment No. 80: This amendment is clerical; and the House recedes.

On amendment No. 81: This amendment changes the original time limitations in the House bill with regard to the operation, charter, or lease of a vessel by the board, and permits vessels to be managed, operated, or chartered or leased until sold. The Emergency Fleet Corporation is continued in existence, with authority to operate vessels until they are sold. The House recedes with an amendment continuing operation by the Emergency Fleet Corporation unless otherwise directed by law.

On amendment No. 82: This amendment is made to perfect amendment No. 81; and the House recedes.

On amendment No. 83: This amendment changes a section number; and the House recedes.

On amendment No. 84: This amendment is clerical; and the House recedes.

On amendment No. 85: This amendment excludes vessels transferred from the provisions of the section; and the House recedes.

On amendment No. 86: This amendment changes a section number; and the House recedes.

On amendments Nos. 87 and 88: These amendments are clerical; and the House recedes.

On amendment No. 89: This amendment omits the provision relating to the payment of the purchase price within five years after the sale; and the House recedes.

On amendment No. 90: This amendment changes a section number; and the House recedes.

On amendment No. 91: This amendment extends the time for obtaining net proceeds from activities authorized in the act from 1920 to 1921.

On amendments Nos. 92 and 93: These amendments are clerical; and the House recedes.

On amendment No. 94: This amendment changes a section number; and the House recedes.

On amendments Nos. 95, 96, and 97: These amendments are clerical; and the House recedes.

On amendment No. 98: This amendment changes the time for covering net proceeds into the Treasury from 1920 to 1921; and the House recedes.

On amendments Nos. 99, 100, and 101: These amendments are clerical; and the House recedes.

On amendments Nos. 102 and 103: These amendments change section numbers; and the House recedes.

On amendment No. 104: This amendment more accurately describes what vessels are exempt from payment for charter hire under this section; and the House recedes.

On amendments Nos. 105, 106, and 107: These amendments are clerical; and the House recedes.

The action of the conferees on amendments Nos. 104 to 107, inclusive, was taken in order to specify what vessels were exempt from the payment by the War Department for charter hire.

On amendment No. 108: This amendment changes a section number; and the House recedes.

On amendments Nos. 109, 110, 111, 112, 113, 114, 115, 116, 117, and 118: These amendments are clerical; and the House recedes.

The action of the conferees on amendments Nos. 109 to 118, inclusive, was taken to include within the section all powers granted the Emergency Fleet Corporation to acquire, sell, or dispose of lands, houses, and buildings.

On amendment No. 119: This amendment limits the power of the Emergency Fleet Corporation to dispose of property or interests of the United States except when consistent with good business and the best interests of the United States.

On amendment No. 120: This amendment directs the board to take over in one year the possession of the German wharves. It further authorizes the board to pay to Hoboken, N. J., the taxes levied but uncollected by such city for the years 1918 and 1919 upon such property and to pay thereafter legitimate taxes to that city of not less than the average annual amount of the taxes from 1916 to 1920, inclusive. The House recedes with an amendment to the effect that the board shall take over the German wharves on January 1, 1921, that Army bases acquired for military or naval purposes during the war may be transferred by the President to the board, that any part of any property taken over or transferred to the board may at the option of the President be given to the War or Navy Department, and that no taxes are to be paid to the city of Hoboken.

On amendment No. 121: This amendment amends the shipping act, 1916, so that the owner of a vessel documented under the laws of the United States or purchased from the board may not sell or charter the vessel foreign without the approval of the board. Such approval is contingent upon the investment of the proceeds of the sale in the construction in the United States shipyards of other vessels of a superior type. The House recedes with an amendment which strikes out this condition. The amendment as agreed to also subjects to regulations of the board the chartering of any vessel purchased from it or documented under the laws of the United States.

On amendment No. 122: This amendment provides for investigation by the board and recommendations by it as to what apprentices should be carried upon vessels of the United States and on vessels having contract for the carrying of the mails. The board is also directed to submit recommendations for additional legislation to make available a sufficient number of officers and able seamen who are citizens of the United States to officer and man the merchant marine. The Senate recedes.

On amendment No. 123: This amendment authorizes the board (1) to make rules and regulations putting into effect the provisions of this act; (2) to make such rules and regulations as to vessels in the foreign and coastwise trade as will adjust and meet unfair foreign laws, competition, or practices; (3) to request the suspension of any existing rule or regulation affecting the foreign or coastwise trade; and (4) to approve or disapprove any future rule or regulation of that nature. The Public Health Service and Steamboat-Inspection Service are exempt from this regulatory power of the board. The President is authorized to settle disagreements between the board and any other agency as to the suspension or approval or disapproval of any such rule or regulation.

The House recedes with an amendment which eliminates from the provisions of this section rules and regulations relating to coastwise trade, and rules and regulations in respect to the Consular Service.

On amendment No. 124: This amendment provides for the exclusion from a port of the United States of a vessel owned by any person whom the board finds has violated any provision of sections 14 or 16 of the shipping act, 1916. The House recedes with an amendment comprising H. R. 12074 as reported to the House.

On amendment No. 125: This amendment, first, authorizes the board to establish service between the ocean terminal of the Government railway in Alaska and other ports, and, second, forbids the board to charge rates for Government service at less than cost when competing with private lines. The Senate recedes in view of the action taken in respect to amendment No. 52.

On amendment No. 126: This amendment extends the coastwise laws to the possessions of the United States within one year after the passage of this act. The House recedes with an amendment to the effect that the coastwise laws shall not take effect with reference to the Philippine Islands until the President by proclamation declares that adequate shipping service has been established with the islands.

On amendment No. 127: This amendment repeals the act of October 6, 1917, in respect to the suspension of existing laws as to the admission of foreign-built vessels to American registry when engaged in the American coastwise trade, except that certain foreign-built vessels owned on February 1, 1920, by citizens of the United States may continue to be so engaged. The House recedes with an amendment which permits the board to authorize foreign-built ships to operate between Hawaii and the Pacific coast until February 1, 1921.

On amendment No. 128: The Senate amendment exempted from war profits and excess profits taxes for 10 taxable years after the enactment of this act the taxpayer's net income from a vessel documented under the laws of the United States and operated in foreign trade if the owner of the vessel invests in a new vessel or sets aside in a fund to be used in the building of new vessels in the shipyards of the United States an amount equivalent to the war-profits and excess-profits taxes that would have been payable by such taxpayer on account of the net earnings of such vessel but for the provisions of this section. This amendment permitted this exemption only if at least two-thirds of the cost of the new vessel is paid for out of the ordinary funds or capital of the person having the new vessel constructed.

This amendment also exempted for a period of 10 years after the enactment of this act from income and excess-profits and war-profits taxes the gain from the sale of a vessel documented under the laws of the United States and built prior to January 1, 1914, if the entire proceeds from such sale are invested in the building of new ships in American shipyards and such new ships documented under the laws of the United States.

This amendment also provided that the Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Shipping Board should determine from time to time the annual depreciation allowances of vessels in order that the owners of such vessels may be put as nearly as possible on a parity with the owner of the ships under the flags of foreign competitors in the world's carrying trade.

The House recedes from its disagreement to this amendment with an amendment exempting from excess-profits and war-profits taxes the net income of a vessel documented under the laws of the United States and operated only in foreign trade, if the owner invests in new vessels, or places in a replacement fund for building a new vessel an amount equivalent to the war-profits and excess-profits taxes that would have been payable by such taxpayer on account of the net earnings of such vessel but for the provisions of this section. This exemption is limited to the first 10 taxable years beginning with the taxable year 1920. The limitation of the Senate amendment that at least two-thirds of the cost of any new vessel so constructed shall be paid for out of the ordinary funds of the person having such vessel constructed is retained. This amendment provides that the "invested capital" of any taxpayer attributable to any vessel, the net income of which is exempt from the taxes imposed by Title III of the revenue act of 1918, shall not be included in computing invested capital for the purpose of ascertaining taxes due under such title upon the remainder of the taxpayer's net income for the taxable year.

After January 1, 1920, in the case of a vessel documented under the laws of the United States and built prior to January 1, 1914, the vendor may upon application under regulations to be prescribed by the commissioner, establish a replacement fund and cover into such fund the entire amount received from the sale of such vessel in excess of its value on March 1, 1913, or its cost if acquired on or after that date, such fund to be used exclusively for the building of a new vessel by the vendor in shipyards of the United States.

Accounting for gain or loss upon the entire moneys placed in the replacement fund may be deferred for such period of time as may be determined by the Commissioner of Internal Revenue with the approval of the Secretary, and if the new vessel is built within the time so determined the moneys in the fund provided under paragraph (a) of this section shall not be subject to the excess profits and war profits taxes, and the moneys in

the fund provided in paragraph (b) of this section shall not be subject to the income, excess, and war profits taxes. In case the new vessel is not built within the time determined the aforementioned taxes shall be immediately due and payable.

The Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Shipping Board, or a majority thereof, are authorized to determine the annual depreciation of vessels documented under the laws of the United States engaged in foreign trade and owned by persons citizens of the United States, on a basis that will place the owners of such vessels for taxation purposes as nearly as may be on a parity with owners of ships under the flags of foreign competitors in the world carrying trade.

On amendment No. 129: This amendment provides that all mail of the United States carried on vessels shall, if practicable, be carried on American-built vessels, documented under the laws of the United States. Subletting of any contracts of carriers is forbidden, and the United States Shipping Board and the Postmaster General shall determine the rate of compensation for the carriage of such mail. The House recedes with an amendment that the provisions of this section shall not affect the subvention act of 1891.

On amendment No. 130: This amendment provides for the recognition by all agencies of the Government of the American Bureau of Shipping, or other similar approved organization, as the official classification bureau. The House recedes with an amendment confining such recognition exclusively to the American Bureau of Shipping in accordance with the provisions of H. R. 11311 as passed the House.

On amendment No. 131: This amendment permits cargo vessels to carry passengers not in excess of 12 in number on all trips. The House recedes with an amendment which restores the original limitation of 16 passengers as in H. R. 11313, as passed the House, but limits the privilege to countries affording a reciprocal privilege.

On amendment No. 132: This amendment forbids the transportation of merchandise by rail and water between points in the United States, including the Territories and possessions, in any other than United States bottoms. The House recedes with an amendment that this shall not apply to transportation between points within the continental United States, excluding Alaska, over through routes recognized by the Interstate Commerce Commission and comprised in part of Canadian rail lines. The amendment as agreed to also provides that the section shall not take effect as to transportation upon the Yukon River until the United States Shipping Board finds that proper transportation service will be furnished thereon by citizens of the United States.

On amendment No. 133: This amendment provides for discriminatory proportional rates against foreign competitors where the water end of the journey is by vessels documented under the laws of the United States and owned by persons who are citizens of the United States. The House recedes with an amendment which eliminates the requirement of citizenship.

On amendment No. 134: This amendment exempts marine insurance companies from the provisions of the antitrust laws. The House recedes with an amendment consisting, with verbal alterations, of H. R. 13889.

On amendment No. 135: This Senate amendment is an extensive provision by which the mortgagee under a mortgage upon a vessel of the United States is made more secure in his interest in the vessel than he is under existing admiralty law. The amendment supplements the existing mortgage-recording provisions by creating a preferred mortgage which in foreclosure proceedings will have priority in the distribution of the proceeds from the sale of the mortgaged vessel, over all maritime liens against the vessel except liens for damages arising out of tort, stevedores', and crews' wages, general average, and salvage. The preferred status arises upon the recording of the mortgage as a preferred mortgage and its indorsement upon the vessel's documents. Under the Senate amendment the foreclosure proceedings are brought in the Federal courts in equity with simulated admiralty procedure under which the court in equity gives a title good against the world and terminates all preexisting claims against the vessel. In the case of a sale by court order consequent upon the institution of libel proceedings in admiralty against a vessel covered by a preferred mortgage, the Senate amendment provides that the sale shall pass a title subject to the mortgage if the libellant is a lienor whose claim, by the provisions of the amendment, has not priority over but is subordinated to the mortgagee's interest. The Senate amendment also reenacts the maritime lien act of 1910 with the additional grant of a lien for towage in the home port of a vessel and the declaration that towage shall be presumed to be furnished upon the credit of a vessel.

The House recedes with an amendment which places the constitutional basis of Congress's power to legislate in respect to vessel mortgages upon the grant of admiralty jurisdiction and the "necessary and proper clause" of the Constitution instead of the power to regulate interstate and foreign commerce. The amendment as agreed to further places exclusive jurisdiction in the Federal courts to foreclose vessel mortgages upon the grant of admiralty jurisdiction instead of the provisions of the Constitution relating to diversity of citizenship and cases arising under the laws of the United States. The amendment as agreed to also makes the title granted under the order of a court of admiralty in the case of the libel of a vessel covered by a preferred mortgage good against the world, as under the existing admiralty law and international admiralty practice; clarifies the provisions as to fleet mortgages; provides for the reenactment and incorporation in the amendment of the existing vessel-mortgage recording provisions; and prevents the repeal of section 4 of the maritime lien act of 1910 in respect to the doctrines of advances and laches.

On amendment No. 136: This amendment amends section 4530 of the Revised Statutes so that seamen shall be entitled to receive wages at the port at which fuel is taken en route and so that no demand for wages shall be made in the same harbor more than once during the same entry. The amendment also limits the amount of wages payable at any port to one-half part of the balance of the wages earned and remaining unpaid at the time of the demand. The House recedes with an amendment eliminating the provisions in respect to demands at port at which fuel is taken on.

On amendment No. 137: This amendment amends paragraph (a) of section 11 of the act of June 26, 1884, by making the payment of advanced wages to seamen illegal, although the payment occurs without the United States. The House recedes with a clerical amendment.

On amendment No. 138: This amendment amends the seamen's act so as to confine certain provisions as to qualifications of able seamen upon the Great Lakes to citizens of the United States. The House recedes with an amendment limiting the season of application of specified provisions of the seamen's act.

On amendment No. 139: This amendment amends section 20 of the seamen's act so as to extend the Federal employers' liability act to cases of personal injury to or death of seamen. The House recedes with an amendment that jurisdiction of all actions brought under the provisions of section 20 shall be under the court of the district in which the defendant employer resides or in which his principal office is located.

On amendment No. 140: This section authorizes the President to terminate treaties and conventions restricting the right of the United States to impose discriminating customs duties, and puts into effect the provisions of subsections 1 and 7 of section J of the Underwood Tariff Act. The House recedes.

On amendment No. 141: This amendment is a change in section number, and the House recedes with an amendment making a further change in the section number.

On amendment No. 142: This amendment makes a clerical change, and the House recedes with an amendment making a further clerical change.

On amendment No. 143: The House bill provided that the powers vested in the Shipping Board by this act may be exercised directly by the board or through the Emergency Fleet Corporation "or other agencies created pursuant to authority of law." The Senate amendment strikes out the quoted words, and the House recedes.

On amendment No. 144: This amendment contains the usual clause providing that if part of the act is held unconstitutional, the remainder of the act shall not be invalidated thereby, and the House recedes with an amendment making a change in section number.

On amendment No. 145: This amendment provides definitions for terms used in the act, and the House recedes with an amendment inserting further definitions, and making a change in section number.

On amendment No. 146: The shipping act, 1916, in section 2, provides that in order for a corporation, partnership, or association to be considered a citizen of the United States for the purposes of this act, a controlling interest therein must be owned by citizens of the United States. The Senate amendment amends this provision so as to require 100 per cent ownership by United States citizens, except in the case of a concern operating vessels exclusively in foreign trade, in which

case 75 per cent is sufficient. The House recedes with an amendment which restores the existing law, but provides for a requirement of 75 per cent ownership by United States citizens in the case of corporations, partnerships, and associations operating any vessel in the coastwise trade.

On amendment No. 147: This amendment is a change in section number, and the House recedes with an amendment making a further change in section number.

On amendment No. 148: This amendment is a clerical change; and the House recedes.

On amendment No. 149: This amendment provides that the present members of the Shipping Board shall continue in office until the appointment of the new board created by amendment No. 16. The Senate recedes, but the substance of the amendment is dealt with in connection with the action in regard to amendment No. 16.

WILLIAM S. GREENE,
G. W. EDMONDS,
FREDERICK W. ROWE,
RUFUS HARDY,
W. B. BANKHEAD,
Managers on the part of the House.

EXTENSION OF REMARKS.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter from the gentleman from Illinois [Mr. MASON] in regard to the letter to him from Mr. Baruch, which was inserted in the RECORD last night; and if gentlemen will permit, I wish to say that the gentleman from Illinois was called out of the city and was unable to be here to-day to make the request for himself; therefore I make the request in his behalf.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD for the purpose indicated. Is there objection?

Mr. HUDSPETH. I object.

Mr. CRAMTON. If the gentleman will withhold his objection for a moment, the gentleman understands that this is simply a reply by a Member of this House to a letter addressed to him, and would complete the correspondence.

Mr. HUDSPETH. I want to state to the gentleman that Mr. Baruch in his letter to Mr. MASON called upon Mr. MASON to produce evidence to substantiate his charges.

Mr. CRAMTON. I do not care to discuss the merits of the matter.

Mr. HUDSPETH. Mr. MASON has failed to do this, and I absolutely object to any further controversy on this matter until Mr. MASON makes good his statement.

The SPEAKER. The gentleman from Texas is out of order. The gentleman objects.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had further insisted upon its amendments to the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CURTIS, Mr. PHIPPS, and Mr. SMITH of Maryland as the conferees on the part of the Senate.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 13587. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes;

H. R. 14384. An act to amend the penal laws of the United States; and

H. R. 14101. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act.

BRIDGE ACROSS THE OHIO RIVER, PITTSBURGH, PA.

Mr. PORTER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13978) to amend an act approved February 27, 1919, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania."

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of a bill, the title of which the Clerk will report.

The Clerk read the title of the bill.

Mr. GARD. Let us have the bill reported.

The Clerk read as follows:

Be it enacted, etc., That section 1 of an act approved February 27, 1919, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania," be, and the same is hereby, amended so that the time within which the actual construction of said bridge may be commenced is hereby extended for a period of two years, and the time for the completion of said bridge is hereby extended for a period of four years from the date of the approval of this act.

With a committee amendment striking out all after the enacting clause and inserting in lieu thereof the following:

That the times for commencing and completing the construction of a bridge, authorized by act of Congress approved February 27, 1919, to be built across the Ohio River, at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania, are hereby extended two and four years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I think the gentleman ought to give us some statement explaining the necessity for this extension of time. This is the third or fourth bill from that State where they have had to extend the time. Have they been unable to get the material?

Mr. PORTER. There are three bridges there, one across the Allegheny at Sixteenth Street, one across the Allegheny at Millvale, and this one across the Ohio near McKees Rocks Borough. The delay has been caused by inability to procure material.

Mr. WALSH. What kind of a bridge is it?

Mr. PORTER. A highway bridge.

Mr. BLANTON. Will the gentleman yield?

Mr. PORTER. Certainly.

Mr. BLANTON. The House has been in session now for 12 hours and 10 minutes. Is the gentleman going to have a little compassion on us soon?

Mr. PORTER. "The gentleman from Pennsylvania" has no control over that.

Mr. BLANTON. He can move to adjourn at any time he wants to.

Mr. MONDELL. I will say to the gentleman from Texas that there are a few bills which are not controverted that ought to pass before Congress adjourns, and we hope to dispose of those few measures. We do not intend to run very much longer to-night.

Mr. BLANTON. I understand it will take the enrolling clerks from three to four hours on each one of these supply measures that are out yet.

Mr. MONDELL. Those matters have all been attended to, so that there is no difficulty about the enrolling. The enrolling is right up to date.

Mr. GARRETT. Would the gentleman object to informing us, if he can, what the probabilities are about to-morrow night?

Mr. MONDELL. I had hoped that it would not be necessary to run late to-morrow night, but these little matters take more time than we anticipate ordinarily. There are quite a number of bills that ought to be disposed of. They are not controverted particularly, but it may be necessary to run quite late to-morrow night.

Mr. CLARK of Missouri. There is no sense in running late to-morrow night. If the President does not sign these bills before Congress adjourns on Saturday at 4 o'clock, they will fail; and the President will have a tremendous job to sign all these bills, even if they are passed before 6 o'clock to-morrow afternoon.

Mr. MONDELL. I should think that the business ought to be disposed of by 6 o'clock, but there might be some further matter to be disposed of. It will be necessary to practically wind up the business to-morrow.

Mr. GARRETT. I realize that and I hope that the gentleman can give some assurance that if we remain late to-night we can get away early to-morrow.

Mr. MONDELL. If the public business moves along in the ordinary way without interruption.

Mr. GARRETT. I mean real public business; I do not mean chips and wetstones that anyone may bring up; I do not want to stay here to pass that.

Mr. IGOE. I would like to ask the gentleman if his program includes action on the Mason resolution relating to the independence of Ireland?

Mr. MONDELL. I have no personal program; there are important matters before the House, mainly Senate bills, that should be disposed of.

Mr. SISSON. I would like to ask the gentleman what he expects to do with reference to the District of Columbia bill?

Mr. MONDELL. I expect the conference report on the District bill will be reported to the House in a very few minutes.

Mr. SISSON. I was in hopes that we could get the supply bill out of the way for the reason that the enrolling clerk says that it will take quite a while to enroll it.

Mr. MONDELL. I did not anticipate taking up the District bill in the House to-night.

Mr. SISSON. I do not know which House acts first, but it does not matter which House agrees first to the conference report, the enrolling clerk can take the bill and do the actual work and it can be finished, because probably there will be no change in a conference report.

Mr. MONDELL. I understand the clerks are all at work on the conference report now.

Mr. OLIVER. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. OLIVER. Can the gentleman give us any information as to an agreement on the river and harbor bill?

Mr. MONDELL. I have not heard from the conferees for some little time, and I do not know. I hope that there will be an agreement.

Mr. GARD. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Pennsylvania if the bridge provided for in this bill is a municipal bridge or a railroad bridge?

Mr. PORTER. It is a county bridge, which is the same as a municipal bridge.

Mr. GARD. Does it carry steam railroad tracks or the cars of the city railroad?

Mr. PORTER. It carries street railways; light traffic.

Mr. GARD. Is it to be a toll bridge?

Mr. PORTER. No; we have no toll bridges in Allegheny County.

Mr. GARD. How many bridge bills has the gentleman? I think this is the second or third where an extension is made.

Mr. PORTER. There are three bills—one for the Sixteenth Street Bridge, on which the work has been started; one for the Millvale Bridge, for which I understand the plans are prepared and approved by the War Department; and the other for this bridge, where the plans have been approved.

Mr. GARD. How about the last one?

Mr. PORTER. The plans for the last have been approved by the Government engineers. Considerable delay has been had owing to a dispute between the engineers and the county as to the length of the span. The engineers thought it ought to be 1,300 feet, while the county engineers wanted it 1,100 feet, but that has been settled.

Mr. EAGAN. Reserving the right to object, many of us on this side of the House are very much interested to know when action will be had on the Mason resolution. I would like to ask the gentleman what the program is in regard to it.

Mr. PORTER. I have no program; I think it will be considered as soon as an opportunity offers.

Mr. EAGAN. Before we adjourn on Saturday?

Mr. PORTER. I hope so.

The SPEAKER. Is there objection to the consideration of the bridge bill?

There was no objection.

The bill was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. PORTER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. DAVIS of Minnesota. Mr. Speaker, I present to the House the conference report on the District of Columbia appropriation bill for printing, under the rule.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 13266) making appropriations for the expenses of the Government for the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes.

Mr. DAVIS of Minnesota. Mr. Speaker, the statement which should accompany the conference report is now being prepared and will probably be ready in half an hour. I therefore ask unanimous consent that I may file the statement at any time between now and 12 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

Mr. JOHNSON of Kentucky. Reserving the right to object, I wish to make the parliamentary inquiry as to what time all points of order may be reserved?

The SPEAKER. Any time after the report is read.

Mr. JOHNSON of Kentucky. Inasmuch as the report is to be filed at any time before 12 o'clock——

The SPEAKER. Points may be reserved and made at any time after it is read, not after it is filed.

IMMIGRATION OF ALIENS.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3566) to amend section 3 of an act entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," approved February 5, 1917, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That section 3 of an act entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," approved February 5, 1917, is hereby amended by adding at the end thereof the following:

"*Provided further*, That an alien who can not read may, if otherwise admissible, be admitted if, within five years after this act becomes law, a citizen of the United States who has served in the military or naval forces of the United States during the war with the Imperial German Government, requests that such alien be admitted, and with the approval of the Secretary of Labor, marries such alien at a United States immigration station."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Mr. Speaker, reserving the right to object, I do not understand the purpose of this bill unless it be that German soldiers may marry somebody.

Mr. SIEGEL. Oh, no; the purpose of the bill is to permit American soldiers in France and Italy to marry those who can not read and who have arrived at Ellis Island.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. SIEGEL, a motion to reconsider the vote by which the bill was passed was laid on the table.

By unanimous consent, the bill H. R. 11492, of similar tenor, was ordered to lie on the table.

STATISTICS CONCERNING HIDES, ETC.

Mr. KREIDER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10011) authorizing and directing the Director of the Census to collect and publish monthly statistics concerning hides, skins, and leather, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the Director of the Census be, and he is hereby, authorized and directed to collect and publish statistics monthly concerning—

(a) The quantities and classes of hides and skins, owned or stored, by packers, abattoirs, butchers, tanners, jobbers, dealers, wholesalers, importers, and exporters;

(b) The quantities and classes of hides and skins in the process of tanning or manufacture;

(c) The quantities and classes of leather owned or stored by tanners, jobbers, dealers, wholesalers, importers, exporters, and establishments cutting or consuming leather.

SEC. 2. That the information published by any individual establishment under the provisions of this act shall be considered as strictly confidential and shall be used only for the statistical purposes for which it is supplied. Any employee of the Bureau of Census who, without the written authority of the Director of the Census, shall publish or communicate any information given into his possession by reason of his employment under the provisions of this act shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not more than $1,000 or imprisoned not more than one year, or both.

SEC. 3. That it shall be the duty of every owner, president, or treasurer, secretary, director, or other officer or agent of any abattoir and of any packing, tanning, jobbing, dealing, wholesaling, importing, or exporting establishment where hides and skins are stored or sold, or leather is tanned, treated, finished, or stored or any establishment is engaged in the cutting of leather or in the production of boots and shoes, gloves, saddlery, harness, or other manufactures of leather goods, wherever leather is consumed, when requested by the Director of the Census or by any special agent or other employee of the Census Office acting under the instructions of said director to furnish completely and accurately to the best of his knowledge, all the information authorized to be collected by section 1 of this act. The demand of the Director of the Census for such information shall be made in writing or by a visiting representative and if made in writing shall be forwarded by registered mail and the registry receipt of the Post Office Department shall be accepted as prima facie evidence of such demand. Any owner, president, treasurer, secretary, director, or other officer or agent of any establishment required to furnish information under the provisions of this act, who under the conditions hereinbefore stated shall refuse or willfully neglect to furnish any of the information herein provided for or shall willfully give answers that are false, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000.

With the following committee amendments:

Page 1, line 7, after the word "stored," insert: "and the quantities and classes of such products disposed of during the preceding census month."

Page 2, line 2, after the word "manufacture," insert the words "the quantities and amount of finished products for the preceding month."

Page 2, after the word "stored," insert the words "and manufactured during the preceding census month."

Page 2, line 8, strike out the word "published," and insert the word "furnished."

Page 3, line 17, strike out the word "and" and insert the word "any."

The SPEAKER. Is there objection?

Mr. BEE. Mr. Speaker, reserving the right to object, will the gentleman inform me whether the amendments offered by the gentleman from Georgia in the committee have been included in the bill as written by him?

Mr. KREIDER. Yes; just exactly as pointed out.

The SPEAKER. Is there objection?

Mr. KREIDER. Mr. Speaker and Members of the House, while the Government is collecting and publishing statistics regarding nearly every commodity raised and produced in the United States, including products of the farm, live stock, the by-products such as beef, pork, lard, fish, poultry, eggs, butter, wool, cotton, and so forth, it seems there is no provision of law authorizing any department of the Government to collect and publish statistics regarding hides, skins, and leather, which form the basic raw material for one of the very largest industries in the United States.

I am seeking through this bill to furnish what I believe to be very important information to the public and the hide, leather, and shoe industry in general, and which will, I believe, have a tendency to stabilize the market and in the future do away with violent fluctuations and so-called runaway markets, such as have characterized this industry in the past.

To illustrate what I refer to by "runaway markets," I desire to direct your attention to conditions prevailing in the fall of 1916. At that time the European war had been in progress for two years and it became rather evident that the United States would sooner or later become involved. Newspapers and magazine writers began to dwell on the probability that there would not be enough hides and skins to supply the increased demand that would of necessity be made upon our stocks of raw materials, namely, hides and skins to furnish harness, saddles, and shoes for our armies and at the same time supply the civilian population with their requirements; as a result the public, believing this to be true, at once began the purchase of shoes beyond their immediate requirements; that is to say, they would purchase two or three pairs instead of one pair, which would have been their ordinary purchase.

The retailer in turn having this extraordinary demand, and also believing that higher prices would come later, placed his orders with the manufacturer in very large volume. As a consequence the manufacturer receiving this immense and unusual volume of business attempted to cover on his raw material, which consisted principally of upper leather and sole leather, and again, in turn, the tanners of both upper and sole leather tried to cover on their raw material, which are hides and skins. The result was that the tanners, in their efforts to cover, bid up the price of hides and skins in a comparatively short time—from six to eight weeks—from 50 per cent to 100 per cent, depending upon the grade and quality required. There were not then, as there are not now, any reliable statistics to be had showing the quantity of raw material available.

I want to state distinctly that in my judgment no one in particular can be blamed for this sudden and uncalled for and unprecedented advance in prices. The truth is that there was no shortage of raw materials. It was sufficient in quantity to permit the manufacturers of harness, saddles, and so forth, to be supplied with all the leather they needed; it was sufficient in quantity to supply the shoe manufacturers of the United States with all the upper leather and sole leather needed to meet the demand of the civilian trade and the demand of the Government for Army shoes. During the year 1917 more harness and saddles were made and more shoes were made than ever before in the history of the country, and at the end of the year the harness and shoe manufacturers had larger stocks of leather on hand than ever before.

Toward the end of the year 1917 the Government fixed the price on certain grades of hides and skins, as well as on certain classes, grades, and weights of sole and upper leather. After the signing of the armistice these restrictions were removed, and, in the beginning—that is, the first few months of 1919—the war being over, the general impression of the trade was that prices would gradually recede and the trend was toward lower price levels.

In the latter part of March or the beginning of April the English buyers began buying hides and skins in large quantities in the South American markets, and at the same time Sir Percy Daniels came to America and purchased such available supplies of leather as suited his requirements. The stocks were small, because, as I have stated, the general impression existed that prices would gradually decline, and tanners restricted their production to perhaps anywhere from 40 to 60 per cent of their normal production; this again resulted in a runaway market. Prices of hides, skins, and leather advanced from 75 to 100 per cent, reaching the highest point in August, when prices of certain hides reached 60 cents per pound, and in a few instances sales were made at 63 cents per pound, and forced the price of calfskins to $1 per pound, so that the value of a steer hide weighing 80 pounds was $48 and the value of a 10-pound calfskin was $10. It is not so long ago that $48 was a fair price for a steer and $10 was, indeed, considered a good price for a calf.

The price of leather advanced correspondingly, and of course in both of the instances to which I have directed your attention the merchandise manufactured from leather, such as harness, saddles and bags, shoes, and so forth, advanced proportionately. This second advance, like the first, was not due to an actual shortage but rather to a fear of shortage and competitive buying, which, in my judgment, might possibly have been avoided, at least to a certain extent, had reliable statistics regarding the quantities and classes of hides and skins and leather been available.

Let me repeat that I am not charging, and do not believe, that these advances were the result of a collusion on the part of anyone or any interests in an attempt to force higher prices, but rather were due to the fact that no one knew the quantity of raw materials available.

Mr. Speaker, it may be interesting to the Members of this House for me to state that the American tanning industry is by far the largest in the world. Before the war it consumed by weight over a third of the world's annual supply of raw stock and produced in value an even larger fraction of the world's output of leather. The German industry, less than two-thirds of the size of ours, was second. France and Great Britain were a poor third and fourth, respectively. In 1917 the United States probably consumed more raw stock and produced more leather than the rest of the world together, and I should state here that to maintain this output we are dependent on imports for nearly half of our hides, over half of our calfskins, nearly three-fourths of our sheepskins, and practically all of our goatskins. In fact, we import about two-thirds of the world's supply of goatskins, and I might also state that the shoe industry of the United States stands on a par with the tanning industry. It is acknowledged that the shoe manufacturers of the United States make more and better shoes than are made in any other country.

Mr. GARD. Reserving the right to object, does the gentleman's resolution of inquiry, directed to the supervisor of the census, include also the determination of the number of shoes available for use in the United States?

Mr. KREIDER. No. I wish to say to the gentleman that this is not a resolution. It is a bill authorizing the collecting and publishing of statistics regarding hides, skins, and leather.

Mr. GARD. Is it of benefit to anybody except shoe manufacturers?

Mr. KREIDER. It is of decided benefit to the people of the United States.

Mr. GARD. In what respect?

Mr. KREIDER. Because it will have a tendency to stabilize the market. It is a peculiar fact that the Government does not at the present time secure and publish statistics that are reliable regarding the quantities and classes of hides, skins, and leather in the United States.

Mr. GARD. Is there any information as to how much the census will cost?

Mr. KREIDER. Mr. Rogers, the Director of the Census, said that he coud do the work with his present employees, and he did not ask for any appropriation.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. KREIDER. Yes.

Mr. WALSH. Reserving the right to object, has the gentleman any assurance that this will be passed by the coordinate branch of Congress?

Mr. KREIDER. I have no positive assurance.

Mr. WALSH. Of course, unless it is, it will have to go over until the next session.

Mr. KREIDER. I understand.

Mr. WALSH. Can the gentleman state whether any such census as this has been taken in other lines of industry? Have not we gotten certain information along other lines, such as cotton manufactures?

Mr. KREIDER. I wish to say to the gentleman that during the war the Department of Commerce, through the Bureau of the Census, at the request of the War Industries Board, collected statistics regarding the quantities and classes of hides, skins, leather, boots and shoes, and other manufactures of leather. They took a monthly census of all stocks of leather on hand and in transit in the United States and covered all manufacturing establishments cutting or using leather. These reports were continued until after the signing of the armistice,

when they were discontinued. Beginning with January, 1919, the Department of Agriculture, through the Bureau of Markets, has been publishing certain statistics regarding hides and skins, but have made no attempt to cover leather, nor have they attempted to cover the amount of hides and skins in the process of tanning. They have operated without any legislation compelling those from whom they have sought information to comply with their request. As a result their inquiries are replied to by varying numbers from month to month, and as a consequence the statistics they give are incomplete and frequently most misleading.

In December, 1918, schedules were mailed by the bureau. Out of 2,589 concerns they received replies to 1,430 of these inquiries; 321 concerns replied that they were out of business, 345 reported no stocks on hand, and 426 failed to report at all. This report, being as of date December 31, 1918, was not published until March 15, 1919, three and one-half months later. For the month as of date January 31, 1919, which was published on March 26, 1,309 concerns reported, schedules having been mailed to 2,172 concerns; 164 concerns replied that they did not handle raw stocks, or were out of business, and 177 reported no stocks on hand, leaving 524 concerns that did not report at all. In the report dated February 28, published April 8, 1,253 concerns reported. On schedule as of March 31, published April 24, 1,193 reported; on April 30, published May 26, 1,265 reported; on May 31, published June 30, 1,028 reported; on June 30, published July 26, 1,109 reported; on August 30, published September 26, 1,085 reported; and so on throughout the year various numbers reported. The last report issued is as of April 30, 1920, published June 2; 1,091 concerns have reported.

Mr. Speaker, I am simply referring to these reports to show that these replies, received from such a varying number of concerns, must of necessity be misleading, or, to say the least, can not be relied upon as accurate.

I want to state, however, clearly that it is not the fault of the Bureau of Markets that their reports are not accurate, but rather because concerns who receive their schedules do not reply to them, and they have no means to compel them to reply.

Perhaps the attitude of some of the concerns is expressed in the following letter:

428 NORTH THIRD STREET,
Philadelphia, Pa., April 18, 1920.

U. S. DEPARTMENT OF AGRICULTURE,
BUREAU OF MARKETS,
Washington, D. C.

GENTLEMEN: We are in receipt of your favor of the 16th advising us that we have not submitted you statement on raw stocks of hides and skins for March 31. We have decided to discontinue submitting these reports..

Yours, very truly,
JACOB STERN & SONS,
By L. KATZENBERG.

I hope this will make it clear in the mind of every Member of this House that if the public is to be supplied with actual data that is reliable it is necessary to pass this bill.

It has been stated that the tanners' council is gathering statistics such as we desire to obtain by this bill. I wish to say that this statement is correct. The Tanners' Council of the United States of America are an association of tanners of the United States, who maintain an office and gather statistics from their members and furnish the information gathered to the membership, but all of their reports are marked, "Confidential; not for publication." Therefore the information they secure is not available to the public, but is for the express benefit of their membership only, and rightly so, because this investigation is carried on at their own private expense. My object in introducing this bill and having its provisions written on the statute books is to secure the information by the Government for the benefit of the people——

Mr. KING. Will the gentleman yield?

Mr. KREIDER. Certainly.

Mr. KING. Will these statistics be available to the public under this bill?

Mr. KREIDER. Yes, sir.

Mr. GARD. Further reserving the right to object, is there any time in this bill when this information is given over to a long-suffering public?

Mr. KREIDER. I took the matter up with the Director of the Census and I asked him whether he could possibly publish these reports within 10 days after the date when the report shall be made——

Mr. GARD. What is the date?

Mr. KREIDER. They are monthly.

Mr. GARD. Every month, beginning when?

Mr. KREIDER. Well, immediately upon the passage of this act.

Mr. GARD. It is obvious that can not be done immediately. It will have to have some time for organization.

Mr. SIEGEL. If the gentleman will yield, I want to say to the gentleman from Ohio that the machinery is now in existence. [Cries of "Vote!"]

Mr. BLANTON. Mr. Speaker, reserving the right to object, I want to ask the gentleman a question. After this information concerning the number of hides and the number of skins is given to the public will the gentleman then be in favor of stamping on the bottom of every shoe the cost of the manufacture of that shoe?

Mr. SIEGEL. Is the gentleman addressing that question to me?

Mr. KREIDER. That is a question altogether foreign to this bill.

Mr. BLANTON. Will the gentleman object——

Mr. KREIDER. As far as I am individually concerned, I will not object.

Mr. BLANTON. Would the gentleman object to an amendment to that effect being placed on this bill?

Mr. KREIDER. Well, this does not deal with shoes, I will say to the gentleman, but it deals with hides, skins, and leather.

Mr. BLANTON. Well, leather and skins produce shoes, do they not?

Mr. KREIDER. Certainly. But to be perfectly frank with the gentleman from Texas, I do not see why legislation should be passed compelling shoe manufacturers to stamp the wholesale price of shoes on the bottom of shoes any more than the wholesale price should be stamped on or attached to every article of merchandise that is sold, such as hats, shirts, furniture, rugs, hardware; in fact, everything that is sold. I know of nothing that has advanced more than lumber. According to the gentleman's reasoning he would have every lumberman attach to each foot of lumber the price he paid for it. The truth is that the proposition is so entirely ridiculous that I will not consume the time of the House in further referring to it; but I do want to say, so long as the gentleman has opened this subject, by which I infer he insinuates that the retailer is making an abnormal profit, that the great trouble is that the public has not any idea of what it costs retailers—not only of shoes but in all lines of trade—to do business. Every retailer, regardless of the line of merchandise he sells, has a much greater expense in conducting his business than the public generally supposes. It seems that the press has recently taken upon itself not to prosecute but persecute retailers of the country, and the shoe retailers in particular, and have been publishing articles the object of which is to brand the retailers of shoes as profiteers and poison the minds of the public.

If the press will devote half as much space drawing attention to the expenses of the retailer as they are now doing to what they call abnormal profits, it would be more to the point, for I contend that the propaganda in which they are now engaged will not bring results to the public, for it is a self-evident fact that the retailer of shoes must receive for his goods the original price paid plus the expense of doing business.

I hold in my hand a bulletin published by Harvard University, Cambridge, Mass., dated February, 1918, entitled "Bureau of business research, management problems in retail shoe stores."

On pages 38, 39, and 40 it gives the gross profit charged by retailers; also the expenses of doing business in detail, subdivided under various headings. I have grouped some of these expenses into general groups, and the cost of doing business in a medium-priced and high-grade shoe store, according to their estimate, is as follows:

	Medium priced.	High grade.
Total buying expense	$1.14	$1.48
Selling expense, salaries and advertising	10.52	13.27
Management expenses	1.95	3.80
Delivery expense	.30	2.60
Total fixed charges, rent, insurance, etc.	5.17	4.80
Miscellaneous expense	1.37	2.85
Interest	3.50	2.90
Total	23.95	31.70

Under the head of selling expense, which is the largest item, are included the salaries and wages of the sales force, advertising, wrapping, and so forth. The next largest item is fixed charges. In this item are included rent, heat, light, insurance, taxes, repairs, and so forth.

It should be remembered that this table was gotten out before the recent advances in rent and advances in salaries. It is a safe estimate that to-day the average expenses will certainly not be less than 30 per cent, based upon the figures quoted by Harvard University, which is absolutely impartial and covers several hundred stores taken at random.

If a retailer sells a shoe for, say, $12, for which he has paid, say, $8.50, and it was known, he would at once be branded as a profiteer, a scoundrel, and a robber of the public, yet the truth is if it costs him 30 per cent on his gross sales to conduct his business, as it undoubtedly does, as I have shown from an impartial source, the expense of doing business on this particular sale is $3.60 and must be added to the cost of $8.50, making $12, the result is not making, but losing 10 cents per pair.

I know from my own positive knowledge that retailers to-day are paying $3.50 and $3.60, and in some cases $3.75, for boys' and misses' shoes, and selling them for $5 if it costs them 30 per cent to do business; then the expense charge on each sale of a $5 shoe for doing business is $1.50; and if he has paid $3.50 for the pair of shoes he does not make a cent, and if he has paid $3.60 he is 10 cents short and does not get enough margin to cover expenses of doing business.

I dislike to go into these details here on the floor of the House, but it seems to me it is time for some one, somewhere, sometime, in some manner, to say a word in behalf of a class of merchants who are as honorable, as fair-minded, and honest business men as can be found anywhere, and against whom this propaganda in the main has been directed.

Recently, that is within the last six weeks, stories and interviews have been sent out in which my name has been mentioned, but entirely misrepresenting my position and opinion in this matter.

The first story appeared early in April. From where it came I do not know, but I sent a denial to every paper of which I had received clippings as having published it.

The latter part of April I gave an interview for the express purpose of refuting and denying the alleged profiteering on the part of the retailer; the report of this interview also misrepresented me. The published report was as follows:

WASHINGTON, *May 6.*

"No one should pay more than $8 for a pair of shoes; that will bring the price down," so says Congressman AARON S. KREIDER, who operates six big shoe factories. He is from Pennsylvania. Leather has recently dropped, but shoes have not.

"If people will stick to low prices they can buy shoes at those prices," says KREIDER.

He declares the dealer is getting most of the profit in shoes.

I immediately and promptly denied same; not only did I write to the Newspaper Enterprise Association, who circulated this story, but also to every newspaper to which my attention was directed as having published the account, of which there were hundreds scattered throughout the entire country.

To my utter surprise I received a letter from Mr. John H. Perry, Cleveland, Ohio, whose letterhead indicated that he is counsel for the Newspaper Enterprise Association. In this letter he stated that the reporter to whom I had given the interview was absolutely reliable, and so forth, and that he believed that the report of the interview was correct.

In an effort to convince him that I was entirely misrepresented I wrote him a letter, and with the permission of the House I will insert a copy of same in the RECORD. This letter goes into details and explains my position fully. The letter is as follows:

JUNE 2, 1920.

JOHN H. PERRY, Esq.,
Cleveland, Ohio.

MY DEAR SIR: Your letter of May 22, in reply to my letter of May 18, written to the Newspaper Enterprise Association, in which I stated that the news item carrying my photograph and quoting me as saying:

"No one should pay more than $8 for a pair of shoes, etc."

"was absolutely untrue and misrepresented my position entirely"—was received in due time, but, owing to the serious illness of Mrs. Kreider, I have been absent from Washington and have had no opportunity to reply to same until now.

I have read your letter carefully and particularly note your reference to Mr. Waters, and your further statement:

"Mr. Waters took copious notes of your interview, wrote them immediately thereafter, and you know as well as we know that there was not a malicious word or unkind motive in this article."

I wish to state in reply that it may be true that Mr. George B. Waters had no "unkind motive" in writing up the article, but the fact that the article as published is "absolutely untrue and misrepresents my position entirely" remains just the same.

Before going into the details of the interview I gave to Mr. Waters, and to establish my position and further refute your latest comment on this article, in which you state that the statement sent out by the National Enterprise Association was true, that "it was a clear case of a Congressman speaking as a public official in the public interest freely and fully to a reporter, and then denying the story as a shoe manufacturer a week or 10 days later," I want to direct your attention to my letters under date of April 15, 1920, published in all the shoe trade journals, and under separate cover I am sending you a copy of Shoe and Leather Facts for the month of May, and on page 53 you will note my letter, in which I said:

"A story is going the rounds of the daily press which states that I recently needed a pair of shoes in a hurry and went to a retail store in the city of Washington and attempted to purchase a pair of shoes of my own manufacture, for which the dealer quoted a price which I claimed was entirely too high, etc. These stories vary in the amounts named, but all are intended to convey the idea that, in my judgment, the retailer was making an abnormal profit.

"I wish to state that this story has no foundation in fact whatsoever. The truth is, I have not been in a retail shoe store in the city of Washington for more than a year. I have not priced shoes in the city of Washington for a number of years. There is absolutely no truth in the story from beginning to end.

"Instead of taking the position that the retailers are making an abnormal profit, I have, time and again, publicly and privately stated the fact that the average retailer is not making an abnormal profit, and have stated that I did not believe the profit of the average retailer exceeded 5 per cent—certainly not over 10 per cent.

"The great trouble is that the public has been led to believe that there is a 'nigger in the woodpile' somewhere, and they have been hunting him, but have been unable to find him, because there is none there; and, in their desperation, they are now making up stories, drawing upon their imagination, and publish stories which have no foundation whatsoever.

"I wish you would kindly, for the benefit of your subscribers and in justice to myself, deny these statements.

"Yours, truly,

A. S. KREIDER."

Again, on March 31, in the hearings before the Committee on the Census on H. R. 10011, on pages 14 and 15 (copy of which I inclose), you will find I stated that shoes are sold by the retailers at a very close margin of profit; and, when Mr. BEE said it looked to him "like the retailer is making an exorbitant profit," I replied that "he is not" and directed his attention to the fact that "it costs him money for rent, for clerk hire, for advertising, etc.," and stated that "if you figure his profit, the cost of doing business must be taken into consideration."

These statements were made shortly before I gave the interview to Mr. Waters and very clearly indicate my position as to the profit the retailers are making. I might state that Mr. Waters tried to interview me a number of times and I finally granted the interview for the sole purpose of refuting the charge of profiteering in the shoe industry and on the part of the shoe retailer in particular and was extremely careful as to what I said and, as an extra precaution, had my secretary within hearing taking notes of all I did say. I felt that if I gave to him, and through him to the press and the public, the actual facts, which I did as carefully and conscientiously as I could, it would certainly exonerate the charges of profiteering on the part of the retailer, who the public is being led to believe are a set of scoundrels and are robbing the public, while the truth is that the shoe retailers of the United States, as a class, are as honest, as fair minded, as intelligent, and as honorable a class of citizens and merchants as exist anywhere, and I repeat are selling shoes at as close a margin as is consistent with safe and sane business methods.

It is true that shoes have advanced in price but so has every other commodity, and the shoe retailers are not in any way responsible for the advance. It is due entirely to causes beyond their control; constant abuse of them will not reduce the prices; they must get a price for their merchandise that will cover the original price paid plus the cost of doing business.

I have referred to these facts and refer to these public records, which bear date prior to the interview given to Mr. Waters, to show you and, if possible, to convince you of my position in this matter.

Now, as to the interview.

The interview was quite lengthy and covered in detail the advances and declines in the prices of hides, leather, and shoes from 1914 to date, together with wholesale and retail prices of all grades of footwear, including staple and so-called extreme styles, together with the manufacturers' and retailers' cost of doing business. If written out in full this interview would cover at least a dozen closely typewritten pages.

Unfortunately, in Mr. Waters's condensed report, covering only two pages, which I have read, he got things badly twisted in certain essential points, with the result that when the Cleveland office deducted a few sentences from his report they misrepresented what I said entirely.

The first published sentence reads:

"No one should pay more than $8 for a pair of shoes."

This statement is not correct; what I did say was that the public is not compelled to pay $16 or $18 for a pair of shoes unless they wanted to buy $16 or $18 shoes, and stated that shoes could be bought at less price, even as low as $8.

I stated that every retailer selling medium priced shoes would be glad to sell shoes at from $8 to $10 per pair, and explained that the public had a wide range of prices to choose from and were not compelled to buy the best grades unless they wanted to. Had the article read—

"No one need pay more than $8 for a pair of shoes"—

I would have been correctly quoted.

Neither did I say "that will bring the price down," but I did explain that the demand was largely for the better grades, and the retailer was buying what his trade called for or demanded, and as soon as the trade called for less expensive shoes they would be supplied with same by the retailer.

The next sentence, "leather has recently dropped, but shoes have not," is practically true, but, without the proper explanation, becomes extremely misleading. The truth is that hides reached the highest point in August, 1919, and leather soon thereafter, but, as shoe manufacturers had practically covered for their requirements, shoes were not advanced to the higher price levels which leather had reached, and as prices of hides and leather receded manufacturers were able to make and retailers to sell shoes without advancing shoes to the public to the high price level hides and leather had gone.

The most damaging part is the last sentence.

"He declares the dealer is getting most of the profit on shoes."

By the way, the written notes of Mr. Waters, covering the interview, as I recall, nowhere so state, but I presume the statement is a deduction from the figures I gave as the approximate prices usually paid by the retailer for his shoes and the prices he sells them for.

The prices which I quoted as retail prices were an advance of from 33 per cent to 40 per cent of the cost price. This margin seems large, but when I explained to him, as I did to the Committee on the Census, to which I have previously referred, that the average cost to the retailer of doing business is at least 28 per cent on the gross sales, it is plain that the net profit is extremely small; for instance, on a shoe costing the retailer $7 and selling for $10 must be added 28 per cent of the selling price to the original cost, making the actual cost to the retailer $9.80, netting a profit of 20 cents per pair to the retailer, so that, certainly, when you say—

"He declares the retailer is getting most of the profit on shoes"—it is clearly a "misrepresentation" and "absolutely untrue"; and, while I might have used milder phrases in denying the report to the newspapers that published this article to which you refer, it should be remembered that I naturally felt tremendously outraged, when I found that I was being quoted as saying the very things which I did not say, and felt I was fully justified in using the language I did.

I regret to write so long a letter, but I hope by doing so I have succeeded in convincing you and the National Enterprise Association (and I feel that any fair-minded person must be convinced) that I have been very grossly and entirely misrepresented in the article as published to which I have referred.

Yours, very truly,

A. S. KREIDER.

Again, about the middle of May, the United Press Association sent out a story which was variously headed by the press, "Get's a Profiteer"—"Shoe Manufacturer Finds Retailer More than Doubles Price"—"This Ought to Make the Public Feel Good," and various other headings. The article itself reads as follows:

WASHINGTON, *May 15.*

Here's a little incident that will make the profiteer-oppressed people happy. Representative KREIDER, Pennsylvania, a shoe manufacturer, strolled into a Washington store, where he noticed some shoes from his factory. He tried on a pair and asked the price.

"That shoe costs you $7.50," the clerk replied.

Noticing KREIDER'S surprise, the clerk added—"That shoe costs us $6.75."

But the clerk had made a poor guess as to the identity of his prospective customer.

"You're a liar," KREIDER said, "and your store will never buy another shoe from my factory. That shoe costs you $3.95."

To me the astonishing thing is that so many people believe this to be a true story. Regarding this story, I again wrote a letter to Mr. John H. Perry, whose letter indicated that he is also the attorney for the United Press Association. This letter reads as follows:

JUNE 1, 1920.

JOHN H. PERRY, Esq.,
Cleveland, Ohio.

MY DEAR SIR: As I notice by your letterhead you are also national counsel for the United Press Association, I herewith inclose a clipping which has been going the rounds of the press and has, apparently, been sent out by the United Press Association.

I not only deny the entire story as being false, but absolutely untrue in every word and sentence.

I assert that I have never priced a pair of shoes, either of my own make or the make of anyone else, in any shoe store in the city of Washington.

I have never tried on a pair of shoes of my own make or the make of any other manufacturer in the city of Washington.

I have never accused any retailer in the city of Washington or elsewhere of charging an abnormal profit.

I have never questioned or disputed with any clerk or retailer in the city of Washington or anywhere else as to the prices paid for shoes.

Further, I assert that I have not been in any shoe store in the city of Washington for more than a year, and I have not spoken to a shoe retailer in the city of Washington for more than a year, regarding either the wholesale or retail price of shoes.

Of course, the purpose of this story is to discredit the shoe retailer in the eyes of the public, and brand him as a profiteer, and, it seems to me, that in justice to the public, who are being deceived by this story, the United Press Association should, upon receipt of this letter, see to it that the proper correction is made.

I do not see that they can, in all fairness, do less.

It may be that the writer of this story had no unkind motive; indeed, he may have considered it more or less complimentary to myself. But the truth is that it is an entire misstatement of fact and a slander upon the integrity of the shoe retailers of the city of Washington, and I can not possibly allow the statement to stand, without emphatically denying the same, as no such thing ever happened.

I shall expect to hear from you as to what steps you are taking to correct this story.

Yours, very truly,

A. S. KREIDER.

No doubt the reporter who wrote this article, as I stated in my letter to Mr. Perry, intended no harm to myself. Indeed, he may have considered it complimentary rather than otherwise, but the fact is that he is branding the retailers not only in the city of Washington but of the entire country as "profiteers."

To illustrate the hardship and injustice that this story has inflicted upon a perfectly innocent party, I wish to state that Lytell Bros., in Clearfield, Pa., advertised a "special sale" of shoes at $7.95 per pair, among which were some of our make for which they paid $6.60 per pair.

To their surprise the same day the newspapers in Clearfield carried the story of my going into a Washington shoe store, and so forth, and so forth, which I have quoted. Customers that day came into their store with a clipping out of the paper and accused Lytell Bros. of profiteering, even in this special sale, and charged them with asking 45 cents per pair more for the shoes than the Washington "profiteer" had attempted, and told them that these shoes had cost them only $3.95.

In other words, the public was led to believe that Lytell Bros. were making a profit of over 100 per cent, when, as a matter of fact, they were selling their shoes at less than 17 per cent, which I am positive does not pay the average cost of doing business.

The facts are that Lytell Bros. not only suffered a financial loss, which is the least of the damage, but in the eyes of their customers, in the eyes of the public, in the eyes of their friends, they stand condemned as "profiteers." No damage is done to me; they will soon forget all about KREIDER, but they will remember Lytell Bros. as being profiteers, when the truth is that they were giving and offering to give exceptional values. The old saying, "You may forget the singer, but you will not forget the song," always applies in cases of this kind.

Mr. Speaker, there is no question but what profiteering should be stopped wherever it exists, but the circulation of untrue stories which have the effect of destroying the confidence of your friends, which assassinates your character and brands you among your friends as a scoundrel and a rascal, I submit is infinitely worse.

Mr. Speaker, I hold no brief for the shoe retailers of this country. I do not own or control any retail shoe stores and never have, but I do have some regard for truth, justice, and fair play, a sense of which impels me to make this statement in behalf of these men who have for so long been the helpless victims of this false, misleading propaganda.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. The question is on the committee amendment.

The question was taken, and the committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. KREIDER, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. BENSON. Mr. Speaker, I make the point of order there is no quorum present.

Mr. KREIDER. Mr. Speaker, I desire to submit a unanimous-consent request, if the gentleman will withhold that. I ask unanimous consent to be permitted——

The SPEAKER. But the gentleman has made the point of no quorum. The Chair will count.

Mr. BENSON. I withdraw the point.

Mr. KREIDER. I would like to ask unanimous consent to be permitted to extend my remarks on this bill.

Mr. LARSEN. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. CRAMTON. Is the gentleman's request in reference to this bill?

The SPEAKER. It is.

By unanimous consent, Mr. SIEGEL, Mr. KINKAID, and Mr. SUMMERS of Washington were granted leave to extend their remarks in the RECORD.

BOND ISSUE FOR PETERSBURG, ALASKA.

Mr. GRIGSBY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 4286.

The SPEAKER. The gentleman from Alaska asks unanimous consent for the present consideration of a bill, which the Clerk will report.

The Clerk read as follows:

An act (S. 4286) to amend an act entitled "An act to authorize the incorporated town of Petersburg, Alaska, to issue bonds in any sum not exceeding $75,000 for the purpose of constructing and installing a municipal electric light and power plant and for the construction of a public-school building," approved September 29, 1919.

Be it enacted, etc., That section 1 of the act entitled "An act to authorize the incorporated town of Petersburg, Alaska, to issue bonds in any sum not exceeding $75,000 for the purpose of constructing and installing a municipal electric light plant and power plant and for the construction of a public-school building," be, and the same is hereby, amended to read as follows:

"SECTION 1. That the incorporated town of Petersburg, Alaska, is hereby authorized and empowered to issue bonds in any sum not exceeding $150,000 for the purpose of constructing and installing a municipal electric light and power plant and for the construction of a public-school building."

SEC. 2. That section 5 of the act mentioned in the preceding section is hereby amended to read as follows:

"SEC. 5. That no part of the funds arising from the sale of said bonds shall be used for any purpose other than specified in this act. Said bonds shall be sold only in such amounts as the common council shall direct, and the proceeds thereof shall be disbursed for the purposes hereinbefore mentioned and under the order and direction of said common council from time to time as the same may be required for said purposes: *Provided*, That not to exceed $115,000 of the proceeds of the sale of said bonds shall be expended for the construction and installation of the electric light and power plant, and not to exceed $35,000 thereof shall be expended for the construction of the public-school building."

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Washington, a motion to reconsider the vote by which the bill was passed was laid on the table.

HOUR OF MEETING TO-MORROW.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 10 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-day it adjourn to meet at 10 o'clock a. m. to-morrow. Is there objection?

Mr. CANNON. Mr. Speaker——

Mr. MONDELL. If the gentleman will allow me just a moment. There are several appropriation bills yet to be disposed of. It is very important that they be disposed of early and gotten to the President at an early hour. The earlier we begin to-morrow the sooner we will adjourn to-morrow night.

Mr. BLANTON. Why not hold a continuous session?

Mr. MONDELL. I do not know but that would be all right.

Mr. CANNON. What appropriation bills?

Mr. MONDELL. The District bill is out——

Mr. CANNON. That will be passed in two minutes.

Mr. MONDELL. I am not so sure about that. The conference report on the shipping bill is still to be passed upon. There are amendments to the bill we passed this morning for the pay of postal employees.

Mr. BLANTON. Regular order, Mr. Speaker.

Mr. WALSH. I trust the gentleman will not insist on the regular order for just a moment.

Mr. BLANTON. I withdraw it.

Mr. MONDELL. I think it important that we meet early, and I hope we get through early. I hope it will not be necessary to have a late session to-morrow night. I agree entirely with the gentleman from Missouri [Mr. CLARK] in his view that we can scarcely expect the President to consider measures that do not reach him either to-morrow night or very bright and early Saturday morning, and, that being true, we can not expect to legislate at this late hour to-morrow, and we ought to dispose of the matters that are before us at as early an hour to-morrow as possible.

Mr. CANNON. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. CANNON. Is it anticipated that there will be any important legislation under suspension or from the Committee on Rules?

Mr. MONDELL. There are a number of bills on the Speaker's table, Senate bills of some little importance, not controversial, and bills that ought to be disposed of. They relate to matters that Members are interested in. There are quite a few matters that ought to be disposed of and that there is no objection to. It takes a little time. Gentlemen want to discuss them.

Mr. CANNON. The gentleman knows, or I think he knows, whether there is anything from the Committee on Rules, or he has reason to believe there is anything, of national importance, that will be called up for consideration under a rule or under suspension during the remaining short hours of the session?

Mr. MONDELL. Well, the bills I have referred to are of national importance.

Mr. CANNON. The gentleman knows what I mean. I mean bridge bills——

Mr. MONDELL. The bills that are to be disposed of may not be called of national importance, but they are bills that Members are interested in, and are important to them, and they should be disposed of.

Mr. CANNON. Well, there is a bill, as I understand, that proposes to turn the Interior Department into——

Mr. MONDELL. The bill the gentleman refers to is on the Speaker's table, and I think quite likely it will be considered.

Mr. CANNON. Then I object.

Mr. MONDELL. Mr. Speaker, then I ask unanimous consent that we may meet at 11 o'clock.

Mr. WALSH. Mr. Speaker, I do not think——

Mr. MONDELL. I want to say to the gentlemen they are taking a very great responsibility when they take the responsibility at this hour of this session to say that we shall not meet here at 11 o'clock.

Mr. WALSH. As far as I am concerned, I feel as much responsibility as the gentleman does.

Mr. MONDELL. As far as I am concerned, I am willing to bring in a resolution to rescind the adjournment resolution.

Mr. WALSH. The more time we legislate the more we will legislate upon stuff that ought not to be brought in.

Mr. JUUL. Yes; and some people have got to have a chance to make 40 speeches a day here, and other people have got to object, and to reserve the right to object, and again reserve the right to object. [Laughter.]

Mr. BLANTON. I ask unanimous consent, Mr. Speaker, that the gentleman from Chicago be allowed to proceed for two minutes to get rid of something in his system. [Laughter.]

Mr. MONDELL. Mr. Speaker, the gentleman from Massachusetts [Mr. WALSH] withdraws his objection to my request.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming that the House meet at 11 o'clock to-morrow?

There was no objection.

Mr. BLANTON. Mr. Speaker, I make the point that there is no quorum present.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 43 minutes p. m.), the House adjourned, pursuant to the order, until to-morrow, Friday, June 4, 1920, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Milwaukee Harbor, Wis. (H. Doc. No. 804), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. PLATT, from the Committee on Banking and Currency, to which was referred the bill (S. 4436) to amend the act approved December 23, 1913, known as the Federal reserve act, reported the same without amendment, accompanied by a report (No. 1095), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 14386) to amend section 10 of the act approved December 23, 1913, known as the Federal reserve act, reported the same without amendment, accompanied by a report (No. 1096), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FORDNEY, from the Committee on Ways and Means, to which was referred the bill (H. R. 7737) to amend the act approved October 3, 1913, entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," reported the same without amendment, accompanied by a report (No. 1097), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ANDREWS of Nebraska, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 14315) to authorize an appropriation to enable the Secretary of the Treasury to provide medical, surgical, and hospital services and supplies for patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, suffering from neuro-psychiatric and tubercular ailments and diseases, and for other purposes, reported the same with an amendment, accompanied by a report (No. 1098), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MOORES of Indiana, from the Committee on Foreign Affairs, to which was referred the concurrent resolution (S. Con. Res. 27) declining to grant to the Executive the power to accept a mandate over Armenia, reported the same without amendment, accompanied by a report (No. 1101), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. MOONEY, from the Committee on War Claims, to which was referred the bill (H. R. 9197) for the relief of Frances Martin, reported the same with an amendment, accompanied by a report (No. 1099), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DOREMUS: A bill (H. R. 14385) to prevent the shipment in interstate and foreign commerce of certain articles of food liable to cause botulism, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PLATT: A bill (H. R. 14386) to amend section 10 of the act approved December 23, 1913, known as the Federal reserve act; to the Committee on Banking and Currency.

By Mr. ANDERSON: A bill (H. R. 14387) to promote agriculture by regulating the distribution of live stock, live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes; to the Committee on Agriculture.

By Mr. WASON: A bill (H. R. 14388) authorizing the United States Court of Claims to hear, adjudicate, and determine any

claims of the eastern and emigrant and western Cherokee Indians and Creek and Seminole Indians of Indian Territory, now Oklahoma, for any moneys, lands, and interest found due said Indians; to the Committee on Indian Affairs.

By Mr. GREENE of Vermont: A bill (H. R. 14389) for the relief of contractors under supervision of the War Department for losses which have arisen under contracts entered into between April 6, 1917, and November 11, 1918, and for other purposes; to the Committee on Military Affairs.

By Mr. ANDERSON: A bill (H. R. 14390) to amend the interstate commerce act, as amended by the transportation act, 1920, to require carriers to supply necessary warehouse facilities and extend the powers of the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. LEHLBACH: A bill (H. R. 14391) to make Newark, N. J., a port through which merchandise may be imported for transportation without appraisement; to the Committee on Ways and Means.

By Mr. BROWNE: A bill (H. R. 14409) to amend section 11 of chapter 517 of the act entitled "An act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891, and to extend and enlarge the time for taking appeals and suing out writs of error in certain cases; to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 14410) to allow credit for all supplies issued and funds disbursed by officers of the Army, under direction of the President, for relief of sufferers of the flood at Corpus Christi, Tex., in September, 1919; to the Committee on Military Affairs.

By Mr. MASON: Resolution (H. Res. 585) asking that the American Government make a friendly request of the British Parliament; to the Committee on Foreign Affairs.

By Mr. MEAD: Resolution (H. Res. 586) urging an early decision by the Labor Board on the adjustment of wages of railroad employees; to the Committee on Interstate and Foreign Commerce.

By Mr. EAGAN: Resolution (H. Res. 587) urging an early decision by the Railroad Labor Board on the adjustment of wages of railroad employees; to the Committee on Interstate and Foreign Commerce.

By Mr. GRIFFIN: Joint resolution (H. J. Res. 375) restricting the distribution among the several States of Federal appropriations for highways; to the Committee on Roads.

By Mr. HAMILL: Joint resolution (H. J. Res. 376) for the appointment of a special committee to investigate conditions in Ukrainian East Galicia, to the end that supplies of medicine, food, and clothing may be sent to relieve the intense distress; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 14392) granting a pension to George W. Grey; to the Committee on Invalid Pensions.

By Mr. BURDICK: A bill (H. R. 14393) granting a pension to Sarah Elizabeth Cottrell; to the Committee on Pensions.

By Mr. DOWELL: A bill (H. R. 14394) granting a pension to Josephine Olson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14395) granting an increase of pension to Ida M. and Junietta Dawson; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 14396) granting a pension to Eliza J. Elliott; to the Committee on Invalid Pensions.

By Mr. GARLAND: A bill (H. R. 14397) granting a pension to Elizabeth Corbly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14398) granting an increase of pension to Lizzie K. Thorpe; to the Committee on Pensions.

By Mr. GRIFFIN: A bill (H. R. 14399) for the relief of Matthew H. Moore; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 14400) for the relief of Frank J. De Bolt; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 14401) granting a pension to Eugene F. Rose; to the Committee on Pensions.

By Mr. LUHRING: A bill (H. R. 14402) granting a pension to John D. Gardner; to the Committee on Invalid Pensions.

By Mr. McLANE: A bill (H. R. 14403) for the relief of Anthony Murphy; to the Committee on Military Affairs.

By Mr. MURPHY: A bill (H. R. 14404) granting a pension to Rose Anne Jones; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 14405) granting a pension to Flora McMann; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 14406) granting a pension to Elizabeth Borden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14407) granting a pension to Rhoda Meacham; to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 14408) granting an increase of pension to Bruce E. Townsend; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4078. By the SPEAKER (by request): Petition of sundry citizens of New York, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

4079. By Mr. CARSS: Petition of Flour City Lodge, No. 959, International Association of Machinists' helpers, Minneapolis, Minn., favoring amnesty for political prisoners; to the Committee on the Judiciary.

4080. Also, petition of International Association of Machinists, Local No. 647, Two Harbors, Minn., favoring a repeal of the war-time sedition law and amnesty for political prisoners; to the Committee on the Judiciary.

4081. By Mr. FULLER of Illinois: Petition of Merchants' Association of New York, favoring increased compensation for postal employees; to the Committee on the Post Office and Post Roads.

4082. By Mr. KELLEY of Michigan: Resolutions of the Ingham County (Mich.) Rural Carriers' Association, relative to increased compensation for rural carriers; to the Committee on the Post Office and Post Roads.

4083. By Mr. KELLY of Pennsylvania: Petition of Pennsylvania Federation of Labor, urging release of political prisoners; to the Committee on the Judiciary.

4084. By Mr. McGLENNON: Petition of Hat Finishers' Union, Local No. 14, of Newark, N. J., favoring increase in postal salaries; to the Committee on the Post Office and Post Roads.

4085. Also, petition of Rotary Club, of Bayonne, N. J., favoring increased salaries for postal employees; to the Committee on the Post Office and Post Roads.

4086. By Mr. BAKER: Petition of George J. Hecht, editor of Better Times, New York City, urging adequate appropriations for Bureau of Naturalization; to the Committee on Appropriations.

4087. Also, petition of Llewelyn Iron Works, of Los Angeles, Calif., protesting against bonus for ex-service men; to the Committee on Ways and Means.

4088. Also, petition of Federal Employees' Union, of Mare Island Navy Yard, Calif., urging appropriation to keep correct records of Reclassification Commission; to the Committee on Reform in the Civil Service.

4089. Also, petition of Tobacco Merchants' Association of the United States protesting against proposed tax on tobacco; to the Committee on Ways and Means.

4090. Also, petition of John F. Armstrong, Chico Chamber of Commerce, W. C. Busse, California Branch, National League of Postmasters, and Harry A. Chapman, all of California, urging an increase in postal salaries; to the Committee on the Post Office and Post Roads.

4091. By Mr. TAGUE: Petition of Eugene R. Kelley, M. D., opposing the passage of House bill 13726; to the Committee on Interstate and Foreign Commerce.

4092. Also, petition of sundry citizens of Massachusetts favoring increased salaries for postal employees; to the Committee on the Post Office and Post Roads.

4093. By Mr. TREADWAY: Petition of American citizens of Ukrainian descent of Pittsfield, Mass., asking for a commission to investigate and relieve sufferings in East Galicia and Ukraine; to the Committee on Foreign Affairs.

SENATE.

FRIDAY, *June 4, 1920.*

(Legislative day of Wednesday, June 2, 1920.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

GOVERNMENT OF ITALY.

The VICE PRESIDENT. The Chair has received a communication from the Italian Ambassador at Washington, which will be inserted in the RECORD.

The communication is as follows:

ROYAL ITALIAN EMBASSY,
Washington, May 31, 1920.

MY DEAR MR. VICE PRESIDENT: I have been directed by Mr. Scialoja to express to you as President of the United States

Senate and beg you to convey to the Members of the Senate His Majesty's Government's sentiments of deep appreciation for the resolution commemorating the anniversary of Italy's entrance into the war, introduced by Senator KING, and agreed to by the Senate on the 24th instant.

Nothing could have been more welcome to the Italian people than this message of sympathy from the Senate of the Great American Nation, towards which every Italian has feelings of admiration and friendship.

Whilst taking pleasure in carrying out the instructions I have received, I avail myself of this opportunity to renew to you, my dear Mr. Vice President, the assurances of my highest consideration.

Yours, very sincerely, ROMANO AVEZZANA.

His Excellency the Hon. THOMAS R. MARSHALL,
President of the United States Senate,
Washington, D. C.

EMPLOYEES OF AGRICULTURAL DEPARTMENT.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of Agriculture, transmitting in response to resolution of March 8, 1920, certain data relative to the number of employees of the Department of Agriculture and their classification as to employment, residence, and pay. The communication will be inserted in the RECORD and referred to the Committee on Agriculture and Forestry.

The communication is as follows:

DEPARTMENT OF AGRICULTURE,
Washington, June 3, 1920.

SIR: In compliance with Senate resolution 327, dated March 8, 1920, I have the honor to transmit herewith statements showing the number of persons employed in the Department of Agriculture, together with a division of such employees into classes with the number employed in each class, which classification shows separately the number of persons employed as scientists and experts, the number of persons employed in the District of Columbia and in each of the several States, Territories, and possessions of the United States, the number of persons employed in the Department of Agriculture separately for each year for the 10 years last past, the total appropriations and deficiencies separately for each of the 10 fiscal years last past, the amount and percentage of such appropriations used for expenditures other than for salaries, wages, traveling expenses, and office expenses, and the character of such expenditures.

Respectfully, E. T. MEREDITH, *Secretary.*

The PRESIDENT OF THE SENATE.

STATEMENT NO. 1.

1. Number of employees, by classes, on Mar. 1, 1920.

Executive and administrative	1,406
Clerical	3,103
Subclerical	1,958
Scientists and experts	12,237
Total	[1] 18,704

2. Number of employees (all classes), by States, on Mar. 1, 1920.

Alabama	221
Arizona	208
Arkansas	236
California	768
Colorado	472
Connecticut	64
Delaware	20
District of Columbia	4,465
Florida	294
Georgia	329
Idaho	313
Illinois	843
Indiana	292
Iowa	409
Kansas	439
Kentucky	141
Louisiana	331
Maine	54
Maryland	300
Massachusetts	348
Michigan	243
Minnesota	378
Mississippi	251
Missouri	360
Montana	469
Nebraska	358
Nevada	80
New Hampshire	55
New Jersey	171
New Mexico	298
New York	648
North Carolina	268
North Dakota	124
Ohio	368
Oklahoma	255
Oregon	423
Pennsylvania	301
Rhode Island	47
South Carolina	174
South Dakota	151
Tennessee	202
Texas	643
Utah	327
Vermont	75
Virginia	347
Washington	333
West Virginia	136
Wisconsin	411
Wyoming	148
Hawaii	28
Philippines	7
Porto Rico	25
Alaska	29
Guam	5
Virgin Islands	4
Canal Zone	1
Foreign	14
Total employees in department	[1] 18,704

[1] In addition there are a total of 1,800 river and rainfall, storm-warning, cotton-region observers, and other emergency assistants in the Weather Bureau; forest guards, fire assistants, rodmen, chainmen, cooks, patrolmen, etc., in the Forest Service; and scouts, foremen, and laborers employed in connection with the eradication of the brown-tail and gypsy moth in the New England States. These persons are not included in the total of 18,704 employees, because their employment is of an emergency or intermittent character.

STATEMENT NO. 2.—*The number of persons employed separately for each year for 10 years last past.*

July 1, 1910	12,480	July 1, 1915	16,223
July 1, 1911	12,704	July 1, 1916	17,167
July 1, 1912	13,858	July 1, 1917	18,751
July 1, 1913	14,478	July 1, 1918	25,239
July 1, 1914	16,061	July 1, 1919	[2] 22,967

[1] In addition there are a total of 1,800 river and rainfall, storm-warning, cotton-region observers, and other emergency assistants in the Weather Bureau; forest guards, fire assistants, rodmen, chainmen, cooks, patrolmen, etc., in the Forest Service; and scouts, foremen, and laborers employed in connection with the eradication of the brown-tail and gypsy moth in the New England States. These persons are not included in the total of 18,704 employees, because their employment is of an emergency or intermittent character.

[2] Includes temporary employees such as river and rainfall, storm-warning, cotton-region observers, and other emergency assistants in the Weather Bureau; forest guards, fire assistants, rodmen, chainmen, cooks, patrolmen, etc., in the Forest Service; and scouts, foremen, and laborers employed in connection with the eradication of the brown-tail and gypsy moth in the New England States, numbering about 1,800.

STATEMENT NO. 3.—*Showing total appropriations and deficiencies separately for each of the 10 fiscal years last past, the amount and percentage of such appropriations used for expenditures other than salaries, wages, traveling expenses, and office expenses, and the character of such expenditures.*

	Total appropriations, exclusive of deficiency appropriations.	Deficiency appropriations.	Telegraph, telephone, and postage.	Freight, express, and drayage.	Furnishing heat, light, power, electricity, fuel.	Apparatus, instruments, laboratory and miscellaneous equipment.	Forage purchased in bulk.	Engineers', electricians', and mechanics' supplies.
1910	$16,626,736.00	$80,000.00	$208,692.15	$36,660.82	$10,757.01	$677,482.58	$84,176.70	$7,736.41
1911	17,242,636.00	923,192.00	216,670.87	44,080.78	10,032.28	906,410.83	150,603.97	5,477.96
1912	20,110,016.00	.....	231,452.13	70,118.63	11,824.03	743,472.39	164,918.78	4,925.24
1913	19,681,496.00	5,819.83	228,760.46	88,603.81	13,411.64	532,516.00	211,010.23	24,062.89
1914	21,746,945.00	.....	247,665.26	103,864.80	11,903.55	553,474.75	175,405.63	35,955.27
1915	23,345,832.00	.....	262,875.67	148,922.76	10,990.59	602,714.80	211,173.50	26,787.67
1916	27,051,782.00	2,884,243.00	281,271.17	113,700.54	9,880.95	506,274.20	193,640.76	27,900.70
1917	29,528,852.00	452,300.00	330,380.15	135,908.86	10,499.30	599,867.47	259,298.17	13,274.27
1918	[1] 46,355,513.00	775,000.00	491,082.88	209,193.56	13,789.52	759,480.32	302,920.80	15,389.02
1919	[2] 44,487,216.00	.....	530,881.61	213,997.58	17,071.43	863,185.40	336,179.46	12,908.34

[1] Includes emergency war appropriation of $15,346,400 for increasing food production.
[2] Includes emergency war appropriation of $11,031,863 for increasing food production; discontinued July 1, 1919.

STATEMENT NO. 3.—*Showing total appropriations and deficiencies separately for each month of the 10 fiscal years last past, the amount and percentage of such appropriations used for expenditures other than salaries, wages, traveling expenses, and office expenses, and the character of such expenditures*—Continued.

	Purchase of animals for experimental and control purposes.	Advertising and publication of notices.	Lands purchased.	Printing, engraving, lithographing, and binding.	Structures and other improvements of lands.	Miscellaneous supplies, services, etc.	Total.	Percentage.
1910	$38,356.09	$306.15	$26,300.00	$61,453.84	$35,591.53	$552,256.47	$1,739,769.75	10.41
1911	39,072.50	298.14	.....	72,996.64	89,778.57	591,248.72	2,126,671.26	11.71
1912	36,005.67	254.51	17,775.00	54,572.50	99,618.42	570,125.69	2,005,062.99	9.97
1913	30,322.49	270.01	11,873.70	100,746.17	76,928.78	349,163.73	1,667,669.91	8.47
1914	76,978.23	848.53	17,380.00	112,325.56	111,872.77	357,807.32	1,805,481.67	8.30
1915	2,690,439.27	1,082.40	31,500.00	103,664.28	114,390.96	639,097.18	4,843,639.08	20.74
1916	329,546.05	415.00	13,000.00	121,256.69	83,047.87	398,227.13	2,078,161.06	6.94
1917	61,566.02	1,376.11	1,709.15	155,652.24	114,149.15	522,700.48	2,206,381.37	7.35
1918	42,389.83	719.63	46,910.00	678,271.56	169,202.73	590,110.90	3,319,460.75	7.04
1919	123,777.66	629.46	.....	453,614.06	41,140.86	814,589.55	3,407,975.41	7.66

STATEMENT NO. 4.

[Memorandum.]

DEFINITION OF CLASSES.

Executive and administrative: Employees whose duties are mainly of a supervisory, executive, or administrative character, such as chiefs of divisions, chief clerks, executive assistants, officials in charge of large field stations, administrative assistants, and the like.

Clerical: Employees whose duties are mainly of a clerical character, such as clerks of classes 1, 2, 3, and 4, stenographers, typewriters, statistical clerks, bookkeepers, auditors, and the like.

Subclerical: Employees of the various grades below that of clerk, such as mechanics, messengers, messenger boys, laborers, charwomen, janitors, watchmen, and the like.

Scientists and experts: Employees engaged in scientific, research, professional, technical, and expert work of the department, such as meteorologists, forecasters, veterinary inspectors, animal husbandmen, botanists, plant pathologists, silviculturists, wood technologists, chemists, microanalysists, soil physicists, soil chemists, entomologists, apiculturists, biologists, experts in game conservation, statisticians, crop specialists, extension specialists, agriculturists, highway engineers, supervisors of road construction, grain supervisors, cotton specialists, insecticide and fungicide inspectors, plant quarantine inspectors, and the like.

EXPENDITURES.

It should be noted that in addition to the amounts turned back into the Treasury from the regular appropriations during the decade covered by this report, there were unexpended balances, also turned back into the Teasury, of about $10,400,000 in the emergency war appropriations for increasing food production during the fiscal years 1918 and 1919.

SPECIAL DELIVERY FEES.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury transmitting a letter from the Postmaster General, submitting deficiency estimates of appropriations in the sum of $166.56 required for the payment of special delivery fees for the fiscal years 1918 and 1919, which, with accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

INTERNATIONAL INSTITUTE OF AGRICULTURE.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of State, submitting a supplemental estimate of appropriation in the sum of $20,000 required by the Department of State to defray the expenses of American delegates to the General Assembly of the International Institute of Agriculture at Rome, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. D. K. Hempstead, its enrolling clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. STEENERSON, Mr. MADDEN, and Mr. MOON managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GOOD, Mr. CANNON, and Mr. BYRNES of South Carolina managers at the conference on the part of the House.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

H. R. 10011. An act authorizing and directing the Director of the Census to collect and publish monthly statistics concerning hides, skins, and leather;

H. R. 13978. An act to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 14208. An act to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 13587. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes;

H. R. 14101. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act; and

H. R. 14384. An act to amend the penal laws of the United States.

HOUSE BILLS REFERRED.

H. R. 10011. An act authorizing and directing the Director of the Census to collect and publish monthly statistics concerning hides, skins, and leather was read twice by its title and referred to the Committee on the Census.

H. R. 13978. An act to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania, was read twice by its title and referred to the Committee on Commerce.

H. R. 14208. An act to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended, was read twice by its title and referred to the Committee on the Judiciary.

PETITIONS AND MEMORIALS.

Mr. LODGE presented memorials of the president, faculty, and students of Harvard University, Cambridge; of the faculty of Simmons College, Boston; and of the Empire Day Festival Association of Boston, all in the State of Massachusetts, remonstrating against the recognition of the Republic of Ireland, which were referred to the Committee on Foreign Relations.

He also presented a memorial of the National Association of Cotton Manufacturers of Boston, Mass., remonstrating against the enactment of legislation to amend the patent laws, which was referred to the Committee on Patents.

He also presented resolutions adopted by the General Conference of the Methodist Episcopal Church, favoring the expulsion of the Turks from Europe and also for the protection of the Armenians, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Massachusetts, praying for the recognition of Ireland, which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted at the annual convention of the Diocese of the Protestant Episcopal Church of New York, favoring nonaction by Congress in regard to Ireland tending to impair the good relations which exist between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. CAPPER presented a petition of sundry citizens of Chanute, Kans., and a petition of the Thrasher and Tractor Club of Wichita, Kans., praying for an increase in the salaries of postal employees, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Kansas, praying for the enactment of legislation providing for the protection of maternity and infancy, which was ordered to lie on the table.

Mr. KNOX presented a petition of the Board of Trade of Philadelphia, Pa., praying for the enactment of legislation to prohibit interference with commerce, which was referred to the Committee on Interstate Commerce.

He also presented a petition of Frank F. Sullivan Post No. 198, American Legion, of Delaware County, Pa., praying for the granting of a bonus for ex-service men, which was referred to the Committee on Finance.

He also presented a memorial of the Commercial Exchange of Philadelphia, Pa., remonstrating against the granting of a cash bonus to able-bodied soldiers and sailors and favoring ample provision for all wounded and disabled ex-service men; which was referred to the Committee on Finance.

Mr. WALSH of Massachusetts. I have received a large number of telegrams and communications from citizens of my State relative to the coal situation in New England, which I ask may be printed in the RECORD. Later in the day I shall endeavor to get an opportunity to call up the resolution offered by me on this subject.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

MELROSE, MASS., *June 4, 1920.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.:

Coal situation very serious. Heartily approve of your effort for embargo as only protection for New England industries.

CHAS. H. ADAMS, *Mayor.*

—

MALDEN, MASS., *June 4, 1920.*

Hon. DAVID I. WALSH,
Washington, D. C.:

May I urge that you take some action to stop exporting of coal? Condition here in New England becoming serious on this account.

JOHN V. KIMBALL, *Mayor.*

—

BOSTON, MASS., *June 3, 1920.*

Hon. DAVID I. WALSH,
United States Senate, Washington:

We are facing a very serious situation at our mill for want of coal to operate our plant. New England needs the coal that is being exported. Prices are prohibitive on the small supply left. Do something to help us.

STANDARD HORSESHOE CO.

—

LEE, MASS., *June 3, 1920.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SENATOR: We hope you are making progress with your bill to restrict the exportation of coal.

We operate limekilns at Lee, Mass., and Canaan, Conn., and are not able to buy coal from West Virginia, which quality of gas coal we need to burn our lime satisfactorily. During the Government control of coal prices we paid $2.60 per ton at the mines. Now we can not buy gas coal at $8.50 at the mines.

If the prosperity of this country is to be maintained, it will be necessary to adjust matters so that manufacturers can have sufficient fuel to operate their plants.

Very truly, yours, THE LEE LIME CO.,
By M. H. DEELY,

—

SOUTH GARDNER, MASS., *June 1, 1920.*

United States Senator DAVID I. WALSH,
Washington, D. C.

DEAR SIR: We are deeply interested in the stand that you have taken in trying to care for the requirements of New England, which is suffering a great deal at the present time for want of coal.

We use in connection with the waste from our woodworking plants 16 to 20 carloads of coal yearly. Most of the coal we use during the winter. This last fall we had five carloads in stock and have not been able to procure but a part of a car since that time. We have had a number of shipments made, but they were all taken over by the railroad companies in transit.

On account of not having coal enough, we have not been able to run our dry kilns to dry up stock enough to take care of anywhere near our normal business, which is the manufacturing of baby carriages, doll carriages, and children's chairs. We barely had coal enough to keep our heating apparatus going. We have only one-third of our normal help, on account of not having the dry stock.

We have orders in with four different coal jobbers, and we had a notice from one of them last week stating that he had been offered $8 per ton for coal at the mines.

The stand you have taken in the interest of New England we wish to thank you for and hope that you will succeed in making some arrangement to allow the manufacturers to procure their former share of this product.

Again wishing you success in your undertaking, we remain,

Very truly, yours,

L. B. RAMSDELL CO.,
By THOMAS E. CODY,
President.

—

BOSTON, MASS., *May 28, 1920.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: I wish to call your attention to the unfortunate situation in New England as regards coal supply and urge upon you the desirability of doing everything in your power to bring about an embargo on export coal.

When the Hon. James J. Storrow retired as fuel administrator for New England he stated that unless an export embargo was placed on coal New England would have to bid against the world for its fuel supply, and this is just what has happened, and we are being quoted prices of from $8 to $9 per ton f. o. b. mines on gas or steam coal.

Not only are we being asked these excessive prices but we are unable to get delivery, due to inadequate transportation facilities.

The coal-producing regions are filled with foreign buyers, who are bidding against the market for coal for foreign shipments, and the coal-carrying steamers which usually carry coal from tidewater to the New England coast are engaged in carrying coal to foreign ports.

It is impossible at this time to secure sufficient coal to keep New England's industries operating without interruptions, and if these conditions are allowed to continue it is bound to result in much suffering and unemployment in this section during the coming fall and winter.

I am purchasing agent for 21 gas and electric lighting companies in Massachusetts, and we are having extreme difficulty in keeping these plants in operation.

Our coal supply at several of the plants is dangerously low, and we are unable to feel assured of their continuous operation.

We have been dangerously near a shutdown several times during the past month and unless immediate relief is secured we can see no prospects of any improvement in the situation, as we are unable to obtain any stocks for next winter, without which we are faced with inevitable shutdown at that time. It is for this reason that I am asking for your help and assistance.

It is difficult to understand why exportation of thousands of tons of coal should be allowed while public utilities and industrial plants in our own country should be obliged to curtail or shut down because of their inability to secure the necessary fuel to operate their plants.

I trust that you will recognize the urgent necessity of doing everything in your power to relieve this situation.

Yours, very truly,

H. L. OGDEN, *Purchasing Agent.*

—

NEW ENGLAND PURCHASING AGENTS ASSOCIATION,
June 1, 1920.

Hon. DAVID I. WALSH,
United States Senator, Washington, D. C.

DEAR SIR: This association heartily approves of your recent action in urging the United States Senate to declare an embargo on exports of bituminous coal.

New England is particularly interested in this matter, and immediate action is necessary to forestall an impending industrial paralysis in this section, due to our inability to get proper supplies of coal.

The coal-producing regions are filled with foreign buyers who are bidding against the market for coal for shipments abroad, and the coal-carrying steamers which usually carry coal from tidewater to the New England coast are engaged in carrying coal to foreign ports.

It is impossible at this time to secure sufficient coal to keep New England's industries operating without interruptions, and if these conditions are allowed to continue it is bound to result in much suffering and unemployment in this section during the coming fall and winter.

It is difficult to understand why exportation of thousands of tons of coal should be allowed while public utilities and industrial plants in our own country should be obliged to curtail or

shut down because of their inability to secure the necessary fuel to operate their plants.

Yours, very truly, J. ARTHUR GIBSON, *President.*

—

INTERNATIONAL PAPER CO.,
New York, June 3, 1920.

Subject: Coal situation.

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: I note in the public press reference to your anxiety regarding the coal situation. It is fully justified. The difficulty seems to lie mainly or wholly in the lack of transportation facilities.

This company is a large consumer of coal in manufacturing newsprint and other papers, burning about one-half million tons per year. We have already had interruption of our mills notwithstanding contracts for all the coal required. We are now being compelled to buy coal in the open market from retailers, paying as much as $4 per ton above our contract price. Our position is a desperate one as we furnish paper to more than 400 daily newspapers—large and small.

I venture to suggest that through some agency there should be a very active investigation as to the idle cars and the reason for their remaining idle. It came to my ears a day or two ago, through a channel which I pledged not to disclose, that 5,200 cars, many of them coal cars, were lying idle at Collingwood, Ohio, within a few days. I was told there were thousands of idle cars which had not been moved for weeks.

I assume that the railroad companies in their own interests are active, but the situation seems to suggest that very competent and very active men of experience in such matters should inquire to find these cars and do something toward setting them in motion.

Yours, very truly, P. T. DODGE.

REPORTS OF COMMITTEES.

Mr. SPENCER, from the Committee on Claims, to which were referred the following bills, reported them each without amendment:

H. R. 7567. An act for the relief of G. T. and W. B. Hastings, partners trading as Hastings Bros.; and

H. R. 9794. An act for the relief of Wendell Phillips Lodge, No. 365, Knights of Pythias.

Mr. SMOOT, from the Committee on Public Lands, to which was referred the bill (S. 4372) to encourage the establishment of farms and suburban homes by veterans of the World War, reported it with amendments and submitted a report (No. 659) thereon.

Mr. CAPPER, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 203) authorizing the Secretary of War, in his discretion, to turn over to the county commissioners of Dickinson County, Kans., suitable pontoon equipment for temporary use across the Smoky Hill River at Chapman, Kans., reported it with an amendment.

Mr. HENDERSON, from the Committee on Claims, to which was referred the bill (S. 676) for the relief of Reuben R. Hunter, reported it with an amendment and submitted a report (No. 657) thereon.

Mr. NEW, from the Committee on Claims, to which was referred the bill (S. 4005) to carry out the findings of the Court of Claims in the case of the Fore River Shipbuilding Co., reported it without amendment and submitted a report (No. 658) thereon.

BRIDGE BILLS.

Mr. CALDER. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 13976) to extend the time for the construction of a bridge across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved February 27, 1919, to be built across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, in the county of Allegheny, and Commonwealth of Pennsylvania, are hereby extended two and four years, respectively, from the date of approval hereof.

That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CALDER. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 13977) to extend the time for the construction of a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge, authorized by act of Congress approved February 27, 1919, to be built across the Allegheny River, at or near the borough of Millvale, in the county of Allegheny, in the Commonwealth of Pennsylvania, are hereby extended two and four years, respectively, from the date of approval hereof.

That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CALDER. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 13978) to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge, authorized by act of Congress approved February 27, 1919, to be built across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania, are hereby extended two and four years, respectively, from the date of approval hereof.

That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES of Washington:

A bill (S. 4502) creating the District of Columbia insurance fund for the benefit of employees injured and the dependents of employees killed in hazardous employments, providing for the administration of such fund by the United States Employees' Compensation Commission, and making an appropriation therefor; to the Committee on the District of Columbia.

By Mr. NUGENT:

A bill (S. 4503) to amend section 12 of the Federal farm loan act; to the Committee on Banking and Currency.

By Mr. NEW (for Mr. FRELINGHUYSEN):

A bill (S. 4504) to authorize an issue of bonds to refund the national war debt; to the Committee on Finance.

By Mr. HARDING:

A bill (S. 4505) for the relief of the heirs of James Taylor, deceased; to the Committee on Claims.

WITHDRAWAL OF PAPERS—OTTO N. BURGE.

On motion of Mr. NEW, it was

Ordered, That the papers accompanying the bill (S. 4413), Sixty-sixth Congress, second session, granting an increase of pension to Otto N. Burge be withdrawn from the files of the Senate, no adverse report having been made thereon.

AMENDMENT OF THE RULES.

Mr. KNOX. I desire to give notice of a proposed amendment to the Rules of the Senate, which I send to the desk and ask to have read.

The VICE PRESIDENT. The Secretary will read.

The reading clerk read as follows:

I desire to give notice that it is my intention to move an amendment to the standing rules of the Senate, to wit, Rule XXV, to the extent and in the manner indicated by the notice:

There shall be appointed at once and hereafter at the commencement of each Congress a committee on revision of the laws, to consist of three Senators, which shall have power to act jointly with the same committee of the House of Representatives.

Mr. KING. May I inquire of the Senator from Pennsylvania when he desires to call up the proposed amendment of the rules?

Mr. KNOX. To-morrow. Under the rule it has to lie over for a day.

NAVAL BASE ON SAN FRANCISCO BAY.

The VICE PRESIDENT. Acting under and by virtue of a paragraph in the naval appropriation act, creating a joint committee to be composed of five Members of the Senate to be appointed by the President of the Senate and five Members of the House of Representatives to be appointed by the Speaker of the

House, to investigate the advisability of establishing, developing, and maintaining a naval base on San Francisco Bay or the waters tributary thereto, the Presiding Officer of this body was authorized to appoint five members from the Committee on Naval Affairs. In conformity with the authority thus invested in me, I appoint as members of the joint committee on the part of the Senate the Senator from Delaware [Mr. BALL], the Senator from Illinois [Mr. MCCORMICK], the Senator from New Hampshire [Mr. KEYES], the Senator from Nevada [Mr. PITTMAN], and the Senator from Montana [Mr. WALSH].

NOTIFICATION TO THE PRESIDENT.

Mr. LODGE. I offer the resolution which I send to the desk, and I ask for its immediate consideration. It will take but a moment.

The VICE PRESIDENT. The resolution submitted by the Senator from Massachusetts will be read.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That a committee of two Senators be appointed by the Vice President, to join a similar committee appointed by the House of Representatives, to notify the President of the United States that the two Houses, having completed the business of the present session, are ready to adjourn, unless the President has some other communication to make to them.

The VICE PRESIDENT appointed Mr. LODGE and Mr. UNDERWOOD the committee on the part of the Senate.

DFFICIENCY APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate insist upon its amendments, accept the invitation of the House for a conference, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. WARREN, Mr. CURTIS, and Mr. UNDERWOOD conferees on the part of the Senate.

THE MERCHANT MARINE—CONFERENCE REPORT.

Mr. JONES of Washington. The conference report on House bill 10378, the merchant marine bill, is the unfinished business, and I ask that it may be proceeded with.

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes.

Mr. NUGENT. Mr. President, I desire to record my protest against the acceptance of the conference report on the so-called shipping bill. I opposed the bill when it was considered by the Senate, and my opposition to it is as intense now as it was then.

I do not entertain the most remote doubt that if the bill becomes a law the fleet constructed by the Government at a cost of more than $3,000,000,000 will be disposed of at a loss of more than a thousand millions of the people's money to private shipping corporations that will parcel out among themselves the trade routes and the markets of the world.

Before entering upon a discussion of the bill I desire to call attention to certain facts in connection with shipping matters generally that may be of interest to Senators.

I quote from a pamphlet entitled "How to Make Seafaring a Permanently Attractive Calling," written by Mr. August Belmont, chairman of the board of trustees, the National Marine League:

> The growth of the American merchant marine in ships and men during the last three years has been phenomenal. For a period from 1850 and into the sixties the gross tonnage of the American merchant marine vied with that of Great Britain; but the discrepancy in tonnage in favor of Great Britain, and finally Germany, increased during the next few decades, until in the years preceding the World War the United States was third, and, compared with Great Britain, a poor third. Two-thirds of the present seagoing tonnage now under the American flag has been built since 1914, while two-thirds of the tonnage now under foreign flags was built prior to 1914. For the year ending June 30, 1915, the output of American shipyards amounted to only 225,122 gross tons, the smallest production in 17 years; and of this production only 23 were vessels of over 1,000 gross tons, aggregating 127,844 gross tons out of the total production; and on this date the American merchant marine included a total only of 601 ships of 1,000 gross tons or over. For the year ending June 30, 1919, Lloyd's Register reports shipbuilding in progress in the United States as being 994 vessels of 3,894,143 gross tons, against shipbuilding in the British Empire, including all of its dominions, of 991 ships of 2,860,493 gross tons, and the United States had risen to the second maritime power in the world. Lloyd's Register also shows that the gross tonnage of steam vessels of 100 tons or over of the United Kingdom and British dominions had decreased from 20,524,000 tons in June, 1914, to 18,208,000 tons in June, 1919; whereas the gross tonnage of the United States had increased from 2,027,000 in June, 1914, to 9,773,000 in June, 1919, with a total of 2,058 vessels of over 1,000 gross tons, of which 1,729 were ocean-going steamers, totaling 6,766,422 gross tons. Up to June 30, 1919, the United States Shipping Board had delivered completed 1,056 ships of 5,858,164 dead-weight tons; and after allowing for the suspension and cancellation of contracts for 784 ships, representing 3,823,125 tons, its program of net production called for a balance still to be delivered, in progress and to be contracted for, of 1,312 ships of 7,758,672 dead-weight tons, or an approximate gross tonnage of somewhat in excess of 5,000,000 tons. Thus, without including private enterprise, the operations of the United States Shipping Board (which organization on June 30, 1919, employed 289,594 ship men in shipbuilding yards) would bring the American merchant tonnage, including steel and wooden steamers, in the near future to a figure in excess of 15,000,000 gross tons.

You will observe that, according to Mr. Belmont, the total number of ships constructed, in course of construction, and to be contracted for by the Shipping Board is 2,327, but Judge John Barton Payne, as chairman of the board, testified at the hearing recently held by the Senate Committee on Commerce that the total number of ships so constructed will be 2,311, with a total dead-weight tonnage of 13,592,711. The number of ships as given by Judge Payne is 56 less than that given by Mr. Belmont.

According to a table appearing on page 13 of a pamphlet entitled "For an American Merchant Marine," issued by committee of American shipbuilders, 30 Church Street, New York, the total steam tonnage of 100 tons and upward, owned by the United Kingdom and British dominions, in June, 1914, was 20,524,000; by Germany, 5,135,000; and by the United States, 4,287,000, including both seagoing and Great Lakes.

When we entered the war the German submarine campaign was playing havoc with the world's shipping, and it was perfectly apparent that if the Allies were to win the war it was vitally necessary to put forth every effort not only to curb the submarine menace, but in the construction of ships, otherwise our associates in Europe would be obliged to make peace on Germany's terms because of their utter inability to provide themselves with food and other supplies in quantities sufficient to enable them to continue the prosecution of the war.

Our Government was fully alive to the seriousness of the situation, and embarked upon the most stupendous shipbuilding program ever undertaken by any nation, and it has not as yet been entirely carried out.

Without commenting upon the splendid part played by our ships in bringing the war to a successful conclusion, and without going into details relative to our ship-construction work, I will say that the Government expended about $170,000,000 in building shipyards, and I repeat that the ships now built, in course of construction, and contracted for represent an expenditure of more than $3,000,000,000 of the money of the taxpayers of the United States, and the vessels number 2,311 of all types and tonnage.

It is that magnificent fleet that, under the provisions of the shipping bill, will be disposed of to private interests at a loss, in my opinion, of more than one-third of the amount invested in it.

Judge Payne showed at the hearing before the Senate Committee on Commerce that the fleet under the control of the Shipping Board had been operated by the Government from the beginning to the close of the last fiscal year, June 30, 1919, at a profit of $166,493,161.65, after the payment of insurance in the sum of $31,149,007.29 and $29,490,463.77 for repairs.

The fleet is now being operated at a profit to the Government of tens of millions annually.

Mr. President, I appreciate the fact that it is not only desirable but necessary that we have a great merchant fleet in order that the products of our mines, fields, and factories may be transported to every quarter of the globe in American bottoms, and in order that, should the emergency arise, the ships may be used as auxiliaries to our Navy.

When the building program of the Shipping Board is completed we will have such a fleet constructed by the Government, with Government funds, not in the interest of the shipowners, or of any other class of our citizens, but in the interests of the whole people.

As I stated a few moments ago, the fleet is paying a splendid profit to the Government, and I am unalterably opposed to selling it to private corporations at a tremendous loss, as will certainly be done if the pending bill is enacted into law.

Practically the only reason advanced for the passage of the bill is that the Government should not be engaged in business; but, in order to take the Government out of business, we should not make a gift to the Shipping Trust of more than a billion dollars of the people's money. It will not be done with my consent.

It can not truthfully be said that the Government is in competition with private shipowners as the latter at no time in 50 years have had, have now, or, in all probability, will ever have a sufficient number of ships to transport our commerce, and it is a certainty that the Government will never cut rates.

A country-wide propaganda is being prosecuted by those interested in this measure to influence public opinion in its favor. Even in the intermountain country big advertisements in favor of the shipping bill appear in the newspapers. They are signed, "Committee of American Shipbuilders."

By such advertising, that committee is following the same tactics used by the railway executives when the railroad bill was pending and when they were desirous of inducing the people to believe that it was "a thing of beauty and a joy forever," notwithstanding it imposed upon them the payment of a 6 per cent return on the aggregate value of all railroad property in the country.

The same publicity campaign was conducted by the packers, who sought, by paid ads, to create the impression that there is no very considerable profit in their business, because the net return on each dollar of meat sold is but 2 cents. They neglected to say anything about their by-products, and so forth. The report issued a few days ago by the Federal Trade Commission shows that the profits of the packers have trebled and quadrupled during the past three or four years.

Speaking generally, the newspapers have not published anything relative to the facts connected with the pending legislation, and the people are uninformed as to the provisions of the bill.

Mr. President, I shall not take up the time of the Senate by analyzing the entire bill, but shall content myself with directing attention to those sections which appear to me to be particularly obnoxious.

The first section declares the purpose of the bill to be, among other things, to dispose of our great merchant fleet to private citizens and the other sections provide for the full accomplishment of that purpose.

Section 5 provides that the board is not only authorized but directed to sell the ships as soon as practicable, consistent with good business methods and the objects and purposes to be attained by the act, to citizens who shall pay the purchase price within 15 years. Also, that in fixing or accepting the sale price the board shall take into consideration the then existing market price, supply of vessels, cost of constructing the particular ship or ships, and so forth, which will cut no more figure, in my opinion, than will injunctions along the same general lines contained in the railroad bill for the ascertainment of the value of railroad property for rate-fixing purposes, which valuation, it now appears, must be fixed at, approximately, the "book value" of the various companies.

The only express limitation on the price at which the board may sell vessels is contained in the first proviso to section 5, which reads as follows:

Provided, That no sale shall be made at a less price than the cost at the time of making such sale of constructing vessels of similar types in private yards in the United States, after deducting the depreciation charge against the vessels sold generally allowed in shipping operations.

In other words, the board can not sell vessels for a lower price than similar vessels can be constructed for at the time of sale, and from that construction price must be deducted the allowance for depreciation.

As I stated during the former debate on this bill, it has been charged in Congress and elsewhere, and it is quite generally believed, that American shipbuilders robbed the Government by charging exorbitant prices for building ships during the war and, according to articles recently appearing in the newspapers, the Department of Justice is now endeavoring to recover some of the money of which the Treasury was looted by shipbuilding corporations.

It appears from the pamphlet "For an American Merchant Marine" that it costs nearly twice as much to build a ship in this country as in Great Britain, the cost here being about $130 per ton, while the cost in a British yard is $70 per ton.

I venture to predict that if the shipping bill becomes a law practically every vessel in the Government fleet will be sold under the proviso to section 5, which I read a few moments ago, in which event it will be found that vessels of the same types can be constructed in private American yards for at least one-third less than the Government was obliged to pay to the proprietors of those yards for building many of the vessels offered for sale.

In my opinion, the people will be compelled to pocket a loss of one-third, at the least calculation, of the total amount they were required to expend in the construction of the fleet, or $1,000,000,000.

Even that enormous sum does not represent the total loss, as the amount to be deducted for depreciation on each ship sold, under the proviso mentioned, must be determined.

I do not know what charges are allowed in the shipping business for depreciation, but the Senator from Washington [Mr. JONES] said, during the course of the debate on the bill, that the Shipping Board is allowing as high as 10 per cent per annum.

A few days since, the Shipping Board leased to the United States Mail Steamship Co. for five years for $20,655,000, 13 former German passenger ships, and, according to press reports, it was agreed that if at the expiration of the term the lessee so desired it could purchase the ships at the prices and on the terms and conditions to be fixed by the board, and that the amount to be charged off for depreciation of the vessels should be at the rate of 7½ per cent per annum.

Suppose that the Government ships are sold under the proviso mentioned, that they have been in commission for even one year prior to the time of sale, and that the allowance for depreciation is at the rate of 7½ per cent, the loss to the people would be about $150,000,000, in addition to the billion dollars heretofore stated, to say nothing of the tens of millions of profits now being realized annually because of the operation of the fleet by the Government.

When the pending measure was being considered by the Senate I offered the following amendment, which was agreed to, to section 5:

Provided further, That deferred payments of purchase price of vessels under this section shall bear interest at the rate of not less than 5½ per cent per annum, payable semiannually.

It was stricken from the bill by the conferees, and the purchasers of ships will pay such rate of interest on deferred payments as the board shall determine. It may be three or four or five or some other per cent per annum.

Within the past two weeks the Government was obliged to agree to pay interest at the rate of 5½ per cent in order to dispose of $100,000,000 of certificates of indebtedness. As the Government was compelled to pay that rate on money borrowed to conduct the business of the Nation, it appears to me that those who purchase ships under section 5, and who may have 15 years in which to pay the purchase price, should pay at least the same rate of interest.

I have observed that many of the strongest supporters of the shipping bill were among the most active and enthusiastic advocates of the railroad bill under which the people are required to pay interest at the rate of at least 5½ per cent per annum on the value of all railroad property in the country. I am utterly at a loss to understand what valid objection they can advance to the payment of the same rate of interest by those who purchase Government ships.

Section 7 of the bill, in substance and effect, authorizes and directs the Shipping Board to establish and operate at Government expense steamship lines in any quarter of the globe it may deem advisable and necessary, and that in the event a profitable trade is built up, and private interests desire to take it over, the people shall pocket the losses sustained in developing such trade, which may amount to millions, sell the ships under section 5, and retire from that particular field.

Section 7 also provides for payment by the Government for the carrying of the mails, which is, in effect, a subsidy.

Section 11 provides that the Shipping Board shall annually for five years set aside $50,000,000 to be used in the construction of and in aid of the construction of ships in private shipyards in the United States, which undoubtedly is one of the reasons for the great activity displayed by the shipbuilders in support of this measure. They are, quite naturally, exceedingly desirous of transferring $250,000,000 from the Public Treasury to their own.

Mr. SMITH of Georgia. Mr. President, would it trouble the Senator if I should interrupt him for a moment in order to ask for a little explanation?

Mr. NUGENT. Not at all.

Mr. SMITH of Georgia. Does the Senator mean that it is proposed that we shall abandon our own shipyards and pay to have this work done in private shipyards?

Mr. NUGENT. Precisely.

Mr. SMITH of Georgia. Why can we not use our own shipyards, for which we have spent so much?

Mr. NUGENT. Echo answers, why?

Mr. SMITH of Georgia. Is there not any explanation for that proposal?

Mr. NUGENT. The only explanation, I will say to the Senator, that I have heard is the desire to take the Government out of business; in other words, that the Government should not be

engaged either in the shipping business or in the shipbuilding business.

Mr. SMITH of Georgia. But, Mr. President, we have already gotten into it; and ought we not to use what we have and what we have spent the public money for?

Mr. NUGENT. That is my contention, I will say to the Senator, and I have made that contention at all times.

That section—11—further provides that vessels constructed for the Government with Government funds and, when built, to be operated by the Government shall be constructed in private yards. There is not, in my judgment, even a semblance of justification for that provision in view of the fact that the Government has expended about $170,000,000 in building shipyards, and it will be conceded that they are as complete in every respect as money can make them. The only excuse that can be offered for the provision referred to is the desire to divorce the Government from business. In fact, that is, as I have said, the principal reason advanced in support of this legislation, and yet the section under discussion places the Government in the money-lending business. It provides that when a citizen desires to build a ship he may borrow from the Government a sum not exceeding two-thirds of the cost of constructing the vessel. Many of the proponents of the bill voted in favor of a loan of hundreds of millions of the people's money to the railroads for 15 years. "Consistency, thou art a jewel."

Mr. SMITH of Georgia. Mr. President, will the Senator yield again?

Mr. NUGENT. Yes.

Mr. SMITH of Georgia. Does the Senator mean that the Government, with a large number of vessels on hand and already built, is to use the people's money to build now in private yards additional ships to compete with those we have already built, and possibly to interfere with the proper sale of those ships in the future?

Mr. NUGENT. That is precisely what the section to which I have referred provides.

Sections 22 and 23 provide, in effect, that the Government shall establish steamship lines from the United States to Alaska and in the Philippine Islands and operate them at Government expense so long as such operation is carried on at a loss, and that when such lines become profitable the Government shall retire in favor of private interests and the people shall assume all losses incurred.

The first paragraph of section 25 provides that the owner of a vessel documented under the laws of the United States and operated in foreign trade shall, each year, for the period of 10 years, be exempt from the payment of excess and war profits taxes on the net earnings of the vessel, provided he annually invests in or sets aside in a trust fund for investment in the construction of ships in the United States a sum equal to the amount of such excess and war profits taxes.

I know of no good reason why the men engaged in coastwise shipping should be discriminated against, as it appears to me that they are entitled to the same consideration at the hands of Congress as are citizens engaged in foreign trade. Neither do I know of any valid reason why shipowners should be exempted from the payment of taxes which men engaged in all other lines of business must pay.

The second paragraph of section 25 provides that during the period of 10 years from the enactment of the act a citizen who sells a vessel documented under the laws of the United States shall be excused from the payment of all income taxes on the proceeds of the sale, provided such proceeds are invested in the construction of new ships in American shipyards, and so forth.

I am opposed to exempting a shipowner from the operation of the tax laws that men engaged in other pursuits are obliged to comply with, merely because he invests the money received from the sale of one ship in the building of another ship.

The farmer who sells one farm and expends the proceeds of the sale in the development of another farm, it may be from raw sagebrush land; the sheepman or cattleman who disposes of his flock or herd and later purchases another, frequently at a price per head in excess of what he sold for; the merchant who sells his store in one town and establishes himself in the mercantile business in a new town; and the miner who sells a mine and expends the sum paid him in opening up another mine, in which work he may lose his last dollar, are obliged to pay the taxes imposed by law. I am utterly opposed to granting to shipowners a tax-exemption privilege not enjoyed by other American citizens.

There are other provisions of the measure to which I object, but I shall not take the time to discuss them.

Last night the Senate voted to displace the minimum-wage bill, which means its defeat. It provides for the payment to the employees of the Government of a wage of at least $1,080 per annum. To those who believe that such wage is too high to be paid to men and women who work for their daily bread I again say what I believe to be the fact, that the enactment of the shipping bill means a gift to shipping interests of more than a thousand millions of the taxpayers' money.

Believing as I do that the bill is inimical to the best interests of the people, I shall vote against the adoption of the conference report.

Mr. JONES of Washington. I ask for the yeas and nays on the adoption of the conference report.

Mr. TRAMMELL. Mr. President, before the vote is taken I desire to make a few remarks. I heartily share the sentiment of the committee favorable to the maintenance of a great American merchant marine. I believe prior to the war that this was one of the crying needs of the Nation, and it was one of the misfortunes of our country that the merchant marine which we formerly had in the early days had from time to time passed into the hands of foreigners, and that on account of that fact there were very few vessels sailing under the Stars and Stripes and operating under American control.

As one of the fortunes of war our Nation acquired a very large fleet. This fleet, in my opinion, should be permanently maintained and the Nation should have such advantages as will accrue to it as the result of the maintenance of an efficient American merchant marine.

I believe, Mr. President, that in the anxiety of the committee and, possibly, of a majority of the Members of the Senate to transfer the ownership of these vessels to private owners and to discontinue Government operation we may possibly be a little too zealous in our advocacy and support of this policy.

We should guard well our decision or we may probably make a mistake which will result in the disintegration of the American merchant marine. The bill, as explained by the Senator from Idaho, shows plainly that the tendency running throughout the pending measure is to encourage the sale of the Government-owned ships. During the war the cry was "Ships, and more ships," and this was held out as one of the Nation's greatest needs if we were to achieve victory; but the intention of Congress, as voiced in the measure under consideration, seems to be to sell the ships, to sell the ships.

What I am particularly interested in is the question of the development of new trade routes, the matter of our country owning and controlling its own merchant marine. One of the safest and most secure ways in which to foster and preserve this policy to our Government and to retain this industry for the American people is unquestionably not to magnify the idea of disposing of the ships and placing them in the hands of individuals or of private corporations. I believe that instead of the announced policy of the Congress being to sell the ships, to get them into the hands of private ship-operating corporations, it should be primarily and first that we will have an American merchant marine second to that of no nation of the world, and that we will pursue a policy that will be in the interest of the establishment and development and maintenance of new trade routes and the increasing of our foreign commerce.

I can not quite understand why the Government, in its anxiety to maintain the merchant marine and in its desire to establish new trade routes, should undergo the initial cost, the losses, if any, and the expense of building up this trade, and of the maintenance of the fleet until it reaches a profitable basis, then transferring it to some private corporation that it may operate the business so developed for its own private gain; but that seems to be the declared policy and the idea which is embraced in this measure throughout.

I am just a little apprehensive, Mr. President, that if you allow the American fleet to pass into the hands of ship-operating corporations the policy which should be primary—that is, the maintaining of an American merchant marine, the policy of establishing and maintaining the necessary trade routes—will become secondary, and that these corporations in the operation of these ships will have as their primary purpose, as is always true, the object first of making money for the corporations themselves. If this should be the plan adopted by the corporations operating the ships—and no doubt it would be—I assert that in all probability some trade routes that have already been established would be abandoned for some other trade routes, regardless of the interests of the American people and regardless of a policy that should be maintained to try to relieve the transportation congestion which exists in certain centers within this country.

A system has developed centralizing very largely the shipping from the North Atlantic ports of our country. This tendency toward the centering of the shipping from the North Atlantic ports was emphasized during last year when it came to the

question of the Shipping Board allocating its vessels. I happen to have more or less intimate knowledge in connection with at least some of these transactions. When it became known, following soon after the conclusion of the war, that the board contemplated allocating these vessels to private concerns for operation there was a great clamor for them from interests that desired to operate them practically exclusively from the North Atlantic ports, and in the struggle of certain representatives from the South Atlantic and the Gulf ports to have vessels allocated that would operate out of those ports and take up the matter of inaugurating and establishing trade with the South American countries, we had to combat that selfish interest which desired to have, you may say, a monopoly upon these vessels for the purpose of operating them from New York and other North Atlantic ports—ports that already have more business than they can handle expeditiously.

In its wisdom and actuated by a spirit of fairness, however, the Shipping Board did provide for the use of certain ships from the South Atlantic and the Gulf ports. The board did approve of the idea of the establishment of certain trade routes from those southern ports to the countries to the south. The wisdom of the judgment of the board has been shown, in that most of these new trade routes have already demonstrated the fact that they are serving a good purpose, and the ships engaged are being operated at a profit.

We should not be interested first in trying to get the ships transferred to private corporations in order that they may operate them. We should be far more concerned in the primary purpose of the maintenance of an American merchant marine; and if that necessitates and requires the Government retaining control and ownership of these vessels, or a large majority of them, for a reasonable time, it should be done. We, too, are intensely interested in the development of the trade routes to the south, and they should be developed and operated in connection with the South Atlantic and the Gulf ports and not the North Atlantic ports. If there is one evil in this country from which the American people should be relieved, it is the bottling up of the freight from all over the country in the city of New York. There is scarcely a section of the country but that has suffered on account of the congestion which almost continuously exists, bottling up everything in this particular center. However, as far as private corporations and private interests are concerned, as a rule they do not look with favor upon trying to serve the various sections of the country, trying to relieve this condition which brings about disastrous results to various sections of the Nation, but they are actuated absolutely by the sole purpose of making money, and making money for themselves.

On account of my fear that the fleet will not be maintained in its entirety as an American merchant marine under the provisions of this bill, on account of my apprehension that new trade routes probably will be abandoned when the ships get into the hands of private owners, and that we will not develop certain trade which should be developed, I can not give my support to the conference report. I opposed the measure when it was before the Senate, and there have been no changes made which to me make it a bill more favorably looking to what I consider should be the main purposes and objects to be sought in dealing with the fleet at the present time in the hands of the United States Shipping Board.

The members of the Shipping Board, as far as I know them, are all very high-toned, honorable, capable business men; but it is the expressed policy of this measure to sell ships. While emphasis is placed upon maintaining an American merchant marine, an equal if not greater emphasis is placed upon the desire to sell the ships. This sentiment is in harmony with the sentiment which prevails among the membership of the Shipping Board; and if you pass this legislation, with it being evidently the determined purpose of the Shipping Board to dispose of the vessels and place them in the hands of private corporations, and then it also being the expressed and specifically declared purpose of Congress that they shall pass into private ownership, and that as expeditiously as possible, we may well realize that it will be only a short time until practically all of the vessels of any value now owned by the Government will be in the hands of private corporations and operated in that way.

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Utah?

Mr. TRAMMELL. Certainly.

Mr. KING. Do I understand the Senator's position to be that the Federal Government should retain the title to these ships of which the Senator has been speaking and continue to operate them as a private individual would operate the ships, the same as it operated the railroads during the period of the war and after the war, with the distinction that in the latter case it did not have the title to the roads or the cars? In other words, is it the Senator's policy for the Federal Government to go into the shipping transportation business? And if that is his view, I am interested in knowing where the Senator finds authority in the Constitution of the United States for the Federal Government to become a carrier of passengers and a carrier of freight. If it may engage in the marine transportation business, may it not engage in land transportation? And if it engages in land transportation, may it not construct roads and highways, build railroads, operate them; and in order to make the roads profitable, may it not be compelled to own mines in order to find products to ship, build factories in order to find products to ship on its roads, engage in the agricultural business and the stock-raising business in order to produce those commodities which would pay for the operation of its roads? In other words, does not such a policy foreshadowed by the Senator, if I understand the matter correctly, mean that the Federal Government is to be one huge Prussian socialism—all power in the State, all power centered in Washington, all power here in officials and bureaucracies, which dominate and control and lay their paralyzing hand upon the activities and upon the industries of the United States?

Mr. TRAMMELL. Mr. President, answering the Senator from Utah, I will state that I did not take the position that the Government should permanently operate the ships, but I do take the position that the Government should make its primary purpose that of establishing these trade routes, and that of the maintenance of an American merchant marine, and if that can be best and most safely secured by the Government retaining the property which it already owns, by the Government retaining the business upon which it has already embarked, which it has developed, then I say, Mr. President, that the Government should retain these ships, and should continue to operate this business until it is beyond all question to the advantage of the American people that they should be placed in the hands of private owners. About $3,000,000,000 of the money of the people of the Nation has been invested in the Government fleet, and it should not be sacrificed now to private greed.

I do not think there is any analogy between the railroad question and that of the shipping proposition. The railroads had been developed, they had been built up, they had been maintained by private capital entirely, and the Government merely took them over during the emergency. The Government did not own them, and in a large measure, Mr. President, it was a matter of the Government coming to the rescue when the railroad interests of this country were crying for help. That had a great deal to do with stimulating and actuating the Government in taking over the railroads.

We have altogether a different situation as far as the question of dealing with these ships. I think that hindsight is always better than foresight, and if we are to consider the lessons of the past, as far as the building up a merchant marine in the hands of private corporations is concerned, we know what the policy of this Nation has been.

We know that as far as maintaining an American merchant marine heretofore through private capital and private ownership, it has proven an utter and a colossal failure. We know that instead of the general good, general welfare, of the American people being considered, selfish interests have been the controlling factors with those who have attempted to operate the shipping interest, and as a result the American flag had almost disappeared from the seas long before the Nation became involved in the recent war.

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Utah?

Mr. TRAMMELL. Certainly.

Mr. KING. Does not the Senator appreciate the fact that prior to the Civil War the United States had a splendid merchant marine and that we carried in our own bottoms from 87 to 93 per cent of all of our foreign trade and commerce, but that because of the unjust, discriminatory, oppressive, and unwise legislation enacted by the dominant political party of the land the merchant marine was driven from the seas? Does not the Senator believe that with a wise and proper policy we can not only develop but continue an adequate merchant marine, one which will be sufficient for the needs of the country?

Mr. TRAMMELL. Mr. President, of course if we deal in glittering generalities I would necessarily reply in the affirmative; but the question is as to the details and the policies which are being adopted for the purpose of carrying out that very commendable purpose and object, and I do not think that when you adopt a policy which indicates as one of the very first

objects, the primary purpose, that of selling the ships, you are making quite as secure as I would like to see made the future of the American merchant marine and the establishment and the development of foreign trade and the assurance of new trade routes and their maintenance.

Mr. KING. Will the Senator pardon me?

Mr. TRAMMELL. Certainly.

Mr. KING. The Senator stated that the merchant marine in the hands of private parties has been a collossal failure. I merely invite the attention of the Senator to the fact that we did have in private hands one of the finest merchant marines that floated a flag upon the sea, and that if it had not been for unwise legislation on the part of Congress, following, in my humble opinion, an improper and impracticable economic policy, we would have had at the beginning of the war, and would still have, an adequate merchant marine.

If the Senator will pardon me, in my judgment you can build up a merchant marine by fair and just and sensible legislation, and if the Government attempts to engage in the carrying business it will lose hundreds of millions of dollars every year; and I make the prediction now to the Senator—of course it is a mere prediction, which may not be verified—that if the Government should retain these ships and attempt to operate them, the three billion and more dollars which we have put into the ships would be dissipated within 10 years. The losses would be hundreds of millions annually, instead of an alleged profit, as represented by some of the reports which have been submitted to us.

Mr. TRAMMELL. Mr. President, I agree with quite a good deal stated by the Senator from Utah, but what I am disturbed about is that if we lean too much toward the idea of placing these vessels in the hands of private ownership, we will have some more unwise legislation, we will have a further continuation of a policy which will not be in the interest of the maintenance of the merchant marine, and possibly as the outcome once again, to our regret and dismay, we will see Great Britain and other powers gradually, by direct or indirect methods, acquire over us an advantage and control of the world's shipping on the seas.

The Senator from Utah talks about the question of dissipating the billions of dollars in this transportation equipment and facilities. It seems that we may also consider the question of the millions upon millions which are to be dissipated and expended in developing trade routes and developing business for the purpose of turning it over to private interests when it once reaches a profitable basis. I can not quite discriminate between a policy which in its operation brings about the promotion of a business for the purpose of turning it over to some private interests after it becomes profitable and a policy of the Government, even when necessary, to continue that same operation in the interest of all the American people, instead of in the interest of the few who will be the recipients of the benefaction of the Government in developing a profitable business and turning it over to them.

Senators talk about the Government engaging in business. As a result of this war the Government has, you might say, become the benefactor of the railroad interests and many other interests in this country. The railroads were not quite satisfied with having $300,000,000 loaned to them for only five years; they knock at the door of Congress and say, "We would like to have the loan extended to 15 years." So the Congress, regardless of the expressed reluctancy of some to carrying on a banking business by the Government to assist the railroads, responds promptly to the appeal of the railroad interests of the country and passes a measure authorizing these loans to be made for 15 years.

This very measure itself places the Government in the money-lending business. This very measure itself places the Government in the insurance business by providing for an insurance fund.

I think if we are going to be consistent along the line of the Government being so very zealous in shunning even the appearance of evil in the matter of the Government engaging in business of this character, we had better start anew and abandon the action of Congress in regard to many other enterprises.

What I am apprehensive of is that the vessels will pass out of the hands of the Government into private ownership, and that they will pass into the hands of private ownership probably at a great sacrifice. Then when they are transferred from ownership by the Government into ownership of private capital, private capital will continue to be knocking at the doors of Congress for legislation that will promote its own financial interests, and the primary object of an American merchant marine, the primary object of the establishment and maintenance of new trade routes, and the object of relieving congestion in the North Atlantic and dividing the trade with ports to which it logically belongs, will probably, in a large measure at least, be abandoned. For this reason I do not feel that I can consistently support the conference report.

Mr. KING. Mr. President, I shall occupy the time of the Senate for only a moment. I voted against the bill when it was before the Senate, and I shall vote against the adoption of the conference report.

I am not satisfied with this measure, not for the reasons, however, assigned by my distinguished friends, the Senator from Idaho [Mr. NUGENT] and the Senator from Florida [Mr. TRAMMELL]. Lack of time prevents an analysis of the bill, and I content myself with a few generalizations. One objection to the bill arises because it seeks to perpetuate a socialistic policy in connection with the ownership and operation of the ships in this country. I believe that the economic policy founded upon a proper understanding has led to the prosperity and development of our country. Our industrial and economic system was influenced by the great teachings of Adam Smith and his philosophy and the philosophy of the great teachers following him. It became the basis of the economic system which has produced such marvelous development in this country. We have had a competitive system, freedom of opportunity, and an even show in the race of life. We have political freedom. There must be economic and industrial liberty.

There have been forces which have sought to destroy competition and to establish monopolies. Such forces must be overcome, and every man within the land must have an equal opportunity in the activities of life.

I am opposed to all forms of paternalism and the corroding socialism of the age that has laid its destructive hand upon the Government and is seeking its domination and the perversion of its functions and the destruction of the foundation upon which it rests. Extreme Carl Marxian socialism will not, in my opinion, prevail in this Republic. I believe the good sense of the American people will revolt against his heresies and the destructive and damning doctrines which are sapping the life and vigor of Russia. But there is a subtle, an alluring, and enticing form of socialism that is receiving support in many sections of our country and has sometimes met sympathetic support from officials in high places in the Government.

There is a movement on foot to compel the Government to repossess the railroads for the purpose of transferring them to those who may be employed upon the railroads. And there are those who seek to compel the Government to retain the ownership and to continue the operation of the merchant marine and all the ships which the Government has acquired. I believe the best interests of the people as well as the Government will be subserved by a sale, under proper restrictions and limitations, of the ships owned by the Government.

Mr. President, the Government can no more operate economically and efficiently ships and railroads than it can operate its own business. There is not a business man in the United States of any acumen who could not take possession of the governmental agencies and instrumentalities functioning in Washington and elsewhere and conduct the Government business in a more efficient manner than it is being conducted by the Government of the United States at a cost of 33 per cent of that now paid by the United States.

The Senator from Florida states that we should open up trade routes. Why, of course that should be done, and we can do so by imposing limitations upon the sale of the ships. The men who buy the ships should be required to open up certain trade routes to be designated by the board and for the purpose of extending our foreign trade, and in the sale of ships there should be imposed such limitations as will preserve the interests of the shippers and the interests of the people of the United States. If I believed that the interests of the American people would be served by a Government-owned merchant marine, much as I dislike socialism and the paternalism which it would involve, I might be induced to support the proposition; but everyone who knows what this socialistic policy means and what its consequences will be and the inefficiency of governmental control and governmental ownership and operation of matters that are purely private will reach the conclusion that a policy which perpetuates the Federal Government in the transportation business is one inimical to the interests of the people and hostile to the best interests of the Republic.

The Senator from Florida refers to the railroads. Mr. President, I was opposed to taking over the railroads. I think it was a great misfortune. If there had been a modification of the Sherman antitrust law in some of its provisions for the period of the war, permitting them to pool and use joint terminals and work along some of the lines of cooperation and coordination employed by the Government, there would have been no

necessity—if there was any necessity at all—of the Government taking by its strong hand the railroads out of the control of their owners. But this relief was refused by the Government, and it also monopolized the credit of the country. It took the money of the country in loans, importuning the people, appealing to their patriotism, to buy Government bonds, to loan their money to the Government. The banks were almost dragooned to yield up their resources to the Government, and those who possessed savings were appealed to to loan the same to the United States. Railroads, school districts, municipalities that desired to build, legitimate enterprises being carried on by individuals and corporations which required money, could not obtain the same, because the Government exclusively occupied the field of credit and absorbed not hundreds of millions but billions of dollars. The man who had a thousand or a hundred thousand dollars to loan invested it in Government bonds, loaned it to his Government rather than to private enterprise.

As a result the fountain of many enterprises was dried up; we denied the opportunity to railroads and to individuals, to municipalities and to States, to borrow money. Why, sirs, many of them were compelled to come to the boards of control in Washington and plead for permission to issue bonds or stock, hoping thereby to borrow money absolutely necessary to save their business from ruin. And school districts with half-completed schoolhouses came here and sought authority to float bonds in order to complete their buildings, in order that the children might not be turned into the streets. The Government acted as a sponge and sucked up the credit of the land and the money that was in circulation.

We can not with becoming grace condemn the railroads and other enterprises because they did not make fitting progress during the war and did not accomplish the work which they were desirous of performing.

I am opposed to the conference report. I am opposed to the bill. It is not a bill, as the Senator from Florida indicates, if I may be permitted to dissent from him, which accomplishes what he asserts will be accomplished. It is a bill which ought to gratify him. It is a bill which will keep the Government for many years to come in the transportation business, and the Senator from Florida, young and vigorous as he is, will not live long enough to see the omnipotent hand of the Federal Government removed from the merchant marine of this country. That is one of the reasons why I am opposing the bill and the conference report.

Mr. SHEPPARD. Mr. President, if I could have my way I would have the Government hold temporarily both the railroads and the ships until internal conditions and world conditions became more settled and until better opportunity existed for reaching a satisfactory solution. I would have a competent commission investigate the entire subject and report as to the best thing to be done under the circumstances. All systems of transportation—ocean, inland waterway, railway, and highway—are parts of one great problem.

The trouble is that in our haste to dispossess ourselves both of the railroads and the ships we may make inevitable Government ownership without having given the subject proper consideration, or Government interference on an almost intolerable scale. Inasmuch as the Congress seems determined upon the immediate resumption of the policy of private ownership, I shall offer no further opposition to the conference report, but shall content myself by voting against it.

Mr. JONES of Washington. Mr. President, on the adoption of the conference report I ask for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. I understand that if he were present he would vote "yea," and I am therefore at liberty to vote. I vote "yea."

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG]. I transfer that pair to the senior Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. DIAL (when the name of Mr. SMITH of South Carolina was called). I desire to announce that my colleague [Mr. SMITH of South Carolina] is unavoidably detained to-day and is paired with the Senator from South Dakota [Mr. STERLING]. I ask that this announcement may stand for the day.

Mr. STERLING (when his name was called). As announced by the junior Senator from South Carolina [Mr. DIAL], I am paired with the senior Senator from South Carolina [Mr. SMITH]. I transfer that pair to the Senator from Washington [Mr. POINDEXTER] and vote. I vote "yea."

Mr. TRAMMELL (when his name was called). I transfer my pair with the senior Senator from Rhode Island [Mr. COLT] to the Senator from Arizona [Mr. SMITH] and vote "nay."

Mr. WALSH of Montana (when his name was called). I inquire if the Senator from New Jersey [Mr. FRELINGHUYSEN] has voted?

The VICE PRESIDENT. He has not.

Mr. WALSH of Montana. I have a pair with that Senator, which I transfer to the senior Senator from Arkansas [Mr. ROBINSON] and vote "yea."

Mr. WOLCOTT (when his name was called). I have a general pair with the Senator from Indiana [Mr. WATSON]. That Senator is not present. In his absence I can not vote and therefore withhold my vote.

The roll call was concluded.

Mr. GAY. I have a general pair with the senior Senator from New Hampshire [Mr. MOSES]. I transfer that pair to the junior Senator from Kentucky [Mr. STANLEY] and vote "yea."

Mr. SPENCER. I have a pair with the junior Senator from New Mexico [Mr. JONES], but under an arrangement with him I feel free to vote, and I vote "yea."

Mr. LODGE (after having voted in the affirmative). I have a general pair with the senior Senator from Georgia [Mr. SMITH] and I do not observe him in his seat. I therefore transfer that pair to the Senator from Delaware [Mr. BALL] and allow my vote to stand.

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], which I transfer to the Senator from Florida [Mr. FLETCHER] and vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Oklahoma [Mr. GORE];

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 45, nays 14, as follows:

YEAS—45.

Beckham	Hale	Nelson	Sterling
Brandegee	Harding	New	Sutherland
Calder	Henderson	Overman	Swanson
Chamberlain	Hitchcock	Page	Thomas
Comer	Jones, Wash.	Phelan	Townsend
Curtis	Kendrick	Pittman	Underwood
Dial	Keyes	Pomerene	Wadsworth
Dillingham	Knox	Ransdell	Walsh, Mont.
Fernald	Lodge	Simmons	Warren
Gay	McCumber	Smith, Md.	
Gerry	McKellar	Smoot	
Glass	McNary	Spencer	

NAYS—14.

Ashurst	Harris	Norris	Trammell
Borah	Harrison	Nugent	Walsh, Mass.
Capper	Kenyon	Reed	
Culberson	King	Sheppard	

NOT VOTING—37.

Ball	Gronna	Moses	Smith, Ariz.
Colt	Johnson, Calif.	Myers	Smith, Ga.
Cummins	Johnson, S. Dak.	Newberry	Smith, S. C.
Edge	Jones, N. Mex.	Owen	Stanley
Elkins	Kellogg	Penrose	Watson
Fall	Kirby	Phipps	Williams
Fletcher	La Follette	Poindexter	Wolcott
France	Lenroot	Robinson	
Frelinghuysen	McCormick	Sherman	
Gore	McLean	Shields	

So the report was agreed to.

Mr. JONES of Washington. Mr. President, I took no time in discussing the questions involved in this bill on the adoption of the conference report, which has just been agreed to, because I desire to get it over to the other House as soon as possible, and all these matters were discussed when the bill was before the Senate. I am going to take only a moment or two now. Some people, however, on the outside have raised the question as to the meaning of the words "controlling interest," which are found in the section relating to the ownership of stock in shipping corporations. The term is used just the same as it is used in the present shipping act, and I do not think there can be any question about the construction that should be given to it. I know that the committee understood it to mean actual bona fide American ownership of a majority of the stock of corporations doing business in the foreign trade and 75 per

cent in the coastwise trade. I am satisfied that that is the understanding that the Senate has with reference to that language and that provision. The language of the section will not permit a "dummy" corporation or a "dummy" holding of stock. The corporation must be a bona fide one and the ownership and holding of stock must be bona fide American.

Mr. President, the senior Senator from New Jersey [Mr. FRELINGHUYSEN], as well as the junior Senator from New Jersey [Mr. EDGE], was very greatly disappointed because the conferees left out of the bill one provision which had been inserted in it when it was passed by the Senate. I refer to the provision reimbursing the city of Hoboken for taxes of which it had been deprived by reason of the Government taking over certain docks. The conferees were all very sympathetic toward that item. We thought it was a very just proposition, but if adopted it would establish a precedent that would apply to a great many different sections of the country and involve the Government in great expense. This does not affect the justice of the Government taking care of such a situation, but we thought that should be cared for in a separate bill dealing with all similar cases. So the conferees thought that they could not leave it in this bill, but that it would have to be dealt with in a separate measure. The Senator from New Jersey [Mr. FRELINGHUYSEN] has introduced such a bill, to which I know the committees of the two Houses will give the most careful consideration. I will do my best to aid him in securing proper action. These Senators have certainly left nothing undone that could be done in this matter, but we could not take care of that in this bill.

The senior Senator from New Jersey left with me a letter from a gentleman in New Jersey, and his answer to it, in reference to the matter, which he asked me to have inserted in the RECORD. I therefore ask that the correspondence be printed in the RECORD as part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The correspondence referred to is as follows:

SUPREME COURT OF NEW JERSEY,
Chambers, May 17, 1920.

Hon. J. S. FRELINGHUYSEN.

MY DEAR SENATOR: In the effort "to make democracy safe for the world" this city has been driven to the verge of bankruptcy by the Government taking over our valuable pier property without compensation. This property constituted the most valuable asset we have, and yet we have been deprived of it for the benefit of the Nation at large without one dollar contribution to our people.

We are willing to suffer our share of the common misfortune, but we should not be asked to turn our property over to the Nation without recompense. No other section of the Nation that I know of has been subjected to such a sacrifice, and we should not (a small city 1 mile square, depending upon its taxable territorial area for its income) be asked to submit to it in common justice.

I am writing you as an old friend and brother Senator to interest yourself in our behalf, so that with your assistance and that of Senator EDGE this injustice may be speedily righted. Let me know when you come to town. I would like to show you through Hoboken. It won't take long, but there is much to be seen.

With best wishes, I am,
Very truly, yours, JAMES F. MINTURN.

—

MAY 26, 1920.

Hon. JAMES F. MINTURN,
Hoboken, N. J.

MY DEAR JUSTICE MINTURN: I have never forgotten the injustice done to the ctiy of Hoboken in the taking over of the property by the Government and the failure to provide for the relief of Hoboken by reason of the loss of taxes.

I inclose herewith my correspondence to the President and call attention to my protest and my effort to have an amendment put in the Alien Property Custodian act.

However, we have recently secured, in the merchant marine shipping bill, a provision which will enable the Shipping Board to pay the city of Hoboken the necessary taxes to reimburse them for last year and this year.

If this bill is accepted by the House, as I hope it will be, it will relieve the situation immediately.

Please return the correspondence inclosed for my files.

Very sincerely, yours,
JOS. S. FRELINGHUYSEN,
United States Senator.

Mr. JONES of Washington. Now, Mr. President, just a word further. I deem it just to say that the conferees from both sides of the Chamber and from both branches of Congress have worked upon this bill with the sole purpose of reporting to the Senate a bill that would build up the American merchant marine. The entire consideration of the bill has been wholly free from partisanship. There was no attempt on the part of the House Members to see how many Senate amendments they could get us to recede from, but every provision of the Senate bill as passed, which they thought was a good provision, they accepted gladly. This bill is the product of the united effort of Democratic and Republican Members of the House and Senate. It is not a perfect bill, but it is a bill which we believe will be the basis upon which we will build up and maintain a great American merchant marine. This bill will serve most, if not all, the great purposes that have been expressed by Senators who have spoken to-day; and I believe, Mr. President, that in the years to come the Greene bill, as it is and should be known, will prove its wisdom in the building up of a permanent American merchant marine worthy of our great power, wealth, and position in world affairs, and be a lasting monument to the unselfish and patriotic work of all those who aided in its preparation and passage.

Mr. President, there have been some errors made in the numbering of the sections. I ask that the unfinished business may be temporarily laid aside for a moment in order that there may be considered and passed a concurrent resolution authorizing the clerks to make the necessary changes.

The VICE PRESIDENT. Without objection, the unfinished business is temporarily laid aside.

Mr. JONES of Washington. I ask unanimous consent for the immediate consideration of the concurrent resolution which I send to the desk.

The concurrent resolution (S. Con. Res. 30) was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, the Clerk be, and is hereby, authorized and directed to number the sections thereof in consecutive order.

PROPOSED SOLDIERS' BONUS.

Mr. UNDERWOOD. Mr. President, I hold in my hand a letter in reference to the bonus bill from a real soldier, who served with the Forty-second Division in France. I think it should appear in the RECORD, and I ask that it may be inserted in the RECORD as part of my remarks.

Mr. SMOOT. I will ask the Senator to have it read from the desk.

Mr. UNDERWOOD. Very well; I will ask that the letter be read.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

CHATHAM COURTS,
Washington, D. C., June 2, 1920.

SIR: I herewith urge you, as an officer of the United States Senate, to use your influence against the passage in that House of the World War adjusted compensation act.

The veterans who would receive a bonus as the result of this act do not wish to be so insulted, and both Congress and the people at large have already extended to the veterans of the World War their appreciation of the military service rendered.

Defeat the soldiers' bonus bill.

Respectfully, yours,
J. BENTLEY MULFORD,
Honorably Discharged Private,
Forty-second (Rainbow) Division,
American Expeditionary Forces.

Hon. THOMAS R. MARSHALL,
Wardman Park Hotel, Washington, D. C.

Mr. WADSWORTH. I ask unanimous consent to have inserted in the RECORD a letter which I have received but a short time ago from the representatives of one of the American Legion Posts. The letter has to do with the proposal for a bonus.

Mr. SMOOT. Will the Senator ask the Secretary to read the letter, just as he read the letter which the Senator from Alabama [Mr. UNDERWOOD] presented?

Mr. WADSWORTH. I present the letter. Permit me to say that I do so without prejudice as to the issue involved.

The Assistant Secretary read as follows:

THE CAPITOL,
Washington, D. C., June 4, 1920.

Senator WADSWORTH,
New York.

DEAR SIR: We, the undersigned, were delegated by the Federal Board Students Post, No. 750, American Legion, of New York University, to come to Washington to exert our efforts in behalf of the Darrow bill.

We have been in the gallery for some time and have listened to the Senator who read into the RECORD a letter "from a real soldier" in opposition to the bonus bill.

We desire to state that our post is composed of "real soldiers," every one of its 300 members disabled and the majority wounded. Many divisions are represented in our membership, among others the Forty-second, in which the Senator's "real soldier" served.

This post has twice gone on record unanimously in favor of the adjusted compensation bill not only for disabled men but for all ex-service men.

You are requested to read this into the RECORD in order to give these 300 "real soldiers" a chance to record their sentiments.

Yours, very truly,

E. B. HACKER,
President Post 750,
3141 Kingsbridge Terrace, New York City.

T. E. MCDONNELL,
Past President Post 750,
109 Flushing Avenue, Jamaica, Long Island.

FORCE AND SALARIES IN PATENT OFFICE.

During the delivery of the speech of Mr. JONES of Washington,

Mr. NORRIS. Mr. President, I recognize that Senators can not be prevented from talking, and I have no objection to their doing so, but, in order that we may proceed in parliamentary order, I ask that the bill which under the unanimous-consent agreement is in order may now be laid before the Senate, and the Senator from Washington can speak on that.

Mr. JONES of Washington. I have no objection to that being done.

Mr. NORRIS. Under the unanimous-consent agreement we were to consider House bill 11984 at the conclusion of the consideration of the conference report on the merchant marine bill, and I ask that the House bill referred to be now laid before the Senate.

The VICE PRESIDENT. The Chair lays the bill before the Senate.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes, which had been reported from the Committee on Patents with amendments.

Mr. NORRIS. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, and that it be read for committee amendments.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

Mr. KING. Mr. President, before that request is granted, does the Senator ask to have the reading of the bill dispensed with entirely?

Mr. NORRIS. No; merely that the formal reading of the bill be dispensed with, and that it be read first for committee amendments.

AMENDMENT OF TRADING-WITH-THE-ENEMY ACT.

Mr. NELSON. Mr. President——

Mr. NORRIS. I yield to the Senator from Minnesota.

Mr. NELSON. I ask unanimous consent that the business of the Senate may be temporarily laid aside while I make a report from the Judiciary Committee and ask for its present consideration; and in connection with it I will make a brief statement, not occupying over five minutes.

Mr. NORRIS. I assume that it will not lead to any extended debate. With that understanding, I have no objection.

The ASSISTANT SECRETARY. From the Committee on the Judiciary the Senator from Minnesota reports back favorably the bill (H. R. 14208) to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended.

Mr. NELSON. Mr. President, this bill is unanimously reported by the Judiciary Committee, and I desire to make a brief statement in relation to it.

As Senators know, under the trading-with-the-enemy act the Alien Property Custodian took possession of millions of dollars worth of the property of aliens and allies of aliens. Since the war closed, and since the treaty of peace has been drawn up and has been ratified by all the belligerents except the United States and China, it has left conditions in this way: There are certain of these people who have transferred their allegiance under the treaty of peace who ought to be protected. The object of the bill is to give the people who belong to these new States, like Poland, Czechoslovakia, and Alsace-Lorraine, an opportunity to come before the President and obtain the release of their property that was seized by the Alien Property Custodian. Some of that property was converted into money, and some of it remains in the hands of the Alien Property Custodian in kind.

The bill provides that these people can recover their property—the Poles and the Czecho-Slovaks and the Alsatians and the Lorrainers. In addition to that, it covers some other cases. It covers the cases, first, of American women who before the war lost their citizenship by marrying neutrals. That is one class. Then it covers the cases of native-born American women who married Germans or Austrians, enemy aliens. It is to give those two classes of woman an opportunity to recover their property. Then it relates to another class of men, not very numerous. The Alien Property Custodian seized the property of consular representatives and diplomats, and it is to enable them to get back their property.

Mr. CURTIS. Mr. President——

Mr. NELSON. I yield to the Senator.

Mr. CURTIS. I should like to ask the Senator if the bill includes the class of American citizens who, unfortunately, were in the enemy's country at the time the war broke out, and whose property was taken, and they have been unable to return to the United States because of the state of war and the restrictions that were imposed, and their property is still held by the Alien Property Custodian?

Mr. NELSON. Yes; it includes them. I was about to remark that it also includes another class. Senators will remember that during the war quite a number of people were interned because of their officious activity in behalf of the Germans. Most of them, I think nearly all of them, have been discharged, and a large share of them have returned to their own country. This bill contains a provision that those interned men who have been discharged and who are living here at the time they make application for the return of their property and at the time the application is granted shall be in the same status as the other classes.

Those are the substantial provisions of the bill.

Mr. UNDERWOOD. Mr. President——

Mr. NELSON. I yield to the Senator from Alabama.

Mr. UNDERWOOD. I have no doubt the Senator has made the statement clearly, but I did not entirely grasp it, in reference to the German alien who was living in this country at the time of the declaration of war, and remained in this country during the war, but was interned by the order of the President, and his property was taken. This bill authorizes that man's property to be returned to him, does it?

Mr. NELSON. If he is living in this country, it does; but not if he leaves this country. It applies only to those who continue to live here, and are living here at the time of the application.

Mr. McCUMBER. Mr. President——

Mr. NELSON. I yield to the Senator from North Dakota.

Mr. McCUMBER. I desire to ask the Senator with reference to another class that he has mentioned. If I understand him rightly, while the German could not claim his property rights, the wife of the German, who is a German citizen, could claim such rights provided she at one time before her marriage was an American citizen.

Mr. NELSON. Yes. If she is a native-born American woman, and lost her citizenship either by marrying a neutral before the war or by marrying an alien enemy, such as a German, before the war, she is authorized to regain her property, not the property of her husband.

Mr. McCUMBER. It places it in a position where the alien, if he is a male, can not obtain his property; but if the alien is the wife of a foreigner she may obtain it, provided she was born in this country?

Mr. NELSON. The object is to give American women who have married these foreigners an opportunity to get back the property that they formerly had; that is, their own exclusively.

Mr. McCUMBER. I confess that I can not see any difference between granting them their property and granting their husbands their property.

Mr. PITTMAN. Mr. President——

Mr. NELSON. I yield to the Senator from Nevada.

Mr. PITTMAN. I have in mind a case which came to my attention, and I desire to know whether this bill covers it. An American woman married a German officer. They are both dead, but they left an heir. The property would go to that child. It was all originally the property of the American woman. Is the child protected under this bill?

Mr. NELSON. I do not think it is, in express terms. Is the child living in this country?

Mr. PITTMAN. The child, I think, is living in this country.

Mr. NELSON. Was it born in this country?

Mr. PITTMAN. I think not. I think it was born in a foreign country.

Mr. NELSON. Then I do not think this law would cover it. It only covers the cases of those native-born American women who married foreigners, either neutrals or alien enemies, before the war.

Mr. PITTMAN. Does not the Senator think the bill should extend to the heirs of the woman who would be entitled to a remedy under this bill?

Mr. NELSON. If the child's mother is of that class, I think the child would come in under it. I did not understand the

Senator's statement at first. If his mother belonged to that class, and this is property inherited from his mother, I think it would be construed that he would have a right to come in under the provisions of the bill.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator a question.

Mr. NELSON. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. I should like to understand whether this bill provides that any citizen of Alsace-Lorraine or any citizen of any subject people of Germany or Austria-Hungary which under the terms of the treaty has been taken away from Germany or Austria-Hungary is by that act and under the terms of this bill removed from the class of an alien enemy?

Mr. NELSON. Certainly. That is one of the main purposes of the bill—to allow the Alsatians and the Lorrainers and the citizens of the new Poland and Czechoslovakia to come in and have their property returned.

Mr. HITCHCOCK. It takes them out of the class of alien enemies, and authorizes the restoration of their property?

Mr. NELSON. Yes. That is the main purpose of the bill.

The VICE PRESIDENT. Is there any objection to the present consideration of this bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14208) to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended.

Mr. McCUMBER. Mr. President, I think the title of the bill ought to be changed so that it would read:

A bill for the relief of wealthy American women who have purchased titles of nobility prior to the war.

The Senator says that this is only one of the incidentals of the bill; that the main purpose of the bill is to assist Alsatians and people of these new countries that have been created and allow them to come in now and claim their property. So far as that is concerned I am in hearty accord with it, but I am not in accord with the idea of relieving any American woman who was willing to sell her American citizenship for a German title. I do not care whether it was before the war or after the war. She marries a title. She has the wealth. The German nobleman wants the money. The American woman who has the money wants the title, and she is willing for that title to become a German citizen. She does so. The war breaks out and her property in the country where the wealth was made, in the good old United States, is taken possession of because she is an alien. She says, "Inasmuch as I was born in this country, even though I sold every right that I had as an American citizen for a Dutch title, I now want to get back my money in the United States." I, for one, would give her less consideration than I would give to the good German frau who happened to have property in the United States.

Mr. KING. Mr. President, will the Senator yield?

Mr. McCUMBER. I yield.

Mr. KING. I would like to ask the Senator, and if he can not answer, the chairman of the committee, whether or not the bill, properly interpreted, would give to an American woman who married a German and who has taken up her residence and maintained it in Germany, the restoration of her property? My understanding of the bill was that she had to remain in the United States in order to have the property returned, but if she went across the sea and took up her permanent abode in Germany she would come in the same category as other German nationals and would not be permitted to have the property restored.

Mr. McCUMBER. I do not understand that she would regain American citizenship even.

Mr. KING. Then, if the Senator is right, I share the views of the Senator, and we ought to amend it in that respect.

Mr. KNOX. Mr. President, entertaining as I do the highest respect for the Senator from North Dakota [Mr. McCUMBER] and for his judgment, and his wisdom, and his consideration in matters of great importance, I must confess that I am perfectly astounded at the remarks that he has just made. Why should a woman be penalized, even though she is an American, if her affections have been attracted by a foreigner? Why should a woman whose fortune has been made by her ancestors in this country have taken away from her under what the Supreme Court of the United States, speaking through the great Chief Justice Marshall, pronounced to be an act of land piracy if you took from her her fortune because, by the mere act of marriage, she is technically an alien enemy?

Mr. President, I think one of the most shameless things the American Government has ever performed was the renunciation of what we have always contended to be the moral and the decent international thing, that is, to preserve the rights of aliens from conscription in the case of war, and when we passed the alien-property custodian act we did that. In my judgment, it is only because Germany has acquiesced, under the terms of the Versaille treaty, that property should remain in the custody of the United States for the discharge of the obligation which Germany owes to the United States, that it is defensible at all.

I have in my mind a case where a descendant of one of the earliest colonial families in my State did not marry a German title, as the Senator from North Dakota has suggested, but married a poor German professor in the University of Pennsylvania, and lost the fortune which her father and her grandfather and her great-grandfather had accumulated in Chester County, Pa., people whose names have been recorded in every phase of Pennsylvania history, and every phase of Pennsylvania activity, and every phase of Pennsylvania philosophy.

I am amazed, I am astounded—I will say no more—at the expressions of the Senator from North Dakota that this means the redeeming of the fortunes of American women who have married German titles.

Mr. McCUMBER. Mr. President, I am not at all amazed at the deep interest the Senator from Pennsylvania is taking in this measure, when I find that his mind centers around some case which has happened in Pennsylvania, where somebody married a poor German professor, and whose money and the money of her father and her grandfather, and so forth, is held by the Alien Property Custodian. I will join the Senator from Pennsylvania in the return of the property taken from all the German alien enemies when the proper time comes and we have peace with that country. But I am opposed to making a distinction between those who were alien enemies because they had always lived in the Fatherland and those who became alien enemies because, as I said, in those cases they have married German titles and are now penalized because they have done so.

I think the most of the cases which are covered and to which relief will be granted by this bill will be the character of cases I have mentioned.

Mr. LODGE. Mr. President, I think this matter of returning the money in cases which have been described by the Senator from Pennsylvania [Mr. KNOX] are entirely just, but they are not the main purpose of the bill. The main purpose of the bill, which has been very carefully prepared by the State Department and the Department of Justice, and to which the House has given a great deal of attention, and our Committee on the Judiciary, is to return money seized as of alien enemies to the people who are really not alien enemies, or technically so. Certainly if there are any people on the face of the earth to whom we ought to show every possible kindness, they are the people of Alsace-Lorraine, the people of Poland, whom we have recognized, the people of Czechoslovakia, and of the Slav Provinces of Austria, and also the people of what is called Italia Irridenta. There were probably no stronger friends of the cause against Germany than the people of the very territories I have described. It seems to me that this is a great act of justice, as well as kindness, and I sincerely hope that no objection will be made to the bill, but that it will be allowed to pass.

Mr. KING. Mr. President, in view of the observation which I submitted a moment ago, I wish to make a few remarks concerning this measure.

I did not approve the principle of the bill which authorized the seizure of the property of German nationals within the United States. There could be no objection, perhaps, to the mere taking of the property; but we actually confiscated it. The United States entered into a treaty with the Kingdom of Prussia more than a hundred years ago, and under its terms each nation was to respect, not only in peace but in war, the property of nationals residing therein, and ample opportunity was to be afforded the nationals of each belligerent to remove their property from the alien territory.

It looked to me, Mr. President, that in the passage of the Alien Property Custodian act, notwithstanding Germany was our bitter enemy and a foe to civilization, we were somewhat lowering the high standard of international morality which had always been maintained by this Republic and which should always characterize a great Christian Nation such as the United States. I fear that we set a precedent which in the years to come may seriously affect the American people. We are a creditor Nation, and will have investments in all lands. We would suffer materially if this precedent were followed by other nations with which we might be at war.

But, Mr. President, having passed that act under which the property of German and Austrian nationals in the United States was seized, I see no reason why there should be the discrimination—and I address myself now to the Senator from Pennsylvania [Mr. KNOX], so that he may not misunderstand my posi-

tion—between nationals born in Germany and those of American birth who have expatriated themselves. I see no reason why the property of Germans who were born in Germany and which we have seized should not be restored to them if we restore to women who were born in the United States, and who married Germans and who have expatriated themselves and taken up their residence in Germany, their property which was seized in the United States. That is my position. I do not think we ought to restore to a woman who married a German and went to Germany to reside, and is still residing there, the property which was seized here until we restore to other Germans the property of which we deprived them.

A law was enacted during the war which, as I recall, provided that American women who had married Germans but who resided in the United States and called this their home, and this was in fact their home, should be exempted from the operations of the Alien Property Custodian act. I was in favor of that; but I agree with the Senator from North Dakota [Mr. MCCUMBER] that if an American woman married a German and went to Germany prior to the war and made it her home, and she was there during the war, so long as we retain the property of German nationals seized in the United States we should hold such property until we return the property of German nationals, if we shall take that course, and then we should restore it to her. We ought not to discriminate. That is my position.

Mr. BRANDEGEE. Mr. President, the pending measure, authorizing the restitution by the President of property taken from those who were technically alien enemies during the war, has been most thoroughly considered by the Department of State, the Department of Justice, and the Alien Property Custodian. In the Committee on the Judiciary for the last two days we have heard Assistant Secretary Polk, we have heard agents of the Department of Justice, and we have heard the Alien Property Custodian. While I am perfectly free to admit that in dealing with this rather complicated question I would like to have had more time and more opportunity to examine into the details of the somewhat complicated provisions of the bill, still, in view of the fact that all three of these departments have given it special attention, and relying upon the statement of Secretary Polk that it is of the utmost importance to have the legislation now so that the people who are really entitled to a refund of their money and who are in extremis and have been for some time, instead of waiting until next December and then taking up the subject de novo, and in view of the fact that the bill has been passed by the House of Representatives, I have given the measure my support.

There are whole races of people whose nationals were caught in this country at the time we entered the war and who were then technically alien enemies, and citizens of all the new nations which have achieved their liberties in Europe and are now our friends. The great Republics of Czechoslovakia and Poland have been recognized by us as fellow republics, and we are entertaining ambassadors and ministers from those countries.

I do not doubt that if each Senator is to dissect the bill he can bring up some particular feature of it that he would like to have different. Indeed there were cases adduced in the committee hearings where I was not entirely satisfied that the terms of the bill could not be improved upon; but, as I said, as between the alternative of leaving the entire subject in its present condition, with so much injustice oustanding for months longer, and the possibility that some money may be paid to some one that may not be entirely justified—as between those two horns of the dilemma I believe in accepting the judgment of the departments of the Government which have given it so much consideration.

Indeed it is my own judgment that the races and the circumstances involving so many nationalities, situated so differently, can not all be taken care of with absolute justice and equity under the provisions of any bill that we could prepare. I very much hope that the bill may be allowed to pass. If there is anything wrong about it, the President will veto it. I do not see how we can, at least at this session, evolve anything better suited to the circumstances.

Mr. KING. Mr. President——

Mr. BRANDEGEE. I yield to the Senator from Utah.

Mr. KING. The Senator will remember that during the numerous sessions of the Committee on the Judiciary in 1917 and 1918 there was evidence before us, if not positive and direct evidence at least evidence of a hearsay and indirect nature, but of such character and authenticity that we accepted it as genuine, that many American women who had married Germans and were living in Germany were more hostile, if possible, to the United States than German women themselves; that their alliance with German husbands seemed to have destroyed all affection for the land of their nativity.

Now, does not the Senator think that women of that class, who have taken up their abode there, who lived there and who had nothing to do with this country, ought to be exempted from the operations of the bill, that they ought to abide in the same category as German nationals and get their property, if they get it at all, when German nationals get their property? Does not the Senator think we ought to amend the bill so as to make that clear?

Mr. BRANDEGEE. I do not think we ought to attempt to amend the bill, because I do not think we can possibly obtain any information which would correct such cases as the Senator has suggested, whether they exist or not.

Mr. MCCUMBER. May I ask the Senator from Connecticut a question?

Mr. BRANDEGEE. Certainly.

Mr. MCCUMBER. There was some discussion, I think, during the war concerning the Busch estate—the great brewery wealth that has accumulated in the United States—and where, if I remember rightly, the heir to that enormous fortune—a daughter—was married to one of the principal stockholders in the Krupp gun manufacturing establishment of Germany. Her husband's main interest was in the manufacture of implements of war to kill American soldiers and the soldiers of other nationalities against which Germany was waging war.

If that be true, I wish to ask the Senator if he does not really think that the German women who are not expatriated have just as much right to call for their husbands' estates over in the United States, if they had an interest, as the heir of both the Krupp interests and the Busch interests in the United States, after having expatriated herself as an American citizen, to now come and seek to obtain her property rights, as though she had never been a German citizen at all?

Mr. BRANDEGEE. I do not think the Senator from North Dakota is in a very judicial frame of mind when he mentions the subject of Germany. The war is over in fact, even if the conditions of the settlement have not been properly adjusted, but I am not disposed to confiscate the fortunes of women who fell in love with foreigners without my approval or consent. They suited themselves about it, and they were not considering it at the time as a matter of international law, or did not see quite what they were becoming involved in, possibly, even matrimonially or internationally. Perhaps that is not an uncommon condition.

But this Government is not waging war against women now at any rate. What is the use of talking? These American girls, for their own reason or lack of reason or for no reason at all, fell in love with some foreigners and married them. I do not suppose it entered the head of one in twenty of them to inquire whether they lost their citizenship or anything about it. Many of them have their properties in trust. After a while war breaks out with some foreign power, and if their husbands happen to be located within the boundaries of the country against which we declare war, we confiscate all their property in this country, turn it over to an Alien Property Custodian, sell all the property, possibly, and invest the proceeds in our Liberty bonds to wage war against the country to which they belong, and we classify them technically as alien enemies. They may or may not be enemies at all actually. They may be very sorry that they ever got married, but there they are and their property is taken from them.

How is it possible by an act of legislation or judicial inquiry, even if we had the time to make it, to ascertain whether any American girls who married men who were German nationals, so classified, felt more bitter toward this country than their husbands did, or whether their husbands felt more bitter toward this country simply because they were living here and not naturalized citizens, but may have been college professors, or rich or poor? I can not conceive how we can go into those details.

It is utterly impossible to ascertain the sentiments of the feminine heart and how they felt in 1917 when we entered the war. If a woman is married to a man, she has promised to give up all and follow him, and as between domestic infelicity and getting into trouble with some Alien Property Custodian or inspector, she will probably move along the lines of least resistance. I am not a sufficient psychoanalyst to ascertain the absolute truth about all these questions. But this is the best attempt that three great departments of the Government, concerned with this complicated matter, could make toward a solution. I wish they were more satisfactory, but it is this or nothing. That is the situation. We adjourn to-morrow. The

House has passed the bill. The Senate Committee on the Judiciary would probably have made some amendments to it if they had not been afraid they would imperil the whole bill. So we swallowed our objections to it, and think we had better do the best we can instead of failing in everything in struggling after the unattainable.

Mr. KING. Mr. President, the expert testimony of the Senator from Connecticut upon the sentiments of the female heart appeals to me very strongly, in the light of his long experience, and prompts me to abate my antagonism to the feature of the bill to which I referred.

Mr. BRANDEGEE. I was appealing to the gallantry of the Senator.

Mr. KING. I move to amend——

Mr. LODGE. That would simply kill the bill.

Mr. KING. May I inquire of the Senator whether this is a House bill?

Mr. BRANDEGEE. Oh, yes; it is a House bill.

Mr. NELSON. I trust the Senator will not attempt to amend the bill, because at this stage of the session, if we amend the bill and send it over to the House, it would undoubtedly lead to its defeat. I trust the Senator will not do that.

I wish to call the attention of the Senator in this connection to the following language:

> And that money or other property concerned was not acquired by such women, either directly or indirectly, from any subject or citizen of Germany or Austria-Hungary.

The same provision applies to the other class of women—those who married alien enemies. In view of those facts, which simply relate to the property of these American women, their own property, not the property that they acquired in any shape or manner from their husbands, I appeal to the generosity of the Senator not to make any effort to amend the bill at this stage. If it was earlier in the session and we had more time, it would not be of much consequence, because it could be easily settled in conference, but now, at this time, to put an amendment on the bill would simply imperil its enactment into law.

Mr. KING. I, of course, would dislike to prevent the passage of the bill. It has so much of merit that I feel that the bill ought to be enacted into law. The section that I have been discussing needs some amendment, and I regret very much that the situation may prevent it. I wish to suggest, however, to the Senator that I think it should be amended in line 21, after the words "Austria-Hungary," so as to read:

> And who since said marriage has continuously resided in the United States.

So that it would provide that American women who married Germans or Austro-Hungarians, but who resided in the United States, would obtain their property; but if they deliberately went overseas, cast their lot—and I am not complaining of them for so doing; it was, perhaps, their duty to do so—with their husbands in foreign lands, and lived there continuously, I see no reason why their property should be restored to them when we refuse to restore to other German nationals or Austro-Hungarian nationals their property. We are making a discrimination that is not warranted in morals and not warranted in law if we pass the bill unamended with the provision which came from the other House. I suggest that amendment to my distinguished friend from Minnesota and my friend from Connecticut and ask them to accept it.

Mr. NELSON. Mr. President, I can readily see that the Senator from Utah is actuated by the best of purposes and motives, and were conditions different I would gladly acquiesce in the amendment, and the matter might then be disposed of in conference; but at this late stage of the session to amend the bill in a material respect would imperil its passage. In view of the great good which can be accomplished by this bill for the people of Alsace-Lorraine, for the people of Bohemia, of Moravia, of Poland, and of Italia Irredenta, I trust the Senator from Utah will forego insisting on any amendment to it.

Mr. KING. Mr. President, I will yield to the appeals of the Senator from Minnesota and the Senator from Connecticut, but I want to tell them that they are supporting discriminatory legislation. This bill establishes a bad precedent, and they may live to regret it.

Mr. McCUMBER. Mr. President, let me suggest to the Senator from Utah, if he will allow me, that I think the statistics will show that at least 90 per cent of the property that is to be returned to foreigners will be to American women, and not to Alsatians, Poles, and others.

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole and open to amendment. If there be no amendment, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RECLASSIFICATION OF POSTAL EMPLOYEES.

Mr. GAY. Mr. President, in the closing hours of the session last night the Senate passed the bill reclassifying and readjusting salaries and compensation of postmasters and employees of the Postal Service. The debate on this bill was very limited, due primarily on the part of Senators to the fact that there was little opposition and the general desire to place upon the statutes the necessary relief which this legislation provides.

As one of the members of the joint commission appointed under the provision of the act approved February 28, 1919, I do not want this opportunity to pass without a word of tribute to the guiding spirit who conceived the thought and instituted the plan the result of which has just been accomplished.

It was Senator Bankhead, of Alabama. Mr. President, who, as chairman of the Committee on Post Offices and Post Roads, knew the conditions of the service perhaps more intimately than anyone else and the distressing needs of those who have chosen for their life work that most important branch of the Government service, more intimately associated with the business weal and social welfare than any other.

The late Senator Bankhead believed in a substantial increase for the men who have been the poorest paid employees of the Government and who at all times have been faithful and patriotic. The work of the commission was delayed for a period by the last illness and death of its able and distinguished chairman, and each member of the commission felt a personal loss when the Hon. John H. Bankhead was called to his final reward.

Mr. President, legislation is seldom, if ever, perfect. It is largely the result of compromise, and certain it is that the bill readjusting the salaries in the Postal Service will meet with much adverse criticism and disappointment in some quarters, where hope and expectation had stimulated the belief that the report would be commensurate with the present high cost of living.

The commission, after conducting extensive hearings in many of the great postal centers of the United States where employees associated with every branch of the Postal Service were given an opportunity to be heard and after inspecting conditions and the nature and character of duties performed by the various groups of employees, feel that they have reached fair conclusions.

Some of the salaries and compensation are not as high or remunerative as some of us would have liked, but the commission felt that we were not legislating alone for present conditions and were anxious to secure immediate legislation to take effect and give relief at the beginning of the coming fiscal year on July 1.

I can not let this opportunity pass without mentioning the splendid and efficient work of the secretary of the commission, Mr. C. A. Beasley, who has been faithful at all times and to whom great credit is due.

It is to be hoped that the result of this legislation will mean greater efficiency in the Postal Service and give the necessary relief to those worthy employees of the Government who have patiently waited for justice and proper remuneration.

FORCE AND SALARIES IN PATENT OFFICE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes.

Mr. NORRIS obtained the floor.

Mr. McCUMBER. I suggest the absence of a quorum, as other Senators have informed me that they wish to know when the Senate resumes the consideration of a bill of the Senator from Nebraska.

The VICE PRESIDENT. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ashurst	Jones, Wash.	Nugent	Smoot
Brandegee	Kenyon	Page	Sutherland
Capper	Keyes	Phipps	Thomas
Comer	Knox	Pittman	Underwood
Curtis	Lodge	Pomerene	Walsh, Mass.
Gay	McCumber	Ransdell	Walsh, Mont.
Hale	McNary	Reed	Wolcott
Harding	Nelson	Sheppard	
Harrison	New	Simmons	
Henderson	Norris	Smith, Md.	

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Thirty-seven Senators have answered to their names. There is not a quorum present. The Secretary wil call the names of the absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. PHELAN, Mr. SPENCER, Mr. STERLING, Mr. TOWNSEND, Mr. TRAMMELL, and Mr. WADSWORTH answered to their names when called.

Mr. BECKHAM, Mr. DIAL, Mr. HARRIS, Mr. FERNALD, Mr. KENDRICK, Mr. DILLINGHAM, Mr. FALL, Mr. OVERMAN, Mr. CALDER, Mr. WARREN, Mr. STANLEY, Mr. SMITH of Georgia, and Mr. ROBINSON entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-six Senators have answered to their names. There is a quorum present.

Mr. NORRIS. Mr. President, there are several committee amendments that are not printed. Since the first reading has been dispensed with, I should like to take up the committee amendments in their order. If the clerks at the desk will follow me, I will state the amendments.

The first amendment is on line 7, page 1 of the bill, where I move to strike out "$6,000" and insert "$5,000."

The amendment was agreed to.

Mr. NORRIS. On line 8, page 1, strike out "$5,500" and insert "$4,500."

The amendment was agreed to.

Mr. NORRIS. On line 10, strike out "$5,000" and insert "$4,000."

The amendment was agreed to.

Mr. NORRIS. On page 2, line 1, strike out "$5,000" and insert "$4,000."

The amendment was agreed to.

Mr. NORRIS. On line 7, page 2, strike out "$4,000" in both places where it appears in the line, and insert in each place in lieu thereof "$3,500."

The amendment was agreed to.

Mr. NORRIS. On line 8, page 2, strike out "$4,200" and insert "$4,000."

The amendment was agreed to.

Mr. NORRIS. On line 9, strike out "$3,900" and insert "$3,300."

The amendment was agreed to.

Mr. NORRIS. On line 10, strike out "$3,900" and insert "$3,300."

The amendment was agreed to.

Mr. NORRIS. On line 17, page 2, strike out "$3,900" and insert "$3,300."

The amendment was agreed to.

Mr. NORRIS. On line 18, after the word "at" where it first appears, strike out "$3,300" and insert "$3,000."

The amendment was agreed to.

Mr. NORRIS. In the same line, strike out "$3,100" and insert "$2,900."

The amendment was agreed to.

Mr. NORRIS. On line 19, strike out "$2,900" and insert "$2,800."

The amendment was agreed to.

Mr. NORRIS. On line 20, strike out "$2,800" and insert "$2,700."

The amendment was agreed to.

Mr. NORRIS. On the same line, strike out "$2,500" and insert "$2,400."

The amendment was agreed to.

Mr. NORRIS. On the same line, strike out "$2,350" and insert "$2,200."

The amendment was agreed to.

Mr. NORRIS. On line 21, strike out "$2,200" and insert "$2,000."

The amendment was agreed to.

Mr. NORRIS. On line 22, strike out "$2,050" and insert "$1,925."

The amendment was agreed to.

Mr. NORRIS. On the same line, strike out "$1,925" and insert "$1,800."

The amendment was agreed to.

Mr. NORRIS. On line 23, strike out "$1,800" and insert "$1,700."

The amendment was agreed to.

Mr. NORRIS. On page 3, line 1, strike out "$2,500" and insert "$2,400."

The amendment was agreed to.

Mr. NORRIS. On line 2, strike out "$2,700" and insert "$2,500."

Mr. POMERENE. Mr. President, will the Senator yield?

Mr. NORRIS. I yield to the Senator from Ohio.

Mr. POMERENE. These are substantial changes in the bill as it is now pending before the Senate. I should like to ask the Senator how the salaries as amended will compare with the salaries now being paid?

Mr. NORRIS. There will be an increase.

Mr. POMERENE. Of approximately how much?

Mr. NORRIS. It is difficult for me to tell the Senator that. I can give him the information by looking up the figures in regard to any one of them, or some of them.

Mr. SMOOT. Mr. President, I will say to the Senator that the increase will average about 25 per cent; some of them will be increased a little more than 25 per cent, and some of them over a third, or about a third, and some of them less than 25 per cent.

Mr. NORRIS. I will say to the Senator from Ohio that the committee agreed to these changes, not because they thought all the changes ought to be made, though some of them probably ought to be made, but there are some of the salaries in the bill as it passed the House that do not correspond to similar salaries in other bureaus and departments. Now, it will very likely be the object of the conferees to make these salaries correspond. If the amendments we are making here do not do it in all the cases, I presume the conferees will come to that kind of an agreement.

Mr. POMERENE. Mr. President, I simply want to make this observation: I happen to know something about the operations of the Patent Office as it existed some years ago, and I think there has been a general feeling among patent lawyers and those who are particularly interested in that department that the salaries paid to examiners and men of that type have been very much below what they ought to be.

Mr. NORRIS. There is not any doubt about it.

Mr. POMERENE. And as a result of these very low salaries, many of the best men who have been employed in this department have been attracted elsewhere by employers and inventors and by patent-law officers, and so forth.

Mr. NORRIS. That is true.

Mr. POMERENE. I think that if the Patent Office is to be administered as it should be, we ought to bear those facts in mind and take counsel of them.

Mr. NORRIS. I agree with every word that the Senator says; and what he has said about the facts as existing there I think is undisputed.

Mr. SMOOT. Mr. President, in that connection, if the Senator will yield for just a moment——

Mr. NORRIS. Yes; I yield to the Senator from Utah.

Mr. SMOOT. So that the Senator may have some idea as to the increases paid to the examiners, I wish to say that I am of the same opinion as the Senator from Ohio in relation to the past salaries paid to the examiners, and these are the increases as reported. The Senator will remember that in 1916 we passed a bill increasing the compensation of the employees of the Patent Office, and the figures I shall give the Senator here in regard to examiners are the salaries paid before 1916 and in the current appropriation and under this bill.

Take the principal examiners: Before 1916 they received $2,500. In the current appropriation they receive $2,700 and in the House bill $3,900, and the compromise is $3,500; or, in other words, that is an increase over what they had before 1916 of $1,000 a year.

The salaries of the first assistant examiners before 1916 were $1,800. The current law gives them $2,400 and the proposed increase runs from $2,900 to $3,300, and that was reduced to $2,700 to $3,000.

The second assistant examiners before 1916 received $1,600. In the current law they receive $2,100, and the proposed increases of the House were $2,350 to $2,800, and, of course, they have been compromised by a reduction of about $150 to $200.

Mr. KING. Two thousand seven hundred dollars?

Mr. SMOOT. About that.

I might continue, but for the other classes of examiners the increases are about the same percentage as those of which I have already spoken.

Mr. NORRIS. Mr. President, I do not remember whether we had voted on the amendment on line 2, page 3. The amendment is to strike out "$2,700" and insert "$2,500." Has that amendment been agreed to?

The PRESIDING OFFICER. It has not yet been agreed to. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KING. Mr. President, unfortunately I was called from the Chamber for a moment, and, if the Senator will pardon me, I should like to recur to the first item.

Mr. NORRIS. Certainly.

Mr. KING. What, if any, amendment was offered by the Senator dealing with the first item of $6,000?

Mr. NORRIS. It was reduced to $5,000.

Mr. KING. And the second item, $5,500?

Mr. NORRIS. It was reduced to $4,500.

Mr. KING. And the third item, $5,000?

Mr. NORRIS. It was reduced to $4,000.

Mr. KING. And the five examiners in chief, $5,000 each?

Mr. NORRIS. That is reduced to $4,000.

Mr. KING. That is an increase of substantially 30 per cent over existing law?

Mr. NORRIS. Yes. They are getting $3,500 now. That is an increase of $500.

Mr. KING. And the chief clerk—what reduction has been made by the Senator in his salary?

Mr. NORRIS. The "chief clerk—who shall be qualified to act as principal examiner"—was reduced from $4,000 to $3,500.

Mr. KING. And the six law examiners?

Mr. NORRIS. The same reduction.

Mr. KING. The examiner of classification?

Mr. NORRIS. From $4,200 to $4,000.

Mr. KING. Two examiners of interference, whatever that may be?

Mr. NORRIS. They are reduced from $3,900 to $3,300 each.

Mr. KING. Examiner of trade-marks and designs?

Mr. NORRIS. That is not changed.

Mr. SMOOT. It is not changed from the House provision, but it is increased over the current law.

Mr. NORRIS. I am speaking of the House provision. The figures I am giving the Senator are amendments to which the Senate has already agreed, while the Senator was out of the Chamber.

Mr. KING. So I have been advised. Does the Senator think that the amendments thus far agreed to, in view of the changes which have been made heretofore in their salaries, and the increase, as I understand, in 1916, which was very substantial, will comport with the other salaries paid in the various departments of the Government?

Mr. NORRIS. Since I, as representing the committee, compromised on the amendments which have been offered and agreed to, I have not had an opportunity to examine in order to determine how they will compare; but that is what the committee want to do. In other words, they want anyone in the Patent Office who is doing the same kind of work, and possesses the same kind of qualifications, as some one in the Post Office Department, to get the same salary.

Mr. KING. It occurs to me that a number of these amounts are very materially greater than those allowed in other departments for similar services.

Mr. NORRIS. There are some which ought to be greater. When there is a position which requires a particular scientific knowledge or technical training, which is not required of an ordinary clerk, the man who fills it ought to get, in my judgment, a larger salary than a man who has not spent the time and money to qualify himself for such a position.

Mr. KING. I agree with the Senator entirely.

Mr. NORRIS. There are a great many technical employees in the Patent Office, although they are designated as clerks.

Mr. KING. Does the bill increase the number of employees?

Mr. NORRIS. Yes; and that is absolutely essential. Let me say to the Senator, however, that the bill also increases the fees of the Patent Office, so that the increase in the salaries provided for in the bill, even if these reductions had not been made, would much more than be provided for in the increased income of the office.

Mr. KING. If the Senator will pardon me, that would not warrant any increase in the personnel if it was not imperatively demanded.

Mr. NORRIS. I admit that. I simply wanted the Senator and the Senate to know that although there are increases in salaries and increases in the number of employees, it is not going to cost the taxpayers of the country anything to bring that about. That would not be justified, of course, unless the conditions demanded it.

Mr. KING. Of course, the burden which will result from the increased compensation must rest upon somebody. It will be paid by those seeking patents.

Mr. NORRIS. Yes; it will.

Mr. KING. And they in turn will pass the increase along to the ultimate consumer, so that finally the ultimate consumer, the laboring man, or whoever the consumer is, will have to pay it.

Mr. NORRIS. A man who gets a patent and pays $20 for it instead of $15 will probably not be able to pass on that $5 to the people who buy the article which is patented. He will pass on the cost whether he pays that fee or not. It will not make any difference in what the ultimate consumer pays; but the change making the increase will bring in a very large sum of money.

Mr. KING. Mr. President, of course, without entering into a discussion of economics, whatever increase there is in any activity, somebody has to pay for it, and finally it will be distributed among the producers and consumers of the country. The wage earner and the consumer ultimately have to pay the increases, no matter in what segment of our society or social organism that increase may be manifest.

Mr. NORRIS. The Senator states an economic principle broadly, and states it well and truly; but, like all rules, it has some exceptions. I think this will be one. If the Senator paid $20 for his patent instead of $15 and manufactured a million of the patented articles, he would never think about what the patent cost him. It would be so small in computing his returns that it could not be put in figures. I was in favor of increasing the fee another $5, but the committee did not agree. It is not a hardship, and we ought to recognize the fact that everything has gone up in price. We have to pay larger salaries; we ought to pay them. We have to pay them, particularly in an office of this kind, or we can not get the work done. The man who buys a patent right has to pay more for it. Everything has gone up, and he ought to pay a little higher fee for getting it, I think, in recognition of the general rise in all kinds of values.

Mr. KING. Of course, I agree with the Senator in that, and yet, if the Senator will pardon an interruption, in many expenditures now, whether it be for salaries of employees of the Government or for any other purpose of the Government, we ought to take into account not alone existing high prices, but the low level of prices which inevitably will be reached in the near future. I think that it is unwise for us to predicate our appropriations and our economic anticipations upon the standard of prices to-day. Pretty soon we will have erected a scaffold upon which we will be standing alone, if I may be permitted the expression, and the tide of moving activity in business and social intercourse will be far below. I think there ought to be flexibility. If there are increases in any of the appropriations for salaries there ought to be flexibility now, so that there may be adjustments with the changes which will occur in our industrial, our financial, and our economic policies.

Let me ask the Senator whether there is any necessity for this increase of the personnel, and I make that inquiry in view of statements made to me by persons who claim to be familiar with the workings of this department? I have no knowledge whatever upon the subject, but they aver that there are sufficient employees, with reasonable diligence and zeal upon their part, to fully perform all of the work incident to the office.

Mr. NORRIS. I have no hesitancy, Mr. President, in informing the Senator that he has been misinformed. Of course, I have not been down and made a study personally of the Patent Office, and I do not know enough about the details of it to give much information if I had been there, but the Senate committee listened to a great deal of evidence, and so did the House committee. A great many figures and a great many facts were submitted to show that the Patent Office is really now in a deplorable condition. They are short now. They are unable to handle the business, and it is not up to date. We had called to our attention the necessity frequently of prompt action, and what was required in the examination of records in various sorts of cases, and in litigation that might come up, where it was a physical impossibility for the force at hand to conduct them within the time fixed, and they had to go to court and get extensions of time for taking depositions and all sorts of things of that kind.

Mr. POMERENE. Mr. President, the Senator has just stated that they were very short of help. May I ask the Senator if that has not been the condition in the Patent Office for many years?

Mr. NORRIS. Yes; but it is very acute now, because the business of the office has increased very rapidly.

I may call the attention of the Senate to one instance, which shows why they can not keep their employees: In the Patent Office under existing law they have only 10 clerks of class 4, 10 clerks of class 3, 19 clerks of class 2, and 137 clerks of class 1. There is not any way to promote, no matter how efficient they may become, from one grade to the other, because, as you see, the law only authorizes 10 clerks of class 4, and they have to have experts in those lines. Just compare that with some of the other bureaus. The Indian Office has 18 clerks of class 4, 8 more than the Patent Office. The Pension Office has 87, while this office has only 10. The Land Office has 37, the Internal-Revenue Bureau has 52, and so on.

Mr. President, the next amendment is, on page 3, line 3, to strike out "$2,500" and insert "$2,400."

The amendment was agreed to.

Mr. NORRIS. The next amendment is on the same page, line 4, to strike out "$2,100" and insert "$2,000."

The amendment was agreed to.

Mr. NORRIS. In line 6, the same page, after the word "languages," I move to strike out "$2,400" and insert "$2,200."

The amendment was agreed to.

Mr. NORRIS. The next amendment is on the same page, line 8, after the word "four," to strike out "at $1,800 each."

The amendment was agreed to.

Mr. NORRIS. The next amendment is on page 3, commencing with the last word on line 8 and ending with the word "each" on line 9, striking out the words "at $1,600 each."

The amendment was agreed to.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Utah?

Mr. NORRIS. I yield.

Mr. KING. I would like to ask the Senator whether the clerks—and I use that term in a sort of generic sense—are not paid more in this executive division than in other executive divisions of the Government; and, if there is a discrimination, whether there is any justification for it?

Mr. NORRIS. I do not think there is any discrimination, if I understand the Senator's question. A clerk of class 4, for instance, gets the same salary everywhere as do clerks of class 3, of class 2, or of class 1, as the case may be, no matter what bureau or department they may be in, although in this office particularly a clerk may be required to have qualifications far superior to those of a clerk of the same class in another bureau.

Mr. KING. While I have the floor, may I ask the Senator, in view of the fact that we have a reclassification bill on the calendar, which is the result of months of laborious work upon the part of a joint commission, which work was aided by experts of standing and ability and integrity, does the Senator think we ought to ignore that report and take up the various parts of that report in a piecemeal way? If we deal with one branch of the Government service to-day and another to-morrow, it seems to me that it would entirely disarrange the plan which was formulated by the joint commission, and would lead to many injustices and compel the rearrangement and readjustment and recoordination, if I may be permitted the expression, of all the work which they have performed.

Mr. NORRIS. Mr. President, in one sense the Senator is right, but I would like to call his attention to two things: First, this legislation passed through the House and was considered by the Senate committee and reported to the Senate before the bill of which the Senator speaks was introduced. I have not had an opportunity or time to compare what is in this bill with what is in the other. The Senator would have been impressed, if he had been on the committee and had listened to the hearings, and he would recognize that more important than what he has said is the emergency which the committee felt exists in the Patent Office. It has been an emergency for some time, but it never was so acute as now. A good many of the best men have left; there are other good men remaining who have, many of them, had offers in private business, from various corporations and organizations, which like and have to have the employment of scientific men in their particular lines, at higher wages; and those men are still remaining. They are not getting enough to support themselves and their families in the city of Washington now. They can not always stand that. I was informed just a day or two ago by one of the principal officers of the Patent Office that on a careful investigation they had found quite a number of their employees who had said, "I can not permanently remain where I am at the salary which I am getting. If the Senate will even pass the bill so that it gets into conference I will have a hope that some time during the next session this increase will be given, and I am going to hang on and stay." They persuade these men to stay who are good, because the men realize that they are very much handicapped. There are a great many men, some of the best men in the Patent Office, who are in that position. They have a patriotic feeling, they like their work, they want to stay there, and they realize the damage it would be to the people and the country if they accepted these offers of higher salaries and left. So that there is a real emergency confronting us in this office.

The Senator knows what it means to have a comprehensive bill like the one which has been introduced, that applies to all the salaries of all the employees of the Government, and that it will probably be two or three years before it is enacted into law. In the meantime the Patent Office would be defunct. When that is enacted, if it ever occurs, any changes of present salaries as provided for in this legislation, of course, would take effect just the same as though we had not changed those salaries.

So I feel, and I feel very deeply. The Senator realizes that I have no interest whatever in the legislation except as a Member of this body and a citizen of the country. I have no interest in my State involved in it in any way, or any of my constituents, nor have any of the other members of the committee. We did pass last night, and we were careful to pass it so it became a law, a bill introduced long after this one was. It did not get on the calendar until long after this one. That applied to the Post Office Department, of course a larger department and covering more territory and having a lot of voters in it, while this has not. We saw to it that those salaries were increased, while all the distance we want to travel in this case is to get the bill in conference, assuming we get the bill through here before we adjourn.

Mr. KING. May I trespass for a moment upon the Senator's time? I agree, of course, with the Senator's general observation that conditions in the country have called for an increase in the compensation of employees, and I have in a number of instances, where I have been acquainted with manufacturers and the heads of corporations and persons who have been engaged in large business, communicated with them and urged that there be a liberal increase in the compensation allowed employees.

It has been apparent during this orgy of high prices that many employees of the Government, as well as hundreds of thousands in private business, have been inadequately compensated. They have suffered, they have been unable out of the wages received to live properly and to properly support and educate their children. This condition has been most unfortunate. A proper wage must be paid to all, and the human element should be the paramount consideration in all proper legislation as well as in the relations between individuals and communities.

I have felt with respect to Government employees that during this reign of high prices we ought to make liberal contributions in the shape of annual bonuses or allowances, whatever they may be denominated, that would measurably meet these high prices and the requirements of the employees. I have believed that it was unwise to fix a rigid system during the period of flux the same as it would be unwise for a manufacturer or a vendor of goods to fix a rigid price for the commodities sold to the public. There is a fluid condition, an unstable condition, in the economic and in the industrial world. I believe that it will prove to be the wiser and better policy and prove fairer to the employee and to the country if in dealing with the question of salaries and compensation those having to deal with the matter fix no inflexible policy now. There should be generous annual appropriations by way of bonuses or increased compensation until a condition of stability, or reasonable stability, is reached; then a general law may be enacted by the Government dealing in a just and liberal manner with all its employees.

I was in sympathy with the proposition to appoint a reclassification commission and believed that its work would be helpful and prove of real benefit to the country and to the employees.

Since their report has been submitted I have believed that it would be better not to consider separately branches of the Government service treated in the report, but if the question of salaries and classification was considered the entire report should be taken up. If we deal separately with certain employees there is danger of dislocating the proposed plan, of marring if not destroying the work of the commission. Eventually we would be compelled to readjust their entire work with a view to coordinating it with the work which the Congress had done in making changes in the various classes of employees of the Government.

I think the Senator by his confession has conceded that there is some danger of that. The Senator has said there is an exigency here which calls for this legislation. I should like to say to the Senator that in many business activities in the United States there is an exigency. The agriculturists of the United States are in an extremely dangerous situation. Their employees have flocked to the cities because the automobile establishments and manufacturing plants are paying large wages, and many individuals have left positions of permanent employment, positions which they have held for years and which promised them permanent employment for the future, enticed by the high wages, temporary in character, offered in some new line of employment.

I suggest to the Senator, by way of inquiry, whether it is opportune to enact permanent legislation dealing with wages when conditions are abnormal and violent mutations are of daily occurrence.

A year will produce profound changes in the industrial condition of the United States and of the world. Within a year or two many of those who have left the Government service and have left positions in private employment will be crowding back, asking for their old positions in the Government service as well as in private service.

It is obvious that when prices fall, when the price of manufactures and farm products come down, when the price of

living is reduced, wages will fall. I hope wages will never reach the low levels of the past. There must be a due regard for the laborer, for the farmer, for the producer of wealth. I confess I feel a greater interest in those who add by their labors and toil to the wealth and comfort and happiness of the world than in any other class of society.

Mr. NORRIS. The next amendment which I propose is, in line 10, page 3, to strike out the words "at $1,200 each."

Mr. SMOOT. I will say to the Senator that on line 9 the words "at $1,400 each" ought to be stricken out.

Mr. NORRIS. Yes; that ought to be done. I move that amendment.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 3, line 9, after the words "class 2," strike out the words "at $1,400 each."

Mr. KING. May I inquire of the Senator if the reason these figures are to be eliminated is found in the fact that the existing law covers the compensation?

Mr. NORRIS. Yes; the words are surplusage; they do not mean anything.

Mr. SMOOT. They are statutory positions.

The amendment was agreed to.

Mr. NORRIS. In line 10, page 3, I move to strike out the words "at $1,200 each."

The amendment was agreed to.

Mr. NORRIS. In line 11, page 3, I move to strike out "$1,800" and insert "$1,600."

The amendment was agreed to.

Mr. NORRIS. In line 12, page 3, I move to amend by striking out "$1,600" and inserting "$1,500."

The amendment was agreed to.

Mr. NORRIS. In line 12, page 3, I move to amend by striking out "$1,400" and inserting "$1,200."

The amendment was agreed to.

Mr. NORRIS. In line 13, page 3, I move to amend by striking out "$1,100" and inserting "$900."

The amendment was agreed to.

Mr. NORRIS. In line 14, page 3, I move to strike out "$1,080" in both places in the line and in each case insert "$840" in lieu thereof.

The amendment was agreed to.

Mr. NORRIS. In line 15, after the word "aids," I move to insert the words "at $720 each."

The amendment was agreed to.

Mr. NORRIS. In line 16, page 3, I move to amend by striking out "$720" and inserting in lieu thereof "$500."

The amendment was agreed to.

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. NEW in the chair). Does the Senator from Nebraska yield to the Senator from Utah?

Mr. NORRIS. Certainly.

Mr. KING. May I inquire of the Senator, in view of the large clerical force provided above, whether there is any necessity for so large a force of copyists, messengers, and so on, as has just been provided for? For instance, I notice here 100 clerks of a certain class, 125 of another class, and 100 of another class. It seems to me, with so large a clerical force, it would not require the additional number of employees provided for other positions. It is sometimes possible to determine the number of clerks and the number who might be denominated as subclerks required with reference to the superior officers in the organization. It seems to me this bill is rather "top-heavy" in the "lower structure," if I may be permitted an "Irishism."

Mr. NORRIS. The committee, of course, does not want to get any more employees than are necessary to do the business, but we have to rely upon the evidence. I was going to give the Senator the exact figures. The members of the committee were impressed with the fact, from all our investigations, that this increase of employees is necessary to do the work. I confess I was dumbfounded when I learned from the evidence of the condition that the business is in at the Patent Office at the present time.

Mr. SMOOT. Mr. President, right there I wish to say——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Utah.

Mr. NORRIS. Yes.

Mr. SMOOT. I had no idea that there was to be such an increase in the number of employees in the Patent Office when the Senator and I were talking about compensation, but I see from the report there is a very great increase in the number of all of the employees.

Mr. NORRIS. No; there is a reduction as to one class.

Mr. SMOOT. I am taking them as a whole. Of course, the reduction comes about by reducing the number in the class receiving lower salaries and increasing their compensation.

Mr. NORRIS. Yes.

Mr. SMOOT. That is how the reduction comes about; but, on the whole, the number is increased.

I desire to say to the Senator from Nebraska that when the legislative appropriation bill was under consideration an estimate came from the Patent Office stating the number of clerks and the number of examiners and others of that class of employees which they desired by way of increase. The Senate allowed the number of employees estimated for through the Secretary of the Treasury, which was an increase in the number of employees provided for by the House. It is true that afterwards a supplemental estimate was submitted which asked for a few more employees, but that request was not granted by the Appropriations Committee of the Senate. However, we did give them the number originally estimated for through the Treasury Department. The increase in the number of employees is so great, as proposed in this bill, that I have wondered whether the Senator from Nebraska had made a careful study of the matter and whether he thinks the number asked for is really necessary.

Mr. NORRIS. Mr. President, I have to say to the Senator, as I did to his colleague, that I have no personal knowledge of those cases. For instance, let me call the attention of the Senate to some of the increases in the number of employees. At the present time, under existing law, there are only 10 clerks of class 4. The man who realizes what it means to be in a department where one can work until he is grayheaded without any opportunity or chance of being promoted can see at a glance what that means to a clerk in a lower class. There is no chance of promotion. Under the law to which the senior Senator from Utah refers, the number of employees was increased to 11; so that, under House bill 1251, the legislative appropriation bill, which I understand has been signed by the President, 11 clerks of class 4 are provided for.

Mr. SMOOT. But this bill proposes to provide for 22.

Mr. NORRIS. By this bill it is proposed to provide for 22 of class 4.

Mr. SMOOT. That is double the number.

Mr. NORRIS. They will have 11 when the legislative bill goes into effect. They only have 10 now; and they will also have 11 of class 3. The pending bill gives them 33.

Mr. SMOOT. Three times the present number?

Mr. NORRIS. Yes, sir; and there ought to be three times the present number, as I understand the situation.

Mr. SMOOT. I wish to say to the Senator that the Commissioner of Patents could not go to the Secretary of the Treasury and secure an estimate for such an increase in the number of employees, and the Commissioner of Patents knew that he could not do it.

Mr. NORRIS. Of course, I do not know whether or not he could do so now, but I have an idea that if the provision is in the law he will be able to get them.

Mr. SMOOT. If we pass this bill he will be able to do so, but what I mean to say is that the Commissioner of Patents could not go to the Secretary of the Treasury and get an estimate for submission to Congress and to the Appropriations Committee asking for that increased number of employees.

Now, I will say to the Senator that for the next fiscal year we gave the Patent Office in the legislative, executive, and judicial appropriation bill, which the President has signed, the increased number asked for in the original estimate which was sent to Congress by the Secretary of the Treasury. While, as I have said, subsequently there was an application for a few more employees, it did not include anything like the increased number now proposed.

Mr. NORRIS. Mr. President, there is one thing, particularly in an office like the Patent Office, that I think will be apparent to any fair-minded man who will give honest consideration to the matter, and that is that there ought to be a larger number of clerks of class 4 and of class 3 than in any other ordinary office of the Government, because they need experts in that office, men who are qualified and trained. Such men are much more valuable than the ordinary clerks, and the Patent Office ought to have them. Yet they must be designated under the law as clerks, and unless they may be promoted to the higher classes they can not be properly compensated, and the Patent Office can not retain their services.

Mr. SMOOT. The Senator is mistaken as to that. The clerk in the Patent Office is doing exactly the same work that the clerk in any other department of the Government is doing. The increase that is really needed is in the number of examiners.

They are the specialists; they are the ones who do the technical work; and in the appropriation bill to which I have referred, in accordance with the estimate, there has been provided an increase in the number of principal examiners from 45 to 47. Then there has been provided an increase in the number of first assistant examiners from 90 to 100, and in the number of second assistant examiners from 90 to 100.

Mr. NORRIS. From what line and page is the Senator from Utah reading?

Mr. SMOOT. I am now reading from the current appropriation.

Mr. NORRIS. I thought the Senator was reading from the pending bill.

Mr. SMOOT. No; I am reading from the current appropriation bill in connection with the appropriation bill for the next fiscal year and showing the number of increases in each class as named. In other words, Mr. President, the current law provides 90 first assistant examiners, 90 second assistant examiners, 90 third assistant examiners, and 90 fourth assistant examiners, and all four of those classes have been increased by 10 examiners each, making in the examining force of the Patent Office in those four classes of employees an increase of 40. I wish to say to the Senator that the Commissioner of Patents never would have come here and made such a request of the Appropriations Committee.

Mr. NORRIS. Now, Mr. President——

Mr. SMOOT. Just a moment. Yet, if we are going to increase the number of employees in the Patent Office, the increase ought to be in the force of examiners; I recognize that fact; but here is an increase of over 10 per cent in the number of employees. I am not now complaining of the increase that we have agreed upon in the compensation of the examiners, because they are technical men; they have to prepare themselves for this special work; but when it comes to a clerk of the fourth class or of the third class or of the second class or of the first class, they do exactly the same work and keep the books in the Patent Office just as similar clerks perform similar services in the Interior Department, in the office of the Commissioner of Indian Affairs, in the Bureau of the General Land Office, or any other bureau or department of the Government, and they are paid the same.

Mr. NORRIS. Let me say to the senior Senator from Utah and also to the junior Senator from Utah, both of whom are complaining about the number of the employees in the Patent Office, that I feel, and I think the committee feels, that we have not given them too many; but if it be true that the Secretary of the Treasury has refused to estimate for the larger number and that they can not use that number, then will the Senators agree to the amendment which I am about to suggest, with the explanation that the conferees will take that question up directly with the proper officials of the Government and ascertain, if they can, what increase will be sufficient? The amendment I have in mind will reduce the number of some of the clerks, and, if adopted, would go to conference with the understanding I have indicated.

Mr. SMOOT. I am perfectly willing that that shall be done, and I think that when the Senator makes the investigation—and I know that he will make it if he says he will—he will find that the increase in the number of employees as provided in this bill is altogether too great.

Mr. NORRIS. I am making this proposition because we have not changed the House text, and unless we do something of that kind it can not be changed in conference.

Mr. SMOOT. That is true; the Senator is correct.

Mr. NORRIS. Now, I will say that I am quite desirous for the reason which I have already stated to provide an increased number of clerks in certain classes. Everyone must concede that there ought to be a much larger number of clerks of class 3 and 4, because it takes away the initiative, it takes away the ambition of a clerk when he gets in an office to realize that no promotion is in his way, and that he has to depend upon a small number above him, 10, for instance, to resign or to die in order that he may be advanced.

I have known for years that the Patent Office is one of the poorest places in the Government service in which to secure promotion, and for that reason they are not able to keep the good clerks, for they try to get in some other office. That condition has arisen because of the fact that they are so few of the higher class of clerks, and it was hardly possible to secure promotion, no matter how efficient the employee might be.

Mr. SMOOT. There is another reason for that, namely, that the clerks in the Patent Office are provided for and enumerated in the law; in other words, they fall under the statutory roll; whereas in many of the other departments employees are paid from a lump-sum appropriation, and their compensation may be fixed at almost any rate the head of the division or bureau or department desires. Consequently other employees of the Government want to be transferred to the bureau or division or department the employees of which are paid from a lump-sum appropriation.

Mr. NORRIS. Mr. President, I am anxious to get along as rapidly as I can, and I will make this suggestion: So far as I am personally concerned, although I am not authorized to do so by the committee, I will make no objection to an amendment that will change "22" in class 4 to "18," "33" in class 3 to "25," and "100" in class 2 to "75."

Mr. SMOOT. Why not merely double the number of clerks provided for in the current law? I do not refer to the law which has passed to apply to the next fiscal year, but to the current law.

Mr. NORRIS. I understand what the Senator means, but there is one provision in the current law in this instance that should never apply to a well-organized office. There always ought to be more clerks in the lower class than in the higher, and as it stands now there are just the same number in the Patent Office in class 4 as there are in class 3. If we double the number in both cases the same condition will exist.

Mr. SMOOT. I am perfectly willing to double the number of class 3 clerks and make it 18, which will be a 100 per cent increase.

Mr. NORRIS. No.

Mr. SMOOT. In the current law there are nine provided for. We gave them one extra. Now, it is proposed to double the nine.

Mr. NORRIS. We gave them one extra, which makes a total of 11.

Mr. SMOOT. There are only 9 in the current law, I will say to the Senator, and there was 1 extra given in the law for the next fiscal year, which makes 10.

Mr. NORRIS. I think the Senator is wrong, but that is quite immaterial. The current law gives them 10, and the bill of which the Senator speaks gives them 11; but that is not material.

Mr. SMOOT. No; there is only a difference of one employee.

Mr. NORRIS. The point I am making is that we want this office to be properly organized, and in a properly organized office of this kind the number of clerks should decrease as the salary increases.

Mr. SMOOT. That is true.

Mr. NORRIS. I do not want to make the number of fourth-class clerks and the third-class clerks the same. The Senator gets the point I am making, I think.

Mr. SMOOT. Yes; but to-day they are exactly the same.

Mr. NORRIS. I know they are, but I want to change that, and this law changes it; but, according to the Senator's proposition, if I doubled them in each case, it would still leave the proportions in the various classes the same. I have not the place in the bill. Let me see where it is.

Mr. SMOOT. We can agree upon the number, and then put them in at the proper place.

Mr. NORRIS. We can get the amendment through right now.

Mr. SMOOT. They are on page 3, line 7.

Mr. NORRIS. Mr. President, on page 3, line 7, I move to strike out "22," at the end of the line, and insert "18."

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 3, line 7, at the end of the line, it is proposed to strike out "22" and in lieu thereof to insert "18," so that it will read "18 of class 4."

The amendment was agreed to.

Mr. NORRIS. And, on line 8, I move to strike out "33" and insert "25."

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On line 8, it is proposed to strike out "33," before the words "of class 3," and in lieu thereof to insert "25."

The amendment was agreed to.

Mr. NORRIS. On line 9, I move to strike out "100" and insert "75."

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On line 9, it is proposed to strike out "100," before the words "of class 2," and in lieu thereof to insert "75."

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Nebraska.

Mr. SMOOT. Mr. President, under current law there are only 17 of class 2. That number is increased from 17 to 100.

Mr. NORRIS. To 75.

Mr. SMOOT. But, I say, that is too much of an increase.

Mr. NORRIS. No; the Senator forgets now that in class 1, under the legislative act which we have been speaking of, there are 137, and under this bill we have only 125.

Mr. SMOOT. Yes.

Mr. NORRIS. Now, there is a reduction of 12.

Mr. SMOOT. And there is an increase of the other of 83.

Mr. NORRIS. Yes. It goes without saying, however, that we must have a large increase to do the work of this office; and if we put the number at 75—for instance, take the Pension Office, take the Indian Office, or almost any of those offices——

Mr. SMOOT. There is not any comparison as to the clerk hire in those offices.

Mr. NORRIS. I think so.

Mr. SMOOT. Oh, not when you take into consideration the number of employees, and that is what we always have to take into consideration when we are granting clerks. I do not want to cripple the Patent Office. I know the importance of it. I want to give them all the employees that are necessary to do the work and keep the work current; but because they think now that they can come in here and get what they want, I do not think they ought to be allowed to ask for whatever number they wish and put it through. I do not believe that is fair. All I want is to do the fair thing by the Patent Office, and I believe it is outrageous to increase the number of clerks from 17 to 100. I shall have no objection if the Senator will put it down say to 50—that is 300 per cent increase—and let it go to conference.

Mr. NORRIS. It is an increase from 17 to 75. All right; with the understanding that we will investigate it and see if we can do the work with that number, I have no objection.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On line 9, it is proposed to strike out "100," before the words "of class 2," and in lieu thereof to insert "50," so that it will read "50 of class 2."

The amendment was agreed to.

Mr. NORRIS. Mr. President, several of the other amendments, until we get over further, are printed, and the Secretary can state them from the bill.

Mr. KING. Mr. President, I should like to ask the Senator what disposition was made of the next item, "125 of class 1"?

Mr. SMOOT. I will say to the Senator that I am perfectly willing to increase that by 10 if the Senator wishes.

Mr. NORRIS. I do not think it ought to be increased, Mr. President.

Mr. KING. What is the present number?

Mr. NORRIS. One hundred and thirty-seven.

Mr. SMOOT. Of course, that is including the bill that is on the way now. I only have current law.

Mr. KING. May I inquire of the Senator with respect to the item on lines 10 and 11, "100 at $1,100 each"? What is the current law?

Mr. SMOOT. The current law provides for 91, and I think either one or two are added under the bill that we have just passed.

Mr. NORRIS. What page is that?

Mr. KING. Page 3, lines 10 and 11.

Mr. NORRIS. What is the Senator's question?

Mr. KING. What number of clerks come under that class in the existing law?

Mr. NORRIS. Does the Senator mean how many of class 1 and how many of the other class?

Mr. KING. Yes. I do not know the class. It says "100 at $1,100 each."

Mr. SMOOT. That is not class 1. Class 1 is $1,200 each, and its says "at $1,100," and we have got to leave that at $1,100, because the statutory roll only provides for clerks of class 4 at $1,800, clerks of class 3 at $1,600, clerks of class 2 at $1,400, and clerks of class 1 at $1,200.

Mr. KING. I am familiar with that; but——

Mr. NORRIS. Right there—the Senator has called my attention to the matter—I desire to ask whether we agreed to an amendment on line 11?

The ASSISTANT SECRETARY. One amendment on line 11 was agreed to, to strike out "$1,800" at the end of the line and in lieu thereof to insert "$1,600."

Mr. SMOOT. That is the item referring to draftsmen, not clerks.

The ASSISTANT SECRETARY. That is the only one.

Mr. KING. If the Senator will excuse me, I am referring to the words "100 at $1,100 each," found in lines 10 and 11.

Mr. SMOOT. I will say to the Senator that the current law provides for 91, and that number has been increased to 100. In the bill that is now on the way to the President it may be that that was increased by 2; and, if so, there are 93. I will say to the Senator that I have not the least objection to that increase. I think that is all right, and I would not ask a decrease in that number; and I will say also to the Senator from Nebraska that I think the next item, where 40 copyists are provided for, ought to be increased, because in the Patent Office that is exactly the work that ought to be and must be kept current. To-day we have 120 copyists, and in this bill they have been reduced to 40. Now, that is not altogether right.

Mr. NORRIS. What page is that?

Mr. SMOOT. That is page 3, line 13—"40 copyists, at $1,100 each."

Mr. NORRIS. Mr. President, I take the testimony for it. They do not want any more. They did not ask us to give them any more, and I assume that this is enough to do the work. I shall not object to an amendment if the Senator wants to offer it.

Mr. SMOOT. Mr. President, I will state why I offer it, and then I will let it go out if the Senator will take it into consideration. What they intend to do is to take those copyists that we are paying to-day as copyists and add them in the different grades as clerks. I want these increased so that if they decide upon the 50 clerks instead of 100 there will be a provision in the bill that is in conference so as to take care of the copyists.

Mr. NORRIS. If the Senator wants to increase the 40, I shall make no objection.

Mr. SMOOT. Yes; I move that the word "forty" be stricken out, and that "seventy-five" be inserted.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 3, line 13, it is proposed to strike out "40," and in lieu thereof to insert "75."

The amendment was agreed to.

Mr. SMOOT. That will allow the Senator, when he gets into conference, to decide as to whether it shall be 40 or 75.

Mr. NORRIS. The amendments I have suggested are all except those that are printed and marked in the bill. I ask the Secretary to continue to state the amendments.

Mr. HENDERSON. Mr. President, I should like to ask the Senator from Nebraska just a question or two relative to this bill.

I notice, Mr. President, that on page 3, line 6, there is a provision for a translator of languages at $2,400. I should like to ask the Senator from Nebraska what the duties of the translator of languages are?

Mr. NORRIS. I think the name indicates pretty well the duties of the position. They have a great many foreign patents. The Patent Office exchanges patents with foreign Governments. There is in this bill a provision in the way of an amendment giving them statutory authority to do that. They have been doing it, however, for a great many years; and anybody can see that it is quite necessary that we should furnish copies of patents to other Governments, and in exchange get copies of their patents.

Mr. HENDERSON. That is quite true. Now, I should like to know, if the Senator knows, what the present salary is, and what is the difference between the salary they are receiving to-day and that provided for in the bill?

Mr. NORRIS. I have it here, but it may take me just a little while to find it.

Mr. SMOOT. I will tell the Senator in just a minute. The present salary is $1,800.

Mr. HENDERSON. One thousand eight hundred dollars?

Mr. SMOOT. That is the current law.

Mr. HENDERSON. I should also like to know if there are any other departments in the Government service employing translators of languages?

Mr. SMOOT. Oh, the State Department have many, many of them.

Mr. HENDERSON. And the Agricultural Department, and other departments?

Mr. SMOOT. Yes.

Mr. HENDERSON. Now, I want to bring this fact to the attention of the Senate: We are here legislating for one class in one department, when we have translators of languages in a great many departments. The report of the Reclassification Commission on page 832, Title 44, Translating Service, covers the entire Government service in Washington. It seems to me that when we come to the reclassification of the salaries of the Federal employees, we should do it as systematically as possible, and take up all of the services, all of the classes, and handle the matter so that there will be no inequalities and no injustices done to any branch of the service.

Mr. NORRIS. Mr. President, the Senator is right, and I said so a while ago, and discussed it, and gave the reasons I had as to why we should do this. We did it in the case of the Post Office Department, and I listened to the Senator last night—or perhaps it was this morning—when he discussed the very

point he is making as applied to the bill which was pending at that time, relating to the Post Office Department.

Mr. HENDERSON. It was last night.

Mr. NORRIS. The Senator's remarks were very apt, it is true; but, as I said, I think we are confronted with an emergency in this particular place, and I called attention to what the Senator alluded to. We have put the Post Office Department in a condition where that increase is going into effect. We have passed the bill, and it is going to become a law. This bill will not go any further than a conference committee until next December; but when we do legislate, as we ought to, on the bill which carries out the report which the Senator has mentioned, of course if it changes what we put in the law now—and the Post Office Department, which is already reorganized, will be under this law—if we make that change, when we come to a general reorganization, which I hope we will reach without delay, then that reorganization will be followed, of course.

Mr. HENDERSON. But I just wanted to tell the Senator that the Joint Reclassification Commission was excluded from reclassifying the salaries of the postal employees, as well as the employees of the navy yard. The bill creating our commission did not permit us to reclassify those salaries. That is why the other commission was appointed to reclassify the salaries of the postal employees, and a report was recently filed on that matter. Our work related solely to the Federal employees of the District of Columbia, exclusive of the Postal Service and navy yard.

Mr. NORRIS. Does not the Senator think it ought to include the post-office employees? Why should it not include them?

Mr. HENDERSON. There was another commission to do that work. I suppose that is the reason.

Mr. NORRIS. I understand that, but why should not the post-office employees be equalized with those of other departments, the same as was done with other branches or bureaus or departments?

Mr. HENDERSON. The work of the commission was for the purpose of reclassifying the salaries of the Postal Service. I will call the Senator's attention to the fact that that service covers not only the District but the entire country, while our work was confined to the District of Columbia.

Mr. NORRIS. Let me ask the Senator, if he has it there, what salary the Commission on Reclassification gave to translators?

Mr. HENDERSON. We have, of course, grouped the different classes, provided for their duties, their qualifications, and their line of promotion. For instance, take translator A. That is the first head. The salaries we recommend run from $1,320 to $1,500. Then we have junior translator, senior translator, and principal translator.

Mr. NORRIS. What does the principal translator get?

Mr. HENDERSON. For principal translators the first year salaries are $2,400. Then it goes in steps from $2,400. The first step is to $2,520, then to $2,640, then to $2,760.

Mr. NORRIS. That is the maximum?

Mr. HENDERSON. That is the maximum; $2,760.

Mr. NORRIS. I thank the Senator.

Mr. SMOOT. After $2,200 was tentatively agreed upon for translator of languages in the Patent Office, I took occasion to look at the appropriations which were made for translators in the other departments. In fact, when this bill was first printed, I had a number of translators of the State Department call on me, and a lady who I know is one of the very best translators in that department said, "If this bill becomes a law I want you to get me a transfer to the Patent Office just as quickly as you can. I have been a translator in the State Department, and I was promised $1,800 per annum for that work. I have been receiving only $1,600"; of course, with the bonus which she got. Every translator in the Government who is receiving fourteen, fifteen, sixteen, seventeen, or eighteen hundred dollars will wonder how it is that for the same work translators in the Patent Office receive compensation amounting to $400 more than the other departments are paying. But I am not going to question that at this time. I only wanted to say that after that was tentatively agreed upon at $2,200, I looked it up, and I found that salaries in the other departments are very much lower than those in this office.

Mr. KING. Mr. President, I want to inquire of the Senator from Nebraska, directing his attention to page 2, line 16, as to 47 principals at $3,900 each. The current law provides for how many, if the Senator will inform me?

Mr. SMOOT. Forty-five.

Mr. NORRIS. Principal examiners?

Mr. KING. Yes.

Mr. NORRIS. The law for the current year provides for 43; the appropriation act for the next fiscal year provides for 45; and this bill for 47.

Mr. KING. A bill was recently passed increasing the number of employees in the Patent Office. Was not that increase along all or most of the lines in the office, and was it not passed because of the congested condition and for the purpose of meeting the claimed needs of the service?

Mr. NORRIS. Of course, that was done by the Appropriations Committee, and I am not on that committee. There were some increases made in the appropriation bill. But they did not undertake, as I understand it, to go into the reorganization which the Committee on Patents did; they only touched it, in fact. Those increases were very slight.

Mr. KING. Mr. President, I confess that I look with some misgivings upon a bill which is presented for our consideration which shows such enormous increases in the personnel of any department. And it will be remembered that we increased the employees within the District of Columbia during the war nearly, if not quite, 100,000. Prior to the war there were about 32,000 employees of the Government in the District of Columbia. There has been no adequate reduction since then, and it seems impossible to secure any. Notwithstanding efforts made by Senators and Representatives to effectuate reforms and reductions, it has been impossible to get the bureaus and the heads of departments to consent to any substantial reduction. So now, nearly two years after peace, there are in Washington more than a hundred thousand employees as against 32,000 before the war. It seems to me that the Republican Party, charged as it is with the legislative work of the Government, ought to seek economy and ought to so legislate as to compel a reduction in the number of Federal employees. The number is too great, and everyone familiar with the situation knows it. I have had hundreds of employees of the Government communicate with me and complain about the superabundance of clerks and other employees in the District

There are thousands of officials here of the highest character. They desire efficient service and rebel against the retention of inefficient and unnecessary employees. We should order a dismissal of unnecessary employees and increase the compensation of the efficient and faithful ones.

Promotions should be made based on efficiency and every encouragement should be offered to those who whole-heartedly and sincerely serve the Government.

Mr. NORRIS. Mr. President, if the Senator will permit me, in a general way I agree with what he says about the reduction in the number of employees; but the Patent Office is really a business institution. Its activities have been continually increasing, and they will continue to increase. The war has resulted in giving a permanent increase to the business, in my judgment, in the Patent Office along certain lines, in chemistry and other sciences, so it is not like a bureau which was built up in a night, as was the War Risk Insurance Bureau and the other bureaus which it became necessary to create during the war. It is really a business institution, doing a very large business, which is increasing all the time.

Mr. KING. Mr. President, I can not quite understand how the Patent Office has been able to function and to do good work with the number of employees which it has had in the past if it is essential, for it to perform its work, that it must now have this enormous increase in the number of employees. As I have hastily glanced at the bill—I do not have before me the current law—it seems to me there must be an increase in the number of employees of nearly or quite 100 per cent. It appears to me that an increase of 10 to 25 per cent is all that should be required. I can not understand the necessity for this very great increase. The Senator from Nebraska knows that if Congress should listen to the appeals of the heads of executive departments there never would be any decrease in the number of employees. When we have added to some of these departments, or at least have permitted them to add large numbers of employees, the demand has usually been for still more.

I ask the Senator again if he regards it as necessary that there should be this enormous increase, and whether the Secretary of the Interior, not in a perfunctory way, but upon examination, has approved these demands, and whether the Secretary of the Treasury, who is charged under the law with the duty of submitting proper estimates to Congress bearing upon the question of employees, costs of departments, and so forth, approves of this great increase in the personnel of the Patent Office. I venture the assertion, receiving no response, that there has been no approval by the heads of these departments of this great increase.

The Senator from Nevada [Mr. HENDERSON] has just called attention to the fact that the Reclassification Commission ap-

pointed by Congress considered the personnel of the Patent Office and classified the employees therein. This commission also recommended the compensation to be paid the employees therein. They constitute a part of the 1,700 classes of employees into which the great army of employees has been divided in the report which has been submitted for our consideration. Notwithstanding the report is before us, and the bill recommended carrying this report into effect is before us, we take up in a piecemeal fashion particular branches of the Government, dealt with by this commission, and seek to change the compensation in those branches from existing law, and of course to change the compensation from the recommendations prescribed by the commission.

I want to call the attention of the Senate to the fact that if we take up in this fashion the Patent Office we shall be called upon to take up some other branches, and if we establish rates of compensation for the employees of the Patent Office at a different time from the consideration of this general bill, we are bound to make some changes in existing law, and when we consider other departments, the changes which we have made will be brought to our attention, and we will be asked to conform our legislation to such changes. The result will be that we will be proceeding in a sort of stepladder style with our legislation. There will be no uniformity, there will be no stability, there will be no security, and we will spend our time here from session to session adjusting and readjusting and adjusting again to meet the changing conditions which have resulted from this piecemeal method of dealing with the subject.

I think it is a mistake, notwithstanding this exigent condition to which the Senator refers, to proceed in this manner. I think it would be far wiser if we would take up a general bill and deal with the subject in a scientific, systematic, broad, and comprehensive manner. However, I have helped the Senator bring this bill to the attention of the Senate, because of the claims made that the service in the office was breaking down, and I was willing to join in avoiding a catastrophe if one threatened the service. But I am afraid that the need is not as great as has been represented by some interested parties, and that the Patent Office will continue to function in a fair way without this bill. I shall vote for the bill, with some amendments, because I shall rely upon the conference committee dealing in a just manner with the questions presented.

The PRESIDING OFFICER. The Secretary will state the next amendment.

The READING CLERK. On page 7, beginning with line 20, to strike out the rest of that page, all of page 8, and through line 18, on page 9, as follows:

SEC. 7. That section 4921 of the Revised Statutes be, and the same is hereby, amended to read as follows:

"SEC. 4921. The several courts vested with jurisdiction of cases arising under the patent laws shall have power to grant injunctions according to the course and principles of courts of equity, to prevent the violation of any right secured by patent, on such terms as the court may deem reasonable; and upon a decree being rendered in any such case for an infringement the complainant shall be entitled to recover, in addition to the profits to be accounted for by the defendant, the damages the complainant has sustained thereby, and the court shall assess the same or cause the same to be assessed under its direction. If on the proofs it shall appear that the complainant has suffered damage from the infringement or that the defendant has realized profits therefrom to which the complainant is justly entitled, but that such damages and profits are not susceptible of exact calculation and determination, the court may, on evidence tending to establish the same, in its discretion, receive opinion or expert testimony, which is hereby declared to be competent and admissible, subject to the general rules of evidence applicable to this character of testimony; and upon such evidence and all other evidence in the record the court may adjudge and decree the payment by the defendant to the complainant of a reasonable sum as a royalty or general damages for the infringement. And the court shall have the same power to increase such damages, in its discretion, as is given to increase the damages found by verdicts in actions in the nature of actions of trespass upon the case; but in any suit or action brought for the infringement of any patent there shall be no recovery of profits or damages for any infringement committed more than six years before the filing of the bill of complaint or the issuing of the writ in such suit or action, and this provision shall apply to existing causes of action. And it shall be the duty of the clerks of such courts within one month after the filing of any action, suit, or proceeding arising under the patent laws to give notice thereof in writing to the Commissioner of Patents, setting forth in order so far as known the names and addresses of the litigants, names of the inventors, and the designating number or numbers of the patent or patents upon which the action, suit, or proceeding has been brought, and it shall be the duty of the Commissioner of Patents on receipt of such notice forthwith to indorse the same upon the file wrapper of the said patent or patents and to incorporate the same as a part of the contents of said file or file wrapper; and for each notice required to be furnished to the Commissioner of Patents in compliance herewith a fee of 50 cents shall be taxed by the clerk as costs of suit."

The amendment was agreed to.

Mr. NORRIS. The next amendment is, on page 9, line 19, to renumber the section, striking out "8" and inserting "7."

The amendment was agreed to.

Mr. NORRIS. On page 10, after line 10, I move to insert the following:

For uncertified printed copies of specifications and drawings of patents, 10 cents per copy: *Provided*, That the Commissioner of Patents may supply public libraries with such copies as published for $50 per annum: *Provided further*, That the Commissioner of Patents may exchange copies of United States patents for those of foreign countries.

Mr. KING. May I inquire of the Senator whether or not there has been any prolongation of the period of time for which a patent would be in effect?

Mr. NORRIS. There has not.

Mr. KING. There has been no change in existing law with reference to what a patent does, the rights which it grants, and the protections and benefits accruing therefrom?

Mr. NORRIS. The only change, in my judgment, that might apply to the question which the Senator has asked is the one amendment that we have agreed to, which struck out section 7 in the bill, but reenacted section 4921 of the Revised Statutes.

The committee thought, after very interesting and rather exhaustive debate between some of the ablest patent lawyers in the United States on that subject, that we had better not change that law, and we struck out the section. With that exception, there is nothing in the bill that I recall that changes the time of patents, and the only new thing in the amendment that is pending is this language:

For uncertified printed copies of specifications and drawings of patents, 10 cents per copy.

I think that is the existing law now, or it is in a bill that will become a law, but the proviso is new:

Provided, That the Commissioner of Patents may supply public libraries with such copies as published, for $50 per annum: *Provided further*, That the Commissioner of Patents may exchange copies of United States patents for those of foreign countries.

He is doing that now and has been doing it for several years; but the commissioner himself stated that, as a matter of fact, he thought he had been doing it without authority, that there was no law authorizing it.

Mr. SMOOT. Mr. President, I am compelled to attend a committee meeting in a moment. There are two amendments which I desire to ask unanimous consent to have considered at this time. I am quite sure the Senator will not object.

Mr. NORRIS. I will not object, but let me inquire of the chair if the amendment on page 10 has been agreed to?

The PRESIDING OFFICER. Not yet.

Mr. NORRIS. There is no objection to that amendment?

Mr. SMOOT. I have no objection to it.

The amendment was agreed to.

Mr. NORRIS. What amendment does the Senator from Utah wish to take up?

Mr. SMOOT. On page 11, lines 24 and 25, and on page 12, line 1.

Mr. NORRIS. That is the next amendment, I will say to the Senator, with the exception of one. Let us dispose of the other one first. I ask that it be stated.

The PRESIDING OFFICER. The next amendment will be stated.

The READING CLERK. The next amendment is, on page 11, line 17, after the numerals "1920," to strike out the comma and the words—

with reference to the fee for issuing an original patent, and shall apply only to patents issued on applications filed after that date. The fees for issuing original patents on all other applications shall be as now provided by law.

Mr. NORRIS. I wish to strike out all of section 9. Section 10 provides that certain enactments shall go into effect July 1, and we know this bill can not become a law at that time.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 11 strike out lines 16 to 21, both inclusive.

The amendment was agreed to.

Mr. NORRIS. Now, the amendment to which the Senator from Utah desires to call attention is designated as section 10 but ought to be section 9. I ask that that change be made and the section inserted.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. Insert a new section as follows:

SEC. 9. That the Federal Trade Commision be, and hereby is, authorized and empowered to accept assignment of, or license or other rights or powers under, to develop, to issue or refuse to issue licenses under, to encourage the industrial use and application of, and otherwise to administer, on behalf of the United States, under such regulations and in such manner as the President shall prescribe, inventions, patents, and patent rights which said commission deems it to the advantage of the public to be so accepted, as these may from time to time be tendered it by employees of the various departments or other establishments of the Government, or by other individuals or agencies; and to cooperate, as necessity may arise, with scientific or other agencies of the Government in the discharge of the duties herein set out, and

the Federal Trade Commission is hereby authorized and empowered to collect fees and royalties for licensing said inventions, patents, and patent rights in such amounts and in such manner as the President shall direct, and shall deposit the same with the Treasurer of the United States; and of the total amount of such fees and royalties so deposited a certain per cent, to be determined by the President, shall be reserved, set aside, and appropriated as a special fund to be disbursed as directed by the President to remunerate inventors for such of their inventions, patents, and patent rights contemplated by this section as may prove meritorious and of public benefit.

The Commissioner of Patents is hereby directed to grant all patents and record all assignment and licenses contemplated by this section without the payment of any fee.

Mr. NORRIS. With reference to this amendment the committee moves to amend the amendment by striking out on page 11 all of lines 24 and 25 and on page 12 all of line 1 to and including the word "administer," leaving only the word "on" in that line. That is the amendment the Senator from Utah means?

Mr. SMOOT. Yes.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The READING CLERK. In the committee amendment on page 11, lines 24 and 25, and on page 12, line 1, it is proposed to amend the committee amendment by striking out the words "or license or other rights or powers under, to develop, to issue or refuse to issue licenses under, to encourage the industrial use and application of, and otherwise to administer."

Mr. KING. So that it will read——

The READING CLERK. So that it will read:

That the Federal Trade Commission be, and hereby is, authorized and empowered to accept assignment of, on behalf of the United States, under such regulations and in such manner as the President shall prescribe, inventions, patents, and patent rights which said commission deems it to the advantage of the public to be so accepted.

Mr. THOMAS. Mr. President, I think, in order to harmonize the rest of the section with the three lines excluded, the Senator will find it necessary to strike out everything after the word "out" in line 10, page 12. Everything in section 10 after the word "out" in line 10, page 12, refers to fees and royalties for licensing inventions, and so forth. With the excision of lines 24 and 25, page 11, and line 1 on page 12, everything after the word "out" in line 10, on page 12, must be excluded.

Mr. NORRIS. The Senator would destroy its usefulness entirely.

Mr. THOMAS. Then the Senator ought to reinsert the three lines he has moved to strike out. I will read the language, beginning on line 10:

The Federal Trade Commission is hereby authorized and empowered to collect fees and royalties for licensing said inventions, patents, and patent rights, in such amounts and in such manner as the President shall direct, and shall deposit the same with the Treasurer of the United States—

That is, the fees and royalties.

I skip to line 22, which reads:

The Commissioner of Patents is hereby directed to grant all patents and record all assignments and licenses contemplated by this section without the payment of any fee.

If it is the Senator's purpose to deprive the Federal Trade Commission of the power to license, then, of course, all I have read should be eliminated.

Mr. NORRIS. My idea was that when we took out the language which the amendment to the amendment strikes out it would leave the power of the Federal Trade Commission to accept an assignment of an invention, a patent, or a patent right.

Mr. THOMAS. That is correct.

Mr. NORRIS. Then, farther on down, the Federal Trade Commission is given this power—

to collect fees and royalties for licensing said inventions, patents, etc.

Mr. THOMAS. The Senator deprives it in his first amendment of the power to license.

Mr. NORRIS. No; I do not think so. There has always been some doubt in my mind as to what that line really meant. Of course, I am proposing to strike it out to meet objections to it. The amendment is not made because I want to make it.

Mr. THOMAS. I understand that; but the section is meaningless if that be stricken out and the remainder to which I have called attention is left in.

Mr. NORRIS. I can not understand that. We give them power, in the first place, to accept an assignment.

Mr. THOMAS. That is perfectly all right.

Mr. NORRIS. Then we authorize them to license a corporation or individual to manufacture it and sell it.

Mr. THOMAS. But you strike that out.

Mr. NORRIS. Oh, no; that is not stricken out. Does it not follow from the language, "and the Federal Trade Commission is hereby authorized and empowered to collect fees and royalties for licensing said inventions," that they would have authority to license?

Mr. THOMAS. I think if the Senator strikes out the three lines the power to license is gone, but I will not argue it now, because the Senator from Utah [Mr. SMOOT] wishes to fill an engagement with a committee, and I will yield to him.

Mr. SMOOT. I will ask the Senator if in the line following the provision——

Mr. NORRIS. First let me say that the amendment to the amendment has not been agreed to. If there be no objection, let us agree to it. If the amendment is agreed to, I will offer the other amendment next.

Mr. THOMAS. I do not object to the Senator's amendment as he has offered it.

Mr. NORRIS. Then let us have a vote on the amendment offered to the committee amendment.

The amendment to the amendment was agreed to.

Mr. SMOOT. I understood the Senator wanted to perfect the amendment first. On line 7, page 12, after the word "Government," I move to strike out the words "or by other individuals or agencies."

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. In the committee amendment, page 12, lines 7 and 8, strike out the words "or by other individuals or agencies."

Mr. SMOOT. Will the Senator accept that amendment to the amendment?

Mr. NORRIS. No; I can not accept it. I would very much dislike to see the Senate agree to that amendment.

Mr. SMOOT. I have a committee meeting that I must attend, but I wish to say to the Senator that by striking out those words it simply means that any invention, if it is made by any Government employee, can be transferred to the Federal Trade Commission. If we are going to allow other individuals and agencies to transfer to the Federal Trade Commission it will not be very long before the Federal Trade Commission is receiving and accepting these inventions and issuing licenses to everyone who undertakes to manufacture a patented article. I think there will be more harm than there could possibly be good come from it. That is my opinion.

Where the Government of the United States has employees working in any particular department, we will say the Navy Department or the War Department, where they are called by the Government to make all of the investigations asked for by any citizen of the United States, and upon these requests secure an idea that leads to a patented article or leads to some discovery on their part, it does seem to me that the Government of the United States ought to have some agency whereby they can accept that invention and grant licenses to anyone as provided for in the bill and collect royalties. That is well and good; but that is not what this language means. The words "or by other individuals or agencies" mean any individual or any agency in the United States. I think the result will be that the inventive genius of the country, the men who have studied all their lives and brought out the most remarkable inventions for public use and made the country renowned all over the world for its wonderful inventions, will be interfered with if the section becomes operative with those words in it. I can not see any objection to the words going out and to the other amendment that will prevent the Government of the United States from operating and going into the manufacture of any articles that may be made under patents issued by the Federal Trade Commission. I hoped that the Senator would accept the amendment. All I can say is that I hope we can have a vote on it, anyhow, if the Senator will allow the vote to be taken now.

Mr. NORRIS. I wish to answer the Senator's argument, and then I will be ready to take a vote. I do not think the Senator ought to take up the time in making an argument in favor of his amendment and then ask to have a vote before the other side can be heard.

Mr. SMOOT. Of course, I do not want to do that.

Mr. NORRIS. I am sorry the Senator can not remain.

Mr. SMOOT. I do not want the Senator to feel that I sought to make an argument and then asked that he should be cut off. I asked for a vote simply because I am compelled to leave the Chamber at this time. There is a committee waiting for me at this moment, and I must go.

Mr. THOMAS. Mr. President, I, of course, am aware that the amendment designated as section 10 embodies in the bill the provisions of a bill that had previously passed the Senate and has therefore the approval of a majority of this body.

The Senator from Nebraska [Mr. NORRIS] has given this bill very long and patient consideration and he has consequently informed himself on this subject much more minutely and completely than I have had time to do. It may be, therefore,

that the Senator can give to the Senate the best of reasons for incorporating this section into the proposed law, but from the little study I have been able to give it I regard it as highly objectionable legislation. It provides "that the Federal Trade Commission be, and hereby is, authorized and empowered to accept assignment" on behalf of the United States of patents, and so forth. Under these provisions the Federal Trade Commission, a body which was created for the purpose of discharging certain defined functions and duties, designed to prevent unfair competition in the industries of the United States, will be clothed with additional authority, to become the custodian of all such patents as may be assigned to it by the employees of the Government or by other individuals or agencies; and it is to administer those patents by a system of licenses or permits.

I may be mistaken, but my opinion is that under the operation of this proposed law the Federal Trade Commission will be transformed from a semijudicial body into an administrative bureau, and its time will be practically monopolized by its administration of a new patent system of which the Government is to be the owner.

The number of patents in the United States is at present enormous. That number increases, I am told, from year to year, evidencing the enterprise and inventive genius of the American people, and necessitating, in my judgment, the increase which this bill seems to require in the force under the Commissioner of Patents.

When this bill becomes a law, all patents and applications for patents which have been designed or discovered by employees of the Government can be assigned to the Federal Trade Commission on behalf of the United States, whereupon the patent becomes the property of the United States. What the employee can do any other patentee in the United States can do. Every man who takes out a patent believes, or else he would not go to the trouble, that he has invented something useful, something needful, something that will add to the sum total of human comfort or progress and which therefore should be utilized and utilized as soon as possible; yet experience tells us that, perhaps, one out of 400 or 500 patents is the proportion between the patents which are really practicable and useful and those which prove inoperative or ineffective.

The man, however, whose patent is not accepted by the public is discontented; he is unhappy; he believes that the merits of the invention are being ignored; possibly it is subject to obstruction; that, whatever the reason, it has not had a fair chance. Under this bill, therefore, he will rush to the Federal Trade Commission, representing the Government, to make an assignment of his patent and then insist upon the issuance of licenses, doubtless encouraging men to apply for such licenses, since the bill provides that he shall have a proportion, to be fixed by rules and regulations, of the income derived by the Government under the patent system. I imagine that that will keep the Federal Trade Commission pretty busy; I imagine that if it attends to this administrative duty which we are about to saddle upon it it will have little time to devote to the purposes for which it was originally created.

Some contend that the Federal Trade Commission is a very valuable body; others deny that it functions at all; but, whatever the fact may be, we can not escape the conclusion that the Federal Trade Commission was established as and has become a distinctive branch of administrative service to encounter and to overcome existing industrial abuses which are the result of unfair competition. By saddling this additional burden upon it we justify the contention, if the contention should be made in the future, that it is unable to function in the direction of preventing unfair competition because of the fact that its so-called patent duties monopolize all of its time and attention. I do not believe, Mr. President, that that is wise legislative policy.

If we create such a commission as a Federal Trade Commission or as a Tariff Commission by a law specifically defining its duties and its objects, we should insist that it shall perform those duties and purposes only; in any event, we should not by our own action even tend to make their performance of those obligations difficult, if not impossible.

That was one objection which I had to the so-called dyestuffs bill, that it converted the Tariff Commission into an administrative bureau, and the section of the bill to which I am now referring will do precisely that thing to the Federal Trade Commission. I do not think it should be done. Of course, if the legislation is desirable, it will be very easy by amendment to select some other body as the custodian of these patents, and clothe it with the authority to act as it is proposed here to clothe the Trade Commission with authority to act.

The Trade Commission, presumably, was selected because during the war, and perhaps since the war, it has had much to do with the German dye patents which were taken over by the Government; but that was one of the incidents of the struggle; that was a temporary affair. Here is a permanent arrangement, an arrangement which if crystallized into statute brings upon the Trade Commission an official authority that must constantly expand. Every patent assigned or taken over by it will to that extent add to the burden of its duties; and while we may contend that an efficient clerical service can be supplied by statute to enable it to perform the added duties, the fact remains that the commission itself is the body to be held responsible to the people under the law for the efficient discharge of the functions and the obligations sought to be imposed by this section.

Mr. President, I do not believe it is wise for the Government of the United States to go into the patent-rights business, and that is the fundamental objection which I entertain to this entire section.

I differ somewhat from my friend the Senator from Utah. I think that if an employee of the Government is sufficiently alive to his self-interest to take advantage of opportunities that come to him in whatever capacity and by the use of those opportunities develops an invention which is practical and valuable it should belong to him. I think it is proper, as the law now provides, that the Government should itself have the use of that invention free; but, so far as the public is concerned, that man is entitled to the fruit of his genius, subject to that limitation, to the same extent as though he had made the discovery as a private citizen.

Mr. KING. Mr. President, will the Senator yield?

Mr. THOMAS. I yield.

Mr. KING. I do not quite agree with the attitude of the Senator, if I understand the situation correctly. If he will pardon me, let me ascertain if I do draw the right conclusion. As I understand, there are a large number of experts working in the Patent Office—men of ability, men who are familiar with patents. The various inventions which are perfected throughout the country are presented to the Patent Office; those men have the opportunity to see them and examine them; they are in a fortunate position for the purpose of ascertaining what the inventions are; they are being paid a fair salary by the Government. Does the Senator think that they ought to take advantage of the information which they receive while they are in the employ of the Government, acting in a sort of a fiduciary capacity, and, profiting by the inventions which are made by others, make some other discovery or invention based upon the work or combination of work of a large number of men, perfect an invention and then profit by it?

Mr. THOMAS. So long as the Government has the benefit of the invention, I say, certainly; I do not object to that at all, though a great many do; but if there is such an employee in the expert service of the Patent Office sufficiently alive to the situation, and who honestly and without infringing upon the patent or pirating the patent which he is examining or the application for a patent which he is examining, discovers some principle that is useful and patentable, I say, yes, let him have it. I think the law as it now stands excepts that class of employees, however, from the operation of the statute; I am pretty sure that it does, but I am giving my abstract opinion.

It might be perfectly well, as a practical proposition, to require these assignments to be made to the Commissioner of Patents and let him deal with them, if we are to go into this business at all.

It would be far better for the Commissioner of Patents to handle them, in my judgment, than it would be to burden the trade commission or any other of these existing commissions with them. But fundamentally to me it is unwise to saddle thousands of patent rights upon the Government of the United States for which, as owners thereof, it is required to issue licenses or permits to those who desire to take advantage of them. It is a species of private business. We have gotten along pretty well up to this time without such an arrangement. The Government is a century and a quarter old or more. During all this period the inventive faculties of America have had full sway for development. The fruits of investigation and of discovery properly guaranteed to the fortunate individual who may have been able to secure some mechanical contrivance, bring practical advantage to the public and fortune to him. This would seem to me to be designed to help over the fellow whose invention will not help itself over, or whose position in life perhaps may make it difficult for him to overcome the rudimentary or preliminary obstacles presenting themself to the ultimate determination of the value of the thing which he has discovered.

So I believe that it is a bad policy for the country to embark upon. It will be followed in all probability by a similar provision regarding copyrights, and possibly patented formulæ for medicines designed to cure the rheumatism, make the hair grow,

or in some other way administer to the evils that affect the human system. It is but one step that we are taking, and I can see no difference between encouraging a man who patents a machine that will do something and encouraging a man who writes a book that will do something, or discovers some medical formula that will result in benefit to mankind. Once we embark upon the policy of governmental ownership of the things which are the fruit of the human mind, and upon the theory that if this fruit comes from the mind of the employee he is entitled to some special consideration, then very naturally the outsider will demand, as he has here demanded, that he be considered also; and the bars being let down and the gates thrown open the entering flood is inevitable.

Mr. President, I fully agree also with the view expressed by the senior Senator from Utah [Mr. SMOOT], who moved to strike out the words "or by other individuals or agencies." Under the objectionable clause every man, woman, and child, every partnership, corporation, or association in the United States or its dependencies, is given the privilege of assigning any patent for any invention to the Government, or to the Trade Commission for the Government, whereupon it becomes Government property, to be administered for the joint benefit of the United States and the patentee. I may be obtuse, but the objection to such a provision in a patent law seems to me self-evident. I can imagine its effect within the next 10 years in the added encouragement that it gives to the inventor—and about 50 per cent of the American people regard themselves as inventors—to the overwhelming development of the so-called patent system, and to the intrusion upon the Government of every conceivable device that genius or lunacy, or both, can produce within that period of time.

Some one has said that there is but a short step between genius and insanity, and there is a great deal in it; but everybody knows that the average patentee is a crank. The average patentee is a man thoroughly believing in himself—of which I do not complain—absolutely possessed by the conviction that his is the one invention that will redeem mankind from poverty and from inconvenience, and he certainly will take advantage of a law of this sort to impress himself and his invention upon the Government; and even though he may not make a practical success of his effort, think of the extent to which he enlarges the public business uselessly, but expensively!

There may be good reasons for encouraging the employee of the Government who makes an invention. There can be no good reason outside of the patent law itself—and that gives encouragement enough—for encouraging the outsider or for holding out to him the promise of a Government partnership—for that is what this virtually means—should he see fit to assign to the Government what he possesses.

I hope this section will be stricken out. The Senator having charge of the bill told me this morning that he would offer a very salutary proviso, which has not yet been reached, which would prohibit the Government from developing any patent scheme on its own account; which would prevent it, in other words, from going into business and using its patent rights, or any of them, as the basis. That is extremely desirable.

The Senator has offered an amendment, which has been accepted, eliminating from the section the last two lines on page 11, and all of the first line upon page 12 except the last word, which I will read:

or license or other rights or powers under, to develop, to issue or refuse to issue licenses under, to encourage the industrial use and application of, and otherwise to administer.

In consequence of which the Trade Commission is limited to the acceptance of assignments only of such patents and patent rights as may be offered to it. It will be noticed that the right to accept a license, and the right to issue or refuse to issue licenses thereunder, is now eliminated from the section; yet in other parts of the section as it now stands the Trade Commission is "authorized and empowered to collect fees and royalties for licensing said inventions, patents, and patent rights in such amounts and in such manner as the President shall direct," and so forth. There seems to be some difference between the Senator having charge of the bill and myself regarding the relation between the three lines which have been eliminated from the section and that part of the section to which I refer. I do not believe the elimination of the three lines, without the further elimination of other parts of the section, does anything more than to make the section unworkable, because confusing.

That the Federal Trade Commission be, and hereby is, authorized and empowered to accept assignment of, or license or other rights or powers under, to develop, to issue or refuse to issue licenses under—

And so forth. Now, if the power to issue or to refuse to issue licenses under any patent that may be assigned to the Government under this bill is wanting, how can provision be made for the disposition of the moneys to be received from such a license? In other words, if a man can not license he can not collect any fees for licensing; and the part of the section which is designed to make disposition of these license fees should be eliminated also, because it relates back to nothing that is substantial in the bill, the amendment having been accepted.

Mr. President, I do not care to say any more at this time. I think it is fair to the Senator having charge of the bill to say that after the amendment is perfected I shall ask to have it stricken from the bill.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills:

S. 3244. An act to authorize the Secretary of the Interior to issue patent to R. L. Credille, mayor of the village of Bonita, La., in trust, for certain purposes; and

S. 3852. An act for the relief of the Garden City (Kans.) Water Users' Association, and for other purposes.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes.

The message further announced that the House agrees to the amendments of the Senate to the bill (H. R. 13229) to establish in the Department of Labor a bureau to be known as the women's bureau.

The message also announced that the House disagrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, insists upon its disagreement to the amendments of the Senate to the bill, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GREENE of Massachusetts, Mr. EDMONDS, Mr. ROWE, Mr. HARDY, and Mr. BANKHEAD managers at the further conference on the part of the House.

The message further announced that the House agrees to the concurrent resolution of the Senate numbered 26, authorizing the Speaker of the House to cancel his signature to the enrolled bills (S. 1005) for the relief of the owner of the steamship *Matoa* and (S. 1222) for the relief of the owners of the schooner *Henry O. Barrett*, and authorizing the enrollment of the bills each with an amendment in which it requested the concurrence of the Senate.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution and they were thereupon signed by the Vice President:

S. 547. An act authorizing the enlistment of non-English-speaking citizens and aliens;

S. 1726. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

S. 2789. An act for the consolidation of forest lands in the Sierra National Forest, Calif., and for other purposes;

S. 3566. An act to amend section 3 of an act entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," approved February 5, 1917;

S. 4212. An act to authorize the Central Railroad Co. of New Jersey to construct a bridge across the waters of the Delaware River, between the city of Easton, in the State of Pennsylvania, and the city of Phillipsburg, in the State of New Jersey;

S. 4286. An act to amend an act entitled "An act to authorize the incorporated town of Petersburg, Alaska, to issue bonds in any sum not exceeding $75,000 for the purpose of constructing and installing a municipal electric light and power plant and for the construction of a public-school building," approved September 29, 1919;

S. 4402. An act authorizing Troup County, Ga., to construct a bridge across the Chattahoochee River near West Point, Ga.;

S. 4427. An act granting the consent of Congress to the city of Columbus, in the State of Georgia, to construct a bridge across the Chattahoochee River;

H. R. 2. An act to pension soldiers and sailors of the War with Spain, the Philippine insurrection, and the China relief expedition;

H. R. 13229. An act to establish in the Department of Labor a bureau to be known as the women's bureau;

H. R. 13313. An act to authorize the construction of flood control and improvement works in Boise de Sioux River, the Red River of the North, and Lake Traverse, between the States of Minnesota, North Dakota, and South Dakota;

H. R. 13329. An act to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes; and

S. J. Res. 152. Joint resolution authorizing the appointment of a commission to confer with the Dominion Government or the provincial governments of Quebec, Ontario, and New Brunswick as to certain restrictive orders in council of the said Provinces relative to the exportation of pulp wood therefrom to the United States.

THE MERCHANT MARINE.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine; to repeal certain emergency legislation; and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, and insisting upon its disagreement to the amendments of the Senate to the bill and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JONES of Washington. I move that the Senate further insist upon its amendments, agree to the further conference asked for by the House, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. JONES of Washington, Mr. CALDER, Mr. MCNARY, Mr. SIMMONS, and Mr. RANSDELL conferees at the further conference on the part of the Senate.

NATIONAL EXPENDITURES.

Mr. OVERMAN. Mr. President, practically all the supply bills have been enacted into law or are in conference. I think it is incumbent upon me to show, if I can, that the Republican Party, which promised economy and reduction of expenses and the lowering of taxes, has done neither.

I have taken account of all the appropriation bills passed at this session, and I think it is fair to compare these bills with the appropriation bills passed under the Democratic administration in 1916. I have taken up each appropriation bill passed in 1916, before the war. Since the war has been over now for about two years—it is about that length of time since the armistice—and we are in peace, I say, I think it fair and just to compare the appropriation bills for 1916 with the appropriation bills passed during this session.

Mr. SMOOT. Mr. President, in that comparison does the Senator show the sums that we have been compelled to appropriate for the expenses that were incurred during the war?

Mr. OVERMAN. The hang-over expenses?

Mr. SMOOT. Yes. They amount to billions of dollars.

Mr. OVERMAN. I am going to show those. Of course, the Army has been demobilized, and we do not have to pay the Army and meet the other war expenses. There is no appropriation for that.

Mr. SMOOT. I mean, Mr. President, the contracts which are still unsettled. They amount to billions of dollars.

Mr. OVERMAN. We have appropriated billions of dollars during this Congress. I am taking up the leading appropriation bills for the fiscal concerns of the Government without regard to the war. I have tried to eliminate war activities and those expenses which have grown out of the war.

Take the sundry civil bill. Mr. President, that bill this year carries $400,000,000, as against $125,000,000 in 1916. The reason for that is that it includes appropriations for the hospitals, which were necessary, and the War Risk Bureau. I have tried to be fair by eliminating those things, showing still that the sundry civil bill is more than it was in 1916.

Mr. President, in 1916 the Agricultural appropriation bill carried $22,000,000, and this year it carried $31,000,000, or an increase of $8,743,000.

The Army appropriation bill amounted to $101,974,000, as against $376,765,000 in 1916. But, in addition to that, we have the reorganization bill, which makes it over $600,000,000.

The Diplomatic and Consular bill in 1916 amounted to $4,061,280, and in 1921 it is $9,000,000, or an increase of $5,200,000.

The District of Columbia bill in 1916, under the Democratic administration, amounted to $11,859,000, and this year it is $18,305,000, or $6,000,000 more.

The fortifications bill in 1916 was $6,060,000. This year it is $18,000,000, or $12,000,000 more than it was two years before the war.

The Indian appropriation bill was $9,771,902.76 in 1916. This year it is $12,788,397, or an increase of over $3,000,000.

The legislative, executive, and judicial appropriation bill carried $36,000,000. This year it carries $104,000,000, or an increase of $67,000,000.

The Military Academy bill carried $1,000,000, in round numbers; for 1921 it is $2,000,000, or $1,072,000 more than it was in 1916.

The naval appropriation bill in 1916 was $149,661,000. This year it is $433,000,000.

The pension bill was $164,000,000 in 1916. This year it is $279,000,000, or an increase of $114,000,000.

The Post Office appropriation bill in 1916 carried $313,364,667. In 1921 it is $462,574,000, or an increase of $149,000,000.

The only decrease is in the river and harbor bill, which is not signed. In 1916 it was $30,000,000; in 1921 it is $12,000,000.

The sundry civil bill in 1916 was $126,922,000. This year it is $428,216,000, or an increase of $300,000,000.

That makes a grand total, Mr. President, for all appropriations in 13 great appropriation bills for 1916 of $978,722,857, and under this economic administration in 1921 these 13 supply bills carry $2,189,960,000, or an increase in these 13 bills over the appropriation bills of 1916 of $1,211,240,000.

Thus it will be noted that there was appropriated for pensions for military service rendered prior to the World War the sum of $279,000,000 for 1921, as compared with $164,100,000 for 1916; for the Postal Service, $462,574,546 for 1921, as compared with $313,364,667 for 1916; for the Indian Service, $12,788,397 for 1921, as compared with $9,771,902.75 for 1916; for Agriculture, $31,714,368 for 1921, as compared with $22,971,782 for 1916; for the Diplomatic and Consular Service, $9,253,537.91 for 1921, as compared with $4,061,280.01 for 1916; for fortifications, $18,833,442 for 1921, as compared with $6,060,216.90 for 1916; for the Military Academy, $2,142,212.70 for 1921, as compared with $1,069,813.37 for 1916; and for District of Columbia, $18,305,484.87 for 1921, as compared with $11,859,584.45 for 1916; an increase of $320,097,936.12 for 1921 over the amount appropriated in 1916 in these nine regular appropriation bills. And let me say again, that it can not be claimed that these increases have been brought about as the result of activities growing out of the war, or "war hangovers." And this does not take into consideration the increased drafts on the Treasury made by special acts passed at this and the extra session.

I make an exception of this great bill, known as the sundry civil bill, in which there was such a great increase because of the hospitals and the War Risk Bureau.

If you deduct from the appropriation in the sundry civil bill for 1921 the amounts carried for compensation, for hospital treatment, the training of soldiers, and other services growing out of the war, it will be found that it carried $145,000,000, as compared with $126,000,000 carried in 1916 for the same purposes. Thus, excepting the War Risk Bureau and the hospitals and all the war activities provided in that great bill, you still have an increase of $20,000,000.

Also laws have been passed increasing the pension of those who were in the military service prior to the late war. These laws will add at least $77,500,000 to the present pension appropriation, and as a result there has been appropriated for the next fiscal year the sum of $279,000,000, which is nearly $56,000,000 more than has ever been paid in any one year, and $123,564,708.97 more than was paid eight years ago.

Mr. President, there is another thing which we have not taken into consideration in these great appropriation bills. As the Senator from Utah [Mr. SMOOT] knows, the appropriations for unexpended balances are hard to ascertain. We have an appropriation before us, and without naming any amount in the appropriation bill at all we appropriate the unexpended balance, which is a bad system. That money ought to go back into the Treasury. We ought not to appropriate unexpended balances. It is indefinite. Senators can not see. We just say that we appropriate so much for an unexpended balance, and in some cases it has been nearly a billion dollars. Millions of dollars are appropriated that way. So I have not taken into account in these statements the unexpended balances which have been appropriated, which will amount to about $300,000,000.

It is impossible at this time to accurately determine the exact amount of these reappropriations, but it can be safely said that they will amount to between $325,000,000 and $350,000,000, and the very fact that one can not pick up an appropriation bill and quickly ascertain the full amount of appropriations carried is a strong and compelling argument against this method of making

appropriations. It has, however, no doubt served its purpose in that it has made possible an apparent reduction of the estimates in these sums and thus enabled gentlemen on the other side to boast of a reduction which appears on the surface, but which in reality does not exist. If the reductions made in the estimates for the Army, the Navy, and the Shipping Board are excluded, and the amount of reappropriations and expenditures authorized out of governmental receipts are taken into consideration, it will be observed that there have been very slight, if any, actual reductions made in the sum total of the estimates.

Some of our friends talk about the great reduction made in the estimates; that we have reduced millions and millions and millions of dollars in the estimates. That is true, Mr. President. But what does that amount to? Is that economy? Is there a reduction of expenses because the head of a department asks for $100,000 or $500,000 and we give him only half of it? What does that amount to? Yet it is claimed they have saved money by giving not what is estimated but half or a third of the estimates.

I remember in a Democratic administration we gave $500,000,000 less than the estimates. So they have in this administration given millions and millions of dollars less than the estimates. We do not have to give the estimates. We find what is necessary, and give whatever we think is just and proper.

Gentlemen on the majority side of the Chamber have referred to these reductions as savings and as showing great economy on the part of Congress. With all due respect, Mr. President, to those gentlemen who have made that claim, such an insistence is nothing short of ridiculous.

This is also exclusive of the permanent appropriations, amounting to $1,425,407,752, which item is not included in my statement. That is the permanent appropriations. I am glad the Senator from Utah has an amendment, which he proposes to offer, if he has not already offered it, to have reported to the Senate every year what the permanent appropriations are, so that the Congress may know what money is to be appropriated in these permanent appropriation bills. So I have attempted to find out what these permanent appropriations are, and find they amount to more than $1,447,000,000.

The reorganization bill which has just been adopted provides for an Army to be maintained in peace times of a maximum strength of 300,000 men and 18,000 officers, and which if enlisted to full strength will cost the Government $650,000,000 annually to maintain in times of peace.

So that is not included in this estimate.

Then, Mr. President, there are bills upon bills passed making great appropriations which are not included in these appropriation bills. Under the bill we passed last night we will have to appropriate $37,000,000. I do not know how much will be appropriated for this bill under consideration.

The Spanish-American War pension bill we passed called for $18,000,000. So we are passing bills to-day authorizing appropriations during this Congress, appropriation after appropriation, bill after bill, which are not included in these estimates. So when you come to estimate and take in these authorized appropriations which will have to be made, this Congress, in my judgment, has appropriated more than $2,000,000,000. The regular appropriation bills—the 13 supply bills—amount to over a billion, the permanent appropriations over a billion, and the Army bill over six hundred million.

Mr. President, when you add all these appropriations—anticipated, unauthorized, and the 13 supply bills—the amount will be over $4,000,000,000.

So, Mr. President, I thought I would bring this to the attention of the Senate and make this comparison which I believe is fair and just, taking 1916, two years before the war, and 1921, two years after the war.

Mr. SMOOT. Mr. President, I wish to take a few moments time in answer to what the Senator from North Carolina [Mr. OVERMAN] has just said. I think the statement just made by the Senator is a wonderful commendation of this Congress in the amount that has been appropriated as shown in the figures which the Senator has given. I think the Senator has been a little too shy in telling the country just what amount of money has been appropriated and what the expenses of the Government were, and I wish to call attention to some of them.

The estimated expenditures for the fiscal year ending June 30, 1920, were $6,480,506,249.44. The estimated receipts were $6,506,203,762. I wish to call attention to some of the items that had to be appropriated for this year that were never thought of in the year 1916, and we will see how quickly this billion dollars melts away, as the snows before a noonday sun, and adds a credit of an extra million or more dollars to the Congress making the appropriations for the coming fiscal year.

Why, Mr. President, the appropriations include the entire interest on the public debt for the year. That almost wipes out at once this billion dollars to which the Senator has called attention with so much apparent satisfaction. That interest must be paid, and this Congress had to appropriate the money to pay the same. There was no interest to be paid in 1916. There goes the billion dollars bragged of at once.

Then, again, we paid $415,000,000 in this fiscal year as a result of the passage of the Esch-Cummins railroad bill. Again, we advanced loans to our allies, and the money had to be paid out of this year's expenses, another $450,000,000.

Mr. OVERMAN. Does the Senator say these are included in the supply bills?

Mr. SMOOT. I say the interest is included, and I say also that the $415,000,000 for the railroads is included.

Mr. OVERMAN. In what bill?

Mr. SMOOT. The general appropriations covered it.

Mr. OVERMAN. That was the railroad bill. I did not speak of any railroad bill. I spoke of the billion-dollar increase in the regular supply bills and showed where it came.

Mr. SMOOT. The interest must be provided for, as the Senator knows, and not only that but I am calling attention to some of the items that this Congress had to meet that the Congress in 1916 never thought of, nor did anyone in the United States ever dream that such expense would be piled upon the taxpayers of this country. However, the obligations were made, and we had to meet them, no matter what party is in power. If the Democrats were in power they would have to pay the interest upon the obligations of the Government. We have to pay the expenses of the bills Congress passed during war time, leaving the hangover on this Congress to meet, and these are some of the things that this Congress has had to meet.

There has been appropriated this year over $100,000,000 for the hangover of the war obligations and contracts. We have appropriated that amount already, and we were compelled to do it. Not only that, but we have had to appropriate not only $100,000,000 for that, but before we get through with this class of claims there will be $200,000,000 more that we will have to appropriate. I do not know whether the appropriation will be made in the deficiency bill to be passed the next session of Congress, but I do know that we have to meet the obligation and we have to make the appropriation to cover it. That much I do know.

The Government has on hand of Victory and Liberty loan bonds $221,437,906.99, and certificates of indebtedness amounting to $150,000,000, for which appropriations have been made with a view of the Government sustaining if possible the price of its Liberty bonds. The Government of the United States has been the largest purchaser, and, perhaps I might say, virtually the only large purchaser to speak of for Liberty bonds. We have that amount of money invested in Liberty bonds, and it has taken money to buy those bonds, and if they had not been bought this year we would have had to buy them at some future time, and this Congress has had to furnish the money for that purpose.

I was in full sympathy with the legislation providing for the purchase of Liberty bonds. I thought it was a good thing, and if it had not been passed I say frankly now that the Liberty bonds would have fallen to the present low level months and months before it finally happened. I am aware that we can not keep appropriating money to buy all the Liberty bonds that will be offered, because if we did and there was a fair market price, the Government of the United States would have to purchase a great proportion of the bond issues.

I wish also to say that the sum mentioned included the $442,000,000 paid in cash to the Shipping Board and other items of extraordinary nature.

Why talk about a billion dollars? I want to predict now that never within the next quarter of a century will the running expenses of this Government be less than $3,000,000,000.

If the Senator had desired to make a just comparison between the last Democratic Congress and the present Republican Congress, he would have called attention to the items I have mentioned and then compared the estimates submitted by the Democratic heads of the different departments and the amounts actually appropriated by the Republican Congress. Such a comparison would show that this Democratic administration asked for $5,000,000,000 to run the Government for the coming fiscal year, and the appropriations granted to cover these estimates by the present Republican Congress saves to the taxpayers $1,500,000,000.

Until our obligations are paid we will have to pay interest on all the obligations of the Government, including Liberty bonds and the outstanding short-time certificates. Every American citizen must know that for years and years to come the interest obligation of our Government will amount to nearly $1,000,000,000 a year. That alone was more than all the ap-

propriations made by the Congress for the fiscal year 1916. All of the appropriations spoken of and as the Senator from North Carolina has read them did not amount to $1,000,000,000 for the year 1916, and now we are to be required to meet an interest charge for a decade or more of nearly a billion dollars annually.

I do not care whether the Democratic Party is in power or whether the Republican Party is in power, I say that the expenses of the Government will be enormous and it is the duty of every Congressman and every Senator to cut every appropriation to the bone.

Mr. President, I ask unanimous consent to place in the RECORD the amounts of the estimates for the appropriation bills referred to by the Senator from North Carolina [Mr. OVERMAN], as well as the total appropriations made as reported by the Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Table comparing by bills estimates of regular annual appropriations for the fiscal year 1921 with the amounts appropriated for the fiscal year 1921 as shown in the statement of Senator Overman.

Title.	Estimates, 1921.	Appropriations, 1921.	Increase of estimates over appropriations.
Agriculture	$37,528,102.00	$31,714,368.00	$5,813,734.00
Army	982,800,020.00	376,765,824.00	606,034,196.00
Diplomatic and Consular	11,243,250.91	9,253,537.91	1,989,713.00
District of Columbia	19,179,716.03	18,305,484.87	874,231.16
Fortification	117,793,330.00	18,833,442.00	98,959,888.00
Indian	12,994,494.27	12,788,397.00	206,097.27
Legislative, etc	122,242,849.02	104,735,726.11	17,507,122.91
Military Academy	6,778,637.20	2,142,212.70	4,636,424.50
Navy	573,131,254.80	433,229,574.00	139,901,680.80
Pensions	[1]279,000,000.00	279,000,000.00	
Post Office	[2]467,497,573.00	462,574,546.00	4,923,027.00
River and harbor	42,841,565.00	12,400,000.00	30,441,565.00
Sundry civil	906,725,387.10	428,216,944.92	478,508,442.18
Total, regular appropriations	3,579,756,179.33	2,189,960,087.51	1,389,796,121.82

[1] This sum includes the regular estimate of $215,000,000 and $64,000,000 provided for in the Fuller bill.

[2] This sum includes the regular estimate of $391,713,673 and an estimate of $75,783,900 to continue the temporary increases in compensation provided for in the last annual appropriation bill and House joint resolution No. 151.

The deficiency appropriation bills are not included in the above.

Mr. THOMAS. Mr. President, I merely desire to say that in my judgment the record of each party upon the subject of extravagance is a record of shame.

Mr. OVERMAN. Mr. President, I want to say just a word. The Senator from Utah is a little bit unfair. I tried to be fair.

Mr. SMOOT. So did I.

Mr. OVERMAN. The Senator talks about appropriations in what are known as the deficiency bills. There are three of the great deficiency bills. I never mentioned those. I never put them in my statement.

Mr. SMOOT. That is why the Senator was unfair.

Mr. OVERMAN. There are 13 appropriation bills that I gave, and I stated specially that I did not mention the expenses incident to the war and the hangover. I showed that they had spent a billion dollars more money than we had in the usual supply bills.

Mr. SMOOT. The Senator knows, if he will refer to the appropriation bills, that these items have been appropriated for—not all of them, as I said, but the great bulk of them.

Mr. OVERMAN. We have to appropriate for interest, we have to appropriate for Liberty bonds and a great many other things growing out of the war, but most of those great appropriations occur in the deficiency bills, and I especially stated when I began my statement that I did not want to be unfair and charge the other side with extravagance on account of matters growing out of the war activities, and I specially excepted those.

Mr. SMOOT. The war activities appropriations are not over and we do not know when they will be. I should like to see repealed every law that was passed by Congress granting extraordinary powers to the Executive. I think it would be better for the country, and I am quite sure that it would be better for the Treasury of the United States.

THE MERCHANT MARINE.

Mr. DIAL. Mr. President, I wish to say just a few things about the merchant marine bill.

During the war all good, patriotic people did all they could to contribute all they could to help win the war. As a result of the war we now have on hand a large number of ships, something over 2,000. Personally I am opposed to the Government going into business and conducting any business that citizens of the United States can carry on as an ordinary proposition, but these are extraordinary times, and this is an extraordinary condition. We were forced into owning the ships.

I am a member of the Committee on Commerce, a new member, having been on the committee only a few months. I have a great deal of apprehension about the bill, although I desire to say that the committee worked most diligently on it and they have framed the best law they think can possibly be framed at this time. If I had been preparing the bill, this is not exactly as I would have had it. No doubt it is a good policy to sell useless ships and ships not suited to our purposes. I think that is about as far as I would have gone at the present time. I want to get the Government out of the shipping business as soon as practicable, and without loss, and for the interest of the whole country.

My fear is that these ships will be sacrificed and be allowed to fall into the hands of monopolists. The time has come when we need a merchant marine which will be commensurate with our demands and necessities. We wish to ship our goods to every market in the world. I am, therefore, strongly in favor of building up a great merchant marine.

Mr. President, I wish some such process as I am about to suggest might be adopted. I wish that the Shipping Board would make a calculation in order to ascertain how many ships each State would be entitled to, according to the population of the State. We are told here to-day that sufficient advertisement has not been made of the intended sales of these ships; and I am firmly of the opinion that that is true. Of course, I do not believe in the Government giving its ships away; and while I know that the States, as such, could not buy ships, I should like to have the ownership of the ships spread out all over the United States. I believe that the Shipping Board ought to encourage chambers of commerce, boards of trade, and different business institutions all over the country to look into the desirability of purchasing the ships; and if it could be so arranged that each State would be entitled to an option on the purchase of so many ships, perhaps the citizens of the States would get busy and form corporations and combine with other people and help buy the ships.

The plan proposed in the bill is to sell the ships at a very reasonable figure—perhaps it is left to the board as to what is a reasonable figure—on long time, with a very small cash payment, the interest, I believe, to be fixed by the board. I think, perhaps, the rate of interest should have been fixed by the bill; but I do not care to criticize what the committee has done.

It is very important, however, that the ownership of these ships shall be distributed all over the United States. During the recent World War there was a great congestion of goods for shipment in the northern ports, and there has been congestion since that time. It is said that there was a string of loaded cars from New York back to Cleveland and possibly farther west. I wish that the ports of this country could be opened clear around the water front of the United States. Formerly we had great shipping from my section of the country, and it was stated here recently that some ships had been allocated to that section and that the shipping business there has grown rapidly. A gentleman called to see me here last week, and he said he was considering the proposition of establishing a line of ships from Charleston or Savannah and that he would operate as many as a ship a day. It seems to me, Mr. President, that the citizens of every State will have something which they shall desire to ship, and they certainly will be interested in imports. I wish that the coal interests, the beef interests, the grain interests, the tobacco interests, the cotton-mill interests, the cotton-growing interests, and the farming interests generally all over this country would cooperate and buy these ships. If there is going to be any money made out of the operation, if these ships are to be sacrificed, I think the people all over the country ought to get some of the benefit of the transaction. I do not believe it is to the interest of our trade that the ownership of more vessels should be placed in the congested ports.

We read in the newspapers here within the last few days of the longshoremen's strike; that ships can not be loaded, but are tied up in New York; in fact, the people there admit that to be the situation. The conditions in those ports are such that they can not handle the freight, and many of the ships have been diverted to Philadelphia, Baltimore, and Norfolk. It is a sad day for the prosperity of our country when a few men, be they longshoremen or others, shall tie up the entire commerce of this country. It is impossible to get trains through here from the South; they, too, are tied up. I hope, by diversifying the ownership of the ships, that we shall open up the ports on the South Atlantic, on the Gulf, and on the Pacific coast; that we shall thereby get our goods rapidly to market; and that it will not be

within the power of any few men to tie up the commerce of the country.

Yesterday I received a long-distance message, over a distance of 500 miles, from a port where it was stated that the people there had a large quantity of goods; that they were anxious for more ships to be allocated there; that the business was rapidly developing.

Just recently five of the South Atlantic ports sent a very large delegation out West; they went to Detroit and, possibly, as far as Minneapolis. I think the distance from Charleston or Savannah to Chicago is practically the same as it is from there to New York. So if we should open up the South Atlantic and Gulf ports, instead of railroads being congested and not being able to handle our freight, the freight being shipped to those ports, we should get our goods to market more quickly and cheaply, and the whole country would thereby be benefited.

I was talking the other day to a supercargo, who said, "We were tied up in New York some three or four weeks; the expense of the crew was going on; we had to keep fires up and burn coal." Then they went to New Orleans and they were tied up there for some time and the same expense was incurred. Some kind of condition ought to be established whereby such a situation would be impossible. As a result of these tie-ups, during which time expenses continue, money is thrown away and no one receives the benefit of it, and by reason of such conduct the cost of living piles up and mounts higher and higher.

So I hope that there will be thoroughgoing advertisement by the Shipping Board. If I had my way, there would be no hurry to sell these ships, but the sales would be advertised thoroughly all over the United States, so as to allow every interest to come in and bid on the ships. Even inland cities would take pride in participating, if they understood the situation and the favorable terms upon which they could purchase the ships, and perhaps would form companies and help buy them, and thereby make possible a better price for the United States and insure some benefit to everybody. Not only that, but if our constituents in the various States owned stock in the shipping companies we would be more likely, perhaps, to pass laws to meet the conditions that might arise. So I believe that the board should not be in great haste, even if this law is passed, to dump the ships on the market at any prices they can get for them. I think there is quite a difference between the situation affecting ships and that affecting the railroads. We want to build up a merchant marine of which we will be proud; we want to carry and distribute a large proportion of our merchandise in our own vessels, as we did long ago, before the days of the Civil War.

FORCE AND SALARIES IN PATENT OFFICE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes.

Mr. NORRIS. Mr. President, after consultation with members of the committee and others, I am authorized, so far as we can, to accept the amendment that is now pending, offered by the Senator from Utah.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Utah to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. NORRIS. Mr. President, I have two other amendments which I desire to offer to the committee amendments.

On page 12, line 11, I move to insert the words "license and," so as to read:

> And the Federal Trade Commission is hereby authorized and empowered to license and collect fees and royalties for licenses.

It is merely a grammatical correction.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. In the committee amendment, on page 12, in line 11, after the word "empowered," it is proposed to insert the words "license and."

The amendment to the amendment was agreed to.

Mr. NORRIS. On page 12, after line 21, I move to amend the committee amendment by inserting the proviso which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. In the committee amendment, on page 12, at the end of line 21, after the word "benefit," it is proposed to insert the following proviso:

> *Provided*, That nothing herein shall be construed to give to said commission or any other governmental agency any authority to engage in the manufacture of any such invention or patented article.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. KING. Mr. President, I call attention to page 2, where I desire to offer a number of amendments. On that page, in line 16, I move to strike out "forty-seven" and insert "thirty."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, line 16, after the word "examiners" it is proposed to strike out "forty-seven" and insert "thirty."

Mr. NORRIS. There is no objection to that amendment, so far as I know.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. KING. In line 17, on the same page, before the words "first assistants," I move to strike out "one hundred" and insert "seventy-five."

Mr. NORRIS. There is no objection to that.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. KING. In line 18, on the same page, I move to strike out "thirty" and insert the word "twenty."

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 2, line 18, where the word "thirty" occurs in two places it is proposed to strike out "thirty" and insert "twenty."

The amendment was agreed to.

Mr. KING. On the same page, on line 19, I move to strike out "one hundred" before the words "second assistants," and insert "seventy-five."

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 2, line 19, before the words "second assistants," it is proposed to strike out "one hundred" and insert "seventy-five."

The amendment was agreed to.

Mr. KING. On line 21 of the same page I move to strike out the words "one hundred," relating to the third assistants, and insert "seventy-five."

The amendment was agreed to.

Mr. KING. In lines 22 and 23 I move to strike out "one hundred" before the words "fourth assistants" and insert in lieu thereof "seventy-five."

The amendment was agreed to.

Mr. KING. Mr. President, I have suggested another amendment to the Senator from Nebraska, which he is not willing to accept. I shall not ask a vote upon it, but I call his attention to it, and I ask his serious consideration to the matter when the bill goes to conference. The amendment is on page 1, line 6, after the word "section," to insert the words "for the fiscal year 1921," so that it will read:

> The salaries of the officers mentioned in the preceding section for the fiscal year 1921 shall be as follows:

The Senator will not accept that amendment, and he has been so patient that I will not ask for a vote and permit the bill to be put upon its passage.

The bill was reported to the Senate as amended and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "A bill to increase the force and salaries in the Patent Office and to authorize the Federal Trade Commission to accept and administer, for the benefit of the public and the encouragement of industry, inventions, patents, and patent rights, and for other purposes."

Mr. NORRIS. I move that the Senate ask for a conference with the House on the bill and amendments and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. NORRIS, Mr. BRANDEGEE, and Mr. KIRBY conferees on the part of the Senate.

CAMPAIGN EXPENDITURES.

Mr. POMERENE. On yesterday I presented Senate resolution 383, which I had hoped to have the consent of the Senate to take up and dispose of. An objection was made by the Senator from Massachusetts [Mr. LODGE]. Under the rules of the Senate I am not entirely clear as to whether the resolution should go to the Committee to Audit and Control the Contingent Expenses of the Senate. I find on investigation of the precedents that at times similar resolutions have been thus referred, and at other times they have not been. I am, however, going to move that the resolution be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, with instructions to report on the convening of the Senate on the calendar day of Saturday, June 5.

The VICE PRESIDENT. The question is on the motion of the Senator from Ohio.

The motion was agreed to.

BITUMINOUS COAL SITUATION.

Mr. LODGE. I promised several Senators that we should have an executive session.

Mr. KING. The Senator from Massachusetts [Mr. WALSH] has a resolution of inquiry. It will take only a moment, and I appeal to the Senator to allow it to be considered.

Mr. LODGE. Certainly, I yield to my colleague.

Mr. WALSH of Massachusetts. I move that the Senate take up and act upon Senate resolution 374, a resolution to get certain information from the Interstate Commerce Commission dealing with the coal question. I understand that there is no opposition to it. I have talked with the Senator from West Virginia [Mr. SUTHERLAND], and he now has no objection. He objected to it the other day.

Mr. SMOOT. I was going to say to the Senator that the Senator from West Virginia [Mr. SUTHERLAND] asked me, if the resolution came up, simply to notify him.

Mr. WALSH of Massachusetts. He told me yesterday to proceed in his absence.

Mr. SMOOT. If the Senator from West Virginia has told the Senator from Massachusetts he has no objection, I have none.

The resolution (S. Res. 374) submitted by Mr. WALSH of Massachusetts on May 28, 1920, was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Interstate Commerce Commission is authorized and directed to investigate and report to the Senate as soon as practicable—

(a) What amount of bituminous coal mined in the Pennsylvania and West Virginia fields during the months of March and April, 1920, was dumped over tidewater piers;

(b) What is the probable amount of the coal mined in these fields that will be shipped to tidewater in the next six months;

(c) What percentage of the coal dumped at tidewater during March and April was used for foreign bunkers and export cargo;

(d) From what ports were these exports made, and how much from each;

(e) What percentage of the coal dumped at tidewater in March and April moved coastwise;

(f) How many railway cars were used in these months to carry the coal which went offshore for foreign bunkers and cargoes;

(g) To what extent has the price of coal for locomotive use on American railroads been raised due to the upbidding of coal prices by foreign buyers;

(h) To what extent does the eastern coast section of the United States depend on shipments of bituminous coal by water; and

(i) What is the total tonnage of bituminous coal shipped by water in normal times to supply the necessary requirements of the eastern coast section.

EXAMINATION OF APPLICANTS FOR POSTMASTERSHIPS.

Mr. HARRIS. Mr. President, I offer a resolution and ask that it lie on the table until to-morrow.

The resolution (S. Res. 385) was read and ordered to lie on the table, as follows:

Whereas the United States Civil Service Commission is required under certain conditions by Executive order to certify to the Postmaster General the result of an open competitive examination to test the fitness of applicants for a vacancy in the position of postmaster of any office of the first, second, or third class; and

Whereas the commission is further required to give preference in such examinations and certifications to persons honorably discharged from the military, naval, or marine service of the United States; and

Whereas complaint has been made that such persons have not been accorded such preference in such examinations and certifications: Therefore, be it

Resolved, That the Committee on Civil Service and Retrenchment, by subcommittee or otherwise, is authorized and directed to investigate and report to the Senate as soon as practicable—

(a) The method and system of rating the examinations by the United States Civil Service Commission of applicants for a vacancy in the position of postmaster of any office of the first, second, or third class.

(b) Whether persons honorably discharged from the military, naval, or marine service of the United States are given preference in such examination ratings.

(c) Whether such persons are given preference in the certification made by the commission to the Postmaster General.

(d) Such additional matters relating to such preference for such vacancies as the committee may deem advisable.

Such committee is hereby authorized during the Sixty-sixth Congress to sit during the sessions or recesses of the Congress, at Washington or at any other place in the United States, to send for persons, books, and papers, to administer oaths, and to employ a stenographer to report such hearings as may be had in connection with any subject which may be before such committee, such stenographer's service to be rendered at a cost not exceeding $1 per printed page, the expenses in carrying out the provisions of this resolution to be paid out of the contingent fund of the Senate.

INCOME AND PROFITS TAX RETURNS.

Mr. HARRIS. I give notice that to-morrow I shall ask that the Senate discharge the Finance Committee from the consideration of Senate joint resolution 146, directing the Secretary of the Treasury to furnish the Senate certain detailed information secured from income and profits tax returns of taxable year 1918.

EXPORTATION OF SUGAR.

Mr. McNARY. I ask unanimous consent that the Senate proceed to the consideration of Senate bill 4420, to prohibit the exportation of sugar, and for other purposes. It is a very important measure. I think its disposition will require only a brief time, and I ask unanimous consent for the consideration of the bill.

Mr. SMOOT. Mr. President, I understood that we were going to have an executive session at this time. It is impossible to consider the bill now.

Mr. DIAL. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Harding	Nugent	Smoot
Borah	Harris	Overman	Spencer
Brandegee	Henderson	Page	Stanley
Calder	Jones, Wash.	Phelan	Sterling
Capper	Kenyon	Phipps	Sutherland
Curtis	Keyes	Pomerene	Swanson
Dial	King	Ransdell	Thomas
Dillingham	Lodge	Reed	Townsend
Fernald	McCumber	Robinson	Trammell
Gay	McNary	Sheppard	Underwood
Gerry	Nelson	Simmons	Walsh, Mass.
Glass	New	Smith, Ariz.	Warren
Hale	Norris	Smith, Md.	Wolcott

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. There is a quorum present.

Mr. McNARY. I move that the Senate take up for consideration Senate bill 4420, to prohibit the exportation of sugar, and for other purposes.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 30 minutes spent in executive session the doors were reopened.

EXPORTATION OF SUGAR.

Mr. McNARY. Mr. President, I ask unanimous consent to proceed to the consideration of the bill (S. 4420) to prohibit the exportation of sugar, and for other purposes.

Mr. THOMAS. I should like to inquire of the Senator whether the bill will provoke long discussion.

Mr. McNARY. I can only say to the Senator from Colorado that I hope not.

Mr. SMOOT. I wish to ask the Senator from Oregon if it is a Senate bill or a House bill?

Mr. McNARY. It is a Senate bill.

Mr. SMOOT. Then, it is absolutely impossible to secure the consideration of it by the House. So why take up the little time we have left now in the discussion of such a bill?

Mr. McNARY. I will say to the Senator from Utah that I also have great hope in this respect, that the House will take it up for early consideration to-morrow if it passes the Senate this evening. It is a bill that I think possesses great merit and that the people of the country, who want sugar, will be happy to have written on the statute books. I imagine that there will not be much opposition on the floor of the Senate, and little, if any, in the House. It is proposed legislation that ought to be enacted before the expiration of the present session.

The VICE PRESIDENT. Is there objection?

Mr. GAY. I object.

Mr. McNARY. Mr. President, I move that the Senate take up for consideration the bill (S. 4420) to prohibit the exportation of sugar, and for other purposes.

Mr. SMITH of Georgia. Mr. President, I do not think it wise to take up the bill at this time. It is a very questionable bill, in my judgment, and it is very doubtful whether it would help in any way. The proposition is to put an embargo on the exportation of sugar from the United States when the sugar is not here, when we do not produce enough in our own country to meet our own needs. It must come in from other countries to furnish our people what they require.

If we put an embargo on sugar, we are likely to deter imports, we are likely to interfere and cause persons who desire to refine it and ship it out to hesitate about bringing it in. I can not see any reason why they should bring it in if we forbid them subsequently to ship it out should they wish to sell it abroad. I can not see any reasonable expectation that we will increase our supply of sugar by putting an embargo on its export, when it has not yet been imported.

Mr. McNARY. I will say to the Senator from Georgia that the bill contains a provision exempting from the operation of the provisions of the bill the sugar brought here on toll, owned by foreign nations or their nationals.

The purpose of this bill is this: When sugar is acquired by refiners or speculators or jobbers in this country and brought here and refined, the bill provides that it shall be kept here and

sold to American consumers, thereby adding to their supply. Anyone engaged in the sugar business ought to be satisfied with the profit they can make at prices which they charge the American public to-day and should not be permitted to sell it to the nationals of other countries. That is the purpose of the bill. It does not affect in any regard sugar brought here for refining. It only will keep here the sugar that is brought over, that ought to remain and be sold to the American public at a fair price.

Mr. HARRISON. Mr. President, the Senator has the figures there. May I inquire how much has been sent out of the United States within the last year?

Mr. McNARY. I will say to the Senator from Mississippi that the statistics supplied me by the Government show that 555,000,000 pounds, aggregating about 257,000 tons, have been exported.

A part of this sugar was brought in here and refined on toll, and the Government contends that much of it has been brought in by speculators and refiners and sold and taken out of the country at a higher price. It is that sugar that I want to retain in this country.

Mr. SMITH of Georgia. Mr. President, if the Senator will pardon me, did not the expert say that he could not tell what proportion was brought in for that purpose; that he did not know?

Mr. McNARY. He said it was a very large proportion; that he did not know the exact figures, but that it was a tremendous quantity.

Mr. REED. Mr. President, does the Senator from Oregon state to us that any of the sugar which was exported out of the country was primarily produced in this country?

Mr. McNARY. No; very little of such sugar was exported.

Mr. REED. All of it was brought in from abroad and refined here, so that our refineries had the work; then a part of it was sent abroad—the amount the Senator speaks of—but it was all foreign sugar, which was brought here and refined in bond.

Mr. McNARY. That is true, the simple fact being that the sugar that we consume, to a very large extent, comes from Cuba.

Mr. NORRIS. I think the Senator from Oregon misunderstood the latter part of the question of the Senator from Missouri. The sugar was not all refined in bond.

Mr. McNARY. No; I did not understand that part of the question of the Senator from Missouri.

Mr. REED. Then, they had to pay duty on it?

Mr. McNARY. They would pay the duty on the sugar brought here from abroad by refineries and refined and sold in this country; but that does not apply to the sugar which the Senator from Missouri has in mind, namely, the sugar which was brought over which was owned by foreigners and refined at our refineries and sold abroad.

Mr. POMERENE. Mr. President, will the Senator from Oregon yield for a question?

Mr. McNARY. Yes.

Mr. POMERENE. The Senator from Oregon has referred to the large amount of sugar that was exported. Probably a year ago, pursuant to an arrangement which the United States had made with our allies, we bought a certain amount of sugar, agreeing that a portion of it should be sent to our allies? Is not all that sugar included in the amount to which the Senator has just referred?

Mr. McNARY. I will state to the Senator from Ohio that probably some of it is included; but, from information I have obtained from many of the refiners, but little of the sugar that has been exported comes under that classification.

Mr. POMERENE. The only thought I had in mind was that if we had a contract of that kind which was not complied with, certainly we would all desire to keep good faith.

Mr. McNARY. That is quite true.

Mr. LODGE. Mr. President, I am thoroughly in sympathy with the bill the consideration of which is proposed by the Senator from Oregon [Mr. McNARY]; I should be very glad to have it passed; I should certainly vote for it, and I have no objection to offer to it; but there is a House joint resolution here which is ready to be reported from the Judiciary Committee, which I consider of very great importance. I refer to the joint resolution proposing to repeal the war legislation. That measure comes from the Judiciary Committee with a favorable report. I repeat that it is a House joint resolution, and if we pass it I hope it will become a law. So it seems to me that the Senator from Oregon might be willing, if the consideration of the measure to which I refer will not take too long, to give the Senator from South Dakota [Mr. STERLING] an opportunity to present it to the Senate for consideration.

The VICE PRESIDENT. Does the Senator from Oregon withdraw his motion?

Mr. McNARY. No; I had rather at this time have it finally decided what disposition the Senate desires to make of my proposal to bring the sugar bill before the body for consideration.

Mr. STERLING. Mr. President, I quite agree with the Senator from Massachusetts [Mr. LODGE] in the thought that it will not take very long to dispose of the measure to which he refers, and it is important, as the Senator from Massachusetts has indicated, to dispose of it. I hope, therefore, that the Senator from Oregon will yield for its consideration and disposition.

Mr. McNARY. I should like to do that; but it will take but a few moments to have some disposition made of my motion. Then, if the Senate shall vote to consider my bill, I shall yield to the Senator from South Dakota.

Mr. BRANDEGEE. Mr. President, would not the Senator from Oregon be satisfied if the Senate would grant him unanimous consent to proceed to the consideration of the sugar bill immediately upon the conclusion of the matter suggested by the Senator from South Dakota?

Mr. McNARY. I would.

Mr. BRANDEGEE. Then I will ask, if the Senator from Oregon is too modest to do it, that unanimous consent be granted to proceed to the consideration of the sugar bill as soon as the joint resolution repealing war legislation shall have been disposed of.

The VICE PRESIDENT. Is there objection?

Mr. GAY. Mr. President, reserving the right to object, my attention was diverted, and I did not hear the Senator's request——

Mr. BRANDEGEE. My request was that as soon as the Senator from South Dakota [Mr. STERLING] shall have had the joint resolution repealing war legislation disposed of the Senate will proceed to the consideration of the sugar bill.

Mr. GAY. That may be done only if a majority of the Senate is in favor of it.

The VICE PRESIDENT. That is an objection to the request for unanimous consent.

Mr. McNARY. I think that I shall insist on the motion which I have made.

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon.

Mr. SMITH of Georgia. What is the motion, Mr. President?

The VICE PRESIDENT. The motion is to proceed to the consideration of the sugar embargo bill.

Mr. SMITH of Georgia. I want to say a word or two further before that bill is taken up. How can anyone hope that we shall increase our supply of sugar by forbidding the exportation of sugar which has not yet been brought into the United States?

Mr. HARRISON. Will the Senator from Georgia yield to me?

Mr. SMITH of Georgia. Yes.

Mr. HARRISON. Might we not reduce the price of sugar to the consumers in the United States by preventing a part of the sugar which is now in the United States from being shipped out of the United States to some other country?

Mr. SMITH of Georgia. Yes; if we should limit such exportation to sugar that is now in the United States such a measure might possibly be of some value.

Mr. McNARY. Let me ask the Senator from Georgia a question.

Mr. SMITH of Georgia. I will let the Senator do so.

Mr. McNARY. In reading the provisions of the bill, does it not clearly appear that the bill does not apply to sugar that is brought here which may be refined and resold to the American public, and particularly exempts sugar which is brought here to be refined on toll? Therefore, the Senator's objection to the consideration of the bill falls because of the very provisions of the bill.

Mr. SMITH of Georgia. No. I think the Senator from Oregon takes an incorrect view of the measure. It broadly applies to all sugar that may at any time be in the United States except that which is brought here by foreign agencies to be refined and returned to them. It might deter the bringing of sugar into the United States. If the sugar produced in the United States was ample to meet our wants, and we put an embargo on exports, it might increase the volume of sugar retained for the use of the people of the United States; but when the sugar is not here and has to be brought here, when it is not pretended that the supply now in the United States is at all sufficient to meet the wants of the United States, to put an

embargo on the export of sugar is to discourage the bringing of sugar from Cuba here. The man who intends to refine sugar and send it away from here, the man who has a contract with the foreign market to furnish sugar, will not bring it here at all.

Mr. McNARY. Let me ask the Senator another question.

Mr. SMITH of Georgia. I will yield in a moment. Again, the man who is in doubt about whether he will sell sugar in the United States or sell it in the foreign market will hesitate to bring it into the United States. The only benefit would be to hold the sugar which comes here. We do not produce in the Philippines, Hawaii, and in continental United States anything like what we need, but depend upon foreign production for our supply. If we limit our sugar to the sugar produced in the United States, our supply would be less than a third of what we would consume. The sugar is not in the United States now to meet our wants for any considerable length of time; sugar must be imported into the United States to furnish our people what they need. Now, what possible help could an embargo on exports of sugar be to the supply in the United States when the sugar must be imported into the United States to give the supply? Possibly upon the theory that somebody will bring it in and we will grab it when it gets here; but an intelligent man will not bring it in if he wants to ship it somewhere else; he will shun bringing it to a place where the embargo cuts off a part of his market; and we are far more likely to lessen our supply than to increase it by this proposed legislation.

Mr. BRANDEGEE. Mr. President, will the Senator permit me to ask him a question?

The VICE PRESIDENT. Does the Senator yield to the Senator from Connecticut?

Mr. SMITH of Georgia. Yes.

Mr. BRANDEGEE. We are greatly pressed for time now, and, while I wish to hear the Senator's argument if we take the bill up, we have not decided as yet to take it up; and I think we would save time if we could vote now on the motion of the Senator from Oregon.

Mr. SMITH of Georgia. I wish to give the Senate an idea of the undesirability of taking up the bill, by showing that the bill will consume time if taken up, and do no good if passed.

Mr. BRANDEGEE. Very well; but I hope we will soon be able to have a vote.

Mr. SMITH of Georgia. I wanted to indicate to the Senate the fact that if this bill is taken up, it will involve a long and elaborate discussion. It is a most doubtful piece of economic legislation; it is a piece of legislation which can not in any sense furnish a guaranty of any help for our supply of sugar, but, on the contrary, some of us believe it will endanger our supply.

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon.

Mr. RANSDELL. I was about to suggest the absence of a quorum.

SEVERAL SENATORS. Do not do that now.

Mr. RANSDELL. We are going to vote on this matter, Senators; it is a very important matter affecting my State. I do not want it to be settled at this session and we can not settle it at this session. If it is attempted to settle it at this session, it will be necessary to have a quorum of the Senate to do it.

Mr. THOMAS. Some of us will vote "nay."

Mr. RANSDELL. If the Senate will vote down the motion, very well. I withdraw the point.

Mr. LODGE. Mr. President, it is obvious that this bill is going to require considerable debate.

Mr. RANSDELL. I am prepared to discuss it at considerable length.

Mr. LODGE. We have measures here, some of which are of the very first importance, such as the one in charge of the Senator from South Dakota [Mr. STERLING], which is a House measure. I hope the Senator from Oregon will be willing to allow us to take up the joint resolution to repeal the war legislation, for it is of very great moment.

Mr. McNARY. I will say to the Senator from Massachusetts that if the Senate will consent to the consideration of the sugar bill I will gladly yield to the Senator from South Dakota, and also to the Senator from Washington, for the two conference reports which he will soon have to present, and to any other more immediate impending legislation. That ought to satisfy the Senator.

Mr. SMITH of Georga. Those of us who are opposed to taking up this bill certainly do not want to make any such arrangement.

Mr. LODGE. Of course not.

Mr. SMITH of Georgia. We are entitled to begin our fight now on the motion to take up the bill, and we certainly can not consent to an arrangement of that kind. If the Senate takes up this bill, it will have to take it up with consciousness of what is ahead in the Senate.

SEVERAL SENATORS. Vote!

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon to take up the so-called sugar bill. [Putting the question.] By the sound the "noes" seem to have it.

Mr. HARRISON. I ask for a division.

On a division, the motion was rejected.

AMITY OF ENGLISH-SPEAKING PEOPLE.

Mr. THOMAS. Mr. President, I send to the desk a Senate resolution, which I ask to have read and go over under the rule.

The resolution (S. Res. 386) was read, as follows:

Resolved by the Senate of the United States, That the relations of amity and good will which the late war with Germany established among the English-speaking peoples constitute the best guaranty of the future peace of the world and the final refuge of institutions founded upon liberty and justice protected by law.

That any breach or serious disturbance of these relations would jeopardize the permanency of modern civilization.

We therefore deplore and denounce all indignities toward the official representatives or the flag of any foreign Government with which the United States is at peace, and call upon the properly constituted authorities to utilize all lawful means for preventing their recurrence.

The VICE PRESIDENT. The resolution will go over under the rule.

ADDRESS BY ASSISTANT SECRETARY LEFFINGWELL.

Mr. GLASS. Mr. President, I present a copy of an address delivered by Assistant Secretary Leffingwell before the Academy of Political Science in New York, with a view to its reference to the Committee on Printing, to the end of making it a public document.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it will be so referred.

REPEAL OF WAR-TIME LEGISLATION.

Mr. STERLING. From the Committee on the Judiciary, I report back favorably without amendment the joint resolution (H. J. Res. 373) declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired. I ask unanimous consent for the present consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That in the interpretation of any provision relating to the date of the termination of the present war or of the present or existing emergency in any acts of Congress, joint resolutions, or proclamations of the President containing provisions contingent upon the date of the termination of the war or of the present or existing emergency, or on the existence of a state of war, the date when this resolution becomes effective shall be construed and treated as the date of the termination of the war or of the present or existing emergency, notwithstanding any provision in any act of Congress or joint resolution providing any other mode of determining the date of the termination of the war or of the present or existing emergency. Excepting, however, from the operation and effect of this resolution the following acts and proclamations, to wit: The act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, the amendment thereto entitled "The food control and District of Columbia rents act," approved October 22, 1919, the act known as the trading with the enemy act, approved October 6, 1917, and the first, second, third, and fourth Liberty bond acts, the supplement to second Liberty bond act, and the Victory Liberty loan act; also the proclamations issued under the authority conferred by the acts herein excepted from the effect and operation of this resolution.

Mr. STERLING. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 2, line 14, after the word "act" and the semicolon, it is proposed to insert:

And the act entitled "An act to prevent in time of war departure from and entry into the United States contrary to the public safety," approved May 22, 1918.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

THE MERCHANT MARINE—CONFERENCE REPORT.

Mr. JONES of Washington. Mr. President, I desire to submit a further report on the merchant marine bill, making it conform to the point of order made in the House. I ask unanimous consent for the adoption of the report.

The VICE PRESIDENT. The report will be read.

The Assistant Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 35, 44, 47, 49, 122, 125, 138, and 149.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 43, 45, 46, 50, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 80, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 98, 99, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 143, and 148, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "in this act"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 3. (a) That section 3 of the 'shipping act, 1916,' is amended to read as follows:

"'SEC. 3. That a board is hereby created to be known as the United States Shipping Board and hereinafter referred to as the board. The board shall be composed of seven commissioners, to be appointed by the President, by and with the advice and consent of the Senate; and the President shall designate the member to act as chairman of the board, and the board may elect one of its members as vice chairman. Such commissioners shall be appointed as soon as practicable after the enactment of this act and shall continue in office two for a term of one year, and the remaining five for terms of two, three, four, five, and six years, respectively, from the date of their appointment, the term of each to be designated by the President, but their successors shall be appointed for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he succeeds.

"'The commissioners shall be appointed with due regard to their fitness for the efficient discharge of the duties imposed on them by this act, and two shall be appointed from the States touching the Pacific Ocean, two from the States touching the Atlantic Ocean, one from the States touching the Gulf of Mexico, one from the States touching the Great Lakes, and one from the interior, but not more than one shall be appointed from the same State. Not more than four of the commissioners shall be appointed from the same political party. A vacancy in the board shall be filled in the same manner as the original appointments. No commissioner shall take any part in the consideration or decision of any claim or particular controversy in which he has a pecuniary interest.

"'Each commissioner shall devote his time to the duties of his office, and shall not be in the employ of or hold any official relation to any common carrier or other person subject to this act, nor while holding such office acquire any stock or bonds thereof or become pecuniarily interested in any such carrier.

"'The duties of the board may be so divided that under its supervision the directorship of various activities may be assigned to one or more commissioners. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the board shall not impair the right of the remaining members of the board to exercise all its powers. The board shall have an official seal, which shall be judicially noticed.

"'The board may adopt rules and regulations in regard to its procedure and the conduct of its business. The board may employ within the limits of appropriations made therefor by Congress such attorneys as it finds necessary for proper legal service to the board in the conduct of its work, or for proper representation of the public interest in investigations made by it or proceedings pending before it whether at the board's own instance or upon complaint, or to appear for or represent the board in any case in court or other tribunal. The board shall have such other rights and perform such other duties not inconsistent with the merchant marine act, 1920, as are conferred by existing law upon the board in existence at the time this section as amended takes effect.

"'The commissioners in office at the time this section as amended takes effect shall hold office until all the commissioners provided for in this section as amended are appointed and qualify.'

"(b) The first sentence of section 4 of the 'shipping act, 1916,' is amended to read as follows:

"'SEC. 4. That each member of the board shall receive a salary of $12,000 per annum.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "consistent with good business methods and the objects and purposes to be attained by this act, at public or private competitive sale after appraisement and due advertisement, to"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "existing freight rates and prospects of their maintenance"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "and any other facts or conditions that would influence a prudent, solvent business man in the sale of similar vessels or property which he is not forced to sell"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "not inconsistent with the provisions of section 5 (except that completion of the payment of the purchase price and interest shall not be deferred more than 10 years after the making of the contract of sale)"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "; but no such sale shall be made unless the board, after diligent effort, has been unable to sell, in accordance with the terms and conditions of section 5, such vessels to persons citizens of the United States, and has, upon an affirmative vote of not less than five of its members, spread upon the minutes of the board, determined to make such sale; and it shall make as a part of its records a full statement of its reasons for making such sale. Deferred payments of purchase price of vessels under this section shall bear interest at the rate of not less than 5½ per cent per annum payable semiannually"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lines 6 and 7 of the matter proposed by the Senate amendment strike out the following words: "where adequate terminal connections with rail carriers can and will be made or already exist"; in line 17 of the matter proposed by the Senate amendment strike out the words "of the United States" and insert in lieu thereof the following: "referred to in section 4 of this act or otherwise acquired by the board"; in line 30 of the matter proposed by the Senate amendment, after the word "authorized," insert the following: "notwithstanding the act entitled 'An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891"; at the end of the matter proposed by the Senate amendment change the period to a colon and add the following: "*And provided further*, That whenever the board shall determine, as provided in this act, that trade conditions warrant the establishment of a service or additional service under Government administration where a service is already being given by persons, citizens of the United States, the rates and charges for such Government service shall not be less than the cost thereof, including a proper interest and depreciation charge on the value of Government vessels and equipment employed therein"; and in line 8 of the matter proposed by the Senate amendment, after the word "world," insert the words "and domestic"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment, after the word "board," insert a comma and the following: "in cooperation with the Secretary of War"; in line 6 of the matter proposed by the Senate amend-

ment, after the word "rail," insert a comma and the word "water"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 77 and agree to the same with an amendment as follows: In line 4 of the matter proposed by the Senate amendment, strike out "$50,000,000" and insert in lieu "$25,000,000";; and in line 4 of the Senate amendment, after "construction" insert "loan"; and in line 5 of the Senate amendment strike out "in the construction, or"; in line 21 of the matter proposed by the Senate amendment, strike out everything after the word "built" down to and including the word "semiannually," at the end of the matter proposed by such Senate amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 79 and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "may be reconditioned and kept in suitable repair and until"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "pursuant to the policy and purposes declared in sections 1 and 5 of this act; and the United States Shipping Board Emergency Fleet Corporation shall continue in existence and have authority to operate vessels, unless otherwise directed by law, until all vessels are sold in accordance with the provisions of this act, the provision"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "10 hereof, and for the construction loan fund authorized in section 11 hereof"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert: "and construction loan funds"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 17. That the board is authorized and directed to take over on January 1, 1921, the possession and control of, and to maintain and develop, all docks, piers, warehouses, wharves and terminal equipment and facilities, including all leasehold easements, rights of way, riparian rights and other rights, estates and interests therein or appurtenant thereto, acquired by the President by or under the act entitled 'An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes,' approved March 28, 1918.

"The possession and control of such other docks, piers, warehouses, wharves and terminal equipment and facilities or parts thereof, including all leasehold easements, rights of way, riparian rights and other rights, estates or interests therein or appurtenant thereto which were acquired by the War Department or the Navy Department for military or naval purposes during the war emergency may be transferred by the President to the board whenever the President deems such transfer to be for the best interests of the United States.

"The President may at any time he deems it necessary, by order setting out the need therefor and fixing the period of such need, permit or transfer the possession and control of any part of the property taken over by or transferred to the board under this section to the War Department or the Navy Department for their needs, and when in the opinion of the President such need therefor ceases the possession and control of such property shall revert to the board. None of such property shall be sold except as may be hereafter provided by law."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: In line 12 of the matter proposed by the Senate amendment, after the word "chartered," at the end of the line preceding and the beginning of said line 12, insert the words "by the board"; in lieu of the last two paragraphs of the matter proposed by the Senate amendment insert the following:

"It shall be unlawful to sell, transfer or mortgage, or, except under regulations prescribed by the board, to charter, any vessel purchased from the board or documented under the laws of the United States to any person not a citizen of the United States, or to put the same under a foreign registry or flag, without first obtaining the board's approval.

"Any vessel chartered, sold, transferred or mortgaged to a person not a citizen of the United States or placed under a foreign registry or flag, or operated, in violation of any provision of this section shall be forfeited to the United States, and whoever violates any provision of this section shall be guilty of a misdemeanor and subject to a fine of not more than $5,000, or to imprisonment for not more than five years, or both."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 19. (1) The board is authorized and directed in aid of the accomplishment of the purposes of this act (a) to make all necessary rules and regulations to carry out the provisions of this act; (b) to make rules and regulations affecting shipping in the foreign trade not in conflict with law in order to adjust or meet general or special conditions unfavorable to shipping in the foreign trade, whether in any particular trade or upon any particular route or in commerce generally and which arise out of or result from foreign laws, rules or regulations or from competitive methods or practices employed by owners, operators, agents, or masters of vessels of a foreign country; and (c) to request the head of any department, board, bureau, or agency of the Government to suspend, modify, or annul rules or regulations which have been established by such department, board, bureau, or agency, or to make new rules or regulations affecting shipping in the foreign trade other than such rules or regulations relating to the Public Health Service, the Consular Service, and the Steamboat-Inspection Service.

"(2) No rule or regulation shall hereafter be established by any department, board, bureau, or agency of the Government which affect shipping in the foreign trade, except rules or regulations affecting the Public Health Service, the Consular Service, and the Steamboat-Inspection Service, until such rule or regulation has been submitted to the board for its approval and final action has been taken thereon by the board or the President.

"(3) Whenever the head of any department, board, bureau, or agency of the Government refuses to suspend, modify, or annul any rule or regulation, or make a new rule or regulation upon request of the board, as provided in subdivision (c) of paragraph (1) of this section, or objects to the decision of the board in respect to the approval of any rule or regulation, as provided in paragraph (2) of this section, either the board or the head of the department, board, bureau, or agency which has established or is attempting to establish the rule or regulation in question, may submit the facts to the President, who is hereby authorized to establish or suspend, modify, or annul such rule or regulation.

"(4) No rule or regulation shall be established which in any manner gives vessels owned by the United States any preference or favor over those vessels documented under the laws of the United States and owned by persons who are citizens of the United States."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 20. (1) That section 14 of the shipping act, 1916, as amended, is amended to read as follows:

"'SEC. 14. That no common carrier by water shall, directly or indirectly, in respect to the transportation by water of passengers or property between a port of a State, Territory, District, or possession of the United States and any other such port or a port of a foreign country—

"'First. Pay, or allow, or enter into any combination, agreement, or understanding, express or implied, to pay or allow, a deferred rebate to any shipper. The term "deferred rebate" in this act means a return of any portion of the freight money by a carrier to any shipper as a consideration for the giving of all or any portion of his shipments to the same or any other carrier, or for any other purpose, the payment of which is deferred beyond the completion of the service for which it is paid, and is made only if, during both the period for which computed and the period of deferment, the shipper has complied with the terms of the rebate agreement or arrangement.

"'Second. Use a fighting ship either separately or in conjunction with any other carrier, through agreement or otherwise. The term "fighting ship" in this act means a vessel used in a particular trade by a carrier or group of carriers for

the purpose of excluding, preventing, or reducing competition by driving another carrier out of said trade.

"'Third. Retaliate against any shipper by refusing, or threatening to refuse, space accommodations when such are available, or resort to other discriminating or unfair methods, because such shipper has patronized any other carrier or has filed a complaint charging unfair treatment, or for any other reason.

"'Fourth. Make any unfair or unjustly discriminatory contract with any shipper based on the volume of freight offered, or unfairly treat or unjustly discriminate against any shipper in the matter of (a) cargo-space accommodations or other facilities, due regard being had for the proper loading of the vessel and the available tonnage; (b) the loading and landing of freight in proper condition; or (c) the adjustment and settlement of claims.

"'Any carrier who violates any provision of this section shall be guilty of a misdemeanor punishable by a fine of not more than $25,000 for each offense.'

"(2) The shipping act, 1916, as amended, is amended by inserting after section 14 a new section to read as follows:

"'SEC. 14a. The board upon its own initiative may, or upon complaint shall, after due notice to all parties in interest and hearing, determine whether any person, not a citizen of the United States and engaged in transportation by water of passengers or property—

"'(1) Has violated any provision of section 14, or

"'(2) Is a party to any combination, agreement, or understanding, express or implied, that involves in respect to transportation of passengers or property between foreign ports, deferred rebates or any other unfair practice designated in section 14, and that excludes from admission upon equal terms with all other parties thereto, a common carrier by water, which is a citizen of the United States and which has applied for such admission.

"'If the board determines that any such person has violated any such provision or is a party to any such combination, agreement, or understanding, the board shall thereupon certify such fact to the Secretary of Commerce. The Secretary shall thereafter refuse such person the right of entry for any ship owned or operated by him or by any carrier directly or indirectly controlled by him, into any port of the United States, or any Territory, District, or possession thereof, until the board certifies that the violation has ceased or such combination, agreement, or understanding has been terminated.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lines 1 and 2 of the matter proposed by the Senate amendment strike out "one year from the enactment of this act" and insert in lieu "February 1, 1922"; in line 11 of the matter proposed by the Senate amendment strike out the words "within a year" and insert the words "by February 1, 1922"; at the end of the matter proposed by the Senate amendment change the period to a colon and insert the following: "*And provided further*, That the foregoing provisions of this section shall not take effect with reference to the Philippine Islands until the President of the United States after a full investigation of the local needs and conditions shall, by proclamation, declare that an adequate shipping service has been established as herein provided and fix a date for the going into effect of the same." In line 1 of the matter proposed by the Senate amendment strike out "Sec. 23" and insert in lieu "Sec. 21"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment as follows: In line 10 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 13 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 15 of the matter proposed by the Senate amendment strike out the words "wholly in American" and insert in lief thereof the words "in such," and after the word "ownership," in said line 15, insert the following: "subject to the rules and regulations of such trade: *Provided*, That the board is authorized to issue permits for the carrying of passengers in foreign ships, if it deems it necessary so to do, operating between the Territory of Hawaii and the Pacific coast up to February 1, 1922"; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 24," and insert in lieu "Sec. 22"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: Strike out the last paragraph of the Senate amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Nothing herein shall be affected by the act entitled 'An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891"; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 26" and insert in lieu "Sec. 24"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: Beginning in line 6 of the matter proposed by the Senate amendment strike out everything after the word "Shipping" down to and including "citizens," in line 9 of the matter proposed by the Senate amendment; and in line 1 of the Senate amendment change the section number from "27" to "25"; in lines 10 and 11 of the matter proposed by the Senate amendment strike out the words "or such approved organization"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In line 2 of the matter proposed by the Senate amendment strike out the word "twelve" and insert in lieu thereof the word "sixteen."

Between the first and second paragraphs of the matter proposed by the Senate amendment insert a separate paragraph, as follows:

"The privilege bestowed by this section on vessels of the United States shall be extended in so far as the foreign trade is concerned to the cargo vessels of any nation which allows the like privilege to cargo vessels of the United States in trades not restricted to vessels under its own flag."

In line 1 of the matter proposed by the Senate amendment strike out "Sec. 28" and insert in lieu thereof "Sec. 26."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In line 8 of the matter proposed by the Senate amendment strike out the word "wholly," and in line 11 of the matter proposed by the Senate amendment strike out the figures "24" and insert in lieu thereof the figures "22." At the end of the matter proposed by the Senate amendment insert the following: "*Provided*, That this section shall not apply to merchandise transported between points within the continental United States, excluding Alaska, over through routes heretofore or hereafter recognized by the Interstate Commerce Commission for which routes rate tariffs have been or shall hereafter be filed with said commission when such routes are in part over Canadian rail lines and their own or other connecting water facilities: *Provided further*, That this section shall not become effective upon the Yukon River until the Alaska Railroad shall be completed and the Shipping Board shall find that proper facilities will be furnished for transportation by persons citizens of the United States for properly handling the traffic." In line 1 of the matter proposed by the Senate amendment strike out "Sec. 29" and insert in lieu "Sec. 27"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 133, and agree to the same with an amendment as follows: In lines 17 and 18 of the matter proposed by the Senate amendment strike out "and owned by persons who are citizens of the United States"; in line 22 of the matter proposed by the Senate amendment strike out the words "and owned"; in line 30 of the matter proposed by the Senate amendment strike out the word "shall" and insert in lieu thereof the word "may"; in line 1 of the proposed amendment strike out the numerals "30" and insert in lieu thereof the numerals "28"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 29. (a) That whenever used in this section—

"(1) The term 'association' means any association, exchange, pool, combination, or other arrangement for concerted action; and

"(2) The term 'marine insurance companies' means any persons, companies, or associations authorized to write marine insurance or reinsurance under the laws of the United States or of a State, Territory, District, or possession thereof.

"(b) Nothing contained in the 'antitrust laws' as designated in section 1 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, shall be construed as declaring illegal an association entered into by marine insurance companies for the following purposes: To transact a marine

insurance and reinsurance business in the United States and in foreign countries and to reinsure or otherwise apportion among its membership the risks undertaken by such association or any of the component members."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 30. SUBSEC. A. That this section may be cited as the 'ship-mortgage act, 1920.'

"DEFINITIONS.

"SUBSEC. B. When used in this section—

"(1) The term 'document' includes registry and enrollment and license;

"(2) The term 'documented' means registered or enrolled or licensed under the laws of the United States whether permanently or temporarily;

"(3) The term 'port of documentation' means the port at which the vessel is documented in accordance with law;

"(4) The term 'vessel of the United States' means any vessel documented under the laws of the United States and such vessel shall be held to continue to be so documented until its documents are surrendered with the approval of the board; and

"(5) The term 'mortgagee' in the case of a mortgage involving a trust deed and a bond issue thereunder means the trustee designated in such deed.

"RECORDING OF SALES, CONVEYANCES, AND MORTGAGES OF VESSELS OF THE UNITED STATES.

"SUBSEC. C. (a) No sale, conveyance, or mortgage which, at the time such sale, conveyance, or mortgage is made includes a vessel of the United States or any portion thereof, as the whole or any part of the property sold, conveyed, or mortgaged shall be valid, in respect to such vessel, against any person other than the grantor or mortgagor, his heir or devisee, and a person having actual notice thereof, until such bill of sale, conveyance, or mortgage is recorded in the office of the collector of customs of the port of documentation of such vessel as provided in subdivision (b) of this subsection.

"(b) Such collector of customs shall record bills of sale, conveyances, and mortgages, delivered to him, in the order of their reception, in books to be kept for that purpose and indexed to show—

"(1) The name of the vessel;

"(2) The names of the parties to the sale, conveyance, or mortgage;

"(3) The time and date of reception of the instrument;

"(4) The interest in the vessel so sold, conveyed, or mortgaged; and

"(5) The amount and date of maturity of the mortgage.

"SUBSEC. D. (a) A valid mortgage which, at the time it is made includes the whole of any vessel of the United States of 200 gross tons and upward, shall in addition have, in respect to such vessel and as of the date of the compliance with all the provisions of this subdivision, the preferred status given by the provisions of subsection M, if—

"(1) The mortgage is indorsed upon the vessel's documents in accordance with the provisions of this section;

"(2) The mortgage is recorded as provided in subsection C, together with the time and date when the mortgage is so indorsed;

"(3) An affidavit is filed with the record of such mortgage to the effect that the mortgage is made in good faith and without any design to hinder, delay, or defraud any existing or future creditor of the mortgagor or any lienor of the mortgaged vessel;

"(4) The mortgage does not stipulate that the mortgagee waives the preferred status thereof; and

"(5) The mortgagee is a citizen of the United States.

"(b) Any mortgage which complies in respect to any vessel with the conditions enumerated in this subsection is hereafter in this section called a 'preferred mortgage' as to such vessel.

"(c) There shall be indorsed upon the documents of a vessel covered by a preferred mortgage—

"(1) The names of the mortgagor and mortgagee;

"(2) The time and date the indorsement is made;

"(3) The amount and date of maturity of the mortgage; and

"(4) Any amount required to be indorsed by the provisions of subdivision (e) or (f) of this subsection.

"(d) Such indorsement shall be made (1) by the collector of customs of the port of documentation of the mortgaged vessel, or (2) by the collector of customs of any port in which the vessel is found, if such collector is directed to make the indorsement by the collector of customs of the port of documentation; and no clearance shall be issued to the vessel until such indorsement is made. The collector of customs of the port of documentation shall give such direction by wire or letter at the request of the mortgagee and upon the tender of the cost of communication of such direction. Whenever any new document is issued for the vessel, such indorsement shall be transferred to and indorsed upon the new document by the collector of customs.

"(e) A mortgage which includes property other than a vessel shall not be held a preferred mortgage unless the mortgage provides for the separate discharge of such property by the payment of a specified portion of the mortgage indebtedness. If a preferred mortgage so provides for the separate discharge, the amount of the portion of such payment shall be indorsed upon the documents of the vessel.

"(f) If a preferred mortgage includes more than one vessel and provides for the separate discharge of each vessel by the payment of a portion of the mortgage indebtedness, the amount of such portion of such payment shall be indorsed upon the documents of the vessel. In case such mortgage does not provide for the separate discharge of a vessel and the vessel is to be sold upon the order of a district court of the United States in a suit in rem in admiralty, the court shall determine the portion of the mortgage indebtedness increased by 20 per cent (1) which, in the opinion of the court, the approximate value of the vessel bears to the approximate value of all the vessels covered by the mortgage, and (2) upon the payment of which the vessel shall be discharged from the mortgage.

"SUBSEC. E. The collector of customs upon the recording of a preferred mortgage shall deliver two certified copies thereof to the mortgagor who shall place, and use due diligence to retain, one copy on board the mortgaged vessel and cause such copy and the documents of the vessel to be exhibited by the master to any person having business with the vessel, which may give rise to a maritime lien upon the vessel or to the sale, conveyance, or mortgage thereof. The master of the vessel shall, upon the request of any such person, exhibit to him the documents of the vessel and the copy of any preferred mortgage of the vessel placed on board thereof.

"SUBSEC. F. The mortgagor (1) shall, upon request of the mortgagee, disclose in writing to him prior to the execution of any preferred mortgage, the existence of any maritime lien, prior mortgage, or other obligation or liability upon the vessel to be mortgaged, that is known to the mortgagor, and (2), without the consent of the mortgagee, shall not incur, after the execution of such mortgage and before the mortgagee has had a reasonable time in which to record the mortgage and have indorsements in respect thereto made upon the documents of the vessel, any contractual obligation creating a lien upon the vessel other than a lien for wages of stevedores when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, or for salvage, including contract salvage, in respect to the vessel.

"SUBSEC. G. (a) The collector of customs of the port of documentation shall, upon the request of any person, record notice of his claim of a lien upon a vessel covered by a preferred mortgage, together with the nature, date of creation, and amount of the lien, and the name and address of the person. Any person who has caused notice of his claim of lien to be so recorded shall, upon a discharge in whole or in part of the indebtedness, forthwith file with the collector of customs a certificate of such discharge. The collector of customs shall thereupon record the certificate.

"(b) The mortgagor, upon a discharge in whole or in part of the mortgage indebtedness, shall forthwith file with the collector of customs for the port of documentation of the vessel, a certificate of such discharge. Such collector of customs shall thereupon record the certificate. In case of a vessel covered by a preferred mortgage, the collector of customs at the port of documentation shall (1) indorse upon the documents of the vessel, or direct the collector of customs at any port in which the vessel is found to so indorse the fact of such discharge, and (2) shall deny clearance to the vessel until such indorsement is made.

"SUBSEC. H. (a) No bill of sale, conveyance, or mortgage shall be recorded unless it states the interest of the grantor or mortgagor in the vessel, and the interest so sold, conveyed, or mortgaged.

"(b) No bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge thereof, shall be recorded unless previously acknowledged before a notary public or other officer authorized by a law of the United States, or of a State, Territory, District, or possession thereof, to take acknowledgment of deeds.

"(c) In case of a change in the port of documentation of a vessel of the United States, no bill of sale, conveyance, or mort-

gage shall be recorded at the new port of documentation unless there is furnished to the collector of customs of such port, together with the copy of the bill of sale, conveyance, or mortgage to be recorded, a certified copy of the record of the vessel at the former port of documentation furnished by the collector of such port. The collector of customs at the new port of documentation is authorized and directed to record such certified copy.

"(d) A preferred mortgage may bear such rate of interest as is agreed by the parties thereto.

"SUBSEC. I. Each collector of customs shall permit records made under the provisions of this section to be inspected during office hours, under such reasonable regulations as the collector may establish. Upon the request of any person the collector of customs shall furnish him from the records of the collector's office (1) a certificate setting forth the names of the owners of any vessel, the interest held by each owner, and the material facts as to any bill of sale or conveyance of, any mortgage covering, or any lien or other incumbrance upon a specified vessel, (2) a certified copy of any bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge in respect to such vessel, or (3) a certified copy as required by subdivision (c) of subsection H. The collector of customs shall collect a fee for any bill of sale, conveyance, or mortgage recorded, or any certificate or certified copy furnished, by him, in the amount of 20 cents a folio with a minimum charge of $1. All such fees shall be covered into the Treasury of the United States as miscellaneous receipts.

"PENALTIES.

"SUBSEC. J. (a) If the master of the vessel willfully fails to exhibit the documents of the vessel or the copy of any preferred mortgage thereof, as required by subsection E, the board of local inspectors of vessels having jurisdiction of the license of the master, may suspend or cancel such license, subject to the provisions of 'An act to provide for appeals from decision of boards of local inspectors of vessels, and for other purposes,' approved June 10, 1918.

"(b) A mortgagor who, with intent to defraud, violates any provision of subsection F, and if the mortgagor is a corporation or association, the president or other principal executive officer of the corporation or association, shall upon conviction thereof be held guilty of a misdemeanor and shall be fined not more than $1,000 or imprisoned not more than two years, or both. The mortgaged indebtedness shall thereupon become immediately due and payable at the election of the mortgagee.

"(c) If any person enters into any contract secured by, or upon the credit of, a vessel of the United States covered by a preferred mortgage, and suffers pecuniary loss by reason of the failure of the collector of customs, or any officer, employee, or agent thereof, properly to perform any duty required of the collector under the provisions of this section, the collector of customs shall be liable to such person for damages in the amount of such loss. If any such person is caused any such loss by reason of the failure of the mortgagor, or master of the mortgaged vessel, or any officer, employee, or agent thereof, to comply with any provision of subsection E or F or to file an affidavit as required by subdivision (a) of subsection D, correct in each particular thereof, the mortgagor shall be liable to such person for damages in the amount of such loss. The district courts of the United States are given jurisdiction (but not to the exclusion of the courts of the several States, Territories, Districts, or possessions) of suits for the recovery of such damages, irrespective of the amount involved in the suit or the citizenship of the parties thereto. Such suit shall be begun by personal service upon the defendant within the limits of the district. Upon judgment for the plaintiff in any such suit, the court shall include in the judgment an additional amount for costs of the action and a reasonable counsel's fee, to be fixed by the court.

"FORECLOSURE OF PREFERRED MORTGAGES.

"SUBSEC. K. A preferred mortgage shall constitute a lien upon the mortgaged vessel in the amount of the outstanding mortgage indebtedness secured by such vessel. Upon the default of any term or condition of the mortgage, such lien may be enforced by the mortgagee by suit in rem in admiralty. Original jurisdiction of all such suits is granted to the district courts of the United States exclusively. In addition to any notice by publication, actual notice of the commencement of any such suit shall be given by the libellant, in such manner as the court shall direct, to (1) the master, other ranking officer, or caretaker of the vessel, and (2) any person who has recorded a notice of claim of an undischarged lien upon the vessel, as provided in subsection G, unless after search by the libellant satisfactory to the court, such mortgagor, master, other ranking officer, caretaker, or claimant is not found within the United States. Failure to give notice to any such person, as required by this subsection, shall not constitute a jurisdictional defect; but the libellant shall be liable to such person for damages in the amount of his interest in the vessel terminated by the suit. Suit in personam for the recovery of such damages may be brought in accordance with the provisions of subdivision (c) of section 10.

"SUBSEC. L. In any suit in rem in admiralty for the enforcement of the preferred mortgage lien, the court may appoint a receiver and, in its discretion, authorize the receiver to operate the mortgaged vessel. The marshal may be authorized and directed by the court to take possession of the mortgaged vessel notwithstanding the fact that the vessel is in the possession or under the control of any person claiming a possessory common-law lien.

"SUBSEC. M. (a) When used hereinafter in this section, the term 'preferred maritime lien' means (1) a lien arising prior in time to the recording and indorsement of a preferred mortgage in accordance with the provisions of this section; or (2) a lien for damages arising out of tort, for wages of a stevedore when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, and for salvage, including contract salvage.

"(b) Upon the sale of any mortgaged vessel by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a preferred mortgage lien thereon, all preexisting claims in the vessel, including any possessory common-law lien of which a lienor is deprived under the provisions of subsection L shall be held terminated and shall thereafter attach, in like amount and in accordance with their respective priorities, to the proceeds of the sale; except that the preferred mortgage lien shall have priority over all claims against the vessel, except (1) preferred maritime liens, and (2) expenses and fees allowed and costs taxed, by the court.

"SUBSEC. N. (a) Upon the default of any term or condition of a preferred mortgage upon a vessel, the mortgagee may, in addition to all other remedies granted by this section, bring suit in personam in admiralty in a district court of the United States, against the mortgagor for the amount of the outstanding mortgage indebtedness secured by such vessel or any deficiency in the full payment thereof.

"(b) This section shall not be construed, in the case of a mortgage covering, in addition to vessels, realty or personalty other than vessels, or both, to authorize the enforcement by suit in rem in admiralty of the rights of the mortgagee in respect to such realty or personalty other than vessels.

"TRANSFERS OF MORTGAGED VESSELS AND ASSIGNMENT OF VESSEL MORTGAGES.

"SUBSEC. O. (a) The documents of a vessel of the United States covered by a preferred mortgage may not be surrendered (except in the case of the forfeiture of the vessel or its sale by the order of any court of the United States or any foreign country) without the approval of the board. The board shall refuse such approval unless the mortgagee consents to such surrender.

"(b) The interest of the mortgagee in a vessel of the United States covered by a mortgage, shall not be terminated by the forfeiture of the vessel for a violation of any law of the United States, unless the mortgage authorized, consented, or conspired to effect the illegal act, failure, or omission which constituted such violation.

"(c) Upon the sale of any vessel of the United States covered by a preferred mortgage, by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a maritime lien other than a preferred maritime lien, the vessel shall be sold free from all preexisting claims thereon; but the court shall, upon the request of the mortgagee, the libellant, or any intervenor, require the purchaser at such sale to give and the mortgagor to accept a new mortgage of the vessel for the balance of the term of the original mortgage. The conditions of such new mortgage shall be the same, so far as practicable, as those of the original mortgage and shall be subject to the approval of the court. If such new mortgage is given, the mortgagee shall not be paid from the proceeds of the sale and the amount payable as the purchase price shall be held diminished in the amount of the new mortgage indebtedness.

"(d) No rights under a mortgage of a vessel of the United States shall be assigned to any person not a citizen of the United States without the approval of the board. Any assignment in violation of any provision of this section shall be void.

"(e) No vessel of the United States shall be sold by order of a district court of the United States in any suit in rem in admiralty to any person not a citizen of the United States.

"MARITIME LIENS FOR NECESSARIES.

"SUBSEC. P. Any person furnishing repairs, supplies, towage, use of dry dock or marine railway, or other necessaries, to any vessel, whether foreign or domestic, upon the order of the owner of such vessel, or of a person authorized by the owner, shall have a maritime lien on the vessel, which may be enforced by suit in rem, and it shall not be necessary to allege or prove that credit was given to the vessel.

"SUBSEC. Q. The following persons shall be presumed to have authority from the owner to procure repairs, supplies, towage, use of dry dock or marine railway, and other necessaries for the vessel: The managing owner, ship's husband, master, or any person to whom the management of the vessel at the port of supply is intrusted. No person tortiously or unlawfully in possession or charge of a vessel shall have authority to bind the vessel.

"SUBSEC. R. The officers and agents of a vessel specified in subsection Q shall be taken to include such officers and agents when appointed by a charterer, by an owner pro hac vice, or by an agreed purchaser in possession of the vessel; but nothing in this section shall be construed to confer a lien when the furnisher knew, or by exercise of reasonable diligence could have ascertained, that because of the terms of a charter party, agreement for sale of the vessel, or for any other reason, the person ordering the repairs, supplies, or other necessaries was without authority to bind the vessel therefor.

"SUBSEC. S. Nothing in this section shall be construed to prevent the furnisher of repairs, supplies, towage, use of dry dock or marine railway, or other necessaries, or the mortgagee, from waiving his right to a lien, or in the case of a preferred mortgage lien, to the preferred status of such lien, at any time, by agreement or otherwise; and this section shall not be construed to affect the rules of law now existing in regard to (1) the right to proceed against the vessel for advances, (2) laches in the enforcement of liens upon vessels, (3) the right to proceed in personam, (4) the rank of preferred maritime liens among themselves, or (5) priorities between maritime liens and mortgages, other than preferred mortgages, upon vessels of the United States.

"SUBSEC. T. This section shall supersede the provisions of all State statutes conferring liens on vessels, in so far as such statutes purport to create rights of action to be enforced by suits in rem in admiralty against vessels for repairs, supplies, towage, use of dry dock or marine railway, and other necessaries.

"MISCELLANEOUS PROVISIONS.

"SUBSEC. U. This section shall not apply (1) to any existing mortgage, or (2) to any mortgage hereafter placed on any vessel now under an existing mortgage, so long as such existing mortgage remains undischarged.

"SUBSEC. V. The Secretary of Commerce is authorized and directed to furnish collectors of customs with all necessary books and records, and with certificates of registry and of enrollment and license in such form as provides for the making of all indorsements thereon required by this section.

"SUBSEC. W. The Secretary of Commerce is authorized to make such regulations in respect to the recording and indorsing of mortgages covering vessels of the United States as he deems necessary to the efficient execution of the provisions of this section.

"SUBSEC. X. Sections 4192 to 4196, inclusive, of the Revised Statutes of the United States, as amended, and the act entitled 'An act relating to liens on vessels for repairs, supplies, or other necessaries,' approved June 23, 1910, are repealed. This section, however, so far as not inconsistent with any of the provisions of law so repealed, shall be held a reenactment of such repealed law, and any right or obligation based upon any provision of such law and accruing prior to such repeal, may be prosecuted in the same manner and to the same effect as if this act had not been passed."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out "Sec. 33" and insert in lieu thereof "Sec. 31"; in lines 8 and 9 of the matter proposed by the Senate amendment strike out the words "or take in fuel"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the figure "11" and insert in lieu the figure "10" and change the section number from "34" to "32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Jurisdiction in such actions shall be under the court of the district in which the defendant employer resides or in which his principal office is located"; in line 1 of the matter proposed by the Senate amendment strike out the section number "36" and insert in lieu thereof the number "33"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment change the section number from "37" to "34"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "35"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "specifically"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the section number "39" and insert in lieu thereof the number "36"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment at follows: At the end of the matter proposed by the Senate amendment change the period to a semicolon and add the following: "the term 'board' means the United States Shipping Board; and the term 'alien' means any person not a citizen of the United States"; also change the section number in line 1 from "40" to "37"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 38. That section 2 of the shipping act, 1916, is amended to read as follows:

"'SEC. 2. (a) That within the meaning of this act no corporation, partnership, or association shall be deemed a citizen of the United States unless the controlling interest therein is owned by citizens of the United States, and, in the case of a corporation, unless its president and managing directors are citizens of the United States and the corporation itself is organized under the laws of the United States or of a State, Territory, District, or possession thereof; but in the case of a corporation, association, or partnership operating any vessel in the coastwise trade the amount of interest required to be owned by citizens of the United States shall be 75 per cent.

"'(b) The controlling interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to a majority of the stock thereof is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if the majority of the voting power in such corporation is not vested in citizens of the United States; or (c) if through any contract or understanding it is so arranged that the majority of the voting power may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of the corporation is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"'(c) Seventy-five per cent of the interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to 75 per cent of its stock is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if 75 per cent of the voting power in such corporation is not vested in citizens of the United States; or (c) if, through any contract or understanding it is so arranged that more than 25 per cent of the voting power in such corporation may be exercised directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of any interest in the corporation in excess of 25 per cent is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"'(d) The provisions of this act shall apply to receivers and trustees of all persons to whom the act applies, and to the successors or assignees of such persons.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "39"; and the Senate agree to the same.

W. L. JONES,
WILLIAM M. CALDER,
CHAS. L. MCNARY,
JOS. E. RANSDELL,
F. M. SIMMONS,
Managers on the part of the Senate.
WILLIAM S. GREENE,
G. W. EDMONDS,
FREDERICK W. ROWE,
RUFUS HARDY,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the report.

Mr. REED. Mr. President, I do not understand what we struck out. I can not get it in my mind.

Mr. JONES of Washington. I can state to the Senator what has been done.

We had in our bill a provision with reference to exemption from income taxes for the purpose of aiding in the construction of ships. When the conferees met we reached an agreement on that matter, and then the drafting experts suggested that it ought to be redrafted in conjunction with the Treasury experts. This was done, and we inserted a provision, as they drew it, embodying the idea that passed the Senate. It went to the House, and on account of some provision in the section as drafted by the experts a point of order was sustained to this provision. Now, it has come back to conference, and we have adopted the language of the Senate provision as it passed the Senate, so that that makes it conform to the action of the Senate.

Mr. NUGENT. Mr. President, will the Senator yield to me?

Mr. JONES of Washington. Yes.

Mr. NUGENT. Do I understand that the conference committee has cut out the two paragraphs of section 25 relieving shipowners from the operation of the tax laws?

Mr. JONES of Washington. Section 25, amendment numbered 128 as it was passed through the Senate, provided for the exemption for 10 years, as the Senator remembers, and so forth; and then the last paragraph also provided for the determination of depreciation. As I said, when we got into conference we agreed upon these three provisions with certain minor amendments, mere verbal amendments.

Then the drafting experts said that, while they had no objection to the idea, it should be put in a little different language, and they drew a provision embodying our idea. It went over to the House, and a point of order was made to it, on the ground that it was broader than the Senate provision, and that point of order was sustained. Now the bill has come back to conference, and we accept and they accept the first two paragraphs in the language of the Senate as the Senate passed it. We went further, however, and struck out the third paragraph of the Senate amendment entirely; so that we have taken two paragraphs of the Senate amendment as the Senate passed it, simply confirming the action of the Senate on those two paragraphs without change.

Mr. REED. Then, Mr. President, as I understand the Senator, there remains in the bill this language:

SEC. 25. That the owner of a vessel documented under the laws of the United States and operated in foreign trade shall, for each of the 10 taxable years while so operated, beginning with the first taxable year ending after the enactment of this act, be allowed as a deduction, for the purpose of ascertaining his net income subject to the war-profits and excess-profits taxes imposed by Title III of the revenue act of 1918, an amount equivalent to the net earnings of such vessel during such taxable year, determined in accordance with rules and regulations to be made by the board: *Provided, however*—

And so forth. So that, as I understand the provision—and the Senator will correct me if I am wrong—that exempts the earnings of these vessels from the taxation which the rest of the people of the United States have to pay.

Mr. JONES of Washington. It does this: It exempts those sums as tax payments, provided they invest that money in new ships of the type required by the board and to be approved by the board; and I will say to the Senator that that has passed the Senate twice.

Mr. REED. Yes.

Mr. JONES of Washington. It was in the last conference report in a different wording. Now, we assumed, of course, that this provision having been adopted by the Senate, and the House receding and agreeing to the provision of the Senate, there would be no controversy even on the part of those who might be opposed to the proposition.

Mr. REED. Mr. President, some of us have been too busy working on committees, performing work which was imperative, to give to this bill the attention which its importance demanded.

Mr. JONES of Washington. I appreciate that.

Mr. REED. So far as I am concerned, I am utterly opposed on principle to exempting any class of citizens from taxation or any class of investments from taxation, unless it be those citizens who have very small incomes or those investments which are of an educational, a charitable, or religious character. I can not understand the justification for exempting from taxation the corporate owner of a ship. It does not have any income taxes to pay unless it has a net income. Unless it makes profits it does not have to pay taxes. If it does make profits it ought to pay taxes, like other people.

The proposition that it shall invest the amount in other ships is exactly the equivalent of a proposition to a steel manufacturing corporation that it shall be exempt from taxation on its profits provided it will build another steel mill, or to a farmer that he shall be exempt from taxation provided he will buy another farm, or to a banker that he shall be exempt from taxation provided he will establish another bank, or to a bond dealer that he shall be exempt from taxation provided he will take his profits and buy more bonds. Why, this artifice is as old as human cupidity and as crooked as dishonesty has been from the first. It has been tried out 10,000 times on 10,000 different things.

The commonest device of the gentleman wanting to locate a factory is to say that he will establish it provided he is exempted from taxation. In many of the States of this Union that custom of exempting such industries at one time prevailed, and in many instances the courts declared the laws exempting these institutions from taxation to be unconstitutional.

Now, we drag out of the closet of the past this old, discredited specter of fraud, of fraud against the Government and the people and of discrimination in favor of the rich. We attach it here to a bill that proposes to give to those who want to engage in carrying upon the seas more privileges and more advantages than have ever been granted by this Government in any bill that has been passed in recent years.

What is this proposition, stripped naked?

We want to build up a merchant marine. That is a most laudable purpose. The Government, at the expense of billions of money, in time of war, forced on by necessity, built a great number of vessels and established a great number of shipyards. It is now proposed to sell or charter these ships to private parties. That they will be sold to private parties under advantageous conditions goes without saying. We have already had some evidence that contracts were made for the disposal of certain of the vessels which we had either acquired in the war or had built under circumstances so grossly fraudulent, so infamously wrong and wicked that the courts, at the suit of a private citizen—Mr. Hearst—enjoined the transaction. The particular gentleman responsible for that policy was promoted to a higher position, which he now holds. I do not know how far the personnel of the board remains the same, but I do know that the old policy, the old theory, the old impelling motives which have always led the average man to regard the Federal Government as a great goose, existing only for the purpose of having its feathers regularly plucked, those same motives and policies will exist in the future. I do know that every time Uncle Sam engages in a business deal his pockets are picked in broad daylight.

We have had some experience with the difference between the patriotism of the soldier on the field of battle and the Army contractor. In the height of the war, when we were massing our troops upon the front, when the sky above them was literally obscured by the enemy airplanes, not only spying upon their movements and indicating their location to the German artillery, but raining upon them deadly missiles from the heavens, we beheld the spectacle of a billion and a quarter of our money squandered by the dollar-a-year patriots in constructing aircraft which were described by the men who had to use them as "flying coffins." Even when Uncle Sam stood with his bared breast in front of the blazing German cannon, these men did not hesitate to profiteer. That is the difference between money patriotism and human patriotism.

So I say, when you undertake to put somebody here to guard the interests of this Government in the sale of these ships to private parties, you will find out in the long run that the private corporations, working by day and by night, working through the silent influences they employ, will get these vessels on very favorable terms. It is proposed, in addition to that, to exempt them, and them alone of all the capitalists in the United States,

from taxation, a taxation, mark you, upon profits, for they have no taxes to pay unless they make profits. If their profits are low their taxes will be low, and it is only when their profits are high that their taxes will be high.

Mr. President, we had better wait a long time and rewrite a bill of this sort. We can much better afford to wait until next December and rewrite this bill than to pass it now and fasten it upon the American people.

I want to see a merchant marine established. We have a merchant marine. We built it out of the people's money. All that is necessary to do to put the American flag on the ocean and to have it waving in the breezes of every harbor of every sea is for the United States to employ plain business common sense and create a board to operate the ships, and, if desirable, charter them, in whole or in part, to private companies.

There is to be exemption from taxation for ship-owning capitalists upon the profits they have garnered and the gold they have gotten, while the hand of the taxgatherer is laid upon the meager salary of a woman who earns above $1,000 a year; upon the laborer who earns above $1,000; that is the exemption limit.

Mr. SIMMONS. A thousand dollars for a single person.

Mr. REED. Yes; a thousand for a single person and two thousand for a married person—a salary which will not support two people in a city, let alone support a man with a wife and three or four or five children.

We lay our hand upon his income, and we tax him; but it is proposed that the big ship company, with a capital running into the millions of dollars, shall not pay a tax on its profits, and we are practically to finance them to start with by furnishing the ships on favorable terms.

We levy a tax on the salary of the minister, on the salary of the school-teacher, upon the little income of the widow, upon the patrimony of the orphan, upon the farmer, upon the truck gardener, upon everybody. They have not asked exemption. Only this thing called the shipping patriot asks it. It has been asking at the doors of Congress for many years. All that time it has been standing here demanding a ship subsidy. We have had coastwise laws passed which enable those in the coastwise trade to build up a monopoly and to charge extortionate rates. This bill, in addition to the proposition I am now discussing, extends those laws, and carries the monopoly across 6,000 miles of the Pacific Ocean and attaches it to the Philippines.

Mr. President, a bill like this ought to be rewritten. As far as I am concerned, I do not intend to stand here and talk until 4 o'clock to-morrow to defeat it, for there are other measures which must be considered; but against its acceptance I protest with every sentiment of my heart and with every energy I possess. I venture the prediction that when the American people understand that great shipping companies, which have already been trying to rob this country, and been convicted of it in the courts of the land, and the convictions solemnly entered on record as a permanent injunction—there will be an answer, sir, which will be heard throughout the country.

Mr. President, I apologize for taking so much time at this late hour of the session. I ask for the yeas and nays on the adoption of the conference report.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The question is on agreeing to the conference report, on which the yeas and nays are requested.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG]. I transfer that pair to the senior Senator from Tennessee [Mr. SHIELDS] and vote "yea."

The roll call was concluded.

Mr. GAY. I transfer my pair with the Senator from New Hampshire [Mr. MOSES] to the Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. HENDERSON. Notwithstanding my pair, I am at liberty to vote on this question. I vote "yea."

Mr. UNDERWOOD (after having voted in the affirmative). I have a general pair with the junior Senator from Ohio [Mr. HARDING], who is absent at this time, but he would vote as I have voted, and I therefore let my vote stand.

Mr. SPENCER (after having voted in the affirmative). I have a general pair with the junior Senator from New Mexico [Mr. JONES], but under the arrangement I have with him I will allow my vote to stand.

Mr. CHAMBERLAIN (after having voted in the affirmative). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX], but I am informed that he would vote as I have voted, and I will let my vote stand.

Mr. SUTHERLAND (after having voted in the affirmative). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. I transfer that pair to the senior Senator from New York [Mr. WADSWORTH] and let my vote stand.

The result was announced—yeas 34, nays 11, as follows:

YEAS—34.

Brandegee	Henderson	Page	Smoot
Calder	Jones, Wash.	Phelan	Spencer
Chamberlain	Kendrick	Phipps	Sutherland
Curtis	Keyes	Pittman	Thomas
Dial	Lodge	Pomerene	Townsend
Dillingham	McKellar	Ransdell	Underwood
Fernald	McNary	Robinson	Warren
Gay	Nelson	Simmons	
Gerry	New	Smith, Md.	

NAYS—11.

Borah	Harrison	Norris	Sheppard
Capper	Kenyon	Nugent	Walsh, Mass.
Harris	King	Reed	

NOT VOTING—51.

Ashurst	Glass	Lenroot	Smith, Ariz.
Ball	Gore	McCormick	Smith, Ga.
Beckham	Gronna	McCumber	Smith, S. C.
Colt	Hale	McLean	Stanley
Comer	Harding	Moses	Sterling
Culberson	Hitchcock	Myers	Swanson
Cummins	Johnson, Calif.	Newberry	Trammell
Edge	Johnson, S. Dak.	Overman	Wadsworth
Elkins	Jones, N. Mex.	Owen	Walsh, Mont.
Fall	Kellogg	Penrose	Watson
Fletcher	King	Poindexter	Williams
France	Knox	Sherman	Wolcott
Frelinghuysen	La Follette	Shields	

The PRESIDING OFFICER. There is not a quorum present.

Mr. REED. Mr. President, it is perfectly manifest that it will take an hour or two hours to get Senators here, because they have gone to dinner. I suggest the propriety of either a recess or an adjournment until 8 o'clock.

Mr. JONES of Washington. May I suggest to the Senator that it is very important that the conference report should go over to the House to-night? I do not think it will take long to get a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Borah	Harris	New	Smith, Md.
Brandegee	Harrison	Norris	Spencer
Calder	Henderson	Nugent	Sterling
Capper	Jones, Wash.	Page	Sutherland
Chamberlain	Kendrick	Phipps	Thomas
Curtis	Kenyon	Pittman	Townsend
Dial	Keyes	Pomerene	Underwood
Dillingham	King	Ransdell	Walsh, Mass.
Fernald	Lodge	Reed	Warren
Gay	McKellar	Robinson	
Gerry	McNary	Sheppard	
Glass	Nelson	Simmons	

The PRESIDING OFFICER. Forty-five Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

Mr. LODGE. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. SHEPPARD. A parliamentary inquiry, Mr. President. Should not the call of the names of absent Senators proceed?

The PRESIDING OFFICER. The order has already been agreed to directing the Sergeant at Arms to request the attendance of absent Senators.

Mr. LODGE. I thought it would save time not to have the second call.

The PRESIDING OFFICER. The usual custom is to call the names of absent Senators, but that has not been done in this instance. It is competent for the Senate to pursue the other course.

Mr. STANLEY, Mr. HITCHCOCK, Mr. FALL, and Mr. PHELAN entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present. The question is on agreeing to the conference report. Upon that question the yeas and nays have been ordered. The Secretary will call the roll.

The Reading Clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. GAY (when his name was called). I have a pair with the senior Senator from New Hampshire [Mr. MOSES] which I transfer to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. HENDERSON (when his name was called). Making the same announcement as before, I vote "yea."

Mr. JONES of Washington (when his name was called.) The senior Senator from Virginia [Mr. SWANSON] is necessarily absent, and I agreed to pair with him while he is away. Understanding that he would vote the same as I would on this conference report, I vote "yea."

Mr. SIMMONS (when his name was called). I have a pair with the junior Senator from Minnesota [Mr. KELLOGG]. I understand if he were present he would vote as I shall, and I therefore vote "yea."

Mr. STERLING (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH]. I transfer that pair to the Senator from Washington [Mr. POINDEXTER] and I vote "yea."

Mr. SUTHERLAND (when his name was called). Making the same announcement as before with reference to my pair and its transfer, I vote "yea."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. Upon a vote on this question this morning that Senator voted as I did, and therefore I feel at liberty to vote. I vote "yea."

Mr. TRAMMELL (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT]. I transfer my pair to the Senator from Arizona [Mr. ASHURST] and vote "nay."

The roll call was concluded.

Mr. SPENCER. Making the same announcement as before with regard to my pair and its transfer, I vote "yea."

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], which I transfer to the Senator from Alabama [Mr. COMER] and vote "yea."

Mr. CHAMBERLAIN. I have a pair with the junior Senator from Pennsylvania [Mr. KNOX]. I understand that if present he would vote as I intend to vote. I will therefore vote. I vote "yea."

Mr. CURTIS. I wish to announce the following pairs:

The Senator from Delaware [Mr. BALL] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Oklahoma [Mr. GORE];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

Mr. WOLCOTT. May I inquire if the Senator from Indiana [Mr. WATSON] has voted?

The PRESIDING OFFICER. He has not.

Mr. WOLCOTT. I have a general pair with that Senator, and in his absence I withhold my vote.

Mr. LODGE (after having voted in the affirmative). I have a general pair with the Senator from Georgia [Mr. SMITH]. I transfer that pair to the Senator from Utah [Mr. SMOOT] and allow my vote to stand.

The result was announced—yeas 40, nays 11, as follows:

YEAS—40.

Brandegee	Glass	McNary	Simmons
Calder	Hale	Nelson	Smith, Md.
Chamberlain	Harding	New	Spencer
Curtis	Henderson	Page	Stanley
Dial	Hitchcock	Phelan	Sterling
Dillingham	Jones, Wash.	Phipps	Sutherland
Fall	Kendrick	Pittman	Thomas
Fernald	Keyes	Pomerene	Townsend
Gay	Lodge	Ransdell	Underwood
Gerry	McKellar	Robinson	Warren

NAYS—11.

Borah	Harrison	Norris	Trammell
Capper	Kenyon	Nugent	Walsh, Mass.
Harris	King	Sheppard	

NOT VOTING—45.

Ashurst	Edge	Johnson, Calif.	Lenroot
Ball	Elkins	Johnson, S. Dak.	McCormick
Beckham	Fletcher	Jones, N. Mex.	McCumber
Colt	France	Kellogg	McLean
Comer	Frelinghuysen	Kirby	Moses
Culberson	Gore	Knox	Myers
Cummins	Gronna	La Follette	Newberry
Overman	Sherman	Smoot	Williams
Owen	Shields	Swanson	Wolcott
Penrose	Smith, Ariz.	Wadsworth	
Poindexter	Smith, Ga.	Walsh, Mont.	
Reed	Smith, S. C.	Watson	

So the conference report was agreed to.

COMMITTEE SERVICE.

Mr. UNDERWOOD. Mr. President, I find that the work on the Appropriations Committee of the Senate is such that I can not be on the floor of the Senate and attend to the work in the committee; it is too engrossing; and it will be more so next winter. Now, that on the final appropriation bill for this session the conferees are ready to report, I wish to tender to the Senate my resignation as a member of the Committee on Appropriations and request that the Senator from New Mexico [Mr. JONES] shall be appointed to fill the vacancy created by my resignation.

The PRESIDING OFFICER. The Senator from Alabama asks to be relieved from the discharge of further duties as a member of the Committee on Appropriations. Is there objection? The Chair hears none.

The Senator from Alabama further asks that the Senator from New Mexico [Mr. JONES] be placed upon the Committee on Appropriations to fill the vacancy created by the resignation of the Senator from Alabama. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills:

S. 3270. An act authorizing the Superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, to consider, ascertain, adjust, and determine claims for damages occasioned by acts for which said survey is responsible in certain cases;

S. 4167. An act to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri; and

S. 4435. An act to authorize officers of the naval service to accept offices with compensation and emoluments from Governments of the Republics of South America.

The message also announced that the House had passed the bill (S. 643) to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 12530) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and it was thereupon signed by the Vice President.

RECLASSIFICATION OF POSTAL EMPLOYEES—CONFERENCE REPORT.

Mr. TOWNSEND submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 9.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 6, 7, and 10, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of "125" named in said amendment insert the following: "120"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter inserted by the Senate insert the following: "When the amount exceeds $100 for any one quarter, the postmaster shall be allowed—on the

first $100, 115 per cent; on the next $100 or less 75 per cent; and on the balance 60 per cent"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of "60" named in said amendment insert the following: "50"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"Inspectors shall be paid their actual expenses not to exceed $5 per day while engaged on official business away from their homes and official domiciles. The appropriations for per diem allowance authorized for the fiscal year beginning July 1, 1920, may be utilized for such expenses."

And the Senate agree to the same.

CHAS. E. TOWNSEND,
THOMAS STERLING,
J. C. W. BECKHAM,
Managers on the part of the Senate.
H. STEENERSON,
MARTIN B. MADDEN,
JOHN A. MOON,
Managers on the part of the House.

Mr. TOWNSEND. I ask unanimous consent that the Senate proceed to consider the conference report.

The PRESIDING OFFICER. The Senator from Michigan asks unanimous consent for the present consideration of the conference report. Is there objection?

Mr. HARRISON. Reserving the right to object, I reserve any points of order on the report. I want to ask the Senator from Michigan touching an amendment——

Mr. LODGE. Mr. President, if the Senator will allow me, if the report is to lead to any debate——

Mr. TOWNSEND. I understood, when I made the request, that if there was any debate the matter could go over.

RECESS.

Mr. LODGE. The Senate has now been here until 7 o'clock, and I think an opportunity ought to be given to those Senators, at least, who have remained to get something to eat. I therefore move that the Senate take a recess until 8.30 o'clock.

The motion was agreed to; and (at 6 o'clock and 55 minutes p. m., Friday, June 4, 1920) the Senate took a recess until 8 o'clock and 30 minutes p. m.

EVENING SESSION.

The Senate reassembled at 8.30 o'clock p. m., on the expiration of the recess.

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. I move that the Senate proceed to the consideration of Senate bill 3747.

Mr. HITCHCOCK. Mr. President, let us find out what the bill is.

Mr. McCUMBER. It is a pension bill.

The VICE PRESIDENT. The question is on the motion of the Senator from North Dakota.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3747) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

Mr. McCUMBER. Mr. President, I desire to say that there are five of these bills upon the calendar which deal with pensions for those in the Regular Establishment and in wars other than the Civil War. They have been upon the calendar for several months. I have held them in abeyance until after the passage of the Sells bill, which would take care of about one-half of the cases included in these bills. Therefore, with the consent of the committee, I shall move committee amendments whereby all of the items in each one of the bills which are taken care of by the Sells bill will be eliminated. That will eliminate about one-half of the items in the five bills.

I desire to say to Senators, before proceeding with them, that there is very little involved in each bill in the way of expense. The first one will carry about $20,000; the second one, about $10,000; the third, about $15,000; the fourth, about $9,000; and the fifth one, about $9,000; there being less than $60,000 involved in the five bills.

I send to the desk the amendments to Senate bill 3747, in which I have eliminated all of those covered by the Sells bill; and I move them as a single amendment, if there is no objection.

The VICE PRESIDENT. The bill has not been read. There is no order for the consideration of committee amendments first.

Mr. McCUMBER. I ask unanimous consent that the formal reading of the bill may be dispensed with, and that it be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there any objection? The Chair hears none. The Secretary will state the amendments offered by the Senator from North Dakota in behalf of the committee.

The amendments were, on page 2, to strike out lines 1 to 15, inclusive, as follows:

The name of William J. Grimm, late of Company G, First Regiment West Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Samuel Hawkins, late of the United States Marine Corps, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Joseph Provencher, jr., late of Company G, First Regiment New Hampshire Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John H. Helser, late of Company M, Fifth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

On the same page, strike out lines 20 to 23, inclusive, as follows:

The name of Sanford S. See, late of Company B, One hundred and fifty-eighth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

On the same page, strike out lines 24 and 25, and on page 3, strike out line 1 to 25, inclusive, as follows:

The name of David A. Kooker, late of Company I, Second Regiment United States Volunteer Engineers, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Henry F. Baldwin, late first lieutenant Company A, First Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Robert L. Zell, late of Company I, First Regiment District of Columbia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George F. Thomas, late ensign, United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John F. Buckley, late of Company L, Twenty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Jasper M. Sweeney, late of Company H, Eleventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Walter White, late of Company D, Fifteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

On page 4, strike out lines 1 to 3, inclusive, as follows:

The name of James W. Wilson, late of Company L, Twentieth Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

On the same page, strike out lines 8 to 16, inclusive, as follows:

The name of Jennie Y. Featherston, widow of Charles R. Featherston, late of Company B, Second Regiment Kentucky Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Charles D. Tibbets, late of Company B, First Regiment Virginia Volunteers, War with Mexico, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

On the same page, strike out lines 21 to 24, inclusive, as follows:

The name of Patrick G. Conley, late of Battery A, First Regiment Maine Volunteer Heavy Artillery, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

On page 5, strike out lines 1 to 4, inclusive, as follows:

The name of George R. Noblet, late of Company L, First Territorial Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

On the same page, strike out lines 15 to 25, inclusive, as follows:

The name of John D. Harkless, late second lieutenant Company F, Twenty-third Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of John W. Ferris, late chaplain, Sixth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John D. Ball, late of Company B and band, Second Regiment Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

On page 6, strike out lines 1 to 4, inclusive, as follows:

The name of Harry McFarlin, late second lieutenant Company K, First Regiment Florida Volunteer Infantry, War with Spain, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

On the same page, strike out lines 9 to 12, inclusive, as follows:

The name of John Fullam, late of Company G, One hundred and sixtieth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

On page 7, strike out lines 5 to 9, inclusive, as follows:

The name of Annie K. Stearns, widow of Joshua B. Stearns, late midshipman United States frigate *Constitution*, United States Navy, War of 1812, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

On the same page, strike out lines 19 to 23, inclusive, as follows:

The name of Margaret A. Roberts, widow of John Roberts, late of Company D, Fifth Regiment Indiana Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

On page 8, strike out lines 4 to 10, inclusive, as follows:

The name of Leonardo S. Twesten, late of Company L, Forty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Enoch E. Willard, late of Company B, First Regiment Maine Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

On the same page, strike out lines 16 to 18, inclusive, as follows:

The name of Anton Casper, late of Company B, Third Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

On page 8, strike out lines 23 to 25, and on page 9, strike out lines 1 to 6, inclusive, as follows:

The name of Elizabeth Teague, widow of Abner W. Teague, late of Company A, First Regiment Mississippi Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Emmett W. Fitzsimmons, late of Company B, Twenty-second Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

On page 9, strike out lines 23 to 25, inclusive, as follows:

The name of George Wortser, late of Company E, First Regiment South Dakota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

On page 10, strike out lines 1 to 7, inclusive, as follows:

The name of Jesse E. Ballinger, late of Troop A, Third Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Hiram A. Campbell, late of Company H, Forty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

On the same page, strike out lines 17 to 24, inclusive, as follows:

The name of Mary A. C. Kaigler, widow of William Kaigler, late of Company D, First Regiment Georgia Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of James R. Sullivan, late of Company M, Thirty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

On page 11, strike out lines 16 to 25, and on page 12, strike out lines 1 to 11, inclusive, as follows:

The name of Harley Mowrey, late of Company C, Mormon Battalion Iowa Volunteers, War with Mexico, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Einer Bjarnson, late of Battery B, Utah Volunteer Light Artillery, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Samuel Wheeler, late of Troop L, Eighth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George B. Taylor, late of Company C, First Regiment Wyoming Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Ruth E. Hartfiel, widow of Ray Hartfiel, late of Company B, Sixth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the minor children of said Ray Hartfiel until they reach the age of 16 years.

On page 12, strike out lines 20 to 23, inclusive, as follows:

The name of Howard G. Cleaveland, late of Company G, First Regiment Nebraska Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

On page 13, strike out lines 3 to 5, inclusive, as follows:

The name of James Martin, late of Company B, First Regiment Montana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

On the same page, strike out lines 11 to 14, inclusive, as follows:

The name of Duff Herrington, late of Company E, Twenty-third Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

On page 14, strike out lines 5 to 12, inclusive, as follows:

The name of Wesley H. Dick, late of Company B, Thirty-fifth Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles M. Woodworth, late of Company E, Thirteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendments were agreed to.

Mr. KING. Mr. President, I should like to ask the chairman of the committee, in view of the numerous pension bills which we have passed, as well as the Fuller bill, which is so general in its terms, what is the necessity of this bill and to what particular class of persons does it apply?

Mr. McCUMBER. The Senator was not in the Chamber when I explained that the bills that are included in the five bills that are now on the calendar are those pertaining to the Regular Establishment and to all wars other than the Civil War. They are the accumulations of about a year. I have not pressed them because the Sells bill, if it became a law, would take care of a large number of these several items on the calendar; and it takes care of about one-half of all of the cases, possibly a little over one-half. The entire amount involved in all five bills is less than $60,000, I think about $57,000, provided all of the parties mentioned in the bills live one year.

Mr. KING. Will the Senator permit an inquiry?

Mr. McCUMBER. Certainly.

Mr. KING. I am not sure that I understood the Senator; but does not the Sells bill take care of a portion of those embraced in this bill?

Mr. McCUMBER. It does; and therefore, by the amendments which I am offering to each bill, and which in the case of this bill has just been read, I have stricken out all of those covered by the Sells bill, which takes nearly two-thirds out of the bill which has just been read.

Mr. KING. I think the bill which was passed the other day, if the Senator will examine it carefully, will be found to have included within it more than 150 in one particular class that were properly cared for under the Fuller bill.

Mr. McCUMBER. Under the Fuller bill?

Mr. KING. Yes.

Mr. McCUMBER. Oh, yes; but those were the Civil War veterans. There are no Civil War veterans or widows' cases in this bill at all.

Mr. KING. The Senator does not understand my point. Notwithstanding we passed the Fuller bill to take care of certain classes, we passed a special pension bill, the omnibus bill, the other day, that carried 689 names.

Mr. McCUMBER. Yes.

Mr. KING. That provided duplicate lists. It provided for additional pensions to those which were granted by the Fuller bill.

Mr. McCUMBER. I think they were those that could not receive pensions under the Fuller bill or under any other bill—for instance, where there was less than 90 days' service, and the disability for which the pension was granted was not of service origin. In a case of that kind nothing would be received under the Fuller bill.

Mr. KING. I hope the Senator is correct; but I feel confident that a careful examination of the bill which was passed, and a careful examination of the Fuller bill and the interpretation placed upon it, will reveal the fact that there are more than 170, not of the character just mentioned by the Senator, either—that is, those that served less than 90 days—who will get duplicate pensions.

Mr. McCUMBER. No, Mr. President.

Mr. KING. And what I was apprehensive of was that this bill was a reduplication; that in this bill we were pensioning cases that had been provided for either in the Sells bill or in the Fuller bill.

Mr. McCUMBER. The Senator is mistaken. I went over those other bills very carefully, and the expert that is furnished us by the Pension Bureau went over it very carefully, and we eliminated from it every one who would receive equal relief under the Fuller bill. Of course, there were those who would receive a less amount than was granted under the Fuller bill, but none who would receive the relief that was granted in that bill.

Mr. WARREN. Will the Senator from North Dakota yield to me to submit a conference report?

Mr. McCUMBER. I yield.

GENERAL DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 5, 8, 12, 13, 14, 18, 19, 20, 21, 26, 37, 39, 50, and 60.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 9, 10, 11, 15, 16, 23, 24, 27, 28, 29, 31, 32, 33, 34, 35, 36, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 51, 53, 54, 55, 56, 57, and 58, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"ANTHRACITE COAL COMMISSION.

"The unexpended balance of the appropriation for the fiscal year 1920 for the Bituminous Coal Commission is made available during the fiscal years 1920 and 1921 for expenses of the Anthracite Coal Commission, including salaries and expenses of officers, employees and witnesses, personal services in the District of Columbia, purchase of supplies, printing and binding, reporting proceedings, per diem in lieu of subsistence at not exceeding $4, and all other necessary expenses in connection therewith."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out the words "the passage of this act" and insert in lieu thereof "June 30, 1920"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and roadway thereto, $7,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SHIPPING BULLETIN.

"The Secretary of the Navy is authorized to cause to be prepared in the Office of Communications, Navy Department, a publication known as the Shipping Bulletin, and to publish and furnish the same to the maritime interests of the United States and other interested parties, at the cost of collecting and publishing the information, including the cost of printing and paper and other necessary expenses. The expenses of such bulletin shall be paid from the appropriation 'Engineering,' Bureau of Steam Engineering, fiscal year 1921. The money received from the sale of such publication shall be covered into the Treasury as miscellaneous receipts."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"PENSION OFFICE.

"To provide additional compensation for employees of the Bureau of Pensions designated to carry out the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, $2,000, to continue available until June 30, 1921: *Provided*, That no person so employed shall receive compensation at a rate exceeding $1,740 per annum except 1 at $3,000, 1 at $2,400, 1 at $2,000, and 2 at $1,800 each."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In line 4 of the matter inserted by said amendment strike out "$20" and insert in lieu thereof "$15"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: ": *Provided*, That paper, envelopes, and blank books required by the stationery rooms of the Senate and House of Representatives for sale to Senators and Members for official use may be purchased from the Public Printer at actual cost thereof and payment therefor shall be made before delivery"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: Strike out in lines 2 and 3 of the matter inserted by said amendment the words "or before October 1 of each year" and insert in lieu thereof "the first day of each regular session"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: Strike out of the matter inserted by said amendment lines 69, 70, 71, 72, 76, 77, 78, and 79, and in line 103 strike out "$863,568.91" and insert in lieu thereof "$854,735.49"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the number proposed insert "5"; and the Senate agree to the same.

F. E. WARREN,
CHAS. CURTIS,
O. W. UNDERWOOD,
Managers on the part of the Senate.

JAMES W. GOOD,
J. G. CANNON,
JAMES F. BYRNES,
Managers on the part of the House.

Mr. HARRISON. As the Senate will recall, Mr. President, there was adopted on this bill last evening an amendment providing for a change in the assignment of the school board in the District of Columbia, a matter which had been very thoroughly investigated and considered, and on which the committee had made a unanimous report. After the adoption of the amendment the bill went to conference, and the Senate conferees have receded on it, and it is eliminated by virtue of this report. I understand that in conference, out of six conferees, there was only one conferee who objected to it. If the report should be adopted without Congress taking some action touching the school situation here, we will leave the people of the District of Columbia in a very bad situation touching the schools from now until December.

Mr. WARREN. Will the Senator yield for a moment?

Mr. HARRISON. Certainly.

Mr. WARREN. It would be hardly fair to say that there was but one opposed. There was one of the three House conferees, I might say, diligently opposed, and the other two gave no expression, as I remember it, in the conference either for or against.

Mr. HARRISON. I will say to the Senator that I have talked to at least one of the House conferees, and my information came from that House conferee touching the matter to the effect that there were two House conferees who were willing to accept it, but one House conferee was not willing to accept it and was unwilling to sign the report in the event it should be agreed to by the other conferees.

This is a matter of such great importance to the people of the District that it does seem to me Congress should not adjourn without some definite action taken touching this situation. The House has never voted upon the proposition, and it was eliminated by the wish of one conferee. So I am hoping that the chairman of the committee will allow the report to be rejected, so that it can go back to conference and go to the House, that there may be a vote taken upon that amendment, and the will of the House expressed. I am wondering if the Senator from Wyoming will not accept that and let us vote down the report, and let the House vote, at least, on this amendment.

There is another amendment on which the Senate conferees receded, in which the Senator from Tennessee [Mr. MCKELLAR] is very much interested as well as the Senator from Oregon [Mr. CHAMBERLAIN] and some other Senators, and I am interested in it, too. I was hopeful that the report could go back to conference, so that the House could take a vote on at least those two propositions.

Mr. WARREN. Mr. President, of course it is not in the hands of the conferees to take it back to conference, and it will not go back, unless it is sent by the Senate. I regret that any report which we make at this late hour upon an appropriation bill can not be accepted offhand; but the next best thing, of course, is to settle whether the report shall be sent back, and if it is to go back, to send it back without delay, because long debate here and delay means that the bill will fail this year, and the failure to pass supply bills means that we shall have to be assembled again to enact legislation to cover the wants for which the bill provides.

Mr. MCKELLAR. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Tennessee?

Mr. WARREN. Certainly.

Mr. MCKELLAR. Will the Senator oppose its being sent back to conference? The proposition in which the Senator from Mississippi is interested, and those in which the Senator from Oregon [Mr. CHAMBERLAIN] and I are interested, are just as proper as any claims in this deficiency appropriation bill. They are provided for by law. There is no question about it. There can not be any question about it. It is a plain case of the Gov-

ernment owing the money, and the amount has been found in a legal way. I do not think that the conferees on the part of the Senate should have agreed to let these matters go out, and I am not willing to agree that they shall be left out if I can prevent it. I do not know whether we can prevent it or not, but I do not want to have it done; it ought not to be done.

Mr. WARREN. Mr. President, as to the two angles of the remarks of the Senator, in the first instance, there is but one way, of course, to handle the matter. The conferees made their report and moved its adoption. They have done the best they can. If the Senate thinks that to send it back may be to obtain better results, the conferees will certainly do the best they can to get better results.

The second angle of the remarks of the Senator from Tennessee that the claim in which he is interested is provided for by law, and so on, leads me to say that we have provided directly by law that certain losses in public buildings sustained by contractors, who made their bids before the 6th of April, the day war was declared, and who entered into the contracts later, should be recouped for the money actually lost, after submitting the contracts to the Secretary of the Treasury, and he having them examined by proper experts; and the law states that they shall be paid upon that finding.

There is a difference in the two laws. The claim made by the conferees, whom we met, is that as to these particular claims, one of the river and harbor appropriation bills contains a clause analogous, of course, as to what I have said as to the law in respect to public buildings, except that it says that they shall be examined and a report regarding them shall be made to Congress. The conferees we met take the ground that in that way we are not authorized, except by legislation, first, to bring them under the law, which requires an appropriation. I am simply giving the Senate its ground as to that, and telling the Senate the difference which exists between the two classes of cases.

I think the Senator from Tennessee and the Senator from Mississippi will also remember that, as to the particular claim in controversy, I have been compelled to deny its admission to earlier appropriation bills because it had not then been so certified; that is, it had not been amended. But I may say to the Senators that it gave me great pleasure to think that we had arrived at a point where we could honor it and place it in this bill; and my fellow conferees, I am sure, will say that we did the best we could.

Mr. HARRISON. We are sure of that and we appreciate it very much. But I ask the Senator if he has any objection, in view of these circumstances, to the report being rejected, so that we can send it back?

Mr. WARREN. I can not come in with a conference report and say that I agree to send it back; but I do say that it is here for the Senate to act upon; and if the Senate wishes to send it back I shall very gracefully accept that command. I hope Senators will take into consideration the one fact that we are skating on very thin ice now to get through and go home to-morrow and not be called back to take care of some of these matters.

Mr. HARRISON. I will say to the Senator that is the reason why I am very glad he called it up this early, so that if we reject the report it can go immediately to conference and then to the House and they can vote on the proposition. In view of the importance of the proposition, I hope that the Senate will reject the conference report.

Mr. McKELLAR. I move that the report be rejected.

Mr. SMITH of Georgia. May I ask the Senator from Mississippi if it is not true that the amendment is essential to the conduct of the schools of the District during the coming year?

Mr. HARRISON. It is absolutely essential because of the present conditions. The president of the board of education has refused to call a meeting of the board, and everything is up in the air. I read the other day that at least four or five members of the board of education have gone out of the city. The whole thing is up in the air and will be until Congress takes some action. It will be an outrage if Congress refuses to take some action touching the public-school system of the District at this time.

The VICE PRESIDENT. The question is on agreeing to the conference report.

A division was called for and taken.

The VICE PRESIDENT. The conference report is agreed to.

Mr. McKELLAR. I ask for the yeas and nays.

Mr. SMOOT. It is too late to ask for the yeas and nays after the result has been announced by the Chair.

Mr. McKELLAR. There is no reason why we can not ask for the yeas and nays.

Mr. SMOOT. I will leave it to the Chair to decide as to whether under the rules, after the decision is announced by the Chair, the yeas and nays can be ordered.

The VICE PRESIDENT. There is no rule. The Constitution provides that on any question the yeas and nays shall be taken at the desire of one-fifth of the Senators present.

Mr. CHAMBERLAIN. I should like to ask a question with reference to moving that the conference report be agreed to. I understood the motion to be that it be recommitted. I may be mistaken.

Mr. McKELLAR. I moved to reject it.

The VICE PRESIDENT. The very constitution of the Senate makes the motion itself. It is, Shall the conference report be agreed to?

Mr. McKELLAR. Mr. President, what was done with the request for the yeas and nays?

The VICE PRESIDENT. There has not been anything done yet.

Mr. McKELLAR. I ask for the yeas and nays on the adoption of the conference report.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. In his absence I withhold my vote.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN] which I transfer to the junior Senator from Alabama [Mr. COMER] and vote "yea."

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. McCORMICK]. I understand if he were here he would vote as I am about to vote. I therefore feel at liberty to vote, and vote "yea."

Mr. JONES of Washington (when his name was called). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent. In his absence I have agreed to take care of him with a pair. However, I find that I can transfer that pair to my colleague [Mr. POINDEXTER], which I do and vote "yea."

Mr. SIMMONS (when his name was called). I transfer my general pair with the junior Senator from Minnesota [Mr. KELLOGG] to the senior Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Wisconsin [Mr. LENROOT] and vote "yea."

The roll call was concluded.

Mr. GAY. I have a pair with the senior Senator from New Hampshire [Mr. MOSES]. I transfer that pair to the junior Senator from Kentucky [Mr. STANLEY] and vote "yea."

Mr. BECKHAM. I have a pair with the senior Senator from West Virginia [Mr. SUTHERLAND]. I transfer my pair with that Senator to the senior Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. SMITH of Georgia (after having voted in the negative). I have a general pair with the senior Senator from Massachusetts [Mr. LODGE]. I notice that he has not voted. I transfer my pair to the senior Senator from Missouri [Mr. REED] and let my vote stand.

Mr. CHAMBERLAIN (after having voted in the negative). I have a pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence, I transfer my pair to the Senator from Texas [Mr. CULBERSON] and let my vote stand.

Mr. CALDER (after having voted in the affirmative). I am paired with the junior Senator from Georgia [Mr. HARRIS]. I transfer that pair to my colleague [Mr. WADSWORTH] and let my vote stand.

Mr. SPENCER. I have a general pair with the junior Senator from New Mexico [Mr. JONES], but under the arrangement I have with him I feel free to vote on this question. I vote "yea."

May I announce that the junior Senator from Iowa [Mr. KENYON], the senior Senator from Missouri [Mr. REED], and the senior Senator from Ohio [Mr. POMERENE] are engaged on official business in a hearing before the Committee on Privileges and Elections.

Mr. FERNALD. I transfer my pair with the junior Senator from South Dakota [Mr. JOHNSON] to the junior Senator from Maryland [Mr. FRANCE], and vote "yea."

Mr. TRAMMELL (after having voted in the affirmative). I desire to announce that I have a general pair with the senior Senator from Rhode Island [Mr. COLT]. I feel at liberty to vote on this question, and therefore will let my vote stand.

Mr. HARRISON (after having voted in the negative). I change my vote from "nay" to "yea." I desire to submit a

parliamentary inquiry. Is a motion to reconsider in order before the presence or absence of a quorum is developed?

The VICE PRESIDENT. It is not.

The result was announced—yeas 28, nays 14, as follows:

YEAS—28.

Beckham	Hale	McNary	Smoot
Brandegee	Harding	New	Spencer
Calder	Harrison	Page	Sterling
Curtis	Henderson	Phipps	Thomas
Dial	Jones, Wash.	Sheppard	Trammell
Gay	Keyes	Simmons	Underwood
Glass	McCumber	Smith, Md.	Warren

NAYS—14.

Ashurst	Hitchcock	Phelan	Smith, Ga.
Capper	King	Pittman	Walsh, Mass.
Chamberlain	McKellar	Ransdell	
Dillingham	Nugent	Robinson	

NOT VOTING—54.

Ball	Gore	McCormick	Shields
Borah	Gronna	McLean	Smith, Ariz.
Colt	Harris	Moses	Smith, S. C.
Comer	Johnson, Calif.	Myers	Stanley
Culberson	Johnson, S. Dak.	Nelson	Sutherland
Cummins	Jones, N. Mex.	Newberry	Swanson
Edge	Kellogg	Norris	Townsend
Elkins	Kendrick	Overman	Wadsworth
Fall	Kenyon	Owen	Walsh, Mont.
Fernald	Kirby	Penrose	Watson
Fletcher	Knox	Poindexter	Williams
France	La Follette	Pomerene	Wolcott
Frelinghuysen	Lenroot	Reed	
Gerry	Lodge	Sherman	

The VICE PRESIDENT. No quorum is present. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ashurst	Hale	New	Smoot
Beckham	Harding	Page	Spencer
Calder	Harris	Phelan	Sterling
Capper	Harrison	Phipps	Thomas
Chamberlain	Henderson	Pittman	Trammell
Curtis	Hitchcock	Ransdell	Underwood
Dial	Jones, Wash.	Robinson	Walsh, Mass.
Dillingham	Keyes	Sheppard	Warren
Fernald	King	Simmons	
Gay	McCumber	Smith, Ga.	
Glass	McKellar	Smith, Md.	

The VICE PRESIDENT. Forty-one Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. BRANDEGEE and Mr. NUGENT answered to their names when called.

Mr. SUTHERLAND and Mr. MCNARY entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-five Senators have answered to the roll call. There is not a quorum present.

Mr. WARREN. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. POMERENE, Mr. KENYON, Mr. REED, Mr. GERRY, and Mr. KENDRICK entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the report of the committee of conference on what is known as the general deficiency appropriation bill. The Secretary will call the roll.

The Reading Clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). Making the same announcement as before, I vote "yea."

Mr. GAY (when his name was called). Making the same announcement as on the previous roll call, I vote "yea."

Mr. GLASS (when his name was called). Making the same announcement as on the previous roll call, I vote "yea."

Mr. HENDERSON (when his name was called). Making the same announcement as before, I vote "yea."

Mr. JONES of Washington (when his name was called). Again announcing my pair and its transfer to the Senator from Wisconsin [Mr. LA FOLLETTE], I vote "yea."

Mr. SIMMONS (when his name was called). Again announcing my pair and its transfer as on previous roll calls I vote "yea."

Mr. SPENCER (when his name was called). Making the same announcement with regard to my pair, I vote "yea."

Mr. WOLCOTT (when his name was called). I have a general pair with the Senator from Indiana [Mr. WATSON]. I am unable to obtain a transfer of that pair, and therefore am unable to vote on this question.

The roll call was concluded.

Mr. HARRISON (after having voted in the negative). I desire to change my vote from "nay" to "yea."

Mr. STERLING. Making the same announcement as on the previous roll call as to my pair and its transfer, I vote "yea."

Mr. CHAMBERLAIN (after having voted in the negative). Announcing the same transfer as heretofore, I will allow my vote to stand.

Mr. CURTIS. I wish to announce the following pairs:

The Senator from Delaware [Mr. BALL] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Oklahoma [Mr. GORE];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

The roll call resulted—yeas 33, nays 16, as follows:

YEAS—33.

Beckham	Harding	McNary	Sterling
Brandegee	Harris	Page	Sutherland
Calder	Harrison	Phelan	Thomas
Curtis	Henderson	Phipps	Trammell
Dial	Jones, Wash.	Sheppard	Underwood
Fernald	Kenyon	Simmons	Warren
Gay	Keyes	Smith, Md.	
Glass	Lodge	Smoot	
Hale	McCumber	Spencer	

NAYS—16.

Ashurst	Gerry	Nugent	Reed
Capper	Hitchcock	Pittman	Robinson
Chamberlain	King	Pomerene	Smith, Ga.
Dillingham	McKellar	Ransdell	Walsh, Mass.

NOT VOTING—47.

Ball	Gore	McLean	Shields
Borah	Gronna	Moses	Smith, Ariz.
Colt	Johnson, Calif.	Myers	Smith, S. C.
Comer	Johnson, S. Dak.	Nelson	Stanley
Culberson	Jones, N. Mex.	New	Swanson
Cummins	Kellogg	Newberry	Townsend
Edge	Kendrick	Norris	Wadsworth
Elkins	Kirby	Overman	Walsh, Mont.
Fall	Knox	Owen	Watson
Fletcher	La Follette	Penrose	Williams
France	Lenroot	Poindexter	Wolcott
Frelinghuysen	McCormick	Sherman	

The VICE PRESIDENT. On the question of agreeing to the conference report the yeas are 33, the nays are 16, Senator WOLCOTT being present in the Chamber and not voting, making a quorum. The conference report is agreed to.

Mr. HARRISON. Mr. President, I desire to move to reconsider the vote.

Mr. SMOOT. Mr. President——

Mr. HARRISON. No; I want to occupy the floor for a while. Mr. President, I was very sorry that the chairman of the committee did not agree to this motion, so that the conference report, with the school provision eliminated, might go back to conference and the House could vote upon that proposition; and I feel that the question is of so much importance that I should occupy the time of the Senate for as long as I may hold out in opposition to this conference report.

In addressing the Senate touching this conference report I shall confine my remarks to the school question in the District; and so I can say to the Senators here present that if they do not desire to hear this school question discussed and want to smoke a little bit or promenade for a long while or do anything else that they desire, they shall have plenty of time in which to do it.

It seems that it is a pity that the American Congress does not feel that the District affairs should receive sufficient consideration at its hands to allow at least such an important question as this to be considered by the other House. The amendment in question is carrying out the views of the select committee investigating the school conditions. It was a unanimous report.

Mr. ASHURST. Mr. President, will the Senator yield to me for a moment?

Mr. HARRISON. I yield for a question.

Mr. ASHURST. If the Senator should succeed in defeating the conference report, would he thereby assist the schools? Would he achieve his point by the defeat of this bill?

I ask the question because I sympathize with the Senator's view and have uniformly voted with him; but I do not perceive how, by defeating the conference report, he will assist the schools that he is so ably trying to assist.

Mr. HARRISON. Of course, the Senator has the same viewpoint about this matter that I have. He is a very practical man and one of the best Senators I have ever met in my life.

I always like to hear him, because I think he is about the most eloquent Senator in the United States.

Mr. ASHURST. I admit it. [Laughter in the galleries.]

The VICE PRESIDENT. The occupants of the galleries are not here to furnish applause. They must keep still.

Mr. HARRISON. Of course, if this conference report is defeated, the amendment of the Senate, attached to it by practically a unanimous vote, goes with it to the scrap heap, and unfortunately no legislation will pass; but I hope that the very distinguished Senator from Wyoming [Mr. WARREN], who not only has the schools of the District at heart, but has the interests of the people at heart, who has a big heart himself, will reconsider and allow this conference report to go back to conference, and then let it go before the House to be voted on upon this proposition. Then we can go along smoothly for the balance of the night, and take up some of these other questions that may be pending, and we might then take up the bill that was referred to by the Senator from Oregon [Mr. MCNARY] this morning.

Mr. ASHURST. If the Senator will pardon me, I hope he will forgive my facetiousness of a moment ago. I really want to be practical on the question. The Senator will perceive that on two roll calls I voted with him.

Mr. HARRISON. I know the Senator did.

Mr. ASHURST. And the Senator's powerful argument the other night on the situation in regard to the schools of this District had very much to do with influencing my vote.

Mr. HARRISON. The Senator always votes right.

Mr. ASHURST. But on the last roll call there were 33 votes for the adoption of this conference report and 12 votes against it.

Mr. HARRISON. Yes.

Mr. ASHURST. And I voted with the Senator.

Mr. HARRISON. That is right. The Senator voted right.

Mr. ASHURST. But I do not perceive how there is any reasonable probability that that large majority, over two to one, will change its view and adopt the view of the 16, which is only half. If it would do so, I should be very happy.

Mr. HARRISON. The Senator has perceived, as I have perceived in this body, that very often some of the Senators change their minds and vote one way and then vote another way; but I think—and the Senator will agree with me, I am quite sure—that the reason why the Senators voted "aye" there was because the chairman having the matter in charge was voting that way. Of course if the chairman of the committee, the Senator from Wyoming, whom I love, would just say the word and let this report go back to conference and over to the House and have a vote on it, as I was going to say when the Senator from Arizona interrupted me, we could perhaps in the course of the evening get up the bill that was introduced by the distinguished Senator from Oregon [Mr. MCNARY] touching the sugar question; we could take up other bills that other Senators have been desirous of getting up, and pass them; we could pass this very important bill increasing the pay of the postal employees; we could take up the conference report on the shipping bill; we could take up the District of Columbia appropriation bill; and there are many bills that we could take up and consider if I could persuade the Senator from Wyoming to allow this conference report to go back to conference and let the House pass upon it.

It seems to me that that would be the very proper thing to do in view of the circumstances. I do not like to work any more than any other Senator desires to work, but there were five of us who gave from two to five hours a day for two months working upon a matter which, of course, our immediate constituencies were not interested in, except indirectly, as they are interested in civilization generally; but we were working in order to study the school situation here; we were working at the instance and at the direction of the United States Senate, trying to find out what was the matter with the school situation in the District of Columbia. We gave our time unstintedly, tried to be impartial in the consideration of that question; we tried to deal with it in a fair and in a just way, and, as I said, we left our offices from two to five hours a day for two months, and gave our time to consider that question, and after considering it that long we unanimously agreed upon a report as to what ought to be done.

With the exception of myself, the members of that committee were men of high intelligence, superb ability, thoroughly patriotic, and wanted to do the right thing for the schools. If that committee is to be repudiated by the Senate and by the House of Representatives, and all of its work held for naught, all of its suggestions thrown to the winds, all of the policies which were advocated in its report repudiated, then well and good; but I feel that the matter is of such importance that it at least should be discussed, and discussed at length.

I hope the Senator from Wyoming was listening to me when I made that suggestion. I will make it again. I will make it to the leader of the majority, too. I was in hopes that the big-hearted Senator from Wyoming, who I am sure is in sympathy with what the committee on the school investigation reported and is in sympathy with this amendment, because he voted for it, and advocated it not only here in the Senate but in the conference, would allow this to go back to conference, and let the House pass upon the proposition.

Mr. LODGE. May I ask a question?

Mr. HARRISON. I yield for a question.

Mr. LODGE. What assurance has the Senator that the conferees on the part of the House will allow it to go back to the House?

Mr. HARRISON. I have the assurance from the chairman of the Appropriations Committee of the House that if the Senate votes down the report and it goes back into conference, he will present it to the House, and that he will do his best to get a separate vote upon the proposition. I could not have any better assurance than that, and certainly we would do a great deal of good for the schools of the District if they would agree with the Senate's action on it, and it is due to the House not to let one man thwart the will of the House, and they should be given the privilege of voting upon this very important question. It seems to me that it is almost a travesty for the Congress to adjourn to-morrow and leave the situation as it will affect the schools in the condition in which we will leave it if this conference report is adopted as it now stands.

Mr. LODGE. May I ask the Senator another question? Suppose the House declined to yield; then we would be simply where we are now, and to send the report back would hardly be worth while?

Mr. HARRISON. If the House, on a separate vote upon this proposition, should not agree with the action of the Senate and should vote down that amendment, I am through. I will have done everything I could do; I will have performed my duty. The other members of the select committee, I think, feel as I do—that they have done their duty.

Mr. LODGE. Mr. President, I think the Senator knows that I have been in sympathy with him——

Mr. HARRISON. Absolutely; and I appreciate it.

Mr. LODGE. And in sympathy with what he is doing, in sympathy with him about Van Schaick and about all the Senator has been trying to do for the schools; but I should like to get the deficiency appropriation bill through if possible so that we may adjourn to-morrow.

Mr. HARRISON. I am in sympathy with the Senator, too.

Mr. LODGE. If the House conferees refuse to take it back, we have no means of forcing them.

Mr. HARRISON. I am quite sure the House conferees will not refuse to take it back. I have told the Senator the conversation I had with the chairman of the Appropriations Committee of the House. I think he is in entire sympathy with this amendment, and I think he would like to have the House vote on it.

Mr. CURTIS. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from Kansas?

Mr. HARRISON. I yield for a question.

Mr. CURTIS. What if the House conferees fail to get a separate vote in the House? Then would the Senator be satisfied?

Mr. HARRISON. I think we ought to have a separate vote in the House.

Mr. CURTIS. I say, what would happen if the House conferees do not get a separate vote in the House?

Mr. HARRISON. I can not understand the theory of government under which one man can thwart the will of the American Congress.

Mr. WOLCOTT. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Delaware?

Mr. HARRISON. I yield.

Mr. WOLCOTT. I am very much interested in the repetition of that statement by the Senator about one man thwarting the will of Congress. Would the Senator object to enlightening me by telling me who that one man is who is so potent?

Mr. HARRISON. He is one of the House conferees, who objected to this proposition, and stated that he would not sign the report with this amendment in it; and so the other House Members, in order to be congenial, said that they would stand by him.

Mr. WOLCOTT. It is a combination, then, that is thwarting the will of Congress. The Senator made an appeal a while ago to the Senator from Wyoming to let this report go back. May I ask the Senator if it would not be more appropriate to address that request to the Senate?

Mr. HARRISON. Yes.

Mr. WOLCOTT. If so, why not let us vote on the motion to reconsider, and see what the Senate has to say about it?

Mr. HARRISON. I was in hopes that the Senate would agree to let it go back to conference. I wanted to discuss the proposition for a while before we voted on the motion to reconsider. Did the Senator from Wyoming desire to ask me a question?

Mr. WARREN. I want to make a few remarks, if the Senator will permit.

Mr. HARRISON. I yield for a question.

Mr. WARREN. What I say I will say in all kindness, of course. I have been somewhat interested in the Senator's remark about one man holding up the Congress. I am satisfied, if I can take the word of the Senator from Mississippi, that that is exactly what he intends to do to-night—to hold up the Congress.

Mr. HARRISON. Yes, sir; I intend to hold it up. I am perfectly candid with the Senator.

Mr. WARREN. In other words, the Senator is intending to do what he condemns in somebody else?

Mr. HARRISON. No. One gentleman is holding it up because we are trying to help the schools in the District, and I am holding it up because the American Congress refuses to do anything for the schools of this District, and is going to adjourn leaving the schools in their present condition.

Mr. WARREN. I want to go along bit by bit, so I may know just where we are moving. I take the Senator at his word. He has the power, under the rules of the Senate, without question, and if he is a good, industrious talker, of course, he can talk until daylight, and stay here, and we lose the bill. I have no objection whatever to the Senate sending the report back to the conferees, and we shall do the very best we can, as we did before. But, of course, the Senator must remember that, first, we have to secure at least two of the three House conferees to agree with us; and, second, if they refuse to take the matter back to the House, we can not compel them to do so. If they go back to the House, and the House does not sustain the proposition the Senator from Mississippi makes, of course, we can not help that. Since the Senator has been so frank, I would like to know just how far we must go; just where our boundaries may be if we shall send it back.

Mr. HARRISON. If we send it back, we will have taken a very good step. I think that the House ought to vote on the proposition, unless the House conferees would agree to the proposition.

Mr. WARREN. Mr. President, I have been in a good many pretty close quarters in conferences, and I recall times when we have been sent back where we have met a great deal of sturdy opposition on the ground that we did not make any effort to have our report sustained, and so forth.

Mr. HARRISON. They can not make that charge to-night.

Mr. WARREN. It is now in the hands of the Senate. They are to pass upon it. Besides the item to which the Senator is objecting, there are two or three others which undoubtedly will be objected to, even if we can settle this one. I should like to know something about those to see whether we are going to get this matter finally settled if we go back and struggle with the conferees.

Mr. McKELLAR. I want a separate vote on the item in which the Senator knows I am interested. It is a claim of constituents of mine provided for by law, and I think they are entitled to have what the law gives them. If the House votes it down on a separate vote, then I shall be willing to let it go.

Mr. HARRISON. Did the Senator from Wyoming have some suggestion?

Mr. WARREN. I was going to say further that of course it would be useless for the Senate to send the report back unless the Senator himself and those with him have confidence that the conferees will do the best they can. Having done the best they can, I want to know what we are going to do if it should happen that we should be unsuccessful on any one of these matters, and I do not mean by that that we should go back intending to be unsuccessful.

Mr. HARRISON. I think the Senator has done admirably. I know the Senator has tried to take care of the amendment in which I am interested and of those in which the Senator from Tennessee [Mr. McKELLAR] and the Senator from Oregon [Mr. CHAMBERLAIN] are interested, but I think the House ought to pass on such important propositions as have been eliminated.

Mr. WARREN. The Senator seems to be in close connection with the Senator from Tennessee. Is the matter in which the Senator from Tennessee is interested a part of this? How is that to be settled?

Mr. HARRISON. I understood the Senator from Tennessee to state that he desires a separate vote in the House on his proposition.

Mr. McKELLAR. Let it take exactly the same course the others do.

Mr. WARREN. The Senator says the same course. I do not know that we can get the same course taken, but if I may, I want to go a little further and ask the Senator from Ohio [Mr. POMERENE] in regard to a proposition in which he is interested. I want to inform the Senator, because we may as well understand this whole situation, that we were compelled to recede upon an amendment of $4,100 for park policemen, which the Senator has advocated very sincerely and enthusiastically. Is the Senator going to interpose any conditions in regard to that item?

Mr. POMERENE. Mr. President, I desire to be perfectly frank about the matter.

Mr. WARREN. I am trying to get the matter settled, and to get the conference report agreed to.

Mr. POMERENE. I realize it very fully. The Senator has properly described my attitude when he says I have been enthusiastic about this matter, and I have been enthusiastic about it because the Congress has been guilty of the grossest kind of an injustice against 10 policemen in the Zoological Park. Increases in salary have been given to every other class of policemen in the District, but because of the fact that 10 policemen who are immediately under the control of the Smithsonian Institute, and have heretofore been paid out of a lump sum, have been overlooked by the Appropriations Committees both of the Senate and of the House, they are to be deprived of a similar increase. I realize that it is hardly the fair thing to hold up an entire appropriation bill for the benefit of 10 policemen, but those 10 policemen have to be clothed and fed, and some of them at least have families.

I am not going to concede at this moment that when these facts are fully known to the conferees of the House they are going to deny simple and exact justice to these 10 men. If the conference report comes back, I shall determine my course by the position which we may then be in. I shall have done all that I think I can do, but I want to appeal to the sense of justice on the part of the conferees of the Senate as well as of the House. I believe the Senate conferees have done all that they can in that behalf. I am amazed that an item of this kind should have been stricken out of the bill in conference. There is no defense that can be made of it.

Mr. WARREN. I have not yet received any assurance about the matter of the river and harbor claim. In other words, I want to know "where we are at."

Mr. McKELLAR. I thought I had stated my position. If it comes back I will use my own judgment as to what is necessary to be done at that time.

Mr. WARREN. Then we might as well talk about it for a few days, because to come back half-handed in that way accomplishes no object whatever. I am anxious to get upon a ground where we could take the conference report back, but not with one subject at a time and with no assurance as to the others.

Mr. HARRISON. May I say to the Senator that I am interested in this claim matter the same as the Senator from Tennessee [Mr. McKELLAR] and the Senator from Oregon [Mr. CHAMBERLAIN]? There are about 12 of those, but this is all in one amendment. They could take a separate vote in the House on that proposition. I can not see how they could do otherwise. Is that not agreeable?

Mr. WARREN. The Senator says they are all in one amendment. They are not connected in any way whatever.

Mr. HARRISON. I understand it was all in one estimate of three hundred and some odd thousand dollars from the Treasury Department.

Mr. WARREN. Oh, yes.

Mr. HARRISON. It is not one item still, in the bill?

Mr. WARREN. Yes; just one item.

Mr. HARRISON. It would take just one vote on that proposition. I understood the Senator from Tennessee to state that it would be satisfactory to go back to conference, to go into the House, and if they should vote him down——

Mr. WARREN. If I am going to help get this back, I shall have to have some assurance from Senators, when we have fought for them the best we can to the end of the line, whether we are coming back and are then to be held up, if I may use that expression.

Mr. HARRISON. I say to the Senator that I shall not attempt to hold it up, but will try to help the Senator expedite it, if the matter goes back to conference and the House votes upon the proposition, or it need not go back to a vote if the House conferees will agree to it.

Mr. WARREN. Of course, the Senator knows that I can offer no assurance that the House will vote on it.

Mr. HARRISON. I understand that perfectly.

Mr. WARREN. I will give him every assurance that I will do my best.

Mr. HARRISON. If it should go to conference, then, of course, the House conferees could refuse to take it back; but I sincerely believe they would take it back and try to agree on the proposition.

Mr. McKELLAR. There will be two separate votes—one on the river and harbor claims and the other on the school question——

Mr. WARREN. When does the Senator mean?

Mr. McKELLAR. Unless the conferees agree to accept them. In that case, of course, there would be no trouble about it.

Mr. WARREN. Does the Senator mean if we get into trouble with this matter and bring it back, they still will try to have votes on these two matters?

Mr. McKELLAR. All that I ask is that these two matters go to the House and let the House vote on them.

Mr. WARREN. But suppose they do not go to the House? Suppose we are not able to get them there?

Mr. McKELLAR. Oh, they will go to the House.

Mr. HARRISON. The Senator from Wyoming knows if we commit ourselves on the floor of the Senate that we would be satisfied if we go to conference and the conferees on the part of the House refuse to take it back there that that would satisfy us.

Mr. WARREN. But the Senator from Tennessee [Mr. McKELLAR] has not given that assurance.

Mr. McKELLAR. No; and I do not understand the Senator from Mississippi has done so. We both ask that these two matters be taken back to conference and the House conferees submit the two questions to the House. If they vote us down in the House, then that is a matter that we have nothing further to say about, but if they do not vote us down, our items would be in the bill.

Mr. WARREN. The conference report is the property of the Senate. We have made that report and placed it on the table. I should be very glad to assist Senators to send it back by the vote of the Senate if the Senate thinks that with the present condition of things it should go back. I should like to cooperate, of course. There is the situation. The Senate has heard the Senator from Mississippi state his intentions about it, and other Senators as well, but we had better dispose of it one way or the other.

Mr. CHAMBERLAIN. Mr. President, the request of the Senator from Mississippi does not seem to me to be an unreasonable one. The Senator has made a most diligent fight for the provision with reference to the schools here. He won out in the Senate. The chairman of the committee knows what the vote was on that. The Senate also voted in by unanimous vote the river and harbor items in the bill. Now, all that the Senator asks is that the conferees take the bill back and have the question voted on by the House. It is not an unreasonable request. The chairman insists that he is willing to do that if the Senate will send the conference report back, but the Senate has shown an indisposition to do that.

Mr. WARREN. It is not in my possession. I have said to the Senator and to the Senate that if the Senate will vote to send this back now after hearing these statements I shall be very glad to take it back.

Mr. CHAMBERLAIN. May I interrupt the Senator once more?

Mr. HARRISON. Certainly.

Mr. CHAMBERLAIN. Will the Senator ask the Senate to do that?

Mr. McKELLAR. I ask unanimous consent that the report be sent back to conference with instructions that the conferees be asked to request a separate vote in the House upon these two items.

Mr. LODGE. I have no objection to it in the world, but what is the next step? Suppose we lose? We can not make the House conferees take it back. We can not make the House vote on it. If the House refuses for any reason, we are just where we are now. What is gained?

Mr. McKELLAR. On the other hand, if we agree beforehand as to the matter, if we let it go that way, we would feel like the celebrated——

Mr. LODGE. If Senators would agree that it should be taken back and an effort made to get it submitted to the House, and if that failed, then we should have a vote and pass the bill, that would be one thing.

Mr. HARRISON. Why can we not, as the Senator from Massachusetts has suggested, let the conference report go back to conference and have the conferees upon the part of the Senate urge in every possible way that the House conferees take it to the House for a separate vote and stop there?

Mr. LODGE. We would be no better off then than we are now.

Mr. McKELLAR. We could not be any worse off than we are now. We might be entirely well off, we might get the matter settled, but as it is now I do not see how we could be worse off than we are.

Mr. HARRISON. I am trying to help the Senator to get straight on this proposition.

Mr. LODGE. It seems to me we could get together if Senators would give the assurance that if we made every effort to get it back to the House and failed, the prevention of the vote would be withdrawn, and that would get us somewhere.

If we are simply to go to the House and if we fail to get a vote on it and come back here and begin the filibuster over again we might as well make up our minds to it and reconsider the adjournment resolution and take our time on the bill.

Mr. HARRISON. Will the Senator from Wyoming make the suggestion that the conference report go back to conference?

Mr. WARREN. It is before us on the motion which the Senator made. The Senator moved to reconsider. Let us take a vote on that question.

Mr. HARRISON. The trouble now is that when that vote is taken, if I am voted down on the question of a reconsideration, I have lost the floor, and I expect to hold the floor until some agreement is made.

Mr. WARREN. If the Senator undertakes to hold the floor until these conferees can guarantee him exactly what they can come back with, the Senator from Mississippi would hold it until next January.

Mr. HARRISON. I made no suggestion as to that. I do not think the Senator from Wyoming understood me. I said that if I give up the floor on a motion to reconsider, then I would be down and out. I propose this: I ask unanimous consent that the conference report be rejected by the Senate and be sent back to conference.

The VICE PRESIDENT. Is there objection? The Chair hears none. It is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 13962. An act to extend the time for the construction of a bridge across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 14368. An act to provide revenue, encourage domestic industries, and make provision for the national defense by the elimination, through the assessment of special duties, of unfair foreign competition in the sale of aeroplanes imported into the United States, and for other purposes.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 13266. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes; and

H. R. 14208. An act to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended.

MONONGAHELA RIVER BRIDGE.

H. R. 13962. An act to extend the time for the construction of a bridge across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania, was read twice by its title and referred to the Committee on Commerce.

Mr. CALDER. Mr. President, I ask unanimous consent to submit a report from the Committee on Commerce. I report back favorably without amendment the bill (H. R. 13962) to extend the time for the construction of a bridge across the Monongahela River, and so forth, and I ask for its present consideration.

The VICE PRESIDENT. Is there objection?

Mr. McCUMBER. I am going to object to the consideration of other bills than appropriation bills until we get through with the pension bill that was before the Senate some time ago.

Mr. CALDER. Will not the Senator permit this bill to be considered? It is merely a bridge bill.

Mr. McCUMBER. There are 40 others, and I have been waiting six months to get these pension bills through. I think it is about time that we should reach a vote on them.

The VICE PRESIDENT. Objection is made. The bill will go to the calendar, and the consideration of the pension bill will be resumed.

PENSIONS AND INCREASE OF PENSIONS.

The Senate, as in Committee of the Whole, resumed consideration of the bill (S. 3747) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and

Navy, and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

The reading of the bill was concluded.

Mr. McKELLAR. Mr. President, I offer the following amendment.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. Insert at the proper place in the bill the following:

The name of Margaret Howell Butler, widow of Matthew C. Butler, jr., late lieutenant colonel of Cavalry, United States Army, Regular Establishment, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to a third reading, read the third time, and passed.

UNFAIR FOREIGN COMPETITION.

Mr. HITCHCOCK. Mr. President, I ask for the present disposition of House bill 14368, which is on the Secretary's desk.

The VICE PRESIDENT. The Senator wishes to have it handed down?

Mr. HITCHCOCK. I do.

H. R. 14368. An act to provide revenue, encourage domestic industries, and make provision for the national defense by the elimination, through the assessment of special duties, of unfair foreign competition in the sale of aeroplanes imported into the United States, and for other purposes, was read the first time by its title.

Mr. HITCHCOCK. I desire to object to the second reading of the bill.

The VICE PRESIDENT. The bill will go over.

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. I move that the Senate proceed to the consideration of the bill (H. R. 7775) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

Mr. KING. I should like to inquire of the chairman of the committee why this bill was not included in the measure just considered?

Mr. McCUMBER. Simply because the House reported it as a separate bill and it was taken up at a separate time and disposed of at a separate time and reported out from the committee several weeks after the other bill.

Mr. KING. Is it of the same character as the one we just considered?

Mr. McCUMBER. It is of the same character. All of them refer to the general establishment or wars other than the Civil War.

Mr. KING. I have opposed some pension bills, and I do not regard this as having a greater merit than some of those recently passed, but no opposition upon the part of Senators will prevent affirmative action, so I shall not object to its consideration.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with amendments.

The VICE PRESIDENT. Without objection, the formal reading of the bill will be dispensed with, and the bill will be read for amendment, committee amendments to be first considered.

Mr. McCUMBER. On behalf of the committee I offer the amendments, which I send to the desk.

The VICE PRESIDENT. The amendments will be stated.

The READING CLERK. On page 1, after line 5, it is proposed to strike out:

The name of Hannah J. Clark, widow of William H. Clark, late of Troop E, Fifth Regiment United States Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 2, to strike out:

The name of James L. Buckler, late of Company F, Fourth Regiment Kentucky Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 2, after line 6, to strike out:

The name of Charles W. Van Scoyk, late of Company G, Third Regiment Ohio Infantry, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 2, after line 13, to strike out:

The name of Sophie Reimuller, widow of George Reimuller, late of Company C, Forty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month and $2 per month additional for minor child until he reaches the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 3, after line 2, to strike out.

The name of Carson Rummel, late of Company I, Twenty-eighth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The name of John Bohntinsky, late of Company L, Fifth Regiment United States Infantry, and Hospital Corps, United States Army, and pay him a pension at the rate of $17 per month.

The name of Rebecca Strouther, mother of Charles Strouther, late of Company G, Forty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, line 1, after the word "Strain" to insert "alias Lewis Monroe," so as to make the clause read:

The name of Lewis M. Strain, alias Lewis Monroe, late of Company C, Fifteenth Regiment United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, after line 7, to strike out:

The name of Charles Voos, late of Company D, Third Regiment Connecticut Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Ernest Meyer, late of Company M, Second Regiment Wisconsin Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 22, to strike out:

The name of James O. Carroll, late of Company K, Second Regiment Arkansas Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 5, to strike out:

The name of Maria Kuehn, widow of Charles Kuehn, late of Company C, Fourth Regiment United States Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Marion P. Barnett, late of Company M, Fourth Regiment Missouri Infantry, and pay him a pension at the rate of $17 per month.

The name of Joseph Roddy, late of Company I, First Regiment Missouri Infantry, and pay him a pension at the rate of $12 per month.

The name of John C. Graves, late of Company L, Thirty-third Regiment Michigan Infantry, and pay him a pension at the rate of $12 per month.

The name of William E. Sloane, dependent father of Alexander G. B. Sloane, late of the United States Navy, and pay him a pension at the rate of $20 per month.

The name of Schuyler van Tassell, late of Company M, Thirty-fifth Regiment Michigan Infantry, and pay him a pension at the rate of $12 per month.

The name of Samuel W. Van Riper, late of Company E, Thirty-second Regiment, and Company E, Twenty-first Regiment, United States Infantry, and pay him a pension at the rate of $12 per month.

The name of Reinhard Anschutz, alias Charles Reinhard, late of Troop L, Fifth Regiment United States Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 6, after line 2, to strike out:

The name of John J. Burke, late of Troop D, First Regiment United States Cavalry, and pay him a pension at the rate of $17 per month.

The name of John C. Koepplinger, late of Company C, Sixth Regiment Ohio Infantry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Albert Beehler, late of Company C, Sixth Regiment Ohio Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, after line 20, to strike out:

The name of William McBride, late of Company A, Sixty-ninth Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 7, beginning in line 1, to strike out:

The name of Wynn M. Mays, late of Company K, Second Mississippi Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George W. Chandler, late of Troop F, Third Regiment United States Volunteer Cavalry, and pay him a pension at the rate of $12 per month.

The name of Martha Tyler, widow of William Tyler, late of Capt. Jernigan's Company of Mounted Volunteers, Seminole Indian Wars of Florida in 1856 and 1857, and pay her a pension at the rate of $20 per month.

The name of Walter S. McQuaide, late of Company A, First Regiment United States Volunteer Engineers, and pay him a pension at the rate of $12 per month.

The name of Narcissa A. Grant, formerly widow of Sylvain Trichil, late of Company I, Fifth (Peyton's) Regiment Louisiana Militia Infantry, War with Mexico, and pay her a pension at the rate of $20 per month.

The name of Lizzie Eaton Webster, widow of Leicester Webster, late of the United States Navy, and pay her a pension at the rate of $12 per month.

The name of Thomas S. Garen, late of the United States Navy, and pay him a pension at the rate of $12 per month.

The name of Barton E. Connor, late of Company F, Ninth Regiment Illinois Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 8, to strike out:

The name of Peter Beebe, late of Company F, Forty-first Regiment United States Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 8, after line 6, to strike out:

The name of Martha Tyler, widow of William Tyler, late of Capt. Jernigan's Company of Mounted Volunteers, Seminole Indian Wars of Florida in 1856 and 1857, and pay her a pension at the rate of $20 per month.

The name of Walter S. McQuaide, late of Company A, First Regiment United States Volunteer Engineers, and pay him a pension at the rate of $12 per month.

The name of Narcissa A. Grant, formerly widow of Sylvain Trichil, late of Company I, Fifth (Peyton's) Regiment Louisiana Militia Infantry, War with Mexico, and pay her a pension at the rate of $20 per month.

The name of Lizzie Eaton Webster, widow of Leicester Webster, late of the United States Navy, and pay her a pension at the rate of $12 per month.

The name of Thomas S. Garen, late of the United States Navy, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 8, line 23, before the word "mother," insert "dependent," and in line 24, before the word "late," to strike out "deceased," so as to make the clause read:

The name of Emma Golden, dependent mother of John Byron Golden, late of the United States Navy, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 9, beginning in line 1, to strike out:

The name of Ulysus G. Hunt, late of Company I, Third Regiment Kentucky Infantry, and pay him a pension at the rate of $17 per month.

The name of Filen Whalin, late of Company B, Third Regiment Kentucky Infantry, and pay him a pension at the rate of $12 per month.

The name of Caroline M. Anthony, late contract nurse, Medical Department, United States Army, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of William H. Branc, late of Battery F, Third Regiment United States Field Artillery, New York National Guard, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 9, after line 14, to strike out:

The name of Baxter Hogan, late of Company F, Twenty-first Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

Mr. SMITH of Georgia. Mr. President, from this amendment, which the Committee on Pensions has reported to the pending bill, the chairman is willing the Senate shall recede. This provides for a small pension of $12 a month, which was allowed by the other House, to Baxter Hogan, but I have submitted to the chairman of the committee affidavits from six reputable men covering the point in doubt in the case, and he has agreed that the amendment may be rejected. I ask that the committee amendment rejecting the pension to Baxter Hogan be disagreed to.

Mr. KING. I should like to inquire of the Senator from Georgia if the ground of striking out the pension by the committee was a bigamous marriage?

Mr. SMITH of Georgia. No; it was a doubt as to whether the injury did not antedate the pensioner's entering the service, and I have produced affidavits from a half dozen reputable men, including one physician, showing that the injuries did antedate the service of the pensioner and did not occur after his service.

Mr. McCUMBER. I desire to say that the additional evidence furnished by the Senator from Georgia since the report was made would have made a difference in the report of the Committee on Pensions relative to this case.

The VICE PRESIDENT. The question is on the amendment of the committee.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Pensions was, on page 10, after line 4, to strike out:

The name of Clem S. Kirkham, late of Troop L, Fourth Regiment United States Cavalry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, after line 10, to strike out:

The name of Howard M. Blankenship, late of Company M, Fourth Regiment United States Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, after line 16, to strike out:

The name of James J. Shortell, late of Company F, Seventy-first Regiment New York Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 22, before the words "per month," to strike out "$17" and insert "$24," so as to make the clause read:

The name of Frank M. Cottrell, late of Company F, Forty-ninth Regiment Iowa Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 10, after line 23, to strike out:

The name of William B. Hendricks, late of Company I, Third Regiment United States Volunteer Engineers, and pay him a pension at the rate of $17 per month.

The next amendment was, on page 11, beginning in line 1, to strike out:

The name of John E. Schilling, late of Company A, Second Regiment West Virginia Infantry, and pay him a pension at the rate of $12 per month.

The name of Miller Kincaid, late of One hundred and fourteenth Company United States Coast Artillery, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 11, after line 9, to strike out:

The name of Fred. Jahrries, late of Company L, Thirty-third Regiment, United States Volunteer Infantry, and pay him a pension at the rate of $24 per month.

The name of George E. Lovin, late of Company F, One hundred and sixty-first Regiment Indiana Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Daniel B. Reddicks, late of Company E, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 12, beginning in line 1, to strike out:

The name of William Mendenhall, late of Company E, Thirty-fifth Regiment United States Volunteer Infantry, and pay him a pension at the rate of $17 per month.

The name of Louis N. Hickey, late of Company B, Second Regiment New York Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 12, line 7, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Georgeanna C. Pierson, dependent mother of William D. Pierson, late of the Hospital Corps, United States Army, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 12, after line 13, to strike out:

The name of Gilbert E. Donnells, late of Company L, Fourth Regiment Illinois Infantry, and pay him a pension at the rate of $17 per month.

The name of Willard Kolp, late of Company C, Eighth Regiment Ohio Infantry, and pay him a pension at the rate of $17 per month.

The name of Nathaniel Singletary, late second lieutenant of Company G, Twenty-third Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 12, line 25, after the words "Second Regiment," to strike out "(reorganized)," and, in the same line, after the words "Ohio Volunteers," to strike out "(Mexican War)" and insert "War with Mexico," so as to make the clause read:

The name of Daniel Gonder, late of Company B, Second Regiment Ohio Volunteers, War with Mexico, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 13, after line 3, to strike out:

The name of John H. Alford, late of Company B, Second Regiment Tennessee Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 13, after line 9, to strike out:

The name of Jean N. Roach, widow of Ernest S. Roach, late first lieutenant of Company A, First Regiment Oklahoma Volunteer Infantry, National Guard, and pay her a pension at the rate of $17 per month and $2 per month for the soldier's minor children until they reach 16 years of age.

The amendment was agreed to.

The next amendment was, on page 13, after line 18, to strike out:

The name of William J. Linn, late of Company M, Third Regiment Georgia Volunteer Infantry, War with Spain; Company H, Forty-fifth Regiment United States Volunteer Infantry, and First and Tenth Batteries, United States Field Artillery, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, line 7, after the words "per month," to strike out "with $2 per month for each of the minor children of Charles N. Miller" and insert "and $2 per month additional on account of each of the minor children of said Charles N. Miller until they reach the age of 16 years," so as to make the clause read:

The name of Mamie K. Miller, widow of Charles N. Miller, late of the United States Navy, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Charles N. Miller until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 14, after line 14, to strike out:

The name of Cosam J. Bartlett, late major, First Louisiana Infantry, War with Spain, and pay him a pension at the rate of $25 per month.

The name of Mary Kirk, formerly widow of James A. Taggart, late of Capt. Hudspeth's Company C, California Battalion, War with Mexico, and pay her a pension at the rate of $20 per month.

The name of Clemson Underwood, late of Company K, First Regiment Montana Infantry, and pay him a pension at the rate of $12 per month.

The name of James E. Householder, late of Company G, Fifth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 15, line 2, before the word "child," to strike out "deformed" and insert "helpless and dependent," so as to make the clause read:

The name of Annie Kelly, helpless and dependent child of Thomas Kelly, late of Company F, Second Regiment Ohio Infantry, War with Mexico, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 15, after line 4, to strike out:

The name of George W. Willets, late of Troop E, First Regiment Ohio Cavalry, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 15, line 10, after the words "Mounted Volunteers," to insert "Indian wars," so as to make the clause read:

The name of Sarah M. Gibbins, widow of William A. Gibbins, late member of Capt. John H. Settle's Company D, First Regiment Oregon Mounted Volunteers, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 15, after line 19, to strike out:

The name of George S. Jenkins, late of Company H, Nineteenth Kansas Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 16, to strike out from line 1 to line 3, inclusive, as follows:

The name of Starling N. Caron, late of Company F, Third Regiment Ohio Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ELLEN M. WILLEY.

Mr. LODGE. Mr. President——

Mr. McCUMBER. I yield to the Senator from Massachusetts.

Mr. LODGE. I ask unanimous consent for the present consideration of the bill which I send to the desk. I do not know whether or not a similar House bill has come over.

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill (S. 2707) for the relief of Ellen M. Willey, widow of Owen S. Willey. It provides:

That in the administration of the pension laws the late Owen S. Willey, who served in the United States Navy from July 11, 1860, to April 16, 1863, as an acting master's mate, shall hereafter be held and considered to have been discharged honorably from the naval service of the United States as an acting master's mate on April 16, 1863; but no pay, bounty, pension, or other emolument shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. I move that the Senate proceed to the consideration of the bill (H. R. 9281) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which had been reported from the Committee on Pensions with amendments.

The VICE PRESIDENT. Without objection, the formal reading of the bill will be dispensed with, and the bill will be considered for amendment, the committee amendments to be first considered.

Mr. McCUMBER. I move the amendments which I send to the desk.

The VICE PRESIDENT. The amendments will be stated.

The READING CLERK. On page 1, after line 9, it is proposed to strike out:

The name of David S. Williams, late of Troop M, Sixth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 2, to strike out:

The name of Jason Adkins, late of Company D, Fourteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Joseph McClure, late of Company D, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 2, after line 7, to strike out:

The name of John F. Campbell, late of Battery E, First Regiment United States Artillery, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 2, after line 11, to strike out:

The name of Jesse A. R. Forbes, late of Company L, Second Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 2, after line 18, to strike out:

The name of Patrick H. Madigan, late of Company K, Two hundred and third Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Frank Shaw, late of Company K, Thirteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 3, line 4, after the word "additional," to strike out "for soldier's minor child until he shall have reached the age of 16 years" and insert "on account of the minor child of said Orval Hunsaker until he reaches the age of 16 years," so as to make the clause read:

The name of Pearl A. Hunsaker, widow of the late Orval Hunsaker, Company C, Fourth United State Artillery, Regular Establishment, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of said Orval Hunsaker until he reaches the age of 16 years.

The next amendment was, on page 3, after line 7, to strike out:

The name of Otto M. Payton, late of Company M, Twenty-first Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 3, line 19, after the words "per month," to strike out "each for soldier's minor children until they shall have reached the age of 16 years" and insert "additional on account of each of the minor children of said James A. Powers until they reach the age of 16 years," so as to make the clause read:

The name of Mary A. Powers, widow of James A. Powers, late of Company H, Ninth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said James A. Powers until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 3, after line 23, to strike out:

The name of John McGinley, late of Company M, One hundred and sixtieth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, at the top of page 4, to strike out:

The name of Martha E. Waldsmith, widow of William A. Waldsmith, late of Twenty-first Company, United States Coast Artillery Corps, Regular Establishment, and pay her a pension at the rate of $12 per month, and $2 per month additional for each of soldier's minor children until they reach the age of 16 years.

The name of George W. Turner, late of Company L, First Regiment North Carolina Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George W. Oblisk, late of Company A, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Mary J. Pack, widow of Thomas J. Pack, late of Company F, Third Regiment Tennessee Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of David M. Allen, late of Company C, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Chester E. Green, late of Company M, First Regiment Nebraska Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 4, line 23, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of Chester E. Green, late of Company M, First Regiment Nebraska Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 23, to strike out:

The name of Eddie E. Sterrett, late of Battery H, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 5, after line 4, to strike out:

The name of Bernard M. Stanton, late of the United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 5, after line 7, to strike out:

The name of Ethel A. Kane, widow of William M. Kane, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month; also $2 per month additional for sailor's minor child until she shall have reached the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 5, after line 12, to strike out:

The name of Fanny Weill, widow of Julius Weill, late of Battery M, Fifth Regiment United States Artillery, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 5, after line 18, to strike out:

The name of Orville G. Willett, late of Company G, First United States Infantry, Regular Establishment, and pay him a pension at the rate of $50 per month.

The name of Horace G. Pope, late of Troop D, Second Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 6, to strike out:

The name of Annie M. Wood, widow of Sampson W. Wood, late of Company C, First Regiment Massachusetts Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 6, after line 8, to strike out:

The name of Claude H. Dean, late of Company I, Forty-ninth Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John Coffey, late of the United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Edward S. Coffin, late of Company C, One hundred and fifty-eighth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, after line 18, to strike out:

The name of Irving Wohl, late of Fifth Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Brother Buis, late of Company I, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 7, after line 2, to strike out:

The name of Sarah E. Kiplinger, widow of John Kiplinger, late of Company D, Sixth Regiment United States Infantry, Indian war, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on the same page, after line 10, to strike out:

The name of Louis B. Smith, late of Company B, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Philip E. Hartman, late of Companies A and K, Tenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Susan J. Purcell, widow of John J. Purcell, late of Company F, Twenty-first Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional, on account of each of soldier's minor children until they shall have reached the age of 16 years.

The name of Charles T. Durand, late of Company H, Third Regiment United States Cavalry, Indian war, and pay him a pension at the rate of $20 per month.

The name of Charles P. Michener, late of Battery F, First Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of James W. Duty, late of Company L, First Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Isaac N. Troutman, late of Company F, First Regiment Idaho Infantry, and Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Elmer Wagar, late of Troop B, Third Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 8, after line 22, to strike out:

The name of George C. Hazeltine, late of Company K, Second Regiment Texas Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, after line 6, to strike out:

The name of Pleasant D. Cooper, late of Company D, Eleventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 6, after the word "Infantry," to insert "Regular Establishment," so as to make the clause read:

The name of Lloyd Shaver, late of Company I, Thirteenth Regiment United States Infantry, and Company B, Sixteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, on page 10, after line 8, to strike out:

The name of Michael Mulvey, late of Company E, Forty-first Regiment United States Volunteer Infantry, and Company A, First Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on the same page, after line 21, to strike out:

The name of Charles Brubaker, late of the band, and Company M, Third Regiment Georgia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 11, to strike out:

The name of John A. Kennepohl, late of Company K, First Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James F. Mitchell, late of Company H, Sixteenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 11, after line 10, to strike out:

The name of Howard H. Long, late of Company K, Sixth Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John W. Paulus, late of Company D, Thirty-fifth Regiment United States Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Simon P. Kieffer, late of Company B, Twenty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 11, line 21, before the words "per month," to strike out "$24" and insert "$12," so as to make the clause read:

The name of Simon P. Kieffer, late of Company B, Twenty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 12, to strike out:

The name of Charley Douthitt, late of Company H, One hundred and fifty-ninth Indiana Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Schuyler C. Pool, late of Company K, One hundred and fifty-eighth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Casey A. Cox, late of Company E, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James L. Doris, late of Company F, Forty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Frank A. Morton, late of Company H, Forty-ninth Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Anson B. Countryman, late of Company F, First Regiment Idaho Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 12, line 25, before the words "per month," to strike out "$50" and insert "$40," so as to make the clause read:

The name of Robert S. Parker, late second lieutenant of Company K, Twentieth Regiment Kansas Infantry, War with Spain, and private, Company H, Forty-fourth Iowa Infantry, Civil War, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 13, after line 8, to strike out:

The name of Eugene E. Clark, late of Company L, First Regiment Montana Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Harry Noel, late of Troop B, Tenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Thomas H. Ivers, late of Company B, Sixty-ninth Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Robert A. Carnegie, late of Company F, Third Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, at the top of page 14, to strike out:

The name of Eugene Johnson, late of Company L, Twenty-fifth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, after line 3, to strike out:

The name of James W. Mitchell, late of the United States Volunteer Signal Corps, War with Spain, and pay him a pension at the rate of $24 per month.

The name of August J. Griesbach, late of Company I, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, line 11, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Mary S. Langston, dependent mother of Omar Langston, late of Company E, Tenth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on the same page, after line 18, to strike out:

The name of Thomas L. Feyen, late of Company A, Forty-ninth Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Otto O. Yaap, late of the United States Marine Corps, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 15, to strike out:

The name of Thomas D. O'Shea, late of Company L, Forty-seventh Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Martin Tepper, late of Company L, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Robert Noble, late of Company F, Seventeenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James Prosek, late of Company C, First Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of George H. Haverkate, late of Company C, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Samuel M. Deets, late of Company E, Fourth Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George H. Bruckner, late of Troop I, Second United States Cavalry, and Company B, Seventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 16, to strike out:

The name of Michael Long, late of Company I, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on the same page, after line 16, to strike out:

The name of Nathaniel J. Stonecipher, late of Company C, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 16, line 20, after the words "name of," to strike out "Eugenie" and insert "Eugenia"; and in line 22, after the word "Army," to strike out "Regular Establishment" and insert "War with Spain," so as to make the clause read:

The name of Eugenia Schottmueller, dependent mother of Gilbert L. Schottmueller, late of the Hospital Corps, United States Army, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on the same page, after line 24, to strike out:

The name of Maria Louise Richardson, widow of Robert Richardson, late of Troop I (Marshall's), First Kentucky Cavalry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, line 1, after the word "Cavalry," to strike out "Mexican War" and insert "War with Mexico"; and, in line 2, after the words "rate of," to strike out "$30" and insert "$25," so as to make the clause read:

The name of Maria Louise Richardson, widow of Robert Richardson, late of Troop I (Marshall's), First Kentucky Cavalry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 3, to strike out:

The name of Katherine G. Manning, widow of Michael Manning, late of the United States Navy, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional for each of sailor's minor children until they shall have reached the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 17, after line 8, to strike out:

The name of Charles M. Fink, late of Company C, Eighth United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 17, after line 14, to strike out:

The name of John T. Tingley, late of Company K, First Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Floyd B. Daugherty, late of the band, First Regiment District of Columbia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of David U. Denind, late of Company G, Fourth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on the same page, after line 23, to strike out:

The name of Edward Hinman, late of Company A, Twenty-third Regiment United States Infantry, Indian War, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 18, after line 2, to strike out:

The name of William E. Warren, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of William A. Waggoner, late of Company I, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 18, line 10, before the word "mother," to insert "dependent," and in line 13, before the words "per month" to strike out "$12" and insert "$17," so as to make the clause read:

The name of Mary R. Adair, dependent mother of Henry H. Adair, late first lieutenant, Tenth Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 18, after line 16, to strike out:

The name of George W. Malin, late of Company H, Sixteenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 18, line 24, after the word "additional," to strike out "for soldier's minor child until she shall have reached the age of 16 years" and insert "on account of the minor child of said Edgar J. Simson until she reaches the age of 16 years," so as to make the clause read:

The name of Stella A. Simson, widow of Edgar J. Simson, late of Company K, Twenty-eighth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of said Edgar J. Simson until she reaches the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 19, line 2, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Phebe Spencer, now Schonhoff, dependent mother of Lawrence L. Spencer, late of Company B, Thirty-third Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 19, after line 5, to strike out:

The name of John Moloney, late of Company K, Seventeenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 19, after line 9, to strike out:

The name of John T. Griggs, father of Jones A. Griggs, late of Company I, Fifth Regiment Georgia Infantry, National Guard, border defense, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 19, after line 13, to strike out:

The name of Simeon D. Morrison, late of Company E, Seventh Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 19, after line 16, to strike out:

The name of Sarah J. Holley, widow of Charles W. Holley, late of Tenth Company, United States Coast Artillery, and Company M, First Regiment United States Artillery, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional for each of soldier's minor children until they reach the age of 16 years.

The name of James F. Romines, late of Companies D and M, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 20, to strike out:

The name of Jesse W. Beam, late of Company M, Second Regiment New Jersey Infantry, and Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Harry Patterson, late of Battery H, Third Regiment United States Artillery, and Thirtieth Company, United States Coast Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 20, line 12, before the words "per month," to strike out "$25" and insert "$20," so as to make the clause read:

The name of Jane C. A. Porter, widow of Hugh Porter, late of Capt. Maddox's company, Fremont's California Volunteers, Mexican War, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 20, after line 12, to strike out:

The name of James I. Sloan, late of Troop G, Third United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 20, line 16, before the word "mother," to insert "dependent," so as to make the clause read:

The name of June MacM. Ordway, dependent mother of Eliot W. Ordway, late of Company H, Second Regiment Oregon Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, after line 19, to strike out:

The name of John H. Page, late of Company A, Sixth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 20, after line 22, to strike out:

The name of Kate B. Horan, widow of Jeremiah J. Horan, late of Troop F, Sixth Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, after line 2, to strike out:

The name of Leroy F. Moore, late of Company H, First Regiment Arkansas Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Isaac M. Conley, late of Company B, Twelfth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of James T. Brown, late of Troop K, Seventh Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, after line 21, to strike out:

The name of Lillie P. Hinman, late a nurse in the War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 22, to strike out:

The name of Adam E. Haughn, late of Company H, First Battalion Ohio Volunteer Light Artillery, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Joseph W. Nolen, late of Company H, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Daniel J. Bresnahan, late of Company B, Fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Edward J. Davis, late of Company M, Twenty-sixth United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 22, after line 14, to strike out:

The name of Alice F. Travis, widow of Charles T. Travis, late of United States Navy, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 22, after line 19, to strike out:

The name of Anna O'Brien, widow of Frank A. O'Brien, late of the United States Navy, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 23, after line 2, to strike out:

The name of William E. Gault, late unassigned and of Company E, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Christine E. Geiger, widow of Austin Geiger, late of the Fortieth and Eighty-fifth Companies, United States Coast Artillery Corps, Regular Establishment, and pay her a pension at the rate of $12 per month, and $2 per month additional for the soldier's minor child until she reaches the age of 16 years.

The name of Dalbert Gray, late of Company B, Sixth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 23, after line 18, to strike out:

The name of Annie E. Arnold, mother of Robert Edgar Arnold, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, after line 22, to strike out:

The name of Edward E. Henton, late of Company I, Seventeenth Regiment, and Company E, Second Regiment, United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Charles W. Lanham, late of Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John J. Mitchell, late of Company H, Third Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Carl C. Dunham, late of Company I, Sixteenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Andrew Kravets, late of Company C, Eleventh Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Robert H. Roberts, late of Company L, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Daniel B. Yeaple, late of Company A, Eighth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Pierre L. Carmouche, late first lieutenant Company L, Ninth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John B. Peters, late of Company K, First Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Emma S. Norton, widow of Lewis A. Norton, late first lieutenant Company I, Second Regiment Illinois Volunteers, Mexican War, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 25, after line 10, to strike out:

The name of Tebitha E. Cummings, widow of Frederick Cummings, late of Troop C, Second Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of William D. Craft, late of Company G, First Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Thomas J. Reynolds, late of Troop D, First Regiment Ohio Cavalry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 25, after line 21, to strike out:

The name of John H. Henry, late of Company C, Thirteenth Regiment Minnesota Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 25, after line 24, to strike out:

The name of Mary Michel, widow of John N. Michel, late a private Company A, Twelfth United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional for soldier's minor child until she reaches the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 26, line 11, after the word "additional," to strike out "for each of soldier's minor children until they reach the age of 16 years" and insert "on account of each of the minor children of said John Fisher until they reach the age of 16 years," so as to make the clause read:

The name of Rowena Fisher, widow of John Fisher, late of Company A, Sixth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the minor children of said John Fisher until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 26, after line 15, to strike out:

The name of Charles W. Streeter, late corporal of Company F, Thirty-second Michigan Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Joseph Flewelling, late of Company E, Thirty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of William Seybold, late of Company G, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 27, after line 2, to strike out:

The name of Walter E. Harris, late of United States Navy, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 27, after line 5, to strike out:

The name of Anna M. Neill, widow of Jesse A. Neill, late of Company E, Eleventh Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 27, line 14, after the words "Artillery Corps," to insert "Regular Establishment," so as to make the clause read:

The name of Adolf S. Szydlowski, late of Twenty-seventh Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 27, after line 15, to strike out:

The name of Frances T. Denton, widow of George W. Denton, late of Company F, Fourth Regiment Illinois Volunteer Infantry, Mexican War, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 27, line 22, after the word "Infantry," to strike out "old war," so as to make the clause read:

The name of Mary Conter, widow of John Conter, late of Company I, Tenth Regiment United States Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 28, line 2, before the words "per month," to strike out "$24" and insert "$17," so as to make the clause read:

The name of William O'Bryan, late of Company B, Twenty-ninth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 28, after line 5, to strike out:

The name of Elizabeth C. Bell, widow of the late George H. Bell, quartermaster sergeant, Second Regiment Ohio Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Simon P. Parrish, late of Company I, Eighth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Daniel P. Myers, late of Company I, First Regiment District of Columbia Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Noel M. Pursley, late of Company F, Second Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of William Edwards, late of Battery C, Sixth Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 29, to strike out:

The name of Elizabeth A. Shull, widow of A. P. Shull, late second lieutenant Capt. William Byrnes's company, First Brigade, Sixth Division California Militia, Indian War, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 29, after line 5, to strike out:

The name of John F. Mulhall, late of the United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Lester D. Parkton, late of Company I, Seventeenth Regiment, and Company C, Twenty-seventh Regiment, United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of William C. Shaffer, late of Company H, Forty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Michael W. Hurley, late of the United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Benjamin F. Lamkin, late of Troop C, Third United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Fritz Hintermeier, late of Company D, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 30, after line 3, to strike out:

The name of Bridget Reynolds, widow of James C. Reynolds, who served in Company F, Thirty-fifth Regiment Michigan Infantry, and in Company H, Forty-second Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month; also $2 per month for each of the soldier's minor children until they shall have reached the age of 16 years.

The name of Donald E. Leslie, late of Company K, Sixteenth Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Peter W. Weber, late of Company A, Third Regiment Ohio Volunteers, Mexican War, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 31, to strike out:

The name of Jefferson C. Smith, late of Company G, Sixteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Walter L. Jewell, late of Troop B, Thirteenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 31, after line 20, to strike out:

The name of Edward J. Oeding, late of Battery G, Sixth Regiment United States Artillery, and Thirteenth Battery United States Field Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Robert S. Peterson, late of Company B, One hundred and sixtieth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. McCUMBER. I move that the Senate proceed to the consideration of House bill 10515.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10515) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which had been reported from the Committee on Pensions with amendments.

Mr. McCUMBER. I ask unanimous consent that the formal reading of the bill be dispensed with and that it be read for amendment, the amendments of the committee to be first considered.

The PRESIDING OFFICER (Mr. KENYON in the chair). Without objection, it will be so ordered.

Mr. McCUMBER. I offer the amendments which I send to the desk.

The PRESIDING OFFICER. The amendments will be stated.

The first amendment of the Committee on Pensions was, on page 1, after line 5, to strike out:

The name of James W. Hendrickson, late of Company K, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Charles E. Kingsley, late of Troop E, First United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of William H. Brooks, late of Company G, Eighth Regiment Massachusetts Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Michael W. Murphy, late of Company H, Eighth Regiment Massachusetts Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Peter Black, late of the United States Navy, War with Mexico, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Dora F. Wilson, widow of Frederick Wilson, late of Troop B, Sixth Regiment United States Cavalry, Indian war, and pay her a pension at the rate of $12 per month.

The name of William H. Miller, late of Companies C and K, Sixth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Philip Owen, late first lieutenant, Company L, One hundred and fifty-eighth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Walter C. Tharp, late of Company I, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 3, line 3, before the word "mother," to insert "dependent"; and, in line 5, after the words "National Guard," to insert "border defense," so as to make the clause read:

The name of Mary A. Johnson, dependent mother of Hilding C. Johnson, late of Company K, Second Regiment Minnesota Infantry, National Guard, border defense, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 3, after line 10, to strike out:

The name of Peter F. Van Auken, late of Battery B, Sixth Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Joseph E. Bivans, late of Battery A, First Regiment Illinois Light Artillery, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Mrs. Eliza L. Ellis, daughter of William West, late of Captain M. Huntington's company, North Carolina Militia, War of 1812, and pay her a pension at the rate of $12 per month.

The name of William B. Stroope, late of Company E, First Regiment Arkansas Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 4, to strike out:

The name of Fred F. Bennett, late of Company F, Twenty-second Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John E. Root, late of Troop A, Second Regiment, and Troop D, Eighth Regiment, United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Peter L. Johnson, late of Company G, Thirteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 4, line 19, after the word "Henry," to strike out "Parrish" and insert "Parish," so as to make the clause read:

The name of Henry Parish, late of Capt. William Cason's company, Florida Volunteers, Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, line 1, before the words "per month," to strike out "$30" and insert "$20," so as to make the clause read:

The name of Nancy A. Meredith, widow of Frederick Meredith, late of Capt. Hall's company, Third Regiment Illinois Mounted Volunteers, Indian war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, after line 2, to strike out:

The name of Gus H. Weber, late of band, Twenty-second Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, after line 6, to strike out:

The name of Helen Cecilia Schaarman, mother of Frank L. Schaarman, alias Frank L. Sherman, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 5, line 17, after the word "Infantry," to insert "border defense," and in line 19, after the words "account of," to strike out "soldier's minor child until he shall have reached the age of 16 years" and insert "the minor child of said George Merz until he reaches the age of 16 years," so as to make the clause read:

The name of Marie Merz, widow of George Merz, late of Company I, Seventy-first Regiment New York National Guard Infantry, border defense, and pay her a pension at the rate of $12 per month and $2 per month additional on account of the minor child of said George Merz until he reaches the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 5, after line 21, to strike out:

The name of John D. Andrews, late of Company B, One hundred and sixtieth Regiment Indian Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 6, to strike out:

The name of William F. W. Gordon, late of Company G, Sixty-ninth Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, after line 3, to strike out:

The name of Nellie L. Benton, widow of Francis Benton, late of Company H, Sixteenth Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, line 8, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Margrethe Nelson, dependent mother of Henry R. Nelson, late of the United States Navy, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 7, to strike out:

The name of George J. Cox, late of Company G, Thirty-first Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 7, after line 7, to strike out:

The name of Joseph F. Smith, late of Company E, Twenty-eighth United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Alfred M. Graham, late of Company I, Third Regiment Virginia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Mary J. Beard, widow of John D. Beard, late of Company D, Thirtieth Regiment United States Infantry, Indian war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of David J. Hanger, late of Company C, Seventh Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 8, to strike out:

The name of James C. Claxton, late of Company M, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Bert B. Hughes, late of Battery B, First Regiment Maine Heavy Artillery, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Stephen Harder, late of Company D, Two hundred and second Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 8, after line 14, to strike out:

The name of Robert E. McCormick, late of Company E, Fourth Regiment Wisconsin Infantry, and Battery D, Fourth Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Isabel Bertrand, widow of Joseph Bertrand, alias Abraham Magnus, late of Company C, Tenth Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Islay T. Pittman, widow of George L. Pittman, late first lieutenant, Second Regiment North Carolina National Guard Infantry, Regular Establishment, and pay her a pension at the rate of $17 per month and $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 9, line 6, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Mary Plummer (now Hill), dependent mother of Hiram L. Plummer, late of Company E, Twentieth Regiment Kansas Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, after line 9, to strike out:

The name of Walter Sewell, late of Company I, Fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William Olday, late of Company H, Eleventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Nathaniel J. Smith, late of Troop L, Second Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, line 22, before the words "per month," to strike out "$30" and insert "$20," so as to make the clause read:

The name of John Degen, late of Troop B, First United States Cavalry, Indian war, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 10, after line 2, to strike out:

The name of Everett A. Dibble, late of Company I, Thirty-first Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 10, after line 10, to strike out:

The name of Samuel A. Berry, late unassigned United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Robert Wilks, late of Company E, Third Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Martin K. Wright, late of Company I, First Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 21, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Bridget Mulcahy, dependent mother of Michael Mulcahy, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 11, to strike out:

The name of John C. McDowell, late of Troop E, First Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Benjamin W. Clark, late of Company G, Thirteenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Harry W. Miller, late captain of Company C, Second Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Charles L. C. Sherwin, late of Troop K, Eighth Regiment United States Cavalry, Indian war, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 11, line 16, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Laura S. Gilkey, dependent mother of Charles T. Gilkey, late of Company L, Fourth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 11, after line 20, to strike out:

The name of Elmer S. Baker, late of Company L, Second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Sarah E. Walker, widow of George Walker, late of Company I, Second Regiment Kentucky Infantry, War with Mexico, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Anton Casper, late of Company B, Third Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 12, line 7, before the word "mother," to insert "dependent," and in line 10, before the words "per month," to strike out "$25" and insert "$12," so as to make the clause read:

The name of Christina R. Urquhart, dependent mother of William M. Urquhart, late of Company H, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 12, after line 10, to strike out:

The name of Lee Toms, late of Company E, Twenty-third Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 12, after line 18, to strike out:

The name of Catherine Millington, minor of Frank T. Millington, late of Troop C, Third United States Cavalry, Regular Establishment, and pay her a pension at the rate of $14 per month until she shall have reached the age of 16 years. Payment to be made to duly appointed guardian.

Mr. McCUMBER. I ask that that committee amendment be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Pensions was, on page 12, after line 22, to strike out:

The name of Albert F. Knight, late of Company H, Third Regiment Nebraska Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Thomas H. Coxe, late of Company I, Ninth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 13, after line 7, to strike out:

The name of Albert Yoder, late of Company G, Fifth Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Mary Jane Graham, former widow of Thomas H. Frazier, late of Company A, Second Regiment Indiana Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month.

The name of Jacob Hicks, late of Company G, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Leroy Dunn, late of Company C, Twenty-third United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Roscoe Schutt, late of Troop F, Third United States Cavalry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John J. Robinson, late of Company C, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, after line 17, to strike out:

The name of Pearl C. Holt, late of Company D, Sixth Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 15, after line 3, to strike out:

The name of John M. Sexton, late of Company I, First Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 15, after line 10, to strike out:

The name of Margaret A. Storie, widow of William C. Storie, late of Company C, First Regiment Tennessee Volunteer Cavalry, War with Mexico, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Charles H. V. Wiggin, late of Troop K, First Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Edmund W. Roderick, late of Company H, Third Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 15, line 25, to strike out "for each of soldier's minor children until they shall have reached the age of 16 years" and insert "on account of each of the minor children of said George H. Burke until they reach the age of 16 years," so as to make the clause read:

The name of Mary A. Burke, widow of George H. Burke, late of Hospital Corps, United States Army, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said George H. Burke until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 16, after line 3, to strike out:

The name of Sarah Adaline Youngblood, widow of Michael Youngblood, late of Company K, Fifth Regiment Louisiana Volunteers, Mexican War, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Mary Kinne, widow of Sylvanus H. Kinne, late of Company A (Capt. T. Bond's), First Regiment Illinois Volunteers, War with Mexico, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of George T. Keith, late of Company C, First Regiment Alabama Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Mary Furfey, widow of Edward A. Furfey, late of Battery I, Seventh Regiment United States Artillery, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of James Duffy, late of Company B, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 17, line 7, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Mary Jane King, dependent mother of Robert L. King, late of Hospital Corps, United States Army, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 17, to strike out:

The name of Lafe Strickland, late of Company D, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of William E. McGee, late of Company E, One hundred and fifty-eighth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Fred A. Safford, late of Troop L, Third United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of George V. M. Sommerhauser, late of Troop M, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 18, line 13, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Maggie Gordon, dependent mother of Allen E. Gordon, late of Company K, Forty-ninth Regiment Iowa Infantry, War with Spain and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 18, after line 19, to strike out:

The name of John A. Shaw, late of Company F, First Regiment Vermont Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Zadok K. Basden, late of Company I, First North Carolina Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Theodore L. Shaffer, late of Company I, Twentieth Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 19, line 4, before the word "father," to insert "dependent," so as to make the clause read:

The name of James H. Hook, dependent father of Edward R. Hook, late of Company H, Twentieth Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 19, after line 7, to strike out:

The name of Tony K. Wilson, late hospital steward, Twelfth Regiment Minnesota Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

Mr. McCUMBER. I ask that that amendment be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Pensions was, on page 19, after line 11, to strike out:

The name of Anna Kendrick, widow of Herbert N. Kendrick, late of Company G, Twelfth Regiment Minnesota Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Emma A. Esarey, mother of Clarence S. Carr, late of mounted service (white), United States Field Artillery; general service, United States Infantry; and Tenth Recruit Company, border defense, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 20, to strike out:

The name of Charles I. Meck, late of Company G, Twelfth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Theresa Cloyd, widow of Stephen W. Cloyd, late of Company C, Second Kentucky Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Teddy Sexton, late of Company A, Twenty-ninth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 20, after line 14, to strike out:

The name of Murray R. Marshall, late of Company A, Twenty-seventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Stanford Holmes, late of Company B, First Regiment Indiana Colored Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Harry L. Vance, late of Company M, First Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 21, line 1, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Jemima Grigg, dependent mother of George G. Grigg, late of Company F, Thirty-third Regiment Michigan Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 21, line 15, after the word "Infantry," to strike out "Regular Establishment" and insert "War with Spain," and, in line 16, after the words "rate of," to strike out "$14 per month until she shall have reached the age of 16 years" and insert "$12 per month and $2 per month additional until she reaches the age of 16 years," so as to make the clause read:

The name of Elsie Gardner, minor child of John T. Gardner, late of Company E, Eleventh Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional until she reaches the age of 16 years. Payment to be made to duly appointed guardian.

The amendment was agreed to.

The next amendment was, on page 21, after line 24, to strike out:

The name of Andrew H. Wegman, late of Company K, Fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 23, line 4, before the word "Captain," to strike out "who served in" and insert "late of," and, in line 6, before the words "per month," to strike out "$25" and insert "$20," so as to make the clause read:

The name of Martha E. Johnston, widow of Alfred H. Johnston, late of Captain Derrick's Company, Georgia Volunteers, Indian war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 22, after line 15, to strike out:

The name of Mary A. Baldridge, former widow of George W. Berry, late of Company G, Second Regiment Kentucky Infantry, War with Mexico, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 22, line 23, before the word "mother," to insert "dependent," and in line 26, before the words "per month," to strike out "$20" and insert "$12," so as to make the clause read:

The name of Mary C. Herrington, dependent mother of Lem R. Herrington, late of Company H, First Regiment West Virginia Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 23, after line 7, to strike out:

The name of Martha Ann Welch, former widow of Robert A. Welch, late of the United States Navy, War with Mexico, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 23, line 21, after the word "additional," to strike out "for each of the sailor's minor children until they shall have reached the age of 16 years" and insert "on account of each of the minor children of said James Kavanagh until they reach the age of 16 years," so as to make the clause read:

The name of Grace Kavanagh, widow of James Kavanagh, late of the United States Navy, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said James Kavanagh until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, at the top of page 24, to strike out:

The name of Abe Erlich, late of Company I, Third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 24, after line 10, to strike out:

The name of Sarah R. Fuller, widow of Samuel L. Fuller, late of Company F, Fifteenth Regiment United States Infantry, Mexican War, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Emily E. McKee, widow of James A. McKee, late of Company E, Palmetto Regiment South Carolina Volunteers, War with Mexico, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

Mr. KING. Mr. President, I have stated during this session that no pension bill could be defeated in the Senate. The action taken upon the numerous pension measures proves the truth of this statement. It is my purpose to demand full consideration in the future of all pension bills, particularly service pension bills, and to prevent by the use of all honorable means the passage of measures not meritorious.

I regret the lack of interest by Senators when measures of this kind are considered. Bills carrying tens of millions of dollars are passed with but few Senators in attendance, and fewer still familiar with their terms. A few days ago a $65,000,000 pension bill was passed, and I doubt whether there were 10 Members of the Senate in the Chamber during the consideration of the bill. Other pension bills, carrying large amounts, have been presented for our consideration. They, too, have received no attention whatever at the hands of the overwhelming majority of the Senate. Whenever any bill is before us that calls for the expenditure of money, no one is in the Senate except those interested in that particular bill. There seem to be no opponents of expenditures. Advocates of appropriations are usually insistent upon action by Congress and are always active in urging consideration.

We have appropriated more than $5,350,000,000 as pensions for the survivors of the Civil War. We appropriated last year more than $327,000,000 for pensions. In my opinion, the appropriations for the coming fiscal year will aggregate more than

$600,000,000, and if this Congress should remain in session for another 30 days I feel sanguine that appropriations for pensions will be swelled to the extent of over $2,000,000,000.

There is pension madness in the Senate, in Congress, and among some public officials. There has been too little regard by the people in the past for the stupendous appropriations which have been made for pensions, but sooner or later there will be an awakening by the people. The Senator from Arizona [Mr. ASHURST] stated yesterday that pension bills would always pass because there were "votes in pensions," and that opposition to pensions would fail because there were no votes in the opposition. Already the people of the United States are beginning to feel the burdens of high taxes. When the subsidence in the business activity of the people of the United States manifests itself in a depleted if not a completely exhausted Treasury and new sources of taxation are resorted to, and the workingmen and the ultimate consumer are compelled to pay additional taxes, Congress shall be called upon to render an accounting for the extravagance and apparent profligacy which characterize our course.

Mr. President, we should deal liberally with those who in the service of their country were injured or incurred disabilities, and the widows and children of men who lost their lives when they were in the service of their country should be generously dealt with. The American people have manifested a desire to deal fairly with all entitled to pensions. But Congress has not always been satisfied with that character of appropriations—such appropriations that can be justified—that appeal to the sentiments of patriotism and justice.

We must now pension everybody whose name has been upon the rolls of the military or naval branches of the Government for 90 days. Indeed, Mr. President, we have modified that rule, and we passed a pension bill yesterday containing a large list of names of persons who had not served 90 days who were to be paid pensions. Under this new plan the rule and law are to be changed, and men who never had on a uniform, men who never were 50 miles away from their homes while in service, are to be pensioned for life if their names are upon the rolls, and that course is pursued even though there are no injuries or disabilities and the beneficiary is the possessor of wealth. There seems to be some who feel that a pension is an incorporeal hereditament; that it is something which may be transmitted from father to son and from grandson to great-grandson until, like property, it may be willed and alienated and devised and bequeathed without limitation.

I repeat, we are pension mad; we pension men who were never injured; we pension men who never suffered any disability; we pension men who are suffering no disabilities now; we pension men who are worth millions; we pension men who enjoy thousands and tens of thousands of dollars annually from their professions and from their business investments; this is the day of service pensions, and still more service pensions. No one knows what the end will be.

Mr. President, it has been said that the motto a few years ago of a certain political party was, "Hurrah for the old flag and for big appropriations." There were those in public station who seemed to be more interested in getting appropriations than they were in constructive policies which would make for the prosperity and welfare of the people. Are there not dangerous influences now pervading the land, which operate upon public officials, which seek public benefactions at the expense of the people?

I think it would be better for the country if, instead of passing indiscriminate and unworthy pension bills, we attempted to legislate for the people's welfare. If legislation is needed to punish those who create monopolies or profiteer and rob the people we should enact it. I have felt there was profiteering and combinations and conspiracies in restraint of trade and corporations which, by the exercise of great power, financial and otherwise, have oppressed the people and practiced extortion to an intolerable degree.

I was glad to read in this morning's paper that a number of men who have been vending goods, charging extortionate prices, making from 100 to 200 per cent profit upon the sales, have been prosecuted and punished. There are too many food profiteers; there are too many thieves and robbers in various parts of the land robbing and plundering the people, despoiling and exploiting because they have the power.

If additional legislation is required in order to reach existing evils and to send to the penitentiary those who are taking advantage of the necessities of the people, it will be far better that we enact it than to devour the people's substance by a system of high taxation.

But our good Republican friends who dominate both branches of Congress are spending money, and spending still more, notwithstanding the exhausted condition of the Treasury.

The Senator from North Carolina [Mr. OVERMAN] to-day called attention to the billions of dollars which this Congress has appropriated. He did not state the aggregate, and he did not begin to state the entire amount which will be expended by this Congress during this session and which we will be compelled to meet in deficiency appropriation bills when the Congress shall be convened again.

No one knows where the money is to come from. We spend it, and spend regardless of the sources from which the taxes are to come. We will probably be forced to a bond issue if we continue this extravagance—a bond issue in a time of peace, a bond issue with more than $6,000,000,000 of dollars expended and with between four and six billion dollars collected from the people in one year in taxation. Mr. President, this wild saturnalia of extravagance must cease. Those in public life must have due regard for the responsibilities which rest upon them. We should be the conservators of the interests of the people. We should protect the taxpayers. We should represent the public instead of the special interests and those who are knocking constantly at the door of the Congress for appropriations.

It is time that we should take stock, that we should determine our liabilities and our assets, and that we should inaugurate a policy of reform, a policy of economy, which will rescue this great Republic from financial collapse.

I sincerely hope that my friend the Senator from North Dakota [Mr. MCCUMBER], than whom there is no better man in public life, will in the future join with others in attempting to stem the great tide of extravagance and wastefulness which seems to be sweeping over the land.

I sincerely hope that we will have no more of these omnibus pension bills presented for our consideration, and that the pensions paid shall be for those who have suffered, those who have received disabilities, those who, in the great World War, have received wounds and injuries or nervous disabilities. The widows and dependents of those who died for their country must be cared for and justice done to all.

Mr. MCCUMBER. Mr. President, there is a very old saying that if we take care of the pennies the dollars will take care of themselves. I commend the reverse of that to the Senate of the United States. If we will take care of the billions of dollars, the little hundreds of dollars in these little pension bills will probably take care of themselves. While we have been discussing this bill the cost of conducting Congress has probably been greater than the amounts involved in the bills we have been considering.

The Senator from Utah is in error if he thinks there is a single name upon these five bills which is for a service pension only. None of them are service pensions. Every one of them involves an injury incurred in line of service, and not one widow or helpless child is granted a pension under any one of these five bills unless it was established to the satisfaction of the committee that the injury was sustained in line of service.

The particular bill we are now discussing will involve about $9,000, provided the recipients of the pensions live to the end of the year. The probabilities are that not many of them will remain on earth even that long.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. MCCUMBER. I yield.

Mr. KING. I would like to ask the Senator what, in his opinion, will be the aggregate amount paid by the Government of the United States for pensions for the coming fiscal year?

Mr. MCCUMBER. The amount was reported, of course, with the pension appropriation bill. It will be about $279,000,000.

Mr. KING. The Senator, of course, knows that in addition to that we have already appropriated nearly $300,000,000—I am making no complaint with respect to that—and we will doubtless be compelled to appropriate large additional sums.

Mr. MCCUMBER. We have been most liberal, Mr. President, with reference to the soldiers of the late war. We have been extraordinarily generous to their families.

Mr. KING. So the aggregate of the pensions for the coming fiscal year, if the Senator will pardon me, will be at least $600,000,000—from that to $800,000,000.

Mr. MCCUMBER. Not of pensions.

Mr. KING. I mean for pensions and appropriations made to those who sustained injuries in the war.

Mr. MCCUMBER. I can not estimate the amount which will be paid under the war-risk insurance, but it is most generous.

Mr. President, with reference to the objection which the Senator suggests he will urge to any more omnibus pension bills, I welcomed the Senator's assistance in the committee. He is a member of the Committee on Pensions. I wish the Senator would be present, after Congress reassembles, and assist me in

keeping a quorum. If the Senator then believes that the policy which we have followed, even before the Senator came on earth, with reference to these pensions ought to be changed, I will be most happy to go over it with him and to consider the whole question upon its merits; and I hope we will some time be able to keep a quorum of that committee to consider that very proposition.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. McCUMBER. I move that the Senate proceed to the consideration of House bill 11554.

The motion was agreed to; and the Senate as in Committee of the Whole proceeded to consider the bill (H. R. 11554) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which had been reported from the Committee on Pensions with amendments.

Mr. McCUMBER. I ask unanimous consent that the formal reading of the bill be dispensed with and that it be read for action on the committee amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Reading Clerk proceeded to read the bill.

The first amendment of the Committee on Pensions was, on page 1, after line 5, to strike out:

The name of John Whitington, late of Troop C, Eleventh Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 1, line 10, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Gussie Rash, dependent mother of Roy Degman, late of Company L, Forty-first Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 2, after line 2, to strike out:

The name of Asa C. Pieratt, late of Troop I, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George W. Lambert, late of Company G, Twenty-sixth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 2, after line 14, to strike out:

The name of John C. Ferneding, late of Company I, Third Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John A. Gaut, late of Company G, Fifteenth Regiment Minnesota Infantry, and Company I, Thirty-ninth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Joseph B. Ohr, late of Company E, First Regiment Ohio Infantry, and Companies E and A, Fifth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 3, to strike out:

The name of George W. Doney, late of Company C, First Brigade Oregon Mounted Militia, Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 3, after line 14, to strike out:

The name of Julius A. Fuhrman, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of James Cunningham, late of Company G, Twenty-second Regiment, United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Walter S. Stewart, late of Company M, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, at the top of page 4, to strike out:

The name of David Dixon, late of Troop E, Tenth Regiment United States Cavalry, Indian War, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, after line 4, to strike out:

The name of Oliver P. Jackson, late of Company K, Fifth Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 7, to strike out:

The name of Jonas Bolen, alias James Bolen, late of Troop B, Second Regiment United States Cavalry, Indian War, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 15, to strike out:

The name of William H. Culler, late of the Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 18, to strike out:

The name of Edward Gaines, late of Company D, Twenty-fourth Regiment United States Infantry, Indian War, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 21, to strike out:

The name of George B. Locke, late of Company G, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, at the top of page 5, to strike out:

The name of Christopher C. Ogden, late of Company K, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 5, after line 4, to strike out:

The name of Peter Poirier, late of Company B, Forty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 5, after line 7, to strike out:

The name of Peter F. O'Brien, late of Company M, Fourth Regiment Pennsylvania Infantry, and United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 5, after line 11, to strike out:

The name of Frank Lynch, late of the Forty-eighth Company, United States Coast Artillery, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, after line 19, to strike out:

The name of Alva C. Foster, late of Company C, Third Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Andrew B. Erb, late of Company D, Fifth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Joseph D. Blackwell, late of Company I, Second Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, after line 6, to strike out:

The name of Augustus W. Connor, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 6, after line 10, to strike out:

The name of Thomas C. Nation, late of Company B, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 6, line 14, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Lucinda Wilson, dependent mother of Albert J. Wilson, late of Company H, Thirty-fifth Regiment Michigan Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 6, after line 18, to strike out:

The name of Gustave Stellar, late of Company M, Ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, after line 21, to strike out:

The name of Harry Weinheimer, late of Company F, Forty-second Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 7, to strike out:

The name of Alfred Rivers, late of United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 7, after line 3, to strike out:

The name of John W. Oldfield, late of Company A, First Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William A. Zinn, late of Company H, Second Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John L. Dick, late of Company B, United States Engineers, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John W. Warman, late of Company B, Fourth Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 8, lines 1 to 6, to strike out:

The name of Miner N. Howard, late of Battery H, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Amel G. Johnson, late of Company B, Fifty-first Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 8, after line 10, to strike out:

The name of David A. Turner, late of Company M, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Charles H. Ricker, late of Company K, Third Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 8, line 22, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Delila Moore, dependent mother of Charles W. Frazee, late of Troop A, Third Regiment United States Cavalry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, line 4, after the words "per month," to strike out "with $2 per month additional for soldier's minor child until he shall have reached the age of 16 years" and insert "and $2 per month additional on account of the minor child of said William L. Huston until he reaches the age of 16 years," so as to make the clause read:

The name of Ida C. Huston, widow of William L. Huston, late of Company D, Sixth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of said William L. Huston until he reaches the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 9, after line 8, to strike out:

The name of Simon T. Hickman, late of Company C, First Battalion Engineers, United States Army, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, after line 16, to strike out:

The name of John Scott, late of Troop K, Ninth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John Sullivan, late of Company G, Thirty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Raleigh J. Stanberry, late of Company I, Fifteenth Regiment United States Infantry, War with Spain—

And on page 10, lines 1 to 9, to strike out:

and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Edward Schrum, late of Company G, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Charles T. Pickens, late of Company K, Tenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, after line 12, to strike out:

The name of Bascum M. Meyers, late of Company F, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 16, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Mary R. Mellinger, dependent mother of Walter A. Mellinger, late of Company A, Second Regiment Oregon Infantry, War with Spain, and pay her a pension at the rate of $12 a month.

The next amendment was, on page 10, after line 19, to strike out:

The name of George W. Bales, late of Company B, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Louis H. Trayser, late of Company B, Fourth Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 11, line 3, after the words "rate of," to strike out "$17" and insert "$12," so as to make the clause read:

The name of James M. Pollock, late of Company H, First Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 11, line 8, after the word "month," to strike out "with $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years" and insert "and $2 per month additional on account of each of the minor children of said William Retter until they reach the age of 16 years," so as to make the clause read:

The name of Katherine Retter, widow of William Retter, late of Troop D, Eighth Regiment United States Cavalry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said William Retter until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 11, after line 15, to strike out:

The name of Jacob Imhoff, late of Company E, Fourteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Robert H. Sheaffer, late of Company F, Eighth Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 12, after line 2, to strike out:

The name of John H. Franklin, late of Company I, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James M. Taylor, late of Company K, Second Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John E. Harris, late of Company G, Second Regiment Georgia Infantry, and Fourteenth Company United States Coast Artillery, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 12, after line 16, to strike out:

The name of Daniel B. Klingensmith, late of United States Marine Corps, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 12, line 23, after the word "month," to strike out "with $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years" and insert "and $2 per month additional on account of each of the minor children of said Thomas L. Hanlon until they reach the age of 16 years," so as to make the clause read:

The name of Emma S. Hanlon, widow of Thomas L. Hanlon, late of Company A, Seventh Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Thomas L. Hanlon until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 13, after line 2, to strike out:

The name of William Fussnecker, late of Company H, Third Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 13, after line 9, to strike out:

The name of William Constable, late of Company I, Second Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Nicholas Sharp, late of Company F, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 13, line 19, after the word "month," to strike out "with $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years" and insert "and $2 per month additional on account of each of the minor children of said Willis A. Ward

until they reach the age of 16 years," so as to make the clause read:

The name of Margaret E. Ward, widow of Willis A. Ward, late of Company E, Seventeenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Willis A. Ward until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 13, after line 23, and in lines 1 and 2, page 14, to strike out:

The name of Otis O. Milliken, late of Company E, Fifth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, after line 2, to strike out:

The name of Charles A. Bills, alias Frank Button, late of Company K, Nineteenth Regiment Kansas Cavalry, Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, after line 6, to strike out:

The name of Jacob Lyons, late of Company K, Fourteenth Regiment United States Infantry, Indian war, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 14, line 11, before the words "United States," to insert "Fifth Regiment," so as to make the clause read:

The name of Thomas N. Pray, late of Troop D, Fifth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, after line 12, to strike out:

The name of Albert Beiro, late of Company G, Second Wisconsin Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, after line 22, to strike out:

The name of James K. Vance, late of Company B, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 15, line 3, after the words "rate of," to strike out "$20" and insert "$12," so as to make the clause read:

The name of John Kerns, late of Company A, Twentieth Regiment United States Infantry, Indian war, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 15, after line 3, to strike out:

The name of Samuel C. Braden, late of Company C, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Thomas A. Puyear, late of Company H, Fourth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 15, line 22, after the word "additional," to strike out "for each of soldier's minor children until they shall have reached the age of 16 years" and insert "on account of each of the minor children of said Lloyd D. Witters until they reach the age of 16 years," so as to make the clause read:

The name of Anna L. Witters, widow of Lloyd D. Witters, late of Company D, Twenty-first United States Infantry, War with Spain, and pay her a pension at the rate of $25 per month and $2 per month additional on account of each of the minor children of said Lloyd D. Witters until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 16, after line 2, to strike out:

The name of Oliver Hull, late of United States Marine Corps, War with Spain, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, on page 16, after line 8, to strike out:

The name of Jerry Fitzpatrick, late of Company K, Third Regiment United States Infantry, Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 16, after line 12, to strike out:

The name of William Wade, late of Battery D, Fourth United States Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Rachel Ann Toolil, widow of Joseph Toolil, late of Company B, Third Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, lines 1, 2, and 3, to strike out:

The name of Harry H. Rockey, late of Company I, Sixth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 17, after line 3, to strike out:

The name of Walker Anderson, late of Troop A, Tenth Regiment United States Cavalry, Indian war, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 7, to strike out:

The name of James E. Johnson, late of Company A, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 11, to strike out:

The name of Emma R. Foster, widow of Benjamin Foster, late of Company I, Eighteenth Regiment United States Infantry, Indian war, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, line 21, after the words "rate of," to strike out "$24" and insert "$12," so as to make the clause read:

The name of Albert O. McNulty, late of Company G, Second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 22, to strike out:

The name of Nancy G. West, late a contract nurse, Medical Department, United States Volunteers, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 18, lines 1, 2, and 3, to strike out:

The name of Phillip Ausmus, late of Company I, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 18, after line 3, to strike out:

The name of Clara J. Sitton, widow of Felix J. Sitton, late of Company H, First Regiment Doniphan's Missouri Mounted Volunteer Infantry, Mexican War, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 18, line 11, after the words "rate of," strike out "$17" and insert "$12," so as to make the clause read:

The name of Murray Pierce, late of Company L, Eleventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 18, afttr line 12, to strike out:

The name of Earl Sanders, late of Company M, Thirty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 18, line 20, after the words "rate of," to strike out "$30" and insert "$20," so as to make the clause read:

The name of Sarah A. Boorman, widow of Elbertus A. Boorman, late of Battery K, Fourth Regiment United States Artillery, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 18, after line 20, to strike out:

The name of Johanna Murphy, mother of Frank J. Murphy, late of Supply Company, Ninth Infantry, Massachusetts National Guard, border defense, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 19, lines 1 to 7, to strike out:

The name of Richard M. Gilbert, late of Company F, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Cary M. Carlton, late of Company G, Third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 19, after line 11, to strike out:

The name of William C. Jacobs, late of Company H, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 19, after line 21, to strike out:

The name of James H. St. Clair, late of Company H, Third Regiment Georgia Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 20, to strike out:

The name of James D. Smith, alias James Smith, late of Troop F, Second Regiment United States Cavalry, Indian war, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 20, after line 3, to strike out:

The name of Thomas E. Sutton, alias Birt Sutton, late of Company C, Third Regiment United States Infantry, Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, after line 7, to strike out:

The name of Henry Blankenship, late of Company I, Seventh Regiment Ohio Infantry, and Company F, Fortieth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 20, after line 11, to strike out:

The name of Charles H. Heimlich, alias Charles H. Henderson, late of Company E, Third Regiment United States Infantry, Indian war, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, after line 15, to strike out:

The name of Alfred N. Oakleaf, late of Company G, Seventh Regiment Ohio Infantry, and Company K, Seventeenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 20, after line 19, to strike out:

The name of Minnie Nordyke, widow of Edward C. Nordyke, late of Troop L, Third Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, line 24, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Louisa Baumgard, dependent mother of William Baumgard, late of the United States Navy, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The next amendment was, on page 21, after line 2, to strike out:

The name of Hugh Hoch, late of Company M, Twenty-first Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 21, line 9, after the words "rate of," to strike out "$17" and insert "$12," so as to make the clause read:

The name of William N. King, late of Company D, Seventeenth Regiment United States Infantry, and One hundred and tenth Company, Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, line 14, after the word "additional," to strike out "for each of soldier's minor children until they shall have reached the age of 16 years," and insert "on account of each of the minor children of said Carl King until they reach the age of 16 years," so as to make the clause read:

The name of Venus B. King, widow of Carl King, late of Company G, Thirteenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Carl King until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 21, after line 17, to strike out:

The name of Augustus Thompson, late of Company H, Third Regiment United States Volunteer Engineers, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Frank F. Pittman, late of Company F, First Regiment Arkansas Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 22, after line 9, to strike out:

The name of Brice Selby, late of One hundred and twentieth Company, United States Coast Artillery, and Battery M, Fourth United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 22, after line 13, to strike out:

The name of Albert A. Lyke, late of Company C, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 22, after line 16, to strike out:

The name of Corwin W. Holibaugh, late of Troop C, Third Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 22, after line 19, to strike out:

The name of Edith Payne Trimm, widow of Edmund W. Trimm, late chaplain Third Regiment Wisconsin Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 22, after line 23, to strike out:

The name of James N. Davis, late of Company C, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, after line 2, to strike out:

The name of Robert W. Koontz, late of Company M, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James Renshall, late of Company L, Fifth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Albert M. Kuppel, late of Company C, Twenty-eighth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Peter Kankiewicz, late of Company G, Thirteenth Regiment, and Companies I and M, Fourteenth Regiment, United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, after line 18, to strike out:

The name of John C. Kulpman, late of Company I, Twenty-first Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 24, line 2, after the word "additional," to strike out "for each of soldier's minor children until they shall have reached the age of 16 years" and insert "on account of each of the minor children of said Charles C. Cooper until they reach the age of 16 years," so as to make the clause read:

The name of Maude C. Cooper, widow of Charles C. Cooper, late of Company C, Twelfth Regiment Pennsylvania Infantry, and Hospital Corps, United States Army, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Charles C. Cooper until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 24, after line 5, to strike out:

The name of Lewis A. Boone, late of Company E, Twenty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 24, line 13, after the word "receiving," to insert "to continue," and in line 14, after the word "helplessness," to strike out "pension to be paid to duly appointed guardian," so as to make the clause read:

The name of Helen Fitton, blind and helpless child of John Fitton, late of the Quartermaster Corps, United States Army, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving, to continue during the period of her helplessness.

The amendment was agreed to.

The next amendment was, on page 24, after line 15, to strike out:

The name of Mike Cattarini, late of Company M, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Ralph Erwin, late of Company G, One hundred and fifty-ninth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 24, line 24, after the word "Lefavor," to strike out "retired, late of the United States Navy" and insert "late lieutenant United States Navy, retired," so as to make the clause read:

The name of Lizzie C. Lefavor, widow of Frederic H. Lefavor, late lieutenant United States Navy, retired, Regular Establishment, and pay her a pension at the rate of $25 per month.

The next amendment was, on page 25, after line 2, to strike out:

The name of George Crago, late of Company A, Thirty-first United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of David R. Locke, late of Company E, Twenty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 25, line 10, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Catherine Summers, dependent mother of Lawrence Summers, late of Company L, Second Regiment Mississippi Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 25, after line 16, to strike out:

The name of William Holt, late of Company L, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Frank Godar, late of Company H, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of May A. Sanders, widow of William J. Sanders, late of Company F, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of Jacob Cain, late of Company H, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John O. McMahon, late of Company F, Thirty-third Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 26, after line 19, to strike out:

The name of Conrad H. Rowe, late of Company D, Thirteenth Regiment Minnesota Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Alice Barkley, widow of Andrew J. Barkley, late of Company F, Fourth Regiment Tennessee Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 27, after line 6, to strike out:

The name of Walter G. Smith, late of Company K, Fifth Regiment Massachusetts Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 27, line 13, after the words "rate of," to strike out "$35" and insert "$25," so as to make the clause read:

The name of Jean R. Anderson, widow of Keller Anderson, late colonel, Second Regiment Tennessee Infantry, and major, Forty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 27, line 18, after the word "month," to strike out "with $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years" and insert "and $2 per month additional on account of each of the minor children of said Walter S. Hall, alias Walter McLaughlin, until they reach the age of 16 years," so as to make the clause read:

The name of Annie G. Hall, widow of Walter S. Hall, alias Walter McLaughlin, late of Company D, Twelfth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Walter S. Hall, alias Walter McLaughlin, until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 27, after line 23, to strike out:

The name of George W. Rabel, late of the Twenty-eighth Battery Indiana Light Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William H. Brown, late of Company E, Fifth Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles C. Chilson, late of Company I, Eleventh Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 28, after line 9, to strike out:

The name of Margaret Huling, widow of John Huling, late of Company L, Fifth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 28, line 15, after the word "Army," to strike out "Indian war" and insert "Regular Establishment," so as to make the clause read:

The name of Hester Walk, widow of Henry Walk, late of General Mounted Service, United States Army, Regular Establishment, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 28, after line 17, to strike out:

The name of Edward C. Wait, late of Company G, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Bert M. Dorton, late of Battery K, Third Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month, in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 29, line 1, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Maria Gaines, dependent mother of Albert Gaines, late of Company C, Second Regiment New York Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 29, after line 4, to strike out:

The name of Hans R. Jacobson, late of Company A, Second Regiment Oregon Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 29, after line 10, to strike out:

The name of Wesley Priest, late of Company M, Fifth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Harry S. Stahl, late of Company K, Fifty-first Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 29, after line 20, to strike out:

The name of Frank M. Preston, late of Company M, Third Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Frank S. Schmidt, late of Company F, Two hundred and second Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Walter C. Hathaway, late of Troop I, Fourteenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 30, after line 6, to strike out:

The name of Louise Shoat, widow of John W. Shoat, late of Troop C, Fourth Regiment United States Cavalry, Indian war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 30, after line 10, to strike out:

The name of Rhoda M. Gates, former widow of Woodson Clay Gates, late of Capt. Hunter's and Miller's First Regiment Tennessee Infantry, Indian wars, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 30, line 15, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Nancy Jane Howard, dependent mother of James Howard, late of Troop G, Third Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 30, after line 19, to strike out:

The name of Thomas Flinchum, late of Company C, Thirty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 31, after line 2, to strike out:

The name of Mary S. Wilson, widow of Joshua Wilson, late of Company I, First Regiment Tennessee Mounted Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was on page 31, after line 6, to strike out:

The name of Christopher L. Einkopf, late of Company D, Fourteenth Regiment United States Infantry, and Company G, Twenty-first Regiment United States Infantry, Indian war, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 31, after line 15, to strike out:

The name of Jane Polsgrove, widow of Almus W. Polsgrove, late of Company B, Second Regiment Kentucky Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Eugene P. Williams, late of Company L, Sixth Regiment Massachusetts Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Daniel Burkey, late of Company D, Thirty-fifth Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 32, to strike out:

The name of James S. Haggard, late of Company C, Ninth Battalion Ohio Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Joseph Tewell, late of Company B, Seventeenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 32, after line 10, to strike out:

The name of Ivar A. Amell, late of Company K, Sixth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Jean B. Kopf, late of Troop B, First Regiment Illinois Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Robert Hand, late of Company I, Twelfth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John B. A. Richard, late of Company D, First Regiment Rhode Island Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Alvis F. Ritter, late of Company I, Fourth Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, on page 33, in lines 1 to 16, to strike out:

The name of Harvey L. Williams, late of Company A, Second Regiment United States Volunteer Engineers, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Simeon H. Johnston, late of Company D, Sixth Regiment United States Artillery, and Twelfth and Twenty-second Batteries United States Field Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

The name of La Barron T. Marshall, late of Company F, Second Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Charles S. Kinman, late of Company C, Seventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 33, after line 20, to strike out:

The name of William H. Fish, late of Company K, Fiftieth Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Horace B. Case, late of Company A, Nineteenth Regiment United States Infantry, Indian War, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Walter Barbo, late of Company I, One hundred and sixtieth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 34, after line 15, to strike out:

The name of Edward C. Crawford, late of Company F, Thirty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Joseph Phillips, late of Company H, Twenty-first Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles A. Heiland, late of Company B, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Leonidas Duncan, late of Company I, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Joseph Dole, late of Troop B, First Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 35, line 19, after the word "Navy," to insert "War with Spain," and in line 20, after the word "month," to strike out "with $2 per month additional for each of sailor's minor children until they reach the age of 16 years" and insert "and $2 per month additional on account of each of the minor children of said James J. Reid until they reach the age of 16 years," so as to make the clause read:

The name of Bridget E. Reid, widow of James J. Reid, late of the United States Navy, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said James J. Reid until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 36, in lines 1 to 8, to strike out:

The name of Mary M. Newman, widow of John R. Newman, late captain Company K, Second Regiment Arkansas Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of said John R. Newman until he reaches the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 36, after line 11, to strike out:

The name of Mary Brown, widow of Alexander Brown, late of Capt. Kelly's independent company, Florida Volunteers, War with Mexico, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Hector H. Bryant, late of Troop B, Sixth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 36, after line 18, to strike out:

The name of Charles Knight, late of Company K, First Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Thereasa Brisbois, widow of Gabriel A. Brisbois, late of Knowlton's independent company, Wisconsin Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of John E. Collins, late acting hospital steward, United States Army, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Charles Grunert, late of Company L, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Hugh O. Neville, late of Troop F, Third Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Samuel G. Dinsmore, late of Company E, Eighteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 38, line 4, after the words "rate of," to strike out "$25" and insert "$20," so as to make the clause read:

The name of Cynthia Martin, widow of James L. Martin, late of Captain Tedford's company, First Regiment Tennessee Volunteers, Indian War, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving. Payment to be made to duly appointed guardian.

The amendment was agreed to.

The next amendment was, on page 38, after line 8, to strike out:

The name of George A. Cooper, late of Company H, Twelfth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Susanah Raines, mother of William R. Raines, late of Company M, Seventeenth Regiment United States Infantry, Regular Establishment, border defense, and pay her a pension at the rate of $12 per month.

The name of Charles A. Rogers, late of Company A, Third Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, on page 38, after line 15, to strike out:

The name of Lewis W. Taft, late of Company K, Fifteenth Regiment United States Infantry, Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 38, line 21, after the word "Army," to insert "Regular Establishment," so as to make the clause read:

The name of John F. Dile, late unassigned recruit, United States Army, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 38, after line 23, to strike out:

The name of Guy Robison, late of the Sixty-sixth Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 39, after line 2, to strike out:

The name of Lucy E. Blue, dependent mother of Arthur Blue, late of Company D, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Mary Stewart, widow of Robert W. Stewart, late of Starbuck's company, Second Illinois Volunteers, War with Mexico, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to a third reading, read the third time, and passed.

STEAMSHIP "MATOA"—SCHOONER "HENRY O. BARRETT."

The PRESIDING OFFICER (Mr. CURTIS in the chair) laid before the Senate the amendments of the House to S. Con. Res. 26, which were—

That the action of the Speaker of the House of Representatives in signing the enrolled bill (S. 1005) "for the relief of the owner of the steamship *Matoa*" be, and hereby is, rescinded, and that the Secretary of the Senate be, and he is hereby, directed to reenroll said bill with an amendment as follows:

Strike out all after the enacting clause of said bill and insert the following in lieu thereof: "That the claim of the owner of the steamship *Matoa* arising out of a collision between said steamship and the United States tug *Lucille Ross* off Lambert Point, Va., on the 17th day of January, 1918, for and on account of the losses alleged to have been suffered in said collision by the owner of said steamship *Matoa* by reason of damages to and detention of said steamship may be submitted to the United States Court for the Eastern District of Virginia, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States upon the same principle and measure of liability, with costs as in like cases in admiralty between private parties, with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court; and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act."

That the action of the Speaker of the House of Representatives in signing the enrolled bill (S. 1222) "for the relief of the owners of the schooner *Henry O. Barrett*" be, and hereby is, rescinded, and that the Secretary of the Senate be, and he is hereby, directed to reenroll said bill with an amendment as follows:

Strike out all after the enacting clause of said bill and insert the following in lieu thereof: That the claim of the owners of the schooner *Henry O. Barrett* arising out of a collision between said schooner and the United States monitor *Ozark*, off Five Fathom Bank Lightship, on the 19th day of April, 1917, for and on account of the losses alleged to have been suffered in said collision by the owners of said schooner *Henry O. Barrett* by reason of damages to and detention of said schooner, may be submitted to the United States court for the district of Massachusetts, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court; and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

Mr. SMOOT. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

MOUNT ALTO HOSPITAL.

Mr. FERNALD. Mr. President, I realize in these closing hours of the session how urgent and important many measures are that are proposed to be brought before the Senate this evening. I shall satisfy my ambition by stating my case very plainly. I simply ask unanimous consent that the bill (H. R. 13627) to amend paragraph (e) of section 7 of the act approved March 3, 1919, entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines," may be considered at this time. I had expected to ask for the consideration of two bills, one of them carrying an appropriation of about $10,000,000 for hospitals for the soldiers.

This bill passed the House unanimously, providing for a hospital in this city in which there are to-day 125 soldiers. An act was passed on the 3d day of March, 1919, carrying an appropriation of $9,000,000 for the building of hospitals, but a provision in the act stated that the hospitals must be located on land owned by the Government. No land in the city could be found suitable, however, that was owned by the Government, but a piece of land of 11 acres with buildings upon it was leased for a time, and it can now be purchased. Members of a subcommittee have examined the property and have estimated that the purchase would be a splendid bargain.

This is no new appropriation. It is simply to make available an appropriation already made of about $550,000. I can not conceive that there will be any objection to the consideration of the bill at this time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maine?

Mr. SMOOT. Mr. President, I wish to call attention to the law itself. I think the Senator will admit that there is a proposed expenditure of money out of an appropriation, first, of $250,000; second, of $154,000; and, third, of $6,000.

The bill proposes to amend the act approved March 3, 1919, and authorizes the expenditure of $550,000 for the purchase of land and buildings of the National School of Domestic Art and Science, located at 2650 Wisconsin Avenue, in the District of Columbia, now under lease to the United States Government as a hospital. We refer to section 7, paragraph (e) of the act of March 3, 1919, and see that this is how it reads:

(e) The sum of $550,000 is hereby authorized for the construction, on land owned by the Government, on a site to be selected by the Secretary of the Treasury with the approval of the President, of a hospital plant complete in the District of Columbia or vicinity.

That is all of that paragraph. In the bill, on page 2, line 5, there is a proviso which reads as follows:

Provided further, That in addition to the $550,000 hereby authorized the sum of $250,000 from the amount appropriated by section 5 of the act hereby amended and of $6,000 and of $154,000 from the amounts appropriated by section 6, paragraphs 1 and 2, respectively, of said act, are hereby made available for the above-mentioned purposes and shall remain available until expended.

Section 5 of the act reads as follows:

SEC. 5. The Secretary of the Treasury is hereby authorized to contract with any existing hospital or sanatorium, by lease or otherwise, for immediate use, in whole or in part, of their present facilities, so as to provide bed capacity and facilities for not exceeding 1,000 patients, and for such purposes the sum of $300,000 is hereby authorized.

So we take $250,000 of that $300,000 to be used for this particular purpose in addition to the $555,000 that was appropriated in the act of March 3, 1919, and of $6,000 and of $154,000 of the amount appropriated by section 6, paragraphs 1 and 2, respectively, of the act. When we turn to the act we find that section 6, paragraph 1, reads as follows:

SEC. 6. The Secretary of the Treasury is hereby authorized, if in his judgment the same will be for the best interests of the Government from the standpoint of cost, location, and of the emergency needs of the Public Health Service, to purchase the site, buildings, and hospital facilities and appurtenances at Corpus Christi, Tex., known as General Hospital No. 15, and for such purpose the sum of $150,000 is hereby authorized.

The second paragraph reads as follows:

The sum of $1,500,000 is hereby authorized to be held as an emergency fund for the purchase of land and buildings suitable for hospital and sanatoria purposes, which the Secretary of the Treasury is hereby authorized to select and locate, and to make additions and improvements suitable to adapt them to the uses of the United States Public Health Service, if in his judgment the emergency requires it.

If we pass this bill, it means that the $550,000 appropriated in section 7, paragraph (e), of the act of March 3, 1919, shall be used for this purpose. That paragraph specifically states that the purchase price of the land and buildings shall not exceed $460,000 of the $550,000.

Mr. FERNALD. Mr. President, does the Senator wish to ask any questions? If not, I can not yield further at this time.

Mr. SMOOT. I thought the Senator had yielded the floor.

Mr. FERNALD. I yielded for a question.

Mr. SMOOT. The Senator does not mean to say that I can not speak on this question?

Mr. FERNALD. Not at all; but in my own time I do not think that I ought to yield any longer.

The PRESIDING OFFICER. Let the Chair state the situation. The Chair submitted the request for unanimous consent and then recognized the Senator from Utah. He now has the floor.

Mr. FERNALD. I thought I had the floor. If I am in error, I beg the Senator's pardon.

The PRESIDING OFFICER. The Senator from Utah will proceed.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KING. I inquire whether or not it is the understanding of the Chair that unanimous consent has been granted?

The PRESIDING OFFICER. It has not. The question is whether there is objection to the consideration of the bill.

Mr. SMOOT. I want to conclude my statement, and then the question as to whether or not unanimous consent shall be granted may be decided. The Senator made the statement that this bill did not carry any appropriation. I wish to say to the Senator, with all due respect to his statement, that if we spend $154,000 for this particular purpose in buying the building and lands, as is provided in this bill, there is not any doubt that just as soon as the $1,500,000 is expended for the purpose for which it was originally appropriated Congress will be asked to appropriate to cover the $154,000. That is just as certain as that the sun will rise to-morrow morning. Not only that, but it is just as certain as we live that the request will be granted.

I desire to make this statement in order that, if we take this bill up, there may be no misunderstanding as to its carrying an appropriation, but I will admit that it is taken out of the fund which was appropriated for a specific purpose. When that purpose is undertaken to be accomplished and it is found that there is not available the amount of money which was appropriated for it, the excuse will be offered here in the Senate Chamber, as well as in the other House, "Why, Congress intended to give us $300,000; Congress intended to give us $1,500,000; but an emergency arose, and we used a part of that appropriation, and now, of course, to carry out the will and wish of Congress, we have got to have an appropriation to make up that which has already been taken out."

It may be that this is a splendid purpose, as the Senator says; I do not know, for I have not the knowledge of the value of land out on Wisconsin Avenue; I do not know what the value of the building is; I can not say as to that; but if it is so valuable, let us distinctly understand that if we purchase it we are now making an appropriation that will have to be taken from a fund that has already been provided and will have to be replaced at some time in the future. That is all I wish to say about the matter.

The PRESIDING OFFICER. Is there objection?

Mr. KING. Reserving the right to object, I desire to say that I am not satisfied with the wisdom or the propriety of this appropriation.

Mr. FERNALD. Do I understand the Senator from Utah objects?

Mr. KING. I reserve the right to object.

Mr. FERNALD. I should like to make a statement. I regret at this late hour to be obliged to have to go into a matter of this kind in great detail. I am quite surprised at the attitude of Senators regarding this bill. The Public Buildings and Grounds Committee have had submitted to it something like 120 bills during the present session of Congress. Not a single bill has been reported favorably that carried a dollar of appropriation. I think that statement will answer any charge of extravagance on the part of the committee. We had a bill presented calling for an appropriation of $87,000,000 for hospitals for the soldiers. After a careful examination, it was found that 640,000 invalid and disabled soldiers returned from France; that inside of two years it would require 23,400 beds to take care of those soldiers; and that it would entail an expense of nearly $100,000,000 in the next six years. That bill was very carefully considered. We wrote to all of the soldiers' homes in the country to ascertain if there could not be quite a number of soldiers taken care of there. After they had all reported, we found that about 10,000 soldiers could be so taken care of.

Then another bill was introduced providing for an appropriation of $10,000,000 for hospitals throughout the country. I was rather of the opinion that that bill ought to be passed, but it is a Senate bill, and I find at this late hour that it would be impossible to get it through and have it become a law during this session. So I decided not to say anything about that bill to-night; but the bill for which I ask consideration does not ask for any extra appropriation and is the only bill that has been reported from the Committee on Public Buildings and Grounds providing for any money at all.

It may be true, as the Senator from Utah [Mr. SMOOT] has stated, that there will be $154,000 which it will be necessary to appropriate, but, Mr. President, suppose it does require $154,000?

From the beginning of this session to the present time we have been talking about doing something for the soldier. We have listened to-night to a criticism of pensions for the boys who fought to save the flag, and we have been told that we were wasting money on pensions all over the country. Every one of the Senators who has mentioned this matter has stated that we ought to take care of the invalid soldiers; that if any men had been disabled, if any men had become blind or halt or lame, they should be cared for. I am frank to say—and I believe that every Senator here will bear me out in the statement—that all the letters that have been received from the business men and the American Legion in various parts of the country in opposition to the bonus have stated that the invalid soldiers ought to be cared for.

In this bill there is a provision that a hospital shall be founded in this city. Now, I wish to refer to the provisions of the original act. The then Secretary of the Treasury [Mr. GLASS] called attention to the act appropriating $9,000,000 for the purposes indicated by its title. I refer especially to the following provision:

The sum of $550,000 is hereby authorized for the construction on land owned by the Government—

That is the difficulty—"on land owned by the Government."

on a site to be selected by the Secretary of the Treasury, with the approval of the President, of a hospital plant, complete, in the District of Columbia or vicinity.

No land could be found in the District of Columbia which was considered by the Secretary of the Treasury suitable for this purpose; but the land on Wisconsin Avenue, consisting of about 11 acres, on which buildings were already erected capable of taking care of 125 men, was leased last year and is still under lease to the Government. It is proposed to buy that land. The Senator from Utah says he does not know anything about its value. Neither do I know anything about its value; I have not been there; and I do not know much about the value of property in Washington; but a subcommittee of the Committee on Public Buildings and Grounds of the House have visited the location, have made an investigation, and have reported that it is a good bargain. I am certain that 11 acres in the city of Washington ought to be worth at least what is contemplated paying for this land and the buildings now erected on it.

Mr. President, we have started in, as I have said, to do something for the soldier; every Senator who has spoken on the matter to-night has said that we ought to take care of the invalid soldier. I can not understand why this great Government of ours is not willing to take care of the wounded soldiers whom one meets upon the streets. There are individuals in this city who do a thousand times more than they ought to be called upon to do to afford suitable protection and care for the men in hospitals.

Mr. SMOOT. Mr. President, will the Senator yield for a moment?

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Utah?

Mr. FERNALD. I yield.

Mr. SMOOT. How many wounded soldiers are in this hospital which it is proposed to buy?

Mr. FERNALD. There are 125 men there now.

Mr. SMOOT. Are the beds full?

Mr. FERNALD. I do not know about that; but 125 men are reported to be there.

Mr. SMOOT. The Government is leasing the building and paying the rent for it, is it not?

Mr. FERNALD. I presume so.

Mr. SMOOT. Then, we are taking care of the soldiers there, are we not?

Mr. FERNALD. Yes; but we have got to take care of more than 125.

Mr. SMOOT. Are there more beds than 125 there?

Mr. FERNALD. We propose to make the buildings larger, so that they will be able to care for 500 men.

Mr. SMOOT. I will say to the Senator that there is no report upon the bill and no report has been submitted to accompany it, as I understand. The bill is on the calendar here with no information except the appropriation which it contains, and that is all I can judge by.

Mr. FERNALD. If I can have an hour or two I think I can satisfy the Senate that it is quite necessary to do something for these boys.

Mr. SMOOT. I do not think the Senator meant to say that, for we are leasing the property to-day and the Government has just as much use of it to-day as if they bought it. The only question is the propriety of appropriating $460,000 for it, an additional sum of $250,000, and then a further sum of $154,000. If we are utilizing that property to-day and soldiers are being taken care of there, they are being taken just as good care of as if the Government owned the property.

I say the only question involved is: Do we want to appropriate this money and pay for the property outright, or do we want to lease the property, as we are doing to-day? That is a question as to which, as I have said, I am not able to judge, in view of the fact that no report whatever has been submitted. It may be the very best thing in the world to buy the property; I do not know; but as I have already said, the question of a failure to take care of the soldier boys is not involved in this bill at all, for they are being taken care of under the lease of the property just as well as they would be taken care of if it were purchased.

Mr. FERNALD. Mr. President, they are taking care of soldiers to the extent of the capacity of the buildings, but they will care for only 125 men. There is, however, plenty of land there to enlarge the buildings, as was proposed in the original bill, so that 500 men may be taken care of.

Mr. SPENCER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Missouri?

Mr. FERNALD. I yield.

Mr. SPENCER. May I ask the Senator from Maine if that is the property that is about two or three blocks south of where Massachusetts Avenue runs into Wisconsin Avenue, upon the west side?

Mr. FERNALD. I think it is; it is called Mount Alto. It is one of the most beautiful spots in the city and one of the highest.

Mr. SPENCER. Oh, yes. That is the home where those soldiers who appear to be incurable are now cared for.

Mr. FERNALD. I understand so.

Mr. SPENCER. May I say to the Senator that I have been there, and my understanding is, from what I saw there, that the Government is now putting buildings upon that leased land, which it would seem to me, for economy's sake, is an unwise thing to do. If we are going to increase the building upon that land, the wise thing to do would be to buy the land and not to put buildings upon land that is leased.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Utah?

Mr. SPENCER. I do.

Mr. SMOOT. I agree with the Senator from Missouri. It is unthinkable that any department of the Government, in the face of a direct law saying that they can not do it, would go on and erect buildings on leased land. Now, when they are erecting the buildings, they come here to Congress and ask that we purchase the land. They do that after they have started the buildings. What they ought to have done was to come to Congress and have the purchase of the land authorized before they began the construction.

I want to ask the Senator from Missouri if the bill that he introduced, in which the consent of Congress, or at least the consent of the Senate, was given to buy certain lands out near the Walter Reed Hospital, became a law? I do not know whether it passed the House or not.

Mr. SPENCER. It did.

Mr. SMOOT. And that has nothing whatever to do with this matter?

Mr. SPENCER. Nothing whatever.

Mr. SMOOT. This is a new site?

Mr. SPENCER. Yes; it is entirely different.

Mr. SMOOT. The appropriation was made for $550,000 originally, but that money was to be expended on Government-owned land. I do not see, however, that the Public Health Service is different from almost any other department of the Government. As I said here the other day, they pay no more attention to the laws of Congress, when they desire to do otherwise, than they would to the whistling of the wind.

Mr. FERNALD. The Senator from Utah knows that nobody has followed him in that respect more carefully than the Senator from Maine.

Mr. SMOOT. I am aware of it.

Mr. FERNALD. I have endeavored, in every vote I have cast here, to look upon the matter from a business standpoint and to act in an economical way; but I do believe that we ought to make provision for these men.

Mr. McCUMBER. Mr. President, will the Senator yield?

Mr. FERNALD. I am very glad to yield.

Mr. McCUMBER. I wish to ask the Senator, for information, why it is that these buildings that were put up to house the soldiers in the city of Washington and at different encampments can not be used for hospitals?

For instance, down on the Speedway here we have perhaps 30 or 40 or 50 buildings that are capable of housing at least five or six hundred persons, I should judge, if not a thousand. They are empty and rotting. Now, why could not they be utilized for hospitals? I do not know anything about their structure, but why could not they be used?

Mr. FERNALD. I think, in reply to that question, that there are many of the buildings that are to be used in the near future for hospital purposes, but those buildings would hardly be fit. They are not suitably constructed.

Mr. STERLING. Mr. President, a parliamentary inquiry. The Senator from Maine [Mr. FERNALD] asked unanimous consent that the Senate proceed to the consideration of this bill. Senators have been discussing for the last three-quarters of an hour, I think, the merits of the bill. If it is proper to call for the regular order, and submit the question as to whether or not unanimous consent shall be given, I should like to invoke that rule. We are debating the question upon the request of the Senator from Maine for unanimous consent.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Utah?

Mr. FERNALD. I do.

Mr. SMOOT. I will say to the Senator from South Dakota that so far as I am concerned, from what I have learned as to the value of the land, if it is there, I shall not object; and the bill can be considered now, as far as I am concerned.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Let the Chair state the situation. The question was submitted. The junior Senator from Utah [Mr. KING] reserved the right to object and consented to hear the Senator from Maine. The Senator from Maine was explaining the object of the bill, with the consent of the Senate.

The Senator from Georgia is recognized.

Mr. SMITH of Georgia. Mr. President, I wish to ask the Senator from Maine one question.

We have a number of cantonments with splendid hospital facilities already connected with them that the War Department has determined to keep. There are hospital facilities that would accommodate more than 10,000 men in these cantonments, where we own the land and own additional buildings sufficient to take care of over a million men. Can the Senator tell me why those hospitals and those grounds are not used, instead of buying new ones?

I ask the question in all seriousness, because it has just occurred to me. I thought I was for the Senator's bill, because I am in favor of taking care of these men; but I know that at most of these cantonments that the Government owns and proposes to keep—it has asked to keep eight, and I think Congress has approved its keeping eight—there are hospitals that will take care of from 1,500 to 2,500 men, splendidly equipped, with all sanitary arrangements.

Mr. FERNALD. Mr. President, I quite agree with the Senator from Georgia, and that is the reason why the appropriation bills calling for $87,000,000 and $10,000,000 have not been favorably reported; but in this city there are no buildings, I think, that are large enough or would be able to accommodate the men that are here. The buildings referred to by the Senator from South Dakota would be large enough or nearly so, but they are not suitable for that purpose, and the Senator from Maine believes that with the cantonments about the country and the soldiers' homes a large number of the 23,000 men that it will be necessary to care for in the near future can be cared for. In this city, however, there is not sufficient hospital room to-day.

Mr. SMITH of Georgia and Mr. KING addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Maine yield; and if so, to whom?

Mr. FERNALD. I yield, first, to the Senator from Georgia.

Mr. SMITH of Georgia. Mr. President, is it necessary to have them in Washington? Are not many of these cantonments in much better all-around-the-year climates?

Mr. FERNALD. The Secretary of the Treasury reported that it was necessary. In a letter under date of December 5, 1919, Hon. Carter Glass, Secretary of the Treasury, addressed a communication to the Speaker of the House of Representatives in relation to additional hospital facilities for discharged soldiers, sailors, marines, and Army officers. The Secretary's letter was printed as a House document in the Sixty-sixth Congress, second session. In that communication the Secretary informed Congress that it would be necessary to make provision for 23,400 beds within the next two years and that the total cost would be $85,000,000.

Mr. SPENCER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Missouri?

Mr. FERNALD. I yield.

Mr. SPENCER. May I say, in part answer, because perhaps it fits in at this time, that my understanding is that this hospital at Mount Alto is not a general hospital. It is a hospital that is intended solely for those who, for one reason or another, are deemed to be incurable. Therefore my information is that the Medical Department feels that that hospital must be located in a place where not only the General Staff will be available, but it must be contiguous to the specialists in every form of critical cases, which would be impossible in a general cantonment. It must be located somewhere in a center of medical knowledge, and I think that is one of the reasons why they felt that it must be located in a city like Washington. My understanding is that there are no cases at this place except those cases of the unfortunate character that I have described.

Mr. SMITH of Georgia. Mr. President——

Mr. FERNALD. I yield to the Senator.

Mr. SMITH of Georgia. And as the surgical specialists of the Army are largely here, they deem this the desirable place?

Mr. SPENCER. Such is my information.

Mr. SMITH of Georgia. I want to say to the Senator from Maine that I was not seeking to criticize but to obtain information.

Mr. FERNALD. Certainly; I realize that.

I should like to give a little more information, because we have a letter not only from the former Secretary of the Treasury but from the present Secretary of the Treasury. If the Senator cares for further information, I shall be glad to read it; but if there is no objection—I know how anxious other Senators are to take up other matters, and I am willing to submit the question at this time.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13627) to amend paragraph (e) of section 7 of the act approved March 3, 1919, entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines," which was read, as follows:

Be it enacted, etc., That paragraph (e) of section 7 of the act approved March 3, 1919, entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines," is hereby amended to read as follows:

"(e) The sum of $550,000 is hereby authorized for the purchase of the land and buildings of the National School of Domestic Arts and Science, located at 2650 Wisconsin Avenue, in the District of Columbia, now under lease to the United States Government as a hospital, and for the construction of such additions and improvements thereto as may be necessary to suitably adapt them to the needs and purposes of the Public Health Service: *Provided*, That the purchase price of said land and buildings shall not exceed $460,000: *Provided further*, That in addition to the $550,000 hereby authorized, the sum of $250,000 from the amount appropriated by section 5 of the act hereby amended and of $6,000 and of $154,000 from the amounts appropriated by section 6, paragraphs 1 and 2, respectively, of said act, are hereby made available for the above-mentioned purposes and shall remain available until expended."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. I present the conference report on the general deficiency appropriation bill.

The PRESIDING OFFICER. The Senator from Wyoming presents a conference report, which will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14335) "making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 5, 8, 12, 13, 14, 19, 20, 21, 26, 37, 39, 50, and 60.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 9, 10, 11, 15, 16, 22, 24, 27, 28, 29, 31, 32, 33, 34, 35, 36, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 51, 53, 54, 55, 56, 57, and 58; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"ANTHRACITE COAL COMMISSION.

"The unexpended balance of the appropriation for the fiscal year 1920 for the Bituminous Coal Commission is made available during the fiscal years 1920 and 1921 for expenses of the Anthracite Coal Commission, including salaries and expenses of officers, employees, and witnesses, personal services in the District of Columbia, purchase of supplies, printing and binding, reporting proceedings, per diem in lieu of subsistence at not exceeding $4, and all other necessary expenses in connection therewith."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out the words "the passage of this act" and insert in lieu thereof "June 30, 1920"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and roadway thereto, $7,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SHIPPING BULLETIN.

"The Secretary of the Navy is authorized to cause to be prepared in the office of communications, Navy Department, a publication known as the Shipping Bulletin, and to publish and furnish the same to the maritime interests of the United States and other interested parties, at the cost of collecting and publishing the information, including the cost of printing and paper and other necessary expenses. The expenses of such bulletin shall be paid from the appropriation 'Engineering,' Bureau of Steam Engineering, fiscal year 1921. The money received from the sale of such publication shall be covered into the Treasury as miscellaneous receipts."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"PENSION OFFICE.

"To provide additional compensation for employees of the Bureau of Pensions designated to carry out the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, $2,000, to continue available until June 30, 1921: *Provided*, That no person so employed shall receive compensation at a rate exceeding $1,740 per annum except one at $3,000, one at $2,400, one at $2,000, and two at $1,800 each."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In line 4 of the matter inserted by said amendment strike out "$20" and insert in lieu thereof "$15"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: ": *Provided*, That paper, envelopes, and blank books required by the stationery rooms of the Senate and House of Representatives for sale to Senators and Members for official use may be purchased from the Public Printer at actual cost thereof and payment therefor shall be made before delivery"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: Strike out, in lines 2 and 3 of the matter inserted by said amendment, the words "or before October 1 of each year" and insert in lieu thereof "the first day of each regular session"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment lines 69, 70, 71, 72, 76, 77, 78, and 79, and in line 103 strike out "$863,568.91" and insert in lieu thereof "$854,735.49"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the number proposed insert "5," and the Senate agree to the same.

The committee of conference have been unable to agree on the amendments of the Senate numbered 4 and 18.

F. E. WARREN,
CHAS. CURTIS,
O. W. UNDERWOOD,
Managers on the part of the Senate.

JAMES W. GOOD,
J. G. CANNON,
JAMES F. BYRNES,
Managers on the part of the House.

Mr. WARREN. I ask unanimous consent for the immediate consideration of the report.

The PRESIDING OFFICER. The Senator from Wyoming asks unanimous consent for the immediate consideration of the conference report just submitted by him. Is there objection?

There being no objection, the Senate proceeded to consider the report.

Mr. WARREN. I desire to say the report is a complete agreement except as to two items, and as to those two items it will require some further time for their consideration.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. WARREN. I move that the Senate further insist on its amendments still in disagreement, ask for a further conference with the House on the disagreeing votes thereon, and that the Chair appoint the conferees on the part of the Senate.

Mr. UNDERWOOD. One moment. If the Chair will allow me to make a suggestion, we do not desire a further conference.

Mr. WARREN. I understood the Senator to wish otherwise. My first idea was to ask for the acceptance of the report and to let it lie on the table, but it has to be somewhere in the interim.

Mr. UNDERWOOD. No; I think, if the chairman will allow me——

Mr. WARREN. Certainly.

Mr. UNDERWOOD. We have agreed to a conference report which covers all of the items but two; one is the school item, and the other is the item in reference to claims for the levy improvements, an item which was discussed here. Those two items are still in dispute. I will suggest to the chairman that I think the direct method of bringing the matter to a vote in the House would be merely to move that the Senate further insist on those two amendments and send the matter to the House. That would bring a direct vote without asking for a further conference.

The PRESIDING OFFICER. Without objection, it will be so ordered.

Mr. WARREN. That sends the papers at once to the House. That is the intention.

Mr. LODGE. Yes, that is correct.

CLAIMS ON SHORE WATERS IN ALASKA.

Mr. NEW. Mr. President, I ask unanimous consent to submit a favorable report from the Committee on Territories, and ask immediate consideration of the bill. I do not think it will encounter any opposition or call for any discussion. If it appears that it calls for any prolonged discussion, I will withdraw it.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Utah?

Mr. NEW. I do.

Mr. KING. Does this relate to the Hawaiian lands?

Mr. NEW. Not at all.

Mr. KING. I had hoped that the Senator's committee, or some other, would report the measure which passed the House dealing with the Hawaiian lands.

Mr. NEW. I only regret that that is impossible.

This bill, Mr. President, is simply this: When the homestead laws were extended to Alaska a provision was made that no two homesteads should be located along any shore or navigable water except with a space of 80 rods between the two, and that no homestead should be permitted to be entered that extended for more than 160 rods along the shore. Now, Mr. President, the shore lines of Alaska are more than 26,000 miles in extent, and if you add to that the banks of the navigable streams of Alaska, they perhaps are of equal length; so that it really has the effect of exempting 50,000 miles of shore and stream line there from homestead entry. It has been found by the department that that works to very great disadvantage, and this bill provides an amendment of the law which makes it possible for the Secretary of the Interior to grant two homesteads adjoining where in his judgment the facts warrant his doing so.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Utah?

Mr. NEW. I do.

Mr. KING. Does it diminish at all the obligation resting upon the homesteader to conform to certain requirements?

Mr. NEW. Not at all.

Mr. KING. And there was a unanimous report of the committee?

Mr. NEW. Yes; the committee report is entirely favorable, and it has been recommended, Mr. President, by Secretary Lane, by Secretary Houston, and by Secretary Meredith.

Mr. KING. I have no objection, Mr. President.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10806) to provide for the abolition of the 80-rod reserved shore spaces between claims on shore waters in Alaska, which was read, as follows:

Be it enacted, etc., That the provisions of the act of May 14, 1898 (30 Stat. L., p. 409), extending the homestead laws to Alaska, and of the act of March 3, 1903 (32 Stat. L., p. 1028), amendatory thereof, in so far as they reserve from sale and entry a space of at least 80 rods in width between tracts sold or entered under the provisions thereof along the shore of any navigable water, and provide that no entry shall be allowed extending more than 160 rods along the shore of any navigable water, shall not apply to lands classified and listed by the Secretary of Agriculture for entry under the act of June 11, 1906 (34 Stats., p. 233), and that the Secretary of the Interior may upon application to enter or otherwise in his discretion restore to entry and disposition such reserved spaces and may waive the restriction that no entry shall be allowed extending more than 160 rods along the shore of any navigable water as to such lands as he shall determine are not necessary for harborage uses and purposes.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RECLASSIFICATION OF POSTAL EMPLOYEES—CONFERENCE REPORT.

Mr. STERLING. I move that the Senate proceed to the consideration of the conference report on House bill 14338, relating to postal salaries.

The motion was agreed to; and the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis.

Mr. HARRISON. Mr. President, this matter was reported, I believe, by the Postal Salaries Commission just before we recessed, and I wish to call the attention of the Senate to the amendment which was adopted touching fourth-class postmasters. In the original report of the commission the salaries provided for fourth-class postmasters were reduced. There was an amendment adopted in the House, and that did not remedy the situation, but the fourth-class postmasters, in practically every instance, with two exceptions, I think, were reduced from the present salaries they are getting. So I offered an amendment which cured that defect and increased by a small amount the salaries of the fourth-class postmasters. I want to state to the Senate that if this report is adopted the amendment we adopted the other day will be practically knocked out and we will give the fourth-class postmaster practically no increase. No one need vote for this report thinking he is doing anything for the fourth-class postmasters in proportion to what we should do for them.

If I misstate the figures I am about to give, I want the Senator from South Dakota [Mr. STERLING] to call my attention to the error, because I have compared my figures with the estimates on this proposition.

Under the present law the postmaster who gets $25 per quarter for cancellations would get $138 a year. Under my amendment he would get $145. Under the commission's report, with this amendment of the conference committee, it will remain the same—$145. If he gets $75 for cancellations a quarter, under the amendment I have proposed, which the Senate adopted, he would get $435 a year. Under the present plan he gets $414. Under the plan adopted by the conference committee he gets $435—the same.

Now we get down to $100 cancellations. Under the present plan he gets $460 a year. My amendment carried it to $580. Under the amendment now proposed in this conference report it is reduced $100 a year; in other words, to $480. That is an increase for the postmasters who get $100 per year for cancellations of $20 a year, or $5 a quarter.

If he gets $150 cancellations a quarter, under the present plan he gets $598 a year. Under the amendment which the Senate adopted he would get $730 a year. Under the plan now proposed in this conference report he would get only $610, an increase of $12 a year for those postmasters. Three dollars a quarter is the increase provided for in this report.

Am I correct, may I ask the Senator?

Mr. STERLING. The Senator is substantially correct, so far.

Mr. HARRISON. Those are the figures, are they not?

Mr. STERLING. They are.

Mr. HARRISON. If it is $200 a quarter cancellations, under the present law he would get $736 a year. Under the amendment we adopted in the Senate he would get $930 a year. Under the plan now proposed to be adopted it would be $760 a year, or an increase from the present salaries of $24 a year, or $6 a quarter.

If the cancellations are $250 a quarter, under the present plan he would get $851 a year. Under the amendment I propose he would get $1,110 a year. Under the plan now suggested by the conference committee he would get $880 a year. In other words, there would be a reduction, from the plan which the Senate adopted, of $230 a year.

If the cancellations are $300, under the present law he would get $966 a year. Under the plan adopted by the Senate he would get $1,275 a year. But the conferees now have reduced it from the amount fixed by the Senate $274 a year, providing

an increase for that class of postmasters of only $34 a year, or around $8.50 a quarter.

You have given under this report practically $40,000,000 a year to the other employees of the Postal System of the country, and you have provided only the increases I have pointed out for the fourth-class postmasters.

It would seem to me that the conferees should have insisted on the action of the Senate and given to these men, who get these small salaries, the small pittance which was proposed in the amendment which was adopted, which passed the Senate practically unanimously. Yet the views of the Senate are thwarted and a conference report comes in which practically repudiates what we did.

I shall vote for the report, because I think it carries increases for men in many other instances which we should grant, but I am not voting for it under a delusion or a snare. I know what I am voting for, and I know I am not voting for a sufficient amount for the fourth-class postmasters.

Mr. THOMAS. Mr. President, it is not my intention to prolong the debate on this report for more than a moment. I was not here yesterday evening when this bill was passed. I had intended at that time to submit a few observations upon it.

The bill may be, and probably is, an equitable one, but it has been attended by some features which, in my judgment, are not creditable and certainly not convincing to me of its equity. I do not believe a bill designed to secure such large sums of money from the Treasury of the United States ever had behind it such a systematic, widespread, disciplined, and thorough organization. It seemed to embrace all classes and conditions of men, in consequence of which a pressure was brought upon the activities of the Congress which appears to have been irresistible. If the equities of the bill are what are claimed for it, I am unable to perceive the necessity for resorting to such methods to secure its enactment. If it is not possessed of such equities, then the methods referred to are entirely wrong.

I regard the bill as having been passed practically with a pistol at the head of Congress. We have thereby established a precedent. Perhaps precedents were established before, but certainly we have thereby established a most significant one. The success of the movement is bound to breed its repetition time and time again in the future, whenever a large class of people have designs upon the Treasury of the United States.

I do not say, Mr. President, that the postal employees had any design upon the Treasury which was not perfectly legitimate, but I do maintain that the agreement to which I called the attention of the Senate last week, whereby the great influence of one of the first-class periodicals of the country, justly possessing the confidence of most people, was made the basis under which this propaganda was powerfully stimulated, and with a profit to the periodical to which I refer which in all probability will be measured in millions, certainly in hundreds of thousands of dollars.

Mr. PHIPPS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to his colleague?

Mr. THOMAS. I yield.

Mr. PHIPPS. I would like to inquire if my colleague thinks that the publication to which he refers had any influence whatever on the action of the commission which was working on the postal salaries bill, or on the votes of any Member of the Senate which passed the bill, or that it hastened the action of the commission in reaching its recommendations? I think not.

Mr. THOMAS. I do not think it had any influence upon the commission, but I have no more doubt that it had its influence upon the Congress of the United States than I have that I am standing here. That is what it was designed for; that was its purpose; it could not have had any other.

When we consider, Mr. President, that not a telegraph message from the National Capital relating to this subject has appeared in the public prints anywhere, I am justified in the conclusion that the press of the country are particeps criminis with the Literary Digest and will receive their compensation hereafter in an organized assault against the present rates on second-class postage.

Since the publication of the advertisement in the Literary Digest I understand that the House committee has reported a bill to suspend the operation of that part of the present system of postal rates which is to take effect upon the 1st of July. Of course, nothing can be done with it, because we are about to adjourn. It is the beginning. Unless I am greatly mistaken, next winter the same forces will be active for the repealing of that statute, or at least for its nullification, whereby the rates will go back to what they were before the war.

Therefore the situation is one, Mr. President, in which, in the first instance, a large additional amount is added to our annual expenditures; in the second place, the revenues will be decreased to the extent to which this scheme will be successful. The people ought to be acquainted with these things. They can not be informed of them if the press is in league to prevent it, and it was that aspect of the measure to which I wished to address myself last night.

Mr. President, I have said all that I care to say.

Mr. SMITH of Georgia. Mr. President, I do not desire to take issue with the criticism by the Senator from Colorado of the course of the great journal to which he referred, but I do not feel that the action of any newspaper, or a dozen newspapers, is a sufficient reason for criticizing this bill, or this plan for an increase to certain postal employees reported by our commission.

I have examined the report, not thoroughly, but far enough to satisfy myself. I am satisfied that it was carefully, honestly, and faithfully made, and made also with the view of all possible economy. That many of our postal employees have been paid less, and even under this increase will be paid less, than work of similar value requiring similar attention and intelligence receives in private employment, I have no doubt. That the increases allowed do not at all equal the increase of expenses to-day as compared to former salaries, I am satisfied.

While I have been careful to avoid voting for measures that I felt encroached upon the Treasury, I do not see how we could have done less, and I do not see how the commission could have done less than it did in its report.

I agree with the Senator from Mississippi [Mr. HARRISON] in regretting that the amendment placed upon the bill by the Senate applicable to fourth-class postmasters was not retained in conference, but we have the bill now before us as the result of the work of the conference, and we adjourn, I can still say to-morrow, though in a few moments I can say to-day, because the hands of the clock are just passing 12 o'clock midnight. It can not be hoped now that any additional modification can be made.

I regard the bill as thoroughly meritorious, and therefore I give the report my cordial support.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. SMITH of Georgia. I yield.

Mr. KING. I supported the bill because I believed there was very much merit in it, but in view of the implied criticism of the Senator from Colorado [Mr. THOMAS] by the Senator from Georgia, I should like to ask the Senator from Georgia whether, in his opinion, it is ethical and proper for persons who seek appropriations from Congress to carry on a propaganda, nation wide in its extent, making arrangements with newspapers by the terms of which or pursuant to which the newspapers get behind the movement?

Does the Senator think, if it be a fact, and I do not aver that it is, that the newspapers were to be the beneficiaries of this movement, and the movement was to be carried forward to the extent of trying to secure benefits with respect to second-class postal rates, that that would be ethical and proper, or does he not have words of condemnation for it?

Mr. SMITH of Georgia. In the first place, nothing I said was in any way in criticism of the Senator from Colorado. I opened my remarks by expressing my sympathy with the criticism that he placed upon one of the great journals that was engaged in a line of conduct which he condemned. I passed from that to the proposition that, without regard to the conduct of certain newspapers, I believed the work of our commission was a splendid piece of work, and, in my judgment, they have certainly not gone further in advancing the compensation to those to whom they gave advances than the situation absolutely required——

Mr. THOMAS. Mr. President——

Mr. SMITH of Georgia. One moment. I sought to discuss the question and to let it be understood that my advocacy of the measure was based upon the merits of the report of our representatives who worked out so faithfully in detail these increases.

I now yield to the Senator from Colorado.

Mr. THOMAS. Let me say that in all probability I should have voted for the measure, although I would have been much better satisfied if I could have had the time to examine fully into the report made by the commission.

Mr. SMITH of Georgia. I wish to add that not simply in the interest of the men but in the interest of the service I believe our representatives have given increases that are necessary to sustain and hold up the service and retain in it the trained employees connected with it, who otherwise would go into other lines of employment in which the compensation for relative intelligence is higher.

Mr. STERLING. Mr. President, I wish to say just a word. First, with reference to certain publications and their possible influence upon the work of the commission, I think I voice the opinion of every member of the commission who had this matter under consideration for many months when I say that they were influenced in no degree whatever by what appeared in the Literary Digest, the Chicago Tribune, the New York Times, or any other great periodical in the country. But I think we may be well impressed with the idea that where there was so much comment in newspapers and periodicals throughout the country and in all sections of the country in regard to the inadequate salaries of the postal employees there was some foundation for it.

It may have been that here and there some of the statements were exaggerated, and that conditions were not so deplorable as pictured in some of the publications. I think when we consider the times as they have been, the high cost of living and the salaries these men have actually received, especially carriers in the Postal Service and postal clerks in the service, we will realize that there was need for an adjustment of those salaries and for a substantial increase in the salaries of carriers and clerks especially.

The commission has had in mind, too, in not fixing these salaries beyond where they have gone, the hope that the high cost of living will not go higher, that we have reached the crest of the wave, and that the tendency from this time on will be downward. That was of some slight consideration in fixing the increases as modestly as we did fix them.

But now, Mr. President, I wish to call attention for just a moment to the criticisms of the Senator from Mississippi [Mr. HARRISON] in regard to the salaries of fourth-class postmasters. The Senator from Mississippi was right in the figures he gave as to the present compensation received by postmasters of this class, and right in the compensation awarded by the commission and agreed to in conference finally.

But for all post offices where the cancellations amounted to $25 the increase proposed by the Senator from Mississippi is exactly the same as that proposed by the conferees and agreed to in conference. Where the cancellations amounted to the sum of $50 the increase given by the commission and by the conferees is exactly the same as that proposed by the Senator from Mississippi. In all cases where the cancellations are $75 the increase proposed by the Senator from Mississippi is exactly the same as that agreed upon in conference.

Thence on to $1,000 or near that sum the increases agreed upon by the conferees are not so great as those proposed by the Senator from Mississippi.

The contention of the conferees on the part of the House was not without some reason. I may say that now, and I would say it with even more emphasis if I entertained much doubt in my mind in regard to the adoption of the conference report, but they were unyielding in their opposition to changing the salaries of the fourth-class postmasters.

Why do I say that their opposition was not without some reason? I say it because it would involve a cost of at least $6,000,000 to carry out the increases provided for in the amendment offered the other evening by the Senator from Mississippi and adopted here without any discussion in the Senate. We are receiving now $23,000,000 under the present compensation rates from post offices of the fourth class. We disburse a little more than $20,000,000, leaving about $3,000,000 surplus. Under the increases proposed by the Senator from Mississippi the $3,000,000 surplus would be entirely wiped out and it would cost the Government of the United States $3,000,000 on top of that.

How would it cost that? It would arise first directly because of the increase, but as great an increase in cost to the Government, if not a greater one, would arise indirectly from the fact that under the basis proposed by the Senator from Mississippi the men in the fourth-class post offices would be advanced with great rapidity into the post offices of the third class, with the additional expenses of the third-class post offices, such as clerk hire, such as rent, such as fuel, light, and so forth. This would make the great increase of at least $6,000,000.

Why, Mr. President, under the proposition of the Senator from Mississippi we would not increase those whose cancellations do not exceed $75 per quarter, and that involves 20,360 fourth-class postmasters, nearly one-half of the whole number of fourth-class postmasters. Take the cancellations ranging from $75 to $100 a quarter on which we gave an increase to 120 per cent, instead of 115 per cent, and there are 3,669 postmasters who are affected, leaving a remainder of 18,043 postmasters receiving still more.

This is the way in which the additional cost to the Government is made up. Although under some schedules which were proposed some of the fourth-class postmasters would receive less than they are receiving now with bonuses which are given them, yet under the plan agreed to in conference there is not a fourth-class postmaster but receives some increase, although in instances it might be a slight one, amounting to a few dollars only.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. JONES of Washington. Mr. President, some time ago the House passed a river and harbor bill providing for $12,000,000. It came over to the Senate and the Commerce Committee put various amendments upon it and recommended that the amount of $12,000,000 be increased to $20,000,000. On the floor of the Senate this amount was raised to $24,000,000 and the bill was sent to conference.

We held a conference with the conferees on the part of the House and reached an agreement on all the amendments that were made, except upon amendment No. 1. This amendment is the amendment providing for the amount to be carried in the bill.

We had a further conference with reference to that and have been unable to reach an agreement. The Senate conferees proposed to the House conferees at the first conference, after considerable discussion and after considering the facts which were brought out, to agree to $18,000,000; but the House refused. We brought the report to the Senate, the report was accepted, and the bill was sent back to conference.

We had another meeting, and after further consideration and discussion, and noting the attitude of the House, the Senate conferees proposed to accept $15,000,000.

Mr. KING. Was that refusal on the part of the Senate or the House conferees?

Mr. JONES of Washington. The proposal was made by the Senate members of the conference committee; but the House refused to accept that amount. We separated and we have since had no meeting. We have asked the House conferees for a meeting in order that we might report a disagreement, so that if the report went to the House first that body could act upon it and give their conferees such direction as they might deem wise. The House members of the conference committee advised us when they asked for the second conference that the House was inclined to instruct them to insist upon the House provision, but they did not do so. Our request that we should meet and report a disagreement, so that either House might have an opportunity to pass upon the matter, was refused. It seems that the House conferees are determined that there shall be no river and harbor bill or that it shall carry no greater amount than $12,000,000.

The Senate conferees, in view of the action of the Senate, did not feel justified in assuming the responsibility of receding from the Senate amendment. I have therefore decided to bring the matter before the Senate and let the Senate take such action as it sees fit. So, Mr. President, I move that the Senate recede from its amendment.

Mr. SPENCER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Missouri?

Mr. JONES of Washington. Yes; I will yield the floor to the Senator from Missouri if he desires to discuss the matter.

Mr. SPENCER. I only wish to say a word or two.

Mr. JONES of Washington. I have sent for the Senator from Mississippi [Mr. HARRISON]. I think he desires to discuss it.

Mr. SPENCER. Mr. President, this matter is, of course, of vital interest to the Mississippi Valley, and I should much dislike to see anything interfere with the proper development of the waterways of that section. There is no reason why the Senate should not insist upon an amendment that is supported by reason, but here are the facts in this case:

The House arbitrarily fixed the amount of the appropriation at $12,000,000; they fixed that sum notwithstanding the department which had the matter in charge had reported that $24,000,000 was the least that they could get along with.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Utah?

Mr. SPENCER. I yield, with pleasure.

Mr. KING. Is it not a fact, however, that there is a considerable undisbursed balance which is available for the current year, and that that prompted the House to take the position which it did?

Furthermore, the House took into account the financial obligations resting upon the Government, and, in that spirit of

economy which I commend to the Senate, determined to reduce the appropriation to the lowest possible amount.

Mr. SPENCER. Of that spirit I cordially approve, and I am taking into account the amount of the available balance. I can give an illustration in a moment which I think will explain the matter.

Fully considering the available unexpended balance, the Engineer Department, having charge of waterway improvements, insisted that $24,000,000 was the least that they could get along with. When the committee considered the matter—and I am not on the committee—they finally made up their minds, as I recollect, to report $18,000,000. The Senator from Washington will correct me if I am wrong.

Mr. JONES of Washington. Our committee reported $20,000,000.

Mr. SPENCER. The committee reported $20,000,000 as being the minimum amount that could possibly provide for river and harbor work next year.

Mr. REED. The amount was $24,000,000.

Mr. SPENCER. The committee reported $20,000,000. When the bill reached the Senate there was an effort to secure $27,000,000, but the Senate finally determined that $24,000,000, which was the minimum estimate of the department, was the least that ought to be appropriated for the development of the inland waterways of the country.

The matter went to the conference. Of course, I have a certain amount of pride in the judgment of the Senate, all the more so when it is based upon the actual estimate of the department; but when the bill went to conference the House replied, "We stand on $12,000,000." Such a position is indefensible in reason; it has no estimate to support it; it is a mere arbitrary statement ostensibly based on the ground of economy. I am free to say for myself that I would rather say to the House, "Let the whole inland waterways bill fail," than have the Senate recede from its amendment, which has every reason back of it, merely to meet a position of the House which is not founded upon reason. I hope the Senate will refuse to recede; and if that refusal to recede defeats the whole bill, let it be defeated, because the Senate is right in the matter.

One word more and I am through. This is the situation as to the unexpended balance: Between Cairo and St. Louis there is available for the next year $262,000. There is a fair channel between the Gulf and the Ohio at Cairo, perhaps a 9-foot channel. Its usefulness is greatly limited unless it is continued to St. Louis; the thousand and more miles upon which the steamers can travel up to the Ohio River avail little if the 120 miles between the Ohio and St. Louis or the Missouri are not navigable. The estimates show that for that short distance to provide even an 8-foot channel in the next year will require from $500,000 to $800,000. We might as well have no bill as to let an unexpended balance of $262,000, which will not accomplish the purpose, be the only amount that we have available. I would as soon have nothing as that.

Mr. CALDER. Mr. President, as a member of the Committee on Commerce, and as one who urged a larger appropriation than that authorized by the House, I regret very much the attitude of the House conferees. I stated in the Committee on Commerce and before the Senate that river and harbor work would cost this year more than double what it cost two or three years ago; that labor would cost two or three times more as well as material; and that $24,000,000, or at least $20,000,000, which was the amount the Committee on Commerce reported, ought to have been authorized. However, I have made some inquiries about the situation in the House in the last two or three days, and I know there is a group of men in the House, particularly those who are in control of the River and Harbor Committee, who have determined that unless we agree to the $12,000,000 appropriation they will let the bill fail; in fact, I know that some members of the committee would prefer to have the bill fail.

I am not willing to have that done; I would rather have $12,000,000 than to have nothing. I say this, Mr. President, not because of any interest my city or my State may have, for of the unexpended balance there is more to the credit of the improvements in and about the harbor of New York, the Hudson River and the East River than there is to the credit of any other great improvement in the country. The money appropriated by the bill is needed more in other sections of the country than it is in New York; but I think that, in the interest of river and harbor improvements of the country generally, the bill should not fail, and therefore I trust that when the Senate comes to vote on the matter it will determine to accept $12,000,000 rather than to let the bill fail.

Mr. SMOOT. Mr. President, I ask unanimous consent that when the Senate takes a recess to-day it be until 11 o'clock this morning.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. REED. Mr. President, we have reached a stage in our proceedings when the disposition of the Senate is to do almost anything to get its business through in any kind of shape. For that sentiment I have no criticism. I do not rise to make any perfunctory remarks, but rather to insist that the interest of the country demands that the Senate shall adhere to its amendment to the river and harbor bill. If I can claim the attention of the Senators who are present for a few moments, I should like to submit my reasons for the position which I take.

The work of river and harbor improvement, broadly speaking, is of two characters. In some places it consists in the removal from harbors of permanent obstructions, such as great rocks and reefs, which constitute an embargo upon the free movements of vessels. That character of work may be prosecuted by piecemeal, because in so far as it is prosecuted it is permanent. This much, however, is to be said, that if the appropriation fails and the work lags the expense of moving equipment and of disorganizing the working forces, and all that is incidental to the breaking up of work already established, is exceedingly expensive. Nevertheless, the work is permanent in its character, and what is done is not absolutely lost; but in the improvement of rivers, to a very large extent it may be said that if work is only partially done, if it is not prosecuted to its completion, it is subject to destruction, to entire loss. A revetment along the bank of a stream which needs to be completed, if left in its uncompleted state, is liable to be entirely destroyed by the next flood, but if completed it will remain there for many years.

We have been for years pursuing upon the rivers of this country a policy of piecemeal construction. That was bad enough, because, pursued in that way, much of the work was destroyed from year to year which could have been made permanent by the expenditure of a reasonable additional amount, and thus the money could have realized its value. Even that policy, however, is now to be abandoned. The amount appropriated by the House of Representatives is not sufficient even to maintain the improvements that are in place in their present condition. The appropriation of $12,000,000 is practically the waste of $12,000,000, or, at least, the waste of a very large part of it.

We are in the situation that a man is in with a house without a roof upon it, and we propose to appropriate just about enough money to half maintain the walls, and in the meantime the elements are destroying the entire structure. We either ought to appropriate enough money to bring these improvements to a condition where their value can be realized and where their permanency can be insured, or we ought to stop appropriating altogether.

The House of Representatives has taken a position upon this proposition that is absolutely indefensible. As was well stated by my colleague [Mr. SPENCER], there is no estimate by any officer of the Government warranting an appropriation of $12,000,000. It is an arbitrary figure, fixed by some gentlemen who have established, in their own minds, an arbitrary standard which they propose to follow. The arbitrary figure was fixed by a political steering committee which has more regard for a political argument in the coming campaign than it has for the welfare of this country. A lot of gentlemen got their heads together and said, in substance and effect, "We must show the American people that a Republican Congress has saved them money"; and they picked out the river and harbor bill as the example of economy, and they have thought in their fatuous manner that they could go before the American people and say, "Previous Congresses appropriated thirty or forty millions of dollars, and, behold, we have saved you the difference between that amount and $12,000,000."

This is rather plain talk, but it is true talk; and at the same time that they have been cutting down the river and harbor appropriations they have been voting for bills that would take out of the Public Treasury, if they become laws, hundreds of millions of dollars. The House of Representatives did not find any difficulty in passing a bill a few days ago or a few hours ago, for purely political reasons, which would cost the American people in the long run hundreds of millions of dollars. They thought there were votes back of that measure, and day after day has witnessed the passage of measures that have disregarded every principle of economy. The one subject that is picked out as an example of economy and reform is the rivers and harbors of this country.

These gentlemen may think they are going to fool the American people, but the American people have never yet been deceived by so cheap a device and so transparent a subterfuge. The American people have practical sense enough to know the difference between an expenditure which is an outlay of money, pure and simple, and which brings nothing back to the Government or the people, and an expenditure of money which will

bring back a hundred or a thousand fold. The American people will appreciate the fact that for cheap political claptrap the internal improvements of this country have been sacrificed.

We are talking about sending money to Europe by the millions and expending it over there to build roads and rehabilitate foreign lands and at the same moment we propose to arrest a great system of internal improvements in our own land which has been all too much retarded in the past. Instead of this Congress sitting down to see how little money they can expend in improving the highways of this land and indulging in the cheap play of politics and in cheeseparing operations, we ought to be inaugurating at this period of our national development the greatest scheme of internal development ever conceived.

The highways that nature has builded for us ought to be harnessed and employed. The swamp lands that are richer than the Valley of the Nile ought to be reclaimed and given to agriculture and production. The arid lands of the West ought to be watered and transformed into gardens. The money of the people ought to be expended to make this the richest and most prosperous country in the world, and to multiply the advantages we already have achieved. I say that if this policy of improvement, all too poorly pursued in the past, is to be abandoned, let us abandon it all, and let the House of Representatives take the responsibility of killing the entire bill. Better no bill at all than this sort of legislative fraud that is being perpetrated.

[At this point a message was received from the House of Representatives announcing that the House had agreed to the conference report on H. R. 10378, the merchant marine bill.]

Mr. REED. Mr. President, that bill has finally been passed, and I say that a million dollars was taken from the American people by its passage. I understand it was passed by a party vote in the House, and I am glad the Democrats are beginning to wake up. I do not know that my information is strictly accurate, but that is the information I have. Every man in this body who voted to exempt the ship companies from taxation, while they impose taxes upon the wage earner, will be apologizing for it.

I do not intend to waste my energies talking here very much longer. I say to reject this report and send it back for further conference. Let us see whether the House of Representatives will defeat the entire bill.

Mr. JONES of Washington. Mr. President, the Senator must have a misunderstanding. We are not submitting any report. The conferees on the part of the House, as I stated a while ago, have refused to confer even to report a disagreement, and I have simply brought the question before the Senate as to whether or not the Senate will recede from its amendments.

Mr. REED. Very well. I thank the Senator. I say to send back word to the House that the Senate proposes to stand by its action. I have been in this body now nearly 10 years, a good deal longer than any man ought to be required to undergo what we undergo here, and I have seen the Senate bulldozed by the House of Representatives until I am tired of it. I have never seen the House of Representatives shut its jaws yet but what the Senate lay down, never once. I admire the House for their courage and tenacity, but it is time that this Chamber manifested a little spirit itself.

Mr. President, I hope the word will go back to the House of Representatives that the Senate proposes to stand by its action, that we shall take that position and maintain it, and if we have no river and harbor bill, let the House of Representatives take the responsibility, for a river and harbor bill which carries only $12,000,000 is just the same as no river and harbor bill; it is worse than that, indeed, because a large part of the $12,000,000 will be wasted for the reasons I gave in the beginning of my remarks.

Mr. President, that is my view of it and I am one of those who are interested in the river and harbor bill.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes.

The message also announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 13742. An act to amend sections 3 and 6 of the act of July 11, 1916, entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," as amended by sections 5 and 6 of the act of February 28, 1919, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes"; and

H. J. Res. 270. Joint resolution authorizing the erection of a monument marking the starting point of the motor convoy from Washington to San Francisco.

MOTOR CONVOY.

Mr. UNDERWOOD. Mr. President, if I can get unanimous consent I would like to have the Presiding Officer lay before the Senate the joint resolution which has just been received from the House.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). The Chair lays before the Senate House joint resolution 270. The joint resolution (H. J. Res. 270) authorizing the erection of a monument marking the starting point of the motor convoy from Washington to San Francisco was read twice by its title.

Mr. UNDERWOOD. Mr. President, that convoy is going over what is known as the Bankhead Highway, a highway named after my late colleague. Some of his friends want to have the privilege of placing a marker there as a monument to him. I do not think it is necessary for me to say more. It will cost the Government nothing. It merely gives the authority. If there is no objection, I would like to have it passed now.

There being no objection, the joint resolution was considered as in Committee of the Whole, and it was read as follows:

Resolved, etc., That the Secretary of War is hereby authorized to permit the replacement of the temporary monument located on the United States meridian of longitude at a point on the north side of the Ellipse, within the District of Columbia, by a permanent monument, which shall mark the starting point of the motor convoy from Washington, D. C., to San Francisco, Calif., and which may serve as a point from which distances may be measured on United States highways radiating from Washington, D. C. Such replacement shall be made without expense to the United States, and the design of such monument shall be approved by the Commission of Fine Arts.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HOUSE BILL REFERRED.

H. R. 13742. An act to amend sections 3 and 6 of the act of July 11, 1916, entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," as amended by sections 5 and 6 of the act of February 28, 1919, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes," was read twice by its title and referred to the Committee on Post Offices and Post Roads.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. RANSDELL. Mr. President, there is a good deal of force in what has just been said so eloquently by the two Senators from Missouri.

I can not agree, however, with the conclusions of the two gentlemen in desiring to have this bill fail because we can not get the House to agree with the wishes of the Senate in this matter. I am a member of the Commerce Committee, and I was quite active in helping to prepare this bill.

The bill as reported from the committee carried $20,000,000, which was less than I thought it should carry by a pretty considerable sum. I was glad when the Senate raised the amount to $24,000,000. But, Mr. President and Senators, I have tried to be practical in this body and elsewhere.

The conferees representing the Senate, after considerable effort, finally offered the House conferees to take $15,000,000. Fifteen million dollars is only $3,000,000 more than the House passed. The $15,000,000 which we agreed to was a reduction of 75 per cent in the increase which we had made in the bill, and I submit, Mr. President and Senators, I assure you we went into it carefully, conferring again with the engineers of the Army, after having conferred with them very carefully before reporting the bill to the Senate, and if, after the most mature study, we stand ready to compromise on a basis of $15,000,000, there is not going to be very great harm done if we now compromise further and take $12,000,000. That is a general proposition.

I wish to call the attention of the Senators to the fact that this bill carries a great deal besides the mere appropriation of $12,000,000. It provides for 113 surveys. Many Senators, in discussing the bill, have overlooked that fact entirely. There are a number of most important changes in the various waterway projects of this country, and surveys on 113 of them are ordered in this bill.

All the Senators know that the engineers can not carry on any work of importance on any river or on any harbor unless

the project has first been surveyed under an order made by the Congress in a river and harbor bill. That is the initial step. In this bill we have ordered 113 such surveys. That is quite important as a preliminary step to the very liberal bill which many of us hope will be enacted next December.

There are also other very important provisions in this bill, one of which authorizes sums given for maintenance of projects to be used by the engineers in the prosecution of those projects, and vice versa. It has been customary to make a certain appropriation to maintain a project, and a certain appropriation to prosecute work on the project.

It is very advantageous to authorize the Engineer Corps to spend those sums. There is a provision of that kind in this bill. It has never been passed heretofore in any river and harbor bill. The engineers regard it as quite important, and I am sure it is a very important provision.

There are also special and quite important provisions in regard to the Yakima Bay, Oreg.; to the harbor at Milwaukee, Wis.; to the Delaware River between the city of Philadelphia and the city of Trenton; to St. Johns River, Fla.; to the Cumberland River above Nashville, Tenn.; to Willapa Harbor and River in the State of Washington; to the Houston ship channel; and to the Savannah River; special items authorizing measures of more or less importance to all those projects I have named, and in some instances the provisions are very important indeed to those localities.

Then there is an item repealing a provision passed in the act of last year which said that unless the work could be done on a river and harbor project at not more than 40 per cent over and above the estimated cost of that work when the original survey was made on which Congress ordered the work to be done, it could not be undertaken. All of us know that public works and private works of every kind have increased a great deal more than 40 per cent. Any of us who has attempted to build a house or to do improvement of any kind in the last 12 months knows that it can not be done for anything like 40 per cent over and above the estimated cost of that project two or three or four years ago. So the imposition of that provision practically nullifies our authority to do the work on quite a number of projects. This bill proposes to repeal that provision. It is too onerous. It ties the hands of the Engineer Corps. The House made no objection to that.

Another important provision, one quite important to a number of poor people, is that which authorizes the engineers, in case of damage done by collision between any of the boats or barges belonging to the Engineer Corps and some private interests, to settle the claims for damages without resort to Congress or the courts, provided those claims do not exceed $500 in amount. You can readily see that in a big country like this, with so many transactions carried on as come up under the work of the Engineer Corps, there are a great many cases where the damages amount to less than $500, and it would be a very great hardship not to have these matters settled promptly by the Engineer Corps of the Army, just as for years the Navy Department has been authorized to settle similar claims.

There are other provisions here which I will not attempt to take the time of the Senate to explain. I simply wish to repeat what I have already said, that while I am greatly disappointed that we can not get what we feel we should have, I believe we should recede and accept the $12,000,000 which the House is willing to give us. I think it is far better than not to have any river and harbor bill, and I earnestly hope that we will vote to recede from our disagreement and let this bill pass.

Mr. JONES of Washington. I move that the Senate recede from its amendment No. 1 to the river and harbor appropriation bill.

The motion was agreed to.

MONONGAHELA RIVER BRIDGE.

Mr. CALDER. Mr. President, there is a bill which came over from the House a little while ago for the construction of a bridge across the Monongahela River, Pa. The Senator from Pennsylvania [Mr. KNOX] is very anxious to have the bill passed, and I ask unanimous consent for its present consideration.

There being no objection, the bill (H. R. 13962) to extend the time for the construction of a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania, was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge, authorized by act of Congress approved February 27, 1919, to be built across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania, are hereby extended two and four years, respectively, from the date of approval hereof.

That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AIDS TO NAVIGATION.

Mr. JONES of Washington. I desire to report from the Committee on Commerce the bill (H. R. 10183) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes, and I ask unanimous consent for its present consideration. Before my request is submitted I desire to make just a brief statement, because I know that the first impression of the bill will be unfavorable.

This is a bill to authorize aids to navigation in connection with light ships, lighthouse tenders, and things like that, for the protection of life at sea and along our coast. It has passed the House and was ordered favorably reported by the Commerce Committee of the Senate a few days ago. The bill makes no appropriation whatever. It simply authorizes work within certain limits as appropriations may hereafter be made, and the necessity for it is based, as we are informed——

Mr. KING. If the Senator does not make any observations, I think there will be no objection on this side of the Chamber.

Mr. JONES of Washington. Very well; but I am not talking for the purpose of being heard.

Mr. KING. Let us consider the bill. I have looked into it and it seems to be a very meritorious measure.

Mr. JONES of Washington. It merely establishes a program so that they can send estimates to Congress and they can be considered and appropriations be made if they are found necessary.

There being no objection, the bill (H. R. 10183) to authorize aids to navigation and for other work in the Lighthouse Service, and for other purposes, was considered as in Committee of the Whole, and it was read as follows:

Be it enacted, etc., That the Secretary of Commerce is hereby authorized to establish, provide, or improve the following aids to navigation and other works in the Lighthouse Service, under the Department of Commerce, in accordance with the respective limits of cost hereinafter respectively set forth, which shall in no case be exceeded:

Constructing or purchasing and equipping lighthouse tenders and light vessels for the Lighthouse Service, $5,000,000: *Provided*, That the Secretary of War, the Secretary of the Navy, and the Shipping Board shall report to the Secretary of Commerce such vessels as they are willing to dispose of, and which by reasonable alterations can be used for light vessels, or lighthouse tenders; and if the use of the vessels should be justified by the necessary expenditure for alterations, transfer of the ships shall be made to the Department of Commerce, and they shall be used for the purposes of this act; and the sum herein authorized shall be available for such repairs and be reduced by the sums saved by the use of such vessels.

THIRD LIGHTHOUSE DISTRICT.

Extending and enlarging the machine shop at the general lighthouse depot, Tompkinsville, Staten Island, N. Y., $15,000 additional to the amount appropriated in act of July 19, 1919.

Riprap to reinforce foundations and protect them from damage by sea and ice and make more accessible boat landings at certain light stations, $134,000.

FOURTH LIGHTHOUSE DISTRICT.

Improving the aids to navigaiton at the entrance to Delaware Bay, $148,500.

SIXTH LIGHTHOUSE DISTRICT.

Completing the lighthouse depot for the sixth lighthouse district at Charleston, S. C., $60,000.

SEVENTH LIGHTHOUSE DISTRICT.

Establishing and improving aids to navigation in Tampa Bay, Fla., $17,500.

Purchasing site and constructing and equipping a lighthouse depot for the seventh lighthouse district, $250,000.

EIGHTH LIGHTHOUSE DISTRICT.

Improving Galveston Jetty Light Station, Tex., including fog-signal station, $6,500.

TWELFTH LIGHTHOUSE DISTRICT.

Improving aids to navigation and establishing new aids at Ludington, Mich., $50,000.

SIXTEENTH LIGHTHOUSE DISTRICT.

For improvements to aids to navigation in Alaska, including improving of Point Retreat and Cape Hinchinbrook Light Station, $32,500.

Continuing construction of the lighthouse depot for the sixteenth lighthouse district, $12,000.

EIGHTEENTH LIGHTHOUSE DISTRICT.

Establishing aids to navigation, California, $25,000.

Constructing two keepers' dwellings at the Goat Island Lighthouse Depot, Calif., $16,500.

NINETEENTH LIGHTHOUSE DISTRICT.

Constructing and equipping a lighthouse depot at Honolulu, Hawaii, $120,000, in lieu of $90,000 authorized in act of August 28, 1916.

SEC. 2. That hereafter the salary of the Superintendent of Naval Construction in the Bureau of Lighthouses shall be $4,000 per annum.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MICHAEL M'GARVEY.

Mr. CALDER. Mr. President, there is on the calendar a bill (H. R. 6407) for the relief of Michael MacGarvey, who was injured while in the employ of the Government at Governors Island, N. Y. The bill appropriates only $35 for injury received by him, and I ask unanimous consent for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole, and it was read as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $35 to Michael MacGarvey, police laborer in the employ of the depot quartermaster, Governors Island, N. Y., for damage caused to a set of false teeth incident to said service.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. SMOOT. Mr. President, I think if we are going to take up bills from the calendar we ought to run through the calendar under Rule VIII and take up the bills to which there is no objection. I am going to ask at this time unanimous consent that we proceed to the consideration of the calendar under Rule VIII, and consider only bills to which there is no objection——

Mr. SUTHERLAND. Will the Senator withhold that request for a moment?

Mr. SMOOT. And that the calendar be laid aside as soon as any supply bill comes in.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from West Virginia?

Mr. SMOOT. I yield.

LEATHER STATISTICS.

Mr. SUTHERLAND. From the Committee on the Census I report back favorably, without amendment, the bill (H. R. 10011) authorizing and directing the Director of the Census to collect and publish monthly statistics concerning hides, skins, and leather, and I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The Senator from West Virginia requests unanimous consent for the present consideration of the bill.

Mr. SMOOT. I wish to ask the Senator from West Virginia if those statistics are not now collected?

Mr. SUTHERLAND. I will say to the Senator that it has been attempted to be done by the Department of Agriculture through the Bureau of Markets, but it has been very imperfectly done and it is not of real value. It will give a much more complete view of the situation with reference to hides and leather, and tend to steady the market. All those who are interested in the subject, the tanners and the leather people, think this a very much better way to get at it.

Mr. SMOOT. Let the bill be read and let us see just what it is, because I do not want a duplication of the work.

Mr. SUTHERLAND. It is not contemplated that there will be a duplication at all. This will take the place of the other work.

The PRESIDING OFFICER. Does the Senator from Utah request the reading of the entire bill?

Mr. SMOOT. I do.

The PRESIDING OFFICER. The Secretary will read the bill.

The Assistant Secretary read as follows:

Be it enacted, etc., That the Director of the Census be, and he is hereby, authorized and directed to collect and publish statistics monthly concerning—

(a) The quantities and classes of hides and skins, owned or stored, and the quantities and classes of such products disposed of during the preceding census month by packers, abattoirs, butchers, tanners, jobbers, dealers, wholesalers, importers, and exporters;

(b) The quantities and classes of hides and skins in the process of tanning or manufacture, the quantities and amount of finished product for the preceding month;

(c) The quantities and classes of leather owned or stored and manufactured during the preceding census month by tanners, jobbers, dealers, wholesalers, importers, exporters, and establishments cutting or consuming leather.

SEC. 2. That the information furnished by any individual establishment under the provisions of this act shall be considered as strictly confidential and shall be used only for the statistical purposes for which it is supplied. Any employee of the Bureau of Census who, without the written authority of the Director of the Census, shall publish or communicate any information given into his possession by reason of his employment under the provisions of this act shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not more than $1,000 or imprisoned not more than one year, or both.

SEC. 3. That it shall be the duty of every owner, president, or treasurer, secretary, director, or other officer or agent of any abattoir and of any packing, tanning, jobbing, dealing, wholesaling, importing, or exporting establishment where hides and skins are stored or sold, or leather is tanned, treated, finished, or stored or any establishment is engaged in the cutting of leather or in the production of boots and shoes, gloves, saddlery, harness, or other manufactures of leather goods, wherever leather is consumed, when requested by the Director of the Census or by any special agent or other employee of the Census Office acting under the instructions of said director to furnish completely and accurately to the best of his knowledge, all the information authorized to be collected by section 1 of this act. The demand of the Director of the Census for such information shall be made in writing or by a visiting representative and if made in writing shall be forwarded by registered mail and the registry receipt of the Post Office Department shall be accepted as prima facie evidence of such demand. Any owner, president, treasurer, secretary, director, or other officer or agent of any establishment required to furnish information under the provisions of this act, who under the conditions hereinbefore stated shall refuse or willfully neglect to furnish any of the information herein provided for or shall willfully give answers that are false, shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not more than $1,000.

Mr. SMOOT. I wish to ask the Senator from West Virginia about the appropriation that has been made in the Agricultural appropriation bill for this very purpose. Is that repealed, or will they go right on and spend that money and then spend this amount under the Director of the Census?

Mr. SUTHERLAND. The understanding is that the Department of Agriculture will cease the attempt to get these statistics, and that it will not require any additional appropriation for the Census Bureau. It will be done with the same force. The bill does not carry any appropriation and does not require any on the part of the Census Office. This will obviate the necessity of the Bureau of Markets collecting these statistics.

Mr. SMOOT. Is there anything in the bill which specifically denies that power to or takes it from the Bureau of Markets, because if there is not they will go right on and do that work and spend the money.

Mr. SUTHERLAND. I understand they will stop collecting these statistics if this bill is passed. The Director of the Census is to require no appropriation on his part at all to collect the statistics. I will say to the Senator that under the present law there are no penalties and the figures supplied to the bureau have not been at all complete. They have been very misleading. There is a penalty provided in this bill, and the work is done under authority of law in a much more strict and more valuable way.

Mr. SMOOT. I know the information will be very beneficial, and if it is not already being done by some department of the Government, perhaps it will be a good thing to have the information collected in this way.

Mr. SUTHERLAND. I think it would be very much better.

Mr. SMOOT. I should like to see some amendment placed on the bill repealing that part of the Agricultural appropriation act that authorized the expenditure of money for this purpose, but I do not know that it can be done this morning. I shall not object to the consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS.

Mr. SMOOT. Will the Chair put my request?

The PRESIDING OFFICER. The Chair did not hear the Senator's request.

Mr. SMOOT. My request was that we take up the calendar under Rule VIII.

Mr. HARRIS. I object.

The PRESIDING OFFICER. The Chair will state to the Senator from Utah that the present occupant of the chair was advised by the previous occupant of the chair that he had agreed to recognize the Senator from Georgia [Mr. HARRIS] to make a motion, but the Senator from Georgia did not address the Chair and so the Chair had to recognize the Senator from Utah. However, the Chair feels that the Senator from Georgia ought to have a chance to make the motion which he desires to make.

Mr. SMOOT. I will not claim the right to the floor, and will yield when the Senator makes his motion.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. KING. Will the Senator from Georgia yield for a moment for the Senator from South Dakota to submit a report from a committee of which the Senator from Georgia is a member?

Mr. HARRIS. I yield, provided it does not take me from the floor.

Mr. KING. I think it would take no time at all.

Mr. HARRIS. I yield, provided it does not take me from the floor.

The PRESIDING OFFICER. The Senator from Georgia asks unanimous consent that he may hold the floor while the Senator from South Dakota makes a report. Is there objection? The Chair hears none.

EXCLUSION OF UNDESIRABLE ALIENS.

Mr. STERLING. Mr. President, from the Committee on Immigration I report back favorably with amendments House bill 11224, and ask unanimous consent for the immediate consideration of the report and bill.

Mr. PITTMAN. Mr. President, do I understand this does not take the Senator from Georgia from the floor?

The PRESIDING OFFICER. By unanimous consent the Senator from Georgia has the floor to see if this measure can be acted upon, and yields for that purpose. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11224) to amend the act entitled "An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," approved October 16, 1918.

The amendments were, on page 1, in line 10, after the word "who," to strike out the word "entertain"; on page 2, line 1, after the word "that," to strike out the word "entertain"; on page 2, line 2, to strike out the words "disbelief in or"; in lines 15 and 16, to strike out "(d) aliens who write, circulate, distribute, print, publish, edit, issue, or display," and insert in lieu thereof "(d) aliens who write, publish, or cause to be written or published, or who knowingly circulate, distribute, print, or display"; in line 18, after the word "or," to insert the word "knowingly"; in line 19, after the word "be," to strike out the word "written"; and, in line 19, after the word "published," to strike out the words "edited, issued"; in line 20, after the word "who," to insert the word "knowingly"; in line 22, to strike out the first word in the line, "issue," and the last word in the line, "expressing"; in line 23, after the word "taking," to strike out the words "disbelief in or"; in line 24, after the word "or," to strike out the words "expressing a belief in"; on page 3, line 11, after the word "publishers," to strike out the words "edits, issues"; in line 13, after the word "published," to strike out the words "edited, issued," so as to make the bill read:

Be it enacted, etc., That section 1 of the act entitled "An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," approved October 16, 1918, is amended to read as follows:

"That the following aliens shall be excluded from admission into the United States:

"(a) Aliens who are anarchists;

"(b) Aliens who advise, advocate, or teach, or who are members of or affiliated with any organization, association, society, or group, that advises, advocates, or teaches opposition to all organized government;

"(c) Aliens who believe in, advise, advocate, or teach, or who are members of or affiliated with any organization, association, society, or group, that believes in, advises, advocates, or teaches: (1) the overthrow by force or violence of the Government of the United States or of all forms of law, or (2) the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of the United States or of any other organized government, because of his or their official character, or (3) the unlawful damage, injury, or destruction of property, or (4) sabotage;

"(d) Aliens who write, publish, or cause to be written or published, or who knowingly circulate, distribute, print, or display, or knowingly cause to be circulated, distributed, printed, published, or displayed, or who knowingly have in their possession for the purpose of circulation, distribution, publication, or display, any written or printed matter, advising, advocating, or teaching opposition to all organized government, or advising, advocating, or teaching: (1) the overthrow by force or violence of the Government of the United States or of all forms of law, or (2) the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of the United States or of any other organized government, or (3) the unlawful damage, injury, or destruction of property, or (4) sabotage;

"(e) Aliens who are members of or affiliated with any organization, association, society, or group, that writes, circulates, distributes, prints, publishes, or displays, or causes to be written, circulated, distributed, printed, published, or displayed, or that has in its possession for the purpose of circulation, distribution, publication, issue, or display, any written or printed matter of the character described in subdivision (d).

"For the purpose of this section: (1) the giving, loaning or promising of money or any thing of value to be used for the advising, advocacy, or teaching of any doctrine above enumerated shall constitute the advising, advocacy, or teaching of such doctrine; and (2) the giving, loaning, or promising of money or any thing of value to any organization, association, society, or group of the character above described shall constitute affiliation therewith; but nothing in this paragraph shall be taken as an exclusive definition of advising, advocacy, teaching, or affiliation."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill read a third time.

The bill was read the third time and passed.

MILITARY JUSTICE.

Mr. WARREN. I ask unanimous consent to strike from the calendar Order of Business 478, being Senate bill 64, to establish military justice, because it has been included in other legislation.

The PRESIDING OFFICER. Is there objection? No objection being heard, it is so ordered.

INCOME AND PROFITS TAX RETURNS.

Mr. HARRIS. Mr. President, I call up my motion to discharge the Finance Committee from the further consideration of Senate joint resolution 146, directing the Secretary of the Treasury to furnish the Senate certain detailed information secured from income and profits tax returns of the taxable year 1918, the yeas and nays on which motion have already been ordered.

Mr. KING. I should like to ask the Senator—I was not in the Chamber when the resolution was read—to state what is its scope. I ask for information.

Mr. HARRIS. Mr. President, the resolution has been brought up a dozen times in the Senate, and the senior Senator from Utah [Mr. SMOOT] several times objected to unanimous consent for its consideration. He then asked that it be referred to the Committee on Finance, with the distinct understanding, after the yeas and nays had been ordered, that we should get a vote on it the next day. The RECORD will show that to be true. That was two weeks ago, and I have since been waiting for the Finance Committee to make some report. They have not done so; and I am now asking for the yeas and nays on my motion to discharge the committee from the further consideration of the joint resolution.

Mr. SMOOT. Mr. President, I wish to explain to the Senate exactly the situation as it is, so that the Senate may decide whether or not it is a good thing to agree to the motion to discharge the committee.

It is true, as the Senator from Georgia has stated, that the resolution was called up in the Senate and the yeas and nays were ordered. It is also true that I stated upon the floor of the Senate that a meeting of the Finance Committee would be called the following morning for the consideration of the joint resolution; and, so far as I was concerned, I was perfectly willing to report the resolution out that very day. That meeting was called for the next morning.

At the first meeting the question as to how soon the work could be done and how much it would cost came up. It was decided to ask the officials of the Treasury Department to come to a meeting in the afternoon at 2 or 3 o'clock, I forget which. At that meeting the Senator from Georgia was requested to be present. We had the officials from the Treasury Department before the committee and we took up the resolution of the Senator from Georgia and asked the officials to give the committee information as to just how much it would cost to make the investigation and how soon the work could be accomplished.

It developed, Mr. President, that the desired information covering the one year concerning the 35,000 corporations mentioned in Document No. 259 would cost $600,000, and that the work could not be accomplished within a period of less than six months; that if the scope of the resolution were extended to the year 1919 as well as to the year 1918, it would then cost $1,200,000 and require approximately nine months to perform the work.

The officials of the Treasury Department also notified the committee that it would greatly interfere with the work of the department, as it was impossible to get the class of expert accountants necessary to undertake the task without interfering with work they were then doing in the investigation of corporation-tax returns in the effort upon the part of the department to settle finally the question as to whether there are to be upon those returns more taxes paid than had been reported by the corporations themselves.

There are 365,000 corporations in the United States. In Document No. 259 the officials selected 32,000 corporations; and if only those 32,000 corporations are investigated, then, as I have said, it will cost $600,000, and it will be at least six months before the information can be obtained.

Mr. President, I thought—and the Senator from Georgia, I am quite sure, will bear me out—that in connection with this information there ought to be shown whether or not there was an increase in the returns in 1918 over the returns of 1917 as reported in Document No. 259. Of course, that would require a little more expenditure and a little more time.

I sent to the Finance Committee room a few moments ago to secure the written report which the committee requested the officials of the Treasury Department to submit, stating in detail just what it would require to make the investigation. I have not been able as yet to obtain the report.

I want to be perfectly frank with the Senator from Georgia, and I will say that the committee did not feel justified in inter-

fering with the most important work in connection with these returns which the Treasury Department is carrying on, when the information could not be obtained until six months from now and would cost, at the very least, $600,000, and if the two years were covered it would cost $1,200,000.

That is the situation exactly as reported to us from the Treasury Department, and the Finance Committee thought that under those conditions it would be a very unwise thing to have the resolution passed at this time.

If it is going to require six months to perform the work, we might as well let it go until there can be completed the work which is crowding the department at this particular time in connection with the returns of corporations, from which the Government hopes to collect, perhaps, tens and hundreds of millions of dollars in taxes, because of the failure of the corporations to report all their profits or because they reported them in such a way that their statements do not conform to the law in every particular.

I do not want to say that the Senate should not act upon this matter, but I do want the Senate to know what it will mean and what it will cost, and then they can judge whether the joint resolution should be passed. I wish to say now, however, that there is not an official in the Treasury Department who did not plead with the committee not to take their experts away from their present duties to do the work which would be necessary under the joint resolution, which can not possibly do any good for six or eight months and which would interfere with the most important work that is being carried on in that department to-day. That is the situation.

Mr. HARRIS. Mr. President, the statement of the Senator from Utah is very amusing to me after having listened to the Treasury officials and after what the Senator has stated so many times about the departments having more clerks than they needed. The joint resolution does not require the information at a certain time. The Treasury Department will not employ one single extra clerk, and they can take their own time for this work. Of course, the Treasury Department clerks prefer not to do the extra work. The Senator did not tell all that the Treasury Department officials stated the other day, and I should like to have the Senator tell the Senate what they said about what could be done if $200,000 was spent.

Mr. SMOOT. Mr. President, I would be glad if the Senator would state that himself. I do not want to state it until I get the report and read the exact words of the Treasury officials. If the Senator has a copy of the report before him, I should like to have him read it.

Mr. HARRIS. Mr. President, the Senator says the Treasury Department officials would take nine months on this work. Here [exhibiting] is the report of the department in the other case where the Senate asked for such a report, and it took 27 days to perform the work.

Mr. SMOOT. The Senator must not make that statement. The Senator knows that the officials of the department stated that that report was made up, practically; that it was almost complete; that when the resolution of the Senator from Idaho [Mr. BORAH] was passed the report was practically all prepared; and all they had to do was to get it into shape for printing and send it to the Printing Office, where it was printed. That is what the Treasury officials said. They stated, however, that if the resolution of the Senator from Georgia was passed, information as to every corporation included in Document No. 259 would be obtained after a complete examination of every one of them, and that it would be impossible to make that investigation for the year 1918 alone in less than six months.

Mr. President, I know the Senator from Georgia wants to be perfectly fair, and I think he will agree with me that the Treasury Department officials also stated that the figures in Document No. 259 related to returns under the law of 1916, which was a very simple law indeed, whereas the joint resolution of the Senator asks for the figures under the complicated law of 1918, and it is impossible, they say, to get them out. I will ask the Senator if that is not so?

Mr. HARRIS. Mr. President, I do not remember the exact statement made by the officials of the Treasury Department.

Mr. SMOOT. I will ask the acting chairman of the committee, the Senator from North Dakota [Mr. MCCUMBER], if the statement which I have made is not as it was reported?

Mr. MCCUMBER. Mr. President, I regret that we have not the testimony before us. I think it is now printed, but we could not get it printed before yesterday or to-day, and I had supposed, as the Senator from Georgia has been absent for some time, there would be no desire to press the joint resolution under the circumstances and in view of the testimony that was taken.

The information, as suggested by the Senator from Utah, was to the effect that the report that was made under the prior law would be of no assistance to them whatever in making out a report as to the returns under the new law, which would cover a more complicated and extensive field. We thought, after considering the length of time the investigation would take, involving at least nine months' delay, and its cost, amounting to from $1,000,000 to $2,000,000, that it would hardly pay us. If the Senator will examine, as he no doubt has examined, the report that was made upon the returns under the simple law of 1916, I think he will find that we have made very little use of that report.

The document is so bulky—there is so much of it—that Senators do not even look at it.

Mr. HARRIS. Mr. President, there is nothing of more interest to the people of this country than to find out who the profiteers are and what they are making. This information will show just what the profiteers are doing. I admit that it will cost some money, but I think it will be worth a great deal more than it costs.

The other day the Senator from Iowa [Mr. KENYON] made a speech two hours long, and most of the information used was gotten from the report that I have before me, for which the Senate asked the Treasury Department two years ago.

I shall ask for the yeas and nays on my motion.

The PRESIDING OFFICER. The Chair will state that the RECORD of the 21st of May shows that the Senator from Georgia moved to discharge the Committee on Finance from the consideration of the matter referred to. The yeas and nays were ordered upon the motion. There was debate, and finally the Senator from Georgia, the mover of the motion, said:

> I will let the matter go over until to-morrow.

There is a motion to discharge the Committee on Finance from the consideration of the joint resolution, and it went over until the next day. That was May 21. It went over until May 22. The Chair assumes that that motion is on the table under the rule which requires that a motion to discharge a committee shall lie over for one day, except by unanimous consent. Now the Senator moves to call up his motion. Is that the motion?

Mr. HARRIS. I move to call up my motion, and ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays are already ordered upon it. The Senator from Georgia moves to call up his motion.

Mr. HARRIS. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. The Senator from Georgia demands the yeas and nays. Is the demand seconded?

Mr. HARRIS. Mr. President, I am willing to have this matter go over and be voted on at noon on Saturday if there is any danger of there not being a quorum to-night. I have taken up less of the time of the Senate than any other Member of this body. I have not been treated with the courtesy that I deserve about this joint resolution, and I am not willing to yield anything. If the Senators will not let me have a vote on it, I will take up all the time of the Senate that I can to-morrow in showing the importance of this measure by reading from the report of two years ago.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Massachusetts?

Mr. HARRIS. I yield to the Senator.

Mr. WALSH of Massachusetts. I think the Senator from Georgia, after offering this joint resolution months ago, is entitled to have a decision rendered on it at this session of the Senate.

Mr. SMOOT. Mr. President, I will say to the Senator——

Mr. WALSH of Massachusetts. I have the floor, please.

I have watched the Senator's interest in this question, and I have seen him repeatedly try to get a decision. The joint resolution was referred to a committee of the Senate and has been held there. Only two weeks ago we were promised that it would be reported the next day with some decision of the committee, and the matter was allowed to go over. No report has yet been made.

In all fairness to the Senator from Georgia, and in fairness to what he represents here, there ought to be a decision from that committee for or against this joint resolution, and the reasons ought to be given. None has been forthcoming, and he has proper ground to protest. In fact, the truth is that there are some committees in this body that do not intend that any information whatever shall be given about the extent of the profits that have been made. Another resolution is pending before a committee of which the Senator from Utah is a member, where there is no expense at all involved, but only authority asked for a committee of this body to request the President

for certain papers that they may think will be of importance; and that has been held up, too.

I urge that the Senate treat this Senator fairly, and let there be a decision. Never mind being against it. It is his day in court, and he has a right to have a hearing before adjournment. It is the one thing in which he has been interested; and here we are now on the very eve of this matter being postponed and no decision rendered.

I do not mind the committee reporting and saying that furnishing this information is inexpedient or that it is too expensive, but the Senator at least ought to have a hearing, and he ought to have a decision rendered here.

The PRESIDING OFFICER. The Chair must say that really, in the opinion of the Chair, he had no business to allow debate to proceed on this matter. A vote is being taken upon the motion of the Senator, and there will be a decision on it in a minute. The Senator from Georgia has demanded the yeas and nays, and the Chair asked if the request was seconded. The Secretary is counting to see if the demand for the yeas and nays is seconded, and at that stage debate is not in order.

Mr. SHEPPARD. Mr. President, a parliamentary inquiry.

Mr. WALSH of Massachusetts. Mr. President, may I suggest that at least the Senator from Georgia, when he agreed that this matter should go over for one day, never intended and never expected that his right to a roll call on the question should be surrendered, whatever the technical rule may provide. He relied upon the promise that was given him in reference to the matter.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. The Senator from Texas rises to a parliamentary inquiry.

Mr. SHEPPARD. Mr. President, have not the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays were requested, and the Chair is waiting for the Secretary to count. The Chair asked if the request was seconded.

Mr. SHEPPARD. But is not the motion to discharge the committee pending, with the yeas and nays ordered? Does not the RECORD show that?

The PRESIDING OFFICER. The Senator is asking for the yeas and nays on his motion.

Mr. SHEPPARD. No; the Senator from Georgia merely called up his motion to discharge the committee, and asked for the yeas and nays that had already been ordered.

The PRESIDING OFFICER. The RECORD states that the yeas and nays had been ordered on it.

Mr. SHEPPARD. And he now asks for the yeas and nays.

The PRESIDING OFFICER. If it is the motion that the Senator calls up, if he is simply demanding the yeas and nays upon his motion, in the opinion of the Chair, that is a work of supererogation, because the RECORD shows that they have been ordered on that motion.

Mr. SMOOT. Mr. President, will the Senator yield for a moment?

Mr. HARRIS. Yes.

Mr. SMOOT. I want to say that as far as I am personally concerned I have no objection whatever to taking a vote upon this matter to-day at 12 o'clock noon. I have too much confidence in the Senate of the United States even to suggest that we would not vote upon it or that we would hold it up more than long enough to explain what it means. Then, if the Senate wants to go into it, well and good; but I do not believe they will do it. As far as I am concerned, I have not any objection at all to unanimous consent being given to begin the consideration of the matter at 12 o'clock noon to-day, and to vote at 1 o'clock.

Mr. LODGE. Mr. President, if I may be allowed, I have no objection at all to making the agreement the Senator from Georgia asks for, but I should like a little time to make some inquiries in regard to the joint resolution. As it reads, it covers by direct language all the corporations in the United States.

Mr. HARRIS. I wish to amend it.

Mr. LODGE. There are 365,000 of them; and the estimates are, as we are informed here, that the cost of the information will be over a million dollars.

Mr. SMOOT. Oh, that is only on 35,000 of them.

Mr. LODGE. On 35,000?

Mr. SMOOT. Yes.

Mr. LODGE. Well, it will cost a very large sum, and I should really like to know a little more about it than I do now; that is all. I only want to have time allowed to discuss it before the vote is taken.

Mr. THOMAS. Mr. President, will the Senator yield for a moment?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Colorado?

Mr. HARRIS. I yield.

Mr. THOMAS. I fully agree that the Senator from Georgia is entitled to some report from the committee. I am a member of the committee. We took up the subject some time ago, I think some two or three weeks ago. We had representatives of the Internal Revenue Bureau before us. I was greatly impressed myself with the amount of expense attendant upon the joint resolution if it was reported out favorably; but what impressed me more was the assurance that the preparation of the list required by the joint resolution would engage the attention of the staff of employees in the bureau for some six or seven months, as I remember, and at a time when they are now overwhelmed with the business which constitutes the chief work of the bureau.

I thought then, and I think now, that like a great many other similar resolutions that have been considered since I have been here, by the time the reports desired were in the subject matter would have become of no great or certainly no pressing importance. The great trouble with the work desired lies, first, in its cost in money, and, second, in the demoralization of the working force of a very important bureau for a long time.

If my recollection serves me right, at the time this hearing was had the committee took an adjournment for two or three days, when we were to receive further information, and I do not recall that the committee since that time has considered it.

I am perfectly willing, as the Senator from Utah says, to take a record vote upon it at 12 o'clock noon to-day. I have no objection whatever to it. I fully concede the justice of the suggestions made by the Senator from Georgia. The Senator from Georgia is entitled to a final consideration of the joint resolution; but the cost of the information and the time that will be required for its preparation, and which will monopolize practically the entire staff of the Internal Revenue Department for weeks to come, ought to be considered by the Senate.

I thank the Senator for yielding to me.

Mr. HARRIS. Mr. President, if there can be a vote on the matter at 12 o'clock noon, I will not ask for a vote to-night.

The PRESIDING OFFICER. The Chair will say to the Senator that if a unanimous-consent agreement is proposed, it should be stated definitely; but the Chair will remind the Senator that under the rule unanimous consent to fix a day for a final vote on a joint resolution requires the presence of a quorum when the agreement is made.

Mr. SMOOT. I am perfectly willing to say to the Senator from Georgia now that even though a unanimous-consent agreement were not made here to-night he is entitled to a vote; and I am perfectly willing to have an understanding, if such a thing can be done, that the discussion shall not take more than an hour, and then that we shall vote upon the joint resolution.

The PRESIDING OFFICER. The Chair will suggest that since the vote is not upon the joint resolution, but is upon the motion to discharge the committee, it will not be necessary to call the roll.

Mr. SMOOT. That is true.

The PRESIDING OFFICER. If a unanimous-consent agreement is proposed, the Chair will ask whether or not the Senate agrees to it.

Mr. SMOOT. Will a unanimous consent of this kind suit the Senator from Georgia [Mr. HARRIS], that on the convening of the Senate at 11 o'clock to-day the question will be immediately presented to the Senate, and at not later than 12 o'clock a vote will be taken upon the question as to whether the committee shall be discharged or not?

Mr. HARRIS. That is satisfactory to me, but not later than 12 o'clock.

Mr. SMOOT. Not later than 12 o'clock.

Mr. WALSH of Massachusetts. May I suggest to the Senator that he put in that agreement that no Senator shall talk more than 10 minutes?

Mr. SMOOT. I really thought Senators would regard the propriety.

Mr. WALSH of Massachusetts. It will help to expedite business.

Mr. SMOOT. I do not think any Senator is going to get up here and take the whole time. It would disgust every other Senator if he did.

Mr. SHEPPARD. Has the agreement been made, Mr. President?

The PRESIDING OFFICER. The Secretary is reducing it to writing, and as soon as it is so reduced, it will be reported to the Senate.

The Secretary will state it as he understands it.

The ASSISTANT SECRETARY. The Senator from Georgia asks unanimous consent that at not later than 12 o'clock meridian on the calendar day of Saturday, June 5, 1920, the Senate will vote upon the motion made by the Senator from Georgia [Mr. HARRIS] to discharge the Committee on Finance from further consideration of the resolution (S. J. Res. 146); and further that upon the convening of the Senate at 11 o'clock a. m., on said calendar day the motion will be at once taken up for consideration.

Mr. HARRIS. And a vote taken on the resolution itself not later than 12 o'clock.

The PRESIDING OFFICER. That is already contained in the request. Is there any objection to the request for unanimous consent? The Chair hears none, and the Senate consents.

The unanimous-consent agreement was reduced to writing, as follows:

It is agreed by unanimous consent that immediately upon the convening of the Senate at 11 o'clock a. m., on the calendar day of Saturday, June 5, 1920, the Senate will proceed to the consideration of the motion of the Senator from Georgia [Mr. HARRIS] to discharge the Committee on Finance from the further consideration of Senate joint resolution 146, and that at not later than 12 o'clock meridian, on the said calendar day, the Senate will vote upon the said motion.

Mr. SMOOT. Mr. President, I do not know how long it will be before the deficiency appropriation bill is received from the House, and I ask unanimous consent that we proceed to the consideration of the calendar under Rule VIII of bills to which there is no objection.

The PRESIDING OFFICER. Is there any objection to the request of the Senator from Utah? The Chair hears none.

THE CALENDAR—BILLS, ETC., PASSED OVER.

The resolution (S. Res. 76) defining a peace treaty which shall assure to the people of the United States the attainment of the ends for which they entered the war, and declaring the policy of our Government to meet fully obligations to ourselves and to the world, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 529) for the relief of the heirs of Adam and Noah Brown was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 600) for the relief of the heirs of Miss Susan A. Nicholas was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 174) for the relief of Emma H. Ridley was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1722) for the relief of Watson B. Dickerman, administrator of the estate of Charles Backman, deceased, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 168) to create a commission to investigate and report to Congress a plan on the questions involved in the financing of house construction and home ownership and Federal aid therefor was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2224) to incorporate the Recreation Association of America was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1660) to provide a division of tuberculosis in, and an advisory council for, the United States Public Health Service, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 41) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The bill (S. 2457) to provide for a library information service in the Bureau of Education was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 131) to provide that petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service shall receive the rank or rating and the pay of the next higher enlisted grade was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1448) for the relief of Jacob Nice was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 172) for the selection of a special committee to investigate the administration of the office of the Alien Property Custodian was announced as next in order.

Mr. THOMAS. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

Mr. WALSH of Massachusetts. I ask unanimous consent to suspend the calling of the calendar, so that I may offer a resolution.

The PRESIDING OFFICER. The calendar is being called under unanimous consent.

Mr. WALSH of Massachusetts. But every bill called is being objected to, and we are going through the form of taking up time, when some business could be transacted.

Mr. SMOOT. I will say to the Senator that all the bills which have been passed over really should go to the calendar under Rule IX; they are objected to all the time. But it will not be much longer before we get to bills which have not been objected to.

Mr. WALSH of Massachusetts. I wish we might do some real business instead of calling the calendar and passing everything over.

Mr. KING. Would the Senator desire to have the Senate pass these bills which have been called and which have been passed over?

Mr. WALSH of Massachusetts. I think I have heard an objection to every bill which has been called.

Mr. KING. I objected to several of them.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, recedes from its disagreement to the amendment of the Senate numbered 18 to the bill, and agrees to the same with an amendment, in which it requested the concurrence of the Senate, and insists upon its disagreement to the amendment of the Senate numbered 4.

The message also announced that the House agrees to the amendment of the Senate to the joint resolution (H. J. Res. 373) declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired.

The message further announced that the Speaker of the House had signed the following enrolled bills:

H. R. 13976. An act to extend the time for the construction of a bridge across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13977. An act to extend the time for the construction of a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 13978. An act to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.

DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives agreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, receding from its disagreement to the amendment of the Senate numbered 18 and agreeing to the same with an amendment in lieu of said amendment, insert:

RIVER AND HARBOR WORK.

Readjustment of contracts: The sum of $368,978.33 found to be due various contractors under the provisions of section 10 of the river and harbor appropriations act approved March 2, 1919, on certain contracts for work on river and harbor improvements entered into, but not completed prior to April 6, 1917, for work performed between April 6, 1917, and July 18, 1918, may be paid by the Secretary of War from any unexpended balances of appropriations heretofore made for the projects on which such work was performed.

Mr. WARREN. I move that the Senate recede from its amendment numbered 4.

Mr. HARRISON. Mr. President, I do not approve of the action of the House. I understand they had no record vote over there; indeed, I understand there was not a single speech made in behalf of this proposition; that the only speech that was made was in opposition to it.

It strikes me that it has come to a pretty pass when either branch of the American Congress, under the peculiar conditions which confront the District schools, should take such action as has been taken by the other branch of the American Congress.

I am not going to insist further, so far as I am concerned, on this amendment numbered 4, because I feel that the select committee which investigated the schools has done its duty. It made its report; it cited to the American Congress, both the House of Representatives and the Senate, what, in their opinion, were the conditions of the schools here, and made such recommendations as they thought would remedy the situation. It was a simple remedy, merely the change of the existing board, and the manner of the appointment. It provided for a survey, with a mere appropriation of $15,000, whereby Congress by the next session might be advised of what would be best touching the school situation here.

The Senate has acted beautifully. Not only has it accepted the views of the members of the select committee which was directed by the Senate to investigate the schools, but it has insisted upon this amendment after the Senate had adopted it.

But the House of Representatives must take the responsibility, which it has taken, in leaving the schools of the District in the condition in which they will be left after the Congress adjourns to-day. It will be December before the Congress reconvenes. We are leaving on the people of the District of Columbia a board of education which the evidence presented before the committee investigating the public schools shows to be unfit for the discharge of their duties. The people of the District of Columbia are against them. They have placed the schools of the District at a very low ebb. The burden is upon the little children who must attend these schools, and we are adjourning to-day and leaving that condition upon the people here.

The responsibility is not any more upon the Senate, because we have done our duty. The House of Representatives has repudiated our action, and the responsibility for the condition which will prevail from now on until Congress reconvenes, when perhaps we can get some permanent legislation passed, must be borne by the other branch of Congress. It is a sad plight in which we have left the people, and the House must assume the responsibility.

I feel that I have discharged my duty and that the other members of the select committee have discharged their duty, and I shall not insist further on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion made by the Senator from Wyoming that the Senate recede from its amendment numbered 4.

The motion was agreed to.

Mr. WARREN. Mr. President, I move that the Senate agree to the amendment of the House to the amendment of the Senate No. 18, which the Secretary has read.

The motion was agreed to.

RECESS.

Mr. LODGE. Mr. President, I move that the Senate now take the recess already ordered.

The motion was agreed to; and (at 2 o'clock a. m. Saturday, June 5, 1920) the Senate took a recess until 11 o'clock a. m. Saturday, June 5, 1920.

NOMINATIONS.

Executive nominations received by the Senate June 4 (legislative day of June 2), 1920.

GOVERNOR OF THE VIRGIN ISLANDS.

Rear Admiral Joseph W. Oman, United States Navy, to be Governor of the Virgin Islands, ceded to the United States by Denmark, to date from April 8, 1919.

UNITED STATES ATTORNEY.

John E. Kinnane, of Detroit, Mich., to be United States attorney, eastern district of Michigan. A reappointment, his term expiring August 8, 1920.

REGISTER OF LAND OFFICE.

John Thomas Joyce, of Colorado, to be register of the land office at Durango, Colo., his present term expiring July 12, 1920. (Reappointment.)

PROMOTION IN THE NAVY.

Carpenter William H. Buchanan to be a chief carpenter in the Navy, for temporary service, from the 1st day of September, 1919.

POSTMASTERS.

ALABAMA.

John M. Graham to be postmaster at Stevenson, Ala., in place of J. M. Graham. Incumbent's commission expired June 1, 1920.

ARIZONA.

Don C. Babbitt to be postmaster at Mesa, Ariz., in place of D. C. Babbitt. Incumbent's commission expired June 2, 1920.

CALIFORNIA.

Samuel T. Moore to be postmaster at Gilroy, Calif., in place of S. T. Moore. Incumbent's commission expired June 2, 1920.

William Weber to be postmaster at Soledad, Calif., in place of William Weber. Incumbent's commission expires June 27, 1920.

Henry T. Bott to be postmaster at Elsinore, Calif., in place of Charles Collins, resigned.

COLORADO.

Taylor B. Geer to be postmaster at Delta, Colo., in place of T. B. Geer. Incumbent's commission expired June 2, 1920.

CONNECTICUT.

Charles W. Leet to be postmaster at Chester, Conn., in place of C. W. Leet. Incumbent's commission expired June 2, 1920.

James E. Cuff to be postmaster at Danbury, Conn., in place of J. E. Cuff. Incumbent's commission expired June 2, 1920.

DELAWARE.

Austin J. McCabe to be postmaster at Frankford, Del., in place of A. J. McCabe. Incumbent's commission expired June 2, 1920.

GEORGIA.

James L. Heard to be postmaster at East Point, Ga., in place of J. C. McKenzie, resigned.

Jason Scarboro to be postmaster at Tifton, Ga., in place of W. H. Bennett, resigned.

ILLINOIS.

Oscar H. Johnson to be postmaster at Bowen, Ill., in place of O. H. Johnson. Incumbent's commission expired March 13, 1920.

John F. Quinn to be postmaster at Joliet, Ill., in place of J. F. Quinn. Incumbent's commission expired January 10, 1920.

Eli P. Sanders to be postmaster at Pawnee, Ill., in place of E. P. Sanders. Incumbent's commission expired May 15, 1920.

Molly Webster to be postmaster at Salem, Ill., in place of Molly Webster. Incumbent's commission expired February 7, 1920.

INDIANA.

Edward H. Taylor to be postmaster at Knox, Ind., in place of E. H. Taylor. Incumbent's commission expired June 1, 1920.

George W. Roy to be postmaster at Wolcottville, Ind., in place of G. W. Roy. Incumbent's commission expired June 1, 1920.

IOWA.

Embree F. Main to be postmaster at Hopkinton, Iowa, in place of E. F. Main. Incumbent's commission expired June 1, 1920.

S. Paul Figi to be postmaster at Renwick, Iowa, in place of S. P. Figi. Incumbent's commission expired March 9, 1920.

Charles V. Dautremont to be postmaster at Riverside, Iowa, in place of C. V. Dautremont. Incumbent's commission expired June 1, 1920.

Charles E. Dawson to be postmaster at Rockford, Iowa, in place of C. E. Dawson. Incumbent's commission expired June 1, 1920.

MAINE.

Sumner G. Brewer to be postmaster at Freeport, Me., in place of A. I. Curtis, resigned.

MASSACHUSETTS.

Joseph F. McManus to be postmaster at Norwood, Mass., in place of J. F. McManus. Incumbent's commission expired January 24, 1920.

MICHIGAN.

Clarence C. Hopkins to be postmaster at Breckenridge, Mich., in place of C. C. Hopkins. Incumbent's commission expired June 1, 1920.

Joseph M. Dodge to be postmaster at Cass City, Mich., in place of J. M. Dodge. Incumbent's commission expired June 1, 1920.

Sidney Reynolds to be postmaster at Howard City, Mich., in place of Sidney Reynolds. Incumbent's commission expired June 1, 1920.

William B. Howlett to be postmaster at Jonesville, Mich., in place of W. B. Howlett. Incumbent's commission expired June 1, 1920.

Richard W. Doyle to be postmaster at Merrill, Mich., in place of R. W. Doyle. Incumbent's commission expired June 2, 1920.

Hiram A. Cole to be postmaster at Paw Paw, Mich., in place of H. A. Cole. Incumbent's commission expired June 2, 1920.

MISSISSIPPI.

Kirk M. Heflin to be postmaster at Baldwyn, Miss., in place of K. M. Heflin. Incumbent's commission expired June 2, 1920.

Andrew J. Darden to be postmaster at Centerville, Miss., in place of A. J. Darden. Incumbent's commission expired June 2, 1920.

NEVADA.

Charles W. Brown to be postmaster at Gardnerville, Nev., in place of R. W. Gale, resigned.

NEW HAMPSHIRE.

William H. Benson to be postmaster at Derry, N. H., in place of W. H. Benson. Incumbent's commission expired January 5, 1920.

Thomas Smith to be postmaster at Exeter, N. H., in place of Thomas Smith. Incumbent's commission expired March 9, 1920.

James A. Brahaney to be postmaster at Milford, N. H., in place of J. A. Brahaney. Incumbent's commission expired January 5, 1920.

NEW YORK.

David J. Sheridan to be postmaster at Cambridge, N. Y., in place of D. J. Sheridan. Incumbent's commission expired January 5, 1920.

John Toole to be postmaster at Hudson Falls, N. Y., in place of John Toole. Incumbent's commission expired January 6, 1920.

Robert McC. Halpin to be postmaster at Hyde Park, N. Y., in place of R. McC. Halpin. Incumbent's commission expired June 2, 1920.

Richard J. Gilmer to be postmaster at Kings Park, N. Y., in place of R. J. Gilmer. Incumbent's commission expired June 2, 1920.

William H. Nolan to be postmaster at Little Falls, N. Y., in place of W. H. Nolan. Incumbent's commission expired March 28, 1920.

Ralph E. Wilder to be postmaster at Newark, N. Y., in place of R. E. Wilder. Incumbent's commission expired January 11, 1920.

Louis G. Quackenbush to be postmaster at Oneida, N. Y., in place of L. G. Quackenbush. Incumbent's commission expired June 1, 1920.

John Lenney to be postmaster at Potsdam, N. Y., in place of John Lenney. Incumbent's commission expired June 2, 1920.

John E. Townsend to be postmaster at Poughkeepsie, N. Y., in place of J. E. Townsend. Incumbent's commission expired March 23, 1920.

Cornelius J. Carey to be postmaster at Saranac Lake, N. Y., in place of C. J. Carey. Incumbent's commission expired June 2, 1920.

George W. Runyon to be postmaster at Spring Valley, N. Y., in place of G. W. Runyon. Incumbent's commission expired January 28, 1920.

Richard F. Hayes to be postmaster at Ticonderoga, N. Y., in place of R. F. Hayes. Incumbent's commission expired May 24, 1920.

Thomas A. Meeker to be postmaster at Waterford, N. Y., in place of T. A. Meeker. Incumbent's commission expired March 23, 1920.

NORTH CAROLINA.

Junius C. Wren to be postmaster at Silver City, N. C., in place of O. B. Webster, removed.

Adolphus S. Ruggles to be postmaster at Southern Pines, N. C., in place of A. S. Ruggles. Incumbent's commission expired June 11, 1920.

OHIO.

Michael J. Callaghan to be postmaster at Bellevue, Ohio, in place of M. J. Callaghan. Incumbent's commission expired January 18, 1920.

OKLAHOMA.

Jenie L. Burke to be postmaster at Hobart, Okla., in place of J. L. Burke. Incumbent's commission expired January 24, 1920.

Herbert A. Seaton to be postmaster at Mooreland, Okla., in place of H. A. Seaton. Incumbent's commission expired June 2, 1920.

OREGON.

John P. Houston to be postmaster at Vale, Oreg., in place of J. P. Houston. Incumbent's commission expired June 2, 1920.

PENNSYLVANIA.

Milo G. Conlin to be postmaster at Duquesne, Pa., in place of M. G. Conlin. Incumbent's commission expired June 2, 1920.

Joseph Smith to be postmaster at Elkland, Pa., in place of Joseph Smith. Incumbent's commission expired June 2, 1920.

Otis S. Quinby to be postmaster at Springboro, Pa., in place of O. S. Quinby. Incumbent's commission expired June 1, 1920.

Ira F. Cutshall to be postmaster at Tarentum, Pa., in place of I. F. Cutshall. Incumbent's commission expired January 6, 1920.

Laurence J. Casey to be postmaster at Wilkes-Barre, Pa., in place of L. J. Casey. Incumbent's commission expired June 2, 1920.

SOUTH DAKOTA.

Robert H. Benner to be postmaster at Gary, S. Dak., in place of M. H. Godron, resigned.

TENNESSEE.

Richard H. Green to be postmaster at Covington, Tenn., in place of R. H. Green. Incumbent's commission expired January 14, 1920.

WEST VIRGINIA.

Richard C. Cooper to be postmaster at Farmington, W. Va., in place of R. C. Cooper. Incumbent's commission expired June 2, 1920.

James J. Dunn to be postmaster at Rowlesburg, W. Va., in place of J. J. Dunn. Incumbent's commission expired June 2, 1920.

WISCONSIN.

Gilbert C. Roberts to be postmaster at La Farge, Wis., in place of G. C. Roberts. Incumbent's commission expired June 2, 1920.

Robert E. Bundy to be postmaster at Menomonie, Wis., in place of R. E. Bundy. Incumbent's commission expired June 2, 1920.

Alfred W. Stiles to be postmaster at River Falls, Wis., in place of A. W. Stiles. Incumbent's commission expired April 13, 1920.

Myra W. Blanding to be postmaster at St. Croix Falls, Wis., in place of M. W. Blanding. Incumbent's commission expired June 2 ,1920.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 4 (legislative day of June 2), 1920.

UNITED STATES ATTORNEY.

John E. Kinnane to be United States attorney, eastern district of Michigan.

REGISTER OF LAND OFFICE.

Hilmar Schmidt to be register of the land office at Wausau, Wis.

RECEIVERS OF PUBLIC MONEYS.

George G. E. Neill to be receiver of public moneys at Helena, Mont.

William A. White to be receiver of public moneys at Walla Walla, Wash.

PROMOTIONS IN THE CONSULAR SERVICE.

Consuls general.

CLASS 3.

Carlton Bailey Hurst.
William Coffin.
Evan E. Young.
Edwin S. Cunningham.
David F. Wilber.
Carl F. Deichman.

Consuls.

CLASS 3.

Roger Culver Tredwell.
George H. Pickerell.
John E. Kehl.
Arminius T. Haeberle.
De Witt C. Poole, jr.
Charles S. Winans.
Chester W. Martin.
Philip Holland.
William P. Kent.
John K. Caldwell.
Wesley Frost.

Calvin Milton Hitch.
North Winship.
George E. Chamberlin.
Hernando de Soto.
Maxwell K. Moorhead.
Frederick T. F. Dumont.
Otis A. Glazebrook.
Henry S. Culver.
Cornelius Ferris, jr.
William Dawson.
Nelson T. Johnson.
Edward J. Norton.
Frederick Simpich.
Lewis W. Haskell.
Douglas Jenkins.
Claude I. Dawson.
John Q. Wood.

CLASS 4.

Ross Hazeltine.
Jesse B. Jackson.
Edwin L. Neville.
Ezra M. Lawton.
José de Olivares.
W. Roderick Dorsey.
Joseph E. Haven.
John A. Gamon.
Wallace J. Young.
Harry A. McBride.
Ely E. Palmer.
Stuart K. Lupton.
Charles M. Freeman.
Homer M. Byington.
Clarence E. Gauss.
Ralph C. Busser.
William W. Masterson.
Graham H. Kemper.
David J. D. Myers.
Alfred W. Donegan.
Tracy Lay.
Emil Sauer.
Harold D. Clum.
Leslie A. Davis.
Wilbur T. Gracey.
Clarence Carrigan.
Mahlon Fay Perkins.

CLASS 5.

John K. Davis.
Charles E. Asbury.
Thomas D. Bowman.
Arthur C. Frost.
Harry Campbell.
George S. Messersmith.
Alfred R. Thomson.
Claude E. Guyant.
John W. Dye.
Edward A. Dow.
Henry C. A. Damm.
Kenneth S. Patton.
Wilbur Keblinger.
Bertie M. Rasmusen.
Oscar S. Heizer.
Benjamin F. Chase.
Lucien N. Sullivan.
Edward I. Nathan.
Charles M. Hathaway, jr.
James B. Young.
Charles H. Albrecht.
Albro L. Burnell.
Addison E. Southard.
Henry P. Starrett.
Edwin Carl Kemp.
John M. Savage.
Walter F. Boyle
O. Gaylord Marsh.
Hasell H. Dick.
Thomas B. L. Layton.
Henry H. Balch.
Thornwell Haynes.
Mason Mitchell.
Henry M. Wolcott.
Theodore Jaeckel.
John R. Putnam.
Louis G. Dreyfus, jr.
J. Klahr Huddle.
Dana C. Sycks.
Lowell C. Pinkerton.
Frank C. Lee.
Bartley F. Yost.
Frank Bohr.
Keith Merrill.
Leslie E. Reed.
William J. Yerby.
Hamilton C. Claiborne.
W. Duval Brown.
Ernest L. Ives.
G. Russell Taggart.
John J. C. Watson.
Charles E. Allen.
James G. Carter.
Donald D. Shepard.
Henry C. Von Struve.
Robertson Honey.
William H. Hunt.

APPOINTMENTS IN THE CONSULAR SERVICE.

Consuls.

CLASS 3.

Arthur N. Young.
Charles D. Westcott.

CLASS 4

Frederic E. Lee.
Dana G. Munro.
Maurice Parmelee.

CLASS 6.

Robert W. Heingartner.

CLASS 7.

Herbert O. Williams.
Winthrop R. Scott.
Renwick S. McNiece.
Robert W. Jones.
Philip D. Wesson.
Monnett B. Davis.
Avra M. Warren.
William F. Burns.
Sanford Griffiths.
Leighton Hope.
W. M. Parker Mitchell.
John Douglas Wise.
George J. Crosby.
Newton Adams.
George Orr.
John Corrigan, jr.
Edgar C. Soule.
Chester W. Davis.

PROMOTIONS IN THE ARMY.

QUARTERMASTER CORPS.

To be colonel.

Lieut. Col. Theodore B. Hacker.

MEDICAL CORPS.

To be majors.

Capt. Haskett L. Conner.
Capt. Edward B. Macon.
Capt. Percy J. Carroll.
Capt. James V. Falisi.

CORPS OF ENGINEERS.

To be colonel.

Lieut. Col. Charles W. Kutz.

To be lieutenant colonel.

Maj. Gilbert A. Youngberg.

To be majors.

Capt. Donald H. Connolly.
Capt. Raymond F. Fowler.

To be captains.

First Lieut. Lucius Du B. Clay.
First Lieut. Lloyd E. Mielenz.
First Lieut. Pierre A. Agnew.
First Lieut. Alexander M. Neilson.
First Lieut. Hoel S. Bishop, jr.
First Lieut. Charles E. McKee.
First Lieut. Robert H. Elliott.
First Lieut. Samuel D. Sturgis, jr.
First Lieut. Thomas H. Nixon.
First Lieut. Anderson T. W. Moore.
First Lieut. Reginald Whitaker.
First Lieut. Eugene M. Caffey.
Provisional First Lieut. Leonard B. Gallagher.
Provisional First Lieut. F. Russel Lyons.
Provisional First Lieut. Fernando T. Norcross.
Provisional First Lieut. William N. Thomas, jr.

CAVALRY ARM.

To be captains.

First Lieut. Joseph S. Tate.
First Lieut. Arthur M. Harper.
First Lieut. John W. Confer, jr.
First Lieut. Herbert N. Schwarzkopf.
First Lieut. Robert N. Kunz.
First Lieut. Charles S. Kilburn.
First Lieut. Charles R. Johnson, jr.
First Lieut. Bertrand Morrow.
First Lieut. Wallace J. Redner.
First Lieut. Guy H. Dosher.
First Lieut. Myer S. Silven.

To be first lieutenants.

Second Lieut. William F. H. Godson, jr.
Second Lieut. William L. Barriger.
Second Lieut. Frederick W. Fenn (Ordnance Department).
Second Lieut. Elmer Q. Oliphant.
Second Lieut. Jonathan L. Holman.
Second Lieut. Francis E. Rundell.
Second Lieut. George B. Hudson.
Second Lieut. Harry C. Mewshaw.
Second Lieut. Peter L. A. Dye.
Second Lieut. Frank T. Turner.
Second Lieut. George G. Eddy.
Second Lieut. Charles E. Morrison.
Second Lieut. Christian Knudsen.
Second Lieut. Francis B. Valentine.
Second Lieut. Thomas T. Thornburgh.
Second Lieut. David A. Taylor.
Second Lieut. Ronald A. Hicks.
Second Lieut. Elmer V. Stansbury.
Second Lieut. Edwin L. Hogan.
Second Lieut. John C. Hamilton.
Second Lieut. Mark Rhoads.
Second Lieut. Joseph K. Baker.
Second Lieut. Charles W. Leng, jr.
Second Lieut. Albert W. Johnson.
Second Lieut. Willard A. Holbrook, jr.
Second Lieut. James C. Styron.
Second Lieut. Samuel P. Walker, jr.
Second Lieut. Fred G. Sherrill.
Second Lieut. Sol M. Lipman.
Second Lieut. Ira P. Swift.
Second Lieut. Harris F. Scherer.
Second Lieut. James B. Rivers.
Second Lieut. Harrison H. D. Heiberg.
Second Lieut. Paul A. Donnally.
Second Lieut. William W. Jervey.
Second Lieut. William H. Wenstrom.
Second Lieut. Hugh B. Waddell.
Second Lieut. James H. Phillips.
Second Lieut. John E. Leahy.
Second Lieut. Frederick W. Drury.
Second Lieut. Virgil F. Shaw.
Second Lieut. Paul A. Noel.
Second Lieut. Hugh F. T. Hoffman.
Second Lieut. David S. Holbrook.
Second Lieut. William D. McNair.
Second Lieut. William J. Crowe.
Second Lieut. Charles H. Noble.
Second Lieut. Charles H. Bryan.
Second Lieut. John H. Collier.
Second Lieut. Vincent C. McAlevy.
Second Lieut. George G. Elms.
Second Lieut. Ralph F. Stearley.
Second Lieut. Donald H. Nelson.
Second Lieut. Horace P. Sampson.
Second Lieut. Dale W. Maher.
Second Lieut. Robert J. Merrick.
Second Lieut. William L. McEnery.
Second Lieut. Martin A. Fennell.
Second Lieut. Albert S. J. Stovall, jr.
Second Lieut. Daniel P. Buckland.
Second Lieut. Fred W. Makinney, jr.
Second Lieut. Robert W. Child.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. Woodrow W. Woodbridge.
First Lieut. Wilbur C. Carlan.
First Lieut. Edmund B. Edwards.
First Lieut. John H. Carriker.
First Lieut. William G. Gough.
First Lieut. Azel W. McNeal.
First Lieut. William B. Wright, jr.
First Lieut. Wendell L. Bevan.
First Lieut. Richard T. Guthrie.
First Lieut. Ittai A. Luke.
First Lieut. Alan A. Campbell.
First Lieut. Oscar B. Ralls, jr.
First Lieut. John H. Larkin.
First Lieut. George J. Downing.
First Lieut. Wallace W. Crawford.
First Lieut. Christiancy Pickett.

To be first lieutenants.

Second Lieut. William H. Barlow.
Second Lieut. Ernest C. Norman.
Second Lieut. Charles R. Gildart.
Second Lieut. Gerald A. O'Rouark.
Second Lieut. Charles E. Hixon.
Second Lieut. Bryan Evans.
Second Lieut. Francis A. March, 3d.
Second Lieut. John S. Winn, jr.
Second Lieut. Roger W. Autry.
Second Lieut. Myrl M. Miller.
Second Lieut. Alfred N. Bergman.
Second Lieut. Stuart M. Bevans.
Second Lieut. John H. Lewis, jr.
Second Lieut. Alfred M. Gruenther.
Second Lieut. Benjamin M. Hedrick.
Second Lieut. Williston B. Palmer.
Second Lieut. Robert G. Gard.
Second Lieut. Herbert M. Jones.
Second Lieut. Orville W. Martin.
Second Lieut. John P. Kennedy.
Second Lieut. Alexander S. Bennet.
Second Lieut. George S. Price.
Second Lieut. Philip S. Lauben.
Second Lieut. Wyburn D. Brown.
Second Lieut. Robert M. Montague.
Second Lieut. Charles P. Jones.
Second Lieut. Anthony C. McAuliffe.
Second Lieut. Robert L. Johnson.
Second Lieut. Albert R. S. Barden.
Second Lieut. Romeo F. Regnier.
Second Lieut. Louis B. Ely.
Second Lieut. Julius E. Slack.
Second Lieut. Bertram F. Hayford.
Second Lieut. Ernest A. Bixby.
Second Lieut. Robert R. Raymond, jr.
Second Lieut. Ernest J. Riley.
Second Lieut. Thomas B. Hedekin.
Second Lieut. Joseph V. Phelps.
Second Lieut. Charles N. McFarland.
Second Lieut. Charles A. Pyle.
Second Lieut. Alexander G. Kirby.
Second Lieut. Herbert W. Semmelmeyer.
Second Lieut. William W. Barton.
Second Lieut. Maurice P. Chadwick.
Second Lieut. Foster J. Tate.
Second Lieut. Richard T. Bennison.
Second Lieut. Henry J. D. Meyer.
Second Lieut. Elton F. Hammond.
Second Lieut. Francis G. McGill.
Second Lieut. Oscar A. Saunders.
Second Lieut. John J. Burns.
Second Lieut. Leslie E. Jacoby.
Second Lieut. Clarence J. Kanaga.
Second Lieut. Edwin V. Kerr.
Second Lieut. Thomas McGregor.
Second Lieut. James E. Parker.
Second Lieut. Edward L. Strohbehn.
Second Lieut. Maurice K. Kurtz.
Second Lieut. Eugene McGinley.
Second Lieut. Augustine F. Shea.
Second Lieut. Marion P. Echols.
Second Lieut. Francis O. Wood.
Second Lieut. Ellis V. Williamson.
Second Lieut. John B. Murphy.
Second Lieut. Michael G. Smith.
Second Lieut. Henry E. Sanderson, jr.
Second Lieut. Hugh G. Elliott, jr.
Second Lieut. Douglas A. Olcott.
Second Lieut. Walter T. O'Reilly.
Second Lieut. Edward O. Hopkins.
Second Lieut. Urban Niblo.
Second Lieut. John M. Works.

COAST ARTILLERY CORPS.

To be captains.

First Lieut. Clarence E. Cotter.
First Lieut. Gordon B. Welch.
First Lieut. Cedric F. Maguire.
First Lieut. Edward E. Murphy.
First Lieut. Marshall M. Williams, jr.
First Lieut. Edward C. Seeds.
First Lieut. Edison A. Lynn.
First Lieut. Guy H. Drewry.
First Lieut. Raphael S. Chavin.
First Lieut. John L. Scott.
First Lieut. Alva F. Englehart.
First Lieut. Harold R. Jackson.
First Lieut. Morris K. Barroll, jr.
First Lieut. Walter W. Warner.
First Lieut. Walter F. Vander Hyden.
First Lieut. Ira A. Crump.
First Lieut. Elbert L. Ford, jr.
First Lieut. James L. Hayden.
First Lieut. Scott B. Ritchie.
First Lieut. George S. Beurket.
First Lieut. Burnett R. Olmsted.
First Lieut. Joel G. Holmes.
First Lieut. James A. Code, jr.
First Lieut. William Sackville.
First Lieut. Leroy H. Lohmann.
First Lieut. Christian G. Foltz.
First Lieut. Aaron Bradshaw, jr.
First Lieut. Harry R. Pierce.
First Lieut. Lawrence C. Mitchell.
First Lieut. Alexander H. Campbell.
First Lieut. Marvil G. Armstrong.
First Lieut. John R. Nygaard.
First Lieut. James L. Keane.
First Lieut. Albert A. Allen.

To be first lieutenants.

Second Lieut. David H. Whittier.
Second Lieut. Clarence E. Burgher.
Second Lieut. Walter E. Bullock.
Second Lieut. Rollin F. Risen.
Second Lieut. William I. Allen.
Second Lieut. George R. Burgess.
Second Lieut. Paul L. Harter.
Second Lieut. Lester DeL. Flory.
Second Lieut. Isaac H. Ritchie.
Second Lieut. Roy A. Moore.
Second Lieut. Hobart Hewett.
Second Lieut. Richard T. Rick.
Second Lieut. Waldemar S. Broberg.
Second Lieut. Nathaniel A. Burnell, 2d.
Second Lieut. James L. Harbaugh, jr.
Second Lieut. Willard G. Wyman.
Second Lieut. John L. Whitelaw.
Second Lieut. Henry B. Nichols.
Second Lieut. Charles F. Wilson.
Second Lieut. George W. MacMillan.
Second Lieut. Dean Luce.
Second Lieut. Frederick B. Dodge, jr.
Second Lieut. William H. J. Dunham.
Second Lieut. Raymond F. Kilroy.
Second Lieut. Thomas L. Waters.
Second Lieut. Charles M. Wolff.
Second Lieut. Robert W. Crichlow, jr.
Second Lieut. James W. Boyd.
Second Lieut. Galen M. Taylor.
Second Lieut. Edgar M. Gregory.
Second Lieut. William R. Bready.
Second Lieut. John C. Hyland, jr.
Second Lieut. Thomas G. Cranford, jr.
Second Lieut. Edwin R. Samsey.
Second Lieut. Horace Speed, jr.
Second Lieut. John H. Madison.
Second Lieut. Halvor H. Myrah.
Second Lieut. David B. Latimer.
Second Lieut. Gordon L. Chapline.

INFANTRY ARM.

To be colonels.

Lieut. Col. William Wallace.
Lieut. Col. Ferdinand W. Kobbe.

To be lieutenant colonels.

Maj. George L. Byroade.
Maj. Edward S. Walton.
Maj. Alfred T. Smith.
Maj. Fred L. Munson.

To be major.

Capt. Gustave A. Wieser.

To be captains.

First Lieut. Hugh P. Schively.
First Lieut. John D. Joanidy.
First Lieut. Gilmer M. Bell.
First Lieut. Roy Sloan.
First Lieut. Bryce F. Martin.
First Lieut. Glenn D. Hufford.
First Lieut. Paul R. Hudson.
First Lieut. Ralph Hall.
First Lieut. Benjamin H. Hensley.
First Lieut. Hawthorne C. Gray.
First Lieut. Donald J. Neumuller.
First Lieut. Jerome Pickett.
First Lieut. Lebbeus M. Cornish.
First Lieut. William S. Rumbough.
First Lieut. Thomas L. McMurray.
First Lieut. Hiram G. Fry.
First Lieut. Richard W. Cooksey.
First Lieut. Edwin W. Grimmer.
First Lieut. George A. Murray.
First Lieut. Joseph E. Young.
First Lieut. Henry T. J. Weishaar.
First Lieut. John E. Stullken.
First Lieut. Herman H. Meyer.
First Lieut. Carleton More.
First Lieut. Edward P. Sheppard.
First Lieut. Henry J. Matchett.
First Lieut. Vincent S. Burton.
First Lieut. Griffith Wight.
First Lieut. Curtis P. Miller.
First Lieut. John W. Bulger.
First Lieut. Roy W. Voege.
First Lieut. Vernon L. Burge.
First Lieut. Simon Fostiak.
First Lieut. Edwin L. Dittmar.
First Lieut. Frank M. Child.
First Lieut. Frederic M. Lee.
First Lieut. Hurley E. Fuller.
First Lieut. Larry McHale.
First Lieut. John P. Horan.
First Lieut. Augustus B. O'Connell.
First Lieut. Charles C. Fitzhugh.

To be first lieutenants.

Second Lieut. Harold W. Gould.
Second Lieut. George B. Barth.
Second Lieut. Harry B. Sherman.
Second Lieut. John T. Newland.
Second Lieut. Carroll Tye.
Second Lieut. Benjamin R. McBride.
Second Lieut. Thomas Q. Donaldson, jr.
Second Lieut. Philip E. Gallagher.
Second Lieut. Carroll K. Leeper.
Second Lieut. Edward N. Jones, 3d.
Second Lieut. Harold B. Lewis.
Second Lieut. Charles Q. Lifsey.
Second Lieut. Hugh McC. Wilson, jr.
Second Lieut. Dwight T. Francis.
Second Lieut. William N. Davis.
Second Lieut. Dorr Hazlehurst.
Second Lieut. Robert T. Foster.
Second Lieut. Edwin D. Dando.
Second Lieut. Frederick von H. Kimble.
Second Lieut. Charles M. Wells.
Second Lieut. William B. Miller.
Second Lieut. Richard C. Babbitt.
Second Lieut. Hammond McD. Monroe.
Second Lieut. John W. Middleton.
Second Lieut. Frank J. Cunningham.
Second Lieut. Edward W. Smith.
Second Lieut. John B. Sherman.
Second Lieut. John J. Breen.
Second Lieut. James A. Kehoe.
Second Lieut. Frederick Pearson.
Second Lieut. Charles F. Colson.
Second Lieut. Donald F. Carroll.

Second Lieut. Robert A. Schow.
Second Lieut. John H. Stokes, jr.
Second Lieut. Jesse E. Graham.
Second Lieut. Jerome D. Cambre.
Second Lieut. Burrowes G. Stevens.
Second Lieut. Alexander T. McCone.
Second Lieut. Thomas M. Brinkley.
Second Lieut. John K. Buchanan.
Second Lieut. Ivins LaR. Browne.
Second Lieut. Kenneth W. Leslie.
Second Lieut. Beverly St. G. Tucker.
Second Lieut. Vincent J. Conrad.
Second Lieut. Reginald W. Hubbell.
Second Lieut. John M. Tatum.
Second Lieut. Paul W. Kendall.
Second Lieut. John F. Farley.
Second Lieut. Charles H. Moore, jr.
Second Lieut. James W. Freeman.
Second Lieut. Alexander J. Mackenzie.
Second Lieut. Wiley V. Carter.
Second Lieut. Wilbur E. Dunkelberg.
Second Lieut. James H. C. Hill.
Second Lieut. Victor C. Broome.
Second Lieut. Thomas R. Denny.
Second Lieut. Frank M. Corzelius.
Second Lieut. Julius L. Piland.
Second Lieut. Arthur Pulsifer.
Second Lieut. Farrin A. Hillard.
Second Lieut. William J. Mason.
Second Lieut. Elliott Watkins.
Second Lieut. Francis J. Gillespie.
Second Lieut. Jessie L. Gibney.
Second Lieut. Robert H. Vesey.
Second Lieut. Clarence M. Mendenhall, jr.
Second Lieut. Kester L. Hastings.
Second Lieut. George McK. Williamson, jr.
Second Lieut. Howard W. Brimmer.
Second Lieut. Charles M. Smith, jr.
Second Lieut. Albert B. Goodin.
Second Lieut. Walter J. Muller.
Second Lieut. Harry L. Rogers, jr.
Second Lieut. George B. Conrad.
Second Lieut. William S. Murray.
Second Lieut. Harry Krieger.
Second Lieut. Raymond W. Odor.
Second Lieut. James C. Welch.
Second Lieut. Miner W. Bonwell.
Second Lieut. John P. Pence.
Second Lieut. Joseph M. Glasgow.
Second Lieut. Elmer M. Jenkins.
Second Lieut. James L. Keasler.
Second Lieut. Rutherford D. McGiffert.
Second Lieut. Richard B. Wheeler.
Second Lieut. Thomas R. Aaron.
Second Lieut. Charles L. Gorman.
Second Lieut. Forrest E. Cookson.
Second Lieut. Carl S. Molitor.
Second Lieut. Harlan N. Hartness.
Second Lieut. Carl Robinson.
Second Lieut. Ernest M. Brannon.
Second Lieut. Luther L. Hill.
Second Lieut. John W. Sheehy.
Second Lieut. John R. Vance.
Second Lieut. Richard P. Ovenshine.
Second Lieut. Leo C. Paquet.
Second Lieut. Thomas M. Crawford.
Second Lieut. Carlisle V. Allan.
Second Lieut. John E. McCarthy.
Second Lieut. Leander D. Syme.
Second Lieut. Leroy C. Wilson.
Second Lieut. Syril E. Faine.
Second Lieut. Arthur M. Parsons.
Second Lieut. Harry W. Barrick.
Second Lieut. William T. Van de Graaff.
Second Lieut. Howard R. Perry, jr.
Second Lieut. Edwin H. Young.
Second Lieut. Nathan A. Smith.
Second Lieut. Gerald St. C. Mickle.
Second Lieut. Benjamin R. Farrar.
Second Lieut. Walter S. Winn, jr.
Second Lieut. Edwin H. Bowes.
Second Lieut. Edwin M. Sutherland.
Second Lieut. Joseph A. Holly.
Second Lieut. Robert F. Carter.
Second Lieut. Nathan F. Twining.
Second Lieut. L. Hoyt Rockafellow.
Second Lieut. Percy E. Hunt.
Second Lieut. Roland W. McNamee.
Second Lieut. John C. Raaen.
Second Lieut. Winfred G. Skelton.
Second Lieut. Lambert B. Cain.
Second Lieut. Edmund B. Sebree.
Second Lieut. Ignatius L. Donnelly.
Second Lieut. Merritt B. Booth.
Second Lieut. Raymond C. Barlow.
Second Lieut. Frank G. Davis.
Second Lieut. Emmett J. Bean.
Second Lieut. Donald A. Fay.
Second Lieut. Kenneth Pierce.
Second Lieut. John Endler.
Second Lieut. John D. Armstrong.
Second Lieut. John V. Domminey.
Second Lieut. James V. Cole.
Second Lieut. Ralph B. Kindley.
Second Lieut. John A. Bruckner, jr.
Second Lieut. Clarence A. Frank.
Second Lieut. Clarkson D. McNary.
Second Lieut. Bernard A. Byrne, jr.
Second Lieut. George L. Dillaway, jr.
Second Lieut. Warren W. Christian.
Second Lieut. Robert B. Hutchins.
Second Lieut. Joseph W. Kullman.
Second Lieut. George D. Rogers.
Second Lieut. Landon G. Daniel.
Second Lieut. Irvin Alexander.
Second Lieut. George E. Bruner.
Second Lieut. Thomas H. Dameron.
Second Lieut. Roger S. Evarts.
Second Lieut. Kenneth S. Olson.
Second Lieut. Robert M. Springer.
Second Lieut. Russell J. Nelson.
Second Lieut. Simon Foss.
Second Lieut. Edward M. Starr.
Second Lieut. Joseph S. Bradley.
Second Lieut. Arthur L. Moore.
Second Lieut. Ralph H. Bassett.
Second Lieut. Harold A. Brown.
Second Lieut. Donald C. Hardin.
Second Lieut. Wayne C. Zimmerman.
Second Lieut. John T. Keeley.
Second Lieut. Joseph C. Odell.
Second Lieut. Josiah T. Dalbey.
Second Lieut. Logan O. Shutt.
Second Lieut. Stuart Little.
Second Lieut. Hilton E. Heineke.
Second Lieut. John F. Lavagnino.
Second Lieut. Royal W. Park.
Second Lieut. Philip McI. Whitney.
Second Lieut. Christopher Hildebrand.
Second Lieut. Joseph H. Warren.
Second Lieut. John D. Frederick.
Second Lieut. Richard R. Coursey.
Second Lieut. Dwight L. Adams.
Second Lieut. Lester G. Degnan.
Second Lieut. Henry B. Sheets.
Second Lieut. Archie W. Cooey.
Second Lieut. William R. McMaster.
Second Lieut. Paul R. Carl.
Second Lieut. Cornelius E. O'Connor.
Second Lieut. Joseph A. Cranston, jr.
Second Lieut. Maurice L. Rosenthal.
Second Lieut. Willard L. Isaacs.
Second Lieut. William B. Kean, jr.
Second Lieut. Harold R. Emery.
Second Lieut. David S. McLean.
Second Lieut. William J. Moroney.
Second Lieut. Russell L. Williamson.
Second Lieut. Howard D. Johnston.
Second Lieut. Franklin L. Rash.
Second Lieut. Edgar H. Snodgrass.
Second Lieut. Claude D. Ferenbaugh.
Second Lieut. Adna C. Hamilton.
Second Lieut. Harold S. Ruth.
Second Lieut. Sterling E. Whitesides, jr.
Second Lieut. Lewis S. Sorley, jr.
Second Lieut. Albert C. Wedemeyer.
Second Lieut. John L. Denny.
Second Lieut. Roswell B. Hart.
Second Lieut. Herbert J. Riess.
Second Lieut. Henry I. Szymanski.

Second Lieut. Ulric L. Fomby.
Second Lieut. Frederick B. Porter.
Second Lieut. Bryan S. Halter.
Second Lieut. Hughes Steele.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

To be a lieutenant commander.

Harold W. Boynton.

To be a lieutenant.

Bruce G. Leighton.

To be lieutenants (junior grade).

Roy K. Jones,
Robert L. Porter, jr., and
Harold F. Ely.

To be a surgeon with the rank of lieutenant commander.

Irving W. Robbins.

To be an assistant surgeon with the rank of lieutenant (junior grade).

Bernard L. Toothaker.

To be assistant dental surgeons with the rank of lieutenant (junior grade).

Hugh R. Alexander and
John W. Grassl.

To be a naval constructor with the rank of captain.

William P. Robert.

To be a naval constructor with the rank of commander.

Isaac I. Yates.

To be a chief boatswain.

Ralph B. Wallace.

To be chief gunners.

Raymond A. Walker and
Edgar C. Wortman.

To be a chief pay clerk.

Wallace D. Chace.

To be a chief carpenter.

William H. Buchanan.

POSTMASTERS.

ALABAMA.

Hortense Rowe, Camp Hill.
James F. Hodge, Carrollton.
Sophie Harris, Childersburg.
James F. Manley, Citronville.
Rush S. Hickman, Ensley.
James W. Snipes, Florala.
Sidney A. Borom, Hurtsboro.
William C. Starnes, Lanett.
James B. Hamric, Midland City.
Oscar Sheffield, Pine Hill.
Ernest A. Townsend, Tuscaloosa.
William W. Perry, West Blocton.

ALASKA.

Charles H. Scheffler, Cordova.
Zina M. Bradford, Juneau.
William E. Root, Seward.
Martin Conway, Skagway.

ARKANSAS.

Hamlet Goudelock, Eureka Springs.
Joseph W. Cheairs, Tillar.
Robert A. Choate, Tuckerman.
Bishop H. Harper, Wilmot.
Stephen I. Garrett, Altheimer.
Isham V. Echols, Cotton Plant.
Red Thomas, Fordyce.
Bertha E. Millian, Lexa.
Lulu Brown, Stephens.
Roy Wilson, Tyronza.
John W. Pinnell, Walnut Ridge.

CALIFORNIA.

Rufus A. Berry, Berkeley.
Joseph C. Beard, Burlingame.
Arthur F. Donaldson, Bryon.
Cary D. McNeil, Corona.
Melissa B. Wilson, Dixon.
Nell M. Ellis, El Segundo.
Eileen J. Shrieve, Engelmine.
John H. Bacon, Fellows.
Fleming J. Mathews, Fort Jones.
Charles F. Evers, Fortuna.
Edward M. Drury, Fowler.
Merton Blackford, Fullerton.
John E. Nolan, Jamestown.
Charles C. Taylor, Kernville.
Michael G. Gallaghan, Livermore.
Lee Darneal, Los Gatos.
Edna M. Sheridan, Montrio.
Richard L. Dixon, Newman.
John B. Barnard, Niles.
William H. Kelly, Palo Alto.
George W. Nygren, Parlier.
Edgar J. Murphy, Redondo Beach.
Louis P. Miller, Rio Vista.
Ernest R. Rhymes, Sanitarium.
Ralph Cole, Ross.
John J. McGrath, San Mateo.
Mary G. Mails, San Quentin.
George B. Morgridge, Sierra Madre.
Earle R. Hawley, Stockton.
Virginia Mason, Suisun City.
Isidore J. Proulx, Willows.
Ora A. Woods, Winters.
Harry E. Meyers, Yuba City.

COLORADO.

Irving P. Beckett, Craig.
Anna C. Miller, Crested Butte.
Nellie E. Pyles, Fountain.
Llewellyn F. Allen, Littleton.
Charles V. Engert, Lyons.
Edna A. Gates, Sedgwick.
William E. King, Sterling.
James L. Allison, Woodmen.

FLORIDA.

Joseph B. Reed, Daytona Beach.
Rex Holley, Lake Worth.
Richard J. Mays, Monticello.
George W. Brown, New Smyrna.
Ernest C. Mahaffey, Quincy.

GEORGIA.

John C. McAuliffe, Augusta.
Joel F. Fountain, Ray City.
Robert I. Fanning, Washington.
James L. Brooks, Austell.
Dan A. McMillan, Bartow.
Lonnie E. Sweat, Blackshear.
Louis J. Leavy, jr., Brunswick.
Commodore D. Stewart, Buchanan.
Mattie N. Riley, Butler.
John B. Crawford, Cairo.
Stephen B. Pace, Carrollton.
Sam M. Barnett, Chatsworth.
William E. Dunham, Cochran.
Leland H. Williams, Collegepark.
May S. Holmes, Culloden.
Paul Latimer, Fairburn.
Mary A. Rudisill, Forsyth.
Thomas B. Banks, Grantville.
James P. McGriff, Hawkinsville.
John H. Boone, Hazlehurst.
Robert M. Edge, Jasper.
Anna C. Williams, Lumpkin.
Henry C. Hays, Mansfield.
Julian G. Hicks, Reynolds.
Edward B. Oxford, Rutledge.

ILLINOIS.

Walker L. Hylton, Chester.
Andrew R. Tarbox, Gibson City.
John Wacker, Techny.
Arthur Justus, Warren.
Thomas W. Daly, Witt.

IOWA.

Kathryn McGuire, Audubon.
Patience Felger, Afton.
Charles G. Wiley, Bonaparte.
Lloyd S. Meyers, Columbus Junction.
Mabel G. Hart, Farragut.
Sherman I. Rutledge, Iowa Falls.
Charles E. L. See, Laurens.
Edward C. Reindl, Manly.
Nels A. Jensen, Newell.

Earl E. Houdek, Sigourney.
Arthur O. Reinhardt, Van Horn.
Henry G. Kruse, Vinton.

HAWAII.

William E. Smith, Koloa.
William C. Irwin, Waialua.

KANSAS.

George W. Edwards, Alta Vista.
Charles L. Smith, Baxter Springs.
Bessie M. Williams, Belle Plaine.
Jacob H. Hostetler, Belleville.
George E. Bentley, Burr Oak.
William A. Morgan, Burrton.
Thomas A. Stevens, Caney.
Timothy J. Foley, Chapman.
James D. Stevenson, Claflin.
Bessie Young, Dighton.
John H. Rathbun, Downs.
Harry J. Davis, Elkhart.
Alexander Nieruberger, Ellis.
Edward Grauerholz, Esbon.
George W. Long, Galena.
James P. Newman, Galesburg.
William L. Ringo, Girard.
Catherine T. Butler, Glasco.
Daniel G. M. Keen, Greenleaf.
James L. Reeves, Gridley.
Vernon L. Durand, Hoisington.
Burton M. Palmer, Jewell.
Rodney Torrey, La Crosse.
Vardie V. Goeden, Lakin.
Malinda L. Hoerman, Linn.
Fred N. Adam, Longton.
Christina Walker, Moline.
Nell E. Bevans, Mulberry.
Alexander Burgess, Mulvane.
Dale Stark, Perry.
Everett G. Gillidett, Plains.
Cecil Calvert, Quinter.
James E. Leach, Randolph.
Charles E. Van Vleck, Rossville.
Richard W. Moorhead, Sabetha.
George A. Pierce, St. Paul.
John Q. Adams, Stockton.
Ida T. Willis, Troy.
Olive Green, Whiting.
William M. Stehley, Woodston.

KENTUCKY.

Tarleton C. Hobbs, Anchorage.
Cyrus M. Preston, Ashland.
Mattye L. Harris, Auburn.
Joe Ely, Benton.
Garland G. Lanum, Fordsville.
Judith W. Montgomery, Greensburg.
Archie A. Bridwell, Jeffersontown.
John T. Wickersham, Lebanon Junction.
J. Walter Payne, Paris.
Roland T. Huffman, Pikerville.
William A. Dickinson, Trenton.
James L. Chadwick, Vanceburg.

LOUISIANA.

Emile Aubert, Abita Springs.
Albert Nunez, Arabi.
Jesse A. Melton, Coushatta.
Susie Jones, Glenmora.
Edith E. Steckler, Jeanerette.
Octave H. Deshotels, Kaplan.
Charlton Fort, Minden.
John T. Bryant, Monroe.
Clair M. Cazayonx, New Roads.

MARYLAND.

Wilmer L. Barnes, Bel Air.
Rose C. Foreman, Emmitsburg.
John B. Sweeney, Hagerstown.
William T. McPherson, La Plata.
Frank J. Shriner, Union Bridge.
Oscar S. Barrick, Woodsboro.

MASSACHUSETTS.

William P. Lovejoy, Barnstable.
Joseph F. Murrman, Clinton.
J. William Byron, Concord.
William M. Allen, Fairhaven.
James H. Hoar, Fall River.
James E. Sullivan, Gilbertville.
Edmund Daly, Hingham.
James J. Murtaugh, Hopkinton.
John A. Bell, Leicester.
John F. Williams, Marblehead.
Arthur J. Coughlan, Maynard.
Perry F. Brown, Northampton.
William W. McLehose, Norton.
Thomas F. Meehan, Orange.
John P. O'Connor, Palmer.
John Adams, Provincetown.
Joseph L. McGrath, Sharon.
Nancy S. Harley, South Hanson.
Charles T. Farrell, Stoughton.
Stephen C. Luce, Vineyard Haven.
John P. McKay, Wellfleet.
Martin Ratigan, Whitman.
Charles W. Swift, Yarmouth Port.

MICHIGAN.

Roy P. Hallock, Almont.
Ephraim S. Reist, Ashley.
James Cotter, Auburn.
Arthur E. Dann, Beaverton.
William P. Nisbett, Big Rapids.
Miles L. Hadsall, Birch Run.
Clio S. Case, Brighton.
Myron B. Gallagher, Byron.
Nathan C. Thomas, Caledonia.
Frank D. McCaren, Carsonville.
Edwin L. Groger, Concord.
Jerry S. Walling, Coopersville.
Thomas T. Fralick, Copemish.
David R. Brown, Deckerville.
Charles H. Hudkins, East Jordan.
William L. Ferry, Eau Claire.
Alfred F. Skarritt, Edmore.
Harry F. Brainard, Elsie.
Helen A. Collier, Gaylord.
Robert E. Vickers, Gobleville.
Edward J. Marrinane, Grass Lake.
Harold Murphy, Harbor Beach.
William H. Blashfield, Hartford.
Archie D. Himebaugh, Hesperia.
Fred J. O'Melay, Hillsdale.
William O. Van Eyck, Holland.
Patrick J. Scanlan, Hubbell.
George M. Hubbard, Hudsonville.
Samuel Folz, Kalamazoo.
Edward D. Ahearn, Kinde.
Charles Hunter, Marlette.
Andrew H. Campbell, Mattawan.
Elmer Bremer, Montgomery.
Frederick W. Richter, Niles.
Patrick F. Heenan, North Branch.
Thomas Maveety, Olivet.
James A. Hull, Oscoda.
William G. White, Ovid.
Alva McCarty, Oxford.
Albert Steinen, Painesdale.
Riley L. Compton, Rockford.
Charles Powers, Saugatuck.
Harry M. Royal, Shelby.
Evert S. Dyckman, South Haven.
Paul D. Palmer, Sunfield.
Charles L. Bennett, Thompsonville.
Emanuel Wilhelm, Traverse City.
Fred Gibbs, White Cloud.
Willa A. Flinn, Whitehall.

MINNESOTA.

Joseph F. Ashbaugh, Murdock.

MISSISSIPPI.

Will N. Guyton, Blue Mountain.
Emma L. Whyte, Bond.
Benjamin F. Hill, Canton.
George S. Neal, Clinton.
Harry L. Callicott, Coldwater.
Minnie Davis, Duncan.
William C. Tyler, Duck Hill.
Mary L. Taium, Edwards.
Cornelius T. Sweatt, Ethel.
Bennett A. Truly, Fayette.
Malcolm S. Graham, Forest.

Mary F. Johnston, Friar Point.
Jefferson D. Fogg, Hernando.
Robert B. Waldrop, Houston.
Walter W. Holmes, McComb.
Hugh M. Drane, McCool.
James L. Copper, Maben.
Thirza I. Clarke, Marks.
Maggie E. Sullivan, Meadville.
Hubert R. Tatum, Merigold.
William T. Smith, New Albany.
Thaddeus C. Barrier, Philadelphia.
Robert W. Magruder, Port Gibson.
Coke B. Wier, Quitman.
Tamora C. Epperson, Raymond.
John A. Smallwood, Ripley.
Tommie A. Hamill, Sturgis.
James H. Crawford, Tylertown.
Andrew V. Lamar, Vardaman.

MISSOURI.

Carl E. Davis, Ewing.
William W. Reese, Ironton.
Essie Ward, King City.
Alma C. Dobbins, Laredo.
Clate Cox, Princeton.
Arthur C. Jones, Queen City.
Arthur L. Wilson, Waynesville.

MONTANA.

Alban C. Sipe, Broadview.
Philip B. C. Goodwin, Butte.
Thomas Dowen, Chinook.
John P. Heaton, Dodson.
Frank K. Hollenbeck, Forsyth.
Fred B. Hedge, Grassrange.
Carl E. Bowman, Hardin.
Charles E. Mullikin, Hingham.
Maurice J. Keenan, Hobson.
Joseph A. Lemire, Ronan.
Bernelda A. Miller, Terry.
John C. Tipton, White Sulphur Springs.

NEBRASKA.

Melvin A. Brinegar, Alexandria.
Loren W. Harper, Allen.
James C. Badger, Arlington.
William C. Rosecrans, Ashland.
Garrett H. Lorenz, Ashton.
William S. Morgan, Atkinson.
John H. Grosvenor, Aurora.
Xander Y. Zuhlke, Bancroft.
Martin G. Doering, Battle Creek.
Harry A. Crosby, Beemer.
Calvin A. Demarest, Bethany.
Thomas J. Lane, Bloomington.
John W. Henthorn, Blue Springs.
William F. Nick, Cedar Bluffs.
Benjamin A. Brewster, Chadron.
Francis A. Thompson, Clay Center.
Charles A. Payne, Clearwater.
Louis H. Deaver, Cody.
James M. Crews, Culbertson.
Thomas J. Hinds, David City.
George W. Nicholas, De Witt.
William A. Nyrop, Elgin.
Daniel Kavanaugh, Fairbury.
Owen T. Thompson, Farnam.
John Wilson, Franklin.
Henry P. Wilson, Geneva.
Samuel A. Tobey, Gresham.
Patrick J. Melia, Gretna.
Orla C. Lamb, Guide Rock.
Ethel Chubb, Haigler.
James R. Durrie, Laurel.
William C. Rusmisell, Mason City.
Edwin C. Pickett, Mullen.
Grover C. Hoback, Nehawka.
Oscar E. Swanson, Oakland.
John J. McCarthy, Ogallala.
Michael H. McCarthy, O'Neill.
Thomas O. Norman, Oxford.
Anton B. Helms, Randolph.
Otto S. Larson, Shickley.
George M. Sandusky, Sterling.
Emmor C. Ratcliff, Stratton.
Anthony R. Kovanda, Table Rock.
William D. Day, Ulysses.
Carl Carlson, Valparaiso.
Ernest J. Kaltenborn, Waco.
Carl P. Lundgren, Wausa.
David D. O'Kane, Wood River.
Charles F. Gilbert, York.

NEVADA.

Edna M. George, Battle Mountain.
George W. Likes, Fallon.
Mildred Robison, Overton.
James J. McQuillan, Tonopah.
Michael E. Nevin, Virginia City.
Merritt A. Macfarlane, Winnemucca.

NEW JERSEY.

Katherine A. Cooney, Pedricktown.

NEW YORK.

Louis W. Noland, Saratoga Springs.
Walter C. Burton, Brooklyn.

NORTH CAROLINA.

Miley C. Glover, Bailey.
L. Estelle Jones, Bethel.
James P. Parker, Blue Ridge.
William C. Gillespie, Burnsville.
Frank R. Mease, Canton.
John F. Hunsucker, Conover.
Millard F. Bond, Edenton.
Martin L. Fogleman, Gibsonville.
Everette R. Crawford, Hayesville.
James J. Farriss, High Point.
George K. Snow, Mount Airy.
Sarah L. Whitson, Oteen.
William R. Badgett, Pilot Mountain.
Luther F. Tillery, Rocky Mount.
Frank W. Miller, Waynesville.

OHIO.

Albert E. Kroske, Arlington.
Lee R. Carman, Belmont.
Oscar D. Ellenwood, Belpre.
James M. Phillips, Bethesda.
Fred H. Hart, Beverly.
Gideon Locher, Bluffton.
Thomas M. Duncan, Bridgeport.
Peter J. Blank, Canal Fulton.
Augustus S. Tuttle, Creston.
William E. Haas, Delaware.
John E. McFarland, Dresden.
Michael E. Miskall, East Liverpool.
Justus D. Smoots, Fredericktown.
James A. Angus, Genoa.
Frederick B. Mowery, Kingston.
George M. Galbraith, Lexington.
Homer G. Hansel, Logan.
Lewis G. Barton, Millersburg.
Robert L. Hagerty, Mingo Junction.
Karl H. Sherman, Minster.
Charles W. Hodges, Mount Sterling.
Franklin Harper, Mount Vernon.
Daniel A. Muskoff, Navarre.
John I. Norris, New Matamoras.
James B. Beard, Newton Falls.
Alfred L. Richar, Niles.
William H. Flach, Piqua.
Claren T. Shively, Rogers.
Ross S. DeMuth, Rossford.
Henry H. McFadden, Steubenville.
George W. Lathrop, Toledo.
James Connor, Toronto.
Charles H. Dale, Troy.
Glenn B. Rodgers, Washington Court House.
Theresia M. Beacham, Williamsburg.
Thomas N. Swearingen, Winchester.
Harry E. Rice, Xenia.

OREGON.

John W. Leneve, Coquille.
Katherine B. Veatch, Cottage Grove.
Chester Noland, Creswell.
Warren A. Heylman, Estacada.
Robert P. Wirtz, Forest Grove.
William P. Quinlan, Grants Pass.
Homer S. Wood, Independence.
Fitzhugh G. Lee, Junction City.
Walter L. Hembree, McMinnville.

James A. Watkins, Philomath.
Joseph Lyons, Reedsport.
Oscar Kendall, Richland.
James W. Dunn, St. Benedict.
Frank H. Laighton, Seaside.

PENNSYLVANIA.

Louise Martin, Koppel.
William M. Carter, Punxsutawney.
Matthew Storey, South Brownsville.

PORTO RICO.

Carlos F. Torregrosa, Aguadilla.

RHODE ISLAND.

Samuel W. Smith, jr., Jamestown.
Emory H. Desilets, Manville.
Frank P. Lamb, Natick.
Sumner Mowry, Peace Dale.
Howard F. Briggs, jr., Saunderstown.
John McPike, Warren.

SOUTH CAROLINA.

James M. Byrd, Branchville.
Clinton G. Rowland, Central.
James A. Barrett, Clover.
Clara A. Bonner, Due West.
Almon C. Turbeville, Lake City.
Maxcy J. Spears, Lamar.
John W. Willis, Lynchburg.
Ellen M. Williamson, Norway.
William B. Wright, jr., Shelton.
Marie C. Harley, Williston.
Bruce K. Arnold, Woodruff.
Martha E. Nichols, York.

SOUTH DAKOTA.

Dana N. Bonesteel, Artesian.
Raymond B. Breed, Brookings.
Guy A. Miller, Conde.
Edward McDonald, Deadwood.
Frank E. Riley, Dupree.
Lydia Oldewurtel, Freeman.
John A. Stromme, Garretson.
Anna M. Damberger, Herreid.
James S. Slaughter, Herrick.
Harry K. Sanborn, Hurley.
Tazewell M. Simmons, Huron.
Frelen Riley, Parker.
Francis M. Crain, Redfield.
Leroy F. Lemert, Spencer.
James E. Burns, Timber Lake.
James R. Dunlap, Vermilion.
James M. Rasmussen, Viborg.
John W. Martin, Watertown.

TENNESSEE.

Charles M. Reed, Athens.
John I. Cox, Bristol.
Shadrach E. Byler, Collinwood.
Richard H. Green, Covington.
Charles C. Berry, Dyer.
Hugh H. Gouchenour, Greeneville.
James S. Pritchett, Jonesboro.
Mary B. Buford, Lynnville.
Dossie O. Thompson, McEwen.
James C. Walker, Monterey.
John M. Jones, Newport.
Leander N. Alley, Oakdale.
S. R. Robinson, Tazewell.

TEXAS.

Albert B. Seale, Beaumont.
William L. Hayley, Bronte.
Hugh M. Bryan, Burton.
Rudolph Flach, jr., Comfort.
Harvey E. Williams, Desdemona.
Howell L. Piner, Denison.
Henry C. Bailey, Detroit.
William R. Dickens, Eden.
Walter N. Ramsay, Eldorado.
James H. Richey, Hedley.
Willis D. Holman, Hutto.
Theodore W. Lueders, Lagrange.
Wilson B. Russell, Liberty Hill.
Otto J. Lang, Lufkin.
Percy L. Walker, Luling.
Charles J. January, jr., McAllen.
Mary R. Manning, Madisonville.
Claud W. Warren, Matador.
George F. Nelson, Mount Calm.
Edgar A. Stripling, Mount Vernon.
Joseph W. Holland, New Waverly.
Osceola G. Wilson, Nixon.
Abundio Contreras, Riogrande.
Mary M. Ferrel, Roby.
Herschel C. Connally, Rosebud.
Roy C. Lattimore, Roxton.
James W. Longley, San Saba.
Virgil T. Williams, Thornton.
Wiley H. Lowrey, Weimar.
Charles P. Zapalac, West.
Aaron H. Russell, Willis.

UTAH.

Robert D. Halladay, Grantsville.
Heber J. Sheffield, jr., Kaysville.
Jedediah M. Blair, Logan.
Richard T. Fry, Morgan.
William S. Anderson, Moroni.
George A. Allen, Nephi.
Leonard C. Sargent, Panguitch.
William A. Jones, Spanish Fork.

VERMONT.

Alfred A. Durkee, Pittsford.
Claude C. Duval, West Burke.

VIRGINIA.

William G. Stevenson, Accomac.
Nannie B. Campbell, Amherst.
A. Sidney Francis, Boykins.
Everett S. Kendrick, Bristol.
Sidney Sheltman, Christiansburg.
Henry L. Munt, City Point.
Eugene C. Hurt, Clover.
Ruth C. Mankin, Falls Church.
Robert L. Dudley, Rural Retreat.
Samuel R. Gault, Scottsville.
William A. Coates, South Washington.
John L. Henley, Tappahannock.

WEST VIRGINIA.

Samuel A. Christie, Keystone.
William A. Burgess, St. Albans.
Charles G. Price, Smithfield.

WISCONSIN.

George Crawford, Mineral Point.

REJECTION.

Executive nomination rejected by the Senate June 4, 1920.

POSTMASTER.

ALABAMA.

John M. Parrish, Clanton.

HOUSE OF REPRESENTATIVES.

FRIDAY, *June 4, 1920.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou Great Spirit, through whose wisdom, power, and goodness Thou didst bring order out of chaos in a vast and stupendous universe, of which we are a part, and who hast created us to fulfill a destiny so grand, noble, and holy, of which we have not thought or dreamed.

We are finite, Thou art infinite; we are weak, Thou art mighty; we know but little, Thou knowest all things.

Let Thy influence be upon us, to guide us on our way toward that goal which is manifest in the incomparable life, character, and teachings of Thy Son Jesus Christ, our Lord and Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE TO EXTEND REMARKS.

Mr. YATES. Mr. Speaker, at Grant's Tomb on Decoration Day I had the honor of making some remarks, and I ask unanimous consent to extend them in the RECORD, with the assurance

that they do not refer to the bonus or any other problems or political matters.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD for the purpose indicated. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes.

The message also announced that the Senate had passed with amendments the bill (H. R. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, had requested a conference with the House of Representatives, and had appointed Mr. TOWNSEND, Mr. STERLING, and Mr. BECKHAM as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the joint resolution (S. J. Res. 152) authorizing the appointment of a commission to confer with the Dominion Government or the provincial governments of Quebec, Ontario, and New Brunswick as to certain restrictive orders in council of the said Provinces relative to the exportation of pulp wood thereform to the United States.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 2789) for the consolidation of forest lands in the Sierra National Forest, Calif., and for other purposes.

The message also announced that the Senate had passed with amendments the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, in which the concurrence of the House of Representatives was requested.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that June 3 they had presented to the President of the United States, for his approval, the following bills:

H. R. 13108. An act making appropriations for the naval services for the fiscal year ending June 30, 1921, and for other purposes; and

H. R. 1024. An act authorizing the Secretary of the Interior to issue a patent to John Zimmerman for certain lands in the Colorado National Forest upon the surrender of other lands of an equal acreage also located in the Colorado National Forest, Colo.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On June 2, 1920:

H. R. 4438. An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment.

On June 3, 1920:

H. R. 400. An act authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims.

On June 4, 1920:

H. R. 11960. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921.

REENROLLMENT OF S. 1005 AND S. 1222.

Mr. EDMONDS. Mr. Speaker, I ask unanimous consent for the present consideration of Senate concurrent resolution 26, requesting the Speaker of the House of Representatives to cancel his signature to S. 1005 and S. 1222, and directing the Secretary to reenroll, and so forth.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of a concurrent resolution, which the Clerk will report.

The Clerk read as follows:

Senate concurrent resolution 26.

Resolved by the Senate (the House of Representatives concurring), That the Speaker of the House of Representatives be requested to cancel his signature to the enrolled bills:

S. 1005. An act for the relief of the owner of the steamship *Matoa;* and

S. 1222. An act for the relief of the owners of the schooner *Henry O. Barrett;*

That upon the cancellation of such signature the Secretary of the Senate be directed to reenroll said bill S. 1005, with an amendment as follows: Strike out of section 2 the following words: "That should damages be found to be due from the United States to the owner of said steamship *Matoa,* the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided.*"

And further, that the Secretary of the Senate be directed to reenroll the said bill S. 1222, with an amendment as follows: Strike out of section 2 the following words: "That should damages be found to be due from the United States to the owners of said schooner *Henry O. Barrett,* the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided.*"

Mr. EDMONDS. There is an amendment.

Mr. GARD. Mr. Speaker, reserving the right to object, do I understand that there has been any change in the language of the bills, or is this just a correction owing to an error in enrolling?

Mr. EDMONDS. I propose to change the language of the bills, if the gentleman will allow me to offer this amendment. This will put the two bills in exactly the form that we agreed was the proper form. These bills have passed the House and passed the Senate. We are now asking the withdrawal of the signatures of the presiding officers of the two Houses in order to put the bills in proper form.

Mr. GARD. The gentleman must first obtain unanimous consent before he can offer an amendment.

The SPEAKER. Is there objection?

There was no objection.

Mr. EDMONDS. I move that the House concur in the resolution of the Senate with the following amendment.

The SPEAKER. The gentleman offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. EDMONDS: Strike out all after the resolving clause of the Senate concurrent resolution, and insert the following in lieu thereof:

"That the action of the Speaker of the House of Representatives in signing the enrolled bill (S. 1005) 'for the relief of the owner of the steamship *Matoa*' be, and hereby is, rescinded, and that the Secretary of the Senate be, and he is hereby, directed to reenroll said bill with an amendment as follows:

"'Strike out all after the enacting clause of said bill, and insert the following in lieu thereof:

"'That the claim of the owner of the steamship *Matoa* arising out of a collision between said steamship and the U. S. tug *Lucille Ross,* off Lambert Point, Va., on the 17th day of January, 1918, for and on account of the losses alleged to have been suffered in said collision by the owner of said steamship *Matoa* by reason of damages to and detention of said steamship, may be submitted to the United States Court for the Eastern District of Virginia, under and in compliance with the rules of said court sitting as a court of admiralty, and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal: *Provided,* That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further,* That said suit shall be brought and commenced within four months of the date of the passage of this act.'

"2. That the action of the Speaker of the House of Representatives in signing the enrolled bill (S. 1222) 'for the relief of the owners of the schooner *Henry O. Barrett*' be, and hereby is, rescinded, and that the Secretary of the Senate be, and he is hereby, directed to reenroll said bill with an amendment as follows:

"'Strike out all after the enacting clause of said bill, and insert the following in lieu thereof:

"'That the claim of the owners of the schooner *Henry O. Barrett* arising out of a collision between said schooner and the U. S. monitor *Ozark,* off Five Fathom Bank Lightship, on the 19th day of April, 1917, for and on account of the losses alleged to have been suffered in said collision by the owners of said schooner *Henry O. Barrett* by reason of damages to and detention of said schooner, may be submitted to the United States Court for the District of Massachusetts, under and in compliance with the rules of said court sitting as a court of admiralty, and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal: *Provided,* That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further,* That said suit shall be brought and commenced within four months of the date of the passage of this act.'"

Mr. GARD. Do I understand that this correction of the bill is to put it in proper enrolling form?

Mr. EDMONDS. Yes.

Mr. GARD. It authorizes the cancellation of the signature of the Speaker?

Mr. EDMONDS. It does.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The resolution was agreed to.

RECLASSIFICATION OF POST-OFFICE SALARIES.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 14338, for the reclassification of post-office salaries, disagree to the amendments of the Senate, and agree to the conference asked for.

The SPEAKER. The gentleman from Minnesota calls up the bill H. R. 14338, for the reclassification of post-office salaries, asks unanimous consent that the Senate amendments be disagreed to, and agree to the conference asked for. Is there objection?

Mr. GARD. Reserving the right to object, has the gentleman conferred with the minority of the committee as to the course of procedure?

Mr. STEENERSON. I have conferred with some members of the committee, but I was not able to find the ranking member, Mr. MOON. But as he is to be one of the conferees probably there would be no objection.

The SPEAKER. Is there objection?

There was no objection.

The Chair appointed as conferees on the part of the House Mr. STEENERSON, Mr. MADDEN, and Mr. MOON.

THE THIRD DEFICIENCY BILL.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 14335, the third deficiency bill, disagree to all the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table the bill H. R. 14335, the third deficiency bill, disagree to all the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The Chair appointed as conferees on the part of the House Mr. GOOD, Mr. CANNON, and Mr. BYRNES of South Carolina.

COMMITTEE ON IMMIGRATION AND NATURALIZATION.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Washington asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, in November the House gave the Committee on Immigration and Naturalization a resolution with broad provisions, including permission to sit in Washington and elsewhere during the sessions and recesses of Congress. During the discussion of the resolution I agreed with the gentleman from Tennessee [Mr. GARRETT] that outside sessions should not be held except in New York, unless I should later give notice to the House. After consultation recently with the gentleman from Tennessee I thought it well to state to the House that during the summer it is expected to send a subcommittee to Montreal, perhaps a subcommittee to Detroit and to other places. That the Members of the House may know of these tentative plans, I make this statement.

DISTRICT OF COLUMBIA APPROPRIATION BILL—CONFERENCE REPORT.

Mr. DAVIS of Minnesota. Mr. Speaker, I call up the conference report on the District of Columbia appropriation bill.

The SPEAKER. The Clerk will read the report.

Mr. DAVIS of Minnesota. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 9, 10, 20, 24, 25, 26, 33, 35, 38, 40, 49, 50, 53, 56, 70, 71, 76, 82, 83, 84, 85, 87, 88, 97, 104, 105, 106, 112, 114, 115, 117, 119, 124, 125, 126, 128, 129, 130, 134, 142, 143, and 148.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 27, 28, 31, 32, 34, 36, 37, 39, 41, 42, 43, 44, 45, 46, 47, 51, 52, 54, 55, 57, 58, 59, 60, 61, 64, 65, 66, 68, 69, 72, 73, 75, 77, 78, 79, 80, 81, 86, 89, 90, 91, 92, 93, 94, 95, 96, 98, 99, 100, 101, 102, 103, 107, 108, 109, 110, 111, 116, 120, 121, 122, 127, 131, 132, 133, 135, 138, 140, 141, 144, 145, 147, 149, 150, 151, 152, and 154, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That 40 per cent of the following sums, respectively, is appropriated out of any money in the Treasury not otherwise appropriated, and 60 per cent out of the revenues of the District of Columbia, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, only, namely:

"Appropriations for the fiscal year ending June 30, 1921, heretofore or hereafter made in other acts and chargeable in any proportion against the revenues of the District of Columbia, shall be paid in the proportions of 40 per cent from the Treasury of the United States and 60 per cent from the revenues of the District of Columbia.

"If the estimated net revenues of the District of Columbia for the fiscal year ending June 30, 1921, are not sufficient to meet the proportion of the appropriations for that fiscal year charged against such revenues by this and all other acts, or which may be estimated to be charged against such revenues by acts that may be approved during such fiscal year, the Commissioners of the District of Columbia shall increase the rates of taxation on real estate and tangible personal property sufficiently to make up the difference: *Provided, however*, That such rates of taxation shall in no event be less than 1½ per cent nor more than 2 per cent."

And the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$12,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$76,900"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,500"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$614,200"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 1 $1,080, 1 $960, 7 at $900 each; in all, $8,340; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: On page 34 of the bill, in lines 1 and 2, strike out "2,183" and insert in lieu thereof "2,208"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$50,000"; and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$220,050"; and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$28,680"; and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$20,540"; and the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123, and

agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Hereafter the commissioners are authorized, under such regulations as they may prescribe, to sell the surplus products of the Home for the Aged and Infirm. All moneys derived from such sales shall be paid into the Treasury of the United States to the credit of the United States and to the credit of the District of Columbia in the same proportions as the appropriations for such institutions are paid from the Treasury of the United States and the revenues of the District of Columbia."

And the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$19,400"; and the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$218,400"; and the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "All moneys received at said school, as income from sale of products and from payment of board or of instruction, or otherwise, shall be paid into the Treasury of the United States to the credit of the United States and to the credit of the District of Columbia in the same proportions as the appropriations for such institution are paid from the Treasury of the United States and the revenues of the District of Columbia"; and the Senate agree to the same.

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Hereafter the commissioners are authorized under such regulations as they may prescribe, to sell the surplus products of the workhouse and the reformatory. All moneys derived from such sales shall be paid into the Treasury of the United States to the credit of the United States and to the credit of the District of Columbia in the same proportions as the appropriations for such institutions are paid from the Treasury of the United States and the revenues of the District of Columbia."

And the Senate agree to the same.

Amendment numbered 153: That the House recede from its disagreement to the amendment of the Senate numbered 153, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "The rates of assessment for laying or constructing water mains and service sewers in the District of Columbia under the provisions of the act entitled 'An act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes,' approved April 22, 1904, are hereby increased from $1.25 to $2 and $1 to $1.50, respectively, per linear front foot for any water mains and service sewers constructed or laid during the fiscal year 1921"; and the Senate agree to the same.

Amendment numbered 155: That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same with an amendment as follows: In line 7 of the matter inserted by said amendment after the word "employees" insert the following: "of the District of Columbia"; and the Senate agree to the same.

C. R. DAVIS,
LOUIS C. CRAMTON,
J. P. BUCHANAN,
Managers on the part of the House.

CHARLES CURTIS,
LAWRENCE C. PHIPPS,
JOHN WALTER SMITH,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13266) making appropriations to provide for the expenses of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On No. 1, relating to the method of making appropriations for the District of Columbia: Inserts a substitute for the provisions of the Senate and House bills which substitute provides that all appropriations for the District of Columbia for the fiscal year 1921, whether contained in the District of Columbia appropriation act or in other acts, shall be paid 40 per cent from the Treasury of the United States and 60 per cent from the revenues of the District of Columbia. The substitute also provides that if the estimated net revenues for 1921 are not sufficient to meet the proportion of the appropriations charged against them the Commissioners of the District of Columbia shall increase the rates of taxation on real estate and tangible personal property sufficiently to make up the difference, with a limitation that the rate of taxation shall not be more than 2 per cent.

On Nos. 2, 3, 4, and 5, relating to the Executive Office: Appropriates $128,670 for salaries of employees as proposed by the Senate, instead of $124,670, as proposed by the House.

On Nos. 6 and 7: Appropriates $1,800 for a chief inspector of personal property in the personal tax board as proposed by the Senate.

On Nos. 8, 9, and 10: Strikes out the additional clerks, proposed by the Senate, in the license bureau.

On Nos. 11 and 12: Provides two additional clerks, as proposed by the Senate, for the teachers' retirement section of the auditor's office.

On Nos. 13, 14, and 15: Provides for an additional foreman at $1,200 in lieu of two foremen at $900 each, as proposed by the Senate, for the Engineer commissioner's office.

On Nos. 16, 17, 18, and 19: Appropriates $40,840 as proposed by the Senate, instead of $49,640 as proposed by the House, for the public utilities commission.

On Nos. 20, 21, 22, and 23, relating to the department of insurance: Increases the compensation of two clerks and a stenographer as proposed by the Senate, and strikes out the increase proposed by the Senate in the compensation of a statistician.

On Nos. 24 and 25: Strikes out the appropriation of $1,200, proposed by the Senate, for a stenographer in the minimum wage board.

On Nos. 26 to 30, inclusive, relating to the Public Library: Strikes out the increases proposed by the Senate in the pay of the director of reference work; increases the compensation of the supervisor of school work and the librarian's secretary as proposed by the Senate; and appropriates $3,500, instead of $3,000 as proposed by the House and $4,000 as proposed by the Senate, for substitute and temporary services.

On No. 31: Increases the amount which may be used for street car fares from $5,000 to $6,000 as proposed by the Senate.

On No. 32: Increases the amount for advertising notice of taxes in arrears from $4,000 to $4,500 as proposed by the Senate.

On No. 33: Strikes out the appropriation of $50, proposed by the Senate, for the enforcement of game and fish laws.

On No. 34: Inserts the appropriation of $6,000, proposed by the Senate, for rent of offices for the recorder of deeds.

On No. 35: Strikes out the increase of $5,000, proposed by the Senate, in the amount for purchase of tags for vehicles.

On No. 36: Reduces from $500 to $200, as proposed by the Senate, the appropriation for supplies for the office of the veterinary surgeon.

On No. 37: Increases the appropriation for purchase of supplies for the office of superintendent of markets for use in connection with the investigation of sales of short weights and measures from $200 to $500, as proposed by the Senate.

On Nos. 38 to 48, inclusive, relating to street improvements: Restores the appropriations, stricken out by the Senate, for paving Girard Street and Sixth Street NW.; strikes out, as proposed by the Senate, the appropriations for Belmont Road, Upshur Street, and Harvard Street; inserts the appropriations, proposed by the Senate, for paving Connecticut Avenue and repaving G Street; and transfers from the appropriation for "Repair of suburban roads" to the appropriation for "Street improvements" the items of $51,000 for Bladensburg Road, $21,000 for Alabama Avenue, $9,000 for Thirty-eighth Street.

On No. 49: Strikes out the paragraph, inserted by the Senate, authorizing the commissioners to close upper Water Street between Twenty-first and Twenty-second Streets NW.

On No. 50: Strikes out the paragraph, proposed by the Senate, authorizing the commissioners to close Rock Creek Ford Road between Broad Branch Road and Rittenhouse Street.

On No. 51: Inserts the paragraph, proposed by the Senate, changing the designation of McPherson Place NW., between I and K Streets, to Fifteenth Street.

On No. 52: Inserts the appropriation of $3,820, proposed by the Senate, to pay Thomas W. and Alice N. Keller.

On No. 53: Appropriates $50,000, as proposed by the House, instead of an indefinite amount, as proposed by the Senate, for opening, extending, or widening streets.

On No. 54: Reduces the appropriation for sidewalks and curbs from $25,000 to $20,000, as proposed by the Senate.

On No. 55: Transfers to the appropriation for "Street improvements" the appropriations for repairing Bladensburg Road, Alabama Avenue, and Thirty-eighth Street; and strikes out, as proposed by the Senate, the appropriation of $39,000 for repairs to Central Avenue.

On No. 56: Strikes out the increase of $5,000, proposed by the Senate, for operation and maintenance of the sewage pumping plant.

On No. 57: Inserts the paragraph, proposed by the Senate, repealing section 9 of the act providing for the collection and disposal of garbage in the District of Columbia.

On Nos. 58 and 59: Increases, as proposed by the Senate, the compensation of four inspectors in the electrical department.

On Nos. 60 and 61: Reduces the compensation of one assistant superintendent of schools from $4,000 to $3,750 and increases the compensation of the other assistant superintendent from $3,500 to $3,750, as proposed by the Senate.

On No. 62: Appropriates $8,340, as proposed by the Senate, instead of $7,300, as proposed by the House, for salaries of attendance officers for the public schools.

On Nos. 63 and 64: Provides for 384 teachers in group A of class 6, as proposed by the Senate, instead of 359, as proposed by the House.

On No. 65: Inserts the paragraph, proposed by the Senate, providing that no teacher, clerk, or librarian in classes 1 to 5 shall, because of any promotion, receive less longevity pay than such employee received at the time of his most recent promotion.

On No. 66: Makes provision in the appropriation for longevity pay for the principal and teachers in Americanization work, as proposed by the Senate.

On No. 67: Appropriates $50,000 instead of $60,000, as proposed by the Senate, for teacher annuities; and inserts the paragraph, proposed by the Senate, transferring from the Secretary of the Treasury to the Commissioners of the District of Columbia the duties of executing the teachers' retirement act.

On Nos. 68 to 74, inclusive: Appropriates $220,050 instead of $219,270, as proposed by the House, and $220,650, as proposed by the Senate, for janitors and care of school buildings and grounds.

On No. 75: Inserts the language, proposed by the Senate, prohibiting the board of education from using for office space the rooms in the Franklin School Building occupied by grades 1 to 4, inclusive.

On No. 76: Appropriates $35,000, as proposed by the House, instead of $25,000, as proposed by the Senate, for expenses of community forums and civic centers.

On No. 77: Inserts the paragraph, proposed by the Senate, authorizing teachers of the public schools during the summer vacation of 1920 to be employed by any department or establishment of the Government, notwithstanding the provisions of the act of May 10, 1916.

On No. 78: Inserts the language proposed by the Senate authorizing the children of employees of the United States stationed outside of the District of Columbia to be admitted to the public schools without payment of tuition.

On Nos. 79, 80, and 81, relating to the Petworth school: Strikes out the provisions for an assembly hall; reduces the appropriation from $85,000 to $50,000, and increases the limit of cost from $192,000 to $218,000, as proposed by the Senate.

On Nos. 82, 83, and 84, relating to the Deanwood School: Provides for an eight-room addition, as proposed by the House; appropriates $40,000 as proposed by the House, instead of $25,000 as proposed by the Senate; and restores the limit of cost to $190,000, as proposed by the House.

On Nos. 85, 86, 87, and 88, relating to the Burrville School: Provides for an eight-room building, as proposed by the House; strikes out the provision for an assembly hall; appropriates $40,000 as proposed by the House, instead of $25,000 as proposed by the Senate; and restores the limit of cost to $190,000, as proposed by the House.

On Nos. 89, 90, and 91, relating to the new building between Eighteenth and Twentieth Streets NE.: Strikes out the provision for an assembly hall; reduces the appropriation from $30,000 to $20,000, and increases the limit of cost from $190,000 to $218,000, as proposed by the Senate.

On No. 92: Strikes out the appropriation of $30,000 additional for the erection of an addition to the Phelps School and appropriates $20,000, as proposed by the Senate, for remodeling that school.

On Nos. 93, 94, and 95, relating to the J. R. West School: Strikes out the provision for an assembly hall; increases the appropriation from $100,000 to $110,000, and the limit of cost from $190,000 to $218,000, as proposed by the Senate.

On No. 96: Appropriates $15,000, as proposed by the Senate, for an additional amount for an eight-room addition to the Takoma School, and fixes the limit of cost at $218,000, as proposed by the Senate.

On No. 97: Strikes out the paragraph, inserted by the Senate, authorizing the sale of certain property of the District of Columbia in square 3064.

On Nos. 98, 99, and 100, relating to the police department: Provides, as proposed by the Senate, for an additional driver of class 2, to be transferred from the appropriation for "Transportation of prisoners."

On Nos. 101, 102, and 103, relating to the house of detention: Appropriates $45,620, as proposed by the Senate, instead of $25,000, as proposed by the House.

On Nos. 104 and 105: Strikes out the increase of $500, proposed by the Senate, for the harbor patrol.

On No. 106: Strikes out the increase of $1,000, proposed by the Senate, for the disinfecting service under the health department.

On No. 107: Makes a verbal correction in the bill.

On No. 108: Changes the designation of the "Washington Diet Kitchen" to the "Child Welfare Society," as proposed by the Senate.

On Nos. 109 and 110: Reduces the appropriation for pay of the probation officer of the supreme court from $2,400 to $2,200, as proposed by the Senate.

On Nos. 111, 112, and 113, relating to the juvenile court: Increases the pay of the chief probation officer from $1,800 to $2,000, as proposed by the Senate, and strikes out the increase in the pay of assistant probation officers.

On Nos. 114 and 115, relating to the courthouse: Strikes out the provision for two additional charwomen at $240 each.

On Nos. 116, 117, 118, and 119, relating to the Board of Charities: Increases the pay of the clerk and stenographer from $1,200 to $1,400, as proposed by the Senate; strikes out the provision for an additional inspector at $840; and appropriates $1,800, as proposed by the House, for maintenance of motor ambulance.

On Nos. 120, 121, and 122, relating to the jail: Strikes out the appropriation of $1,000 for the salary of a driver, transferred to the police department by another paragraph of the bill.

On No. 123: Inserts the paragraph, proposed by the Senate, authorizing the commissioners to sell the surplus products of the Home for the Aged and Infirm.

On Nos. 124, 125, 126, and 127, relating to the National Training School for Girls: Strikes out the salary for a treasurer and provides that on and after July 1, 1920, appropriations for the institution shall be disbursed in the manner provided by law for other appropriations of the District.

On Nos. 128, 129, 130, 131, and 132: Restores the reductions, proposed by the Senate, in the appropriations for the Children's Hospital, Providence Hospital, and Garfield Hospital, and reduces, as proposed by the Senate, the appropriations for the Emergency Hospital and the Eastern Dispensary.

On No. 133: Strikes out, as proposed by the Senate, the appropriation for the Gallinger Municipal Hospital and inserts a paragraph fixing the limit of cost of such hospital at not to exceed $1,500,000.

On Nos. 134, 135, 136, 137, and 138, relating to the Board of Children's Guardians: Strikes out the assistant agent at $1,260; provides for an additional placing and investigating officer at $1,200; and inserts a paragraph, proposed by the Senate, authorizing the disbursing officer to advance funds to the agent of the Board of Children's Guardians for expenses in placing and visiting children.

On No. 139: Inserts the paragraph, proposed by the Senate, relative to the use of proceeds received by the Industrial Home School for Colored Children modified so as to require such proceeds to be covered into the Treasury instead of being used for the support of the school.

On Nos. 140 and 141: Inserts the appropriations of $5,000 and $1,500, respectively, for the National Library for the Blind and the Columbia Polytechnic Institute, as proposed by the Senate.

On Nos. 142 and 143: Fixes the pay of the superintendent of the Workhouse and Reformatory at $4,000, as proposed by the House, instead of $3,600 as proposed by the Senate.

On Nos. 144, 145, and 146, relating to the Reformatory: Reduces the appropriation for fuel from $10,000 to $8,000 as proposed by the Senate, and inserts the paragraph, proposed by the Senate, authorizing the commissioners to sell the surplus products of the Workhouse and Reformatory.

On No. 147: Reduces, as proposed by the Senate, the appropriation for rent for the militia.

On No. 148: Restores the paragraph, stricken out by the Senate, providing for increased water rates of not less than 25 per cent.

On Nos. 149, 150, 151, 152, and 153, relating to the water department: Increases, as proposed by the Senate, the compensation of the master mechanic; inserts appropriations of $70,000 and $20,000, respectively, for water mains in Illinois Avenue NW. and F Street NW.; and restores the paragraph, stricken out by the Senate, providing for an increase in the rates of assessment for laying or constructing water mains and service sewers, modified so that the rates per linear front foot for water mains shall be increased from $1.25 to $2 and for service sewers from $1 to $1.50, and limits the operation of the paragraph to the fiscal year 1921.

On No. 154: Inserts the paragraph, proposed by the Senate, granting leave of absence with pay for legal holidays to per diem employees and day laborers regularly employed by the District of Columbia for 15 working days next preceding such legal holidays.

On No. 155: Inserts the paragraph, proposed by the Senate, granting to officers and members of the police and fire departments the increased compensation provided in the legislative, executive, and judicial appropriation act for 1921 at one-half the rate allowed to other employees.

C. R. DAVIS,
LOUIS C. CRAMTON,
J. P. BUCHANAN,
Managers on the part of the House.

Mr. DAVIS of Minnesota. Mr. Speaker, finally the District appropriation bill in all of its details has been agreed to by the Senate conferees and the House conferees. [Applause.] This, I wish to assure you, gentlemen, has not been without considerable exertion on the part of all, the House and the Senate. In fact, we completed the writing up of the bill yesterday about 6 o'clock. The writing of the report and statement is quite an extensive job, and we succeeded in getting the report and statement written up last evening before 12 o'clock.

The Senate passed the conference report without any trouble whatever, without the crossing of a "t" or the dotting of an "i." Now, it is up to this body to say whether or not the bill, which, in my judgment, is the best bill concerning the District of Columbia that has ever been passed, shall be approved by you, and I trust that you will do what the Senate did. [Applause.]

Briefly, I will state that the bill as it passed the House carried $18,305,484.87. The bill that was agreed upon last evening carries $18,373,004.87. The Senate and the conferees have only increased the House bill $67,520, an unprecedented transaction as far as my memory goes.

If the present tax rate and the present 50-50 plan were in force, and continued in force next year, the District of Columbia would have a deficiency under that tax system of $2,546,000.

Now, gentlemen, let me tell you what has been accomplished. The conferees of the Senate and the House have now agreed to change the 50-50 proposition to 60 on the part of the District and 40 on behalf of the Government. [Applause.]

Your conferees have insisted, and the Senate has agreed, on raising the tax upon real estate and tangible personal property to what some of us consider a limited degree. The present tax law is 15 mills on both real and tangible personal property. If that system continued in vogue, the District of Columbia would raise about $2,546,000 less than its share of the appropriation asked for. So they have agreed, and I am thankful for it, that the tax shall be raised; that the commissioners shall during the next fiscal year raise the rate of taxation to a sufficient amount to raise the 60 per cent on behalf of the District, and in order to do so they have agreed that it may go up to 20 mills instead of 15 mills.

I state now upon the best authority that it would require fully 20 mills, or 2 per cent, to raise that amount. They have agreed to that, and that puts us on a good, fair working basis under all of the circumstances.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. McLAUGHLIN of Michigan. Are assessments to continue at two-thirds of the actual value?

Mr. DAVIS of Minnesota. I would state to the gentleman from Michigan that we have left that law as it is; but that is immaterial under the drafting of this bill. They have to raise this amount of money—60 per cent of all of the estimates and allowances.

Mr. WOODS of Virginia. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. WOODS of Virginia. I would like to ask the gentleman if any provision is made for increasing the taxes on intangibles?

Mr. DAVIS of Minnesota. Nothing in this bill.

Mr. WOODS of Virginia. I would like to say that that is only 3 mills, whereas in many of the States it is 10 mills, and it results in making the District to a large extent a Mecca for the tax dodgers throughout the various States.

Mr. DAVIS of Minnesota. I do not care to go on record as corroborating all the gentleman has said, but some of the things he has said are very familiar to many Members of Congress, and especially the older ones, who have been here for some time. I do not wish to predict, but possibly in the near future some agitation may be made legislatively along that line, if the District of Columbia legislative committee sees fit to take up the subject.

I wish to say in closing that this bill takes care of the school-teachers of the District of Columbia and gives them all that they asked for, not only in respect to good, big salary increases, but they have not asked for a teacher that we have not granted. The bill also takes care of all of the policemen of the District of Columbia. We have given them all they asked for and all that they need. We have taken care of the firemen, and have also given them all of the firemen asked and increased the salaries of the firemen, so that they are perfectly satisfied.

Mr. HUDSPETH. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. HUDSPETH. In the matter of the school-teachers in the District, what is the rate of increase in the pay—not, of course, with the view that Congress could raise the pay of school-teachers throughout the country, but from the point of view that it will act as an example?

Mr. DAVIS of Minnesota. I could not give you the exact rate of increase, but I would state that the lowest teacher in the lowest grade when this bill passes will receive $1,240, and the salaries run from that up to $2,750 and longevity pay besides.

Mr. MAPES. It is $1,440, including the bonus.

Mr. MILLER. Will it take care of the building program for the schools?

Mr. DAVIS of Minnesota. It certainly does, possibly with one or two exceptions. The committee struck out what some of us considered were show propositions, assembly halls, and so forth, in order to keep the thing down to where they could actually build the buildings under contract as soon as the bill is passed.

Mr. WILLIAMS. What improvement is made in the water system?

Mr. DAVIS of Minnesota. We have given them all they asked. As the bill passed the Senate originally it was $23,000 less than our bill, but we have added that so that now we have increased the Senate bill to $67,520 more than the original House bill. That is a matter that should be self-sustaining from the revenue received from the property owners, and has been so intended under the law. For the last year or two there has been a deficit. Hence the commissioners recommended and we have increased it, have provided that the rate to the property owner shall be raised from $1.25 to $2 on public-service mains in the middle of the street and from $1 to $1.50 on private mains. That is amply taken care of and the commissioners are perfectly satisfied.

As we have quite an extensive statement here setting out in full what the bill contains—and it took many hours yesterday and last night to prepare that—I suggest that gentlemen read it, for it is certainly clearly stated.

I yield five minutes to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Speaker, I do not expect to go into the merits of this conference report, because I could not do that in this short time, but what I want to say to the House is in reference to the successful work of our conferees. I especially want to congratulate the chairman of the committee [Mr. DAVIS of Minnesota], as well as the gentleman from Michigan [Mr. CRAMTON] and the gentleman from Texas [Mr. BUCHANAN]. Gentlemen who have never been on conference committees having in charge the District of Columbia appropriation bill do not really know just what it is to be on a conference committee. I have served on a good many conference committees, but I never served on one in which there was so much bickering, so little reasoning, and so little discussion of real justice and fairness in applying rules of taxation as there has been on the many conferences I have been on with respect to

the District of Columbia appropriation bill. We have repeatedly by an overwhelming vote passed through this House a proposition to abolish the half-and-half, which has outlived its day of usefulness and which is now a scandal in the minds of the people of the country who understand thoroughly the question. The Senate has never discussed this matter but once, and when they did discuss it it was only for a few minutes, and the Senator from Iowa and the Senator from Kentucky got about a third of the votes of the Senate on the proposition. They have never discussed it there since that time. Your committee made up a good bill and the House passed it and your conferees on this occasion stood for this good bill and made up their minds that they would no longer be treated with contempt and contumely by the Senate. The Senate has at last yielded on the sacred so-called half-and-half, and the gentleman from Minnesota [Mr. DAVIS], the gentleman from Texas [Mr. BUCHANAN], and the gentleman from Michigan [Mr. CRAMTON] deserve the thanks of the country and especially of this House. [Applause.] This is especially true of the gentleman from Minnesota, who has been with us in this fight for a long 12 years, and who has at last succeeded in doing that which ought to have been done a number of years ago. I also must mention my good friend the gentleman from Kentucky [Mr. JOHNSON], who was a pioneer in this fight. I want to thank him for the valuable aid he has given. In fact, he began the fight on this iniquity. I am sure that the whole House will join with me in congratulating these men for making this fight for years and finally bringing back to the House this good bill.

I want to say before I conclude that, in my judgment, it is going to make an infinitely better atmosphere for the people who live in the District of Columbia, for Congress, and the officials of the Federal Government. The gentleman from Minnesota and the other members of the subcommittee who have brought about this result deserve the approval of their constituents. When we were discussing this matter we had before us men representing the real business interests of this District. When we reminded them that they were demanding great increases for school-teachers, for firemen, for policemen, and street improvements, and asked them how they expected to get them without an increase in taxes, these business men looked us straight in the eye, and one of them said:

> We are getting tired of being looked upon as mendicants at the door of the Treasury of the United States.
> What you gentlemen in Congress ought to do is to fix a tax rate sufficient to raise these moneys. We people in the District of Columbia have no right to ask these things unless we shall pay taxes like other constituencies in the United States.

[Applause.]

Now, these gentlemen were patriots. One was a man whose wealth is estimated in the millions, and the other man is looked upon as one of the rich men. They are real business men in this District. They are not men who want to profit by having a rate of taxation so as to induce men to come from the other sections of the country in order to avoid personal taxes and in order to thus induce them to buy real estate, but they were real, honest business men of the community who would have only a square deal. I would like to talk just a minute or two longer, but I do not want to trespass further upon the time of the House.

The SPEAKER. The time of the gentleman has expired.

Mr. DAVIS of Minnesota. I yield the gentleman an additional minute.

Mr. SISSON. I have talked about this matter so much, I have talked about it so long, and I have wearied the House so much that I want to say now there is not a man in the House who feels better over this result, because it is a recognition of the principle I have been contending for here for 10 long years, and I am beginning to have some little hope, and I believe we will finally work out a good system of taxation here in the District of Columbia that will not only aid these people in their efforts but relieve them from the continued assaults made upon them in Congress, because the real people of the District of Columbia do not want a special privilege and, so far as I am concerned, the bad ones shall never have it. [Applause.]

Mr. DAVIS of Minnesota. Mr. Speaker, I yield 5 or 10 minutes to the gentleman from Michigan [Mr. CRAMTON], a member of the subcommittee.

Mr. CRAMTON. Mr. Speaker and gentlemen of the House, the conference which has just ended in a complete agreement between the House and the Senate has been a strenuous one by reason of the disagreement on this half-and-half proposition joined with the question of taxation. But apart from that issue I think it is just to the gentlemen of the Senate to say that they have never sent back to the House any better bill than the one they sent back this year, and when an agreement on the question of taxation and apportionment of the appropriations had been secured we had no difficulty whatever in coming to an agreement with them on the balance of the bill. In fact, the amendments which the Senate had made to the House bill were nearly all of them so reasonable and so justifiable that the House conferees accepted nearly 100 of such amendments.

As to the item that was in such serious controversy, the half-and-half, I have no desire to make a speech about its merits, but there are one or two observations, I think, I ought to offer at this time. That question really involves three phases. First, the apportionment of the payment of the expenses of the District government out of the Federal and District revenues; second, the tax rate that shall be levied upon District property, tangible, personal, and real property, to meet the District's share of such expenses; and, third, there is in the Treasury a balance of three or four million dollars which it is alleged belongs to the District. In controversy on this question those matters all come in.

In the compromise that has been brought to the House the sacred half-and-half is a thing of the past. A new division has been secured, and instead of the fifty-fifty it is a division of sixty-forty, 60 per cent out of the revenues of the District and 40 out of the revenues of the Federal Government.

Mr. JOHNSON of Mississippi. Will the gentleman yield for a question?

Mr. CRAMTON. I will.

Mr. JOHNSON of Mississippi. What proportion of the property here is owned by the Government?

Mr. CRAMTON. I could not say offhand; but there is a large proportion. They have claimed that half of it is, but that includes streets, avenues, and everything else. I really do not want to get into a discussion of the merits of the question, as I do not care to take up the time.

Mr. JOHNSON of Mississippi. My information is that only about one-eighth of the property belongs to the Government.

Mr. CRAMTON. The gentleman may be entirely correct. The present arrangement agreed upon, of 60 per cent out of the District revenues and 40 out of the Federal, is not a permanent provision, and I think it should be stated that it is not the view of the conferees either of the House or the Senate that we have in this agreement created a new sacred cow hereafter to be worshipped. Some of us believe that the apportionment should be different. Personally I believe the District should stand a larger proportion than 60 per cent—at least two-thirds—but others of the conferees, perhaps, think it should be less. In any event it is distinctly understood that we have not agreed upon the 60–40 as a new sacred rate to remain untouched for another half century. In other words, on this proposition and on the tax rate and on the whole question the Appropriations Committee have made a temporary compromise in order to get this appropriation bill through, and are leaving the permanent proposition to the legislative committee in the House, headed by my colleague [Mr. MAPES]. It is our hope that with the abandonment of the half-and-half the House and Senate may be able to get together upon the Mapes bill now in conference and make a satisfactory permanent settlement.

Now, the tax rate as fixed by this report is a maximum of 2 per cent for the present year instead of 1½ per cent, as heretofore. In that connection, while it is said that it shall not be more than 2 per cent, it is my opinion that the appropriations are so liberal that it will be necessary to levy the full 2 per cent. The appropriations for 1921 in this bill and in the others heretofore passed that are to be paid on this 60–40 basis are $20,500,000, of which the District's share would be $12,300,000. The revenues of the District for 1921 have been estimated at $9,754,000. That includes not only the revenues from the tax of 1½ per cent on real and tangible personal property, but also upon intangible property and all other revenues of the District. As I say, it is estimated to amount to $9,754,000. Now, it is estimated by the very efficient clerk of the Committee on Appropriations, Mr. Sheild, that the additional one-half per cent that we are raising from tangible personal and real property will bring an additional $2,700,000. The appropriations now made for 1921 total $20,500,000. The 60 per cent chargeable to the District will be $12,300,000, and under the old system the revenues would amount to $9,754,000, which would leave a deficit of $2,546,000. To meet that comes this additional one-half per cent, which will yield $2,700,000, so that you can see there is only about $154,000 as a balance left. So on the 2 per cent tax basis there is going to be a narrow margin. Now, that brings up one thing I wish to express also.

There will be other appropriations made in the next session of Congress for the District for this same year 1921. Those will come in the deficiency bills of the next year. Those deficiency appropriations are included in this arrangement, and it is distinctly understood by the conferees that the whole appropriations for the District for the coming year, including those

deficiency items, are to be handled on this same basis and are to be paid 60 per cent out of the revenues of the District. Hence it is well for the commissioners to take notice in fixing their tax rates that even if they fix the 2 per cent rate under this law they will have only——

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. CRAMTON. Mr. Speaker, I would like to have five minutes more.

Mr. DAVIS of Minnesota. I yield five minutes more to the gentleman.

Mr. CRAMTON. Even if they fix the limit, as they can under the law, at 2 per cent, they have a margin of only $154,000 to work on to take care of the deficiency appropriations the coming year. The new plan, in my mind, is of chief importance to the District in that it assures, as the gentleman from Mississippi [Mr. SISSON] has said, a better condition of things. The city is growing with great rapidity. Its needs are like the needs of all great, growing cities. They have great needs in many directions, and with this new arrangement that is going to involve a larger taxation in the District and make more money available it means a more rapid advance for the District.

It seems to me that the permanent plan when it is adopted might well include something like this: First, the removal of the limit upon estimates. Let the commissioners file their estimates for what they think the District needs.

There should be a removal of the limit upon the estimates so that the commissioners can honestly estimate what they think the District needs. Second, there should be an apportionment of the expense between the Federal Government and the District that is just, and that is recognized as just by the Congress as well as by the District. Third, there should be authority given the commissioners to fix the tax rate each year at a figure that will raise the revenues necessary to care for the District's share of the appropriations.

If that is done, it will enable the Congress to make appropriations under those estimates on a liberal basis. On the other hand, the commissioners and the people of the District, knowing that the tax rate is going to be dependent upon the appropriations made, may hesitate about extravagance in their estimates, and they may look with a little more concern upon extravagance in District matters. The needs of the District include schools, library facilities, roads and streets, and so forth. All those things are greatly in need; and I only express the wish that is common among Members of Congress when I declare we want this in truth the model city of the Nation and the world's greatest Capital. Abolition of the half-and-half does not mean the beginning of a reign of Federal parsimony. I strongly contend that the new day now opening means a brighter day for the District and more rapid advance for the Capital City of our Nation.

As to the matter of teachers, because the question was asked here, I want to emphasize what was said by the chairman of the subcommittee [Mr. DAVIS] as to what the Congress of the United States is doing for the teachers in the District, because I hope it may be something of a standard for the whole country.

The SPEAKER. The time of the gentleman has again expired.

Mr. CRAMTON. May I have one minute more?

Mr. DAVIS of Minnesota. I yield one minute more to the gentleman.

Mr. CRAMTON. Twelve hundred dollars is the lowest salary, to which is added $240 bonus, and then is added their longevity pay, and then, finally, comes the retirement allowance. Congress desires a local educational system built on the only sure foundation, a competent teaching force, justly compensated.

In concluding these few remarks I want to emphasize to the House the splendid service rendered by the gentleman from Minnesota [Mr. DAVIS], chairman of the subcommittee, in the settlement of this important question that has hung on so many years and has so long disturbed the relations between the Congress and the District. He is more familiar, perhaps, with the affairs of the District than any other man in the House with one or two exceptions. [Applause.] That experience and knowledge did much to bring about the result so greatly desired. He has stood like a rock, and he has won a victory that is worth while, not only to the Federal Government but to the District. [Applause.] Also I want to congratulate those long-time leaders of this fight on the minority side, the gentleman from Kentucky [Mr. JOHNSON], who started it and shares in the victory; the gentleman from Mississippi [Mr. SISSON], who has fought incessantly for this reform; and the gentleman from Texas [Mr. BUCHANAN], without whose sturdy cooperation nothing could have been accomplished.

Mr. DAVIS of Minnesota. Mr. Chairman, I yield four minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Speaker, I am sure that everyone is pleased that this very important question, so long known as the half-and-half proposition, has been settled. I am sure the Congress and the entire country and, I think, the District of Columbia are to be congratulated upon its settlement. The District of Columbia is to be congratulated not only because through this settlement it receives the appropriations necessary for the administration of District activities during the next fiscal year, but for the reasons which have been so clearly and forcibly set forth by the gentleman from Michigan [Mr. CRAMTON]. It is not settled as the House desired, but it serves to do away with this idea which seems to have been entertained by some that the so-called half-and-half plan of public expenditure in the District is something too sacred to be disturbed, and it is a good compromise of the differences existing between the House and Senate.

Too much praise can not be uttered in behalf of the gentleman from Minnesota [Mr. DAVIS], the able chairman of the committee, the gentleman from Michigan [Mr. CRAMTON], and the gentleman from Texas [Mr. BUCHANAN] for their successful efforts in the settlement of this question. [Applause.] There are but few of us, probably, who appreciate the very great struggle that they have had to bring this matter to a successful conclusion. They have rendered a real service to the country, and are entitled to the thanks of Congress and of the country for their splendid, able, and patriotic work, and in which, while acting for the best interest of the District, they have not lost sight of the interest of the taxpayers of the entire country. They have made a record to which they can point with pride and satisfaction and which I am sure will be appreciated by their constituencies. [Applause.]

Great commendation and praise is also due to the gentleman from Mississippi [Mr. SISSON], who began this fight so many years ago, and which he has followed through all these years with that ability and courage of his convictions which characterize him in all of his official duties in the Congress, and with that pertinacity for which he is distinguished in the advocacy of those things in which he believes. [Applause.] He witnesses to-day the successful culmination of his efforts by a settlement which means that next year there will be saved to the United States Treasury more than $2,00,000, and from the action taken by the Senate and the House in adopting this new principle of taxation and division of expenditures it means that through all the succeeding years there will be saved not only this much each year, but more, as the appropriations for the District increase. [Applause.]

The gentleman from Mississippi and I entered Congress together, and it has been my good fortune to have served with him on the important Committee on Appropriations for the past nine years. I have an intimate knowledge, therefore, of the great value of the services which he has rendered. The value of the work performed by the committee appears in the reports which are made to Congress on the large appropriation bills over which it has jurisdiction. But the arduous work and infinite care and patience required of its membership does not appear to the public. It is performed in the committee room in hearings on estimates and cross-examination of witnesses which frequently last for months of daily, and, very often, night sessions, where the estimates are examined and considered in the greatest detail.

No member of the committee has been more faithful in this service than the gentleman from Mississippi. It can be truly said that no member has served with greater ability or with greater fidelity to the country. [Applause.] Since he has been a member of the committee the sum total of reductions made by the committee in estimates for appropriations amounts to more than $11,000,000,000, and in this great saving to the people the gentleman from Mississippi has had his full share. He is recognized as one of the real economists of the Congress, and has the courage to stand by his convictions regardless of personal consequences to himself. And this well-recognized fact, coupled with his ability, his natural abhorrence of injustice, and his warm sympathy for the people, has served to make him a powerful factor in the shaping of legislation not only in the committee but also in the House. [Applause.] I have been moved to say this much, Mr. Speaker, in view of the splendid service rendered by the House conferees in finally solving this problem, which has been a bone of contention between the House and Senate for so many years, and in which the gentleman from Mississippi has played such a conspicuous part. [Applause.]

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. DAVIS of Minnesota. Mr. Speaker, I yield one minute to the gentleman from Alabama [Mr. OLIVER].

The SPEAKER. The gentleman from Alabama is recognized for one minute.

Mr. OLIVER. Mr. Speaker, I can heartily indorse the many complimentary references made on the floor of the House to-day to the excellent work of the gentleman from Mississippi [Mr. SISSON], whose long-continued fight for a fair, just, and equitable law for the District of Columbia is now to be at least partially realized. While bringing a large saving to the Federal Treasury, it will impose no unjust burden on the property owners of the District. This accomplishment but reminds us that the essential qualifications after all of a useful Member of this House are ability, industry, perseverance, and courage to assert and maintain against all odds individual convictions on great public matters. Certainly no one possesses these qualifications in a higher degree than does the distinguished gentleman from Mississippi [Mr. SISSON]. [Applause.] Because of these qualities no one to-day more than he deservingly enjoys the esteem, respect, confidence, and affection of his colleagues. [Applause.] I have watched with peculiar pleasure his successful career in the House, having been attracted to him when I first came to Congress, since he so ably represents the district in which my mother was born and reared to womanhood. His splendid legislative work entitles him not alone to the thanks of Congress but of the country at large. [Applause.]

Mr. DAVIS of Minnesota. Mr. Speaker, I yield two minutes to the gentleman from Ohio [Mr. GARD].

The SPEAKER. The gentleman from Ohio is recognized for two minutes.

Mr. GARD. Mr. Speaker, I, too, desire to make known my appreciation of the work of the conferees on this bill, who have had the accumulated strength of the conferees who have represented the House on the District of Columbia appropriation bill for the last several years, especially upon the matter of the so-called half-and-half, its retention or abolition. They have at this time shown a rare courage in dealing with this embarrassing local situation, and I am sure that it will prove of local and national benefit. I have always believed and now believe that the true rule should be a fair and equitable response in taxation on all privately owned property in the District and the payment of such additional sums as may be required for the best upkeep of the District by the Federal Government.

I can not refrain at this time from saying that I think the House and the country owe a debt of remembrance, at least, to the man who has had the courage to stand up for true and honest rules of taxation in the District for years and years—the gentleman from Kentucky [Mr. JOHNSON]. [Applause.] In addition to the work of Mr. JOHNSON of Kentucky, I would say that there was courage in the position taken by the present Speaker of this House when he spoke before an organization of Washingtonians and told them that the time had come when the half-and-half policy was no longer necessary and that it should be repealed. The courage to speak the truth is always a thing to be commended. [Applause.]

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. DAVIS of Minnesota. Mr. Speaker, I yield to the gentleman from Ohio [Mr. KEARNS].

The SPEAKER. The gentleman from Ohio is recognized.

Mr. KEARNS. Mr. Speaker, in the beginning, I desire to say I have no quarrel with the great masses of loyal and patriotic men who make up the Democratic Party. These men have been misled by the pretense of a false leadership. The present Democratic administration was conceived in falsehood and deceit and ever since has reveled in graft and wild extravagances. By a false pretense it secured the confidence of the electorate of the Nation, and it has never since overlooked an opportunity to violate its trust. It has chosen to pile needless burden after burden upon the weary shoulders of the tax-paying public rather than stay the profiteer in his mad rush to riches. It has compelled the 110,000,000 men, women, and children of this country to pay constant tribute to this lawless band of profiteers. While the war was on, and the young manhood of the country was baring the breast to the dangers of battle and loyal men and women at home were exerting their energies to get needed supplies to our soldiers at the front and in camp, the profiteer preyed unhindered upon the vitality of the country. The administration sometimes rebuked but never punished this the greatest domestic foe. Since peace has come, this enemy at home still plies his nefarious trade in every household of our land. This is done in defiance of a pitifully weak and vacillating administration. This band of highway robbers boldly and successfully defy the law, and go unjailed.

So well do they recognize the helpless impotency of the Department of Justice that they go unmasked into every household in every State of the Union and loot and plunder. The profiteer has brought want and misery and suffering into a countless number of homes; yet it seems he has not yet reached the zenith of his wild career. The red danger pales into nothingness compared to this great evil of the hour. With laws so thick and drastic that no honest man dare turn to right or left for fear of violation, the lawless continue in their mad rush unafraid. Attorney General Palmer did take a decided stand against the coal miner and stopped what might have been a national disaster. Some say, for this, he must be called to higher duties. I believe, before the people call him into a wider field, they will first ask him to put handcuffs on the wrists of those who have their hands in the pockets of every home throughout our land. It is true the miners' strike was partly stopped in the early stages of its development, but the operator was never hindered and is still allowed to make, in many instances, 1,000 per cent upon his investment. Such dishonest pretense as this and kindred acts is what gives impetus to the great unrest to-day.

There is no place in the American politics for the blatherskite or hypocrite. There is a demand, however, for the brave and courageous leader of men and public thought who will meet all questions with a courage that only fears the wrong. The man who shapes his thoughts in soft and pleasing speech to attract the masses to his leadership, regardless of the justness of his cause, is a traitor to right and a menace to our institutions of government. The country is calling aloud to-day for a leader who can turn a face of flint against the masses regardless of their numbers when their demands are selfish and unjust. The controversies between labor and capital have been coaxed and encouraged by the present-day demagogue until their estrangement presents another grave danger of the present hour. Labor and capital should be bosom friends. The prosperity of the Nation depends upon their companionship. The happiness of the one depends entirely upon the contentment of the other. Neither can prosper when the other fails. If I have counted accurately the pulse beats of the Nation or read aright the public mind, I have learned that the whole people are looking with field glasses for the man who can espouse that side of our domestic disputes that is right and just and with an equal firmness spurn the side of wrong regardless of the numbers for or against. There is wanted a Goliath in our modern-day politics who hews straight to the line, letting the chips fall where they may. Whoever this leader is to be he must be a man imbued with love for his own country. His chief mission must be here and not abroad meddling in the affairs of strangers and permitting strangers to have a voice in ours—a man who believes in a league of Americans. When such leadership is found our domestic questions will be readily solved.

I can not help but think that the best patriotic thought of America is opposed to the proposed Wilsonian entangling alliance that would forever take away from nations the right to mind their own business.

I am forced to the belief that America, through a reckless and ambitious leadership, has drifted far afield in the year just past. Persuaded by the false allurements of a union of governments, national rights and independence of action would be bartered and frittered away forever. The price is more, vastly more, than the patriotism of America would ever be willing to pay. My belief is that when the people of this country realize and understand the hypocrisy and deceit contained in the unreserved covenant of this proposed alliance they will speak in unmistakable fashion. Briefly, let me say, it is an attempt to pull down the Stars and Stripes and unfurl instead the flag of internationalism.

England wants this particular League of Nations because she now controls, by virtue of this treaty, more than one-fourth of all the globe. Much of this territory has been taken by force from unwilling peoples; has been taken from peoples who will loosen the British yoke when some day they have found opportunity and strength. This will mean war, and England wants to now forswear the great nations of the world to help her in her fight to retain her domination when that time comes. Other countries of the Old World join with her in an attempt to bind the United States in this unholy alliance because they, too, have, by the terms of this same treaty, become the beneficiaries of territories and peoples to which they have no color of right. They, too, fear the time when the day of reckoning will come; for that time must come, because the sins of nations, like the evil that men do, will some day find them out.

At the close of the World War a new map of Europe was drawn by hands that often cared but little for human rights. Peoples and territories were moved about from government to

other sovereignty much as pawns are moved from place to place on the chessboard. The high ideals of those who, when war raged, asserted the principles of self-determination became mockeries at the peace table. Those who gave expression to these lofty thoughts when the blood of the universe flowed from a million wounds and more were the same men who made mockery of their own speech at the first opportunity. For many months behind closed doors, where the world could not look on, they filched from friend and foe alike.

Not until the curtains were drawn and the public was allowed to look in upon their work was the rape of China known—China, big, honest, yet unaroused China that had looked upon us as a friend in any hour of need. The pity is that America stood by and refused to interfere while this big friendly country struggled for release from those who committed this cowardly, dastardly assault. Even to this day the President and those who blindly followed him say the Senate of the United States must not write words into this treaty that would at least disclaim consent on our part to the outrage. This treaty takes Shantung, a rich and populous Province, from the greatest Republic in the East, a trusting, loyal, and confiding friend of ours, and gives it to Japan, the most overbearing and autocratic monarchy on the face of the globe. Think you the day of retribution will never come? Great and glaring sins never go unpunished, and when the hour comes for this great nation of the Orient to strike, conscience will impel every country that loves right and justice and truth to blend their arms with hers.

As hateful and unthinkable as the Shantung affair may appear to all men of honor and integrity, it can not overshadow England's treachery to Egypt and her people. When that country was coaxed and influenced to enter into the whirlpool of blood she was promised not only her release from Turkish interference but absolute independence, provided the allied arms should win.

The treaty of peace was written and signed and Egypt's representatives were never allowed admittance to the peace conference. They knocked but were denied their seats. In their enforced absence the following sentence relating to Egypt was incorporated into the treaty and is found on page 68 of the Senate print of that document and is numbered article 147:

Germany declares that she recognizes the protectorate proclaimed over Egypt by Great Britain on December 18, 1914, and that she renounces the régime of the capitulations in Egypt.

Thus did our peace delegates become a party to another outrage, and the Senate of the United States is told that it must not write into the treaty a reservation which would say to England and to the Old World, "Do as you please with Egypt, but we do not lend to you our approval or consent."

Another provision vitally affects our own country. I refer to that clause that gives the British Empire six times the voting strength that is given to the United States. I can not understand how it is possible that any true American could ever agree that any nation should become six times greater than our own. Yet there are men who would sacrifice this principle in order that we might enter into these entangling alliances against which we have been warned by a whole line of distinguished men in the past.

I want to say here and now that this covenant of the League of Nations and the treaty, embodied as it is into one document as it stands to-day, is the most treacherous and un-American instrument of writing that was ever attempted to be fastened for all time upon the American people. Out of it all, however, comes a ray of hope and that is the great majority of the rank and file of the Democratic Party denounce it in unmistakable terms.

This document without reservations would mean an end to our national independence. It would mean a supergovernment composed of certain nations of the world of which we would be at best only a member state. It would surrender our right to independent self-government by transferring these powers and rights, in part at least, to alien councils. The very thought is so abhorrent and unthinkable to the real and true American mind that the wonder is that Woodrow Wilson, in his selfish ambition to create this new world power, could find one sympathetic mind in all the United States. He says the very heart and life of this covenant is found in article 10. Destroy or weaken it by reservations or otherwise, he says to the Senate, and you will break the great, big, throbbing heart of the world. Perhaps he mistakes his own heart for that of the universe.

God forbid that any man or set of men may ever grow so great and powerful that he or they can betray into strange and unsympathetic hands national rights that were wrenched from a despotic country by those who fought and bled a century and a half ago—rights, I submit, that were baptized in the blood that flowed from patriotic veins all along that seven years' pathway that led from Lexington to victory at Yorktown.

Article 10 takes from Congress the right to make war or not, and lodges this function in a council of nations. And neither would we have the poor privilege of selecting the side on which we could cast our lot. Under this deceitful document millions of American lads, at the command of alien authority, would be carried thousands of miles from home to fight in a stranger's war and perish in a foreign land in a cause not his or ours. This League of Nations is given by its authors a life perpetual, and this means that American boys throughout all the countless ages to come and go would fight and die in all the quarrels of Europe—quarrels in which they could have not even the remotest interest.

The proponents of this league claim it will put an end to war. They know that the nerves of the world are now unstrung and that the big and brave heart of our Nation is torn and mangled and bleeding and is hungry for a perpetual and everlasting peace. They take advantage of this state of mind and promise freedom for all time from the ravages of war. This promise is as false and deceitful as was the slogan, "He kept us out of war," about which you and I have heard so much. If not, why is it that every paragraph of the covenant points not the way to peace but the path that leads directly to war? If not, why is it that while our President absented himself from Washington assisting in its making, his Secretary of War was at that very time at home writing a proposed Army reorganization bill that provided for the most astounding and gigantic military system that the world had ever known? While the war raged and our brave and courageous men laid down their lives on a foreign battle field, we consoled the grief-stricken mother that her son had made the sacrifice that Germany's military system and its kind might perish from the earth. Notwithstanding this promise so solemnly made and at a time when men should speak the truth, the President and his Secretary of War have brought this Prussian military system to us many times multiplied. They have brought it to us all and more, only leaving behind the Kaiser himself.

The great mass of the people, be they Democrats or Republicans, are neither fools nor knaves and can not always be led astray by promises that are false. To keep the United States out of war is only a piker's job, so the President now desires to extend his field of activities to the entire universe. This statement, I fear, follows too closely upon the heels of his former pledge to carry with it the weight of credulity. That wing of the Democratic Party that asks us to join our fortunes and our lives with strange and alien nations seeks to allay our fears by promises of universal and perpetual peace. At the same time they seek to place within our midst an armed camp of nearly 600,000 Regular soldiers, augmented annually by a force of nearly a million of compulsorily trained 19-year-old boys. Away with such hypocrisy. It is so rotten that its stench penetrates every home throughout our beloved country. If this military machine is necessary, if danger is lurking in the near future, or if, indeed, we must become the policemen of the world, let us say so. Be honest and candid with the masses who are entitled to the truth. I do not know what the future, be it far or near, may hold, but I can not believe at this present moment, when the world is taking stock, that we should write into any law mandatory authority for compulsory military training. This may be necessary in the very near future, but surely this burden should not be placed upon the taxpayers and the boys until with a better vision we can penetrate the needs of the future.

Yes, many of the countries of Europe want this particular League of Nations, because in its covenant or constitution our country agrees to go to their aid when summoned with its millions of men and its billions of weath. Standing, as we do to-day, at the dawn of a new era, let me appeal to you, let me appeal to your hearts and your reason, regardless of partisan politics, to close your ears to the call of the rotton monarchs of the Old World who fear the crumbling of their thrones.

Let us listen only to the voice of America as she calls aloud for a league of her own nationals, whose dominant thought will be the preservation of America and her soul-inspiring traditions. Let us listen to the voices of Washington, Jefferson, Madison, Monroe, Lincoln, and McKinley. These men are dead, but their advice and judgment and warning still live. Their lives stand out in our history to-day as monuments to the immortality of constitutional America. Their lives stand out to-day like guideposts pointing out the road to safety and perpetuity and warning against the pitfalls and intrigues of Europe and her quarrels.

We stand to-night awaiting the approach of two great national conventions, where presidential candidates will be selected and party platforms written. The people, having grown weary of false promises and this new internationalism, have

turned their eyes and rest their hopes upon the Chicago convention. At that convention war lords may occupy seats as delegates and try to force a nomination and party platform that would wed the Republican Party to a militaristic program. There will be men in both the Republican and Democratic conventions who will attempt to fasten upon the Republic this monstrous and costly military machine to which I have just referred—a system that would conscript each year nearly a million of our young men for military training; would, after training, place them in reserve for future service; would, for this purpose, keep intact throughout our land our draft boards. Under this plan these young men would be taken out of the industries where they are so much in demand. They would be taken from farm, and factory, and mine, and shop, and mill, and every other place of human endeavor. This would be done notwithstanding they are all calling for more help now. These men base their judgment upon the demands of 4,000,000 boys who have so recently laid down their arms. They claim these young men are demanding that this military machine be kept alive, and are clamoring for high-up military officials for public office.

If I have listened and understand aright their story, these boys are asking for nothing of the sort. When I say this I mean the real soldier, the private and the junior officer who fought in trench and out in no man's land, where bullets flew, where shells went screeching and screaming and bursting by, carrying with them their cruel messages of death, out there where their comrades fought with them and fell. I mean, too, these boys who were called into camp and were made to do military duty at home. These men who passed through this hell and lived, I am told, will never vote for their superior officers, who never smelled the smoke of battle, but in places of comfort and safety wore the insignia of a high-up officer, an insignia that only meant a class distinction between him and them.

But why waste time on this question? I predict that the Republicans at Chicago will select a big, broad-minded, patriotic man, who is a real statesman, to lead them to victory this fall; an American who pays homage to no king or potentate, whose love for this country is so great and constant that he can not share with any other a divided allegiance; a man who will be safe and sane and universally loved for his loyalty to country and admired for his courage and transcendent ability.

I do not know what the platforms of political parties will contain, but I do know that Americanism unalloyed is going to be forced into the campaign of every candidate by the people, whether that candidate would have it so or not. My opinion is that the people of the Nation demand more nationalism and less internationalism. My opinion is that the people of this country desire to attend unhelped to their own business and allow other countries to do the same. And for this reason my belief is that the League of Nations without strong and clear-cut reservations will be distasteful to them.

They are not now, and never will be, misled by promises of universal and everlasting peace. They pray for this, it is true, because they hate war. It leaves in its wake broken homes and heartaches and deep sorrow, and if they had their way they would banish it from the world forever. They can not forget, either, that the same men who are now making these promises are the same men who a few years ago, before the Great World War commenced, were saying that the world had grown too enlightened to ever again be deluged in war. These are the same men who were so sure at that time that the dogs of war had been so securely chained that they could never break their fetters, that they had even coaxed the dove of peace to build her nest and hatch her brood in the very mouths of cannon that only yesterday were belching forth a destruction to all the world's civilization.

We pray for peace and pray again that our prayers may be answered, but we can not help but remember that ever since time began down to the present hour there has never been an age but what some country has been grappling at the throat of some other country in a death struggle for national existence.

I fear this will be true as long as the greed of nations and nationals are allowed to be controlling factors. But surely we can not escape war by agreeing in this covenant to defend with our resources the boundary lines of Europe as they were made by this treaty. But our great danger is that too many in our midst are mindful of other interests, forgetting our own. In this connection, let me say that as horrible and distasteful as war is to the well-thinking mind, we can not be led astray by bartering away our country into alien hands. The President has said himself that this particular League of Nations sets up a supergovernment that far overshadows our own. I quote his language exact in a speech at Kansas City, September 6, 1919. I am quoting now:

> I have, let me say without the slightest affectation, the greatest respect for the United States Senate; but, my fellow citizens, I have come to fight for a cause. That cause—the League of Nations—is greater than the Senate. It is greater than the Government. It is as great as the cause of mankind.

I am quite sure that the President has spoken the truth, and without reservations our country, as a free and independent Nation, would cease to exist. This being true, is it not time for all real lovers of their country to place here and now upon this monster's head an iron heel and crush out its life before it can sink its poisonous fangs deep into our Nation's flesh?

"It is greater than the Government." God forbid. The tears and the heartaches of every American mother who ever gave a son in battle from Bunker Hill all along that long and winding path that leads from there into the battle fields of France cry out against it. If this is true, and we should enter into this arrangement, then we have falsified the tongue of old Liberty Bell and have made a lie out of Bunker Hill. Perry's victory becomes a farce. In doing this we write deceit all over the face of the entire story of Appomattox.

If this be true, San Juan Hill was a mockery and Chateau-Thierry was a meaningless and unprovoked tragedy—Chateau-Thierry, where the American boys threw themselves into the vortex of blood and battle, snatching victory from the greedy grasp of the German hordes; Chateau-Thierry, where these same unconquerable khaki-clad lads turned the face of the German Army toward home, and they never stopped until they had planted the flag of freedom upon the ramparts, I hope, of an everlasting liberty.

Two paths open up before us, so let us choose now, that our choice may live among traditions immortal. Let us have nothing of this new internationalism, but dedicate anew our old nationalism, and we will challenge the admiration of those in our midst who love liberty and its cause. Do this and America will, with a renewed hope and abiding faith, welcome the unborn generations.

Let us put men in office who are Americans—men who can withstand the smiles and blandishments of king and queen, of prince and princess, and stand as immovable as the towering peaks of the everlasting hills for the perpetuity of our own Government and its institutions.

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD on the conference report.

Mr. KEARNS. It is not on the conference report.

Mr. WALSH. On what?

Mr. CALDWELL. Reserving the right to object, Mr. Speaker, on what subject? Is it the bonus?

Mr. KEARNS. No; it is not the bonus.

The SPEAKER. Is there objection?

There was no objection.

Mr. DAVIS of Minnesota. Mr. Speaker, I yield one minute to the gentleman from Kentucky [Mr. FIELDS].

The SPEAKER. The gentleman from Kentucky is recognized for one minute.

Mr. FIELDS. Mr. Speaker and gentlemen of the House, I desire to join in the sentiment expressed by other gentlemen in regard to the splendid work done by the House conferees on this bill. Everyone knows that in view of the obstacles that they have encountered in another body in their former efforts to accomplish a like result, this agreement was not reached without effort on their part. Therefore, in view of the splendid achievement to which they have attained through years of effort, the House and the country are under heavy obligations to each of them and under additional obligations to the gentlemen who have led this fight for so many years with an eye single to the general welfare through the establishment of an equitable distribution of the burdens of taxation for the District of Columbia and the enactment of other statutes necessary to cure evils of long standing in the affairs of the District, and especially in its relations to the General Government.

When I entered Congress almost 10 years ago, my attention was attracted by the efforts of my colleague from Kentucky [Mr. JOHNSON] and the gentleman from Mississippi [Mr. SISSON] to write into our statutes these necessary and much needed reforms, the former directing his attention and effort to questions of general legislation for the District, and the latter directing his energies to the correction of the taxing system, by which the Federal Government was paying more than its proportionate share of the revenues necessary to the maintenance of the District government. These two gentlemen started their

respective fights single-handed and for a time received but little support and less encouragement from the membership of the House. But that did not deter them. Each of them continued the fight, with the result that new and additional support was added each year until the evils of which they complained, and to which they have called the attention of the House and the country, have been corrected in large measure, in some instances in their entirety, by the enactment of appropriate statutes.

Mr. Speaker, it required both sacrifice and courage on the part of these two gentlemen to carry their fight over a period of years as they did—sacrifice because their efforts in the beginning did not attract the attention of their respective constituencies, who were not particularly interested in the character of legislation to which their Representatives were devoting their efforts for the reason that they, like the rest of the country, were not familiar with the conditions that existed and therefore did not realize the necessity for, or the importance of, the efforts that their Representatives were exerting. It required courage because they were confronted for the first few years of their effort with the overwhelming opposition of the House and the almost unceasing fire of the press of the District and the bitter critisism of the entire population of the District. But conscious of the correctness of their position and the justice of their cause, they fought on, meeting arguments and dissipating them, encountering obstacles and overcoming them, until success has crowned their efforts, by which millions of dollars have been saved and additional millions will be saved to the Federal Treasury. I therefore congratulate the gentleman from Mississippi [Mr. SISSON] and my colleague [Mr. JOHNSON] for the work that they have done and the splendid victory that each of them has won, for which their constituencies, the country, and the Congress owe them an everlasting debt of gratitude. [Applause.]

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. DAVIS of Minnesota. Mr. Speaker, I move the previous question on the final adoption of the conference report.

The SPEAKER. The gentleman from Minnesota moves the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD on this conference report.

The SPEAKER. The gentleman from Michigan asks unanimous consent to revise and extend his remarks on the conference report. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. TILSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of economy and the national defense.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to extend his own remarks in the RECORD on economy and the national defense. Is there objection?

Mr. CRAMTON. Reserving the right to object, does that include a discussion of the bonus?

Mr. TILSON. It does not.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent to extend my remarks on the conference report.

The SPEAKER. Is there objection to the gentleman's request?

Mr. WALSH. Unless this is done within two days I shall object, and I shall object to all future extensions unless they are made within two days.

The SPEAKER. Does the gentleman from Kentucky make the request with that limitation?

Mr. FIELDS. Yes.

Mr. CRAMTON. I will ask the gentleman from Massachusetts [Mr. WALSH] whether he includes Sunday in the two days?

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

The SPEAKER. The Chair would state that a number of gentlemen have spoken to the Chair and said they could not be present all the while and they objected to extensions on the bonus, and they requested that the Chair would ask, when requests were made to extend, on what subject it was desired to extend. On what subject does the gentleman from Virginia intend to extend?

Mr. FLOOD. Not on the bonus.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the part that the State of Colorado took in the World War.

The SPEAKER. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD on the part that his State took in the World War. Is there objection?

There was no objection.

Mr. WOODS of Virginia. Mr. Speaker, I ask unanimous consent to extend remarks in the RECORD on the conference report just adopted.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend remarks in the RECORD on the conference report just adopted. Is there objection?

There was no objection .

Mr. KREIDER. Mr. Speaker, I ask unanimous consent to extend remarks in the RECORD, not on the bonus.

Mr. WALSH. Well, on what?

Mr. KREIDER. On the national defense and economy.

The SPEAKER. Is there objection.

There was no objection.

Mr. RAKER. I ask unanimous consent to extend my remarks in the RECORD on Asiatic immigration, with a letter from the Secretary of State and a letter from the Secretary of Labor.

The SPEAKER. The gentleman from California asks unanimous consent to extend remarks in the RECORD on Asiatic immigration and to publish the letters referred to.. Is there objection?

There was no objection.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills and joint resolution:

H. R. 406. An act amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Calif., certain public lands in California, and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland Reserve, Calif., to the city of Los Angeles, Calif.," approved June 30, 1906;

H. R. 4311. An act to authorize the addition of certain lands to the Caribou National Forest;

H. R. 6222. An act to remove a certain tract or lots of land in Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, pursuant to the act of Congress of August 24, 1912 (37 Stat., ch. 390, p. 565);

H. J. Res. 359. Joint resolution authorizing the Secretary of War to loan to the American Legion Post, No. 73, Vincennes, Ind., necessary cots for use at the State encampment of the American Legion to be held at Vincennes, Ind., on June 28 and 29, 1920;

H. R. 13870. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes;

H. R. 13587. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes;

H. R. 14101. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act; and

H. R. 14384. An act to amend the penal laws of the United States.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and to provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. CUR-

TIS, and Mr. UNDERWOOD as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following concurrent resolution:

Senate concurrent resolution 30.

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, the Clerk be, and is hereby, authorized and directed to number the sections thereof in consecutive order.

The message also announced that the Senate had passed without amendment the bill (H. R. 14208) to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended.

JAMES MILLS—LEAVE TO WITHDRAW PAPERS.

Mr. FESS, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of James Mills, Sixty-sixth Congress, no adverse report having been made thereon.

DISTRIBUTION OF WAR TROPHIES.

Mr. KAHN. Mr. Speaker, I ask unanimous consent for the present consideration of S. 643, to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and the District of Columbia.

The SPEAKER. The gentleman from California asks unanimous consent for the present consideration of a bill which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to apportion and distribute pro rata among the several States and Territories of the United States and the District of Columbia in corresponding ratio as the total number of men serving in the armed forces of the United States, as hereinafter provided, from each State or Territory and the District of Columbia bears to the total number of men so serving from all States and Territories and the District of Columbia, all cannon, gun carriages, machine guns, minenwerfers, mortars, bomb throwers, flame throwers, gas projectors, and other war devices and trophies captured by the armed forces of the United States from the armed forces of Germany and allied nations, with the exception of such cannon, gun carriages, machine guns, minenwerfers, mortars, bomb throwers, flame throwers, gas projectors, and other war devices and trophies as may be required for experimental purposes or for actual use by the armed forces of the United States; and the further exception of such of the devices aforementioned as may be required for display in museums of a national character or for monumental purposes in Arlington National Cemetery and in other national cemeteries, national parks, and national monuments wheresoever situated.

SEC. 2. That the apportionment and distribution provided for in this act shall be undertaken and completed as soon as practicable after the return of the aforementioned war devices and trophies to the United States; and that for the purposes of this act the Secretary of the United States Navy, or such person as he may direct, and The Adjutant General of the United States Army, shall separately or jointly compile or cause to be compiled a report or reports showing the number of men in the armed forces of the United States accredited to each State or Territory of the United States and to the District of Columbia, either by enlistment or by the process of the selective-service act or otherwise drawn into and becoming an integral part of the armed forces of the United States during the period hereinafter specified, and that such report or reports shall be laid before the Secretary of War as soon as practicable after the passage of this act, and in no event later than six months from date hereof, and shall serve as the basis for the pro rata apportionment and distribution among the several States, Territories, and the District of Columbia as hereinbefore provided.

SEC. 3. That in the case of the States and Territories the apportionment and distribution, as provided for in this act, shall be made through the governor or chief executive of each of the several States and Territories.

SEC. 4. That for the purposes of this act the term "in the armed forces of the United States," wherever used in this act, shall be construed to include all men enlisted, drafted, or otherwise drawn into and becoming an integral part of the United States Army, the United States Navy, the United States Marine Corps, the United States Coast Guard, and all other armed forces of the United States whatsoever; and that the period of service in the armed forces of the United States, as hereinbefore provided, shall be construed to begin with the effective date of the declaration of a state of war between the United States and Germany on April 6, 1917, and to end on the effective date of the armistice between the United States and Germany at 11 o'clock on November 11, 1918; and that the report or reports of men accredited to each of the several States and Territories and the District of Columbia shall be confined to the period between those two dates, inclusive.

SEC. 5. That all transportation charges on war devices and trophies, as indicated from point of shipment to point of final delivery within the several States, Territories, and counties thereof, and the District of Columbia, shall be borne by the United States Government, but not the expenses or costs incident to erection in local communities.

SEC. 6. That on and after the passage of this act no award or distribution of war devices or trophies captured during the period specified shall be made except as herein provided, and all legislation conflicting herewith is hereby repealed.

SEC. 7. That to carry out the provisions of this act there is hereby appropriated, out of any money in the United States Treasury not otherwise appropriated, the sum of $1,000,000, or so much thereof as may be necessary, to be administered by the Secretary of the Treasury.

With the following committee amendments:

On page 2, line 2, after the word "by," insert the words "or surrendered to."

On page 3 strike out all of section 3 and insert the following in lieu thereof:

"SEC. 3. That in the case of the several States the apportionment and distribution as provided for in this act shall be made through the Senators and Representatives comprising the State Delegations in Congress from each State; in the case of the several Territories, through the Delegate to Congress from each Territory; and in the District of Columbia, through the Board of Commissioners of the District of Columbia. The Secretary of War is hereby authorized and empowered to make all rules and regulations to carry this act into effect."

On page 4, lines 2 and 3, strike out the words "United States" wherever they appear on said lines.

On page 4, line 16, after the word "to," insert the word "a."

On page 4, line 17, strike out the word "final" at the beginning of said line and also the word "and" at the end of said line.

On page 4, line 18, strike out the words "counties thereof."

On page 4, line 19, after the word "expenses," insert the words "of final delivery."

On page 4, line 24, after "captured," insert "or surrendered."

On page 5, line 6, strike out the figures "$1,000,000" and insert the figures "$100,000" in lieu thereof.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The question is on the committee amendments.

Mr. GARRETT. Will the gentleman yield?

Mr. KAHN. I yield to the gentelman from Tennessee.

Mr. GARRETT. Mr. Speaker, the confusion in the Hall while the bill was being read was quite considerable. It is a bill in which there is a considerable amount of public interest. I suggest to the gentleman from California that I think it would be well if he would give us just a few minutes of explanation of the bill.

Mr. KAHN. I will be very glad to do that. There has been a great deal of interest manifested in these relics by the country and by the Members of the House. Some 4,000 bills have been introduced and referred to the Committee on Military Affairs calling for the distribution of some of these war relics.

This bill provides that these relics shall be distributed by the governors of the different States in proportion to the number of soldiers, sailors marines, and coast guard men who entered the war from their respective States. The House committee, however, changed by amendment the method of distribution and provided for the distribution by the congressional delegations, including the Senators and Representatives, of the different States.

There are a great many of these relics, and I feel confident that every Member of the House will be able to get some trophy, even for the smallest village in his district. Of course, the large pieces are fewer in number. There are about 2,195 large cannon. There are about 100,000 rifles. There are about 10,000 machine guns, and gentlemen will remember that a machine gun is a very respectable trophy. There are a great many caissons which can be distributed, two-wheeled vehicles upon which these trophies can be mounted. There are a great many of the German fur knapsacks, which make very respectable-looking relics. So I feel that the Members of this House will have an ample opportunity to provide some relics of the World War, something captured by our troops or surrendered by the enemy, to every one of the different communities of the country.

Mr. BRIGGS. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. BRIGGS. Will the gentleman tell me how soon these things will be available for distribution? Does the gentleman know?

Mr. KAHN. They are ready for distribution now, and it will be a good thing to have the distribution begin at once, because a great deal of storage space is in use to store this material, which storage space can probably be used to better advantage.

Mr. BRIGGS. Can the gentleman further tell me upon what conditions they will be delivered, whether the Government will deliver them at certain points with the freight paid or not?

Mr. KAHN. The bill provides that they shall be delivered for each State at some one point in that State. The Government will pay the freight charges to that point, but from that point to the local communities the freight charges will be paid by the communities themselves.

Mr. BRIGGS. This bill, therefore, is practically an omnibus bill, incorporating all the provisions of the other bills relating to this subject.

Mr. KAHN. Exactly so.

Mr. GARD. Will the gentleman yield?

Mr. KAHN. I yield to the gentleman from Ohio.

Mr. GARD. The bill has for its first effect the distribution of these relics pro rata to the States?

Mr. KAHN. Yes.

Mr. GARD. Then, it has as a second effect the distribution within the States through the Senators and Representatives?

Mr. KAHN. Yes.

Mr. GARD. Under rules and regulations to be prescribed by the Secretary of War?

Mr. KAHN. The gentleman is correct.

Mr. GARD. Have the committee in their minds any purpose as to the proportion of the distribution to be made by Senators and the proportion to be made by Representatives in each State, or is that a matter of regulation by the Secretary of War?

Mr. KAHN. That is a matter of regulation, but possibly in some of the States the Senators and Members will be able to agree among themselves. At any rate, the Secretary of War has authority to make the regulations.

Mr. BANKHEAD. Will the gentleman yield for a brief question?

Mr. KAHN. Yes.

Mr. BANKHEAD. The distribution as between the States will not be based upon the fact whether or not a special bill was introduced in Congress?

Mr. KAHN. Oh, no. I should imagine that the Members from the different States will get together and agree among themselves that they will distribute to the communities in their States in proportion to the number of soldiers, sailors, and marines who come from the community.

Mr. BEE. Will the gentleman from California yield?

Mr. KAHN. Yes.

Mr. BEE. Will it be possible under this bill for a Member who wants to distribute these things in his district to ascertain from the War Department the number to which he will be entitled?

Mr. KAHN. In the report on the bill—Report 279—the gentleman will see a number of tables which apportion the various articles to the States in proportion to the number of soldiers, sailors, and marines who went from those States.

Mr. BEE. But, if the gentleman will permit, that is not quite the question.

Mr. KAHN. I was coming to that. Of course, a State having received so many of each class of relics, the delegation can figure out among themselves how much each Member is entitled to for his district.

Mr. SIMS. Will not the gentleman have the report printed in the RECORD?

Mr. KAHN. I should be very glad to ask unanimous consent to do that, although the report is very full.

Mr. JAMES. Will the gentleman yield?

Mr. KAHN. I will.

Mr. JAMES. According to the provisions of the bill, no cannon can be distributed in any State unless the delegation decides on the program, and that would postpone the distribution until next December.

Mr. KAHN. I imagine the delegations of the different States can get together before we adjourn and decide on a program tentatively.

Mr. JAMES. Even if they do, there will not be any distribution immediately.

Mr. KAHN. They will be held in storage for the States until the delegation does meet. I imagine that every State delegation will find it convenient to meet in the near future and agree about the local distribution.

Mr. MILLER. Will the gentleman yield?

Mr. KAHN. I will.

Mr. MILLER. The appropriation in this bill is reduced from $1,000,000 to $100,000.

Mr. KAHN. The bill originally provided for the sending of these relics to different parts of the States. Of course, under the amendment of the House they will be sent to one central point in the State, and so we felt that $100,000 would be ample to pay the freight charges and packing charges.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. HULL of Iowa. It is true, is it not, that if the State delegations want to they can delegate this distribution to the governor of the State or the adjutant general of the State if they desire not to have the distribution themselves?

Mr. KAHN. That can be done.

Mr. TILSON. Will the gentleman yield?

Mr. KAHN. I will be glad to.

Mr. TILSON. I would like to ask the gentleman if it was intentional or an oversight that the Resident Commissioners of Porto Rico and the Philippine Islands are not included?

Mr. KAHN. It was not an oversight. The War Department recommended this legislation and made no provision for them, and I assume that they have some extra pieces which they intend to send to those two possessions.

Mr. TILSON. I notice in the gentleman's report he speaks of 75s; is that a misprint for 77s?

Mr. KAHN. That is what the War Department sent down to me. Probably most of them are 77s; and yet, the Germans themselves captured a good many 75s and then bored them so that they were 77s. They were really 75s. I do not know how that matter came about, but I took the figures that the War Department sent.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. DAVIS of Tennessee. Does the bill provide for the distribution of all the artillery available for distribution?

Mr. KAHN. Not only artillery, but machine guns, rifles, bayonets, scabbards, knapsacks, and dozens of other war relics.

Mr. DAVIS of Tennessee. As a matter of fact, there are not enough to give one fieldpiece to each congressional district, are there?

Mr. KAHN. I think there are enough to give two or three to each congressional district. There are 2,195 of these fieldpieces. There are only 435 congressional districts—and then the Senators will come in on the distribution.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. KAHN. I will.

Mr. TAYLOR of Colorado. What arrangement is there between the Senate and the House as to the distribution?

Mr. KAHN. There is no arrangement.

Mr. TAYLOR of Colorado. How soon will this material be available for distribution?

Mr. KAHN. It is available now. I believe it is stored over in New Jersey.

Mr. DYER. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. DYER. The gentleman, I am sure, did not include Porto Rico through an oversight.

Mr. KAHN. No; I just answered that question. I took the figures and the bill that the War Department sent down here, and assume that the War Department has some extra pieces which they propose to send to the Philippines and Porto Rico.

Mr. DAVILA. Will the gentleman yield?

Mr. KAHN. I will yield to the gentleman from Porto Rico.

Mr. DAVILA. I am not sure that the Territory of Hawaii is included in this provision. Porto Rico should have been included, and the Secretary of War given discretion in the distribution. If there is any discrimination, I think it should not be made in the matter of Porto Rico.

I want to remind the Members of the House that Porto Rico was loyal and did her part in the Great War as well as other portions of the United States. I think an amendment should be adopted giving Porto Rico a part of this distribution.

Mr. KAHN. I will say that the Philippine Islands were also very loyal during the war. The Porto Rico Regiment went down to Panama and served there faithfully during the war. They allowed us to withdraw our Regulars from the Canal Zone by their patriotism. They gave splendid service; but, of course, this bill refers to the Territories and the States, but the insular possessions are not referred to.

Mr. HULL of Iowa. They are referred to in the report, and they will get their proportion of the distribution.

Mr. KAHN. I think there will be no difficulty about that; they will get it directly from the War Department.

Mr. BRIGGS. Will the gentleman yield?

Mr. KAHN. I will.

Mr. BRIGGS. The bill provides that they shall be apportioned according to the number of troops. Have the adjutants general completed the records yet?

Mr. KAHN. Yes.

Mr. BRIGGS. Were compiled by The Adjutant General, and he has not yet completed those records, as I understand it.

Mr. KAHN. I think the gentleman will find them on the first and second pages of the report. They are all complete and apportionment has been made on those figures.

Mr. OGDEN. Mr. Speaker, will the reduction in the appropriation from $1,000,000 to $100,000 retard the distribution?

Mr. KAHN. I do not believe it will. Originally the bill intended to spread them out everywhere. Now we only send them to a central point in every State.

Mr. HUDSPETH. Mr. Speaker, the gentleman has explained that the congressional delegations should distribute these guns; but if, for instance, I wanted for my district all cannon and my neighbor Mr. BEE should also make the request, who would be the arbitrator as between us?

Mr. KAHN. I think it would be the duty of the gentleman as a Representative to explain to the people of his district that this is property that ought to be distributed evenly.

Mr. HUDSPETH. I do not think the gentleman catches my point. If we had a disagreement, if there was a disagreement between Congressmen, who would be the arbitrator—the Secretary of War?

Mr. KAHN. I think so.

Mr. HUDSPETH. That is the question that I was trying to get at.

Mr. KAHN. I think he has the right to make regulations. The report on the bill is as follows:

[House Report No. 979, Sixty-sixth Congress, second session.]

DISTRIBUTION OF WAR DEVICES AND TROPHIES.

Mr. KAHN, from the Committee on Military Affairs, submitted the following report to accompany S. 643:

The Committee on Military Affairs, to whom was referred the bill (S. 643) to provide for the equitable distribution of war devices and trophies to the States and Territories of the United States and to the District of Columbia, has had the bill under consideration and reports the same to the House with the recommendation that it do pass with the following amendments:

On page 1, line 13, after the word "by," insert the words "or surrendered to."

On page 3 strike out all of section 3 and insert the following in lieu thereof:

"SEC. 3. That in the case of the several States the apportionment and distribution as provided for in this act shall be made through the Senators and Representatives comprising the State delegations in Congress from each State; in the case of the several Territories through the Delegate to Congress from each Territory; and in the District of Columbia through the Board of Commissioners of the District of Columbia. The Secretary of War is hereby authorized and empowered to make all rules and regulations to carry this act into effect."

On page 3, lines 15 and 16, strike out the words "United States" wherever they appear on said lines.

On page 4, line 4, after the word "to," insert the word "a."

On line 5 strike out the word "final" at the beginning of said line and also the word "and" at the end of said line.

On line 6 strike out the words "counties thereof."

On line 7, after the word "expenses," insert the words "of final delivery."

On line 17 strike out the figures "$1,000,000" and insert the figures "$100,000" in lieu thereof.

It is the intention of this legislation to give authority to the War Department to distribute the field guns, howitzers, and trench mortars, as well as the machine guns and other material captured by or surrendered to the American Army in the war with Germany, to the various States, Territories, and the District of Columbia in proportion to the total number of troops furnished by each during the World War between April 7, 1917, and November 11, 1918, including Regular Army, National Army, National Guard, Navy, Marine Corps, Coast Guard, and United States Guards. There are also a considerable number of rifles, machine guns, and other matériel that can be distributed.

The bill as passed by the Senate provided that the distribution shall be made through the governor or chief executive of each State of the several States and Territories. Your committee recommends that the distribution shall be made through the Senators and Representatives comprising the State delegations in Congress from each State, from the several Territories by the Delegate to Congress from each Territory, and in the District of Columbia through the Board of Commissioners of the District of Columbia.

The Secretary of War is also authorized and empowered to make all rules and regulations to carry the act into effect.

The following letter of the Secretary of War explains the attitude of the War Department upon the legislation:

WAR DEPARTMENT,
Washington, March 12, 1920.

The CHAIRMAN MILITARY AFFAIRS COMMITTEE,
House of Representatives, Washington, D. C.

MY DEAR MR. KAHN: There was forwarded to you on March 9 a confidential statistical report (Special Report No. 144) showing the amount of captured enemy matériel now on hand in this country and the allocation of the matériel as provided by the Wadsworth bill (S. 643).

* * * * * * *

I wish to urge that the bill as now written be passed. It is the opinion of the War Department that the distribution by the War Department and the allocation and distribution after arriving in each State by the governor thereof is simplified as provided for in the bill.

I beg further to inform you that the War Department is ready to distribute the matériel, as provided for in the Wadsworth bill, as soon as funds are made available.

The War Department will be pleased to furnish you any other information you may desire on this subject.

Very truly, yours,
NEWTON D. BAKER,
Secretary of War.

The following is a list showing the total number of troops furnished by each State and Territory during the war:

Total troops furnished by each State and Territory during the war, Apr. 7, 1917, to Nov. 11, 1918, including Regular Army, National Army, National Guard, Navy, Marine Corps, Coast Guard, and United States Guards.

State.	Total troops.	Per cent of total.
New York	493,892	10.37
Pennsylvania	370,961	7.79
Illinois	320,228	6.72
Ohio	243,548	5.11
Texas	198,228	4.16
Massachusetts	193,415	4.06
Michigan	168,131	3.53
Missouri	163,700	3.44

Total troops furnished by each State and Territory, etc.—Continued.

State.	Total troops.	Per cent of total.
California	154,930	3.26
New Jersey	138,691	2.91
Indiana	130,670	2.74
Minnesota	123,325	2.59
Wisconsin	122,215	2.56
Iowa	119,792	2.51
Georgia	102,786	2.16
Oklahoma	95,100	2.00
Virginia	93,499	1.96
Kentucky	91,821	1.93
Tennessee	91,386	1.92
North Carolina	88,168	1.85
Alabama	86,916	1.82
Louisiana	80,834	1.70
Kansas	78,733	1.65
Arkansas	71,862	1.51
Connecticut	67,092	1.41
West Virginia	65,127	1.37
Mississippi	64,758	1.36
South Carolina	64,739	1.35
Washington	63,775	1.34
Maryland	61,839	1.30
Nebraska	59,287	1.24
Colorado	44,802	.94
Montana	44,048	.92
Florida	42,301	.89
Oregon	41,671	.87
South Dakota	34,662	.73
Maine	31,887	.67
North Dakota	30,033	.63
Rhode Island	26,468	.56
District of Columbia	24,853	.52
Idaho	23,571	.49
Utah	22,571	.47
Porto Rico	18,477	.39
New Hampshire	18,404	.39
New Mexico	15,162	.32
Arizona	13,377	.28
Wyoming	13,209	.28
Vermont	11,923	.25
Delaware	9,379	.20
Hawaii	6,557	.14
Philippine Islands	6,535	.14
Nevada	5,972	.12
No residence	3,834	.08
Alaska	2,381	.05
Samoa	2,211	.044
Guam	262	.005
Virgin Islands	67	.001
Total	4,764,071	

The following is a list of the field guns, howitzers, trench mortars, and other war material to be distributed and the number of each class of materials apportioned to the various States, etc.:

Distribution of artillery and trench mortars, by States.

	Guns and howitzers.									Trench mortars.				Total guns and trench mortars.	Vehicles.
	75 mm.	88 mm.	100 mm.	105 mm.	120 mm.	135 mm.	150 mm.	210 mm.	4.2 in.	76 mm.	170 mm.	240 mm.	245 mm.		
Alabama	7			8			8	3		8	3		3	40	73
Alaska	1													1	2
Arizona	1		1	1			1			1		1		6	11
Arkansas	6		1	7			6	2		6	2		3	33	60
California	13		1	14	1		14	5		14	5		5	72	130
Colorado	4	1		4			4	1		4	1	1	1	21	38
Connecticut	6			6	1		6	2		6	2		2	31	56
Delaware	1			1			1			1				4	8
District of Columbia	2			2			2	1		2	1		1	11	21
Florida	4			4	1		4	1		4	1		1	20	35
Georgia	9			10			9	3		9	3		4	47	86
Idaho	2			2			2	1		2	1		1	11	20
Illinois	27			30	2	2	29	10		28	9		11	148	269
Indiana	11			12			12	4		11	4	1	5	60	110
Iowa	10			11			11	4		11	4		4	55	101
Kansas	7			7			7	2		7	2	1	3	36	66
Kentucky	8			9			8	3		8	3		3	42	77
Louisiana	7			8			7	2		7	2	1	3	37	68
Maine	3			3			3	1		3	1		1	15	27
Maryland	5			6	1		6	2		5	2		2	29	52
Massachusetts	16			18		2	17	6		17	6		7	89	162
Michigan	14			16	1		15	5		15	5	1	6	78	141
Minnesota	10			12			11	4		11	4	1	4	57	103
Mississippi	5			6			6	2		6	2	1	2	30	54
Missouri	14			15		1	15	5		14	5	1	6	76	137
Montana	4			4			4	1		4	1		2	20	37
Nebraska	5			6			5	2		5	2		2	27	50
Nevada				1			1			1				3	5
New Hampshire	1			1			2	1		1	1		1	8	15
New Jersey	13			14			12	4		12	4		5	64	116
New Mexico	1			1		1	1			2		1		7	13
New York	41	4		49			44	15		43	15		17	228	423
North Carolina	7			8		1	8	3		8	3		3	41	74
North Dakota	3			3			2	1		3	1		1	14	25
Ohio	20			23		2	23	7		21	7		9	112	204
Oklahoma	8			9		1	9	3		8	3		3	44	80
Oregon	3	1		4			4	1		4	1		1	19	35
Pennsylvania	31	3		35			33	11	1	33	11		13	171	311
Rhode Island	2			2			2	1	1	2	1		1	12	22

Distribution of artillery and trench mortars, by States—Continued.

	Guns and howitzers.								Trench mortars.				Total guns and trench mortars.	Vehicles.
	75 mm.	88 mm.	100 mm.	105 mm.	120 mm.	135 mm.	150 mm.	210 mm.	4.2 in.	76 mm.	170 mm.	240 mm.	245 mm.		
South Carolina	5	....	....	6	....	....	6	2	1	6	2	....	2	30	54
South Dakota	3	....	....	3	....	....	3	1	1	3	1	....	1	16	29
Tennessee	8	....	....	9	....	....	8	3	....	8	3	....	3	42	76
Texas	17	....	....	19	....	....	18	6	2	17	6	....	7	92	166
Utah	2	....	....	2	....	....	2	1	....	2	....	....	1	10	19
Vermont	1	....	....	1	....	....	1	....	2	1	....	....	....	6	10
Virginia	8	....	....	9	....	....	8	3	1	8	3	....	3	43	78
Washington	5	....	....	6	....	....	6	2	....	6	2	....	2	29	53
West Virginia	5	....	....	6	....	....	6	2	1	6	2	....	2	30	55
Wisconsin	10	1	....	11	....	....	10	4	1	11	4	....	4	56	103
Wyoming	1	....	....	1	....	....	1	....	2	1	....	....	....	6	11
Guam	1	....	....	....	....	....	....	....	....	....	....	....	....	1	1
Hawaii	1	....	....	1	....	....	1	....	....	....	....	....	....	3	5
Philippine Islands	1	....	....	1	....	....	1	....	....	....	....	....	....	3	5
Samoa	1	....	....	....	....	....	....	....	....	....	....	....	....	1	2
Virgin Islands	1	....	....	....	....	....	....	....	....	....	....	....	....	1	1
Porto Rico	2	....	....	2	....	....	2	1	....	2	....	....	....	9	15
Total	404	10	3	449	7	10	427	144	13	418	141	10	161	2, 197	4, 000

Distribution of artillery and trench mortars, by caliber.

[Artillery issued to the service is for technical use and for the National Museum. In addition to items shown, 1 German tank, 4 German tractors, 43 German motor trucks, and 347 airplanes have been issued to the service. There are included in the artillery issued to the service 51 pieces of artillery sold to the Navy. In addition to the 3,242 pieces of artillery received there are 51 pieces of calibers 7, 62, 77, 120, 155, 210 mm. and 4.2, 6, and 8 inch awaiting decision as to ownership, as they were originally allied pieces captured by the enemy and then later taken by the United States Army.]

	For issue to States.	Issued to service.	Retained by Ordnance Department.	Total.	Per cent for States.	Per cent issued to service.	Per cent retained by Ordnance department.
245 mm. tractor mortar	161	7	2	170	95	4	.....
76 mm. tractor mortar	418	32	2	452	93	7	.....
170 mm. tractor mortar	141	13	2	156	91	8	.....
120 mm. gun	7	1	.....	8	88	12	.....
150 mm. gun	427	43	29	499	85	9	6
77 mm. gun	404	71	12	487	83	15	.....
210 mm. gun	144	20	23	187	77	11	12
4.2-inch gun	13	.....	10	23	57	.....	43
135 mm. gun	10	2	7	19	53	10	37
240 mm. tractor mortar	10	8	2	20	50	40	10
88 mm. gun	10	2	13	25	40	8	52
105 mm. gun	449	51	651	1,151	39	4	57
100 mm. gun	3	2	4	9	33	22	45
Total guns	2,197	252	757	[1] 3,206	.....	.....	.....
Vehicles	4,000	.....	550	4,550	.....	.....	.....

[1] In addition, 36 guns are being held to furnish missing parts on guns allocated to States.

Distribution of small articles, by States.

	Rifles.	Machine guns.	Bayonets and scabbards.	Arm insignia, assorted.	Badges, machine-gun.	Badges, wound.	Bags, feed, large.	Bags, saddle, paper.	Bags, surplus kit, paper.	Bags, mussette, paper.
Alabama	1,260	142	894	40	22	191	92	9	10	136
Alaska	35	5	25	1	1	5	3	1	1	4
Arizona	197	28	138	6	3	30	14	2	2	21
Arkansas	1,050	151	739	33	17	158	76	8	9	113
California	2,272	325	1,593	71	37	341	163	17	18	243
Colorado	654	94	461	21	11	99	47	5	5	70
Connecticut	983	141	690	31	16	148	71	7	8	105
Delaware	138	20	97	4	3	21	10	1	1	15
District of Columbia	353	52	256	11	6	55	26	3	3	39
Florida	621	89	435	20	11	93	45	5	5	65
Georgia	1,523	216	1,057	40	25	226	108	11	12	161
Idaho	346	50	243	11	6	52	25	3	3	37
Illinois	4,722	672	3,294	148	77	726	337	34	38	501
Indiana	1,920	274	1,344	60	31	288	138	14	15	205
Iowa	1,760	252	1,232	55	29	264	126	13	14	188
Kansas	1,155	165	820	36	19	173	83	9	8	124
Kentucky	1,348	192	944	42	22	202	97	10	10	144
Louisiana	1,187	169	832	37	19	178	85	9	9	128
Maine	468	67	328	15	8	70	34	4	4	50
Maryland	908	129	636	29	15	136	65	7	7	97
Massachusetts	2,890	416	1,989	89	47	426	252	21	23	304
Michigan	2,466	352	1,729	78	40	370	177	19	20	264
Minnesota	1,810	259	1,269	57	30	272	130	14	15	193
Mississippi	950	136	666	30	16	143	68	7	8	102
Missouri	2,402	343	1,684	76	39	360	172	18	19	257
Montana	644	93	453	20	11	97	46	5	5	69
Nebraska	871	125	620	27	14	130	62	7	7	93
Nevada	87	12	61	3	1	13	6	1	1	9

Distribution of small articles, by States—Continued.

	Rifles.	Machine guns.	Bayonets and scabbards.	Arm insignia, assorted.	Badges, machine-gun.	Badges, wound.	Bags, feed, large.	Bags, saddle, paper.	Bags, surplus kit, paper.	Bags, mussette, paper.
New Hampshire	270	38	189	8	4	40	19	2	2	29
New Jersey	2,035	291	1,426	64	33	305	146	15	16	218
New Mexico	222	31	156	7	4	33	16	2	2	24
New York	7,300	1,046	5,080	238	119	1,087	510	55	59	768
North Carolina	1,295	185	907	41	21	194	93	10	10	138
North Dakota	441	63	309	14	7	66	32	3	4	47
Ohio	3,585	521	2,515	113	59	536	256	27	29	381
Oklahoma	1,397	200	963	44	20	209	100	11	11	149
Oregon	611	87	429	19	10	92	44	5	5	65
Pennsylvania	5,452	789	3,826	171	89	814	359	41	44	576
Rhode Island	389	57	272	12	6	58	28	3	3	42
South Carolina	950	136	666	30	16	143	68	7	8	102
South Dakota	510	73	357	16	8	76	37	4	4	54
Tennessee	1,343	192	940	42	22	201	96	10	11	143
Texas	2,910	417	2,049	91	48	436	209	22	24	311
Utah	342	48	232	10	5	50	24	3	3	36
Vermont	175	25	123	5	3	26	13	1	1	19
Virginia	1,374	197	962	43	23	206	99	10	11	147
Washington	933	134	656	29	15	140	67	7	8	124
West Virginia	956	137	670	30	16	144	69	7	8	102
Wisconsin	1,795	257	1,257	56	29	269	129	15	15	192
Wyoming	194	28	136	6	3	29	14	1	2	21
Guam	4	5	2	1	1	1	1	1	1	1
Hawaii	97	14	68	3	2	14	7	1	1	10
Philippine Islands	96	14	67	3	2	14	7	1	1	10
Porto Rico	271	39	190	8	4	41	19	2	2	29
Samoa	32	5	23	1	1	5	2	1	1	3
Virgin Islands	1	2	1	1	1	1	1	1	1	1
Total	70,000	10,000	49,000	2,197	1,147	10,497	5,023	531	567	7,479

	Bits, assorted.	Boxes, machine-gun belt.	Breeching, horse, paper.	Buckles and hooks, belt.	Cans, small round tin.	Cans, machine-gun water.	Canteens, assorted.	Carriers, assorted.	Cases, assorted.	Cases.
Alabama	48	52	16	2,043	14	102	169	5	8	132
Alaska	1	1	1	81	1	3	5	1	1	4
Arizona	7	8	3	469	2	17	26	1	1	20
Arkansas	42	43	13	1,515	11	93	141	4	7	109
California	85	93	29	1,423	24	202	301	8	15	235
Colorado	25	27	8	1,569	7	58	87	2	4	68
Connecticut	37	40	12	1,348	11	92	131	3	7	115
Delaware	5	6	2	329	2	12	18	1	1	14
District of Columbia	14	15	5	871	4	32	48	1	2	38
Florida	23	25	8	1,482	7	55	82	2	4	64
Georgia	56	68	19	1,599	16	134	200	6	10	156
Idaho	13	14	4	867	4	31	46	1	2	36
Illinois	175	193	59	10,219	50	417	623	17	31	486
Indiana	72	79	24	3,573	20	170	254	5	13	198
Iowa	66	72	22	3,196	16	156	233	5	12	182
Kansas	43	47	14	1,758	12	103	153	4	8	120
Kentucky	50	55	17	3,115	14	120	179	5	9	139
Louisiana	44	49	15	2,731	13	105	157	4	8	123
Maine	18	19	6	1,015	5	42	65	2	3	48
Maryland	34	37	11	2,066	10	81	127	3	6	94
Massachusetts	106	116	36	6,670	30	252	377	11	19	294
Michigan	92	101	31	5,783	26	219	327	9	16	255
Minnesota	68	74	23	4,211	20	161	240	5	12	187
Mississippi	35	39	12	2,270	10	84	126	4	6	98
Missouri	90	98	30	5,629	25	213	319	9	16	241
Montana	24	27	8	1,443	7	57	86	2	4	61
Nebraska	32	36	11	2,050	9	77	115	3	6	90
Nevada	3	4	1	2,015	1	8	12	1	1	9
New Hampshire	10	11	3	639	3	24	36	1	2	28
New Jersey	76	83	25	4,816	22	181	270	8	14	210
New Mexico	8	9	3	5,188	2	19	29	1	1	23
New York	271	297	91	17,290	77	642	961	27	48	750
North Carolina	48	53	16	3,078	14	115	172	5	9	134
North Dakota	16	18	6	1,051	5	39	58	2	3	46
Ohio	133	146	45	8,516	38	317	472	13	24	369
Oklahoma	51	57	17	3,320	15	124	185	5	9	144
Oregon	23	25	8	1,455	7	54	81	2	4	63
Pennsylvania	203	223	68	12,991	58	493	721	20	36	563
Rhode Island	15	16	5	927	4	35	52	1	3	40
South Carolina	35	39	12	2,266	10	84	126	4	6	98
South Dakota	19	21	6	1,215	5	45	68	2	3	53
Tennessee	50	55	17	3,200	14	119	178	5	9	139
Texas	109	119	36	6,938	31	258	386	11	19	301
Utah	12	14	4	791	4	29	44	1	2	34
Vermont	7	7	2	4,080	2	16	23	1	1	18
Virginia	51	56	17	3,275	15	122	182	5	9	142
Washington	35	38	12	2,236	10	83	124	3	6	97
West Virginia	36	39	12	2,290	10	85	127	4	6	99
Wisconsin	67	73	22	4,278	19	159	238	7	12	185
Wyoming	7	8	2	462	2	17	25	1	1	20
Guam	1	1	1	8	1	1	1	1	1	1
Hawaii	4	4	1	231	1	9	13	1	1	10
Philippine Islands	4	4	1	223	1	9	13	1	1	10
Porto Rico	10	11	3	644	3	24	36	1	2	28
Samoa	1	1	1	75	1	3	4	1	1	3
Virgin Islands	1	1	1	2	1	1	1	1	1	1
Total	2,611	2,867	877	162,835	746	6,208	9,273	259	466	7,238

Distribution of small articles, by States—Continued.

	Chevrons, medical.	Containers, food, assorted.	Covers, assorted.	Fillers, grain sack.	Forks and spoons, folding.	Grenade throwers.	Halters, assorted.	Helmets, assorted.	Helmets, ornamental, eagle.	Kits, machine-gun repair.
Alabama	42	251	38	46	12	27	109	218	132	5
Alaska	1	7	1	1	1	1	3	6	4	1
Arizona	8	39	6	7	2	4	17	34	20	1
Arkansas	35	219	32	38	10	22	90	180	122	4
California	75	450	68	81	22	48	194	388	235	6
Colorado	22	130	20	23	6	14	56	112	68	3
Connecticut	32	195	30	35	9	21	84	168	102	4
Delaware	5	27	4	5	1	3	12	24	14	1
District of Columbia	12	72	11	13	3	8	31	62	38	1
Florida	21	123	19	22	6	13	53	106	64	2
Georgia	49	299	45	54	14	32	129	258	156	3
Idaho	12	69	10	12	3	7	30	59	36	1
Illinois	154	940	141	168	45	99	400	800	485	18
Indiana	63	380	58	60	18	41	164	328	198	7
Iowa	58	348	53	63	17	37	150	300	182	7
Kansas	38	229	35	41	10	24	99	198	120	5
Kentucky	44	267	43	48	13	28	115	230	139	5
Louisiana	39	235	36	42	11	25	102	203	123	5
Maine	16	93	14	17	4	10	40	80	48	2
Maryland	30	190	27	35	9	19	78	155	94	4
Massachusetts	93	561	85	101	27	62	243	485	294	11
Michigan	81	484	74	88	23	52	211	435	255	10
Minnesota	59	368	55	65	17	38	155	309	187	7
Mississippi	31	188	29	34	9	20	81	162	98	4
Missouri	79	476	72	86	23	50	205	410	248	9
Montana	21	128	19	23	6	14	55	120	67	3
Nebraska	28	182	26	31	8	18	74	148	90	3
Nevada	3	17	3	3	1	2	7	15	9	1
New Hampshire	9	53	8	10	3	6	23	46	28	1
New Jersey	67	401	61	73	19	43	173	347	210	8
New Mexico	7	44	7	8	2	5	19	38	23	1
New York	238	1,435	218	258	69	153	620	1,238	749	28
North Carolina	42	265	39	46	12	27	111	221	134	5
North Dakota	14	87	13	16	4	9	38	75	46	2
Ohio	117	707	108	128	34	75	306	610	369	14
Oklahoma	46	276	42	50	13	30	132	239	144	5
Oregon	20	121	18	22	6	13	52	101	63	2
Pennsylvania	179	1,078	164	194	52	115	466	931	562	21
Rhode Island	13	77	12	14	4	8	33	66	40	2
South Carolina	31	188	29	34	9	20	81	162	98	4
South Dakota	17	101	15	18	5	11	44	87	53	2
Tennessee	44	266	40	48	13	28	115	229	139	5
Texas	95	576	88	104	28	61	259	497	301	11
Utah	11	66	10	12	3	7	38	56	34	1
Vermont	6	35	5	6	2	4	15	30	18	1
Virginia	45	272	41	49	13	29	117	234	142	5
Washington	31	185	28	37	9	20	80	160	97	4
West Virginia	31	189	29	38	9	20	81	163	99	4
Wisconsin	59	355	54	64	17	38	153	306	185	7
Wyoming	6	38	6	7	2	4	17	33	20	1
Guam	1	1	1	1	1	1	1	1	1	1
Hawaii	3	2	3	3	1	2	8	16	10	1
Philippine Islands	3	2	3	3	1	2	8	16	10	1
Porto Rico	9	54	8	10	3	6	23	46	28	1
Samoa	1	6	1	1	1	1	3	6	1	1
Virgin Islands	1	1	1	1	1	1	1	1	1	1
Total	2,297	13,848	2,106	2,497	666	1,478	5,984	11,951	7,235	273

	Knapsack, fur covered.	Knapsack, plain.	Knots, saber, assorted.	Lances, Uhlan.	Lanterns, trench.	Ornaments, helmet, side.	Plates, body armor.	Ropes, picket.	Saws, flexible handled.	Spurs.
Alabama	125	88	1,753	11	31	4,560	5	12	8	13
Alaska	3	2	48	1	2	125	1	1	1	1
Arizona	19	14	270	2	5	702	1	2	1	2
Arkansas	103	73	1,450	9	25	3,770	4	10	7	10
California	221	158	3,125	19	53	8,130	9	20	14	23
Colorado	64	46	935	6	15	2,350	3	6	4	7
Connecticut	96	68	1,353	8	23	3,520	4	9	6	10
Delaware	13	10	189	1	4	493	1	1	1	1
District of Columbia	35	25	521	3	9	1,305	2	3	2	4
Florida	61	43	853	5	15	2,220	3	6	4	6
Georgia	146	105	2,072	13	35	5,395	6	10	9	15
Idaho	34	24	476	3	8	1,238	2	3	2	3
Illinois	456	326	6,459	40	112	16,805	20	43	31	47
Indiana	186	133	2,636	16	45	6,858	8	15	12	17
Iowa	171	122	2,416	15	42	6,287	7	16	11	15
Kansas	112	80	1,588	10	27	4,133	5	11	7	11
Kentucky	132	94	1,852	11	32	4,817	5	12	8	13
Louisiana	115	82	1,631	10	28	4,243	5	11	7	12
Maine	45	32	643	4	12	1,673	2	4	3	5
Maryland	88	63	1,247	8	22	3,245	4	8	6	9
Massachusetts	275	197	3,900	24	67	10,150	13	25	18	26
Michigan	239	171	3,397	21	58	8,822	11	20	16	25
Minnesota	176	126	2,488	15	43	6,475	7	15	11	10
Mississippi	92	66	1,306	8	22	3,397	4	9	6	9
Missouri	234	167	3,320	20	56	8,590	11	20	15	22
Montana	63	45	889	6	15	2,312	3	6	4	6
Nebraska	85	60	1,195	7	20	3,110	4	8	5	9
Nevada	8	6	120	1	2	313	1	1	1	1
New Hampshire	26	19	370	2	6	965	1	2	2	3

Distribution of small articles, by States—Continued.

	Knapsack, fur covered.	Knapsack, plain.	Knots, saber, assorted.	Lances, Uhlan.	Lanterns, trench.	Ornaments, helmet, side.	Plates, body armor.	Ropes, picket.	Saws, flexible handled.	Spurs.
New Jersey	198	144	2,798	17	48	7,277	9	17	13	20
New Mexico	22	15	306	2	5	795	10	18	14	20
New York	702	506	9,960	62	170	25,917	33	61	43	72
North Carolina	125	90	1,778	11	30	4,627	6	12	8	13
North Dakota	43	31	625	4	10	1,575	2	4	3	4
Ohio	346	248	4,910	30	84	12,780	16	33	20	34
Oklahoma	135	100	1,918	12	33	4,990	6	13	9	14
Oregon	59	42	841	5	14	2,188	3	6	4	6
Pennsylvania	528	378	7,480	46	128	19,467	25	50	35	54
Rhode Island	38	27	534	3	9	1,390	2	4	2	4
South Carolina	92	66	1,306	8	22	3,397	4	9	5	9
South Dakota	49	35	700	4	12	1,820	2	5	3	5
Tennessee	130	93	1,843	11	32	4,795	6	10	7	13
Texas	282	202	4,095	25	68	10,402	12	26	18	27
Utah	32	23	455	3	8	1,185	2	3	2	3
Vermont	17	12	240	1	4	625	1	2	1	2
Virginia	133	95	1,855	12	32	4,907	5	12	9	14
Washington	91	65	1,286	8	22	3,347	4	9	6	9
West Virginia	93	66	1,314	8	22	3,417	4	9	6	9
Wisconsin	174	124	2,464	15	41	6,412	7	16	6	18
Wyoming	19	13	256	2	5	693	1	2	1	2
Guam	1	1	5	1	1	13	1	1	1	1
Hawaii	9	7	133	1	2	345	1	1	1	1
Philippine Islands	9	7	132	1	2	343	1	1	1	1
Porto Rico	26	19	373	2	6	970	1	2	2	3
Samoa	3	2	44	1	1	115	1	1	1	1
Virgin Islands	1	1	1	1	1	3	1	1	1	1
Total	6,780	4,857	96,154	595	1,646	249,798	318	637	444	695

	Stirrups, assorted.	Surcingles.	Torches, blow.	Traces, harness, assorted.	Trimming for helmets.	Empty shells, 150 mm.	Empty shells, 170 mm.	Brass cartridge cases.
Alabama	96	8	10	12	130	371	747	100
Alaska	3	1	1	1	4	10	20	3
Arizona	15	1	2	2	20	57	115	15
Arkansas	79	6	9	10	108	307	618	83
California	171	13	19	22	232	662	1,332	170
Colorado	49	4	5	6	67	191	385	52
Connecticut	74	6	8	10	100	287	577	77
Delaware	10	1	1	1	26	40	81	11
District of Columbia	27	2	3	4	37	106	214	29
Florida	47	4	5	6	63	181	364	49
Georgia	103	9	12	15	154	439	884	110
Idaho	26	2	3	3	35	101	203	27
Illinois	350	28	38	46	479	1,367	2,753	370
Indiana	144	11	16	19	195	558	1,124	151
Iowa	132	10	10	17	179	512	1,030	138
Kansas	87	7	9	11	118	336	677	91
Kentucky	101	8	11	10	137	392	790	106
Louisiana	89	7	10	12	131	348	695	93
Maine	35	3	4	5	48	136	306	37
Maryland	68	5	7	9	93	264	532	71
Massachusetts	213	17	23	28	290	826	1,762	223
Michigan	185	15	20	24	251	718	1,445	194
Minnesota	136	11	15	18	185	527	1,060	142
Mississippi	71	6	8	9	97	276	607	75
Missouri	180	14	20	23	245	700	1,407	189
Montana	49	4	5	6	66	188	379	51
Nebraska	65	5	7	8	89	253	510	68
Nevada	7	1	1	1	9	25	51	7
New Hampshire	20	2	2	3	28	78	158	21
New Jersey	153	12	17	20	207	593	1,192	160
New Mexico	167	1	2	2	23	65	130	17
New York	543	43	59	71	739	2,134	4,345	570
North Carolina	97	8	11	13	132	377	500	102
North Dakota	33	3	4	4	45	128	258	35
Ohio	268	21	29	35	364	1,040	2,090	281
Oklahoma	105	8	11	14	142	406	818	110
Oregon	46	4	5	6	62	178	359	48
Pennsylvania	409	32	44	53	555	1,585	3,190	429
Rhode Island	29	2	3	4	40	113	228	31
South Carolina	71	6	8	9	97	276	557	75
South Dakota	38	3	4	5	52	148	298	40
Tennessee	101	8	11	13	127	390	783	105
Texas	218	17	24	28	296	846	1,705	229
Utah	25	2	3	3	34	96	194	26
Vermont	13	1	1	2	18	51	102	14
Virginia	103	8	11	13	140	400	854	106
Washington	70	6	8	9	95	272	549	74
West Virginia	72	6	8	9	97	278	560	75
Wisconsin	135	11	15	17	183	522	1,050	141
Wyoming	15	1	2	2	20	56	113	15
Guam	1	1	1	1	1	1	2	1
Hawaii	7	1	1	1	10	28	57	8
Philippine Islands	7	1	1	1	10	28	56	8
Porto Rico	20	2	2	3	28	79	159	21
Samoa	2	1	1	1	3	9	19	25
Virgin Islands	1	1	1	1	1	1	1	1
Total	5,381	421	571	681	7,137	20,356	40,995	5,500

Distribution of small articles, by items.

	For issue to States.	Issued to service.	Total available for issue.	Per cent for States.	Per cent issued to service.
Carriers, assorted	259		259	100	
Cases, assorted	466		466	100	
Covers, assorted	2,106		2,106	100	
Surcingle	421		421	100	
150-mm. empty shells	20,356		20,356	100	
170-mm. empty shells	40,995		40,995	100	
Knots, saber, assorted	96,154	200	96,354	99.8	
Bits, assorted	2,611	11	2,622	99.6	
Bags, large feed	5,023	23	5,046	99.5	
Brass cartridge cases	5,500	25	5,525	99.5	
Cans, small tin	746	6	752	99	
Bayonets and scabbards	49,000	500	49,500	99	
Bags, saddle, paper	531	5	536	99	
Bags, mussette, paper	7,479	50	7,529	99	
Breeching, horse, paper	877	7	884	99	
Stirrups, assorted	5,381	50	5,431	99	
Traces, harness, assorted	781	10	691	99	
Cases	7,238	100	7,338	99	
Containers, food, assorted	13,848	200	14,048	99	
Knapsacks, fur covered	6,780	150	6,930	98	
Machine guns	10,000	200	10,200	98	
Badges, wounded	10,497	250	10,747	98	
Bags, surplus kit, paper	567	10	577	98	
Canteens, assorted	9,273	200	9,473	98	
Fillers, grain sack	2,497	50	2,547	98	
Grenade throwers	1,478	25	1,503	98	
Halters, assorted	5,984	100	6,084	98	
Helmets, assorted	11,951	300	12,251	98	
Lances, Uhlans	595	10	605	98	
Ropes, picket	637	10	647	98	
Saws, flexible handled	444	10	454	98	
Spurs	695	10	705	98	
Torches, blow	571	10	581	98	
Knapsacks, plain	4,857	150	5,007	97	
Rifles	70,000	2,000	72,000	97	
Cans, machine gun, water	6,203	200	6,403	97	
Helmet, ornaments, eagle	7,235	200	7,435	97	
Lanterns, trench	1,646	50	1,696	97	
Plates, body, armor	318	10	326	97	
Chevrons, medical	2,297	100	2,397	96	4
Kits, machine gun, repair	273	10	283	96	4
Ornaments, helmet, side	249,798	10,000	259,798	96	4
Trimming, for helmets	7,137	300	7,437	96	4
Buckles and hooks, belt	162,835	10,000	172,835	94	6
Boxes, machine gun, belt	2,867	200	3,067	93	7
Arm insignia, assorted	2,197	250	2,447	90	10
Fork and spoon, folding	666	100	766	87	13
Badges, machine gun	1,147	250	1,397	82	18
Total	841,117	26,342	867,459	97	3

Mr. KAHN. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendments.

The question was taken; and on a division (demanded by Mr. CAMPBELL of Pennsylvania) there were—ayes 82, noes 22.

So the amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KAHN, a motion to reconsider the vote by which the bill was passed was laid on the table.

WOMAN'S BUREAU IN THE DEPARTMENT OF LABOR.

Mr. CAMPBELL of Kansas. Mr. Speaker, I call from the Speaker's table the bill (H. R. 13229) to establish in the Department of Labor a bureau to be known as the woman's bureau, with Senate amendments thereto, and move to concur in the Senate amendments.

The SPEAKER. The gentleman from Kansas calls up a House bill (H. R. 13229), with Senate amendments thereto. The Clerk will report the Senate amendments.

The Clerk reported the Senate amendments.

The SPEAKER. The question is on agreeing to the Senate amendments.

Mr. GARD. Mr. Speaker, will the gentleman explain what the amendments are?

Mr. CAMPBELL of Kansas. The language in the bill as it passed the House was "shall make an investigation." The Senate amended that by inserting the words "shall be authorized to make" investigations. In the provisions about equipment the words "and so forth" are used, and those words were stricken out by the Senate. Those are the only two Senate amendments. I move to concur in the Senate amendments.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

BONITA, LA.

Mr. WILSON of Louisiana. Mr. Speaker, I ask unanimous consent to take from the Speaker's table a bill (S. 3244) to authorize the Secretary of the Interior to issue a patent to R. L. Credille, mayor of the village of Bonita, La., in trust for certain purposes, a similar House bill having been favorably reported from the Committee on the Public Lands.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to consider the bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That upon payment to the United States of $1.25 per acre, the Secretary of the Interior be, and is hereby, authorized to issue patent to R. L. Credille, mayor of the village of Bonita, La., for the south half of the southwest quarter, section 5, township 22 north, range 8 east, Louisiana meridian, situated in Morehouse Parish, La., in trust for the use and benefit of the persons, estates, firms, or corporations now claiming said lands or parts thereof under or by virtue of titles derived from or through the State of Louisiana or its grantee, L. S. Neighbours, of which said lands the present claimants and their grantors have had the actual possession as owners by virtue of titles derived from said State and its grantee for more than 30 years: *Provided*, That application for the purchase of the said described tract of land under this authorization shall be filed at the United States land office at Baton Rouge, La., within 60 days from the passage and approval of this act.

The true intent of this act is hereby declared to be to concede and abandon all right, title, and interest of the United States to those persons, estates, firms, or corporations who would be the true and lawful owners of said lands or parts thereof under the laws of Louisiana, including the laws of prescription, in the absence of said interest, title, and estate of the United States.

The SPEAKER. Is there objection?

Mr. LONGWORTH. Mr. Speaker, I reserve the right to object.

Mr. CHINDBLOM. Mr. Speaker, reserving the right to object, is this the same bill which was reached on the Unanimous Consent Calendar recently?

Mr. WILSON of Louisiana. No; this bill has never been called up. A similar House bill has been reported favorably by the Committee on the Public Lands.

Mr. LONGWORTH. Mr. Speaker, reserving the right to object, it occurs to me that the price is very low—$1.25 an acre. What sort of land is this?

Mr. WILSON of Louisiana. This is one of those swamp-land grants, and went to the State of Louisiana. These people purchased it and secured title from the State and have been in possession for more than 40 years, but the State's selection was held for rejection by the United States, and that is the cause of the legislation. There is a school and two churches on this particular land.

Mr. GARD. Mr. Speaker, reserving the right to object, I gather from the reading of the bill that this is a matter affording proper relief to persons who have been occupying land for 30 or 40 years.

Mr. WILSON of Louisiana. Yes; under a patent from the State of Louisiana.

Mr. GARD. These allotments must be filed within a certain time?

Mr. WILSON of Louisiana. Within 60 days of the passage of the bill.

Mr. GARD. Are the applications open, or are they restricted to persons who thought they had title.

Mr. WILSON of Louisiana. To those persons who thought they had title and to no one else.

Mr. GARD. And $1.25 is merely fixed by the department as a nominal price to protect these people in what they have always believed was their property.

Mr. WILSON of Louisiana. Yes.

Mr. GARD. Owing to some difference in survey or some error it is necessary to correct it in this way?

Mr. WILSON of Louisiana. Yes.

Mr. GARD. Is that the idea?

Mr. WILSON of Louisiana. The gentleman is exactly correct.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. WILSON of Louisiana, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. WILSON of Louisiana. Mr. Speaker, I ask that a House bill of similar tenor be laid on the table.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

RELIEF OF WATER USERS' ASSOCIATION, GARDEN CITY, KANS.

Mr. TINCHER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 3852 for consideration.

The SPEAKER. The gentleman from Kansas asks unanimous consent to take from the Speaker's table the bill which the clerk will report.

The Clerk read as follows:

A bill (S. 3852) for the relief of the Garden City (Kans.) Water Users' Association, and for other purposes.

Be it enacted, etc., That the contracts heretofore entered into between the Finney County Water Users' Association, of Finney County, Kans., or with individual landowners, and the Secretary of the Interior for the supply and use of water for the irrigation plant of the United States be, and the same are hereby, canceled and relieved; and the liens upon the lands in said county created by such contracts are hereby released and discharged.

SEC. 2. That the Secretary of the Interior shall make to Congress a statement of the expenditure connected with this reclamation project and the amount received from its sale.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STEVENSON. Mr. Speaker, I object.

Mr. TINCHER. Will the gentleman withhold his objection for a moment?

Mr. STEVENSON. I will reserve the right to object.

Mr. TINCHER. Mr. Speaker, I want to explain this to the gentleman and I do not believe he will object. There was one reclamation project where the Government undertook to produce water from wells, and that was at Garden City, Kans. There were 14,000 acres of land signed up in the contract for irrigation. They did not get the water and the Government has sold all its equipment, as shown in this report, and for the last three sessions of Congress the Senate has passed this bill releasing the lien of $37 an acre on the land, which is not worth exceeding $10 an acre. The Committee on Irrigation of the House has had a unanimous report in favor of this bill. Former Secretary Lane and the present Secretary have recommended its passage, and it simply operates to keep about 14,000 acres of land under a cloud as to title, and this is the only way of relieving it, and it does not do anyone any good. The reclamation was a failure, and it is the only occasion where they tried to bring the water out of wells.

Mr. STEVENSON. Who holds the lien to be released?

Mr. TINCHER. There was the usual reclamation contract. It is the only one where they did not get the water, so that the man signing the contract with the Government could get that for which he agreed to pay. There is a mortgage, I suppose you could call it, to the Government of $37 an acre on the land. If they had got the water like they did in other reclamation projects that land would be worth $200 an acre, but now the land is not worth exceeding $10 an acre because there is no way of irrigating it. It is arid land. I hope the gentleman will not object.

Mr. STEVENSON. I hate to interfere with a local matter, but I do not like to see at this time a Government lien being released without——

Mr. TINCHER. Every Secretary has recommended this bill.

Mr. STEVENSON. I will object. I will look into it and I may withdraw it.

Mr. TINCHER. Mr. Speaker, I move to suspend the rules and pass the bill.

The SPEAKER. The gentleman from Kansas moves to suspend the rules and pass the bill. Is a second demanded?

Mr. GARD. Mr. Speaker, I demand a second.

Mr. TINCHER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GARD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count.

Mr. GARD. Mr. Speaker, I do not desire to embarrass the business of the House; I will withdraw the point of no quorum if the gentleman can explain the bill to my satisfaction. I did not hear the explanation of the bill and I desire the gentleman to make one.

Mr. TINCHER. I want to say this is one of the reclamation projects, and the only one, where the Government tried to reclaim arid land by irrigation by digging wells, and that was at Garden City, Kans., some 18 or 19 years ago. There are 14,000 acres of land for which the man signing the usual reclamation contract agreed to pay $37 an acre on the land. It was the only reclamation project of which I am familiar where the Government failed to get water.

Mr. McKEOWN. Will the gentleman yield for a question?

Mr. TINCHER. I have yielded to the gentleman from Ohio [Mr. GARD] and am answering his question.

Mr. McKEOWN. Is it not a fact that it is the only time the Government has failed to get water?

Mr. TINCHER. According to my understanding you are quite right. My understanding is that the Government decided or that the reclamation officers decided after this experiment not to try to get water for irrigation in that way through that whole section of country. Now, here was what happened: The Government has sold its plant. They had a plant there—machinery, and so forth—and the report here shows that they sold it under act of Congress passed by the Congress and there was no effort made to carry out the transaction. Two or three times the Secretary of the Interior has rather faltered as to whether or not he did not have the right to release this lien, and the Secretary has reported favorably on this bill to the Committee on Irrigation.

Mr. TAYLOR of Colorado. Will the gentleman yield for another question?

Mr. TINCHER. Yes; I will gladly yield.

Mr. TAYLOR of Colorado. Is it not true that the Government has been trying for a good many years to get rid of this project and give it away to the people there and get it off its hands?

Mr. TINCHER. By selling it. I think the report I just handed the gentleman will show the amount of cash the Government received.

Mr. SINNOTT. Will the gentleman yield for a question in the nature of a statement?

Mr. TINCHER. I will.

Mr. SINNOTT. Is it not true that the Government abandoned the project and abandoned the contract and is not furnishing the water for which the lien was made?

Mr. TINCHER. Absolutely. For many years the Government has not attempted to furnish any water to it; in fact, never furnished any water to speak of——

Mr. CALDWELL. Will the gentleman state how many years this bill has been on the calendar?

Mr. TINCHER. For several years, but it never was reached.

Mr. CALDWELL. Why was it not brought up before?

Mr. TINCHER. There was no objection to it. I am quite sure there was no objection to it. It passed the Senate, and so there is no political significance to the bill.

Mr. BLAND of Indiana. There was an arrangement with the Government for certain things to be done, but those things were not done, and therefore the obligation was not performed by the Government?

Mr. SINNOTT. For water to be delivered.

Mr. GARD. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT. Mr. Speaker, I am familiar with the bill of the gentleman from Kansas and discussed the matter with him yesterday, and I have no objection to the bill. But I do want to say this: I do not feel—and I say it with some degree of reluctance, because of my personal regard for the gentleman—I do not feel that we ought to acquiesce in the suspension of the rules and pass private bills at this stage of the session. Now, there are upon the Private Calendar innumerable bills that have not been reached. The very philosophy of the rule that provides for suspension during the last six days of the session is to enable the House quickly and rapidly to do the business that it is essential to the country should be done. And it is a bad practice for the House to enter upon the suspension of the rules for passing a purely private bill. Numerous gentlemen—I have none myself—have private bills on the calendar. All the rest of the time—every minute of it from now until the gavel of the Speaker falls to-morrow afternoon—could be taken up in considering those private bills. I have made no objection to the gentleman getting the matter up by unanimous consent; but taking up the time by moving to suspend the rules, with always the possibility of the no-quorum point being made, seems to me is very bad practice, and I can not acquiesce in it.

Mr. TINCHER. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I agree with the gentleman who has just spoken, that ordinarily the rules should not be suspended, except in an extraordinary case, in the passage of a private bill. But this is not exactly or entirely a private bill. This is a bill affecting individuals, it is true. It is a bill involving a question of public policy and affecting the fortunes of about 100 farmers organized into a water users' association. From their standpoint it might be said that it is a private bill. On the other hand, it is a bill affecting a general matter of public policy.

Mr. GARRETT. Will the gentleman yield?

Mr. MONDELL. If the gentleman will first allow me to make an explanation.

Mr. GARRETT. I wanted to ask if it was not on the Private Calendar?

Mr. MONDELL. Well, we have curious rules in regard to the Private Calendar, under which some private bills go to the Union Calendar and some public bills go to the Private Calendar.

The situation is this: Irrigation, in the main, the world over, is by gravity, but in some parts of the world conditions are such as to make it possible to irrigate land by pumping water. After the national reclamation law passed, there was a general demand throughout the country that somewhere in the semiarid region we should make the experiment of irrigation by pumping. The experiment was tried at Garden City, Kans., in the semiarid zone, under conditions that were considered fairly representative and reasonably favorable. The experiment was a failure, as many expected that it would be.

But that experiment had to be tried somewhere in America. People would not have been satisfied until somewhere in that great zone we tried out the question as to whether or not you can pump water a reasonable distance, apply it to lands, grow the ordinary crops, and make it pay. Well, we found that at the price of farm products—at the average cost under ordinary conditions—it did not pay. We have made our experiment. We entered into a contract with a lot of farmers in making the experiment. We were never able to deliver to them an abundant amount of water, for one thing. We delivered it to them, when we did deliver it, under conditions under which they could not afford to use it. And the result is that the Government abandoned the project, sold the machinery, and we are left with a contract covering some hundred farms, laying them under obligations for the estimated cost of the enterprise. It is an experiment that failed. It is the one experiment under the reclamation law that has failed, except one small project, where we found the reservoir would not hold water.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BLAND of Indiana. Does the gentleman know whether the $1.25 will pay the expense the Government put on the land?

Mr. MONDELL. I do not think there is any $1.25 involved here. This is a case where they were obligated to pay the cost of a project. The project has failed. The Government loses whatever its investment was. That is practically admitted by everybody, and you can not get away from it. We made an experiment that did not pan out. We had to try it out somewhere. We tried it out under conditions that were believed to be representative of a general region.

Now, there is no reason on earth why the Government should keep forever a lien on the farms of these farmers to whom we are not furnishing water, to whom we can not furnish water. We can not fulfill our part of the contract, and there is no reason why the contract should not be abrogated and the matter closed and forgotten. It is one of those things we have tried out in good faith, tried out properly; all that ought to have been done was done, and we have settled one question that had to be settled, and now we are straightening the matter out.

Mr. TAYLOR of Colorado. There is no reason why these farmers should pay the United States for the money it has lost in this unfortunate experiment, is there?

Mr. MONDELL. I do not think anybody would say they should.

Mr. TAYLOR of Colorado. The contract entered into between the Government and these farmers to deliver water to them has not been carried out at all?

Mr. MONDELL. It has not.

Mr. TAYLOR of Colorado. And so there is no reason why we should penalize these farmers for what the Government was unable to accomplish.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. MONDELL. I yield.

Mr. CHINDBLOM. Do I understand correctly that this bill has passed the Senate in two former Congresses?

Mr. MONDELL. That is true.

Mr. CHINDBLOM. And has not been reached in due course in the House simply because of the pressure of business?

Mr. MONDELL. That is true.

Mr. CHINDBLOM. Would it not seem that when the matter has now reached the House and we have spent a few minutes upon it, and it is apparent that the Government is simply righting a wrong to these men, we ought to go through with it and pass it?

Mr. MONDELL. Well, I do not want to leave the matter without the statement being accurate and fair both to the Government and the men. The Government did no wrong. There is no wrong to be righted. Everybody, the farmers and the Government, did what was done in the best of faith, but it was not possible to carry out the enterprise. The Government has abandoned it, and now Congress is called upon to restore the original condition.

Mr. TAYLOR of Colorado. I do not want to be misunderstood. The wrong is in the lien attached to this property.

Mr. MONDELL. The wrong will result if we do not now, having abandoned the project, abandon the claim. [Cries of "Vote!"]

Mr. GARD. Mr. Speaker, I yield five minutes to the gentleman from South Carolina [Mr. STEVENSON].

The SPEAKER. The gentleman from South Carolina is recognized for five minutes.

Mr. STEVENSON. Mr. Speaker, it is very unusual that I ever object to any of the unanimous-consent requests. I am satisfied now that I was right in objecting when this request was made; not that I desire in any way to deprive the gentleman from Kansas [Mr. TINCHER] of any of his rights, but because this involves, as I caught it, a release by the Government of a claim which it has on the property, about which, I think, we should have some clear and definite explanation; and I realized when I made the objection that he could make a motion to take it up and pass it under a suspension of the rules, and that if it was a good-enough measure to bring up here on the last day of the session, and under these extraordinary circumstances, it certainly is good enough to commend itself to two-thirds of the Members who are present.

Now, the gentleman from Wyoming [Mr. MONDELL] says that it is a determination of policy. That is another reason why I object to its being determined by unanimous consent. Whenever we go to determine the policy of the Government as to these projects, we ought to have full information and full discussion. For that reason I regret to have to inconvenience the gentleman from Kansas. I have to stand by my objection to his having unanimous consent.

There is another matter about this. These gentlemen say that these farmers are subject to a great hardship because they have a lien on that land; that the Government has not been able to carry out its contracts. Well, a failure of consideration certainly prevents the enforcement of the lien, and certainly the farmers are not suffering from the fact that the Government has a paper which recites that the lien will be enforced, when the Government fails to carry out the terms of the contract. If this measure does not pass to-day, the gentleman will have the opportunity next December, long before the end of the year, to get it up in the regular way and pass it.

Mr. TINCHER. Mr. Speaker, will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. TINCHER. The farmers of Kansas find that farming is a very uncertain business. Last year and the year before, in this very vicinity, there was a crop failure. They have a habit there of mortgaging their farms to "get by" until they can get another crop. That is one reason why I have had so many letters asking me to favor this measure.

Mr. STEVENSON. If they desire to mortgage their farms, and the Government will come along and fulfill its contract so as to furnish the water to these farms, which it contracted to do, and thereby make the lien a valid lien, then the lien will be a valuable paper; and if not, certainly the lien that the Government has is not enforceable until it has complied with the terms of the contract.

Mr. TINCHER. The Government has absolutely abandoned the proposition there, as I stated to the gentleman from Massachusetts.

Mr. STEVENSON. I am not questioning that. I am merely justifying my position and requiring an explanation before the bill passes. I think when we come here to ask that a Government lien be discharged there ought to be some discussion of it before we turn loose the claim of the Government.

Mr. HERSMAN. Does not that constitute a cloud on the title?

Mr. STEVENSON. It does. But if the Government does not go on and complete its contract that cloud will not amount to anything. The land will be very valuable if the Government completes its contract, and there will be no trouble about it.

Mr. GARD. Mr. Speaker, the complaint I have about this bill is not a complaint that would apply to the Garden City Water Users' Association but applies to the kind of legislation that we are bringing out here under the extraordinary rule of suspending all rules.

My own idea about legislation is that those who participate in it should have some ordinary opportunity of knowing what it is. As to this bill, I do not yet know what it is. I have tried vainly for the last 10 or 15 minutes to get a copy of it. It is not at the distribution desk. I have obtained but one copy of the report, and, so far as I am advised, I suspect that I have

as much information on this as the average Member of the House has. I know but little about this proposition. I do not think—and I say it in all seriousness—that we should enter upon the discussion under a suspension of the rules and consideration at a time when we can not amend a proposition about which there may be differences of opinion, about which there may be a propriety of amendment.

Now, this bill is one which can have for its purpose only the removal of what might be technically characterized as a cloud upon the title of this land. I gather from the reading of the report—and I regret that I have been unable to obtain the bill, and therefore do not understand it as well as I possibly should—that there has been no operation of this irrigation system for this Garden City Water Users' Association since 1909, I believe.

Mr. TINCHER. That is right.

Mr. GARD. How long was it in use?

Mr. TINCHER. It never was used, because they did not get the water.

Mr. GARD. The matter is one where, from the report, which is all I have, it would seem that this association was formed for the purpose of getting water by some process of pumping for irrigation, I presume, on these semiarid lands or dry lands in Kansas; that the Government invested a considerable sum of money and undoubtedly did the best it could for the farmers to establish this irrigation project, and because they did not get a sufficient supply of water the proposition failed, and thereafter from time to time, from 1909 to 1917, the different elements of the property, finally including the railroad tracks, were sold, so that there is not anything out there now. The machinery is sold, and the railroad that was necessary for the work has been sold. In fact, there is nothing upon which the Government could make a lien now if it wanted to. There is no water; there is nothing which would affect any property owner down there except a bare legal obligation which those people made with the Government, which no court in the world would enforce, which the Government surely would not even attempt to enforce, because there is an entire lack of equity, owing to the failure of the consideration, namely, the water, which was the consideration in the matter of the contract.

Mr. TINCHER. I want to thank the gentleman for presenting the matter so much better than I could have presented it.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. GARD. Yes; I yield.

Mr. HARDY of Texas. Does it not seem to the gentleman that no harm could come in this matter by letting it lie over? There is no movement by the Government, no real cloud on the title, no anything.

Mr. GARD. That is just what I am trying to say. While I have no opposition to the intent of the bill, and certainly no opposition to the gentleman from Kansas [Mr. TINCHER] or his excellent constituents in the Garden City Water Users' Association, whom I would desire to relieve as much as I could, yet I do not think this bill is of a character which should be brought up at this time, because there is no policy laid down and there is no pressing need of affirmative action. The only thing we possibly do here is by a congressional enactment to relieve these people from something that does not amount to anything anyhow.

Mr. HARDY of Texas. There is nothing in it.

Mr. GARD. As the gentleman from Texas so well expresses it, there is nothing in it.

Mr. BLANTON. Will the gentleman yield?

Mr. GARD. Yes.

Mr. BLANTON. Surely the gentleman from Ohio would not want to deprive our friend of the opportunity of having something to talk about when he goes home.

Mr. GARD. I put this upon a higher level than any political advantage. I do not think bills should be called up under a motion to suspend the rules where they are for any local interest or because of any partisan or political advantage. I am sure the idea of the Speaker of the House is entirely foreign to that. It seems to me the only bills we should pass under suspension of the rules are those which are so apparently necessary that they need not be amended at all. This bill may have some advantage that other bills of its character may not have, but I think that bills of this kind should be considered under the ordinary procedure of the House, where they may be taken up and discussed and amended if necessary, and that this is not the kind of a bill to take up at this time under the extraordinary rule suspending all rules. If we are going to adhere to this policy of suspending the rules for every bill, we are going to make absolutely correct the statement of the former Speaker of the House [Mr. CLARK of Missouri] that the present Speaker will be embarrassed day by day with the importunities of men who seek to present bills which are strictly and entirely private bills and for the benefit of one man or a limited number of men. It is upon this statement, which I have tried to make as clear as I could, that I base my opposition to the enactment of this bill in its present form at this time.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question being taken, on a division (demanded by Mr. GARRETT) there were—ayes 58, noes 15.

Accordingly, two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed the following resolution:

Resolved, That a committee of two Senators be appointed by the Vice President, to join a similar committee appointed by the House of Representatives, to notify the President of the United States that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some other communication to make to them.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 2789. An act for the consolidation of forest lands in the Sierra National Forest, California, and for other purposes.

AMERICAN MERCHANT MARINE.

Mr. GREENE of Massachusetts. Mr. Speaker, I call up the conference report on H. R. 10378, to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes.

The SPEAKER. The gentleman from Massachusetts calls up a conference report on H. R. 10378, which the Clerk will report.

Mr. GREENE of Massachusetts. I ask unanimous consent that the reading of the statement be dispensed with.

Mr. GARD. Is this the conference report on the merchant marine bill?

The SPEAKER. It is.

Mr. GARD. I understood that the gentleman from Tennessee desired to be present when this was considered.

Mr. McKEOWN. Mr. Speaker, reserving the right to object——

The SPEAKER. There is no right to object to the consideration of the conference report.

Mr. McKEOWN. To the request for unanimous consent.

Mr. CLARK of Missouri. I object to the request made by the gentleman from Massachusetts [Mr. GREENE].

The SPEAKER. The whole report was read yesterday, and the Chair understands there are only two changes. Of course, anybody has the right to object.

Mr. EDMONDS. Will the gentleman reserve the right to object——

Mr. CLARK of Missouri. I will compromise on reading the new part.

Mr. EDMONDS. Will the gentleman allow me to explain it?

Mr. CLARK of Missouri. I would rather hear it read—the new part.

The SPEAKER. The gentleman asks unanimous consent that only the new part of the report be read. Is there objection?

Mr. GARD. Reserving the right to object, it is understood that that also includes reading the statement.

Mr. McKEOWN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McKEOWN. After the new part is read, will it then be in order to make points of order against the conference report?

The SPEAKER. Certainly.

Mr. McKEOWN. I have no objection to the request, if I may have an opportunity to make points of order.

The SPEAKER. The gentleman has that right. The Chair understands the gentleman from Ohio desires the reading of the statement.

Mr. GARD. Yes; if we may have the new part of the report read, and the statement read.

The SPEAKER. Is there objection to reading the new part of the report and the statement?

There was no objection.

Mr. McKEOWN. Mr. Speaker, another parliamentary inquiry. Will points of order be in order against the parts not read?

The SPEAKER. Against the whole report.

Mr. WINGO. Why not have it understood that points of order are reserved, and that as soon as the reading is concluded, then points of order can be made?

The SPEAKER. Without objection it is understood that points of order are reserved. The Clerk will read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 15 and 24.

Mr. McKEOWN. Mr. Speaker, I make a point of order——

The SPEAKER pro tempore (Mr. WALSH). The present occupant of the chair was not in the chair when request for the reading of the statement was preferred. Was the entire statement to be read?

Mr. McKEOWN. No.

The SPEAKER pro tempore. The Chair understood that the new part of the report was to be read and that the gentleman from Ohio asked that the statement be read.

Mr. McKEOWN. No; I think the request was that the new part of the report should be read and the new part of the statement, and the point of order was to be made after that.

The SPEAKER pro tempore. The Chair is advised that the gentleman from Massachusetts had preferred a request that the statement be read in lieu of the report; that the gentleman from Missouri [Mr. CLARK] asked that the new part of the report be read, and thereupon the gentleman from Ohio [Mr. GARD] asked that the statement be read and the new part of the report. That is the way the request was left. Of course, the entire statement should be read.

Mr. CLARK of Missouri. The Chair has stated it exactly as it occurred.

The SPEAKER pro tempore. The Clerk will read the statement.

The Clerk read the statement.

Mr. McKEOWN. Mr. Speaker, I make a point of order against the amendments numbered 52 and 128. The new matter as reported is found on page 4 of the report, in which they set out that at the end of the matter proposed by the Senate amendment they change the period to a comma and add the following:

And provided further, That whenever the board shall determine, as provided in this act, that trade conditions warrant the establishment of a service or additional service under Government administration where a service is already being given by persons, citizens of the United States, the rates and charges for such Government service shall not be less than the cost thereof, including a proper interest and depreciation charge on the value of Government vessels and equipment employed therein.

Mr. BANKHEAD. What is the gentleman's specific point of order?

Mr. McKEOWN. That the conferees have exceeded their authority by inserting matter not covered by the bill or amendments of the Senate.

Mr. EDMONDS. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. EDMONDS. I would like to call the gentleman's attention to the fact that this section was transferred from section 22 of the Senate bill and placed here where it properly belongs. It is word for word taken out of section 22 and placed here. The words are identical with those in the Senate bill.

Mr. McKEOWN. Mr. Speaker, that section reads as follows:

SEC. 22. That the board shall ascertain and determine the need for vessels between the ocean terminal of the Government railroad in Alaska and Pacific and other ports, and if suitable and satisfactory arrangements can not be perfected to meet such need through vessels privately owned and operated the board is directed to furnish suitable service until it can be taken over and supplied by private capital and enterprise: *Provided, however*, That whenever the board shall determine, as provided under this section or any other section, that trade conditions warrant the establishment of a service, or additional service, under Government administration where a service is already being given by persons, citizens of the United States, the rates and charges for such Government service shall not be less than the cost thereof, including a proper interest and depreciation charge on the value of Government vessels and equipment employed therein.

The purpose of that amendment was that where the United States found the condition in reference to the ports between Alaska and the Pacific ports was so that they could establish shipping transportation facilities wherever the circumstances required or wherever it was needed, that they should charge rates sufficient to indemnify the Government against loss.

Then the provision in the conference report requires that they shall take the boats off whenever the returns are not sufficient to pay the transporttaion charges—not the establishment of a new service that would grow and develop, but to absolutely take out of the service the Government-owned ships unless they are paying the expenses and where the rate is less than other transportation. That means, instead of doing what was the purpose of the Senate provision, to establish service by the Government, but that wherever the transportation rates on other lines were such that the United States Government could not operate, then they must take them off immediately and not give an opportunity for a fair trial.

Mr. EDMONDS. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. EDMONDS. I call the gentleman's attention that this provision was transferred to section 7 because it was more applicable to the terms of section 7 than it was to section 22, and we considered it was proper to place it where it belonged. The wording has not been changed in any form and it was applicable to any section of the act, and it might as well be placed where it belonged as to be where it was.

Mr. McKEOWN. Does the gentleman deny that the effect of this provision is that immediately they must take the vessels off if it is shown that they can not compete with railroad transportation or other transportation?

Mr. EDMONDS. The gentleman is talking about legislation and not on the point of order. The gentleman is making a point of order.

Mr. McKEOWN. Yes; because you have transferred it around and made it apply to all ships.

Mr. EDMONDS. It was applicable to every section in the act, and therefore it was just as applicable to the one section as another.

Mr. McKEOWN. Now, Mr. Speaker, I want to call attention to a point of order I make against amendment 128, which reads as follows:

SEC. 25. That the owner of a vessel documented under the laws of the United States and operated in foreign trade shall, for each of the 10 taxable years while so operated, beginning with the first taxable year ending after the enactment of this act, be allowed as a deduction for the purpose of ascertaining his net income subject to the war-profits and excess-profits taxes imposed by Title III of the revenue act of 1918 an amount equivalent to the net earnings of such vessel during such taxable year, determined in accordance with rules and regulations to be made by the board: *Provided*, That such owner shall not be entitled to such deduction unless during such taxable year he invested, or set aside under rules and regulations to be made by the board in a trust fund for investment, in the building in shipyards in the United States of new vessels of a type and kind approved by the board, an amount, to be determined by the Secretary of the Treasury and certified by him to the board, equivalent to the war-profits and excess-profits taxes that would have been payable by such owner on account of the net earnings of such vessels but for the deduction allowed under the provisions of this section: *Provided further*, That at least two-thirds of the cost of any vessel constructed under this paragraph shall be paid for out of the ordinary funds or capital of the person having such vessel constructed.

This amendment 128 undertakes to set out new sections, and I will call the attention of the Chair to the fact that the first paragraph, commencing with section 207 down to the words "invested capital," is to be found in the bill, and is covered by the Senate bill, and that the last paragraph on page 11, commencing with paragraph (f) is also covered by the bill and was within the jurisdiction of the conference committee. But all of the language commencing with "invested capital," on down through paragraph (e), is entirely new matter, and is not within the jurisdiction of this committee because it is not covered by either the House or the Senate bill. I call the Speaker's attention to this fact that the language commencing with "invested capital," through paragraph (e), is the language that I complain of in this report in this point of order, and I will say, in conclusion, that I hesitate to make a point of order against an important bill like this at this stage of the proceedings, but it is a bill that involves $3,000,000,000 worth of property, and I think the point of order is well taken as to amendment No. 128.

Mr. EDMONDS. Mr. Speaker, would the Chair like further enlightenment on the point of order on amendment No. 52?

The SPEAKER pro tempore. The Chair would like to have the gentleman from Pennsylvania discuss the point of order made against the language involved in amendment No. 128.

Mr. EDMONDS. When the conferees arrived at amendment No. 128, we did not like the wording of the sentences or the paragraphs. We immediately had our legislative experts and the Treasury experts get together. We gave them the meaning in the bill. We told them that we would like to have the proper amendment drawn up, that would be in the terms of the Senate bill, that that was satisfactory to us, and this is what they have returned to us as carrying out the provisions of the Senate bill. We have gone over them, and we believe they are absolutely correct, in accordance with the terms of the bill, and that they are now in workable order. In the Senate bill they were not in workable order. There is absolutely no change in the meaning of amendment No. 128 over what was put into the bill originally by the Senate.

The SPEAKER. The Chair would like to inquire how the conferees secured jurisdiction of section 206 of the revenue act of 1918.

Mr. EDMONDS. An amendment inserted by the Senate affecting the revenue act passed by the Senate must naturally have something to do with the revenue act, and we could not make an amendment of that kind unless we did amend or change the revenue act. As to the gentleman's contention about everything after "invested capital," I would call attention to section (b), which is the same as the second paragraph of the bill.

Mr. CHINDBLOM. Mr. Speaker, will the gentleman permit a suggestion?

Mr. EDMONDS. Yes.

Mr. CHINDBLOM. It would appear that the conferees in the manner suggested, instead of Senate amendment No. 128, have placed the matter in the form of an amendment to the revenue act, whereas in the Senate amendment it is not in that form, but is merely a section of the shipping bill, and by reference alone amend the revenue act of 1918. I think a comparison of the language in Senate amendment No. 128 and the proposed matter inserted in lieu thereof by the conferees will show that the substance is identical, that the provision was to the same effect; but they changed the form of it and made it in the form of an amendment to the revenue act by adding certain new sections to section 206 of the revenue act of 1918. The Speaker will observe that section 225 amends Title III of the revenue act of 1918, and proceeds to make changes in the revenue act of 1918, but does not in terms add any new section or change any of the existing sections of the revenue act of 1918.

Mr. DAVIS of Tennessee. Mr. Speaker, I have been unable to hear all that was said on either side, but I wish to undertake to make a concise explanation of amendment No. 128 and the point made against it. I call the attention of the Chair to the fact that the first paragraph of section 25, amendment No. 128, going down through line 16, on page 28, is paraphrased by the first paragraph of subsection (a) on page 10 of the report. Then the last paragraph of section 25 in the Senate bill is paraphrased by subsection (f) of amendment No. 128, appearing on page 11. All of the intervening matter is substituted in lieu of the second paragraph of section 25 in the bill, and that involves many very material changes and provisions that were not embodied in the original Senate amendment, and, of course, not in the House bill. Furthermore, comparing the last paragraph of the section in the bill with subsection (f) of the conference report it occurs to me that there is very material change in this respect: In line 4 the Chair will notice that after the word "board" there is inserted by the conference amendment the words "or a majority thereof," and lines 15 to 18, on page 29 of the bill, are stricken out; so that where it originally provided that the Secretary of the Treasury and the Secretary of Commerce and the chairman of the board were authorized to determine the matters involved, and the language included within lines 15 to 18, providing an appeal to the President where there was not a unanimous decision, the conference amendment changes the paragraph so as to provide that a mere majority of the board may determine those matters, eliminating entirely the appeal to the President.

Mr. EDMONDS. Does the gentleman think that the conference committee has no right to change anything? Is that the gentleman's argument?

Mr. DAVIS of Tennessee. No; but I contend that these are very material changes and involve radical changes from the provisions in either the House or the Senate bill.

Mr. EDMONDS. Are they changes from the subject matter of the paragraph?

Mr. DAVIS of Tennessee. I do not think it is an entire change from the subject matter. I do not understand that such is necessary before a point of order lies.

Mr. EDMONDS. To be subject to a point of order they have to be changes from the meaning of the paragraph.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. BLANTON. Answering the gentleman from Pennsylvania, I think the sooner conferees learn that they have not a right to go beyond matters in disagreement the better all will be with respect to legislation.

Mr. EDMONDS. The conferees in this case, with the exception of the one change which was ruled out yesterday, did not go beyond matters in controversy.

Mr. DAVIS of Tennessee. Mr. Speaker, in reply to that, I want to say that that shows what it means to bring up a bill of this importance without opportunity for discussion or consideration by the House; this very provision involves exemption from income taxes of these ship-owning interests.

This provision to which I have referred makes it easier for that to be done, because it deprives the President of the right to pass upon it.

Mr. EDMONDS. The gentleman does not want to misinform the House, I am sure. It does nothing of the kind. It involves exemption from the payment of income tax provided it is put in new ship construction.

Mr. DAVIS of Tennessee. It does provide for such exemption, provided they invest in ship construction that which they would otherwise have paid in taxes.

Mr. EDMONDS. And that was in the Senate amendment which we disagreed upon and which went into conference, and we tried to fix it up in a legitimate and regular manner.

Mr. DAVIS of Tennessee. Oh, I am not impugning the motives of the gentleman, but I have a right to discuss the proposition.

The SPEAKER pro tempore (Mr. WALSH). The gentleman from Oklahoma [Mr. MCKEOWN] makes the point of order against the conference report and contends that in amendment 52 the conferees have exceeded their authority by inserting the language at the end of the Senate amendment. The Chair has examined the amendment and the language reported by the conferees, and notes, as was pointed out by the gentleman from Pennsylvania [Mr. EDMONDS], that substantially the same language was carried in section 22 of the Senate bill, or rather section 22 of the bill amended by the Senate. The conferees have transferred that language in practically the same form to section 7 of the bill, and this provision would seem to be germane. But at any rate that section was in controversy, and the transfer by the conferees was not in excess of their authority.

The gentleman from Oklahoma also bases his point of order on the contention that the conferees have exceeded their authority in reporting language, which is amendment No. 128. This contention raises a question of considerably more difficulty. Section 25 of the bill as amended by the Senate, that amendment being No. 128, provides for certain exemptions to owners of documented vessels operating in foreign trade from the tax imposed by Title III of the revenue act, and also provides that citizens may sell during a certain period vessels documented under the United States law and that they should be exempt from certain titles of the revenue act of 1913. It also provides a board which is to determine the amount to be allowed for annual depreciation of vessels and for allowances and deductions to be allowed, and in case of disagreement the contention to be referred to the President. The conferees have recast that amendment in its entirety and instead of providing certain exemptions they have reported an amendment to the revenue act which in general language retains the features of Senate amendment 128, but they incorporate that in a new section to the revenue act of 1918, to be known as section 207 with subparagraphs. But the conferees have not only retained substantially the language of the Senate amendment, but they added other amendments of an administrative character to the revenue act and enlarged somewhat and further prescribed the duties of the Commissioner of Internal Revenue. They have also inserted a paragraph known as paragraph D, requiring the furnishing of a bond or surety, and in lieu of a bond permitting the deposit of the amount of the taxes or obligations to be held in trust with the approval of the Secretary. This paragraph, as well as the one preceding and the one following, would seem to deal in administrative provisions and put restrictions on, and also enlarge the scope of the authority of, the Internal Revenue Commissioner. The Chair finds nothing in the Senate amendment after a very careful reading of the language, neither does he find anything in the amendment as reported by the conferees, that part of the language which has been retained, which brings these matters in controversy. They seem to be entirely new matter, which the conferees have reported in attempting to adjust their disagreement upon the Senate amendments, and it would seem to the Chair that they have not followed the rules prescribed in adjusting differences between the two Houses in conference. The Chair appreciates that it is a very important matter to rule that a conference report at this time should be returned to the conferees and yet——

Mr. MONDELL. Will the Chair allow me?

The SPEAKER pro tempore. The Chair will hear the gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker, where a provision contains legislation that required machinery of administration and the conferees present the matter in a different form but of practically the same substance, are the conferees going beyond their proper jurisdiction when they insert a purely administra-

tive provision not in conflict with the purpose or intent of the legislation and necessary to its carrying out, or if not absolutely necessary then useful and helpful? These administrative provisions may, I do not know that such is the case here, be provisions that might be cared for by rule of the department or construction of the department. The conferees have seen fit to go into some detail in the matter of administration, remaining, however, all the time within their authority, so far as the substantive provisions of the bill are concerned. They lay no obligations that they were not authorized under that jurisdiction and authority to lay. They have taken away nothing that they did not have the authority to do, but they have endeavored to perfect and make workable the provisions which they have authority to provide for, to arrange for, in a somewhat modified way. It occurs to me that it could scarcely be held that they go beyond their jurisdiction because some purely administrative provisions or directions were inserted.

The SPEAKER pro tempore. Will the gentleman permit an inquiry?

Mr. MONDELL. The gentleman is delighted to have the Chair make an inquiry of him.

The SPEAKER pro tempore. The Chair would like to ask the gentleman if it is his view where a Senate amendment prescribes that certain exemptions shall be permitted under a title of the revenue law, to be determined in accordance with rules and regulations to be made by the board, namely the Shipping Board, that that would confer jurisdiction upon the conferees to prescribe departmental provisions to be followed by the Commissioner of Internal Revenue, and to amend the revenue act of 1918 in its essential particulars?

Mr. MONDELL. Well, if the Chair will allow me, I did not ask the Chair to hear me on that matter because it had occurred to me as quite clear that in that particular the conferees were clearly within their rights for the reason no one questions but what the provisions contained in the section as presented by the conferees are within their authority. The question is, Are they authorized to amend another act?

That is the question I understood the Chair to raise, whether or not, presenting the same subject matter, it was within their authority to present it, not in the form of a reference to another act, but as a reenactment of another act. It seems to me that clearly they have authority to do that, and it is proper and logical they should have that authority. It is much better as a matter of practice to amend a statute by reenacting it and modifying it than to amend it by mere reference, by limitations under certain conditions, by modifications as contained in another piece of legislation. One of the vices of our legislation is the constant amendment of statutes by mere reference, implication, suggestion, modification. As the Chair knows, in some jurisdictions that can not be done.

If a statute is amended it must be reenacted in order that he who reads may know what the statute is—a very much better form of legislation. Now, in this particular case the conferees have adopted the better form. Instead of modifying this section of the revenue act by reference to it, instead of making some exceptions in this particular case, they have seen fit to reenact that section of the statute. And so long as they do not exceed their authority in the subject matter, the fact that they present it in a different form and as an amendment of another statute, a direct amendment, a reenactment of another statute, rather than an amendment by reference, it does not seem to me to be repugnant to any proper rule of legislative procedure, but rather in harmony with the better legislative procedure.

Mr. McKEOWN. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. McKEOWN. Does not this legislation enact an entirely new section to the revenue bill and prescribe administrative features under that?

Mr. MONDELL. My contention is, whether it reenacts a section of the revenue bill or adds a new section to the revenue bill, so long as it adheres to the subject matter the conferees are still within their authority. If the gentleman suggests he can not agree with that line of reasoning, why should not the conferees legislate in the best form—confessedly in the best form—rather than in the form that no one approves of?

Mr. HARDY of Texas. Will the gentleman yield?

Mr. MONDELL. I yield.

Mr. HARDY of Texas. Does not the gentleman think it is not within the province of the conferees, when they are seeking to make an amendment of the Senate effective, to provide some means by which it may be made effective? If an amendment, as worded in the bill that comes back to the House, is such as it would contravene some statute or would be lacking in the instrumentalities to carry it out, would not the authority of the conferees go to the extent of providing the instrumentalities to carry out the purpose of the amendment?

Mr. MONDELL. The gentleman has stated better than I did my contention with regard to the administrative provision. It seems to me beyond all question that a matter being within the jurisdiction of the conferees they are not exceeding their jurisdiction when they add practically a reasonable and possibly essential administrative provision. My understanding of the authority of conferees is this, that they may not put in a measure new matter, new subjects, and in dealing with the subject in hand they can not go beyond the scope of the provisions that have been adopted by one House or the other, but should it develop in adjusting the differences between the two Houses that it became necessary to add some purely administrative provisions, they are certainly not going beyond their authority in doing it. They are doing the thing necessary to the perfection of the legislation within their authority.

Mr. HARDY of Texas. If the Speaker will hear me just in line with what has been said by the gentleman from Wyoming, it seems to me that where the conferees thought an amendment, the purpose of which they accorded with, was so loosely drawn that it might give occasion for abuse in administration or losses to the Government, they would have the right in agreeing to so amend the amendment as to provide against the evils naturally inherent in the defective amendment. Now, the Senate provision as it was written was, as we thought, lacking in safeguards. It provided amply for the remission of certain taxes in order to permit the investment or reinvestment of certain moneys in new shipping built. The House undertook, while agreeing with the purpose and the object of the Senate amendment, to provide the safeguards that would protect the Government, and one of those is to require a ship operator whose tax exemption is to be given him, to give a bond that he will apply the taxes that he was not forced to pay in the manner which was to be the cause of his exemption. In other words, every amendment of the Senate amendment made by the conferees is by way of safeguarding against the effects of the loosely drawn amendment of the Senate, and to make it more perfectly express the purpose of the Senate amendment and provide the means by which it was to be effectuated. In other words, I do not think the conferees were limited to either striking out the Senate amendment, putting nothing in its place, or else agreeing to it. But very practically all the conferees' work was done with the purpose of assuring the ultimate object of the Senate amendment, as, for instance, with paragraph (d), we provided that the taxpayer to be exempted from certain taxes is required to furnish a bond that he will do certain things. That is like putting a condition to the provision of the Senate. I think a mature study of the language adopted by the conferees will show that while it adopts new language, a new machinery, all of it is intended to safeguard the loosely drawn amendment of the Senate. And unless conferees may do that, they must be limited either to striking out what the Senate said and putting nothing in its place, or else agreeing to and accepting the Senate amendments.

Mr. BEGG. Will the gentleman yield to a question?

Mr. HARDY of Texas. Yes.

Mr. BEGG. The position taken by the gentleman is the same as that taken by the gentleman from Wyoming [Mr. MONDELL]. Now, do I understand that you claim the conferees have a right to rewrite the substance matter under consideration by the Senate, and the House state it in their own words, just so long as they stay within the confines of the subject matter?

Mr. HARDY of Texas. And the purpose expressed.

Mr. BEGG. In other words, we would say that one body of government has the one extreme and another the opposite extreme. Does the gentleman mean to hold that the conferees can redraw and reexpress that without giving the House the opportunity to pass upon it?

Mr. HARDY of Texas. I illustrate it by (c) here. The Senate had excepted certain operating income from certain taxes. We make it a condition that before that can be done the income earner must give a bond for the application of that income as required by the law. That calls for some machinery, but it is all for the forwarding of the purpose of the Senate amendment and without bringing in anything new to be accomplished, but really effectively providing the means of the accomplishment of the purpose in view. It seems to me that comes within the proper jurisdiction of the conferees; otherwise they are practically figureheads.

Mr. GARRETT. Mr. Speaker, it occurs to me—and I call the attention of the friends of this legislation to the matter and

suggest that it receive their serious consideration—that we are probably treading on pretty dangerous ground, independent of the point of order as regards the rules of the House.

The Constitution of the United States provides that all bills for raising revenue shall originate in the House of Representatives, but that the Senate may propose or concur with amendments, as in other bills. The bill which this House passed was not a revenue bill in the sense in which the term is used in the Constitution, and it had no reference whatsoever to it. It went to the Senate, and the Senate put upon it an amendment which does have to do with revenue. It originated in the Senate.

Now, unless I am mistaken in my recollection it has not been many years since the Senate amended some House bill by putting upon it a revenue feature involving the subject of child labor, and that was not upon a revenue bill; and the matter got before the Supreme Court of the United States, and the Supreme Court held that act unconstitutional because it did not originate in the House of Representatives, where the Constitution provides that revenue bills shall originate.

That is worthy of pretty serious attention. Now, so far as the suggestions of the gentleman from Wyoming [Mr. MONDELL] go——

Mr. CAMPBELL of Kansas. Just in that connection will the gentleman from Tennessee permit me to say that the House has uniformly rejected any attempt on the part of the Senate to put revenue matters upon bills that went to them from the House?

Mr. GARRETT. Yes. I remember, Mr. Speaker, more than once, I am sure, in my experience here, that the House has by a respectful resolution advised the Senate that it would have to decline to receive or consider any bill which interfered with its constitutional right to originate revenue measures.

Now, the gentleman from Wyoming insisted upon a very liberal construction of the rules in regard to conference reports, a construction that I do not believe the Chair would be justified in giving. I think the conference rules are pretty plain. They are not involved in any very grave doubt. There is not much room for dispute about the meaning of the rules as regards conference reports. The theory and the philosophy of the rule in regard to conference reports is that the legislative body, the House of Representatives, shall not be compelled to vote up or down as a whole a proposition containing matter upon which the House has no opportunity of passing except as it passes upon it as an integral portion of a conference report. The House of Representatives, Mr. Speaker, has as much right to pass upon the administrative features of a revenue law and determine the language in which those administrative features shall be couched as it has upon any other part of a revenue law, so that the theory, the philosophy, that underlies the rule in regard to conference reports, that the conferees shall not exceed their jurisdiction and bring in matters not in dispute between the two Houses, applies with as much force to an administrative proposition as it does to any other portion of a bill.

It may be unfortunate that the legislation did not reach that stage in either body where the administrative feature was passed upon by either. That may be an unfortunate situation. But that is a question affecting the merits. That is begging the question upon the matter of merit. That is not asking the Chair to predicate a decision on the rules of the House. That is asking the Chair to take into consideration the question of expediency, which I respectfully submit the Chair can not do.

Mr. BANKHEAD. Mr. Speaker, I desire to submit very briefly, if the Chair please, one or two authorities on this proposition. As I understand, the specific point of order made by the gentleman from Oklahoma [Mr. MCKEOWN] is based upon the ground that the conference report includes new matter that was not a legitimate and germane subject of difference between the House and the Senate in conference. Now, in volume 5 of Hinds' Precedents, on page 719, you will find this decision:

On April 19, 1871, Mr. Henry L. Dawes, of Massachusetts, from the committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill of the House No. 19 (deficiency appropriation), submitted a report thereon in writing.

Mr. William S. Holman, of Indiana, made the point of order that the report contained matter not a subject of difference between the two Houses. Mr. Holman specified that there were incorporated in the report two propositions which were new—a provision making appropriations for the Sutro Tunnel and another for the Agricultural Department. These matters, he submitted, were not referred to the committee of conference at all. He understood that the committee of conference was not authorized to consider matters which had been neither incorporated in Senate amendments nor brought before the House.

The Speaker, Mr. James G. Blaine, said:

The rule is as broad as the gentleman from Indiana states it, with this reservation: New propositions may be introduced, but there must be something in the bill to make them germane as amendments. The power of a conference committee, which, as gentlemen well know, the two Houses have been in the habit of considerably enlarging, fairly includes the power to incorporate germane amendments. If the gentleman from Indiana makes the point that the amendments he specifies are not germane, the Chair will examine the question; but the mere fact that the propositions embrace matters which were not originally before the House or Senate would not be sufficient to require them to be ruled out.

Now, it seems to me, Mr. Speaker, there is a decision by a very eminent authority that is directly in point upon the proposition involved here. The Senate amendment did contain a provision allowing certain exemptions from these shipowners upon their income-tax returns, and allowing them to make it up by reinvesting it in new construction in the merchant marine, which was a general subject affecting the income-tax law and amendments of the income-tax law. Now, the amendment agreed upon by the conferees was certainly germane, although it did include new matter, as the Chair referred to a moment ago, by way of regulation, and so forth.

I quote again from Hinds' Precedents, volume 5, page 721:

On March 3, 1871, the House was considering the report of a committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 2816) making appropriations for the support of the Army, when Mr. Fernando Wood, of New York, raised a question of order as to a provision relating to certain claims. One of the Senate amendments to which the House had disagreed was a provision to refer the matter of the claims in question to the Quartermaster General and the Commissary General. The conferees reported a provision to constitute a commission to deal with the subject.

But the Speaker—in this case it was Mr. Blaine—ruled:

The Senate inserted a provision in this appropriation bill on this subject, and the provision reported by the conference committee is a germane modification of that provision, and therefore it comes strictly within the purview of the power of the committee of conference. If it were entirely new matter, the Chair would have no hesitation in ruling it out.

And then I call the attention of the Chair to this further decision, and that is all I will cite.

On May 26, 1870, the House was considering the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to a bill to enforce the rights of citizens of the United States to vote in the several States of this Union who have hitherto been denied that right on account of race, color, or previous condition of servitude.

Mr. Samuel S. Cox, of New York, made the point of order that the report contained new matter, two new sections having been added.

The Speaker, Mr. Blaine, said:

It is not necessary that the matter reported by the committee of conference should have been considered in either branch if it be germane and in the nature of an amendment which may reconcile the differences between the two branches. It is just as much in order for a conference committee to report such matters as for a Member to move it on the floor of either House. It is only when they introduce absolutely new matter—which would not be germane to the matter under consideration and could not be entertained in either branch in the form of an amendment—that the point of order raised by the gentleman from New York could be entertained. The Chair overrules the point of order.

Mr. MCKINIRY. Mr. Speaker, I make the point of no quorum present.

Mr. MONDELL. Will the Chair allow me to make one statement?

The CHAIRMAN. The Chair was ready to rule, but the gentleman from New York [Mr. MCKINIRY] has made the point of no quorum present.

Mr. MCKINIRY. I withdraw it for the present.

Mr. MONDELL. Mr. Speaker, I want to say a word with reference to the suggestion of the gentleman from Tennessee [Mr. GARRETT] that I was contending for a liberal construction of the rule governing the action of conferees. Quite the contrary. I have never done that. I never shall. I am one of those who believe that conferees should be held strictly within their power and authority. I do not think it is a liberal construction of the authority of the conferees to say that they may put their proposition in the best possible form; and it is not a liberal construction of the authority of the conferees to say that the matter may be so presented that it will be a complete and perfect and workable piece of legislation.

The SPEAKER pro tempore (Mr. WALSH). The Chair is ready to rule. The Chair has listened with great interest to all that has been said since he stated his understanding of the matter a few moments ago.

The Chair is clearly of the opinion that the conferees have exceeded their authority; that if they had retained the Senate amendment in the language in which the Senate reported it, and had not attempted to amend the revenue act, but had simply added the language which has been added in attempting to amend the revenue act, they still would have exceeded their authority. They are retaining the language of a Senate amendment, and in addition are imposing certain administrative requirements upon the Commissioner of Internal Revenue which were not necessarily involved in the Senate amendment. The administrative requirement in the Senate amendment,

upon the reading of that amendment, could have been left to the Shipping Board; but in the language which has been reported by the conferees they have proposed certain restrictions and have made certain regulations which will have the effect of law; and in writing them in as an amendment to a revenue law like a new section it seems to the Chair clearly that it is not within their jurisdiction, because there is nothing in the Senate amendment that, in the opinion of the Chair, places those matters in conference; and much as the Chair regrets it, he feels constrained to sustain the point of order.

Mr. MONDELL. Mr. Speaker, in order that we may more clearly understand the ruling of the Chair, does the Chair hold that the conferees exceeded their authority when they changed the language and form of the Senate amendment by putting it in the form of an amendment to the revenue act?

The SPEAKER pro tempore. The Chair has made no such ruling as that.

Mr. MONDELL. I am asking this in good faith.

The SPEAKER pro tempore. Certainly.

Mr. MONDELL. Because I think the conferees ought to know. They might take from this section the administrative provisions that the Chair has objected to, and then find themselves confronted with another point of order that the mere fact that they had inserted this in the form of a section of the revenue act subjected them to the point of order. The Chair has not held that?

The SPEAKER pro tempore. The Chair did not so rule. The Chair holds that in writing a new section of the revenue act and in including in that section certain language of the Senate amendment, and then other provisions which were not brought into controversy by reason of the language of the Senate amendment, therefore they exceeded their authority.

Mr. MONDELL. One thing more. The gentleman from Tennessee raised the question of the constitutional provision——

The SPEAKER pro tempore. The Chair is of the opinion that it is too late to raise that question now, the bill having gone to conference; that question might have been raised when the bill came over from the Senate with the Senate amendments, but can not be raised upon a conference report, which presents the compromise of managers of the two Houses.

Mr. GREENE of Massachusetts. Mr. Speaker, I move that the House further insist upon its disagreement to the Senate amendments, and ask for a further conference.

The SPEAKER pro tempore. The gentleman moves that the House further insist on its disagreement to the Senate amendments and ask for a further conference.

The motion was agreed to.

The SPEAKER pro tempore. If there be no objection, the Chair will appoint the conferees.

There was no objection, and the Speaker pro tempore appointed Mr. GREENE of Massachusetts, Mr. EDMONDS, Mr. ROWE, Mr. HARDY of Texas, and Mr. BANKHEAD.

IMPORTATION OF AEROPLANES.

Mr. TILSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14368) to provide revenue, encourage domestic industries, and make provision for the national defense by the elimination, through the assessment of special duties, of unfair foreign competition in the sale of aeroplanes imported into the United States, and for other purposes.

Mr. THOMAS. Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Kentucky makes the point that no quorum is present.

Mr. THOMAS. Mr. Speaker, I will withdraw the point of no quorum.

The SPEAKER pro tempore. The Clerk will report the bill for which the gentleman from Connecticut asks consideration.

The Clerk read as follows:

Be it enacted, etc., That until March 4, 1921, the "special duty" provided for in this act shall be levied upon each aeroplane imported into the United States of a class or kind identical or comparable with a class or kind made or produced in the United States, or of a kind sold in competition with like articles made or produced in the United States. Such special duty shall be ascertained, determined, and promulgated by the Secretary of the Treasury.

SEC. 2. That the term "aeroplane" shall include aeroplane motors, and accessories and parts for aeroplanes and aeroplane motors.

SEC. 3. That the term "United States" shall mean the United States and any Territory or place subject to the jurisdiction thereof, except the Philippine Islands, the islands of Guam and Tutuila, the Virgin Islands, and the Panama Canal Zone.

SEC. 4. That the term "person" wherever used in this act means and includes any individual, partnership, corporation, association, or other body.

SEC. 5. That the term "foreign home value" wherever used in this act means the value plus the cost, when not included in such value, of the package and the packing charges at which any aeroplane comparable therewith in value is freely offered for sale in the principal market or markets of the country of exportation for consumption or use in said country in the ordinary course of trade and in the usual or fair average wholesale quantities that the same kind or class provided for in this act is freely offered for sale in the United States, and shall not include any excise tax levied against such aeroplane.

SEC. 6. That the words "the value to countries other than the United States" wherever used in this act mean the value plus the cost, when not included in such value, of the package and the packing charges at which any aeroplane comparable therewith in value is freely offered for sale for exportation to countries other than the United States in the principal market or markets of the country of exportation in the ordinary course of trade and in the usual or fair average wholesale quantities that the same kind or class provided for in this act is sold in the United States: *Provided*, That any import duties rebated or not paid by reason of the exportation of such aeroplane from the country of production or sale to the country other than the United States shall be added to export price.

SEC. 7. That the term "cost of production" wherever used in this act means the cost of labor and material of the aeroplane exported to the United States at the time of production plus the actual general expenses and a profit which is usually and ordinarily added to the cost of labor, material, packing charges, and general expenses by manufacturers in the country of production of aeroplanes similar in material and production or manufacture.

SEC. 8. That the term "sales price" wherever used in this act means—

(a) The price plus the cost, when not included in such price, of the package and the packing charges at which the person in the foreign country or his agent sells the aeroplane to the person in the United States or his agent: *Provided*, That the person in the United States has no financial or other interest in the business of the person in the country of exportation shipping or selling the aeroplane to the person in the United States.

(b) If it can be shown to the satisfaction of the appraiser, or the person acting as such, that the person in the United States, buying directly or through his agent in the United States or through a foreign agent, has any financial or other interest in the business of the person in the country of exportation shipping or selling the aeroplane to the person in the United States, the appraiser or the person acting as such will secure from the person in the United States his sale price in the United States of the imported aeroplane plus the cost, when not included in such price, of the package and the packing charges, and compare this price after due allowance has been made for all expenses included in said price incurred from the place of manufacture or purchase in the foreign country to the place of delivery in the United States with the sales price that the person importing the aeroplane pays or has agreed to pay to the foreign shipper, manufacturer, or owner, and report to the collector as the sales price the lower of the two.

(c) If the aeroplane imported into the United States has been secured from the foreign owner, manufacturer, or shipper otherwise than by purchase, the sales price, plus the cost, when not included in such price, of the package and the packing charges, will be the price at which the person importing the aeroplane sells or agrees to sell the aeroplane in the United States, plus the cost, when not included in such price, of the package and the packing charges, either prior or subsequent to the date of importation, less all expenses, included in said price incurred from the place of shipment or manufacture in the foreign country to the place of delivery in the United States.

SEC. 9. That the foreign home value or the value to countries other than the United States, as the case may be, shall be taken at the date of sale or purchase of the aeroplane exported to the United States, or if such aeroplane is secured otherwise than by purchase, at the date of exportation of the aeroplane to the United States.

SEC. 10. That whenever an aeroplane is exported to the United States of the class or kind provided for in this act, and the sales price is less than the foreign home value, or in the absence of such value is less than the value to countries other than the United States, or in the absence of such value is less than the cost of production, there shall be levied and collected, in addition to the duties on imported aeroplanes prescribed by law, a special duty in an amount equal to the difference between the sales price and the foreign home value or the value to countries other than the United States or the cost of production, as the case may be.

SEC. 11. That the appraiser, or the person acting as such, shall report and return to the collector his decision as to the foreign home value, or the value to countries other than the United States, or the cost of production, as the case may be, and the sales price.

SEC. 12. That if the appraiser, or the person acting as such, can not ascertain the sales price in the United States provided for in either (b) or (c) of section 7 of this act within 10 days after the entry of the aeroplane he shall withhold his return to the collector under such regulations as the Secretary of the Treasury may prescribe.

SEC. 13. That if the collector shall deem the foreign home value, or the value to countries other than the United States, or the cost of production reported by the appraiser or the person acting as such of any imported aeroplane provided for by this act to be too low, or shall deem the sales price of such aeroplane to be too high, he may within six months after the date of such report and return appeal to reappraisement, which shall be made by one of the general appraisers, or if the importer, owner, agent, or consignee of such aeroplane shall deem the foreign home value, or the value to countries other than the United States, or the cost of production reported by the appraiser or the person acting as such to be too high, or shall deem the sales price reported by the appraiser or the person acting as such to be too low, and shall have complied with the requirements of existing law with respect to the entry of such aeroplane he may within 10 days thereafter appeal to reappraisement by giving notice thereof to the collector in writing.

SEC. 14. That the general appraiser, in cases of reappraisement provided for in section 12 of this act, shall report to the collector of customs the foreign home value or the value to countries other than the United States, or the cost of production, as the case may be, and the sales price; and such value or cost of production and sales price shall be final and conclusive against all parties interested therein unless the owner, consignee, or agent of the aeroplane shall deem such value or cost of production reported by the general appraiser to be too high or the sales price too low, and shall within 5 days thereafter give notice to the collector in writing of an appeal, or unless the collector shall deem the report of such value or cost of production to be too low or the sales price too high, and shall within 10 days thereafter appeal to re-reappraisement by the Board of General Appraisers.

SEC. 15. That in all cases of reappraisement or re-reappraisement provided for in sections 12 and 13 of this act the collector shall transmit the invoice and all the papers appertaining thereto to the board of nine general appraisers, to be by rule thereof duly assigned for determination. In such cases the general appraiser and the boards of general appraisers shall proceed by all reasonable ways and means in their

power to determine the foreign home value, or the value to countries other than the United States, or the cost of production, as the case may be, and the sales price, and in so doing may exercise both judicial and inquisitorial functions. In such cases the general appraisers and the boards of general appraisers shall give reasonable notice to the importer and the proper representative of the Government of the time and place of each and every hearing, at which the parties or their attorney shall have opportunity to introduce evidence and to hear and cross-examine the witnesses for the other party and to inspect all samples and all documentary evidence or other papers offered. Affidavits of persons whose attendance can not be procured may be admitted in the discretion of the general appraiser or Board of General Appraisers.

SEC. 16. That no reappraisement or re-reappraisement provided for in this act shall be considered invalid because of the absence of the aeroplane or samples thereof before the officer or officers making the same, where no party in interest had demanded the inspection of such aeroplane or samples, and where the aeroplane or samples were reasonably accessible for inspection.

SEC. 17. That the decision of the appraiser, or the person acting as such (in case where no objection is made thereto, either by the collector or by the importer, owner, consignee, or agent), or the single general appraiser in case of no appeal, or of the board of three general appraisers, in all reappraisement cases provided for in this act shall be final and conclusive against all parties, and shall not be subject to review in any manner, for any cause, in any tribunal or court, and the collector, or the person acting as such, shall ascertain, fix, and liquidate the amount of the special duty provided for in this act, in addition to the duties prescribed by existing law on such aeroplane.

SEC. 18. That if any person importing an aeroplane into the United States shall fail, at the request of the Secretary of the Treasury, or an appraiser, or person acting as such, or a collector of customs, as the case may be, to secure permission for a duly accredited officer of the United States to inspect any or all books, records, accounts, documents, or other papers pertaining to the value or classification of such aeroplane, of the person selling, shipping, or consigning the aeroplane to the United States, then the Secretary of the Treasury shall, while such failure or refusal continues, prohibit future importations into the United States of aeroplanes from such seller, shipper, or consignor by any importer.

SEC. 19. That if any person engaged in the importation of aeroplanes into the United States or engaged in dealing in such imported aeroplanes shall fail or refuse to submit for inspection of a duly accredited investigating officer of the United States upon request so to do from the collector or the appraiser, or the person acting as such, or any other officer of the United States customs duly authorized by law, any or all of his books or records, accounts, documents, or other papers pertaining to the value or classification of any such imported aeroplane, then the Secretary of the Treasury, while such failure or refusal continues, shall prohibit the future importations of any aeroplane into the United States by or for the persons so refusing.

SEC. 20. That the consular invoice covering an aeroplane subject of this act that is actually purchased shall contain, in addition to the facts and details now required by existing law, the foreign home value, or, in the absence of such value, the value to countries other than the United States, or, in the absence of such value, the cost of production, as the case may be, when such value or cost does not equal the sale price.

SEC. 21. That if any person engaged in the importation of aeroplanes into the United States shall give or receive a rebate or concession from the sale price, whereby the United States shall be deprived of the lawful duties or any portion thereof accruing upon the aeroplanes without notifying the collector of such rebate or concession from the sales price, either at time of entry or afterwards, or shall fail or refuse to submit to the inspection by a duly accredited officer of the United States, when requested so to do, any or all of his books, records, or accounts pertaining to said aeroplanes, he shall upon conviction be fined for each offense a sum not exceeding $5,000 or be imprisoned for a time not exceeding two years, or both, in the discretion of the court, and the collector of customs, or the person acting as such, at the port where such aeroplanes shall have been entered shall have the power, and is hereby authorized, to reliquidate such entry and assess duty, as provided by this act or by existing law, upon such aeroplanes and any provision of existing law inconsistent with this provision is hereby repealed.

SEC. 22. That the special duty herein provided for shall be treated in all respects as regular customs duties within the meaning of sections 2977 and 3015 of the Revised Statutes and paragraph (o) of section 4 of the tariff act of October 3, 1913, and all other statutes providing for drawback customs duties upon exportation of imported merchandise or articles manufactured or produced in the United States wth the use of imported merchandise.

SEC. 23. That this act shall be cited as the "aeroplane antidumping act."

SEC. 24. That the Secretary of the Treasury is authorized and directed to prescribe such rules and regulations as may be necessary for the enforcement of this act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GARD. Reserving the right to object, I understand from the reading of the bill it is what is called an antidumping bill.

Mr. TILSON. I will state that it is in substantially the same language as the bill that we passed unanimously in December, except that at that time the bill applied to all merchandise. That bill was held up at the other end of the Capitol. The matter of airplanes is deemed an emergency. It was believed that if it were made to apply to airplanes alone, being an emergency and involving the question of national defense, there would be no difficulty in getting it through. It is a unanimous report from the Committee on Ways and Means. We used the same bill, so that there might be no question about the House having once thoroughly considered all the details of the bill as applied to merchandise in general.

Mr. GARD. Does the bill have the approval of the War Department?

Mr. TILSON. It is at the request of the War Department—that is, the Air Service of the War Department. It is an emergency, for if the surplus and obsolete airplanes of Europe are allowed to be dumped here it means the destruction of the airplane industry in this country.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. TILSON. Certainly.

Mr. TAYLOR of Colorado. Why does not the gentleman incorporate the report of the War Department in the report on the bill, so that we can see what it is?

Mr. TILSON. We have had no formal report from the War Department, but we had the representatives of the War Department before us. If the gentleman will read the hearings, he will see that Gen. Menoher, representing the War Department; Gen. Mitchell, who is as well qualified to speak on this subject as any man in the United States; and Col Gilmore, who is at the head of the supply division, all appeared and testified before the committee.

Mr. TAYLOR of Colorado. Does not the gentleman's committee follow the practice of giving the report of the Secretary of the various departments in the reports on bills, especially as important a bill as this?

Mr. TILSON. This matter was too urgent to permit of that course. It had been expected that the antidumping bill, which includes aeroplanes, would be finally passed, and we have had only a brief time since we came to the conclusion that the other bill would probably not pass. As a matter of fact, the War Department came to us instead of our going to the War Department.

Mr. TAYLOR of Colorado. Does it take a measure or bill as long as this applying it simply to aeroplanes?

Mr. TILSON. That is a very pertinent question. The bill having been considered in all of its details last December, having been carefully considered by the committee and by this House, section by section, and passed without even a division, we thought it best to take that bill with all of its verbiage instead of attempting to prepare and pass a new bill when there is not time to consider it in detail.

Mr. KING. Will the gentleman yield?

Mr. TILSON. I will.

Mr. KING. I want to direct the attention of the House and the Committee on Ways and Means to a condition that is bound to arise. Not very long ago we passed an enabling act allowing our moneyed men to build factories in all parts of the world, England, Ireland, Armenia, and finance them with American money. Many moneyed men seeking to get a return on their investment put their money in foreign factories, where they expect to employ cheap labor and use the United States as a market. I would like to know if the gentleman knows whether any financial citizens are interested in the importation of aeroplanes manufactured abroad; and if they are, if they will be injured in any way by this legislation.

Mr. TILSON. I do not know as to that. I do know that we now have left a small aircraft industry in this country upon which the Government must rely in case of need of aeroplanes for the Army and Navy hereafter. I know that it is said by those in a position to know best that if we do not prevent the dumping of these aeroplanes from Europe it will swamp this small industry of ours and that we shall probably have to pay for it hereafter in the increased price we shall have to pay for the production of aeroplanes.

Mr. KING. I wanted to know, if the gentleman knows, whether it will injure in the slightest degree any of our moneyed men who have money in these particular factories, because that is something that must absolutely not happen.

Mr. TILSON. I am sorry that I am not in the confidence of the great moneyed men referred to by the gentleman from Illinois, and therefore am unable to answer the gentleman's question.

Mr. SANFORD. Will the gentleman yield?

Mr. TILSON. I will.

Mr. SANFORD. Have we anything in this country that could be called an aeroplane industry?

Mr. TILSON. Yes; it is quite small, but it grew considerably during the war.

Mr. SANFORD. Is it not about gone now?

Mr. TILSON. Not entirely; there is some of it left. It is desirable that we retain the rest of it if possible and encourage it to grow.

Mr. MACGREGOR. Will the gentleman yield?

Mr. TILSON. I will.

Mr. MACGREGOR. I understand that the main purpose of this bill is to protect the workmen, mainly at Buffalo. Th employ there 2,500 men, and if this does not pass they will out of employment.

Mr. TILSON. That is one element that enters into it, but I must be candid with the House and say that the thing that influenced the committee as a whole, both sides, so far as party politics is concerned, was the fact that it is an emergency and that it involves a matter of national defense. This is what appealed to the committee most strongly, and it is upon this ground that I now urge it upon the House.

Mr. LEA of California. Mr. Speaker, will the gentleman yield?

Mr. TILSON. Yes.

Mr. LEA of California. Was any evidence taken before the committee to show how many aeroplanes might be imported from England?

Mr. TILSON. Yes; the testimony on that question seemed to be somewhat elastic. One man testified that a thousand planes would be brought in, another 2,000, and I think it was stretched up to 5,000 before we got through. The fact was developed that aeroplanes and parts that cost £100,000,000 were sold to the Aircraft Disposal Co., a British corporation, for £1,000,000, or at the rate of one cent on the dollar, and that the British Government is to have 50 per cent of all of the profits made by this disposal company above the 1 per cent for which the planes were sold to the disposal company. It was also brought out that it is proposed to buy a number of these planes from the disposal company and bring them to this country.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. TILSON. Yes.

Mr. LONGWORTH. Is it not the fact that all of these machines which are contemplated to be imported, some 4,000 of them, I believe, are obsolete and will be of no service to the Government for purposes of defense?

Mr. TILSON. Yes. There was brought to the attention of the committee an order issued by the British Government to the effect that all of these planes are obsolete planes. It is also in testimony that the capacity for producing the spare parts has been turned into some other industry, so that when a plane is used up there will be no way of securing a spare part to replace the worn-out part.

Mr. LONGWORTH. The original cost of these machines was some $16,000, and they propose to sell them for $2,500.

Mr. TILSON. The gentleman states correctly part of the evidence before the committee.

Mr. LONGWORTH. Showing that they are not good planes.

Mr. BLAND of Indiana. Mr. Speaker, will the gentleman yield?

Mr. TILSON. Yes.

Mr. BLAND of Indiana. Does the gentleman know of any reason why the planes sold by the Liquidation Commission to the French Government could not be sent in here, when they were sold for practically nothing?

Mr. TILSON. I know no reason why they could not be.

Mr. BLAND of Indiana. Some of the products of the sale have been brought in.

Mr. McKENZIE. Mr. Speaker, will the gentleman yield?

Mr. TILSON. Yes.

Mr. McKENZIE. This legislation is not being enacted to affect the importation of machines used for military purposes, but for the commercial trade.

Mr. TILSON. That is all.

Mr. HICKS. Is it not a fact that unless such a provision as the gentleman is proposing is enacted into law we shall be aiding the British Government in disposing of its surplus useless war materials to the detriment of the American manufacturers?

Mr. TILSON. We are convinced that such would be the case, and that is the reason the committee reported the bill.

Mr. Speaker, I ask for a vote.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. ROGERS. Mr. Speaker, this bill being on the Union Calendar, does it not require unanimous consent for its consideration in the House?

Mr. TILSON. Unanimous consent was given at the beginning.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. TILSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

ARMENIAN MANDATE.

Mr. FLOOD. Mr. Speaker, I hold in my hand the minority views on the Armenian mandate question. The report of the majority was filed yesterday. I ask unanimous consent to file the minority report.

The SPEAKER. Is there objection?

There was no objection.

Mr. FLOOD. I would state also that I have not been able to get all of the minority members to sign this, as I have not been able to get hold of them.

BRIDGE ACROSS MONONGAHELA RIVER.

Mr. KELLY of Pennsylvania. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13962) to amend an act approved February 27, 1917, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania," which I send to the desk and ask to have read.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 1 of an act approved February 27, 1919, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania," be, and the same is hereby, amended so that the time within which the actual construction of said bridge may be commenced is hereby extended for a period of two years, and the time for the completion of said bridge is hereby extended for a period of four years, from the date of the approval of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the times for commencing and completing the construction of a bridge, authorized by act of Congress approved February 27, 1919, to be built across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania, are hereby extended two and four years, respectively, from the date of approval hereof.

"SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Reserving the right to object, is this the third of a series of bills in and about Pittsburgh and Allegheny City, or are we on a new series?

Mr. KELLY of Pennsylvania. This is the only bill applying to the Monongahela River. It is the fourth of a series applying to Allegheny County.

Mr. GARD. The gentleman's colleague [Mr. PORTER] has had two or three bills, all of them extending the time for beginning the work by two years and the completion by four years. The gentleman presents a bill in precisely the same terms, and I rise to inquire why it is this extension of time in beginning and completion is required.

Mr. KELLY of Pennsylvania. The gentleman from Pennsylvania, my colleague [Mr. PORTER] stated last night what the reason was, which is the impossibility of securing the materials. The plans have been approved by the War Department and the county commissioners, but the material could not be procured.

Mr. GARD. Is there any plan on this bill that the gentleman has?

Mr. KELLY of Pennsylvania. The plans have been approved by the War Department.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

By unanimous consent, the title was amended to read as follows: "A bill to extend the time for the construction of a bridge across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania."

On motion of Mr. KELLY of Pennsylvania a motion to reconsider the vote by which the bill was passed was laid on the table.

AMENDING FEDERAL RESERVE ACT.

Mr. PLATT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4436).

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the bill, which the Clerk will report by title.

The Clerk read as follows:

An act (S. 4436) to amend the act approved December 23, 1913, known as the Federal reserve act.

The SPEAKER. Is there objection?

Mr. KING. Mr. Speaker, reserving the right to object, this is the act amending the Edge bill?

Mr. PLATT. Yes; it is an act in regard to depositories in Panama and the Philippine Islands.

Mr. KING. Mr. Speaker, I regret very much, but I feel constrained to object and I do object.

Mr. PLATT. I hope the gentleman will not object.

The SPEAKER. The gentleman from Illinois objects.

Mr. PLATT. Mr. Speaker, I move to suspend the rules.

The SPEAKER. Not at present; the Chair will recognize the gentleman a little later for that purpose.

NAVAL OFFICERS DETAILED TO SOUTH AMERICAN REPUBLICS.

Mr. KELLEY of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4435).

The SPEAKER. The gentleman from Michigan moves to suspend the rules and pass the bill, which the Clerk will report.

The Clerk read as follows:

An act (S. 4435) to authorize officers of the naval service to accept offices with compensation and emoluments from Governments of the Republics of South America.

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized, upon application from the foreign Governments concerned, and whenever in his discretion the public interests require, to detail officers of the United States naval service to assist the Governments of the Republics of South America in naval matters: *Provided*, That the officers so detailed be, and they are hereby, authorized to accept offices from the Government to which detailed, with such compensation and emoluments therefor as may be first approved by the Secretary of the Navy: *Provided further*, That while so detailed such officers shall receive, in addition to the compensation and emoluments allowed them by such Governments, the pay and allowances of their rank in the United States naval service, and they shall be entitled to the same credit while so detailed for longevity, retirement, and for all other purposes that they would receive if they were serving with the United States naval service.

The SPEAKER. Is a second demanded?

Mr. GARD. Mr. Speaker, I demand a second.

Mr. KELLEY of Michigan. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. KELLEY of Michigan. Mr. Speaker, this is a bill authorizing the acceptance of positions by our naval officers in the navies of the South American Republics for the purpose of instructing naval officers there and for the purpose of assisting in the reorganization of South American navies. It provides that such officers as may be assigned to this work may accept additional compensation from those Governments. This legislation is asked for by the State Department and by the Navy Department, and a number of ministers to this country from South America are particularly anxious that their Governments may have the advice and counsel of officers of the United States Navy in reorganizing their navies. This bill is made necessary by reason of the fact that our Constitution provides that no officer of the United States can accept emoluments or office in another country without the consent of the Congress.

I reserve the remainder of my time.

Mr. GARD. Mr. Speaker, what I am led to say will probably be more an inquiry for my own enlightenment. The bill, as I understood it when read, provides for the designation by the Secretary of officers of the Navy to assist in the formation and building up of the navies of South American Republics?

Mr. KELLEY of Michigan. That is right.

Mr. GARD. What number of officers is contemplated to be used?

Mr. KELLEY of Michigan. Oh, a very limited number. The particular request at this time comes from the Republic of Peru. Mr. PORTER, the chairman of the Committee on Foreign Affairs, is present, and perhaps he can give a little more definite idea as to that than myself; and I will yield to him.

Mr. PORTER. Mr. Speaker, we have two precedents for this action—the act of 1914, in relation to the Republic of Haiti, and the act of 1916, in reference to the Dominican Republic. These officers are assigned to South American Republics and are permitted to receive additional compensation, but that compensation must be approved by the Secretary of the Navy. The present situation, I think, requires about three or four men—not more than that. It is a measure that the State Department is very much in favor of for reasons I would not care to state.

Mr. PADGETT. Would the gentleman permit an interruption?

Mr. GARD. Surely.

Mr. PADGETT. Along the same line we provided for Haiti and Santo Domingo?

Mr. GARD. It would seem to me, from the statement of the chairman of the Committee on Foreign Affairs, and members of the Committee on Naval Affairs as well, that there have been precedents for this sort of action——

Mr. KELLEY of Michigan. Yes; in Brazil——

Mr. GARD. Of affording relief to an individual country. Now, the gentleman says this more definitely applies to Peru than any of the South American Republics. What I was particularly inquiring about was as to the number of officers it would be necessary to send down there, because here we are establishing not a policy of giving officers to one country that is making a particular request, but, as I understand from the reading of the bill, we are establishing a policy which may permit the Navy at any time to give officers to South American Republics after the passage of this bill. Now, there is no limitation as to that; and that which I desire to call to the attention of the gentleman—and I hesitate to do that because he has much superior knowledge to mine of these affairs—is that I would like to know his opinion of the policy of the United States affirmatively determining now that it will send, upon the request of foreign Governments, these naval officers to help build the navy of any other country. I ask that of him as a general policy—not after the country has made known its necessities, but when we have such a law on the books. And for this reason: We pay our naval officers pretty well. We got through a bill the other day—and, by the way, there was not a very complete understanding the other day on the report of the conference concerning the naval retirement bill, so that I am sure the membership of the House will be interested in having the gentleman's opinion as to the extent to which this bill goes. As I understand the bill, it provides this general policy of sending officers down to South American Republics; it provides for their accepting money compensation, with the approval of the Secretary of the Navy; it provides at the same time for their continuing to receive their salaries and allowances from the United States of America. Now, I for one am very willing and anxious, indeed, to do everything I can to assist the South American countries, because they are so intimately allied with us in interest; but here we are establishing a policy which applies to our naval conduct; that is, a policy of giving a man a salary and permitting him additional compensation at such period and at such time as is necessary, and establish it not as the necessity of a particular occasion but as a permanent policy. It is on that I would be glad to have the gentleman use some of his time.

Mr. KELLEY of Michigan. Mr. Speaker, I will say to the gentleman that the question of establishing a policy of that kind is a matter of opinion, anyhow. The number of officers involved, the gentleman can readily see, would be very limited, and the relationship between the South American Republics and this Government is such that we, for their benefit as well as our own, could very well afford to do this. Now, as to the question of whether the officers should receive additional compensation from those Governments, the gentleman can readily see that the expense involved in removing to South America with his family and all that for a period of a year or two years might be such as to stand in the way of getting almost any naval officer to go down there.

And if it is to be of any service at all, why, the additional compensation probably must be permitted.

Mr. GARD. What compensation has been given in the past? What compensation was given in the loan of officers to the Dominican Government?

Mr. PADGETT. They received their regular pay.

Mr. KELLEY of Michigan. The Haitian Government pays our marine officers something in addition to their regular pay.

Mr. PADGETT. Such amount as may be approved here.

Mr. GARD. And the entire Haitian Navy could be placed in this room and there would be a lot of room remaining.

Mr. KELLEY of Michigan. I do not know whether I have supplied all the information the gentleman from Ohio is seeking or not, but I think I have stated substantially the situation.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken, and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

MUNICIPAL BRIDGE APPROACHES, ST. LOUIS.

Mr. IGOE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 4167.

The SPEAKER. The gentleman from Missouri asks unanimous consent for the present consideration of a bill, which the Clerk will report.

Mr. THOMAS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. THOMAS. I make the point of no quorum.

The SPEAKER. The Chair will count.

The SPEAKER proceeded to count.

Mr. THOMAS. Mr. Speaker, I withdraw the point and I ask unanimous consent to address the House for 15 minutes on the consideration of this bill.

Mr. MONDELL. I thought the gentleman wanted 10.

Mr. THOMAS. I have increased it now, because I have had to wait so long.

Mr. MONDELL. The gentleman should not object to 10 minutes.

Mr. THOMAS. Well, I will take 10 minutes out of order.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to address the House for 10 minutes after the completion of this bill. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 4167) to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri.

Be it enacted, etc., That the time for the construction and completion of the municipal bridge approaches and also extensions or additions thereto, which said construction and completion was authorized by an act entitled "An act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River," approved June 25, 1906, be, and the same is hereby, extended for the period of three years from February 11, 1921.

SEC. 2. That for the purpose of carrying into effect the objects of this act, the city of St. Louis may receive, purchase, and also acquire by lawful appropriation and condemnation in the States of Illinois and Missouri, upon making proper compensation therefor, to be ascertained according to the laws of the State within which the same is located, real and personal property and rights of property, and in order to facilitate and support interstate commerce, may make any and every use of the same necessary and proper for the acquirement, construction, maintenance, and operation of said municipal bridge approaches, and extensions or additions thereto, consistent with the laws of the United States.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. IGOE, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE TO ADDRESS THE HOUSE.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that at the termination of the remarks of the gentleman from Kentucky the gentleman from Kansas [Mr. STRONG] may address the House for 10 minutes.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the gentleman from Kansas may address the House for 10 minutes following the gentleman from Kentucky. Is there objection? [After a pause.] The Chair hears none. The gentleman from Kentucky [Mr. THOMAS] is recognized for 10 minutes.

Mr. THOMAS. Mr. Speaker and gentlemen of the House, it seems in these latter days of this Congress that Jordan is a hard road to travel and full of stumps to get time to make even a 10-minute speech in this House. But it seems that after great and continuous labor I have succeeded. [Applause.]

A few days ago this House voted upon the question of a soldiers' bonus. I was from the beginning, without any wavering, for that bonus, and I think that every man in this House who voted upon that question voted as he thought right and proper. [Applause.] And as for myself, I have no apologies to make now nor henceforth to any human being for my vote on that question, much less to the Louisville Courier-Journal and the Times, which are not even constituents of mine and can not control my vote by anything they may say or any abuse they may heap upon me. I am one of those individuals who is not afraid of the newspapers of this country, and at all times I will resent any imputation they may make upon my honesty or fidelity to my constituents. A few days ago, soon after the vote was taken, the Louisville Courier-Journal took occasion to vilify and to libel every man in this House who voted for the soldiers' bonus, and neither the editor of the Courier-Journal nor the editor of the Times, who is a lusty young lout, and by some method evaded the draft, can vilify me without it being resented. They called every Member of this House who voted for that bill cowards and hypocrites, together with some other choice epithets.

Those papers have always been guilty of that kind of conduct. They are incorrigible libelers and would-be bulldozers.

> The cook may roast and disinfect them as much as she will,
> But the scent of the skunk will cling to them still.

[Applause.]

Now, who is the editor of the Louisville Courier-Journal? He is a gentleman who is progressive at least in name and militant fortune hunting. He is a North Carolina mountain carpetbagger who drifted into Louisville some years ago and practiced at the law for a while in police and other courts wherever he could obtain employment. What he left the State of North Carolina for I do not know. [Applause.] Some men leave their native country because they have to and some because they want to. I have heard it intimated by people from North Carolina that he left because of an abnormal development of the cranium—osseous, gentlemen, not mental [laughter]—to seek a broader field of uselessness [laughter]. At any rate he came as a carpetbagger to Kentucky and sought political preferment in company with as conscienceless a crowd of political looters, according to the Supreme Court of Kentucky, as ever existed in the city of Louisville.

You gentlemen from New York, Philadelphia, Chicago, and other large cities who have been up against such conditions know what that means. He was elected county attorney, but was deprived of the office by a decision of the supreme court which voided the entire election because of fraud. He was elected as a Democrat, but probably the decision of the supreme court shocked his modesty and offended his dignity, and he proceeded to be revenged by running on the Republican ticket for judge of the supreme court against Judge Shackelford Miller, one of the best and most capable judges that ever sat on the bench in Louisville, but was defeated, as he should have been. Next he was appointed by the Democratic governor of Kentucky to fill out an unexpired term as mayor of Louisville, which he did without credit to himself or benefit to the city. [Laughter.] Next he was appointed by the Republican governor of Kentucky to fill a vacancy in a circuit court judgeship in Louisville, and he now has both the senatorial and gubernatorial bees buzzing about his ears, but I do not know whether he will try his political fortune for a nomination on the Democratic or Republican ticket, but I suspect on either on which he thinks he is most likely to succeed. [Applause.] When he just drifted into Louisville he was known as plain, common Bob Bingham, and mentally quite common at that, I suspect. [Laughter.]

After he was elected county attorney he became R. W. Bingham; upon his appointment as circuit judge he became Judge R. W. Bingham; and next Col. Robert W. Bingham. He is a mighty man against a bonus for anybody except himself, and when, to say the least of it, by fortuitous circumstances, he obtained a bonus of $5,000,000 in the way of a petticoat pension [applause and laughter] he at once became Col. Robert Worth Bingham. I know that he is Col. Robert Worth Bingham because he admits it, and I have seen that statement frequently in his own paper. [Laughter.] And I am looking every day for him to dub himself Gen. Robert Worth Bingham, Commander in Chief of the Army and Navy of the United States. [Laughter.]

He is, in my opinion, a political hermaphrodite, commonly called "morphodite" [laughter], with a decided leaning toward the Republican Party. His favorite associates are the Republican governor and Republican national committeeman of Kentucky, whose praises he is constantly singing in the Courier-Journal. They are his political mentors and advisers, and I understand he will attend the Republican national convention at Chicago in the company of those worthies, though I doubt if he ever goes near the Democratic national convention at San Francisco. [Applause.]

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to continue my remarks for 10 minutes.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to continue for 10 minutes. Is there objection?

Mr. MONDELL. Mr. Speaker, I have no objection to the gentleman's continuing for two or three minutes to conclude his interesting remarks.

Mr. THOMAS. I can take up that time more quickly than would be taken up by calling for a quorum.

Mr. MONDELL. How would five minutes do?

Mr. THOMAS. I do not think I could get through with less than 10 minutes. I want to finish this speech. [Laughter.]

The SPEAKER. Is there objection?

There was no objection.

Mr. THOMAS. Mr. Speaker, as I said, this man is opposed to the bonus, as all slackers and profiteers and tax dodgers are, and as are many who do not belong to any of those classes. Mr. Bingham has already received his bonus, and with a part of the proceeds he purchased the Louisville Courier-Journal, unfortunately not only for the democracy of the State of Kentucky but unfortunately for the whole people of that State.

Mr. Speaker, the inventive genius of man has constructed machines which have converted the highways of the eagle into human paths, but the feeble wings of weaker and ignoble birds have never been able to attain those sublime altitudes; and Col. Robert Worth Bingham, he of the progressive name, sitting upon the editorial tripod of the Louisville Courier-Journal as the successor of Col. Henry Watterson, whose shoes he is not worthy to untie, is but a feeble substitute for that distinguished and able editorial gladiator. Col. Robert Worth Bingham, sitting in the editorial seat of "Marse" Henry Watterson, may be compared to a dried and shriveled-up pea rattling around in the infinitude of immeasurable space. [Laughter and applause.]

Mr. Speaker, the Louisville Times, the evening sewer adjunct of the Courier-Journal, takes up the discordant chorus of Blanche Tray and Sweetheart with such choice epithets as "cowards," "dishonest," "detestable" in its libel of those who voted for the soldiers' bonus. That paper is presided over by a husky young man by the name of Krock, whose name, I am informed, was formerly Krockenstine. If that be true, perhaps he changed his name, if he did, in imitation of his distinguished "boss," Col. Robert Worth Bingham. [Laughter.] I have a poor opinion of any man who will repudiate his father's and family name by decree of court or otherwise. [Applause.] Mr. Krock, or Krockenstine, as the case may be, spent some years in Washington, D. C., as a kind of correspondent and errand boy for the Courier-Journal, and thereby became eminently qualified to take charge of the Times, which he did, instead of going into the Army and fighting for his country, as he should. How he escaped the draft I do not know, but it is sufficient to say that he did. [Applause.] He is not, I think, primarily to blame for the outburst in the Times, as he is the Courier-Journal's man Friday, and the ox knoweth its owner and the ass its master's crib. [Applause.]

The Times is particularly severe on me, because it says I voted for the rule and thereby voted for the bonus twice. I did, and would have voted for it three times had opportunity presented itself. I do not believe Mr. Krock a bad man at heart; he is only afflicted with an exaggerated case of the swell head, brought on principally by a trip to Europe to advise President Wilson just how to negotiate a peace treaty and League of Nations, but maybe as he grows older he will be relieved, to some extent, of his distressful malady. He remained in Paris quite a time and performed his onerous duties as adviser along with Col. House at least to his own entire satisfaction. [Applause.]

He returned wearing a pair of glasses that covered most of his face, which was a good thing, because the more of his face that is hidden the better looking he is. [Laughter.]

When he returned home he stepped upon the shores of the New World with his golf sticks, his monocle, and his dignity and with all the pomp and confidence of Pizarro when with sword in hand he leaped upon the soil of America. The other side of the world tipped up, and for several days the seismograph at Georgetown, D. C., registered numerous not to say continuous earthquake disturbances, and it must have required an entire coach or maybe two to convey him along his triumphal journey from New York to Louisville [laughter], and he there remains the presiding genius of the Times; and, along with Col. Robert Worth Bingham, is engaged in the patriotic duty of regulating generally the affairs of this mundane sphere, and Congress in particular. [Applause.]

The bonus applies only to incomes of $5,000 or more, with a tax on transfers of real estate and stocks and bonds. It is not, in my opinion, the best bill that could have been devised, but was the best that could be obtained, and I willingly voted for it.

The young men of this country were drafted into the Army. In many instances they were taken from remunerative employment and sent overseas to alien lands to fight at a salary of $30 per month, and are justly entitled to more compensation.

All countries must rely chiefly on their young men in the time of need and day of battle. Hannibal stood an infant before the Punic altar fires and swore eternal enmity to Rome. At 24 years of age he led a mighty army across the plains of sunny Italy and thundered at the gates of the Eternal City while her frightened soldiers and citizens crouched in mortal terror behind the protecting walls. [Applause.]

The rosy-cheeked school boys of France were conscripted and torn from their homes to uphold the desperate fortunes of the tottering Empire and, as they charged down on the English squares at Waterloo and died in a rain of shot and shell, their pallid lips cried "Long live the Emperor!" [Applause.]

The fidelity of the boys of America was proudly proved on the battle fields of Europe, and Château-Thierry, Belleau Wood, and the Argonne are imperishable monuments to their lofty courage, and the House of the American Congress fittingly voted them some compensation for their love of country and devotion to duty. [Applause.]

The SPEAKER. The gentleman from Kansas [Mr. STRONG] is recognized for 10 minutes.

Mr. STRONG of Kansas. Mr. Speaker and Members of the House, the soldiers' adjusted compensation bill, after a long, hard fight, has finally passed the House and is now before the Senate, where the same big-business interests, the same southern opposition, and the same forces of selfishness and prejudice will be found trying to delay and oppose it.

As it came from the Ways and Means Committee and passed the House, it provides for additional compensation for soldiers, sailors, and marines below the rank of major in the Army or its equivalent in the other services, to the amount of $1 per day with a maximum of $500 for service in this country, and a dollar and a quarter per day with a maximum of $625 for overseas service, less the $60 compensation already paid. It provides for the option of vocational training, farm and home aid, land settlement aid, and paid-up life insurance; and in the case of the last four options an additional 40 per cent is added. It will require between fifteen hundred and two thousand million dollars to carry out the provisions of the bill. Taxes to raise the necessary funds are provided in the bill as follows: Additional surtaxes graduating from 1 to 3 per cent on incomes in excess of $5,000; 2 cents on each $10 of stock and bond transactions; 2 cents on each $10 for transactions on the board of trade; 5 cents for each $10 on real estate transfers; 15 per cent additional on cigars and tobacco.

I am frank to say that there are discriminations and taxing features in the bill which, in my opinion, are unwise. A tax on war profiteers should be added, as no man or group of men should have been permitted to make money from the war. The same qualities of sacrifice and response to duty which were asked from the service men should have been demanded from those who remained at home. The mistake was made in not drafting capital, industry, and transportation to serve the Nation as the service men were drafted; for then there would have been no war profiteers, no cost-plus contractors, no riot of high wages, graft, high cost of living, and millionaire making. We would not now have such an immense national indebtedness and an empty Treasury. [Applause.]

But this bill is the result of compromises; it is the best its friends on the Ways and Means Committee could secure, and it has the indorsement of the American Legion representatives and other organizations who were in close touch with the contest here.

We, who fought for this legislation, who appeared before the committee having it in charge, who signed petitions forcing conferences, and who talked and argued and finally filibustered for this measure, know that the fight is not yet won. We know that those who fought it in the House will carry the fight to the Senate. We know that those who are opposed to being taxed to give additional compensation to the men who fought for them at a dollar per day, and who caused the great newspapers of the country to speak of "a raid on the Treasury," of "currency inflations," of "interference with production," of "increasing the high cost of living," and of "pauperizing patriotism," will continue their propaganda, but we who supported this legislation know that it does not take a dollar from the Treasury until after it is first placed there by the taxes provided in this bill; that not one cent is to be added to our circulation, and that as the cash payments do not begin until July, 1921, and are then continued in $50 installments every three months, it is silly to talk of lowering production and increasing living costs because of too much money in the hands of the colored soldier or those in the cities. The truth is that until we eliminated the sales tax from this bill there was little real opposition to it. As long as it was believed the burden could be placed upon the people without making the wealth of the country pay its share, there was but little organization to defeat the bill; but now that the taxes are to be paid largely by those possessed of large means, every effort is used to defeat it. Let me advise the great wealth of this country that before it insists on large standing armies and great navies, together with compulsory military training, for the protection of its interests, it would be well to show some willingness to pay more than $30 per month to the men who at such great sacrifice defended this Nation, including the fortunes of those who now forget. [Applause.]

We who supported this bill know that you can not pay a man for the sacrifice of time, opportunity, position, and the risk of life and limb. Any ex-soldier would justly resent the placing of any price on his patriotism. Our young men are not demanding money or land because they did their duty. They are only asking for a square deal. We are proud of them, of their

service and glorious record whether upon the battle fields of France or in the camps at home; all willingly and gladly did their duty, no matter how disagreeable or at what cost. They did not profiteer or grow rich. Some few may have secured soft jobs, some few may have obtained positions of rank and safety and comfort through their request or influence, but the vast majority, including my own son, entered the camps and served where they were ordered; they fought or were preparing or assisting others to fight. Hence there should be no discrimination between them.

It is unfair to say that these young men do not want and need the additional compensation to which they are entitled. Individually and collectively, they have advised me of their wishes and needs. The young farmer gave up his farm, his implements, and his live stock to return and find that to repurchase them he must pay two and three times the price he sold them for. The young business man left his position, his chance of promotion, his future, to return and find others had taken his opportunity. The schoolboy, the laboring man, the professional man, all sacrificed greatly by their service. This Nation called these men to its service and set their salary at $1 per day, and then proceeded to pay men who were not so called from $3 to $10 per day. Of course, we can not pay them for this sacrifice; but we can aid them to secure some of the opportunities, some of the positions, and some of the advantages they lost—to reestablish themselves. I deeply regret that the great propaganda put out over the country by the organizations of those affected by the taxes in this bill should have caused about 40 Republican Members to have joined with an almost solid Democratic minority in an attempt to prevent the bringing of this bill before the House; but I am glad and proud that the great majority of my party supported every parliamentary situation which made possible the passage of this bill to provide just aid to the new soldiers who served this Nation, even as it has always aided the veterans of other wars. [Applause.]

DAMAGE CLAIMS UNDER COAST AND GEODETIC SURVEY.

Mr. ESCH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 3270.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for the present consideration of the bill S. 3270, which the Clerk will report.

The Clerk read as follows:

A bill (S. 3270) authorizing the Superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, to consider, ascertain, adjust, and determine claims for damages occasioned by acts for which said survey is responsible in certain cases.

Be it enacted, etc., That the Superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, is hereby authorized to consider, ascertain, adjust, and determine all claims for damages, where the amount of the claim does not exceed $500, hereafter occasioned by acts for which the Coast and Geodetic Survey shall be found to be responsible, and report the amounts so ascertained and determined to be due the claimants to Congress at each session thereof through the Treasury Department for payment as legal claims out of appropriations that may be made by Congress therefor.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, is this bill an extension of the principle under which the Secretary of the Navy is now allowed to settle claims for damages not exceeding $500?

Mr. ESCH. It is practically the same principle, and also the principle that was established in the Lighthouse Service. The trouble is that these small claims for damages caused by the crews of the Coast and Geodetic Survey in triangulating harbors and in running their lines can not now be settled.

Mr. GARD. What is the present limit?

Mr. ESCH. None. The only remedy a party has is to go to the Court of Claims. At the time the report was made to the committee by the Secretary of Commerce there were 12 claims that were proper to be settled, which aggregated only $441, but they had no authority to settle and adjust them. The claims would have to go to the Court of Claims, and the amounts do not justify the bringing of actions.

Mr. GARD. Is it the gentleman's idea that the amounts which would be thus adjusted are so small as not to justify court action?

Mr. ESCH. Yes; that is practically the reason.

Mr. GARD. My own idea is that we ought not to extend this principle very far. It may be that the fact that these claims are small in amount, and that the Court of Claims will be relieved of work, is a sufficient excuse for this kind of a law; but, ordinarily, I am not in favor of investing bureaus or heads of departments with the settlement of claims.

Mr. ESCH. In principle I agree with what the gentleman says, but I do not think there will be any danger of this privilege being utilized to any great extent. It will bring relief to people who have small claims and who heretofore have been denied payment.

Mr. DUPRÉ. Is there not a practically identical provision in existing law now with regard to damages done by the Army engineers in river and harbor work?

Mr. ESCH. I am not advised as to that fact; but this authority exists in the Navy Department and in the Lighthouse Service.

Mr. DUPRÉ. It obtains in the War Department, in the Board of Engineers, where losses amounting to less than $500 may be adjusted.

Mr. ESCH. That makes an additional precedent for this legislation.

Mr. GARD. Is this a unanimous report from the committee?

Mr. ESCH. Yes; and the report is made by the Superintendent of the Coast and Geodetic Survey and also by the Secretary of Commerce.

Mr. Speaker, I ask for a vote.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

STARTING POINT OF WASHINGTON TO SAN FRANCISCO MOTOR CONVOY.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent for the present consideration of H. J. Res. 270, authorizing the erection of a monument marking the starting point of the motor convoy from Washington to San Francisco.

The SPEAKER. The gentleman from Alabama asks unanimous consent for consideration of a joint resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, etc., That the Secretary of War is hereby authorized to permit the replacement of the temporary monument located on the United States meridian of longitude at a point on the north side of the Ellipse, within the District of Columbia, by a permanent monument, which shall mark the starting point of the motor convoy from Washington, D. C., to San Francisco, Calif., and which may serve as a point from which distances may be measured on United States highways radiating from Washington, D. C. Such replacement shall be made without expense to the United States, and the design of such monument shall be approved by the Commission of Fine Arts.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I understand this is simply for the erection of one monument down here on the Ellipse?

Mr. BANKHEAD. If the gentleman will pardon me, I will make a brief statement about the purpose of the joint resolution.

Mr. WALSH. I do not want to object, if that is the purpose.

Mr. BANKHEAD. Yes. It is to authorize the erection of a monument on the Ellipse, not only as the initial marker for the Lincoln Highway, over which the convoy has already gone, but to establish at that particular point a marker or milestone as the starting point for all these transcontinental highways that are being constructed.

Mr. BLANTON. Reserving the right to object, I want to ask the gentleman from Wyoming how much more chicken feed of this sort is going to be run through the hopper before we recess?

Mr. MONDELL. I do not class this as chicken feed. It is important to the gentleman from Alabama and it is important to the people who are interested in motoring through the country. It is not the most important thing in the world, but it is important in its way.

Mr. BLANTON. People who want to motor across the United States could start from the Capitol or from the Monument or Willard Hotel, or somewhere else.

Mr. MONDELL. Yes; but we would prefer that they would start from this monument. [Laughter.]

The SPEAKER. Is there objection?

Mr. GARD. I reserve the right to object, and do it primarily to give the gentleman an opportunity to make a brief statement.

Mr. BANKHEAD. Mr. Speaker, the joint resolution was introduced by the gentleman from California [Mr. KAHN]. It was reported from the Committee on the Library and has been on the Unanimous Consent Calendar for some time. In order to show the purpose of the resolution, I will read a portion of the report:

It seems logical that the system of highways which begin in Washington and radiate therefrom across the continent and to all parts of the national domain should radiate from a definite point in the Capital of the Nation.

The point is on one of the lines of world measurement, the meridian of the District of Columbia, which is the axis of Sixteenth Street, the White House, and the Ellipse, the exact point being the coincidence of this meridian line with the north point of the Ellipse.

From this point on July 7, 1919, two companies of the United States Army began their successful journey by motor convoy over the Lincoln Highway to San Francisco. In order to mark the historic importance of this epoch-making expedition, a temporary monument was placed at the point of departure and was presented to the Government just before the convoy started by Dr. S. M. Johnson, who also tendered to the Government the offer of a permanent monument to take its place in due season. In the absence of the President and upon his behalf the gift was accepted for the Government by the honorable Secretary of War, Newton D. Baker.

I will state that I think it is proper because—and in calling the matter up I trust you will pardon my indulgence in a personal allusion—on the 14th of June next the convoy of a similar character to this is to make a journey over the highway named for my late father, and it is the purpose of gentlemen interested in this proposition to have a permanent monument not only to mark the initial milestone of the transcontinental highway but to give dignity to this matter involved in the highway department.

It will involve no expense to the Government, the monument is already provided, and this stone will not be offensive to the view or the landscape.

Mr. GARD. Still reserving the right to object, who is to furnish the monument that has been provided for?

Mr. BANKHEAD. The funds have been provided. The money was given by Mr. F. W. Hockaaday, of Wichita, Kans., president of the Highway Marking Association, and the design has been approved by the Commission of Fine Arts.

Mr. GARD. What is the National Highway Marking Association?

Mr. BANKHEAD. I do not know that I can give the gentleman definite information about that. It was organized for the purpose of marking the highways with different milestones and is purely a patriotic proposition, without any selfish interest in the world.

Mr. GARD. The old method of marking highways over which I occasionally travel, over the old national road, where there were certain stones set at the road intersections or by the roadside, are almost entirely obliterated. Now they are sunk in the ground, many are mutilated, and they serve no good purpose. The modern idea of the direction to the traveler on the road is by a sign that any man can read as he goes by.

Mr. BANKHEAD. That is the purpose of this highway association.

Mr. GARD. The monument provided by this resolution seems to me to serve no good purpose, because nobody is going down to the ellipse to start over the highways from that point.

Mr. BANKHEAD. That was the point from which the convoy started when it went over the Lincoln Highway.

Mr. GARD. That was a military test, and the convoy may go over it again, but unless there is some official designation for a monument after it has been put up, in 10 years there will not be five people leaving from Washington from that designated point by that monument.

Mr. BLANTON. Will the gentleman yield?

Mr. GARD. Yes.

Mr. BLANTON. Congress, through this resolution, is seemingly asked to indicate its desire that people hereafter, when they leave Washington, shall go to this particular monument and start.

Mr. BANKHEAD. Oh, no.

Mr. WHEELER. I ask for the regular order.

The SPEAKER. Is there objection?

Mr. GARD. I was reserving the right to object, but if anyone desires to call for the regular order I will object. I was seeking further information, and I want to ask the gentleman—I understand the sentiment in his proposition and approve it.

Mr. BANKHEAD. I did not want to take up the time of the House to read the report.

Mr. GARD. The time of the House can well be devoted to information in relation to matters here presented.

Mr. BANKHEAD. What is it the gentleman desires to know.

Mr. GARD. The particular thing I desire to know is whether this mark, starting as it does down there, is intended to be one of a series of marks, either by the mile or by any other designated distance, to be placed on the roads of the United States at any public expense.

Mr. BANKHEAD. Absolutely not.

Mr. LUCE. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. LUCE. Mr. Speaker, the Committee on the Library, of which I have the honor to be a member, saw in this simply a symbolical expression of the interest in the good-roads movement. It simply adds to the very interesting points in Washington a marker that is erected without cost to the Government.

Mr. GARD. We might with equal propriety establish a monument where the first ox train started over on its road to the Pacific coast. That would be just as sensible as to put a marker where some Army transport started for the Lincoln Highway a year or two ago.

Mr. LUCE. I think, if I may further take the time, that the gentleman does not quite understand the symbolical——

Mr. BLANTON. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

RECORDS OF JOINT COMMISSION ON RECLASSIFICATION OF SALARIES.

Mr. LEHLBACH. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 160, to provide for the preservation and maintenance of the records of the Joint Commission on Reclassification of Salaries.

The SPEAKER. The gentleman from New Jersey asks unanimous consent for the present consideration of Senate joint resolution 160, which the Clerk will report.

The Clerk proceeded to report the joint resolution.

Mr. BLANTON (interrupting the reading). Mr. Speaker, I object.

The SPEAKER. The gentleman from Texas objects.

Mr. HUDDLESTON. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. MONDELL. Mr. Speaker, I trust the gentleman will withhold that. We are expecting an important conference report very shortly.

Mr. HUDDLESTON. I am making that point with a view of preventing the calling up of the bill to create Gen. Crowder a lieutenant general, which I understand is about to be brought up. If that is not to be brought in, I shall not make the point.

The SPEAKER. The Chair suggests that the gentleman consult the Chair.

Mr. HUDDLESTON. Very well. I withdraw the point temporarily.

BUREAU OF AERONAUTICS, NAVY DEPARTMENT.

Mr. HICKS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14123) to create a bureau of aeronautics in the Department of the Navy, which I send to the desk and ask to have read.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the bill (H. R. 14123) which the Clerk will report.

The Clerk proceeded to report the bill.

Mr. BLANTON (interrupting the reading). Mr. Speaker, I object.

Mr. HICKS. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 14123.

The SPEAKER. The Chair does not recognize the gentleman for that purpose at this time.

AMENDING THE FEDERAL RESERVE ACT.

Mr. PLATT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4436) to amend the act approved December 23, 1913, known as the Federal reserve act.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the bill S. 4436. Is there objection?

Mr. JAMES. Mr. Speaker, I object.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 2. An act to pension soldiers and sailors of the War with Spain, the Philippine insurrection, and the China relief expedition;

H. R. 13313. An act to authorize the construction of flood-control and improvement works in Boise de Sioux, the Red River of the North, and Lake Traverse, between the States of Minnesota, North Dakota, and South Dakota; and

H. R. 13329. An act to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had further insisted upon its amendments to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for

other purposes, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. JONES of Washington, Mr. CALDER, Mr. MCNARY, Mr. SIMMONS, and Mr. RANSDELL as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following order:

The Vice President, acting under and by virtue of a paragraph in the naval appropriation act creating a joint committee, "to be composed of five Members of the Senate, to be appointed by the President of the Senate, and five Members of the House of Representatives, to be appointed by the Speaker of the House, to investigate the advisability of establishing, developing, and maintaining a naval base on San Francisco Bay or the waters tributary thereto," appointed Senators BALL, MCCORMICK, KEYES, PITTMAN, and WALSH of Montana as members of the joint committee on the part of the Senate.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 13313. An act to authorize the construction of flood-control and improvement works in Boise de Sioux River, the Red River of the North, and Lake Traverse, between the States of Minnesota, North Dakota, and South Dakota;

H. R. 13329. An act to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes;

H. R. 2. An act to pension soldiers and sailors of the War with Spain, the Philippine insurrection, and the China relief expedition;

H. R. 12530. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 13229. An act to establish in the Department of Labor a bureau to be known as the women's bureau.

The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:

S. 1726. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

S. J. Res. 152. Joint resolution authorizing the appointment of a commission to confer with the Dominion Government or the provincial governments of Quebec, Ontario, and New Brunswick as to certain restrictive orders in council of the said Provinces relative to the exportation of pulp wood therefrom to the United States;

S. 547. An act authorizing the enlistment of non-English-speaking citizens and aliens;

S. 4427. An act granting the consent of Congress to the city of Columbus, in the State of Georgia, to construct a bridge across the Chattahoochee River;

S. 3566. An act to amend section 3 of an act entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," approved February 5, 1917;

S. 4212. An act to authorize the Central Railroad Co. of New Jersey to construct a bridge across the waters of the Delaware River between the city of Easton, in the State of Pennsylvania, and the city of Phillipsburg, in the State of New Jersey;

S. 4286. An act to amend an act entitled "An act to authorize the incorporated town of Petersburg, Alaska, to issue bonds in any sum not exceeding $75,000 for the purpose of constructing and installing a municipal electric light and power plant and for the construction of a public-school building," approved September 29, 1919; and

S. 4402. An act authorizing Troup County, Ga., to construct a bridge across the Chattahoochee River near West Point, Ga.

SALARIES OF POSTAL EMPLOYEES—CONFERENCE REPORT.

Mr. STEENERSON. Mr. Speaker, I present a conference report upon the bill H. R. 14338, entitled "An act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis," which I send to the desk. I ask unanimous consent for its immediate consideration and that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Minnesota presents a conference report upon the bill H. R. 14338 and asks unanimous consent for its present consideration and that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement of the conferees.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 14338, an act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 9.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 6, 7, and 10, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of "125" named in said amendment insert the following: "120"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3 and agree to the same with an amendment as follows: In lieu of the matter inserted by the Senate insert the following: "When the amount exceeds $100 for any one quarter, the postmaster shall be allowed—on the first $100, 115 per cent; on the next $100 or less 75 per cent; and on the balance 60 per cent"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of "60" named in said amendment insert the following: "50"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following: "Inspectors shall be paid their actual expenses not to exceed $5 per day while engaged on official business away from their homes and official domiciles. The appropriation for per diem allowance authorized for the fiscal year beginning July 1, 1920, may be utilized for such expenses."

And the Senate agree to the same.

H. STEENERSON,
MARTIN B. MADDEN,
JOHN A. MOON,
Managers on the part of the House.
CHAS. E. TOWNSEND,
THOMAS STERLING,
J. C. W. BECKHAM,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreement of the House to the amendments of the Senate to the bill (H. R. 14338) entitled "An act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis," submit the following written statement in explanation of the effect of the action agreed upon by the conferees as to each of said amendments, to wit:

The Senate recedes from its amendment No. 9. This amendment relates to compensation of employees of the equipment shops under the Fourth Assistant Postmaster General.

The House recedes from its disagreement to the amendments of the Senate numbered 1, 5, 6, 7, and 10.

Amendment No. 1 provides for compensation of fourth-class postmasters at the rate of 145 per cent, instead of 140 per cent on the cancellations amounting to $75 or less per quarter. Under existing law they receive 138 per cent.

Amendment No. 5 provides for transfer of clerks and carriers to new grades.

Amendment No. 6 inserts the words "*Provided further.*"

Amendment No. 7 inserts the words "*And provided further*" to correct the phraseology of the bill.

Amendment No. 10 provides for automatic promotions in addition to increases allowed in the bill upon completion of one year's satisfactory service.

The House recedes from its disagreement to the amendments of the Senate numbered 2, 3, 4, and 8.

Amendment No. 2 strikes out "$125" and inserts "$120."

Amendment No. 3 is in lieu of the matter inserted by the Senate, and reads as follows, to wit: "When the amount exceeds $100 for any one quarter, the postmaser shall be allowed on the first $100, 115 per cent; on the next $100, 75 per cent, and on the balance, 60 per cent."

Amendment numbered 4 strikes out "60 per cent" and inserts "50 per cent," and relates to the computation of gross receipts

at the Washington, D. C., post office, to determine the compensation of supervisory officials.

Amendment numbered 8 relates to expenses of post-office inspectors. It strikes out the words "official headquarters," so that they are not paid expenses when on duty at homes or official domiciles.

HALVOR STEENERSON,
MARTIN B. MADDEN,
JOHN A. MOON,
Managers on the part of the House.

Mr. BLACK. Mr. Speaker, will the gentleman yield to me for a question?

Mr. STEENERSON. Yes.

Mr. BLACK. I did not catch the import of the statement as to the Senate amendment on fourth-class postmasters. Was the whole Senate amendment agreed to?

Mr. STEENERSON. No; but we have graded it a little differently. The working out of the Senate amendment resulted in having some increased and some decreased, but we have graded it another step so that the result is now that every fourth-class postmaster all along the line is increased over his present compensation, which includes the so-called bonus.

Mr. BLACK. By asking the getleman two or three questions I can ascertain what the conference report is. Take the Senate amendment which provides for 145 per cent where the cancellation does not exceed $75 per quarter.

Mr. STEENERSON. That is agreed to.

Mr. BLACK. That is agreed to. Now, it provides for 125 per cent where the cancellation does not exceed $100?

Mr. STEENERSON. Yes.

Mr. BLACK. What change is made in that?

Mr. BLANTON. It is made 115 per cent.

Mr. STEENERSON. I think we graded it at 115 per cent.

Mr. BLACK. That would be a reduction from the Senate amendment?

Mr. STEENERSON. Well, that is only on a limited number, because we have made a new grade. I would have to read the report——

Mr. BLACK. Now, will the gentleman answer this question: As to offices where the cancellation is $250 a quarter or more, what percentage is agreed to by the conferees?

Mr. STEENERSON. Well, we had 82½ per cent.

Mr. BLACK. Under the Senate amendment?

Mr. STEENERSON. Yes; I think ours is 75 per cent.

Mr. BLACK. If it is 75 per cent that would work a very material decrease. Mr. Speaker, I ask that the conference report be read, because——

Mr. STEENERSON. Let the conference report be reported.

Mr. BLACK. I understand how difficult it is to keep these matters in mind.

Mr. STEENERSON. I can not keep them in mind, because this was done at the last moment.

Mr. BLANTON. How long is this conference report?

Mr. STEENERSON. It is short.

The SPEAKER. Without objection, the Speaker will read the conference report.

There was no objection.

The conference report was read.

Mr. STEENERSON. The substance of the provisions as modified are:

Amendment No. 1 was agreed to by the House. This raised the amount from 140 to 145, in line 11, page 4, so that they are allowed 145 per cent on from $75 or less.

Amendment No. 2, when amended, will read as follows:

When the amount exceeds $75 for any one quarter and does not exceed $100, the postmaster shall be allowed 120 per cent on the amount.

Amendment No. 3, when amended, will read as follows:

When the amount exceeds $100 for any one quarter the postmaster shall be allowed—on the first $100, 115 per cent; on the next $100 or less, 75 per cent; and on the balance, 60 per cent.

Mr. ROUSE. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. ROUSE. I would like to know what disposition was made of the Senate amendment providing for automatic promotion?

Mr. STEENERSON. That is agreed to.

Mr. ROUSE. Well, I would like to ask another question. The bill we passed the other day would prevent the Post Office Department from appointing a regular clerk to the position of a post-office inspector. Is there any change made in that provision?

Mr. STEENERSON. No. Mr. Speaker, I move the adoption of the report.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

On motion of Mr. STEENERSON, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

RURAL POST ROADS.

Mr. SELLS. Mr. Speaker——

The SPEAKER. The gentleman from Tennessee.

Mr. NEELY. Mr. Speaker, I ask unanimous consent to proceed for 15 minutes.

The SPEAKER. The Chair had recognized the gentleman from Tennessee.

Mr. SELLS. Mr. Speaker, I call up the bill H. R. 13742, with a committee amendment, and I ask that it may be considered in the House as in Committee of the Whole House.

The SPEAKER. The gentleman from Tennessee calls up for present consideration the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13742) to amend sections 3 and 6 of the act of July 11, 1916, entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," as amended by sections 5 and 6 of the act of February 28, 1919, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes."

Be it enacted, etc., That section 3 of the act of July 11, 1916, as amended by section 6 of the act of February 28, 1919, is further amended to provide that so much of the appropriations made by said acts apportioned to any State for any fiscal year as remains unexpended at the close thereof shall be available for expenditure in that State until the close of the third fiscal year succeeding the close of the fiscal year for which such apportionment was made.

SEC. 2. That section 6 of the act of July 11, 1916, as amended by section 5 of the act of February 28, 1919, be further amended so that the limitation of payments, not to exceed $20,000 per mile, exclusive of the cost of bridges of more than 20 feet clear span, which the Secretary of Agriculture may make, be, and the same is, increased to $30,000 per mile.

The committee amendment was read, as follows:

On page 2, lines 4 to 10, strike out all of section 2.

The SPEAKER. Is there objection?

Mr. BLANTON. I object, Mr. Speaker.

Mr. SELLS. Mr. Speaker, I move to suspend the rules and pass the bill.

The SPEAKER. The gentleman from Tennessee moves to suspend the rules and pass the bill, which the Clerk will report.

The Clerk began the reading of the bill.

Mr. BLANTON. Mr. Speaker, the reason I objected is that I did not know this had passed the Senate, and I thought it had no chance whatever to pass; but I understand that this bill has passed the Senate and I therefore withdraw the objection.

Mr. SELLS. Well, the bill has not passed the Senate.

Mr. BLANTON. The gentleman does not think it has any chance of passing the Senate and getting back here and being enrolled and signed by the President?

Mr. SELLS. I am sure it will.

Mr. BLANTON. I will withdraw the objection.

The SPEAKER. The motion to suspend the rules is withdrawn. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on the committee amendment.

Mr. WALSH. Mr. Speaker, will the gentleman yield for a question?

Mr. SELLS. I will.

Mr. WALSH. Will the gentleman just make a brief statement as to the purpose of this bill? How many States are there it will affect and the amount of money involved?

Mr. SELLS. Mr. Speaker, this bill is reported from the Committee on Roads with the unanimous recommendation that the bill do pass. I call it up on the request of the chairman, the gentleman from New York [Mr. DUNN].

An examination of the bill and the report thereon will readily convince the Congress of its merit. It makes no new appropriation, but merely seeks to extend the period within which funds already allotted by Congress for road construction in conjunction with the various States may be utilized.

As gentlemen probably know, an appropriation of $50,000,000 for the fiscal year ending June 30, 1919, and of $75,000,000 each for the fiscal years ending June 30, 1920 and 1921, was made by the act of February 28, 1919. One of the requirements was that all funds thus made available should be expended within a period of one year following the expiration of the fiscal year for which the appropriation was made. A report from the Bureau of Roads under date of May 10, 1920, shows an unexpended balance to the credit of 22 States approximating

$7,000,000, and which, under the law, must revert to the general road fund for redistribution unless this bill becomes law.

When we take into consideration the many difficulties which have confronted State and local highway commissioners, we find justification for what appears to have been negligence and inexcusable delay in taking advantage of Federal funds appropriated. First was the lack in many instances of the necessary authority under which the States might proceed, and which delayed their cooperation pending legislative action by the States themselves. High prices and scarcity of materials, inadequacy of transportation, a dearth of labor, difficulty of securing State and county appropriations—all have been contributing factors to this delay, and constitute a very cogent reason why a portion of the Federal funds have not as yet been expended.

Mr. SIMS. I would like two or three minutes, Mr. Speaker.

Mr. SELLS. I yield three minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. I do not know that I will use that much time.

Mr. Speaker, this bill as amended is exactly like the one that I introduced for the same purpose. I made an investigation at the Public Roads Bureau before introducing it and found that, in order that there may be no loss to any State on account of conditions now prevailing and which have prevailed during the present fiscal year on account of the high cost of labor and material, it is absolute justice to such States that this bill be passed. This bill is the same as the one I introduced, except the bill I introduced did not have the section that was in this bill numbered section 2, which has been stricken out by a committee amendment to this bill. I hope there will be no objection to the present consideration. I know the bill ought to pass immediately so as to prevent any possible lapse of any allotment by the Government to any State that may be unable to cover its apportionment in full by the 30th of June, the last day of this fiscal year.

Mr. SELLS. Mr. Speaker, I yield one minute to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Speaker, I will not take the time of the House on this measure, but I wish to ask unanimous consent to extend my remarks on this bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SELLS. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The question being on the passage of the bill, the question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. WALSH. I ask for a division, Mr. Speaker.

The House divided; and there were—ayes 82, noes 7.

So the bill was passed.

On motion of Mr. SELLS, a motion to reconsider the last vote was laid on the table.

RECESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess from 6 o'clock until 8.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess from 6 to 8 o'clock. Is there objection? [After a pause.] The Chair hears none.

ESCAPE OF GROVER CLEVELAND BERGDOLL.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent for the present consideration of a resolution that I send to the Clerk's desk.

The SPEAKER. The gentleman from Kansas asks unanimous consent for the present consideration of the resolution which he sends to the Clerk's desk. The Clerk will report it.

The Clerk read as follows:

House resolution 574.

Whereas one Grover Cleveland Bergdoll, recently convicted by Army general court-martial as a draft deserter and sentenced to confinement for five years in the United States Disciplinary Barracks at Fort Jay, N. Y., has escaped from confinement; and——

Mr. BLANTON. Mr. Speaker, in order to save time, I object to the unanimous-consent request.

Mr. CAMPBELL of Kansas. Will the gentleman withhold his objection for a moment?

Mr. GARD. The gentleman can not object until the reading is finished.

Mr. BLANTON. Objection to unanimous consent is in order at any time.

The SPEAKER. The Chair thinks so.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Kansas submits a privileged report from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

Mr. CAMPBELL of Kansas, from the Committee on Rules, submits the following report:

The Committee on Rules, to which was referred House resolution 574, submits a privileged report on said resolution, with the recommendation that it be adopted:

House resolution 574.

Whereas one Grover Cleveland Bergdoll, recently convicted by Army general court-martial as a draft deserter and sentenced to confinement for five years in the United States Disciplinary Barracks at Fort Jay, N. Y., has escaped from confinement; and

Whereas charges are made, and there is reason to believe, that a plot and conspiracy existed among and between divers and sundry persons unknown to consummate the escape of the said Bergdoll from confinement under his said sentence: Therefore be it——

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] It is clear that there is no quorum present.

Mr. WALSH. Mr. Speaker, I move a call of the House.

The SPEAKER. The House has already voted to recess at 6 o'clock. The Chair questions whether it is worth while to have a call of the House and then have a recess.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent to make a statement for one minute.

Mr. WALSH. The Speaker has declared that there is no quorum present.

Mr. BLANTON. Mr. Speaker, I withdraw the point of no quorum if the gentleman from Kansas wishes to make a statement.

The SPEAKER. The Chair has announced that there is no quorum present.

Mr. WINGO. Was it the Speaker's idea that we would not be able to complete the call of the House before 6?

The SPEAKER. Yes.

Mr. WINGO. Would it be in order to ask that the recess become effective now, and name the hour?

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess until 8 o'clock.

Mr. WINGO. Would it not be better to move a recess? Or perhaps it would amount to the same thing. Would the Chair give an opinion on that?

The SPEAKER. The Chair is in doubt if that could be done.

Mr. MONDELL. I submitted a request for unanimous consent.

The SPEAKER. The Chair is in doubt whether that can be done.

Mr. MONDELL. I think it can be done by unanimous consent—that the House can stand in recess in the absence of a quorum.

Mr. CLARK of Missouri. Mr. Speaker, has the Chair announced that there is no quorum present?

The SPEAKER. The Chair so declared.

Mr. CLARK of Missouri. We could settle this recess question by all going out and coming back at 8 o'clock. We could settle it by ourselves.

The SPEAKER. The Chair is of opinion that less than a quorum can not take a recess.

Mr. MONDELL. Then I move a call of the House.

Mr. WINGO. Let me suggest this: The House, by a majority, by instruction, has already fixed a recess from 6 o'clock until 8. A call of the House might get us into an embarrassing situation, and when we come back at 8 o'clock the presumption will be that there is a quorum present then. Could not a plan be devised to take up the 30 minutes lacking between now and 6 o'clock under the order, and then when we resume at 8 o'clock the presumption will be that there is a quorum? That would obviate an embarrassing situation.

The SPEAKER. The Chair is of the opinion that no action can be taken until 6 o'clock, and then the Chair could decide that a recess be taken.

Mr. IGOE. Is there any objection to having the clock moved up to 6 o'clock?

Mr. WALSH. In the absence of a call of the House, in the absence of any other business taking place, is there anything to prevent Members from considering that a recess has now begun and leaving the Hall?

The SPEAKER. The Chair thinks not. That is what the Chair would suggest.

Mr. WINGO. Of course, that may necessitate the Speaker staying here until 6 o'clock.

The SPEAKER. The Chair is willing to stay here.

Mr. KAHN. Mr. Speaker, I ask unanimous consent——

The SPEAKER. It can not be done.

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. Is not the parliamentary situation now that we have already agreed to recess at 6 o'clock and stand in recess until 8 o'clock?

The SPEAKER. It is.

Mr. GARD. We can do that, can we not?

The SPEAKER. We can.

Mr. GARD. Therefore I think the suggestion of former Speaker CLARK is a very excellent one, that we consider that it is now 6 o'clock, and that we do as moving pictures do—fade away at this time.

The SPEAKER. The Chair also accorded with that. The Chair will stay here until 6 o'clock. Other Members need not.

Mr. MAPES. Would it be necessary to have a quorum here at 8 o'clock, with the point of no quorum pending?

The SPEAKER. That would be the first impression of the Chair.

At 6 o'clock p. m.,

The SPEAKER. The House will stand in recess until 8 o'clock p. m.

Accordingly the House stood in recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, at 8 o'clock p. m. the House resumed its session.

NO QUORUM—CALL OF THE HOUSE.

The SPEAKER. When the House recessed the point of no quorum had been made, and it was announced that no quorum was present. The Chair thinks that after recess we are in the same position as when we recessed.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Wyoming moves a call of the House.

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Where the point of no quorum is withdrawn and a recess occurs, is it not to be assumed——

The SPEAKER. The gentleman did not withdraw the point. The Chair took a great deal of time in counting, and——

Mr. BLANTON. And when we reassemble after the recess is it not assumed that there is a quorum present?

The SPEAKER. The Chair thinks not.

Mr. BLANTON. I think a recess is the same as an adjournment.

The SPEAKER. The Chair thinks a recess is not the same as an adjournment. We resume where we left off at the time of recess. Without objection, a call of the House is ordered. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Drane	Hastings	McKinley, Ill.
Anthony	Drewry	Haugen	Madden
Bacharach	Dunn	Hayden	Mann, Ill.
Baer	Dupré	Heflin	Mansfield
Bell	Dyer	Hernandez	Mason
Benham	Eagle	Hersman	Mays
Blackmon	Elliott	Hill	Merritt
Boies	Ellsworth	Hoey	Milligan
Booher	Elston	Houghton	Mooney
Brinson	Evans, Nev.	Hulings	Mudd
Britten	Fairfield	Husted	Nelson, Wis.
Brooks, Ill.	Ferris	Hutchinson	Newton, Minn.
Butler	Fess	Ireland	Nicholls
Caldwell	Flood	Jacoway	Paige
Cantrill	Frear	Jefferis	Parker
Caraway	Freeman	Johnson, Miss.	Peters
Carss	Fuller, Ill.	Keller	Porter
Carter	Fuller, Mass.	Kelley, Mich.	Pou
Clark, Fla.	Gandy	Kennedy, R. I.	Purnell
Coady	Garner	Kettner	Rainey, Ala.
Cole	Godwin, N. C.	Kiess	Ramseyer
Cooper	Goldfogle	Kitchin	Randall, Calif.
Copley	Goodall	Lampert	Randall, Wis.
Costello	Gould	Langley	Reavis.
Cramton	Graham, Ill.	Layton	Rhodes
Dale	Graham, Pa.	Lazaro	Riddick, Mont.
Dempsey	Griest	Lee, Ga.	Rodenberg
Dent	Hamill	Longworth	Rucker
Dewalt	Hamilton	McArthur	Sanders, La.
Dickinson, Mo.	Hardy, Tex.	McClintic	Sanders, N. Y.
Dowell	Harreld	McCulloch	Scully
Sears	Snyder	Sweet	Ward
Sherwood	Stedman	Taylor, Tenn.	Weaver
Sinclair	Steele	Tillman	Webster
Slemp	Stephens, Miss.	Tinkham	Williams
Small	Stephens, Ohio	Treadway	Wilson, Ill.
Smith, Ill.	Stiness	Vare	Wise
Smith, Mich.	Stoll	Vestal	Woodyard
Smithwick	Strong, Pa.	Voigt	Young, N. Dak.
Snell	Sullivan	Volstead	

The SPEAKER. Two hundred and seventy Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. CAMPBELL of Kansas. Mr. Speaker, just before the recess I submitted a resolution to investigate the escape from a military prison of one Bergdoll. The circumstances surrounding the escape point to a very nasty scandal.

Mr. BLANTON. Mr. Speaker, I demand the regular order.

Mr. CAMPBELL of Kansas. There being objection, Mr. Speaker, to the consideration of the resolution, I withdraw the resolution.

Mr. SABATH. And the gentleman should withdraw the statement.

Mr. CAMPBELL of Kansas. I shall not withdraw the statement.

Mr. SABATH. It was not in order.

Mr. BLANTON. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Should not the House at least expect from the chairman of the Committee on Rules, who virtually makes the rules of the House, that he himself should comply with those rules and not proceed out of order?

The SPEAKER. The gentleman from Texas should comply with the rules of the House.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 13978. An act to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13977. An act to extend the time for the construction of a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 13976. An act to extend the time for the construction of a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania.

The message also announced that the Senate had agreed to the amendments of the House to the concurrent resolution of the Senate (S. Con. Res. 26) requesting the Speaker of the House of Representatives to cancel his signature to S. 1005 and S. 1222, and directing the Secretary to reenroll, etc.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes.

The message also announced that the Senate has passed with amendment the joint resolution (H. J. Res. 373) declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired; in which the concurrence of the House of Representatives was requested.

EMPLOYMENT OF NAVAL OFFICERS BY SOUTH AMERICAN REPUBLICS.

The SPEAKER. Without objection, the bill (H. R. 14286) to authorize officers of the naval service to accept offices with compensation and emoluments from Governments of the Republics of South America, will be laid on the table, a similar Senate bill having been passed.

There was no objection.

THE MERCHANT MARINE—CONFERENCE REPORT.

Mr. GREENE of Massachusetts. Mr. Speaker, I submit a conference report on the bill (H. R. 10378), the merchant marine. I ask unanimous consent to dispense with the reading of the report, it having been once read, and read the amendment, which has been agreed to by the Senate.

The SPEAKER. Is there objection?

Mr. McKEOWN. Reserving the right to object, I want to ask the gentleman, if no objection is made to his request, if he can tell us how much time will be used in debate?

Mr. EDMONDS. The rule calls for one hour.

Mr. McKEOWN. I know; but will the gentleman use the one hour?

Mr. GREENE of Massachusetts. I was not expecting to.

Mr. McKEOWN. Will the gentleman yield some time to Members on this side?

Mr. GREENE of Massachusetts. I will yield to such Members as I can.

Mr. BANKHEAD. Will the gentleman yield me 20 minutes that I may yield to others?

Mr. GREENE of Massachusetts. I will yield to the gentleman from Alabama 20 minutes.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to dispense with the reading of the report except the matter that is new, and that the statement be read.

Mr. GREENE of Massachusetts. And that only the new matter be read in the statement.

The SPEAKER. And that only that portion of the statement be read which refers to new matter. Is there objection?

Mr. GARD. Reserving the right to object, what is the gentleman's request—to read the new part of the report and the new part of the statement?

The SPEAKER. To read the new part of the report and the new part of the statement. Is there objection?

There was no objection.

The Clerk read the portions of the conference report and the statement as agreed to.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 35, 44, 47, 49, 122, 125, 138, and 149.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 43, 45, 46, 50, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 80, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 98, 99, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 143, and 148, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "in this act"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 3. (a) That section 3 of the 'shipping act, 1916' is amended to read as follows:

"'SEC. 3. That a board is hereby created to be known as the United States Shipping Board and hereinafter referred to as the board. The board shall be composed of seven commissioners, to be appointed by the President, by and with the advice and consent of the Senate; and the President shall designate the member to act as chairman of the board, and the board may elect one of its members as vice chairman. Such commissioners shall be appointed as soon as practicable after the enactment of this act and shall continue in office two for a term of one year, and the remaining five for terms of two, three, four, five, and six years, respectively, from the date of their appointment, the term of each to be designated by the President, but their successors shall be appointed for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he succeeds.

"'The commissioners shall be appointed with due regard to their fitness for the efficient discharge of the duties imposed on them by this act, and two shall be appointed from the States touching the Pacific Ocean, two from the States touching the Atlantic Ocean, one from the States touching the Gulf of Mexico, one from the States touching the Great Lakes, and one from the interior, but not more than one shall be appointed from the same State. Not more than four of the commissioners shall be appointed from the same political party. A vacancy in the board shall be filled in the same manner as the original appointments. No commissioner shall take any part in the consideration or decision of any claim or particular controversy in which he has a pecuniary interest.

"'Each commissioner shall devote his time to the duties of his office, and shall not be in the employ of or hold any official relation to any common carrier or other person subject to this act, nor while holding such office acquire any stock or bonds thereof or become pecuniarily interested in any such carrier.

"'The duties of the board may be so divided that under its supervision the directorship of various activities may be assigned to one or more commissioners. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the board shall not impair the right of the remaining members of the board to exercise all its powers. The board shall have an official seal, which shall be judicially noticed.

"'The board may adopt rules and regulations in regard to its procedure and the conduct of its business. The board may employ within the limits of appropriations made therefor by Congress such attorneys as it finds necessary for proper legal service to the board in the conduct of its work, or for proper representation of the public interest in investigations made by it or proceedings pending before it whether at the board's own instance or upon complaint, or to appear for or represent the board in any case in court or other tribunal. The board shall have such other rights and perform such other duties not inconsistent with the merchant marine act, 1920, as are conferred by existing law upon the board in existence at the time this section as amended takes effect.

"'The commissioners in office at the time this section as amended takes effect shall hold office until all the commissioners provided for in this section as amended are appointed and qualify.'

"(b) The first sentence of section 4 of the 'shipping act, 1916,' is amended to read as follows:

"'SEC. 4. That each member of the board shall receive a salary of $12,000 per annum.'"

And the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "consistent with good business methods and the objects and purposes to be attained by this act, at public or private competitive sale after appraisement and due advertisement, to"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "existing freight rates and prospects of their maintenance"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "and any other facts or conditions that would influence a prudent, solvent business man in the sale of similar vessels or property which he is not forced to sell"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "not inconsistent with the provisions of section 5 (except that completion of the payment of the purchase price and interest shall not be deferred more than 10 years after the making of the contract of sale)"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "; but no such sale shall be made unless the board, after diligent effort, has been unable to sell, in accordance with the terms and conditions of section 5, such vessels to persons citizens of the United States, and has, upon an affirmative vote of not less than five of its members, spread upon the minutes of the board, determined to make such sale; and it shall make as a part of its records a full statement of its reasons for making such sale. Deferred payments of purchase price of vessels under this section shall bear interest at the rate of not less than 5½ per cent per annum, payable semiannually"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52,

and agree to the same with an amendment as follows: In lines 6 and 7 of the matter proposed by the Senate amendment strike out the following words: "where adequate terminal connections with rail carriers can and will be made or already exist." In line 17 of the matter proposed by the Senate amendment strike out the words "of the United States" and insert in lieu thereof the following: "referred to in section 4 of this act or otherwise acquired by the board." In line 30 of the matter proposed by the Senate amendment, after the word "authorized," insert the following: "notwithstanding the act entitled 'An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891." At the end of the matter proposed by the Senate amendment change the period to a colon and add the following: "*And provided further*, That whenever the board shall determine, as provided in this act, that trade conditions warrant the establishment of a service or additional service under Government administration where a service is already being given by persons, citizens of the United States, the rates and charges for such Government service shall not be less than the cost thereof, including a proper interest and depreciation charge on the value of Government vessels and equipment employed therein." In line 8 of the matter proposed by the Senate amendment, after the word "world," insert the words "and domestic"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment after the word "board" insert a comma and the following: "in cooperation with the Secretary of War"; in line 6 of the matter proposed by the Senate amendment after the word "rail" insert a comma and the word "water"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In line 4 of the matter proposed by the Senate amendment strike out "$50,000,000" and insert in lieu thereof "$25,000,000"; in line 4 of the Senate amendment after "construction" insert "loan"; in line 5 of the Senate amendment strike out "in the construction, or" in line 21 of the matter proposed by the Senate amendment strike out everything after the word "built" down to and including the word "semiannually" at the end of the matter proposed by such Senate amendment; and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "may be reconditioned and kept in suitable repair and until"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "pursuant to the policy and purposes declared in sections 1 and 5 of this act; and the United States Shipping Board Emergency Fleet Corporation shall continue in existence and have authority to operate vessels, unless otherwise directed by law, until all vessels are sold in accordance with the provisions of this act, the provision"; and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "10 hereof, and for the construction loan fund authorized in section 11 hereof"; and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert: "and construction loan funds"; and the Senate agree to the same.

Amendment numbered 120: That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 17. That the board is authorized and directed to take over on January 1, 1921, the possession and control of, and to maintain and develop, all docks, piers, warehouses, wharves and terminal equipment and facilities, including all leasehold easements, rights of way, riparian rights and other rights, estates and interests therein or appurtenant thereto, acquired by the President by or under the act entitled 'An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes,' approved March 28, 1918.

"The possession and control of such other docks, piers, warehouses, wharves and terminal equipment and facilities or parts thereof, including all leasehold easements, rights of way, riparian rights and other rights, estates or interests therein or appurtenant thereto which were acquired by the War Department or the Navy Department for military or naval purposes during the war emergency may be transferred by the President to the board whenever the President deems such transfer to be for the best interests of the United States.

"The President may at any time he deems it necessary, by order setting out the need therefor and fixing the period of such need, permit or transfer the possession and control of any part of the property taken over by or transferred to the board under this section to the War Department or the Navy Department for their needs, and when in the opinion of the President such need therefor ceases the possession and control of such property shall revert to the board. None of such property shall be sold except as may be hereafter provided by law."

And the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: In line 12 of the matter proposed by the Senate amendment, after the word "chartered," at the end of the line preceding and the beginning of said line 12, insert the words "by the board."

In lieu of the last two paragraphs of the matter proposed by the Senate amendment insert the following:

"It shall be unlawful to sell, transfer or mortgage, or, except under regulations prescribed by the board, to charter, any vessel purchased from the board or documented under the laws of the United States to any person not a citizen of the United States, or to put the same under a foreign registry or flag, without first obtaining the board's approval.

"Any vessel chartered, sold, transferred or mortgaged to a person not a citizen of the United States or placed under a foreign registry or flag, or operated, in violation of any provision of this section shall be forfeited to the United States, and whoever violates any provision of this section shall be guilty of a misdemeanor and subject to a fine of not more than $5,000, or to imprisonment for not more than five years, or both."

And the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 19. (1) The board is authorized and directed in aid of the accomplishment of the purposes of this act (a) to make all necessary rules and regulations to carry out the provisions of this act; (b) to make rules and regulations affecting shipping in the foreign trade not in conflict with law in order to adjust or meet general or special conditions unfavorable to shipping in the foreign trade, whether in any particular trade or upon any particular route or in commerce generally and which arise out of or result from foreign laws, rules, or regulations or from competitive methods or practices employed by owners, operators, agents, or masters of vessels of a foreign country; and (c) to request the head of any department, board, bureau, or agency of the Government to suspend, modify, or annul rules or regulations which have been established by such department, board, bureau, or agency, or to make new rules or regulations affecting shipping in the foreign trade other than such rules or regulations relating to the Public Health Service, the Consular Service, and the Steamboat-Inspection Service.

"(2) No rule or regulation shall hereafter be established by any department, board, bureau, or agency of the Government which affect shipping in the foreign trade, except rules or regulations affecting the Public Health Service, the Consular Service, and the Steamboat-Inspection Service, until such rule or regulation has been submitted to the board for its approval and final action has been taken thereon by the board or the President.

"(3) Whenever the head of any department, board, bureau, or agency of the Government refuses to suspend, modify, or annul any rule or regulation, or make a new rule or regulation upon request of the board, as provided in subdivision (c) of paragraph (1) of this section, or objects to the decision of the board in respect to the approval of any rule or regulation, as provided in paragraph (2) of this section, either the board or the head of the department, board, bureau, or agency which has established or is attempting to establish the rule or regula-

tion in question may submit the facts to the President, who is hereby authorized to establish or suspend, modify, or annul such rule or regulation.

"(4) No rule or regulation shall be established which in any manner gives vessels owned by the United States any preference or favor over those vessels documented under the laws of the United States and owned by persons who are citizens of the United States."

And the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 20. (1) That section 14 of the shipping act, 1916, as amended, is amended to read as follows:

"'SEC. 14. That no common carrier by water shall, directly or indirectly, in respect to the transportation by water of passengers or property between a port of a State, Territory, District, or possession of the United States and any other such port or a port of a foreign country—

"'First. Pay, or allow, or enter into any combination, agreement, or understanding, express or implied, to pay or allow, a deferred rebate to any shipper. The term "deferred rebate" in this act means a return of any portion of the freight money by a carrier to any shipper as a consideration for the giving of all or any portion of his shipments to the same or any other carrier, or for any other purpose, the payment of which is deferred beyond the completion of the service for which it is paid, and is made only if, during both the period for which computed and the period of deferment, the shipper has complied with the terms of the rebate agreement or arrangement.

"'Second. Use a fighting ship either separately or in conjunction with any other carrier, through agreement or otherwise. The term "fighting ship" in this act means a vessel used in a particular trade by a carrier or group of carriers for the purpose of excluding, preventing or reducing competition by driving another carrier out of said trade.

"'Third. Retaliate against any shipper by refusing, or threatening to refuse, space accommodations when such are available, or resort to other discriminating or unfair methods, because such shipper has patronized any other carrier or has filed a complaint charging unfair treatment, or for any other reason.

"'Fourth. Make any unfair or unjustly discriminatory contract with any shipper based on the volume of freight offered, or unfairly treat or unjustly discriminate against any shipper in the matter of (a) cargo space accommodations or other facilities, due regard being had for the proper loading of the vessel and the available tonnage; (b) the loading and landing of freight in proper condition; or (c) the adjustment and settlement of claims.

"'Any carrier who violates any provision of this section shall be guilty of a misdemeanor punishable by a fine of not more than $25,000 for each offense.'

"(2) The shipping act, 1916, as amended, is amended by inserting after section 14 a new section to read as follows:

"'SEC. 14a. The board upon its own initiative may, or upon complaint shall, after due notice to all parties in interest and hearing, determine whether any person, not a citizen of the United States and engaged in transportation by water of passengers or property—

"'(1) Has violated any provision of section 14, or

"'(2) Is a party to any combination, agreement, or understanding, express or implied, that involves in respect to transportation of passengers or property between foreign ports, deferred rebates or any other unfair practice designated in section 14, and that excludes from admission upon equal terms with all other parties thereto, a common carrier by water which is a citizen of the United States and which has applied for such admission.

"'If the board determines that any such person has violated any such provision or is a party to any such combination, agreement, or understanding, the board shall thereupon certify such fact to the Secretary of Commerce. The Secretary shall thereafter refuse such person the right of entry for any ship owned or operated by him or by any carrier directly or indirectly controlled by him, into any port of the United States, or any Territory, District, or possession thereof, until the board certifies that the violation has ceased or such combination, agreement, or understanding has been terminated.'"

And the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lines 1 and 2 of the matter proposed by the Senate amendment strike out "one year from the enactment of this act" and insert in lieu "February 1, 1922"; in line 11 of the matter proposed by the Senate amendment strike out the words "within a year" and insert the words "by February 1, 1922"; at the end of the matter proposed by the Senate amendment change the period to a colon and insert the following: "*And provided further*, That the foregoing provisions of this section shall not take effect with reference to the Philippine Islands until the President of the United States after a full investigation of the local needs and conditions shall, by proclamation, declare that an adequate shipping service has been established as herein provided and fix a date for the going into effect of the same"; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 23" and insert in lieu "Sec. 21"; and the Senate agree to the same.

Amendment numbered 127: That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment as follows: In line 10 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 13 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 15 of the matter proposed by the Senate amendment strike out the words "wholly in American" and insert in lieu thereof the words "in such," and after the word "ownership," in said line 15, insert the following: "subject to the rules and regulations of such trade: *Provided*, That the board is authorized to issue permits for the carrying of passengers in foreign ships if it deems it necessary so to do, operating between the Territory of Hawaii and the Pacific coast up to February 1, 1922"; and in line 1 of the matter proposed by the Senate amendment strike out "Sec. 24" and insert in lieu "Sec. 22"; and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: Strike out the last paragraph of the Senate amendment; and the Senate agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Nothing herein shall be affected by the act entitled 'An act to provide for ocean-mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891"; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 26" and insert in lieu "Sec. 24"; and the Senate agree to the same.

Amendment numbered 130: That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: Beginning in line 6 of the matter proposed by the Senate amendment strike out everything after the word "shipping," down to and including "citizens," in line 9 of the matter proposed by the Senate amendment; in lines 10 and 11 of the matter proposed by the Senate amendment strike out the words "or such approved organization"; and in line 1 of the Senate amendment change the section number from "27" to "25"; and the Senate agree to the same.

Amendment numbered 131: That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In line 2 of the matter proposed by the Senate amendment strike out the word "twelve" and insert in lieu thereof the word "sixteen."

Between the first and second paragraphs of the matter proposed by the Senate amendment insert a separate paragraph, as follows:

"The privilege bestowed by this section on vessels of the United States shall be extended in so far as the foreign trade is concerned to the cargo vessels of any nation which allows the like privilege to cargo vessels of the United States in trades not restricted to vessels under its own flag."

In line 1 of the matter proposed by the Senate amendment strike out "Sec. 28" and insert in lieu thereof "Sec. 26."

And the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In line 8 of the matter proposed by the Senate amendment strike out the word "wholly," and in line 11 of the matter proposed by the Senate amendment strike out the figures "24" and insert in lieu thereof the figures "22." At the end of the matter proposed by the Senate amendment insert the following: ": *Provided*, That this section shall not apply to merchandise transported between points within the continental United States, excluding Alaska, over through routes heretofore or hereafter

recognized by the Interstate Commerce Commission for which routes rate tariffs have been or shall hereafter be filed with said commission when such routes are in part over Canadian rail lines and their own or other connecting water facilities: *Provided further*, That this section shall not become effective upon the Yukon River until the Alaska Railroad shall be completed and the Shipping Board shall find that proper facilities will be furnished for transportation by persons citizens of the United States for properly handling the traffic." In line 1 of the matter proposed by the Senate amendment strike out "Sec. 29" and insert in lieu "Sec. 27"; and the Senate agree to the same.

Amendment numbered 133: That the House recede from its disagreement to the amendment of the Senate numbered 133, and agree to the same with an amendment as follows: In lines 17 and 18 of the matter proposed by the Senate amendment strike out "and owned by persons who are citizens of the United States"; in line 22 of the matter proposed by the Senate amendment strike out the words "and owned"; in line 30 of the matter proposed by the Senate amendment strike out the word "shall" and insert in lieu thereof the word "may"; in line 1 of the proposed amendment strike out the numerals "30" and insert in lieu thereof the numerals "28"; and the Senate agree to the same.

Amendment numbered 134: That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 29. (a) That whenever used in this section—

"(1) The term 'association' means any association, exchange, pool, combination, or other arrangement for concerted action; and

"(2) The term 'marine insurance companies' means any persons, companies, or associations, authorized to write marine insurance or reinsurance under the laws of the United States or of a State, Territory, District, or possession thereof.

"(b) Nothing contained in the 'antitrust laws' as designated in section 1 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, shall be construed as declaring illegal an association entered into by marine insurance companies for the following purposes: To transact a marine insurance and reinsurance business in the United States and in foreign countries and to reinsure or otherwise apportion among its membership the risks undertaken by such association or any of the component members."

And the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 30. SUBSEC. A. That this section may be cited as the 'ship mortgage act, 1920.'

"DEFINITIONS.

"SUBSEC. B. When used in this section—

"(1) The term 'document' includes registry and enrollment and license;

"(2) The term 'documented' means registered or enrolled or licensed under the laws of the United States, whether permanently or temporarily;

"(3) The term 'port of documentation' means the port at which the vessel is documented, in accordance with law;

"(4) The term 'vessel of the United States' means any vessel documented under the laws of the United States and such vessel shall be held to continue to be so documented until its documents are surrendered with the approval of the board; and

"(5) The term 'mortgagee,' in the case of a mortgage involving a trust deed and a bond issue thereunder, means the trustee designated in such deed.

"RECORDING OF SALES, CONVEYANCES, AND MORTGAGES OF VESSELS OF THE UNITED STATES.

"SUBSEC. C. (a) No sale, conveyance, or mortgage which, at the time such sale, conveyance, or mortgage is made, includes a vessel of the United States, or any portion thereof, as the whole or any part of the property sold, conveyed, or mortgaged shall be valid, in respect to such vessel, against any person other than the grantor or mortgagor, his heir or devisee, and a person having actual notice thereof, until such bill of sale, conveyance, or mortgage is recorded in the office of the collector of customs of the port of documentation of such vessel, as provided in subdivision (b) of this subsection.

"(b) Such collector of customs shall record bills of sale, conveyances, and mortgages, delivered to him, in the order of their reception, in books to be kept for that purpose and indexed to show—

"(1) The name of the vessel;

"(2) The names of the parties to the sale, conveyance, or mortgage;

"(3) The time and date of reception of the instrument;

"(4) The interest in the vessel so sold, conveyed, or mortgaged; and

"(5) The amount and date of maturity of the mortgage.

"SUBSEC. D. (a) A valid mortgage which, at the time it is made includes the whole of any vessel of the United States of 200 gross tons and upward, shall in addition have, in respect to such vessel and as of the date of the compliance with all the provisions of this subdivision, the preferred status given by the provisions of subsection M, if—

"(1) The mortgage is indorsed upon the vessel's documents in accordance with the provisions of this section;

"(2) The mortgage is recorded as provided in subsection C, together with the time and date when the mortgage is so indorsed;

"(3) An affidavit is filed with the record of such mortgage to the effect that the mortgage is made in good faith and without any design to hinder, delay, or defraud any existing or future creditor of the mortgagor or any lienor of the mortgaged vessel;

"(4) The mortgage does not stipulate that the mortgagee waives the preferred status thereof; and

"(5) The mortgagee is a citizen of the United States.

"(b) Any mortgage which complies in respect to any vessel with the conditions enumerated in this subsection is hereafter in this section called a 'preferred mortgage' as to such vessel.

"(c) There shall be indorsed upon the documents of a vessel covered by a preferred mortgage—

"(1) The names of the mortgagor and mortgagee;

"(2) The time and date the indorsement is made;

"(3) The amount and date of maturity of the mortgage; and

"(4) Any amount required to be indorsed by the provisions of subdivision (e) or (f) of this subsection.

"(d) Such indorsement shall be made (1) by the collector of customs of the port of documentation of the mortgaged vessel, or (2) by the collector of customs of any port in which the vessel is found, if such collector is directed to make the indorsement by the collector of customs of the port of documentation; and no clearance shall be issued to the vessel until such indorsement is made. The collector of customs of the port of documentation shall give such direction by wire or letter at the request of the mortgagee and upon the tender of the cost of communication of such direction. Whenever any new document is issued for the vessel, such indorsement shall be transferred to and indorsed upon the new document by the collector of customs.

"(e) A mortgage which includes property other than a vessel shall not be held a preferred mortgage unless the mortgage provides for the separate discharge of such property by the payment of a specified portion of the mortgage indebtedness. If a preferred mortgage so provides for the separate discharge, the amount of the portion of such payment shall be indorsed upon the documents of the vessel.

"(f) If a preferred mortgage includes more than one vessel and provides for the separate discharge of each vessel by the payment of a portion of the mortgage indebtedness, the amount of such portion of such payment shall be indorsed upon the documents of the vessel. In case such mortgage does not provide for the separate discharge of a vessel and the vessel is to be sold upon the order of a district court of the United States in a suit in rem in admiralty, the court shall determine the portion of the mortgage indebtedness increased by 20 per cent (1) which, in the opinion of the court, the approximate value of the vessel bears to the approximate value of all the vessels covered by the mortgage, and (2) upon the payment of which the vessel shall be discharged from the mortgage.

"SUBSEC. E. The collector of customs upon the recording of a preferred mortgage shall deliver two certified copies thereof to the mortgagor who shall place, and use due diligence to retain, one copy on board the mortgaged vessel and cause such copy and the documents of the vessel to be exhibited by the master to any person having business with the vessel, which may give rise to a maritime lien upon the vessel or to the sale, conveyance, or mortgage thereof. The master of the vessel shall, upon the request of any such person, exhibit to him the documents of the vessel and the copy of any preferred mortgage of the vessel placed on board thereof.

"SUBSEC. F. The mortgagor (1) shall, upon request of the mortgagee, disclose in writing to him prior to the execution of any preferred mortgage, the existence of any maritime lien,

prior mortgage, or other obligation or liability upon the vessel to be mortgaged, that is known to the mortgagor, and (2), without the consent of the mortgagee, shall not incur, after the execution of such mortgage and before the mortgagee has had a reasonable time in which to record the mortgage and have indorsements in respect thereto made upon the documents of the vessel, any contractual obligation creating a lien upon the vessel other than a lien for wages of stevedores when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, or for salvage, including contract salvage, in respect to the vessel.

"SUBSEC. G. (a) The collector of customs of the port of documentation shall, upon the request of any person, record notice of his claim of a lien upon a vessel covered by a preferred mortgage, together with the nature, date of creation, and amount of the lien, and the name and address of the person. Any person who has caused notice of his claim of lien to be so recorded shall, upon a discharge in whole or in part of the indebtedness, forthwith file with the collector of customs a certificate of such discharge. The collector of customs shall thereupon record the certificate.

"(b) The mortgagor, upon a discharge in whole or in part of the mortgage indebtedness, shall forthwith file with the collector of customs for the port of documentation of the vessel, a certificate of such discharge. Such collector of customs shall thereupon record the certificate. In case of a vessel covered by a preferred mortgage, the collector of customs at the port of documentation shall (1) indorse upon the documents of the vessel, or direct the collector of customs at any port in which the vessel is found, to so indorse, the fact of such discharge, and (2) shall deny clearance to the vessel until such indorsement is made.

"SUBSEC. H. (a) No bill of sale, conveyance, or mortgage shall be recorded unless it states the interest of the grantor or mortgagor in the vessel, and the interest so sold, conveyed, or mortgaged.

"(b) No bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge thereof, shall be recorded unless previously acknowledged before a notary public or other officer authorized by a law of the United States, or of a State, Territory, District, or possession thereof, to take acknowledgment of deeds.

"(c) In case of a change in the port of documentation of a vessel of the United States, no bill of sale, conveyance, or mortgage shall be recorded at the new port of documentation unless there is furnished to the collector of customs of such port, together with the copy of the bill of sale, conveyance, or mortgage to be recorded, a certified copy of the record of the vessel at the former port of documentation furnished by the collector of such port. The collector of customs at the new port of documentation is authorized and directed to record such certified copy.

"(d) A preferred mortgage may bear such rate of interest as is agreed by the parties thereto.

"SUBSEC. I. Each collector of customs shall permit records made under the provisions of this section to be inspected during office hours, under such reasonable regulations as the collector may establish. Upon the request of any person the collector of customs shall furnish him from the records of the collector's office (1) a certificate setting forth the names of the owners of any vessel, the interest held by each owner, and the material facts as to any bill of sale or conveyance of, any mortgage covering, or any lien or other incumbrance upon, a specified vessel, (2) a certified copy of any bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge in respect to such vessel, or (3) a certified copy as required by subdivision (c) of subsection H. The collector of customs shall collect a fee for any bill of sale, conveyance, or mortgage recorded, or any certificate or certified copy furnished by him, in the amount of 20 cents a folio with a minimum charge of $1. All such fees shall be covered into the Treasury of the United States as miscellaneous receipts.

"PENALTIES.

"SUBSEC. J. (a) If the master of the vessel willfully fails to exhibit the documents of the vessel or the copy of any preferred mortgage thereof, as required by subsection E, the board of local inspectors of vessels having jurisdiction of the license of the master, may suspend or cancel such license, subject to the provisions of 'An act to provide for appeals from decision of boards of local inspectors of vessels and for other purposes,' approved June 10, 1918.

"(b) A mortgagor who, with intent to defraud, violates any provision of subsection F, and if the mortgagor is a corporation or association, the president or other principal executive officer of the corporation or association, shall upon conviction thereof be held guilty of a misdemeanor and shall be fined not more than $1,000 or imprisoned not more than two years, or both. The mortgaged indebtedness shall thereupon become immediately due and payable at the election of the mortgagee.

"(c) If any person enters into any contract secured by, or upon the credit of, a vessel of the United States covered by a preferred mortgage, and suffers pecuniary loss by reason of the failure of the collector of customs, or any officer, employee, or agent thereof, properly to perform any duty required of the collector under the provisions of this section, the collector of customs shall be liable to such person for damages in the amount of such loss. If any such person is caused any such loss by reason of the failure of the mortgagor, or master of the mortgaged vessel, or any officer, employee, or agent thereof, to comply with any provision of subsection E or F or to file an affidavit as required by subdivision (a) of subsection D, correct in each particular thereof, the mortgagor shall be liable to such person for damages in the amount of such loss. The district courts of the United States are given jurisdiction (but not to the exclusion of the courts of the several States, Territories, Districts, or possessions) of suits for the recovery of such damages, irrespective of the amount involved in the suit or the citizenship of the parties thereto. Such suit shall be begun by personal service upon the defendant within the limits of the district. Upon judgment for the plaintiff in any such suit, the court shall include in the judgment an additional amount for costs of the action and a reasonable counsel's fee, to be fixed by the court.

"FORECLOSURE OF PREFERRED MORTGAGES.

"SUBSEC. K. A preferred mortgage shall constitute a lien upon the mortgaged vessel in the amount of the outstanding mortgage indebtedness secured by such vessel. Upon the default of any term or condition of the mortgage, such lien may be enforced by the mortgagee by suit in rem in admiralty. Original jurisdiction of all such suits is granted to the district courts of the United States exclusively. In addition to any notice by publication, actual notice of the commencement of any such suit shall be given by the libellant, in such manner as the court shall direct, to (1) the master, other ranking officer, or caretaker of the vessel, and (2) any person who has recorded a notice of claim of an undischarged lien upon the vessel, as provided in subsection G, unless after search by the libellant satisfactory to the court, such mortgagor, master, other ranking officer, caretaker, or claimant is not found within the United States. Failure to give notice to any such person, as required by this subsection, shall not constitute a jurisdictional defect; but the libellant shall be liable to such person for damages in the amount of his interest in the vessel terminated by the suit. Suit in personam for the recovery of such damages may be brought in accordance with the provisions of subdivision (c) of section 10.

"SUBSEC. L. In any suit in rem in admiralty for the enforcement of the preferred mortgage lien, the court may appoint a receiver and, in its discretion, authorize the receiver to operate the mortgaged vessel. The marshal may be authorized and directed by the court to take possession of the mortgaged vessel notwithstanding the fact that the vessel is in the possession or under the control of any person claiming a possessory common-law lien.

"SUBSEC. M. (a) When used hereinafter in this section, the term 'preferred maritime lien' means (1) a lien arising prior in time to the recording and indorsement of a preferred mortgage in accordance with the provisions of this section; or (2) a lien for damages arising out of tort, for wages of a stevedore when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, and for salvage, including contract salvage.

"(b) Upon the sale of any mortgaged vessel by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a preferred mortgage lien thereon, all preexisting claims in the vessel, including any possessory common-law lien of which a lienor is deprived under the provisions of subsection L shall be held terminated and shall thereafter attach, in like amount and in accordance with their respective priorities, to the proceeds of the sale; except that the preferred mortgage lien shall have priority over all claims against the vessel, except (1) preferred maritime liens, and (2) expenses and fees allowed and costs taxed, by the court.

"SUBSEC. N. (a) Upon the default of any term or condition of a preferred mortgage upon a vessel, the mortgagee may, in addition to all other remedies granted by this section, bring suit in personam in admiralty in a district court of the United States, against the mortgagor for the amount of the outstand-

ing mortgage indebtedness secured by such vessel or any deficiency in the full payment thereof.

"(b) This section shall not be construed, in the case of a mortgage covering, in addition to vessels, realty or personalty other than vessels, or both, to authorize the enforcement by suit in rem in admiralty of the rights of the mortgagee in respect to such realty or personalty other than vessels.

"TRANSFERS OF MORTGAGED VESSELS AND ASSIGNMENT OF VESSEL MORTGAGES.

"SUBSEC. O. (a) The documents of a vessel of the United States covered by a preferred mortgage may not be surrendered (except in the case of the forfeiture of the vessel or its sale by the order of any court of the United States or any foreign country) without the approval of the board. The board shall refuse such approval unless the mortgagee consents to such surrender.

"(b) The interest of the mortgagee in a vessel of the United States covered by a mortgage, shall not be terminated by the forfeiture of the vessel for a violation of any law of the United States, unless the mortgagee authorized, consented, or conspired to effect the illegal act, failure, or omission which constituted such violation.

"(c) Upon the sale of any vessel of the United States covered by a preferred mortgage, by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a maritime lien other than a preferred maritime lien, the vessel shall be sold free from all preexisting claims thereon; but the court shall, upon the request of the mortgagee, the libellant, or any intervenor, require the purchaser at such sale to give and the mortgagor to accept a new mortgage of the vessel for the balance of the term of the original mortgage. The conditions of such new mortgage shall be the same, so far as practicable, as those of the original mortgage and shall be subject to the approval of the court. If such new mortgage is given, the mortgagee shall not be paid from the proceeds of the sale and the amount payable as the purchase price shall be held diminished in the amount of the new mortgage indebtedness.

"(d) No rights under a mortgage of a vessel of the United States shall be assigned to any person not a citizen of the United States without the approval of the board. Any assignment in violation of any provision of this section shall be void.

"(e) No vessel of the United States shall be sold by order of a district court of the United States in any suit in rem in admiralty to any person not a citizen of the United States.

"MARITIME LIENS FOR NECESSARIES.

"SUBSEC. P. Any person furnishing repairs, supplies, towage, use of dry dock or marine railway, or other necessaries, to any vessel, whether foreign or domestic, upon the order of the owner of such vessel, or of a person authorized by the owner, shall have a maritime lien on the vessel, which may be enforced by a suit in rem, and it shall not be necessary to allege or prove that credit was given to the vessel.

"SUBSEC. Q. The following persons shall be presumed to have authority from the owner to procure repairs, supplies, towage, use of dry dock or marine railway, and other necessaries for the vessel: The managing owner, ship's husband, master, or any person to whom the management of the vessel at the port of supply is intrusted. No person tortiously or unlawfully in possession or charge of a vessel shall have authority to bind the vessel.

"SUBSEC. R. The officers and agents of a vessel specified in subsection Q shall be taken to include such officers and agents when appointed by a charterer, by an owner pro hac vice, or by an agreed purchaser in possession of the vessel; but nothing in this section shall be construed to confer a lien when the furnisher knew, or by exercise of reasonable diligence could have ascertained, that because of the terms of a charter party, agreement for sale of the vessel, or for any other reason, the person ordering the repairs, supplies, or other necessaries was without authority to bind the vessel therefor.

"SUBSEC. S. Nothing in this section shall be construed to prevent the furnisher of repairs, supplies, towage, use of dry dock or marine railway, or other necessaries, or the mortgagee, from waiving his right to a lien, or in the case of a preferred mortgage lien, to the preferred status of such lien, at any time, by agreement or otherwise; and this section shall not be construed to affect the rules of law now existing in regard to (1) the right to proceed against the vessel for advances, (2) laches in the enforcement of liens upon vessels, (3) the right to proceed in personam, (4) the rank of preferred maritime liens among themselves, or (5) priorities between maritime liens and mortgages, other than preferred mortgages, upon vessels of the United States.

"SUBSEC. T. This section shall supersede the provisions of all State statutes conferring liens on vessels, in so far as such statutes purport to create rights of action to be enforced by suits in rem in admiralty against vessels for repairs, supplies, towage, use of dry dock or marine railway, and other necessaries.

"MISCELLANEOUS PROVISIONS.

"SUBSEC. U. This section shall not apply (1) to any existing mortgage, or (2) to any mortgage hereafter placed on any vessel now under an existing mortgage, so long as such existing mortgage remains undischarged.

"SUBSEC. V. The Secretary of Commerce is authorized and directed to furnish collectors of customs with all necessary books and records, and with certificates of registry and of enrollment and license in such form as provides for the making of all indorsements thereon required by this section.

"SUBSEC. W. The Secretary of Commerce is authorized to make such regulations in respect to the recording and indorsing of mortgages covering vessels of the United States as he deems necessary to the efficient execution of the provisions of this section.

"SUBSEC. X. Sections 4192 to 4196, inclusive, of the Revised Statutes of the United States, as amended, and the act entitled 'An act relating to liens on vessels for repairs, supplies, or other necessaries,' approved June 23, 1910, are repealed. This section, however, so far as not inconsistent with any of the provisions of law so repealed, shall be held a reenactment of such repealed law, and any right or obligation based upon any provision of such law and accruing prior to such repeal, may be prosecuted in the same manner and to the same effect as if this act had not been passed."

And the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out "Sec. 33." and insert in lieu thereof "Sec. 31." In lines 8 and 9 of the matter proposed by the Senate amendment strike out the words "or take in fuel"; and the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the figure "11" and insert in lieu the figure "10" and change the section number from "34" to "32"; and the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Jurisdiction in such actions shall be under the court of the district in which the defendant employer resides or in which his principal office is located"; in line 1 of the matter proposed by the Senate amendment strike out the section number "36" and insert in lieu thereof the number "33"; and the Senate agree to the same.

Amendment numbered 140: Change "Sec. 37" to "Sec. 34."

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "35"; and the Senate agree to the same.

Amendment numbered 142: That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "specifically"; and the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the section number "39" and insert in lieu thereof the number "36"; and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment change the period to a semicolon and add the following: "the term 'board' means the United States Shipping Board; and the term 'alien' means any person not a citizen of the United States"; also change the section number in line 1 from "40" to "37"; and the Senate agree to the same.

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146,

and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 38. That section 2 of the shipping act, 1916, is amended to read as follows:

"'SEC. 2. (a) That within the meaning of this act no corporation, partnership, or association shall be deemed a citizen of the United States unless the controlling interest therein is owned by citizens of the United States, and, in the case of a corporation, unless its president and managing directors are citizens of the United States and the corporation itself is organized under the laws of the United States or of a State, Territory, District, or possession thereof; but in the case of a corporation, association, or partnership operating any vessel in the coastwise trade the amount of interest required to be owned by citizens of the United States shall be 75 per cent.

"'(b) The controlling interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to a majority of the stock thereof is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if the majority of the voting power in such corporation is not vested in citizens of the United States; or (c) if through any contract or understanding it is so arranged that the majority of the voting power may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of the corporation is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"'(c) Seventy-five per cent of the interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to 75 per cent of its stock is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if 75 per cent of the voting power in such corporation is not vested in citizens of the United States; or (c) if, through any contract or understanding it is so arranged that more than 25 per cent of the voting power in such corporation may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of any interest in the corporation in excess of 25 per cent is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"'(d) The provisions of this act shall apply to receivers and trustees of all persons to whom the act applies, and to the successors or assignees of such persons.'"

And the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "39"; and the Senate agree to the same.

WILLIAM S. GREENE,
G. W. EDMONDS,
FREDERICK W. ROWE,
RUFUS HARDY,
W. B. BANKHEAD,

I sign this report because, as a whole, I favor the bill, but there are parts of it to which I strongly object.

RUFUS HARDY,
Managers on the part of the House.

W. L. JONES,
WILLIAM M. CALDER,
CHAS. L. MCNARY,
JOS. E. RANSDELL,
F. M. SIMMONS,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the third conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation and to provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

On amendment No. 1: This amendment is explanatory and directs the United States Shipping Board in the disposition of vessels and shipping property, in the making of rules and regulations, and in the administration of the shipping laws to have due regard for the necessity for a merchant marine in order to provide for the proper growth of the foreign and domestic commerce of the United States, and the encouragement of a privately owned merchant marine; and the House recedes.

On amendment No. 2: This amendment changes a section number; and the House recedes.

On amendment No. 3: This amendment is a clerical change; and the Senate recedes with an amendment.

On amendment No. 4: This amendment provides for the repeal of sections 5, 7, and 8 of the shipping act of 1916, inasmuch as the provisions relating to construction and equipment of vessels and their sale is provided in this bill; and the House recedes.

On amendment No. 5: This amendment is a clerical change; and the House recedes.

On amendment No. 6: This amendment is a clerical change; and the House recedes.

On amendment No. 7: This amendment is a clerical change; and the House recedes.

On amendment No. 8: This amendment is a clerical change; and the House recedes.

On amendment No. 9: This amendment is a clerical change; and the House recedes.

On amendment No. 10: This amendment is a clerical change; and the House recedes.

On amendment No. 11: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 5 to 11, inclusive, makes uniform the use of the words "acts or parts of acts" and clarifies the provision relating to the enforcement of the penalty provisions of such acts.

On amendment No. 12: This amendment authorizes the board to complete any construction work begun in accordance with the provisions of the acts repealed whenever the board deemed such completion for the best interests of the United States; and the House recedes.

On amendment No. 13: This amendment is a clerical change; and the House recedes.

On amendment No. 14: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 13 and 14 was taken for the same reason as the action in regard to amendments 5 to 11, inclusive.

On amendment No. 15: The amendment provides that any person dissatisfied with an action of the board relating to the disposition and liquidation of matters incident to the powers conferred upon the President by the acts repealed should have the same right to sue the United States as if such action had been taken by the President. The House recedes and agrees to the Senate amendment.

On amendment No. 16: This amendment is an amendment to section 3 of the shipping act of 1916 increasing the membership of the board to seven; providing that two of the members are to be appointed from the Pacific States, two from the Atlantic States, one from the Gulf of Mexico, one from the Great Lakes, and one from the interior; providing that each commissioner shall devote his time to the duties of his office, that the board may divide the supervision of its activities and may employ attorneys for investigation and court work. The commissioners in office at the time the section takes effect are to hold office until the new commissioners are appointed and qualify, and each commissioner is to receive a salary of $12,000. The House recedes with an amendment for a bipartisan board and a clerical change.

On amendment No. 17: This amendment changes a section number; and the House recedes.

On amendment No. 18: This amendment includes all vessels within the terms of the section instead of limiting its provisions to merchant vessels; and the House recedes.

On amendment No 19: This amendment is a clerical change; and the House recedes.

On amendment No. 20: This amendment changes a section number; and the House recedes.

On amendment No. 21: This amendment authorizes the President to determine when vessels under this section are required by another branch of the Government service; and the House recedes.

On amendment No. 22: This amendment extends the power of the President to except certain vessels from the provisions of the section when needed by any other branch of the Government; and the House recedes.

On amendment No. 23: This amendment is clerical; and the House recedes.

On amendment No. 24: The House recedes.

On amendment No. 25: This amendment changes a section number; and the House recedes.

On amendment No. 26: This amendment restates the purpose for which vessels may be sold; and the House recedes.

On amendment No. 27: This amendment is a clerical change; and the House recedes.

On amendment No. 28: This amendment limits the power to sell vessels to cases when the sale is consistent with good business and the objects of the act; the House recedes with an amendment to provide that such sale shall be public or private and competitive, after appraisement and due advertisement.

On amendment No. 29: This amendment is a clerical change; and the House recedes.

On amendment No. 30: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 29 and 30 conforms the terms "citizens of the United States" to the definition in the shipping act of 1916.

On amendment No. 31: This amendment changes a section number; and the House recedes.

On amendment No. 32: This amendment changes a section number; and the House recedes.

On amendment No. 33: This amendment compels the completion of the payment of interest within 15 years; and the House recedes.

On amendment No. 34: This amendment adds the word "deferred" to clarify the sentence; and the House recedes.

On amendment No. 35: The original House bill provided that the payment of the purchase price should not be deferred more than 15 years after the contract of sale; the Senate amendment changed this to 20 years; the Senate recedes from its amendment.

On amendment No. 36: This amendment is a clerical change; and the House recedes.

On amendment No. 37: This amendment makes it mandatory upon the board to consider the various factors provided in the section in fixing or accepting the sale price of vessels; and the House recedes.

On amendment No. 38: This amendment is a clerical change; and the House recedes.

On amendment No. 39: This amendment prescribes that the available supply of vessels shall be considered in making a sale; and the House recedes.

On amendment No. 40: This amendment is a clerical change; and the House recedes.

On amendment No. 41: This amendment prescribes that freights received and prospects of their maintenance shall be considered in making a sale; and the House recedes with an amendment to provide that existing freight rates should be considered.

On amendment No. 42: This amendment provides that facts or conditions influencing business men in the sale of similar vessels shall be taken into consideration in making a sale and prohibits the sale of a vessel at less than the cost of constructing vessels of similar type in private shipyards at the time of such sale; and the House recedes with an amendment striking out the limitation relating to the sale at less than construction cost.

On amendment No. 43: This amendment is a clerical change; and the House recedes.

On amendment No. 44: This amendment provides that deferred payments of purchase price of vessels should bear interest at a rate of not less than 5½ per cent per annum, payable semiannually; and the Senate recedes.

On amendment No. 45: This amendment changes a section number; and the House recedes.

On amendment No. 46: This amendment is a clerical change; and the House recedes.

On amendment No. 47: This amendment is incorporated with amendment No. 51; and the Senate recedes.

On amendment No. 48: This amendment provides that in sales to aliens payments shall be completed within 10 years; the House recedes with an amendment providing that such sales shall be in accordance with the provisions of the act relating to sales to American citizens, but that completion of payment of purchase price and interest shall not be deferred more than 10 years after such sales.

On amendment No. 49: The Senate recedes from this amendment, which prohibits sales to aliens of vessels of a deadweight tonnage over 6,000 tons and less than 10 years of age.

On amendment No. 50: This amendment provides that the board shall carefully investigate before selling to aliens; and the House recedes.

On amendment No. 51: This amendment provides that the board shall make a full statement of its reasons for making a sale to aliens and that deferred payments of purchase price shall bear interest of 5½ per cent; and the House recedes with an amendment to provide that the board shall attempt to sell to American citizens and agree by an affirmative vote of not less than five of its members spread upon the minutes of the board to make such sale. The board shall then make a full statement of its reasons for the sale, and deferred payments thereon shall bear interest at not less than 5½ per cent.

On amendment No. 52: This amendment directs the board to investigate the establishment of steamship lines and to sell or charter vessels of the United States to citizens of the United States in order to provide for such lines. In case such sale can not be made the board shall operate the line until it may be sold or it is shown not to be self-sustaining. The Postmaster General is authorized to contract for the carrying of mails over such lines at a price to be agreed upon by the board and the Postmaster General. Preference in the sale or assignment of vessels on such lines are to be given to citizens of the United States who are supported by domestic communities or who are maintaining a service from a United States port to a world-market port. In the case of steamship lines maintained by the United States at the time of the enactment of this act the board is directed to continue such lines until it determines such continuance against public interest or unbusinesslike. The House recedes with an amendment exempting this section from the provisions of the mail subvention act and a provision that where service under Government administration is established the charge therefor shall be on a cost basis.

On amendment No. 53: This amendment confers general powers upon the board to investigate terminal facilities at ports, and in case it finds that rates of rail carriers are detrimental to the upbuilding of such ports, or that new rates or additional terminal facilities should be made by carriers, it may submit its findings to the Interstate Commerce Commission; and the House recedes with an amendment prescribing the procedure for the submission of the findings of the board to the commission and empowering the commission to issue orders relative to rail carriers with or without further investigation.

On amendment No. 54: This amendment changes a section number; and the House recedes.

On amendment No. 55: This amendment makes more specific the sale which is provided for under this section; and the House recedes.

On amendment No. 56: This amendment strikes out a statement of policy; and the House recedes.

On amendment No. 57: This amendment is a clerical change; and the House recedes.

On amendment No. 58: This amendment is a clerical change; and the House recedes.

On amendment No. 59: This amendment is a clerical change; and the House recedes.

On amendment No. 60: This amendment includes associations under the terms of this section; and the House recedes.

On amendment No. 61: This amendment is a clerical change; and the House recedes.

On amendment No. 62: This amendment is a clerical change; and the House recedes.

On amendment No. 63: This amendment is a clerical change; and the House recedes.

On amendment No. 64: This amendment is a clerical change; and the House recedes.

On amendment No. 65: This amendment strikes out the provision making insurance payable to the board and is incorporated in amendment No. 69 and made applicable both to general insurance and indemnity insurance.

On amendment No. 66: This amendment is a clerical change; and the House recedes.

On amendment No. 67: This amendment is a clerical change; and the House recedes.

On amendment No. 68: This amendment is a clerical change; and the House recedes.

On amendment No. 69: This amendment requires insurance to be made payable to the board or to the party in interest and authorizes the board to enter into agreements respecting the payment or guarantee of premiums of insurance; and the House recedes.

On amendment No. 70: This amendment changes a section number; and the House recedes.

On amendments Nos. 71, 72, 73, 74, 75, and 76: Are clerical changes; and the House recedes.

The action of the conferees on amendments Nos. 71 to 76, inclusive, was taken in order to perfect the provision in the bill relating to the establishment of the separate insurance fund.

On amendment No. 77: This amendment provides that for the next five years the board may establish a construction fund not to exceed $50,000,000 from the revenues from sales and operations to be used in the construction or in aid of the construction of new vessels of a certain type for service on steamship lines. This fund shall be loaned to citizens of the United States to build such vessels in private shipyards, but no loan shall be in a greater sum than two-thirds of the cost of the vessel to be constructed. The board is required to take a first lien upon such vessels and to otherwise secure the repayment of the sum loaned with interest, and the maintenance of the service to be established. In case the board deems it important to establish service and is unable to interest citizens of the United States in the construction of vessels in private shipyards with the aid of such fund it is authorized to construct such vessels in private shipyards, but not on a cost-plus basis, and when such vessels are sold a cash payment of not less than 25 per cent of the purchase price, ample security for deferred payment, and interest on loans at the rate of 5½ per cent are to be required by the board. The House recedes with an amendment decreasing the amount of the construction fund to $25,000,000 and prohibiting the board from constructing any vessels out of such fund.

On amendment No. 78: This amendment changes a section number; and the House recedes.

On amendment No. 79: This amendment authorizes the board to manage and operate or charter or lease vessels until sold; the House recedes with an amendment providing that such vessels may also be reconditioned and kept in suitable repair.

On amendment No. 80: This amendment is clerical; and the House recedes.

On amendment No. 81: This amendment changes the original time limitations in the House bill with regard to the operation, charter, or lease of a vessel by the board, and permits vessels to be managed, operated, or chartered or leased until sold. The Emergency Fleet Corporation is continued in existence, with authority to operate vessels until they are sold. The House recedes with an amendment continuing operation by the Emergency Fleet Corporation unless otherwise directed by law.

On amendment No. 82: This amendment is made to perfect amendment No. 81; and the House recedes.

On amendment No. 83: This amendment changes a section number; and the House recedes.

On amendment No. 84: This amendment is clerical; and the House recedes.

On amendment No. 85: This amendment excludes vessels transferred from the provisions of the section; and the House recedes.

On amendment No. 86: This amendment changes a section number; and the House recedes.

On amendments Nos. 87 and 88: These amendments are clerical; and the House recedes.

On amendment No. 89: This amendment omits the provision relating to the payment of the purchase price within five years after the sale; and the House recedes.

On amendment No. 90: This amendment changes a section number; and the House recedes.

On amendment No. 91: This amendment extends the time for obtaining net proceeds from activities authorized in the act from 1920 to 1921.

On amendments Nos. 92 and 93: These amendments are clerical; and the House recedes.

On amendment No. 94: This amendment changes a section number; and the House recedes.

On amendments Nos. 95, 96, and 97: These amendments are clerical, changing the designation of the "fund" to "construction loan fund"; and the House recedes.

On amendment No. 98: This amendment changes the time for covering net proceeds into the Treasury from 1920 to 1921; and the House recedes.

On amendments Nos. 99, 100, and 101: These amendments are clerical; and the House recedes.

On amendments Nos. 102 and 103: These amendments change section numbers; and the House recedes.

On amendment No. 104: This amendment more accurately describes what vessels are exempt from payment for charter hire under this section; and the House recedes.

On amendments Nos. 105, 106, and 107: These amendments are clerical; and the House recedes.

The action of the conferees on amendments Nos. 104 to 107, inclusive, was taken in order to specify what vessels were exempt from the payment by the War Department for charter hire.

On amendment No. 108: This amendment changes a section number; and the House recedes.

On amendments Nos. 109, 110, 111, 112, 113, 114, 115, 116, 117, and 118: These amendments are clerical; and the House recedes.

The action of the conferees on amendments Nos. 109 to 118, inclusive, was taken to include within the section all powers granted the Emergency Fleet Corporation to acquire, sell, or dispose of lands, houses, and buildings.

On amendment No. 119: This amendment limits the power of the Emergency Fleet Corporation to dispose of property or interests of the United States except when consistent with good business and the best interests of the United States.

On amendment No. 120: This amendment directs the board to take over in one year the possession of the German wharves. It further authorizes the board to pay to Hoboken, N. J., the taxes levied but uncollected by such city for the years 1918 and 1919 upon such property and to pay thereafter legitimate taxes to that city of not less than the average annual amount of the taxes from 1916 to 1920, inclusive. The House recedes with an amendment to the effect that the board shall take over the German wharves on January 1, 1921, that Army bases acquired for military or naval purposes during the war may be transferred by the President to the board, that any part of any property taken over or transferred to the board may at the option of the President be given to the War or Navy Department, and that no taxes are to be paid to the city of Hoboken.

On amendment No. 121: This amendment amends the shipping act, 1916, so that the owner of a vessel documented under the laws of the United States or purchased from the board may not sell or charter the vessel foreign without the approval of the board. Such approval is contingent upon the investment of the proceeds of the sale in the construction in the United States shipyards of other vessels of a superior type. The House recedes with an amendment which strikes out this condition. The amendment as agreed to also subjects to regulations of the board the chartering of any vessel purchased from it or documented under the laws of the United States.

On amendment No. 122: This amendment provides for investigation by the board and recommendations by it as to what apprentices should be carried upon vessels of the United States and on vessels having contract for the carrying of the mails. The board is also directed to submit recommendations for additional legislation to make available a sufficient number of officers and able seamen who are citizens of the United States to officer and man the merchant marine. The Senate recedes.

On amendment No. 123: This amendment authorizes the board (1) to make rules and regulations putting into effect the provisions of this act; (2) to make such rules and regulations as to vessels in the foreign and coastwise trade as will adjust and meet unfair foreign laws, competition, or practices; (3) to request the suspension of any existing rule or regulation affecting the foreign or coastwise trade; and (4) to approve or disapprove any future rule or regulation of that nature. The Public Health Service and Steamboat-Inspection Service are exempt from this regulatory power of the board. The President is authorized to settle disagreements between the board and any other agency as to the suspension or approval or disapproval of any such rule or regulation.

The House recedes with an amendment which eliminates from the provisions of this section rules and regulations relating to coastwise trade, and rules and regulations in respect to the Consular Service.

On amendment No. 124: This amendment provides for the exclusion from a port of the United States of a vessel owned by any person whom the board finds has violated any provision of sections 14 or 16 of the shipping act, 1916. The House recedes with an amendment comprising H. R. 12074 as reported to the House.

On amendment No. 125: This amendment, first, authorizes the board to establish service between the ocean terminal of the Government railway in Alaska and other ports, and, second, forbids the board to charge rates for Government service at less than cost when competing with private lines. The Senate recedes in view of the action taken in respect to amendment No. 52.

On amendment No. 126: This amendment extends the coastwise laws to the possessions of the United States within one year after the passage of this act. The House recedes with an amendment to the effect that the coastwise laws shall not take effect with reference to the Philippine Islands until the President by proclamation declares that adequate shipping service has been established with the islands.

On amendment No. 127: The amendment repeals the act of October 6, 1917, in respect to the suspension of existing laws as to the admission of foreign-built vessels to American registry when engaged in the American coastwise trade, except

that certain foreign-built vessels owned on February 1, 1920, by citizens of the United States may continue to be so engaged. The House recedes with an amendment which permits the board to authorize foreign-built ships to operate between Hawaii and the Pacific coast until February 1, 1921.

On amendment No. 128: The Senate amendment exempted from war profits and excess profits taxes for 10 taxable years after the enactment of this act the taxpayer's net income from a vessel documented under the laws of the United States and operated in foreign trade if the owner of the vessel invests in a new vessel or sets aside in a fund to be used in the building of new vessels in the shipyards of the United States an amount equivalent to the war-profits and excess-profits taxes that would have been payable by such taxpayer on account of the net earnings of such vessel but for the provisions of this section. This amendment permitted this exemption only if at least two-thirds of the cost of the new vessel is paid for out of the ordinary funds or capital of the person having the new vessel constructed.

This amendment also exempted for a period of 10 years after the enactment of this act from income and excess-profits and war-profits taxes the gain from the sale of a vessel documented under the laws of the United States and built prior to January 1, 1914, if the entire proceeds from such sale are invested in the building of new ships in American shipyards and such new ships documented under the laws of the United States.

This amendment also provided that the Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Shipping Board should determine from time to time the annual depreciation allowances of vessels in order that the owners of such vessels may be put as nearly as possible on a parity with the owner of the ships under the flags of foreign competitors in the world's carrying trade.

The House recedes from its disagreement to this amendment with an amendment restoring the Senate amendment except the last paragraph.

On amendment No. 129: This amendment provides that all mail of the United States carried on vessels shall, if practicable, be carried on American-built vessels, documented under the laws of the United States. Subletting of any contracts of carriers is forbidden, and the United States Shipping Board and the Postmaster General shall determine the rate of compensation for the carriage of such mail. The House recedes with an amendment that the provisions of this section shall not affect the subvention act of 1891.

On amendment No. 130: This amendment provides for the recognition by all agencies of the Government of the American Bureau of Shipping, or other similar approved organization, as the official classification bureau. The House recedes with an amendment confining such recognition exclusively to the American Bureau of Shipping in accordance with the provisions of H. R. 11311 as passed the House.

On amendment No. 131: This amendment permits cargo vessels to carry passengers not in excess of 12 in number on all trips. The House recedes with an amendment which restores the original limitation of 16 passengers as in H. R. 11313, as passed the House, but limits the privilege to countries affording a reciprocal privilege.

On amendment No. 132: This amendment forbids the transportation of merchandise by rail and water between points in the United States, including the Territories and possessions, in any other than United States bottoms. The House recedes with an amendment that this shall not apply to transportation between points within the continental United States, excluding Alaska, over through routes recognized by the Interstate Commerce Commission and comprised in part of Canadian rail lines. The amendment as agreed to also provides that the section shall not take effect as to transportation upon the Yukon River until the United States Shipping Board finds that proper transportation service will be furnished thereon by citizens of the United States.

On amendment No. 133: This amendment provides for discriminatory proportional rates against foreign competitors where the water end of the journey is by vessels documented under the laws of the United States and owned by persons who are citizens of the United States. The House recedes with an amendment which eliminates the requirement of citizenship.

On amendment No. 134: This amendment exempts marine insurance companies from the provisions of the antitrust laws. The House recedes with an amendment consisting, with verbal alterations, of H. R. 13889.

On amendment No. 135: This Senate amendment is an extensive provision by which the mortgagee under a mortgage upon a vessel of the United States is made more secure in his interest in the vessel than he is under existing admiralty law. The amendment supplements the existing mortgage-recording provisions by creating a preferred mortgage which in foreclosure proceedings will have priority in the distribution of the proceeds from the sale of the mortgaged vessel, over all maritime liens against the vessel except liens for damages arising out of tort, stevedores', and crews' wages, general average, and salvage. The preferred status arises upon the recording of the mortgage as a preferred mortgage and its indorsement upon the vessel's documents. Under the Senate amendment the foreclosure proceedings are brought in the Federal courts in equity with simulated admiralty procedure under which the court in equity gives a title good against the world and terminates all preexisting claims against the vessel. In the case of a sale by court order consequent upon the institution of libel proceedings in admiralty against a vessel covered by a preferred mortgage, the Senate amendment provides that the sale shall pass a title subject to the mortgage if the libellant is a lienor whose claim, by the provisions of the amendment, has not priority over but is subordinated to the mortgagee's interest. The Senate amendment also reenacts the maritime lien act of 1910 with the additional grant of a lien for towage in the home port of a vessel and the declaration that towage shall be presumed to be furnished upon the credit of a vessel.

The House recedes with an amendment which places the constitutional basis of Congress's power to legislate in respect to vessel mortgages upon the grant of admiralty jurisdiction and the "necessary and proper clause" of the Constitution instead of the power to regulate interstate and foreign commerce. The amendment as agreed to further places exclusive jurisdiction in the Federal courts to foreclose vessel mortgages upon the grant of admiralty jurisdiction instead of the provisions of the Constitution relating to diversity of citizenship and cases arising under the laws of the United States. The amendment as agreed to also makes the title granted under the order of a court of admiralty in the case of the libel of a vessel covered by a preferred mortgage good against the world, as under the existing admiralty law and international admiralty practice; clarifies the provisions as to fleet mortgages; provides for the reenactment and incorporation in the amendment of the existing vessel-mortgage recording provisions; and prevents the repeal of section 4 of the maritime lien act of 1910 in respect to the doctrines of advances and laches.

On amendment No. 136: This amendment amends section 4530 of the Revised Statutes so that seamen shall be entitled to receive wages at the port at which fuel is taken en route and so that no demand for wages shall be made in the same harbor more than once during the same entry. The amendment also limits the amount of wages payable at any port to one-half part of the balance of the wages earned and remaining unpaid at the time of the demand. The House recedes with an amendment eliminating the provisions in respect to demands at port at which fuel is taken on.

On amendment No. 137: This amendment amends paragraph (a) of section 11 of the act of June 26, 1884, by making the payment of advanced wages to seamen illegal, although the payment occurs without the United States. The House recedes with a clerical amendment.

On amendment No. 138: This amendment amends the seamen's act so as to confine certain provisions as to qualifications of able seamen upon the Great Lakes to citizens of the United States. The Senate recedes.

On amendment No. 139: This amendment amends section 20 of the seamen's act so as to extend the Federal employers' liability act to cases of personal injury to or death of seamen. The House recedes with an amendment that jurisdiction of all actions brought under the provisions of section 20 shall be under the court of the district in which the defendant employer resides or in which his principal office is located.

On amendment No. 140: This section authorizes the President to terminate treaties and conventions restricting the right of the United States to impose discriminating customs duties, and puts into effect the provisions of subsections 1 and 7 of section J of the Underwood Tariff Act. The House recedes with an amendment changing the section number.

On amendment No. 141: This amendment is a change in section number, and the House recedes with an amendment making a further change in the section number.

On amendment No. 142: This amendment makes a clerical change, and the House recedes with an amendment making a further clerical change.

On amendment No. 143: The House bill provided that the powers vested in the Shipping Board by this act may be exercised directly by the board or through the Emergency Fleet Corporation "or other agencies created pursuant to authority of law." The Senate amendment strikes out the quoted words, and the House recedes.

On amendment No. 144: This amendment contains the usual clause providing that if part of the act is held unconstitutional, the remainder of the act shall not be invalidated thereby, and the House recedes with an amendment making a change in section number.

On amendment No. 145: This amendment provides definitions for terms used in the act, and the House recedes with an amendment inserting further definitions, and making a change in section number.

On amendment No. 146: The shipping act, 1916, in section 2, provides that in order for a corporation, partnership, or association to be considered a citizen of the United States for the purposes of this act, a controlling interest therein must be owned by citizens of the United States. The Senate amendment amends this provision so as to require 100 per cent ownership by United States citizens, except in the case of a concern operating vessels exclusively in foreign trade, in which case 75 per cent is sufficient. The House recedes with an amendment which restores the existing law, but provides for a requirement of 75 per cent ownership by United States citizens in the case of corporations, partnerships, and associations operating any vessel in the coastwise trade.

On amendment No. 147: This amendment is a change in section number, and the House recedes with an amendment making a further change in section number.

On amendment No. 148: This amendment is a clerical change; and the House recedes.

On amendment No. 149: This amendment provides that the present members of the Shipping Board shall continue in office until the appointment of the new board created by amendment No. 16. The Senate recedes, but the substance of the amendment is dealt with in connection with the action in regard to amendment No. 16.

WILLIAM S. GREENE,
G. W. EDMONDS,
FREDERICK W. ROWE,
RUFUS HARDY,
W. B. BANKHEAD,
Managers on the part of the House.

Mr. BLANTON (during the reading of the conference report). Mr. Speaker, I rise to a point of order. A communication has been sent to this House by the President of the United States, and I submit that particular Members of the House have no more right to view that document than others.

The SPEAKER. The Chair overrules the point of order.

Mr. BLANTON. There are Members of the House now reading the President's veto and I object to it.

The SPEAKER. The Chair overrules the point of order.

The Clerk concluded the reading.

Mr. GREENE of Massachusetts. Mr. Speaker, I desire to yield 20 minutes to the gentleman from Alabama [Mr. BANKHEAD] in the interest of the minority.

Mr. BANKHEAD. Is it the desire of the gentleman from Massachusetts that gentlemen on this side shall speak before any explanation is made of the conference report? I would say very frankly to the chairman of the committee that there is a great deal of misapprehension on this side of the House in respect to some of the questions involved in conference reports.

Mr. GREENE of Massachusetts. I think I can clear up any misapprehension after I speak for a few moments. I shall make a statement, to be followed by the gentleman from Pennsylvania [Mr. EDMONDS], who will make a full explanation of the conference report, so that Members will know exactly what the bill means. I want to make a few remarks myself, as I have been here for many years. [Laughter and applause.]

Mr. Speaker, if I live for two weeks from to-day it will be 22 years since I entered this House. [Applause.] Ever since I have been in this body I have been in favor of an American merchant marine, and I have tried to accomplish this result. I could not obtain sufficient support to secure this result because I could not convince the majority upon the Republican side of the center aisle that they ought to vote to enact into law any proposition which would provide an American merchant marine. On the 8th day of November, last year, a bill was brought into this House by myself from the Committee on the Merchant Marine and Fisheries, with a unanimous report, providing for the establishment of an American merchant marine, and after one day of open debate, when everyone has a chance to say what he thought of the proposition, without a demand for a roll call from myself, but with a demand on the other side of the House for a roll call, the bill was adopted by a vote of 240 in favor of the bill and 8 votes against it. That bill was sent to the Senate. It laid in the Senate for nearly seven months, and the body at the other end of the Capitol, if anyone, is to blame for delay in not considering this bill earlier and returning the same earlier to this body. However, I should not and I do not wish to criticize that honorable body. The bill is here in time to be enacted into law. I am going to offer all of the Members of the House a chance to vote for it.

It is a purely American bill. All of the changes made in the bill were made since the bill left this body. A number of bills have been acted on by the committee and reported unanimously to this House, and these bills are now included by the action of the Senate in adding them to the original bill, H. R. 10378, and are presented for your determination.

The bill H. R. 11311 was introduced by Mr. EDMONDS, of Pennsylvania, and it provided for a classification of the vessels of the United States, and it was the first bill passed by this body after the original bill had been adopted on November 8, 1919. That classification bill provides for an American bureau of shipping. This American bureau of shipping is to be a competitor for the business of the world with the British Lloyd's, which has been in effect for a great many years in the British Empire. No expense will be incurred under the bill. The owners of the vessels who have their vessels classified will pay money enough for all of the expenses of the classification, so that this does not cost the United States Government a single penny. It is a good bill, and I want to tell you further that in all of the effort that I have made for the building up of American merchant marine during my membership in this body there has been a mysterious body of men in the United States who seem to prefer to have British shipping encouraged rather than to have American shipping built up and maintained.

I found that same element that have opposed the legislation for the upbuilding of the American merchant marine by the Congress are very largely dominant in the maritime business of the city of New York, and they have their agents and emissaries scattered all over our country. Everywhere whenever there is any amount of shipping the British Lloyd's have their agencies, and they are after the trade of the world. They do not calculate that the American merchant marine shall be established.

I ask for the adoption of this conference report because I know that the American merchant marine will be firmly established after these bills have been enacted into law, and if there is anyone here who does not favor this bill because of any reason, unless it be a very valid one, I propose to classify the man who objects to this bill and who votes against its enactment into law as an affiliated agent of the British Lloyd's, and to put those who vote for the bill as valuable agents of the American Bureau of Shipping. [Applause.]

You can take your choice. I do not care how you vote, but you should not vote a penny to aid the British Lloyd's from the Treasury of the United States. Now, we had another bill that occupied a great deal of time of the committee. We have occupied considerable time since we have been empowered by the votes of this body to prepare and present an American merchant marine bill.

Mr. JUUL. Will the gentleman yield for a question?

Mr. GREENE of Massachusetts. Certainly.

Mr. JUUL. I want to ask the chairman of this committee if there has been any objection raised to the passage of this bill by any seamen's union—to the bill in its present shape?

Mr. GREENE of Massachusetts. I do not recall any such opposition.

Mr. JUUL. And if such, has it been withdrawn if there has been any?

Mr. GREENE of Massachusetts. The gentleman wants it withdrawn?

Mr. JUUL. If there is any objection pending on any section of this bill.

Mr. GREENE of Massachusetts. I do not recall that they did; it would not have affected my action. I am so much of an American I do not care for any organization that does not prefer the promotion of legislation for keeping the American flag on the sea in preference to that of any other nation in existence. Now, I am going to talk about the bill, briefly, I have in my hand.

It is a bill in the interest of the merchant marine. It is to provide for security of investments in mortgages upon vessels of the United States, and for other purposes. It is a bill that has had the careful consideration of the committee of which I am chairman all the time since we commenced to consider it. We took it up just as quickly as we could after the House was organized, last May, and it provides to safeguard mortgages upon vessels—give them the preference—so that they can issue bonds to aid persons who need money with which to build American vessels, the American vessels to be classified by the American Bureau of Shipping, and that bill is one of the bills which the Senate passed without amendment, and they do not

pass many bills in that manner. One hundred and forty-nine amendments were made to the consolidated bills which you are considering to-night, but this other bill passed without one single amendment at all. [Applause.] Now, we have another bill I want to call attention to, presented by Mr. EDMONDS, a bill to promote marine insurance, and for other purposes. Now, perhaps you do not know, but I will tell you, that the marine insurance has been done on the other side of the water by the British companies and of the companies who control the marine insurance there and have forced New York to take their insurance in order that they may obtain the opportunity to engage in foreign trade on their vessels. We are going to place the American vessels in the American insurance organizations that are created by this bill, and we have given patient hearings to this important subject, and that is going to be distinctly American also.

It is a bill to promote marine insurance, and for other purposes, and a good bill or Mr. EDMONDS would not have had anything to do with it, I will tell you that. [Applause.] So that these bills are all right. They ought to be adopted, every one, without any objection. We have taken out every amendment that anybody had in his mind was objectionable and said so, although I was informed by experts that there was not anything in the bills that ought to be halted by reason of points or order; but I am a sort of landlubber, and I do not know much about water except the water I drink, and so I do not know whether the bill is subject to points of order or not; but we found, however, some men did want to make points of order, and I rather imagine these fellows who made points of order are in sympathy with the British Lloyd's and want to delay the passage of this bill. [Laughter and applause.] I may say that—

This is the day I long have sought
And mourned because I found it not.

I stand to-day with no tears in my eyes but tears of joy, that after nearly 22 years of service in this House I am to have the great pleasure of presenting to this House this measure, which I know will meet the approbation of everybody who knows anything about it. I talked to a southern shipbuilder to-day, and he told me it was a perfect bill and every man ought to vote for it, and he told me there was no reason why a living soul who had a spark of patriotism in his breast should vote against it. I agree with him. Now, I want to give Mr. EDMONDS 15 minutes to explain the bill in full, and I yield to Mr. EDMONDS 15 minutes, and thank you for listening to me. [Applause.] Mr. Speaker, I reserve the balance of my time. How much time have I used?

The SPEAKER. The gentleman has used 15 minutes.

Mr. EDMONDS. Mr. Speaker, I must decline to be interrogated.

As the chairman of the committee explained, this bill passed the House last October It was the result of six months' study by the House Committee on the Merchant Marine and Fisheries, and about six months' study by the Senate Commerce Committee. It is a very unfortunate thing that it has to be brought in here in the last few days of the session, because I am sure that every Member of this House would be interested in hearing what it contains. It is one of the most important reconstruction measures that have passed this House this session. It ought to have the support of every Member. There is no doubt that a great many of you are puzzled over the provisions of the bill. Of course, it is hardly to be supposed that men who are located inland would know very much about maritime matters. The committee would have been glad to have had the opportunity to explain the bill fully to you. I have only 15 minutes and I have got to make the most of that time by trying to bring to your attention a few particular features of the bill.

There are two distinct parts of the bill. One is the administrative part; the other one embodies portions of the bill that are of benefit to the merchant marine. The administrative part, in the first place, repeals all the war legislation. That was in the Greene bill that passed the House. Now, the Senate amended that by placing in the bill a section which arranged for the promotion of a new Shipping Board, this new Shipping Board to be composed of seven members, to be paid $12,000 a year each, and with all the restrictions in regard to interests. They should have no other interests excepting the Shipping Board interests, and these seven new men that are to be appointed under this bill are to be men who are to take charge of over $2,000,000,000 worth, probably over $3,000,000,000 worth, of Government property.

This board is divided up geographically. Two of the men come from the Pacific coast, two from the Atlantic, one from the Gulf, one from the Great Lakes, and one from the interior of the country. Our committee agrees that in all probability it is better that we should pay a higher salary and get men who will devote their entire time to conducting the proper business of this commission. It also arranges for the sale of ships and other property. It arranges for the board through themselves or with operators to establish lines of ships where it is found necessary to have them established.

It arranges through a fund of $25,000,000 a year for the board, not to construct ships, as has been stated around the room here, but to lend money to men who wish to construct these special ships that have been stated so frequently by the different members of the Shipping Board are necessary for the rounding up of the fleet. This fund is $25,000,000 for five years. They can lend up to two-thirds of the amount on the value of the ship in mortgage. It arranges for a transfer of all the property acquired from various sources during the war to the board. This includes warehouses and wharves and other facilities that would be useful in building up a merchant marine and allows all our shipping facilities to be handled by the board. It arranges for an investigation, in connection with the Secretary of War, of port facilities, to see whether or not they can be improved. It gives a definition, a new definition, of citizenship, in which it is required that men or corporations or firms or associations that are in the coastwise trade must at least have 75 per cent American capital in their business.

Those in the foreign trade are left with a controlling interest of American capital in the business. And I want to say to you, gentlemen, while some criticize that, yet at the same time it is found that a great many countries are willing to put up a portion of the capital in a steamship line running to their country, and as long as the control and the officers remain in this country I do not see how we can object. I call your attention to the China Mail Line. That is 60 per cent American and 40 per cent Chinese. There does not seem to be any good reason why, when we can not raise enough capital in this country to dispose of all this property, we should not take advantage of the money offered us by friendly countries.

It arranges for a cooperation between the departments in marine matters, so that all matters that are taken up in the different departments that have to do with such matters will be taken up with the Shipping Board also, thus seeing that they are fairly taken care of and that no interests are injured. Now, that takes up in a general way the administrative portion of the bill.

The portions of the bill for the benefit of shippers are as follows: The bill arranges for marine insurance pooling. Unfortunately the marine insurance companies in this country have never worked together. A company would get a policy much larger than it cared to take individually, and it would reinsure in foreign ports. Our pooling arrangement has been successful. I am announcing it to-night, I think for the first time on the floor here, that it has been successfully completed. The insurance companies have arranged for a line in purely American companies of $2,000,000 on any hull in this country. They have arranged for a line of $3,000,000 on the larger hulls, but $1,000,000 of that is in what are known as admitted companies, companies with foreign capital but that are admitted and do business and pay taxes in this country.

Mr. McKEOWN. Will the gentleman yield at that point?

Mr. EDMONDS. I do not want to yield until I get through with my explanation, and then I will.

The insurance companies in connection with the Shipping Board have arranged for a duplicate salvage bureau. The large salvage association in this country to-day is the London salvage bureau. It works with Lloyd's, and is generally found where Lloyd's classification bureau is found. It is not the same concern. It is a different concern and has a different purpose to accomplish.

Insurance companies in this country, along with the Shipping Board, are going to duplicate that service, not only in this country but all over the world. The bill arranges for a class of preferred mortgages. It does not disturb the present mortgage law, but it arranges for a class of preferred mortgages. A small shipper could not get a mortgage taken on his ship because the mortgage came after all liens; the security was too indefinite. This gives the mortgage on this a new position. Part of the liens come after; part of them come before. The small shipper to-day, a man who wants to own four or five ships, can utilize this preferred mortgage and get capital for financing his line. It has been impossible in the past to get trust companies to take ship mortgages on account of this fact, and I think this will make them popular with the bankers of the country. The bill arranges for a marine classification bureau.

Mr. MILLER. Mr. Speaker, will the gentleman yield there for a question?

Mr. EDMONDS. No; not now.

It arranges for an American classification bureau. A bill for that purpose had already passed the House and it was sent

over to the Senate, but it was incorporated in this bill. It was unanimously passed by this House. It also arranges to restrict the rates, the import and export rates, on railroads to American ships unless American ships are not serving at the point of debarkation of the freight. This is a great advantage to American ships. It is no loss to the Government, and it is no loss to the railroads, and it stands in the way of a subsidy to American ships.

As an example I call attention to the fact that in Philadelphia steam anthracite coal takes a $1.70 rate to Philadelphia. Foreign ships will pay that rate. Anthracite outside takes a $1.50 rate. That is a 20 cent advantage in the rate, and that advantage will go to the American ships. The railroads lose nothing, but the American ship gets the advantage.

It also arranges for postal subventions, only within the limit of the appropriation, of course. It arranges to prevent discrimination against our ships in the foreign trade. I regret to state that the point of order made to-day against the conference report forced us to take out of the bill a very complete measure of this kind which would have allowed our lines to continue to compete with foreign lines between foreign ports, but it was subject to a point of order, and at the last conference it was withdrawn. The item that is retained in there is, I regret, not the provision that ought to be there.

A number of large steamship lines have formed an association to give preferred rebates between the West Indies and Europe. Our lines have to compete against that, and they can not, under our law, join it because they can not give preferred rebates. The amendment that was proposed this afternoon would have taken care of that, and would have prevented those lines from competing with us in any but a fair manner.

It also allows the carriage of passengers on cargo boats. We passed through the House a bill to accomplish this purpose, and it is incorporated in this bill without change. It arranges to protect our coastwise trade and keep our coastwise trade for our own ships. It arranges that in Alaska, where we have been kept out by Canadian ships, we can come back there. The coastwise protection is extended to the Philippines providing the President, after a thorough examination of the conditions there, deems it advisable.

It allows also for the abrogation of treaties with different countries, and provides that this Congress can at any time arrange for discriminating customs duties in favor of our ships. I would like to call attention to the fact, gentlemen, that when we get our import and export rates settled on our ships these discriminating duties will bring us return cargoes.

It arranges to change in some parts the La Follette bill, but all in favor of the sailor. The gentleman from Illinois [Mr. JUUL] asked a question about that a few moments ago.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. EDMONDS. May I not have a little more time?

Mr. GREENE of Massachusetts. I yield to the gentleman two more minutes.

Mr. CANNON. Right there, Mr. Speaker, will the gentleman yield for a question? I hope that the gentleman may have all the time that he desires. I do not know much about this bill. I have got to take it on faith.

Mr. EDMONDS. Will the gentleman ask unanimous consent for an extension?

Mr. CANNON. Yes. I ask unanimous consent, Mr. Speaker, that the gentleman from Pennsylvania may have such time as he may desire to explain this bill.

Mr. GRIFFIN. And to answer questions.

Mr. CANNON. Yes; and to answer questions. I would like to vote for the bill, but I would like to know more about it before I vote for it. I ask that the gentleman from Pennsylvania may proceed for 10 minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania may proceed for 10 minutes more.

Mr. SABATH. How much time has the gentleman now?

The SPEAKER. He has no time.

Mr. SABATH. I understand four minutes has been yielded to him.

The SPEAKER. No; two minutes. The gentleman from Illinois has asked that he may have 10 minutes.

Mr. GRIFFIN. Reserving the right to object, if the gentleman is going to take 10 minutes in the elucidation of the bill there will be no time left for inquiries at all. But I will not interpose an objection.

Mr. EDMONDS. It also arranges—and this is a matter of interest to you all—to release taxes on excess profits only in event they are to be used in new ship construction. In other words, a shipowner can be relieved of his income taxes provided he uses those taxes to build a new ship. He must put two-thirds of the money into that new ship himself. Only one-third of the new construction can come out of the taxes. But a man who bought a ship in 1914 or before that and sold it to-day at a profit such as would accrue, say three or four hundred thousand dollars, if he puts that entire sum into new construction he is relieved from the taxes on that profit. Now, I know that this is rather unusual legislation, but I have heard every man in this House make the statement that he wished to build up the American merchant marine, and a great many do not want to give subsidies. I think that this is an easy way for us to build up the American merchant marine, and let us see whether we can put it on the sea, doing business without subsidy. Let us see whether this bill will not make that possible.

Mr. BANKHEAD. Will the gentleman yield for a question in this connection?

Mr. EDMONDS. Yes.

Mr. BANKHEAD. There seems to be some impression, at least on this side of the House, that there is some provision in this bill which provides for a subsidy. I should like to have the gentleman deny that statement very emphatically.

Mr. EDMONDS. There is absolutely nothing in this bill except what I have explained to you that in any way takes any money out of the Treasury of the United States. These to-be-earned taxes come out of the Treasury. The freight arrangement does not come out of the Treasury. There is nothing here except the postal subvention that could be in any way construed to be a subsidy.

Mr. WHEELER. Will the gentleman yield?

Mr. EDMONDS. I yield to the gentleman from Illinois.

Mr. WHEELER. I am very much opposed to the sale of these ships. Does the gentleman really believe that provision should have remained in the bill?

Mr. EDMONDS. It just depends on whether the gentleman is for Government ownership or whether he is opposed to Government ownership. Surely there is no question in the minds of those who are opposed to Government ownership and operation of these ships. The Government can not keep them always. It must sell them.

Mr. GRIFFIN. In connection with that question will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. GRIFFIN. I should like to ask, if this is truly a bill for the upbuilding of the American merchant marine, why did you retain in it the provision for the sale of ships to aliens?

Mr. EDMONDS. For the simple reason that the wooden ships, for instance, are absolutely useless in American trade.

Mr. GRIFFIN. Why did you not confine it to the wooden ships?

Mr. EDMONDS. There are some of the steel ships in the same category. The gentleman must realize that this bill requires that five out of the seven members of the board have to agree to the sale of a ship to an alien, and they have to make public their reason for so doing.

Mr. ROWAN. Will the gentleman yield?

Mr. EDMONDS. I yield to the gentleman from New York.

Mr. ROWAN. If this bill is for the promotion of an American merchant marine, I should like to ask why it provides for an indirect method of selling American ships to foreigners, no matter what the tonnage or age of the ship?

Mr. EDMONDS. I should like to ask the gentleman what he means by an indirect method?

Mr. ROWAN. This provides in section 9, in the third paragraph, that it shall be unlawful to charter, sell, transfer, or mortgage any vessel purchased from the board or documented under the laws of the United States to any person not a citizen of the United States unless with the consent of the board.

Mr. EDMONDS. That is a case where a man is already operating a ship purchased from the Shipping Board and it belongs to him.

Mr. ROWAN. And he can immediately turn around and sell it to an alien.

Mr. EDMONDS. He dare not sell it without the consent of the board.

Mr. ROWAN. Any kind of a ship, a ship of over 6,000 tons, a passenger ship, no matter what is the age of the ship, it does not make any difference, he can sell it.

Mr. EDMONDS. It does not make any difference what the ship is when it belongs to a private owner. Certainly he has a right to do what he wants with his property, and all we require is that he shall go to the Shipping Board and obtain their consent before he sells it, and they do not have to give their consent unless they want to.

Mr. ROWAN. If they give their consent, he can sell it to an alien.

Mr. EDMONDS. That is the existing law that you are talking about. That is nothing new. That is in the law now.

Mr. LINTHICUM. That is what we are kicking about.

Mr. JOHNSTON of New York. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. JOHNSTON of New York. The gentleman referred to the fact that this bill provides for prior liens by way of preferred mortgages.

Mr. EDMONDS. Yes.

Mr. JOHNSTON of New York. What relief or protection has a man got who supplies material to a ship? Does his lien for material furnished or labor supplied antedate and become prior to the lien referred to by the gentleman?

Mr. EDMONDS. No; it does not.

Mr. CHINDBLOM. Except this, that maritime liens retain their priority.

Mr. JOHNSTON of New York. Not for repairs.

Mr. CHINDBLOM. Those are not maritime liens. Those are contract liens.

Mr. OVERSTREET. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. OVERSTREET. I should like to have the gentleman explain sections 40 and 41. They have been amended in the conference report so as to protect the interests of owners of stock in corporations.

Mr. EDMONDS. Sections 40 and 41?

Mr. OVERSTREET. Yes; and also section 29—sections 29, 40, and 41.

Mr. EDMONDS. I have explained that.

Mr. OVERSTREET. I did not hear it.

Mr. EDMONDS. They have to have 75 per cent of American ownership before they are recognized as citizens under the bill. A man in the foreign trade has to have——

Mr. OVERSTREET. Is that satisfactory to the American people owning stock in corporations?

Mr. EDMONDS. It is absolutely satisfactory to them all.

Mr. McKINIRY. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. McKINIRY. Is there anything in the bill to prevent the Shipping Board being formed by a bare majority and selling the $2,000,000,000 worth of ships practically in possession of the board to an alien, provided the sale is first put through an intermediary of American citizens?

Mr. EDMONDS. Yes; no ship having been in possession of the board before, even if sold outright, can be sold except with the board's permission.

Mr. McKINIRY. Then they could be sold?

Mr. EDMONDS. You would not take away a man's right to his own property?

Mr. PELL. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. PELL. Are the ships to be sold as a whole or separate?

Mr. EDMONDS. That is impossible for anybody to provide by legislation. Common sense would say that the board would take the best trade they could get. I understand that 14 German ships have been turned over to a New York line for operation.

Mr. PELL. Is there any reason why these ships should not be sold to Americans and only to Americans?

Mr. EDMONDS. I think the law requires that to be done, unless they find that they are ships that they do not want and can not use and, therefore, they would find a customer where they could sell. This requires that five out of seven members of the board shall sign every sale to an alien, whether a wooden or a steel ship; and they must give their reasons in writing.

Mr. PELL. Would we not be better off if we obliged the ships to remain under the American flag?

Mr. EDMONDS. The gentleman knows that many ships were built during the war that are not commercial possibilities for this country. They can be used in the Mediterranean or in the Baltic, but we have no use for them here. No member of the Shipping Board would sell a ship to anybody if we had any use for it here. That would be impossible. You would not expect the Shipping Board to be any less American than we are.

Mr. PELL. We have not got the big lines—the big shipping companies—and it will take time to form those companies, and it will take time to raise enough capital. If we could hold these ships for the Government until such lines could be formed, there would be time to develop the companies. If these are to be sold in a short time, and there is no American line, they will go abroad.

Mr. EDMONDS. The gentleman realizes that nothing deteriorates more than a ship that is not in use. If we can operate the ships, we will operate them. If we sell them and we can not sell them in America, we will have to sell them to aliens.

Mr. PELL. It will take years to form these big lines.

Mr. EDMONDS. We are developing a merchant marine faster than any country in the world. Let the gentleman go down to the Shipping Board and see the list of ships they have allocated.

Mr. McKINIRY. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The gentleman from New York makes the point of order that no quorum is present. The Chair will count. [After counting.] Two hundred and nineteen Members, a quorum is present.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask that the gentleman from Alabama may use some of his time. There is only one more speech on this side.

Mr. BANKHEAD. Mr. Speaker, I yield five minutes to the gentleman from Oklahoma [Mr. McKEOWN].

Mr. McKEOWN. Mr. Speaker and gentlemen of the House, it is not any pleasant task for a man who has only been here a short time to undertake to raise his voice against the approval of a conference report, especially when that conference report is brought in by a man of such distinguished service in this House and for whom we all have the utmost respect. But, gentlemen, the proposition that is brought here in this bill not only affects the future of the merchant marine of this country, it not only affects the future policy of the United States Government in handling the shipping of this country, but it involves $3,000,000,000 of property that was paid for out of the proceeds from Liberty bonds bought by the people of this country at their face value and now selling for 85 or 90 cents. It means a sacrifice of millions when we sell the ships to private individuals as provided in this bill, which is brought in here without an opportunity of knowing what is in it. I might be for the bill if I understood all of the terms. I do not think the gentleman would bring it in with the intention of doing any injury to the country.

It is not right and not fair to the American people for this Congress at this late hour to pass a measure that involves as much property as this does, with nobody knowing what it contains. [Applause.] The gentleman from Massachusetts [Mr. GREENE] has said that those of us who make opposition are agents of the English Lloyds. Gentlemen know that I live in Oklahoma, away in the interior of the country. I may not know all about maritime matters nor about a merchant marine. I do know, however, that under this bill if a man in my State was the most competent man in the United States to sit upon this board, he could not be placed there because you say the members of the board shall be made up, two men from the Pacific Coast States, two men from the Atlantic States, one from the Great Lakes and one from the Gulf States. What is the rest of the United States that pays the cost, that pays the freight, going to think about that? Are they not entitled to have their sons appointed on this board if they want to and are found to be competent? The man who is competent and lives in a coast State may have to move to the interior for the sake of his wife's health, or of some member of his family, yet he could not go on this board. I say that it is an unconstitutional provision, and you can not divide this country into preferred States like that. [Applause.]

There is not a man who is not on the conference committee who can tell you what is in this report. They can not tell you now the provisions of this bill. We passed a bill of 8 pages through this House, and the Senate amends the bill and the conferees come in now and bring back a hodgepodge, and a bill 59 pages long, and being a new bill written in conference, the conferees bring it in here and say to the Congress, "If you object to it, you are the agents of the English Lloyds." I say it is not a fair way to legislate, and this conference report is not entitled to the approval of this Congress under the circumstances.

I believe in a merchant marine because in Oklahoma we can not ship our grain and our cotton unless we have merchant ships to sail the seas. Whatever nation owns the arteries of commerce will control the wealth of the world, and while we were busy building up railroad transportation we let the other countries of the world build up their transportation on the seas, and for that reason they have gotten control of the export trade. I am not opposed to the United States going out and getting commerce, but I am opposed to disposing of this matter at this late hour without everybody having a fair chance to know the contents of the bill. [Applause.]

Mr. BANKHEAD. Mr. Speaker, I yield 10 minutes to the gentleman from Tennessee [Mr. DAVIS].

Mr. DAVIS of Tennessee. Mr. Speaker and gentlemen of the House, we are about to be called upon to vote upon the most important and most far-reaching measure that has been presented to this Congress for action. It is not only important because of the immense amount involved but in other particulars. It provides for the sale and disposition by the Shipping Board of what will amount to about 14,000,000 tons of shipping, worth $3,000,000,000, owned by the Government, and paid for by taxes collected from the people. Furthermore, it defines and fixes the future policy of this Government with regard to our merchant marine. And now, without any adequate opportunity for discussion, without any opportunity for the Members of the House to read, much less to consider and study, the provisions of this lengthy, intricate bill, and this conference report, which contains 36 closely printed pages, and without any opportunity whatsoever to amend in any particular, we are called upon to vote for or against the conference report.

As has already been stated, the committee, after careful, extensive hearings, after a thorough consideration, perfected and unanimously reported a bill defining our policy with regard to the merchant marine and providing for the disposition and sale of our ships. It had the indorsement of the Shipping Board and the approval and support of the present Secretary of Commerce, who was at that time a Member of this House and of the Committee on the Merchant Marine and Fisheries which reported out the bill. Here is a copy of it. It contains about eight pages, as compared to this other with 59 pages that comes from the Senate. This House passed the House bill almost unanimously and should have done so. I indorsed and voted for that measure because it was a clear, concise, definite, correct statement of the policy of this House as well as of the Merchant Marine Committee, and I think that it represented the views of the great majority of the American people.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I must decline, because my time is so limited. That House bill was all right, and, as the chairman of the Committee on the Merchant Marine and Fisheries, who introduced it, has told you, it passed the House last November and then rested in the archives of the Senate for some seven months. They finally got busy, but, instead of accepting the House bill, they adopted 149 amendments to it, carried in over fifty-odd pages, and sent it over here a few days before adjournment.

Then it went to conference a few days ago, and I want to state that in my opinion the House conferees have worked faithfully and diligently and endeavored to defeat some of those vicious provisions imposed in the way of amendment by the Senate. They at first succeeded in eliminating some of these vicious provisions, but there are still contained in this bill and in the conference report vicious and un-American provisions—provisions which not only do not protect the interests of the American people and will not protect and preserve our American merchant marine, but which will have the contrary effect. This bill as reported contains provisions adopted at the instance of and for the benefit of certain private shipping and railroad interests, and was written by their representatives. In fact, the tenor, general purport, and apparent purpose of the bill is to take care of the private shipowners and other interests instead of to protect the stupendous interests of the American people.

Mr. CROWTHER. What are they?

Mr. DAVIS of Tennessee. If you will give me the time, I will go into a detailed discussion, but, of course, in 10 minutes I can not do more than make a general statement with regard to the 59-page bill, 149 amendments, and 36 pages of conference report, which has been changed three times in the last two days. [Applause.]

Mr. CROWTHER. Will the gentleman yield?

Mr. DAVIS of Tennessee. I must decline to yield, because my time is too limited. Now, as I said, the House conferees at first succeeded in eliminating some of these vicious provisions, but in their zeal and in their desire to get some sort of a bill passed this session they finally went back into conference and agreed to most of these objectionable features being reinstated, and eliminated some House amendments, so as to avoid further possible points of order being made. Some of the conferees have told me that they seriously object to many of the provisions of this Senate bill as reported, but that they reluctantly agreed to it, and at least one of them told me that it was hoped that hereafter we would be able to amend this bill so as to eliminate these objectionable features. However, I tell you that such a course is impossible. If you do not meet the issue right now, if you pass this bill in its present form, you will not be able to rectify this measure in the future. [Applause.] We would doubtless be able to pass such an amendatory measure through the House, but the same influences that caused the introduction and adoption of these Senate amendments over there, and which have caused the Senate conferees to insist upon the retention of these objectionable provisions so strenuously and effectively as to cause the House conferees to yield, will certainly prevent the passage of any bill which the House may subsequently pass to eliminate those vicious provisions, provided we pass this bill at this time. It takes an affirmative vote of both the Senate and the House to pass the bill, but the negative vote of the Senate could and doubtless would defeat any remedial bill which we might pass. The time to eliminate those objectionable features is now.

It is not necessary for any bill to pass at this time. It is infinitely more preferable to let it go over until the next session and then take the time to carefully consider, discuss, and perfect it and pass a proper bill than it is to ram through such a bill as this in the closing hours of the session, without any intelligent knowledge or consideration being possible, simply in order to pass some kind of a bill dealing with the subject. The House conferees all admit that it contains provisions which they do not approve. If, as a matter of fact, it is essential to pass a merchant-marine bill during this session, we should postpone the date of adjournment long enough to at least give this important matter careful, intelligent consideration. It is inconceivable to me that this Congress is willing to dispose of $3,000,000,000 worth of the people's property and fix our future merchant-marine policy in the manner and under such circumstances as these. I venture the assertion that there is perhaps not a Member of this House, outside of the conferees and perhaps a few other members of the Merchant Marine and Fisheries Committee, who has found the time to even read this bill as reported and the conference report; in fact, three reports have been made within the past 36 hours, and the last one was not only not printed but was not read in full. Two of the conferees have told me that they did not know just what was in the last report. There has been so many rapid changes and so much confusion that not a Member of this House or anybody else could know fully just what we are acting upon.

Mr. YATES. Will the gentleman tell us some of the objections? Some of us want to know. I may be with the gentleman in the matter if I know.

Mr. DAVIS of Tennessee. Well, in the first place, the bill provides for the sale of our ships, which is all right—I am not objecting to that. I think that our ships ought to be sold, provided we sell them at an adequate price and in such manner and upon such conditions as to protect the interests of the people, and so that the ships will remain a part of our American merchant marine. However, I do not think that this bill affords sufficient protection in either respect. Although, as stated, we have about 14,000,000 tons of shipping, involving an ultimate investment of about $3,000,000,000, and are experiencing very great difficulty in finding a sale for such vessels, and it is a foregone conclusion that we can not sell them at cost price, and although this bill directs a sale of our said shipping, yet section 11 of the bill provides for a construction fund of $25,000,000 annually to be set aside out of the revenues from sales and operations, and—

the board shall use such fund to the extent required upon such terms as the board may prescribe to aid persons, citizens of the United States, in the construction by them in private shipyards in the United States—

And so forth. Attention is called to the fact that such fund can only be used "in private shipyards."

Furthermore, this bill permits discrimination in rates on connecting railroad and ship lines, when the vessel so transporting such persons or property by water is documented under the laws of the United States.

One Member asked one of the conferees, who was speaking, to deny that this bill provides for a subsidy. I say that there are several provisions in the bill which in effect amount to a subsidy. It contains many discriminations in favor of different private interests and against the interests of the public. One subsidy to which I wish to call attention, and which has already been admitted and discussed by the gentleman from Pennsylvania [Mr. EDMONDS], is that private shipowners are exempted from the payment of war profits and excess profits taxes imposed by the revenue act of 1918, for a period of 10 years, provided that the amount of such taxes are put into a construction fund, to be used toward the construction of ships of such owners. In my opinion, there is no more reason for thus discriminating in favor of and aiding private shipowners than there is in like manner encouraging the wheat grower, the cattle raiser, the manufacturer, or any other necessary industry. There are innumerable industries in this country which are at least as essential and as worthy of aid and encouragement as are the private shipowners. Indeed, the very fact

that the shipowners will have war profits and excess profits will in itself be sufficient evidence that they are prospering and do not need to be subsidized by the Government.

The SPEAKER. The time of the gentleman has expired.

Mr. OLIVER. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended five minutes.

The SPEAKER. The gentleman asks that the gentleman's time be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DAVIS of Tennessee. There is another feature to which I wish to call attention——

Mr. WELTY. Before passing to that, the gentleman spoke about persons being permitted to invest their income taxes due the Government in these ships.

Mr. DAVIS of Tennessee. In their own ships.

Mr. WELTY. In their own ships, and after investing them in their own ships are they permitted to sell those ships to aliens under this bill?

Mr. DAVIS of Tennessee. Yes; with the consent of five members of the Shipping Board they can even sell to aliens the ships which they have purchased from the Government, and certain kinds of the Government ships can be sold direct to aliens upon certain conditions. I think that the provisions in this respect are entirely too liberal.

Mr. LINTHICUM. Will the gentleman point out the provision in the bill in regard to discriminating rates of which he was speaking?

Mr. DAVIS of Tennessee. I can not lay my hand on it right now—yes; I believe it is on pages 32 and 33 of the bill.

Now, on the question of subsidies—and I am aware that some favor ship subsidies and some do not—this bill commits us to a policy more than a subsidy. If you will turn to the top of page 2 of the bill you will note that, after it is declared to be our purpose and policy to sell these ships to private interests, the bill further provides:

> And it is hereby declared to be the policy of the United States to do whatever may be necessary to develop and encourage the maintenance of such a merchant marine.

I am heartily in favor of a great American merchant marine. I think that we ought to do much to foster and establish same; I am in favor of adopting any reasonable means, consistent with the general public interest, and involving a proper governmental function; but I do not think that we should, at least, without more careful consideration, definitely commit ourselves to a policy that we are going "to do whatever may be necessary to encourage and develop a merchant marine" owned by private citizens.

Mr. McDUFFIE. Will the gentleman yield?

Mr. CHINDBLOM. Will the gentleman yield?

Mr. WHITE of Maine. The gentleman does not mean to contend that that mere declaration of purpose writes anything into the law?

Mr. DAVIS of Tennessee. If it means anything, it means what it says, and if it does not mean anything, why is it in there? [Applause.]

Mr. WHITE of Maine. Because it is a declaration of purpose of what we provide.

Mr. DAVIS of Tennessee. It is a declaration of policy. I know it does not carry an appropriation, but it is a declaration of policy of this Congress, and it will be so treated by the Shipping Board and all those officials, and hereafter when other matters arise it will be contended that we have already settled that policy.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. DAVIS of Tennessee. I can not yield any further. As I was saying, I am in favor of a real American merchant marine, but I want it established and maintained for the service and protection of the American people [applause] and not in favor of any special interests. This Government has the ships, and I am in favor of selling these ships to private American interests at fair prices and under such conditions as will protect the interests of the public and insure a proper disposition and use of these ships. This bill is apparently constructed on the idea that the primary purpose of the establishment of a merchant marine is in order that the private shipping interests may reap rich rewards. However, my conception is that our purpose in establishing and maintaining a large merchant marine is to serve the American people and their great agricultural, commercial, and industrial interests; to carry our products to foreign marts throughout the world, and to bring back in exchange their commodities which we may desire to purchase; in other words, to afford adequate facilities of transportation and distribution from and to our shores.

One of the reasons that we want a merchant marine is in order that new lines may be established to all the ports in the world where we can probably build up a trade with the other countries, and also to establish additional or supplemental lines when the present lines are inadequate. In fact, this bill itself expressly provides that investigation shall be made with that end in view, and lines established, either by the allocation of ships that may be sold or by lease or Government operation prior to sale. This purpose is twofold. In the first place, as suggested, it is to create a trade and provide for the transportation of our products to such ports and of their products to our ports. In the second place, the purpose of establishing such lines by lease or Government operation is to demonstrate that such lines are profitable, to the end that we can then sell ships to private interests when it shall have been found to be profitable. The Government can afford to experiment along that line when the private shipping interests would be unwilling to do so.

In this connection, I wish to call attention to how the present shipping trust and private interests succeeded in having their interests protected even against the interests of the Government and the people by the insertion of the following provision in this bill as reported:

> That whenever the board shall determine, as provided in this act, that trade conditions warrant the establishment of a service or additional service under Government administration where a service is already being given by persons, citizens of the United States, the rates and charges for such Government service shall not be less than the cost thereof, including a proper interest and depreciation charge on the value of Government vessels and equipment employed therein.

Of course, if adequate service is already being given, there would be no reason or desire for establishing a supplemental line, the only reason for the establishment of such supplemental lines being in the event the existing service was inadequate to meet the requirements. However, according to this provision where there is any existing service, no matter how inadequate, the Government can not establish a new line except upon the conditions stated. Consequently this provision practically amounts to a prohibition against the establishment of Government lines in such cases, either by allocation, lease, or Government operation, because the case would be rare indeed where a new line established anywhere would from the beginning not only pay all operating expenses but also "a proper interest and depreciation charge on the value of Government vessels and equipment employed therein." In other words, in order to favor the private shipping interests and to avoid any competition for them, the public must go unserved, and the Government must lose an opportunity of using its ships to advantage while it owns them and at the same time creating opportunities for the sale thereof.

I do not mean to indicate that I think the Government should operate a line any great length of time without it paying the cost of operation. However, the general provision in the bill with regard to the operation of such lines as may be established by the Government is as follows:

> The board shall operate vessels on such line until the business is developed, so that such vessels may be sold on satisfactory terms and the service maintained, or unless it shall appear within a reasonable time that such line can not be made self-sustaining.

I think that this rule should be applicable to all lines, and that no exception, such as that to which I have called attention, should be made in cases where there happens to be some character of existing service.

Mr. OLIVER. Did all of the conferees sign this conference report?

Mr. DAVIS of Tennessee. No; all of them did not sign this last conference report.

Mr. OLIVER. How many of the conferees declined to sign this report?

Mr. DAVIS of Tennessee. I am not prepared to state as to that. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. BANKHEAD. Mr. Speaker, I desire to make a very brief statement in connection with this conference report. I was not one of the original conferees appointed upon the disagreement between the two Houses. Judge HARDY of Texas and Mr. LAZARO of Louisiana were the minority conferees. I was not present when they had the main discussion upon the differences which existed between the two Houses upon the provisions of this bill. I was appointed only yesterday afternoon as one of the conferees after the gentleman from Louisiana [Mr. LAZARO] had left the city. I have been deprived of the opportunity of conferring with these conferees upon the technical differences that have arisen and which are now submitted for the judgment of the House. But I desire to make this statement, especially to my Democratic colleagues upon this floor.

I am not urging any of my colleagues to vote for this bill, because I realize that we have had possibly an unfair oppor-

tunity to give it mature consideration. But it is very important, as it has been urged upon the Committee on the Merchant Marine and Fisheries ever since last summer, that the Congress should enact at this session certainly some legislation declaring the policy of Congress and the judgment of Congress with reference to the disposition of this merchant marine which we have built up at an expense to the taxpayers of this country of $3,000,000,000. The bill which passed the House I regard as a very fine piece of legislation. That bill met almost the unanimous approval of the House, because there were only eight votes cast against it. The Committee on the Merchant Marine and Fisheries of the House in the meantime, after the passage of that bill, the main purpose of which was to declare the policy of the Congress and to put restrictions and limitations upon the power of the board as to the disposition of the merchant marine after it had passed our committee, took up various measures affecting the development and maintenance of an adequate merchant marine, and it reported some of those bills to Congress, and some of them had passed the House and been sent over to the Senate.

I think it is unfortunate that the different measures, one providing for the mortgages, and one for the maritime liens, and the one building up an insurance department, were not brought in as separate measures. But the Senate of the United States, doubtless under the stress and emergency of the short time at their disposal, undertook to compose all these different measures into this one bill, and the bill now presented by the conferees represents the aggregate disposition of these various features of legislation that were proposed for the building up of our merchant marine. I want to say, gentlemen, that it is my judgment that this bill is not subject to the grave objections and perils suggested by some gentlemen on this side of the House who have opposed it.

In my judgment, upon a fair consideration of all of the provisions of this bill, with the limited opportunities I have had to digest them, it is a reasonably good bill; and in view of the fact that the Shipping Board, especially Judge Payne, a man for whom I think every man in this House has a very high regard and the highest respect for his judgment and his honesty and his integrity—in view of the fact that he and the other members of the Shipping Board have been most insistent in urging upon our committee the passage of legislation of this character, not only declaring the policy of our Government, but setting out regulations under which they would be guided and controlled and restricted, not only in the sale of our merchant marine but in the building up of these great foreign trade routes, I think it should be passed.

Mr. HUMPHREYS. Mr. Speaker, will the gentleman yield for a question?

Mr. BANKHEAD. I will be very glad to yield to the gentleman.

Mr. HUMPHREYS. The present Secretary of Commerce——

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. BANKHEAD. Mr. Speaker, may I have five minutes more?

Mr. GREENE of Massachusetts. I am sorry I have not the time.

Mr. ROWE. Mr. Speaker, I ask that the gentleman may have five minutes more, outside of the time arranged for.

The SPEAKER. The gentleman from New York asks unanimous consent that the gentleman from Alabama may have five minutes more. Is there objection?

Mr. CANNON. Mr. Speaker, I hope that the gentleman may have much more than that if he desires it. Make it 10 minutes or 15 minutes. We want to know about this bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. The gentleman from Alabama is recognized for five minutes.

Mr. BANKHEAD. I will be glad to yield to the gentleman from Mississippi.

Mr. HUMPHREYS. As to the present Secretary of Commerce, for a number of years chairman of the Committee on the Merchant Marine and Fisheries——

Mr. BANKHEAD. Judge Alexander——

Mr. HUMPHREYS. Yes; Judge Alexander, a man thoroughly familiar with the questions involved—can the gentleman from Alabama state what his views are on this bill?

Mr. BANKHEAD. Unfortunately, the gentleman to whom the gentleman from Mississippi refers left Congress before we had considered all these aspects included in the present bill, but it was the judgment of the former chairman of this committee, the present distinguished Secretary of Commerce, that the House bill which we passed, and which is substantially incorporated in the first features of the pending bill, was a very fine piece of legislation, and it met with his hearty and entire approval; and in fact he very largely framed with his own hand the third section of the bill, which definitely declared the policy of our Government with reference to the disposition of these ships.

Mr. HUMPHREYS. I have been told to-night that the Secretary of Commerce has stated that he was in favor of this bill just as it is now, and has told Members of the House that if he were here, he would vote for it. I wanted to know if the gentleman from Alabama could verify that statement.

Mr. BANKHEAD. I regret I have not had any recent conversation with him.

Mr. EDMONDS. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. EDMONDS. The gentleman also knows that Judge Alexander had a hand in all the legislation that was passed through the House and which we are incorporating in this bill.

Mr. BANKHEAD. He had.

Mr. RUBEY rose.

Mr. BANKHEAD. Now I yield to the gentleman from Missouri.

Mr. RUBEY. Mr. Speaker, I will say to the gentleman from Alabama—and I do not think I shall betray any confidence in doing so—that I have just talked with Secretary Alexander, and he tells me that from his information as to this bill, while there are features in it to which he objects, he believes, taking it as a whole, that I would be justified in voting for it.

I asked him for the purpose of informing myself as to this bill and as to whether or not I should give it my support, and in that conversation he stated that if he were here he would vote for it, in the hope that at some future meeting of the Congress these objectionable features might be corrected by legislation. [Applause.]

Mr. BANKHEAD. I am very glad to have that statement, because I am sure that this House knows of no man in whose judgment in matters affecting the merchant marine they have greater confidence than our former colleague, Judge Alexander, of Missouri.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. RAYBURN. What is the tax-exemption feature of this bill?

Mr. BANKHEAD. The tax-exemption feature of this bill, as I understand it, is that they shall not be exempted absolutely from the payment of the income tax, but that they shall be given an allowance on the income tax with the understanding that an amount equal to that shall be invested in new ships.

Mr. RAYBURN. That was the question I wanted to come to. I will ask my friend as a lawyer what he thinks of the legality of an exemption from a tax with the condition imposed that the money that is brought back to the concern in the exemption is to be expended in a certain way? I must say that this is a stumblingblock to me in this legislation.

Mr. BANKHEAD. I will say very frankly to the gentleman that I have not given that phase of it any consideration.

Mr. YATES. Mr. Speaker, it is a joke and a farce to try to discuss the bill with everybody talking at once. We can not hear anything.

Mr. RAYBURN. I will say to my friend that to my mind that raises a most serious question as to the legality of this act.

Mr. BANKHEAD. Possibly that might be a subject of doubt as to its constitutionality. I am not prepared to make a statement one way or the other upon that phase of it, because I have not given it mature consideration from that aspect, the question having not been heretofore raised.

Mr. OLIVER. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. OLIVER. Is that exception limited to profits received from the sale of ships purchased years ago?

Mr. BANKHEAD. Under the general provisions of the income-tax law.

Mr. OLIVER. Under the general provisions of the income-tax law?

Mr. BANKHEAD. Yes.

Mr. WELTY. Under what section of the bill is the tax provision?

The SPEAKER. The time of the gentleman has expired.

Mr. BLANTON. I ask that the gentleman have three minutes more.

Mr. BANKHEAD. I do not care for any more time.

Mr. BLANTON. I should like to ask the gentleman a question.

The SPEAKER. The time of the gentleman has expired.

Mr. GREENE of Massachusetts. I yield the remainder of my time, which I understand to be eight minutes, to the gentleman from New York [Mr. ROWE].

Mr. BLANTON. Will the gentleman from New York yield for a question?

Mr. ROWE. I have only eight minutes, and I should like to explain the provisions of the conference report first.

Mr. BLANTON. I have not had any time. I should like to ask the gentleman a question.

Mr. ROWE. All right.

Mr. BLANTON. Why is it that in the substitute for Senate amendment 132, as shown on page 12 of the report, Alaska was excepted from the provisions of this bill?

Mr. EDMONDS. Alaska was not, but the Yukon is.

Mr. BLANTON. Alaska is particularly mentioned.

Mr. ROWE. Simply because of the fact that they are dependent in a certain measure on English ships there, and will have to be for some years to come.

Mr. BLANTON. Then this is a subsidy in behalf of English ships, so far as Alaska is concerned?

Mr. ROWE. No; the gentleman is wrong. It leaves the Yukon free to American and English ships alike.

Mr. Speaker, there has been a good deal said here to-night in reference to the sale of ships, and one would think from hearing the discussion, if he had just come in here, that there had been a change in the authority given the Shipping Board as to the sale of ships. The only change has been to restrict the sale of ships, to put limits on the Shipping Board which there were not in the former law. Let me read to you from the shipping act:

> All ships constructed, purchased, or requisitioned under authority herein or hereafter, or heretofore or hereafter acquired by the United States shall be managed, operated, and disposed of as the President may direct.

All that authority has been given to the Shipping Board by the President of the United States. There is no limitation.

If they wished to do so to-day, the Shipping Board could sell without any regard to the value of the ships. They have too much authority. Our committee felt that their authority was altogether too great. Let me read the words in this bill.

Mr. GREENE of Massachusetts. Will the gentleman yield to me?

Mr. ROWE. Certainly.

Mr. GREENE of Massachusetts. Was not that law which the gentleman has quoted passed under the administration of Woodrow Wilson by a Democratic Congress and approved by him?

Mr. ROWE. It was.

Mr. GREENE of Massachusetts. The Shipping Board acts were framed by Judge ALEXANDER'S committee, a Democratic committee, and passed by a Democratic Congress.

Mr. ROWE. That is correct. It was passed under their administration.

Now, in the first place the committee felt that too great a leeway was perhaps given as to the length of the mortgage. In the House bill it was 15 years. In the Senate bill it was 20 years. The conference committee put it back to 15 years.

Now, listen to some of the things that they must take into consideration. If you will turn to page 9 of the bill and examine it you will see that there are some very carefully drawn restrictions as to the value of these ships and as to what they will sell for. In selling the ships they must take into account the prevailing domestic and foreign market price, the available supply, and the demand for ships, existing freight rates and prospects of their maintenance, the cost of constructing vessels of similar type under prevailing conditions, as well as the cost of construction or purchase price of vessels already sold.

Now, Mr. Speaker, having just mentioned the limitations which we put upon the sale of these ships, let me go over the whole bill very rapidly as to what it accomplishes.

Mr. Speaker, the first provision of importance in this bill is the reorganization of the board. It increases the number to seven and increases the salary to $12,000 a year. All the commissioners of other boards are paid $12,000 a year salary. We have felt that this work, which was very limited in the beginning, would take only a part of their time, and the original law was so framed, but the work has now become so extensive that the commissioners must give all of their time to it.

Mr. McKEOWN. Will the gentleman yield?

Mr. ROWE. I will.

Mr. McKEOWN. Why was it that the appointment of the commissioners was limited to certain parts of the United States as against other portions?

Mr. ROWE. The House did not put that provision in the bill. The committee discussed it for a long time. The restrictions put in are the results of almost the unanimous demand of the Senate and a great many Members of the House. It gives two to the Atlantic coast, two to the Pacific coast, one to the Gulf of Mexico, one to the Great Lakes, and one to the interior. I think you will find, if you look it over, that that is a fair apportionment.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. ROWE. I will.

Mr. WHITE of Maine. Is not the purpose to spread the representation on the Shipping Board throughout the country rather than to have it bunched in any one locality?

Mr. ROWE. Yes; it will be much more representative of the whole Nation than any board so far appointed.

Mr. RAYBURN. Will the gentleman yield?

Mr. ROWE. Certainly.

Mr. RAYBURN. I want the gentleman's judgment as to the supply of ships as compared with the commerce of the world.

Mr. ROWE. In 1914 there were about 49,000,000 gross tons of shipping in the world. There are now something over 52,000,000 tons, according to the English statistics.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. McDUFFIE. Mr. Speaker, I ask that the gentleman's time be extended 10 minutes.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the time of the gentleman from New York be extended 10 minutes. Is there objection?

There was no objection.

Mr. McKEOWN. I want to ask the gentleman, before he leaves this part, what about this $25,000,000 that is invested each year in a revolving fund. In that program how much money each year will be involved—how much will the taxpayers have to pay?

Mr. ROWE. None of it comes direct from the taxpayers; it comes out of the sale of the ships. The gentleman will readily recall that the United States built most of these ships during the war and that they are almost entirely freighters, and the Shipping Board wants to build some ships for the South American and eastern trade that would carry part passengers and part freight. They insisted on a much larger sum—twice that sum. The conferees reduced it from $50,000,000 to $25,000,000 for five years. We changed the plan so that the Shipping Board can not build ships, but can loan on mortgage covering ships being constructed by private parties not to exceed two-thirds of the cost.

Mr. NOLAN. Will the gentleman yield?

Mr. ROWE. Yes.

Mr. NOLAN. The gentleman speaks about passenger and freight carrying ships. Those ships would be 15,000 tons, and the fact is that we can only build about 8 of them—at the outside 10—for $25,000,000 at the present prices, can we?

Mr. ROWE. The plan is to build large, high-speed ships. It would not mean very many ships, unless the people building the ships put in a great deal of money.

Mr. McDUFFIE. Will the gentleman yield?

Mr. ROWE. Yes.

Mr. McDUFFIE. The gentleman from Tennessee said that certain parts of the bill were objectionable on account of the discriminatory freight rates that were provided for by consent of the Interstate Commerce Commission. I wish the gentleman would explain that provision.

Mr. ROWE. Nearly every country in the world gives special rates on the railroads of that country for export trade. For instance, if goods were started at Chicago and going via Philadelphia for Europe, they would get something less in freight rates allowed by the Interstate Commerce Commission.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. ROWE. Certainly.

Mr. CLARK of Missouri. If we are going to sell what ships we have, what is the sense of building any more?

Mr. ROWE. We have been selling some ships, but we are not selling them fast enough. This bill stops the Shipping Board from building. The only reason for assisting others to build is to get an entirely different type. We have no passenger ships running to South America. I say none; within the last two weeks one company has begun the operation of ships very limited in size to South America. The idea is that they want ships built for the South American trade of fifteen or eighteen thousand tons to carry part passenger and part freight; and that would bring people from South American ports to the United States as rapidly as they can be carried to Great Britain.

Mr. CLARK of Missouri. Would not the private shipbuilders build these ships?

Mr. ROWE. They are building them now, but not as rapidly as the Shipping Board wishes. They say that passenger vessels do not pay as well as freight, and the only way they will use this

money is to encourage the building of the kind of ships necessary to complete our merchant marine.

Mr. CLARK of Missouri. Does the gentleman think that because a man happens to live on the Atlantic seaboard or the Gulf of Mexico, or the Pacific seaboard, or the Great Lakes, he knows anything more about shipping than a man who lives in Utah or Nebraska?

Mr. ROWE. The fact is that one of the best men we have ever had on the Merchant Marine and Fisheries Committee came from Missouri.

Mr. CLARK of Missouri. And that demonstrates the fact that there is no sense in locating these men on the seaboard.

Mr. ROWE. The House committee has always believed the matter should be left with the President, but the fact is that the President has appointed members of the present Shipping Board who do not represent all sections of our country.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. ROWE. Certainly.

Mr. GARRETT. Is there any estimate as to the amount that the Treasury will be deprived of by this provision in here for exemption, or is it possible to make an estimate?

Mr. ROWE. No. The whole sum would be for five years, five times the $25,000,000, and it is in the nature of a revolving fund, which comes out of sales or rentals.

Mr. GARRETT. I am speaking of the exemption that is given on the income tax.

Mr. ROWE. I did not understand the gentleman.

Mr. GARRETT. Is it possible to make an estimate on that?

Mr. ROWE. No. The Treasury Department was consulted with reference to that, and drew the provision stricken out here to-day on a point of order. It would not be very great, because the construction of ships is a profitable business, and we get a good deal of income from the shipbuilding, so that while you would take it off on one side you would add it to the other. I can say, however, in reference to the question just asked, that Great Britain has followed recently this policy, and has done the very same thing that we are proposing in this bill.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. ROWE. I do.

Mr. BEE. I wanted to ask the gentleman from New York with reference to a provision I find refunding to the city of Hoboken certain amounts of money. Is not that a very large amount, and is it money collected from the city of Hoboken that ought not to have been collected.

Mr. ROWE. It was not collected from the city of Hoboken. The German docks at the city of Hoboken were taken over during the war. They are very expensive property. They constitue, as I understand it, about one-fourth or one-sixth of the assessed value of the whole city of Hoboken.

Mr. EAGAN. About one-twelfth, I would say to the gentleman.

Mr. ROWE. I thank the gentleman. The conference committee felt a great deal of sympathy for the city of Hoboken and its representative here [Mr. EAGAN], but we felt that as there were other pieces of property that might be in like circumstances all over the country, that in this bill the matter should not be taken up, but it will be seen that when you come to take away one-twelfth of the income of a city by taxation you strike a tremendous blow at that city. That is the case with the city of Hoboken.

Mr. BEE. What was in my mind, I will say to the gentleman, was exactly the suggestion that he made that these conditions might exist in other places in the United States. I wondered why the city of Hoboken was selected.

Mr. ROWE. I think it is one of the greatest sufferers.

Mr. EAGAN. Mr. Speaker, will the gentleman yield?

Mr. ROWE. I yield.

Mr. EAGAN. The situation with regard to Hoboken is paralleled in no other place in the United States. Hoboken is less than a mile square and has about 70,000 people, is fully developed, and has no opportunity to recoup itself for the enormous loss it will sustain if a way is not found whereby the little city of Hoboken may get the $400,000 now due to it in back taxes on this very valuable pier property as well as the taxes for this and succeeding years. Unless some legislation to this end is enacted at the coming session of Congress, the city will be perilously near the point of bankruptcy. I felt Hoboken's case in the matter of these pier taxes was so eminently just that the conferees would have no difficulty in agreeing to keep the item in the bill.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. CANNON], may be allowed five minutes to speak on the bill.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the gentleman from Illinois have five minutes. Is there objection?

There was no objection.

Mr. CANNON. Mr. Speaker, I am anxious to vote for this bill if I can do so with safety, if it will not harm the present conditions, but more especially if it will improve the present conditions. As was stated, we have $3,000,000,000 worth of these ships. If they lie in the harbors, they will deteriorate, and I apprehend that the price of shipbuilding will decrease all over the world instead of increasing; so from that standpoint alone I would be in favor of selling these ships as rapidly as possible, because the deterioration will be great, as I am informed.

I am not a shipbuilder. I live away 2,000 miles, 1,200, 1,500 [laughter] from the seaboard. Now, then, I want an American merchant marine. [Applause.] We can not get it unless we follow a policy that will enable us with greater wages on the world's highway to sail ships. If we get a merchant marine we have to contrive some means to make up the difference between what it costs the world to sail on the world's highway and what it costs us. Now, I have been in doubt and I expect I know as much about this bill as most of you do. [Applause.] But what I do not know about it would probably make several books. [Laughter.] But I do not see, after listening to all that has been said, how we can make the condition any worse than it is now, so I have come to the conclusion that I am going to vote for this conference report. [Applause.]

The opinion has been stated here to-night, and I have no doubt correctly stated, of the head of the Department of Commerce and that has something of influence with me. He is a member of the party upon that side, a most intelligent man, and I have great confidence in his honesty, and I am satisfied if we are to have anything done with these ships, deteriorating as they are, that we ought to try to have it done now. Now, that is about all I want to say. Oh, I could talk an hour about this, about what has been done heretofore, how we have been driven from the sea because we could not compete with the world, but I will not attempt to do it. One thing there is with this bill, and that is it protects the coastwise trade of the United States. [Applause.] And we would have been in purgatory if we had not had the coastwise trade prior to the war, because we did have some ships in the coastwise trade and some shipbuilding establishments on the coasts of the United States. I thank the House. [Applause.]

Mr. GREENE of Massachusetts. Mr. Speaker, I move the previous question on the adoption of the conference report.

The question was taken.

The SPEAKER. The ayes seem to have it.

Mr. CLARK of Missouri. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Missouri demands the yeas and nays. Obviously a sufficient number; and the yeas and nays are ordered.

The question was taken; and there were—yeas 166, nays 107, answered "present" 2, not voting 152, as follows:

YEAS—166.

Ackerman	Focht	Kleczka	O'Connor
Andrews, Md.	Foster	Knutson	Ogden
Andrews, Nebr.	French	Kraus	Olney
Ashbrook	Garland	Kreider	Osborne
Aswell	Glynn	Lea, Calif.	Platt
Bankhead	Good	Lehlbach	Radcliffe
Barbour	Goodykoontz	Little	Raker
Bee	Graham, Ill.	Luce	Ramsey
Begg	Green, Iowa	Lufkin	Reber
Benson	Greene, Mass.	Luhring	Reed, N. Y.
Bland, Ind.	Greene, Vt.	McDuffie	Reed, W. Va.
Bland, Va.	Hadley	McFadden	Ricketts
Bowers	Hardy, Colo.	McKenzie	Robsion, Ky.
Brooks, Pa.	Harrison	McLaughlin, Mich.	Rogers
Brumbaugh	Hawley	McLaughlin, Nebr.	Rowe
Burdick	Hays	McPherson	Rubey
Burroughs	Hersey	MacGregor	Sanders, Ind.
Byrnes, S. C.	Hickey	Magee	Sanders, N. Y.
Campbell, Kans.	Hicks	Major	Sanford
Campbell, Pa.	Hill	Mann, S. C.	Schall
Cannon	Hoch	Mapes	Scott
Chindblom	Holland	Martin	Sells
Christopherson	Howard	Mays	Shreve
Classon	Hull, Iowa	Michener	Sinnott
Cramton	Humphreys	Miller	Stevenson
Crowther	Husted	Minahan, N. J.	Strong, Kans.
Dallinger	James	Monahan, Wis.	Summers, Wash.
Davis, Minn.	Jefferis	Mondell	Swope
Denison	Johnson, S. Dak.	Montague	Taylor, Colo.
Dickinson, Iowa	Johnson, Wash.	Moore, Ohio	Temple
Dominick	Jones, Pa.	Moores, Ind.	Thompson
Dunbar	Kahn	Morgan	Tilson
Echols	Kearns	Morin	Timberlake
Edmonds	Kelly, Pa.	Mott	Tincher
Emerson	Kendall	Mudd	Tinkham
Esch	Kennedy, Iowa	Murphy	Towner
Evans, Mont.	King	Newton, Mo.	Vaile
Evans, Nebr.	Kinkaid	Nolan	Venable

Walsh	Welty	White, Me.	Woods, Va.
Walters	Whaley	Wilson, La.	Zihlman
Wason	Wheeler	Winslow	
Watson	White, Kans.	Wood, Ind.	

NAYS—107.

Almon	Doughton	Lee, Ga.	Rainey, Ala.
Ayres	Eagan	Lesher	Rainey, H. T.
Babka	Fields	Linthicum	Rainey, J. W.
Barkley	Fisher	Lonergan	Rayburn
Bell	Flood	McAndrews	Riordan
Black	Gallagher	McGlennon	Robinson, N. C.
Bland, Mo.	Gallivan	McKeown	Romjue
Blanton	Gandy	McKinley	Rose
Box	Ganly	McLane	Rouse
Brand	Gard	MacCrate	Rowan
Briggs	Garrett	Maher	Sabath
Browne	Goldfogle	Mead	Siegel
Burke	Goodwin, Ark.	Milligan	Sims
Byrns, Tenn.	Griffin	Moon	Smith, N. Y.
Candler	Hamill	Moore, Va.	Steagall
Carew	Huddleston	Neely	Sumners, Tex.
Casey	Hudspeth	Nelson, Mo.	Tague
Clark, Mo.	Hull, Tenn.	O'Connell	Taylor, Ark.
Cleary	Igoe	Oldfield	Thomas
Collier	Jacoway	Oliver	Upshaw
Connally	Johnson, Ky.	Overstreet	Vinson
Crisp	Johnston, N. Y.	Padgett	Welling
Cullen	Jones, Tex.	Park	Wilson, Pa.
Davey	Kincheloe	Parrish	Wingo
Davis, Tenn.	Lanham	Pell	Wright
Donovan	Lankford	Phelan	Young, Tex.
Dooling	Larsen	Quin	

ANSWERED "PRESENT"—2.

Watkins	Yates

NOT VOTING—152.

Anderson	Dupré	Kelley, Mich.	Scully
Anthony	Dyer	Kennedy, R. I.	Sears
Bacharach	Eagle	Kettner	Sherwood
Baer	Elliott	Kiess	Sinclair
Benham	Ellsworth	Kitchin	Sisson
Blackmon	Elston	Lampert	Slemp
Boies	Evans, Nev.	Langley	Small
Booher	Fairfield	Layton	Smith, Idaho
Brinson	Ferris	Lazaro	Smith, Ill.
Britten	Fess	Longworth	Smith, Mich.
Brooks, Ill.	Fordney	McArthur	Smithwick
Buchanan	Frear	McClintic	Snell
Butler	Freeman	McCulloch	Snyder
Caldwell	Fuller, Ill.	McKinley	Stedman
Cantrill	Fuller, Mass.	Madden	Steele
Caraway	Garner	Mann, Ill.	Steenerson
Carss	Godwin, N. C.	Mansfield	Stephens, Miss.
Carter	Goodall	Mason	Stephens, Ohio
Clark, Fla.	Gould	Merritt	Stiness
Coady	Graham, Pa.	Mooney	Stoll
Cole	Griest	Nelson, Wis.	Strong, Pa.
Cooper	Hamilton	Newton, Minn.	Sullivan
Copley	Hardy, Tex.	Nicholls	Sweet
Costello	Harreld	Paige	Taylor, Tenn.
Crago	Hastings	Parker	Tillman
Currie, Mich.	Haugen	Peters	Treadway
Curry, Calif.	Hayden	Porter	Vare
Dale	Heflin	Pou	Vestal
Darrow	Hernandez	Purnell	Voigt
Dempsey	Hersman	Ramseyer	Volstead
Dent	Hoey	Randall, Calif.	Ward
Dewalt	Houghton	Randall, Wis.	Weaver
Dickinson, Mo.	Hulings	Reavis	Webster
Doremus	Hutchinson	Rhodes	Williams
Dowell	Ireland	Riddick	Wilson, Ill.
Drane	Johnson, Miss.	Rodenberg	Wise
Drewry	Juul	Rucker	Woodyard
Dunn	Keller	Sanders, La.	Young, N. Dak.

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. FULLER of Massachusetts (for) with Mr. KELLER (against).

Mr. RANDALL of Wisconsin (for) with Mr. CALDWELL (against).

Mr. LAMPERT (for) with Mr. SULLIVAN (against).

Mr. LAZARO (for) with Mr. WATKINS (against).

Until further notice:

Mr. RHODES with Mr. TILLMAN.

Mr. SNYDER with Mr. CARTER.

Mr. COLE with Mr. HAYDEN.

Mr. HERNANDEZ with Mr. HASTINGS.

Mr. ELSTON with Mr. DRANE.

Mr. GRAHAM of Pennsylvania with Mr. STEELE.

Mr. DALE with Mr. EVANS of Nevada.

Mr. RODENBERG with Mr. SANDERS of Louisiana.

Mr. ELLIOTT with Mr. CARSS.

Mr. SLEMP with Mr. RANDALL of California.

Mr. HARRELD with Mr. MCCLINTIC.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. PURNELL with Mr. SEARS.

Mr. SMITH of Michigan with Mr. WISE.

Mr. PAIGE with Mr. RUCKER.

Mr. MCARTHUR with Mr. WEAVER.

Mr. SNELL with Mr. KETTNER.

Mr. DUNN with Mr. FERRIS.

Mr. IRELAND with Mr. KITCHIN.

Mr. KIESS with Mr. SHERWOOD.

Mr. WILLIAMS with Mr. SCULLY.

Mr. VOIGT with Mr. JOHNSON of Mississippi.

Mr. NELSON of Wisconsin with Mr. SMALL.

Mr. TREADWAY with Mr. BOOHER.

Mr. SWEET with Mr. SISSON.

Mr. STEPHENS of Ohio with Mr. NICHOLLS.

Mr. HUTCHINSON with Mr. STOLL.

Mr. REAVIS with Mr. DREWRY.

Mr. DEMPSEY with Mr. CANTRILL.

Mr. ANTHONY with Mr. MOONEY.

Mr. MASON with Mr. POU.

Mr. PORTER with Mr. DEWALT.

Mr. MADDEN with Mr. DICKINSON of Missouri.

Mr. GRIEST with Mr. HARDY of Texas.

Mr. FORDNEY with Mr. HEFLIN.

Mr. MANN of Illinois with Mr. GARNER.

Mr. FESS with Mr. CARAWAY.

Mr. GOODALL with Mr. HERSMAN.

Mr. STEENERSON with Mr. COADY.

Mr. FAIRFIELD with Mr. GODWIN of North Carolina.

Mr. FREEMAN with Mr. BRINSON.

Mr. NEWTON of Minnesota with Mr. HOEY.

Mr. MCKINLEY with Mr. EAGLE.

Mr. LONGWORTH with Mr. STEDMAN.

Mr. FREAR with Mr. SMITHWICK.

Mr. DARROW with Mr. MANSFIELD.

Mr. CRAGO with Mr. STEPHENS of Mississippi.

Mr. CURRIE of Michigan with Mr. DOREMUS.

Mr. DOWELL with Mr. DUPRÉ.

Mr. BUTLER with Mr. DENT.

Mr. BACHARACH with Mr. BLACKMON.

Mr. COOPER with Mr. BUCHANAN.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. CLARK of Missouri. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 145, nays 120, answered "present" 4, not voting 158, as follows:

YEAS—145.

Ackerman	Goodykoontz	McDuffie	Robsion, Ky.
Andrews, Md.	Graham, Ill.	McFadden	Rogers
Andrews, Nebr.	Greene, Mass.	McKenzie	Rowe
Ashbrook	Greene, Vt.	McLaughlin, Mich.	Rubey
Aswell	Hadley	McLaughlin, Nebr.	Sanders, Ind.
Bankhead	Hardy, Colo.	McPherson	Sanders, N. Y.
Bee	Harrison	MacGregor	Sanford
Benson	Hawley	Magee	Scott
Bland, Ind.	Hersey	Mann, S. C.	Shreve
Bland, Mo.	Hickey	Mapes	Sinnott
Bland, Va.	Hicks	Martin	Smith, Idaho
Bowers	Hill	Mays	Steenerson
Brooks, Pa.	Hoch	Michener	Stevenson
Burdick	Holland	Miller	Strong, Kans.
Burroughs	Howard	Monahan, Wis.	Summers, Wash.
Campbell, Kans.	Hull, Iowa	Mondell	Swope
Campbell, Pa.	Humphreys	Montague	Temple
Chindblom	Husted	Moore, Ohio	Thompson
Classon	Jefferis	Morgan	Tilson
Crago	Johnson, Wash.	Morin	Timberlake
Cramton	Jones, Pa.	Mott	Tincher
Crowther	Kahn	Mudd	Towner
Dallinger	Kearns	Murphy	Vaile
Davis, Minn.	Kendall	Newton, Mo.	Wason
Dickinson, Iowa	Kennedy, Iowa	Nolan	Watson
Dominick	King	Ogden	Welling
Dunbar	Knutson	Olney	Whaley
Echols	Kreider	Osborne	Wheeler
Edmonds	Langley	Overstreet	White, Me.
Emerson	Lea, Calif.	Platt	Wilson, La.
Esch	Lee, Ga.	Radcliffe	Winslow
Evans, Nebr.	Lehlbach	Raker	Woods, Va.
Focht	Lesher	Ramsey	Wright
Foster	Little	Reber	Zihlman
French	Luce	Reed, N. Y.	
Garland	Lufkin	Reed, W. Va.	
Glynn	Luhring	Ricketts	

NAYS—120.

Almon	Byrns, Tenn.	Doughton	Hays
Ayres	Candler	Eagan	Huddleston
Babka	Carew	Evans, Mont.	Hudspeth
Barbour	Casey	Fields	Hull, Tenn.
Barkley	Christopherson	Fisher	Igoe
Begg	Clark, Mo.	Flood	Jacoway
Bell	Cleary	Gallagher	James
Benham	Collier	Gallivan	Johnson, Ky.
Black	Connally	Gandy	Johnson, S. Dak.
Blanton	Crisp	Ganly	Johnston, N. Y.
Box	Cullen	Gard	Jones, Tex.
Brand	Davey	Garrett	Kelly, Pa.
Briggs	Davis, Tenn.	Goldfogle	Kincheloe
Browne	Donovan	Goodwin, Ark.	Kleczka
Buchanan	Dooling	Griffin	Kraus
Burke	Doremus	Hamill	Lanham

Lankford	Moon	Rainey, Ala.	Tague
Larsen	Moore, Va.	Rainey, H. T.	Taylor, Ark.
Linthicum	Neely	Rainey, J. W.	Thomas
Lonergan	Nelson, Mo.	Rayburn	Tinkham
McGlennon	O'Connell	Riordan	Upshaw
McKeown	O'Connor	Romjue	Venable
McKinley	Oldfield	Rose	Vinson
McLane	Oliver	Rouse	Walters
MacCrate	Padgett	Rowan	Welty
Maher	Park	Sabath	Wilson, Pa.
Major	Parrish	Siegel	Wingo
Mansfield	Pell	Sims	Wood, Ind.
Mead	Phelan	Smith, N. Y.	Yates
Minahan, N. J.	Quin	Steagall	Young, Tex.

ANSWERED "PRESENT"—4.

McAndrews	Schall	Sumners, Tex.	Watkins

NOT VOTING—158.

Anderson	Eagle	Kettner	Sells
Anthony	Elliott	Kiess	Sherwood
Bacharach	Ellsworth	Kinkaid	Sinclair
Baer	Elston	Kitchin	Sisson
Blackmon	Evans, Nev.	Lampert	Slemp
Boies	Fairfield	Layton	Small
Booher	Ferris	Lazaro	Smith, Ill.
Brinson	Fess	Longworth	Smith, Mich.
Britten	Fordney	McArthur	Smithwick
Brooks, Ill.	Frear	McClintic	Snell
Brumbaugh	Freeman	McCulloch	Snyder
Butler	Fuller, Ill.	McKinley	Stedman
Byrnes, S. C.	Fuller, Mass.	Madden	Steele
Caldwell	Garner	Mann, Ill.	Stephens, Miss.
Cannon	Godwin, N. C.	Mason	Stephens, Ohio
Cantrill	Good	Merritt	Stiness
Caraway	Goodall	Milligan	Stoll
Carss	Gould	Mooney	Strong, Pa.
Carter	Graham, Pa.	Moores, Ind.	Sullivan
Clark, Fla.	Green, Iowa	Nelson, Wis.	Sweet
Coady	Griest	Newton, Minn.	Taylor, Colo.
Cole	Hamilton	Nicholls	Taylor, Tenn.
Cooper	Hardy, Tex.	Paige	Tillman
Copley	Harreld	Parker	Treadway
Costello	Hastings	Peters	Vare
Currie, Mich.	Haugen	Porter	Vestal
Curry, Calif.	Hayden	Pou	Voigt
Dale	Heflin	Purnell	Volstead
Darrow	Hernandez	Ramseyer	Walsh
Dempsey	Hersman	Randall, Calif.	Ward
Denison	Hoey	Randall, Wis.	Weaver
Dent	Houghton	Reavis	Webster
Dewalt	Hulings	Rhodes	White, Kans.
Dickinson, Mo.	Hutchinson	Riddick	Williams
Dowell	Ireland	Robinson, N. C.	Wilson, Ill.
Drane	Johnson, Miss.	Rodenberg	Wise
Drewry	Juul	Rucker	Woodyard
Dunn	Keller	Sanders, La.	Young, N. Dak.
Dupré	Kelley, Mich.	Scully	
Dyer	Kennedy, R. I.	Sears	

So the conference report was agreed to.

Mr. BLAND of Indiana. Mr. Speaker, how am I recorded?

The SPEAKER. As voting "yea."

Mr. BLAND of Indiana. Is the Mr. BLAND of Missouri recorded?

The SPEAKER. Yes.

Mr. BLAND of Indiana. I may have voted for both of us, but he said if so he would stand for it.

Mr. McLANE. Mr. Speaker, how am I recorded? I did not hear my name called.

The SPEAKER. Was the gentleman present and listening?

Mr. McLANE. No.

The SPEAKER. Then the gentleman can not qualify.

Mr. SUMNERS of Texas. Mr. Speaker, I voted "aye." I am paired with the gentleman from Louisiana [Mr. DUPRÉ]. I desire to withdraw my vote and vote "present."

Mr. WALSH. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. WALSH. I was not present in the Hall, listening.

The SPEAKER. Then the gentleman can not qualify. Gentlemen should not ask how they are recorded unless they have reason to think that they have not been recorded. It takes the time of the House. The only ones who have the right to appear for that purpose are those who voted or wish to change their votes.

Mr. McLANE. Mr. Speaker, I was present in the Hall.

The SPEAKER. Was the gentleman present in the Hall, listening?

Mr. McLANE. Yes, sir.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. McLANE, and he answered "nay."

The Clerk announced the following additional pairs:

On the vote:

Mr. CANNON (for) with Mr. MCANDREWS (against).

Mr. FULLER of Massachusetts (for) with Mr. KELLER (against).

Mr. RANDALL of Wisconsin (for) with Mr. CALDWELL (against).

Mr. LAMPERT (for) with Mr. SULLIVAN (against).

Mr. LAZARO (for) with Mr. WATKINS (against).

Mr. DUPRÉ (for) with Mr. SUMNERS of Texas (against).

Until further notice:

Mr. WALSH with Mr. TAYLOR of Colorado.

Mr. GOOD with Mr. STEPHENS of Mississippi.

Mr. STINESS with Mr. MILLIGAN.

Mr. DARROW with Mr. COADY.

Mr. DENISON with Mr. ROBINSON of North Carolina.

Mr. STRONG of Pennsylvania with Mr. CLARK of Florida.

Mr. HAUGEN with Mr. BRUMBAUGH.

Mr. COOPER with Mr. BYRNES of South Carolina.

The result of the vote was announced as above recorded.

On motion of Mr. GREENE of Massachusetts, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed with amendments the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes, had requested a conference with the House, and had appointed Mr. NORRIS, Mr. BRANDEGEE, and Mr. KIRBY as the conferees on the part of the Senate.

The message also announced that the Senate had passed the bill (S. 2707) for the relief of Ellen M. Willey, widow of Owen S. Willey, in which the concurrence of the House of Representatives was requested.

VETO MESSAGE—THE BUDGET BILL.

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I am returning without my signature H. R. 9783, "An act to provide a national budget system, an independent audit of Government accounts, and for other purposes." I do this with the greatest regret. I am in entire sympathy with the objects of this bill and would gladly approve it but for the fact that I regard one of the provisions contained in section 303 as unconstitutional. This is the provision to the effect that the comptroller general and the assistant comptroller general, who are to be appointed by the President with the advice and consent of the Senate, may be removed at any time by a concurrent resolution of Congress after notice and hearing, when, in their judgment, the comptroller general or assistant comptroller general is incapacitated or inefficient, or has been guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment. The effect of this is to prevent the removal of these officers for any cause except either by impeachment or a concurrent resolution of Congress. It has, I think, always been the accepted construction of the Constitution that the power to appoint officers of this kind carries with it, as an incident, the power to remove. I am convinced that the Congress is without constitutional power to limit the appointing power and its incident, the power of removal derived from the Constitution.

The section referred to not only forbids the Executive to remove these officers but undertakes to empower the Congress by a concurrent resolution to remove an officer appointed by the President with the advice and consent of the Senate. I can find in the Constitution no warrant for the exercise of this power by the Congress. There is certainly no express authority conferred, and I am unable to see that authority for the exercise of this power is implied in any express grant of power. On the contrary, I think its exercise is clearly negatived by section 2 of Article II. That section, after providing that certain enumerated officers and all officers whose appointments are not otherwise provided for shall be appointed by the President with the advice and consent of the Senate, provides that the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of department. It would have been within the constitutional power of the Congress, in creating these offices, to have vested the power of appointment in the President alone, in the President with the advice and consent of the Senate, or even in the head of a department. Regarding as I do the power of removal from office as an essential incident to the appointing power, I can not escape the conclusion that the vesting of this power of removal in the Con-

gress is unconstitutional and therefore I am unable to approve the bill.

I am returning the bill at the earliest possible moment with the hope that the Congress may find time before adjournment to remedy this defect.

WOODROW WILSON.

THE WHITE HOUSE, *June 4, 1920.*

Mr. GOOD. Mr. Speaker, I regret more than I can express that the President has thought it necessary to veto the budget bill. I can not arrive at any conclusion other than that the legal advice he has received as to the constitutional powers of Congress in this respect is, indeed, faulty.

The Committee on the Budget went into this matter very carefully, and in considering the matter there was never a vote, either on this subject of creating the general accounting office and providing for the comptroller general and his assistants or in the budget itself, where there was any division of sentiment between the members of that committee.

In creating the general accounting office and providing for the comptroller general and the assistant comptroller general, the committee was guided by a single thought, and that was that these two officers should be placed upon a plane somewhat comparable to the position occupied by Federal judges. The positions are semijudicial, and it was the opinion of the committee that we should remove them as far as possible from political considerations. It was considered that as to the President's appointment, if it was made a political office, the President would in all likelihood appoint some one of his own political faith. If the political situation should change and a President of some other political faith should assume the duties of that office, then that succeeding President would likewise appoint some one of his political belief. It was the desire of the committee that that situation should be avoided if possible.

You will recall that a former President, somewhat miffed because a Comptroller of the Treasury had ruled against his contention, sent word to the comptroller that if he could not change the opinion of the comptroller he could change the comptroller. It was the opinion of the committee that that condition should not be possible in the office that we were creating, an office that is to be, as it were, an arm of the Congress, where the official might be compelled to say to the executive officials, "This appropriation shall not be expended for any other purpose than that expressly provided for in the appropriation." We all know the tremendous influence that has always been brought upon the Comptroller of the Treasury, no matter who was President of the United States or to what political party he belonged, or who might occupy the position of comptroller.

The committee brought forth a provision in this bill somewhat unique, it is true, but a provision which the committee believed answers every provision of the Constitution and satisfies the decisions of the courts in the construction of the Constitution. The provision is this:

> The comptroller general and the assistant comptroller general shall hold office during good behavior, but may be removed at any time by concurrent resolution of Congress after notice and hearing when, in their judgment, the comptroller general or assistant comptroller general is incapacitated or inefficient, or has been guilty of negligence of duty or malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause, and in no other manner except by impeachment.

Article II, section 2, of the Constitution, referred to by the President in his veto message, which is descriptive of the powers of the President, specifies—

> And he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law.

The Federal statutes, in the latest annotation, contain this provision with regard to Article III, section 2, of the Constitution:

> 4. Removal of inferior officers. When Congress by law vests the appointment of inferior officers in the heads of departments, it may limit and restrict the power of removal as it deems best for the public interest. The head of a department has no constitutional prerogative of appointment to office independent of the legislation of Congress, and by such legislation he must be governed, not only in making appointments but in all that is incident thereto.

There is no decision of the Supreme Court of the United States construing a statute such as we have attempted to enact. I think it may be stated as a general rule that the power given to the President to appoint an officer carries with it the inherent power of removal, unless that inherent right or incidental right is taken away by the statute itself. And that is what this Congress attempted to do, to take from the President the incidental right of removal, and to provide the circumstances and the methods of removal.

Mr. BARKLEY. Will the gentleman yield for a question there?

Mr. GOOD. Yes.

Mr. BARKLEY. Does the gentleman think that Congress, by legislation, can deprive the Executive of an inherent right that inheres in his office?

Mr. GOOD. I misspoke myself when I said "inherent." I meant "incidental" right. I have used the word as employed in all of the decisions of the Supreme Court. They did not use the words "inherent right."

Mr. BARKLEY. Does not the word "incidental," as used in that connection carry with it the idea that it inheres in the authority conferred upon the Executive, and therefore really is inherent?

Mr. GOOD. I think not. I think it is only incidental, and is referred to in the decisions as an incidental right. In all the decisions, or a great many of them at least, a distinction is made between the class of cases where Congress does not attempt to legislate with regard to that incidental right and where it does attempt to legislate; and yet in that respect the decision is only a dictum as a general rule.

Mr. STEVENSON. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. STEVENSON. Is there not also a distinction as between the officer whose term of office is stated and limited and the officer whose term of office is to continue indefinitely or during good behavior? Is not that held to be practically at the pleasure of the appointing power, and is not that distinction made?

Mr. GOOD. I grant that in one case I have in mind, where an officer was appointed for a period of four years, the incidental right of the President to remove him before the end of his term adhered, and the President could exercise that power.

Mr. DOREMUS. Will the gentleman yield for a question?

Mr. GOOD. Certainly.

Mr. DOREMUS. I am not quite clear as to whether what the gentleman read a moment ago was a quotation from the statute or from the Supreme Court decision.

Mr. GOOD. I was reading the annotated statutes.

Mr. DOREMUS. It was an extract from the statute?

Mr. GOOD. It was an extract from the annotated statutes and not from any decision; but it is followed by a great many of the notations with regard to it.

Mr. BRIGGS. Was that the statute itself or the annotation under the statute?

Mr. GOOD. That is the annotated statutes.

Mr. BRIGGS. Is the extract which the gentleman read a note to the statute?

Mr. GOOD. No; I did not read the note to the statute.

Now, in the case of Duncan *v.* Hennen (38 Peters, p. 230) there was a motion for a rule on the district judge of the eastern district of Louisiana to show cause why a mandamus should not be issued to make him restore this man to the office of clerk of the district court, the court made use of this language:

> It can not be admitted that it was the intention of the Constitution that those offices which are denominated inferior offices should be held during life; in the absence of all constitutional or statutory provision as to the removal of such officers, it would seem to be a sound and necessary rule to consider the power of removal as incident to the power of appointment.

Mr. MONTAGUE. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. MONTAGUE. Would the gentleman not construe statutory regulations as meaning in conformity with the Constitution and not independent of the Constitution?

Mr. GOOD. Of course, if the statute is unconstitutional or any provision of the statute is unconstitutional, then to that extent the statute must necessarily fall. But the Supreme Court passing on that measure said that "in the absence of unconstitutional provision or statutory regulation"—and therefore the Supreme Court had in mind that where Congress by an act attempted to regulate the removal of an officer that Congress had that power under the Constitution. If Congress did not have that power under the Constitution, why did the Supreme Court in that case say that in the absence of a constitutional provision or a statutory regulation the right to remove was indentical to the right to appoint.

Mr. BARKLEY. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BARKLEY. Does the gentleman think that Congress would have the constitutional power to pass a law providing that Federal judges could be removed by a concurrent resolution of Congress?

Mr. GOOD. The Constitution itself contains the provision in regard to Federal judges, fixing their terms and tenure of office. The gentleman from Iowa would not be foolish enough

to say that where the Constitution provided for the appointment of an official and then provided how he should be removed that Congress would have that power.

Mr. BARKLEY. The gentleman is referring to the Supreme Court, and I did not refer to the Supreme Court.

Mr. GOOD. The gentleman said Federal judges.

Mr. BARKLEY. There are other Federal judges. These judges are not what we may call constitutional officers, except in the case that Congress is authorized to create inferior courts, and we have provided for them a life tenure of office. My question was: If under the Constitution we would empower Congress to remove these Federal judges who had a life tenure by a concurrent resolution, how could we construe the other section of the Constitution to give us that power with reference to another officer which has in effect the life tenure?

Mr. GOOD. I have not examined all of the provisions of the Constitution or all of the decisions. I have confined myself to consideration of the matter now under consideration. Applying the dictum in the case I have just read to this case, where we have specifically provided by this act not only the method of removal but the causes of removal, I think we have brought ourselves entirely within the provision of that case.

Mr. BEE. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BEE. Is not this the practical difficulty, that in overruling the President's veto and enacting it without his signature this question being raised will throw the budget into litigation?

Mr. GOOD. No; the only way this question could possibly be raised would be if the President of the United States sometime in the future should seek to exercise the power which he claims is incidental to the appointing power and remove a comptroller general or an assistant comptroller general. I do not believe any President will ever attempt to exercise such power.

Mr. WALSH. Will the gentleman yield?

Mr. GOOD. I will.

Mr. WALSH. Does the gentleman find anything in the Constitution which permits Congress to create an office and to say how the appointment shall be made, where it is powerless to say how the removal shall be made?

Mr. GOOD. Nothing of that kind in the Constitution.

Mr. BLANTON. Will the gentleman yield?

Mr. GOOD. I will yield to the gentleman.

Mr. BLANTON. If this section is constitutional, then the act of Congress does not affect this in any way; it does not affect any rights of the President under the Constitution.

Mr. GOOD. That is the claim of the President—that it does.

Mr. BLANTON. If under the Constitution he has the right to remove, our act would not affect him in any way.

Mr. GOOD. Of course, the Constitution being the fundamental law of the land, it would govern the President, but I think that is hardly the question.

Mr. PELL. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. PELL. If we pass this over the President's veto and then the Supreme Court should uphold the contention of the President, this bill would not fail, would it? The bill would continue.

Mr. BLANTON. Certainly.

Mr. PELL. The failure of this one clause would not destroy the whole thing?

Mr. GOOD. I have not given that any consideration. I think it is very remote. I do not see how the question can be raised except it be raised by some person who has been appointed to the position of comptroller general or assistant comptroller general, and the President attempts to remove him in violation of the provisions of the statute that created the office.

Mr. PELL. I am not a lawyer, but almost anything is possible in law.

Mr. GREENE of Vermont. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. GREENE of Vermont. The only office that exists is the one that Congress creates. That is the only one that the President has the right to appoint anyone to, and the character of that office must depend upon the limitations which Congress itself puts upon it when it creates it. This Congress creates an office that has certain limitations upon it as to removal. That is the only office the President must fill, and he must fill it subject to those limitations.

Mr. GOOD. I think that is true.

Mr. BLAND of Missouri. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BLAND of Missouri. I understood the gentleman to say that the only way the question of constitutionality would be invoked would be by the President attempting to remove. Would it not more properly arise if Congress in the exercise of the power it attempts should attempt to remove, and then could not the comptroller or the assistant comptroller question the constitutional power of Congress?

Mr. GOOD. That might be raised in the same way.

Mr. PHELAN. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. PHELAN. Is there not something else involved in the constitutional objection than the taking away from the President of the right to remove, namely, the interference of Congress in his appointive power in this way? If Congress has the right to remove an appointee of the President for the reasons given in this bill, then it does it because it has the general right to remove presidential appointees, for what reasons it may care to give, and among other reasons it could well within the exercise of the power, if it has it, have the right to remove because it is its pleasure to remove. If Congress can remove an appointee of the President at its pleasure——

Mr. GOOD. No; not at its pleasure. We have specified here certain reasons.

Mr. PHELAN. You have specified certain reasons, but if you have the right to specify those reasons you have the right to specify other reasons, and you have the right to say that Congress can remove this man at the pleasure of Congress; or, if you have the right to say that Congress can remove an appointee of the President at pleasure, it follows that just as soon as he appoints a man Congress can remove him, and so on indefinitely; and that to me is plainly an interference with his right to appoint. [Applause.]

Mr. RAMSEY. Will the gentleman yield to me?

Mr. GOOD. Yes.

Mr. RAMSEY. I want to make this inquiry of the gentleman. If the Congress of the United States has the right to create an office and provide for the method of appointment, it is not a constitutional office; it is created by Congress. If the power exists to create and place in a person or body the right to appoint, does not the same right exist to create a right by which removal can be had as a legal constitutional question?

Mr. GOOD. I yield to the gentleman from Michigan [Mr. DOREMUS].

Mr. RAMSEY. I would like to have the gentleman answer that question.

Mr. DOREMUS. I am very sure that my friend from Iowa has no intention of misleading the House in what he was reading a moment ago from the Federal Statutes, annotated.

Mr. GOOD. Yes.

Mr. DOREMUS. It was not an extract from the statute at all; it is no part of the statute.

Mr. GOOD. I understand that; it is from the annotated statutes; it is in the annotation.

Mr. DOREMUS. I think the gentleman led many of us to believe that he was quoting from the statute itself.

Mr. GOOD. Oh, no; there is no statute; it is just the annotation.

Mr. GOODWIN of Arkansas. The gentleman so stated in reply to my inquiry.

Mr. RAMSEY. Just one moment in reference to my question.

Mr. GOOD. What is the gentleman's question?

Mr. RAMSEY. Supposed Congress assumed the power of appointment?

Mr. GOOD. That is denied by the Constitution.

Mr. RAMSEY. But would not Congress have the right to remove the officer?

Mr. GOOD. Now, that question was considered by the committee.

Mr. RAMSEY. Giving it the right to control it?

Mr. GOOD. The committee thought so. Section 2 of the Constitution provides how the officers of the United States shall be selected. It was the opinion of the Select Committee on the Budget that the House or the Senate, acting separately or the two acting together, could not appoint an officer of the United States, that an officer of the United States must be appointed under the provisions of the Constitution, and that question is not involved in the message of the President at all. The only question, the sole question, involved in the President's veto message is whether or not the power given under Article II, section 2, of the Constitution to the President to appoint an official carries with it the incidental power to remove, and that incidental power could not be taken away from him by express statute.

Mr. MOORE of Virginia. Will the gentleman yield for a question?

Mr. GOOD. Certainly.

Mr. MOORE of Virginia. The gentleman knows I am as much interested in the budget system as he is?

Mr. GOOD. Yes.

Mr. MOORE of Virginia. We are considering in a very hasty and offhand way a very important matter. At the outset I was a little inclined to take the view the gentleman is now expressing. This is the question I would like to put to the gentleman: Is this official, the comptroller general, an inferior officer within the meaning of the constitutional provision or is he not clearly otherwise—a superior officer, so to speak. If he is not an inferior officer——

Mr. GOOD. Does the gentleman think that makes any difference?

Mr. MOORE of Virginia. Let us admit he is not an inferior officer.

Mr. GOOD. Does the gentleman think that makes any difference?

Mr. MOORE of Virginia. I think so.

Mr. GOOD. What difference?

Mr. MOORE of Virginia. I think if he were an inferior officer you might vest the appointment of the officer in some other appointing authority than the President, but you would not have——

Mr. GOOD. Oh, yes; the Constitution provides, in the same section, he may be appointed by the head of a department.

Mr. MOORE of Virginia. I do not think we would have this difficulty if he could be considered an inferior officer but, in my opinion, he can not be so considered. Now, if he is not an inferior officer, does not the gentleman's contention that Congress can divest the President of the power of removal take you logically to the admission that Congress can divest the President of power to remove a Cabinet officer. A Cabinet officer is created by statute. This official is to be created by statute. If the gentleman's argument is a good argument, then Congress possesses the power to take from the President authority to remove a Cabinet officer.

Mr. GOOD. I do not believe that the question of whether this officer is an inferior officer or an officer of another class provided for under the Constitution has anything to do with the contention raised by the President in his veto message.

The latest expression of the Supreme Court upon this subject, while not deciding this case, contains a dictum that, it seems to me, is indicative of what the opinion of the Supreme Court would be if this question was placed squarely before that court.

On July 17, 1890, there was appointed a general appraiser of merchandise under the act of June 10, 1890, and that nomination was consented to on the following day by the Senate, and the appellant was thereupon commissioned to be such general appraiser of merchandise. He accepted that office and took the oath required on July 24, 1890, and remained in such office and was paid the salary attached thereto up to May 15, 1899. On May 3 of that year he received the following communication from the President:

EXECUTIVE MANSION,
Washington, D. C., May 3, 1899.

SIR: You are hereby removed from office of general appraiser of merchandise, to take effect upon the appointment and qualification of your successor.

* * * * * * *

The office of general appraiser of merchandise was created by the twelfth section of the act of Congress approved June 10, 1890, and commonly called the customs administrative act.

Section 12 of that act provides:

That there shall be appointed by the President, by and with the advice and consent of the Senate, nine general appraisers of merchandise, each of whom shall receive a salary of $7,000 a year. Not more than five of such general appraisers shall be appointed from the same political party. They shall not be engaged in any other business, avocation, or employment, and may be removed from office at any time by the President for inefficiency, neglect of duty, or malfeasance in office.

In passing upon that provision, upon the question raised by the person who was removed, in an action for the recovery of his salary, the court said:

We assume for the purpose of this case that Congress—

I wish the gentlemen who are questioning this matter would pay close attention to what the Supreme Court has said.

Mr. BLANTON. All of us who want to hear can hear the gentleman. We hear him plainly.

Mr. GOOD. They said:

We assume, for the purposes of this case only, that Congress could attach such conditions to the removal of an officer appointed under this statute as it might deem proper, and therefore could provide that the officer should only be removed for the causes stated, and for no other, and after notice and opportunity for a hearing. Has Congress by the twelfth section of the above act so provided?

It can not now be doubted that in the absence of constitutional or statutory provision the President can by virtue of his general power of appointment remove an officer, even though appointed by and with the advice and consent of the Senate. To take away this power of removal in relation to an inferior officer created by statute—

The gentleman from Virginia [Mr. MOORE] will notice in this that the Supreme Court makes no distinction between an officer in that regard and other officers of the Government.

Although that statute provided for an appointment thereto by the President and confirmation by the Senate, would require very clear and explicit language. It should not be held to be taken away by mere inference or implication. Congress has regarded the office as of sufficient importance to make it proper to fill it by appointment to be made by the President and confirmed by the Senate. It has thereby classed it as appropriately coming under the direct supervision of the President and to be administered by officers appointed by him, and confirmed by the Senate, with reference to his constitutional responsibility to see that the laws are faithfully executed.

Have we in this statute been explicit? Have we been direct? Have we acted in a way that is uncertain? That is the only question under that decision that can be raised. Let me read again what we have done, and I submit that English language could not be framed to express more explicitly what the intention of Congress was as to the removal of this official:

The comptroller general and the assistant comptroller general shall hold office during good behavior, but may be removed at any time by concurrent resolution of Congress after notice and hearing, when, in their judgment, the comptroller general or assistant comptroller general is incapacitated or inefficient, or has been guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment.

I submit that it is not possible for the human tongue to frame a provision that is more explicit and definite than that. We have not in this language drawn a provision that can be misconstrued by anyone. It is just as clear, it is just as forceful, as language can make it. It was made clear and forceful in order that this officer could be removed from all political consideration of any President who might ever occupy the presidential chair.

Mr. GOODYKOONTZ. Will the gentleman yield?

Mr. GOOD. I yield.

Mr. GOODYKOONTZ. Does not he think that the comptroller general would be rather an agent or a mere arm of Congress, which in itself has the power to select committees or agencies to gather information for it, and does not come within the category of general officers contemplated to be beyond the jurisdiction of Congress itself?

Mr. GOOD. It was the opinion of the committee that framed the law that the officer we were creating here was an officer of the United States, and his appointment would have to fall under the provisions of Article II of section 2 of the Constitution.

Now, I want to yield some time.

Mr. SIMS. Mr. Speaker, will the gentleman yield? I want to ask the gentleman from Iowa a question.

Mr. GOOD. Yes.

Mr. SIMS. I appreciate the attempt to take this matter away from consideration as a political matter; but does the gentleman think that the President is more likely to act from partisan considerations than would a partisan Congress, where both Houses are of the same political party?

Mr. GOOD. That is one of the reasons why we provided in the law the causes for removal, and the only causes are inefficiency, incapacity, neglect of duty, malfeasance in office, or some offense that involves moral turpitude.

Mr. SIMS. You could prescribe those reasons for the President as well as for Congress. You take all power of removal away from the President.

Mr. BYRNS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes; I yield to the gentleman from Tennessee.

Mr. BYRNS of Tennessee. Mr. Speaker, the Budget Committee was united in the sentiment that the President must be vested with the power to make these appointments, and there was no division in that committee or in the conference committee as to the right of Congress to reserve to itself the power to remove these officers by concurrent resolution.

Mr. GOOD. The gentleman is correct in that. There was no division of sentiment on that question then, and there is no division of sentiment between the members of the committee on that question now, so far as I have been able to ascertain. [Applause.]

Mr. ROSE. Mr. Speaker, will the gentleman yield to me?

Mr. GOOD. Yes; I yield for a question.

Mr. ROSE. I was much impressed with the statement of the gentleman from Virginia [Mr. MOORE]. It seems to me at first blush that it would appear that the statement the gentleman made is unanswerable. But I think in looking into this question somewhat further we find that the premises he assumes are entirely wrong. He argues that if the Congress has the right to pass a statute creating an official position, and which carries with it the right of removal of an officer appointed by virtue of the provisions of such statute, that by analogy we could

enact laws to remove a Cabinet officer. But when Cabinet officers were provided by statute, no such provision accompanied the statute, and therefore this proposed law can not be taken as the assertion of a right on the part of Congress to pass a law to remove an officer appointed under a law already in force, and which carries with it none of the limitations found in the bill now under consideration.

Mr. MOORE of Virginia. Mr. Speaker, I will take the liberty to ask my friend from Iowa to enable me to make reply to that.

Mr. OVERSTREET. Mr. Speaker, a parliamentary question.

Mr. MOORE of Virginia. One minute. My proposition is this: Congress may institute to-morrow, Congress may create to-morrow a new department, a department of public health, with a secretary of public health. Let us assume that in such a statute Congress should provide that that official shall be removable by Congress, or removable otherwise than by the President. Then you would have a case analogous to this.

Now, as I understand, in the very first Congress the first Cabinet position that was created was that of Secretary of State, and that Mr. Madison said on the floor of Congress that the President would have the undoubted power to appoint that official and would have the equal power to remove him, and there was no power vested otherwise to remove him than in the President. Members of Congress contested that view, but that view was apparently adopted by Congress.

I respectfully submit that there is no escape from the logic. However desirable the action we have taken may be—and I admit that it is desirable—however desirable it may be, it is not constitutional unless it would be constitutional for Congress in creating Cabinet officers to say that the power of removal shall be vested in Congress instead of in the President.

Mr. GOOD. Now, Mr. Speaker, let us look at this question just a moment from the practical aspects. Every decision of the Supreme Court I have been able to find or to read leads me to believe that this incidental right of the President to remove can be taken from him and vested in the Congress of the United States. I think there is no question about that. That being the case, we have simply done what the Supreme Court has indicated Congress has the undisputed right to do.

Suppose, now, you take the other horn of the dilemma. Suppose you vest this power of removal in the President of the United States. One President comes in and appoints a comptroller general; that comptroller general will not be able to learn the duties of that great office and perform them as they should be performed, perhaps, before he would be removed by the succeeding President.

But that is not all. It gives the President the right to remove a comptroller general of the United States who renders a decision that will not permit the executive departments to deplete the Treasury of the United States. That is just what we are trying to get away from. Comptrollers have been embarrassed by that very thing, and the embarrassment of the Comptroller of the Treasury would by that provision be continued. The very office that you are creating here will not be the efficient office that it will be if we make this official an independent officer of the United States who can render a decision according to the law and let the chips fall where they may.

Mr. Speaker, I feel that the matter to which the President has called attention is one that should not have come before the House. I believe that his fears in this respect are not well founded, and I am thoroughly convinced that the power we have vested in Congress is a power that we have a right to vest there, and that we have exercised that right in the way that every gentleman here believing in budgetary legislation would have exercised it. [Applause.] In that decision the gentleman from North Carolina [Mr. KITCHIN], the gentleman from Tennessee [Mr. BYRNS], the gentleman from Texas [Mr. GARNER], the gentleman from Colorado [Mr. TAYLOR], and the gentleman from Oklahoma [Mr. HOWARD] were just as firm in their conviction as any man who sat on the Republican side of the table. In coming to a decision upon this question I hope the membership of this House will be guided by the same high motives that actuated their colleagues in arriving at this decision when this whole question was thrashed out in the committee. [Applause.]

Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman moves the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House, on reconsideration pass the bill, the objections of the President to the contrary notwithstanding? On this question the Constitution provides that the vote shall be taken by the yeas and nays. The Clerk will call the roll.

The question was taken; and there were—yeas 178, nays 103, answered "present" 1, not voting 145, as follows:

YEAS—178.

Ackerman	Esch	Knutson	Reed, N. Y.
Andrews, Md.	Evans, Nebr.	Kraus	Reed, W. Va.
Andrews, Nebr.	Fields	Kreider	Ricketts
Babka	Focht	Langley	Robsion, Ky.
Bankhead	Foster	Larsen	Rogers
Barbour	French	Lea, Calif.	Rose
Bee	Gallivan	Lehlbach	Rowe
Begg	Garland	Little	Sanders, Ind.
Bell	Garrett	Luce	Sanders, N. Y.
Benham	Glynn	Lufkin	Sanford
Black	Good	Luhring	Schall
Bland, Ind.	Goodykoontz	McDuffie	Scott
Bland, Mo.	Graham, Ill.	McFadden	Sells
Bland, Va.	Green, Iowa	McKenzie	Shreve
Blanton	Greene, Mass.	McLaughlin, Mich.	Siegel
Bowers	Greene, Vt.	McLaughlin, Nebr.	Sinnott
Brand	Griffin	McPherson	Smith, Idaho
Brooks, Pa.	Hadley	MacCrate	Strong, Kans.
Browne	Hardy, Colo.	MacGregor	Summers, Wash.
Buchanan	Hawley	Magee	Swope
Burdick	Hays	Maher	Taylor, Colo.
Burke	Hersey	Mapes	Temple
Burroughs	Hickey	Michener	Thompson
Byrnes, S. C.	Hicks	Miller	Tilson
Byrns, Tenn.	Hill	Milligan	Timberlake
Campbell, Kans.	Hoch	Monahan, Wis.	Tincher
Cannon	Howard	Mondell	Tinkham
Chindblom	Huddleston	Moore, Ohio	Towner
Christopherson	Hull, Iowa	Moores, Ind.	Upshaw
Classon	Humphreys	Morin	Vaile
Crago	Igoe	Mott	Vinson
Cramton	James	Mudd	Walsh
Crisp	Jefferis	Murphy	Walters
Crowther	Johnson, S. Dak.	Newton, Mo.	Wason
Dallinger	Johnson, Wash.	Nolan	Watson
Darrow	Jones, Pa.	O'Connor	Wheeler
Davey	Jones, Tex.	Ogden	White, Kans.
Davis, Minn.	Juul	Parrish	White, Me.
Denison	Kahn	Pell	Wilson, Ill.
Dickinson, Iowa	Kearns	Platt	Winslow
Dominick	Kelly, Pa.	Porter	Wood, Ind.
Dunbar	Kendall	Radcliffe	Woodyard
Echols	Kennedy, Iowa	Ramsey	Zihlman
Edmonds	Kinkaid	Rayburn	
Emerson	Kleczka	Reber	

NAYS—103.

Almon	Gallagher	McKiniry	Romjue
Ashbrook	Gandy	McLane	Rouse
Aswell	Ganly	Major	Rowan
Ayres	Gard	Mann, S. C.	Rubey
Barkley	Goldfogle	Martin	Sabath
Benson	Goodwin, Ark.	Mead	Sims
Box	Hamill	Minahan, N. J.	Smith, N. Y.
Briggs	Harrison	Montague	Steagall
Campbell, Pa.	Hersman	Moon	Stevenson
Candler	Holland	Moore, Va.	Sumners, Tex.
Carew	Hudspeth	Morgan	Tague
Casey	Hull, Tenn.	Neely	Taylor, Ark.
Clark, Mo.	Jacoway	Nelson, Mo.	Thomas
Cleary	Johnson, Ky.	O'Connell	Venable
Collier	Johnston, N. Y.	Oliver	Watkins
Connally	Kincheloe	Olney	Welling
Cullen	King	Overstreet	Welty
Davis, Tenn.	Lanham	Padgett	Whaley
Donovan	Lankford	Park	Wilson, La.
Dooling	Lee, Ga.	Phelan	Wilson, Pa.
Doremus	Lesher	Quin	Wingo
Doughton	Linthicum	Rainey, Ala.	Woods, Va.
Eagan	Lonergan	Rainey, H. T.	Wright
Evans, Mont.	McAndrews	Rainey, J. W.	Yates
Fisher	McGlennon	Raker	Young, Tex.
Flood	McKeown	Riordan	

ANSWERED "PRESENT"—1.

McClintic

NOT VOTING—145.

Anderson	Dowell	Hayden	Nelson, Wis.
Anthony	Drane	Heflin	Newton, Minn.
Bacharach	Drewry	Hernandez	Nicholls
Baer	Dunn	Hoey	Oldfield
Blackmon	Dupré	Houghton	Osborne
Boies	Dyer	Hulings	Paige
Booher	Eagle	Husted	Parker
Brinson	Elliott	Hutchinson	Peters
Britten	Ellsworth	Ireland	Pou
Brooks, Ill.	Elston	Johnson, Miss.	Purnell
Brumbaugh	Evans, Nev.	Keller	Ramseyer
Butler	Fairfield	Kelley, Mich.	Randall, Calif.
Caldwell	Ferris	Kennedy, R. I.	Randall, Wis.
Cantrill	Fess	Kettner	Reavis
Caraway	Fordney	Kiess	Rhodes
Carss	Frear	Kitchin	Riddick
Carter	Freeman	Lampert	Robinson, N. C.
Clark, Fla.	Fuller, Ill.	Layton	Rodenberg
Coady	Fuller, Mass.	Lazaro	Rucker
Cole	Garner	Longworth	Sanders, La.
Cooper	Godwin, N. C.	McArthur	Scully
Copley	Goodall	McCulloch	Sears
Costello	Gould	McKinley	Sherwood
Currie, Mich.	Graham, Pa.	Madden	Sinclair
Curry, Calif.	Griest	Mann, Ill.	Sisson
Dale	Hamilton	Mansfield	Slemp
Dempsey	Hardy, Tex.	Mason	Small
Dent	Harreld	Mays	Smith, Ill.
Dewalt	Hastings	Merritt	Smith, Mich.
Dickinson, Mo.	Haugen	Mooney	Smithwick

Snell	Stiness	Treadway	Webster
Snyder	Stoll	Vare	Williams
Stedman	Strong, Pa.	Vestal	Wise
Steele	Sullivan	Voigt	Young, N. Dak.
Steenerson	Sweet	Volstead	
Stephens, Miss.	Taylor, Tenn.	Ward	
Stephens, Ohio	Tillman	Weaver	

So two-thirds not having voted in favor thereof, the House on reconsideration refused to pass the bill.

The following pairs were announced:

On this vote:

Mr. VOIGT and Mr. RANDALL of Wisconsin (for) with Mr. SULLIVAN (against).

Mr. LAMPERT and Mr. NELSON of Wisconsin (for) with Mr. CALDWELL (against).

Mr. SLEMP and Mr. FULLER of Massachusetts (for) with Mr. SCULLY (against).

Mr. ANTHONY and Mr. HOUGHTON (for) with Mr. CANTRILL (against).

Mr. SNYDER and Mr. NEWTON of Minnesota (for) with Mr. HEFLIN (against).

Mr. EAGLE. Mr. Speaker, I would like to vote "no."

The SPEAKER. Was the gentleman present and listening when his name should have been called?

Mr. EAGLE. I was not.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

Mr. GOOD. Mr. Speaker, I move to refer the veto message to the Committee on the Budget.

The motion was agreed to.

REPEAL OF WAR-TIME LEGISLATION.

Mr. WALSH. Mr. Speaker, I ask that House joint resolution 373 be taken from the Speaker's table and agree to the Senate amendments.

The SPEAKER. The gentleman from Massachusetts moves to take from the Speaker's table and agree to the Senate amendments to House joint resolution 373, declaring that certain acts of Congress by proclamation shall be construed as if the war had ended and the present existing emergency had expired.

The Clerk read the Senate amendments.

Mr. WALSH. Mr. Speaker, the Senate amended this resolution by adding to the acts excluded from its provisions "An act to prevent in time of war the departure from and entry into the United States contrary to public safety," which was approved March 22, 1918. This act was exempted from the provisions of the resolution repealing the war laws. The Senate was prompted to include that in the exemption by reason of a communication from the Commissioner of Internal Revenue; and I ask to have read in my time the letter from Mr. Williams to Senator NELSON, chairman of the Senate Committee on the Judiciary.

The Clerk read as follows:

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, June 4, 1920.

Hon. KNUTE NELSON,
United States Senate, Washington, D. C.

MY DEAR SENATOR: House joint resolution 373, which would repeal the act of May 22, 1918, entitled "An act to prevent in time of war departure from and entry into the United States contrary to the public safety," would cause serious consequences to the public revenues in that the collection of income tax from departing aliens is based entirely upon regulations promulgated by the Secretary of State pursuant to the act of May 22, 1918.

The department collects from departing aliens approximately $10,000,000 a year at the different ports of the United States, and the only means we have of forcing them to pay such tax is by Executive order No. 3231, dated February 20, 1920, whereby departing aliens are required to secure and present a certificate of compliance with the income-tax law.

It is urgently requested that this act be continued in force and effect until such time as an amendment may be procured to the revenue laws to cover this situation.

With assurances of my esteem, I am,
Sincerely, yours,

WM. M. WILLIAMS, *Commissioner.*

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. WALSH. I will yield to the gentleman.

Mr. GREEN of Iowa. Mr. Speaker, my attention having been called to this matter of the revenue, I will say, speaking for myself particularly, and I think for all members of the Ways and Means Committee, although I have not had an opportunity to consult with all of them, it seems very important that this amendment offered by the Senate should be adopted. The attention of the Ways and Means Committee has not been called to this subject until this time, otherwise revenue legislation would have been proposed to cover the subject. The only way now, from a hasty examination, that the departure of these aliens could be stopped, unless this amendment is adopted, would be by the use of the writ of ne exeat, which would take so long that it is probable that the aliens would have departed before it could issue, and therefore the committee regards it as important that the Senate amendment be adopted.

Mr. GARRETT. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. GARRETT. I would like to ask the gentleman from Massachusetts if, in view of the apparent necessity for this amendment as shown by the action of the other body, as has been stated by the gentleman from Iowa, he does not think that the not over numerous but eminently respectable minority that voted against the bill is entirely vindicated in so doing?

Mr. WALSH. Does the gentleman expect an unbiased and frank reply to his very concise question?

Mr. GARRETT. I shall have to leave the reply to the gentleman from Massachusetts.

Mr. WALSH. I think the distinguished gentleman from Massachusetts and his colleagues are very alert to grasp at this particular situation as an excuse and justification for their voting against it, because they had no knowledge whatever of the situation at the time they voted.

Mr. GARRETT. If the gentleman will permit, that is the reason. We did not have the knowledge. It is an illustration of the danger of undertaking to repeal some 60 or more laws, lumping them all together, in 40 minutes' debate under suspension of the rules, and the very second day thereafter we find the great danger in it.

Mr. WALSH. I think the majority of the membership of the House, as well as the American people, are very glad to face whatever danger there may be from a legislative standpoint, in order to get these war laws repealed and get the country back to a peace basis once more. Mr. Speaker, I more the previous question.

The previous question was ordered.

The Senate amendments were agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 10806. An act to provide for the abolition of the 80-rod reserved shore spaces between claims on shore waters in Alaska; and

H. R. 13627. An act to amend paragraph (e) of section 7 of the act approved March 3, 1919, entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines."

MERCHANT MARINE.

The SPEAKER laid before the House the following Senate concurrent resolution (S. Con. Res. 30):

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and to provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, the Clerk be, and is hereby, authorized and directed to number the sections thereunder in consecutive order.

The resolution was agreed to.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 14208. An act to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended;

H. R. 13266. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes;

H. R. 13978. An act to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13976. An act to extend the time for the construction of a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 13977. An act to extend the time for the construction of a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, and insists upon its amendments numbered 4 and 18.

DEFICIENCY APPROPRIATION BILL—CONFERENCE REPORT.

Mr. GOOD. Mr. Speaker, I present a conference report on the bill (H. R. 14335) to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, which I send to the desk and ask to have read.

The conference report and statement were read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 5, 8, 12, 13, 14, 19, 20, 21, 26, 37, 39, 50, and 60.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 9, 10, 11, 15, 16, 22, 24, 27, 28, 29, 31, 32, 33, 34, 35, 36, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 51, 53, 54, 55, 56, 57, and 58, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"ANTHRACITE COAL COMMISSION.

"The unexpended balance of the appropriation for the fiscal year 1920 for the Bituminous Coal Commission is made available during the fiscal years 1920 and 1921 for expenses of the Anthracite Coal Commission, including salaries and expenses of officers, employees, and witnesses, personal services in the District of Columbia, purchase of supplies, printing and binding, reporting proceedings, per diem in lieu of subsistence at not exceeding $4, and all other necessary expenses in connection therewith."

And the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out the words "the passage of this act" and insert in lieu thereof "June 30, 1920"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and roadway thereto, $7,500"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SHIPPING BULLETIN.

"The Secretary of the Navy is authorized to cause to be prepared in the Office of Communications, Navy Department, a publication known as the Shipping Bulletin, and to publish and furnish the same to the maritime interests of the United States and other interested parties, at the cost of collecting and publishing the information, including the cost of printing and paper and other necessary expenses. The expenses of such bulletin shall be paid from the appropriation 'Engineering,' Bureau of Steam Engineering, fiscal year 1921. The money received from the sale of such publication shall be covered into the Treasury as miscellaneous receipts."

And the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"PENSION OFFICE.

"To provide additional compensation for employees of the Bureau of Pensions designated to carry out the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, $2,000, to continue available until June 30, 1921: *Provided*, That no person so employed shall receive compensation at a rate exceeding $1,740 per annum except one at $3,000, one at $2,400, one at $2,000, and two at $1,800 each."

And the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In line 4 of the matter inserted by said amendment strike out "$20" and insert in lieu thereof "$15"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "*Provided*, That paper, envelopes, and blank books required by the stationery rooms of the Senate and the House of Representatives for sale to Senators and Members for official use may be purchased from the Public Printer at actual cost thereof, and payment therefor shall be made before delivery"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: Strike out in lines 2 and 3 of the matter inserted by said amendment the words "or before October 1 of each year" and insert in lieu thereof "the first day of each regular session"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment lines 69, 70, 71, 72, 76, 77, 78, and 79, and in line 103 strike out "$863,568.91" and insert in lieu thereof "$854,735.49"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the number proposed insert "5"; and the Senate agree to the same.

The committee of conference have been unable to agree on the amendments of the Senate numbered 4 and 18.

JAMES W. GOOD,
J. G. CANNON,
JAMES F. BYRNES,
Managers on the part of the House.
F. E. WARREN,
CHARLES CURTIS,
O. W. UNDERWOOD,
Managers on the part of the Senate.

Mr. GOOD. Mr. Speaker, the House has agreed to all matters in dispute with the exception of Senate amendment No. 4, known as the Harrison amendment, which has to do with the appointment of the Board of Education in the District of Columbia. The Senate amendment changes the present law and takes from the District of Columbia Supreme Court the right to appoint the Board of Education and vests that power in the President. It also changes the number of members of the board from six to nine. It is legislation. The House was not willing to yield when the first report was presented to the Senate, and there was so much objection because the conferees had first agreed to eliminate that item that the conferees on the part of the Senate were obliged to withdraw the conference report, and a second conference was had. We have brought that amendment back to the House.

The next amendment is No. 18, found on page 31, and carries $368,978.33. The river and harbor act approved March 2, 1919, carries the following provision:

That the Secretary of War is hereby authorized to ascertain whether any of the contracts for work on river and harbor improvements entered into but not completed prior to April 6, 1917, the date of the entrance of the United States into war with Germany, have become inequitable and unjust on account of increased cost of materials, labor, and other unforeseen conditions arising out of the war; and to ascertain and report what amounts, if any, in addition to those fixed by the terms of said contracts, should in justice and equity be paid to contractors, for work performed between April 6, 1917, and July 18, 1918, the date of the approval of an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," on account of the increased cost of labor and materials and other unforeseen conditions arising out of the war during that period: *Provided*, That in every case the amount so ascertained shall not exceed the actual loss sustained by the contractor in performing the work between the said dates: *Provided further*, That when such amount shall have been ascertained, the Secretary of War shall transmit to Congress

for consideration a statement or statements of all findings or determinations rendered by authority of this section, the amounts thereof, the names of contractors, and dates of contracts.

It will be observed that this section does not authorize any settlement whatever. It simply authorizes the Secretary of War to secure the information and report it to Congress. The Secretary of War has done that, and the total amount of the claims is the amount carried in the Senate bill. Inasmuch as Congress has never authorized the payment of these claims, the managers on the part of the House did not care to set a precedent unless directed by the House to report the appropriation for these matters. We thought it best to bring the item back.

I have consulted quite a number of Members of the House with regard to the situation since the managers have brought these matters back, and there seems to be a disposition to pay these claims. There seems to be a thought that these claims fall into the same category as claims that Congress decided should be paid to contractors on public buildings where the contract was entered into before we entered the war and the work was completed after the beginning of the war and there was an increased cost of material and labor because of the war.

I shall, therefore, offer an amendment in lieu of the Senate amendment to provide for the payment of these claims, approved by the Secretary of War, out of appropriations already made.

The House has receded on the appropriation of $292,000 carried in the Senate bill for the transfer of the Subtreasuries. It is estimated by the Treasury Department that it will require an appropriation of that amount to transfer funds, and so forth, to the Treasury of the United States or the Federal reserve banks. The House also receded on an item of $1,000,000 for limited indemnity for the Postal Service. The only other items of any magnitude from which the House receded are the sums for the judgments of the Court of Claims and claims allowed by the accounting officers. The Senate has receded on a large number of the other items.

Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 18 and agree to the same with an amendment as follows, which I send to the desk.

The SPEAKER. The gentleman offers a motion, which the Clerk will report.

The Clerk read as follows:

Mr. GOOD moves that the House recede from its disagreement to the amendment of the Senate No. 18 and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "River and Harbor work; readjustment of contracts: The sum of $368,978.33 found to be due various contractors under the provisions of section 10 of the river and harbor appropriation act approved March 2, 1919, on certain contracts for work on river and harbor improvements entered into but not completed prior to April 6, 1917, for work performed between April 6, 1917, and July 18, 1918, may be paid by the Secretary of War from any unexpended balances of appropriations heretofore made for the project on which such work was performed."

The SPEAKER. The question is on agreeing to the motion of the gentleman from Iowa.

The question was taken, and the motion was agreed to.

Mr. BLANTON. Mr. Speaker, I offer a preferential motion.

The SPEAKER. The motion his been agreed to.

Mr. BLANTON. I offer another motion, which is preferential. I move——

The SPEAKER. The gentleman from Iowa was recognized first.

Mr. GOOD. What amendment is the gentleman interested in?

Mr. BLANTON. I was going to move to recede and concur in Senate amendment No. 4, known as the Harrison amendment.

Mr. GOOD. I yield to the gentleman.

Mr. BLANTON. Mr. Speaker, I move to recede and concur in Senate amendment No. 4, known as the Harrison amendment.

SEVERAL MEMBERS. What is that?

Mr. BLANTON. That is in reference to the school organization.

Mr. BYRNES of South Carolina. Mr. Speaker, amendment No. 4 provides school legislation for the District of Columbia. If there is anything which has caused Members of Congress to complain, and justly complain, it is the habit of including in appropriation bills legislative propositions. Bad at all times, it is especially vicious when in the closing hours of a session at this hour of the night a legislative proposition is brought into the House upon which the House has never had any hearings and on which, as a matter of fact, the regular committees of the Senate have had no hearings.

This amendment provides that the present board of education shall be abolished. It provides that instead of the board of education being appointed by the judges of the supreme court, as is now the case, they shall hereafter be appointed by the President, by and with the consent of the Senate. It provides that no person shall be eligible for membership unless he has resided in the District for seven years. A man is eligible to be appointed a commissioner of the District when he has resided here three years, but under this amendment in order to be eligible for appointment to the board he must have resided here seven years. The superintendent of schools is eligible for appointment if he has resided here five minutes, but the members of the board of education must reside here for seven years. It provides for a survey of the schools of the District by the chairman of the District Committees of House and Senate. We have just completed a survey at an expense to the Government. This carries an appropriation of $15,000, and the only result of it will be a report to Congress making recommendations for additional expenditures. There is no reason on earth why we should go absolutely crazy on this subject of surveys. Every bill that comes in provides for a survey. There may be merit in some of the provisions contained in this amendment. Some of its provisions, in my opinion, are exceedingly unwise. At this hour we have no opportunity to give it the consideration it deserves. This matter is in the jurisdiction of the Committee on the District of Columbia. This Congress has been in session for months, and it could have been submitted to them. The District Committee is familiar with local affairs and should legislate on this subject if legislation is necessary. This House should not pass upon it in the closing hours of a session unless the Committee on the District of Columbia does investigate it——

Mr. BEE. Will the gentleman yield?

Mr. BYRNES of South Carolina. I can not yield now. The judges of the supreme court, who under the present law are charged with the appointment of members of the board of education, have never had an opportunity to make a statement to any legislative committee nor to the Committee on Appropriations of their views of this matter; and here, without any information, when no Member has had opportunity even to read the amendment, the Congress is asked to agree to it. The conferees on the part of the Senate, knowing that it was a legislative proposition and that the rule has been, whenever there is a disagreement, that the House offering legislation to an appropriation bill should recede, agreed to recede. It went back to the Senate, and because a Member or two or three Members interested in this proposition insisted on it it comes here for a vote.

Mr. BLANTON. Will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. BLANTON. The gentleman is not in favor of placing riders upon appropriation bills?

Mr. BYRNES of South Carolina. It is always best not to do it.

Mr. BLANTON. But the gentleman said that he is not in favor of that, and yet the gentleman's committee placed the whole budget system as a rider upon one of the appropriation bills.

Mr. BYRNES of South Carolina. Oh, yes; but the gentleman knows that that rider had already passed this House unanimously after the most careful consideration. It had been considered for months by a committee of this House. This proposition has been considered by no committee of the House and by no regular committee of the Senate, and it is an entirely different proposition. In the case of the budget, the House had voted unanimously, and it was added to an appropriation bill simply to force action by the Senate on the budget. And I hope that notwithstanding the veto, we will get favorable action on it.

Mr. Speaker, I desire to ask the chairman of the committee if he will yield to the gentleman from Kentucky [Mr. JOHNSON]?

Mr. GOOD. I yield five minutes to the gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky. Mr. Speaker, this is but another attempt of the other branch of Congress to presume on the impotency of this body. Who in this House knows anything at all even of the alleged reason for the proposed change in the appointment of the school board? The schools of the District of Columbia for years have been the storm center for quarrel after quarrel. Before the present arrangement, politics always disturbed the schools until Congress in its wisdom took politics out of them. When the school board was appointed by political authority and for political reasons, politics was always in the

schools. Then the Congress, as I say, in its wisdom, changed it and gave the appointment of this board to the judges of the Supreme Court of the District of Columbia, made up of Republicans and Democracts—men who had no political ax to grind, men whose tenure of office was for life. There it rests, and there it ought to continue. It is no secret at all that delegates to national political conventions have been selected through the channel of the school board, and that was one of the principal reasons why the appointment of the board was taken out of politics and put in the hands of the judges of the supreme court. Those judges now are made up of Democrats and Republicans—men from the North and from the South.

Here in the District there is a very mixed population. The members of the board have been apportioned among the races. In the Senate amendment there is a proposition that the President of the United States will appoint the board, and there is nothing said about race or color.

The only limitation is that a part of that board shall be made up of women. We all know that the present quarrel in the school board has arisen because of a certain colored member of the board; and because the present chairman of the board has seen fit not to have him removed from the school board without a thorough examination he has invited attack upon himself, which attack is encouraged by a man who himself once was chairman of the school board. Does he say that the present chairman of the school board is dishonest? He dare not say that. But was he himself, when chairman of the school board, free from criticism? A year or two ago, standing on the floor of this House, I referred to the man who was then chairman of the school board and to the principal of one of the schools here, and showed that an addition to the McKinley School was bought at $30,000 more than was asked for it, because the then chairman of the school board——

The SPEAKER. The time of the gentleman has expired.

Mr. JOHNSON of Kentucky. I ask for five minutes more.

Mr. GOOD. I yield to the gentleman five minutes more.

Mr. JOHNSON of Kentucky. At that time I read the correspondence, and it is in the RECORD, that that man, from his early manhood, has been a standing candidate for office in the District of Columbia, and he now holds one, and is a candidate for Commissioner of the District of Columbia at this moment.

Congress appropriated about $190,000 to buy an addition to the McKinley School. A man by the name of Myers was principal, and for the benefit of the District of Columbia he went around and got options on the land to be acquired from the various owners of it.

A real estate agent in the District of Columbia, whose name I gave at the time when I read that correspondence into the RECORD, was the only one who could sell real estate to the District of Columbia. That real estate was taken out of the hands of another agent and put in his hands for sale to the District of Columbia, and when it was in his hands for sale he wrote a letter to the then chairman of the school board, who now is making a malicious fight against the present chairman, and asked that that man Myers be compelled to desist in getting options, not for himself, but for the benefit of the District of Columbia, and those letters showed that Myers was compelled to stop getting those options. And because he persisted he was removed from his position, and the land was bought for about $30,000 more than his options showed that the owners asked for it. Now that former chairman of the board comes as a candidate for the commissionership of the District of Columbia.

The fight was made on the present chairman of the school board in order to discredit him, so that he might be defeated for Commissioner of the District of Columbia and open up the way for his own appointment.

Seven million dollars is carried in this bill for the sick and wounded soldiers. Will you tell me that the other body is going to stand out against that appropriation for those deserving heroes of our war in order that a vicious, scheming man may be elevated to the commissionership of the District of Columbia? I do not believe it, and I believe that this House ought to vote unanimously to instruct the conferees on the part of the House never to accept the proposed amendment. [Applause.]

Mr. GOOD. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. BLANTON].

The SPEAKER. The gentleman from Texas is recognized for three minutes.

Mr. BLANTON. Mr. Speaker, the gentlemen who have spoken against this amendment have failed to give us the benefit of some facts. The Senate has, through one of its committees, for days and weeks been holding an exhaustive investigation upon this question. It so happened some time ago in the District of Columbia schools that a teacher was found teaching bolshevism, and Supt. Thurston, through his influence, caused that teacher to be suspended. It is true the teacher was suspended only for a week; the action of Supt. Thurston was overridden, and the teacher reinstated; and then, in punishment of Supt. Thurston, Mr. Commissioner Van Schaick notified him that he was going to be dismissed from the service, and this investigation followed.

It is a question of whether you are going to uphold Supt. Thurston for trying to keep bolshevism out of the schools or whether you are going to uphold Mr. Commissioner Van Schaick in trying to keep bolshevism in the schools. That is the question.

The distinguished Senator from Mississippi [Mr. HARRISON], who formulated this amendment, has designed a way of benefiting the schools, of reorganizing the schools, of keeping them clean here, of keeping them free from the evil influences that have beset them in the past, and I say we are going to make a mistake if we reject this amendment.

The gentleman from South Carolina [Mr. BYRNES] says there has been no investigation made by the House. The subject has had investigation and close, careful consideration by a Senate committee for days and weeks. I am in favor of supporting the result of that investigation. I am in favor in this closing hour of Congress of receiving and accepting that amendment. I think it is the best piece of legislation that has ever been offered here in the closing hour of any Congress. [Applause.]

Mr. GOOD. Mr. Speaker, I yield three minutes to the gentleman from Mississippi [Mr. SISSON].

The SPEAKER. The gentleman from Mississippi is recognized for three minutes.

Mr. SISSON. Mr. Speaker, I am very much opposed to this method of legislation and I do not believe a single Member of this House knows anything on earth about what is in this amendment.

Now, if you want to vote blindly on a proposition, here is the opportunity to put you to a square test. In the first place, there are many things about this amendment that I do not like.

Mr. HUDSPETH. Tell us about it.

Mr. SISSON. I can not go into it at this particular time, when time is so precious. It is foolish to undertake it. I am going to mention it, however, if I can.

The gentleman from Kentucky [Mr. JOHNSON] was chairman of the District of Columbia Committee for many years and has given his time and thought and attention to it. So has the gentleman from Minnesota [Mr. DAVIS], the present chairman of the Subcommittee on the District of Columbia, under the Committee on Appropriations.

Prior to his chairmanship I was chairman of the subcommittee several terms, and Mr. Page, of North Carolina, was chairman of the subcommittee prior to that time, when I was the ranking member, and we have repeatedly gone into this matter. I say without hesitation that there are several very serious defects in the present system. But I do not believe that the President of the United States ought to be called upon to appoint the school board in a municipality.

In the first place, the President of the United States is not going to be able, with his other duties, to give this matter the attention that ought to be given to it. Your committee in the House on two occasions has vested the power where it ought to be, with the District Commissioners, who look after the fiscal affairs of the city government, and they ought to look after the affairs of the schools, and they ought to appoint the schoolteachers. The District Commissioners, whose business it is to see that we have good city government and good schools, ought to have that power.

The reason why the committee recommended that the District Commissioners should have the power to appoint the schoolteachers was that a few years ago they had a row in connection with a school administration, and on account of that row it was decided that we would remove the schools from politics and vest the appointment of the members of the school board in the judges of the Supreme Court of the District of Columbia because the supreme court judges would accept the recommendations of persons who would be disinterested. But those judges, among them Judge McCoy, and another who is now practicing law in the District of Columbia, say that the supreme court ought not to have anything on earth to do with the appointment of the members of the school board and ought to get rid of it.

The SPEAKER. The time of the gentleman has expired.

Mr. GOOD. I yield to the gentleman two minutes more.

Mr. SISSON. The supreme court ought not to have anything more to do with it. They want to get rid of it. The gentleman from Virginia [Mr. MOORE] said to me, "I am interested in the schools here"; but the idea of asking gentlemen to vote for this proposition without a single Member of Congress having an opportunity to investigate it is a proposition that is going entirely too far, and I do not believe the Members of this House will accept it. And do you not know

that the Senate is bound to recede on this sort of a proposition, involving as it does so much legislation and involving a revolution in the school system in this District?

There are many other matters in the amendment which I do not like.

Mr. BEE. Will the gentleman yield?

Mr. SISSON. I will.

Mr. BEE. The schools will not be hurt by postponing this.

Mr. SISSON. Not a bit. Some gentleman asked me if it involved the question of the teachers' salaries. It does not. That was in the District bill which has passed the House. This does not involve the salaries of the teachers. It involves the question of a reorganization of the school system of the District of Columbia, and is legislative matter. I hope it will be overwhelmingly voted down.

The SPEAKER. The time of the gentleman has expired.

Mr. GOOD. I yield two minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, there is no institution in the District of Columbia of more importance to the District than its schools. This amendment would vitally affect the schools. After considerable investigation of my own of this same school board, I am not very favorably impressed with them, but I am far from being satisfied that a transfer of the method of appointment would greatly change the situation. You must remember that the Supreme Court of the District of Columbia appointed Dr. Van Schaick as a member of the board, and the President appointed him a commissioner, so that both seem to agree as to his qualifications, and I can not see that you would get any improvement by changing the method of appointment of the school board from one to the other.

Further, here at 1 o'clock in the morning we are asked to pass upon a two-page amendment that vitally affects the whole school system. I insist that we are not prepared to do it. Furthermore, I want to warn you that in the closing moments of the session it is not wise to put such a legislative proposition in the bill, that might bring forth a veto of the bill to-morrow morning just before you want to adjourn.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. BLANTON] to recede and concur.

The motion was rejected.

Mr. BLANTON. Mr. Speaker, if there is nothing else, I move that we adjourn.

Mr. MAPES. The gentleman from Iowa does not desire to move for a further conference?

The SPEAKER. The gentleman from Iowa announced that he did not propose to ask for a conference.

RECESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess until 10 o'clock this morning.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess until 10 o'clock this morning. Is there objection?

There was no objection.

Accordingly (at 1 o'clock and 9 minutes a. m., Saturday, June 5, 1920), the House took a recess until 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

Illustrations accompanying a letter from the Secretary of War transmitting reports descriptive of water terminals and transfer facilities in harbors and waterways under jurisdiction of or being maintained by the United States and explaining that a further report of investigations now in progress by the Board of Engineers for Rivers and Harbors (general subject of water terminals) will be transmitted at a later date (H. Doc. No. 652); to the Committee on Rivers and Harbors and ordered to be printed.

Illustrations accompanying a letter from the Secretary of War transmitting reports on preliminary examinations and survey of New York and New Jersey channels, with a view to securing a ship channel of increased width and depth necessary for the purposes of commerce from lower New York Bay, Arthur Kill, Staten Island Sound, channel north of Shooters Island, and Kill Van Kull, to upper New York Bay (H. Doc. No. 653); to the Committee on Rivers and Harbors and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FESS, from the Committee on Education, submitted a report (No. 1104) on the investigation of the Federal Board for Vocational Education, pursuant to House resolution 495, which said report was referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. PETERS, from the Committee on Naval Affairs, to which was referred the bill (H. R. 13760) for the relief of Milton M. Fenner, reported the same without amendment, accompanied by a report (No. 1105), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. JAMES: A bill (H. R. 14411) requiring all public-building bills to be submitted to the Secretary of the Treasury for investigation and report as to whether proposed buildings and sites are needed and the expenditure justified, and as to the lowest cost at which buildings found necessary may be erected with economy and efficiency; to the Committee on Public Buildings and Grounds.

By Mr. GRIEST: A bill (H. R. 14412) to provide a 1-cent postage rate on local letters and reduce the rate of postage on first-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. DENISON: A bill (H. R. 14413) authorizing the Secretary of War to donate to the town of Carterville, State of Illinois, one German fieldpiece or cannon; to the Committee on Military Affairs.

Also, a bill (H. R. 14414) authorizing the Secretary of War to donate to the town of Mounds, State of Illinois, one German fieldpiece or cannon; to the Committee on Military Affairs.

Also, a bill (H. R. 14415) authorizing the Secretary of War to donate to the town of West Frankfort, State of Illinois, one German fieldpiece or cannon; to the Committee on Military Affairs.

Also, a bill (H. R. 14416) authorizing the Secretary of War to donate to the town of Christopher, State of Illinois, one German fieldpiece or cannon; to the Committee on Military Affairs.

Also, a bill (H. R. 14417) authorizing the Secretary of War to donate to the town of Johnston, State of Illinois, one German fieldpiece or cannon; to the Committee on Military Affairs.

By Mr. EAGAN: A bill (H. R. 14418) to provide for the payment of taxes on certain property acquired by the United States during the war with Germany, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 14419) to provide for the payment of taxes to the city of Hoboken, N. J., on certain property acquired by the President, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 14420) to provide for the payment of taxes on certain property acquired by the United States by or under the provisions of war legislation, and for other purposes; to the Committee on the Judiciary.

By Mr. STRONG of Kansas: A bill (H. R. 14421) to amend sections 9 and 15 of the act approved July 17, 1916, known as the Federal farm loan act; to the Committee on Banking and Currency.

By Mr. JAMES: A bill (H. R. 14422) to equalize pensions of retired policemen and firemen of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. SUMMERS of Washington: A bill (H. R. 14423) authorizing the erection of a Federal building at Colfax, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. JAMES: A bill (H. R. 14424) providing that no soldier, sailor, or marine who has been dishonorably discharged from the United States Army or Navy shall ever receive a pension from the United States Government, and for other purposes; to the Committee on Pensions.

By Mr. WEAVER: A bill (H. R. 14425) amending chapter 209, Thirty-seventh Statutes, approved July 6, 1912, being an act entitled "An act for the transfer of the so-called Olmstead lands, in the State of North Carolina, from the Solicitor of the Treasury to the Secretary of Agriculture"; to the Committee on Agriculture.

By Mr. KELLY of Pennsylvania: A bill (H. R. 14426) to protect the public against false pretenses in merchandising, under trade-mark or special brand, of articles of standard quality; to the Committee on Interstate and Foreign Commerce.

By Mr. BEGG: Joint resolution (H. J. Res. 377) prohibiting the exportation of coal oil, gasoline, anthracite coal, and sulphur into the Dominion of Canada until such time as amicable trade relations can be arranged with the Dominion Government and the Provinces of Quebec, Ontario, and New Brunswick relative to the importation of sand, gravel, and pulp wood therefrom

into the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. DOREMUS: Joint resolution (H. J. Res. 378) authorizing the Secretary of War to turn over to the Public Health Service necessary tents for use in caring for discharged veterans of the war with Germany; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: Joint resolution (H. J. Res. 379) to increase the salaries of school-teachers and other employees in the public schools of the District of Columbia; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUMBAUGH: A bill (H. R. 14427) granting an increase of pension to Joseph Malattia; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 14428) granting a pension to Julia McDonald; to the Committee on Pensions.

By Mr. MACCRATE: A bill (H. R. 14429) for the relief of Mary O'Grady; to the Committee on Claims.

By Mr. MOORES of Indiana: A bill (H. R. 14430) granting a pension to Ezra M. Sellers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14431) granting a pension to Benjamin H. Sellers; to the Committee on Invalid Pensions.

By Mr. NEWTON of Minnesota: A bill (H. R. 14432) granting a pension to Solomon Cyr; to the Committee on Invalid Pensions.

By Mr. NOLAN: A bill (H. R. 14433) for the relief of Harry J. Dabel; to the Committee on Claims.

By Mr. PHELAN: A bill (H. R. 14434) granting a pension to Fred Nilan; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 14435) granting a pension to Isaac N. Bayless; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14436) granting an increase of pension to Lelia Stewart; to the Committee on Pensions.

By Mr. WEAVER: A bill (H. R. 14437) granting an increase of pension to John Early; to the Committee on Pensions.

By Mr. WHITE of Kansas: A bill (H. R. 14438) granting an increase of pension to Clara Fowler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14439) granting a pension to Emma Colt; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 14440) granting a pension to Jesse B. Featherston; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4094. By Mr. CAREW: Petition of National Industrial Conference Board presenting 10 minor amendments to the Federal revenue laws; to the Committee on Ways and Means.

4095. By Mr. CULLEN: Petition of International Association of Garment Manufacturers of New York, regarding the railroad question; to the Committee on Interstate and Foreign Commerce.

4096. By Mr. CURRY of California: Petition of Consolidated Chamber of Commerce of Sacramento, Calif., favoring the passage of House bill 7204; to the Committee on Interstate and Foreign Commerce.

4097. By Mr. ESCH: Petition of United Cloth Cap and Hat Makers of North America, favoring amnesty for political prisoners; to the Committee on the Judiciary.

4098. By Mr. EVANS of Nebraska: Petition of residents of Madison, Madison County, and Oakland, Burt County, Nebr., favoring passage of Senate bill 3259 and House bill 10925; to the Committee on Interstate and Foreign Commerce.

4099. By Mr. FULLER of Illinois: Petition of the Board of Directors of the Grundy County (Ill.) Farm Bureau, protesting against the Nolan bill for an additional tax on land values; to the Committee on Ways and Means.

4100. By Mr. GOLDFOGLE: Petition of New York Employing Printers' Association (Inc.), favoring increased pay for postal employees; to the Committee on the Post Office and Post Roads.

4101. Also, petition of sundry citizens and organizations of New York City, favoring amnesty for political prisoners; to the Committee on the Judiciary.

4102. By Mr. HAMILL: Petition of Americans of Ukranian descent, asking for a commission to investigate and relieve suffering in Ukraine; to the Committee on Foreign Affairs.

4103. By Mr. O'CONNELL: Petition of Bronx Radical Youth, Branch 548, and the United Cloth Hat and Cap Makers of North America, favoring amnesty for political prisoners; to the Committee on the Judiciary.

4104. Also, petition of Long Island Chapter, Knights of Columbus, favoring increases in postal salaries; to the Committee on the Post Office and Post Roads.

4105. Also, petition of Wood & Stevens (Inc.), of New York, favoring preference in transportation of tin cans and tin plate; to the Committee on Interstate and Foreign Commerce.

4106. By Mr. RAKER: Petition of William Cluff Co., of San Francisco, Calif., protesting against Capper-Volstead bill; to the Committee on the Judiciary.

4107. Also, petition of Pacific Cotton Exchange, of Los Angeles, Calif., protesting against tax on stock transactions in bonus bill; to the Committee on Ways and Means.

4108. By Mr. TINKHAM: Petition of Boston Branch Railway Mail Association, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

SENATE.

SATURDAY, *June 5, 1920.*

(Legislative day of Wednesday, June 2, 1920.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

ENROLLED BILLS SIGNED.

The VICE PRESIDENT announced his signature to the following enrolled bills, which had previously been signed by the Speaker of the House:

H. R. 13976. An act to extend the time for the construction of a bridge across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13977. An act to extend the time for the construction of a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 13978. An act to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.

CALLING THE ROLL.

Mr. POMERENE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ashurst	Gay	Knox	Pomerene
Brandegee	Gerry	Lodge	Robinson
Calder	Hale	McCumber	Sheppard
Capper	Harris	McKellar	Smith, Md.
Chamberlain	Hitchcock	McNary	Smoot
Culberson	Jones, Wash.	Nelson	Swanson
Curtis	Kenyon	Nugent	Thomas
Dial	Keyes	Page	Warren
Fernald	King	Phelan	

The VICE PRESIDENT. Thirty-five Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Reading Clerk called the names of the absent Senators, and Mr. DILLINGHAM, Mr. NEW, Mr. NORRIS, Mr. SIMMONS, Mr. SMITH of Georgia, Mr. SPENCER, Mr. TRAMMELL, and Mr. WOLCOTT answered to their names when called.

Mr. BORAH, Mr. PHIPPS, Mr. GLASS, Mr. ASHURST, Mr. HENDERSON, Mr. RANSDELL, Mr. REED, Mr. STERLING, Mr. WALSH of Montana, Mr. UNDERWOOD, and Mr. SMITH of Arizona entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-four Senators have answered to the roll call. There is a quorum present.

DAUGHTERS OF THE AMERICAN REVOLUTION.

The VICE PRESIDENT. There was a unanimous-consent agreement entered into last night which the Chair is going to violate to the extent of laying before the Senate the annual report of the National Society of the Daughters of the American Revolution for the year ended March 1, 1919, which will be referred to the Committee on Printing.

ORDER OF BUSINESS.

Mr. KNOX. In pursuance of the notice I gave yesterday, I offer a resolution amending Rule XXV of the Standing Rules of the Senate.

The VICE PRESIDENT. There is a unanimous-consent agreement now to proceed to the consideration of the motion of the Senator from Georgia [Mr. HARRIS] to discharge the Committee on Finance from the consideration of the joint resolution (S. J. Res. 146) directing the Secretary of the Treasury to furnish the Senate certain detailed information secured from income and profits tax returns of taxable year 1918.

Mr. KNOX. I ask unanimous consent to present the resolution.

The VICE PRESIDENT. Is there objection?

Mr. JONES of Washington. What is the proposed rule?

Mr. KNOX. It is to appoint a committee of three on the revision of the laws to cooperate with a similar committee of the House. I offer it for reference to the Committee on Rules.

Mr. THOMAS. If I remember the proceedings agreed upon last night, we are now operating under a unanimous-consent agreement.

The VICE PRESIDENT. Yes; and the Senator from Pennsylvania is asking unanimous consent. Is there any objection?

Mr. THOMAS. A point of order. Can it be taken up while we are operating under another unanimous-consent agreement? I want to keep faith with the Senator from Georgia.

The VICE PRESIDENT. There seems to be an objection.

Mr. THOMAS. I do not object.

Mr. HARRIS. I object.

The VICE PRESIDENT. The Senator from Georgia objects.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the President of the United States having returned to the House of Representatives, in which it originated, the bill H. R. 9783, "An act to provide a national budget system and an independent audit of Government accounts, and for other purposes," with his objections thereto, the House proceeded in pursuance of the Constitution to reconsider the same; and

Resolved, That the said bill do not pass, two-thirds of the House of Representatives not agreeing to pass the same,

The message also announced that the House had agreed to the concurrent resolution of the Senate numbered 30, authorizing the clerk in the enrollment of the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, to number the sections consecutively.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolutions, and they were thereupon signed by the Vice President:

S. 1005. An act for the relief of the owner of the steamship *Matoa;*

S. 1222. An act for the relief of the owners of the schooner *Henry O. Barrett;*

S. 3244. An act to authorize the Secretary of the Interior to issue patent to R. L. Credille, mayor of the village of Bonita, La., in trust, for certain purposes;

S. 3270. An act authorizing the Superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, to consider, ascertain, adjust, and determine claims for damages occasioned by acts for which said survey is responsible in certain cases;

S. 3852. An act for the relief of the Garden City (Kans.) Water Users' Association, and for other purposes;

S. 4167. An act to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri;

S. 4435. An act to authorize officers of the naval service to accept offices with compensation and emoluments from Governments of the Republics of South America;

H. R. 6407. An act for the relief of Michael MacGarvey;

H. R. 10011. An act authorizing and directing the Director of the Census to collect and publish monthly statistics concerning hides, skins, and leather;

H. R. 10183. An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes;

H. R. 10378. An act to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes;

H. R. 10806. An act to provide for the abolition of the 80-rod reserved shore spaces between claims on shore waters in Alaska;

H. R. 11892. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;

H. R. 13627. An act to amend paragraph (e) of section 7 of the act approved March 3, 1919, entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines";

H. R. 13962. An act to extend the time for the construction of a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 14335. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes;

H. R. 14338. An act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis;

H. J. Res. 270. Joint resolution authorizing the erection of a monument marking the starting point of the motor convoy from Washington to San Francisco; and

H. J. Res. 373. Joint resolution declaring that certain acts of Congress, joint resolution, and proclamations shall be construed as if the war had ended and the present or existing emergency expired.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following acts and joint resolutions:

On June 4, 1920:

S. 2890. An act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes.

On June 5, 1920:

S. J. Res. 170. Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes;

S. 1005. An act for the relief of the owner of the steamship *Matoa;*

S. 1222. An act for the relief of the owners of the schooner *Henry O. Barrett;*

S. 1726. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

S. 2789. An act for the consolidation of forest lands in the Sierra National Forest, Calif., and for other purposes;

S. 3244. An act to authorize the Secretary of the Interior to issue patent to R. L. Credille, mayor of the village of Bonita, La., in trust, for certain purposes;

S. 3270. An act authorizing the Superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, to consider, ascertain, adjust, and determine claims for damages occasioned by acts for which said survey is responsible in certain cases;

S. 3566. An act to amend section 3 of an act entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," approved February 5, 1917;

S. 3852. An act for the relief of the Garden City (Kans.) Water Users' Association, and for other purposes;

S. 3867. An act authorizing the State of New Mexico to apply the proceeds of the grant to said State of 1,000,000 acres of land made by section 7 of the enabling act, June 20, 1910, for the reimbursement of Grant County, Luna County, Hidalgo County, Santa Fe County, and the town of Silver City, N. Mex.;

S. 4212. An act to authorize the Central Railroad Co. of New Jersey to construct a bridge across the waters of the Delaware River between the city of Easton, in the State of Pennsylvania, and the city of Phillipsburg, in the State of New Jersey.

S. 4411. An act granting the consent of Congress to the counties of Pembina, N. Dak., and Kittson, Minn., to construct a bridge across the Red River of the North, at or near the city of Pembina, N. Dak.; and

S. 4431. An act to authorize the construction of a bridge across the Rock River in Lee County, State of Illinois, at or near the city of Dixon, in said county.

H. J. Res. 380. Joint resolution authorizing the payment of the compensation of session employees of the Senate and House of Representatives for the month of June, 1920, on the 5th day of said month.

INCOME AND PROFITS TAX RETURNS.

The Senate proceeded to consider the motion of Mr. HARRIS to discharge the Commitee on Finance from the further consideration of the joint resolution (S. J. Res. 146) directing the Secretary of the Treasury to furnish the Senate certain detailed information secured from the income and profits tax returns of taxable year 1918.

Mr. McCUMBER. Mr. President, as I understand, the question now is on the motion to discharge the committee from the further consideration of the resolution?

The VICE PRESIDENT. It is.

Mr. McCUMBER. Mr. President, on that question I desire to be heard for a moment.

Mr. HARRIS. If the Senator will allow me to interrupt him, I wish to say that I shall offer an amendment to the resolution at the proper time making it applicable only to those corporations that earned profits in excess of 20 per cent. Such an amendment will probably reduce the expenses of the investigation.

Mr. McCUMBER. I think first we should dispose of the question of discharging the committee from the further consideration of the resolution.

Mr. HARRIS. Yes.

Mr. McCUMBER. That is the real question.

The junior Senator from Massachusetts [Mr. WALSH] signified on yesterday that he felt fair treatment had not been accorded by the committee to the Senator from Georgia. I do not think that anything could be further from the facts in the case. The Senator from Georgia requested that a committee meeting be called. So soon as that request was communicated to me, although not the chairman of the committee but acting as chairman, I called the committee together and also notified the Treasury Department, who sent an expert to explain the situation and what the resolution would involve in added cost and also in time that would be necessary to obtain the data required.

We heard the testimony and then, in order to facilitate matters, as the testimony was not taken down by a stenographer, I requested the Treasury expert to send up in a condensed form the answers to our suggestions, and to send the matter in as short a space of time as possible. The moment the Senator from Georgia returned, after a short absence, I notified him of what had been done and asked him to examine the letter of the Treasury expert, and also a suggestion which was offered in lieu of his resolution. Therefore, I think we have done everything that could have been asked, but since the matter has been pressed for action, I desire to present the letter which was received from the Treasury Department, and I especially desire the attention of Senators such as the junior Senator from Utah [Mr. KING], who has been declaiming against the extravagance of expending $9,000 in a pension bill, to consider the cost of securing these data and the time involved in doing so, in order that we may vote intelligently upon whether we ought to ask that an expenditure of from $750,000 to $1,250,000 be incurred in order to secure data which the Treasury Department can not obtain for us within less than from six to nine months and without seriously affecting other work that it is necessary that they shall perform.

I will now read the letter and shall comment upon some of its provisions while doing so.

Mr. President, let me say in the outset that we should all like the information which is asked for in the resolution, just as we should like other information which we might consider valuable. For instance, I should like to know just what profit every corporation in the United States is making; I should like to know what it is that makes the high cost of living; but the fact that I know that the cost of living is high has not yet suggested to me exactly how I am going to reach the matter and remedy it. So, even though we secure these data at a cost of a million and a half dollars annually and at the expense of a disturbance of the business of the Treasury Department, I do not think—and I speak earnestly and candidly—the information which we should receive would be of the value which the Senator from Georgia attaches to it so far as framing bills in reference to the further taxation of incomes and profits.

This letter is dated May 25, 1920, and is as follows:

HON. PORTER J. MCCUMBER,
Chairman Subcommittee of Committee on Finance,
United States Senate.

MY DEAR SENATOR: Pursuant to your oral request I have the honor to submit estimates of the cost and the time that will be required to prepare the compilation of data to be secured from the income and profits tax returns, as provided for in S. J. Res. 146, which directs the Secretary of the Treasury to furnish the Senate certain detailed information from income and profits tax returns for the tax year 1918, as follows: "Capital stock; invested capital; net income; tax (1) income, (2) excess profits, (3) total; per cent of total tax to net income; net income, after deducting tax; per cent of net income to capital stock; per cent of net income to invested capital; per cent of net income, after deducting tax, to capital stock; per cent of net income, after deducting tax, to invested capital; capital stock, 1917; net income, 1917; per cent of net income to capital stock, 1917; the increase or decrease of the per cent of net income to capital stock for 1918 above or below the percentage for 1917."

In addition to the above information, it was suggested that for the 1918 returns there be also shown the amount of gross sales, the gross profits on sales and the per cent of net income to gross sales.

It was requested that the cost be estimated on each of the following plans—

I desire to say to the Senate at this point that we attempted to ascertain whether we could not secure practically the same information asked for by the resolution and if the desire of the Senator from Georgia might not be met with a much less cost and expenditure of time.

It was requested, therefore, that the costs be estimated on each of the following plans:

First, that the returns fall in the same sequence as, and be comparable with, the data given in Senate Document 259, Sixty-fifth Congress, second session.

The Senate have had that document, and they know its extent and volume.

Second. That the required data be compiled from approximately the same number of returns (31,500), but independent of, and not identifiable with, the returns contained in that document. In this alternative plan only returns reporting net income in excess of 15 per cent of invested capital to be included.

The Senator from Georgia suggests that he desires to amend the joint resolution so that it will call for information concerning the returns of only those corporations which reported an income in excess of 20 per cent; but that it will require practically the same amount of investigation, as every item must be returned and examined to ascertain which are above 20 per cent.

Third. That, in addition to the data obtained in the second plan from the returns for 1918, comparable data be obtained from the returns for 1919.

In that connection I desire to call the attention of the Senate to the fact that the returns for 1919 will probably not be all in before the 31st day of December, 1920. So we would be delayed until that time before we could begin the consideration of the 1919 items.

Mr. HARRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Georgia?

Mr. McCUMBER. I yield.

Mr. HARRIS. The resolution merely asks for information as to the returns for one year. I am quite sure the Senator does not wish to convey an erroneous impression about it.

Mr. McCUMBER. Certainly not. I understand that information is requested as to the returns for 1918. The writer of the letter then proceeds to explain the different plans:

Plan No. 1: The time that would be required to requisition, transcribe, verify, assemble, make the necessary comptometer percentage, and other extensions, and typing the data from these returns is estimated at six months. The returns are in process of audit and distributed among the various audit sections of the unit. It would therefore be necessary to search through these audit sections and through the returns in the process of audit of each auditor for the purpose of transcribing and obtaining the data from them. This would require trained clerks—that is, clerks who by training and ability are capable of identifying the data to be transcribed.

I ask the attention of Senators to the next three or four paragraphs:

It is estimated that the required clerical force, including supervision, would be 440 people, costing $350,000. The equipment, consisting of comptometers, typewriters, and filing cases, desks, chairs, and miscellaneous office supplies, including transcript cards and tabulation forms, etc., would be $50,000, totaling $400,000.

May I take the liberty of pointing out that the tax law has been changed in important respects since 1917, so that, in my opinion, it is not practicable to furnish for individual corporations data that will be exactly comparable with those published in Senate Document 259 referred to above. A large number of corporations have been organized or reorganized in the interval, and in particular a majority of the very large corporations of the country are now required to make consolidated returns, whereas the consolidated return was not accepted for purposes of the income tax under the revenue act of 1917.

Plan No. 2. In 1917 returns for excess-profits tax were made on a form separate from that used in reporting for income tax, only those liable for excess-profits tax using that form, while for 1918 and 1919 income and excess-profits returns were consolidated on one form.

In 1917, therefore, the 90,000 returns to be considered in securing the information called for in the Borah resolution were automatically segregated, while for 1918 and 1919 it will require examination of the 350,000 returns for each year to determine which of them shall be utilized, or at least of a sufficient number to secure the desired 31,500 of usable returns.

The cost, therefore, would be more than for the compilation under plan No. 1. The returns to be used would also have to be transcribed, then segregated according to industries, and the per cent of net income to invested capital calculated for the purpose of selecting the required number of concerns that reported net income of 15 per cent or over on their invested capital.

It is estimated that the clerical force would consist of 520 people, costing $415,000, and the equipment and miscellaneous supplies $70,000, totaling $485,000.

Plan No. 3. As the returns for 1919 are not as yet in Washington, work on the compilation for that year could not begin until they have been received and are available. The clerical cost to cover the compilation of data from the returns for the two years 1918 and 1919 would be approximately twice as much as that for plan No. 2, or $830,000, and the equipment $70,000, totaling $900,000.

Necessary space would also have to be procured for carrying on this work.

I desire to invite the Senate's attention especially to the next two paragraphs:

You have requested to be advised as definitely as possible how much the proposed work would interfere with the regular work of the bureau. An accurate answer to your inquiry is difficult. However, you,

of course, realize that the returns are complicated and that inexperienced employees could not accomplish it in such manner that the results would be of any practical value. In such circumstances it would be necessary to detach a considerable number of experienced clerks and auditors from their regular duties in the audit and other sections in the unit, and require them to train the new employees whose temporary services would be secured for this work.

A few days ago I outlined to the Appropriations Committee of the House when considering the general deficiency bill the necessity for employing additional auditors and clerks in our regular work, and explained to them the difficulty which we are having in securing and retaining the services of competent employees in the bureau, especially in the income and profits tax unit. The fact that the work is not current gives me great concern. It is therefore evident that the interference which this additional work would bring about would be very material. However, I wish to assure your committee that if, in its opinion, this additional work should be done, the bureau stands ready and willing to undertake and perform it.

The cost and difficulty of a report of the kind referred to above are greatly increased when the bureau is instructed either to include all the returns of a specified description, such as all returns showing net income in excess of 15 per cent of invested capital, or to find and match particular returns which have been included in some other investigation. In the first case, every return has to be examined in order to ascertain whether it falls within the designated class. In the second case, much expense and great delay are involved in searching for specified returns distributed among the various divisions in the regular course of audit or for other purposes, although these particular returns may perhaps serve no purpose that would not be as well served by other returns of the same kind or class.

It would be possible at much less cost to take a large cross section or sampling of the returns, fairly representative of all corporations and comprehensive enough to furnish the basis of wholly trustworthy estimates, not only at much less expense but with very much less disorganization of the regular work of the bureau. I have formulated a plan of this kind which would, I believe, furnish all the information desired and which could be carried through at an expense of not to exceed $250,000. I shall be glad on request to have this plan explained to the committee and would urge its acceptance.

This, Mr. President, presents in a nutshell the serious difficulty we shall encounter in attempting to make this return just at the time when all the clerical force is needed for the investigation and reports upon the tax returns that are coming in from all over the country. I, for one, do not think we are justified at this time in incurring the very heavy expense and much less justified in bringing about the disorganization that will follow an attempt to secure the information required; neither do I believe that it will materially assist us. I think that we ought to give authority by some other law to collect this data and put it in form gradually, as the department is going over the tax returns; and in doing that they can accomplish much more and give us data boiled down so that it will be of some practical use and benefit.

Mr. NUGENT. Mr. President, I desire to inquire of the acting chairman of the Finance Committee as to the date of the letter he has just read.

Mr. McCUMBER. May 25.

Mr. NUGENT. Has any definite action been taken by the Finance Committee relative to the joint resolution?

Mr. McCUMBER. It has been impossible to get the Finance Committee together. I have tried three or four different times to get a quorum and have been unable to secure a quorum. On two or three bills I have tried to poll the committee and was unable even to find a quorum present to poll the committee on most important bills. When one-third of the Senators, or somewhere near one-third of the Senators, are candidates for President and the other two-thirds are looking for a lightning rod, it is very difficult for any of the committees to secure a quorum just on the eve of the national conventions; and I am certain that the Senator realizes that difficulty as much as I do.

Mr. NUGENT. Then, as I understand, no definite action has been or will be taken by the committee during the remainder of the session?

Mr. McCUMBER. They certainly could not take definite action at this time. I allowed the matter to remain in abeyance until the Senator from Georgia returned, hoping that after he had read this letter perhaps he would not consider that the information would justify the cost; and as soon as he returned, as I have already stated, I called his attention to the testimony and to the letter.

Mr. NUGENT. According to my understanding, it would require several months to prepare the information desired by the Senator from Georgia. Let me ask the acting chairman of the committee whether in his opinion the data requested would not be of great advantage to the Finance Committee in writing a revenue bill?

Mr. McCUMBER. I confess that I can not see the great advantage that would be obtained. I think it is quite evident that there have been quite excessive profits; but our revenue laws are graded to cover the excess profits, whatever they may be, and the more the profits the greater the tax. So I doubt very much, if we had the information definitely before us, if it would guide us to any great extent in making any different gradations from what we have now.

Mr. NORRIS obtained the floor.

Mr. SIMMONS. Mr. President, will the Senator permit me, before he begins, to ask the acting chairman of the committee a question?

Mr. NORRIS. I will, with this suggestion: Under the unanimous-consent agreement, the debate on this matter must stop at 12 o'clock. I think it is only fair that we should have an understanding that the time shall be divided between those in favor of and against the motion of the Senator from Georgia. With that suggestion I will yield to the Senator from North Carolina in order that he may ask the Senator from North Dakota a question.

Mr. SIMMONS. Mr. President, I did not hear the letter which the Senator read from the Treasury Department; but I understand that the estimate contained in that letter is that the expense of obtaining this data would be about a million and a quarter dollars.

Mr. McCUMBER. If it covered 1919, I think it would. I think the highest figure is placed here at about $900,000.

Mr. SIMMONS. The highest?

Mr. McCUMBER. Yes.

Mr. SIMMONS. Now, let me ask the Senator if that $900,000 estimate is based upon the provisions of the joint resolution as it now reads, or whether it is based upon a proposed amendment limiting the corporation to be selected to those that earn in excess of 15 per cent?

Mr. McCUMBER. I think about $700,000 covers it as it now reads, and that if it includes the 1919 tax it will come to about $900,000.

Mr. SIMMONS. The Senator will recall that in the short session we had about this matter it was suggested by the experts of the Treasury Department that if the joint resolution provided, as the old resolution provided under which we obtained some information heretofore, for the taking of the returns of corporations only whose profits exceeded 15 per cent, the cost would be very much less. Now, I understand that the Senator from Georgia is willing to amend his joint resolution so as to limit it to the corporations whose profits exceed 15 or 18 or even 20 per cent; and that undoubtedly would greatly reduce the cost, because it would greatly reduce the number of corporations whose returns would have to be examined.

Mr. McCUMBER. No; it would not reduce the number that would have to be examined, because every one would have to be examined to see whether it fell within that class, and that is explained in the letter—that you do not reduce the work, because you have got to go through all of them to ascertain which ones have reported an income in excess of 20 per cent and which ones have reported an income less than 20 per cent.

Mr. SIMMONS. I was under the impression that one of the experts of the Treasury Department who testified before the committee made the statement that if we selected 31,000 corporations—the same number that was selected in ascertaining the data that we now have—the cost would not exceed $250,000.

Mr. McCUMBER. It would very greatly exceed that.

Mr. NORRIS. Mr. President, already three-fourths of the time which can be used by the Senate in the discussion of this motion has been used——

Mr McCUMBER. In getting a quorum.

Mr. NORRIS. There has been a half hour used by those opposed to the motion. There are only 15 minutes left, and therefore I think we ought to permit those who are in favor of the resolution to use some of the time.

Mr. President, I want to call attention to the parliamentary situation. I hope Senators will not become entangled on a question which is not before the Senate, as I look at it. This resolution was submitted by the Senator from Georgia [Mr. HARRIS] many months ago and referred to the Committee on Finance. The committee did nothing until a week or two ago, when the Senator from Georgia made a motion to discharge the committee. At that time it was practically understood that if the motion would not be pressed, the committee would report the next day. The time has gone by, and we are about to adjourn with no report yet made.

The effect of the motion of the Senator from Georgia does not dispose of the resolution. It simply puts it on the calendar of the Senate, the same as though the committee had reported.

The Senator from North Dakota [Mr. MCCUMBER], the present acting chairman of the Committee on Finance, has given us considerable information, and I confess it is very important and entitled to great consideration. Yet the committee have not reported the resolution. The substance of the letter which was read goes to the expense of getting this information. If the resolution can come before the Senate subject to amendment, as it will be when it is placed on the calendar and called up, we may be able to eliminate a great deal of that expense, and yet not destroy the efficiency or take away the value of the information which it is desired by the resolution to obtain.

Mr. SHEPPARD. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Texas?

Mr. NORRIS. I yield.

Mr. SHEPPARD. It is my understanding that the unanimous-consent agreement contemplated not only a vote on the motion to discharge but on the resolution itself.

Mr. NORRIS. No; there is not any such thing in the resolution, I will say to the Senator.

Mr. SHEPPARD. I understand that, but the agreement reported——

Mr. NORRIS. There is not any such thing in the agreement, as I read it at least. If the Senator can find it, I should be glad to see it.

Mr. SHEPPARD. It would be put on the calendar, but as it passed last night it involved, according to my distinct recollection, not only a vote on the motion to discharge, but on the resolution itself; and I think Senators who were here last night will bear me out in that statement.

Mr. NORRIS. I am only discussing it from the RECORD, which is before me, and the RECORD does not disclose any such agreement, and Senators around me who were here tell me that the agreement last night did not actually provide for a vote on the resolution itself; I personally did not hear the statement made last night.

So I want to call the attention of the Senate to the fact that if this motion prevails the resolution of the Senator from Georgia will be placed on the calendar, just the same as though the committee had reported. If all the Senator from North Dakota has said is taken at 100 per cent—and that is the way I am going to take it—it follows, it seems to me, that the Committee on Finance ought to have made a report. Their report would have been adverse, and they have a right to make that kind of a report; but they ought to have reported it back to the Senate.

After months and months of this resolution remaining before them, and after the agreement was had when this motion was brought up once before, it seems to me we are entitled to a report from the Committee on Finance, or we ought to pass this motion and place the resolution of the Senator from Georgia on the calendar.

It is no defense to say that the Committee on Finance can not be gotten together. To my mind that is an argument why we ought to pass this motion and discharge the committee and place the resolution on the calendar. It is an important proposition.

I have felt, and all Senators I know of who have talked with me about it feel, that the information sought by the Senator from Georgia in this resolution will be very valuable, and the country ought to know it. If it is going to cost too much money to get it, that is one of the things we will consider if we ever reach the point of discussing the merits of the resolution.

I do not care to discuss its merits now, but it seems to me that on the face of the record this motion ought to prevail and the proposition be placed on the calendar, where it can be considered on its merits.

Mr. NUGENT. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from Idaho?

Mr. NORRIS. I yield.

Mr. NUGENT. I simply desire to say that this resolution has been pending in the Finance Committee for a very considerable time. I am a member of that committee, and if my recollection serves me right it was not discussed at any meeting of the committee except one held two or three weeks ago, at which time certain information was to be requested in writing from the Treasury Department.

There has been no meeting of the committee called since the date to which I have referred at which this resolution has been considered, and I gather from the statement made by the acting chairman of the committee that no such meeting will be called or held during the remainder of this session.

I fully agree with the Senator from Nebraska and the Senator from Georgia that the data requested in the resolution of the latter Senator is important. In any event I am quite firmly convinced that he is entitled to have action, either favorable or adverse, taken on this resolution; and, in view of the fact that the committee neither has nor will take such action, I, as a member of that committee, shall vote for the motion of the Senator from Georgia to discharge the committee from further consideration of the resolution in order that the Senate may have an opportunity to dispose of it.

Mr. NORRIS. Mr. President, I hope no one will get the idea that those who favor this motion intend any reflection on the committee. The acting chairman of the committee has explained that he could not get a quorum. He is not to blame for that. If it can not be had, it seems to me the Senator from Idaho has expressed the attitude which the committee ought to take. If they can not act on a resolution asking for information which has been before them for months, they ought to be willing that the resolution should be placed on the calendar, where it can be considered by the Senate on its merits. That is all this motion would do. I certainly do not want to be put in the attitude of finding fault with the committee for their action or attempted action lately. It seems to me they ought to have taken action months ago on it, but at the present time it would be a physical impossibility to get a quorum of that committee present.

All this motion does is to advance the resolution of the Senator from Georgia to a place where it will be possible to consider it on its merits; then all this evidence and any other evidence will be available. And if we find that the resolution ought to be modified so as to reduce the expense, or even if we want to defeat the resolution, the Senate can take that action. But here is a committee not taking any action. They are in such a condition that they probably can not take any action, and that means blocking the entire matter.

I would be willing to expend considerable money to get this information myself.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from North Dakota?

Mr. NORRIS. I yield.

Mr. McCUMBER. Would it be possible to consider the question on its merits between now and 4 o'clock to-day, even if we could get it up?

Mr. NORRIS. I am not sure whether it would be possible; but, Mr. President, in my judgment, it does not come with very good grace from a committee to suggest, in substance and in effect, that "we have held this resolution in our pigeonholes for months and months, and now that you have gotten weary of waiting for us, we say to you that, even if you do discharge us and put it on the calendar, we will not have time to consider it."

Mr. McCUMBER. May I suggest to the Senator that it is the same grace which would be required of the Senator, who now, at the very closing hours of the session, desires to bring up a matter when, during all of these months, so far as I know, no one appeared before the committee and asked that it act upon it.

Mr. NORRIS. Mr. President——

Mr. McCUMBER. If anyone asked the committee for action upon it during that time, I am not aware of it.

Mr. NORRIS. Mr. President, we had what in substance and effect, as I understood it at the time, was a unanimous-consent agreement at the time the Senator from Georgia first introduced this motion to discharge the committee, and the committee at that time was represented by the senior Senator from Utah [Mr. SMOOT], who said that he would get the committee together the next day and that we were going to have a report the next day.

Nobody at that time had any objection, as far as he expressed himself on the floor of the Senate, to the resolution itself, and the matter went over, because the members of the committee did not want to be discharged but wanted an opportunity to make a report, which it was expected they would make on the next day.

Mr. SMOOT. Will the Senator yield?

Mr. HARRIS. May I interrupt the Senator?

Mr. NORRIS. I yield. I think, Mr. President, I had better yield the floor. I do not want to take up all the time, but let somebody else discuss it.

Mr. HARRIS. Mr. President——

The VICE PRESIDENT. The Senator from Georgia.

Mr. HARRIS. Mr. President, I would like to state that the Finance Committee not only agreed to report on it, but I went before that committee and I thought I had a thorough understanding with them as to what the resolution would be and that it would be reported the next day. I was called to my home in Georgia, was gone six days, and was surprised every day not to see this resolution acted upon.

Mr. SMOOT. Mr. President——

Mr. HARRIS. Mr. President, last night we were told that the expense of this would be a half million. They have now gone up to $800,000, covering two years. But there is only one year with which the resolution is dealing. When I have an opportunity to offer an amendment I intend to have it apply only to those corporations earning in excess of 25 per cent. That ought to reduce it so that it would not cost over $150,000.

Mr. SMOOT. Will the Senator yield?

Mr. HARRIS. The Senator will please excuse me. I must have time to explain my position. If the Senate votes down my amendment allowing it to apply to 25 per cent, I am going to ask then to let it apply to those incomes of $250,000 and above. If they vote down these two amendments I shall ask that it apply to incomes of $500,000 and above, and then $1,000,000 and above; so that the matter of expense will not enter into this, and the Senators voting against discharging the committee will be voting in favor of protection of the profiteers of this country from the publicity which is due to the people.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Utah?

Mr. HARRIS. Mr. President, there are 300,000 corporations, and the estimates from the Treasury Department as to the expense were figured on the whole number. This change will reduce the 300,000 to probably 2,000, and the expense will not be over $25,000 if it applies to only those earning $250,000 and above.

Mr. SMOOT. Mr. President——

Mr. HARRIS. I believe I have taken less of the time of this body than any other Senator. I intend to have a vote to-day on this resolution as agreed upon by the Senate or I will spend all the time allowed me under the rules of the Senate in showing exactly what the report of two years ago contained. It will show the profiteering in this country, and I think it will be interesting. I know the profiteers are opposed to anything like this. They do not want publicity. They do not want the country to know what they did during the war in robbing the people. The magnitude of their unrighteous profits runs into countless millions compared with which the expense of this corrective step is a trifle. One of the profiteers dealing in a foodstuff that enters into the cost of living of every man, woman, and child recently gave $500,000 to the campaign fund of a candidate for President on the Republican ticket, and they will give millions.

The VICE PRESIDENT. The hour of 12 o'clock having arrived, under the unanimous-consent agreement the Secretary will call the roll on the motion of the Senator from Georgia [Mr. HARRIS] to discharge the Committee on Finance from the consideration of the joint resolution (S. J. Res. 146) directing the Secretary of the Treasury to furnish the Senate certain detailed information secured from income and profits tax returns of taxable year 1918, on which the yeas and nays have been ordered. The roll will be called.

The Reading Clerk proceeded to call the roll, and Mr. ASHURST answered in the affirmative.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. The roll is being called.

Mr. McCUMBER. I think I have a right before the vote is taken to suggest the absence of a quorum.

The VICE PRESIDENT. The Chair does not agree with the Senator.

Mr. McCUMBER. No, when I was not recognized by the Chair until after the roll call had commenced.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the senior Senator from New York [Mr. WADSWORTH] and vote "nay."

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. McCORMICK]. I am not informed how he would vote on this question, and therefore I withhold my vote.

Mr. DIAL (when the name of Mr. SMITH of South Carolina was called). I desire to announce that my colleague [Mr. SMITH of South Carolina] is unavoidably detained from the Senate. He is paired with the Senator from South Dakota [Mr. STERLING]. I ask that this announcement may stand for the day.

Mr. STERLING (when his name was called). As announced by the junior Senator from South Carolina [Mr. DIAL], I have a pair with his colleague [Mr. SMITH of South Carolina]. In the absence of my pair I withhold my vote.

Mr. WARREN (when his name was called). I have a general pair with the junior Senator from North Carolina [Mr. OVERMAN], who is not now in the Chamber. In his absence I transfer my pair to the Senator from Michigan [Mr. TOWNSEND] and vote "nay."

The roll call was concluded.

Mr. KING. I have a general pair for the day with the junior Senator from Wisconsin [Mr. LENROOT], who is necessarily absent, and therefore I withhold my vote.

Mr. BECKHAM. I have a general pair with the senior Senator from West Virginia [Mr. SUTHERLAND]. In his absense I withhold my vote.

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence I withhold my vote.

Mr. GLASS (after having voted in the negative). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. In his absence I transfer my pair to the Senator from Alabama [Mr. COMER] and permit my vote to stand.

Mr. SIMMONS (after having voted in the negative). I wish to transfer my pair with the junior Senator from Minnesota [Mr. KELLOGG] to the senior Senator from Tennessee [Mr. SHIELDS] and let my vote stand.

Mr. WALSH of Montana (after having voted in the affirmative). May I inquire if the Senator from New Jersey [Mr. FRELINGHUYSEN] has voted?

The VICE PRESIDENT. He has not.

Mr. WALSH of Montana. I have a pair with the Senator from New Jersey [Mr. FRELINGHUYSEN], and being unable to obtain a transfer of that pair I withdraw my vote.

Mr. HENDERSON. I have been unable to obtain a transfer of my pair with the junior Senator from Illinois [Mr. McCORMICK]. I desire to announce that if permitted to vote I would vote "yea."

Mr. SPENCER. I wish to announce that I am paired for the day with the junior Senator from New Mexico [Mr. JONES], but under the arrangement I have with him I feel free to vote on this question. I vote "yea."

Mr. DILLINGHAM (after having voted in the negative). I have already voted. I observe that the Senator from Maryland [Mr. SMITH] has not voted. I have a general pair with that Senator. I announce the transfer of my pair to the Senator from Washington [Mr. POINDEXTER] and let my vote stand.

Mr. GAY. I am paired with the senior Senator from New Hampshire [Mr. MOSES]. If at liberty to vote I would vote "yea."

Mr. LODGE. I have been requested to announce the following pairs:

The Senator from Delaware [Mr. BALL] with the Senator from Florida [Mr. FLETCHER];

The Senator from Rhode Island [Mr. COLT] with the Senator from Florida [Mr. TRAMMELL];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY];

The Senator from Connecticut [Mr. McLEAN] with the Senator from Montana [Mr. MYERS];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS]; and

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT].

The result was announced—yeas 27, nays 22, as follows:

YEAS—27.

Ashurst	Hitchcock	Nugent	Smith, Ga.
Borah	Jones, Wash.	Phelan	Spencer
Capper	Kendrick	Pittman	Stanley
Culberson	Kenyon	Pomerene	Trammell
Dial	McKellar	Reed	Underwood
Harris	Nelson	Robinson	Walsh, Mass.
Harrison	Norris	Sheppard	

NAYS—22.

Brandegee	Glass	New	Smoot
Calder	Hale	Page	Swanson
Dillingham	Harding	Phipps	Thomas
Fall	Keyes	Ransdell	Warren
Fernald	Lodge	Simmons	
Gerry	McCumber	Smith, Ariz.	

NOT VOTING—47.

Ball	Gay	Lenroot	Shields
Beckham	Gore	McCormick	Smith, Md.
Chamberlain	Gronna	McLean	Smith, S. C.
Colt	Henderson	McNary	Sterling
Comer	Johnson, Calif.	Moses	Sutherland
Cummins	Johnson, S. Dak.	Myers	Townsend
Curtis	Jones, N. Mex.	Newberry	Wadsworth
Edge	Kellogg	Overman	Walsh, Mont.
Elkins	King	Owen	Watson
Fletcher	Kirby	Penrose	Williams
France	Knox	Poindexter	Wolcott
Frelinghuysen	La Follette	Sherman	

So the Senate discharged the Committee on Finance from the further consideration of the joint resolution.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the amendment of the Senate to the bill (H. R. 11224) to amend the act entitled "An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," approved October 16, 1918.

The message also announced that a committee of two Members had been appointed by the Chair to join a similar com-

mittee appointed by the Senate to wait upon the President of the United States and inform him that the two Houses having completed the business of the present session are ready to adjourn, unless the President has some other communication to make to them, and that the Speaker had appointed Mr. MONDELL and Mr. CLARK of Missouri as the committee on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 7775) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SELLS, Mr. KIESS, and Mr. MEAD managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 9281) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SELLS, Mr. KIESS, and Mr. MEAD managers at the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 10515) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SELLS, Mr. KIESS, and Mr. MEAD managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11554) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SELLS, Mr. KIESS, and Mr. MEAD managers at the conference on the part of the House.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CALDER:

A bill (S. 4506) for the relief of Mose Matos;

A bill (S. 4507) for the relief of Jose Salazar;

A bill (S. 4508) for the relief of Simon Florez Cruz; and

A bill (S. 4509) for the relief of Joseph Lago; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 4510) to amend section 1180 of the Code of the District of Columbia; to the Committee on the Judiciary.

By Mr. McNARY:

A bill (S. 4511) authorizing the Secretary of War to grant a right of way over certain Government lands to the State of Oregon for the Columbia River Highway; to the Committee on Public Lands.

NATIONAL BUDGET SYSTEM.

Mr. SMOOT. Mr. President, I ask unanimous consent that the bill (H. R. 14441) to provide a national budget system and an independent audit of Government accounts, and for other purposes, be taken up and considered by the Senate at this time. I wish to say that——

Mr. HARRIS. Mr. President, I yield for that purpose only.

Mr. SMOOT. Was I recognized by the Chair?

The VICE PRESIDENT. The Senator from Utah was recognized.

Mr. SMOOT. I wish to state to the Senate that the House amended the so-called budget bill by inserting the words "appointed by the Supreme Court of the United States," having reference to the comptroller general, but has now agreed to an amendment, and has passed the budget bill now restoring the words "President of the United States," and simply having section 303 read as follows:

> The comptroller general and assistant comptroller general shall hold office during good behavior.

The bill has passed the House unanimously, and if it is to reach the President it must pass the Senate at once. Therefore I ask unanimous consent that the budget bill be considered at this time. I do not think it will lead to any discussion whatsoever.

Mr. SIMMONS. That removes the constitutional objection?

Mr. SMOOT. I have a copy of the President's veto message here, but it would take too long to read it. However, I will assure every Senator that it does remove the objection offered to the budget bill by the President of the United States. I wish to say that the President desires the passage of a budget bill, and I do not think there is anyone in the United States who does not desire it.

Mr. ROBINSON. Will the Senator from Utah yield for a question?

Mr. SMOOT. Certainly.

Mr. ROBINSON. Has the revised measure been submitted to the body at the other end of the Capitol?

Mr. SMOOT. It passed the House unanimously, and if the quorum is broken in the House it can not receive the bill after it passes the Senate. If we can pass it within 10 minutes and get it over there, they can hold the quorum there and the bill will then be ready for signature by the President.

Mr. ROBINSON. Are there any other changes in the bill than the one indicated by the Senator from Utah?

Mr. SMOOT. Not a word has been changed except as I have indicated.

Mr. ROBINSON. Of course, a limited opportunity has been afforded Senators to examine the veto message, but relying upon the statement of the Senator from Utah that the sole ground of the veto is the provision that has been changed, I shall make no objection to the consideration of the bill.

Mr. SIMMONS. I desire to say to the Senator from Arkansas that I have carefully examined the ground of the President's objection, and the changes made by the House do meet the objection of the President. They are the only changes made in the bill as it originally passed the Senate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Utah?

Mr. ASHURST. Let the veto message be read.

Mr. SIMMONS. I hope the Senator will not insist upon that. I think all of us understand the ground of the President's veto; that he objected to the bill passed by the two Houses on the ground that the comptroller general, who is appointed by the President, might be removed by a concurrent resolution of Congress.

Mr. ASHURST. There is no use to waste time, but let the veto message be read.

Mr. SIMMONS. Mr. President——

Mr. ASHURST. There is no use wasting time. I want to have the veto message read.

Mr. SMOOT. The veto message is found in to-day's RECORD at page 8609. I ask that the Secretary may read the message.

The VICE PRESIDENT. The Secretary will read the message of the President.

The Reading Clerk read as follows:

To the House of Representatives:

I am returning without my signature H. R. 9783, "An act to provide a national budget system, an independent audit of Government accounts, and for other purposes." I do this with the greatest regret. I am in entire sympathy with the objects of this bill and would gladly approve it but for the fact that I regard one of the provisions contained in section 303 as unconstitutional. This is the provision to the effect that the comptroller general and the assistant comptroller general, who are to be appointed by the President with the advice and consent of the Senate, may be removed at any time by a concurrent resolution of Congress after notice and hearing, when, in their judgment, the comptroller general or assistant comptroller general is incapacitated or inefficient, or has been guilty of neglect of duty, or of malfeasance in office, or of any felony, or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment. The effect of this is to prevent the removal of these officers for any cause except either by impeachment or a concurrent resolution of Congress. It has, I think, always been the accepted construction of the Constitution that the power to appoint officers of this kind carries with it, as an incident, the power to remove. I am convinced that the Congress is without constitutional power to limit the appointing power and its incident, the power of removal derived from the Constitution.

The section referred to not only forbids the Executive to remove these officers but undertakes to empower the Congress by a concurrent resolution to remove an officer appointed by the President with the advice and consent of the Senate. I can find in the Constitution no warrant for the exercise of this power by the Congress. There is certainly no express authority conferred, and I am unable to see that authority for the exercise of this power is implied in any express grant of power.

On the contrary, I think its exercise is clearly negatived by section 2 of Article II. That section, after providing that certain enumerated officers and all officers whose appointments are not otherwise provided for shall be appointed by the President with the advice and consent of the Senate, provides that the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of department. It would have been within the constitutional power of the Congress, in creating these offices, to have vested the power of appointment in the President alone, in the President with the advice and consent of the Senate, or even in the head of a department. Regarding as I do the power of removal from office as an essential incident to the appointing power, I can not escape the conclusion that the vesting of this power of removal in the Congress is unconstitutional and therefore I am unable to approve the bill.

I am returning the bill at the earliest possible moment with the hope that the Congress may find time before adjournment to remedy this defect.

WOODROW WILSON.

THE WHITE HOUSE, *June 4, 1920.*

Mr. ROBINSON. Mr. President, as I understand the situation, this is not an attempt to pass the bill over the President's veto?

Mr. SMOOT. Not at all.

Mr. ROBINSON. This is an entirely new bill?

Mr. SMOOT. It is an entirely new bill.

Mr. ROBINSON. And the bill which is now presented meets the objection which was made by the President in his veto message? The reading of the veto message has confirmed, in my opinion, the statement made by the Senator from Utah. I think the bill ought to pass, although I think that the veto is amply justified as a matter of policy as well as upon the grounds stated by the President. The Congress ought never to have passed a bill of this character authorizing the removal of the comptroller general of the budget by concurrent resolution of Congress. Many of us did not know that there was such a provision in the bill. I have had little opportunity of familiarizing myself with its details; I am surprised to learn that the bill contained such a provision and would have moved an amendment in the Senate if my attention had been called to the provision.

Mr. KENYON. Mr. President, I am not going to discuss the question that is suggested by the veto message; this bill is so important that it should be passed immediately; but in so voting I still reserve my opinion that the legal proposition upon which the veto is founded is not sound, and that the Congress has the absolute right to do as it proposed to do in the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. BORAH obtained the floor.

Mr. REED. Mr. President——

Mr. BORAH. Does the Senator desire to interrupt me?

Mr. REED. I do not want the matter to go by unanimous consent.

Mr. BORAH. Mr. President, what I was going to say has been very well said by the Senator from Iowa [Mr. KENYON]. I do not desire to stand in the way of the passage of the bill, although I have by no means the enthusiastic view of what the bill will accomplish that other Senators have. I hope for the best, but I, by no means, Mr. President, concede the constitutional question by my vote with reference to the consideration of the bill.

Mr. REED. Mr. President, I have been, as I said before, working on committees and have been absent during the discussion on some of these bills considered by the Senate, and this is one of those bills. I want to ask the Senator in charge of the bill if it in any way undertakes to limit or restrict the power of Congress to make appropriations for any purpose whatsoever?

Mr. SMOOT. It does not in any way whatever, I will say to the Senator.

Mr. REED. Then what is the object of the bill?

Mr. SMOOT. The object of the budget system is to require the President of the United States to submit, and to place the responsibility on him of submitting, each year to Congress a budget of the items which are necessary in order to maintain and operate the Government for the ensuing fiscal year. It also provides that the auditing department, which is now in the Treasury Department of the United States, shall be transferred and operated under the budget system. It also requires the President of the United States to send to Congress an estimate of the revenues of the Government for the ensuing fiscal year. Congress, then, will have before it, over the signature of the President of the United States, and through him from the executive departments of the Government, a statement of the amount which is required to maintain and operate the Government.

In the past the President of the United States has not had any responsibility in the matter. The heads of departments have made estimates, which have been sent to the Secretary of the Treasury, who transmits the estimates to Congress. Under this proposed budget system the President of the United States will be responsible for the budget, which must be submitted by the 20th of October in the year preceding the fiscal year for which the appropriations for the support of the Government are to be made. After the budget shall have been prepared by the President and sent to Congress, together with the estimated revenues of the Government, Congress then, having all of the information before it, is to act upon the appropriations.

The budget system also provides that there shall be an agency through which Congress may make an investigation into the budget estimates and obtain whatever information it desires as to the real need of appropriations.

I am quite sure that if the bill shall pass it will save many millions of dollars to the Government of the United States. I wish, however, frankly to say to the Senator from Missouri that perhaps the bill is not perfect, but I believe that after it goes into operation if there are any defects found in its workings amendments may be made for the purpose of overcoming such defects.

Mr. ROBINSON. Is there any obligation fixed in the bill upon Congress to appropriate the sums which are estimated for in the budget?

Mr. SMOOT. None whatever.

Mr. ROBINSON. The practical purpose of the bill is to establish a relationship between the revenues and the appropriations and to keep the appropriations within the revenues, if possible?

Mr. SMOOT. That is the object.

Mr. ROBINSON. The power of Congress to appropriate any sum that it seems fit, however, is not restricted in any way?

Mr. SMOOT. As I have stated, the power of Congress in reference to the matter of appropriations is not restricted in any way.

Mr. THOMAS. Mr. President, I notice that by section 302 the comptroller general and the assistant comptroller general are to be appointed by the Supreme Court of the United States.

Mr. SMOOT. I will say, Mr. President, that that came about in this way: About 2 o'clock yesterday morning there was a bill prepared with the idea of meeting the objections of the President and providing that the comptroller general and assistant comptroller general should be appointed by the Supreme Court of the United States, but when the bill was before the House to-day it was agreed to restore the original language, and that these officials should be appointed by the President of the United States by and with the advice and consent of the Senate.

Mr. THOMAS. That is an improvement in the former bill, I think; but let me say, if the Senator will permit me, that the statement of the Senator from Utah in answer to the query of the Senator from Missouri sustains my previous contention that this budget bill was worthless when we first passed it, it was worthless when it was vetoed, and it will prove worthless when it goes upon the statute books as the result of our vote.

Mr. REED. Mr. President, it is argued that the pending bill in no manner restricts the freedom of either branch of Congress. It is asserted that it does not in any manner increase the powers of the Executive. I answer, either the bill does something or it does nothing. Upon its face it proposes that the President shall appoint certain gentlemen who will make up for Congress a list of what Congress ought to do in the way of appropriations. If Congress is then perfectly free to act without any limitation of any kind, all that has been accomplished is to lay certain information before the Congress. That information has heretofore for many years been laid before the Congress by the heads of the various departments. If that is all there is to the bill and all that is intended by it, the bill will be, in my opinion, utterly worthless, but probably without any very serious effect.

That, however, is not the purpose of the bill. The purpose is to enable Congress once more to abdicate its powers and transfer them to the Executive. If the Congress of the United States has not sense enough to figure the revenues and arrange a plan for their collection, and then wisely to appropriate them after they are collected, if that work can be better done by the Executive and Congress can no longer be trusted, Congress

had better go out of business; we should once and for all vote our incompetency and shift the responsibility of government to the Executive.

This is no idle thing we are entering upon. For 500 years the one great lever which has been employed by the people of England and later of the United States to maintain the liberties of the people has been the right of the legislative department absolutely to control the finances of the Nation, to raise revenues or not at will, and to expend them at will, subject in this country since its organization to the veto of the President coupled with the right of two-thirds of the Congress to override that veto. We may in the past have proceeded improvidently, but that is no reason for abandoning our duty. It is just as likely that a President, through subordinates whom he appoints and whose word he must take, for he can not study these questions himself, will make mistakes as that the Representatives of the people elected by the people will make mistakes. This is another piece of legislation which arises from the fact that some defects in the administration of a system have been discovered, whereupon it is proposed to change the system instead of improving the administration.

I see sitting back of me the distinguished Senator from Alabama [Mr. UNDERWOOD]. On this bill, which had its origin in the disturbed brains of agitators who for the last 20 years have been wanting to change everything in the United States—they are the same class of men who have denounced the Constitution of the United States as out of date, and some of whom would entirely revolutionize our system of government. But I say to the distinguished Senator from Alabama that I would rather have his judgment as a member of the Finance Committee on what the revenues of the Government should be, and on how they should be expended, than that of any man any President will appoint at any time. I would rather have the judgment of the Senator from Utah [Mr. SMOOT], who has served upon the Finance Committee for many years, upon the condition of the country's finances than the judgment of any man or any set of men any President will appoint at any time. They are here, close to the problems. They have studied them for many years. They are in touch with the country by reason of their contact with their legislative associates and by reason of their own immediate contact with their own constituencies. They respond, therefore, to the matured will of the country. They are acquainted with its necessities. They may not do everything in a perfect manner, but they will bring to the consideration of the public finances a riper judgment, a wider experience, a better knowledge, and a higher patriotism than any bureaucracy you may establish, composed of politicians out of a job or of college professors seeking a larger salary.

The reply will be that Congress still controls; but if Congress is still to control, and exercise that control, then the creation of this body is a piece of nonsense superlative. If, by reason of the bill, Congress is to be restricted in any way legally, or if it is to suffer from a moral coercion by the Executive, then, by passing the bill you have transferred to the executive government a great fundamental power of the representatives of the people.

The Executive! We hear nothing but "the Executive." There seems to be an impression that the only department of this Government that functions is the Executive. If there is a difficult task, "Put it on the President." All through the war, if I may use the slang expression—I use it because it is the only expression I know of that covers the case—Congress did nothing but "pass the buck" to the President. When we were puzzled about a difficult problem, the cry was, "Empower the President to do it."

Did the President do it? Not at all. In a few great and important instances his mind was brought to bear upon the question; but in the vast majority of instances when we sent over for the responsible party who was taking the action, we got some clerk out of a department, or some young lawyer who had come to Washington looking for a job because he could not earn a living at home. Yet the acts of these employees were done under the great name of a President. The country was given to understand that the President was doing it.

I do not harshly criticize the departments. They are doing the best they can; but what reason is there that a man who is appointed to some job in one of these departments knows better what to do than the Congress itself? If he were a Member of Congress, you would unhesitatingly dispute his opinion. If he were a Member of Congress, I suppose the press of the country would designate him as a "cheap politician." When, however, he sits down at the other end of this street and puts his legs under a desk in some executive department, he is at once presumed to be in some way or other inspired with divine wisdom and incapable of mistake.

Why should this new bureaucracy be established? Take the Treasury Department. The Secretary of the Treasury, in almost all instances, has been a man of ability. He makes his reports to Congress; the Comptroller of the Currency makes his reports to Congress; the heads of all the departments make their reports to Congress, and their requisitions. Are they all to be distrusted? Is their information to be disregarded? If so, then that same information will come to us through this bureau, but subject to its supervision, and probably to a pestiferous and injurious interference.

About all you have to do nowadays in America is to get something with a new name and begin an agitation. Somebody says the United States is spending too much money. Somebody else says the remedy is the budget system. Immediately an agitation begins for a budget system, and all over this country men begin talking about budget systems who do not know what "budget" means, and newspaper editors begin writing about budget systems who would not know a budget if they saw it.

Mr. KENYON. Mr. President, may I ask the Senator a question?

Mr. REED. Yes; certainly.

Mr. KENYON. Is it not true that both the Democratic and the Republican conventions declared for a budget system?

Mr. REED. I do not know whether they did or not, and I do not greatly care, for I have seen such platform planks adopted and then I have seen them disregarded by the men nominated upon them, until I have come to believe they are mere devices to catch votes. They are not the declarations of great principles or policies. They are not debated or considered. They count but little. But no man can claim the platform pledged us to adopt this particular budget scheme.

Mr. KENYON. The Senator does not feel that we are bound in any way by the platforms of those conventions?

Mr. THOMAS. Mr. President, may I suggest that both platforms also pledged the parties to economical administration of Government affairs?

Mr. KENYON. And I will add that the Democratic Party pledged themselves to a living wage for Government employees.

Mr. REED. Yes; at this moment. I think I know a good many things in the platforms of both parties that have been disregarded.

But, sir, this is not a real budget system, if the Senator in charge of the bill has given me a correct diagnosis of it. The name is a misnomer. A budget that amounts to anything is a plan by which there is set down what may be expended and what may be collected. That sort of a system means something; but if you have a piece of paper on which there is set down what you are to expend and what you are to collect, and it binds nobody and has no force or effect, it is not a budget at all; it is a recommendation. If this bill provides for a mere recommendation, it amounts to practically nothing. If it is more than a recommendation, it invades the constitutional power of the Congress. If it is a mere recommendation, you should not call it a budget system. You ought not to pretend that it is a budget.

Mr. ROBINSON. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from Arkansas?

Mr. REED. I yield.

Mr. ROBINSON. The President has power now under the Constitution to make any recommendation respecting legislation he desires to submit, has he not?

Mr. REED. Certainly he has. And Congress has the power to utterly disregard his recommendations if it wishes to do so.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from Montana?

Mr. REED. I yield.

Mr. WALSH of Montana. I have not had an opportunity to study the bill as carefully as I should like, but I would like to inquire of the Senator from Missouri if it is really anything more than setting up the machinery to advise the President, so that he may intelligently make recommendations to Congress as to what they should do in the way of revenues on the one hand and expenditures on the other?

Mr. REED. I do not know what it is. I do not think anybody else knows what it is. But my opinion is that the real purpose of the bill is to put into the hands of the Executive authority to do something more than to merely recommend. It is intended to create a condition under which a Congressman desiring to urge a fiscal measure can be silenced by the statement "it is not in the budget."

Remember that the power to do a thing right implies the power also to do it wrong; remember that if Congress has made

mistakes in the past, so will the gentlemen who may be selected to make up the budgets make mistakes in the future.

Mr. SMITH of Georgia. Mr. President, the Senator does not really think we are giving up our constitutional right to make an appropriation, because if that were true the President would object to it for that reason.

Mr. REED. For the reason that Congress was giving up its constitutional right?

Mr. SMITH of Georgia. That Congress was giving up its constitutional right.

Mr. REED. Has the Senator heard of the President vetoing anything because Congress was yielding its constitutional rights?

Mr. SMITH of Georgia. I was only suggesting a line of thought to the Senator.

Mr. REED. If this bill is to have any effect, it is to constitute a restraining force upon Congress and to put that restraining force in the Executive.

Mr. President, however much we may revere the present occupant of the White House, he can not sit there forever. Indeed, it is universally conceded that in a few months he will vacate that office. Who will come in, high Heaven alone knows. Even the committee on campaign expenses can not make a guess. It may be a Republican; it may be a Democrat; it may be a third party man; it may be a man who bought his nomination; it may be a man who mortgaged his soul in advance to big money—such a man might be interested in arranging a budget which would abundantly take care of his financial friends. I hope we may never have a President of that kind, yet when I find prominent candidates for the Presidency consorting with gentlemen about the underwriting of preliminary campaigns to the tune of $500,000 per group, I wonder how much freedom of action such a man will have if he be nominated and elected.

When I see another man—Mr. Lowden—going down into his own exchequer for $400,000, dropping it around in $30,000 and $35,000 chunks in the various States, placing it in the hands of practical politicians, and when I see those gentlemen calling in their lieutenants and dividing the swag among them; when I see these paid emissaries slipping about making "a stocking-foot" campaign, their fingers greasy with bank notes; when I see the delegates of a great State elected by such methods; when I see them going to a convention to help nominate for the high office of President the man who out of his own pocket supplied the corruption fund; when I see things of that kind going on I wonder, sir, whether it would be wise to attempt to transfer the powers of the Congress of the United States to the Executive. These processes are boldly defended.

When I find it boldly declared that such a candidate is not culpable because he put up the money himself, I am reminded, sir, of the "Texas Steer," a play which Mr. Hoyt wrote, and which was on the stage a few years ago, and which contains much of human philosophy. Maverick Brander was a rough and ready cattleman of the plains of Texas, with no desire to go to Congress, but his daughter Bossy had an ambition to come to Washington for social reasons, and particularly because she was going to marry a young lieutenant who was about to be sent to Washington. The old gentleman was away on his ranch and Bossy had the right to sign his name to checks She called in the practical politicians of that district and together they concluded to elect the old gentleman while he was away, without his knowledge or consent. Accordingly they checked out all the money necessary to buy the election. When the old man came home he was indignant. He said he did not want to come to Congress and he would not go to Congress, whereupon Bossy, plaintively exclaimed: "I don't see why dad should not accept the office. I am sure he came by it honestly, because we paid $5 of his own money for every vote he got."

The political methods and morals of Bossy appear to have been adopted by Gov. Lowden and his friends. The theory is that if a man wants to be President it is entirely justifiable for him to get the nomination by the use of money, provided he supplies it himself.

Incidentally, if it is necessary to have the support of some particularly influential ward committeemen, gentlemen who are to be elected delegates, they may be paid as much as $2,500 apiece. Such transactions are quite laudable, provided the candidate puts up the money, even though his chosen representative and agent pays it with full knowledge that no part of it will be used in the election save as it gets into the pockets of the delegates. Such transactions have been exposed by the investigation. A humorous phase is imparted by the fact that the gentlemen who took the money found their consciences becoming very acute after the investigation had laid bare the facts, whereupon they came before the committee declaring that they intend to return the money if they do not deliver their votes for the candidate. They even went so far as to say they will return the money if their man does not win the nomination. Then they add, as a manifest afterthought, that if he is nominated they expect to spend it for his election in the fall. These lofty purposes have already been inspired by the investigation. But, in the meantime, the money is in their private bank accounts, along with their other moneys, and the whole has been checked against in the good old way.

Mr. President, with presidential candidates like that looming big on the horizon and still impudently maintaining their right to submit their names to a great convention, I am not in favor of increasing the Executive power.

It is in evidence that one of these presidential candidates sent his check for $9,000 to one colored gentleman in one precinct in Georgia. That, I insist, is an unwarranted raising of the market price. The recipient of that fund ought to be arrested under the Lever Act for profiteering.

It is in evidence that prior to a district convention held in a Southern State all the colored brethren were called into a room and "paid off." Shortly after they went into the convention they violated the contract, whereupon the political manager who had paid the money denounced them in open convention as having been guilty of gross fraud, exclaiming, "I bought you fellows and paid you, and now you have gone back on your agreement to vote for a Hitchcock delegation," Mr. Hitchcock being the manager for Gen. Wood.

That testimony was given 8 or 10 days ago and remains unchallenged and undisputed.

Mr. POMERENE. Mr. President, may I suggest to the Senator also that the same witness testified that he saw $15,000 in the possession of one of these agents in the South, that it was handed out and shown to him in $1,000 packages?

Mr. REED. Yes; and in addition to that the witness was offered $2,000 to withdraw his opposition to Gen. Wood. The inquiry is made here, irrelevantly and quite irreverently, by the Senator from Colorado [Mr. THOMAS] whether they were operating under a budget system; and I answer yes; the moneys had been collected, recorded, and allocated to various States. Even expert accountants had been employed to lay out the bookkeeping scheme.

One presidential candidate who looms big on the horizon, Gen. Wood, started his campaign, as I have stated, with a meeting at which he, the candidate, was present. The testimony, undisputed, is that they discussed the question of underwriting $500,000 at that meeting, and a great railroad president who was there was requested to underwrite the $500,000.

He declined and the work was assumed by a gentleman who was engaged in manufacturing of a very profitable character. Later on it transpired that they made up a set of books showing $10,000 had been contributed by this man, that man, and the other, but this did not cover the money. When we sought for an explanation we found that one of these men had "loaned" to the campaign committee, of which he was substantially the whole, approximately $700,000. He transacted the business with himself, making the loan from himself to himself as the manager. No one, according to his testimony, had ever agreed to pay it back. Later on we found they had resorted to the miserable subterfuge and cover of taking alleged promissory notes, signed: "The Campaign Committee, by So-and-so, treasurer." Sometimes the note was signed by the treasurer and sometimes its clerk, if I remember correctly.

This Wood fund has already reached the stupendous total of about $1,600,000. When I find operations of that kind going on and men of that kind, even after exposure, still demanding nominations, and likely to get them, I think it is just as well to do as our fathers said we should do, keep the powers of the Government divided and its responsibilities separated. Let Senators take their share, the Congressmen take their share, the President take his proper share, the heads of departments take their proper share, all together, and the Government will be safe. Any other course is full of peril.

Mr. President, I somehow or other feel that I ought to stand here and talk this bill to death. I am not going to do it because there are other matters pressing for attention. I have said this much because I think it ought to be said.

I want Congress to retain its power. I do not believe, sir, that the President of the United States is thereby created the head of a political party. I do not believe he has any right to interfere in politics, once he has been elevated to that high position. I think he ought to be President of the United States. Charged as he is with a great trust, the greatest trust of power ever conferred by a free people, he should justly and impartially exercise that power in the clear, full light of disinterested statesmanship. He ought not to be writing platforms for

parties, interfering with the people's elections, or seeking to dictate the course of all public events. Sitting in his high position, clothed with grave powers, and bearing great responsibilities, he ought to observe the impartiality of a great judge, whose ermine is unspotted by corruption and unstained by interest, passion, or prejudices. That, sir, is my conception of the great office of President. Its occupant ought to be nominated by the voices of the people, uninfluenced and unbought. In his election there should be employed no means save an honest appeal to reason and hearts of his fellow countrymen. Enormous campaign funds are as disgraceful in national politics as they are in the corrupt wards of a corrupt city. They serve no useful purpose. They taint the office and they debauch the title of its occupant.

Mr. HARRIS. Mr. President, I have favored the budget plan for years. I supported this measure in the committee. The people of the country realize since they have paid direct taxes that they should get some means to check the enormous Government expenditures.

I wish to read from one of the appropriation bills. This is a bill making appropriations for the legislative, executive, and judicial departments of the Government for the fiscal year ending June 30, 1921, and for other purposes.

In the Senate provision is made for compensation of Senators $720,000; for mileage of Senators, $51,000; and—

For compensation of officers, clerks, messengers, and others:

Office of the Vice President: Secretary to the Vice President, $4,000; clerk, $1,600.

I think we ought to have given the clerks that extra month. They are poorly paid and it is our duty to do this.

Telegraph operator, $1,500; page, $600.

They ought to receive twice that.

Chaplain, $1,200.

He ought to be given five times that.

Office of the Secretary: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of contingent fund of the Senate, $6,500.

Henry M. Rose, $5,000; chief clerk, $3,250; principal clerk, enrolling clerk, and printing clerk, at $3,000 each; reading clerk, $4,000; financial clerk, $4,000; librarian, etc.

Clerks and messengers to the following committees: Agriculture and Forestry—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Appropriations—clerk, $5,000; 2 assistant clerks, at $2,500 each; 3 assistant clerks, at $1,500 each. To Audit and Control the Contingent Expenses of the Senate—clerk, $2,500; assistant clerk, $1,600; assistant clerk, $1,500. Banking and Currency—clerk, $3,000; assistant clerk, $1,800; 2 assistant clerks, at $1,500 each. Claims—clerk, $2,500; assistant clerk, $2,000; 2 assistant clerks, at $1,500 each.

I was very much interested in one item I was trying to find here, but I do not see it now.

Superintendent of the Capitol Building and Grounds: Chief engineer, $2,160; assistant engineer and electrician, $1,800; 3 assistant engineers, at $1,440 each; 10 elevator conductors, at $1,200.

For the Senate Office Building, under the Superintendent of the Capitol Building and Grounds, subject to the control and supervision of the Senate Committee on Rules: Fourteen elevator conductors, at $1,200 each; in all, $16,800.

Capitol police: Captain, $1,800; 3 lieutenants, at $1,200 each; 2 special officers, at $1,200 each; 47 privates, at $1,050 each; 10 additional privates, at $840 each; one-half of said privates to be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House; in all, $65,550.

For contingent expenses, $200.

Joint Committee on Printing: For clerk, $4,000.

I call attention of the Senate to this. A great many Senators believe in economy until it comes to their own committees. Here is the clerk of the Joint Committee on Printing, of which Senator SMOOT is chairman, whose salary was increased from $3,000 to $4,000. They reduced a number of salaries of other clerks.

Legislative drafting service: For salaries and expenses of maintenance of the legislative drafting service, as authorized by section 1303 of the revenue act of 1918, $40,000, one-half of such amount to be disbursed by the Secretary of the Senate and one-half by the Clerk of the House of Representatives.

House of Representatives: For compensation of Members of the House of Representatives, Delegates from Territories, the Resident Commissioner from Porto Rico, and the Resident Commissioners from the Philippine Islands, $3,304,500.

For mileage of Representatives and Delegates and expenses of Resident Commissioners, $175,000.

For compensation of officers, clerks, messengers, and others:

Office of the Speaker: Secretary to Speaker, $4,000; clerk to Speaker's table, $3,600, and for preparing Digest of the Rules, $1,000 per annum; clerk to Speaker, $1,600; messenger to Speaker, $1,440; messenger to Speaker's table, $1,200; in all, $12,840.

Chaplain: For chaplain, $1,200, and $600 additional so long as the position is held by the present incumbent.

Office of the Clerk: Clerk of the House of Representatives, including compensation as disbursing officer of the contingent fund, $6,500; hire of horse and wagon for use of the Clerk's office, $1,200, or so much thereof as may be necessary: Chief Clerk, $4,500; Journal clerk and two reading clerks, at $4,000 each; disbursing clerk, $3,400; tally clerk, $3,300; file clerk, $3,250; enrolling clerk, $3,000 and $1,000 additional so long as the position is held by the present incumbent; chief bill clerk, $3,000; assistant to Chief Clerk, and assistant enrolling clerk, at $2,500 each; assistant to disbursing clerk, $2,400; stationery clerk, $2,200; librarian, $2,100; assistant librarian, $2,100; assistant file clerk, $1,900; assistant librarian, messenger and assistant Journal clerk, at $1,800 each; clerks—one $1,800, three at $1,680 each; bookkeeper, and assistant in disbursing office, at $1,600 each; four assistants to chief bill clerk, at $1,500 each; stenographer to Clerk, $1,400; locksmith, who shall be skilled in his trade, $1,300; messenger and typewriter repairer in Chief Clerk's office, and assistant in stationery room, at $1,200 each; messenger in file room——

Mr. SMOOT. Will the Senator from Georgia yield to me?

Mr. HARRIS. I yield to the Senator from Utah.

Mr. SMOOT. I ask unanimous consent that immediately upon the passage of the budget bill the Senate joint resolution 146 be taken up for consideration and a vote be taken upon it 15 minutes after it has been presented to the Senate.

Mr. POMERENE. What is Senate joint resolution 146?

Mr. SMOOT. The joint resolution introduced by the Senator from Georgia [Mr. HARRIS], from which the Committee on Finance was discharged this morning.

Mr. POMERENE. I will object at the present time.

Mr. THOMAS. I shall object at all times.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Objection is made and the Senator from Georgia will proceed.

Mr. HARRIS resumed his speech, and after having spoken for a few minutes,

Mr. GAY. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Louisiana?

Mr. HARRIS. I yield, provided I do not lose the floor.

Mr. GAY. I will not ask the Senator from Georgia to yield the floor to me except for a few moments, for the purpose of enabling me to make a statement.

Mr. HARRIS. I take pleasure in yielding to enable the Senator to make a statement.

Mr. GAY. Mr. President, yesterday, late in the afternoon, the Senator from Oregon [Mr. MCNARY] asked unanimous consent for the consideration of Senate bill 4420, a bill which seeks to prohibit the exportation of sugar, and for other purposes. To that request I made objection; and right here, Mr. President, I wish to explain the parliamentary situation as it existed at that time. The Senator from Oregon, having secured recognition and having made his request for consideration of the sugar embargo bill, was interrupted by the Senator from South Dakota [Mr. STERLING], who desired to bring before the Senate the joint resolution repealing war legislation. I favored this joint resolution, and only regret that it did not go further and repeal all of the war legislation on the statutes. The Senator from Oregon would not yield to the request of the Senator from South Dakota unless he could get the assurance of the Senate for unanimous agreement to place the sugar embargo bill as the business before the Senate immediately after the consideration of the joint resolution, and as I was unwilling to do this, my opposition might be construed by some as also being opposed to the joint resolution offered by the Senator from South Dakota. I make this preliminary statement in order that there may be no misunderstanding.

Mr. President, the bill proposed by the Senator from Oregon seeks to violate every law of equity and every law of supply and demand. Such powers as this bill proposes are only for use in times of national defense as a war measure under dire distress or emergency.

Like the rifle and the bayonet, it has its place and use in war, but in times of peace such a measure is abhorrent, un-American, and unjust. The majority in Congress, having signally failed to offer constructive legislation, now seeks by obstructive methods to upset all recognized sound and sane rules of commerce in the hope of fooling the people into believing that they are making an effort to relieve a situation caused largely by their inaction and inefficiency.

This bill, if passed, can not and will not reduce the price or increase the supply of sugar to the American consumer. It is simply an attempt to divert the thought of the Nation from the effect of what has been to a new hope of what may be.

Consuming foreign nations are invited by this bill to take over the refining capacity of America, to launder their sugars for them; producing foreign nations to sell their raw product to every country except America, knowing that the American refiner will welcome and give preference to this business because he is unrestricted in the extra profits which he can charge for refining.

This is an attempt at class legislation in the rankest form. First, it turns over to foreign nations all the refining capacity of America they desire to use, making the foreigners a preferred customer. Nothing but the limitation of money or his buying ability would prevent the foreign speculator from buying up the sugar crop, having it refined in America, shipped abroad, and reshipped to America at a large profit. He does not even

have to reship it. He can store it and hoard it in this country for higher prices.

Second, it says to the refiners, "Here is preferential business for you." Mr. President, I say here and now that this bill bears all the earmarks of a refiners' bill. Here is a law under which you can give preference to foreign-grown sugars bought for foreign account, refusing to buy or refine the sugar of continental America, Porto Rico, and Hawaii, because if you do refine these sugars of American origin, you can not export them.

Sugar brought into this country and refined for domestic use must be refined on a margin of 2 cents per pound, while sugar brought in by foreigners and refined on a toll basis has unlimited margin, and a refiner is at liberty to charge any price he pleases.

Therefore the refiner, in whose interest the bill seems to be framed, will cater to foreign trade.

Third, it is ranker class legislation in that it singles out one great American product, leaving those of equal or greater importance, as measured by the family budget, free and unrestricted. Sugar is not the only product or the only food necessity in America which is being exported to-day. It is not even the greatest in volume or value, and there is not a pound of American sugar being exported, as the authors and advocates of this measure well know, and it will not help the American public one iota. It is simply an attempt to deceive the people, as we have seen so often in this Congress, particularly by those who have tried to make politics out of the economic conditions of the day.

If this embargo on the exportation of sugar is to be such a boon to the American people, why not add to their supply and saving by an embargo on other commodities?

The increase in the exports of foodstuffs other than sugar is simply astounding. I quote here from the report of the Department of Agriculture as printed in the Year Book for 1919. Under the heading "Exports" we find the following:

EXPORTS.

The exports of foodstuffs, enormous during the war, rose greatly between the armistice and midsummer. The annual average exports of important cereals for the five years preceding the war were 162,000,000 bushels. They rose to 517,000,000, in 1915, and aggregated 448,000,000, in 1919. Dairy products, of which 25,000,000 pounds were exported on the average during the five-year period before the war, increased in volume to 102,400,000, in 1915; 217,500,000, in 1916; 352,000,000, in 1917; 592,000,000, in 1918; and 781,000,000, in 1919; while the exports of meat and meat products were 1,291,000,000 pounds for the five-year average before the war; 1,500,000,000, in 1915; 1,800,000,000, in 1916; 2,300,000,000, in 1918; and 3,300,000,000, in 1919.

Thus the annual average export of cereals just preceding the war was 162,000,000 bushels, while in 1919, during peace, we find the cereal exports amounting to 448,000,000 bushels, or 176 per cent.

The five cereals segregated show an amazing increase in exports for 1919 over that of the prewar period. The export of wheat averaged during the period from 1910–1914 less than 57,000,000 bushels, while the year 1919 showed an export of wheat amounting to nearly 180,000,000 bushels, or an increase of 313.8 per cent.

Wheat flour in the average annual prewar period ending with 1914 was exported to the amount of 10,000,000 barrels, while in 1919 over 24,000,000 barrels of wheat flour were shipped from America, an increase of 226.5 per cent. The other cereals in the list were in percentage of increase for 1919 over the average five years' prewar period ending 1914.

The following table from the records of the Department of Commerce is very enlightening:

Exports of domestic foodstuffs from the United States.

Reports of Bureau of Foreign and Domestic Commerce, United States Department of Commerce.]

Article exported.	Annual average, 1910–1914.	Year ending June 30—					
		1915	1916	1917	1918	1919	
						Amount.	Per cent of 1910–1914.
Wheat.....bushels..	56,913,228	259,642,533	173,274,015	149,831,427	34,118,853	178,582,673	313.8
Wheat flour.....barrels..	10,678,635	16,182,765	15,520,669	11,942,778	21,880,151	24,190,092	226.5
Oats.....bushels..	8,304,203	96,809,551	95,918,884	88,944,401	105,881,233	96,360,974	1,160.4
Rye.....do....	854,765	12,544,888	14,532,437	13,260,015	12,065,922	27,540,188	3,222.3
Barley.....do....	7,895,521	26,754,522	27,473,160	16,381,077	26,408,978	20,457,781	259.1
Corn.....do....	39,809,690	48,786,291	38,217,012	64,720,842	40,997,827	16,687,538	41.9
Total 5 cereals, including flour.....do....	161,831,264	517,360,227	419,258,518	386,880,263	317,933,492	448,484,568	.....

As we follow these reports and bring them up to date, we find from the records of the Department of Commerce that for the 10 months ending with April, 1920, the exports of wheat and wheat flour were—wheat, 98,720,260 bushels, valued at $238,202,886; wheat flour, barrels, 16,333,889, valued at $181,227,438.

Evidently there is no decline in the amount of cereals and breadstuffs leaving American shores even if the price does continue high. If an embargo on exports of one essential food supply is the remedy for the shortage or the cure for high prices, why not do greater good by extending to all the essential foods? What would be the price of flour and bread in the family budget of the American family if an embargo was placed on the export of wheat and flour? If this bill be the remedy, why not be sincere and render a real service to the American people by including wheat and wheat flour together with all the other important cereals named? Failure to include these puts the stamp of insincerity on the authors and sponsors of this bill.

The average prewar annual export of dairy products was 25,000,000 pounds, and this increased in volume in 1919 to 781,000,000 pounds, or 3,024 per cent. How about the supply and price of butter, which the Department of Agriculture says was normally about the same annual cost to the American family as sugar?

The prewar annual export of meat and meat products was placed at 1,291,000,000 pounds. There were exported in 1919 3,300,000,000 pounds of meat and meat products, or an increase of 255 per cent. The average American family used 800 pounds of meat per year in normal prewar times. Why not an embargo on meat and meat products, an article ten times as great in volume and equally as great in demand on the family budget as sugar? If an embargo on sugar is such a panacea, such a sure way to supply all the people of America with all the sugar they want at as low a price as they want it, why not multiply the satisfaction of the appetite and the saving of money by an embargo on meat and meat products?

It will be contended that America must supply herself largely with sugar grown on foreign soil, while the items already named are chiefly American grown. This is true in part only, but granting the contention, so much more the reason for the inclusion of these. We already have them; it would be good policy then to keep them.

Now, what about hides, leather, and shoes? I quote from the Agricultural Yearbook for 1917, as follows:

The consumption of calfskins was 49 per cent greater than their production in 1900, and the deficiency increased to 1915, for which year the consumption of these skins was 179 per cent greater than the production.

Cattle hides show the same trend; in 1900 the consumption was only 6 per cent greater than the production, and the deficiency increased until 1915, when the consumption was 78 per cent greater than the production.

Again, in the case of sheepskins, the consumption for 1900 was 33 per cent greater than the production; for 1914, 54 per cent greater; and for 1915, 109 per cent greater.

Thus for many years the production of hides and skins in this country has played a losing part in its efforts to meet the demands of consumption, and during all these years this country has been growing more dependent on foreign countries for its hides and skins, and consequently for its leather.

Here is an article for which America is dependent on foreign supply, yet notwithstanding this fact we are exporting enormously hides, leather, and shoes. In the 10 months ending April, 1920, we exported 19,248,842 pounds of hides and skins, valued at $8,919,572, an increase of nearly six times in poundage and value over the corresponding period of the previous year.

The export of leather for the 10-months' period ending April, 1920, shows a total value of $179,395,102, to which we must add manufactures of leather for the same period of 10 months, $74,558,338; while during the same period we exported shoes to the total amount of 16,601,854 pairs, valued at $63,441,630. This is on an article very largely derived from imported raw material. Why not include in this bill hides and skins, leather and manufactures of leather, boots and shoes, limiting the exportation to that imported and manufactured on toll for the foreigner?

If this bill be the remedy, why try to have it sugar-coated? Make it real by putting an embargo on all leather and leather products.

To be fair and impartial let us include wool, another article which we import and for which America is paying a very high price.

For the nine months ending March, 1920, we exported wool products to the amount of $43,261,919, while for the corresponding nine months' period in 1919 we exported $19,049,419, an increase of 130 per cent in 1920 over a corresponding period the year previous.

From all parts of the country come reports of overall clubs being formed. Do not these reports remind you that the people are thinking of the price of wearing material? Might not an embargo on the export of manufactures of wool tend to increase the supply and reduce the price of clothing?

With these facts before you, if you really believe that an embargo on essentials will solve the problem of supply and reduce the cost of living, amend your bill to include wheat and wheat products, meat and meat products, hides and leather, boots and shoes, and wool and wool products.

Failure to include these—all of them equaling and most of them exceeding sugar in importance when measured by the national requirement or by the family budget—will stamp your sugar embargo bill as an attempt at rankest class legislation, insincere, and for political propaganda only; an abortive attempt to divert the eyes and minds of the American people from inability to build constructively in your legislation, and by obstructive methods to continually agitate the business of the country, creating a condition of distrust and uncertainty, which means that the consumer, the great American householder, and none other, will pay the cost as they are doing to-day.

The object of this bill seems to be to encourage American refiners to do business with foreigners instead of trying to benefit the American consumer, and to place the title to all sugars coming into and going out of the United States in the hands of foreigners.

Regulations have made it more profitable to sell abroad than in this country. Your embargo would not stop foreign business so long as the American refiners can refine sugar on toll for foreign account. You can not get away from the law of supply and demand, which will flow over or under or around in some direction. This embargo is an attempt to put in another dam and try to stop the flood in another place. It will only result in changing the channels of trade and will not result in any more sugar being made in Cuba or any less sugar being consumed in England, France, or any of the foreign countries who have been having their sugar refined in this country. The bill is purely demagogic, and in line with most of the other legislation advocated by its proponents.

Mr. LODGE. Mr. President, as there has come a momentary pause, I should like to ask the Senator from Georgia and the Senator from Louisiana if they will not permit a 10-minute executive session? It is a matter of perfect indifference to me personally; but many Senators on the other side of the Chamber have asked for a brief executive session in order to have confirmed a number of pending nominations in which they are very much interested. I should like to make the motion, and after the executive business has been transacted, when the Senate resumes its legislative session, the Senator will still hold the floor.

The PRESIDING OFFICER. Does the Senator from Georgia yield for that purpose?

Mr. HARRIS. With the understanding that I will hold the floor I am willing to yield for that purpose.

Mr. LODGE. Certainly, the Senator will hold the floor.

Mr. HARRIS. I should like to state first, however, since the Senator from Massachusetts has made the request, that the reason why I agreed the other day to let the vote on the joint resolution go over was because the Senator from Massachusetts, the leader of the majority party, suggested that it go over and that there would be a vote on it. I think if the Senator will look at the RECORD he will find that to be the case.

Mr. LODGE. I have no objection to a vote, Mr. President. I knew there were some amendments to be made to the joint resolution which I understood had not then been prepared.

The PRESIDING OFFICER. The Senator from Georgia yields for the purpose suggested by the Senator from Massachusetts without prejudice to his right to resume the floor when the Senate returns to legislative session.

Mr. LODGE. That is understood.

Mr KING Mr President——

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session, the doors were reopened.

PENSIONS AND INCREASE OF PENSIONS.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 7775) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCUMBER. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. McCUMBER, Mr. SMOOT, and Mr. KING conferees on the part of the Senate.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9281) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCUMBER. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. McCUMBER, Mr. SMOOT, and Mr. KING conferees on the part of the Senate.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10515) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCUMBER. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. McCUMBER, Mr. SMOOT, and Mr. KING conferees on the part of the Senate.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11554) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCUMBER. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. McCUMBER, Mr. SMOOT, and Mr. KING conferees on the part of the Senate.

PROPOSED SOLDIERS' BONUS.

Mr. HARRIS. Mr. President——

Mr. THOMAS. Mr. President, will the Senator from Georgia yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Colorado?

Mr. HARRIS. I take pleasure in yielding to the Senator.

Mr. THOMAS. The House has recently refused to permit any extensions of remarks in the RECORD relating to the subject of the bonus, which, among other things, excludes documents referring to that subject from introduction into the RECORD by

Members of the House. I hold in my hand a letter written to the Hon. JULIUS KAHN on the 24th day of May, 1920, and signed by Fred Searls, jr., relating to this subject. I ask unanimous consent that it may be inserted in the RECORD.

Mr. SMOOT. Mr. President, I will ask the Secretary to read it.

Mr. THOMAS. Will the Senator yield long enough for the Secretary to read it?

Mr. HARRIS. What is it?

Mr. THOMAS. It is a letter which I offer for insertion in the RECORD.

Mr. KING. Mr. President, a parliamentary inquiry. Does the Senator from Georgia run any risk of losing the floor by yielding?

The PRESIDING OFFICER. Unless the point is made, the right of the Senator from Georgia to the floor will not be prejudiced by his yielding upon the request of Senators.

Mr. THOMAS. Why, certainly not.

The PRESIDING OFFICER. If the point is made, the Chair will give information of the fact to the Senator.

Mr. HARRIS. I yield to the Senator from Colorado.

Mr. THOMAS. Under no circumstances would I attempt to take the Senator from the floor; I can assure him of that.

The PRESIDING OFFICER. What is the request of the Senator—that the Secretary read the communication?

Mr. SMOOT. Yes; I ask to have it read.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Assistant Secretary read as follows:

SAN FRANCISCO, CALIF., *May 24, 1920.*

Hon. JULIUS KAHN,
House of Representatives, Washington, D. C.

DEAR SIR: As an ex-service man who spent two full years with the A. E. F. in France and Germany, the writer has been interested in the conduct of the various proposed measures for soldier relief in the Congress. He desires to take advantage of his position as one of your constituents to express one or two opinions which he believes from conversation with other ex-service men are more commonly held and less frequently urged than the attitude of a certain rather active element in the American Legion.

The writer knows that a large number of ex-service men would be reluctant to see any of the proposed measures pass, because of a curious feeling—which the writer shares—that their enactment would in a way cheapen our service. It is beyond the power of the Congress to reward the ex-service men who made the greatest of all sacrifices, and some of us who number good friends and comrades amongst them, and who saw them fall and suffer, feel that we would in some intangible way lose something of the satisfaction of having been with them and carried on their attempt if we received a reward which they can not share.

This consideration is a purely sentimental one, of course, but it is commonly, if not generally, shared. Another reason why the writer personally feels opposed to all relief measures is that he does not believe that the service men have any reward coming. He holds that it is the duty of the young men of this country to protect it when necessity arises, and while they may perhaps be entitled to the gratitude of the Nation for having performed their duty moderately well, it was nevertheless their duty, and its consummation places no obligation of financial reward upon the public.

The third reason why the writer as a citizen is opposed to any bonus plan is that he is convinced, after two years' service as a private, noncommissioned officer, and lieutenant, that the payment of a bonus will in the aggregate have no helpful result in bettering the condition of ex-service men generally. These men, after two years or less separation from their former employments must, sooner or later, find a new niche or their old one, and settle down to work as ordinary civilians. No inconsiderable part of the unrest and abnormal labor conditions has been the direct result of the disturbance engendered by this readjustment, and the writer feels sufficient acquaintance with the A. E. F. personnel to venture the considered opinion that the payment of a cash bonus will only make the readjustment harder, prolong the period of no certain occupation, and without creating contentment, contribute directly, as well as indirectly, to idleness, nonproduction, and reluctance to settle down to normal industry.

These reasons alone appear to the writer to dictate opposition to any of these proposed measures, and when to these considerations is added a proper detailed appreciation of the burden which any adequate legislation of the kind proposed would place directly or indirectly on the public—and it is on the public that it must ultimately fall, let the Congress frame it as they will—it appears to the writer that a patriotic citizen with the country's welfare at heart must oppose these measures with the same interest that he supported the war.

The writer thinks that opponents of these bills who were not themselves overseas labor under the disadvantage of being possibly stigmatized as ungrateful or lacking in appreciation of the sacrifices made by the troops, and the hardships and peril to which they were subjected, or of being accused of even more objectionable motives. It is for this reason that he quits the attitude of silent disapproval held by a large proportion of ex-service men to state that he ceased lucrative employment for a private's pay, that he took his chances with the First Division, and that he has resumed civilian employment, and wishes nothing more from the United States than the right to be one of its citizens. It is his earnest belief that you will best forward the interests of the Nation, of the American Legion, as well as the legion of other Americans, if you oppose the passage of any further bonus for ex-service men whose abilities are unimpaired by their service. As to the Nation's obligation to the permanently disabled, there can be no difference of opinion amongst real Americans.

Sincerely, yours,

FRED SEARLS, Jr.

INCOME AND PROFITS TAX RETURNS.

Mr. HARRIS. Mr. President, the Senate is familiar with Senate joint resolution 146. There are two amendments to it. It will not be necessary to have a yea-and-nay vote. We can dispose of it within six or eight minutes; and I ask unanimous consent for the immediate consideration of Senate joint resolution 146.

Mr. SMOOT. Mr. President, that unanimous consent can not be granted as long as there is a question pending before the Senate.

Mr. HARRIS. I ask, then, unanimous consent to lay aside the pending matter.

Mr. SMOOT. Mr. President, why not ask unanimous consent that this be done immediately after the passage of the budget bill? There is no need of displacing the budget bill now with another motion. I ask unanimous consent that the joint resolution be taken up and voted upon immediately after the budget bill is passed.

Mr. SIMMONS and Mr. KING addressed the Chair.

Mr. HARRIS. If the Senator will assure me that there will be no further discussion of the matter——

Mr. SIMMONS. Mr. President, I think we all agree that the Senator from Georgia ought to have a vote upon his joint resolution. It has been pretty thoroughly discussed. All the objections to it have been pretty generally stated. I feel that we ought not to prevent his getting a vote. I sincerely hope the Senator from Utah will not object to the request of the Senator from Georgia for unanimous consent for an immediate vote on the resolution.

Mr. THOMAS. I understand the Senator does not ask for a roll call.

Mr. HARRIS. I stated that I would not ask for a roll call.

Mr. SIMMONS. The Senator stated that he would not ask for that.

Mr. SMOOT. Then, Mr. President, I want to know only one other thing. I want to know whether, if this resolution is acted upon, whether the action be favorable or unfavorable, we then can take up the budget bill, and there will be no objection to its passage?

Mr. HARRIS. Mr. President, I stated I had no objection.

Mr. SMOOT. What I want is to be sure there will be no objection to it.

Mr. POMERENE. Allow me to make this suggestion, that the Senator from Georgia yield the floor, so that we can vote on the budget bill, with the understanding that he can resume the floor immediately thereafter.

Mr. SMOOT. I would be glad to do that.

Mr. POMERENE. I am anxious to get the budget bill out of the way if it is possible, and I do not mean that by reason of action thereon the parliamentary status, so far as the Senator from Georgia is concerned, shall be changed.

Mr. SMOOT. That is perfectly satisfactory to me.

Mr. POMERENE. There are several other matters some of us are interested in which we would like to bring to the attention of the Senate.

Mr. McCUMBER. I do not want Senators to assume that there will be no objection to the consideration of this joint resolution when it comes up or to any unanimous consent for its consideration.

The PRESIDING OFFICER. The Senator from Georgia asks unanimous consent. He is entitled to submit his request for unanimous consent.

Mr. McCUMBER. I understand the point of order was made that there is another matter pending, and that unless the floor is yielded for that purpose the unanimous-consent request can not be made at this time.

The PRESIDING OFFICER. The Chair thinks that the Senator can submit a request for unanimous consent.

Mr. SMOOT. It all depends, Mr. President, upon how the unanimous-consent request is framed.

The PRESIDING OFFICER. The Chair does not think that a technical suggestion of that sort would preclude the Senator from Georgia, in view of all the circumstances connected with the present situation, from submitting his request for unanimous consent that the pending measure be temporarily laid aside and the Senate proceed to the consideration of Senate joint resolution 146, to a vote viva voce upon all amendments which may be offered, and a final vote upon the joint resolution.

Mr. HARRIS. I shall not ask a roll call.

The PRESIDING OFFICER. The Chair has stated that the vote would be viva voce.

Mr. HARRIS. A division, Mr. President.

The PRESIDING OFFICER. Viva voce or by division.

Mr. SMOOT. I shall not object to the proposed unanimous-consent agreement if we can have an understanding now that the budget bill will be taken up and that no objection to the passage of the same will be made, because if objection is to be made we might just as well go on with the budget bill. The Senator from Georgia, I think, will approve of that course.

Mr. HARRIS. I approve of that.

The PRESIDING OFFICER. The request is also made that immediately following the vote upon Senate joint resolution 146 the Senate will proceed to a vote upon the so-called budget bill.

Mr. REED. I object.

The PRESIDING OFFICER. The Senator from Missouri objects to the modified request.

Mr. REED. I do not object to the first request, but I object to the qualification.

The PRESIDING OFFICER. The Senator from Georgia is entitled to have submitted his request for unanimous consent to vote upon Senate joint resolution 146 without the qualification.

Mr. KENYON. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. KENYON. I desire to inquire what is the pending business?

The PRESIDING OFFICER. The pending business is the budget bill, the Chair understands it.

Mr. KENYON. How did that get before the Senate?

The PRESIDING OFFICER. The Chair understands that it was reported from the appropriate committee, and the Senate proceeded to its consideration by unanimous consent, the Senator from Georgia yielding for that purpose.

Mr. KENYON. I am for the budget bill, but the Senator from Missouri [Mr. REED] has objected to unanimous consent.

The PRESIDING OFFICER. The Senator from Missouri has objected to the unanimous-consent request as modified, but the Senator from Georgia modified his request at the suggestion of other Senators, and now desires to submit his original request for unanimous consent that the pending measure, the budget bill, be temporarily laid aside and that the Senate proceed to the consideration of Senate joint resolution 146 to an immediate vote thereon, together with all amendments, a vote viva voce or by division, without roll call. Is there objection to the request of the Senator from Georgia?

Mr. McCUMBER. I object.

The PRESIDING OFFICER. The Senator from North Dakota objects. The Senator from Georgia is recognized.

Mr. HARRIS. Mr. President, I want to read a statement of the Senator from Massachusetts [Mr. LODGE] on May 21, when the joint resolution was being considered by the Senate:

> Mr. LODGE. Mr. President, I can see no possible reason why the joint resolution should not be passed. It seems to me a perfectly proper one. I understand the Committee on Finance had a meeting this morning for the purpose of reporting it out and intend to have another meeting to-morrow to report it out. There is no opposition to it. It appears to me to be rather unnecessary to treat the committee in this way. I do not think it would facilitate the passage of the joint resolution particularly. I think it ought to be brought out to-morrow and disposed of.

On that statement, Mr. President, I let the matter go to the committee. I have no criticism of the acting chairman of that committee. I think he is one of the best men in public life in the United States. I have the greatest admiration for him and for the members of the committee.

I move again, Mr. President, the immediate consideration of the joint resolution.

Mr. McCUMBER. Mr. President, I made the objection more particularly because I thought the Committee on Finance was unjustly and unfairly assailed by Senators upon this floor with reference to its action upon this particular measure. I know there has been no ground whatever for censure of that committee. It has acted fairly, and as soon as the matter was presented for consideration the committee was called together and testimony was taken. We had to wait a day in order to get a report; the Senator from Georgia was then absent; new matters were presented which I felt the Senator from Georgia was entitled to consider before the Senate committee should act upon it; and as soon as he returned, Mr. President, we called the committee together.

Now, Mr. President, with that statement I withdraw my objection to the unanimous-consent agreement.

MEAT-PACKING INDUSTRY.

The PRESIDING OFFICER. The Senate on a previous day entered a unanimous-consent order that at 2 o'clock p. m. on the calendar day of June 5, 1920, the Senate would proceed to the consideration of the bill (S. 3944) to create a Federal live-stock commission, to define its powers and duties, and to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes. The hour of 2 o'clock having arrived, the Chair lays before the Senate the bill referred to under the unanimous-consent agreement.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3944) to create a Federal live-stock commission, to define its powers and duties, and to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes.

Mr. HARRIS. Mr. President——

The PRESIDING OFFICER. The Senate is in Committee of the Whole for the consideration of the bill just reported. Does the Senator from Georgia desire to submit a request for unanimous consent?

Mr. HARRIS. Mr. President, I am very much in favor of the creation of this commission, and I ask unanimous consent to lay aside the pending bill and to have a vote, without discussion, upon Senate joint resolution 146.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. HARRIS. I yield.

Mr. KENYON. I am sure it was the general understanding when the unanimous-consent agreement was entered into that we would not take the time of the Senate this afternoon on the bill. The object was that the bill should be before the Senate at the time of adjournment, so that it would become the unfinished business. That was the general understanding, and I want thoroughly to carry it out. So I am ready, and the Senator from Wyoming [Mr. KENDRICK] joins me, at any time to temporarily lay aside, by unanimous consent, the bill now before the Senate if there is other business of the Senate that any Senator may desire to call up, with the understanding that the bill shall be restored to its place as the unfinished business before the hour of 4 o'clock.

INCOME AND PROFITS TAX RETURNS.

The PRESIDING OFFICER. The Senator from Georgia [Mr. HARRIS] asks unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Senate joint resolution 146 and, without debate, to a final vote upon the resolution with all amendments.

Mr. SMOOT. Mr. President, I have no objection to laying aside the bill, but I shall object to the request made by the Senator from Georgia.

The PRESIDING OFFICER. Objection is made.

Mr. HARRIS. Then, Mr. President, I move——

Mr. SIMMONS. I do not know that I understand the Senator from Utah. I had understood that the Senator was perfectly willing to grant unanimous consent to take up the joint resolution in charge of the Senator from Georgia.

Mr. SMOOT. I am perfectly willing to take up for consideration the joint resolution of the Senator from Georgia if it is going to lead to no debate, but I couple with that the request that immediately after action upon it by the Senate the Senate shall take up the budget bill and vote upon that without any further debate.

Mr. SIMMONS. I am at a loss to understand why the Senator from Utah wants to couple the budget bill to the request of the Senator from Georgia. If the Senator from Georgia can get unanimous consent and we can have a vote on his joint resolution, then it seems to me the budget bill would be in a

better situation than it is now, with the Senator taking up the time of the Senate.

Mr. SMOOT. I do not think so.

Mr. SIMMONS. The Senator is very wrong in not thinking it.

Mr. SMOOT. I can not see it as the Senator sees it; that is all. I am told that there are two Senators who are going to object to the consideration of the budget bill.

Mr. SIMMONS. I do not know whether they are or not.

Mr. KENYON. How can the Senator expect to get the consent of the Senator from Georgia by tying up his proposition with the budget bill?

Mr. SMOOT. We might just as well have it tied up with the budget bill now as to have it tied up at any other time.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from North Carolina?

Mr. HARRIS. I yield.

Mr. SIMMONS. It seems to me the attitude of the Senator from Utah is one of hostility to the consideration of the budget bill, because I think that agreement to the request of the Senator from Georgia would clearly give the budget bill a chance where it will otherwise have none.

Mr. SMOOT. The Senator from Georgia is filibustering against the budget bill right at this moment.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. HARRIS. I yield.

Mr. KENYON. I wonder if the Senator from Georgia does not realize the fix that he is in by being kind and polite in trying to get consideration of the joint resolution? I wish to suggest to the Senator from Georgia that probably when he has been here a little longer he will discover that the only way he can get anything here is by fighting for it. We have the spectacle of two or three Senators who are going to block absolutely the Senator from Georgia in getting action on his joint resolution. It is the situation in the Senate and he might as well understand it. I will join the Senator from Georgia when we get back here in December in seeing if we can not have a fight that will enable measures to be passed and not be vetoed by two or three Senators.

Mr. McCUMBER. Will the Senator from Georgia yield to me for a suggestion?

Mr. HARRIS. I yield to the Senator from North Dakota.

Mr. McCUMBER. The Senator from Iowa [Mr. KENYON] has suggested one way, and that is to fight for it. There is still another way, and that is to wait until just about the time when we have agreed to adjourn and then threaten that you will prevent an adjournment unless you can get your bills considered in preference to all others.

Mr. SMOOT. That is what the Senator from Iowa is doing.

Mr. KENYON. That comes with poor grace from the Senator from North Dakota.

Mr. NORRIS and Mr. McCUMBER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Georgia yield; and if so, to whom?

Mr. HARRIS. I yield to the Senator from Nebraska.

Mr. NORRIS. The suggestion just made by the Senator from North Dakota probably has some meat in it, and it is probably well for the Senator from Georgia to follow his advice. As I understand it, that is about what he is doing. It is a good deal like a strike. The men sometimes must resort to a desperate remedy to get any recognition or to get any rights.

If the Senator from Georgia will proceed, even though he may go down to defeat and some one else may go down with him, and pursue that course once or twice, other Senators will not try to put across the Senate and through the Senate a resolution of adjournment which, under the practice of the Senate, when it once passes, practically gives anyone the power to block any proceedings that he sees fit to block. If the Senator from Georgia must give up in order that something else may be put through, knowing that that means the death of something else on which he ought to have had a right to be heard and have the Senate pass its judgment upon it, it seems to me he is justified. It is perhaps the only remedy left, to resort to the same method.

I think that now, and I thought it when we considered the resolution to adjourn. As I said at the time, it meant that deliberation and consideration by the Senate from that time on, the time being so short, was practically impossible.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. NORRIS. I was not quite through, Mr. President, if the Chair will indulge me and if the Senator from Georgia will indulge me a little longer.

Mr. HARRIS. I yield further to the Senator from Nebraska.

Mr. NORRIS. I have no disposition to criticize the Finance Committee. I have not criticized them, although it has been said here that those who favor the joint resolution have not been fair to the Finance Committee. It has been said here that it is impossible to get a quorum. I have no doubt of the truth of that, that we could not get a quorum.

That very fact, it seems to me, particularly when the joint resolution has been slumbering before that committee for months and months, is a sufficient reason why we ought to discharge the committee and take up the joint resolution. No one intends any reflection upon any committee. It comes with poor grace from the Finance Committee, after having had this resolution so long and particularly after we had the understanding that took place at the time the Senator from Georgia has mentioned when pressing this resolution before—it comes with poor grace now, it seems to me, for the Finance Committee to complain. The Finance Committee could have met it all today by making a report. It might have been an adverse report, if they felt such a report should be made, but they took all the evidence they did take and still took no action, but wanted the resolution to lie on slumbering in the pigeonholes of that committee forever.

So far as I am concerned I wish to commend the Senator from Georgia for the course he has taken. The only objection I have heard is that it was not taken soon enough. It ought to have been taken sooner, and although something else that is good may go down, the only way I think that we can get fair recognition is to let it go down.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. HARRIS. I yield.

Mr. SMOOT. I voted against the final adjournment resolution. I thought it would have been very much better not to have named a day for adjournment. I think it would have been very much better to have recessed. The Senator from Georgia knows that I voted against the adjournment resolution.

But now let us see the situation as it exists to-day. Here is a joint resolution, not a Senate resolution. It can not possibly go to the House; it can not be acted upon at all at this time. There is before the Senate the budget bill, a piece of legislation that has been called for by the people of the United States for the last eight years, at least. I say that the budget bill is not perfect. I know that it will have to be amended in many respects in the future. But I also know that it is a step in the right direction. I know we are going to get information if the budget bill becomes a law which it is impossible to secure under existing conditions.

Mr. NORRIS. Will the Senator from Georgia permit me to ask the Senator from Utah a question?

Mr. HARRIS. I yield for that purpose.

Mr. NORRIS. I should like to ask the Senator from Utah, with reference to the budget bill, whether he is familiar with the President's veto message and his contention as to the changes that should be made and that have been made in the bill? Does the Senator think the President is right in his contention?

Mr. SMOOT. There is a question as to whether he is right or whether he is not. I have not studied the matter closely enough and examined the Constitution of the United States sufficiently to express an opinion whether, from the legal standpoint, the veto is right or wrong. But I do know that if the budget bill is not passed by the Senate within a very few moments it will be useless to undertake to pass it at this session of Congress.

Mr. SIMMONS. Mr. President——

Mr. SMOOT. Just a moment. Again, if the joint resolution were passed, it would not advance action on it at all. It can not go to the House and be acted upon. So why not use every effort of the Senate now to secure the passage of the budget bill in order that it may go to the House and be accepted, and then go to the President and be signed?

Mr. NORRIS. I should like to ask the Senator from Utah why not pass them both? If the Senator from Utah had acceded to the request of the Senator from Georgia, we probably would have had them both passed by now.

Mr. SMOOT. I will tell the Senator why, and I will tell him why I made the request. I understand that there are two Senators who are not going to allow the budget bill to be considered. If there has to be a filibuster, let us filibuster upon

it rather than upon anything else. It will not hasten legislation a single particle now to lay it aside and take up the joint resolution.

Mr. NORRIS. If that be true, the Senator's request asks an impossibility. If the Senator knows there are some other Senators who are going to object to the consideration of the budget bill, how does he expect to get anywhere with the request he has made? He knows he can not get the budget bill considered.

Mr. SMOOT. I want them to object if they are going to do so, and then we will know where we are.

Mr. NORRIS. If the Senator had acceded to the other course and we had had a vote on the joint resolution of the Senator from Georgia, we would have reached that very point and then whoever is going to object to the consideration of the budget bill would have to come out in the open and object.

Mr. SMOOT. I do not know whether we would or not. That I can not tell, nor can the Senator, either, but I do know that the President of the United States in his veto message said he is deeply interested in the budget legislation, and the only reason why he vetoed it was because he thought powers vested in him had been taken from him, powers that under the Constitution belong to the Executive. Now, the House has prepared an entirely new bill to meet the objection which the President had to it, and the President's veto message expresses the hope that that legislation will pass in its amended form.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from North Carolina?

Mr. HARRIS. I will yield to the Senator in just a moment.

The Senator from Nebraska [Mr. NORRIS] has referred to the lack of courtesy shown the Senator from Georgia by the Senator from Utah. I will go a little beyond that. I had what I thought was an understanding with the Senator from Utah in the committee meeting the other day that a resolution which suited me would be brought out. I left for my home with that understanding. Not only have I not been treated with courtesy but bad faith has been shown, if that is parliamentary, Mr. President. I should like to say more than that if it were parliamentary. The Senator from Utah knows that he has gone beyond what a Senator should do in this body in preventing this resolution from coming up. I introduced a Senate resolution more than six months ago and the Senator from Utah objected to it. I was not familiar with the rules, and the Senator from Utah did not tell me every time he objected that under a new law the resolution would have to be a joint resolution.

Mr. SMOOT. Not under a new law.

Mr. HARRIS. Under a law enacted since the passage of a similar resolution two years ago under which the Senate was furnished information regarding income-tax returns. The records of the Senate will show what the Senator from Utah said about it.

Now, Mr. President, the Senator from Georgia has taken less of the time of the Senate than has any other Senator in this body. There is not one Senator but has occupied tenfold more of the time of the Senate during the past year than I have occupied.

The Senator from Georgia has been courteous to the Senator from Utah; he has never objected to a request for unanimous consent when he has asked it; he has never asked for a quorum call or done anything else to delay the business of the Senate. The Senator from Georgia, however, has just started in fighting in this matter.

I know there are Senators here who are not only in sympathy with profiteers, but who do not want the people of this country to know the profits made by those men. Many of those men ought to be in jail, and yet Senators on this floor are by their methods and efforts keeping the people of this country from knowing what the profiteers have done.

Mr. SMOOT. Mr. President, will the Senator from Georgia yield?

Mr. HARRIS. I yield to the Senator from North Carolina, who first asked me to yield.

Mr. SIMMONS. I desire to make a suggestion. I am heartily in sympathy with the complaint of the Senator from Georgia. I do not mean to say that I indorse his reflections, if any, upon the Senator from Utah [Mr. SMOOT], but I indorse his complaint about not getting action upon his resolution. I want to see a vote on that resolution at this session, because I think the Senator from Georgia has been promised a vote and that he has relied upon that promise. The Senator from Georgia relying upon that promise, I want him to have a vote. But I am anxious also, Mr. President, that there shall be an opportunity now given, although it may result in no accomplishment, for the Senate to act upon the budget bill in time for it to be signed and become a law.

Now, I want to suggest to the Senator from Georgia—and I think he ought to adopt this suggestion—that he permit the proposition which he has made to be turned around and presented in this form: That immediately following action upon the budget bill unanimous consent be given that the Senate proceed to the consideration of the joint resolution and that a vote be taken upon it without further debate. I believe if that is done, the Senator will probably get an opportunity for a vote upon his resolution.

Mr. NUGENT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Idaho?

Mr. HARRIS. I yield.

Mr. NUGENT. I desire to ask the Senator from North Carolina what his proposition would avail. The Senator from Utah [Mr. SMOOT] a few moments ago made a statement to the effect that there are Senators in this Chamber who propose to speak in opposition to the budget bill. The inference, as a matter of course, is plain that it is the intention to filibuster against the budget bill until such time as the hour for adjournment arrives. In that event, as a matter of course, it will be impossible for a vote to be taken upon the resolution of the Senator from Georgia. Why can not a vote be had upon the resolution of the Senator from Georgia now?

Mr. SIMMONS. I am very anxious to have a vote upon it.

Mr. NUGENT. And when that matter is disposed of, then, as a matter of course, the budget bill may be brought before the Senate.

So far as I am personally concerned, I am very heartily in favor of the budget bill; I voted for it; I shall vote for it again if the opportunity presents itself; but I am also interested in the other measure. I should dislike very much to see either of these measures fail, but if there is a possible chance of securing the passage of one of them—and I believe there is—if we are permitted to take a vote on the resolution of the Senator from Georgia, there is no reason why that should go down with the wreck or that we should sacrifice the joint resolution and permit the budget bill to again come before the Senate, with no action to be taken upon it ultimately.

Mr. SIMMONS. Mr. President, I do not recall the statement of the Senator from Utah, but I hardly think the statement to the effect that there would be an organized filibuster against the budget bill is correct. I knew that objection would be made, probably, to an immediate vote.

Mr. SMOOT. I never said there was an organized filibuster.

Mr. SIMMONS. I do not believe that to be the situation in the Senate. I knew that objection might be made to an immediate vote, but I did not know of any purpose on the part of any Senator to filibuster to the ultimate defeat of the bill.

Mr. HARRIS. Mr. President, I desire to read from the RECORD of last night. I read from the official report:

Mr. SMOOT. Mr. President, I am perfectly willing to say to the Senator from Georgia now that even though a unanimous-consent agreement were not made here to-night he is entitled to a vote; and I am perfectly willing to have an understanding, if such a thing can be done, that the discussion shall not take more than an hour, and then that we shall vote upon the joint resolution.

The Senator from Utah further said:

Mr. SMOOT. I do not think any Senator is going to get up here and take the whole time. It would disgust every other Senator if he did.

After some further debate, Mr. President, I interjected—and that is the reason I allowed the resolution to go over—

Mr. HARRIS. And a vote taken on the resolution itself not later than 12 o'clock.

The PRESIDING OFFICER. That is already contained in the request. Is there any objection to the request for unanimous consent? The Chair hears none, and the Senate consents.

Now, if the Senator from Utah wants to continue to object and show to the Senate the way he has acted about this matter, he has a right as a Senator to do so, but I did not believe that there was a Senator on this floor who would take an unfair advantage of another Senator in such a manner as he is doing or trying to do.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. SMOOT. I do not want the Senator to yield; I want the floor.

Mr. HARRIS. I had yielded to the Senator from North Carolina.

Mr. SIMMONS. I am not now asking for the floor.

The PRESIDING OFFICER. The Senator from Georgia has the floor.

Mr. SMOOT. I want to secure the floor as soon as I can, Mr. President.

Mr. HARRIS. I renew my——

Mr. SIMMONS. Mr. President, if the Senator from Georgia will permit me, in my anxiety to pass this bill I want to avail myself of every possible chance, and I will ask the Senator from Utah if he will not meet the Senator from Georgia half way by putting the request in this form: That after half past 3 o'clock, if action has not been taken on the budget bill, he will ask that it be laid aside in order to give the Senator from Georgia an opportunity to take up his joint resolution under a unanimous-consent agreement?

Mr. NORRIS. Mr. President, I should like to say to the Senator from North Carolina that he must couple with that the stipulation that there must be a vote on the resolution of the Senator from Georgia.

Mr. SIMMONS. That is what I understood the request would include, namely, unanimous consent to take the resolution up and to vote immediately without further debate.

Mr. NORRIS. If the provision "without further debate" is included, I have no objection.

Mr. SMOOT. Mr. President, if the Senator from Georgia will yield, I should like to make a statement.

Mr. HARRIS. I yield for a question, Mr. President.

Mr. SMOOT. I do not desire to ask a question.

Mr. HARRIS. I do not want to yield the floor.

Mr. SMOOT. I merely wish to make a statement.

Mr. President, the Senator from Georgia, in the first place, complains bitterly of the committee on account of not taking action on the resolution.

Mr. HARRIS. Let me interrupt the Senator. I have not complained of the committee; I complain of the Senator from Utah acting in bad faith toward me about getting the joint resolution before the Senate.

Mr. SMOOT. Then, I will confine my statement to the Senator from Utah. Before the Senator from Georgia returned to his home this question arose in the Senate. At that time I stated upon the floor of the Senate that a meeting of the Finance Committee would be called for the following day, which was the 24th day of May. The committee was called together. There was no member of the committee who had any idea that the investigation proposed by the joint resolution would cost $600,000. I was not the member of the committee who complained about it. The Senator from Georgia was asked to be present at that meeting, and he heard the statements made by the representatives of the Treasury Department.

Mr. HARRIS. The Senator from Georgia thought the Senator from Utah had agreed with him to bring out this resolution in a form that was satisfactory to both of them, and the Senator from Georgia left for his home with that understanding.

Mr. SMOOT. I will tell the story just as it happened, and I think the Senator from Georgia will say that I am exactly accurate. After the Finance Committee learned that the report could not be finished within some six to nine months, would cost $600,000, and not only that but would disrupt the whole organization of the Treasury Department—and that is what was stated to the committee—they thought that perhaps they ought to procure a written statement from the officials of the Treasury Department as to the facts in the case. That request was made, and the letter which has been read to the Senate was written the following day, May 25.

The Senator from Georgia knows that after the committee adjourned I called his attention to the fact, after he told me that he had to return home, that if a report on the joint resolution was to be made from the committee it ought to be along the same lines as the resolution, in response to which a report was submitted and embodied in Public Document No. 259.

Mr. HARRIS. And the Senator from Georgia agreed to the statement of the Senator from Utah and left Washington with the understanding that the Senator from Utah would prepare a resolution in the committee and bring it to the Senate in the absence of the Senator from Georgia.

Mr. SMOOT. Mr. President, no such thing as that was suggested by the Senator from Georgia. I expected the committee would act upon the Senator's resolution which was before the committee, but when the information from the Treasury Department was laid before the committee, the acting chairman of the committee undertook to get the testimony together. I was not opposed and I say now that I am not opposed to the resolution being acted upon.

Mr. HARRIS. The Senator has said that for six months but has objected every time I have tried to get it up.

Mr. SMOOT. Will the Senator please let me finish my statement?

Mr. HARRIS. I will be glad to do so.

Mr. SMOOT. I want to say that I have to-day asked unanimous consent of the Senate that the resolution be voted upon, but unanimous consent was not granted. In reference to the statement which I made last night on the floor of the Senate, I still stand in the same position that I then occupied, but the budget bill is before the Senate.

The VICE PRESIDENT. There is no budget bill before the Senate.

Mr. SMOOT. Was not unanimous consent granted for its consideration?

The VICE PRESIDENT. No. The bill before the Senate is Senate bill 3944, to create a Federal live-stock commission and to define its powers and duties, and so forth.

Mr. SMOOT. That was the unfinished business at 2 o'clock; that is true.

Mr. HARRIS. If the Senator will yield, although I have the floor, I desire to say that if he will help me get a vote on my resolution I will help him to get a vote on the budget bill, and will be glad to do so. I ask the Senator to agree to that; it will not take eight minutes to vote on my resolution and to add to it a short amendment consisting of two lines which I desire to offer.

Mr. THOMAS. Mr. President, may I say a word?

Mr. HARRIS. I yield.

Mr. THOMAS. I listened very attentively to the reading of the record of last night's proceedings, and I think the Senator from Georgia has made out a good case. I did not so understand it at the time, but I think the unanimous consent then obtained as shown by the RECORD entitles the Senator to a vote.

Mr. HARRIS. I thank the Senator.

Mr. THOMAS. I was one who agreed to the request for unanimous consent, and although I did so under a misapprehension, I think, under the circumstances, the Senator is entitled to a vote before we adjourn.

Mr. SMOOT. Mr. President, the statement just made by the Senator from Colorado clears the situation in this respect. I stood here trying to get action upon the budget bill, but I was told by one Senator that he was not going to allow it to pass, and the Senator from Colorado said that he was going to object to the consideration of this resolution.

Mr. THOMAS. That is true, Mr. President; but since hearing the RECORD read I certainly would not object under any circumstances.

Mr. SMOOT. That is why I objected. I thought we might just as well keep the budget bill before the Senate as to undertake to put a joint resolution before the Senate and transfer the filibuster. I could not see any good whatever in it. If the Senator from Colorado is not going to object to the consideration of this matter, then I have not any objection at all to taking up the joint resolution and voting on it.

Mr. THOMAS. I certainly can not object, in the face of the action of the Senate last night.

Mr. SMOOT. But I want to say to the Senator from Georgia that his remarks that have been made here, trying to cast reflections upon the Senator from Utah, were uncalled for. The Senator from Utah knew what he was doing when he made the statement that he did, and the Senator from Georgia knows that upon this floor to-day I asked unanimous consent for the consideration of his joint resolution, and he is trying to make it appear that I am objecting to it.

Mr. HARRIS. Then, Mr. President, as there seems to be a misunderstanding, and the RECORD speaks for itself, I will ask unanimous consent for a vote on Senate joint resolution 146 without further debate.

The VICE PRESIDENT. Is there any objection?

Mr. THOMAS. Mr. President, I do not think there is any misunderstanding as to the RECORD.

Mr. HARRIS. I do not think so.

Mr. THOMAS. The misunderstanding was as to my recollection of what occurred, and I stand corrected by the RECORD.

The VICE PRESIDENT. Is there any objection to laying aside the unfinished business for the purpose of considering the joint resolution of the Senator from Georgia?

Mr. HARRIS. For the purpose of voting upon it.

Mr. KENYON. Mr. President, if it is laid aside temporarily, there is no objection.

The VICE PRESIDENT. Is there any objection to temporarily laying it aside for the purpose of considering the joint resolution of the Senator from Georgia? The Chair hears none, and the Chair lays the joint resolution before the Senate.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. J. Res. 146) directing the Secretary of the Treasury to furnish the Senate certain detailed information secured from income and profits tax returns of taxable year 1918, and it was read, as follows:

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, directed to furnish to the Senate the following information to be secured from the income and profits tax returns for the taxable year 1918 of all corporations:

Capital stock; invested capital; net income; tax (1) income, (2) excess profits, (3) total; per cent of total tax to net income; net income, after deducting tax; per cent of net income to capital stock; per cent of net income to invested capital; per cent of net income, after deducting tax, to capital stock; per cent of net income, after deducting tax, to invested capital; capital stock, 1917; net income, 1917; per cent of net income to capital stock, 1917; excess of the per cent of net income to capital stock for 1918 above the percentage for 1917.

That the information be transmitted in form similar to that obtaining in Senate Document No. 259, Sixty-fifth Congress, second session, which contains the information transmitted by the Secretary of the Treasury in response to the resolution of the Senate of June 6, 1918, and that the corporations be listed in the same sequence and under the same symbols, as far as possible, as obtain in Senate Document No. 259.

Mr. HARRIS. Mr. President, in line 6, page 1, after the word "corporations," I move to insert the words "which have earned in excess of 25 per cent on their capital stock."

I ask for a rising vote on that.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 1, line 6, after the word "corporations," at the end of the line, it is proposed to insert:

Which have earned in excess of 25 per cent on their capital stock.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. The joint resolution is in Committee of the Whole and open to further amendment.

Mr. SMOOT. Mr. President, on page 2, line 2, after the word "excess," there ought to be an amendment by inserting the words "or decrease." There may be companies that had 25 per cent profit in 1916 that have not had any increase since then; it may be a decrease.

Mr. HARRIS. I will agree to that. I accept the amendment.

Mr. SMITH of Arizona. The Senator from Georgia accepts it.

Mr. SMOOT. Wait just a minute.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. NORRIS. May I ask the Senator a question? Why not have 1919 in as well as 1918?

Mr. HARRIS. The 1919 reports are not all completed, and I did not wish to delay the matter. We can ask for that at the next session.

Mr. NORRIS. Does the Senator know when they will be completed?

Mr. HARRIS. It will be several months.

Mr. NORRIS. Then I will not offer the amendment. I should like to have the information for 1919 in addition to 1918. I think it would be of more value——

Mr. HARRIS. The information called for in the joint resolution will be so interesting that there will be no trouble in getting it next year.

Mr. REED. Mr. President, let me suggest an amendment, to add the words "and 1919 when said reports are completed."

Mr. HARRIS. Mr. President, I hope the Senator from Missouri will not ask for that.

Mr. REED. Very well; I will not.

Mr. SMOOT. That would only cost $600,000, and we do not care anything about that now.

The VICE PRESIDENT. The joint resolution is before the Senate as in Committee of the Whole, and open to amendment.

Mr. SMOOT. There is another amendment which shauld be made in order to make it read right. On page 2, line 3, after the word "above," I move to insert the words "or below."

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. After the word "above," on line 3, page 2, it is proposed to insert the words "or below."

Mr. HARRIS. I accept that amendment, Mr. President.

The VICE PRESIDENT. Without objection, the amendment will be agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

Mr. SMOOT. Mr. President, I simply desire to say, in this connection, that I want the Senate to understand that they are taking the responsibility, if this resolution becomes a law, of disrupting the working force of the Treasury Department. The department has pleaded that this joint resolution be not passed.

I will simply content myself by making that statement.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. POMERENE. Mr. President, on the calendar day of June 3, which was the legislative day of June 2, I offered Senate resolution 383; and on yesterday the Senate, on my motion, referred the resolution to the Committee to Audit and Control the Contingent Expenses of the Senate, with instructions to make a report on the convening of the Senate on this calendar day, June 5. I desire to ask the Chair whether that report has been made.

The VICE PRESIDENT. There is no report.

Mr. POMERENE. Mr. President, I see that the Senator from New York [Mr. CALDER], the chairman of the committee, is in the Chamber. May I ask him why the report has not been made?

Mr. CALDER. Mr. President, the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate had no opportunity to make the report. The Senate has been engaged in other business.

I now report the resolution. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate to report Senate resolution 383 adversely.

Mr. POMERENE. May I ask whether that is the report of the entire committee or simply a majority report?

Mr. CALDER. A majority report.

Mr. POMERENE. Who were the Senators who supported it?

Mr. CALDER. The chairman of the committee and the Senator from Utah [Mr. SMOOT].

Mr. POMERENE. What other members of the committee were present?

Mr. CALDER. The Senator from Tennessee [Mr. MCKELLAR].

Mr. POMERENE. Mr. President, I ask that the report as presented be read for the information of the Senate.

The VICE PRESIDENT. The report will be read.

The ASSISTANT SECRETARY. The Senator from New York [Mr. CALDER] reports adversely, from the Committee to Audit and Control the Contingent Expenses of the Senate, Senate resolution 383, which reads as follows:

Resolved, That the powers conferred upon the Committee on Privileges and Elections and the subcommittee heretofore appointed by it under Senate resolution 357 be, and they are hereby, extended so as to authorize and require the Committee on Privileges and Elections, or the subcommittee thereof now acting under Senate resolution 357, to investigate, after the adjournment of the Democratic national convention, and before the November elections, 1920, the receipts and expenditures of the several political committees, and the receipts and expenditures of the campaigns conducted by, and on behalf of, or against, the election of the several candidates for President and Vice President, and the United States Senate, and for said purposes the said Committee on Privileges and Elections, or the said subcommittee, and the members thereof, are hereby clothed with the same powers conferred on said committee and said subcommittee, and the members thereof, by said resolution No. 357; and they are further directed to make report of their proceedings to the Senate not later than the first Monday in December, 1920.

Mr. POMERENE. Mr. President, I have been requested by the junior Senator from Tennessee [Mr. MCKELLAR], a member of this committee, to present the minority report, which I send to the desk and ask to have read for the information of the Senate.

Mr. SMOOT. Mr. President, if we are going to act upon this matter at all, I think we ought to have a quorum. I suggest the absence of a quorum.

Mr. POMERENE. Mr. President, I have not yielded for that purpose. I have not yielded at all. I ask that the report be read.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. UNDERWOOD. Mr. President, may I interrupt the Senator for a moment to ask if the supply bills have been messaged back to the Senate yet?

Mr. SMOOT. I understand that they have been.

Mr. POMERENE. Mr. President, a parliamentary inquiry. Can a point of no quorum be raised while a Senator is occupying the floor without his consent?

Mr. ROBINSON. Mr. President, will the Senator yield to me?

Mr. POMERENE. I yield to the Senator.

Mr. ROBINSON. A point of order, Mr. President.

Mr. KENYON. There are two conversations going on here at the same time.

Mr. ROBINSON. A point of order. The Senator from Ohio, having the floor to address the Senate, declined to yield to the Senator from Utah for the purpose of making a point of no quorum. Under the rule of the Senate the point can not be made unless the Senator having the floor yields for that purpose. Manifestly the Senator from Ohio not having yielded, the point could not be made.

The VICE PRESIDENT. The Chair overrules the point of order. The Senator from Ohio will proceed.

Mr. POMERENE. Mr. President, I now ask that the minority report be read for the information of the Senate.

The VICE PRESIDENT. The Secretary will read the report.

Mr. KENYON. Mr. President, I should like to make a parliamentary inquiry. Is it possible during the address of a Senator for another Senator to rise and not be recognized by the Chair and make a point of no quorum? It appears to be the usual practice of the Senate.

The VICE PRESIDENT. The Senator from Ohio had the floor, for what purpose the Chair does not know; but in look-

ing at the precedents the Chair finds that the precedents say that a Senator can not be interrupted without his consent to suggest the absence of a quorum.

Mr. ROBINSON. Then what the Chair meant to say was that the point of order was sustained.

The VICE PRESIDENT. Certainly.

Mr. ROBINSON. The Chair said it was overruled. That made the confusion. I thought I understood what the Chair meant.

Mr. SMOOT. Mr. President——

Mr. POMERENE. I am not yielding to the Senator. I have asked that the report be read.

The VICE PRESIDENT. The Secretary will read.

The Assistant Secretary read the views of the minority submitted by Mr. MCKELLAR, as follows:

"Mr. MCKELLAR, from the Committee to Audit and Control the Contingent Expenses of the Senate, submitted the following minority report, to accompany S. Res. 383:

"'For the minority I dissent from the report of the majority. If ever a Senate investigation has been fruitful of good results, this investigation has been fruitful. Already it has been ascertained that millions of dollars in the aggregate have been used by various candidates for nomination for the Presidency. The use of these funds in the way they have been used is commonly called a national scandal. If men will spend several millions for a nomination for the Presidency, how much will be spent in the actual election? Where is this thing going to stop? Are we going to permit the Presidency to be put up for sale and bought by the candidate having the most money? I do not believe anyone will say we ought to do that. Then we ought to continue this investigation. If we stop this now it will be equivalent to saying that the Senate is perfectly willing to establish the truth about the campaign expenses of certain of the contestants for the nomination, but it is not willing to turn the light of day upon the campaign expenses of the successful candidates after they are nominated. Suppose one of these candidates who has used a half million or a million or more secures a nomination; the defeat of this resolution would be equivalent to saying to him, "Well, you have bought your nomination, now go ahead and buy your election. The Senate will not molest you." Neither a nomination nor an election to the Presidency should be put up and sold to the highest bidder. We have a splendid opportunity now to put an end to the important use of money in these elections and in nominating primaries. This committee has done a splendid work and is entitled to the thanks of all patriotic and honest Americans. Let us give them authority to finish its good work. For the minority I recommend that the resolution do pass.

"'KENNETH MCKELLAR.'"

Mr. POMERENE. Mr. President, this resolution grew largely out of the results of hearings which we have been holding during the past several weeks. There has been one recess after another, and I have been admonished that this resolution shall not pass because an objection could and would be made to its consideration under the rules of the Senate.

I recognize that it is within the power of the majority under the rules to prevent the final passage of this resolution. When I presented the resolution and asked for its consideration, the distinguished leader of the majority [Mr. LODGE] asked that it go over for a day. By reason of that fact I concluded that perhaps I could progress somewhat more rapidly if I were to ask to have the resolution referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and the Senate on my motion, which was passed without a dissenting voice, referred the resolution to that committee with instructions to report it back on the convening of the Senate on this calendar day June 5.

One matter after another has occupied the floor, and the distinguished chairman of that committee did not make the report until about 2.30 this afternoon, within an hour and a half prior to the time of the adjournment.

I am not deceived by these methods of procedure. I recognize that the Republican majority are determined there shall be no further investigation if it is possible to prevent it.

Mr. President, the distinguished Senator from Idaho [Mr. BORAH] offered the original resolution under which we have been operating for two weeks, authorizing the investigation of the preconvention receipts and expenditures of the several presidential candidates. It would not have passed except for his persistence and his insistence, and now I know that if I am to yield the floor a point of order will be made against it; but I want to ask those of you who may make the point of order, will you say it is made with the approval of the Senator from West Virginia [Mr. SUTHERLAND], who is a candidate for the Republican nomination for President?

Will you make the point of order with the approval of the Senator from Ohio [Mr. HARDING], my distinguished colleague, who is a candidate for the nomination for President?

Will you make the point of order with the approval of the distinguished Senator from California [Mr. JOHNSON], who is a candidate for the nomination?

Will you make the point of order with the approval of Mr. Lowden, the governor of Illinois, who is a candidate for the nomination on your ticket?

Will you make it with the approval of Gen. Leonard Wood, who is likewise a candidate?

Or with the consent of the distinguished Senator from Washington [Mr. POINDEXTER], who is a candidate for the nomination for President?

Will you make the point of order with the approval of my genial and able friend, the distinguished junior Senator from Pennsylvania [Mr. KNOX], whose name as a candidate is being considered by many admiring friends and associates?

The governor of Massachusetts is urged by his friends. Will you make the point of order with his approval?

The distinguished Senator from Maryland [Mr. FRANCE] is a candidate likewise. Will you make the point of order with his approval?

Then, we have in this Chamber the great and learned Senator from Massachusetts [Mr. LODGE], who is chosen, I understand, as the temporary chairman of the Republican convention. Will you make the point of order with his approval?

Senators, let me admonish you, you dare not strain at the gnat of parliamentary law and swallow the camel of corrupt or excessive use of money in the politics in this country. That day is past, and without having any direct authority from those who have offered themselves as Democratic candidates, I submit that no one will rise in the Senate, or through the public prints, and object to this investigation on their behalf.

Aye, more, there has been going throughout the length and breadth of this land for more than two years that eminent politician, Mr. Hays, the chairman of the Republican national committee. Will he object to this investigation? Somebody says "Deacon" Hays. I do not know whether that is his first name or not. But I want to submit to you that the chairman of the Democratic committee will not object, and I assert that no Democratic Senator here will object to this investigation.

Mr. President, let me suggest to the Senators this further thought: When the Senator from Idaho [Mr. BORAH] offered his resolution and called the attention of the Senate to some of the alleged practices in behalf of certain candidates he had information which justified him in the course he pursued, but he had no better evidence that money was being extravagantly used in support of the several candidates for the nomination for President than we have now that money has been extravagantly used by at least one of the national committees.

I want to be perfectly fair and frank about this. Shortly after the war had concluded it was charged through the press that certain very rich men, presuming to act in the interest of the Democratic Party, had gotten together on a plan whereby they expected to raise a slush fund of from five to ten million dollars. I do not believe that is so, but I do not know; and on behalf of the Democratic Party, to which I owe allegiance, I insist that there shall be an examination whereby we can either prove or disprove those charges. That is my position. The United States Senate can not play favorites either with men or with parties.

On the other hand, the distinguished chairman of the Republican national committee, Mr. Hays, had scarcely warmed his seat before the papers were filled with information—it may be only alleged information—to the effect that the largest slush fund ever in the history of the politics of the United States was to be raised, and stories were printed in the papers to the effect that he was going into each particular State, and that he was summoning the leaders, the captains, the generals, of his party together for the purpose of taking counsel, and the word went out that he wanted the Republicans in each State to raise a given sum, and he, as the chairman of the committee, would duplicate it. Out in the State of Ohio the report was current that $600,000 was to be raised.

I can not vouch for these stories. I do not know. If I am a member of this committee, I shall try to find out about them. I am not enamored of the undertaking, but I will not shirk it, and I will not play any favorites with any man or any party if I am on the committee.

Can you Republicans, who seem to think that the god of fortune favors you this fall, say to the American people, "It is none of your business where or from whom we get our funds, or how we shall spend them"? Can my colleagues on this side

of the Chamber say it is none of the American people's business how much money we get, or from what sources, or what we do with it?

No; we on this side of the Chamber will not say it, and you on the other side of the aisle dare not say it.

Now, Mr. President, let me call your attention very briefly to a few of the disclosures made before the committee having charge of this investigation. I am very happy to say that as to most of the candidates who were investigated there was no evidence that the funds raised were exorbitant in amount or that any of them were illegally used. As an American citizen I blush because I am compelled to say that as to at least two of the candidates seeking the Presidency etxravagant sums of money have been used.

Dr. Hershey, representing the Senator from West Virginia [Mr. SUTHERLAND], testified about two weeks ago that they had raised by contribution $473——

Mr. REED. Four hundred and seventy-three thousand?

Mr. POMERENE. No; $473, and that debts were incurred amounting to $3,700.

Mr. E. H. Moore, who is the representative of the distinguished governor of my State, came before us and said that the funds raised in behalf of Gov. Cox's candidacy amounted to $19,600.

The distinguished Senator from Nebraska [Mr. HITCHCOCK] came before our committee and advised us that the Hitchcock campaign committee had raised $3,300, and that he himself had probably expended $500 of his own money in traveling.

The junior Senator from Oklahoma [Mr. OWEN] was represented before the committee by Mr. Beller, his manager, and he testified that they had raised $13,105.50.

Former Congressman Carlin appeared on behalf of the Attorney General of the United States, Hon. A. Mitchell Palmer, who is a candidate for the nomination for President, and from him it developed the sum raised—and I believe they had a slight surplus on hand—was $59,185.76.

Mr. Harry M. Daugherty, representing the candidacy of my distinguished colleague [Mr. HARDING], appeared before the committee and testified that their total receipts were $113,109.50.

Mr. James B. Reynolds, representing the distinguished governor of Massachusetts, Mr. Coolidge, said that they had raised in his behalf $68,375.

Two men came in, not to speak of others, but two men who claimed to speak authoritatively appeared before our committee representing the candidacy of Mr. Herbert Hoover. The California headquarters raised $101,725.10. The eastern headquarters in New York raised $66,332.87, making a total of $168,057.97.

The distinguished Senator from California [Mr. JOHNSON] was represented by his two managers. Mr. MacSween raised in his eastern headquarters $72,230.54, and Mr. John Henry Rosseter, representing his western or California headquarters, raised $125,000, making a total of $197,230.54.

I might say that I have not had the time to check up the records entirely, and there may be a few insignificantly small amounts which should be added to some of these totals, but they will not vary substantially from the figures which I have given.

And now I come to the candidacy of Mr. Lowden, the governor of the State of Illinois. There was raised by contribution in his behalf $35,000, and he contributed out of his own funds $379,159.78.

Mr. REED. His wife.

Mr. POMERENE. Yes; by him and his wife. This makes a total of $414,159.78 up to about 10 days ago. Think of it! The salary of the President of the United States for four years amounts to only $300,000, and yet one family, pro bono publico, is willing to raise nearly $400,000 to get a $300,000 job.

Mr. REED. To get the nomination for it.

Mr. POMERENE. I stand corrected and I thank the Senator—to get the nomination.

Mr. REED. Will the Senator allow me to interrupt him?

Mr. POMERENE. Certainly.

Mr. REED. I read from the testimony of Mr. Lowden's manager when he was dealing with expenses:

> Gov. Lowden was opposed to newspaper publicity and we have not entered into it.

So this money was not expended to convince the public.

Mr. POMERENE. Oh, Mr. President, I think I can fairly state that this examination has not yet been completed.

But then there is another candidate, Leonard Wood—Gen. Leonard Wood, friend of Theodore Roosevelt. We were advised by witnesses who came before us that it was necessary to expend a large sum of money in order to let the American voters know the virtues of Gen. Leonard Wood. I am not denying his great ability, but with all his great abilities he has one failing. No one, not even his most active friends, would accuse Gen. Leonard Wood of having the ability to hide his light under a bushel, and yet how much was raised by Gen. Leonard Wood?

Before I go to that, let me suggest that it was amply proven before the committee that there was a gathering of his friends, a gathering of the faithful, at which time they preliminarily agreed to underwrite his campaign to the extent of $500,000.

Mr. REED. A starter?

Mr. POMERENE. Yes; a starter. Then he had his good angel from my State, Col. Procter—Col. William Cooper Procter, he of Ivory soap fame, a man who is engaged in the laudable enterprise of electing a President of the United States.

Mr. REED. Keeping the people clean.

Mr. POMERENE. And, as the Senator from Missouri suggests, he wanted to keep the people clean. But, my friends, it will take a more powerful disinfectant than Ivory soap to keep clean the political morals of the United States if we allow these extravagant expenditures in behalf of favored candidates. Bear in mind, we have just got started in this matter. Why, we do not know anything about the convention expenditures yet, and if it takes all the money that he expended in the preliminary campaign prior to the convention, will some one tell me how much it will likely cost to secure the election?

Mr. REED. The nomination.

Mr. POMERENE. Yes, or the nomination; either one.

But let us see! Col. William Cooper Procter, for Gen. Wood, said he was engaged in this work as a work of idealism, just as idealistic, he claimed, as if he were working in the interest of the Red Cross——

Mr. REED. Or the Anti-Saloon League.

Mr. POMERENE. I want you to know a little more about my friend, Col. William Cooper Procter. At the Wood national headquarters in Chicago, up to the date of the appearance of the treasurer, Mr. Sprague, they had raised $1,180,043.20. Now, Mr. President, this was raised in part by subscriptions. I do not know that I can place my finger upon the exact amount, but it was in the neighborhood of $300,000—between $200,000 and $300,000. Then the good angel, Mr. Procter himself, advanced $521,000 as a loan. When I put the question to him, "Do you expect to get it back?" his answer was, "Why, Mr. POMERENE, I think you are expressing that a little bit too strong."

But in addition to the $521,000 which he himself loaned, he went to the bank and borrowed another $100,000, making $621,000. Then he, with Mr. Sprague, gave their joint note for another $100,000, making $721,000. Then they had another very good friend from New York, who likewise went to the bank and raised another $100,000.

There was raised in New York—let us not misunderstand this—something over $400,000. Part of that was accounted for at the Wood headquarters in Chicago. There was, however, a balance of $228,359.01 raised by the New York headquarters, which was in addition to $1,180,043.20 accounted for by the Chicago headquarters. There were also local organizations all over the country. We do not know what amount of money was raised by them. We do know, however, that in the State of Michigan there was raised and expended over $70,000, they having arranged to take care of the campaign themselves; and Mr. Alger, a very rich man, a son of former Senator Alger, himself raised something like $70,000, if I remember the figures aright.

Then in my own State—and we have had only one witness who knew anything about the situation there, so far as funds raised within the State are concerned—Mr. Robert F. Wolfe, of Columbus, a prominent manufacturer, a man who is straightforward in his statements, said that he subscribed $1,500 to the Franklin County campaign committee, and that he himself had expended personally over $12,800. The newspapers are my authority for the statement that Mr. Dan Hanna raised $6,000, to be expended in Cleveland. There was a very active campaign in that State, as there was in other States. I do not know what the amount is that was expended in addition to that for which we have the figures; I can not tell you that; but now, when we are trying to ascertain the methods that have been resorted to in the interest of the several candidates before the convention and have other reports to the effect that men in the interest of the Democratic Party were trying to raise a slush fund of from five to ten million dollars, and those interested in behalf of the Republican campaign were raising mints of money, is anybody going to object to the consideration of this resolution?

Mr. WOLCOTT. What is the Wood campaign total?

Mr. POMERENE. The total of the Wood campaign will amount, as we have the figures now, to little less than $1,500,000, and the returns are not all in. Just a word more and I shall have concluded.

Mr. KENYON. May I ask the Senator a question?

Mr. POMERENE. I yield for a question.

Mr. KENYON. I should like to know if the Senator's resolution would cover the investigation of large contributions in connection with appointive positions such as ambassadors and officers of that kind?

Mr. POMERENE. My resolution does not name ambassadors. It goes to the extent of examining into the question of the receipts and expenditures of campaign committees and of candidates. I think it is comprehensive enough, because it provides for the investigation of persons, as I now recall the language, and others who may be interested and may have taken an active part in the campaign.

Mr. KENYON. I think it should go to the extent of covering the cases I have suggested. The Senator from Ohio is undoubtedly familiar with the facts incident to the Wilson campaign fund and the ambassadorships that seemed to follow the payment of large contributions, which is just as objectionable as anything else.

Mr. POMERENE. I happened to have been a member of the committee in 1912 that went into these subjects, and I can assure the Senator from Iowa that so long as those investigations continued there was not any favoritism shown. We are going into an investigation of the present campaign, and if the Senator desires to go into the other matter I have no objection at all to doing so. If he has reference to investigation as to ambassadors who may be appointed under the successful ticket at the November election, I shall interpose no objection to it.

Mr. KENYON. I know the Senator from Ohio is fair about it, and I do not think that he means to imply that there has been any unfairness about the present investigation.

Mr. POMERENE. I do not; not at all.

Mr. KENYON. I have here a list of various campaign contributions; for instance, that of Mr. Gerard——

Mr. POMERENE. Will the Senator yield to me for just a few moments? I have the floor, I understand.

Mr. KENYON. Yes.

Mr. POMERENE. I wish to finish my remarks in just a few minutes. I shall have no objection to the Senator inserting in the RECORD any figures which he may see fit after I shall have concluded.

Mr. NORRIS. Mr. President, may I ask the Senator from Ohio a question or two with regard to his resolution?

Mr. POMERENE. If the Senator only desires to ask a question, I yield; but I desire to conclude within a very few minutes.

Mr. NORRIS. I am anxious to get action on the resolution. Is not the Senator going to try to have his resolution passed?

Mr. POMERENE. Indeed, I am going to make that effort, and I will conclude in about two minutes.

Mr. NORRIS. I should like to suggest to the Senator that he ought to amend the resolution and extend the time. The time is limited to the 1st of December.

Mr. POMERENE. I shall have no objection to that, if the Senator feels that that is necessary.

Mr. NORRIS. The Senator will remember the suggestion just made, for instance, by the Senator from Iowa [Mr. KENYON]——

Mr. POMERENE. Mr. President, I do not want to be misunderstood.

Mr. NORRIS. I do not misunderstand the Senator.

Mr. POMERENE. I know the Senator does not.

Mr. NORRIS. And I hope the Senator does not misunderstand me.

Mr. POMERENE. I was simply going to say, if the Senator please, that the resolution can not be made too broad to suit me.

Mr. NORRIS. That is the reason I wanted to extend it.

Mr. POMERENE. Very well. In just a moment or two I will conclude.

Mr. President, if I may be permitted to continue, I do not care what a man's politics may be, he can not fail to be impressed with the fact that there have been very extravagant expenditures of money in political campaigns past and present. Conditions are such as almost to remind one of Belshazzar's feast; but let me remind those Senators who favor these large expenditures, or who are going to participate in them, that long years ago when Belshazzar gave his great feast he saw the handwriting on the wall. So during the coming campaign there will be another handwriting on the wall for the party or parties which indulge in this kind of extravagant expenditure. It will be the handwriting of the American people. Liberally translated it will read, "Thou art weighed in the balances, and art found wanting."

In closing, I desire to say that I am sorry the senior Senator from Massachusetts [Mr. LODGE] is not here, because I wanted to make a suggestion to him. He is going to make a great speech in Chicago, for he never makes a speech that is not a great speech. He is one of the leading scholars and statesmen of the age, and no man knows better how to use the English language than he. If he will not consider me presumptous, I want to suggest to him, when he approaches his peroration and sums up the great achievements of the Republican Party, that he tell the country how he and his colleagues, constituting the majority party in the Senate, succeeded in preventing the American people from knowing how much money the Republicans were going to expend and from what sources they secured it. I think that such an announcement would captivate the convention; I am sure that it would thrill the American people. After he shall have done that and by parliamentary tactics succeeded in keeping from the public gaze their tremendous receipts and expenditures, and shall have succeeded in carrying the election, I am sure his fame as a great scholar and a successful statesman will be greater even than we, his colleagues, have ever dreamed of in our philosophy.

Mr. President, I now ask unanimous consent that the Senate proceed to the consideration of the resolution.

COMMITTEE ON REVISION OF LAWS.

During the delivery of Mr. POMERENE's speech,

Mr. KNOX. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Pennsylvania?

Mr. POMERENE. I yield to the Senator.

Mr. KNOX. Will the Senator from Ohio be good enough to yield in order that I may make a request for unanimous consent for the consideration and passage of a resolution proposing an amendment to the rules of the Senate and creating a committee on the revision of laws to cooperate with a like committee of the House of Representatives? I do not think there is any objection to it. It was reported by the Committee on Rules this morning.

Mr. POMERENE. I understand that it is a formal matter which will lead to no discussion?

Mr. KNOX. If it leads to any discussion at all, I will withdraw the request.

Mr. POMERENE. With the understanding that I do not yield the floor, I am very happy to grant the Senator's request.

Mr. KENYON. I should like to know if that can be done without temporarily laying aside the unfinished business?

Mr. KNOX. Of course, I only ask to have it done by unanimous consent. I do not think, if my request be granted by unanimous consent, that it will interfere with the unfinished business.

The VICE PRESIDENT. The Chair is going to rule that all this is being done by unanimous consent, and that the consideration of the so-called live-stock commission bill is going to be the last thing that occurs at this session of Congress, except to say good-by.

Mr. SMOOT. Mr. President, the Senator from Ohio said that he did not want to yield the floor.

Mr. POMERENE. I do not want to yield the floor now.

Mr. SMOOT. I want to say to the Senator that I will not do anything to take him off the floor, though, so far as that is concerned, he could be taken off the floor; but I want to say to the Senator that just as long as he wants to talk I desire that he shall do so.

Mr. POMERENE. Of course, I understand the very generous disposition of the Senator from Utah.

Mr. SMOOT. I am glad that is the case.

Mr. POMERENE. I have observed the Senator's actions for many years.

Mr. SMOOT. So have I observed the actions of the Senator from Ohio.

Mr. POMERENE. Of course.

Mr. KNOX. Mr. President, I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The resolution (S. Res. 387) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That Rule XXV of the Standing Rules of the Senate be amended by adding thereto a new paragraph as follows:

"There shall be appointed at once and hereafter at the commencement of each Congress a Committee on Revision of the Laws, to consist of three Senators, which shall have power to act jointly with the same committee of the House of Representatives."

Mr. KNOX. I move that the Senator from Indiana [Mr. WATSON], the Senator from Kansas [Mr. CURTIS], and the Senator from Delaware [Mr. WOLCOTT] be appointed members on the part of the Senate of the joint committee created by the resolution.

The VICE PRESIDENT. Without objection, the committee as suggested by the Senator from Pennsylvania is appointed.

NOTIFICATION TO THE PRESIDENT.

Mr. UNDERWOOD. Mr. President, the committee, consisting of the senior Senator from Massachusetts [Mr. LODGE], the leader of the majority, and myself, appointed on the part of the Senate to notify the President that the Congress was about to adjourn and to ask if he had any further communications to lay before the Congress, have discharged that duty. The leader of the majority of the Senate is necessarily absent from the Chamber, and I, therefore, desire to make the report, and to say that the President has advised your committee that he has no further communications to lay before the Congress.

CAMPAIGN EXPENDITURES.

After the conclusion of Mr. POMERENE's speech,

Mr. SMOOT. Mr. President, the resolution, of course, is not before the Senate.

Mr. POMERENE. Then, Mr. President, I move that it be considered.

Mr. SMOOT. Mr. President——

Mr. POMERENE. I beg pardon. I ask unanimous consent that the Senate proceed to the consideration of the resolution.

Mr. SMOOT. I did not yield to the Senator.

Mr. President, the resolution, as I understand, has been reported to the Senate to-day, and under the rules of the Senate it must go over for one day.

The VICE PRESIDENT. Yes; if there is objection.

Mr. SMOOT. I object.

Mr. HITCHCOCK. I move that Senate resolution 383 be recommitted to the Committee to Audit and Control the Contingent Expenses of the Senate, with instructions to report the resolution back to the Senate immediately, with the recommendation that it pass, and on that I demand the yeas and nays.

Mr. SMOOT. Mr. President, of course, under Rule XXVI the subject matter has gone over for one day. Paragraph 2 of Rule XXVI reads:

All reports of committees and motions to discharge a committee from the consideration of the subject, and all subjects from which a committee shall be discharged, shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

Nothing could be plainer, Mr. President, than the language of that rule, and no action can be taken upon the resolution until the day next following the day on which it is reported.

Mr. POMERENE. Mr. President, will the Senator from Utah inform his colleagues whether or not his course has the approval of his associates on the other side of the Chamber?

Mr. SMOOT. Mr. President, I have not asked my colleagues what my course shall be, and I never do. I take whatever course I think is best and proper, not only for the Senate but for the country.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 14102. An act securing rights of way and easements over public land in connection with Federal irrigation projects; and

H. R. 14444. An act authorizing the construction of a bridge and approaches thereto across Red River connecting Wilbarger County, Tex., and Tillman County, Okla., beginning at a point in the Mrs. Eliza Littleton survey, Wilbarger County, Tex., and extending north to a point near the line between range 21 and range 22 west, township 2 south, Jackson County, Okla.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice President:

H. R. 11224. An act to amend the act entitled "An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," approved October 16, 1918; and

H. J. Res. 380. Joint resolution authorizing the payment of the compensation of session employees of the Senate and House of Representatives for the month of June, 1920, on the 5th day of said month.

HOUSE BILLS REFERRED.

H. R. 14102. An act securing rights of way and easements over public land in connection with Federal irrigation projects was read twice by its title and referred to the Committee on Public Lands.

H. R. 14444. An act authorizing the construction of a bridge and approaches thereto across Red River connecting Wilbarger County, Tex., and Tillman County, Okla., beginning at a point in the Mrs. Eliza Littleton survey, Wilbarger County, Tex., and extending north to a point near the line between range 21 and range 22 west, township 2 south, Jackson County, Okla., was read twice by its title and referred to the Committee on Commerce.

CAMPAIGN EXPENDITURES.

Mr. KENYON and Mr. BORAH addressed the Chair.

The VICE PRESIDENT. There is a point of order that the Chair must consider. Meantime Senators may address the Senate. The Senator from Iowa is recognized.

Mr. KENYON. Mr. President, what I have to say will be very brief.

I suppose more or less politics must get into a situation of this character. That is unfortunate. I am sorry the point of order has been made. It does not, I am sure, represent the sentiment of many Members on this side of the Chamber. I trust it will be withdrawn.

Personally I am anxious, and I know there are many others who would be anxious, to have the most thorough investigation made in both parties.

I know that there are legitimate objections that can be urged against that, but they have no weight in my mind. I can not be accused of any partisanship, I am sure, in the way the investigation has been conducted, and I do not feel now, as the chairman of the committee, in discussing it at all from a partisan standpoint or, in fact, entering into any particular discussion about it, but it must not be thought that the fault is all with the Republican Party. I condemn these extreme expenditures as much as any man, and we have conducted this investigation on the theory that we were going to the bottom of this whole thing, no matter who it hit, no matter how hard it hit, and let the chips fall where they would. In studying this record, however, I think it will be found that some of the testimony as to one Democratic candidate is fully as bad as, if not worse than, anything that has been offered as to the Republican candidates; and I am not defending these expenditures on their part by any means. Politics and partisanship ought not to creep into this investigation.

The amendment of the Senator from Ohio ought to go, if it could be carried, to the investigation of the question I have suggested—the almost notorious purchase of foreign ambassadorships by large campaign contributions. It is a practice that ought to stop in this country. It debauches the public service and arouses question in the minds of the people of the Nation. I rose to speak of that without any passion or any prejudice and to place in the RECORD a statement showing some of the large contributors to the Wilson campaign of 1912 and the subsequent positions to which the large contributors were appointed.

Mr. SMOOT. Mr. President, will the Senator read the names?

Mr. KENYON. Some of them. There are too many to read them all.

Mr. Baruch, who has been a very prominent gentleman in this administration, contributed $12,500. He has been in some kind of governmental positions. I do not know that they have been very lucrative.

I shall refer only to the ambassadors and people of that kind, however.

Mr. W. M. Daniels, of Princeton, N. J., contributed to the campaign $250 and to the McCombs prenomination fund $300.

Mr. De Saulles, of New York, minister to Uruguay, contributed $5,000.

Here is a postmaster who contributes $214.50.

Mr. Gerard, ambassador to Germany, $13,500.

Mr. George W. Guthrie, of Pittsburgh, ambassador to Japan, $1,000.

These contributions, as I understand, were all made before the appointments, of course.

Mr. Thomas D. Jones, of Chicago, who was appointed on the Federal Reserve Board, and declined under fire, $10,000. He also contributed to the Cleveland E. Dodge prenomination fund $10,500.

Mr. William Gibbs McAdoo, whose boom for President is invisible, contributed to the McCombs prenomination fund $2,700, and to another prenomination fund $400.

Mr. McCombs, of New York, who, according to the press—and I suppose it has not been disputed—was offered the ambassadorship to France, $11,000.

Mr. Henry Morgenthau, ambassador to Turkey, contributed to one fund $10,000 and to another $20,000.

There seem to have been several prenomination funds.

John Barton Payne, chairman of the United States Shipping Board, now Secretary of the Interior, $15,100.

Frederick C. Penfield, Germantown, Pa., ambassador to Austria-Hungary, $10,000 to one fund, and to the McCombs prenomination fund $12,000, being a total of $22,000.

Mr. Pindell, of Peoria, confirmed ambassador to Russia, and subsequently resigned, $100. That was rather a small amount for a man who was created ambassador to Russia, but he did not hold the position, I believe, for a long enough time to reach New York.

Mr. Walter W. Vick, Rutherford, N. J., general receiver of customs, Santo Domingo, $1,750.

Mr. Samuel Untermyer, New York, who has been some kind of special attorney, I have been informed, for the Government, $17,000.

Mr. Hugh C. Wallace, Tacoma, Wash., ambassador to France, $10,000.

Joseph E. Willard, Richmond, Va., ambassador to Spain, $2,000.

Charles R. Crane, of Chicago, offered but declined ambassadorship to Russia, now ambassador to China, $40,000; and he contributed to the McCombs prenomination fund $10,000.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Montana?

Mr. KENYON. I do.

Mr. WALSH of Montana. I recall that Mr. Crane was at one time appointed ambassador to Japan or China—China, I think—by the Taft administration. Has the Senator the amount that he contributed to the Taft campaign?

Mr. KENYON. No; I have not, but if the Senator will give it to me, I will gladly put it in my remarks.

Mr. WOLCOTT. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Delaware?

Mr. KENYON. I do.

Mr. WOLCOTT. If my recollection is correct, the post to China is not an ambassadorship, but our representative there is a minister.

Mr. KENYON. Well, whatever it is, it seems to be worth a $50,000 campaign contribution.

Mr. HARRIS. Mr. President, I think the RECORD shows that Mr. Crane contributed the same amount to the Roosevelt fund the same year that he contributed to Mr. Wilson's fund. I feel sure that that is the fact.

Mr. THOMAS. The Senator does not mean that Mr. Roosevelt spent any money in a campaign!

Mr. KENYON. If the Senator knows that, we will accept it as the fact. I do not care to whom they contributed. It is this idea of contributing great sums of money and getting rewards in great ambassadorships; and it is just as bad as the contribution of great sums of money to carry on campaigns.

Mr. WOLCOTT. Mr. President, will the Senator yield for a question?

Mr. KENYON. Yes.

Mr. WOLCOTT. The Senator, back early in his remarks, mentioned some gentleman who contributed the large sum of, I think, $150 or $250. Will the Senator tell what high office that gentleman bought with that large sum? I do not recall that he mentioned what high place he got.

Mr. KENYON. I think it was some minor post office.

Mr. SMOOT. Mr. President——

Mr. KENYON. I do not want to take all the time, because other Senators will follow me.

Mr. SMOOT. Will the Senator yield for a moment?

Mr. KENYON. Yes.

Mr. SMOOT. I want to say to the Senator that the figures which he has just read to the Senate do not include the contributions made by members of families of some of the persons he has already mentioned.

Mr. KNOX. Mr. President, I want to suggest to the Senator from Iowa that in going over this list he ought not to overlook Mr. Thomas Nelson Page, a gentleman who wrote pretty little storybooks, and who contributed twenty-five or thirty thousand dollars of his wife's money and got the ambassadorship to Italy and then rented his house in Washington to the Italian Government as an embassy. [Laughter.]

Mr. KENYON. Well, Mr. President, I suppose we can find more fault with the man who contributes his wife's money than with the man who contributes his own money. I have only called attention to this as a part of the general discussion, not at all in criticism of the Senator from Ohio for leaving out that part of it. I know the fairness of the Senator from Ohio, and I know the splendid work he has done on the committee. However, as the pot is calling the kettle black, we might as well have both sides of it.

Mr. PHELAN. Mr. President, may I ask the Senator a question before he sits down?

Mr. KENYON. Certainly.

Mr. PHELAN. Has the Senator a record of the contribution made by John W. Davis?

Mr. KENYON. I have not.

Mr. PHELAN. Has the Senator a record of the contribution made by Brand Whitlock?

Mr. KENYON. No; I have not.

Mr. PHELAN. Or by Robert Underwood Johnson?

Mr. KENYON. No. Has the Senator the record of their contributions?

Mr. PHELAN. I was interested because these gentlemen occupy the highest embassies; and if the embassies were put up at auction, as the Senator would intimate, it would be interesting to know that.

Mr. KENYON. I think it would be.

Mr. PHELAN. The Senator is aware, is he not, that most of the diplomatic appointments of the first class have gone to members of the Republican Party? It might indicate, if the Senator is aware of that, that there was no traffic in embassies, and that the appointments were made upon merit.

Mr. KENYON. I have given the figures that I have. If the Senator has any more, I shall be glad to add them to the list.

Mr. BORAH. Mr. President, I understand the able Senator from Utah [Mr. SMOOT] has objected to the consideration of this resolution, and that under that objection, if it is sustained, he has carried it over for the day, and therefore for the session.

I wish I might prevail upon the Senator from Utah to withdraw that objection. He is older in the Senate and more experienced in politics than I am; but I venture to say that if that objection is made and sustained, the Senator will agree with me before the ides of November that it was an error of judgment.

There are very few questions before the American people now concerning which they are so deeply aroused and about which they feel so intensely as this question of undertaking to control politics through the sheer use of money. It does not appertain alone to any one political party, and anyone who undertakes to confine it to a mere party movement, or undertakes to present it to the American people from a mere party standpoint, is misrepresenting it and is a partisan before he is a patriot.

The difficulty, Mr. President, in dealing with just these kinds of questions, and the almost impossibility of eliminating them from politics, is that the moment the question is raised the party question enters, and either party will defend the most outrageous things from sheer party expediency. We never can eliminate the use of money in politics if we are going to pursue the course of justifying whatever our party does, regardless of whether it corresponds with decency and conscience or not, and that is the reason, Mr. President, why we can not make headway in regard to these things.

It does not make any difference how many ambassadorships are involved; if it is upon one side of the Chamber, it is defended, and it does not make any difference how much money is expended for a nomination; if it is upon the other side of the Chamber, it is defended or excused. And the most discouraging feature of this whole situation, to my mind, is the fact that after the startling revelations during the last two weeks some of the largest Republican and independent newspapers have undertaken to defend it or excuse it. They are the unworthy purveyors of indecency to the American people, and they ought to be denounced as the advocates of pollution of American citizenship when they do so.

It is not a party question, Mr. President. It is a simple proposition of whether or not there are enough men in this country to stand between those who have made up their minds to control politics through the sheer use of money, and their determination to accomplish their ends in that way, and the American people.

I do not know what my party will do in the next 10 days. I know what the party which was organized under the exalted leadership of Lincoln ought to do, regardless of individuals; and that is, by its course of conduct, when it shall assemble in a few days, to eliminate from consideration any man who undertakes to dominate a great political convention by the sheer use of money. It ought to reject from its consideration men who will accept unconscionable sums of money to be used for personal political advantage. As I have said, this is a matter which is not controlled by candidates or parties, and we should rise to meet the issue. It is a question of protecting the citizenship of this country. If the Republican Party does not clean house between now and next Saturday night, just as surely as patriotism is yet a virtue in this country some way will be found by the people to protect our institutions against these political profiteers.

Men who have gathered their untold millions in this war, men who have profiteered while young men were sacrificing their lives upon the battle field, men who, looking into the future, thought that they saw disturbances on account of their practices, men who have gathered their wealth and propose at all hazards to defend it, are proposing to control American politics, not by the presentation of great constructive measures which will relieve the conditions in the country, but by the use of the money which they have thus acquired.

Can the party of Lincoln, of Grant, of Sumner; can the party once led by those men who made their flag their first and their only banner, afford to object to the consideration of this resolution in order to send it over, so that this great contest shall not be under supervision or under surveillance until the ides of next November, at a time when the whole country is aroused over this question? I want to see my party win. I want to see it succeed; I believe its principles are more in harmony with the welfare and the happiness of our people and the perpetuity of American institutions.

I want to see it succeed because, if it does succeed, I shall feel more in harmony with its policies than I have felt in harmony with the policies of the opposite party during the last 18 months. I know if the voters' wishes prevail this will be true.

But, Mr. President, I say here, with all the solemnity I can gather, that this party can not succeed by denying to the people knowledge of how it proposes to succeed.

I ask my friend from Utah to reconsider this proposition; let the Republican Party stand upon its record. If there is a contribution coming to the Republican Party, let it be advertised to the world. If it is not advertised, it is a self-evident proposition that it is crooked. If it is not advertised, it is a self-evident proposition that we ought not to receive it. If it is not made public, it is a self-evident proposition that those who are giving it have a sinister motive and a sinister purpose in giving it.

What harm can come if some man wants to contribute money for the success of the party that it be known if it be reasonable and proper? Let the public pass upon it upon the election day. If my friend from Utah excludes the consideration of this resolution, the things which will be charged against us in this campaign will be ten times worse than the things which will be done.

Give us an open field. We should have nothing to conceal. Give us publicity. We should have nothing to hide. Let us, therefore, have this resolution considered, and I beg my friend to withdraw his objection.

Mr. SMOOT. Mr. President, I have never in my life used much money in a campaign. I do not know, Mr. President, what the expenditures of unwarranted amounts can accomplish. It has always seemed to me that such an expenditure was a distinct disadvantage or a weakness to the man who does it, and always redounds to his injury.

This resolution, Mr. President, as I understand it, is asking for an investigation of the contributions to campaign funds from now on until election day. In fact, it has been suggested by the Senator from Nebraska [Mr. NORRIS] that it should be extended. The suggestion is a wise one, if the resolution is to be agreed to. If we had a public press, Mr. President, which did not distort the statements made, but reported them in their true light, there would be no objection to an investigation of campaign contributions. I would not object to a law which would require every donation to a campaign fund to be made public.

Mr. ROBINSON. Will the Senator yield for an inquiry?

Mr. SMOOT. I have only a few moments.

Mr. ROBINSON. I wanted to ask the Senator why he anticipates that the action of the committee will be unfair, when the majority of that committee will be composed of his colleagues on the other side of the Chamber?

Mr. SMOOT. I have not intimated that they would be unfair. I spoke of the unfair reports which were made in the public press. That is all I had reference to, and all I stated. I have not cast any reflection upon the committee in any way, shape, or form.

Mr. ROBINSON. Will the Senator yield for a further question?

Mr. SMOOT. If the Senator will please allow me to continue, as I have concluded I shall not object to action being had upon the resolution.

When I made the point of order I felt, Mr. President, that there was not a State in the Union which has not a corrupt-practices act and could deal with the subject matter of the resolution. All are protected in that way, so far as the expenditure of money is concerned, for a national campaign.

Mr. ASHURST. Will the Senator yield?

Mr. SMOOT. No; I decline to yield, Mr. President.

In that way I thought that we were perfectly justified in not beginning now, during a campaign, the investigation of all sorts of rumors, bringing men from all parts of the country, whether they know anything about the question or not, and keeping the country stirred up during a campaign.

But, Mr. President, I have no objection to making the campaign contributions public, and I have not any objection whatever to this resolution, if it were at any ordinary time. I appreciate what the Senator from Idaho [Mr. BORAH] has said.

As far as I am personally concerned, Mr. President, if there is the least thought in the minds of Senators here that any good can come from such an investigation in any way I shall not make a point of order against it, but will allow it to be voted on now.

Mr. President, I want to say that I consider some of the statements which were made to-day by the Senator from Ohio [Mr. POMERENE] as a reflection upon Senators and not justified. It is perhaps better for me not to say what I had in mind.

Mr. NORRIS. Does the Senator realize that we have to adjourn at 4 o'clock?

Mr. SMOOT. I do; and I know that it is 5 minutes to 4 o'clock. The Senator need not get impatient.

Mr. NORRIS. The Senator will get impatient.

Mr. SMOOT. It will do the Senator no good.

Mr. KNOX. I hope the Senator from Utah will withdraw his objection.

Mr. SMOOT. I certainly shall, and have so stated, and it shall be acted upon, as far as I am concerned, before 4 o'clock, even if the Senator from Nebraska is so impatient about it; I make that statement so that he need not worry.

Mr. NORRIS. That does help out a great deal.

Mr. SMOOT. Now, Mr. President, I am simply going to close by expressing the hope that if the resolution does pass, there will be some good come from it, and I think, of course, that the committee which will have the investigation in charge will use that judgment which is necessary in order to get the facts, rather than rumors, and present them to the American people, if possible, in their true light, rather than have them garbled and colored, as they generally are, through the public press.

Mr. President, I now withdraw my point of order, and I have no objection to the present consideration of the resolution.

The VICE PRESIDENT. Has any other Senator any objection? The Chair hears none. The question is on agreeing to the resolution.

The resolution was agreed to.

NEWSPRINT INDUSTRY.

Mr. WALSH of Massachusetts. Mr. President, from the Committee on Manufactures I submit the report made in pursuance of Senate resolution 164, providing for the investigation of the newsprint industry with a view of discovering whether discriminatory, unjust, or illegal practices are responsible for the present conditions in the newsprint-paper industry and have affected the prices for the products thereof.

The VICE PRESIDENT. The report will be printed.

ADDRESS BY HON. R. C. LEFFINGWELL.

Mr. SMOOT. Mr. President, several days ago the Senator from Virginia [Mr. GLASS] presented an address by the Hon. R. C. Leffingwell, Assistant Secretary of the Treasury, as to the Treasury methods of financing the war in relation to inflation. The address was referred to the Committee on Printing for action, and the Senator from Virginia has asked that the committee make a report on the question of printing it as a document. From the Committee on Printing I report back favorably the manuscript and ask that it be printed as a public document.

The VICE PRESIDENT. Without objection, it is so ordered.

MEAT-PACKING INDUSTRY.

Mr. KENYON. Mr. President, I ask that the unfinished business be laid before the Senate.

The VICE PRESIDENT. The unfinished business is now before the Senate, being Senate bill 3944.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3944) to create a Federal live-stock commission, to define its powers and duties, and to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes.

FINAL ADJOURNMENT.

The VICE PRESIDENT. The hour of 4 o'clock upon this, the 5th day of June, in the year of grace 1920, having arrived, in accordance with the authority vested in me by the concurrent

resolution of the Senate and House of Representatives of the Congress of the United States, I now declare the Senate of the United States adjourned sine die.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 5 (legislative day of June 2), 1920.

REGISTERS OF LAND OFFICES.

Hubbard H. Abbott to be register of the land office at Del Norte, Colo.

John Thomas Joyce to be register of the land office at Durango, Colo.

POSTMASTERS.

ALABAMA.

John M. Graham, Stevenson.

ARIZONA.

William B. Kelly, Clifton.
Milville C. Hankins, Douglas.
Otellia E. Buchanan, Fort Huachuca
Ethel M. Lacy, Gilbert.
Lannes L. Ferrall, Grand Canyon.
Charles Metcalfe, Kingman.
Hugh E. Laird, Tempe.

ARKANSAS.

Logan Huppel, Truman.

CONNECTICUT.

George W. Fairgrieve, Bantam.
William A. Hayes, Bristol.
Daniel J. Kelley, Deep River.
Patrick L. Shea, Derby.
James W. Green, Eagleville.
James F. Holden, Forestville.
Edward B. Sullivan, Guilford.
Daniel F. Finn, Jewett City.
Nelson M. Watson, Kent.
Clarence L. Clark, Lyme.
Willis S. Gilbert, Ridgefield.
George Forster, Rockville.
Robert D. Burns, Saybrook.
Harry W. Crane, Wethersfield.
John G. St. Ruth, Windsor.
John F. Oates, Windsor Locks.

GEORGIA.

James L. Heard, East Point.
Jason Scarboro, Tifton.

IDAHO.

Frank Dvorak, Aberdeen.
Willis M. Sears, Albion.
Richard A. McDonald, Bovill.
William Laurensen, Downey.
Samuel D. Riggs, Emmett.
Christopher O. Dice, Glenns Ferry.
John F. Brown, Kendrick.
Josephine Ervin, Mullan.
George C. Jacobsen, Nampa.
David O. Castater, Parma.
Albert E. White, Payette.
Floyd E. Reynolds, Richfield.
Don C. D. Moore, Sandpoint.
Ole P. Jensen, Shelley.
Milo P. Strecker, Stites.
Charles E. Mitchell, Wilder.

ILLINOIS.

Willis M. Humphreys, Alexis.
Lottie M. Jones, Antioch.
William H. Smith, Apple River.
William Campbell, Athens.
John Dooley, Belvidere.
Edward J. Milligan, Bradley.
James H. Bumsted, Carpentersville.
Frank Johnston, Charleston.
James Wyatt, Chrisman.
James E. Simpson, Collinsville.
Jesse J. Wesse, Dalton.
Albert W. Hilboldt, Dongola.
Max Geisenhoner, East Dubuque.
John C. Kohn, Elgin.
Robert W. Perkins, Erie.
Alexander L. White, Fairmount.
Bert J. Ritson, Farmington.
Pearl A. Hollingsworth, Fisher.
Joseph H. Wagoner, Glenellyn.
Albert P. Ferguson, Griggsville.
William L. South, Hammond.
Joseph W. Davis, Harrisburg.
Charles F. McHenry, Hillsboro.
Oren V. Grant, Hollywood.
Robert L. Downing, Joy.
Robert W. Briscoe, Kansas.
Joseph H. Mulligan, Kewanee.
Nora M. Aull, Kincaid.
Francis A. Thomure, Livingston.
Thomas J. Walsh, McHenry.
George Reinemann, Madison.
William G. Wack, Mansfield.
Louis Wolter, Marissa.
James R. Lewis, Mazon.
Charles H. James, Meredosia.
Calvin D. Miller, Milledgeville.
Peter J. Yentes, Morton.
Herman J. Hemann, New Baden.
Edward C. Fahy, New Berlin.
Ralph C. Waters, Newman.
H. Bruce Shroyer, New Windsor.
John M. Sheets, Oblong.
Thomas P. McCann, Oglesby.
William T. Clopper, Palo.
James L. Mishler, Pearl City.
W. Carroll Bush, jr., Pittsfield.
Rolla L. Russell, Princeton.
Elmer Lummis, Quincy.
Albert Schrieber, Red Bud.
Nathaniel J. Highsmith, Robinson.
William W. Sloan, Rockton.
Henry H. Pierce, Royalton.
Richard J. Marlaire, St. Anne.
John F. Knight, Sandoval.
Timothy J. Kelly, Seneca.
Sarah McGinnis, Shabbona.
Edward P. Devine, Somonauk.
Edward Streng, Stewardson.
Kate M. Weis, Teutopolis.
Henry S. Rolwing, Thebes.
John Gilchrist, Utica.
James E. Heflin, Versailles.
George E. Combs, Villa Grove.
Grove Harrison, Viola.
Fay L. Quilter, Walnut.
Charles J. Paar, Warsaw.
Thomas J. Hopkins, Wenona.
John H. Farquharson, Western Springs.
John E. Wyatt, White Hall.
Laura A. Gregory, Willisville.
Timothy B. Lyons, Winchester.
Charles E. Carlson, Woodhull.
George W. Frame, Woodstock.
Eber C. Burkett, Xenia.

INDIANA.

John L. Fraley, Anderson.
John M. Wickizer, Argos.
Nicholas Volz, Batesville.
J. Ross Robertson, Brownstown.
J. Clyde Davis, Carmel.
Louis H. Kocher, Churubusco.
Grover C. Luther, Clay City.
Edward H. Taylor, Knox.
George W. Roy, Wolcottville.
Otto A. Minear, Claypool.
Irvin A. Cox, Columbus.
William H. Johnston, Crawfordsville.
George A. Wilhelm, Dupont.
Herbert P. Carpenter, Elwood.
Guy Longest, English.
John C. Ring, Frankton.
Elmer Ritter, Fremont.
Harry M. VanLear, Garrett.
Daniel A. Riley, Greentown.
Guy C. Hart, Kendallville.
Maurice L. Cory, Kingman.
Henry O. Eldridge, Lagrange.
James P. Simons, Monticello.
Frank D. Haimbaugh, Muncie.
Charles Bates, New Carlisle.
Elmer E. Stull, North Liberty.
Frank W. Boren, Owensville.
William F. Wake, Roanoke.

William T. Newton, Rosedale.
William A. Michael, St. Mary-of-the-Woods.
Charles M. Sparks, Shirley.
John T. Scott, Valparaiso.
Verner A. Hahn, Wakarusa.
Alden H. Baker, Westfield.
George P. De Hoff, Winona Lake.

IOWA.

George F. Althouse, Ackley.
Patrick J. Grace, Adair.
Oscar M. Farb, Albert City.
Henry E. Button, Alden.
Lester R. Hudgel, Anthon.
William M. Bausch, Ashton.
John W. Blake, Atlantic.
Frank M. Beymer, Avoca.
Nicholas E. Sheridan, Bancroft.
Kenneth F. Baldridge, Bloomfield.
John R. Herron, Boone.
Lloyd L. Anspach, Bussey.
James B. Thompson, Casey.
Isaac T. Street, Center Point.
Edgar W. Penly, Central City.
James Steele, Clearfield.
Joseph C. Palmer, Clear Lake.
Oliver S. Barber, Creston.
Ezekiel S. Thompson, Eldora.
Gladys H. McDowell, Emerson.
William H. May, Exira.
Anthony J. Schreiber, Fort Atkinson.
Charles F. Irons, Garrison.
Dorothy Parden, George.
Amos Ingalls, Greene.
Robert A. Donahoe, Griswold.
Calvin P. Luther, Guttenberg.
Fred L. Ives, Hamburg.
Curran F. Swift, Harlan.
Arthur B. Peters, Hawkeye.
Albert F. Steffen, Hull.
Dennis A. Ray, Humboldt.
Charles H. Howe, Janesville.
George F. Smith, Keosauqua.
William J. Casey, Knoxville.
Stephen E. Magner, Lorimer.
Anna B. Berry, Marquette (late North McGregor).
John A. McNerney, Mount Ayr.
Fred H. Jamison, Oelwein.
L. Harold Neville, Orient.
George P. Martin, Peterson.
Joseph G. Geister, Primghar.
George Ritz, Rockwell City.
Sylva E. E. Thompson, Roland.
Clifford Bowman, Royal.
William H. Ward, Ryan.
Martin P. Klindt, St. Ansgar.
Therides V. Barnard, Schaller.
Edward M. Bratton, Shellsburg.
Everett T. McShane, Springville.
Joseph J. McMahon, Toledo.
David F. Kirkpatrick, Wellman.
Edwin E. Cole, Woodbine.
Daniel J. Rhoads, Woodward.

MAINE.

George H. Williams, Alfred.
Henry S. Perkins, Boothbay Harbor.
Franklin K. Jack, Bowdoinham.
Elwin A. Sampson, Brownville.
Isaiah G. Elder, Brunswick.
Mark P. Hamilton, Corinna.
James M. Haley, Cornish.
Bion B. Anderson, Dover.
Francis L. Talbot, East Machias.
Charles H. Leland, Ellsworth.
Gertrude S. Henneberry, Fort Fairfield.
James T. Kneeland, Harrison.
John H. Cooper, Kennebunk.
Wilbur F. Goodwin, Kennebunk Port.
George H. McIntosh, Lisbon Falls.
James L. Foster, Livermore Falls.
John Durgan, Lubec.
Donald L. Brown, Milo.
Carroll N. Staples, Norridgewock.
Irvin H. Ellis, North Anson.
Joseph W. Small, Northeast Harbor.
Theodore C. Haley, Rangeley.
George B. McMennamin, Rumford.
William K. Foster, South Windham.
Ray L. Lisherness, Stratton.
Rena M. Bates, Strong.
H. Clair Miller, Winthrop.
Sumner G. Brewer, Freeport.

MASSACHUSETTS.

Joseph F. McManus, Norwood.

MICHIGAN.

Clarence C. Hopkins, Breckenridge.
Joseph M. Dodge, Cass City.
Sidney Reynolds, Howard City.
William B. Howlett, Jonesville.
Richard W. Doyle, Merrill.
Hiram A. Cole, Paw Paw.

MINNESOTA.

Carlyle H. Day, Albert Lea.
Ennis N. Brandon, Annandale.
Oliver Erickson, Atwater.
Walter C. Galbraith, Balaton.
Alexander J. Irwin, Belleplaine.
William E. Lawson, Benson.
William J. Murphy, Blue Earth.
John K. Jasper, Bovey.
Paul J. Johnson, Boyd.
Lambert Irsfeld, Browerville.
Ernest W. Rebstock, Buffalo Lake.
Mary E. Demel, Buhl.
Arthur M. Loberg, Cokato.
Ignatius Kremer, Cold Spring.
Ernest A. Schilling, Cottonwood.
Denis E. Murphy, Dassel.
Henry J. Bock, Delano.
John Engebretson, Elbow Lake.
Frank L. Frye, Elk River.
John M. Brown, Ely.
John Kasper, Faribault.
Edward C. Feely, Farmington.
John R. Norgren, Foreston.
Francis T. O'Gorman, Goodhue.
Frederick F. Achatz, Harmony.
Jerry Sullivan, Heron Lake.
Nels J. Enquist, Isanti.
Alphonso B. Kobe, Kelliher.
Elizabeth T. Uvaas, Kensington.
Ora M. Goodfellow, Kenyon.
Emily E. McGrath, Kinney.
Alice L. Eriksen, Lakefield.
James Lynch, Lanesboro.
George A. Boyd, Le Roy.
James M. Benson, Lindstrom.
John N. Gayner, Litchfield.
John O. Backman, Mabel.
Charles E. Wise, Mankato.
Steve Blanchett, Marshall.
James H. Pelham, Menahga.
Fred Gay, Moose Lake.
Ward J. Struble, Mora.
Peter W. Gorrie, Morristown.
Mary A. Mogren, Ortonville.
Sidney D. Wilcox, Park Rapids.
William A. Huntington, Paynesville.
Charles E. Gravel, Pierz.
Louis C. Stromberg, Red Wing.
Frederick S. Purdy, Russell.
Henry J. Essler, St. Peter.
Joseph A. Schoenhoff, Sauk Center.
Sadie A. Lane, Sherburn.
Richard F. Lamb, Slayton.
William R. Hodges, Sleepy Eye.
Bennie H. Holte, Starbuck.
Joseph J. Meighen, Twin Valley.
Jessie J. W. Hogue, Tyler.
George A. Phelps, Walker.
Fred T. Moody, Warroad.
John A. Timpane, Waterville.
Otto P. Miller, Welcome.
Frank M. Clark, Wells.
George E. LeTourneau, Windom.
Michael H. Baskfield, Zumbrota.

MISSISSIPPI.

Kirk M. Heflin, Baldwyn.
Andrew J. Darden, Centerville.

MISSOURI.

William A. Roberts, Belton.
James S. Divelbiss, Braymer.
Joseph A. Voelker, Clyde.
James E. Harris, Conway.
William Vogel, De Soto.
Carrie E. McCandless, Downing.
William B. Ellis, Elsberry.
Isaac P. Hopkins, Edgerton.
William P. Spillman, Grant City.
Violet V. Van Horn, Jerico Springs.
Fleety Palmer, Jonesburg.
Baylis Steele, Kansas City.
Peter McKee, Knox City.
Thomas E. Heatherey, La Grange.
Oliver P. Gentry, Liberty.
Clyde G. Eubank, Madison.
Zachariah T. Casebolt, Miami.
John C. Frazier, North Kansas City.
Leonidas P. Driskill, Oran.
Cris Ogden, Oronogo.
Collins J. Johnson, Palmyra.
William T. Murphy, Parma.
Bristol French, Piedmont.
William M. Brown, Polo.
Joseph K. Joiner, Richmond.
Delaus J. Buford, Rutledge.
William L. Peoples, Shelbyville.
Frances F. Hulett, Sturgeon.

NEVADA.

Charles W. Brown, Gardnerville.

NEW HAMPSHIRE.

Edwin M. Allen, Canaan.
Frank L. Marston, Conway.
George H. Sherry, Dover.
Samuel Runlett, Durham.
Elmer T. Ford, Hanover.
Duncan P. Noyes, Henniker.
George F. Sanborn, Meredith.
Philip W. Sherburne, Pittsfield.
Gardner Grant, Salmon Falls.
John A. Willey, Sanbornville.
Edward S. Perkins, Sunapee.

NEW JERSEY.

James J. McAviney, Arlington.
Charles R. Grover, Atlantic Highlands.
William L. Scheuerman, Basking Ridge.
Walter H. Fish, Beverly.
Joseph A. Brady, Caldwell.
Sol Needles, Cape May.
Thomas Quinn, Chrome.
John Y. Bellis, Clinton.
John H. Lindemann, Closter.
Anna G. Rockhill, Columbus.
Patrick V. Doran, Convent Station.
Willard N. Apgar, Dunellen.
Harvey H. VanDerveer, Englishtown.
Alexander A. Yard, Farmingdale.
Frank N. Hughes, Florence.
Mary A. Hyde, Franklin.
Charles L. Kent, Hamburg.
James F. Gleason, Harrington.
Wilbur H. Le Compte, Haworth.
George E. Halladay, Manville.
Joseph Reznfczak, Maurer.
Joseph H. Barcklow, Moorestown.
Paul F. Edwards, Newfield.
James D. Moriarty, Orange.
Richard F. White, Perth Amboy.
David S. Pancoast, Pitman.
Harrison Hollinger, Port Norris.
William Gerard, Rockaway.
Joseph E. Harris, Roebling.
S. Dana Ely, Rutherford.
Hiram H. Shepherd, South Boundbrook.
Philip E. Rockafellow, Stockton.
Joseph E. Charles, Wenonah.
Richard M. Crawford, Westville.

NORTH CAROLINA.

Junius C. Wren, Siler City.
Adolphus S. Ruggles, Southern Pines.

OHIO.

Michael J. Callaghan, Bellevue.

OREGON.

John P. Houston, Vale.

PENNSYLVANIA.

John C. Wiegel, Aliquippa.
John A. Miller, Arnold.
Fred H. Smith, Athens.
Francis B. Smeltzer, Avonmore.
Nelson O. Smith, Blawnox (late Hoboken).
Charles W. Krissinger, Berlin.
Michael C. Bermingham, Blossburg.
John J. McCormick, Bridgeport.
John A. McGinley, Bristol.
Richard O. Heilman, Catasauqua.
Thomas McCobb, Cochranton.
George W. Yost, Collegeville.
Augustus T. Groff, Confluence.
William L. Marshall, Dayton.
Harvey M. Bard, Denver.
Mertie T. Gillies, Devon.
Milton A. Miller, Elizabethville.
Patrick B. Eagan, Emporium.
Joseph R. Thurston, Factoryville.
Caroline E. W. Curry, Glen Olden.
Harby A. Koller, Glen Rock.
Francis E. Burke, Great Bend.
William Critchfield, Herminie.
J. Landis Strickler, Hummelstown.
Joseph C. Luman, Hyndman.
J. Bentley Candy, jr., Langhorne.
John D. May, Lapark.
Dorothy M. Shidler, Marianna.
Elias B. Leiby, Marysville.
Andrew J. Palm, Meadville.
Louis S. Bisky, Meshoppen.
Thomas W. Lauver, Milroy.
John T. Shipley, Meyersdale.
Joseph E. Niemond, Mifflin.
Charles W. Rubendall, Millersburg.
Edward Weidenhamer, Milton.
William J. Burke, Mount Carmel.
Henry M. Good, New Castle.
Anna M. Frank, New Salem.
Andrew S. Knepp, North East.
Edward S. Laughlin, Oil City.
George N. Grumbein, Palmyra.
Howard Kemrer, Paradise.
Samuel J. Myers, Pen Argyl.
Edwin J. Wieder, jr., Pennsburg.
Phaon E. Sheidy, Pine Grove.
Laura W. Weaver, Republic.
Menzo M. Burt, Roulette.
Preston L. Peters, Saegerstown.
Eulalie D. Lockard, St. Davids.
John M. Ebling, Schuylkill Haven.
James P. Owens, Scottdale.
Clarence Reisinger, Sewickley.
Walter M. Clevenstine, Spring City.
John H. Custer, Stoyestown.
John V. McFadden, Summithill.
Hiram L. Purdy, Sunbury.
Oliver F. Wolf, Telford.
Clive S. Burtch, Tioga.
Charles L. Gibbs, Titusville.
Michael J. McNulty, Troy.
John B. Henning, Tunkhannock.
Percival E. Faust, Weatherly.
George D. Arner, Weissport.
Willis C. Kemp, West Middlesex.
John F. Mann, Wilcox.
Joseph M. Rutherford, Willow Grove.

SOUTH DAKOTA.

Lucy H. Berndt, Avon.
Robert H. Benner, Gary.

VERMONT.

John Noble, Bethel.
Michael J. Moran, Brattleboro.
Herbert O. Bixby, Chelsea.
James B. Kimball, Enosburg Falls.
Calvin L. Gates, Morrisville.

Daniel R. Stetson, Newport.
John L. Welsh, Proctor.
Martha G. Kibby, Randolph Center.
Frank H. Tyler, South Londonderry.
Asa C. Oakes, Stowe.
Andrew B. Anderson, Swanton.
John H. Donnelly, Vergennes.

WASHINGTON.

Joseph H. Gill, Washtucna.
William L. Adams, Zillah.

WEST VIRGINIA.

Malichi J. Meadows, Beckley.
Maurice R. Walker, Bramwell.
Clarence L. Perkins, Gassaway.
Joseph H. Long, Huntington.
George A. Porter, Kenova.
John E. Peck, Logan.
Ida J. Garrison, Lost Creek.
Willard Williams, Moorefield.
James H. Bailey, Mount Hope.
Joseph A. Wooddell, Pennsboro.
Thomas W. Gocke, Piedmont.
Edgar J. Loy, Romney.
John L. Evans, Summersville.
Stanhope M. Scott, Terra Alta.
Earle Reger, Weston.

WISCONSIN.

Frank E. Poll, Almond.
Charles W. Steele, Beloit.
John H. Levis, Black River Falls.
Peter T. Moore, Brodhead.
Henry E. Zimmermann, Burlington.
Fred C. Schliesman, Cambria.
John Cremer, Cashton.
Carl Whitaker, Chetek.
Ray C. Stewart, Clinton.
Carrie Kautsky, Colby.
Patrick J. Love, Coleman.
William C. McMahon, Cumberland.
Charles M. Tallman, Delavan.
Herman Kronschnabl, Dorchester.
Henry Pattison, Durand.
Clare L. Shearer, Eagle.
John A. Zimpelmann, Eagle River.
Lawrence Clancy, East Troy.
Thomas D. Smith, Fairchild.
Henry E. Steinbring, Fall Creek.
Henry H. Gleason, Glenwood City.
Raynold G. Lidbom, Grantsburg.
Joseph L. O'Neil, Grays Mills.
Joseph Marx, Hilbert.
Henry R. Schumann, Kohler.
Olas R. Skaar, La Crosse.
George I. Richmond, Lodi.
James O'Hora, Mazomanie.
Ira B. Pierce, Monticello.
Alois Goebel, Mount Horeb.
Charles H. Farley, New Lisbon.
Henry Knapstein, New London.
John B. Kerrigan, Norwalk.
William W. Sanders, Osceola.
Julius E. Hennig, Princeton.
Joseph Le Fevre, Pulaski.
William H. Dunn, Rice Lake.
Alfred H. Fischer, Ripon.
Charles J. Knilans, Sharon.
Russell D. Stouffer, Shell Lake.
William D. Schultz, Stanley.
Hubert A. Wagener, Sturgeon Bay.
William Wagner, Thorp.
Frederick Y. King, Tigerton.
Elmer A. Peterson, Walworth.
William Shenkenberg, Waterford.
Arthur J. Dopp, Waukesha.
Jens Davidson, Westby.

WYOMING.

Conrad S. Vaterlaus, Cowley.
Alfred F. Stott, Douglas
Finis E. Godfrey, Lander.
Effie R. Spragg, Manville.
James L. Masters, Torrington.

HOUSE OF REPRESENTATIVES.

SATURDAY, *June 5, 1920.*

(Continuation of legislative day of June 4, 1920.)

The recess having expired, the House met at 10 o'clock a. m.

THE BUDGET BILL.

Mr. GOOD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill that I send to the Clerk's desk.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read as follows:

H. R. 14441. To provide a national budget system and an independent audit of Government accounts, and for other purposes.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that the further reading of the bill be dispensed with, that I may make a statement of what it contains.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the reading of the bill be dispensed with until he can make a statement of what it contains. Is there objection?

Mr. GARD. Reserving the right to object——

Mr. GOOD. Mr. Speaker, the bill that I send to the Clerk's desk is in all respects like the bill we passed, except that it provides that the comptroller general shall be appointed by the Supreme Court of the United States and the removal shall be vested in the Supreme Court, but it does not give the Senate the right of confirmation.

Mr. MONTAGUE. Will the gentleman yield?

Mr. GOOD. Yes. It is to conform to the suggestion made by the President——

Mr. MONTAGUE. I do not wish to discuss the constitutional but the practical phase of it. Has the gentleman any idea that the Supreme Court would undertake to perform the functions authorized in the bill?

Mr. GOOD. I have no doubt of it. The Constitution provides——

Mr. MONTAGUE. I understand that; you may attempt to make the Supreme Court the appointive power, but I express a confident doubt that the Supreme Court will carry it out. It is beneath the proprieties and dignity of this court, and I doubt if a single, solitary member of that court would undertake to discharge the function.

Mr. GOOD. I am making the request now, but if there is going to be objection——

Mr. MONTAGUE. I am not making objection, but simply calling attention to the fact that the Congress is undertaking to do a futile thing and that the Supreme Court will not discharge the function attempted to be imposed upon it.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

Mr. GARD. Reserving the right to object, of course I understand the situation which exists and I do not want to interfere with the public business in any way, but this is a very important matter, and does not the gentleman think we ought to have a larger attendance?

Mr. GOOD. Mr. Speaker, I ask the Chair to put my request for the present consideration of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Reserving the right to object, may I ask what the request now is?

The SPEAKER. The question now is for the present consideration of the bill. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 14441) to provide a national budget system and an independent audit of Government accounts, and for other purposes.

Be it enacted, etc.,

TITLE I.—DEFINITIONS.

SECTION 1. This act may be cited as the "budget and accounting act, 1920."

SEC. 2. When used in this act—

The terms "department and establishment" and "department or establishment" mean any executive department, independent commission, board, bureau, office, agency, or other establishment of the Government, including the municipal government of the District of Columbia, but do not include the legislative branch of the Government or the Supreme Court of the United States;

The term "the budget" means the budget required by section 201 to be transmitted to Congress;

The term "bureau" means the bureau of the budget;

The term "director" means the director of the bureau of the budget; and

The term "assistant director" means the assistant director of the bureau of the budget.

TITLE II.—THE BUDGET.

SEC. 201. The President shall transmit to Congress on the first day of each regular session the budget, which shall set forth in summary and in detail:

(a) Estimates of the expenditures and appropriations necessary in his judgment for the support of the Government for the ensuing fiscal year; except that the estimates for such year for the legislative branch of the Government and the Supreme Court of the United States shall be transmitted to the President on or before October 15 of each year, and shall be included by him in the budget without revision;

(b) His estimates of the receipts of the Government during the ensuing fiscal year, under (1) laws existing at the time the budget is transmitted and also (2) under the revenue proposals, if any, contained in the budget;

(c) The expenditures and receipts of the Government during the last completed fiscal year;

(d) Estimates of the expenditures and receipts of the Government during the fiscal year in progress;

(e) The amount of annual, permanent, or other appropriations, including balances of appropriations for prior fiscal years, available for expenditure during the fiscal year in progress, as of November 1 of such year;

(f) Balanced statements of (1) the condition of the Treasury at the end of the last completed fiscal year, (2) the estimated condition of the Treasury at the end of the fiscal year in progress, and (3) the estimated condition of the Treasury at the end of the ensuing fiscal year if the financial proposals contained in the budget are adopted;

(g) All essential facts regarding the bonded and other indebtedness of the Government; and

(h) Such other financial statements and data as in his opinion are necessary or desirable in order to make known in all practicable detail the financial condition of the Government.

SEC. 202. (a) If the estimated receipts for the ensuing fiscal year contained in the budget, on the basis of laws existing at the time the budget is transmitted, plus the estimated amounts in the Treasury at the close of the fiscal year in progress, available for expenditure in the ensuing fiscal year are less than the estimated expenditures for the ensuing fiscal year contained in the budget, the President in the budget shall make recommendations to Congress for new taxes, loans, or other appropriate action to meet the deficiency.

(b) If the aggregate of such estimated receipts and such estimated amounts in the Treasury is greater than such estimated expenditures for the ensuing fiscal year, he shall make such recommendations as in his opinion the public interests require.

SEC. 203. (a) The President from time to time may transmit to Congress supplemental or deficiency estimates for such appropriations or expenditures as in his judgment (1) are necessary on account of laws enacted after the transmission of the budget, or (2) are otherwise in the public interest. He shall accompany such estimates with a statement of the reasons therefor, including the reasons for their omission from the budget.

(b) Whenever they reach an aggregate which, if they had been contained in the budget, would have required the President to make a recommendation under subdivision (a) of section 202, he shall thereupon make such recommendation as he may deem necessary.

SEC. 204. (a) Except as otherwise provided in this act, the contents, order, and arrangement of the estimates of appropriations and the statements of expenditures and estimated expenditures contained in the budget or transmitted under section 203, and the notes and other data submitted therewith, shall conform to the requirements of existing law.

(b) Estimates for lump-sum appropriations contained in the budget or transmitted under section 203 shall be accompanied by statements showing, in such detail and form as may be necessary to inform Congress, the manner of expenditure of such appropriations and of the corresponding appropriations for the fiscal year in progress and the last completed fiscal year. Such statements shall be in lieu of statements of like character now required by law.

SEC. 205. The President, in addition to the budget, shall transmit to Congress on the first Monday in December, 1921, for the service of the fiscal year ending June 30, 1923, only, an alternative budget, which shall be prepared in such form and amounts and according to such system of classification and itemization as is, in his opinion, most appropriate, with such explanatory notes and tables as may be necessary to show where the various items embraced in the budget are contained in such alternative budget.

SEC. 206. No estimate or request for an appropriation and no request for an increase in an item of any such estimate or request, and no recommendation as to how the revenue needs of the Government should be met, shall be submitted to Congress or any committee thereof by any officer or employee of any department or establishment, unless at the request of either House of Congress.

SEC. 207. There is created a bureau to be known as the bureau of the budget. There shall be in the bureau a director and an assistant director. The Secretary of the Treasury shall be the director and the assistant director shall be appointed by the President. The assistant director shall receive an annual salary of $10,000 and shall perform such duties as the President may designate. During the absence or incapacity of the director or during a vacancy in the office of director the President shall designate the Acting Secretary of the Treasury or the assistant director to act as director. The bureau, as may be directed by the President, shall prepare for him the budget, the alternate budget, and any supplemental or deficiency estimates, and to this end shall have authority to assemble, correlate, revise, reduce, or increase the estimates of the several departments or establishments.

SEC. 208. (a) The director or assistant director, as may be determined by the President, shall appoint and fix the compensation of such attorneys and other employees and make such expenditures for rent in the District of Columbia, printing, binding, telegrams, telephone service, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, and necessary expenses of the office, as Congress may from time to time provide.

(b) No person appointed by the director or assistant director shall be paid a salary at a rate in excess of $5,000 a year, and not more than four persons so appointed shall be paid a salary at the rate of $5,000 a year.

(c) All employees in the bureau whose compensation is at a rate less than $5,000 a year shall be appointed in accordance with the civil-service laws and regulations.

(d) The provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years shall not apply during the fiscal year ending June 30, 1921, to the transfer of employees to the bureau.

SEC. 209. The bureau shall make a detailed study of the departments and establishments for the purpose of enabling the President to determine what changes (with a view of securing greater economy and efficiency in the conduct of the public service) should be made in (1) the existing organization, activities, and methods of business of such departments or establishments, (2) the appropriations therefor, (3) the assignment of particular activities to particular services, or (4) the regrouping of services. The results of such study shall be embodied in a report or reports to the President, who may transmit to Congress such report or reports or any part thereof with his recommendations on the matters covered thereby.

SEC. 210. The bureau shall prepare for the President a codification of all laws or parts of laws relating to the preparation and transmission to Congress of receipts and expenditures of the Government and of estimates of appropriations. The President shall transmit the same to Congress on or before January 1, 1922, with a recommendation as to the changes which, in his opinion, should be made in such laws or parts of laws.

SEC. 211. The powers and duties relating to the compiling of estimates now conferred and imposed upon the division of bookkeeping and warrants of the office of the Secretary of the Treasury are transferred to the bureau. The Secretary of the Treasury may transfer to the bureau, at the rate of compensation received by them when this act takes effect, any officers or employees of such division who, in his opinion, are essential to the work of the bureau. The positions thus vacated shall not be filled, and the appropriations therefor for the fiscal year ending June 30, 1921, shall lapse.

SEC. 212. The bureau shall, at the request of any committee of either House of Congress having jurisdiction over revenue or appropriations, furnish the committee such aid and information as it may request.

SEC. 213. Under such regulations as the President may prescribe, (1) every department and establishment shall furnish to the bureau such information as the bureau may from time to time require, and (2) the director and the assistant director, or any employee of the bureau when duly authorized, shall, for the purpose of securing such information, have access to, and the right to examine, any books, documents, papers, or records of any such department or establishment.

SEC. 214. (a) The head of each department and establishment shall designate an official thereof as budget officer therefor, who, in each year under his direction and on or before a date fixed by him, shall prepare the departmental estimates.

(b) Such budget officer shall also prepare, under the direction of the head of the department or establishment, such supplemental and deficiency estimates as may be required for its work.

SEC. 215. The head of each department and establishment shall revise the departmental estimates and submit them to the bureau on or before September 15 of each year. In case of his failure so to do, the President shall cause to be prepared such estimates and data as are necessary to enable him to include in the budget, estimates and statements in respect to the work of such department or establishment.

SEC. 216. The departmental estimates and any supplemental or deficiency estimates submitted to the bureau by the head of any department or establishment shall be prepared and submitted in such form, manner, and detail as the President may prescribe.

SEC. 217. For expenses of the establishment and maintenance of the bureau there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $225,000, to continue available during the fiscal year ending June 30, 1921.

TITLE III. GENERAL ACCOUNTING OFFICE.

SEC. 301. There is created an establishment of the Government to be known as the general accounting office, which shall be independent of the executive departments and under the control and direction of the comptroller general of the United States. The offices of Comptroller of the Treasury and Assistant Comptroller of the Treasury are abolished, to take effect July 1, 1920. All other officers and employees of the office of the Comptroller of the Treasury shall become officers and employees in the general accounting office at their grades and salaries on July 1, 1920, and all books, records, documents, papers, furniture, office equipment, and other property of the office of the Comptroller of the Treasury shall become the property of the general accounting office. The comptroller general is authorized to adopt a seal for the general accounting office.

SEC. 302. There shall be in the general accounting office a comptroller general of the United States and an assistant comptroller general of the United States, who shall be appointed by the Supreme Court of the United States, and shall receive salaries of $10,000 and $7,500 a year, respectively. The assistant comptroller general shall perform such duties as may be assigned to him by the comptroller general, and during the absence or incapacity of the comptroller general, or during a vacancy in that office, shall act as comptroller general.

SEC. 303. The comptroller general and the assistant comptroller general shall hold office during good behavior, but may be removed at any time by the Supreme Court of the United States after notice and hearing, when, in the judgment of the Supreme Court of the United States, the comptroller general or assistant comptroller general is incapacitated or inefficient, or has been guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and in no other manner except by impeachment. Any comptroller general or assistant comptroller general removed in the manner herein provided shall be ineligible for appointment to either of such offices. When a comptroller general or assistant comptroller general attains the age of 70 years he shall be retired from his office.

SEC. 304. All powers and duties now conferred or imposed by law upon the Comptroller of the Treasury or the six auditors of the Treasury Department, and the duties of the Division of Bookkeeping and Warrants of the Office of the Secretary of the Treasury relating to keeping the personal ledger accounts of disbursing and collecting officers, shall, so far as not inconsistent with this act, be vested in and imposed upon the general accounting office and be exercised without direction from any other officer. The balances certified by the comptroller general shall be final and conclusive upon the executive branch of the Government. The revision by the comptroller general of settlements made by the six auditors shall be discontinued, except as to settlements made before July 1, 1920.

SEC. 305. Section 236 of the Revised Statutes is amended to read as follows:

"SEC. 236. All claims and demands whatever by the United States or against them, and all accounts whatever in which the United States are concerned, either as debtors or creditors, shall be settled and adjusted in the general accounting office."

SEC. 306. All laws relating generally to the administration of the departments and establishments shall, so far as applicable, govern the

general accounting office. Copies of any books, records, papers, or documents, and transcripts from the books and proceedings of the general accounting office, when certified under its seal, shall be admitted as evidence with the same effect as the copies and transcripts referred to in sections 882 and 886 of the Revised Statutes.

SEC. 307. The comptroller general may provide for the payment of accounts or claims adjusted and settled in the general accounting office, through disbursing officers of the several departments and establishments, instead of by warrant.

SEC. 308. The duties now appertaining to the Division of Public Moneys of the office of the Secretary of the Treasury so far as they relate to the covering of revenues and repayments into the Treasury, the issue of duplicate checks and warrants, and the certification of outstanding liabilities for payment, shall be performed by the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury.

SEC. 309. The comptroller general shall prescribe the forms, systems, and procedure for administrative appropriation and fund accounting in the several departments and establishments, and for the administrative examination of fiscal officers' accounts and claims against the United States. He shall submit periodically to Congress reports upon the adequacy and effectiveness of the administrative examination of accounts and claims in the respective departments and establishments and upon the adequacy and effectiveness of departmental inspection of the offices and accounts of fiscal officers.

SEC. 310. The offices of the six auditors shall be abolished, to take effect July 1, 1920, but the then incumbents of those offices shall be transferred, at their present salaries, to become officers of the general accounting office. All other officers and employees of these offices shall become officers and employees in the general accounting office at their grades and salaries on July 1, 1920. All books, records, documents, papers, furniture, office equipment, and other property of these offices, and of the Division of Bookkeeping and Warrants so far as they relate to the work of such division transferred by section 304, shall become the property of the general accounting office. The general accounting office shall occupy temporarily the rooms now occupied by the office of the Comptroller of the Treasury and the six auditors.

SEC. 311. (a) The comptroller general shall appoint, remove, and fix the compensation of such attorneys and other employees in the general accounting office as may from time to time be provided for by Congress.

(b) All such appointments, except to positions carrying a salary at a rate of more than $5,000 a year, shall be made in accordance with the civil-service laws and regulations.

(c) No person appointed by the comptroller general shall be paid a salary at a rate of more than $6,000 a year, and not more than four persons shall be paid a salary at a rate of more than $5,000 year.

(d) Until March 5, 1921, no person who at the time of the passage of this act holds office as one of the six auditors, and who in pursuance of section 310 is transferred to the general accounting office, shall be removed from office or have his compensation reduced, except for cause.

(e) All officers and employees of the general accounting office, whether transferred thereto or appointed by the comptroller general, shall perform such duties as may be assigned to them by him.

(f) All official acts performed by such officers or employees specially designated therefor by the comptroller general shall have the same force and effect as though performed by the comptroller general in person.

(g) The comptroller general shall make such rules and regulations as may be necessary for carrying on the work of the general accounting office, including rules and regulations concerning the admission of attorneys to practice.

SEC. 312. (a) The comptroller general shall investigate, at the seat of government or elsewhere, all matters relating to the receipt and disbursement of public funds, and shall make to the President when requested by him, and to Congress at the beginning of each regular session, a report in writing of the work of the general accounting office, containing recommendations concerning the legislation he may deem necessary to facilitate the prompt and accurate rendition and settlement of accounts and concerning such other matters relating to the receipt and disbursement of public funds as he may think advisable. In such regular report, or in special reports at any time when Congress is in session, he shall make recommendations looking to greater economy or efficiency in public expenditures.

(b) He shall make such investigations and reports as shall be ordered by either House of Congress or by any committee of either House having jurisdiction over revenue, appropriations, or expenditures. The comptroller general shall also, at the request of any such committee, direct assistants from his office to furnish the committee such aid and information as it may request.

(c) The comptroller general shall specifically report to Congress every expenditure or contract made by any department or establishment in any year in violation of law.

SEC. 313. All departments and establishments shall furnish to the comptroller general such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to require of them; and the comptroller general, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department or establishment. The authority contained in this section shall not be applicable to expenditures made under the provisions of section 291 of the Revised Statutes.

SEC. 314. The Civil Service Commission shall establish an eligible register for accountants for the general accounting office, and the examinations of applicants for entrance upon such register shall be based upon questions approved by the comptroller general.

SEC. 315. (a) All appropriations for the fiscal year ending June 30, 1921, for the offices of the Comptroller of the Treasury and the six auditors, are transferred to and made available for the general accounting office.

(b) During the fiscal year the comptroller general, within the limit of the total appropriations available for the general accounting office, may make such changes in the number and compensation of officers and employees appointed by him or transferred to the general accounting office under this act as may be necessary.

(c) There shall also be transferred to the general accounting office such portions of the appropriations for rent and contingent and miscellaneous expenses, including allotments for printing and binding, made for the Treasury Department for the fiscal year ending June 30, 1921, as are equal to the amounts expended from similar appropriations during the fiscal year ending June 30, 1920, by the Treasury Department for the offices of the Comptroller of the Treasury and the six auditors.

(d) During the fiscal year ending June 30, 1921, the appropriations and portions of appropriations referred to in this section shall be available for salaries and expenses of the general accounting offices, including payment for rent in the District of Columbia, traveling expenses, the purchase and exchange of law books, books of reference, and for all necessary miscellaneous and contingent expenses.

SEC. 316. The general accounting office shall not be construed to be a bureau or office created since January 1, 1916, so as to deprive employees therein of the additional compensation allowed civilian employees under the provisions of section 6 of the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1921, if otherwise entitled thereto.

SEC. 317. The provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years shall not apply during the fiscal year ending June 30, 1921, to the transfer of employees to the general accounting office.

SEC. 318. This act shall take effect July 1, 1920, but appointments to offices herein created may be made prior to that date, to take effect July 1, 1920.

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Speaker and Members of the House, in the discussion of sections 302 and 303 of the reintroduced budget bill, which is now permitted by unanimous consent, it seems to me that we are here presented with a studied effort to so affront the Executive as to make impossible the proper performance of the manifold provisions of the budget. On yesterday we had the action of the House sustaining the presidential veto. Now they come in with a greater limitation on the power of the Chief Executive of the United States, the man who is responsible for the success of the budget system, and place the power of appointment and the power of removal of certain essential budget officers in the Supreme Court of the United States. If there ever was an attempted perversion of the duties of the Supreme Court of the United States, in appointment and removal of the comptroller of the budget system, an Executive function, it is now made manifest in this bill.

Mr. GOOD. Will the gentleman yield?

Mr. GARD. Yes.

Mr. GOOD. I know the gentleman does not want to make a mistake in his statement. This bill gives the President the power to appoint the Secretary of the Treasury, and the Secretary of the Treasury is made director of the budget. It gives the President the power to appoint the assistant in the budget office, and he does that without the consent or advice of the Senate. This is another office, an independent office of auditing.

Mr. GARD. I understand what it is. It is said by proponents of this plan to be authorized by section 2, article 2, of the Constitution, where it provides—

But the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

It is my opinion that it is made on a misapprehension of the constitutional meaning. The constitutional provision means that in Executive functions the President is the man in whom should repose the power of appointment and removal and the responsibility of conduct of the appointed official while in office.

"In the courts of law," which is the second subdivision, the Constitution means that the courts of law may appoint the inferior officers of the court in order that the business of the court may be properly carried on, so that they may be responsible for the conduct and actions of their inferior officers, and make for the best administration of justice through litigated causes.

The third subdivision means that the heads of departments, in order that the minor duties may be properly carried out, may appoint their inferior officers. And there we have summed up in this great instrument, the Constitution of the United States, a distinct statement, safeguarding the interests of the people in the departments and in their administration by the appointment of inferior officers in the three divisions of the executive, the courts of law, and the heads of the departments.

It is impossible, in my opinion, by any process of reasoning to justify the placing of this political power in the Supreme Court of the United States. We have always been fond of believing here in the United States, and I believe it now, that the courts of the land, headed by the Supreme Court of the United States, constitute the great bulwark of defense of our national institutions and of public and private welfare, and it seems to me impossible to reconcile with reason any attempted expediency of having the Supreme Court of the United States appoint the comptroller general of the budget and the assistant comptroller general. It will plunge the Supreme Court, which we always regarded as free from politics, absolutely into all that politics and partisan politics may mean. It is a thing which never should be considered, and the sum total of it, as it now appeals to me, seems to be that those who framed this bill are so intent on unduly limiting the power of the Executive that they

are willing to take a chance of wrecking the necessary working machinery of the budget, which has been asked for by many who have sincerely at heart the best interests of the country. There is but one proposition. The bill with the new language to which I have called attention must not pass.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. HUDDLESTON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count.

Mr. HUDDLESTON (interrupting the count). Mr. Speaker, I withdraw the point.

Mr. GOOD. Mr. Speaker, I yield two minutes to the gentleman from Virginia [Mr. MONTAGUE].

Mr. MONTAGUE. Mr. Speaker, the conferring upon the Supreme Court the power to appoint this officer imposes upon that court the discharge of executive or administrative functions that are obviously of a political or semipolitical character, functions never heretofore discharged by that tribunal, and which I confidently believe it should never under any circumstances undertake to perform. It is the duty of this House thoroughly to consider this question before it embarks upon so radical a departure.

The Federal Government is one of limited and separated powers. It is elementary that all the powers of our Government are granted by the Constitution and are bestowed upon three great divisions or departments of government. The legislative power is given to the Congress, the executive or administrative power is given to the President, and "the judicial power" is given to the Supreme Court and inferior courts. Each division or department is supreme in its field or jurisdiction, and no one of these departments can take from or add to the other. Their separation and independence is almost the saving genius of our institutions, and the common instinct of our people has always contended that liberty, order, and democracy can only be preserved and promoted by a rational application of this great principle of division and separation of powers.

Mr. Speaker, the reputable publicists and the unbroken decisions of our courts declare our Federal Government to be one of limited powers, having no powers except those expressly conferred or arising by necessary implication or powers essential to carrying into effect such expressed or implied powers. Let us see what is granted to the Federal courts of our Republic. Article 3, section 1 of the Constitution prescribes that all—

> The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish.

From this language it is manifest that the supreme and inferior courts of the United States possess no power save that which is in terms declared to be "judicial power," and the expressed grant of judicial power to the courts of necessity excludes therefrom all power not judicial in its nature and character. Obviously the appointment of auditing and accounting officials by the Supreme Court is not the exercise of a judicial power, but plainly and palpably is, in the very nature of things, the exercise of administrative or political power, which is expressly conferred either upon the executive or legislative department of the Government.

But, Mr. Speaker, we do not follow an unbroken path in reaching the proper interpretation of the jurisdiction of the Supreme Court as related to the matter under consideration. In the case of the United States against Ferreira (13 Howard, p. 40), the Supreme Court held that an act of Congress authorizing the district judge of Florida to pass upon certain claims, which decisions were to be reported to the Secretary of the Treasury for his discretionary action thereupon, did not confer judicial but administrative powers. The opinion of the court declares that—

> The powers conferred by these acts of Congress upon the judge, as well as the Secretary, are, it is true, judicial in their nature; for judgment and discretion must be exercised by both of them. But it is nothing more than the power ordinarily given by law to a commission appointed to adjust claims to lands or money, under a treaty; or special powers to inquire into or decide any particular class of controversies in which the public or individuals may be concerned. A power of this description may constitutionally be conferred on a Secretary as well as a commissioner, but is not judicial in either case, in the sense in which judicial power is granted by the Constitution to the courts of the United States.

Again, in an earlier and more celebrated case, known as the Hayburn case (2 Dallas, p. 409), the courts passed upon a question almost wholly analogous to that now under discussion. In that case the Federal courts were authorized by Congress to perform certain administrative acts in relation to the claims of invalid pensioners and to submit their findings for revision to the Secretary of War. The case was never passed upon by the Supreme Court because the act was repealed before it could be finally considered. But in the meantime the question was decided by three United States circuit courts; in one case the Chief Justice and an Associate Justice of the Supreme Court sat; in the second, two Associate Justices of the Supreme Court sat; and in the third, one Associate Justice sat, making five of the six members of the Supreme Court, and in each case an opinion was rendered denying the right of Congress to impose upon the courts any such duties. In these cases letters were addressed by the court to the President of the United States setting forth their declination to undertake the service assigned them by the Congress, and discussing the whole question with great propriety, dignity, and ability. The sum and substance of these three several opinions are found in the inevitable conclusion of the circuit court, composed of Justices Wilson and Blair and District Judge Peters, that—

> The business directed by this act is not of a judicial nature. It forms no part of the power vested by the Constitution in the courts of the United States; the circuit court must, consequently, have proceeded without constitutional authority.

Therefore it seems too plain for further argument that the duties assigned to the Supreme Court by the bill now under consideration are duties in no wise of a judicial nature or character, and therefore the legislative department of the Government is undertaking to give to the Supreme Court power other than that which is judicial, as contemplated by the Constitution, and consequently the provision in question is unauthorized by that instrument.

But this argument is resisted by the suggestion that the provisions of the second paragraph of section 2 of Article II of the Constitution in relation to appointments does specifically vest appointments of this character "in the courts of law." The exact language of the Constitution is found in the section authorizing the President to make appointments, by and with the advice and consent of the Senate, and particularly in the conclusion of the section which declares—

> but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

I doubt whether the words "courts of law" found in this section include the Supreme Court of the United States. When speaking of the Federal courts the average man, both lawyer and layman, thinks only of the "inferior Federal courts," nisi prius courts, such as the district and circuit courts of our system. The Supreme Court of the United States always comes to our minds as an institution of itself, solitary and alone in its dignity and majesty. But if I am mistaken in this construction, I can not be mistaken in the conclusion that the power of appointment by the courts must be of such a character as is inherently incident to the exercise of judicial power by the courts themselves. The courts have never hesitated to perform certain administrative acts, when these acts are inherently essential to the exercise of a judicial function. For example, the mere creation of a court would give it the right to appoint clerks, marshals, tipstaffs, masters, receivers, and officers of like character. And thus far alone, I submit, do we find the authority to make appointments by the "courts of law."

As throwing light upon the construction of the authority granted by the Constitution, I ask any gentleman here to tell me how we can compel the Supreme Court to perform the duties assigned by this bill. If the court does not make the appointment, then, how can it be compelled to do so? And if we can not compel it to do so, is this not almost a complete affirmation that we have not the jurisdiction to confer the power? I yield to the gentleman from Illinois.

Mr. CHINDBLOM. Did I understand the gentleman to say that in his opinion the words "in the courts of law" mean only nisi prius courts?

Mr. MONTAGUE. I should have qualified the words "nisi prius courts" by saying all courts except the Supreme Court of the United States.

Mr. CHINDBLOM. Would the gentleman then say that the Congress would not have the power to give the Supreme Court the right to appoint its own clerk as an inferior officer of the court?

Mr. MONTAGUE. I do not hold that.

Mr. CHINDBLOM. They would have to have it under this provision.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. GOOD. Mr. Speaker, I yield one minute more to the gentleman.

Mr. MONTAGUE. That is an inherent power of the Supreme Court. When you originate the Supreme Court you give it

power to function, and it could not function unless it had the right to appoint its own court officers. That is a very distinct question from the one now under consideration.

Mr. CHINDBLOM. Would not that power under this article of the Constitution be giving Congress the right to delegate to courts of law the power to appoint inferior officers?

Mr. MONTAGUE. I have not the time to argue that question with the gentleman; I differ with him on that point. I do not think for the reasons I have heretofore advanced that the "courts of law" mean the Supreme Court of the United States in the ordinary acceptation, or if the words quoted do include the Supreme Court, they must be interpreted as confining the appointments to those of a judicial character, as I have heretofore argued.

Mr. CRAMTON. If the gentleman will permit, how would Congress force the President to appoint an officer whom we authorized him to appoint if he fails to do it?

Mr. MONTAGUE. The gentleman's question is the one I put just now, and the answer is, how?

Mr. CRAMTON. We can not force the President any more than we can force the Supreme Court.

Mr. MONTAGUE. We can not force the President, but we are not discussing the President now; I am speaking of the Supreme Court of the United States.

Mr. CRAMTON. The gentleman thinks because we can not force the Supreme Court we can not give them——

Mr. MONTAGUE. That is one of the reasons why we should not give it.

I ask consideration of the House of two practical aspects of this question. First, how will these appointments be made, and how will the removals be accomplished? Manifestly, the appointments will be made by the Supreme Court very much as they are now made by the executive or administrative officers. That is to say, the appointing power will have to ascertain the names and qualifications of the applicants, and the usual process of recommendations, interviews, and persuasions will be either attempted or indulged in. Removal of this comptroller and assistant comptroller will be accompanied by even greater acrimony and partisanship, thus lowering the Supreme Court in the confidence of the public, no matter how disinterested and courageous it may be in the discharge of this duty. In other words, the judicial function of necessity will become an administrative function, and the method of procedure in making appointments and removals will be of a character similar to that exercised by the executive or administrative officers. This procedure we all know is administrative and semipolitical at least, and of necessity will violate that propriety and dignity which has heretofore invested our Supreme Court, and has preserved it from the corrosion of politics. I am in favor of the budget system, but it is far more important to preserve the Supreme Court in the confidence of the American people, to preserve it from all suspicion of political or partisan action, than it is to pass any budget system for the Government. [Applause.]

The chief hope of the American Republic is the existence and preservation of the Supreme Court and our juridical system in its original purity and vigor. No budget system should be obtained at the expense of our juridical institutions. The instant Congress authorizes the Supreme Court to make appointments of administrative officers that minute the Congress has done a thing which ought not to be done.

But, Mr. Speaker, however abhorrent the provision of this bill may be to me, my apprehensions are not very grave, for adverting now to the second practical aspect of the question I desire to observe, in conclusion, that the Supreme Court will never undertake to do what this bill authorizes it to do. That court will observe its traditional propriety, it will observe its historic dignity, by respectfully declining to undertake to perform the duties authorized by the provision now under discussion. This court, unless I am grievously mistaken, will do as it has heretofore done; that is to say, it will decline to make these appointments, knowing that such a declination is the only safe path it may pursue to preserve its judicial ermine free from the soil and taint of partisan politics. [Applause.]

Mr. WINGO. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. WINGO. I am going to insist on a quorum being here if the gentleman from Iowa is going to sidetrack the deficiency bill and try to railroad through a constitutional proposition in a few minutes without a proper amount of debate. Why not withdraw this bill and put through the deficiency bill——

Mr. MONDELL. If the gentleman will yield, there is no sidetracking of anything. The deficiency bill is not here, and we are waiting to get it.

Mr. WINGO. Here is a proposition that involves a constitutional question, and one can not get time to discuss it. You propose to ram it through here in a few moments' time, and I am not going to stand it.

Mr. MONDELL. Nobody has any purpose of ramming it through.

Mr. WINGO. Yes you have, actually. You have a situation where the gentleman in charge of the bill is offering gentlemen three minutes to discuss a constitutional question.

Mr. MONDELL. Well, the gentleman realizes——

The SPEAKER. Will the gentleman suspend a moment for the Chair to submit a personal request?

The Clerk read as follows:

Mr. CURRIE of Michigan requests leave of absence for balance of week on account of illness in his family.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MONTAGUE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks upon the subject on which I just spoke.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. What is the status of the deficiency bill? The river and harbor bill and the deficiency bill are the only two supply bills out.

The SPEAKER. They have been signed by the Speaker.

Mr. WINGO. Both of them?

The SPEAKER. Both of them.

Mr. WINGO. So there is not a single supply bill that is in danger. All right, Mr. Speaker. If we can not have time to discuss this, I am going to insist upon a quorum being present.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a statement as to appropriations.

The SPEAKER. The gentleman from Iowa asks unanimous consent——

Mr. WINGO. Well, Mr. Speaker, we may just as well thrash this out now. I am perfectly willing to waste time if the gentleman is not willing to grant anybody time on this question. I have been here for a week every hour helping to get through, and even though I wanted to make a speech a little political I have deferred in order to get these supply bills out of the way.

Now the gentleman comes in here and offers a few moments of time when we have got over five hours before adjournment, with all the supply bills out of the way. If the gentleman wants to grant liberal debate, I will not insist upon my point of no quorum, but if we are going to get through, with our supply bills out of the way, no public necessity to be served by haste and no public interest will suffer if this House adjourns right now, if the gentleman is going to have a political field day here, let him treat all parties alike and divide up the time——

Mr. GOOD. I will say to the gentleman I propose to yield one-half of the time to those who are opposed to this proposition and one-half to those who are in favor of it, and I am not going to yield more than five minutes to anybody. If the gentleman wants five minutes, I shall be very glad to cut that off my own time and yield it to the gentleman.

Mr. BARKLEY. How much time does that involve in the discussion of this question?

Mr. GOOD. One hour.

Mr. WINGO. Mr. Speaker, I do not make any pretensions of being a constitutional lawyer, but I would like to see a constitutional lawyer discuss a constitutional question in five minutes. Certainly a man with no more ability than I possess could not discuss a constitutional question in five minutes.

Mr. GOOD. The request I have submitted is one that has been granted to the chairman of the Committee on Appropriations for unanimous consent to extend remarks on the subject of appropriations.

Mr. WINGO. And always both under Republican and Democratic rule we have used a little spirit of fairness in the closing hours and not shown a lack of regard for the proprieties.

Mr. BYRNS of Tennessee. I want to ask the gentleman from Arkansas if he would not be entirely willing, and also ask the gentleman from Iowa if he would not be willing in the event it is satisfactory to the gentleman from Arkansas, to extend the debate for, say, half an hour, so as to give an hour and a half for this discussion?

Mr. GOOD. I have no objection.

Mr. WINGO. I will say this: If the gentleman will throw this proposition open to the House for a fair chance to amend it,

I shall not object. It strikes me as so outrageous to drag the Supreme Court of the United States into an effort, which I think is a mean, petty, partisan effort, to slap the President of the United States in the face, that I shall not stand for it. It is an outrageous performance. [Applause.]

The SPEAKER. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD on the subject of appropriations.

Mr. WINGO. Mr. Speaker, I object to that until we get some arrangement that is satisfactory. We have lots of time, five hours.

Mr. GOOD. Will the gentleman state his desire?

Mr. WINGO. For the gentleman to throw it open to amendment, so those who are opposed to it can have a chance at it. I want to say to the gentleman I am for a budget, but I want a real budget, not loaded down with a provision contrary to the Constitution, and which denies the President the power granted to him by the Constitution.

Mr. MONDELL. Has the gentleman from Arkansas [Mr. WINGO] a substitute for the provision relative to the appointment of the comptroller and assistant comptroller?

Mr. WINGO. Does the gentleman mean if I have one prepared?

Mr. MONDELL. Yes.

Mr. WINGO. No; but it is obvious to every man.

Mr. MONDELL. The gentleman understands the Budget Committee met last evening, the Republican and Democratic members of the committee, and unanimously agreed upon this?

Mr. WINGO. Yes.

Mr. MONDELL. The gentleman is not fair when he says this is an attempt to slap the President. There is no such thought.

Mr. BARKLEY. Nobody in this House knew what this was until 10 o'clock this morning when the House met.

Mr. MONDELL. The gentleman's side is very well represented on the Budget Committee. The gentlemen have given this matter careful consideration, and met last night and agreed unanimously.

Mr. BARKLEY. We went home last night shortly after 1 o'clock and did not know anything about this matter until this morning.

Mr. BENSON. Mr. Speaker, I make the point of no quorum unless this proposition to drop the appointment of this budget officer by the Supreme Court is agreed to. I shall make it unless that is done.

Mr. GOOD. Let me ask the minority leader and the gentlemen who are objecting to this proposed legislation a question. I have no desire to embarrass anyone. I am, of course, very anxious to put this constructive piece of legislation on the statute books. I believe that we ought to pass this bill to-day. I have tried during all the discussion of this matter to approach it in a spirit of fairness and with the kindliest spirit toward the President. Now, I want to ask the gentlemen on this side of the House if they are willing to amend this provision, if there is serious objection to the bill in its present form—and I take it that you are sincere in your objection—by providing for the appointment of the comptroller general and the assistant comptroller general by the President, with the advice and consent of the Senate? [Cries of "Yes!"] I think it greatly weakens the bill to give to the Executive—I do not care whether he is a Republican, Socialist, or what not—the power to appoint this independent officer who, by the very nature of things, if he performs his full duty, will have to criticize the executive department. But I am perfectly willing to waive that in the interest of the still greater importance of the legislation, which I think transcends in importance all other legislation of this session. [Applause.]

Mr. CLARK of Missouri. Mr. Speaker, I would like to have two or three minutes.

Mr. WINGO. I withdraw my point for that purpose.

Mr. CLARK of Missouri. Does the gentleman from Iowa control the time?

Mr. MONDELL. He does, Mr. Speaker.

Mr. CLARK of Missouri. Then I will take three minutes of it.

Mr. GOOD. I yield three minutes to the gentleman.

Mr. CLARK of Missouri. I wish the gentleman from Iowa [Mr. GOOD] would give heed. We never intend, if we can prevent it by any fair means, that this bill shall pass containing the authority for the Supreme Court to appoint anything or anybody. [Applause on the Democratic side.] There is very little opposition in the House to the budget plan. Of course, there is a difference of opinion about what it will amount to. The authority to appoint the officers of this Government has always been vested in the President. Now, if you will fix it so that it gives this appointing power back to the President, then we will withhold the point of no quorum and get this bill through, if you will do it right now.

EXTENSION OF REMARKS.

Mr. BLACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter of Postmaster General Burleson to Mr. Charles T. Gwynne, secretary of the Chamber of Commerce of New York City, in which he gives some statistics as to the compensation of employees in the Postal Service.

The SPEAKER. Is there objection?

Mr. KING. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if that is a similar letter to the one I desired to offer here one morning, and to which the gentleman objected on the ground that it would encumber the RECORD?

Mr. BLACK. No.

Mr. KING. I desire to heap coals of fire on the gentleman's head, and I will not object.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Elks' revolving fund for disabled soldiers.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SCHALL. Mr. Speaker, I ask unanimous consent to extend my remarks on the hydroelectric bill and on the subject of farmers' cooperation.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks on the report of investigation recently had with reference to the Attorney General's transactions in regard to Louisiana sugar.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD on the sugar question. Is there objection? [After a pause.] The Chair hears none.

Mr. ROUSE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Government wire control.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. OLIVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the Navy.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD on the subject of the Navy. Is there objection? [After a pause.] The Chair hears none.

Mr. WELTY. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill (H. R. 10011) authorizing and directing the Director of the Census to collect and publish monthly statistics.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD on the subject referred to. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on appropriations and on the legislation of the Congress.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to extend his remarks in the RECORD on appropriations and legislation of the Congress. Is there objection? [After a pause.] The Chair hears none.

Mr. KINCHELOE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of general legislation in Congress.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD on the subject of general legislation in Congress. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none.

Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on matters of interest to national banks.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD on matters of interest to national banks. Is there objection? [After a pause.] The Chair hears none.

Mr. RUBEY. Mr. Speaker, I desire to extend my remarks on the general subject of agriculture.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD on the subject of agriculture. Is there objection? [After a pause.] The Chair hears none.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in an explanation as to why this Congress has failed to reduce the cost of the necessities of life.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD on the high cost of living. Is there objection?

There was no objection.

Mr. GOODWIN of Arkansas. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of agriculture and also on the subject of rural credits.

The SPEAKER. Is there objection?

There was no objection.

Mr. GALLIVAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the so-called Mason resolution.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks on the Mason resolution. Is there objection?

There was no objection.

Mr. POU. Mr. Speaker, I ask unanimous consent to extend my remarks, very briefly, on the record of this Congress.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to extend his remarks on the record of this Congress. Is there objection?

There was no objection.

SESSION EMPLOYEES.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House joint resolution authorizing the payment of the compensation of session employees of the Senate and House of Representatives for the month of June, 1920, on the 5th day of said month.

Be it resolved, etc., That the Secretary of the Senate and the Clerk of the House of Representatives are hereby authorized and directed to pay to the session employees of the Senate and House of Representatives borne on the session roll their respective salaries for the month of June, 1920, on the 5th day of said month.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had receded from its amendment No. 1 to the bill (H. R. 11892) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Senate recedes from its amendment No. 4 to the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes; also

The Senate agrees to the amendment of the House of Representatives to the amendment of the Senate No. 18.

The message also announced that the Senate had passed without amendment joint resolution and bills of the following titles:

H. J. Res. 270. Joint resolution authorizing the erection of a monument marking the starting point of the motor convoy from Washington to San Francisco;

H. R. 6407. An act for the relief of Michael MacGarvey;

H. R. 10011. An act authorizing and directing the Director of the Census to collect and publish monthly statistics concerning hides, skins, and leather;

H. R. 10183. An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes; and

H. R. 13962. An act to extend the time for the construction of a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 3747. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the Senate had passed, with amendments, bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 11224. An act to amend the act entitled "An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," approved October 16, 1918;

H. R. 9281. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 11554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10515. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 7775. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 3747. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; to the Committee on Pensions.

ELECTION OF CHAIRMAN OF A COMMITTEE.

Mr. MONDELL. Mr. Speaker, I submit the following motion, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Wyoming submits the following motion, which the Clerk will report.

The Clerk read as follows:

Mr. MONDELL submitted the following motion:

"That LOUIS T. MCFADDEN, Member of Congress from Pennsylvania, be, and he is hereby, elected chairman of the Committee on Banking and Currency."

The SPEAKER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. GOOD. Mr. Speaker, does this take me off the floor?

The SPEAKER. No.

EXTENSION OF REMARKS.

Mr. GOOD. Mr. Speaker, I renew my request to extend my remarks.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. CONNALLY. Mr. Speaker, I ask unanimous consent to extend my remarks on the legislation of the Sixty-fifth and Sixty-sixth Congresses.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks on the legislation of the Sixty-fifth and Sixty-sixth Congresses. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. EVANS of Montana. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. JONES of Texas. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Virginia makes the same request. Is there objection?

There was no objection.

Mr. MCKINIRY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on general legislation, and particularly on the Mason resolution.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. JAMES. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Michigan makes the same request. Is there objection?

There was no objection.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech delivered on Decoration Day, May 30, at Pittsburgh, Pa., by my colleague from Pennsylvania [Mr. KELLY].

The SPEAKER. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD by printing a speech of Mr. KELLY of Pennsylvania, delivered on Decoration Day. Is there objection?

There was no objection.

Mr. YATES. Mr. Speaker, I ask unanimous consent to extent my remarks in the RECORD by inserting certain remarks delivered by my colleague, Mr. WILLIAM B. MCKINLEY.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks by inserting a speech delivered by his colleague, Mr. WILLIAM B. MCKINLEY. Is there objection?

There was no objection.

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of national aid to agriculture.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks on the subject of national aid to agriculture. Is there objection?

There was no objection.

Mr. BRAND. Mr. Speaker, I ask unanimous consent to extend my remarks upon the Armenian resolution.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. GARD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the subject of the legislation and record of Democratic Congresses.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD on the legislation and record of Democratic Congresses. Is there objection?

There was no objection.

Mr. TAGUE. Mr. Speaker, I ask unanimous consent to extend my remarks on the Mason bill.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. JOHN W. RAINEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. HUMPHREYS. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD a letter written by my colleague [Mr. VENABLE] on the railroad bill.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Following is the letter referred to:

MARCH 19, 1920.

Mr. ——— ———,

Meridian, Miss.

MY DEAR ———: I welcome the opportunity to write you a letter answering the questions in your mind about the railroad bill, and giving you my reasons for believing that its passage was best for the country; that a failure to pass a bill would have brought disaster. Of course, all legislation is a compromise of conflicting views and the question for the legislator always is (in the event that some bill must be passed) not whether the proposed measure is perfect, but whether it is the best one obtainable under all the circumstances.

Now, in order that the answers to the questions may be clear, I wish to call to mind a bit of history. Prior to the war, 39½ per cent of Class I railroads were in the hands of receivers. In other words, they had been unable to earn enough to operate and pay interest on the debts they owed, with the results that to keep them from being sold under mortgages securing their notes and bonds, the courts had to take them over and operate them for the benefit of creditors. This meant that all improvements had to stop, all men discharged who could be gotten rid of, and only those things done which were absolutely necessary to keep the road moving after a sorry fashion. The war came on, there was a tremendous increase in traffic, and the need of equipment was imperative. The railroads could not finance themselves or borrow money, both because of their bad prewar condition and also because the Government was absorbing all the credit of the country in the sale of Liberty bonds. The railroads could not carry on the war with their equipment and could not get the money to buy equipment. This and the necessity for consolidated operation, in order to most economically use the equipment on hand, made it necessary for the Government to take over their operation. The Government took them over, operated them as one system, tore their business organizations all to pieces, and did whatever was necessary to be done in order to operate them most efficiently for the good of the country and the winning of the war.

All told, the Government put $1,900,000,000 into the railroads of the country. A large part of this sum is to be returned by the railroads, having been loaned to them for the purchase of equipment, betterments, etc. To make a long story short, after these loans are returned, the net loss to the people of the country, which they have had to pay out of their pockets in addition to advanced freight rates and passenger rates, amounts to $645,000,000—net loss from Government control and operation of the railroads during the war period; and, indeed, the people will eventually have to pay the whole $1,900,000,000, for the reason that the Government money to be paid back by the railroads must be earned from hauling freight and passengers, and the people must pay it, whether it comes out of the Federal Treasury or the freight paid to the railroads by the citizens, all of which enters into the cost of articles to the consumers.

During the period of Government control only 57 of the 175 class No. 1 railroads earned interest on what they owed, and only a few paid dividends; 108 of them did not earn their interest, and, of course, could not pay dividends.

Anyone can see from these figures, which are undisputed, that if the railroads were turned back to their owners without the Government financing them in some way that within 30 days nearly all of them would be bankrupt or in the hands of receivers, with the result that thousands of workers would be thrown out of employment, railroad operation, which is the life blood of the country, would have been in a state where it would almost cease to flow, and the country would have been also in the hands of receivers and in the throes of bankruptcy.

Aside from any question of justice to the owners of the railroads, the country had to put the railroads on a sound financial basis as a matter of self-defense to avoid disaster to the entire citizenship of the country. Now, there were two possible ways to finance the railroads—one out of the Federal Treasury, by giving or lending money raised from the people by taxation, and the other by fixing freight rates at such a figure that the railroads on their tonnage might be permitted to earn enough to take care of their obligations, keep their roads in a healthy condition, and afford a fair return to their owners.

To accomplish this the Congress adopted and the bill provided a method according to the second plan. The Congress agreed that 5½ per cent was a fair return to the owners, and instructed the Interstate Commerce Commission to fix a schedule of rates at such a figure that it would produce enough to operate the railroads, pay employees, and so forth, and yield 5½ per cent on the value of the road. This does not mean the capitalization, but the real value as fixed by the commission. In this way watered-stock valuation is to be eliminated, and it is to be fixed to yield this return under proper and economical management.

Now, for the purposes of valuation, the commission was empowered to take the roads as a whole or divide them into groups, and the rate was to be fixed with reference to the value of the group together, or the whole together. It is not true that the Government guarantees a 5½ per cent return. It is simply a rule of rate making, and if the railroad does not make it the Government does not make up the deficit. For illustration, suppose that the commission puts two roads into the same group for valuation purposes, one worth one million and the other worth two million dollars. The commission, under the terms of the bill, fixes the rates to be charged by the railroads mentioned at such figures in its several items as will, with proper management, yield 5½ per cent on $3,000,000. Now, suppose that the first road, by superior management, economy, and energy, earns 10 per cent on its value of one million and the second road only earns 1 per cent. The Government does not make up the difference for the second road. After the rate is fixed the concern of the Government ends.

Before I pass on, permit me to say that, under the bill as passed, if a railroad makes more than the percentage of value allowed—more than 5½ or 6 per cent—the excess is taken to the extent of one-half and is placed in a special fund controlled by the Railroad Commission, to be loaned to railroads needing credit, upon security approved by the United States Treasury, to be repaid with interest and to be expended for approved railroad improvements. While a rate is to be fixed under which it is possible for a road to get 5½ per cent on its true value, if it should happen to make more than this, one-half of the excess earnings goes to the Government for a special fund for financing worthy railroad projects. Under the old system, while some

roads did not make a living under existing rates, others made very large returns. The bill as passed goes on the theory that all the owners of the railroads in the exercise of a public franchise are entitled to a reasonable return, and if it makes more than this it must give half of it to the Government toward the creation of a revolving fund to be used for the development of the railroads of the country.

There is nothing of a guaranty to the owners in the matter. It is simply a rule of rate making within the power of Congress, and one that it has been exercising through its ministerial agent, the Interstate Commerce Commission, ever since that body has been created. The Supreme Court has held that the rates fixed by the commission, to be constitutional, must yield a reasonable return and not be confiscatory; and so all along in fixing rates the commission, as Congress could have done, has been making a rate to yield a certain character of return to the owners of the roads. In this case Congress, instead of leaving it to its agent to fix the rate, has told the agent what it considered necessary.

No one can contend that 5½ per cent is an unreasonably large return on the money invested. Our State recognizes as high as 8 per cent as being reasonable, and I see no reason why the man with money invested in railroads is entitled to receive nothing.

Now, I wish to call your attention to this fact, that this so-called guaranty, or rule of rate making, is a device to finance the railroads during this reconstruction period, and applies for only two years from the date of passing the bill. After that the old rules apply, of leaving the matter with the commission, as formerly.

Now, let us bear this in mind, that in any view of the question, or under any method of operation, these roads had to be financed and had to be placed on a sound basis, if disaster was to be avoided and the roads of the country, upon which the prosperity of the whole Nation depends, were to be permitted to grow and expand with the expanding needs of the country.

I have heard some general criticism of the so-called guaranty in general terms—some rather violent ones, generally or largely by those who had not studied the bill or were laboring under a misconception as to its terms, but no one, as far as I have been able to learn, has proposed a way out or suggested a way by which it could have been done otherwise than by direct taxation of the people with its additional burdens to those already heavy.

In short, it was a case of financing the railroads or having them crash, with the citizenship of the country injured in the crash.

Now, this was the situation: To begin with, when the railroads were first taken over by the Government, Government control was to be terminated by proclamation of the President, and when he had made it, under the law it was irrevocable. He did make it, and set the 1st of March for the roads to go back. They had to go back, law or no law, unless Congress passed an act continuing Government control. So two courses were open: (1) Return them to their owners with proper provisions for their sound operation; or else (2) pass a bill continuing Government control and operation for all time or for a period.

Let us examine this. There would have been no reason for continued Government operation unless as a basis for Government ownership and permanent operation, either by the Government itself or by some agency set up by it. This is especially true in view of the fact that they were losing money all the time. We could take the roads and operate them temporarily under war emergency, paying the owners for the use of them, but we could not do this permanently unless we bought the roads from the owners—outright or by condemnation. To buy the railroads would cost from fifteen to twenty billion dollars, depending on the elements of value that were allowed by the courts.

This money would have to be raised either by taxation, which would be impossible, or else by the sale of bonds, or by having the owners accept the bonds in lieu of money.

No one would think of raising twenty or even fifteen billion dollars at one time by taxation, so we will lay this aside, and pass to the question of getting the roads by the sale of bonds, and it is the same whether the owners were paid in bonds or the bonds were sold and the owners paid in money, as far as certain results were concerned.

To any one familiar with the financial condition of the country, with an outstanding indebtedness of twenty-six billions of dollars, billions of bonds already selling under par in the market, the small denomination bonds circulating as currency with the effect of inflation, the people already heavily taxed to pay interest and provide a sinking fund to pay principal on maturity, it needs no long reasoning to demonstrate that if, on top of this, we inflate the currency still further by putting another twenty billion on top of the twenty-six we have already, making a grand total of national indebtedness of forty-six billion dollars, that financial disaster would be sure to overcome us, that the added taxation necessary to pay the interest on these additional bonds and provide a sinking fund to pay the principal at maturity would break the backs of the people with its grievous burden, send prices in a wild advance, and produce a financial and industrial situation which would be ruinous.

Aside from other considerations and arguments against Government ownership and operation of railroads as a governmental policy, it seems to me that the consideration that I have mentioned would be conclusive against it.

I might mention also that Government ownership as a fixed policy has not been satisfactory, according to the experience of other countries, either to the public served or to the employees. Financially, it has not proven a success, according to my information, except in Germany, where the employees were classed as Government officials or soldiers and received a very low rate of compensation. But I haven't time or space to mention the arguments and considerations to be weighed. I am more than satisfied that Government ownership at this time is a luxury, the purchase of which would ruin us.

Now, since we could not purchase, we had to turn them back, and I have discussed the necessity of financing them. The next question in which you are interested is that in relation to the machinery of the bill for the settlement of disputes between the railroads and their employees.

The principle on which the bill proceeds is to provide for adjustment and conciliation. This is done by providing for the creation of various boards known as railroad boards of labor adjustment, composed of representatives of the employees and the railroads. This is to furnish a place for argument, investigation, and conciliation, and is similar to the machinery provided by the Railroad Administration and employees during the period of Government control and which worked with great success.

There is also provided another board known as the railroad labor board, composed of nine members, three to be selected by the President from not less than six nominated by the employees, three appointed by the President in like manner from like nominees made by the railroad management, and three named by the President representing the public. The theory of this board is that there are three parties in interest to every railroad dispute, namely, the railroad, the men, and the general public. No one will controvert this, I think.

If any board of adjustment, composed of representatives of employees and the railroads, can not settle a dispute among themselves, it may be taken to the railroad labor board; or this board, if the dispute is liable to interrupt commerce and is not promptly decided, may take the matter up and decide it.

The adjustment boards are to decide on questions involving grievances, rules, and working conditions. As far as questions are concerned where the men and the carriers can not agree among themselves as to wages, or where they do agree but it is the opinion of the board that such agreement as to wages must work an advance or readjustment of the rates of the carrier, the labor board has the authority to take the matter up and decide it, and in its decision it is necessary that five out of the nine members shall concur.

In other words, where the public is likely to be affected in its interests by an agreement that will affect the public by an increase in rates, the board wherein the public is represented with the railroads and the men must render the decision. I can see nothing unfair in this. It seems to me right that all parties in interest should have representatives in the court which is to decide the matter.

Now, in passing on the question of wages which will affect rates, we have not left the matter to the whim or standards of the men of the board. It is provided that the board in passing on these questions must take into consideration (1) the scale of wages paid for similar kinds of work in other industries, (2) the relation between wages and cost of living, (3) the hazard of the employment, (4) the training and skill required, (5) the degree of responsibility, (6) the character and regularity of the employment, and (7) the inequalities of increases in wages or of treatment, the result of previous wage orders or adjustment. If wages are fixed according to these standards, do you think that a man will get what his work is reasonably worth?

The idea is that these boards shall hand down opinions, giving the public and the parties involved the benefit of the facts and the judgment of the boards. It was thought to furnish a place for amicable adjustment, where reason and not force should be the decisive factor, relying on public opinion to uphold the decision if it were right, and giving to the public the knowledge of the facts in the case.

There are no antistrike provisions in the bill, nothing to prevent employees from striking, nothing to penalize them if they do. Reliance is placed in confidence in the willingness of employees and railroad officials to do right and justice, and on public opinion to uphold the right when it is decided in the mind of the public by a disclosure of the facts of the case. It is an effort to substitute peace for war, reason for force, in the settlement of disputes. It takes from neither employee nor employer any right that he has heretofore exercised under the law. I do not see how any fair man can object to this effort, at least before trial has shown that it will not produce just results.

A large number of the European countries had antistrike laws in the early part of the last century. In experience they were found not to be satisfactory and practically all have abandoned this method and have sought others. Personally, I have not favored antistrike provisions as contained in the Cummins bill. In the first place, as I was informed, they had not proven satisfactory in other countries, and I had no reason to believe that they would here. I have heard men express fear that a nation-wide strike would or might come, and antistrike laws were necessary to prevent it. I do not and can not believe that the railroad men of the country, or any part of them, would produce a nation-wide strike, whatever might be the state of feeling. If this ever comes, it would mean the starvation of the millions of our people and would not be a strike but a revolution, and the people would not be starved, regardless of what they thought of the merits of the dispute that gave rise to it. They would run the roads to get bread, as a matter of self-defense, and the man or men or combination who stood in the way would be swept aside as chaff before the wind never to return. If a condition ever arises where a nation-wide strike is possible or probable, no mere law will stop it. The only law that will be on the statute books that day will be the primal law of struggle to survive.

Now, I have made this letter too long, but could not use less space and present the matters I desired. I have not the time to discuss the other features of the bill. It is a wise measure in many particulars which I can not mention. As I have observed it, a great deal of the opposition to the bill arose out of a desire for permanent Government ownership and operation, and objection would have been made to any bill but this, regardless of its provisions. I do not believe in Government ownership. I am a Democrat and individualist. I believe that it is the function of Government to regulate business when necessary, but not to go into business. We are no more dependent on the railroads than we are on other industries. Why not have the Government go into the packing industry? We are no more dependent on railroads than we are becoming to be on gasoline. Why should the Government not go into the oil business? Government ownership of railroads in other countries has not been a success, and Government operation in this country has not been successful, though it was necessary.

There has not been a question before the Congress since I have been here of more importance, as far as domestic questions are concerned, than this railroad problem. Upon its wise solution depended the prosperity and good of the whole country. There was tremendous pressure from all sides for all sorts of things. Many threats were made by various interests to secure votes for or against it through fear.

It would have been very easy to take to cover and say to oneself: "The bill will pass anyway; I will vote against it and so avoid any criticism from anyone who does not like any of its terms." Some did so for these reasons, as they told me. Others, of course, did not act from such motives in voting against it.

I believed, as did a majority of the House and Senate, that the bill ought to pass; that it was the best bill that we could get; that not to pass one would be disastrous; and if I had run to cover I would have been a traitor to what I believed to be the best interests of my people, and a dirty coward besides.

I know that there have been threats both before and after as to what would be done to me if I did not vote as certain individuals wanted. If I had been scared and had voted through my fears and not through my judgment of what was best, I would not be fit to be here. Personally I do not want a Representative whom I can make do what I tell him, regardless of his judgment of what is right. I do not want one that I own. If I can own him, the other fellow might get him with a bigger price. Neither do I personally want a Representative that I can scare into doing what he thinks is wrong. The other fellow might some day grow a bigger scare into him than I could and he would vote my life away. The man who will be a crook for one will be a crook against him if given the proper inducement.

It will be a sad day for the country when men come to Congress owned by any group. From the nature of the case, the opportunity to know the merits of many public questions is not so good for the body of the citizenship as it is for the man whose business it is to study them and seek all the information he can obtain. As I see it, a man comes to Congress to represent everyone—every person—and to do what is best for them. What is best for all is best for each; the greatest good to the greatest number works out the greatest good to all. If he comes to Congress representing only one class, looking only to a local group, he must necessarily reach wrong conclusions, and winds up not even serving the class that he represents, for what is wrong will not stand and can not produce good even to those in whose behalf the wrong is done. The purpose of government is to preserve to each citizen his just rights, whatever they may be, and the representative in government who proceeds on any other theory will misrepresent and not represent his people.

Now, I must close. Permit me to say that I think that one of the best votes that I have cast for the good of the country, in view of the whole situation, was my vote on this bill; and if I may say something personal, I think that one of the best votes that I have cast for you as a knight of labor was this selfsame vote.

Assuming that this question is to be decided from considerations of immediate self-interest alone, let one ask oneself the question: "What would have become of railroad labor if the roads had been turned back without legislation and had gone, as they would have done, into bankruptcy or receiverships?

With best wishes, I am,

Your friend, WEBB VENABLE.

EXTENSION OF REMARKS.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including the address of the Secretary of the Navy to the graduating class at Annapolis the other day. It is worthy of preservation.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. UPSHAW. Mr. Speaker, I ask unanimous consent to extend my remarks on the legislation of the Sixty-fifth and Sixty-sixth Congresses.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. HOWARD. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of tax legislation in the Sixty-sixth Congress.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

THE BUDGET BILL.

Mr. GOOD. Mr. Speaker, I now desire to return to the matter that was pending. I suggest that the Members get copies of the budget bill and follow the reading of the amendments which I propose to offer and thereby by unanimous consent modify the bill.

The amendments were read, as follows:

On page 11, lines 7 and 8, strike out the words "Supreme Court of the United States" and insert in lieu thereof the words "President, with the advice and consent of the Senate," so that it will read: "There shall be in the general accounting office a comptroller general of the United States and an assistant comptroller general of the United States, who shall be appointed by the President, with the advice and consent of the Senate."

On page 11, strike out the comma at the end of line 15, and strike out lines 16 to 24, inclusive, and all of line 25, down to and including the word "offices," so that it will read, "The comptroller general and the assistant comptroller general shall hold office during good behavior."

Mr. MONTAGUE. And keep the residue of the section?

Mr. GOOD. The lines that I have referred to are stricken out, but commencing with the word "When," on line 25, the rest of the section remains just as it is in the bill.

Mr. WINGO. In other words, it would read: "That the comptroller general and assistant comptroller general shall hold office during good behavior. When a comptroller general or assistant comptroller general attains the age of 70 years, he shall be retired from office."

Mr. GOOD. The gentleman is correct.

Mr. WINGO. As I understand, the gentleman modifies the bill as he proposes?

Mr. GOOD. Yes. Mr. Speaker, I ask unanimous consent to modify the bill as proposed.

The SPEAKER. The Clerk will report the amendment submitted.

The Clerk read as follows:

On page 11, lines 7 and 8, strike out the words "Supreme Court of the United States" and insert in lieu thereof the words "President, with the advice and consent of the Senate," and on page 11 strike out the comma at the end of line 15, and strike out lines 16 to 24, inclusive, and all of line 25 down to and including the word "offices."

The SPEAKER. Is there objection to the request of the gentleman?

Mr. GARD. Reserving the right to object, I understand that the gentleman's proposed amendment includes the insertion of a period after the word "behavior" in line 15?

Mr. GOOD. That is correct.

Mr. GARD. Is the language in lines 23, 24, and 25 stricken out?

Mr. GOOD. Yes.

Mr. GARD. Down to and including the word "offices"?

Mr. GOOD. Yes.

Mr. HUMPHREYS. Mr. Speaker, reserving the right to object for a moment—and I do not intend to object—I want to say that in my opinion you can not have any effective independent audit by Congress when the man to do the auditing for Congress is responsible to the executive branch of the Government and removable by the President, and I think this amendment takes 90 per cent of the merit and virtue out of the budget legislation.

Mr. GOOD. I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Speaker, the statement has been made upon the floor that this bill as presented this morning from the Budget Committee is an affront to the President of the United States. I yield to no man in admiration and respect for the present President of the United States, and I want to say to the House that the Budget Committee in presenting this bill had no idea of putting any affront upon the President of the United States. This bill is to become permanent law. It does not apply to the present Executive alone, but it is expected to apply to future Presidents of the United States whoever they may be, and I have the best of reasons—I say it advisedly—for believing that the President of the United States does not regard the intention of the Budget Committee to place the authority of appointing the comptroller general in the Supreme Court as in any sense a personal reflection upon him or an affront to him, but that, on the contrary, he is considering this matter wholly with reference to its constitutional aspects.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield to the gentleman from Virginia.

Mr. MOORE of Virginia. I wish to confirm with emphasis the statement that has just been made by my friend Mr. BYRNS of Tennessee that the President does not, as I am most reliably advised, regard this matter from a personal point of view in any sense whatever, but has only been considering the constitutional question presented in the veto message. It would be most unfair for the House and unfair for the country to believe for a moment that the President is in any manner constrained in the expression of his opinion by any personal bearing that the method of appointment might be conceived to have. This it should really be unnecessary to say.

Mr. BYRNS of Tennessee. The amendment proposed by the gentleman from Iowa relates alone to the comptroller general, who, among other duties, will audit the expenditures to be made by the executive departments, and I agree with the gentleman from Mississippi [Mr. HUMPHREYS] that when you take from the comptroller general the independence and freedom from control by the departments which it was sought to give him under the bill as originally proposed, you have destroyed, in my judgment, the chief merit and the most important feature of that particular portion of the bill. You have now a system whereby you have six auditors who audit the expenditures of the Government and who are appointed by and responsible to the executive departments. It is not good business, it is not sound policy, to permit the cashier of a bank to audit his own expenses or the books of his bank. [Applause.] Neither is it sound policy to permit the departments of this Government who make the expenditures to audit their own expenditures. Congress makes the appropriations. Congress ought to control the auditing of those expenditures. That is the reason why I have been so earnest in this matter. There has not been a student of this subject, there has not been a writer on the subject of the budget, there was not a witness before the Budget Committee, who has not taken the firm position that you must have an independent congressional audit or you will fail to have a complete and rounded budget system. [Applause.] Before that committee there appeared such men as ex-President Taft, Mr. Fitzgerald, Mr. Sherley, and other well-known students of the budget system. I simply make this statement in order that it may be made as clear and emphatic as language can express it that in presenting this proposition your committee had no idea of offering any affront to the present President or to any future President of the United States, but we have simply been interested in securing an independent audit of the expenditures made under the appropriations of Congress, which we believe and all students of the budget system believe is necessary if we are to follow the practices of every business concern in the country and adopt a businesslike control of the appropriations made by Congress. [Applause.]

Mr. MONDELL. Mr. Speaker, reserving the right to object, we are all interested in budget legislation. We all desire it. I think there is nothing more important in connection with budget legislation than the provision for an independent audit. The Committee on the Budget, in order to have that independent audit entirely uninfluenced by those whose duty it was to audit and check up, provided that the responsible heads of the audit system could only be removed by concurrent resolution of the two Houses of Congress or impeachment. The President has felt that that is an infringement of what he insists is his constitutional authority to remove officials. I can not agree with the President in that behalf, but we have tried to pass the bill over the President's veto and failed. I feel that to make the change we are now proposing is a most unfortunate and regrettable weakening of the system we have so earnestly labored to perfect. But, gentlemen, it is a condition and not a theory that confronts us, and it is the duty of a legislative body when it can not do what it considers best to do what it believes is the best thing that it is possible to do under the circumstances, and it is very clear that if we are to have a budget system now—and we ought to have a budget, we are pledged to a budget—we must have it with a provision for the appointment and removal by the President of the officers who are to examine the accounts of the executive departments. I think it is regrettable. I do not believe the Constitution so provides. But at any rate that is the presidential view, and under the circumstances we must meet that view or have no budget legislation. I hope there will be no objection to the unanimous consent. I hope there will be no objection to the request of the gentleman from Iowa for the present consideration of the measure.

Mr. BLANTON. Will the gentleman yield?

Mr. MONDELL. I yield.

Mr. BLANTON. Since the amendment of the gentleman from Iowa has provided that this officer shall hold his office during good behavior, does not that remove the main objection?

Mr. MONDELL. Possibly so to some extent.

Mr. BLANTON. The President can not remove him unless he misbehaves himself.

Mr. MONDELL. At any rate it is the best we can do now, and I hope we will do it.

The SPEAKER. Is there objection to the amendment offered by the gentleman from Iowa?

There was no objection.

Mr. GOOD. Mr. Speaker, several gentlemen have asked me for a little time on this.

SEVERAL MEMBERS. Vote! Vote!

Mr. GOOD. I ask for a vote.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. GOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

COMMITTEE TO WAIT ON THE PRESIDENT.

Mr. MONDELL. Mr. Speaker, I offer the following resolution.

The SPEAKER. The gentleman from Wyoming offers a resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That a committee of two Members be appointed by the Chair to join a similar committee appointed by the Senate to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn unless the President has some other communication to make to them.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to; and the Speaker appointed as the committee on the part of the House Mr. MONDELL and Mr. CLARK of Missouri.

CORRECTION.

Mr. CLARK of Missouri. Mr. Speaker, I want to correct the RECORD. On the 31st of May I had printed in the CONGRESSIONAL RECORD a speech that the President of the United States made on Memorial Day at Suresnes Cemetery, France, on May 30, 1919. Somehow in the transmission of the speech from France they got one phrase out of whack, and I ask unanimous consent that this letter from the Secretary to the President may be read, so that it may be straightened out.

The Clerk read as follows:

THE WHITE HOUSE,
Washington, June 2, 1920.

MY DEAR MR. SPEAKER: You were good enough on May 31, 1919, to have placed in the CONGRESSIONAL RECORD the Memorial Day address which the President delivered at Suresnes Cemetery in France on May 30, 1919. In comparing the address with the original brought from France by the President's stenographer I note that the concluding part of the sixth paragraph reads as follows:

I look for the time when every man who now puts his counsel against the united service of mankind under the League of Nations will be just as ashamed of it as (he is who) regretted the union of the States.

The original report reads as follows:

I look for the time when every man who now puts his counsel against the united service of mankind under the League of Nations will be just as ashamed of it as (if he now) regretted the union of the States.

I wonder if it will not be possible for you to have this error corrected?

I am sending you a copy of the address as delivered, a copy of the reprint from the CONGRESSIONAL RECORD, and a copy of the RECORD itself.

Sincerely, yours, J. P. TUMULTY,
Secretary to the President.

Hon. CHAMP CLARK,
House of Representatives.

The SPEAKER. Without objection, the correction will be made.

MEMBERS TO VISIT PACIFIC COAST.

The SPEAKER. The Chair appoints as members of the committee to visit the Pacific coast as provided in the naval bill the following Members: Mr. KELLEY of Michigan, Mr. BRITTEN, Mr. HICKS, Mr. PADGETT, and Mr. RIORDAN.

RIGHTS OF WAY OVER PUBLIC LAND IN CONNECTION WITH IRRIGATION PROJECTS.

Mr. KINKAID. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14102) securing rights of way and easements over public land in connection with Federal irrigation projects.

The SPEAKER. The gentleman from Nebraska asks unanimous consent for the present consideration of a bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 14102) securing rights of way and easements over public land in connection with Federal irrigation projects.

Be it enacted, etc., That where a right of way or easement of any kind, over public land heretofore or hereafter withdrawn under the act of June 17, 1902 (Thirty-second Statutes, page 388), is required in connection with a Federal irrigation project, the Secretary of the Interior may cause to be executed and recorded in the office of the recorder of deeds of the county in which the land is located an instrument stating the purpose of the right of way or easement, with a description of the same, in which event entry thereafter made for such land and the patent issued therefor shall be subject to the right of way or easement so described in such recorded instrument.

With the following committee amendment: Page 1, line 5, strike out the comma after the parenthesis.

The committee amendment was agreed to.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Reserving the right to object, I want to make an inquiry. Is this bill on the Calendar for Unanimous Consent?

Mr. KINKAID. It is.

Mr. GARD. May I inquire of the Speaker what will be the legislative course in regard to bills on the Calendar for Unanimous Consent, whether they are to be called on the calendar, or does the Speaker intend to recognize Members individually?

The SPEAKER. The Chair intends to call them on the calendar. The Chair will state that he will recognize a few Members who have bills that are innocuous and agreeable to the whole House. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. KINKAID. Mr. Speaker and gentlemen of the House, this bill is asked by the Secretary of the Interior for the purpose of facilitating the administration of the public land laws. The bill does not provide for a gift or a grant or for the disposition of anything whatever. It provides for the very reverse of that, in that it provides how the Secretary of the Interior may preserve the right to reserve or retain a right of way or an easement over or in public lands, and exercise that right until title thereto has passed. It is intended to apply to conditions like these: Where public lands have been withdrawn for irrigation purposes and thereby rendered not subject to entry under the public land laws in general, the Secretary of the Interior may, when some one wants to make an entry and it is found proper that such entry should be allowed under the public land laws, the Secretary, in view of the fact that the right of way for a canal or for irrigation purposes or for a roadway or for a reservoir, or some other easement, is likely to be needed, sooner or later, may preserve the right to retain this easement by filing with the recorder of deeds of the county in which the land is, notice that the Government preserves or does not waive such right.

Mr. Speaker, I desire not to consume the valuable time of the House unnecessarily, and I ask for a vote.

The SPEAKER. The question is on the committee amendments.

The question was taken, and the committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KINKAID, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ASSIGNMENT OF FREIGHT CARS.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution.

The Clerk read as follows:

Whereas the railroad companies are making assignments of freight cars; and

Whereas the said railroad companies, or a part of them, are making such assignment in a manner alleged to be discriminatory and prejudicial to the common public welfare; and

Whereas authority for making assignment of cars by said railroad companies is predicated upon an order of the Interstate Commerce Commission, which order is known as order No. — of the Interstate Commerce Commission, dated April 15, 1920, and entitled "Notice to carriers and shippers," and is in the following words and figures:

"The commission recommends that until experience and careful study demonstrate that other rules will be more effective and beneficial, the uniform rules as contained in the Railroad Administration's cars service section circular CS 31 (revised) be continued in effect, except that rule 8, as contained in said circular, should be amended to read:

"8. Private cars and cars placed for railroad fuel loading in accordance with the decisions of the Interstate Commerce Commission in Railroad Commission of Ohio et al. *v.* H. V. Ry. Co. (12 I. C. C., 398, and Trear *v.* Chicago & Alton Railroad Co. et al. (13 I. C. C., 451) will be designated as 'assigned' cars. All other cars will be designated as 'unassigned' cars":

Therefore be it

Resolved, That the Interstate Commerce Commission be directed to inform the House of Representatives upon what authority, if any, said order was issued.

Mr. JONES of Texas. Mr. Speaker, reserving the right to object, I would like to know the purpose of the resolution.

Mr. FOSTER. This is exactly the same resolution which passed the Senate last Saturday. It calls on the Interstate Commerce Commission for information only concerning an order known to the coal world as the "assigned-car order." The assigned-car order was considered by the commission appointed by the President to investigate the bituminous coal business, and they reported adverse to the assigned-car order. Paragraph 12 of section 402 of the transportation act as passed was intended to prohibit the "assigned-car order." This order, issued by the Interstate Commerce Commission, has been, as a great many persons believe, misunderstood or abused by the railroads, and under their interpretation of it consider what is happening. We transport about 500,000,000 tons of coal per year, 170,000,000 tons of which is used for railroad fuel. Everyone agrees that that should not be disturbed. When it comes to the other approximately two-thirds needed to supply our factories and the homes, under the assigned-car order only one-fourth of the needed amount is being mined because of the methods used by many of the railroads under the "assigned-car order." I should state that this resolution is similar to the one called up the other day by the gentleman from Ohio [Mr. MCCULLOCH], to which objection was made by the gentleman from South Carolina [Mr. BYRNES], who withdrew the objection as soon as he understood it. The practical result is this——

Mr. LINTHICUM. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LINTHICUM. What is before the House?

The SPEAKER. It is a request for unanimous consent for the consideration of a resolution that has been reported.

Mr. LINTHICUM. Has consent been given?

The SPEAKER. No.

Mr. LINTHICUM. Then I object.

The SPEAKER. The Chair stated a moment ago, in answer to the gentleman from Ohio [Mr. GARD], that the Chair intended to take up the Calendar for Unanimous Consent. The Chair would like to change that and first recognize gentlemen to consider one or two bills under unanimous consent, which, of course, can be objected to at any moment.

Mr. GARD. Mr. Speaker, I had no idea of getting anything except information. I should be very glad to follow whatever the Speaker desires.

Mr. FOSTER. Mr. Speaker, I make the point of order that there is no quorum present. I have been here every minute for four days endeavoring to get this very important matter considered.

The SPEAKER. The gentleman from Ohio makes the point of order that there is no quorum present. The Chair will count.

Mr. FOSTER. I have been here constantly for four days trying to get consideration of a resolution that concerns everybody in the United States who consumes coal. One hundred and ten Members of this body petitioned the Interstate Commerce Commission to rescind this assigned-car order. I presented that petition myself.

Mr. CRAMTON. Mr. Speaker, will the gentleman withhold his point for a moment

Mr. FOSTER. I do not withdraw but withhold the point of order of no quorum. I have been here for one year, and I have not in that time taken one hour of the time of this House in speaking or making points of no quorum.

The SPEAKER. The gentleman is out of order.

Mr. LINTHICUM. Mr. Speaker, I withdraw my objection to the consideration of the resolution. I do not want to object to it, but I wanted to ask the gentleman a question.

Mr. FOSTER. Then, Mr. Speaker, I withdraw the point of order of no quorum.

Mr. GARD. Mr. Speaker, further reserving the right to object, may I have the attention of the gentleman from Ohio?

Mr. FOSTER. Certainly.

Mr. GARD. This resolution is in the same terms as the one passed by the Senate the other day?

Mr. FOSTER. Identically.

Mr. GARD. My information is that that information has been furnished under that resolution.

Mr. FOSTER. My understanding is that it has not yet been furnished. While from a legislative standpoint it is not required that this resolution should be passed here, yet from the standpoint of thousands of miners who are out of work and leaving for other fields, from the standpoint of everyone in the United States who consumes coal, both factories and homes, I think we should consider it now. You will be paying far more than $15 a ton for coal next winter and will hardly be able to get it at that. It is not a matter of wages alone, but concerns a real necessity of life.

Mr. JONES of Texas. Mr. Speaker, reserving the right to object, I desire to state that they are taking practically all of the cars from the outlying sections under the present car-service act and putting them in the congested centers. Does this authorize them to take still more cars from the outlying sections? For the past seven or eight months in the section of the country which I happen to represent there have been thousands and thousands of bushels of wheat on the ground, a great deal of it rotting, because we could not get cars to move it. If you are going to give them further authority to take what few cars we have in that section and send them to other sections, it seems to me that it would be disastrous.

Mr. FOSTER. It will not interfere with you at all. I have been importuning the Interstate Commerce Commission for over six weeks upon this subject. We had up the Texas situation. It is only open-top cars in control of the railroads that we need.

Mr. JONES of Texas. The resolution does not limit the operations to the open cars. If it did that, I would have no objection to it.

Mr. FOSTER. We practically use nothing else in our whole coal territory.

Mr. JONES of Texas. But the resolution is general in its operation.

Mr. FOSTER. It merely calls for information as to the reasons of the Interstate Commerce Commission for this one order covering the assigned-car proposition. If they report to us that the order is not contrary to the provisions of the transportation act, then in the next session of Congress we can further legislate upon the proposition.

Mr. JONES of Texas. But in the meantime they might get all of the cars out of the sections of the agricultural country.

Mr. FOSTER. The practical workings will not hurt the gentleman at all, because the trouble in the coal-mining sections is shown when I tell you that I can stand at one home in my county and see one mine running 11 days out of 12, and beside it four others run only 1 day out of 12. The trouble is between the mines themselves; it is the improper distribution of the cars in the mining section when they get them there; and the miners in these four or five mines that run only one day in every two weeks are leaving, because they can not make enough to live. It is not so much to get the coal cars there, but to get a just distribution of the cars that we have, so that the mines can work more uniformly.

Mr. JONES of Texas. Why does not the resolution limit its terms to that?

Mr. FOSTER. It refers to the one order issued, and it has no direct reference to the Texas situation.

Mr. SANDERS of Indiana. Mr. Speaker, reserving the right to object, and I do not intend to object——

Mr. KING. Mr. Speaker, a point of order. If the gentleman does not intend to object the regular order is demanded.

Mr. SANDERS of Indiana. Mr. Speaker——

Mr. JONES. Mr. Speaker, I withdraw the objection.

Mr. KING. Will the gentleman yield?

Mr. LINTHICUM. Mr. Speaker, reserving the right to object——

Mr. SANDERS of Indiana. Mr. Speaker, I reserved the right to object for the purpose of asking if this resolution is not merely a resolution of inquiry, and hence could not do the damage suggested?

Mr. FOSTER. That is absolutely true.

Mr. SANDERS of Indiana. It is for the purpose, as I understand it, of calling the attention of the Interstate Commerce Commission to the fact that the House of Representatives does not construe the assigned-car provision as the Interstate Commerce Commission has construed it.

Mr. FOSTER. The gentleman is quite right.

Mr. SANDERS of Indiana. I think the resolution ought to pass.

Mr. FOSTER. That position is taken, I might say—I trust with no impropriety—by the chairman of the Committee on Interstate and Foreign Commerce [Mr. ESCH] and by the ranking member, as I have been advised, of the Senate committee concerning this matter.

Mr. CANNON. Reserving the right to object, I want to say to the gentleman that the other day I was down to see the Interstate Commerce Commission concerning the proposed order to allocate the open-top cars to coal producers. Here is what they told me, that in view of the fact that large contractors and municipalities and counties throughout the United States were building roads and depending upon some cars to haul the road material, that they had refused to allocate all of the open-top cars to coal miners, but if it became necessary they would in the future allocate all open-top cars for coal. Now, you do not want to do an injustice here by a resolution and cause them to make this order before the people who are building roads have an opportunity to get their materials.

Mr. FOSTER. We are not trying to do that. If the gentleman will get this in mind I think he will understand the condition. I can stand in my county, as I stated awhile ago, and see five mines, one working 11 days out of 12 and the other four working 1 day out of 12. The trouble is of allocating the cars under this order. Some railroads are endeavoring to buy cheap coal with the empty cars they have there. In my district now railroads get coal at $3.20 per ton, and you can not go with the cash and buy a ton for less than $5.75. It has gone up rapidly in the last three weeks, and where it will be next winter we do not know, and I think we ought to have this information from the Interstate Commerce Commission, that we may have their construction as to what paragraph 12 of section 402 of the transportation act means, and then we can correct it at the next session of Congress, if necessary.

Mr. CRAMTON. At this very time the public utilities of Michigan have been closing down for lack of fuel. The situation could not be more serious than it is now. [Cries of "Vote!"]

Mr. KING. Mr. Speaker, I want to ask the gentleman a question. The information has come to me that one of the reasons why these cars are going into the congested centers, as suggested by the gentleman from Texas, is that they are being used for hoarding and storage of food and other necessities of life. Will the gentleman, if he has any influence with the commission, and I know he has, see that that is investigated.

Mr. FOSTER. I do not want to travel under false pretenses, and I would not pretend to have power to influence the Interstate Commerce Commission on that matter.

Mr. KING. I know these box cars are being used for the purpose of hoarding food and that people are starving to death.

The SPEAKER. Is there objection?

Mr. CANNON. Will the gentleman yield?

Mr. McKEOWN. I think there will be no trouble if the resolution is understood, and I ask that the resolution be again reported.

The SPEAKER. The gentleman asks that the resolution be again reported.

Mr. CANNON. Will the gentleman yield for a question.

Mr. FOSTER. Yes, with pleasure.

Mr. CANNON. I recognize the trouble arising from the shortage of cars. It seems to me perchance we had better leave the Interstate Commerce Commission alone so far as resolutions are concerned. I live in a county that is one of the greatest coal-producing counties in Illinois, 120 miles south of Chicago, and it is the best agricultural section of central Illinois—in the Union, perhaps—excepting none. Now, I get wires and letters from there saying they are constructing roads begun before the war, and bonds by the millions have been issued to contractors and taken up, almost all of them. The whole thing has halted now. The cars that haul coal into Chicago and near-by places—and that is the second great manufacturing city of the country—must run back empty or loaded. Now, the cement, the gravel, the sand are going back loaded that way, and there is a good deal of kicking, you know, because I get the kick in large part from Illinois; and I have been informed and believe that while coal is a great thing, still it is some little time until winter, and you can not build roads in the wintertime, so that, after all, coal is not the only thing that gives a Member of Congress trouble who represents such a constituency. I do not want to object, but I want to say what I have said, because if the Interstate Commerce Commission is to be influenced by any action we can take as the House of Representatives, I want to put in my few words; so that, taking into consideration not only the coal, taking into consideration the good roads, and also taking into consideration all other conditions, we had better let the Interstate Commerce Commission alone. [Applause.] I do not oppose the resolution.

Mr. FOSTER. Mr. Speaker——

Mr. HOWARD. Mr. Speaker, reserving the right to object, I want to call attention to the fact, in connection with this resolution, that the coal situation is not the only one that is suffering by reason of the lack of cars.

Mr. FOSTER. I fully realize that.

Mr. HOWARD. All over this country workmen are being thrown out of work, road improvements are being held up, and contractors are losing money. Now, less than three months ago we passed the railroad measure which its friends claimed would be a constructive one. One of the arguments in favor of that measure was that it left the car service in the hands of the Interstate Commerce Commission. I do not believe, Mr. Speaker, that here, three months afterwards, before the Interstate Commerce Commission has worked this situation out and worked it out fairly for all interests, that we at the closing hours of this Congress should interfere with the working of that commission before they have yet laid their lines and got their plans in working order. And I object, Mr. Speaker.

The SPEAKER. Objection is made.

ANARCHISTIC ALIENS AND SIMILAR CLASSES.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, H. R. 11224, and concur in the Senate amendments.

The SPEAKER. The gentleman calls up from the Speaker's table and moves to concur in the Senate amendments to a bill which the Clerk will report.

The Clerk read as follows:

An act (H. R. 11224) to amend the act entitled "An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," approved October 16, 1918.

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

Mr. KING. Mr. Speaker reserving the right to object——

The SPEAKER. There is no "right to object." It is in order.

Mr. KING. The gentleman from Washington asked unanimous consent.

The SPEAKER. But it was not necessary.

Mr. KING. I would like to have an explanation of the bill.

The SPEAKER. The gentleman will undoubtedly explain it.

Mr. JOHNSON of Washington. Mr. Speaker, I will say to the Members of the House——

Mr. HUDDLESTON. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. HUDDLESTON. This is a very important bill, with many amendments, which it is absolutely impossible for us to understand at this date in the procedure, and I am not willing that this bill be taken up. I will be compelled to make a point of no quorum if the gentleman insists on it.

Mr. JOHNSON of Washington. Will the gentleman withhold his objection until I can make a brief statement?

Mr. HUDDLESTON. I do not want any debate on it.

Mr. JOHNSON of Washington. These amendments modify this bill as it passed the House on December 20.

Mr. HUDDLESTON. We have no opportunity for debate on the bill.

Mr. JOHNSON of Washington. It makes specific the classes of aliens that shall not come to the United States and who shall be deported if here, and will help solve the trouble that has distressed the United States.

Mr. HUDDLESTON. I have no question but that is the gentleman's view of the bill, and he may be correct. However, the balance of us have had no opportunity to reach any such conclusion. I am not willing to have discussion on the bill at all. I shall make the point of order that there is no quorum.

Mr. RAKER. I ask the gentleman from Washington not to withdraw the bill. I will make the point if the gentleman does.

The SPEAKER. The gentleman from Alabama makes the point of no quorum. The Chair will count.

The Speaker proceeded to count.

Mr. RAKER. Before the Speaker gets through counting, will the gentleman from Alabama yield that I may say one word to him?

The SPEAKER. The gentleman can converse with him. [Laughter.] No debate is in order. The gentleman can speak to him, of course.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to withdraw the request made by me.

The SPEAKER. The gentleman withdraws the bill.

Mr. BLANTON. Can the gentleman do it except by unanimous consent?

The SPEAKER. Certainly. Will the gentleman from Alabama [Mr. HUDDLESTON] withdraw the point of no quorum if the gentleman from Washington withdraws the bill?

Mr. HUDDLESTON. I will.

The SPEAKER. Does the gentleman from Washington withdraw the bill?

Mr. JOHNSON of Washington. I withdraw the bill.

Mr. RAKER. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. RAKER. There is an objection made to this bill on the ground of its consideration, and because there is no quorum present——

The SPEAKER. What is the point of order?

Mr. RAKER. The point of order is, that there is no quorum.

The SPEAKER. That is not any point.

Mr. RAKER. I made the point of no quorum.

The SPEAKER. The gentleman must make the point of order.

Mr. RAKER. The point of order is there is no quorum.

The SPEAKER. The gentleman from California makes the point of no quorum. The Chair will count.

Mr. RAKER. Mr. Speaker, on an assurance of the gentleman from Washington that he will bring it in later in the day, I withdraw the point of order temporarily.

EXTENSION OF REMARKS.

Mr. CHINDBLOM. Mr. Speaker, I ask unanimous consent to extend my remarks on the legislation of this Congress.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD on the legislation of the session. Is there objection? [After a pause.] The Chair hears none.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on two subjects. One is Senate joint resolution 191, that failed of passage night before last, and one on investigations in the Quartermaster's Department.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his remarks in the RECORD on the subjects indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. TIMBERLAKE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the legislation of the present Congress, especially that affecting the Middle West.

The SPEAKER. The gentleman from Colorado asks unanimous consent to extend his remarks on the subject of legislation of the present Congress, especially that affecting the Middle West. Is there objection? [After a pause.] The Chair hears none.

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made last night on the merchant-marine bill.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks made last night on the merchant marine bill. Is there objection? [After a pause.] The Chair hears none.

Mr. ANDREWS of Nebraska. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of the budget bill just passed.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his remarks on the subject of the budget bill. Is there objection? [After a pause.] The Chair hears none.

Mr. REED of West Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the work in Congress and insert two or three small letters personal to myself.

The SPEAKER. The gentleman from West Virginia asks unanimous consent to extend his remarks in the RECORD and insert two or three small letters personal to himself. Is there objection? [After a pause.] The Chair hears none.

Mr. NEELY. Mr. Speaker, I wish to make the same request.

Mr. CRAMTON. Mr. Speaker, I shall have to object to the insertion of outside documents of a purely personal and political nature.

The SPEAKER. The gentleman from Michigan objects to the insertion of the letters. Is there objection to the request for the extension, leaving the letters out?

There was no objection.

Mr. OLIVER. Mr. Speaker, I make the same request with respect to extending my remarks on the legislation of the present Congress, especially on the subject of inland waterways.

The SPEAKER. The gentleman from Alabama makes the same request. Is there objection?

There was no objection.

Mr. EVANS of Nebraska. Mr. Speaker, I desire to make the same request.

The SPEAKER. The gentleman from Nebraska makes the same request. Is there objection?

There was no objection.

Mr. SIEGEL. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BYRNES of South Carolina. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the appropriations of this Congress.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to extend his remarks concerning the appropriations of this Congress. Is there objection?

There was no objection.

Mr. CROWTHER. Mr. Speaker, I ask the same privilege, to extend my remarks on the general legislation of this Congress.

The SPEAKER. The gentleman from New York makes the same request. Is there objection?

Mr. GARRETT. Mr. Speaker, reserving the right to object, I suppose it is understood that that agreement, the practical agreement here, about these extensions, that they are not to include discussion of the bonus, is still in effect, and that these requests that cover matters of legislation are exclusive of the bonus proposition?

Mr. CRAMTON. I do not know of any such agreement that prevents a Member from including a reference to the bonus along with other legislation. It would be ridiculous to have such an agreement. It is an important item. I do not know of anyone who can exercise censorship as to a particular item of legislation.

Mr. GARRETT. I will not attempt to exercise any censorship, but I shall exercise the right of objecting to extensions of remarks on the subject of the bonus.

Mr. CRAMTON. The gentleman can object to all matters of legislation if he will, but I object to this conspiracy of silence with respect to the discussion of the bonus.

Mr. GARRETT. Some of us objected very much to being compelled to pass it without opportunity of debate. It is a farce to pass a bill like that in 10 minutes and then fill up the CONGRESSIONAL RECORD with speeches and give the impression to the country that the bill was fully discussed in the House.

Mr. CRAMTON. Mr. Speaker, I have no desire to extend my remarks on that piece of legislation, but it is ridiculous here for Members to extend on everything else and then to say that you can not extend on that particular subject.

Mr. GARRETT. I object to any extension of remarks on the subject of the bonus.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. CROWTHER], provided discussion of the bonus is not included?

Mr. CROWTHER. I have said already all that I have to say on the subject of the bonus, and everybody knows where I stand on that question.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the water-power legislation, and also on bills and legislation reported from the Committee on the Public Lands of the House.

The SPEAKER. The gentleman from Oregon asks unanimous consent to extend his remarks on water-power legislation and also on legislation coming from the Public Lands Committee of the House. Is there objection?

There was no objection.

Mr. SUMMERS of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks on national highways and our undeveloped resources.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend his remarks on national highways and our undeveloped resources. Is there objection?

There was no objection.

Mr. HARRISON. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of general legislation, without any reference to the bonus.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks on the subject of general legislation, without any reference to the bonus. Is there objection?

There was no objection.

Mr. UPSHAW. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. STRONG of Kansas. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Kansas asks unanimous consent to extend his remarks on the subject of general legislation, without reference to the bonus. Is there objection?

There was no objection.

Mr. BRAND. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Georgia makes the same request. Is there objection?

There was no objection.

Mr. McKINIRY. Mr. Speaker, in behalf of my colleague, Mr. O'CONNELL, I make the same request.

The SPEAKER. The gentleman from New York, in behalf of his colleague, Mr. O'CONNELL, makes the same request, without reference to the bonus. Is there objection?

Mr. KING. I object as to that restriction about the bonus. That is all intended to throw discredit on that legislation.

The SPEAKER. The gentleman from Illinois objects.

Mr. McKEOWN. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of public highways and the road-aid bill.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks on the subject of public highways and the road-aid bill. Is there objection?

There was no objection.

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Missouri asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. CLARK of Missouri. Mr. Speaker, I want to explain to the gentleman from Michigan [Mr. CRAMTON] about the shutting out of speeches about this bonus. We tried every way in the world that we knew how to get that bill up so that we could amend it and debate it, and we could not get opportunity to debate it. We were compelled to pass that thing under suspension of the rules, with 40 minutes' debate. Now, I am opposed to lugging in speeches here about it and flooding the country with them. Your vote shows just as well how you stood as all the speeches you could make between now and next Christmas.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. CRAMTON. Is not that equally true as to other legislative matters?

Mr. CLARK of Missouri. No; because almost every man in the House is printing speeches about it. The first man who started this objection about including remarks on the bonus

in extensions of remarks was a distinguished Republican, the gentleman from Illinois [Mr. MANN].

Mr. CRAMTON. But all the objections have come from those who opposed the bonus, and they insist that this is the one particular measure that shall not be discussed. The extensions appear in the RECORD for what they are. Everyone familiar with the RECORD knows they were not delivered on the floor.

Mr. CLARK of Missouri. There is not one man in America out of ten that knows anything about this RECORD.

Mr. CRAMTON. Mr. Speaker, as a Member who favored the bonus, and who has no excuses to offer and no desire to print any speech on that or any other subject, I protest against this continued policy of attempting to cast discredit on that measure.

Mr. CLARK of Missouri. Nobody is casting discredit on it.

Mr. CRAMTON. That is the effect of it.

Mr. CLARK of Missouri. Oh, no. I voted for it.

Mr. CRAMTON. If we are going to have extensions on the budget, if we are going to have extensions on appropriations and everything else, we will have extensions on the bonus if anybody wants to extend.

Mr. CLARK of Missouri. Not as long as people have the power of objecting.

Mr. CRAMTON. There is a mutual power of objecting.

Mr. CLARK of Missouri. I understand it.

Mr. CRAMTON. Every Member has an equal right, and it will be exercised.

Mr. CLARK of Missouri. I did not start it.

Mr. CRAMTON. We can finish it, though.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who also informed the House that the President had approved and signed bills and joint resolutions of the following titles:

On June 4, 1920:

H. R. 1024. An act authorizing the Secretary of the Interior to issue a patent to John Zimmerman for certain lands in the Colorado National Forest upon the surrender of other lands of an equal acreage also located in the Colorado National Forest, Colo.;

H. R. 2396. An act for the relief of John A. Gauley;

H. R. 3212. An act for the relief of legal representative of George E. Payne, deceased;

H. R. 9392. An act regulating the disposition of lands formerly embraced in the grants to the Oregon & California Railroad Co. and Coos Bay Wagon Road Co.;

H. R. 9583. An act for the relief of Edward A. Purdy, postmaster of the city of Minneapolis, Minn., for postage stamps, postal-savings stamps, war-savings stamps, war-tax revenue stamps, and cash from money orders stolen from the branch post office at Minneapolis, Minn., commonly known and described as the traffic station and located at Nos. 621 and 623 First Avenue North, in said city;

H. R. 10115. An act for the relief of Harvey R. Butcher;

H. R. 13108. An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes;

H. R. 13416. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, and for other purposes; and

H. R. 12775. An act to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and to establish military justice.

On June 5, 1920:

H. R. 13266. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes;

H. R. 13870. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purpose:

H. J. Res. 359. Joint resolution authorizing the Secretary of War to loan to the American Legion Post No. 73, Vincennes, Ind., necessary cots for use at the State encampment of the American Legion to be held at Vincennes, Ind., on June 28 and 29, 1920;

H. J. Res. 336. An act authorizing the Secretary of War to loan to the Albert Sidney Johnston Camp, United Confederate Veterans, No. 1820, Fort Worth, Tex., 100 tents and cots for the use of Confederate Veterans at the reunion of said camp June 24 to 27, inclusive, 1920;

H. R. 1309. An act for the relief of Perry L. Haynes;

H. R. 1827. An act for the relief of Carolyn Wheeler Kobbe;

H. R. 6198. An act authorizing payment of compensation to Swanhild Sims for personal injuries;

H. R. 9048. An act for the relief of Catherina Rea, administratrix of the estate of John Rae;

H. R. 6222. An act to remove a certain tract or lots of land in Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, pursuant to the act of Congress of August 24, 1912 (37 Stats., ch. 390, p. 565); and

H. R. 11030. An act for the relief of the Woodford Bank & Trust Co., of Versailles, Ky.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that June 4 they had presented to the President of the United States for his approval the following bills:

H. R. 14208. An act to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended;

H. R. 13266. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes;

H. R. 12530. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 13229. An act to establish in the Department of Labor a bureau to be known as the women's bureau.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and a joint resolution of the following titles, when the Speaker signed the same:

H. R. 13627. An act to amend paragraph (e) of section 7 of the act approved March 3, 1919, entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines";

H. R. 10806. An act to provide for the abolition of the 80-rod reserved shore spaces between claims on shore waters in Alaska;

H. R. 14335. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes;

H. J. Res. 373. Joint resolution declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired;

H. R. 14338. An act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis;

H. R. 10378. An act to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes;

H. R. 10011. An act authorizing and directing the Director of the Census to collect and publish monthly statistics concerning hides, skins, and leather;

H. J. Res. 270. Joint resolution authorizing the erection of a monument marking the starting point of the motor convoy from Washington to San Francisco;

H. R. 13962. An act to extend the time for the construction of a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 10183. An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes; and

H. R. 6407. An act for the relief of Michael MacGarvey.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 1222. An act for the relief of the owners of the schooner *Henry O. Barrett;*

S. 3852. An act for the relief of the Garden City (Kans.) Water Users' Association, and for other purposes;

S. 3270. An act authorizing the Superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, to consider, ascertain, adjust, and determine claims for damages occasioned by acts for which said survey is responsible in certain cases;

S. 4167. An act to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri;

S. 4435. An act to authorize officers of the naval service to accept offices with compensation and emoluments from Governments of the Republics of South America;

S. 1005. An act for the relief of the owner of the steamship *Matoa;* and

S. 3244. An act to authorize the Secretary of the Interior to issue patent to R. I. Credille, mayor of the village of Bonita, La., in trust, for certain purposes.

PENSIONS.

Mr. SELLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9281) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and to disagree to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table and to disagree to the Senate amendments to and ask for a conference on a bill which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman to disagree to the Senate amendments and ask for a conference?

There was no objection, and the Speaker appointed as conferees on the part of the House Mr. SELLS, Mr. KIESS, and Mr. MEAD.

Mr. SELLS. Mr. Speaker, I make the same request as to H. R. 7775, granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table a bill which will be reported by the Clerk, and to disagree to the Senate amendments and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request?

Mr. CANNON. Are these individual pension bills?

Mr. SELLS. Omnibus private bills.

Mr. CANNON. No general legislation in either one of them?

Mr. SELLS. No.

The SPEAKER. Is there objection to the request of the gentleman to disagree to the Senate amendments and ask for a conference?

There was no objection, and the Speaker appointed as conferees on the part of the House Mr. SELLS, Mr. KIESS, and Mr. MEAD.

Mr. SELLS. I make the same request as to H. R. 10515, granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The SPEAKER. The gentleman makes the same request as to H. R. 10515, which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. The gentleman asks unanimous consent to disagree to all the Senate amendments and ask for a conference. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. SELLS, Mr. KIESS, and Mr. MEAD.

Mr. SELLS. I make the same request as to H. R. 11554, granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The SPEAKER. The gentleman makes a similar request as to a bill which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request to disagree to all the Senate amendments and ask for a conference?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. SELLS, Mr. KIESS, and Mr. MEAD.

REQUESTS TO EXTEND REMARKS.

Mr. BLAND of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of the soldier in the World War.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD on the subject of the soldier in the World War. Is there objection?

Mr. FLOOD. I object.

The SPEAKER. The gentleman from Virginia objects.

Mr. McLAUGHLIN of Nebraska. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the legislation of the present Congress—not with reference to the bonus.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD on the subject of the legislation of the present Congress, not with reference to the bonus. Is there objection?

Mr. KING. I object, unless the gentleman withdraws that reference to the bonus.

The SPEAKER. The gentleman from Illinois objects.

Mr. BURROUGHS. I ask unanimous consent to extend my remarks in the RECORD on the subject of the merchant marine bill.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent to extend his remarks in the RECORD on the subject of the merchant marine. Is there objection?

There was no objection.

Mr. EAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the Mason resolution.

The SPEAKER. The gentleman from New Jersey asks unanimous consent to extend his remarks in the RECORD on the subject of the Mason resolution. Is there objection?

There was no objection.

Mr. EDMONDS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the merchant marine bill.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD on the subject of the merchant marine bill. Is there objection?

There was no objection.

Mr. ROBSION of Kentucky. I ask unanimous consent to extend my remarks in the RECORD on the subject of coal and the transportation systems.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD on the subject of coal and the transportation systems. Is there objection?

Mr. STEVENSON. Reserving the right to object, I do not like to object to anything, but I saw a statement coming from Senator SMOOT, chairman of the Committee on Printing, in which he stated that they had had to stop the sending of the CONGRESSIONAL RECORD to subscribers, that there was a limitation on the amount of paper that could be used in printing these speeches, and it seems to me it is about time for somebody to object to this matter, and therefore I think I will start it.

Mr. ROBSION of Kentucky. I hope the gentleman from South Carolina will withhold that.

Mr. SUMNERS of Texas. Will the gentleman withdraw that?

Mr. STEVENSON. I withdraw it for the present, although it looks as though we would have to bring in a general statute on the subject.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of measures which I have supported in Congress.

Mr. LITTLE. Did you support the bonus?

Mr. ASWELL. Yes; I did.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD on the subject of legislation which he supported in Congress. Is there objection?

Mr. ASWELL. I will not discuss the bonus.

There was no objection.

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of "Weighed in the balance and found wanting."

Mr. SUMNERS of Texas. Is the gentleman reflecting on Congress?

Mr. WILLIAMS. No; on the Democratic inefficiency for the past eight years. [Laughter.]

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of the red influence on legislation.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD on the red influence on legislation. Is there objection?

Mr. SABATH. I object.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Bergdoll resolution to investigate the escape of Grover Cleveland Bergdoll.

The SPEAKER. Is there objection to the request of the gentleman from California to extend his remarks in the RECORD on the Bergdoll resolution?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that my colleague, Mr. CURRIE, may extend his remarks in the RECORD on general legislation and economic conditions.

The SPEAKER. The gentleman from Michigan asks unanimous consent that his colleague, Mr. CURRIE, may extend his remarks on general legislation and economic conditions. Is there objection?

There was no objection.

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes on personal credit.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to address the House for 10 minutes. Is there objection?

Several Members objected.

Mr. BLAND of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the soldier in the World War, and it has no reference to the report of the subcommittee or the committee on investigation, and there is no bonus in it.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD on the soldier of the World War. Is there objection?

There was no objection.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent to extend my remarks on the bituminous coal supply.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WILSON of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on general legislation, excluding the bonus.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. CRAMTON. I object.

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on Americanism.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FOCHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by a short reference to a draft officer who lost his life in the service.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICKETTS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the condition of the country generally.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD on the condition of the country generally. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Speaker, would it be in order to extend remarks in the RECORD on the extension of remarks?

The SPEAKER. The Chair thinks so.

Mr. RAYBURN. I do not wish to do it. [Laughter.]

Mr. WINGO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Federal reserve act.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD on the Federal reserve act. Is there objection?

There was no objection.

Mr. TILSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address that I made a few weeks ago in the conference room of the House Office Building on the subject of making hats.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. BLAND of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the vocational rehabilitation.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the sugar situation.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks on the sugar situation. Is there objection?

There was no objection.

Mr. KING. Mr. Speaker, I withdraw my objection to the request of the gentleman from Nebraska [Mr. MCLAUGHLIN].

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his remarks in the RECORD on general legislation with the exception of the bonus. Is there objection?

Mr. CRAMTON. I object.

Mr. GARRETT. Mr. Speaker, will the House let me make a suggestion? I do not know whether it will be agreed to or not. It seems that a large proportion of the membership is making this request. If some gentleman will make a request that Members may have permission to extend remarks in the RECORD for three or five days upon matters other than the legislation that some of us object to, I think this matter could be settled more quickly and with less confusion. It has reached a point where we can hardly hear what is going on.

Mr. FLOOD. What is the gentleman's suggestion?

Mr. GARRETT. That some one ask unanimous consent that Members may extend their remarks in the RECORD on subjects excluding the bonus legislation.

Mr. FLOOD. I shall object to that.

Mr. SANFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech of my colleague, Mr. SIEGEL, delivered at New Haven, on the subject of, What Ails America.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

RESIGNATION.

The SPEAKER. The Chair lays before the House the following communication:

The Clerk read as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON BANKING AND CURRENCY,
Washington, June 5, 1920.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEAR MR. SPEAKER: I have this day transmitted to the governor of the State of New York my resignation as a Representative in the Congress of the United States from the twenty-sixth New York district, to take effect at the close of the day on Monday, June 7.

Yours, very respectfully,

EDMUND PLATT.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Dudley, its enrolling clerk, announced that the Senate had insisted upon its amendments to bills of the following titles, disagreed to by the House of Representatives, had agreed to the conferences asked by the House on the disagreeing votes of the two Houses thereon and had appointed Mr. MCCUMBER, Mr. SMOOT, and Mr. KING as the conferees on the part of the Senate.

H. R. 9281. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10515. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 11554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 7775. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. J. Res. 191. Joint resolution to create a joint committee on the reorganization of the administrative branch of the Government; to the Committee on the Judiciary.

S. 1353. An act for the relief of the McClintic-Marshall Construction Co.; to the Committee on Claims.

S. 2934. An act for the relief of the Leavenworth Bridge Co., of Leavenworth, Kans.; to the Committee on Claims.

S. 3998. An act authorizing any tribes or bands of Indians of California to submit claims to the Court of Claims; to the Committee on Indian Affairs.

S. 2707. An act for the relief of Ellen M. Willey, widow of Owen S. Willey; to the Committee on Naval Affairs.

EXCLUSION OF ALIEN ANARCHISTS, ETC.

Mr. JOHNSON of Washington. Mr. Speaker, I call up from the Speaker's table the bill (H. R. 11224) to amend the act entitled "An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes,"

approved October 16, 1918, with Senate amendments thereto, and move to concur in the Senate amendments.

The SPEAKER. The gentleman from Washington calls up a bill, which the Clerk will report.

The Clerk reported the title of the bill.

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

Mr. JOHNSON of Washington. Mr. Speaker, I move to concur in the Senate amendments.

The motion was agreed to.

PERSONAL ADDRESS.

Mr. WINGO. Mr. Speaker, the House is about to lose the splendid services of the distinguished gentleman from New York, Mr. PLATT, chairman of the Committee on Banking and Currency. I ask unanimous consent that the gentleman from New York may address the House for 10 minutes. [Applause.]

The SPEAKER. Is there objection?

There was no objection.

Mr. PLATT. Mr. Speaker, it is hardly necessary for me to say, I think, that it is with a great deal of regret that I send in my resignation as a Member of the House of Representatives, even to accept such an office as membership on the Federal Reserve Board. I received the notification of the signing of my commission only this morning, and, of course, until such notification had been received, it would hardly have been in order to send in my resignation.

I have greatly enjoyed my services in the House of Representatives and the companionship here. I feel certain that for some weeks after I get into my new office I shall be a rather lonesome individual, though there will be plenty of work and responsibility. It will perhaps help some to realize that Congress is not in session. If it were in session I think I should find myself wandering back here occasionally to take lunch with my friends or talk with them, as I have been accustomed to doing.

Before I leave the House I desire to say that it is my opinion that the responsibility of the House Banking and Currency Committee and of the House itself will perhaps be as great during the next few years as the responsibility of the Federal Reserve Board itself. Those of you who have read the financial history of the United States following the Civil War know what a flood of wild and dangerous ideas came into Congress, backed by considerable numbers of people. Propositions were made to repudiate the public debt, to issue unlimited quantities of greenbacks, to pay the debt in greenbacks, and so forth, and the agitation kept on until finally it died out with the resumption of specie payments and was then revived again in another way through the free-silver agitation. That agitation, I think, started because of high prices and high taxes, but increased greatly during the period of falling prices following the war. We have not had falling prices yet to any extent and everyone is complaining because of the high cost of living and apparently wanting falling prices. When the falling prices come, then the howl will be 10 times greater than it has been over the high cost of living. That always has been so in the past and it will be so again unless history fails to repeat itself. Men will be needed in Congress who understand the situation and who have the courage to stand by their convictions in order to hold back the agitation that is likely to come. Of course, it will take a different form, because we have financed this war in a much better way than the Civil War was financed. We have no great flood of greenbacks. The greenbacks still left from the Civil War are a mere drop in the bucket. In their place we have Federal reserve notes, which are issued in very large volume, but they are issued not by the Government but by or through the banks with ample security. Some people call it inflation and I think a good deal of it fairly may be called inflation, because a large part of the volume of Federal reserve notes is due to the rediscounting of notes based on Government bonds or war paper and not on commercial paper. In order to help float those bonds, as you know, the Federal reserve banks placed lower rediscount rates on notes based on bonds than on commercial paper, a thing utterly contrary to all good, sensible banking practice.

Commercial paper and agricultural paper—paper of people producing—ought to bear a lower rate always than paper based on any kind of stock or bond collateral, even Government bonds. As I have said, the lower rediscount rate on war paper was necessary, and it was impossible to raise that rate very much immediately after the war was over, because many people had bought Liberty bonds beyond their means and out of motives of patriotism, borrowing money to buy them. To force them to sell would, of course, have been a greater hardship. There were many cases doubtless where people have paid other debts bearing a higher rate of interest or where they have used money in speculation, instead of paying for their Liberty bonds. That is known to have been so in a great many instances, and that is one of the reasons why the rate has been raised somewhat on Liberty bonds recently. It is hoped that people who still owe money on Liberty bonds will pay for them as soon as possible, so that war paper can be taken out of the banks and so that the funds now tied up in loans on war paper can be loaned for commercial purposes. Inflation should decrease automatically as payments are made on notes secured by bonds.

Mr. KING. Mr. Speaker, will the gentleman yield?

Mr. PLATT. Certainly.

Mr. KING. Mr. Speaker, it is not my desire to enter into any controversy with the gentleman from New York, but I rise for the purpose of stating what I believe is in the heart and mind of every individual, not only the members of the Committee on Banking and Currency, but the Members generally of the House. The gentleman from New York [Mr. PLATT] has always been most courteous and considerate as chairman of that committee. His information is wide and his thought is clear upon all these questions, and he has been of great advantage to every member of the Committee on Banking and Currency. I am glad to be able to state that I have had the honor and pleasure of sitting on that committee under the tutelage of the eminent gentleman from New York. I believe I express the thought of every other Member of this House when I say that we wish him Godspeed and success in every undertaking. [Applause.]

Mr. PLATT. Mr. Speaker, I thank the gentleman for his kind words. I did not know I was yielding for a complimentary speech. I have only to say again that I shall regret very much indeed to leave the House. It is a great legislative body and the experience of service here is invaluable. We need not take too seriously the criticisms of Congress, for its Members are actuated by patriotism and a desire to serve the interests of the whole country, even though the complex interests of different districts may make it seem otherwise on rare occasions. The member who is willing to work finds an overwhelming amount of work to do, and benefits himself as well as his country by doing as much of it as possible as well as he can. The training one receives on many of the committees is invaluable, and the Committee on Banking and Currency is one of them—one of the greatest. I think of Congress sometimes as a great university, and of the Committee on Banking and Currency as one of its great departments. I enjoyed the great advantage of serving on that committee under Mr. CARTER GLASS, afterwards Secretary of the Treasury, and now Senator from Virginia, and also of the discussions of the Federal reserve act and the farm-loan act, and of having served on conference committees on the Federal reserve act and the Federal farm-loan act before I became the chairman. It was wonderful training, but I shall nevertheless enter upon my new duties on the Federal Reserve Board with some misgiving and with the consciousness that there is much to learn.

I expect and hope when Congress comes back I shall be able to come over here occasionally, and I am sure there is no privilege I shall value more highly than that accorded to a former Member of coming on the floor of the House. Gentlemen, I thank you. [Applause.]

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the House stand in recess for two hours.

Mr. WINGO. Will the gentleman withhold that for a moment? I would like to have five minutes in which to address the House.

Mr. CANNON. There is liable to be a point of no quorum raised.

Mr. BLANTON. Oh, no.

Mr. CANNON. Oh, yes. Well, after all is said and done, I believe that we would get along better and would not be as hungry as we are now and might rest up a bit by taking such a recess.

Mr. WINGO. Mr. Speaker, I simply wished to follow the proprieties on an occasion of this kind, but if it is offensive to the gentleman I withdraw my request.

The SPEAKER. Does the gentleman from Illinois object to the request of the gentleman from Arkansas to address the House for five minutes?

Mr. CANNON. On what subject?

The SPEAKER. On the subject of the gentleman from New York [Mr. PLATT], the Chair supposes.

Mr. CANNON. Oh, certainly not.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the gentleman from Arkansas is recognized for five minutes.

Mr. WINGO. Mr. Speaker, while it was a matter of genuine regret to me, as I stated at the time I submitted the request of the gentlemen from New York to address the House, that he was retiring from our midst, and that we were to lose not only the pleasure of his association but his splendid services as one of the hard-working, practical Members of this House, yet it is a pleasure to me to call attention, and that is my object in a few short words, to what constitutes a record of which the gentleman may well be proud, and of which I am sure he is proud. Whatever may be his splendid services in the position to which he is going, and I am sure he will render splendid service there, he will not have the opportunity, although he will have both the capacity and the desire, to render the same earnest, sincere service to the country that he has in his quiet, yet forceful and unobtrusive way, rendered as a Member of this House. [Applause.] My short membership in this House has convinced me that it would be of interest to the public and would benefit the public service if the President of the United States would more often come to the House of Representatives in making his selections for men for important governmental positions. [Applause.] We all remember the predecessor of the gentleman from New York [Mr. PLATT], our very beloved CARTER GLASS, who won his spurs upon the floor of this House. It was the hard work and splendid service that he rendered here that was the bedrock, the training and groundwork for the splendid service that he rendered as Secretary of the Treasury and attracted to his high character and his splendid ability the favorable attention of the country, so that to-day CARTER GLASS has the confidence, respect, and affection of even his political opponents, and is universally regarded as one of the great outstanding, towering figures in American public life. [Applause.] The gentleman from New York will carry to the Federal Reserve System an experience that is so necessary during the next 5 or 10 years of that great system. He and I have frequently differed, and I have not the slightest doubt that we shall differ in the future, but I shall close what I have to say with this: That whatever differences I and even some of his own party associates may have with him in our consideration of public business, we shall always have for him that tender affection, that high regard that his character commands, and the great respect for his splendid ability which has been demonstrated by his service in the committee room and upon this floor. [Applause.]

EMBASSY BUILDINGS, BRUSSELS, BELGIUM.

Mr. DICKINSON of Iowa. Mr. Speaker, I ask unanimous consent to consider the bill S. 3406.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of the bill, which the Clerk will report.

The Clerk read as follows:

A bill (S. 3406) for the purchase of the buildings and grounds for an embassy of the United States at Brussels, Belgium.

The SPEAKER. Is there objection?

Mr. BLANTON and Mr. BEGG. Mr. Speaker, I object.

BRIDGE ACROSS RED RIVER.

Mr. PARRISH. Mr. Speaker, I desire to ask unanimous consent for the present consideration of the bill H. R. 14444.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 14444) authorizing the construction of a bridge and approaches thereto across Red River connecting Wilbarger County, Tex., and Tillman County, Okla., beginning at a point in the Mrs. Eliza Littleton survey, Wilbarger County, Tex., and extending north to a point near the line between range 21 and range 22 west, township 2 south, Jackson County, Okla.

Be it enacted, etc., That the Vernon Bridge Co., a corporation, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across Red River at a point suitable to the interests of navigation connecting Wilbarger County, Tex., and Tillman County, Okla., beginning at a point in the Mrs. Eliza Littleton survey, Wilbarger County, Tex., and extending north to a point near the line between ranges 21 and 22 west, township 2 south, Jackson County, Okla., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby reserved.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. PARRISH, a motion to reconsider the vote by which the bill was passed was laid on the table.

SURVEY OF WABASH RIVER IN ILLINOIS AND INDIANA.

Mr. LUHRING. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 13573.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration of the bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13573) to make a preliminary survey of the Wabash River in Illinois and Indiana with a view to the control of its floods.

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary survey to be made of the Wabash River in Illinois and Indiana with a view to the control of its floods, in accordance with provisions of an act entitled "An act to provide for the control of the floods of the Mississippi River and the Secramento River, Calif., and for other purposes," approved March 1, 1917.

Mr. BLANTON. Mr. Speaker, I object.

Mr. LUHRING. Will the gentleman withhold his objection until I can make a short statement?

Mr. BLANTON. I will withhold it.

Mr. LUHRING. Mr. Speaker, this bill is simply a preliminary step made necessary by the flood-control act. It carries no appropriation. If a survey is ordered it can be made with no expense to the Government.

Mr. BLANTON. It will not cost the Government anything?

Mr. LUHRING. No, sir, according to the testimony of Col. Taylor, the engineer.

Mr. BARKLEY. Mr. Speaker, I object. I reserve the right to object.

Mr. HUMPHREYS. Mr. Speaker, this bill will not cost the Federal Government a cent. There is a very serious flood situation there and they are anxious to conjure up some scheme by which those floods can be controlled. We wanted to know how much it would cost to make the survey. The department down here are able to give us that information, and all this bill calls for is a report, and they could ascertain how much it would cost to make a detailed survey.

This preliminary examination will not cost a cent. Fifty thousand acres of very valuable farm lands there have been overflowed so frequently this year that they can not make a crop on them. The farmers there are very much interested in it, and the whole country is interested in it. As I say, it will not cost a cent.

Mr. BARKLEY. My reservation of objection is based upon not that it is going to cost anything, but to the fact that below the mouth of the Wabash River there is a widespread fear on the part of the farmers, on both sides of the river, that this project will result in the overflow of their land.

Mr. HUMPHREYS. That is why they want the survey. It does not authorize any work to be done. It authorizes the engineers to find out how much it would cost to make this survey, to ascertain how these floods can be controlled without injuring anybody. Those people that the gentleman talks of came before the committee and said that the activities heretofore, here and there and yonder, without any coordination, without any plan for the control of the floods as a whole, were injuring their lands, and they would like, if possible, to conjure up a scheme where all could be protected without injury to anyone.

Mr. BARKLEY. Will the gentleman allow me to ask him a question? Is the gentleman from Mississippi willing to state that if there is any reasonable ground to believe that, if the project or survey is made or reported back, the committee having charge of this legislation would not favor any such project as would injure farms below the mouth of the Wabash River, if this objection is withdrawn?

Mr. HUMPHREYS. Mr. Speaker, the engineers are simply requested to tell us what it will cost to make the survey. If the committee authorizes the survey to be made, then, of course, it would be time to make this objection. But the gentleman's constituents and my constituents have been protected by the flood-control act.

Mr. BLANTON. Regular order, Mr. Speaker.

Mr. BARKLEY. I am not going to object.

The SPEAKER. Is there objection?

Mr. KINCHELOE. Reserving the right to object, I want to ask the gentleman from Indiana if this is a sequence of the bill which he introduced seeking to drain the farm lands of the Wabash Valley over there?

Mr. LUHRING. It is practically a substitute for it, a new bill providing for the survey of the entire valley, so as to protect all interests. For instance, there are three projects now in process——

Mr. BLANTON. Does the gentleman say that the survey of the whole Wabash Valley will not cost anything?

Mr. LUHRING. This is a preliminary survey.

Mr. HUMPHREYS. It will not cost a cent.

Mr. BLANTON. Every time I have had one made it has cost.

The SPEAKER. Is there objection?

Mr. KINCHELOE. I will ask the gentleman from Texas [Mr. BLANTON] to desist a minute so that I may get information, because my people are seriously interested in this. If I am not convinced that this will not be a danger to the Ohio River down

there, I am going to object, because there is a great protest against the bill which the gentleman introduced on the question of draining the Wabash River bottoms, because the people on the lowland of the Ohio River, on both sides, are very apprehensive that with that drainage the excess water will come over and flood them.

Mr. HUMPHREYS. That is exactly why we want the survey, so as to see if a scheme can be conjured up so that the country can be protected from overflow; and the engineers can furnish an estimate of what that survey will cost, if this bill passes, without any expense to the Federal Government.

Mr. KINCHELOE. The gentleman is informed on this proposition, and I want to ask for information. Why is this purported survey confined to the Wabash River instead of the Ohio, which is immediately adjacent and below?

Mr. HUMPHREYS. This relates simply to the owners on the Wabash River, and we have one that relates to the Mississippi and another to the Sacramento. The gentleman knows we were pilloried here when we put many river and harbor projects in one bill, and it was called "pork." So we report one at a time. It will not cost anything. It absolutely gives information of what a survey would cost if that survey is ordered to find out if the floods can be controlled without injury to anybody.

Mr. KINCHELOE. I am not so much interested in the cost of the proposition as I am in the effect which it will have.

Mr. BARKLEY. Why does not the committee bring in a proposition to make a general survey of the Ohio and its tributaries, because you have got to make a survey of the Ohio in order to make an intelligent report on the Wabash?

Mr. HUMPHREYS. Because the engineers said it would cost $10,000,000 to do that.

Mr. BLANTON. Mr. Speaker, I object.

Mr. HUMPHREYS. I hope the gentleman will not object.

Mr. BLANTON. I withdraw the objection.

The SPEAKER. Is there objection?

Mr. KINCHELOE. Mr. Speaker, further reserving the right to object, I will say to the gentleman that we will have two or three hours here yet. For the time being I will object.

Mr. HUMPHREYS. The gentleman ought not to object.

Mr. KINCHELOE. I am not talking about the cost. What I am talking about is the effect.

The SPEAKER. Is there objection?

Mr. KINCHELOE. For the present I object, Mr. Speaker.

THE PATENT OFFICE.

Mr. NOLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 11984, the Patent Office bill, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman asks unanimous consent to take from the Speaker's table the bill H. R. 11984, with Senate amendments, disagree to the Senate amendments, and ask for a conference. Is there objection?

Mr. BLANTON. Mr. Speaker, I object in order to save time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent that the House stand in recess until 3 o'clock.

Mr. MORGAN. Mr. Speaker, I object.

Mr. KINKAID. Mr. Speaker, reserving the right to object——

Mr. GARRETT. Will the gentleman withhold his objection a moment?

Mr. MORGAN. Yes, sir.

Mr. GARRETT. Let me suggest that there is no possibility of these measures that the gentlemen are calling up now passing the Senate and becoming laws. We know that. We were here until an early hour this morning, somewhere between 1 and 2 o'clock. This side, upon whom responsibility does not rest directly, furnished the majority of those who were here last night. There is a sincere desire here to take that recess until about 3 o'clock. It is usual to do it. There is no chance of these belated measures becoming laws. I hope the gentleman will not object.

Mr. MORGAN. I will state to the gentleman that for nearly a week I have been trying to get opportunity to make an address on a subject of considerable importance, and I want only 5 or 10 minutes' time.

Mr. BLANTON. There are others who want time.

Mr. GARRETT. Very well. At the end of 10 minutes.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent that at 1 o'clock and 10 minutes the House recess until 3 o'clock.

The SPEAKER. The gentleman from Kansas asks unanimous consent that at 1 o'clock and 10 minutes the House recess until 3 o'clock. Is there objection?

Mr. MORGAN. I object.

The SPEAKER. Objection is made.

Mr. MORGAN. I ask unanimous consent to proceed for seven minutes.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to proceed for seven minutes. Is there objection?

There was no objection.

Mr. MORGAN. Mr. Speaker, the Agriculture appropriation bill which recently passed the House and Senate contains the following important provision:

> There is hereby constituted a joint committee of the Senate and House of Representatives, to consist of the chairman of the Senate Committee on Agriculture and Forestry, the chairman of the House Committee on Agriculture, and the chairmen of the Committees on Banking and Currency of the two Houses, and two other members of each of said committees, to be designated by the chairmen of the respective committees, and it shall be the duty of said joint committee to investigate and report at as early a date as may be possible as to the practicability of establishing a system of short-time rural credits in the United States and to recommend such legislation as may be deemed practicable and desirable to that end.

The creation of this joint committee is in my judgment a matter of very great importance. Members of the House will recall the fact that in 1912 the two great political parties of the Nation placed in their platforms declarations in favor of providing agriculture with better credit facilities. The subject was considered for several years in Congress. As a result, the Federal farm-loan act was enacted. It was approved on the 17th day of July, 1916. This act relates only to long-time farm-mortgage credit. Under it loans can not be obtained for less than 5 years nor for more than 40 years. I was greatly interested in all this legislation. I contributed in every way in my power to secure its enactment. It is the universal opinion that this system of long-time farm credit has vindicated itself. As time goes on it will become more and more appreciated. But Congress completed only half of its task. We should have a special system of short-term or personal farm credit for the benefit of the farmers of this country.

Mr. STEVENSON. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I will be delighted to yield to my friend from South Carolina.

Mr. STEVENSON. How is that committee constituted—the committee that the gentleman refers to?

Mr. MORGAN. The joint committee referred to consists of the chairman of the Banking and Currency Committee of the House, the chairman of the Banking and Currency Committee of the Senate, the chairman of the Agriculture Committee of the House, and the chairman of the Committee on Agriculture of the Senate, and in addition thereto each of these four chairmen appoint two other members selected from their respective committees, making three members from each of the above committees, and the entire membership of the joint committee consists of 12 persons.

Mr. STEVENSON. Unless action is taken to select a chairman of the Committee on Banking and Currency of the House——

Mr. RAKER. That has already been done.

Mr. MORGAN. The gentleman from South Carolina refers to the vacancy occasioned by the resignation of the gentleman from New York [Mr. PLATT]. This vacancy was filled this afternoon, when the House, on the motion of the gentleman from Wyoming [Mr. MONDELL], elected the able and distinguished Member from Pennsylvania, the Hon. LOUIS T. MCFADDEN, as chairman of the Banking and Currency Committee. As the gentleman from Pennsylvania is a banker and also represents one of the greatest agricultural districts of Pennsylvania, I feel sure that the subject of short-term or personal farm credit will be given wise and favorable consideration. The gentleman from South Carolina [Mr. STEVENSON] is a member of the Banking and Currency Committee of the House, and I feel sure that he will do his part well.

Mr. STEVENSON. I will say to the gentleman that anything possible to be done within the region of safe banking should be done.

Mr. MORGAN. I heartily agree with my friend. There could hardly be a greater calamity come to agriculture than to create a new system of short-term or personal credit for farmers that would not be safe and sound. My reading and investigation of the subject have led me to the conclusion that the soundness of any system of credit is of paramount importance. In establishing a new system of short-term credit for our farmers we must see to it that the system we establish shall be safe, sound, and permanent. It is only such a system that will give our farmers the credit and the service to which they are justly entitled. I wish now to give an outline of the plan proposed in my bill, H. R. 14367.

A PLAN PROPOSED.

On the 18th day of January, 1918, during the Sixty-fifth Congress, I introduced in the House H. R. 8827, entitled "A bill

to provide short-term credit for the farmers of the United States, and for other purposes." On the 24th day of January, 1918, I delivered a speech in the House of Representatives explaining the provisions of the said bill and urging Congress to establish a system of personal or short-term farm credit to promote the agricultural interests of the Nation. With some modifications I have reintroduced this bill in this, the Sixty-sixth Congress. It is H. R. 14367, with the same title as the original bill. The bill in full will be printed as part of my remarks as Appendix A.

OUTLINE OF PLAN.

The bill proposes—

(1) To authorize farmers to incorporate local credit organizations under the name of "Federal farm credit societies."

(2) To establish 12 regional banks to be known as "national farm credit banks."

(3) To require the Federal reserve banks to rediscount, under proper restrictions, the notes of farmers when indorsed by a local credit society and a regional bank, and to authorize all other banks to discount or rediscount such papers.

(4) To make the regional banks Government depositaries, and to authorize special deposits therein by the Secretary of the Treasury, to be used in extending credit to farmers of the United States.

(5) To authorize regional banks to issue and sell farm-credit debentures based upon the notes of farmers when indorsed by a local Federal farm credit society and a regional bank.

NATIONAL FARM-CREDIT BANKS.

Under the provisions of my bill, the 12 regional banks are designated as "national farm-credit banks." The following summary describes their chief characteristics:

1. One of these banks will be located in each of the 12 Federal land-bank districts, and the national farm-credit bank and the Federal land bank in each of said districts will be twin institutions, located in the same city, doing business in the same building, having the same men for directors and officers, assistants, and employees, and yet be entirely separate and independent corporations, promoting a different line of agricultural credit, and in no way responsible for each other's contracts or debts.

2. Exclusive of the capital subscribed by Federal farm-credit societies, which must be equal to one-tenth of the amount of credit extended to such societies, every national farm-credit bank, before beginning business, must have a minimum capital of $2,000,000, which, if not otherwise subscribed, will be taken by the Federal Government.

3. They may receive deposits, pay interest thereon, borrow money, use their funds in making loans to Federal farm-credit societies, and by discounting notes with the Federal reserve banks and other financial institutions they are to become the avenues through which credit will flow from its sources to the farms.

4. National farm-credit banks, in furnishing credit for the local society, will rely (1) upon their capital, (2) upon deposits from individuals or the Federal Government, (3) upon the sale of debentures, and (4) upon rediscounting the notes of the farmers, when indorsed by local societies, with the Federal reserve banks and other banking and financial institutions.

5. Each national farm-credit bank will be primarily liable for its own debts and debentures, but in case of a failure of any one of such banks all other such banks will be required to contribute to prevent loss to its creditors.

FEDERAL FARM-CREDIT SOCIETIES.

The chief features of the local Federal farm-credit societies may be outlined as follows:

First. They will be corporations, operating in restricted areas, serving a limited farm population, controlled by borrowers, and managed by a board of five directors, with a president, vice president, and secretary-treasurer, who will be the only paid official.

Second. They will not be banks receiving deposits or doing a general banking business, but will be credit societies, utilizing the local commercial banks for depositories.

Third. Exclusive of the capital subscribed by borrowers, each society will have a minimum working capital of $5,000, which, if not otherwise subscribed, will be furnished by the Federal Government.

Fourth. Each borrower will be required to subscribe to the capital of the local society in an amount equal to one-tenth of the loan granted, which may be paid for out of the proceeds of the loan, and on the payment of the note such stock may be canceled and the face value thereof credited on the note.

Fifth. Local societies are authorized to charge one-half of 1 per cent per annum interest in excess of the interest rate which the regional bank charges the local society, and from this margin will be expected to meet administrative expenses and be able to pay dividends on stock held by borrowers sufficient to offset the interest paid by them on money invested in the stock held in the local society, but no dividends will be paid on stock held by the Government.

Sixth. Local societies will make loans on their own account entirely independent of the regional bank, and will thus be in a position to transact business promptly and to close loans without delay.

Seventh. Local societies, in borrowing money from regional banks or in having their notes discounted thereby, will subscribe to the capital stock of the regional bank in an amount equal to one-tenth of the credit extended by the regional bank.

Eighth. Shareholders in local societies are liable for the debts of such societies only to the amount of stock held; but the principle of the unlimited liability, practiced by many of the European short-term farm credit societies, will apply as between societies, so that in case of the bankruptcy of a local society all other societies will be required to contribute to prevent losses to creditors.

Ninth. Local societies are made exempt from local or Federal taxation, are prohibited from charging an interest rate in excess of 6 per cent per annum, and all loans must be secured by the signature of two responsible indorsers, or by chattel mortgage, or by bonds or other adequate collateral security.

IMPORTANT DIFFERENCE.

Under the provisions of my bill, H. R. 14367, the Federal farm credit societies in one particular differ radically from the local credit societies under European short-term or personal farm credit systems. In Europe, local farm credit societies receive deposits and do a general banking business. Under my bill local Federal farm credit societies are not authorized to receive deposits or conduct a general banking business. There should be some good reasons if this proposed change should be adopted. I desire to call attention to some of these reasons:

To permit local farm credit societies to receive deposits and conduct a general banking business—

(1) Means a duplication of banking institutions in almost every community in the land.

(2) It will require local credit societies to invest much larger capital in real estate, buildings, furniture, and equipment.

(3) It will greatly enlarge the expense of operating, managing, and maintaining these societies, and all such expense must fall upon the borrowers.

(4) It will mean greater cost to the Federal Government in their supervision, regulation, and control.

(5) It will make the business of the societies more difficult, complex, and intricate, will require greater skill and efficiency in the management thereof which will again mean higher priced salaries and greater administrative expenses.

(6) A credit business based upon deposits increases the danger of failure and financial difficulties.

(7) It would mean direct competition for deposits with local commercial banks in every community, and this might develop antagonism which might result disastrously or injuriously to either or both.

In presenting a plan for short-term farm credit in which the local credit societies will not be banks of deposits, I wish to state that I am not antagonistic to a system based upon local credit societies or banks authorized to receive deposits. I would certainly heartily support such a system if it should be made to appear that it would best serve the interests of the farmers and promote to the greatest extent the prosperity and expansion of agriculture. This is the logical and natural position for me to take, believing, as I do, that the general welfare of all classes of our people and the very strength of this Republic depend upon the prosperity of our farmers and the growth and development of agriculture.

Mr. MOORE of Virginia. Mr. Speaker, may I interrupt the gentleman?

Mr. MORGAN. I shall be glad to yield to my friend from Virginia.

Mr. MOORE of Virginia. I am in entire sympathy with the gentleman on this subject, and trust that the matter will receive careful consideration. I suppose that to some extent the action will depend upon the decision of the Supreme Court in the pending cases?

Mr. MORGAN. I am not certain as to that. The constitutional authority of Congress to establish a system of short-term farm credit might be an entirely different legal question from the one involved in establishing a system of farm mortgage credits as was done under the Federal land-bank act approved July 17, 1916.

Mr. MOORE of Virginia. I understand; but the same question will apply to the new system as applies to the old.

Mr. MORGAN. I do not think the conclusion of the gentleman necessarily follows. An entirely different constitutional question might arise.

Mr. MOORE of Virginia. I do not intend to express the opinion that the court will condemn the present system. I hope the court will sustain the present system. I would like to say this further to the gentleman, that the ablest discussion I have seen in support of the power of Congress to enact any legislation of this character is contained in a brief filed in one of the Supreme Court cases by Judge Charles E. Hughes.

Mr. MORGAN. Well, whatever may be the decision involving the constitutionality of the Federal land-bank act, which established a system of long-time farm mortgage credit, I feel sure it will not mean the entire overthrow of the system. It may be some amendments to the act may be necessary. I feel sure Congress will find some way to remedy any defect in the act. Furthermore, the importance of providing the farmers of the United States with a system of credit suited to the needs of the great fundamental industry of agriculture is so great that if necessary the Constitution itself should be amended.

Mr. TINCHER. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I will gladly yield to my distinguished colleague from Kansas, whom I know is deeply interested in the welfare of the farmers, not only of his own district but the entire Nation.

Mr. TINCHER. As I understand the gentleman, that portion of the agricultural loan bill to which the gentleman from Oklahoma has referred, the idea is to work out some system by which the farmer may have short-time credit without paying, as he is compelled to pay to-day, one and one-half or sometimes twice the rate of interest that men engaged in commerce pay for short-time loans.

Mr. MORGAN. The gentleman from Kansas has the correct idea. It is true, as the statistics show, that as a rule commercial, manufacturing, and mercantile interests borrow money at a lower rate than the farmers. So one of the chief objects of enacting the Federal farm-loan act, which established a system of long-time farm mortgage credits, was to reduce the rate of interest the farmers were compelled to pay. But another object was to provide the farmers with better credit facilities, to furnish them more abundant credit, and to furnish it to them on more favorable terms and conditions. But as I have pointed out, the Federal land-bank act provides only for long-time farm mortgage credit. This can be utilized only by farm owners. The tenant who has no farm can not borrow money under the existing system. More than that, all the farmers need credit or what is known as short-time or personal credit. For this kind of credit they, in many cases, pay excessive rates of interest. The object of the proposed new system of short-term farm credit is to make interest rates lower for such credit, and provide them this credit on terms and conditions suitable to their business. Another object is to standardize interest rates to the farmers, and to provide equal credit facilities to the farmers throughout every section of the Nation. Uniformity of interest rates and equal credit facilities to the farmers in all the various sections of the United States can never be attained except through a national system of rural credits combining both the long-time or farm-loan credit and the short-time or personal credit.

LIMITATION OF FARM CREDIT.

The credit available to the farmer is circumscribed. Whatever credit he obtains on short-time loans he must secure from the local banker or the local money lender. His financial standing is unknown outside of the community or county in which he resides. If he secures a loan at all, he must go to his local banker and accept it on the terms and at the price he offers it. The object of short-term farm-credit institutions is to bring the average farmer in touch with credit resources outside of his own immediate community or county.

Every farm is a factory in which credit is manufactured. But the output of this credit factory is chiefly consumed in our towns and cities. Every farm is a spring from which credit flows. But the rivulet of credit flows away from the farm. It unites with rivulets of credit from other farms. Joined together they make a stream of credit which flows along the currents of trade, commerce, and business. In every town and city a reservoir of credit is impounded. The greater centers of trade and commerce constitute the chief credit reservoirs of the Nation.

There must be some effective way of tapping these great reservoirs of credit and distributing the credit impounded therein among the farmers of the United States.

STANDARDIZING FARM SECURITIES.

One object of creating a system of short-term farm credits is to standardize negotiable instruments given by the farmers. The farmers secure their credit individually. There is no cooperation among them in securing credit. There is no unification in their credit power. Every farmer's note under the present system must stand or fall by itself. If we establish a national short-term farm-credit system, every promissory note on which credit is given in that system becomes standardized in value. This is true because borrowers become liable for each other, either on a limited or an unlimited liability. Experience has shown that either system is safe. I believe that borrowers should assume only a limited liability for each other. But I believe that the local societies as between each other should assume an unlimited liability. The regional banks should likewise be bound together by unlimited liability for each other's obligations. We have then a system, and the whole structure will stand or fall together. However humble the farmer may be, when his note has been accepted and indorsed by the local society it becomes gilt-edge paper.

REDISCOUNTING BY FEDERAL RESERVE BANKS.

One of the provisions which may develop controversy is that contained in section 9 of the bill, which authorizes any Federal reserve banks to rediscount the notes of farmers when indorsed by the local society and the regional bank. This provision, I believe, is sound in principle and eminently just to the farmers and to our greatest industry—agriculture. Its adoption, in my judgment, would not introduce any element of danger in our national currency system. At present agriculture does not receive the aid from our national banking and currency system that such system extends to the great industrial and commercial interests of the Nation. This not only restricts the growth of agriculture, but it discriminates against the farmers, who constitute more than one-third of our population.

The plan to have the Federal reserve bank rediscount the notes of farmers, when indorsed by a local credit society and a regional bank, is supported by very high authority in Europe. France has a system of short-term credit institutions corresponding almost identically with the plan of H. R. 14367, introduced by me. The local credit societies in the French system are known as the Credit Agricole Mutuel. Above the local credit societies there were in 1912, 98 regional banks, at least 1 in each State or Province. The local societies secure funds by indorsing their paper and having the same discounted at the regional banks, which in turn rediscount the same with the Bank of France. Referring to the short-term farm-credit system in France and the workings of the institutions created to promote such credit, Hon. Myron T. Herrick, in his book entitled "Rural Credits," on pages 335 and 336, says:

> The regional banks are authorized to discount the negotiable instruments made by members of the local societies and indorsed by such societies and also to make loans to such societies for working funds. The paper having thus three signatures, those of the borrowing farmer, the local society, and the regional bank, is "bankable according to the commercial and banking code, and the regional bank may rediscount it at the Bank of France or at any other of the big credit institutions in France, provided the time is not over nine months."

In Senate Document No. 214, Sixty-third Congress, entitled "Agricultural Cooperation and Rural Credit in Europe," pages 651 and 653, inclusive, there is a statement made by M. Aupetit, chief of the department of economic studies to the Bank of France, relative to the Bank of France and the aid it renders the farmers. He says:

> The Bank of France assists agriculture in three ways, which should be distinguished. First, it facilitates the individual agriculturists in securing loans and discounts. Second, it makes possible the success of agricultural credit banks and facilitates the rediscount which they offer the commercial banks. Third, it provided the Government with funds in the form of an advance and an annual grant with which to supply the needs of the agricultural credit banks.

Again he says:

> The Bank of France also makes every effort to assist the local banks, and has given pioneer assistance to the local credit banks. These local credit banks, as has been explained, have two functions. In the first place, they act as independent banks so far as their capital and deposits are concerned. The advance made by the State enables them to act as independent banks. As soon as the credit demands of their clients exceed their own resources, they render assistance to their members by rediscounting their bills at the Bank of France through the medium of the regional bank. While these banks usually rediscount with the Bank of France, it should be understood that they are free to rediscount them with any other bank they may select. * * * At the present time the Bank of France conducts regular discounting business with all of the 100 regional banks, and through them with more than 3,000 of the local cooperative credit banks. The third way in which the Bank of France assists agricultural credit in France is by granting large sums to the Government to be used to finance the local and regional credit banks.

SHORT-TERM FARM CREDIT IN GERMANY.

In Germany there are two chief systems of short-term cooperative credit institutions. One is the Shulze-Delitzsch sys-

tem and the other is the Raiffeisen system. The latter is the largest factor in furnishing short-term credit to the farmers of Germany. In each of these there are local credit societies, State, provincial, or regional institutions, and a large central bank. In the Raiffeisen system the central institution is the Central Agricultural Loan Bank, which has 13 branches, which serve as regional banks and through which the local societies do business. The central institution, which serves the local credit societies, which do not belong to the Raiffeisen system, is the Prussian Central Cooperative Bank of Berlin, which Prussia founded and endowed with a capital of $18,000,000.

Taking the short-term farm credit systems of France and Germany as the best models from which to copy our system of short-term farm credit, we must have, first, local credit societies; second, regional banks of some kind, with which the local societies will do business; and, third, some kind of a central institution of large capital and resources, which will bring the individual farmer, through the local societies and the regional banks, in touch with the great reservoirs of credit of the Nation. We must follow France, which utilizes the Bank of France for this purpose, or we must follow Germany, which has created and endowed a great central institution for this purpose. I believe the French policy is the better one. Our Federal reserve banks, in their position in our banking and currency and credit system, occupy the same position that the Bank of France occupies in the banking, currency, and credit system of France. I am, therefore, in favor of making our Federal reserve banks an important factor in providing suitable short-term credit to the farmers of the United States, and thus giving the 6,500,000 farmers of the United States a front seat in our great national banking, currency, and credit system.

Mr. STEVENSON. I want to interrupt the gentleman, because there might be some misapprehension from the question asked by the gentleman from Kansas [Mr. TINCHER], to the effect that farmers were paying one and one-half times as much as is charged for commercial credits. Now, that condition may exist locally, but the agricultural paper in South Carolina—I do not know how it is elsewhere—is about the lowest grade paper that the banks get. They are preferred in the Federal reserve banks, being given 180 days instead of 90 days, and the banks are glad to get the paper. It is a splendid paper and therefore does not have any preferential rate against it, but rather a preferential rate for it.

Mr. REAVIS. Does the gentleman know that the Federal Reserve Board quite recently, within the district that is controlled by the Kansas City banks, has issued an order whereby cattle paper is refused, and they will not rediscount that paper, and as a result of that herds running into the hundreds of thousands are being put on the market to-day because they can not finance their proposition, and it is going to produce a marked shortage?

Mr. GREEN of Iowa. I hope my friend will fix it so that hard-up Members of Congress will be able to get some money at a reasonable rate. [Laughter.]

Mr. TINCHER. Will the gentleman yield to me further?

Mr. MORGAN. I yield to my friend from Kansas.

Mr. TINCHER. Is not the gentleman also aware of the fact that the Federal reserve bank at Kansas City, Mo., located in a purely producing section of this country, is the only Federal reserve bank that has availed itself of the authority granted to it to put in what they call a graduated rate of interest and raise the rate of interest?

Mr. MORGAN. I assume the gentleman from Kansas is correct in his statement. I wish now to present a few fundamental propositions.

FUNDAMENTAL PRINCIPLES.

Before an architect can draw plans and specifications of a building he must have in his mind the general outlines of the proposed structure. Before we can intelligently construct our short-term farm-credit system we must have in our minds the general principles on which it shall be founded. Our short-term farm-credit institutions should be national in their origin, in their aim, in their scope, and in their character. Nothing worth while can be accomplished through State institutions. In my judgment, it would be most unfortunate to leave this great undertaking to the States. Our short-term farm-credit institutions should be authorized by Federal legislation, supervised, regulated, and, in part, controlled by Federal authority, and, furthermore, the Federal Government should render such direct financial aid as will insure their prompt organization and their successful operation.

These institutions should be altruistic and unselfish in character. Their aim should be to carry out a great national policy, world-wide in its influence. Greed and gain should have no place in their management. They should be an unselfish intermediary through which credit is to be conveyed to the farmers. No place along the line should private capital be allowed to take toll. Their profits and earnings must be returned to the farmers, the source from which they came. They must be modeled after the mutual savings banks in New England, which are operated solely for the social, moral, and economic benefit of their 8,000,000 depositors.

These institutions should provide equal credit facilities, and like terms and uniform rates of interest, to the farmers of every State in the Union. They must serve all sections alike. There must be no discrimination in the distribution of their benefits. In their operation and management there must be no favoritism nor sectionalism. Nothing else is fair or just and nothing else will be satisfactory or successful. From all beneficiaries must be required equality in responsibility, in obligation, and in contributions; and with these the institutions must give to all equality in privileges, in benefits, and in blessings.

Above all, these institutions must be safe and sound; we must have no "wild-cat" system of short-term farm credits. These institutions must be built on bedrock principles. They must be able to withstand the severest financial storms which may beat upon them. There must be no fear of their failure or bankruptcy. They must have the implicit confidence of the investing public. Whatever other defects they may have, let them be so planned, constructed, managed, and controlled that there shall never be any question about their safety, soundness, or solvency.

They will not be charitable organizations. Their purpose will not be to make gifts, to bestow alms, or to distribute donations. They will be business concerns. They will be conducted on business principles. Their design will not be to encourage indolence, idleness, or slothfulness. Their object will be to promote thrift, to develop energy, and to encourage industry. Their mission will be to make our farmers more independent and self-reliant, to give them new courage, hope, ambition, and a brighter vision of the future.

CONCLUSION.

More than 40 per cent of our population reside upon the farms. Nearly one-half of the permanent annual wealth added to the Nation is the product of the farm. We have more than 31,500 banks. They have a "banking power" estimated at $45,000,000,000. Only a comparatively small percentage of the "banking power" of this country is utilized to promote the prosperity of our farmers. The lion's share goes to trade, commerce, manufacturing, and transportation—to business men, speculators, corporations, and middlemen. The bulk of our multimillionaires have acquired their fortunes through the use of credit. Sound public policy requires the enactment of legislation that will distribute the credit power of the Nation equitably among the industries which produce it. Agriculture must have its share. More abundant credit must be made available for the farmers. The National Government, through Congress, and the State governments, through legislative assemblies, must bring into existence credit institutions, credit instrumentalities, and credit machinery that will place within the reach of our farmers such credit facilities as will enable them to expand their business, increase their profits, multiply their wealth, and bring a larger measure of well-being and happiness to them and their families.

REQUEST FOR EXTENSION OF REMARKS.

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks which I have just made.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to revise and extend his remarks just made. Is there objection?

There was no objection.

APPENDIX.

The following is a copy of bill H. R. 14367:

A bill (H. R. 14367) to provide short-term credit for the farmers of the United States, and for other purposes.

Be it enacted, etc., That the short title of this act shall be "The national farm credit act." Its administration shall be under the direction of the Federal Farm Loan Board, which shall have the same power of supervision and control over national farm credit banks and Federal farm credit societies created under this act that it has over Federal land banks and national farm loan associations created under the "Federal farm loan act." The provisions of said last-named act, in so far as they may be applicable and not in conflict with the provisions of this act, are hereby reenacted and made applicable to national farm credit banks, Federal farm credit societies, their directors, officers, assistants, clerks, and other employees, and the provisions of sections 29, 31, 33, and 34 of said act are hereby specifically reenacted and made applicable as aforesaid.

The Federal Farm Loan Board shall fix what proportion of the expense of operating the Federal land bank and the national farm credit bank of each Federal land bank district shall be paid by each of said banks.

DEFINITIONS.

SEC. 2. That the term "farm-credit debenture" shall be held to include all debentures secured by collateral security deposited with the farm-loan registrar under the terms of this act; the terms "national bank" and "national banking association," used in this act shall be held to be synonymous and interchangeable; and the term "member bank" shall be held to mean any national bank, State bank, or bank or trust company which has become a member of one of the reserve banks created by the Federal reserve act approved December 23, 1913.

FARM-LOAN REGISTRAR.

SEC. 3. That the farm-loan registrar of each Federal land bank district shall bear the same relation to the national farm credit bank of said district and the issue of farm-credit debentures that he now bears to the Federal land bank of said district, and in connection with the issue of farm-loan bonds, and said registrar shall exercise similar powers and perform similar duties relative thereto in addition to the duties specifically prescribed herein.

NATIONAL FARM CREDIT BANKS.

SEC. 4. That there is hereby created in each Federal land bank district a national farm credit bank, and its principal office shall be located in the same city and in the same building wherein the Federal land bank of said district is located.

The directors of each Federal land bank at the time of the passage of this act shall be the temporary directors of the national farm credit bank in the Federal land bank district wherein such national farm credit bank is located. They shall give such bonds, receive such compensation as the Federal Farm Loan Board shall prescribe, and from their number the Federal Farm Loan Board shall choose a president, vice president, secretary, and treasurer of said board. Thereafter each national farm credit bank and each Federal land bank located in the same Federal land bank district shall be under the management of the same directors, who shall utilize, so far as practical, the same officers, attorneys, experts, assistants, clerks, laborers, and other employees in the management of the business of said banks.

The said temporary directors shall make an organization certificate, containing in substance that which is required in the organization of Federal land banks as provided in section 4 of the Federal farm loan act, and upon duly making and filing of said organization certificate the bank shall become as from the date of the execution thereof a body corporate, and as such and in the name designated in said certificate shall have the same powers as are conferred upon Federal land banks in the aforesaid section 4 of said "Federal farm-loan act," and such additional powers as may be herein granted.

Thereafter the board of directors of every Federal land bank and of every national farm-credit bank shall be selected as hereinafter specified and shall consist of nine members, each holding office for three years. Six of said directors shall be known as local directors, three of whom shall be chosen by and be representative of national farm-loan associations, and three of whom shall be chosen by and be representative of Federal farm-credit societies. The remaining three directors shall be known as district directors and shall be appointed by the Federal Farm Loan Board, and shall represent the public interest. Any provision in section 4 of the Federal farm loan act in conflict with the provisions of this paragraph is hereby repealed. No director, officer, or employee of any kind or character shall have any increase in his salary or pay beyond 10 per cent increase by reason of being in the service of both the said banks, unless authorized by the Federal Farm Loan Board, and such salary or pay shall be apportioned equitably between the two banks which said directors, officers, or employees respectively serve.

CAPITAL OF NATIONAL FARM-CREDIT BANKS.

SEC. 5. That every national farm-credit bank shall have, before beginning business, a subscribed capital stock of not less than $2,000,000, divided into shares of $5 each. That the provisions of section 5 of the Federal farm-loan act relative to subscriptions to the capital stock of Federal land banks, in so far as the same may be applicable, are hereby made applicable to subscriptions to the capital stock of national farm-credit banks.

If within 30 days after the opening of subscription books therefor any part of the minimum capital stock of $2,000,000 shall remain unsubscribed, it shall be the duty of the Secretary of the Treasury to subscribe the balance thereof on behalf of the United States, and the Secretary of the Treasury is hereby authorized and directed to take out shares corresponding to the unsubscribed balance and pay for the same out of any moneys in the Treasury not otherwise appropriated.

RESERVES AND DIVIDENDS.

SEC. 6. That the Federal Farm Loan Board shall prescribe what proportion of the net earnings of national farm-credit banks shall semiannually be carried to the reserve account, what amount of reserve shall be maintained before dividends shall be paid, and prescribe at what time notes upon which payment of either interest or principal is in default shall be deducted from the assets thereof, and how the reserves of such banks shall be invested and safeguarded.

REPORTS.

SEC. 7. That the Federal Farm Loan Board shall annually make a full report of its operations and of the business, financial condition, assets, expenditures, number of employees, their salaries, and other appropriate information of each of the national farm-credit banks. Said report shall be made to the Speaker of the House of Representatives, who shall cause the same to be printed for the information of Congress.

National farm-credit banks shall make quarterly and annual reports to the Federal Farm Loan Board, including such information as shall be required by said board.

POWER OF NATIONAL FARM CREDIT BANKS.

SEC. 8. That every national farm credit bank may receive deposits, pay interest thereon, borrow money, loan its funds to Federal farm credit societies, discount and rediscount the notes of said societies and the notes of their shareholders, issue and sell debentures as provided in this act, and do and perform such other acts as may be authorized by law.

DISCOUNT BY FEDERAL RESERVE BANKS.

SEC. 9. That upon the indorsement of any member bank of the Federal Reserve System, or of any national farm credit bank, any Federal reserve bank may rediscount notes taken by any Federal farm credit society in the usual course of business, or the notes of such society which have a maturity, at the time of discount, of not more than six months.

GOVERNMENT DEPOSITARIES.

SEC. 10. That all national farm credit banks organized under this act, when designated for that purpose by the Secretary of the Treasury, shall be depositaries of public money, except receipts from customs; they may also be employed as financial agents of the Government, and as such depositaries and agents shall perform all such reasonable duties as the Government may require.

Said banks may loan to Federal farm credit societies such percentage of Government deposits as may be prescribed by the Secretary of the Treasury, and under such conditions and regulations, with reference to the security therefor, as said Secretary may prescribe to insure the payment thereof.

SPECIAL DEPOSIT FOR LOAN PURPOSES.

SEC. 11. That the Secretary of the Treasury is hereby authorized to deposit with national farm credit banks a sum of money not to exceed in the aggregate $12,000,000 in any one calendar year to be loaned by said banks to Federal farm credit societies in such amounts, at such rates of interest not to exceed 5 per cent per annum, with such security and under such rules and regulations as shall be prescribed by the Federal Farm Loan Board with the approval of the Secretary of the Treasury.

FARM CREDIT DEBENTURES.

SEC. 12. That any national farm credit bank may issue farm credit debentures under the terms of this act, with the approval of the Federal Farm Loan Board, when application therefor is made through the farm loan registrar. With said application said bank shall tender the said registrar, as collateral security, the indorsed notes of Federal farm credit societies or United States Government or Federal farm loan bonds, duly assigned to said registrar, not less in aggregate amount than the sum of the debentures proposed to be issued.

On approval by said board for an issue of farm credit debentures the said registrar shall proceed as soon as practicable thereafter to procure the proper execution of said debentures and the delivery thereof to said bank. The notes or bonds accepted as collateral security for the issue of farm credit debentures shall be assigned to said registrar in trust, reserving the right of substitution, and shall be held by him as collateral security for the payment thereof.

The Federal Farm Loan Board shall prescribe rules regulating the redemption of said notes or bonds, allowing the right of substitution of other similar notes and bonds for any portion thereof, and for the safeguarding of such securities in the hands of the registrar.

Debentures issued by any national farm credit bank shall not exceed the amount of collateral security pledged therefor, or be more than ten times the amount of the capital stock of said bank, and it shall be the duty of the registrar to enforce this provision.

The debentures shall be issued in denominations of $10, $25, $50, $100, $500, and $1,000; shall run for such time as may be prescribed by the Federal Farm Loan Board; shall bear a rate of interest not to exceed 5 per cent per annum; shall be in such form in series of such amounts as the Federal Farm Loan Board shall prescribe; and may be issued as coupon bonds with coupons for interest payments attached, or as registered bonds, and the same shall be interchangeable.

That the provisions of the Federal farm loan act relative to the preparation, engraving, and delivery of farm loan bonds are hereby made applicable to farm credit debentures.

LIABILITY OF NATIONAL FARM CREDIT BANKS.

SEC. 13. That every national farm credit bank issuing farm credit debentures shall be primarily liable therefor, and shall also be liable, upon presentation of farm credit debenture coupons, for interest payments due upon any farm credit debenture issued by any other national farm credit bank, and remaining unpaid in consequence of the default of such other national farm credit bank; and every such bank shall likewise be liable for such portion of the principal of farm credit debentures, so issued, as shall not be paid, after the assets of any such other national farm credit bank shall have been liquidated and distributed: *Provided*, That such loss, if any, either of interest or of principal, shall be assessed by the Federal Farm Loan Board against solvent national farm credit banks liable therefor in proportion to the amount of farm credit debentures which each may have outstanding at the time of such assessment.

Every national farm credit bank shall be primarily liable for all its contracts, debts, liabilities, and financial obligations of every kind and character; and every such bank shall likewise be liable for such portion of the debts, liabilities, and financial obligations of any other such bank which shall not be paid after the assets thereof shall have been liquidated and distributed: *Provided*, That such losses, if any, shall be assessed by the Federal Farm Loan Board against solvent banks liable therefor in proportion to the amount of their capital stock at the time of such assessment: *Provided further*, That the Federal Farm Loan Board shall, by order duly made, create and establish a guaranty fund to which all such banks shall be required to contribute an equitable amount annually, the amount to be fixed by said board, and from which shall be paid any of the debts, liabilities, and financial obligations of any such bank after the assets thereof shall have been liquidated and distributed; but the creation of such guaranty fund shall in no way relieve any such bank from its liability to make further contribution under any assessment which shall be made by the Federal Farm Loan Board under the provisions of this section.

Every national farm credit bank shall, by specific provision in its organization certificate, and by appropriate action of its board of directors, duly recorded in its minutes, obligate itself to become liable as provided in this section.

Farm credit debentures shall be signed by the president of the bank issuing the same and attested by its secretary, and contain such other matter as may be prescribed by the Federal Farm Loan Board.

Coupon or interest payments upon debentures shall be payable at the national farm credit bank by which they were issued, in gold or lawful money, and on payment shall be duly canceled by said bank. The Federal Farm Loan Board may authorize such payment at any national farm credit bank or at any other bank.

The Federal Farm Loan Board may by rule and regulation not inconsistent with the provisions of this act further regulate and control the issue, terms and payment of farm credit debentures and the application of payments made thereon.

FEDERAL FARM CREDIT SOCIETIES.

SEC. 14. That corporations to be known as Federal farm credit societies may be organized by 10 or more natural persons under the provisions of this act and under such rules, regulations, and certificate

of incorporation as shall be prescribed by the Federal Farm Loan Board. The principal office of the first Federal farm credit society organized in any county shall be located at the county seat of the county in which it is organized, and incorporators thereof shall be actual residents of said county. Only one Federal farm credit society shall be organized in any county unless special permission therefor shall be granted by the Federal Farm Loan Board.

The application for incorporation shall be made to the Federal Farm Loan Board. It shall be made in duplicate, shall be in such form and contain such matter as shall be prescribed by the said board, and among other things shall specify the officers and directors to serve until the first annual election of such officers. If any such application shall be proper in form and shall meet the requirements prescribed by the Federal Farm Loan Board as aforesaid, the same shall be approved by said board and said board shall issue to said society a certificate of incorporation, and the society shall become, as from the date thereof, a body corporate, and as such and in the name designated in its certificate of incorporation it shall have power—

First. To adopt and use a corporate seal.

Second. To have succession until it is dissolved by act of Congress or under the provisions of this act.

Third. To make contracts.

Fourth. To sue and be sued, complain, interplead, and defend, in any court of law or equity, as fully as natural persons.

Fifth. To elect and appoint directors, and by its board of directors to elect a president, and vice president, and appoint a secretary-treasurer and such other officers and employees as may be prescribed by the Federal Farm Loan Board.

Sixth. To prescribe by its board of directors, subject to the regulations of the Federal Farm Loan Board, by-laws not inconsistent with law.

Seventh. To exercise by its board of directors, or duly authorized officers or agents, all such incidental powers as shall be necessary to carry on the business of such society as herein authorized.

Eighth. To acquire and dispose of such property, real or personal, as may be necessary or convenient for the transaction of its business.

Ninth. To indorse, and thereby become liable for the payment of notes taken from its shareholders, to loan its funds to shareholders who are actively engaged in agriculture, for productive purposes only; to borrow money; and to transact such other business and perform such other acts as shall be provided in this act.

DIRECTORS AND OFFICERS.

SEC. 15. That Federal farm credit societies shall be managed by a board of five directors, who shall be named in the certificate of incorporation and who shall serve until the first annual meeting of shareholders and until their successors shall be elected and qualified.

By a majority vote, such directors shall elect a president, vice president, and secretary-treasurer of said board. After the first annual meeting of such society, directors shall be elected by a majority vote of its shareholders. In such election, and in all other business before the shareholders, each shareholder shall have but one vote. The secretary-treasurer may not be a director or shareholder in said society. Directors shall be citizens of the United States, residents of the State and county in which such corporation is located, and shall be persons actively engaged in the business of farming. They shall give such bonds as shall be prescribed by the Federal Farm Loan Board.

The duties of directors and officers of Federal farm credit societies shall be such as are prescribed herein and such as usually pertain to directors and officers of national banking associations.

It shall be the duty of the secretary-treasurer of every Federal farm credit society to act as custodian of its funds, notes, securities, papers, records, and other property. The board of directors shall designate some State or national bank as the depository of the society. The secretary-treasurer shall deposit all the funds of the society in such depository and provide, either in such depository or elsewhere, some safe and secure place in which he shall keep the notes, securities, records, and papers of such society. He shall receive such compensation as shall be fixed by the directors, subject to the approval of the Federal Farm Loan Board.

DEPOSITORIES; LOANS BY NATIONAL BANKS.

SEC. 16. That every member bank of the Federal Reserve System, when designated as the depository of any Federal farm credit society, is hereby required to act as such, and every State bank, when so designated, may act as such.

Any bank acting as the depository of a Federal farm credit society shall pay such interest on the deposits of such society as shall be agreed upon. Every national or other bank is authorized to make loans to any Federal farm credit society on such terms and security as may be agreed upon, and any State bank may make loans to the society when the same is not in violation of the laws of the State in which it is located.

Every national or other bank is authorized to act as secretary-treasurer of any Federal farm credit society, through one of its officers so designated, and any State bank may so act when not in conflict with the laws of the State in which it is incorporated, and any officer of said banks may so act.

SUPERVISION.

SEC. 17. That the Federal Farm Loan Board shall have and provide for careful supervision and examination of Federal farm credit societies and is authorized to make special rules and regulations to insure economical administration thereof.

REPORTS.

SEC. 18. That every Federal farm credit society shall make monthly, quarterly, and annual reports to the national farm credit bank of the Federal land bank district in which it is located, in such form and covering such information as shall be prescribed by the Federal Farm Loan Board.

CAPITAL STOCK OF FEDERAL FARM CREDIT SOCIETIES.

SEC. 19. That every Federal farm credit society shall have, before beginning business, a subscribed cash capital of not less than $10,000, exclusive of capital subscribed by prospective borrowers.

The Federal Farm Loan Board is authorized to prescribe the times and conditions of the payment of subscriptions to the capital stock, to reject any subscription in its discretion, and to require subscribers to furnish adequate security for the payment thereof.

The capital stock of each Federal farm credit society shall be divided into shares of $1 each, and may be subscribed for and held by any individual, firm, or corporation, or by the government of any county, municipality, State, or of the United States.

Stock held by borrowers of Federal farm credit societies shall not be transferred or hypothecated, and the certificates therefor shall so state.

Stock owned by the Government of the United States in Federal farm credit societies shall receive no dividends, but all other stock shall share in dividend distributions without preference.

It shall be the duty of the directors of every Federal farm credit society, as soon as practicable after the certificate of incorporation for such society has been issued, to open books of subscription to the capital stock of said society. Every person subscribing to the capital stock thereof shall indicate whether or not he intends to become a borrower from said society. If within 30 days after the opening of said books any part of the minimum capitalization of $10,000 herein prescribed for Federal farm credit societies, exclusive of subscriptions made by prospective borrowers, shall remain unsubscribed, it shall be the duty of the Secretary of the Treasury to subscribe the balance thereof on behalf of the United States, said subscription to be subject to call, in whole or in part, by the board of directors of said national farm credit society upon 30 days' notice, with the approval of the Federal Farm Loan Board; and the Secretary of the Treasury is hereby authorized and directed to take out shares corresponding to the unsubscribed balance as called, and to pay for the same out of any moneys in the Treasury not otherwise appropriated.

It shall be the duty of the Federal Farm Loan Board to prescribe rules, regulations, and conditions upon which the Secretary of the Treasury shall pay for said stock, and may require the directors and officers of said society to give bond or other security for safeguarding said funds.

The Government of the United States shall have no vote for the shares of stock held by it at meetings of shareholders, but the Federal Farm Loan Board shall prescribe rules and regulations for the protection of the interests of the Government on account of stock held by it.

After the subscriptions to the capital stock of any Federal farm credit society, exclusive of the amount subscribed by the Government of the United States, shall amount to $25,000, the stock held by the Government of the United States shall be canceled and retired, and the said Government shall be paid the par value thereof. The retirement of said stock and the payment thereof to the Government shall be made semiannually and shall cover such a period of years as shall be prescribed by the Federal Farm Loan Board.

Every Federal farm credit society shall keep a certain amount of its capital stock in quick assets, the character of such assets and the amount thereof to be prescribed by the Federal Farm Loan Board, and said board shall further prescribe for any additional reserve fund to be kept and maintained by said society.

LOANS.

SEC. 20. That Federal farm credit societies shall make loans only to shareholders who are farmers. No loan shall be made for less than $10 nor for more than $2,500 unless first approved by the national farm credit bank of the Federal land bank district in which such society is located, or for a longer time than one year. No loan shall be made to a shareholder in an amount greater than ten times the paid-up capital stock he holds in said society. The stock held in such societies by any borrower therefrom shall not be transferable and shall be held as collateral security for the payment of any loan made to such borrower, but such shareholder shall be paid any dividends accruing on said capital stock while it is outstanding. Any shareholder who has been a borrower may on his request, on payment of his note in full, have his stock canceled, and he shall thereupon be paid an amount in cash equal to the par value of his stock, or have the same applied in final payment of his note, subject to any reduction that may be necessary to pay the proportionate share of said stock to meet any impairment of the capital of any society at the time payment may be made.

Any person desiring to borrow money from a Federal farm loan society shall make written application therefor, accompanied by an agreement to purchase stock in said society equal to one-tenth of the amount of the loan granted, and may reserve the right to pay for said stock out of the proceeds of said loan. No loan shall be made except on the written approval of at least three of the directors.

The directors of any Federal farm credit society may appoint among its shareholders such committees as may be necessary to aid it in transacting its business.

Every Federal farm credit society is prohibited from incurring indebtedness for administration expenses which in any way impairs the minimum capital stock required in the organization certificate of such society.

DEBTS AND OBLIGATIONS OF FEDERAL FARM CREDIT SOCIETIES.

SEC. 21. That every Federal farm credit society shall be primarily liable for all its contracts, debts, liabilities, and financial obligations of every kind and character; and every such society shall likewise be liable for such portion of the debts, liabilities, and financial obligations which shall not be paid after the assets of any other such society shall have been liquidated and distributed: *Provided*, That such losses, if any, shall be assessed by the Federal Farm Loan Board against solvent societies liable therefor in proportion to the amount of their capital stock at the time of such assessment: *Provided further*, That the Federal Farm Loan Board by order duly made shall create and establish a guaranty fund to which all Federal farm credit societies shall be required to contribute an equitable amount annually and from which shall be paid any of the debts, liabilities, and financial obligations of any such society after the assets thereof shall have been liquidated and distributed, but the creation of such guaranty fund shall in no way relieve any Federal farm credit society from its liability to make further contribution under any assessment which may be made by the Federal Farm Loan Board under the provisions of this section.

Every Federal farm credit society shall in its application for incorporation assume the financial liability provided in this section and its organization certificate shall so specify.

RESPONSIBILITY OF SHAREHOLDERS.

SEC. 22. That shareholders of every Federal farm credit society shall be held individually responsible, equally and ratably and not one for another, for all contracts, debts, and engagements of such society to the extent of the amount of stock owned by them at the par value thereof. Stock held in Federal farm credit societies shall not be transferable.

The stock held by any shareholder in any Federal farm credit society shall be held in trust by such society to meet the obligations of any shareholder as a member of said society, and shall be exempt from any

debt, judgment lien, execution, attachment, or other process issued out of any State court, or out of any court of the United States.

EXEMPTION FROM TAXATION.

SEC. 23. That every national farm credit bank and every Federal farm credit society, including the capital and reserve or surplus thereof, and the income derived therefrom, shall be exempt from Federal, State, municipal, and local taxation, except taxes upon real estate held, purchased, or taken by said bank or society, under the provisions of this act.

Notes and other legal obligations executed to Federal farm credit societies, or to national farm credit banks, and farm credit debentures issued under the provisions of this act shall be deemed and held to be instrumentalities of the Government of the United States, and as such they and the income derived therefrom shall be exempt from Federal, State, municipal, and local taxation.

FEDERAL FARM CREDIT SOCIETIES SHALL PURCHASE STOCK IN NATIONAL FARM CREDIT SOCIETIES.

SEC. 24. That every Federal farm credit society shall from time to time subscribe to the capital stock of the national farm credit bank of the Federal land bank district in which it is located in an amount equal to 10 per cent of the total credit extended to it by such bank, both through direct loans to the society or through the discount or rediscount of the notes of said society or its shareholders. Every national farm credit bank shall from time to time cancel any stock which any Federal farm credit society shall hold in any such bank in excess of the 10 per cent above provided and pay to such Federal farm credit society in cash the amount of said stock so canceled according to the par value thereof.

RATE OF INTEREST.

SEC. 25. That Federal farm credit societies shall not charge a rate of interest in excess of 6 per cent per annum.

National farm credit banks shall not charge any Federal farm credit society a rate of interest in excess of 5½ per cent per annum, and in no case shall any national farm credit bank charge a Federal farm credit society a rate of interest which exceeds by more than one-half of 1 per cent annually the rate of discount paid by said bank, or the rate of interest it pays on borrowed money.

LOAN COMMITTEE.

SEC. 26. That the president, vice president, and one other director, to be elected by the board of directors, shall constitute the loan committee of each Federal farm credit society. Said committee shall investigate and pass upon the character of each applicant for a loan, and as to the security offered therefor. No loan shall be made except upon the approval of a majority of the board of directors, and no director shall vote upon any loan in which he has a direct or indirect pecuniary interest.

SECURITY FOR LOANS.

SEC. 27. That Federal farm credit societies shall make loans only when satisfactorily secured in one or more of the following ways:

(a) By the signature of two responsible indorsers.

(b) By a chattel mortgage upon personal property worth at least double the amount of the loan.

(c) By a chattel mortgage upon growing crops when secured also by at least one responsible indorser.

(d) By the delivery of bonds, notes, or other securities in such amount and of such a character as shall afford ample security for the loan.

(f) By such other security as may be prescribed by the Federal Farm Loan Board.

REPEALING CLAUSE.

SEC. 28. That all acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. The right to amend, alter, or repeal this act is hereby expressly reserved.

EXTENSION OF REMARKS.

Mr. GANLY. Mr. Speaker, I ask unanimous consent to extend remarks in the RECORD on the merchant marine bill.

The SPEAKER. The gentleman from New York asks unanimous consent to extend remarks in the RECORD on the merchant marine bill. Is there objection?

There was no objection.

Mr. WATKINS. I ask unanimous consent to extend my remarks in the RECORD on the legislation just spoken of by the gentleman from Oklahoma [Mr. MORGAN].

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend remarks in the RECORD on the subject just referred to by the gentleman from Oklahoma [Mr. MORGAN]. Is there objection?

There was no objection.

Mr. HARRISON. Mr. Speaker, I ask unanimous consent to extend remarks in the RECORD on the Volstead bill.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend remarks in the RECORD on the Volstead bill. Is there objection?

There was no objection.

Mr. KINKAID. Mr. Speaker, I ask unanimous consent to extend remarks in the RECORD on the legislation of the session.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend remarks in the RECORD on the legislation of the session. Is there objection?

There was no objection.

IRELAND.

Mr. EAGAN. Mr. Speaker, I ask unanimous consent for the present consideration of House concurrent resolution 57, known as the Mason resolution, reported by the Committee on Foreign Affairs on May 29, 1920, to the effect that the Congress of the United States views with concern and solicitude the deplorable conditions existing in Ireland and expresses its sympathy with the aspirations of the Irish people for a government of their own choice.

The SPEAKER. The Chair does not recognize the gentleman for that purpose.

Mr. EAGAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. EAGAN. For several days I have been trying, as have other gentlemen on this side of the Chamber, to secure action on the Mason resolution. The chairman of the Foreign Affairs Committee [Mr. PORTER], in the debate on another bill on Thursday evening last, in response to an inquiry by me as to what his program was with regard to the Mason resolution, said that he hoped an opportunity would be given to the House to consider and dispose of it before adjournment. I am reliably informed that the chairman of the Foreign Affairs Committee does not intend to bring up the Mason resolution. I want to know what method can be devised whereby we may have an opportunity to consider this resolution before we adjourn?

The SPEAKER. It is difficult to pass any legislation when there is trouble in maintaining a quorum.

Mr. SMITH of New York. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SMITH of New York. Is it permissible at this stage, before adjournment, for a member of the Foreign Affairs Committee to move the consideration of House concurrent resolution 57, just referred to by the gentleman from New Jersey [Mr. EAGAN], which was reported out of the committee over a week ago?

The SPEAKER. It is not. If a question were raised as to a quorum, it might complicate matters by causing delay while the presence of a quorum was being obtained.

Mr. EAGAN. We have passed other legislation here to-day, and perhaps without a quorum.

The SPEAKER. No legislation can be passed now except by unanimous consent.

Mr. EAGAN. And my request, Mr. Speaker, was for unanimous consent.

Mr. GALLAGHER. Mr. Speaker, can not that legislation——

The SPEAKER. The Chair declines to discuss that matter any further.

RURAL HOMES.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent that the House take a recess until 2 o'clock.

Mr. KINKAID. Mr. Speaker, reserving the right to object, the bill (S. 3477) to increase, without expenditure of Federal funds, the opportunities of the people to acquire rural homes, and for other purposes, is a bill of great merit which we have been waiting for several days to get an opportunity to consider. I would like to know definitely, before the recess is taken, when this bill can be taken up? I ask unanimous consent that it be taken up now.

The SPEAKER. No legislation can be taken up now except by unanimous consent.

Mr. KINKAID. I ask unanimous consent for the present consideration of the bill S. 3477.

Mr. GARRETT. Reserving the right to object, let me direct the attention of the gentleman from Nebraska to this proposition and then see whether or not he desires to call up that bill. It is a Senate bill. It has passed the Senate. Now, there is no more chance of that bill being engrossed and reaching the President in time for him to sign it before the hour of adjournment comes than there is of any other impossible thing happening. There is no chance whatever.

Mr. TAYLOR of Colorado. It is a very short bill.

Mr. GARRETT. If it does pass and is not signed it is dead.

Mr. KINKAID. I will take the chances on that.

ALVIN W. WEAKLEY.

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk.

Mr. KINKAID. Mr. Speaker, as I understand it, I shall have the floor when the gentleman from Missouri has gotten through.

The Clerk read as follows:

House resolution 588.

Resolved, That Alvin W. Weakley be appointed special messenger to serve in and about the House under the direction of the Doorkeeper, at a salary of $100 per month, to be paid out of the contingent fund of the House, until December 1, 1920.

Mr. CLARK of Missouri. Mr. Speaker, this boy has been here housed up for five or six years. He is in very bad health, has not a dollar on earth, and if the resolution is not passed

prior to the adjournment he is off the rolls and has nothing to live on.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

RURAL HOMES.

Mr. KINKAID. Now, Mr. Speaker, I renew my request for the present consideration of Senate bill 3477.

The SPEAKER. The gentleman from Nebraska asks unanimous consent for the immediate consideration of the bill, which the Clerk will report.

The Clerk read as follows:

An act (S. 3477) to increase, without expenditure of Federal funds, the opportunities of the people to acquire rural homes, and for other purposes.

Be it enacted, etc., That the Secretary of the Interior, through the Reclamation Service, is authorized to investigate and determine the feasibility of developing farms and tracts of land in private ownership within any State or Territory, by reclamation and otherwise, for the purpose of subdividing the land and disposing of the same in farms and parcels at reasonable prices.

SEC. 2. That after the Secretary of the Interior has determined the feasibility of a project, he is authorized, through the Reclamation Service, to develop the land to such extent and dispose of the same in farms and parcels in such manner and upon such terms as to him shall be deemed most feasible and practicable.

SEC. 3. That no moneys of the United States shall be expended for any of the purposes of this act, nor shall either the investigation or development of any project be commenced or any obligation incurred therefor until a contract shall have first been made by the Secretary of the Interior with the owner or owners of the land providing for the payment in advance by the owner or owners of sufficient moneys to meet the estimated cost, and thereafter of sufficient moneys to meet the actual cost of such investigation or development, and no expense shall be incurred by the Government in excess of moneys already advanced. The moneys provided by every such contract shall be deposited with the Treasury of the United States as a trust fund, and shall be disbursed by a duly authorized fiscal officer of the Government under the direction of the Secretary of the Interior and in accordance with the terms of such contract.

SEC. 4. That every contract for development of a project shall provide, among other things, that the developed farms and parcels shall be sold to persons who desire to occupy the same as homes, at the actual cost of the land and the development thereof plus a definite reasonable profit to the owner or owners stated in advance therein. All contracts for the purchase of farms and parcels shall be made for, and the moneys due thereunder shall be payable to, the owner or owners of the land or their assigns.

With the following committee amendments:

Page 1, line 8, after the word "prices," insert the following: "lands in excess of the amount needed by the owner for his own farm and of the disposing of the remaining lands in farms and parcels of suitable size at reasonable prices"; page 2, line 3, strike out the word "land" and insert the words "farms and tracts"; page 2, line 4, strike out the word "same" and insert "surplus lands"; same page, line 5, after the word "parcels," insert the words "of suitable size."

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object——

Mr. CANNON. What is the request?

The SPEAKER. The gentleman asks unanimous consent for its present consideration.

Mr. CANNON. Mr. Speaker, I want to say that I have no objection to the gentleman from Nebraska making a speech, but this proposition he suggests, if there is any objection that will prevent its being considered in these closing minutes of the session, if necessary I will make it.

The SPEAKER. The right to object is reserved.

Mr. KINKAID. Mr. Speaker, I heartily thank the distinguished ex-Speaker [Mr. CANNON] for his kindness in withholding his objection to the consideration of the bill in order that I may have time to at least outline its merits, with the hope of securing its immediate consideration. It is a Senate bill. The bill having been referred to the Secretary of the Interior by the Senate committee, he responded with a strong indorsement of all of its provisions, and a copy of that letter is contained in the report which accompanies the bill. After full discussion in the Senate the bill was passed without opposition. Our House Committee on Irrigation of Arid Lands, to which the bill was referred, has unanimously recommended its enactment.

It is not a Government land proposition, but it is lands in private ownership which is intended to be developed. It is not the Government that is going to perform the development, but the owners of private lands themselves; neither is Government money to be used for the development, but the landowners themselves must raise the money and deposit it with the Secretary of the Treasury before the Government will undertake to direct or supervise for the owners of the land the development to be made. I deem it important to here emphasize that the Government is not to expend one dollar for the development. Some of the membership inquire whether it is not another big reclamation measure; well, I will say, it is a reclamation measure, and that in a very broad sense. It is for the reclamation of semiarid lands in the West by irrigation; it is for reclamation by the drainage of swamp lands wherever they may be found, in the East, West, North, or South; it is also for reclamation by the pulling of stumps and the clearing of such lands, and it is further contemplated that worn-out lands may be reclaimed for farming purposes by refertilization under the act. The provisions are not intended any more for the benefit of any one region or section of the country than another; no more for any one State than for all the rest of the States in the Union; it is contemplated that the act may be utilized in any locality of the United States where the conditions may be applicable.

Mr. Secretary Lane, in urging the importance of going forward with the development and utilization of our natural resources, in his last report said:

But in suggesting practicable steps of progress at this time I do not forget the burden of taxation which confronts our people, nor the delicate and difficult task which Congress is called upon to perform in trying to keep the national outgo within the national income. Hence I am now suggesting such constructive things as the Government may be able to do through the exercise of its powers of supervision and direction.

This bill is in accordance with the Secretary's idea. I wish to reiterate here that the Government is not going to do the developing or reclaiming of the private lands. All that the Government is going to do is to help the people to help themselves, and, in the language of the title, "thereby help to increase the opportunities of the people who do not have homes to acquire rural homes of their own." When a project is undertaken the Government will merely lend to the private landowners the assistance of the very able and experienced irrigation and drainage engineers employed in the Reclamation Service to perform the necessary engineering work under the supervision of the Director of the Reclamation Service and the Secretary of the Interior. The skill of these experienced and reliable engineers is intended to safeguard the interests of the landowners, who must furnish all of the necessary funds for the development or reclamation to be accomplished. The ascertainment of these engineers will safeguard those who furnish money for development, whether it be the landowners themselves or their mortgagees, or the purchasers of bonds issued by a district which may be formed.

But the limited time does not permit me to bring out the strong points of the bill, and I shall let it suffice to say that I regard it as a very meritorious measure.

Mr. SINNOTT. Mr. Speaker, will the gentleman yield?

Mr. KINKAID. Yes.

Mr. SINNOTT. I hope the gentleman will not object to this bill. I was on the Irrigation Committee when the matter was considered. I will state to the gentleman from Illinois [Mr. CANNON] that the farmers in my district in the last year and a half have bonded themselves to the amount of $15,000,000, and they will try to take advantage of the provisions of this measure without a cent of cost to the Government. They want the advantage and the prestige of the experience and reputation of the Reclamation Service in supervising works of this kind.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. KINKAID. Yes, with pleasure.

Mr. CANNON. The gentleman says it is to cost the Government nothing, and yet from the reclamation fund the Interior Department, under section 2, I think, either 2 or 3—for I read the bill—can spend from the reclamation fund in the pursuance of a real estate Interior Department organization and pay from that fund all over the country.

Mr. KINKAID. Oh, will the gentleman permit me to read the clause in question?

Mr. SINNOTT. Mr. Speaker, as a condition precedent to setting in operation the provisions of the act, those who desire to take advantage of it must put up the money.

Mr. BLANTON. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection?

Mr. BEGG. I object.

The SPEAKER. Objection is made.

Mr. KINKAID. Mr. Speaker, I want to answer the gentleman from Illinois.

Mr. BEGG. Mr. Speaker, I withdraw the objection long enough to have the gentleman make a statement if he desires.

Mr. KINKAID. The statement of the very distinguished gentleman from Illinois [Mr. CANNON] is that money of the United States may be expended for some of the purposes of this act. Now, I beg leave to read from section 3. The language is:

That no moneys of the United States shall be expended for any of the purposes of this act, nor shall either the investigation or development of any project be commenced or any obligation incurred therefor until a contract shall have first been made by the Secretary of the Interior with the owner or owners of the land, providing for the payment in advance by the owner or owners of sufficient moneys to meet the esti-

mated cost, and thereafter of sufficient moneys to meet the actual cost of such investigation or development, and no expense shall be incurred by the Government in excess of moneys already advanced.

But I call attention also to the title of the act, which reads: "An act to increase, without expenditure of Federal funds, the opportunities of the people to acquire rural homes."

Mr. CANNON. Mr. Speaker, will the gentleman read section 2?

Mr. KINKAID. Pardon me; there is not a word about funds in section 2. It is in section 3, which I have just read, that the moneys are referred to.

Mr. BLANTON. Mr. Speaker, I demand the regular order.

Mr. KINKAID. Not a cent of its own money is to be expended by the Government.

The SPEAKER. Is there objection?

Mr. BEGG. I object.

Mr. KINKAID. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

GEN. GRANT.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to have a letter read from the Clerk's desk, and I state the reason why I want to have it read. The gentleman from Texas [Mr. SUMNERS], I believe on the birthday of Gen. Grant, delivered an address upon the life and character of Gen. Grant. Gen. Grant's headquarters were at Savannah, Hardin County, Tenn., my home county, just prior to the Battle of Shiloh. A great many of the people there had informal nonmilitary transactions with him.

Mr. BLANTON. Mr. Speaker, how many pages long is the letter?

Mr. SIMS. It is very short.

Mr. BLANTON. How many pages?

Mr. SIMS. Oh, wait a minute.

Mr. REAVIS. Mr. Speaker, the letter contains no reflection upon the gentleman from Texas, does it?

Mr. SIMS. Oh, no. It is along the line and supplementary of what he said. Gen. Grant's headquarters were at Savannah, and the Battle of Shiloh was fought in Hardin County, 10 miles above Savannah, at Pittsburg Landing. Later his headquarters were at Corinth, Miss., the home of the gentleman from Mississippi [Mr. CANDLER].

Mr. BLANTON. Why not put the letter in the RECORD?

Mr. SIMS. I have a letter here, which I ask——

Mr. BLANTON. Mr. Speaker, I demand the regular order.

Mr. SIMS. It gives the details of a personal nature with private citizens.

The SPEAKER pro tempore (Mr. TILSON). Is there objection to the request of the gentleman from Tennessee?

Mr. GARLAND. Mr. Speaker, I object.

Mr. SIMS. Then I will say, if the gentleman does not want to hear the letter read, it ought to be read for the information of the country, because Gen. Grant is too great a character in our country's history to be shut out, as it were, in this sort of way. I am only trying to do honor to the memory of Gen. Grant and to show how he treated private citizens over whom he had all power, which shows that he treated private citizens more as a father than as a despotic military man. I do not want to simply print it in the RECORD. If gentlemen of the North do not want to hear good things of Gen. Grant there are others who do.

Mr. GARLAND. Oh, this is just Democratic bunk.

Mr. SIMS. It is not Democratic bunk. I ask unanimous consent that the letter be read, and if there is the slightest objection to its going in the RECORD I will withhold it until gentlemen from the North are willing to know the truth about Gen. Grant.

Mr. GARLAND. Mr. Speaker, I object.

Mr. RAYBURN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SIMS. It is going to cost you much more time than it would take to read this letter if this permission is denied.

Mr. RAYBURN. I want to know whether the Chair or anyone else in the House understands what the program is. I stayed here nearly all night last night, I had a very light breakfast, and I want to stay here during the time that the House is in session to-day to see what is going on. I suggest that if there is no more business to be transacted, we would better come to some kind of an agreement about a recess.

Mr. CAMPBELL of Kansas. Mr. Speaker, may I make this statement: It is expected that the budget bill will be returned from the Senate with a minor amendment at almost any time. Otherwise unanimous consent would be asked that the House stand in recess.

Mr. RAYBURN. A gentleman who has just returned from the Senate informed me that it is dead.

Mr. CAMPBELL of Kansas. The hope is that it is not dead.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. SIMS] may have 10 minutes in which to address the House.

Mr. SIMS. It will not take 10 minutes.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the House stand in recess for one hour.

Mr. SIMS. Unless I can have this letter read, there will be no more unanimous-consent requests granted. I am not asking for legislation.

Mr. GARLAND. All right, I object.

Mr. SUMMERS of Washington. I object.

Mr. CANNON. The gentleman has made a very strong argument, and while I have no objection to listening to the reading of the letter, he has made a very strong argument to induce me to object.

The SPEAKER. The first unanimous consent is upon the request of the gentleman from Michigan that the gentleman from Tennessee be allowed to address the House for 10 minutes. Is there objection?

Mr. GARLAND. Mr. Speaker, I object.

The SPEAKER. Objection is made. The gentleman from Texas asks unanimous consent that the House take a recess for one hour.

Mr. SIMS. Mr. Speaker, I object.

The SPEAKER. Objection is made.

Mr. GARD. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee may have five minutes.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the gentleman from Tennessee have five minutes. Is there objection?

Mr. BEGG. Mr. Speaker, reserving the right to object, I want to ask the gentleman from Pennsylvania if he hears this unanimous-consent request?

The SPEAKER. The gentleman from Ohio asks unanimous consent that the gentleman from Tennessee have five minutes.

Mr. GARLAND. Mr. Speaker, I will say that I asked a few moments ago the gentleman from Ohio [Mr. BEGG] to withdraw his objection.

Mr. BEGG. I am not making the request; I was defending the gentleman and trying to get him to hear this request.

Mr. SIMS. I did not object.

The SPEAKER. The gentleman from Ohio [Mr. GARD] asks unanimous consent that the gentleman from Tennessee address the House for five minutes.

Mr. GARLAND. Mr. Speaker, I object. The gentleman is putting a lot of bunk into this——

Mr. SIMS. This letter is going in and we can all see what he calls bunk. [Cries of "Regular order!"]

Mr. GARLAND. After the campaign it is all right.

Mr. SIMS. It is not a matter of campaign, it is a matter of history.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee may have permission to extend his remarks by inserting a letter which I am reliably informed is a very eloquent tribute to Gen. Grant.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the gentleman from Tennessee may insert in the RECORD a letter. Is there objection——

Mr. GARLAND. And not read it.

Mr. SIMS. No, sir; I am going to read it before this House adjourns.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GARLAND. I will not object to that.

Mr. SIMS. Then I renew my request that the Clerk may read this letter from the desk. I will not make a speech——

The SPEAKER. But the gentleman from Pennsylvania has objected several times.

Mr. SIMS. I know, but he does not know what he is doing.

Mr. GARLAND. I do; I know who I am opposing when I object.

Mr. SIMS. Mr. Speaker, I was anxious to have the letter read, as many gentlemen are anxious to hear the letter read, but on account of prejudice, and, I hope, ignorance, a northern Republican, without knowing one word that is in the letter, denounces it as being Democratic bunk. I did not think any man, though a northern man and a Republican, would object to being informed as to the personal relations of Gen. Grant with private citizens of the South while commanding an invading army at and near the bloody Battle of Shiloh, but it was left to a Member of this House from the great State of Penn-

sylvania to deny to the membership of the House the benefit and pleasure of hearing the letter read from the Clerk's desk. Therefore I am driven to accept the permission given by the House to extend my remarks by printing the letter as a part of my remarks in order that it may be read by good and unprejudiced people, wholly unlike the gentleman from Pennsylvania, who, in the exercise of autocratic power, makes it necessary to do so, all because he imagines that it is Democratic bunk.

Soon after the address of the gentleman from Texas [Mr. SUMNERS] on Gen. Grant, I told him how kindly Gen. Grant treated private citizens of the South while in command of hostile invading armies. I told of a particular instance that was typical. In order to be sure of the correctness of my story I wrote Judge M. H. Meeks, of Nashville, Tenn., who was formerly a citizen of my district, to give me the details as to how his father was treated by Gen. Grant, and I now incorporate his letter and make the same a part of my remarks:

NASHVILLE, TENN., *May 25, 1920.*

Hon. T. W. SIMS,
Washington, D. C.

DEAR MR. SIMS: Your letter of the 25th instant has been duly received. The matter to which you referred in your letter occurred when I was about 8 or 10 years of age. My father's arrest by the Federal soldiers I remember distinctly. In fact, I had followed him to the front gate, where he went to see Dr. Boone and Mr. John C. Britton, neighbors, who were sitting on their horses in front of the gate at the time the arrest was made. So I was a witness to some of the facts connected with the story, and what I did not witness I have several times heard my father relate. The facts and circumstances so related by him I also remember very distinctly, and I think you will bear me out in the statement that anyone well acquainted with him would vouch for their correctness.

Soon after the Federal Army under Gen. Grant reached Pittsburg Landing, on the Tennessee River, which, as you know, is about 10 miles above Savannah, Tenn., my father was arrested by Federal Cavalry sent out from Pittsburg.

Gen. Grant's headquarters were at the home of W. H. Cherry, in Savannah, and Gen. Sherman was at Pittsburg.

My father, as you know, was a very pronounced Democrat and, if I may say it, a man of some prominence. When the question of secession was first submitted in Tennessee he voted for the State to remain in the Union; but when, after this, President Lincoln made requisition upon Tennessee to furnish soldiers to aid in crushing the rebellion, as it was termed, it fired the hearts of many Tennesseeans into opposition, and when the question was submitted to a vote the second time my father made speeches for secession and voted for it. I mention this to illustrate why the few in his section called Union men reported him to the Federal authorities and had him arrested very soon after the Army reached Pittsburg Landing. Two of his neighbors, Dr. D. M. Boone and Mr. John C. Britton, were arrested at the same time, and the three were taken to Pittsburg and then by boat to Savannah.

W. H. Cherry was a consistent Union man and a highly respected citizen. He married a Miss Irwin. The Irwin family was a prominent one and thoroughly Democratic and particular friends of my father. This was the foundation for a very kind feeling which actually existed between W. H. Cherry and my father.

Soon after my father with his neighbors reached Savannah, which was in the afternoon, he managed in some way to acquaint Mr. Cherry with his situation, and at night, after he had retired in a tent, Mr. Cherry came to where he was, and kneeling down whispered to him that he had procured for him an interview with Gen. Grant at his home the next day at 10 o'clock. During the evening, and before Mr. Cherry found my father, the officers in charge of and around him requested that they—referring to the three prisoners—should take the oath of allegiance. The neighbors were willing to take the oath and, I think, did so. My father flatly refused.

At the appointed time my father was at the place of meeting the following day. Gen. Grant had given an order that he be sent to headquarters at W. H. Cherry's home.

I presume it not improper to state at this place that my father was a prominent Mason and that soon after the meeting he learned that Gen. Grant was a member of the same order. My father was introduced to Gen. Grant as Gen. Meeks. My father first explained to him in what way he came by his military title; that he succeeded Gen. R. P. Neely, of Bolivar, Tenn., as general of the militia of West Tennessee. Political discussion first ensued, my father explaining fully and in detail what his course had been with reference to secession and how he felt about the war, during which Gen. Grant made the statement that he was as good a Democrat as my father and that he had always voted that ticket; that the only difference was that he thought his allegiance as a citizen was first due to the General Government and that my father understood that his allegiance was first due to his State; that his effort was to crush the rebellion, but that he wished it understood that he was not there to make war upon the private citizen; that the citizen who remained at home and attended to his business he was there to protect. My father took dinner with him at Mr. Cherry's, and some time after dinner my father changed the subject of conversation by saying: "Now, General, I feel that I have been with you as long as I should. While it is very pleasant, on your account, I think I should not expect to remain any longer. What are you going to do with me?" To which Gen. Grant promptly replied, "I am going to send you home." My father stated to him that it was very kind and that he appreciated it, but that the result would be that Col. Hurst would kill him when he got home. Gen. Grant said: "No; he will not. I will give you a safeguard that will protect you." My father then said: "Gen. Grant, what about my mules?" To which Gen. Grant replied: "I have not heard anything about any mules." My father then explained to him that when he was arrested those making the arrest took from him 12 fine mules. Gen. Grant told him at once that he would send the mules home also. My father then asked him, "What about my cotton?" Gen. Grant replied that he knew nothing about any cotton. My father explained to him that at the same time the soldiers had taken from him 40 bales of cotton. At this point Gen. Grant hesitated, looked at the floor a moment, and raising his head and looking directly at my father said: "I can not return your cotton. The Government needs your cotton. But I will do this: Mr. Cherry is buying cotton, and knows what it is worth. You and Mr. Cherry get together and agree upon what your cotton is worth and I will see that you get pay for it." My father told him that would be satisfactory, and it was done. During the conversation in reference to the mules and the cotton my father explained to him that the war had much diminished his force on the farm and that it would take the best effort they could make with the force at hand to provide for those around him.

Before discharging my father Gen. Grant gave him a safeguard signed by himself. I have looked everywhere for this paper, and have failed to find it, I am very sorry to say. When going home my father went by boat up to Pittsburg, and walked from there out, which is about 6 miles, and in doing so had to pass through Gen. Sherman's line. Gen. Sherman refused to let him pass the evening he reached his headquarters, but detained him until the next morning. He did not treat him kindly. A day or two after my father reached home Col. Hurst came out from Purdy with some of his men of the Sixth Regiment, stopped at the home of the closest neighbor to my father, and sent down a squad of his men in charge (fortunately for my father) of Capt. Dickerson, of Wayne County, Tenn., whom I expect you know and will remember. The house was surrounded while the family was at the breakfast table. My father was arrested and taken away, but he took his safeguard with him. In this connection I wish to state that Capt. Dickerson conducted himself as a gentleman and treated my father kindly, and it will be of some interest to you to be reminded that he supported me in my race for attorney general in 1878, and during my canvass spoke of the incident of my father's arrest and that the demeanor of my father at the time of his arrest caused him to resolve, when he learned who I was, to support me. When he reached Col. Hurst the treatment changed again. My father showed Col. Hurst the safeguard, and when he read it he turned him loose with imprecations and statements for which, I am sure, he subsequently repented.

After the Battle of Shiloh, Gen. Grant, with his army, moved on to Corinth, Miss. While there he wrote my father that it was very necessary for him to see him and to come at once. My father took with him Mr. J. A. Johnson, whom you remember—the father of Armpstead Johnson, my brother-in-law—and when they reached headquarters they found Gen. Grant alone smoking. He smoked a great deal, and at that time smoked a pipe. Immediately after the salutation my father told him he had received his letter and came in response to it. Gen. Grant said, "Gen. Meeks, I have been hearing some mighty bad things about you." My father asked him what he had heard. "I have been hearing that you were harboring guerrillas and aiding the rebellion," said Gen. Grant. My father stated to him that he had two sons in the Confederate Army, as he knew; that when they were in need of anything that he could furnish them he invariably did it; that occasionally they would cross the line and bring two or three comrades with them, hitch their horses

out in the bottom near his home, get corn and hay for them out of his barn, and that he would convey food to them and their comrades in the woods where they were staying. They would be there only a few days, and it was the only way they had to visit and see the family, and that while he was aiding the rebellion to that extent, it was true at the same time that for every Confederate soldier he fed he fed 100 for the Federal Army, not because he preferred to do so but because he had to do so, and, although not voluntary, the Federal Army got the benefit of it, and if this was harboring guerrillas he was guilty of it. After remaining with him for some time and discussing the usual questions, Gen. Grant finally delivered himself in about this way: "Well, Mr. Meeks, you go on home. Do the very best you can. I know how you are situated and you know how I am situated. We are going to win the fight, not because we are better fighters but because we have more men. When the Confederate Army loses one it has none other to supply his place. When we lose one we have three more ready to take his place. It is only a question of time. You do the best you can, Mr. Meeks. At the wind-up, should your boys be living, they may be in trouble, and if so, should I be living, I will help your boys." They then shook hands for the last time.

I wish to state further, as it bears upon the character of Gen. Grant:

My father owned slaves, and in the number was one given to him by his grandfather, Capt. John Henderson, who was a captain in the Revolutionary War. The negro's name was "Bob." He was a few years younger than my father. He was the most reliable colored man that I ever knew. He was treated like one of the family. Soon after the war began Bob asked father to furnish him a horse, that he might go to my brother, who was in the Confederate Army, and stay with him. My father did so and he went and stayed with him for months. He came home to see us, and while there the Federals came out and took him to Bethel Springs, and while there my father went to see Gen. Grant about getting Bob released. Gen. Grant told my father he could not force Bob to go back with him, but if Bob wished to go he would see that he did so. My father told him if Bob did not wish to go with him he did not want him. Gen. Grant gave my father an order to present to the colonel stationed at Bethel Springs, for whom Bob was working, directing him that if Bob wished to go back to his old home to send him back. My father presented the order to the colonel and, after reading the order, the colonel said to my father that Bob did not wish to go with him. Father said to him, "Call Bob around and ask him." He did so, and Bob said, "Yes, sir; I want to go back home." My father took him home and Bob died there in 1887. I left Jackson, Tenn., and went home to see him in his last illness, and a crowd attended his burial, both white and colored, that would do credit to almost anyone. He was sensible, industrious, and reliable. He was never chastised nor punished in his life as a slave. My father very nearly involved himself in a serious difficulty once when a white man became offended at Bob without cause and undertook to punish him. My father intervened and said to the man that he himself was in the wrong and that if he laid hands upon that negro he would have to encounter him in a very serious way, and the white man desisted.

This looks like I am giving too much space and time to Uncle Bob, but, Mr. Sims, as a matter of fact, I have a feeling for his memory that is strangely pathetic and I never miss an opportunity when the occasion will permit it not to vindicate him in every way, so far as the truth will permit.

This is presented in a somewhat desultory way and I had to get it up under difficulty, but will send it on as it is.

Yours, truly,

M. H. MEEKS.

The SPEAKER. The Clerk will call the roll for the Calendar for Unanimous Consent.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the House stand in recess until 2.15 p. m.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Accordingly (at 1 o'clock and 35 minutes p. m.) the House stood in recess until 2.15 p. m.

AFTER RECESS.

The recess having expired, the House was called to order by the Speaker.

The SPEAKER. The Chair will appoint, to fill the vacancy as director of the Columbia Institution for the Deaf, made by the resignation of Mr. PORTER of Pennsylvania, the gentleman from Delaware [Mr. LAYTON].

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess until 3.30.

Mr. JOHN W. RAINEY. Will the majority leader withhold that motion for a moment? Mr. Speaker, I desire to ask unanimous consent to extend my remarks in the RECORD on the Mason resolution and on legislation of the Sixty-fifth and Sixty-sixth Congresses.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD on the Mason resolution and legislation of the Sixty-fifth and Sixty-sixth Congresses. Is there objection? [After a pause.] The Chair hears none.

The gentleman from Wyoming asks unanimous consent that the House stand in recess until 3.30. Is there objection? [After a pause.] The Chair hears none.

RECESS.

Accordingly (at 2 o'clock and 17 minutes p. m.) the House stood in recess until 3.30 o'clock p. m.)

AFTER RECESS.

The recess having expired, the House was called to order by the Speaker.

BLACK WARRIOR RIVER CLAIMS—VETO MESSAGE.

The SPEAKER laid before the House the following message from the President of the United States:

JUNE 4, 1920.

To the House of Representatives:

I return herewith, without my approval, H. R. 4927, entitled "An act for the relief of Nancy A. Parsons, C. M. Parsons, D. F. Staggs, Ollie Staggs, Roas Staggs, Lena Birchfield, Alice Birchfield, Bertie Gwin, Greely Gilbert, and Nelson Gilbert."

This act directs the Secretary of the Treasury to pay the sum of $3,975, in certain designated proportions, to the persons enumerated in the title of the act, and recites that the sum in question is the value ascertained by condemnation proceedings in the District Court of the United States for the Northern District of Alabama, in an action in which the United States was plaintiff and the beneficiaries of the act defendants, as damages to lands owned by them jointly by the construction of certain works for the improvement of navigation on the Black Warrior River.

As a result of the construction of lock and dam No. 17, Black Warrior River, about 51 acres of land belonging to Nancy A. Parsons were overflowed. The right of the owner to a reasonable compensation being recognized, the Government made an offer, which was rejected, and condemnation proceedings were resorted to in the United States district court. The case was tried before a jury, which returned a verdict of $4,100, which the trial judge reduced to $3,975, or nearly $80 per acre for the land submerged. While there appears to have been no error in the legal proceedings, the final verdict in the case is plainly excessive. The land in question was assessed for taxes at $2 per acre. The mineral rights in the property had been sold by the owners, and only about 12 of the 51 acres were cleared and in cultivation. For the most part, it consists of waste or uncleaned land which has been permitted to grow up into an old pine field, and there was nothing in its location or character to give it any special value. The War Department, therefore, requested the Attorney General to discontinue the condemnation proceedings on the ground that the award of the jury was unreasonable and exorbitant.

The accompanying act was not referred to the War Department for report previous to its passage by the Congress as is usual in such cases, and it would seem that the Congress was not in possession of all the facts which ought to be considered in determining the measure of the Government's just obligation to the claimants in this matter. That they have been injured by the work in question is conceded, but protection of the just interests of the Government would seem to require a consideration of the evidence of value before a final determination of the amount which the Government should pay.

Mr. EDMONDS. Mr. Speaker, I move that the bill with the accompanying veto message be referred to the Committee on Claims.

The SPEAKER. The gentleman from Pennsylvania [Mr. EDMONDS] moves that the veto message with the accompanying bill be referred to the Claims Committee.

The motion was agreed to.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill and joint resolution of the following titles:

H. R. 11224. An act to amend the act entitled "An act to exclude and expel from the United States aliens who are members

of the anarchistic and similar classes," approved October 16, 1918; and

H. J. Res. 380. Joint resolution authorizing the payment of the compensation of session employees of the Senate and House of Representatives for the month of June, 1920, on the 5th day of said month.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval the following bills and joint resolutions:

H. R. 13627. An act to amend paragraph (e) of section 7 of the act approved March 3, 1919, entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines";

H. R. 10011. An act authorizing and directing the Director of the Census to collect and publish monthly statistics concerning hides, skins, and leather;

H. R. 13962. An act to extend the time for the construction of a bridge across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 10806. An act to provide for the abolition of the 80-rod reserved shore spaces between claims on shore waters in Alaska;

H. R. 10378. An act to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes;

H. J. Res. 270. Joint resolution authorizing the erection of a monument marking the starting point of the motor convoy from Washington to San Francisco;

H. R. 10183. An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes;

H. J. Res. 373. Joint resolution declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired;

H. R. 11892. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;

H. R. 14338. An act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an adequate basis;

H. R. 13976. An act to extend the time for the construction of a bridge across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13977. An act to extend the time for the construction of a bridge across the Allegheny River, at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13978. An act to extend the time for the construction of a bridge across the Ohio River, at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 14335. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes;

H. R. 6407. An act for the relief of Michael MacGarvey;

H. J. Res. 380. Joint resolution authorizing the payment of the compensation of session employees of the Senate and House of Representatives for the month of June, 1920, on the 5th day of said month; and

H. R. 11224. An act to amend the act entitled "An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," approved October 16, 1918.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed joint resolution (S. J. Res. 146) directing the Secretary of the Treasury to furnish the Senate certain detailed information secured from income and profits tax returns of taxable year 1918, in which the concurrence of the House of Representatives was requested.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution (S. J. Res. 146) directing the Secretary of the Treasury to furnish the Senate certain detailed information secured from income and profits tax returns of taxable year 1918; to the Committee on Ways and Means.

REPORT OF COMMITTEE APPOINTED TO WAIT UPON THE PRESIDENT.

Mr. MONDELL. Mr. Speaker, your committee of the House, appointed with a like committee of the Senate, to wait upon the President and inform him that the Congress is about to adjourn and would be pleased to receive any communication he desired to make, has performed that duty, and is informed by him that the President has no further communication to make to the Congress.

LEAVE TO ADDRESS THE HOUSE—WORK OF THE SECOND SESSION, SIXTY-SIXTH CONGRESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that I may address the House for 10 minutes.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to address the House for 10 minutes. Is there objection? [After a pause.] The Chair hears none. [Applause.]

Mr. MONDELL. Mr. Speaker, the second session of the Sixty-sixth Congress is about to pass into history with a record of diligent and intelligent consideration of the public business, careful scrutiny of and economy in appropriations, and wise, constructive, progressive legislation, unexcelled by any Congress in American history. [Applause on the Republican side.]

Entering upon its labors in the midst of conditions of unparalleled extravagance in public expenditure, faced with departmental estimates of staggering proportions, the Congress has accomplished the most remarkable economies known in all the history of governmental appropriations. [Applause on the Republican side.] In the special session of this Congress the appropriations actually made in the eight regular supply bills which had failed in the former Democratic Congress were $940,610,598.97 below the amounts carried in the bills that failed. In the present session the Congress has effected a saving, below the administration's estimates in the 13 regular supply bills, of $1,433,850,218.09; making a total saving below the estimates as presented and urged by the departments in the two sessions of $2,374,460,817.06. [Applause on the Republican side.]

The program of legislation as announced by the Republican conference at the beginning of the first session of the Congress has been carried out to the letter, except as to certain bills for the protection of American industries which passed the House but, in the absence of a clear and effective working majority in the Senate, failed in that body in the face of Democratic opposition.

This program of forward-looking progressive legislation constitutes the finest record ever made in the same period by an American Congress, and embraces such important legislation as the railroad transportation act; the woman suffrage amendment; the merchant marine shipping act; the oil and coal land leasing act; the Federal water power act; the Sweet war-risk act; the act for the enforcement of national prohibition; the civil-service retirement act; the act for the vocational rehabilitation of those disabled in industry; the act for the creation of a Women's Bureau in the Department of Labor; the bill for the extension and enlargement of the Lever Act, with a view of preventing hoarding and profiteering, and with additional penalties for the violation of the statute; legislation with liberal provisions and generous appropriations for vocational training and rehabilitation of wounded soldiers and sailors; and the resolution repealing war-time legislation, except such as should remain in force until peace is officially established. These and other acts of far-reaching importance constitute a record unequaled in American history. [Applause on the Republican side.]

This has been a "porkless" Congress. No new public buildings have been authorized; no new river and harbor projects undertaken, but the public works under way and in progress have been abundantly provided for. The Congress has been particularly conspicuous for its steadfast refusal to pass the kind of measures to make the class of appropriations sometimes referred to as "pork-barrel" appropriations. But with all of its economies the Congress has provided for the proper maintenance and effective prosecution of all essential public services.

For years the country has demanded a more businesslike system of estimating and appropriation. Party platforms, the press, and enlightened public sentiment have all voiced the demand for a budget system. Such a system, carefully considered and wisely drawn, was passed and sent to the President. The most essential part of a budget system is the independent audit of the expenditure of public money. Only through an audit of expenditures in the executive departments entirely independent of the departments can we hope for that thorough scrutiny of public expenditure which is essential to efficiency and economy. With the view of accomplishing that result the budget bill provided that the two officials at the head of the independent audit could be removed only for cause and by con-

current resolution of the Congress or by impeachment. The President vetoed this measure on the ground that his perogatives were invaded, because the President was not vested with authority to remove these officials, and thus the most essential feature of the whole budget system, that of a thoroughly independent audit of governmental expenditure. The attempt to override the President's veto, though supported by a considerable number of Democrats, failed through general opposition on the Democratic side.

An attempt to meet the President's wishes, in an earnest effort to secure budget legislation, even in an imperfect form, has, after being adopted in the House, met defeat in the closing hours of the session by the action of Democratic Senators. And thus for the moment this great reform which the Republican Congress has tried to carry out is defeated by the presidential veto. But the defeat is only temporary, for we shall pass a budget bill the first of the next session.

Before the budget failed the House of Representatives reformed its rules so as to provide for a single appropriating committee. This is the most remarkable action taken by a legislative body in self-denial with a view of economy, efficiency, and businesslike methods in American history.

Take it all in all the record of the Congress is one of which every Member of the Congress may well be proud. It is a record that commends the Congress to the favorable judgment of the American people. [Applause on the Republican side.]

I desire to commend the minority for the good and faithful work they have done in aiding in this accomplishment. [Applause on the Republican side.] A considerable portion of our legislation has been supported without regard to party.

Now, Mr. Speaker, if I may speak for just a moment in a personal strain, I want to thank the Members of this Congress, on both sides, for the splendid and loyal support they have given me in the discharge of the responsibilities I have had here. If I felt I had always been as generous and as good-natured as the Members have been to me, I would be very comfortable indeed.

And now, before we part, may I suggest to gentlemen on both sides that as it is the favorite pastime of certain portions of the public to indulge in unfair criticism of the Congress I think we should not ourselves aid and abet and encourage such unfavorable and unfair criticism of the Congress by the attitude we assume. You gentlemen on this, the Democratic side, have not all agreed with all that has been done; but in a large measure you have aided and assisted in what has been done. Let me suggest that, even though you may think the majority has not entirely lived up to all of its opportunities, performed perfectly all of its duties and discharged fully all of its obligations, Members of Congress should not lend themselves, even though they be of the minority, to unfair criticism which reflects on the body as a whole and all Members alike. [Applause.]

I have served here a long time and, with many men, I know that the membership of this body is honest, faithful, devoted to the public service, and even though we may have to confess that the Congress may not have done at all times all that it might have done, or in the most perfect manner, let us remember, all of us, including the gentlemen on the minority side, that we are Members of the greatest legislative body in the world, with authority direct from and representing 110,000,000 of the best people on earth and that it behooves us to refrain from unfair criticisms of this great legislative body of the American Congress of which we are Members.

I want to thank you all for the courtesy that has been extended to me, for your kindness and consideration in the discharge of my duties here, and to wish you all a pleasant summer and a happy return to the last session of this Congress and to the new Congress. I will even wish that for the gentlemen on the other side of the aisle, if their number is not increased. [Loud applause, the Members rising.]

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. GARRETT] may address the House for 10 minutes.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the gentleman from Tennessee may address the House for 10 minutes. Is there objection? [After a pause.] The Chair hears none. [Applause.]

Mr. GARRETT. Mr. Speaker, all Members of the House, individually and personally, will reciprocate the cordial personal good-will expressed by the gentleman from Wyoming. They in turn will wish for him a pleasant vacation and a happy return.

But I apprehend that if the hearts of all the men in this House were searched to their innermost depths, there would be found very little spirit of praise, or agreement to the words of praise, which the gentleman from Wyoming has uttered in regard to the public acts of the Congress itself. It is perhaps well that the gentleman from Wyoming made the speech which he made to this audience, because it did receive some slight ripples of applause on the Republican side, but I will venture the assertion here and now that this is the only audience in the United States in which he could make that speech and receive applause. [Applause on the Democratic side.] The work of this Congress measuring up with the records of any Congress of the past? How absurd! Why, you have seldom paused in the midst of doing nothing except to do something worse. [Laughter.] This Congress assembled here more than a year ago, facing problems more tremendous than any Congress in history had ever faced, the after-war problems of a great Nation, growing out of a great World War, but, unfortunately, all of the spirit of support of the Government which had been manifested during the days of the war itself, had been laid aside when this Congress met.

From the hour that it assembled and began its labors until now the majority of this Congress have proceeded in their activities upon a predicate of hate. [Applause on the Democratic side.] The inevitable result has been that upon the great things that challenged the patriotism and the intelligence of the House there has been an absolute, a humiliating, and a shameful failure. [Applause on the Democratic side.]

Tax laws! Why, you passed no tax laws save a few bunk, popgun bills designed to affect a small section, sometimes as much as a small congressional district, and sometimes only one or two counties in a congressional district. The last effort, I believe, to reduce the high cost of living was to lay a tax of $1.25 on beans.

Appropriations! You measure your savings by the estimates; yet there has not been a Congress for 25 years, Democratic or Republican, that has not always cut the estimates sent by the departments. What you gentlemen need to study and what the future will develop is those new laws that you have passed, which will open up new governmental activities and bring about new avenues of governmental expenditures. We can not concur in any word of praise because this Congress, on account of the spirit that has run through it, you know and the country knows, has been a humiliating failure. [Applause on the Democratic side.]

Mr. SWOPE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. BEE. On what subject?

Mr. SWOPE. Not on the bonus, but on one of our editors in Kentucky.

The SPEAKER. Is there objection?

There was no objection.

Mr. YATES. Mr. Speaker, I make the same request in regard to the speech that has just been made.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT SINE DIE.

The SPEAKER. The Chair thinks it is too late now for any further action in the House.

The Chair wishes to extend to all the Members of the House his thanks for the consideration and courtesy and forbearance which you have constantly shown me, and I wish you all a pleasant journey and a return here next session refreshed and invigorated. [Applause.]

The hour of 4 o'clock having arrived, the House stands adjourned sine die. [Applause.]

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Navy, transmitting proposed draft of a bill to amend article 40 of section 1624 of the Revised Statutes of the United States, and for other purposes (H. Doc. No. 807); to the Committee on Naval Affairs and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 14295) granting a pension to Bridget Margaret Geraghty, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GOOD: A bill (H. R. 14441) to provide a national budget system and an independent audit of Government accounts, and for other purposes; to the Select Committee on Budget.

By Mr. BLANTON: A bill (H. R. 14442) to prohibit interference with commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. LAYTON: A bill (H. R. 14443) to amend section 1180 of the Code of the District of Columbia; to the Committee on the District of Columbia.

By Mr. PARRISH: A bill (H. R. 14444) authorizing the construction of a bridge and approaches thereto across the Red River connecting Wilbarger County, Tex., and Tillman County, Okla., beginning at a point in the Mrs. Eliza Littleton survey, Wilbarger County, Tex., and extending north to a point near the line between range 21 and range 22 west, township 2 south, Jackson County, Okla.; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWNE: A bill (H. R. 14445) for the better protection of the lives, limbs, and property of persons, their heirs, and the United States from the violence of mobs; to the Committee on the Judiciary.

By Mr. MAPES: A bill (H. R. 14446) to amend the District of Columbia Code; to the Committee on the District of Columbia.

By Mr. GREEN of Iowa: A bill (H. R. 14447) to amend the revenue act of 1918, and for other purposes; to the Committee on Ways and Means.

By Mr. GALLAGHER: Resolution (H. Res. 589) regarding the republic of Ireland; to the Committee on Foreign Affairs.

By Mr. EAGAN: Concurrent resolution (H. Con. Res. 61) in relation to the republic of Ireland; to the Committee on Foreign Affairs.

By Mr. BROWNE: Joint resolution (H. J. Res. 381) proposing an amendment to the Constitution of the United States in relation to convening Congress in either House thereof in extraordinary sessions on the volition of the Members or the Members elect thereof; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 14448) granting a pension to Minnie M. Evans; to the Committee on Invalid Pensions.

By Mr. BOX: A bill (H. R. 14449) granting an increase of pension to Isabella C. Secrest; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 14450) for the relief of Morgan Miller; to the Committee on Claims.

By Mr. FULLER of Massachusetts: A bill (H. R. 14451) for the relief of contributors of the Ellen M. Stone ransom fund; to the Committee on Claims.

By Mr. HAWLEY: A bill (H. R. 14452) granting a pension to Anna Neibert; to the Committee on Invalid Pensions.

By Mr. HERSEY: A bill (H. R. 14453) granting a pension to Mary E. Finson; to the Committee on Invalid Pensions.

By Mr. MICHENER: A bill (H. R. 14454) for the relief of Melville Van Auker; to the Committee on Military Affairs.

By Mr. MOORE of Ohio: A bill (H. R. 14455) granting an increase of pension to Daniel W. Eveland; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 14456) granting a pension to Arrabell Beagle; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 14457) granting a pension to Christian Seiler; to the Committee on Pensions.

Also, a bill (H. R. 14458) for the relief of Willard F. Delano; to the Committee on Claims.

By Mr. WRIGHT: A bill (H. R. 14459) granting a pension to Sadie Judith Tharp; to the Committee on Pensions.

By Mr. KETTNER: A bill (H. R. 14460) to confer jurisdiction upon the Court of Claims to ascertain the cost to the Southern Pacific Co., a corporation, and the amounts expended by it from December 1, 1906, to November 30, 1907, in closing and controlling the break in the Colorado River and to render judgment therefor; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4109. By the SPEAKER (by request): Petition of Newspaper Writers' Union No. 9, urging repeal of the espionage law; to the Committee on the Judiciary.

4110. Also (by request), petition of Boston Lodge No. 264, International Association of Machinists, favoring amnesty for political prisoners; to the Committee on the Judiciary.

4111. By Mr. CULLEN: Petition of New York State Council, Knights of Columbus, favoring freedom of Ireland; to the Committee on Foreign Affairs.

4112. By Mr. ESCH: Petition of American Federation of Musicians favoring amnesty for political prisoners; to the Committee on the Judiciary.

4113. By Mr. JOHNSTON of New York: Petition of Chamber of Commerce of the State of New York in connection with the incorporation of companies engaged in foreign trade; to the Committee on Interstate and Foreign Commerce.

4114. Also, petition of Chamber of Commerce of the State of New York, favoring passage of merchant marine bill; to the Committee on the Merchant Marine and Fisheries.

4115. Also, petition of New York State Council, Knights of Columbus, favoring freedom of Ireland; to the Committee on Foreign Affairs.

4116. By Mr. RAKER: Petition of El Centro Chamber of Commerce of California, favoring Townsend good roads bill; to the Committee on Roads.

4117. Also, petition of National Association of Letter Carriers, favoring increases in postal salaries; to the Committee on the Post Office and Post Roads.

4118. By Mr. McGLENNON: Petition of Samuel Nelson Branch, Friends of Irish Freedom, Kearny, N. J., favoring Irish freedom; to the Committee on Foreign Affairs.

4119. Also, petition of James T. Boyd Council, Bloomfield, N. J., favoring increased pay for postal employees; to the Committee on the Post Office and Post Roads.

4120. By Mr. O'CONNELL: Petition of the Chamber of Commerce of the State of New York, favoring establishment of an American merchant marine; to the Committee on the Merchant Marine and Fisheries.

4121. Also, petition of the Chamber of Commerce, State of New York, relative to incorporation of companies engaged in foreign trade; to the Committee on Interstate and Foreign Commerce.

4122. Also, petition of New York State Council, Knights of Columbus, favoring freedom of Ireland; to the Committee on Foreign Affairs.

4123. By Mr. WRIGHT: Papers to accompany House bill 14459, granting a pension to Mrs. Sadie Tharp; to the Committee on Pensions.